



**Cairns Office**

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**Our Ref:** PR139319/OCK/MD/L77211

**Date:** 29 January 2018

Attn: Mr Daniel Lamond  
Chief Executive Officer  
Douglas Shire Council  
PO Box 723  
Mossman QLD 4873

**Via:** E-mail

Dear Sir/Madam

**RE: EXTENSION APPLICATION OF CURRENCY PERIOD RELATING TO MCU APPROVAL  
FOR TWO VILLA UNITS AT 40 MURPHY STREET, PORT DOUGLAS**

Further to our discussion and the fee advice provided last week, we refer to Council's Decision Notice relating to the abovementioned development approval, former Douglas Shire Council reference TPC 1213 (refer to copy provided for reference in **Attachment 1**). On behalf of the Applicant and land owner who recently purchased the land, VHPD Investments Pty Ltd and in accordance with Section 86 of the *Planning Act*, we hereby request an extension of time of 4 years to the approval's currency period.

This submission follows a previous request for an extension of time for the proposed development which was approved by the Cairns Regional Council (prior to De-amalgamation) as confirmed in its correspondence, dated 20 December 2013 (refer to **Attachment 2**) and is current up to and including 31 January 2018. As discussed, since the purchase of the land during 2017, the land owner has only recently become aware of the opportunity to seek an extension of the currency of the approval and the new land owner is keen to act on the material change of use approval for the two villa units.

Since the approval was granted, the economic climate has not been conducive to starting the project works. However, economic conditions have been on the improve in Port Douglas and given that the design, bulk and scale of the development is generally consistent with Council's new Planning Scheme's intents and provisions, it is requested that this approval be extended so that the development maybe established within the 4 year period that currency is requested to be extended. A 4 year extension of the approval's currency has been requested to allow adequate time for detailed specialist assessments such as geotechnical and service infrastructure engineering assessments and detailed building design to be prepared, applicable Operational and Building Works Approvals to be gained and construction to be commenced and completed.

Further to your fee advice and the invoice provided for the payment of Council's fee, it is noted that the Applicant paid the Council fee by BPAY on Friday 26 January '18 (refer to BPAY receipt in **Attachment 3**).

We also provide the following background relating to the approved development and grounds in support of the requested extension of time to facilitate Council's consideration of the request:

### **Background**

The approved development relates to two Villa units, to be located on land described as Lot 22 on SP161481, 40 Murphy Street, Port Douglas which is situated at the eastern end of Murphy Street between Murphy Street and Island Point Road.

The approved development was designed by Mr Roger Mainwood, Total Project Group (TPG) and the building design was informed by and responds to the existing terrain and significant vegetation, particularly the Morton Bay Ash trees which are well established on the site. The approved Total Project Group Building Design Plans are provided for reference in **Attachment 4** and the approved Landscape Design Plans and commentary, prepared by JPN Pawsey Prowse, are provided for reference in **Attachment 5**.

The design of the Villa development was informed by a detail survey, landscape assessment and geotechnical assessment which accurately detailed the topography of the land, the location of significant trees and informed of any significant land stability issues. In response, the building design steps up the hillside to limit the need for substantial excavations and to limit the maximum building height and where possible, the building design allows for the retention of significant trees. The approved building design also intends to incorporate building materials and colours which will allow the building development to blend into the Flagstaff Hill landscape.

The design of the Villa development also relates to the dwellings that have been established on the adjoining allotments, to provide adequate building setbacks and privacy and it is noted that the approved building footprint, bulk and height is of a lesser scale as compared to these existing dwellings.

No submissions objecting to the Villa development were received when the material change of use development application was publically notified, prior to the former Douglas Shire Council's approval of the proposal on 24 January 2006.

To facilitate Council's consideration of how the approved development relates to the Flagstaff Hill landscape, a Visual Impact Assessment has been prepared by Conics Design during January 2010 and is provided for reference in **Attachment 6**. The Visual Impact Assessment uses a 3D model of the approved building design and landscape concept to determine the potential visual impact of the approved development on the existing Flagstaff Hill landscape as viewed from various prominent view points and it is concluded that the approved development will have a negligible visual impact and that the character of the Flagstaff Hill landscape will be retained.

### **Current Planning Scheme Provisions and Relationship with Approved Development**

In the current Douglas Shire Planning Scheme the subject land is included within the following designations;

- Strategic Framework's 'Natural Areas / Scenic Values' designation;
- Port Douglas/Craiglie Local Plan Precinct 1: Port Douglas Precinct and Sub-precinct 1f – Flagstaff Hill;

- Port Douglas / Craiglie Townscape Plan 'Flagstaff Hill Landmark and Major Areas of Vegetation' designations;
- Environmental Management Zone;
- Bushfire Hazard Overlay Maps 'Very High Potential Bushfire Intensity' (part) and 'Potential Impact Buffer' (part) designations;
- The Hillslopes Overlay Map 'Area Affected by Hillslopes' designation;
- The Landscape Values Overlay Map 'High Landscape Values' designation; and
- Partly within the Potential Landslide Hazard Overlay Map 'Potential Landslide Hazard' designation.

A review of the Planning Scheme's provisions that relate to the above mentioned designations indicates that the preferred form of development on the land is a dwelling house that is designed to respond to Flagstaff Hill's vegetated hillslope and high landscape values.

While the Villa development was approved under a Superseded Planning Scheme, it is considered evident from the background provided that the Villa development was approved and has been granted extensions of time to the currency of the approval on the basis that it does respond to Flagstaff Hill's vegetated hillslope and high landscape values. Apart from multiple dwelling development being identified as impact inconsistent development within the current Planning Scheme, the intent to design development that responds to Flagstaff Hill's vegetated hillslope and high landscape values has been a common theme carried through to the current Planning Scheme.

The scale of development that may be permitted on the land in the form of a dwelling house under the new Planning Scheme is considered comparative to the Villa development and in terms of the number of persons that may be accommodated, it is noted that a dwelling house may include accommodation for an extended family and for personal staff and may comprise of a group or cluster of buildings which together function as a dwelling house. Such large scale dwelling house development in terms of building bulk and occupancy appears common on Flagstaff Hill and is able to be permitted under the new Planning Scheme provisions. Hence, development related impacts such as visual and traffic impacts and servicing requirements that may arise from dwelling house development on the land are expected to be comparable to the Villa development.

While the Villa development is identified as impact inconsistent development and a dwelling house is code assessable development, it is noted that similar circumstances existed when the Approval for the Villa development was previously granted an extension of time to the currency of the Approval and that the original material change of use Development Application was impact assessable and no submissions were received at the time objecting to the development.

The Villa development is generally consistent with the prescriptive 'Acceptable Outcomes' in the Planning Scheme's Codes that are applicable and/or are considered relevant to the proposed development's siting and design and where not consistent with the 'Acceptable Outcomes' are considered to adequately address the applicable 'Performance Outcome'. Planning Scheme provisions relating to the siting and design of the Villa development that are considered to be of particular note are briefly considered, as follows;

- a) Excluding the basement car parking, the Villa development is no more than two storeys in height and the majority of the development is of a height less than 8.5metres. Part of Villa 2 has a roofline height of 9.0 metres however as is evident from the Visual Impact Assessment provided for reference in **Attachment 6**, the building development is not unduly visible from external sites.

- b) The Villa development complies with the building setback requirements applicable in the Environmental Management Zone Code with respect to the Murphy Street frontage and the eastern side boundary. The Villa development's building setback to the rear boundary combined with the building setback of the dwelling house upslope of the site, which is also owned by the Applicant, is a separation of 10 metres which is considered to adequately address the applicable Performance Outcome. The Villa development's building setback to the western side boundary is located adjacent to the balance undeveloped portion of 38 Murphy Street, which is also owned by the Applicant, which is considered to adequately address the applicable Performance Outcome;
- c) The Villa development's site coverage is less than what the Planning Scheme permits on the land for dwelling house development;
- d) As is evident from the details provided, the building design was informed by and responds to the existing terrain and significant vegetation, particularly the Morton Bay Ash trees which are well established on the site. The approved Total Project Group Building Design Plans are provided for reference in **Attachment 4** and the approved Landscape Design Plans and commentary, prepared by JPN Pawsey Prowse, are provided for reference in **Attachment 5**;
- e) The design of the Villa development was informed by a detail survey, landscape assessment and geotechnical assessment which accurately detailed the topography of the land, the location of significant trees and informed of any significant land stability issues. In response, the building design steps up the hillside limiting the need for substantial excavations and providing a stable hillside development, limiting the maximum building height, allowing for the retention of significant trees and minimising potential visual impacts by locating the building development over the excavated areas and retaining significant established trees that exist on site;
- f) As indicated above, the scale and bulk of the Villa development and related impacts such as visual and traffic impacts and servicing requirements arising from the Villa development are comparable to a dwelling house development and potentially are of a lesser scale;
- g) With regard to the Port Douglas/Craigie Local Plan Code, it is considered evident from the approved Total Project Group Building Design Plans provided for reference in **Attachment 4** and the approved Landscape Design Plans and commentary, prepared by JPN Pawsey Prowse, provided for reference in **Attachment 5** and the Visual Impact Assessment provided for reference in **Attachment 6**, the Villa development is consistent with the Code's provisions that intend to protect the vegetated hillside backdrop, provide for hillside development that is subservient to the natural landscape and topography and that does not adversely impact public viewing points; and
- h) The Villa development's car parking provision is consistent with the Planning Scheme's requirements.

In terms of building bulk and scale, the approved Villa development is likely to be comparable, if not of a lesser bulk and scale of a dwelling house that maybe permitted on the land. As is evident from the details provided, the approved Villa development is subservient to the surrounding development and is designed to fit within Flagstaff Hill's landscape character, which is consistent with the intent of the Planning Scheme's provisions.

Council's granting of an extension of time of four years for the current material change of use Approval relating to the Villa development has considerable merit given Council's Planning Scheme provisions and is considered appropriate for the subject land and Port Douglas locality.

We trust the details provided are adequate for the assessment of the request. However, should you require any further details or clarification prior to finally determining the request, please do not hesitate to contact the undersigned.

Yours sincerely

**RPS**

A handwritten signature in black ink, appearing to read 'Owen Caddick-King', with a stylized, flowing script.

Owen Caddick-King  
Principal - Planner

enc:

- Attachment 1:** Original Development Approval
- Attachment 2:** Current Extension of Time Approval
- Attachment 3:** Applicant's BPAY receipt
- Attachment 4:** Building Design Plans
- Attachment 5:** Landscape Design Plans
- Attachment 6:** Visual Impact Assessment



## Attachment I

Original Development Approval



ENQUIRIES: Ms Louise Stayte - Planning Officer  
DEPARTMENT: Planning Services Section - ☎ (07) 4099 9450

OUR REF: LS:  
YOUR REF: TPC 1213

Mr Peter Young  
C/- C & B Group  
PO Box 1949  
CAIRNS QLD 4870



31<sup>st</sup> January 2006

## INTEGRATED PLANNING ACT DECISION NOTICE DEVELOPMENT APPLICATION

**Applicant's Name** : Mr Peter Young  
**Owner's Name** : Mr Peter Young  
**Proposal** : That Council approve the application for a Development Permit for Material Change of Use to permit the development of 2, three bedroom Multiple Dwelling Units (Residential) on land situated at 40 Murphy Street, Port Douglas and described as Lot 22 on RP161481, subject to conditions.  
**Application Number** : TPC 1213  
**Site Address** : 40 Murphy Street, Port Douglas  
**Property Description** : Lot 22 on SP161481, Parish of Salisbury, County of Solander

**1. Decision:**

**Decision Date:** 24<sup>th</sup> January 2006

Approved subject to Conditions

**2. Type of Development Approval:**

Material Change of Use

Development Permit

.../2.

**3. Referral Agency:**

NIL

**4. Conditions**

**Plan of Development**

- 4.1 The approved development and the conduct of the approved use, the carrying out of any works on the premises and the construction of any buildings on the premises associated with the development must generally be in accordance with:

(a) The approved plan of development Drawings No DA-103, DA-104, DA-201, DA-202, & DA-301, dated April 2005, submitted to Council on the 21<sup>st</sup> June 2005 by C&B Group.

Except where such plans and/or specifications are modified by the terms of this approval.

**Currency Period**

- 4.2 This development approval lapses four (4) years after the day that the development approval takes effect, unless extended under Section 3.5.22 of the *Integrated Planning Act 1997*.

**Access**

- 4.3 A concrete driveway, minimum width three (3) metres and incorporating kerbing or nib walls, is required to connect the pavement of service road within Murphy Street to the boundary of proposed Lot 22.

The Driveway required by this condition shall be constructed in accordance with the requirements of the FNQROC Development Manual and designs submitted for Council's consideration at operational works stage for this application.

- 4.4 The application for operational works for site access to Lot 22 shall include engineered drainage works to collect stormwater flows. Installation of a culvert and headwall directing stormwater via pipes or a batter chute into the stormwater system located in Murphy Street shall be provided to a standard acceptable to the Director Engineering Services.

The drainage works are required to be constructed to the satisfaction of the Director Engineering Services prior to signing and dating of a plan of survey.

- 4.5 The concrete driveways and associated drainage works required by these conditions shall be designed and constructed in accordance with the recommendations of a geotechnical engineer or engineering geologist. The operational works applications for work shall be accompanied by the technical recommendations of the selected geotechnical engineer or engineering geologist and the conditions of the development permit may have reference to those technical recommendations.



## **Traffic Management**

- 4.6 The ingress/egress to the site shall be provided with a physical means of speed control. Such speed control device shall be shown on any plans submitted for approval for building works and shall be constructed and maintained at all times.
- 4.7 The applicant shall provide bollard lighting at the property boundary to indicate access to the car parking area at the time of applying for carrying out building works.

