

20 September 2023

Enquiries: Jenny Elphinstone
Our Ref: MCUC 2023_5485/1 (Doc ID 1175010)
Your Ref: AU006055/PR152792

Administration Office
64 - 66 Front St Mossman
P 07 4099 9444
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Douglas Shire Council
C/ RPS AAP Consulting Pty Ltd
PO Box 1949
CAIRNS QLD 4870

Email: Owen.caddick-king@rpsgroup.com.au

Attention Mr Owen Caddick-King

Dear Sir

**Development Application for Material Change of Use for a Utility Installation
(Water Supply Intake from Mossman River)
At Gorge and Manjal Dimbi Roads Mossman Gorge and Mossman,
On Land Described as Lot 6 on SP212661,
Lots 1 and 4 on RP716977 and Road**

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

Please quote Council's application number: MCUC 2023_5485/1 in all subsequent correspondence relating to this development application.

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

Yours faithfully



For
Paul Hoyer
Manager Environment & Planning

cc. State Assessment and Referral Agency (SARA) E: CairnsSARA@dilgp.qld.gov.au
encl.

- Decision Notice
 - Approved Drawing(s) and/or Document(s)
 - Concurrence Agency Response
 - Reasons for Decision
- Advice For Making Representations and Appeals (Decision Notice)



Decision Notice

Approval (with conditions)

Given under s 63 of the Planning Act 2016

Applicant Details

Name: Douglas Shire Council

Postal Address: C/ RPS AAP Consulting Pty Ltd
Attention Owen Caddick-King
PO Box 1949
Cairns Qld 4870

Email: Owen.caddick-king@rpsgroup.com.au

Property Details

Street Address:

- a. Lot 6 Gorge Road, Mossman Gorge;
- b. 1 & 3 Manjal Dimbi Road Mossman;
- c. Road (Tenure Area 2 on GHD Drawing 42-21142-G003, Revision A, Dated 26 August 2020) being adjacent to Lot 6 Gorge Road, Mossman Gorge and 3 Manjal Dimbi Road, Mossman;
- d. Road (Tenure Area 3 on GHD Drawing 42-21142-G003, Revision A, Dated 26 August 2020) being adjacent to 1 and 3 Manjal Dimbi Road, Mossman; and
- e. Manjal Dimbi Road Mossman

Real Property Description:

- a. Lot 6 on SP212661;
- b. Lots 1 and 4 on RP716977;
- c. Road (Tenure Area 2 on GHD Drawing 42-21142-G003, Revision A, Dated 26 August 2020) being adjacent to Lot 6 Gorge Road, Mossman Gorge and 3 Manjal Dimbi Road, Mossman;
- d. Road (Tenure Area 3 on GHD Drawing 42-21142-G003, Revision A, Dated 26 August 2020) being adjacent to 1 and 3 Manjal Dimbi Road, Mossman; and
- e. Manjal Dimbi Road Mossman.

Local Government Area: Douglas Shire Council

Details of Proposed Development

Development Permit for Material Change of Use for a Utility installation for an additional water supply intake and associated intake infrastructure extracting water from a branch of the Mossman River.

Decision

Date of Decision: 20 September 2023
Decision Details: Approved (subject to conditions)

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

Copies of the following plans, specifications and/or drawings are enclosed.

The term 'approved drawing(s) and/or document(s) or other similar expressions means:

Drawing or Document	Reference	Date
Drawing cover sheet and drawing list	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-G001, Revision C.	26 August 2020
Compilation plan and notes	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-G002, Revision B.	14 January 2020
Land tenure procurement	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-G003, Revision A.	26 August 2020
Process and instrumentation diagram	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-J001, Revision C.	26 August 2020
Mossman river intake site general arrangement	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-W001, Revision B.	14 January 2020
Submerged gallery intake and low lift pump station - plan	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-W002, Revision C.	26 August 2020
Submerged gallery intake sections and details	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-W003, Revision C.	26 August 2020
Low lift pump station Plan and sections	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-W004, Revision B.	26 August 2020
High lift pump station site general arrangement	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-W010, Revision C.	26 August 2020
High lift pump station dimensional drawing	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-W011, Revision C.	26 August 2020

Drawing or Document	Reference	Date
High lift pump station pipework schedule - sheet 1	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-W012, Revision C.	26 August 2020
High lift pump station pipework schedule - sheet 2	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-W013, Revision C.	26 August 2020
High lift pump station pipework sections and details	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-W014, Revision B.	26 August 2020
High lift pump station tank details	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-W015, Revision B.	26 August 2020
High lift pump station overflow and flow meter details	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-W016, Revision B.	26 August 2020
Low lift raw water main plan and longitudinal section	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-W020, Revision C.	26 August 2020
High lift raw water main plan and longitudinal section sheet 1	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-W021, Revision C.	26 August 2020
High lift raw water main plan and longitudinal section sheet 2	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-W022, Revision C.	26 August 2020
Raw water main details (rex interconnection, air, scour)	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-W023, Revision C.	26 August 2020
Structural notes sheet 1	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-S001, Revision B.	14 January 2020
Structural notes sheet 21	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-S002, Revision B.	14 January 2020
Typical structural details and pipe supports	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-S003, Revision A.	26 August 2020
Low lift pump station slab plans and details	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-S005, Revision B.	26 August 2020

Drawing or Document	Reference	Date
High lift pump station slab plans and details	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-S010, Revision A.	17 January 2020
High lift raw water main thrust restraint details	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-S020, Revision A.	17 January 2020
Access road typical sections and details	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-C001, Revision A.	14 January 2020
Access road control line setout	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-C002, Revision A.	14 January 2020
Access road plan & longitudinal section - sheet 1 of 2	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-C003, Revision A.	14 January 2020
Access road plan & longitudinal section - sheet 2 of 2	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-C004, Revision A.	14 January 2020
Access road drainage sections	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-C005, Revision B.	31 August 2020
Electrical services site layout, legend and notes.	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-E001, Revision C.	14 January 2020
Electrical services schematics	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-E002, Revision B.	14 January 2020
Electrical services telemetry (scada) - sheet 1 of 2	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-E003, Revision C.	14 January 2020
Electrical services telemetry (scada) - sheet 2 of 2	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-E004, Revision B.	14 January 2020
Electrical services details	GHD, Project Mossman Alternative Raw Water Intake, Drawing 42-21142-E005, Revision A.	14 January 2020
Mossman Proposed Water Intake Potential Disturbance Footprints	RPS Drawings PR152792-6b, 7b, 8b & 9b.	3 April 2023
Rehabilitation Plan, Mosman Water Intake	RPS report AU006055.003, Version 01	26 July 2023

Assessment Manager Conditions & Advices

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; and
 - 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.

Timing of Effect

2. The conditions of the Development Permit must be effected prior to Commencement of use, except where specified otherwise in these conditions of approval.

Lighting to Infrastructure

3. All lighting installed upon the premises, such as that available during the night for emergency and afterhours maintenance including car parking areas must be certified by Ergon Energy (or such other suitably qualified person). The vertical illumination at a distance of 1.5 metres outside the boundary of the fenced infrastructure facilities must not exceed eight (8) lux measured at any level upwards from ground level.

Noise attenuation

4. The aboveground pumps and associated machinery must be attenuated where determined necessary. A report prepared by a qualified Acoustical Consultant must be submitted prior to the commencement of work to the satisfaction of the Chief Executive Officer. The report must indicate design and construction features to be incorporated, if required, in the development to ensure that the development is acoustically insulated having regard to the provisions of the Environmental Protection Act 1994, Environmental Protection (Noise) Policy 2008. Regard must be given to existing uses and proposed future sensitive uses in the nearby area.

Finish of Above Ground Pipes.

5. The exterior finishes and colours of the above ground water supply pipework must be non-reflective and must blend with the natural colours of the surrounding environment.

Erosion and Sediment Control Strategy

6. All earthworks must be carried out in accordance with section CP1.13 and D5 of the FNQROC Development Manual and must comply with the following:
 - a. Measures nominated in the ESCP must be implemented prior to commencement of any earthworks.
 - b. The ESC Plan must address the Institution of Engineers' Australia Guidelines for Soil Erosion and Sediment Control and the Environment Protection (Water) Policy and Clauses CP1.06, CP1.13 and D5.10 of Council's FNQROC Development Manual.

Acid Sulfate Soil Treatment

7. The proposed development may result in disturbance of potential acid sulfate soils (PASS). Prior to excavation, in association with a geotechnical assessment, an acid sulfate soil investigation must be undertaken. The investigation must be performed in accordance with the latest '*Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils in Queensland*' produced by the Department of Natural Resources and Mines (previously DNRW), and State Planning Policy 2/02 – Planning and Managing Development Involving Acid Sulfate Soils. Where it is found that PASS exist, treatment of soil must be undertaken on-site to neutralise acid, prior to disposal as fill, in accordance with the DNRW '*Queensland Acid Sulfate Soil Technical Manual*'.

Earthworks

8. Earthwork is permitted between the hours of 6:30am and 6:30pm Monday to Saturday. Earthwork is not to occur on Sundays or Public Holidays.

Remediation

9. Within six months of the commencement of use of the Applicant must have completed the vegetation rehabilitation as per the Rehabilitation Plan, Mosman Water Intake, RPS report AU006055.003, Version 01 dated 26 July 2023 to the satisfaction of the Chief Executive Officer.

Lawful Point of Discharge

10. All stormwater from the property must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, all to the requirements and satisfaction of the Chief Executive Officer.

Advices

1. 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.
2. This approval does not negate the requirement for compliance with all other relevant Council Local Laws and other statutory requirements.
3. The applicant is recommended to consider the following matters in respect to the proposed works in the road over and adjacent to the sugarcane railway crossover:
 - a. The construction of the upgraded access over the sugarcane railway crossing be designed to the standard of the DTMR Drawing 881 – Cane Railway Crossing (asphalt paved)
 - b. The construction of the new water supply under the sugarcane railway crossing be designed to consider future loads above (sugarcane train fully loaded) and any subsidence below to the extent the vertical and horizontal alignments of the railway are to the satisfaction of the railway operator and have RPEQ certification.
 - c. The timing of construction over and under the sugarcane railway is in consultation with the Mossman Mill to ensure the ongoing rural activity is not disrupted. The construction of this part of the work may need to be out of sequence to ensure minimal disruption to the ongoing use of the railway.
4. For information relating to the *Planning Act 2016* log on to <https://planning.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.

Further Development Permits

Not applicable

Concurrence Agency Response

Concurrence Agency	Concurrence Agency Reference	Date	Doc ID
State Assessment Referral Agency	2308-36116 SRA	12 September 2023	1183727

Note – Concurrence Agency Response is attached. This Concurrence Agency Response maybe amended by agreement with the respective agency.

Currency Period for the Approval

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 of the *Planning Act 2016*.

Rights to make Representations & Rights of Appeal

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*.

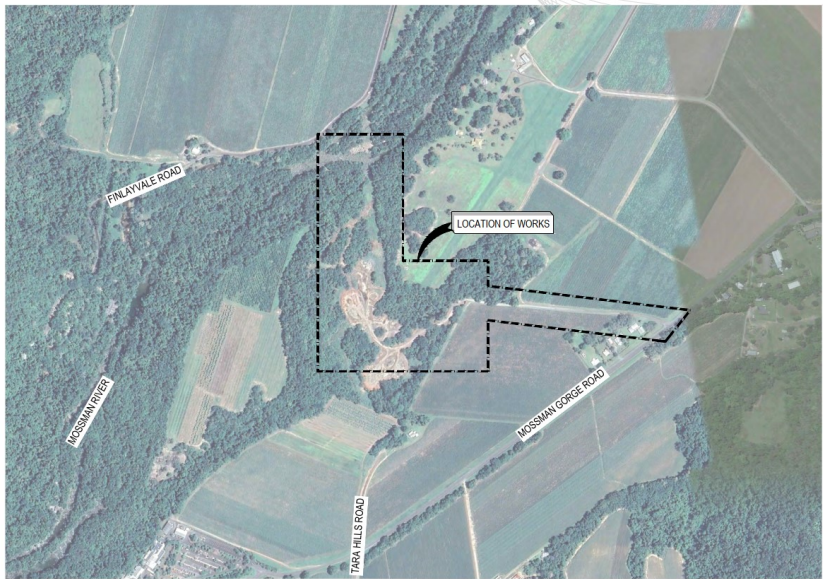
A copy of the relevant appeal provisions is attached.



