

YOUR REF: SDA-1115-025961
OUR REF: ROL 1110/2015 (D#792330)

17 October 2016

CairnsSARA@dilgp.qld.gov.au

SARA
Far North Queensland Regional Office
PO Box 2358
CAIRNS QLD 4870

Dear Sir/Madam

**DECISION NOTICE UNDER S 335 SUSTAINABLE PLANNING
ACT 2009: DEVELOPMENT APPLICATION FOR MOSSMAN-
DAINTREE ROAD, 2-28 SOUTH ARM DRIVE AND VIXIES ROAD,
WONGA BEACH**

With reference to the abovementioned Development Application, which was determined under Instrument of Delegation on 21 January 2016, please find attached the relevant Decision Notice.

The Notice includes extracts from the Act with respect lodging an Appeal.

Should you require further information in regards to this matter please contact Jenny Elphinstone of Council's Development Assessment and Coordination branch, Sustainable Communities on direct telephone, (07) 4099 9482 or by email jenny.elphinstone@douglas.qld.gov.au .

Yours faithfully

Paul Hoyer
Manager Sustainable Communities

Att

APPLICANT DETAILS

Daintree Saltwater Barramundi Fish Farm Pty Ltd
Lot 3 Vixies Rd
WONGA BEACH QLD 4873

ADDRESS

Mossman-Daintree Road, 2-28 South Arm Drive and, Vixies Road,
Wonga Beach

REAL PROPERTY DESCRIPTION

Lot 278 on SR419, Lot 1 on SP188690 and Lot 3 on SP150448

PROPOSAL

Boundary Realignment

DECISION

Approved subject to conditions (refer to approval package below).

DECISION DATE

21 January 2016

TYPE

Reconfiguration of a Lot (Development Permit)

REFERRAL AGENCIES

For an application involving	Name of referral agency	Advice agency or concurrence agency	Address
Tidal works or development in a coastal management district	Department of Infrastructure, Local Government and Planning	Advice or Concurrence	Far North Queensland Regional Office PO Box 2358 CAIRNS QLD 4870

SUBMISSIONS

There were no submissions for this application.

FURTHER DEVELOPMENT PERMITS REQUIRED

Compliance Assessment

CODES TO COMPLY WITH FOR SELF-ASSESSABLE DEVELOPMENT

None

DOES THE ASSESSMENT MANAGER CONSIDER THE APPLICATION TO BE IN CONFLICT WITH APPLICABLE CODES, PLANNING SCHEME, STATE PLANNING POLICIES OR PRIORITY INFRASTRUCTURE PLAN (IF YES, INCLUDE STATEMENT OF REASONS)

Not in conflict

Drawing or Document	Reference	Date
Site Plan prepared by Consultant Design & Draft, Town Planning & Project Management Services	NC2915	20 September 2015

ASSESSMENT MANAGER CONDITIONS

Assessment Manager Conditions

1. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:-
 - a. The specifications, facts and circumstances as set out in the application submitted to Council;
 - b. The following conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual.

Except where modified by these conditions of approval.

CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS

Concurrency Agency	Concurrency Agency Reference	Date	Council Electronic Reference
Department of Infrastructure, Local Government and Planning	SDA – 1115-025961	11 December 2015	763066

Refer to Appendix 2: Concurrency Agency Requirements. (Please note that these conditions / requirements may be superseded by subsequent negotiations with the relevant referral agencies).

FURTHER ADVICE

1. This approval, granted under the provisions of the *Sustainable Planning Act 2009*, shall lapse four (4) years from the day the approval takes effect in accordance with the provisions of section 339 and section 341 of the *Sustainable Planning Act 2009*.