## **Landscaping & Fencing**

- 4.8 The landscaping concept plan submitted with the proposed development, referenced as plan No. LP-01 and LP-02 dated 13<sup>th</sup> May 2005 as prepared by Pawsey & Prowse is approved. The following amendments are to be made to the landscaping plan submitted with the proposed development:
- (a) *Syzygium jambos* be substituted for a native *Syzygium*.
- 4.9 The landscaping shown on the approved plan shall be completed before the development is occupied and maintained thereafter.
- 4.10 The applicant shall provide a 1.8 metre high screen fence to the side and rear boundaries to ensure the privacy and amenity of adjoining properties is maintained. A minimum standard for a fence of this type is a timber paling fence that is lapped and has no gaps.

## **Waste Storage & Discharge**

- 4.11 The waste storage area must be located outside of a minimum three (3) metre wide landscape strip to the road frontage. The waste storage area must:
- (a) Contain an impervious surface for the storage of waste containers suitably screened so as not to be visible from adjoining properties or the road reserve;
- (b) Include a stop cock and stormwater diversion valve at the drainage point;
- (c) Contain sufficient storage space for the storage of a 240litre refuse bin for each unit in the development.

Refuse storage, removal and collection methods shall be in accordance with the "Environment Protection (Interim Waste) Regulations 1996"

## **Air Conditioning & Service Equipment**

- 4.12 All service equipment, outdoor lighting and air conditioning equipment must be located so as not to cause a nuisance to the occupants of adjoining units or neighbouring premises. The noise levels shall be maintained in accordance with the requirements of the Environmental Protection Policy - Noise.

## **Construction Requirements**

- 4.13 All construction works are to be carried out in compliance with the *Environmental Protection (Water Policy) Policy 1997* and the *Environmental Protection Regulation 1998*.
- 4.14 Adequate facilities must be provided during construction to contain all site refuse. Facilities should be designed to prevent loose items from refuse being displaced by wind forces or being washed off site.
- 4.15 All liquid wastes generated during construction of the premises should be managed so that they are not permitted to enter a roadside gutter, stormwater drain or a watercourse.
- 4.16 Waste solvents, solvent and acrylic based paints and waste water generated during construction must not be introduced to sewer or stormwater systems and should be disposed of using the services of a trade waste contractor or other approved disposal agency.
- 4.17 Air conditioning units, built in vacuum units, swimming pool filtration and pumping units and exterior and security lighting must be so designed, manufactured or located so that they do not cause nuisance as defined by the *Environmental Protection Regulation 1998*.
- 4.18 If Acid Sulphate Soils or Potential Acid Sulphate Soils are reasonable likely to be exposed during this development and Acid Sulphate Soil Management Plan (ASSMP) shall be prepared and submitted prior to development. This ASSMP would be required to meet the approval of the Manager of Environmental Services.

## **Environmental Management Plan**

- 4.19 An Environmental Management Plan (EMP) is to be submitted to Council's Environmental Health section prior to any works being carried out on the site. No works are to be carried out on the site until such time as the applicant has received written approval from Council's Manager Environmental Health that the EMP has been approved.

The EMP must detail:-

- Establish performance criteria and objectives in relation to environmental and social impacts; and
- prevention, minimisation and mitigation strategies for controlling environmental impacts and preventing nuisance caused from the reconfiguration of the land and construction works. In particular, this plan must address such issues as dust suppression, vegetation clearing and disposal, waste disposal, noise management and stormwater management (to minimise discharges of sediment, wastes and other substances); and
- proposed monitoring of the effectiveness of remedial measures against performance criteria; and
- details of responsible persons for environmental management; and
- reporting requirements for meeting performance criteria; and
- corrective actions to rectify deviations from performance criteria.

Potential Acid Sulphate Soils have been identified on the site. The EMP must detail remediation and treatment works proposed for Potential Acid Sulphate Soils and/or Actual Acid Sulphate Soils on the site.

The EMP must be implemented **before** any works commence on the site and throughout the duration of works on the site.

### **Engineering Drawings and Design**

- 4.20 Full engineering drawings, prepared and/or checked by a Registered Professional Engineer, shall be submitted for all roadworks, stormwater drainage and allotment improvement.

Drawings should, in general, include the following:

- a. locality plan;
- b. layout and staging plan, where applicable;
- c. layout plan for each new road;
- d. longitudinal section of each road;
- e. cross sections for each road, including standard cross sections;
- f. detailed plan of each intersection and cul-de-sac head where longitudinal grades do not exceed 1%;
- g. layout plan for each stormwater drainage;
- h. longitudinal sections for each stormwater drainline;
- i. details for non-standard drainage structures;
- j. such other details for the proper construction of the works i.e. retaining walls etc; and
- k. engineering plans for the upgrading of Barrier Street.

### **Drainage**

- 4.21 Drainage (including underground), together with acceptable points of discharge are required in localities to be determined following submission of engineering drawings and designs.
- 4.22 Drainage easements and/or reserves as deemed necessary following submission of engineering drawings and designs are to be registered in Council's favour at no cost to the Council.
- 4.23 The calculated design frequency for all storm water drainage shall be determined on a five (5) year recurrence interval and all relevant design data shall be submitted with the engineering drawings.
- 4.24 Such storm water drainage work shall be designed and constructed to the satisfaction of the Director Engineering Services and will not cause scouring, erosion, loss of vegetation, excess turbidity and landslip either within or external to the site.
- 4.25 Stormwater drainage work shall be designed and constructed to approved engineering standards for hillside development by an approved hydrologist or civil engineer and submitted to the Director Engineering Services. The stormwater drainage works shall be designed to control scouring, erosion, loss of vegetation, excess turbidity and landslip either within or external to the site.

A drainage easement(s) shall be provided to collect all stormwater drainage, from Lot 23, which is required to be piped underground through Lot 22 to Council's stormwater drainage system.

This easement(s) is to be transferred to Council as a drainage easement in fee simple at the applicant's cost.

- 4.26 Details of surface and subsurface drainage measures to be incorporated in the gully systems on Lot 22 to control erosion, landslip and slope stability shall be approved by a hydrologist or civil engineer and submitted to the Director Engineering Services.
- 4.27 Any stormwater flows from the gullies is required to be piped beneath the driveway accessing Lot 22 and connected via a suitable velocity retarder into the stormwater system in Murphy Street.
- 4.28 All drainage systems on Lot 22 shall be maintained by the property owner.
- 4.29 Adequate surface drainage should be provided, via pipes or open lined channels, with flexible connections, to prevent ponding of water and to prevent runoff from hardstanding areas (roofing, driveways, decking) discharging onto and running down the slopes immediately above or below house locations.
- 4.30 The approved use must not:
  - (a) Interfere with the natural flow of stormwater;
  - (b) cause ponding of stormwater on adjoining properties.

#### **Sewerage**

- 4.31 A sewerage reticulation design incorporating a new rising main to service proposed Lot 23, shall be submitted for approval at Operational Works application stage. The applicant shall extend the new main from the existing main located in Murphy Street to a new manhole to be installed within the south-western boundary of proposed Lot 23.
- 4.32 The applicant is responsible for the external works to connect the development to Council's sewerage reticulation system at a point of discharge specified by the Director of Engineering Services. The works are required to be constructed to the satisfaction of the Director, Engineering Services prior to signing and dating of plan of survey.

#### **Vegetation Removal**

- 4.33 Vegetation clearing shall be permitted only in accordance with a permit given pursuant to Local Law No.56 – Vegetation Management.

*Note: As the Council wishes to retain a heavily vegetated backdrop to the commercial centre of Port Douglas, it is recommended that an application for vegetation clearing made pursuant to the Local Law should be limited to the areas of the proposed allotments required for construction of a dwelling and areas proximate thereto for domestic recreation including a swimming pool, a driveway and parking/manoeuvring spaces.*

### **Minimum Floor Levels**

- 4.34 The minimum floor level for all habitable rooms in any building erected on the premises must be a minimum of 3.2m AHD; or

### **Footpath Damage Liability**

- 4.35 All damage occasioned to footpaths and roadways adjacent to the site as a result of or in connection with this development must be repaired by the applicant, at their expense, prior to completion of works associated with the development.

### **Compliance**

- 4.36 All works required pursuant to the above conditions shall be undertaken and completed in accordance with Council's requirements contained in the Planning Scheme Provisions/Codes.
- 4.37 All conditions shall be complied with prior to the issue of the Certificate of Classification for the approved use.

### **Car Parking**

- 4.38 A car parking area shall be constructed, sealed, and drained for a minimum of two (2) covered spaces and two (2) visitor spaces in accordance with the approved plan of development and maintained thereafter.

### **Headworks**

- 4.39 The applicant shall pay to the Council headworks contributions for water supply and sewerage in accordance with Council's Local Planning Policy: *"Determination of Contributions for Water Supply and Sewerage Headworks and External Works"* ("The Policy").

The contribution shall be calculated at the rate per Equivalent Domestic Connection ("EDC") applicable at the time of payment in accordance with the Policy. Headworks are to be paid prior to the issuing of a Development Permit for Building Work.

For information purposes only:

- (a) The current number of EDC's for the approved use are:
- |              |     |
|--------------|-----|
| Water supply | 1.6 |
| Sewerage     | 1.6 |

- 4.40 No structure is to be located within 2.5m of existing sewer main.

### **Verandas**

- 4.41 No covered verandas balconies or carports shall be enclosed without the consent of Council.

## Security

- 4.42 To guarantee the satisfactory completion of the building, site works, landscaping, drainage works and any required works external to the land, and to ensure payment of headworks contribution, the applicant shall lodge with the Council a Cash Bond or Guarantee to the value of \$20 000, such Guarantee shall be lodged prior to the issue of a Development Approval for Building Works on the land in relation to this Development Permit. The Council may call up this Guarantee to complete all or any part of the works mentioned herein in accordance with the conditions of this approval, should the applicant fail to do so prior to issuing of a Development Permit for Building Work.

### 5. Further Development Approvals Required:

Operational Work  
Building Work

Operational Work Permit  
Building Permit

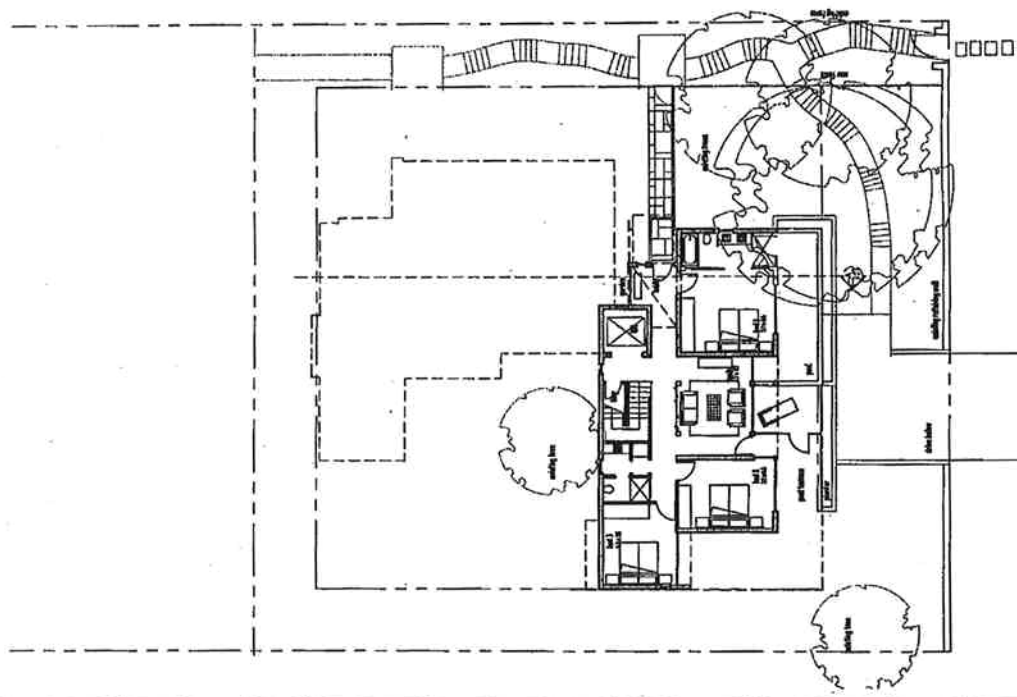


Terry Melchert  
Chief Executive Officer

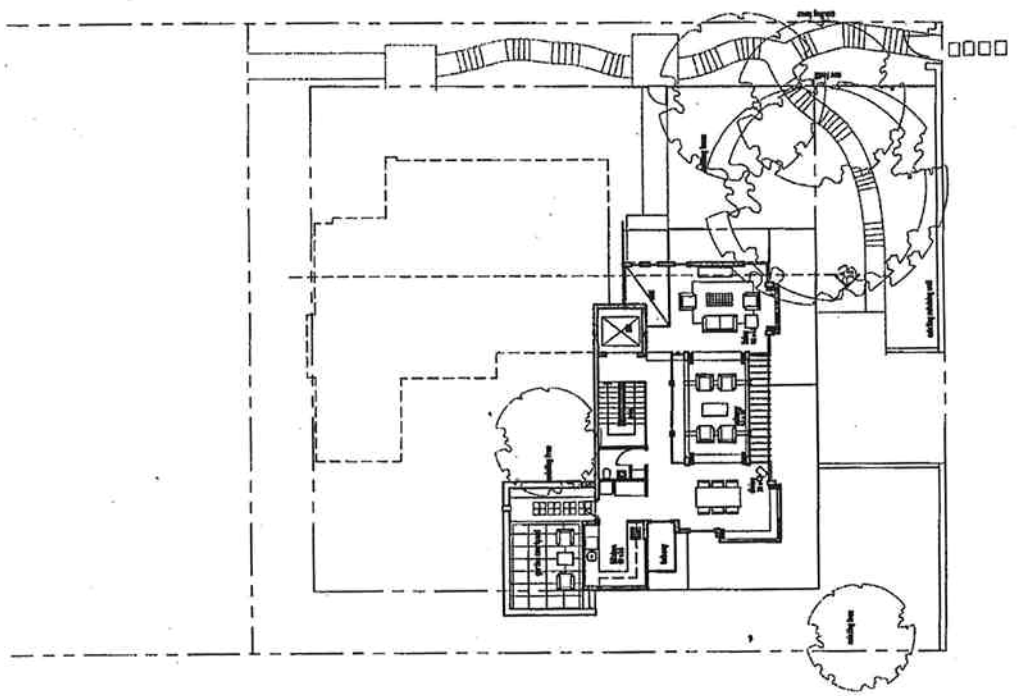
This architectural floor plan illustrates the first floor of the 'House of the Future'. The layout is complex and multi-functional. On the left side, there is a large, irregularly shaped area with a wavy, organic boundary, possibly representing a garden or a large indoor space. Adjacent to this is a staircase. The central part of the plan features a large, open area with a circular feature, possibly a courtyard or a large room. To the right of this central area is a kitchen and a dining area. The kitchen is equipped with a sink, stove, and refrigerator. The dining area has a table and chairs. Further to the right, there is a living area with a sofa and a television. The plan also shows various rooms, including a bedroom, a bathroom, and a study. The overall design is modern and innovative, reflecting the 'House of the Future' theme.