DOUGLAS SHIRE COUNCIL

MOSSMAN ALTERNATIVE INTAKE

42-21142



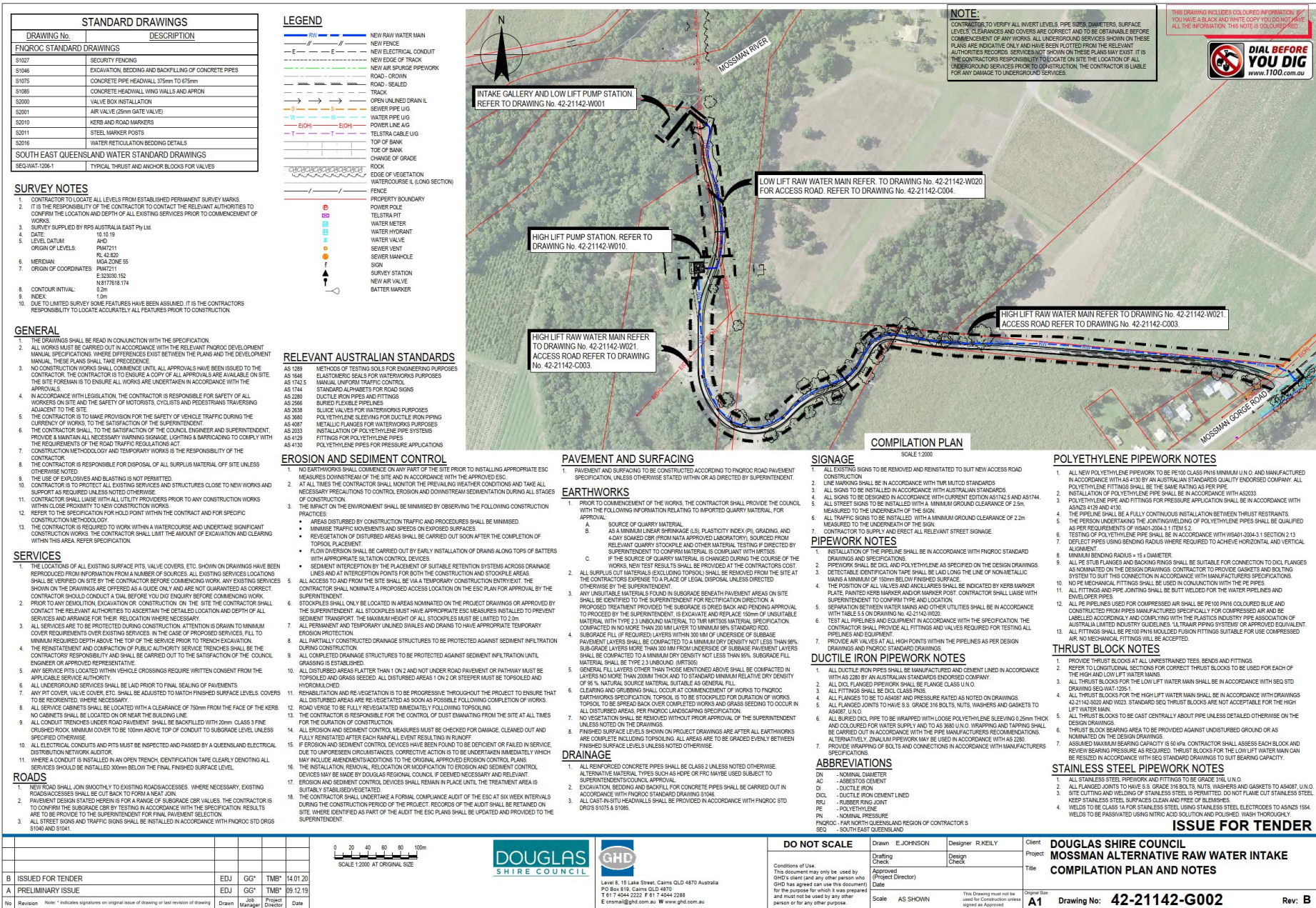
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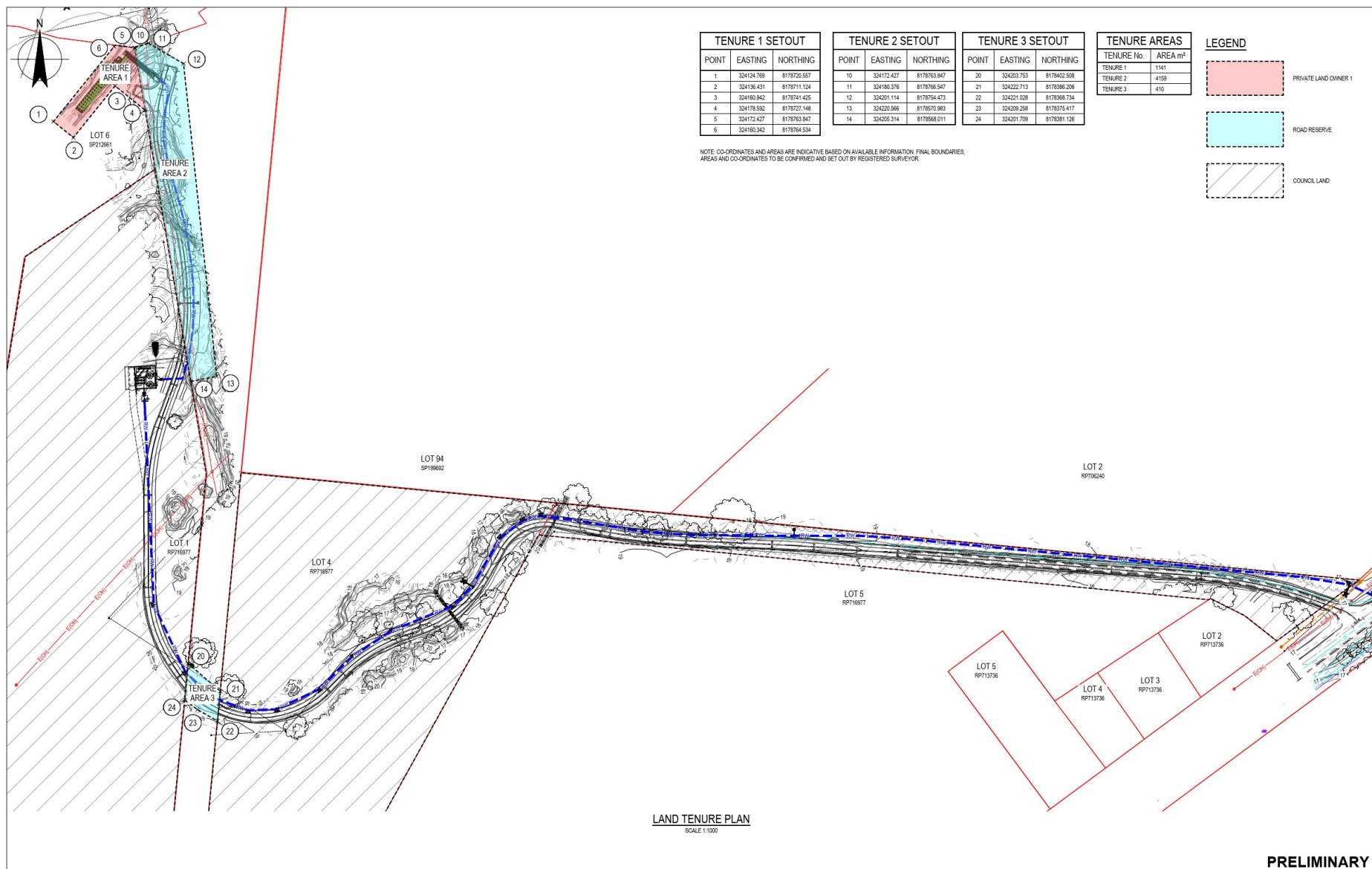
DRAWING LIST

DRAWING No.	DESCRIPTION
GENERAL	
42-21142-G001	DRAWING COVER SHEET AND DRAWING LIST
42-21142-G002	COMPLATION PLAN AND NOTES
42-21142-G003	LAND TENURE PROCEDUREMENT
PROCESS AND INSTRUMENTATION DIAGRAM	
42-21142-J001	
SITE GENERAL ARRANGEMENT AND LOW LIFT PUMP STATION - PLAN AND SECTIONS	
42-21142-W001	MOSSMAN RIVER INTAKE
42-21142-W002	SUBMERGED GALLERY INTAKE
42-21142-W003	SUBMERGED GALLERY INTAKE
42-21142-W004	LOW LIFT PUMP STATION
SITE GENERAL ARRANGEMENT DIMENSIONAL DRAWING	
42-21142-W010	HIGH LIFT PUMP STATION
42-21142-W011	HIGH LIFT PUMP STATION
42-21142-W012	HIGH LIFT PUMP STATION
42-21142-W013	HIGH LIFT PUMP STATION
42-21142-W014	HIGH LIFT PUMP STATION
42-21142-W015	HIGH LIFT PUMP STATION
42-21142-W016	HIGH LIFT PUMP STATION
OVERFLOW AND FLOW METER DETAILS	
42-21142-W020	LOW LIFT RAW WATER MAIN
42-21142-W021	HIGH LIFT RAW WATER MAIN
42-21142-W022	HIGH LIFT RAW WATER MAIN
42-21142-W023	RAW WATER MAIN
PLAN AND LONGITUDINAL SECTION PLAN AND LONGITUDINAL SECTION SHEET 1	
42-21142-W024	RAW WATER MAIN
DETAILS (REX INTERCONNECTION, AIR, SCOUR)	
42-21142-S001	STRUCTURAL NOTES
42-21142-S002	STRUCTURAL NOTES
42-21142-S003	TYPICAL STRUCTURAL
42-21142-S005	LOW LIFT PUMP STATION
42-21142-S010	HIGH LIFT PUMP STATION
42-21142-S020	HIGH LIFT WATER MAIN
SLAB PLANS AND DETAILS	
42-21142-S001	STRUCTURAL NOTES
42-21142-S002	STRUCTURAL NOTES
42-21142-S003	TYPICAL STRUCTURAL
42-21142-S005	LOW LIFT PUMP STATION
42-21142-S010	HIGH LIFT PUMP STATION
42-21142-S020	HIGH LIFT WATER MAIN
THRUST RESTRAINT DETAILS	
42-21142-C001	ACCESS ROAD
42-21142-C002	ACCESS ROAD
42-21142-C003	ACCESS ROAD
42-21142-C004	ACCESS ROAD
42-21142-C005	ACCESS ROAD
TYPICAL SECTIONS AND DETAILS	
42-21142-C001	ACCESS ROAD
42-21142-C002	ACCESS ROAD
42-21142-C003	ACCESS ROAD
42-21142-C004	ACCESS ROAD
42-21142-C005	ACCESS ROAD
CONTROL LINE SETOUT	
42-21142-C001	ACCESS ROAD
42-21142-C002	ACCESS ROAD
42-21142-C003	ACCESS ROAD
42-21142-C004	ACCESS ROAD
42-21142-C005	ACCESS ROAD
PLAN & LONGITUDINAL SECTION - SHEET 1 OF 2	
42-21142-C001	ACCESS ROAD
42-21142-C002	ACCESS ROAD
42-21142-C003	ACCESS ROAD
42-21142-C004	ACCESS ROAD
42-21142-C005	ACCESS ROAD
PLAN & LONGITUDINAL SECTION - SHEET 2 OF 2	
42-21142-C001	ACCESS ROAD
42-21142-C002	ACCESS ROAD
42-21142-C003	ACCESS ROAD
42-21142-C004	ACCESS ROAD
42-21142-C005	ACCESS ROAD
DRAINAGE SECTIONS	
42-21142-E001	ELECTRICAL SERVICES
42-21142-E002	ELECTRICAL SERVICES
42-21142-E003	ELECTRICAL SERVICES
42-21142-E004	ELECTRICAL SERVICES
42-21142-E005	ELECTRICAL SERVICES
SITE LAYOUT, LEGEND AND NOTES	
42-21142-E001	ELECTRICAL SERVICES
42-21142-E002	ELECTRICAL SERVICES
42-21142-E003	ELECTRICAL SERVICES
42-21142-E004	ELECTRICAL SERVICES
42-21142-E005	ELECTRICAL SERVICES
SCHEMATICS	
42-21142-E001	ELECTRICAL SERVICES
42-21142-E002	ELECTRICAL SERVICES
42-21142-E003	ELECTRICAL SERVICES
42-21142-E004	ELECTRICAL SERVICES
42-21142-E005	ELECTRICAL SERVICES
TELEMETRY (SCADA) - SHEET 1 OF 2	
42-21142-E001	ELECTRICAL SERVICES
42-21142-E002	ELECTRICAL SERVICES
42-21142-E003	ELECTRICAL SERVICES
42-21142-E004	ELECTRICAL SERVICES
42-21142-E005	ELECTRICAL SERVICES
TELEMETRY (SCADA) - SHEET 2 OF 2	
42-21142-E001	ELECTRICAL SERVICES
42-21142-E002	ELECTRICAL SERVICES
42-21142-E003	ELECTRICAL SERVICES
42-21142-E004	ELECTRICAL SERVICES
42-21142-E005	ELECTRICAL SERVICES
DETAILS	

ISSUE FOR TENDER

				 SCALE 1:5000 AT ORIGINAL SIZE		 DOUGLAS SHIRE COUNCIL		 GHD		DO NOT SCALE		Drawn: E.JOHNSON Designer: R.KELLY		Client: DOUGLAS SHIRE COUNCIL	
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C REVISED FOR CLIENT COMMENT				EDJ GG* TMS* 26.08.20				Level 8, 15 Lake Street, Cairns QLD 4870 Australia PO Box 818, Cairns QLD 4870 T 61 7 4044 2222 F 61 7 4044 2288 E csmal@ghd.com.au W www.ghd.com.au		Approved (Project Director) Date				Title: DRAWING COVER SHEET AND DRAWING LIST	
B ISSUED FOR TENDER				EDJ GG* TMS* 14.01.20											
A PRELIMINARY ISSUE				EDJ GG* TMS* 09.12.19											
No Revision Note: * indicates signatures on original issue of drawing or last revision of drawing				Drawn: GHD Manager Project Director Date						Scale: AS SHOWN		This Drawing must not be used without the written approval of Approved		Original Size: A1 Drawing No: 42-21142-G001 Rev: C	





