

9 October 2020

Enquiries: Rebecca Taranto  
Our Ref: MCUC 2020\_3714/1 (Doc ID: 975728)  
Your Ref: 20203254

Administration Office  
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C/- Patrick Clifton, GMA Certification  
PO Box 831  
PORT DOUGLAS QLD 4877  
Email: adminpd@gmacert.com.au

Dear Sir/Madam

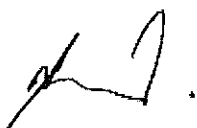
**Development Application for Request for Minor Change (Carport)  
At 14 Triton Crescent PORT DOUGLAS  
On Land Described as LOT: 0 TYP: BUP PLN: 70647**

Please find attached the Decision Notice for the above-mentioned development application.

Please quote Council's application number: MCUC 2020\_3714/1 in all subsequent correspondence relating to this development application.

Should you require any clarification regarding this, please contact Rebecca Taranto on telephone 07 4099 9444.

Yours faithfully



**Paul Hoyer**  
Manager Environment & Planning

encl.

- Decision Notice
  - Approved Drawing(s) and/or Document(s)
  - Reasons for Decision.
- Advice For Making Appeals (Decision Notice)

## Assessment Managers Conditions and Advices

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### 1. Assessment Manager Conditions

- a. The development is undertaken in accordance with the facts and circumstances set out in the development application referred to Council.
- b. All other conditions of the original planning approval for Town Planning Consent TPC 285 approved on 22 July 1986 remain unchanged.

### 2. Advices

- a. All building site managers must take all action necessary to ensure building materials and / or machinery on construction sites are secured immediately following the first cyclone watch and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of works.
- b. This approval does not negate the requirement for compliance with all other relevant Council Local Laws and other statutory requirements.
- c. For information relating to the *Planning Act 2016* log on to [www.dsdmip.qld.gov.au](http://www.dsdmip.qld.gov.au). To access the *FNQROC Regional Development Manual*, Local Laws, the Douglas Shire Planning Scheme and other applicable Policies log on to [www.douglas.qld.gov.au](http://www.douglas.qld.gov.au)

## Original Decision Notice

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See Attachment 1.

## Further Development Permits

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Please be advised that the following development permits are required to be obtained before the development can be carried out:

- All Building Work

All Plumbing and Drainage Work must only be carried in compliance with the Queensland *Plumbing and Drainage Act 2018*.

## Currency Period for the Approval

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This approval, granted under the provisions of the *Planning Act 2016*, shall lapse six (6) years from the day the approval takes effect in accordance with the provisions of Section 85 (1) (a) (ii) of the *Planning Act 2016*.