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Villa 1  
level 1 plan



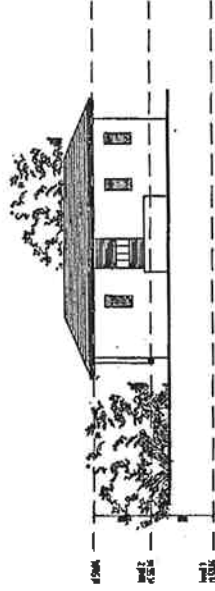
level 2 plan

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VILLA 1 PLANS	
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BY	DA-103
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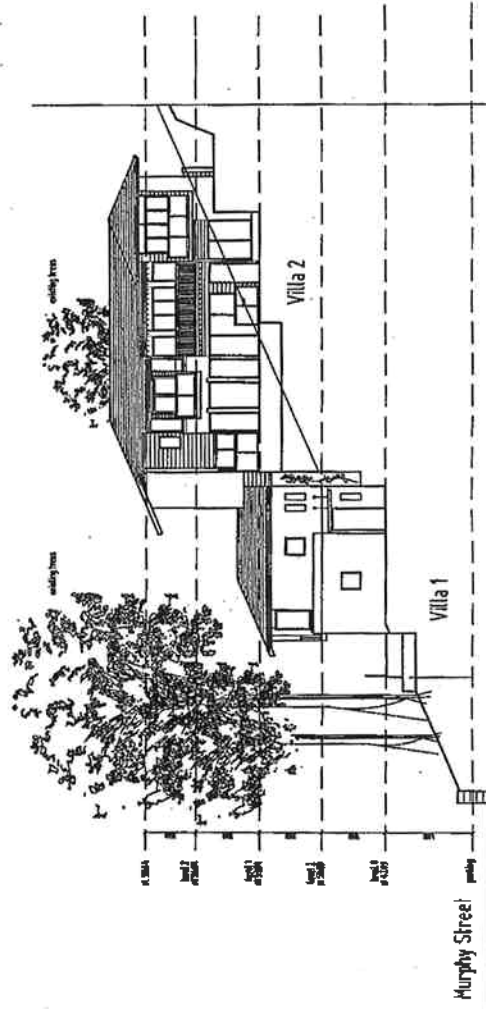




North Elevation (Villa 2)



South Elevation (Villa 2)

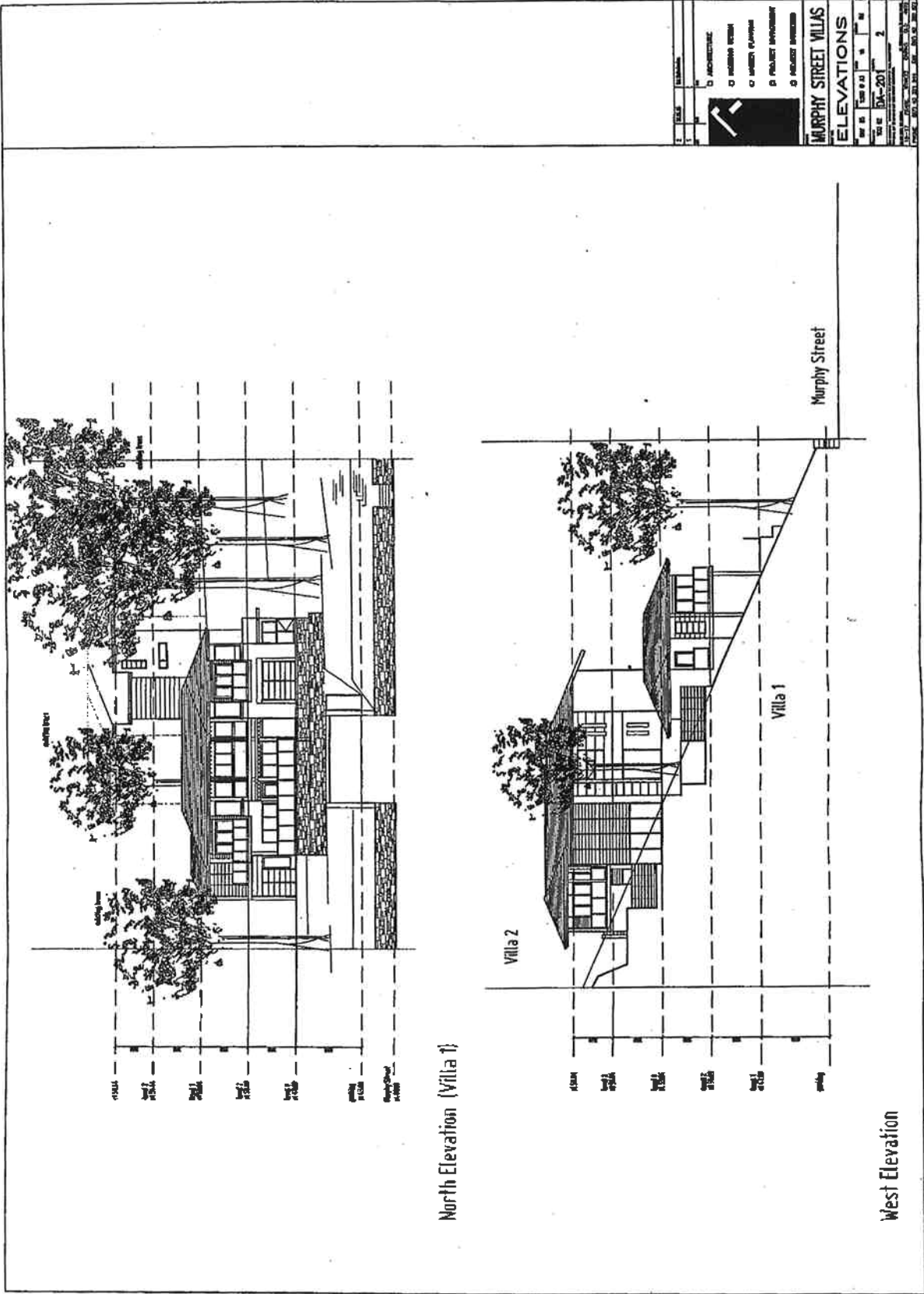


East Elevation

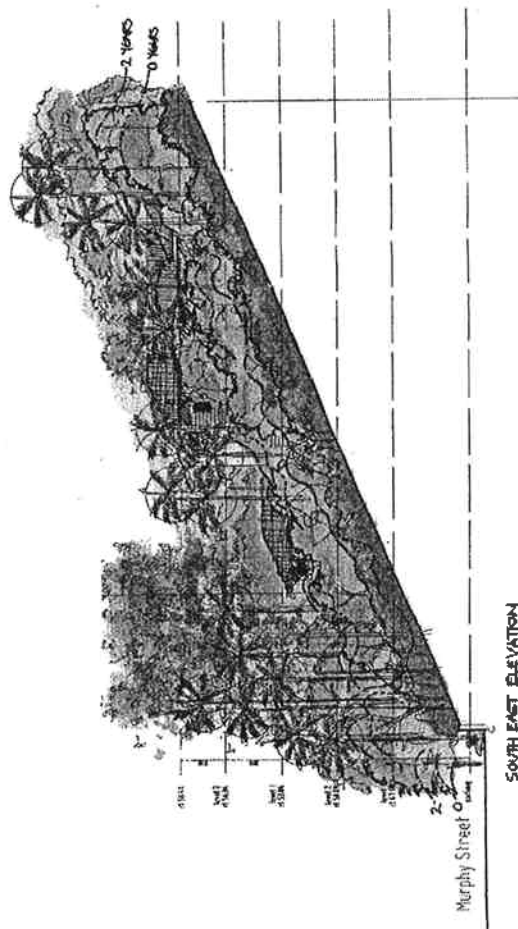
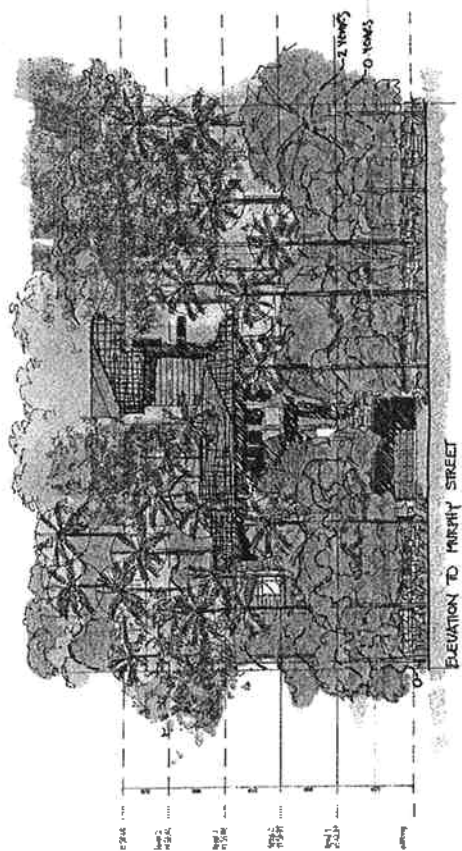
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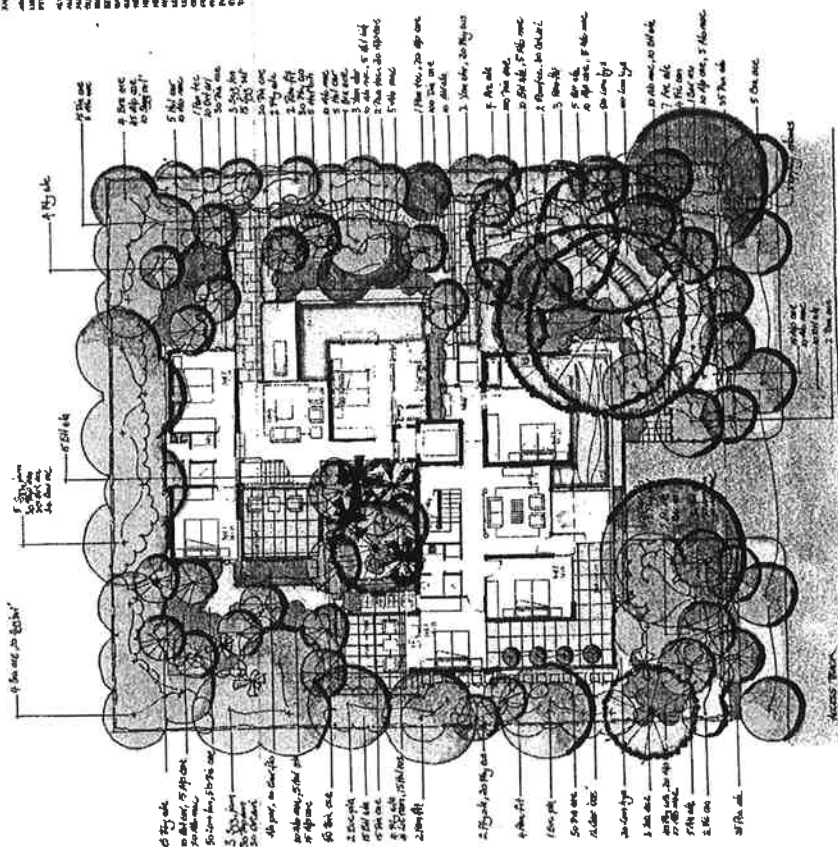
MURPHY STREET VILLAS  
ELEVATIONS

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&  
Landscape Architecture

LOT 22 MURPHY STREET  
PORT DOUGLAS

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LANDSCAPE CONCEPT

ii

LP-01	10/10/10
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1. **Customer name**  
 2. **Job or work order** (not all work orders)

100% Satisfaction Guarantee  
 100% Satisfaction Guarantee  
 100% Satisfaction Guarantee

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*Division 8 – Appeals to court relating to development applications***Appeals by applicants**

- 4.1.27. (1) An applicant for a development application may appeal to the court against any of the following:-
- (a) the refusal, or the refusal in part, of a development application;
  - (b) a matter stated in a development approval, including any condition applying to the development, and the identification of a code under Section 3.1.6;66
  - (c) the decision to give a preliminary approval when a development permit was applied for;
  - (d) the length of a currency period;
  - (e) a deemed refusal.
- (2) An appeal under subsection (1)(a) to (d) must be started within twenty (20) business days (the “**applicant’s appeal period**”) after the day the decision notice or negotiated decision notice is given to the applicant.
- (3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

***Division 10 – Making an appeal to court***

How appeals to the court are started

- 4.1.39**
- (1) An appeal is started by lodging written notice of appeal with the registrar of the court.
  - (2) The notice of appeal must state the grounds of the appeal.
  - (3) The person starting the appeal must also comply with the rules of the court applying to the appeal.
  - (4) However, the court may hear and decide an appeal even if the person has not complied with subsection (3).

is performed under the supervision of a licensee entitled to do the work being performed.