PRELIMINARY

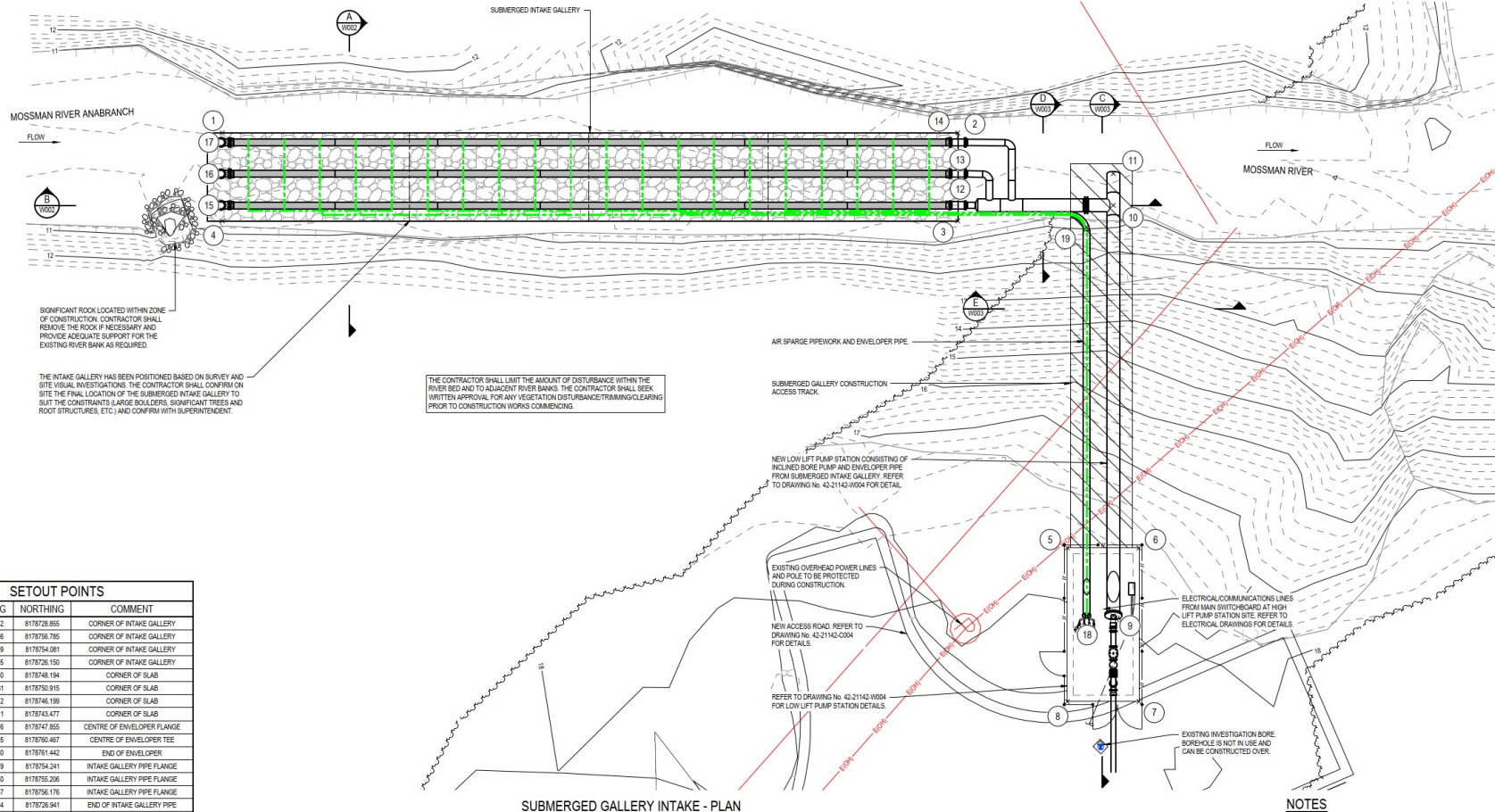
<div> <div>0 10 20 30 40 50m</div> <div>SCALE 1:1000 AT ORIGINAL SIZE</div> </div>				<div> <div>DOUGLAS SHIRE COUNCIL</div> <div>GHD</div> </div>		<div>DO NOT SCALE</div> <div>Conditions of Use:</div> <div>This document may only be used by GHD's client (and any other person who GHD has agreed can use this document) for the purpose for which it was prepared and must not be used by any other person or for any other purpose.</div>	<div>Drawn: E. JOHNSON</div> <div>Drafting Check:</div> <div>Approved (Project Director):</div> <div>Date:</div> <div>Scale: AS SHOWN</div>	<div>Designer: G. GADEMAN</div> <div>Design Check:</div> <div>Client:</div> <div>Project:</div> <div>Title:</div> <div>Original Size:</div>	<div>Client: DOUGLAS SHIRE COUNCIL</div> <div>Project: MOSSMAN ALTERNATIVE RAW WATER INTAKE</div> <div>Title: LAND TENURE PROCUREMENT</div> <div>Original Size: A1</div> <div>Drawing No: 42-21142-G003</div> <div>Rev: A</div>
<div>A PRELIMINARY ISSUE</div> <div>No Revision</div> <div>Note: * Indicates signatures on original issue of drawing or last revision of drawing</div>	<div>EDJ</div> <div>GG*</div> <div>TMB*</div> <div>26.08.20</div>	<div>Drawn</div> <div>308 Manager</div> <div>Project Director</div> <div>Date</div>	<div>Plot Date: 26 August 2020 - 9:43 AM</div> <div>Plotted by: E. Johnson</div> <div>Cad File No: G:\42\21142\G003\Drawings\42-21142-G003.dwg</div>						



NO CONSTRUCTION TO COMMENCE UNTIL ALL APPROVALS HAVE BEEN ISSUED AND TO THE CONTRACTOR. THE CONTRACTOR SHALL DIVERT WATER FLOW FROM THE MOSSMAN RIVER ANABRANCH AND USE DEWATERING PUMP FOR THE DURATION OF CONSTRUCTION AS REQUIRED. THE CONTRACTOR SHALL SUBMIT METHODOLOGY OF CONSTRUCTION WORKS INCLUSIVE OF DEWATERING AND MILESTONE DATES WHERE THE MOSSMAN RIVER ANABRANCH WILL BE AFFECTED. REFER TO SPECIFICATION FOR HOLD POINTS AND FURTHER CONSTRUCTION METHODOLOGY NOTES.

NOTE:
CONTRACTOR TO VERIFY ALL INVERT LEVELS, PIPE SIZES, DIAMETERS, SURFACE LEVELS, CLEARANCES AND COVER ARE CORRECT AND TO BE OBTAINABLE BEFORE COMMENCEMENT OF ANY WORKS. ALL UNDERGROUND SERVICES SHOWN ON THESE PLANS ARE INDICATIVE ONLY AND HAVE BEEN PLOTTED FROM THE RELEVANT AUTHORITIES RECORDS. SERVICES NOT SHOWN ON THESE PLANS MAY EXIST. IT IS THE CONTRACTORS RESPONSIBILITY TO LOCATE ON SITE THE LOCATION OF ALL UNDERGROUND SERVICES PRIOR TO CONSTRUCTION. THE CONTRACTOR IS LIABLE FOR ANY DAMAGE TO UNDERGROUND SERVICES.

THIS DRAWING INCLUDES COLOURED INFORMATION. IF YOU HAVE A BLACK AND WHITE COPY YOU DO NOT HAVE ALL THE INFORMATION. THIS NOTE IS COLOURED RED.



SIGNIFICANT ROCK LOCATED WITHIN ZONE OF CONSTRUCTION. CONTRACTOR SHALL REMOVE THE ROCK IF NECESSARY AND PROVIDE ADEQUATE SUPPORT FOR THE EXISTING RIVER BANK AS REQUIRED.

THE INTAKE GALLERY HAS BEEN POSITIONED BASED ON SURVEY AND SITE VISUAL INVESTIGATION. THE CONTRACTOR SHALL CONFIRM ON SITE THE FINAL LOCATION OF THE SUBMERGED INTAKE GALLERY TO SUIT THE CONSTRAINTS (LARGE BOULDERS, SIGNIFICANT TREES AND ROOT STRUCTURES, ETC.) AND CONFIRM WITH SUPERINTENDENT.

THE CONTRACTOR SHALL LIMIT THE AMOUNT OF DISTURBANCE WITHIN THE RIVER BED AND TO ADJACENT RIVER BANKS. THE CONTRACTOR SHALL SEEK WRITTEN APPROVAL FOR ANY VEGETATION DISTURBANCE TRAINING/ENCLOSING PRIOR TO CONSTRUCTION WORKS COMMENCING.

SETOUT POINTS			
POINT	EASTING	NORTHING	COMMENT
1	324138.362	8178728.858	CORNER OF INTAKE GALLERY
2	324160.956	8178756.785	CORNER OF INTAKE GALLERY
3	324164.299	8178754.081	CORNER OF INTAKE GALLERY
4	324141.705	8178726.150	CORNER OF INTAKE GALLERY
5	324180.080	8178748.194	CORNER OF SLAB
6	324182.281	8178750.915	CORNER OF SLAB
7	324188.112	8178746.199	CORNER OF SLAB
8	324185.911	8178743.477	CORNER OF SLAB
9	324184.076	8178747.855	CENTRE OF ENVELOPE FLANGE
10	324168.485	8178760.467	CENTRE OF ENVELOPE TEE
11	324167.280	8178761.442	END OF ENVELOPE
12	324163.449	8178754.241	INTAKE GALLERY PIPE FLANGE
13	324162.250	8178755.206	INTAKE GALLERY PIPE FLANGE
14	324161.057	8178756.176	INTAKE GALLERY PIPE FLANGE
15	324141.364	8178726.941	END OF INTAKE GALLERY PIPE
16	324140.168	8178727.908	END OF INTAKE GALLERY PIPE
17	324138.973	8178728.875	END OF INTAKE GALLERY PIPE
18	324183.259	8178746.945	CENTRE OF ENVELOPE FLANGE
19	324168.491	8178758.791	END OF ENVELOPE

NOTES

- DRAWING TO BE READ IN CONJUNCTION WITH SPECIFICATION.
- REFER TO DRAWING No. 42-21142-0002 FOR NOTES AND LEGEND.
- REFER TO DRAWING No. 42-21142-0001 TO 0002 FOR STRUCTURAL NOTES.

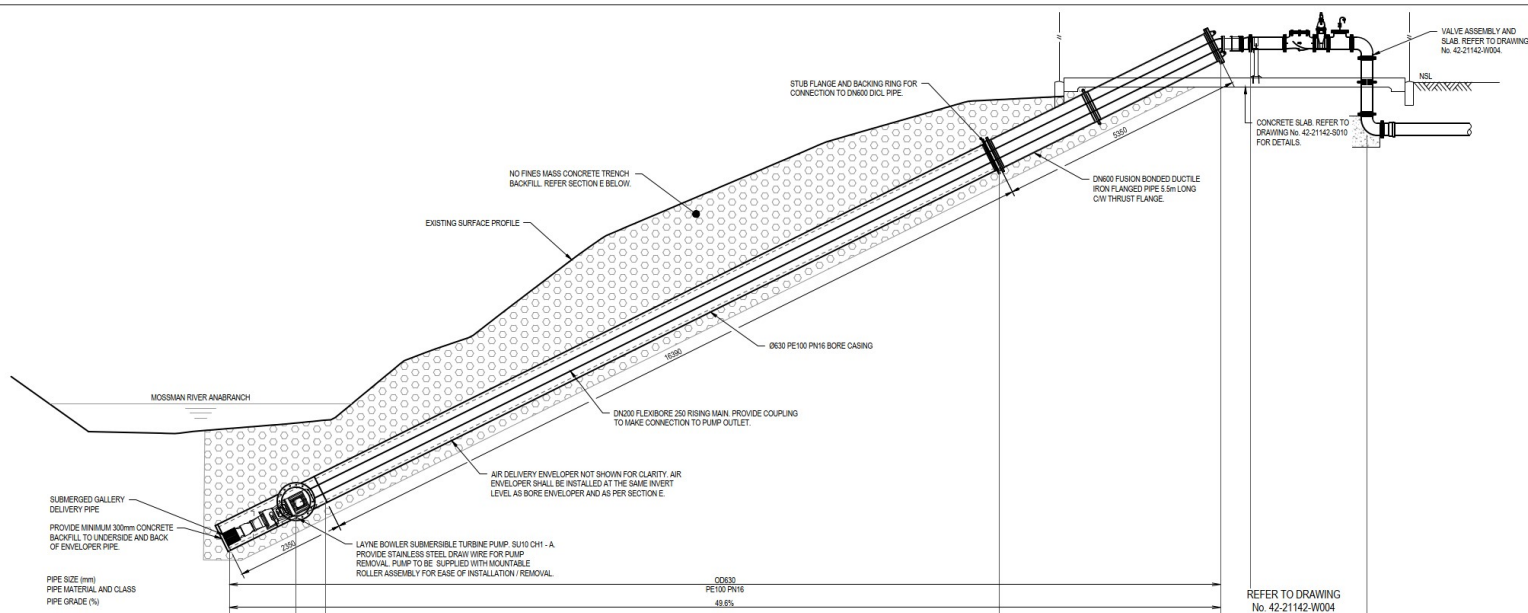
ISSUE FOR TENDER

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Drawn: R.KEELY	Designer: G.GADEMAN																																		
Drafting Check:	Design Check:																																		
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Drawing No: 42-21142-W001																																			
Rev: B																																			
B	ISSUED FOR TENDER						EDJ	GG*	TMB*	14.01.20																									
A	PRELIMINARY ISSUE						EDJ	GG*	TMB*	09.12.19																									
No	Revision Note: * indicates signatures on original issue of drawing or last revision of drawing						Drawn	JOB Manager	Project Director	Date																									
<small>Drawn from: 38-A-10000-0030, 38-A-10000-0031 Checked by: G. Gadeaman G:\21142\42-21142-W001.dwg 14/01/2020 10:54:45 AM</small>																																			

Plot Date: 26 August 2020 - 8:44 AM

Plotted by: Evan Johnson

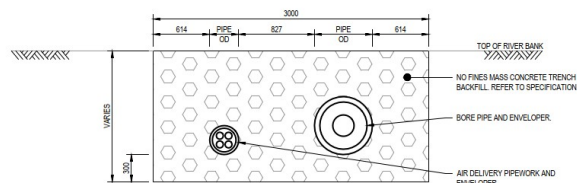
Plot File No.: G:\4231142\CA00\Drawings\42-21142-W001.dwg



EXISTING SURFACE	65.972	65.962	65.930	67.760	67.966
PIPE INVERT LEVEL	2.971	8.722	8.915	16.350	16.621
DEPTH TO INVERT	2.601	1.980	1.760	1.460	-
CHAINAGE	0.000	14.64	2.00	16.796	21.697

LONGITUDINAL SECTION

C SECTION
W001 SCALE 1: 50



E SECTION
W001 SCALE 1: 25

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2. REFER TO DRAWING No. 42-21142-0002 FOR NOTES AND LEGEND.
3. REFER TO DRAWING No. 42-21142-S001 TO S002 FOR STRUCTURAL NOTES.