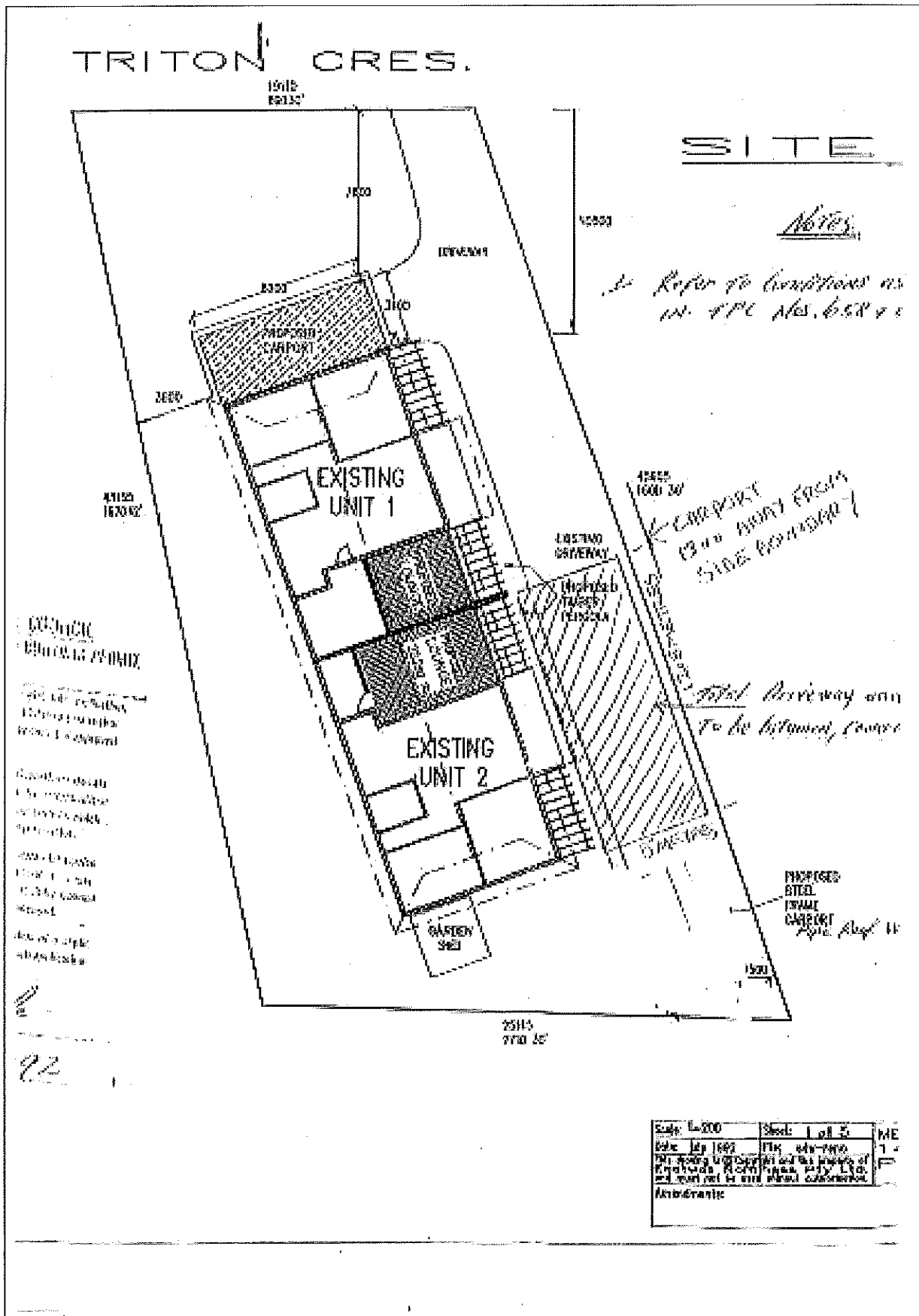
## Rights of Appeal

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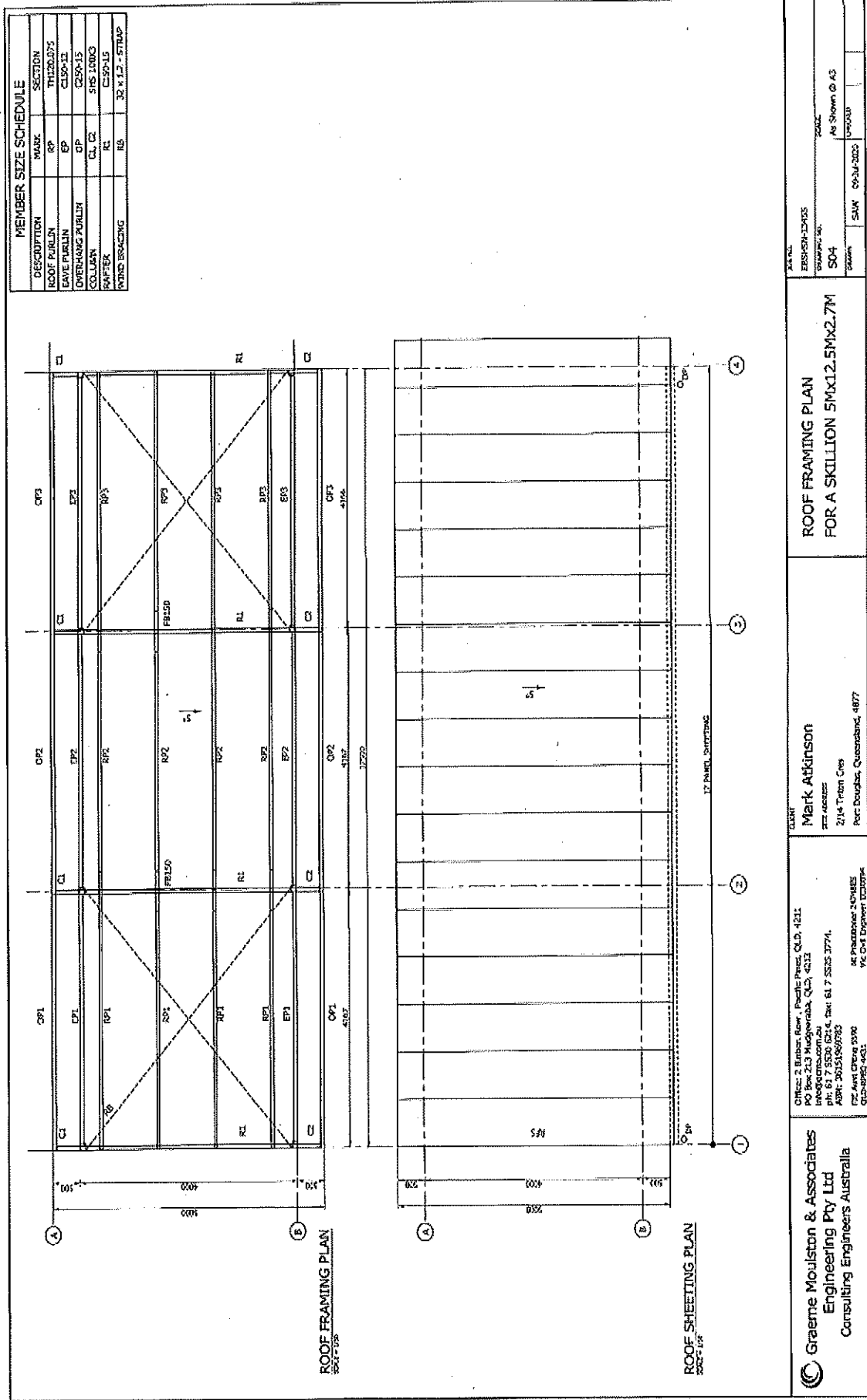
The rights of applicants to make representations and rights to appeal to a Tribunal or the Planning and Environment Court against decisions about a development application are set out in Chapter 6, Part 1 of the *Planning Act 2016*.

A copy of the relevant appeal provisions are attached.