Maximum penalty—100 penalty units.

**122    Restriction on advertising as a licence holder**

A person must not advertise that the person is available to carry out plumbing or drainage work unless the person is the holder of a licence under this Act that entitles the person to carry out the work.

Maximum penalty—100 penalty units.

**Division 4                      Offences about plumbing and  
   drainage**

**123    Owner's duty to maintain plumbing and drainage**

The owner of premises must take all reasonable steps to make sure that all plumbing and drainage on the premises is kept in good condition and operates properly.

Maximum penalty—165 penalty units.

**124    Offence to pollute service provider's services**

- (1) In carrying out plumbing work, a person must not do anything likely to pollute water in a water service provider's water service as defined under the *Water Act 2000*.

Maximum penalty—165 penalty units.

- (2) In carrying out drainage work, a person must not do anything likely to pollute a sewerage service provider's sewerage service as defined under the *Water Act 2000*.

Maximum penalty—165 penalty units.





## Attachment 2

Current Extension of Time Approval

**ENQUIRIES:****PHONE:****FAX:****YOUR REF:****OUR REF:**

Michelle Henderson

(07) 4099 9457

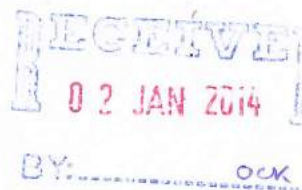
(07) 4044 3836

62081/6696

8/37/143 (4226965)

20 December 2013

P F Young  
C/- RPS Australia East  
PO Box 1949  
**CAIRNS QLD 4870**



Dear Sir/Madam

**RE: REQUEST TO EXTEND RELEVANT PERIOD  
FOR DEVELOPMENT APPLICATION -  
40 MURPHY STREET PORT DOUGLAS**

In accordance with Section 809 of the *Sustainable Planning Act 2009*, please be advised that Council has extended the Period of Approval for four (4) years, up to and including 31 January 2018.

Should you require any further information or assistance, please contact Michelle Henderson of Council's Development Assessment Team on telephone number (07) 4099 9457.

Yours faithfully

Graham Boyd  
Manager Development & Regulatory Services

43.2010.3626  
1/1

1/1

For all correspondence:  
✉ **PO Box 359 Cairns Q 4870**  
[www.cairns.qld.gov.au](http://www.cairns.qld.gov.au)  
[council@cairns.qld.gov.au](mailto:council@cairns.qld.gov.au)