ISSUE FOR TENDER

<div><div><div>00.05.15.20.25m</div><div>SCALE 1:50 AT ORIGINAL SIZE</div></div><div><div>00.25.50.75.101.25m</div><div>SCALE 1:25 AT ORIGINAL SIZE</div></div></div> <div><div><div>DOUGLAS</div><div>SHIRE COUNCIL</div></div><div><div><div>GHD</div><div>Level 8, 16 Lake Street, Cairns QLD 4870 Australia PO Box 810, Cairns QLD 4870 T 01 74044 2222 F 01 74044 2288 E csm@ghd.com.au W www.ghd.com.au</div></div></div></div> <div><div><div>DO NOT SCALE</div><div>Conditions of Use This document may only be used by Ghd's client and any other person who Ghd has agreed can use this document) for the purpose for which it was prepared and must not be used by any other person or for any other purpose.</div><div><div>Drafting Check</div><div>Approved (Project Director)</div><div>Date</div></div><div>Scale AS SHOWN</div></div><div><div>Drawn R KEILY</div><div>Designer G GADEMAN</div></div><div><div>Client</div><div>Project</div><div>Title</div><div>Original Size</div><div>A1</div><div>Drawing No: 42-21142-W003</div><div>Rev: C</div></div><div><div>C REVISED FOR CLIENT COMMENT</div><div>EDJ</div><div>GG*</div><div>TMB*</div><div>26.08.20</div></div><div><div>B ISSUED FOR TENDER</div><div>EDJ</div><div>GG*</div><div>TMB*</div><div>14.01.20</div></div><div><div>A PRELIMINARY ISSUE</div><div>EDJ</div><div>GG*</div><div>TMB*</div><div>09.12.19</div></div><div><div>No</div><div>Revision</div><div>Note</div></div><div><div>Drawn</div><div>208</div><div>Project Manager</div></div><div><div>Checked</div><div></div><div>Project Director</div></div><div><div>Date</div><div></div><div></div></div><div><div>This Drawing must not be used for Construction unless signed as Approved</div></div></div>					
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Plot Date: 26 August 2020 - 8:45 AM
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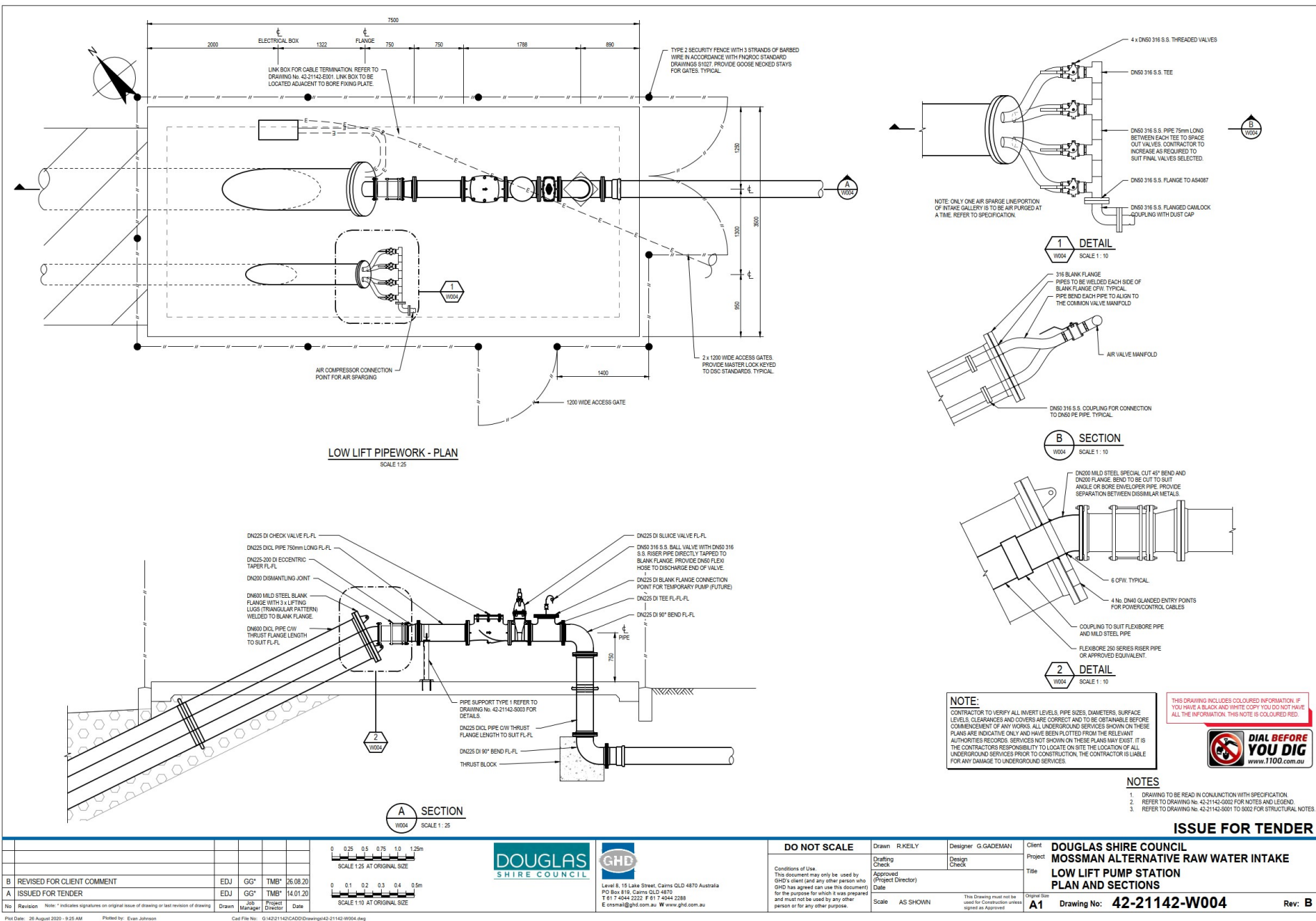
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 Drafting Check
 Approved (Project Director)
 Date