Approved Drawing(s) and/or Document(s)  
Site Plan

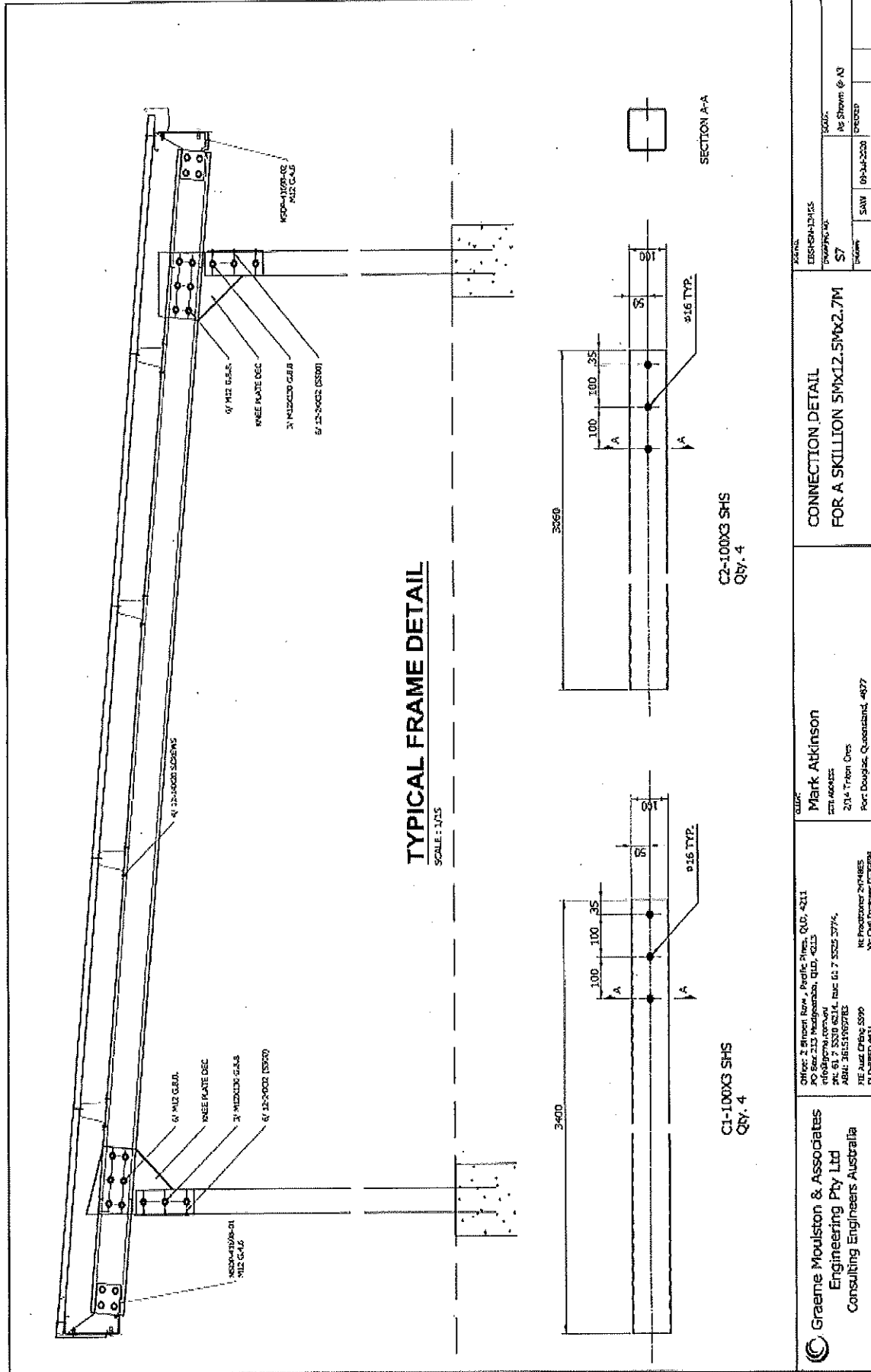


# Roof Framing Plan



<p><b>Graeme Moulston &amp; Associates</b> Engineering Pty Ltd Consulting Engineers Australia</p>	<p><b>Mark Atkinson</b> 17 Panel Skirting 2/14 Triton Cres Perth, Western Australia, 6077</p>	<p><b>ROOF FRAMING PLAN</b> FOR A SKILLION 5M X 12.5M X 2.7M</p>
Office: 2 Balfour Street, Pacific Parade, QLD, 4211 PO Box 213, Mudgeeraba, QLD, 4211 PH: 61 7 5530 6214, Fax: 61 7 5535 3774 AUSA: 36151569793 GST: And Other GST# 6120-8985-4631	UEN: 6120-8985-4631 ABN: 6120-8985-4631 AC Number: 349985 VET: 014 Engrment 122094	DRAWN: SMK 09-24-2020 CHECKED: AS Shows G AS DATE: 09-24-2020