**Council Chambers**  
119-145 Spence Street, Cairns Q 4870  
P: 07 4044 3044 | F: 07 4044 3022

**Mossman Administration Centre**  
64-66 Front Street, Mossman Q 4873  
P: 07 4099 9444 | F: 07 4098 2902



## Attachment 3

Applicant's BPAY receipt



## NAB Internet Banking

### Bill payment details

#### Acknowledgement details

Status report: Paid 

Confirmation number: F0479373611

Created: 26/01/18

From account: VHPD Investments Pty Ltd/084-572 88-763-3860

Biller code: 140525

Biller name: DOUGLAS SHIRE COUNCIL - SUNDRY DEBTORS

Customer reference no: 00040738320

Amount: 950.00

Payment date: 26/01/18

#### End of Report

Date 29/01/18 Time 14:40  
National Australia Bank Limited A.B.N. 12 004 044 937



## Attachment 4

### Building Design Plans





glass balustrade, timber and steel pergola



timber and steel pergola



stone, timber, copper and glass external finishes



dark coloured door and window frames



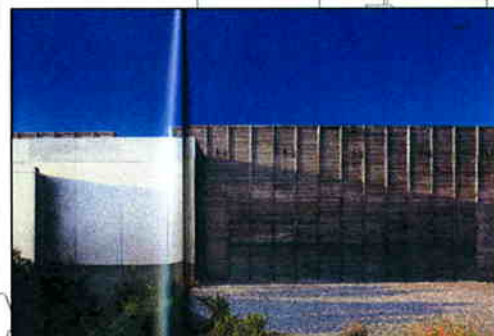
frosted glass louvres to bathroom



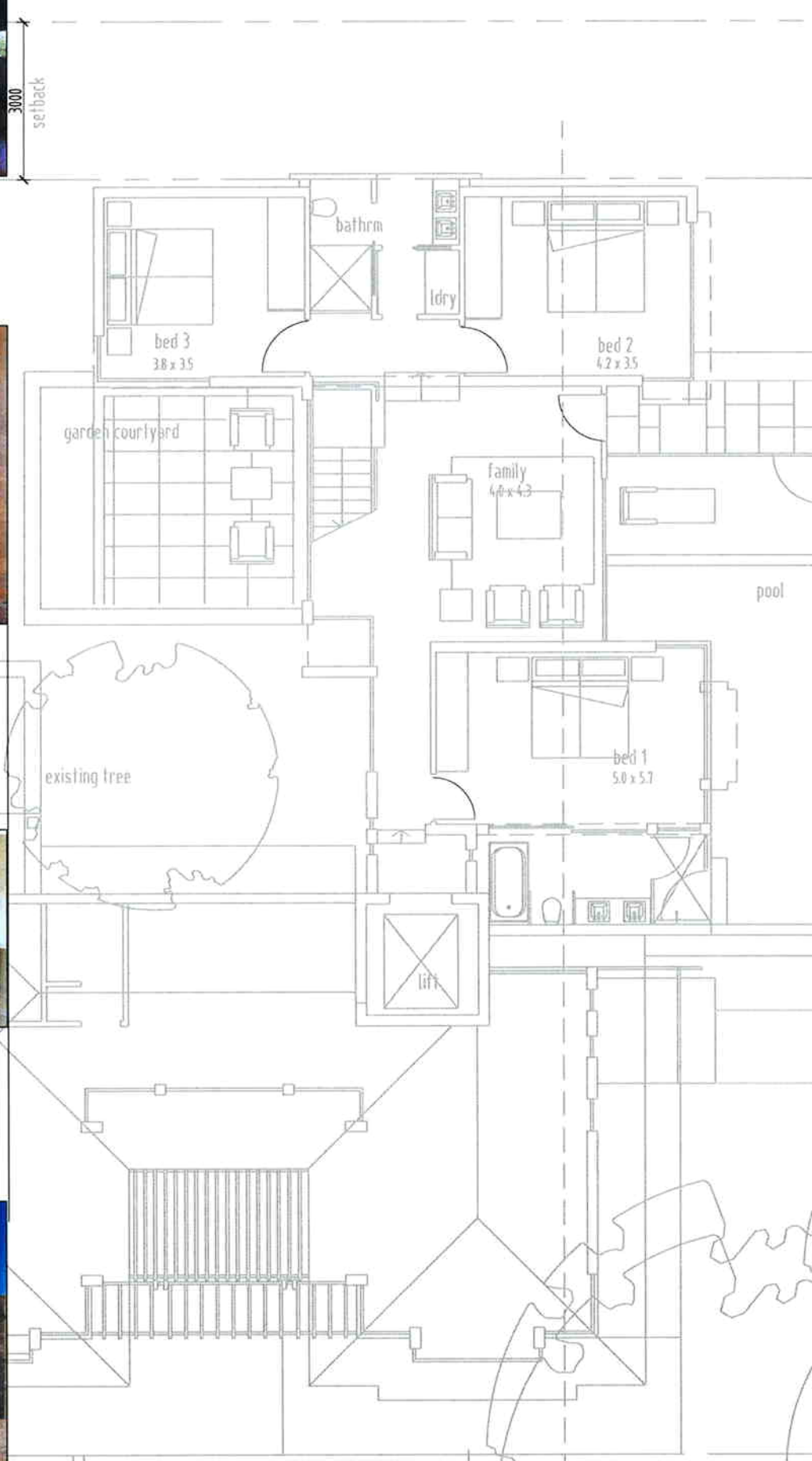
stone feature wall and timber doors



timber, black and white indoor outdoor space



natural timber screen contrasted against masonry wall



dark roof material



private pool and courtyard

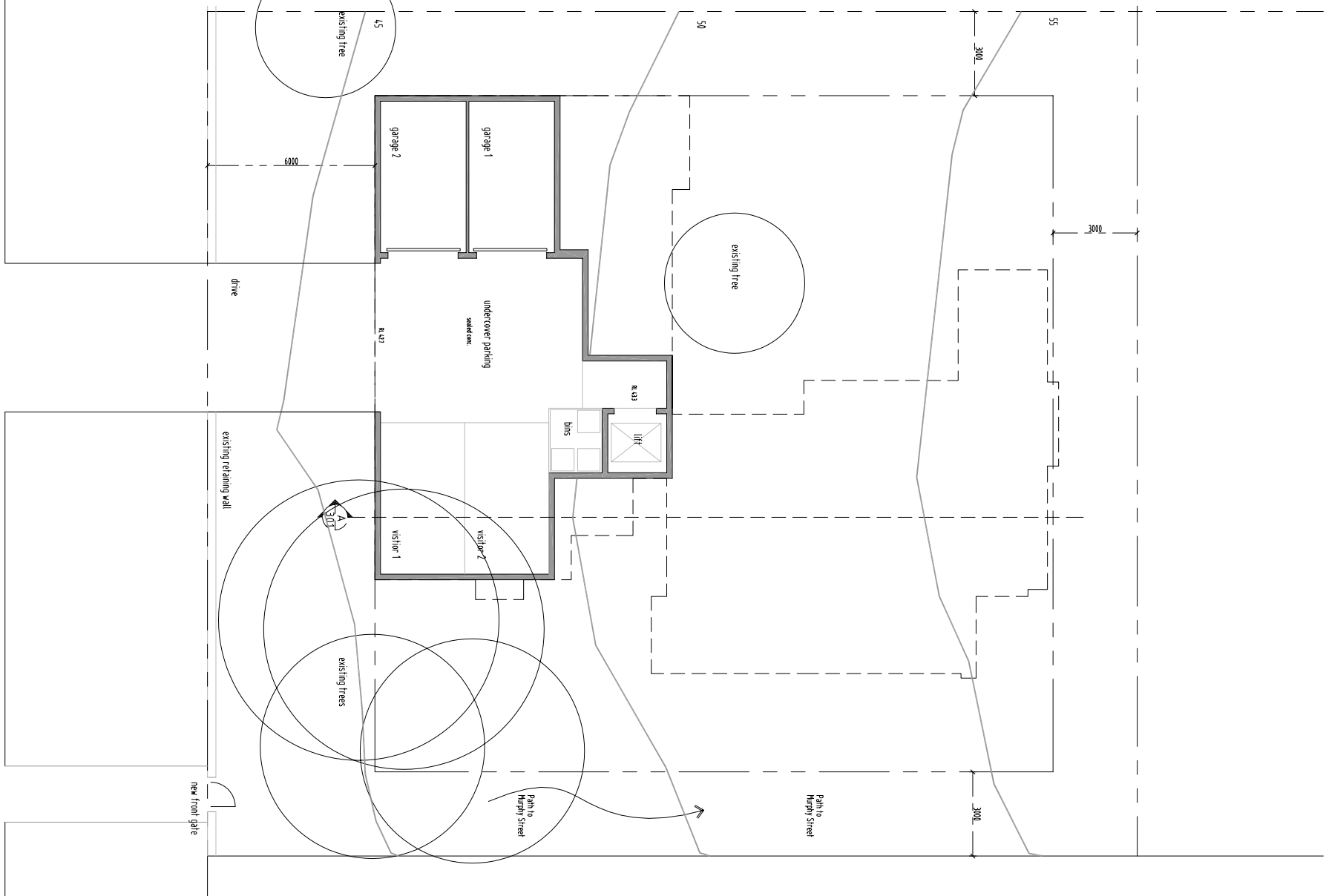
## Murphy Street Villas

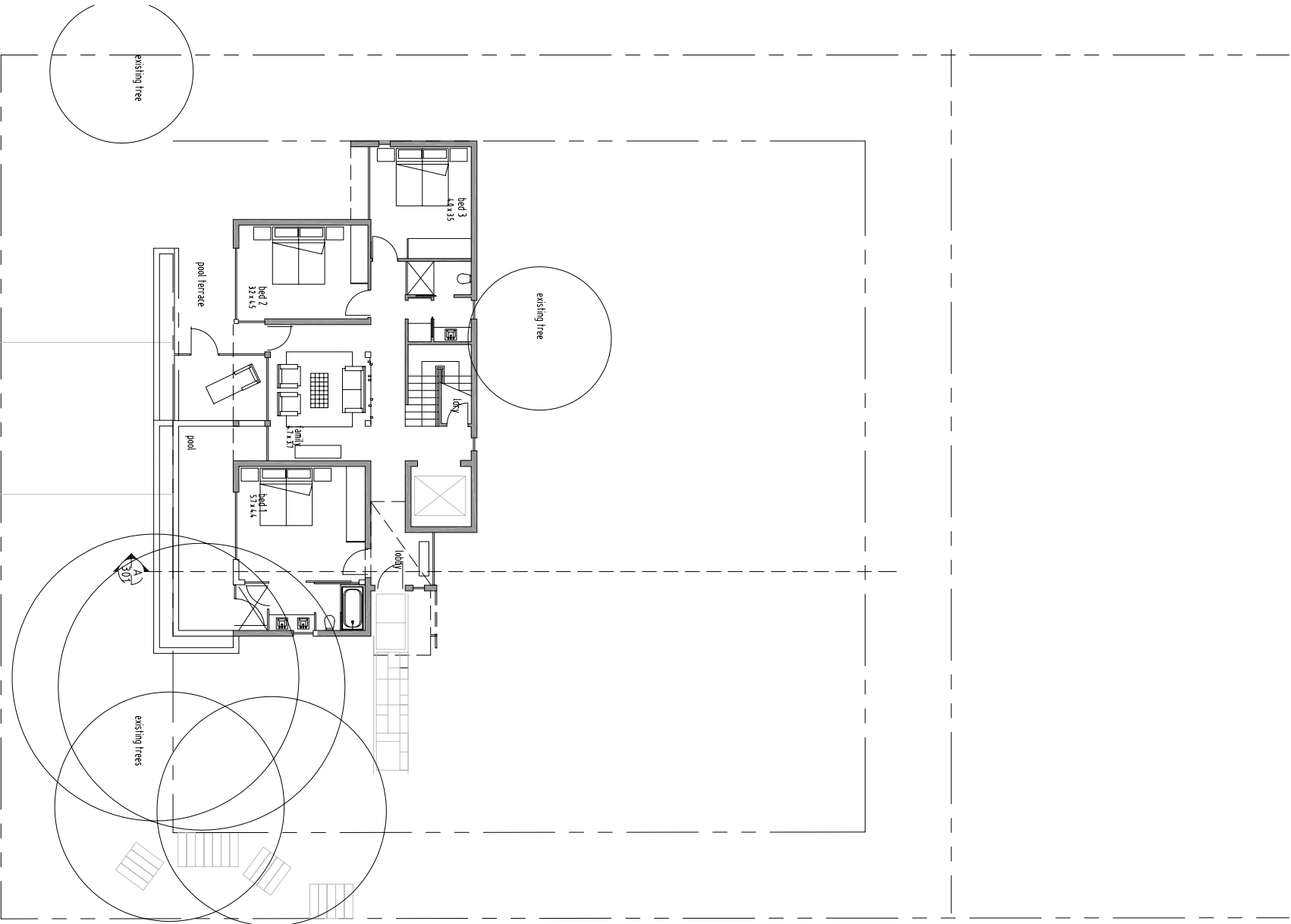
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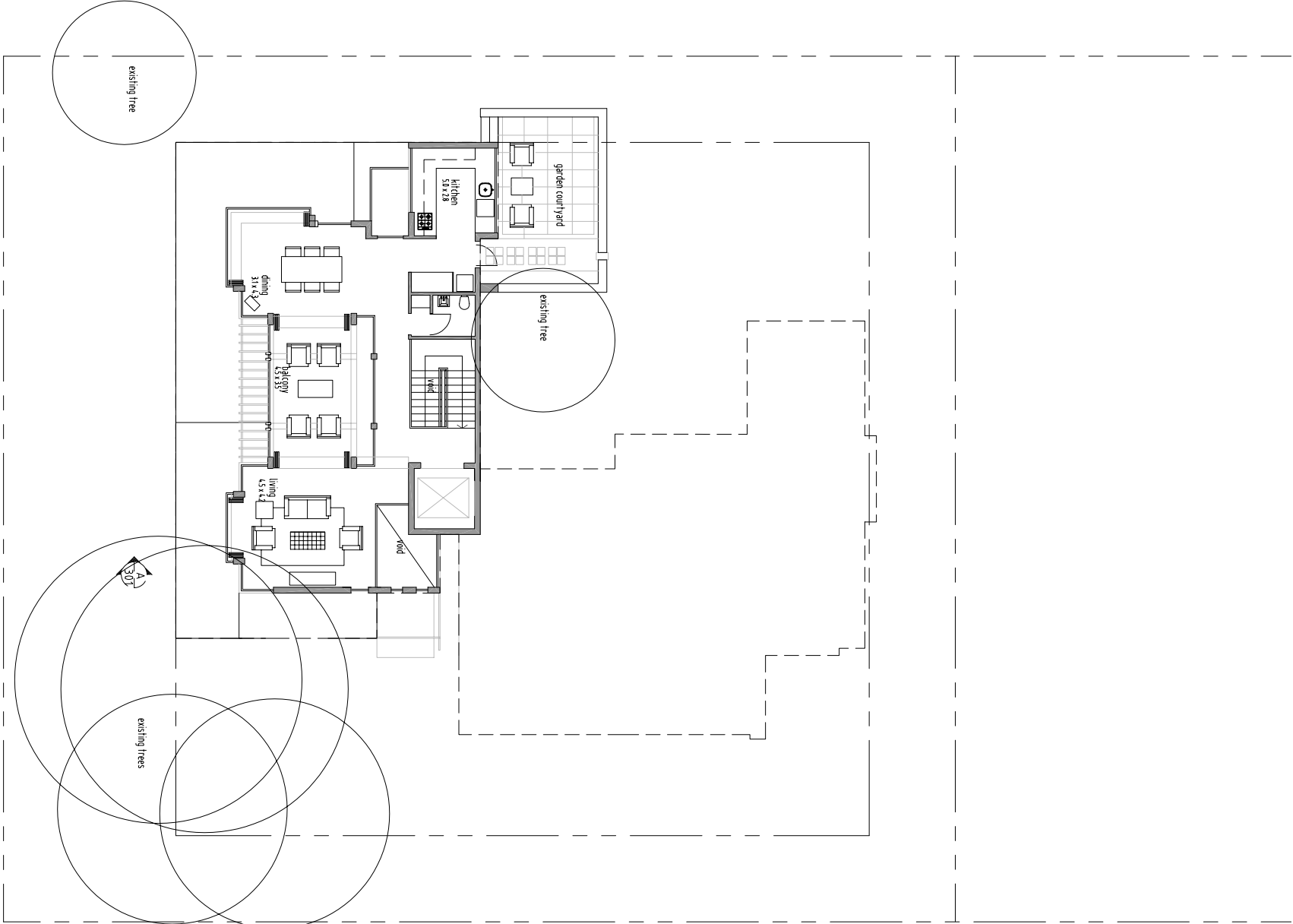
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INDICATIVE IMAGERY AND MATERIALS

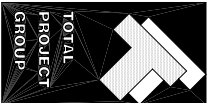
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level 1 plan



level 2 plan



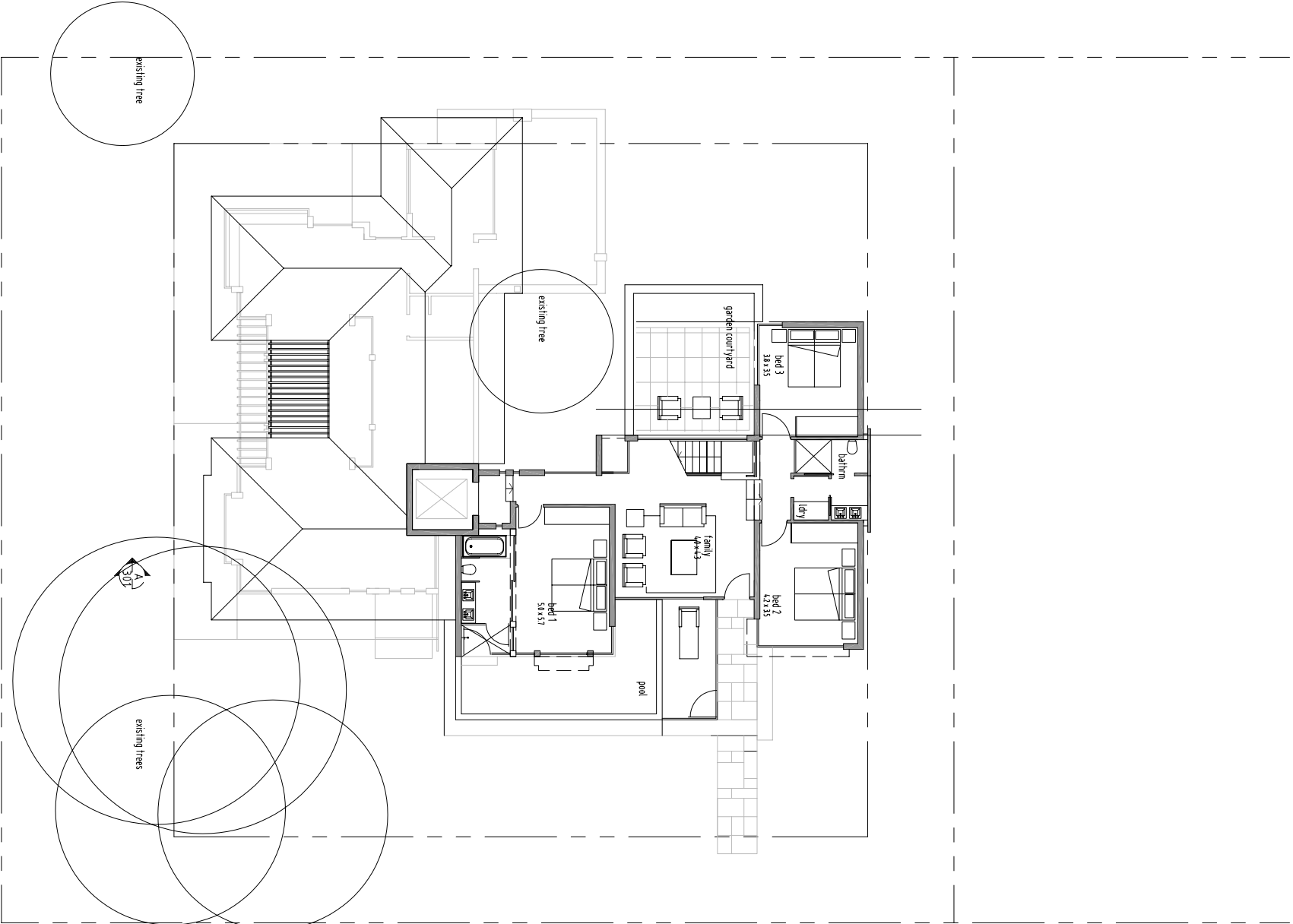
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- ☐ INTERIOR DESIGN
- ☐ MASTER PLANNING
- ☐ PROJECT MANAGEMENT
- ☐ PROJECT MARKETING

MURPHY STREET VILLAS

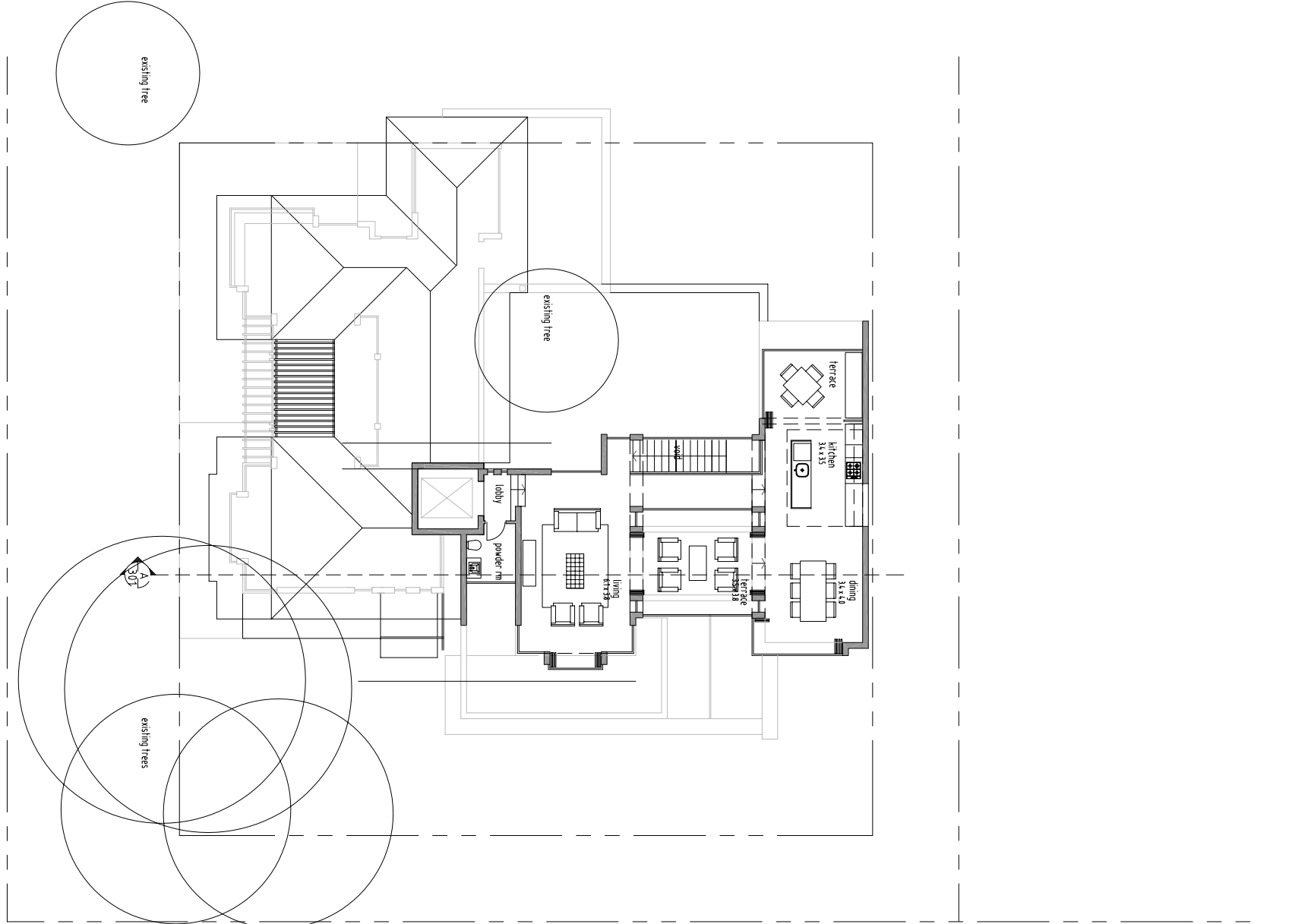
VILLA 1 PLANS

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PROJECT NO.	DRAWING NO.	REVISION	
YOU 02	DD-103	1	
THIS DRAWING IS CONSIDERED AND SHOWN THE PROPERTY OF TOTAL PROJECT GROUP AND SHALL NOT BE COPIED OR REPRODUCED WITHOUT PERMISSION.			
DO NOT SCALE THE DRAWING.			
13-17	PHASE	STREET	CARINUS OLD - 4870
PHONE	(07) 40 321 944	FAX	(07) 40 320 677