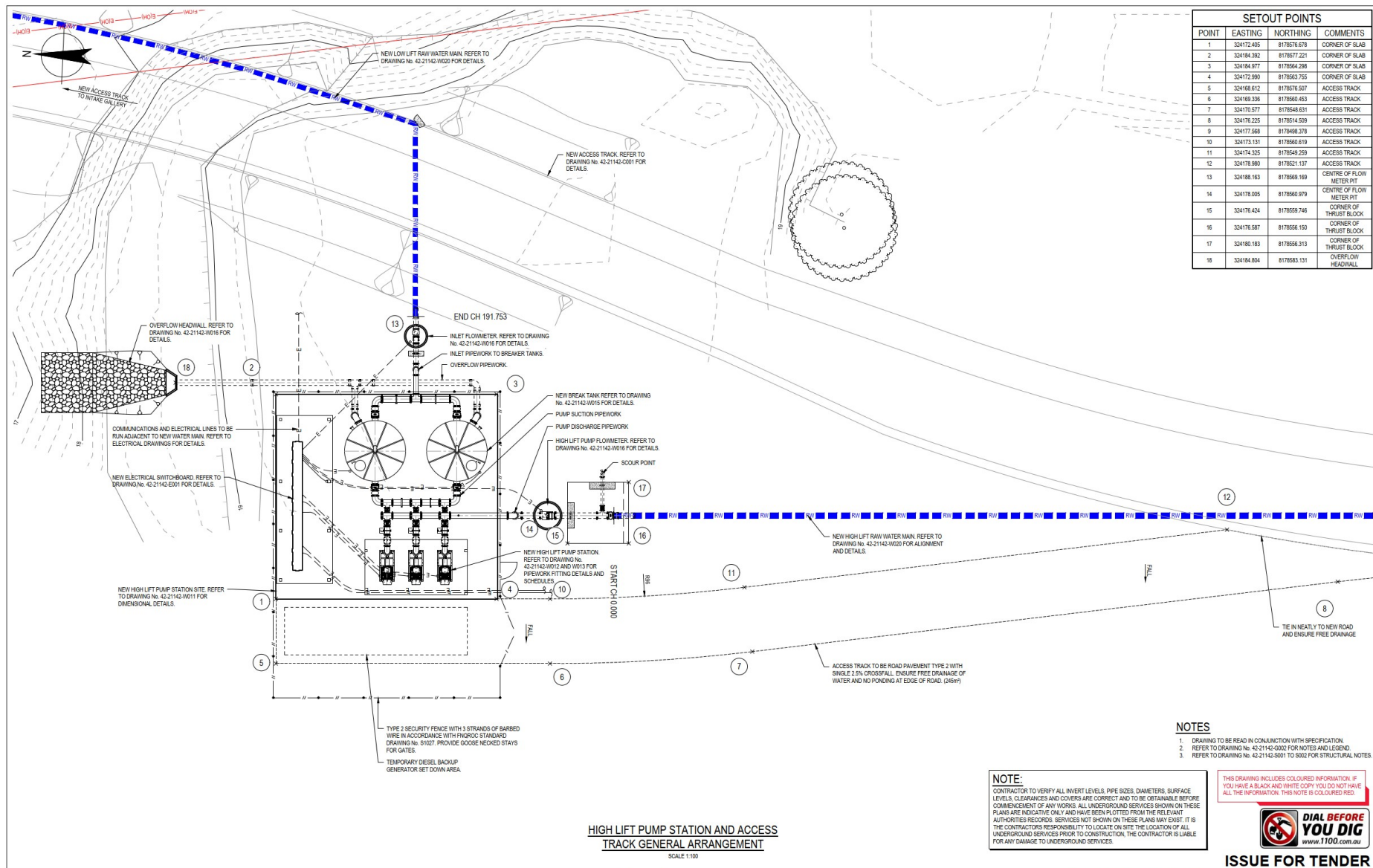
Designer: G.GADEMAN
 Design Check

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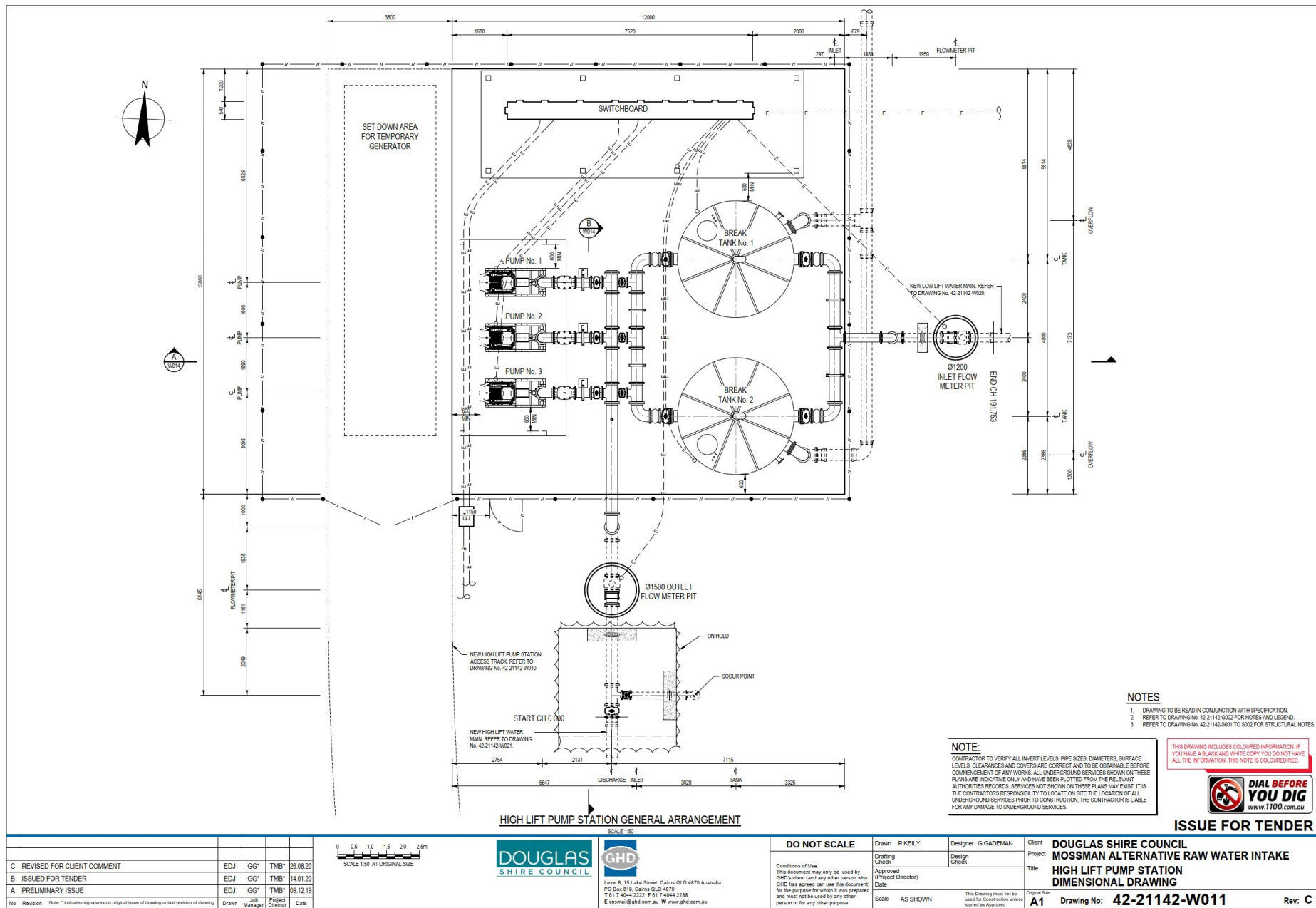
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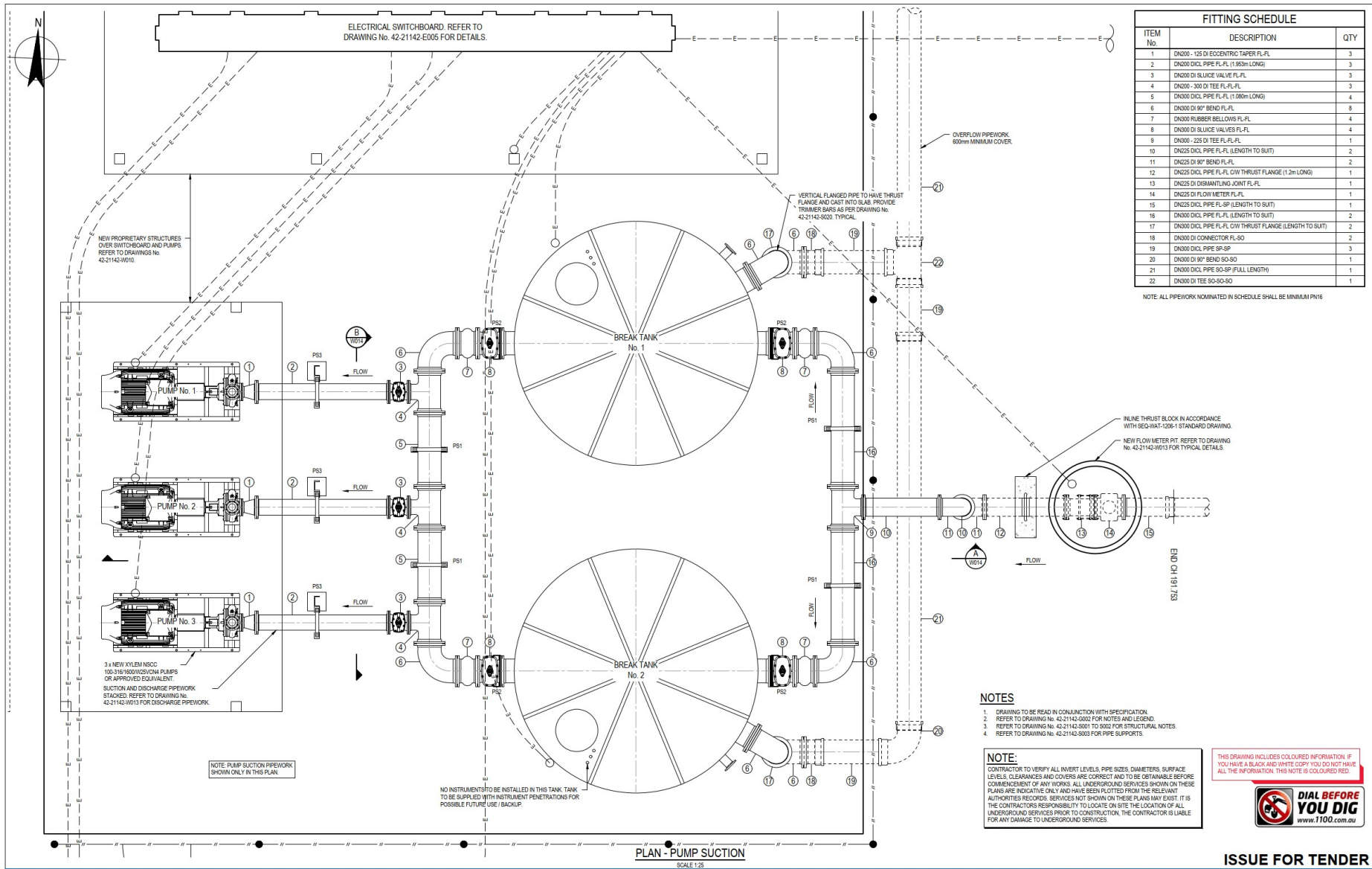
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C	REVISED FOR CLIENT COMMENT	EDJ	GG*	TM8*	26.08.20												
B	ISSUED FOR TENDER	EDJ	GG*	TM8*	14.01.20												
A	PRELIMINARY ISSUE	EDJ	GG*	TM8*	09.12.19												
No	Revision	Note: * Indicates signatures on original issue of drawing or last revision of drawing				Drawn	Job Manager	Project Director	Date								
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- REFER TO DRAWING No. 42-21142-S001 TO S002 FOR STRUCTURAL NOTES.
- REFER TO DRAWING No. 42-21142-S003 FOR PIPE SUPPORTS.

NOTE:

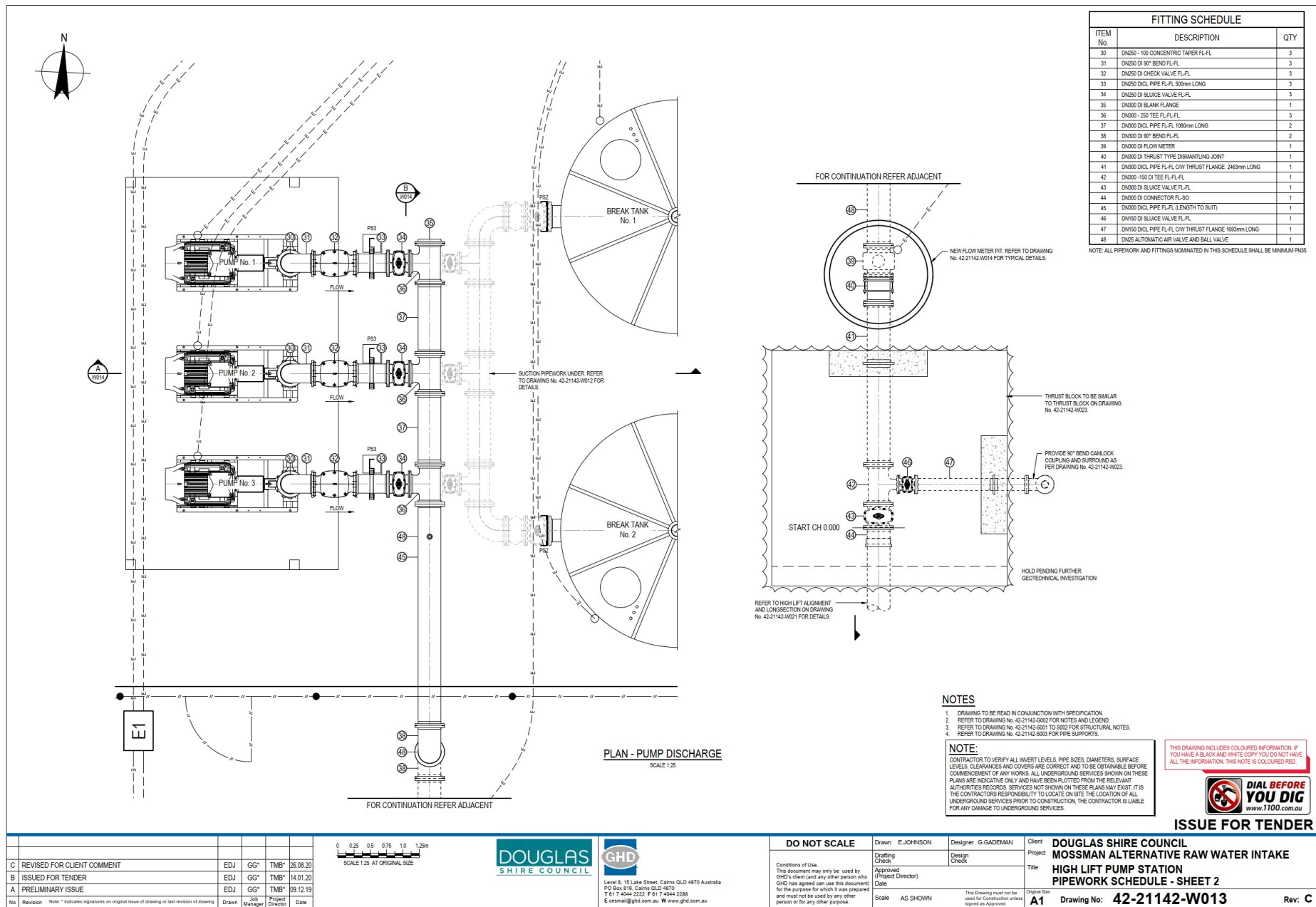
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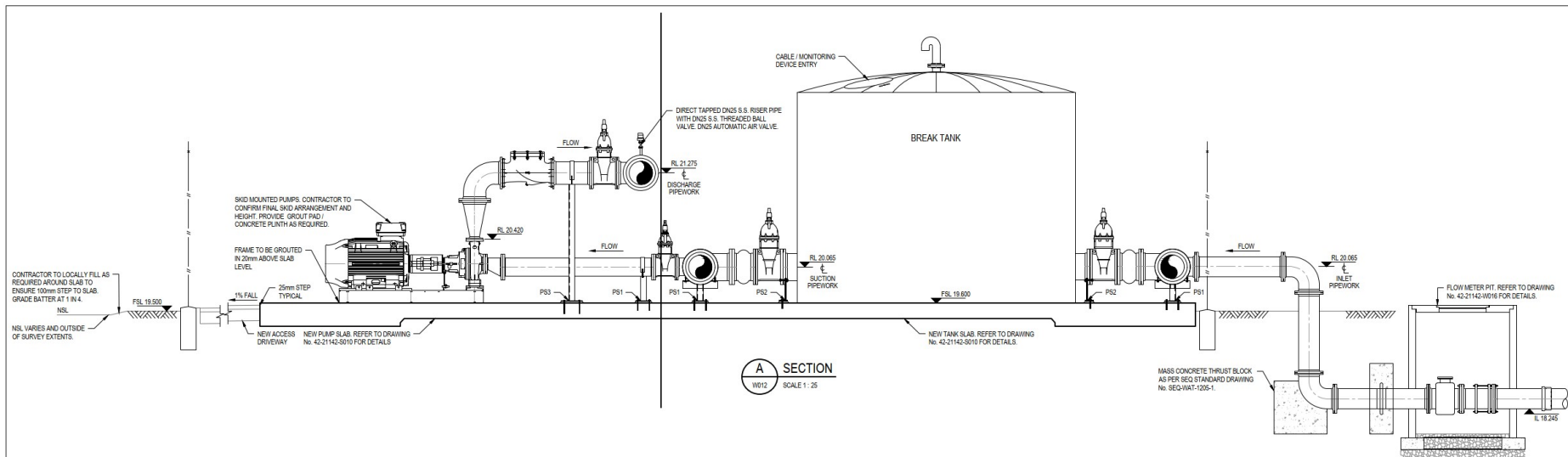
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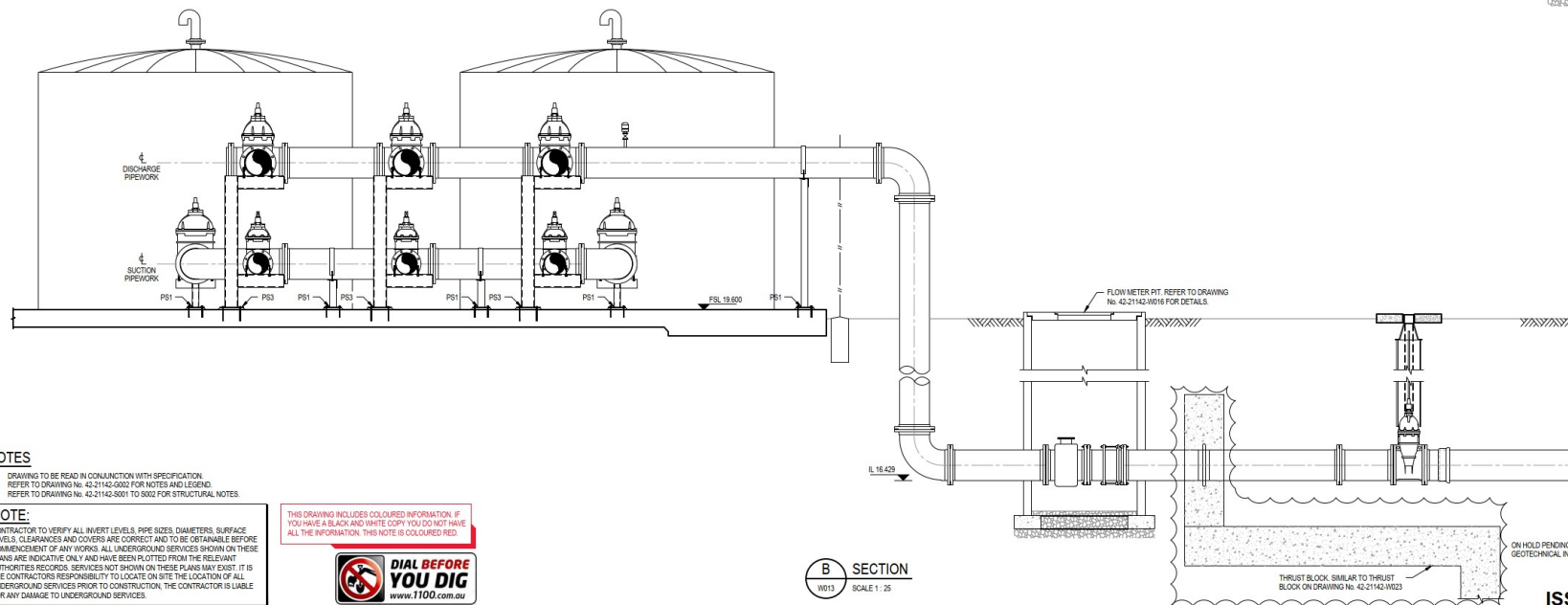
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A SECTION
W012 SCALE 1: 25