Typical Frame Detail



<b>Graeme Moulston &amp; Associates</b> Engineering Pty Ltd Consulting Engineers Australia	Office: 2 Alfred Row, Perth, WA, 6001 PO Box 213, Perth, WA, 6001 info@grame.com.au Ph: 61 8 9438 8214, Fax: 61 8 9438 3774 ABN: 36151692783 NE Aust Office: 899 QLD Office: 4433	<b>Mark Atkinson</b> 2711 Lakeside 2711 Lakeside Port Douglas, Queensland, 4877	SERIAL ERSKIN-13115 DRAWING NO. S7	SCALE As Shown @ A3	DATE 09-JUL-2020	PREPARED
			CONNECTION DETAIL FOR A SKILLION 5MX12.5MX2.7M	DRAWN SANV	CHECKED 09-JUL-2020	PROJECT

DOUGLAS SHIRE COUNCILMINUTES BUILDING & TOWN PLANNING COMMITTEE MEETING  
8TH JULY 1986

It was resolved that as the frontage to the road of the land to be developed is 19.11 metres and departs from the minimum frontage requirements of 20 metres only to a minor extent, the Council dispense with the minimum frontage requirement of 20 metres and the Committee, acting under the powers delegated to the Committee at the Council meeting held on the 25th February 1986, grant approval to the Town Planning Scheme application submitted by Lake Hector Pty. Ltd. to develop a Duplex on land described as Lot 27 R.P. 2658E Parish of Salisbury, County of Solander, subject to the conditions as recommended by the Building Surveyor in his report for the period ended 3rd July 1986.

TOWN PLANNING SCHEME APPLICATION NO. 207 (CLAUSE 1 B.S. REPORT)

It was resolved that the Committee, acting under the powers delegated to the Committee at the Council meeting held on the 25th February 1986, grant approval to the Town Planning Scheme application submitted by V.A. D'Addona Syndicate to develop a Duplex on land described as Lot 20 R.P. 40221 Parish of Victoria, County of Solander, subject to the conditions as recommended by the Building Surveyor in his report for the period ended 3rd July 1986.

ADJOURNMENT

The meeting adjourned for Morning Tea at 10.32 a.m.

RESUMPTION

The meeting resumed at 10.43 a.m.

TOWN PLANNING SCHEME APPLICATION NO. 208 (CLAUSE 1 B.S. REPORT)

It was resolved that the Committee, acting under the powers delegated to the Committee at the Council meeting held on the 25th February 1986, grant approval to the Town Planning Scheme application submitted by H.N. & J. Walker to develop a Professional Office (Restricted Real Estate Agent) on land described as Lot 1 R.P. 35850 Parish of Salisbury, County of Solander, subject to the conditions as recommended by the Building Surveyor in his report for the period ended 3rd July 1986, with the exception of condition No. 3 relating to the payment of contributions for sewerage and water supply headworks.

TOWN PLANNING SCHEME APPLICATION NO. 209 (CLAUSE 1 B.S. REPORT)

It was resolved that the application lie on the table and that the matter be further considered later in the meeting.

BUILDING SURVEYOR'S REPORT

8. No trees are to be removed from the Road Reserve without prior approval of Council.

9. Contributions to headworks are to be paid as follows:  
Water \$5,280

Re: Town Planning Scheme Application No. 287

This application is for a Duplex on land described as Lot 20 on R.P. 40921 Parish of Victory, County of Solander, at Jacaranda Close, Cooya Beach. There have been no objections to the application and should Council grant approval to the Application, the following conditions should apply:

1. Should within a period of two years from the date of the Permit, work on the development as approved not be commenced, Council may implement action to revoke the approval as given.
2. The Building Application when submitted must be in accordance with the Building Act and must also substantially comply with the sketch plan submitted with the Consent Application.
3. The approval does not constitute a Building Permit and a Building Permit must be obtained before any building operations proceed.
4. The development must comply with the provisions of:
  - a) Council's Town Planning Scheme,
  - b) The Local Government Act, the Building Act, the Fire Safety Act, and all other relevant Acts and Regulations and the By-Laws of the Council shall at all times be observed and performed in relation to the land, the building and use and occupation thereof.
5. The conditions of the Town Planning Consent are to be effected prior to the commencement of the specific use as granted by the said Consent.
6. Access from Jacaranda Close is to be of a design and on an alignment as specified by Council's Engineer. The access is to be bitumen sealed from the property alignment to the existing bitumen or pavement in accordance with that approval.
7. The driveway from the boundary to the car parking area is to be bitumen sealed or paved with paving blocks or concrete.