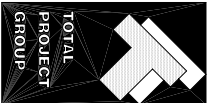




level 1 plan



level 2 plan



- ☐ ARCHITECTURE
- ☐ INTERIOR DESIGN
- ☐ MASTER PLANNING
- ☐ PROJECT MANAGEMENT
- ☐ PROJECT MARKETING

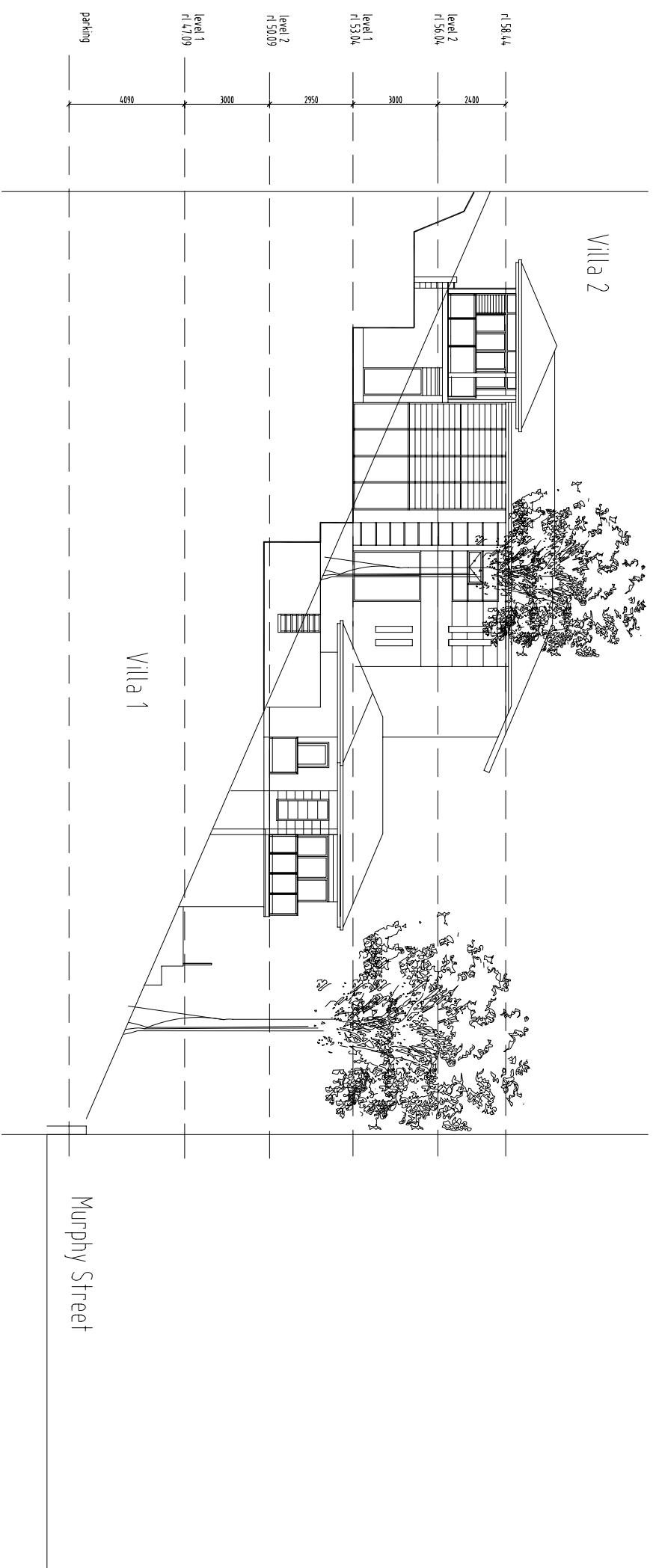
MURPHY STREET VILLAS

VILLA 2 PLANS

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YOU 02			
THIS DRAWING IS CONSIDERED AND SHOWN THE PROPERTY OF TOTAL PROJECT GROUP AND SHALL NOT BE COPIED OR REPRODUCED WITHOUT PERMISSION.			
13-17 PASEO STREET CARMEL, CA 95006-2600			
PHONE (07) 40 321 944 FAX (07) 40 320 677			

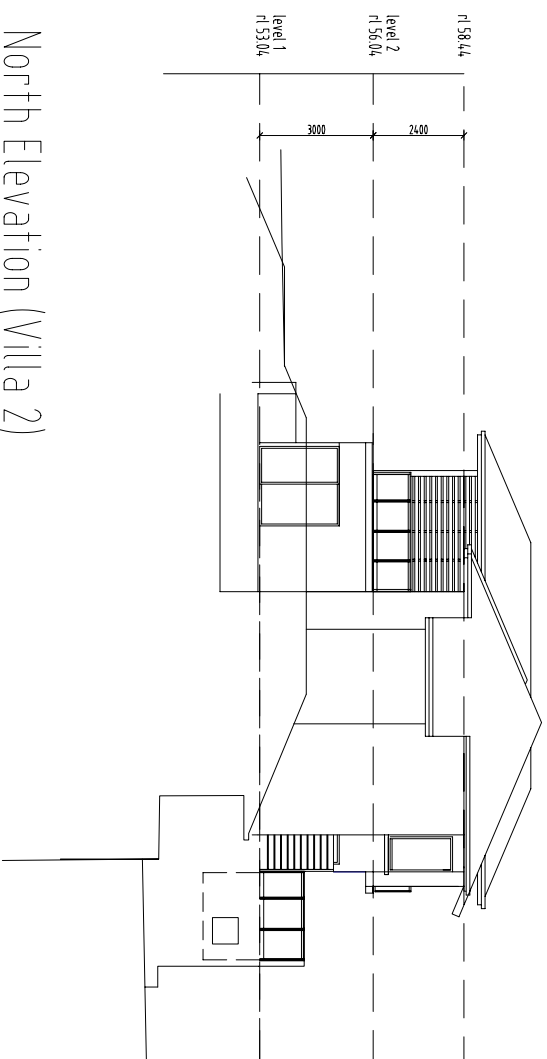


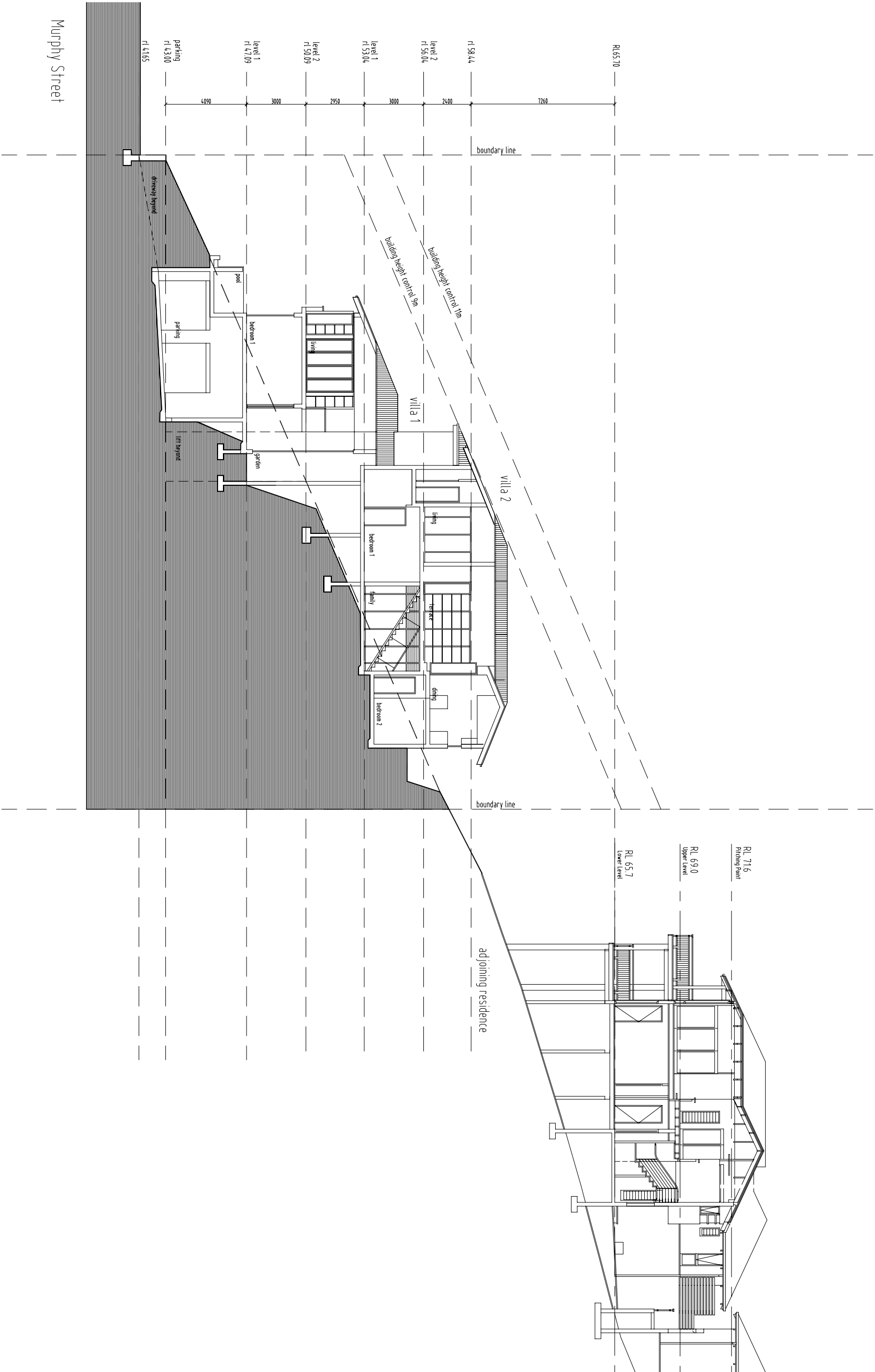
### North Elevation (Villa 1)



## West Elevation

[illegible]





- ☐ ARCHITECTURE  
☐ INTERIOR DESIGN  
☐ MASTER PLANNING  
☐ PROJECT MANAGEMENT  
☐ PROJECT MARKETING

MURPHY STREET VILLAS

SECTION AA

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YOU 02	DD-301	YOU 02	DD-301	YOU 02	DD-301

THIS DRAWING IS THE PROPERTY OF TOTAL PROJECT GROUP AND SHALL BE KEPT IN CONFIDENCE AND NOT BE LOANED, REPRODUCED, COPIED, OR IN ANY MANNER DISCLOSED TO ANY OTHER PARTY WITHOUT THE WRITTEN PERMISSION OF TOTAL PROJECT GROUP.