B SECTION
W013 SCALE 1: 25

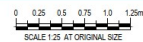
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Drafting: [blank]
Check: [blank]
Approved: [blank]
Project Director: [blank]
Date: [blank]
Scale: AS SHOWN

Designer: G. GADEMAN
Design: [blank]
Check: [blank]
Approved: [blank]
Project Director: [blank]
Date: [blank]

Client: DOUGLAS SHIRE COUNCIL
Project: MOSSMAN ALTERNATIVE RAW WATER INTAKE
Title: HIGH LIFT PUMP STATION
PIPEWORK SECTIONS AND DETAILS

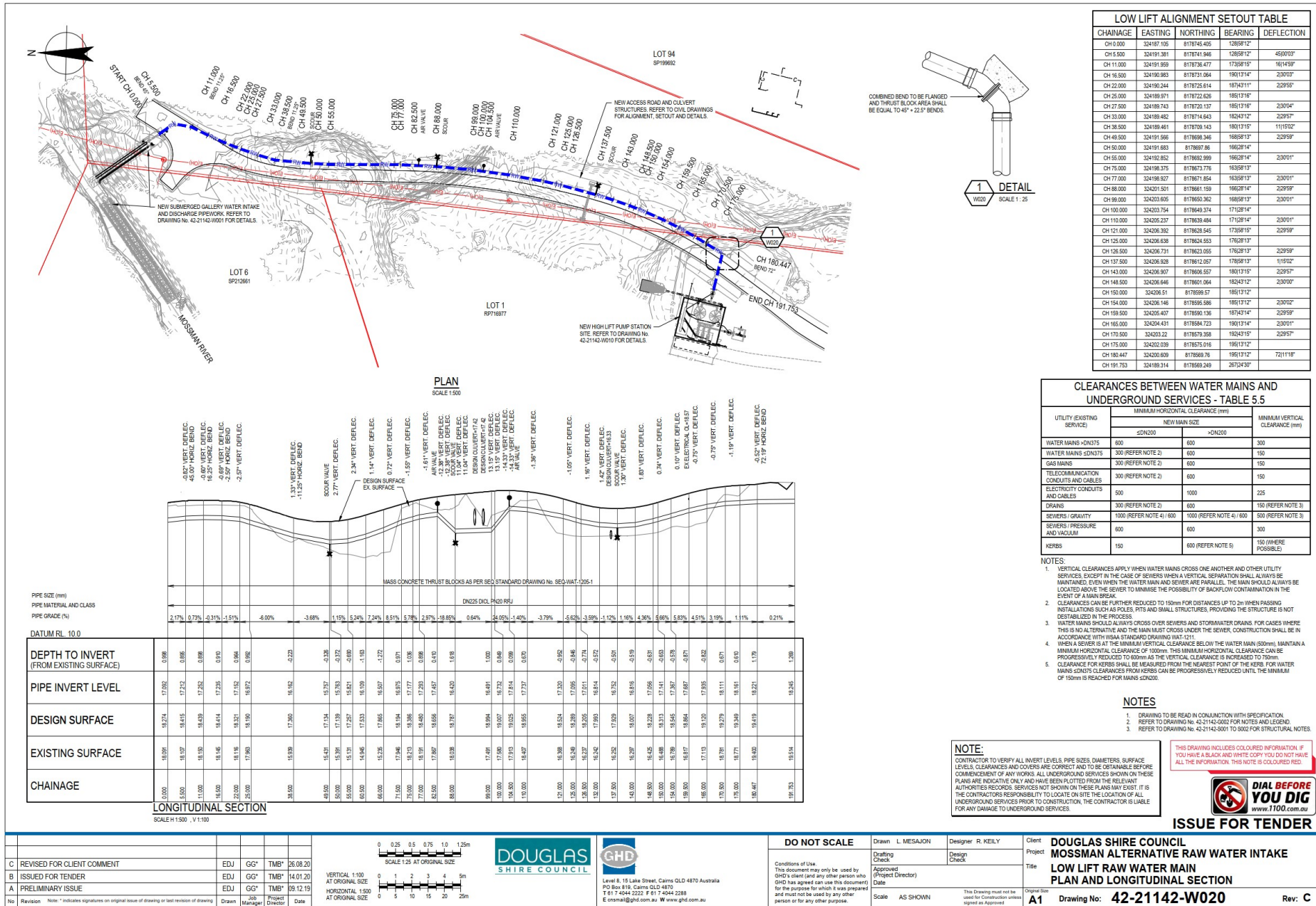
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Rev: B

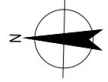
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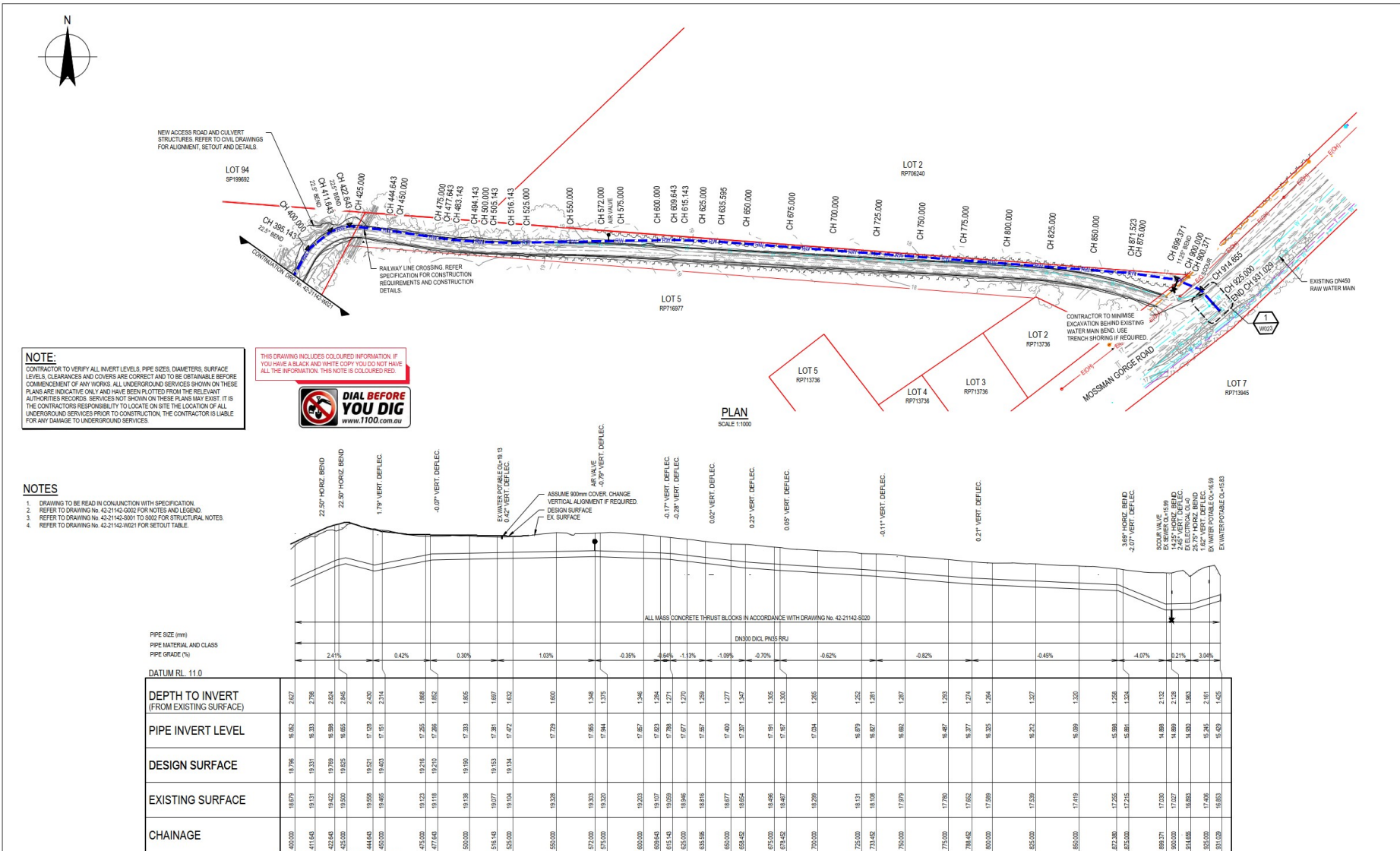
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B REVISED FOR CLIENT COMMENT A ISSUED FOR TENDER		EDJ GG* TMB* 26.08.20 EDJ GG* TMB* 14.01.20						Level 8, 15 Lake Street, Cairns QLD 4870 Australia PO Box 810, Cairns QLD 4870 T +61 7 4944 2222 F +61 7 4944 2288 E csm@ghd.com.au W www.ghd.com.au		Scale AS SHOWN		This Drawing must not be used for Construction unless signed as Approved		Original Size: A1 Drawing No: 42-21142-W016		Rev: B			
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HIGH LIFT ALIGNMENT SETOUT TABLE				
CHAINAGE	EASTING	NORTHING	BEARING	DEFLECTION
CH 0.000	324178.180	8178557.113	177°24'30"	
CH 25.000	324179.310	8178532.139	177°24'30"	
CH 50.000	324180.441	8178507.164	177°24'30"	
CH 75.000	324181.571	8178482.190	177°24'30"	
CH 100.000	324182.702	8178457.215	177°24'30"	
CH 125.000	324183.832	8178432.240	177°24'30"	22°30'01"
CH 150.000	324184.962	8178407.265	156°54'29"	
CH 175.000	324186.092	8178382.290	156°54'29"	22°30'00"
CH 200.000	324187.222	8178357.315	132°24'29"	
CH 225.000	324188.352	8178332.340	132°24'29"	22°29'59"
CH 250.000	324189.482	8178307.365	109°54'29"	
CH 275.000	324190.612	8178282.390	109°54'29"	22°29'58"
CH 300.000	324191.742	8178257.415	64°54'30"	
CH 325.000	324192.872	8178232.440	64°54'30"	22°30'00"
CH 350.000	324194.002	8178207.465	64°54'30"	
CH 375.000	324195.132	8178182.490	45°24'30"	
CH 400.000	324196.262	8178157.515	45°24'30"	11°14'50"
CH 425.000	324197.392	8178132.540	56°39'30"	
CH 450.000	324198.522	8178107.565	56°39'30"	11°15'00"
CH 475.000	324199.652	8178082.590	67°54'30"	
CH 500.000	324200.782	8178057.615	67°54'30"	22°30'00"
CH 525.000	324201.912	8178032.640	67°54'30"	
CH 550.000	324203.042	8178007.665	45°24'30"	
CH 575.000	324204.172	8178000.630	45°24'30"	11°14'50"
CH 600.000	324205.302	8177975.655	56°39'30"	
CH 625.000	324206.432	8177950.680	56°39'30"	11°15'00"
CH 650.000	324207.562	8177925.705	67°54'30"	
CH 675.000	324208.692	8177900.730	67°54'30"	22°30'00"
CH 700.000	324209.822	8177875.755	67°54'30"	
CH 725.000	324210.952	8177850.780	45°24'30"	
CH 750.000	324212.082	8177825.805	45°24'30"	15°14'50"
CH 775.000	324213.212	8177800.830	30°09'29"	
CH 800.000	324214.342	8177775.855	30°09'29"	22°29'59"
CH 825.000	324215.472	8177750.880	52°39'29"	
CH 850.000	324216.602	8177725.905	52°39'29"	22°30'00"
CH 875.000	324217.732	8177700.930	52°39'29"	
CH 900.000	324218.862	8177675.955	52°39'29"	22°30'00"
CH 925.000	324219.992	8177650.980	52°39'29"	
CH 950.000	324221.122	8177625.105	52°39'29"	22°30'00"
CH 975.000	324222.252	8177600.130	52°39'29"	
CH 1000.000	324223.382	8177575.155	52°39'29"	22°30'00"
CH 1025.000	324224.512	8177550.180	52°39'29"	
CH 1050.000	324225.642	8177525.205	52°39'29"	22°30'00"
CH 1075.000	324226.772	8177500.230	52°39'29"	
CH 1100.000	324227.902	8177475.255	52°39'29"	22°30'00"
CH 1125.000	324229.032	8177450.280	52°39'29"	
CH 1150.000	324230.162	8177425.305	52°39'29"	22°30'00"
CH 1175.000	324231.292	8177400.330	52°39'29"	
CH 1200.000	324232.422	8177375.355	52°39'29"	22°30'00"
CH 1225.000	324233.552	8177350.380	52°39'29"	
CH 1250.000	324234.682	8177325.405	52°39'29"	22°30'00"
CH 1275.000	324235.812	8177300.430	52°39'29"	
CH 1300.000	324236.942	8177275.455	52°39'29"	22°30'00"
CH 1325.000	324238.072	8177250.480	52°39'29"	
CH 1350.000	324239.202	8177225.505	52°39'29"	22°30'00"
CH 1375.000	324240.332	8177200.530	52°39'29"	
CH 1400.000	324241.462	8177175.555	52°39'29"	22°30'00"
CH 1425.000	324242.592	8177150.580	52°39'29"	
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CH 1475.000	324244.852	8177100.630	52°39'29"	
CH 1500.000	324245.982	8177075.655	52°39'29"	22°30'00"
CH 1525.000	324247.112	8177050.680	52°39'29"	
CH 1550.000	324248.242	8177025.705	52°39'29"	22°30'00"
CH 1575.000	324249.372	8177000.730	52°39'29"	
CH 1600.000	324250.502	8176975.755	52°39'29"	22°30'00"
CH 1625.000	324251.632	8176950.780	52°39'29"	
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CH 1675.000	324253.892	8176900.830	52°39'29"	
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 3. REFER TO DRAWING No. 42-21142-0001 TO 0002 FOR STRUCTURAL NOTES.
 4. REFER TO DRAWING No. 42-21142-0001 FOR SETOUT TABLE.