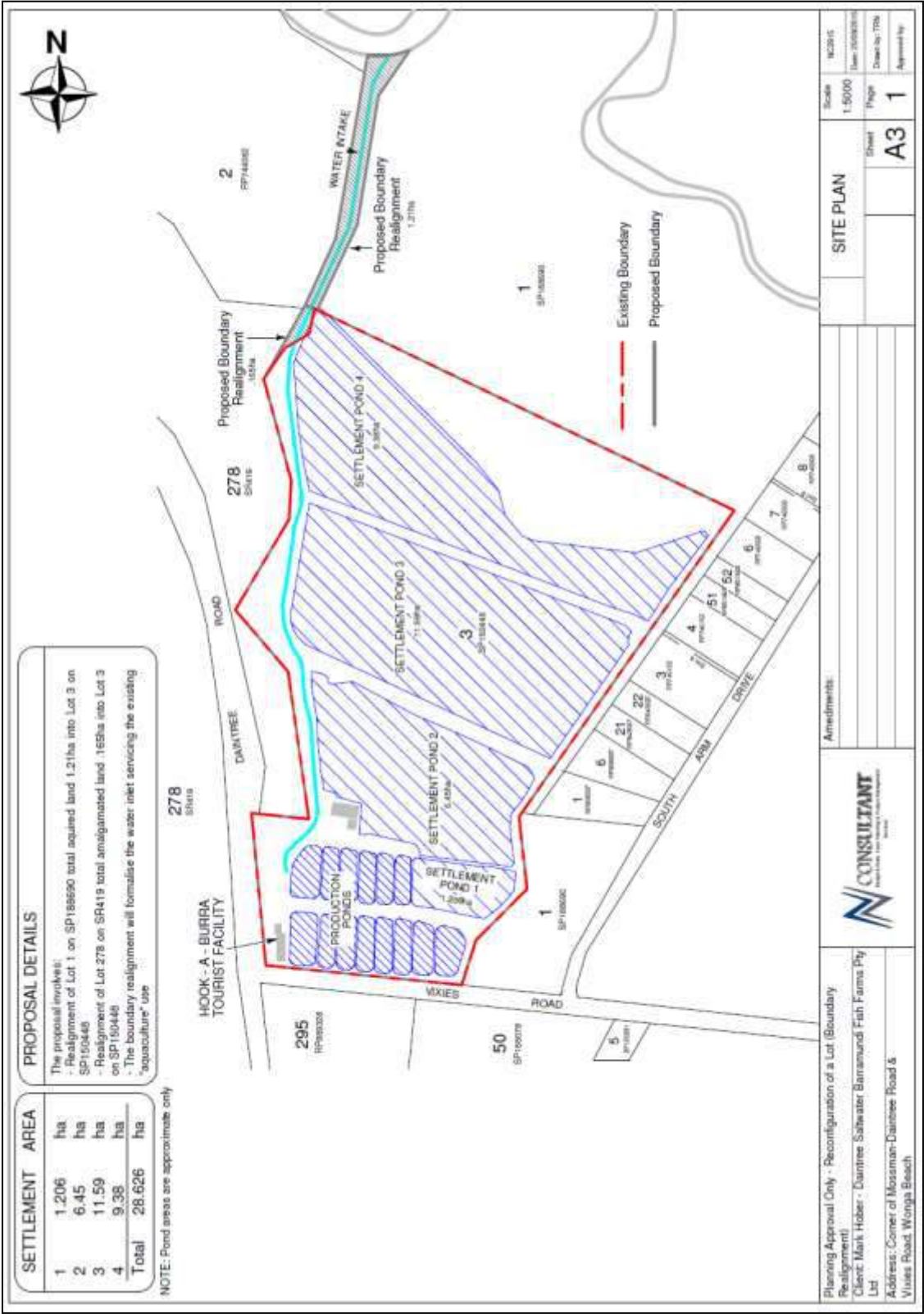
2. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.
3. For information relating to the *Sustainable Planning Act 2009* log on to www.dilgp.qld.gov.au . To access the *FNQROC Development Manual*, Local Laws and other applicable Policies log on to www.douglas.qld.gov.au .

RIGHTS OF APPEAL

Attached

End of Decision Notice

ATTACHMENT 1: APPROVED DRAWING(S) & DOCUMENT(S)



ATTACHMENT 2: Concurrence agency conditions & requirements



Department of Infrastructure,
Local Government and Planning

Our reference: SDA-1115-025961
Your reference: ROL 1110/2015

11 December 2015

Chief Executive Officer
Douglas Shire Council
PO Box 723
Mossman QLD 4873

At: Jenny Elphinstone

Dear Sir / Madam

Concurrence agency response—with conditions

Development application for a reconfiguration of a lot (boundary realignment) on land located at Vixies Road, Mossman-Daintree Road and 2-28 South Arm, Wonga Beach and more particularly described as Lot 3 on SP150448, Lot 278 on SR419 and Lot 1 on SP188690
(Given under section 285 of the Sustainable Planning Act 2009)

The referral agency material for the development application described below was received by the Department of Infrastructure, Local Government and Planning under section 272 of the Sustainable Planning Act 2009 on 23 November 2015.