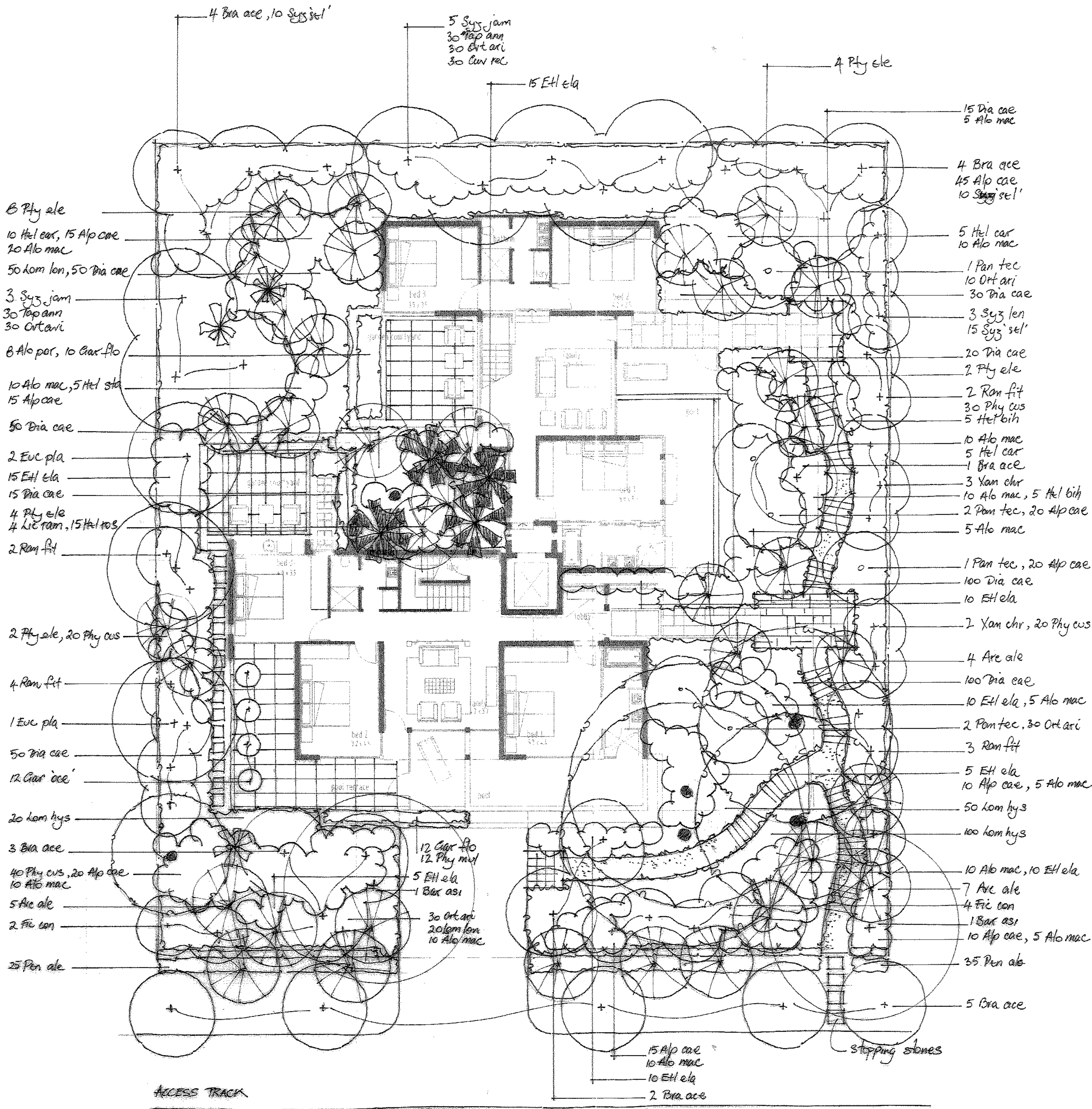
13-17 PEARCE STREET CAIRNS QLD 4870  
PHONE (07) 40 321 944 FAX (07) 40 320 677



## Attachment 5

### Landscape Design Plans





Code	Botanical Name	Common Name	Spacing	Size	Quantity	approx hgt 2yrs	approx hgt 10yrs
TREES							
BAR asi	Barringtonia asiatica	Box Fruit Tree	as shown	(400L Bag) 4m	2	6m	8-10m
BRA ace	Brachycton acerifolius	Flame Tree	3-5m	(100L Bag) 3-4m	19	4m	5-6m
EUC pla	Eucalyptus platyphylus	Poplar Gum	as shown	(45L Bag) 1-2m	3	3-4m	10-15M
FIC con	Ficus congesta	Red Leaf Fig	as shown	(15L Bag) 1m	6	2m	7m
PAN tec	Pandanus tectorius	Pandanus	as shown	(100L Bag) 2m	6	3-4m	2.5m
RAN fit	Randia fitzalanii	Brown Gardenia	3-5m	(200mm pot) 0.6m	11	1.5-2m	4-6m
SYZ jam	Syzygium jambos	Lilly Pilly	3-5m	(200mm pot) 0.6m	8	3m	5-6M
SYZ leu	Syzygium luehmannii	Lilly Pilly	10-12m	(45L Bag) 1.5m	3	3m	4-5M
XAN chr	Xanthostemon chrysanthus	Golden Penda	3-5m	(75L Bag) 2m	5	3m	4-6m
PALMS							
ARC ale	Archontophoenix alexandrae	Alexandra Palm	Specimen	(100L Bag) 3-4m	16	4-5m	10+m
LIC ram	Licuala ramsayi	Daintree Fan Palm	Specimen	(Ex ground 5-6m)	4	5-6m	7-8m
PTY ele	Ptychosperma elegans	Soitaire Palm	3m	(Ex ground) 3m trunk	14	4m	8+m
SHRUBS & GROUND COVERS							
ALO mac	Alocasia macrorrhiza	Elephants Ears	2/sq m	(15Litre) 1m	125	2m	3-4m
ALO por	Alocasia porinda	Elephants Ears	2/sq m	(15Litre) 1m	8	2m	3-4m
ALP cae	Alpinia caerulea	Native Ginger	3/sq m	(200mm pot) 0.4m	170	1m	1.5-2.5m
CUR rec	Curculigo recurvata	Weevil Palm	5/sq m	(140mm pot) 0.3m	30	1m	1m
DIA cae	Dianella caerulea	Flax Lily	10/sq m	(140mm pot) 0.2m	430	0.3m	0.3m
ETL ela	Etlingera elatior	Torch Ginger	1/sq m	(15Litre) 1m	80	2m	3-4m
GAR flo	Gardenia 'Florida'	Gardenia Florida	3/sq m	(200mm pot) 0.6m	22	0.5m	1m
GAR oce	Gardenia 'Ocean Pearl'	Gardenia Florida	3/sq m	200mm pot 0.4m	12	0.5m	1m
HEL bih	Heliconia bihai	Heliconia	1/sq m	(15L Bag) 2m	10	3m	3-4m
HEL car	Heliconia caribaea	Heliconia	1/sq m	45Litre 2m	20	3m	3-4m
HEL ros	Heliconia rostrata	Heliconia	1/sq m	45Litre 2m	15	3m	3-4m
HEL sta	Heliconia standleyi	Heliconia	1/sq m	45Litre 2m	5	3m	3-4m
LOM hys	Lomandra hystrix	Matt Rush	6/sq m	(140mm pot) 0.2m	170	0.3m	0.5m
LOM lon	Lomandra longifolia	Matt Rush	6/sq m	(140mm pot) 0.2m	40	0.5m	0.9m
ORT ari	Orthosiphon aristatus	Cats Whiskers	6/sq m	(140mm pot) 0.3	130	1m	1m
PEN alo	Pennisetum alopecuroides	Swamp Foxtail	5/sq m	(140mm pot) 0.2m	60	0.9m	0.9m
PHY cus	Phyllanthus cuscutiflorus	Pink Phyllanthus	3/sq m	(200mm pot) 0.2m	110	1.5m	3m
PHY mul	Phyllanthus multiflorus	Waterfall Plant	1/sq m	(200mm pot) 0.2m	12	1m	2m
SYZ sel	Syzygium paniculatum 'Select'	Lilly Pilly	3/sq m	(15Litre) 1m	35	2.5m	3.5m
TAP ann	Tapeincheilus annasee	Backscratcher Ginger	1/sq m	(200mm pot) 0.6m	60	1.5M-2m	2m

LANDSCAPE SPECIFICATION

**EXCAVATION**  
All building rubble and other unsuitable material including weeds to be removed from landscape areas. Existing topsoil to be excavated and removed from the natural ground levels of landscape areas to a depth of 200mm for garden areas and 25mm for turf areas. All excavated material to be removed from site and disposed of in an approved manner.

**PREPARATION**  
Cultivate all turf areas to a depth of 200mm after excavation prior to filling with Imported topsoil. Cultivate all shrub areas to a depth of 300mm after excavation and prior to filling with Garden mix.

**GARDEN EDGING**  
Timber edge to all garden beds, adjoining turf areas and between children's sand pit and turf area. Note: Timber to have sanded edges in vicinity of sand pit.

**GARDEN MIX**  
Garden mix shall be spread to a minimum of 300mm to all shrub beds and to a 25mm depth to all turf areas. Garden mix shall consist of:

- 1 part aged sawdust / 1 part well composted chicken manure
  - 1 part aged bagasse/2 parts coarse sand
  - 3 parts imported Tableland topsoil (free of Nutgrass)
- Imported topsoil shall be fertile and friable

Tableland loam with a good moisture holding capacity and containing a minimum of 2% organic matter for sandy loams. The topsoil acidity shall be between 5.5-7.0pH and shall be free from any subsoil admixtures, and contain no more than 1% salt measured on an oven dried basis. All imported topsoil shall be free from materials toxic to plant growth, noxious weeds, stones, roots and other extraneous material.

**PLANT MATERIAL**  
All plants are to be true to the attached schedule, accurately labeled with waterproof label, well formed, hardened off and grown in container sizes as indicated in the schedule. The minimum sizes of the plants at the time of collection from the Nursery shall be as stated in the Planting Schedule. Plants shall be free from damage, disease and insect pests. Root systems shall be vigorous, fibrous and developed sufficiently to hold the soil mixture firmly together. Plants shall not be root bound, forced, loose, undersize, waterlogged, dried out or lacking moisture in the container. Apex or bud to be actively growing and shall be free from mechanical or insect damage. All plants of similar species shall be of uniform height and trunk size with minimal variation between plant sizes.

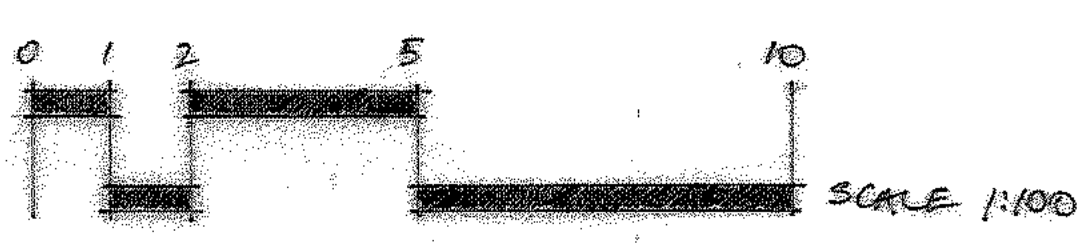
**PLANTING PROCEDURE: SHRUBS & GROUND COVER**  
When planting set plants plumb and level with the adjacent soil, ensuring no soil is placed against the stem of the root crown.

**TURF**  
A grade 50/50 mix of Carpet Grass (Axonopus compressus) and Couch or approved equivalent shall be laid on prepared subgrade, evenly laid and finished flush to nominated levels.

**FERTILISER**  
Turfed areas lawn fertiliser with NPK ratio 10:9:8 and spread as per manufacturers specification. Garden beds: 50/50 mix of Q5 & Dynamic Lither.

**MULCH**  
Teatree mulch or equivalent approved by landscape Architect shall be spread to a minimum depth of 100mm over all garden beds unless indicated on plan as being river pebble mulch.

**IRRIGATION**  
The irrigation system will be capable of watering all the landscape areas as shown on the Landscape drawings and in accordance with the Irrigation Master Plan Drawing No. LP02. Care is to be taken to avoid any overspray onto paving. No low density pipe is to be used up stream of the solenoid valves. No drip line or barbed micro-jet fittings etc to be used. The irrigation system will conform to all relevant local authority regulations including the provision of the necessary backflow prevention devices. The irrigation system will include a filter guaranteed by the manufacturer to function effectively within these site conditions. The contractor will submit with his tender a detailed irrigation drawing showing the location of all the valves, sprinklers, controllers and associated equipment.



**PAWSEY**

**PROMISE**

Land Use Consultation & Landscape Architecture

PROJECT  
LOT 133 MURPHY STREET  
PORT DOUGLAS

DATE: 19 MAY 2005  
PROJECT NO. 700

SCALE: 1:100  
DRAWN: ABP  
CHECKED: Andrew Prowse

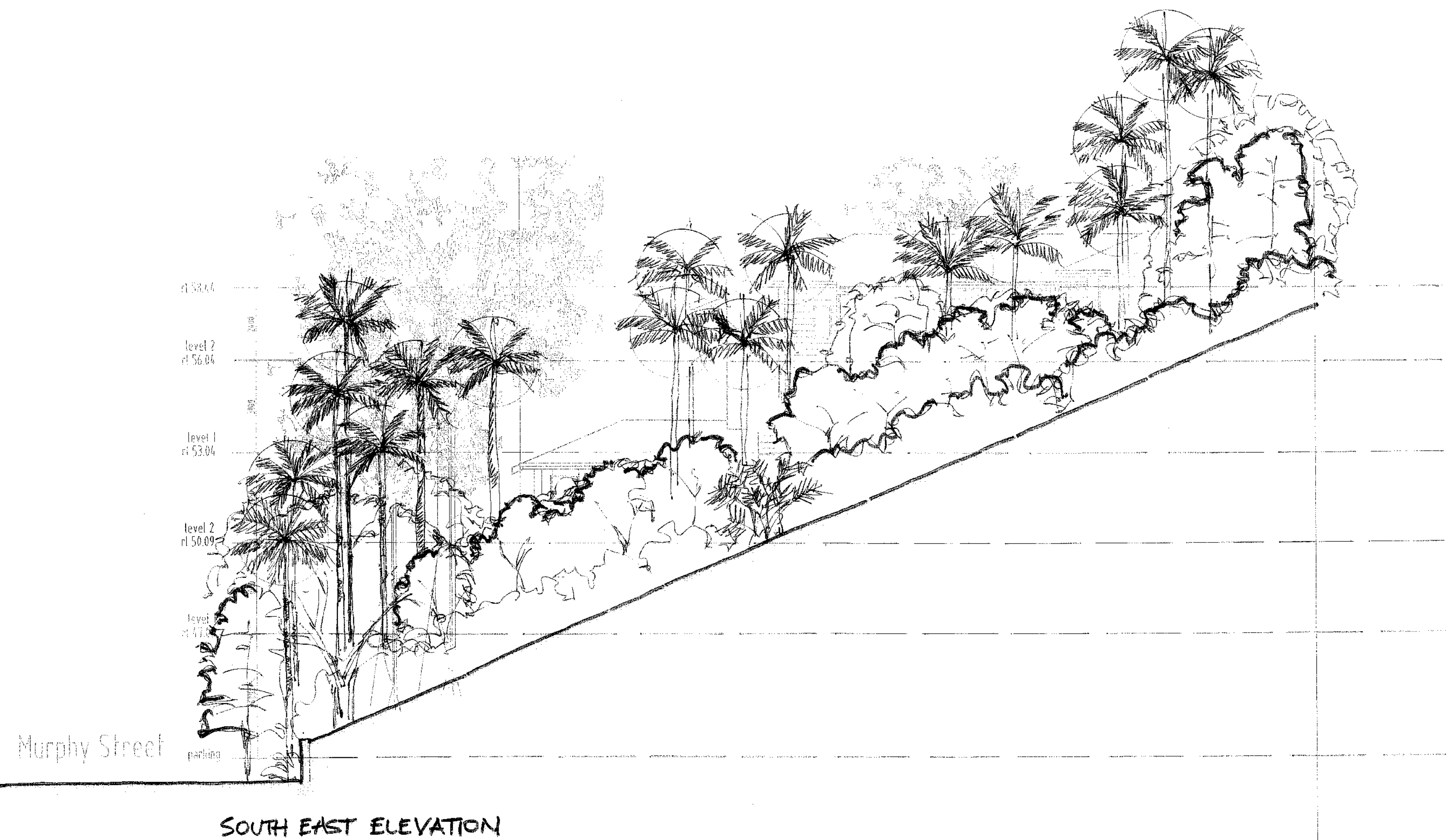
DRAWING  
LANDSCAPE CONCEPT


DRAWING No.  
LP - 01

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<b>PAWSEY</b>  <b>PROWSE</b> Land Use Consultation & Landscape Architecture	
PROJECT <b>LOT 133 MURPHY STREET          PORT DOUGLAS</b>	
DATE 13 MAY 2005 PROJECT NO. 700	SCALE 1:100 DRAWN AtP CHECKED Andrew Prowse
DRAWING <b>LANDSCAPE ELEVATIONS</b>	
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## Attachment 6