PIPE SIZE (mm)	241%	0.42%	0.30%	1.03%	-0.35%	-0.54%	-1.33%	-1.09%	-0.70%	-0.62%	-0.82%	-0.45%	-4.07%	0.21%	3.04%
PIPE MATERIAL AND CLASS															
PIPE GRADE (%)															
DATUM RL 110															
DEPTH TO INVERT (FROM EXISTING SURFACE)	2.927	19.652	19.331	19.331	19.331	19.331	19.331	19.331	19.331	19.331	19.331	19.331	19.331	19.331	19.331
PIPE INVERT LEVEL	471.646	471.646	471.646	471.646	471.646	471.646	471.646	471.646	471.646	471.646	471.646	471.646	471.646	471.646	471.646
DESIGN SURFACE	480.000	480.000	480.000	480.000	480.000	480.000	480.000	480.000	480.000	480.000	480.000	480.000	480.000	480.000	480.000
EXISTING SURFACE	480.000	480.000	480.000	480.000	480.000	480.000	480.000	480.000	480.000	480.000	480.000	480.000	480.000	480.000	480.000
CHAINAGE	480.000	480.000	480.000	480.000	480.000	480.000	480.000	480.000	480.000	480.000	480.000	480.000	480.000	480.000	480.000

C	REVISED FOR CLIENT COMMENT	EDJ	GG*	TMB*	26.08.20
B	ISSUED FOR TENDER	EDJ	GG*	TMB*	14.01.20
A	PRELIMINARY ISSUE	EDJ	GG*	TMB*	09.12.19

Revision Note * Indicates signatures on original issue of drawing or last revision of drawing

Drawn: JMB
Checked: JMB
Project Director: JMB

0 10 20 30 40 50m
SCALE 1:1000 AT ORIGINAL SIZE

0 1 2 3 4 5m
SCALE 1:100 AT ORIGINAL SIZE

VERTICAL: 1:100
HORIZONTAL: 1:1000
AT ORIGINAL SIZE

DOUGLAS SHIRE COUNCIL

GHD

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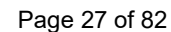
Drawn: L. MESAJON
Design Check: R. KELLY
Approved: Project Director
Date: 26.08.20

Scale: AS SHOWN

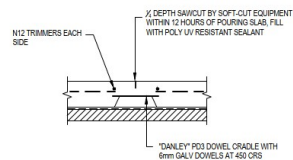
This Drawing must not be used for Construction unless signed as Approved

Client: DOUGLAS SHIRE COUNCIL
Project: MOSSMAN ALTERNATIVE RAW WATER INTAKE
Title: HIGH LIFT RAW WATER MAIN
PLAN AND LONGITUDINAL SECTION SHEET 2

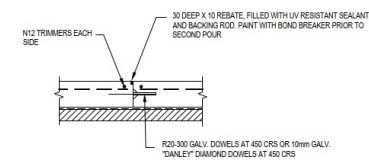
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Rev: C



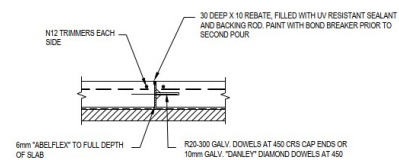
- Page 29 of 82



SAWCUT JOINT (SC)
NOT TO SCALE



DOWEL JOINT (DJ)
NOT TO SCALE

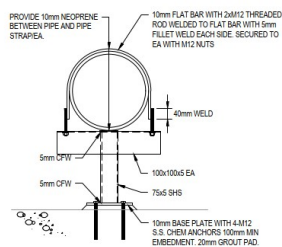


EXPANSION JOINT (EJ)
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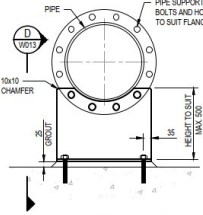
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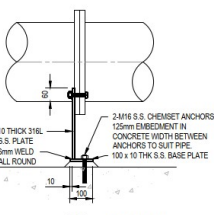
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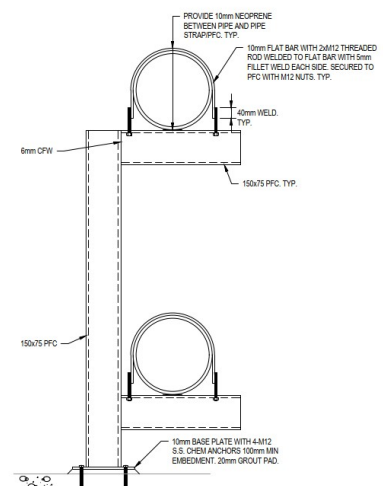
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SCALE 1:10



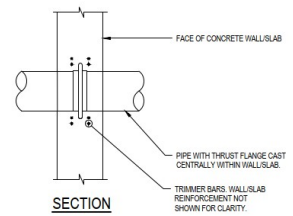
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SCALE 1:10



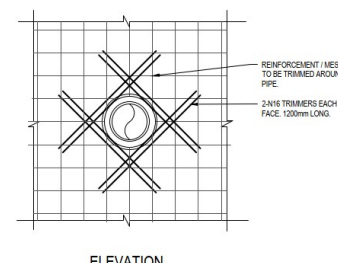
PIPE SUPPORT - TYPE 3
SCALE 1:10



PIPE SUPPORT - TYPE 3
SCALE 1:10



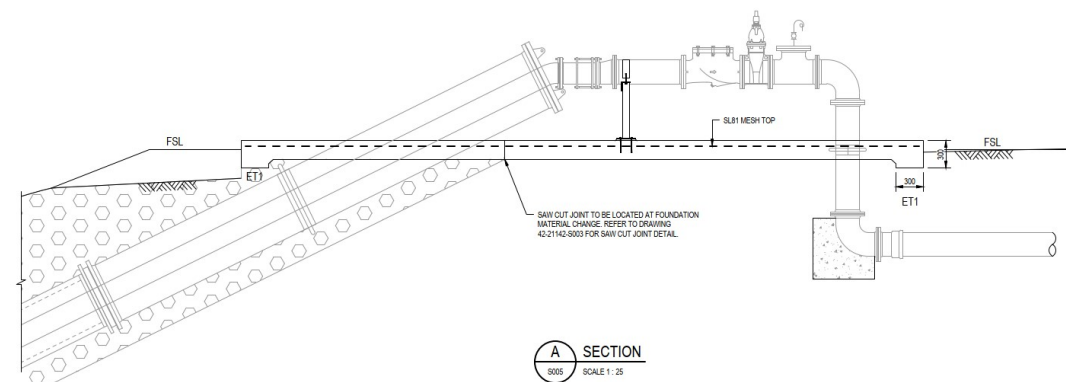
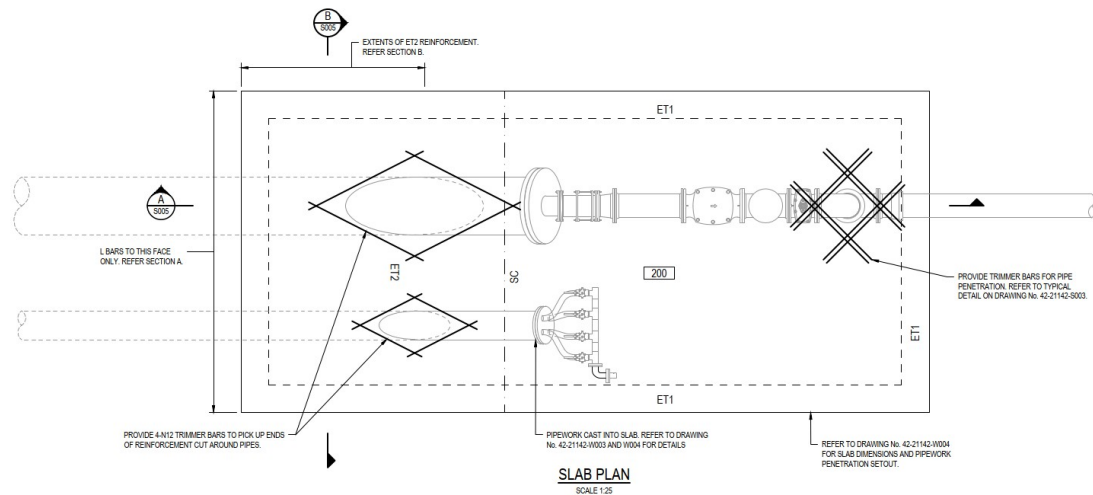
SECTION



ELEVATION
CAST-IN THRUST FLANGE
SCALE 1:20

NOTES
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ISSUE FOR TENDER



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<p>B REVISED FOR CLIENT COMMENT</p>	EDJ	GG*	TMB*	26.08.20					
<p>A ISSUED FOR TENDER</p>	EDJ	GG*	TMB*	17.01.20					
<p>No Revision Note * Indicates signatures on original issue of drawing or last revision of drawing</p>	Drawn	Job Manager	Project Director	Date					

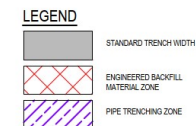
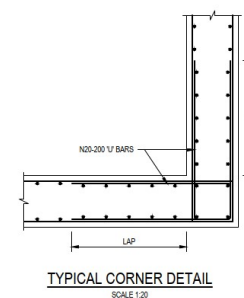
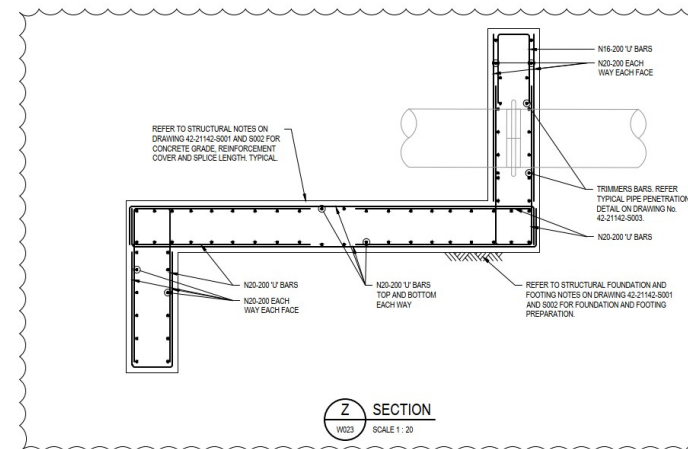
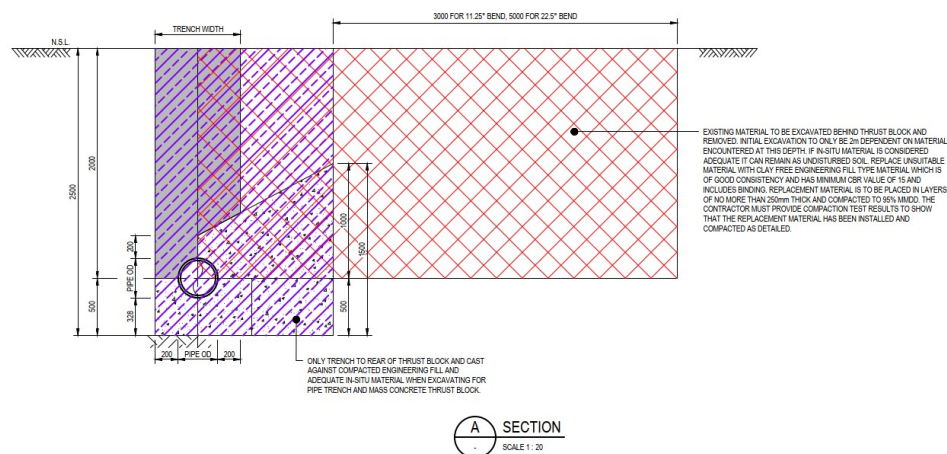
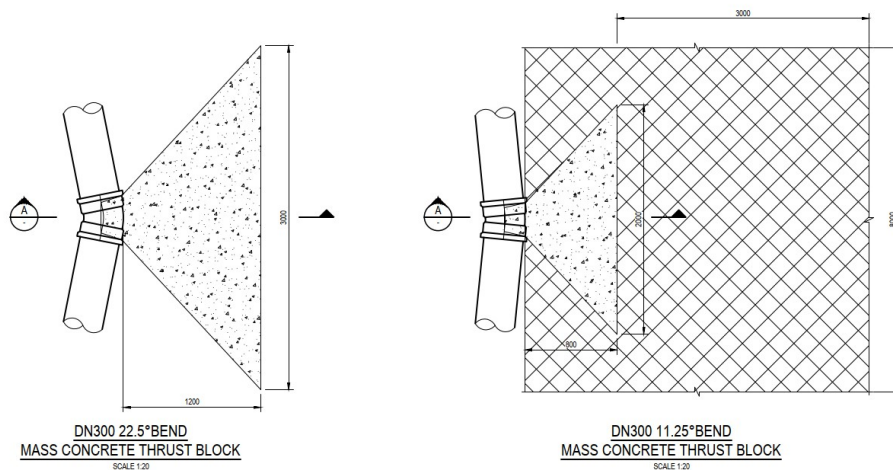
Plot Date: 26 August 2020 - 8:43 AM Plotted by: Ewan Johnson