Applicant details

Applicant name:	Daintree Saltwater Barramundi Fish Farm Pty Ltd
Applicant contact details:	Lot 3 Vixies Road Wonga Beach QLD 4873 daniel.iamond@uqconnect.edu.au

Site details

Street address:	Vixies Road, Mossman-Daintree Road and 2-28 South Arm, Wonga Beach
Lot on plan:	Lot 3 on SP150448, Lot 278 on SR419 and Lot 1 on SP188690
Local government area:	Douglas Shire Council

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Far North Queensland Regional Office
Ground Floor, Cairns Port Authority
PO Box 2288
Cairns QLD 4870

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Application details

Proposed development: Development permit for a reconfiguration of a lot (boundary realignment)

Aspects of development and type of approval being sought

Nature of Development	Approval Type	Brief Proposal of Description	Level of Assessment
Reconfiguring a Lot	Development permit	Reconfiguration of a Lot (Boundary Realignment) for the purpose of formalising an existing water inlet.	Code Assessment

Referral triggers

The development application was referred to the department under the following provisions of the *Sustainable Planning Regulation 2009*:

Referral trigger: Schedule 7, Table 2, item 14 – Tidal work, or development in coastal management district

Conditions

Under section 287(1)(a) of the *Sustainable Planning Act 2009*, the conditions set out in Attachment 1 must be attached to any development approval.

Reasons for decision to impose conditions

Under section 289(1) of the *Sustainable Planning Act 2009*, the department must set out the reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

Further advice

Under section 287(6) of the *Sustainable Planning Act 2009*, the department offers advice about the application to the assessment manager—see Attachment 3.

Approved plans and specifications

The department requires that the following plans and specifications set out below and in Attachment 4 must be attached to any development approval.

Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
Aspect of development: Reconfiguration of lot				
Site plan – Reconfiguration of a lot (Boundary realignment).	Consultant, Design & Draft, Town Planning & Project Management Services	20/09/2015	NC2915 (Sheet A3, Page 1)	-

A copy of this response has been sent to the applicant for their information.

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SDA-1115-025901

For further information, please contact Joanne Manson, Principal Planning Officer, SARA Far North QLD on 4037 3228, or email joanne.manson@dlgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Robin Clark
Manager (Planning)

cc: Daintree Saltwater Barramundi Fish Farm Pty Ltd, email: daniel.diamond@uqconnect.edu.au
enc: Attachment 1—Conditions to be imposed
Attachment 2—Reasons for decision to impose conditions
Attachment 3—Further advice
Attachment 4—Approved Plans and Specifications

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SUSTAINABLE PLANNING ACT 2009

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Our reference: SDA-1115-025961
Your reference: ROL (Boundary realignment)

Attachment 1—Conditions to be Imposed

No.	Conditions	Condition timing
Development permit for a reconfiguration of a lot (boundary realignment)		
Schedule 7, Table 2, Item 14 – Tidal work, or development in a coastal management district — Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of the Department of Environment and Heritage Protection to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	The development must be carried out generally in accordance with the following plans: <ul style="list-style-type: none">• Site plan – Reconfiguration of a lot (Boundary realignment), prepared by Consultant, Design & Draft, Town Planning & Project Management Services, dated 20/09/2015, reference NC2915 (Sheet A3 Page 1)	At all times
2.	Submit the final plan of survey to the Department of Environment and Heritage Protection, Permit and License Management, Implementation and Support Unit, GPO Box 2454, Brisbane QLD 4001 or email: sara@ehp.qld.gov.au	Within ten (10) business days from the registration of the plan of survey

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Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- to ensure the development is carried out generally in accordance with the plans of development submitted with the application.
- to ensure the department has accurate information on property boundaries
- to ensure the development achieves the outcomes in 10.1 Tidal works, or development in a coastal management district state code in the State Development Assessment Provisions version 1.6.

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Attachment 3—Further advice

General advice	
Ref.	State Planning Policy July 2014 Interim development assessment provisions
1.	Douglas Shire Council, in its role as assessment manager, must assess the development application against the State Planning Policy July 2014, and in particular the Interim development assessment provisions (Part E), such Coastal environment and Natural hazards, risk and resilience and to the extent it is relevant to the proposed development.

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Attachment 4—Approved plans and specifications