### Visual Impact Assessment





## **Assessment of Potential Visual Impact**

**Proposed 2 Villa Units on Lot22  
Murphy Street, Port Douglas**

Date: January 2010

Ref: 62081

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## TABLE OF CONTENTS

1.	INTRODUCTION	4
	1.1 Overview	4
	1.2 The Site	4
2.	LANDSCAPE CHARACTER	5
	2.1 Description	5
	2.2 Existing Landscape Character	5
3.	VISUAL PROMINENCE AND EXPOSURE	6
4.	VISUAL AMENITY	7
	4.1 Viewsheds	7
5.	METHODOLOGY	8
	5.1 Background Material	8
	5.2 Desktop Analysis	8
	5.3 Site Visit and Photographic Survey	8
	5.4 3D Model and Photo Montages	8
6.	VISUAL ASSESSMENT	9
	6.1 Davidson Street	10
	6.2 Macrossan Street	11
	6.3 Esplanade	12
	6.4 Sport Complex	13
	6.5 Marina Mirage	13
7.	PROPOSED DEVELOPMENT	14
8.	CONCLUSION	15

# 1.

## INTRODUCTION

### 1.1 Overview

The proposed development of the 2 Villa Units is to be located on Lot 22 on SP161481 at the eastern end of Murphy Street, Port Douglas. This report discusses the basis for determining the site's visual amenity and the capacity of the site to absorb the impact of the proposed development in the context of its landscape.

The site context is predominantly residential in nature and is characterised by large multilevel residences and multiple dwelling units. The proposed development is expected to fit within the landscape character and will have a minimal impact on visual amenity.

### 1.2 The Site

The subject site is described as Lot 22 on SP161481 and is situated on the southwest slopes of Flagstaff Hill on the high side of Murphy Street. The subject site is bounded by large residences on the neighbouring lots to the north, northwest, and southeast.

The southern boundary of the lot is defined by a 1.8m high gabion rock wall which borders the road reserve that will be used to service the proposed development.

The site falls about 15m from back to front and is lightly vegetated with several significant trees towards the lower section of the site.



Locality Plan - N.T.S.



## 2.1 Description

'Landscape character in the public realm is difficult to define. It is a combination of perceptions, values and feelings carried around by communities of diverse people' (John Mongard, 2002).

There are four major elements of landscape character which affect the extent to which the proposed development may impact on a landscape. These are:

- Vegetation cover (which may provide screening and influence the vertical scale of a landscape);
- Topography (which provides screening and backdrops and influences both the vertical scale of a landscape and the breadth and depth of view);
- Degree of human modification in the 'natural' landscape and the dominance of human made elements within that landscape; and
- Distance.

## 2.2 Existing Landscape Character

In order to gain a well balanced picture of the landscape character present in the context of the site, it would be necessary to undertake an interactive community engagement program. Given that this approach is unfeasible for the purpose of this report the approach taken has been to define the landscape character based on the premise that the strong and positive elements of an area are its visual qualities. These visual qualities often contribute to lifestyle quality for a place and its people. The landscape character is also based on an objective assessment of the landscape structure of the study area, i.e. topography, water form, vegetation and land use.

Port Douglas is one of Far North Queensland's prime tourist destinations where unique environmental and landscape qualities attract future residents and tourist alike. The proposed development combines the existing site character with sustainable design to achieve a seamless transition to its existing environment.

The site context is characterised by tropical vegetation with several mature and spreading Moreton Bay Ash trees. These trees have a combined canopy of approximately 13m which largely screens the view into the site due to its elevation.

Existing established trees are to be retained where possible. The proposed development is to be integrated into the site through careful placement and revegetation of the disturbed areas in response to the Landscape Assessment undertaken by Pawsey & Prowse



Site from Murphy Street



Site from Macrossan Street

### 3.

## VISUAL PROMINENCE AND EXPOSURE

Visual impact assessment is a combination of the consideration of visual prominence and visual exposure.

Visual prominence is determined by the size, height and colour of proposed building elements and the degree to which the landscape within which they sit can assist in reducing their visual prominence (e.g. screening vegetation, landform, etc).

Visual exposure is determined by the number and frequency of people who will see the proposed building elements from identified viewing points. Despite the word 'landscape' having its foundations in the idea of fixed views, in reality, we all experience landscapes by the way we move through them. Our perspective as we move through the landscape in this way can be influenced by a number of elements. The position of textures within the landscape can impact on our perspective. This is often experienced through decreasing scale/size and increase in density with distance. Motion can also influence perspective with objects appearing to increase in their rate of movement as we approach them. Perception of depth can be created by haze between the viewer and the object, while clear air tends to bring an object closer.



View from Corner Davidson & Mowbray Street



## 4.

## VISUAL AMENITY

Visual amenity refers to the views and features that have or could be expected to have value to the community as a whole.

The current visual amenity is characterised by tropical vegetation and luxury residences on the upper hillside and tropical vegetation and buildings on the lower slopes.

### 4.1 Viewsheds

Lot 22 is located on the southwest slopes of Flagstaff Hill between Murphy Street and Island Point Road. However, the site does not extend up slope to Island Point Road as Peter Young's residence is located there.

The availability of views is merely a prerequisite for visual impact. The severity of visual impact is determined by the relative importance of such views in the context of the viewshed.

Views were observed both from and to the site during a site inspection.



View to Flagstaff Hill is blocked by Coconut Grove Complex, Corner Davidson and Macrossan Street

The methodology employed in this study uses traditional desktop and site analysis techniques as well as the preparation of a 3D Model.

An initial desk study was undertaken to identify all possible viewing points from which the proposed development may be visible. A site visit and a photographic survey from each of the potential viewing locations was conducted in January 2010 to ground truth the desk top survey. Afterwards a 3D model of the site, its surroundings and the proposed buildings was generated and added to the photographs taken from the vantage points.

### 5.1 Background Material

- Detail Survey (including contours) by Conics (former C&B Group), Plans: 62081-1 and 62081-2
- Building Design by Total Project Group, Plans: DA-102, DA-103, DA-104, DA-202, DA-301
- Material Change of Use Analysis by Total Project Group, Document: D0101
- Landscape Concept Plan and Landscape Elevations by Pawsey & Prowse, Plans: LP-01 and LP-02
- Landscape Assessment by Pawsey & Prowse, Document: ACP:jm:700

### 5.2 Desktop Analysis

A contextual analysis was performed which utilised aerial photographs and local maps. By examining the site topography it was possible to identify key vantage points from which the subject site would be visible. The local maps identified the landscape character elements including landform, water form, vegetation and land uses in these areas allowing assumptions to be made about the likely impact of the proposed development.

The identified viewing points are:

- Davidson Street
- Macrossan Street
- Esplanade
- Sport Complex
- Marina Mirage

### 5.3 Site Visit and Photographic Survey

An inspection was conducted of the site and surrounds.

A photographic record of existing elements has been made in order to formulate and assess visions of existing conditions in terms of negative and positive impacts associated with the proposed development.

### 5.4 3D Model and Photo Montages

A 3D model of the site and surrounds, including the existing buildings on the neighbouring properties was created by using the surveyed data and contours. The proposed 2 Villa Units were added to the model by using the building and roof outlines provided by Total Project Group.

The location, height and spread of the existing trees to be retained was taken from the survey data and information about the proposed new trees was taken from the landscape plans. Both, existing and new trees, were added to the model.

The location of the viewing points were also added to the model and screen shots were taken from these points.

Afterwards, by using the existing buildings and trees as reference points, these screen shots were fitted into the photographs.



The following photomontages should demonstrate the visual impact of the proposed development.

Map 1 shows the vantage points from which a photomontage was created.



Map 1: Photo Locations



## 6.1 Davidson Street

Views from the south along Davidson Street reveal the dominant green backdrop of Flagstaff Hill. The site is barely discernible due to existing buildings and vegetation.

The most significant location is on the corner of Davidson and Mowbray Street. The view is constrained but still allows a moderate level of visual prominence which will be softened by the use of natural building materials and colours. The client is committed to minimising the impact on the natural flora and blend external colours of the building into the existing vegetation



Photo A: View from Davidson Street (Peppers Beach Club) looking northeast



Photo B: View from Corner Davidson & Mowbray Street looking northeast



## 6.2 Macrossan Street

Short views to the site from various locations along Macrossan Street reveal that views will be constrained by the retained vegetation and buildings.

The photomontages show the visual impact, including from Macrossan Street, is low as views to the site will be intermittent and the proposed development will be absorbed into the existing environment.

In the future the redevelopment of existing, low set buildings along Macrossan Street can be expected which will block direct views to the 2 Villa Units even more.



Photo C: View from Macrossan Street looking northeast



Photo D: View from Corner Macrossan Street and Wharf Street looking southeast



### 6.3 Esplanade

Views to the site from the Esplanade reveal low visual prominence with foreground vegetation preventing any clear views of the site. It is therefore concluded that the visual amenity will be unlikely to be impacted from this viewshed.



Photo E: View from Corner Macrossan Street & Esplanade looking northwest



Photo F: View from Corner Esplanade & Beryl Street looking north



## 6.4 Sport Complex

Views from the Sport Complex reveal the dominant green backdrop of Flagstaff Hill. The site is barely discernible due to existing vegetation and distance. It is therefore concluded that the visual amenity and character of the site viewed from this location will have minimal impact.



Photo G: View from southern end of Football Oval

## 6.5 Marina Mirage

Views to the site from the Marina Mirage reveal very low visual prominence with foreground vegetation preventing any clear views of the site. It is therefore concluded that the visual amenity will be unlikely to be impacted from this viewshed.



Photo H: View from Marina Mirage Entrance

## 7.

## PROPOSED DEVELOPMENT

The applicant proposes the construction of 2 multilevel villas on the subject site. The site has inherent environmental values and the proposed development is intended to compliment the natural vegetation of the allotment. The visual amenity of Flagstaff Hill was the main focus point for the design and layout of the villas.

The following design objectives have been identified as being critical to the successful resolution of the proposed development:

- The building is terraced back to avoid heights over 9m. This makes the proposed development smaller in comparison to the neighbouring residences.
- The layout is designed to retain as much as possible of the existing vegetation, especially the significant Moreton Bay Ash trees.
- The use of natural materials such as timber, stone and naturally coloured shingle roof with non reflective surfaces will assist the proposed development to coexist with the natural elements of the site.
- Extensive new planting areas to all areas of the site will be a significant element in integration of the development into the surrounding landscape as shown on the Landscape Concept Plan (LP-01) by Pawsey & Prowse.



3D Model of proposed development including trees to be retained and new trees

Qualitative assessment weighs the type of views and viewed elements and assigns generally positive and negative values to them, giving consideration to both the physical and cultural context of these elements. The visual impacts are predominantly subjective and strongly related to the sensitivity of the viewing source. Potentially sensitive locations include:

- Houses (especially those within a 1 kilometre viewshed);
- Major and secondary roads; and
- Identified locations of public or private importance.

This report has established that the proposed development does fit within the character of the Port Douglas township. However, it also recognises that the site has some significant cultural and scenic values that should be retained in order to maintain the visual amenity of Flagstaff Hill.

The study has recognised the importance of specific viewsheds surrounding the site and has demonstrated that given the proposed development is constructed as currently approved, the severity of visual impact will be negligible in the context of these viewsheds and the character of the hillside can be retained.

The proposed development will be visible from parts of the viewing catchment such as the Sport Complex and certain locations along Davidson Street. They will however, be softened by existing and new vegetation that will significantly constrain views of the proposed building.

The outcome of the proposed development will have minimal impact on the visual sensitivity of the surrounding context. It has already been demonstrated in this report that there will be limited visual exposure or visual prominence as a result of this proposed development.



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