## Extracts from the Planning Act 2016 - Making Representations During Applicant's Appeal Period

Planning Act 2016  
Chapter 3 Development assessment

[s 74]

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### Division 2 Changing development approvals

#### Subdivision 1 Changes during appeal period

##### 74 What this subdivision is about

- (1) This subdivision is about changing a development approval before the applicant's appeal period for the approval ends.
- (2) This subdivision also applies to an approval of a change application, other than a change application for a minor change to a development approval.
- (3) For subsection (2), sections 75 and 76 apply—
  - (a) as if a reference in section 75 to a development approval were a reference to an approval of a change application; and
  - (b) as if a reference in the sections to the assessment manager were a reference to the responsible entity; and
  - (c) as if a reference in section 76 to a development application were a reference to a change application; and
  - (d) as if the reference in section 76(3)(b) to section 63(2) and (3) were a reference to section 83(4); and
  - (e) with any other necessary changes.

##### 75 Making change representations

- (1) The applicant may make representations (*change representations*) to the assessment manager, during the applicant's appeal period for the development approval, about changing—
  - (a) a matter in the development approval, other than—
    - (i) a matter stated because of a referral agency's response; or



must be considered when assessing a development application, to the extent those matters are relevant.

- (2) The assessment manager must, within 5 business days after deciding the change representations, give a decision notice to—
  - (a) the applicant; and
  - (b) if the assessment manager agrees with any of the change representations—
    - (i) each principal submitter; and
    - (ii) each referral agency; and
    - (iii) if the assessment manager is not a local government and the development is in a local government area—the relevant local government; and
    - (iv) if the assessment manager is a chosen assessment manager—the prescribed assessment manager; and
    - (v) another person prescribed by regulation.
- (3) A decision notice (a *negotiated decision notice*) that states the assessment manager agrees with a change representation must—
  - (a) state the nature of the change agreed to; and
  - (b) comply with section 63(2) and (3).
- (4) A negotiated decision notice replaces the decision notice for the development application.
- (5) Only 1 negotiated decision notice may be given.
- (6) If a negotiated decision notice is given to an applicant, a local government may give a replacement infrastructure charges notice to the applicant.

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- (iii) who is a co-respondent in an appeal of the matter;  
and
  - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The *appeal period* is—
- (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
  - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
  - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
  - (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
  - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
  - (f) for an appeal relating to the *Plumbing and Drainage Act 2018*—
    - (i) for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and Drainage Act 2018*, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or
    - (ii) for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or

- (a) the respondent for the appeal; and
  - (b) each co-respondent for the appeal; and
  - (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
  - (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
  - (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
  - (f) for an appeal to the P&E Court—the chief executive; and
  - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The *service period* is—
- (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
  - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
- (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
  - (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.

whether by the Supreme Court, another court, any tribunal or another entity; and

- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

### 232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.

## Part 2 Development tribunal

### Division 1 General

#### 233 Appointment of referees

- (1) The Minister, or chief executive, (the *appointer*) may appoint a person to be a referee, by an appointment notice, if the appointer considers the person—
  - (a) has the qualifications or experience prescribed by regulation; and
  - (b) has demonstrated an ability—
    - (i) to negotiate and mediate outcomes between parties to a proceeding; and
    - (ii) to apply the principles of natural justice; and
    - (iii) to analyse complex technical issues; and
    - (iv) to communicate effectively, including, for example, to write informed succinct and well-organised decisions, reports, submissions or other documents.