Call File No: G:\42\21142\CA\DO\Drawings\42-21142-S005.dwg

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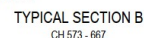
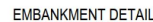
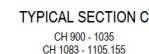
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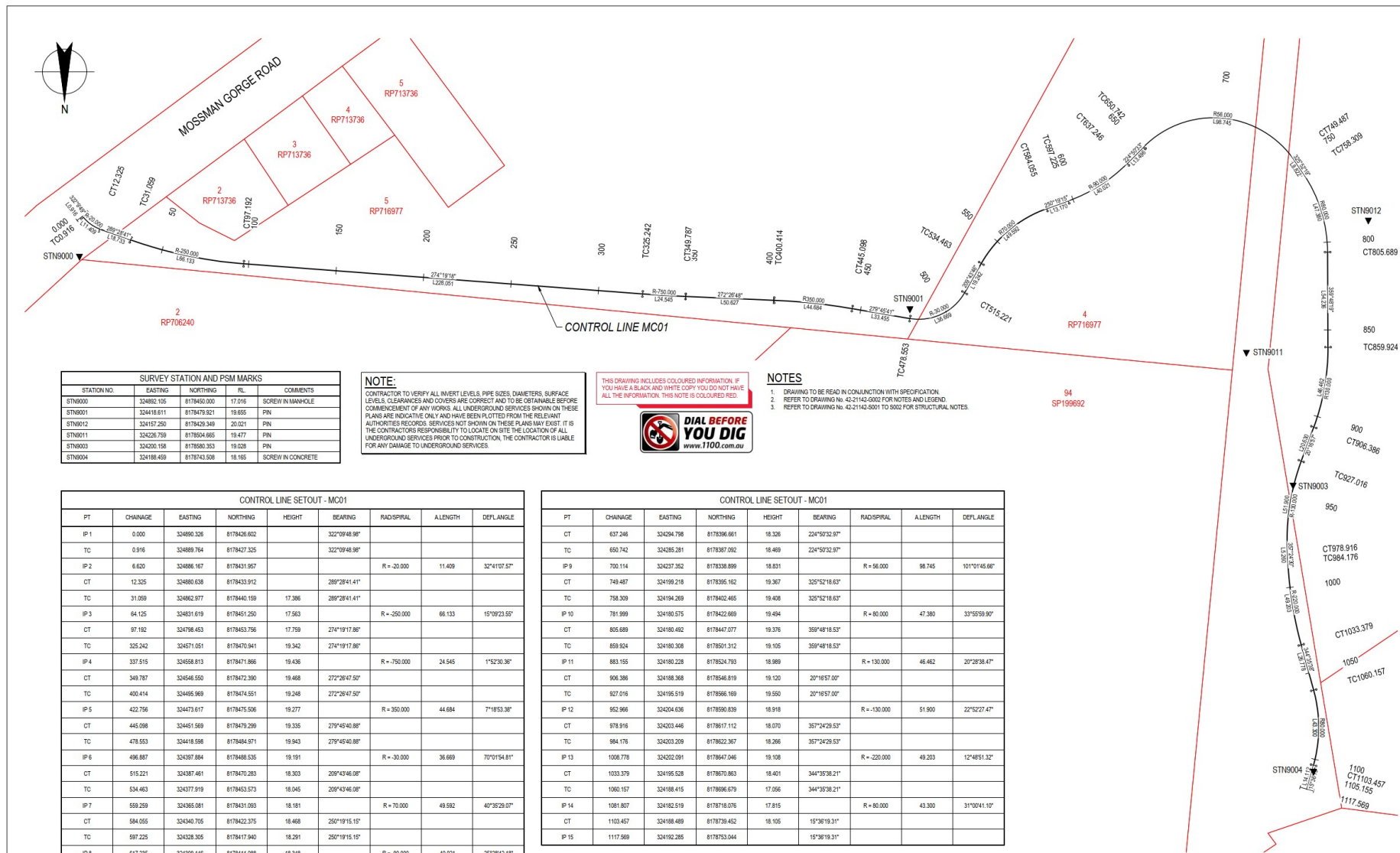
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 - REFER TO DRAWING No. 42-21142-S001 TO S002 FOR STRUCTURAL NOTES.

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<p>A ISSUED FOR TENDER</p>				<p>EDJ GG* TMB* 17.01.20</p>		<p>203 Project Manager</p>		<p>Date</p>		<p>Plot Date: 26 August 2020 - 8:43 AM</p>		<p>Printed by: Evan Johnson</p>		<p>Calc File No: G:\42\21142\CA\DO\Drawings\42-21142-S020.dwg</p>	

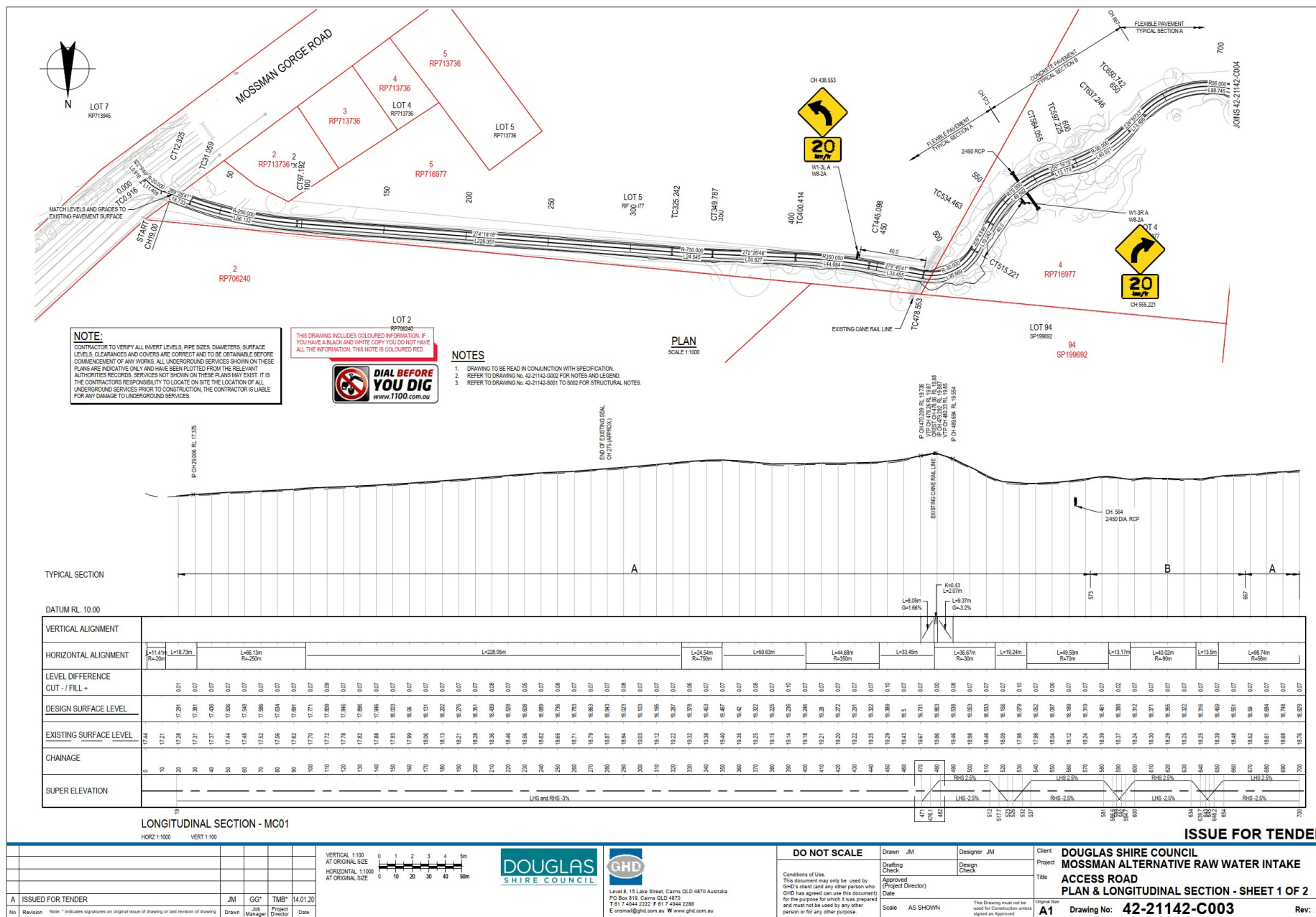


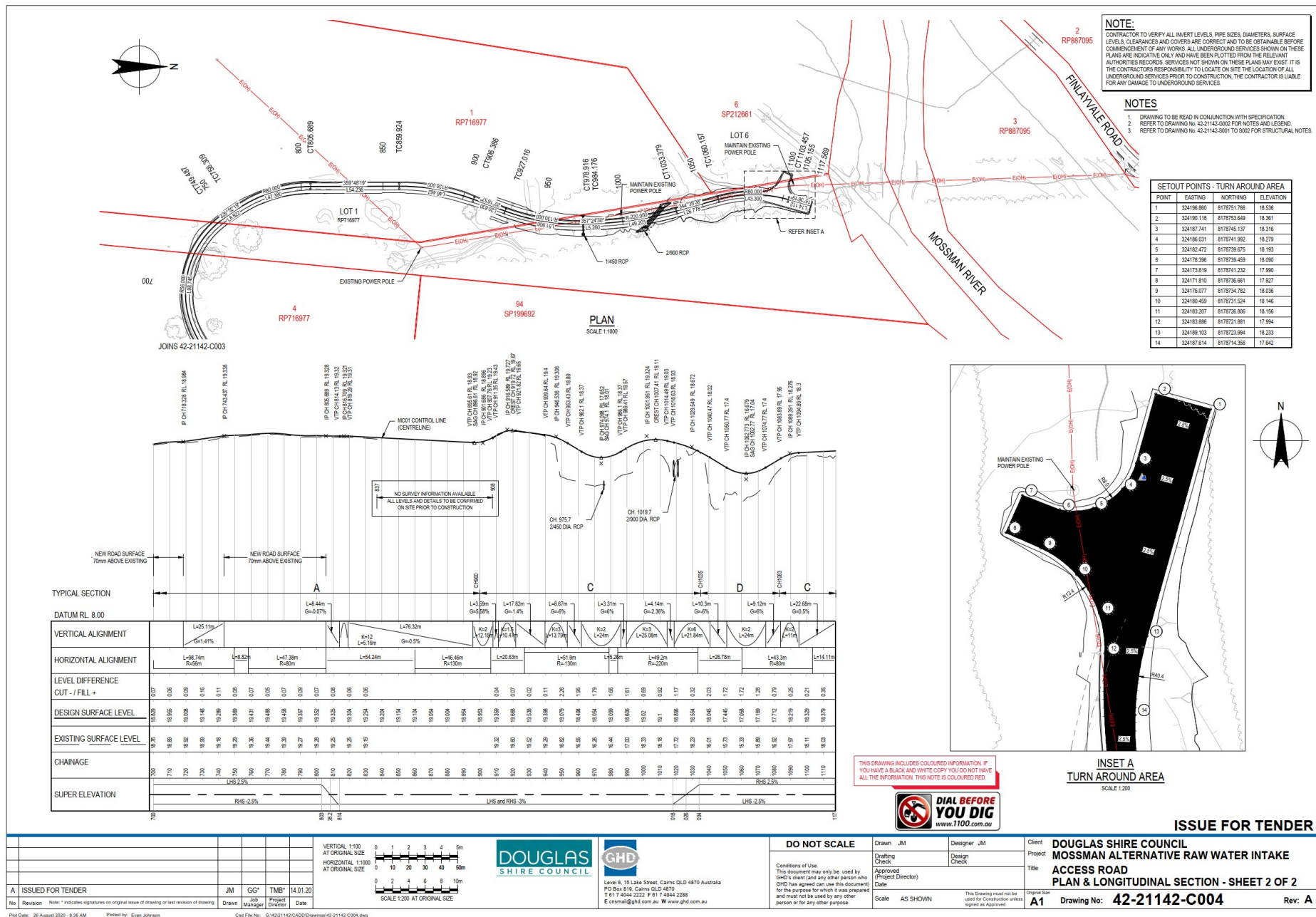
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ISSUE FOR TENDER

DOUGLAS SHIRE COUNCIL				DOUGLAS SHIRE COUNCIL			
MOSSMAN ALTERNATIVE RAW WATER INTAKE				MOSSMAN ALTERNATIVE RAW WATER INTAKE			
ACCESS ROAD				ACCESS ROAD			
CONTROL LINE SETOUT				CONTROL LINE SETOUT			
A1				A1			
Drawing No: 42-21142-C002				Drawing No: 42-21142-C002			
Rev: A				Rev: A			





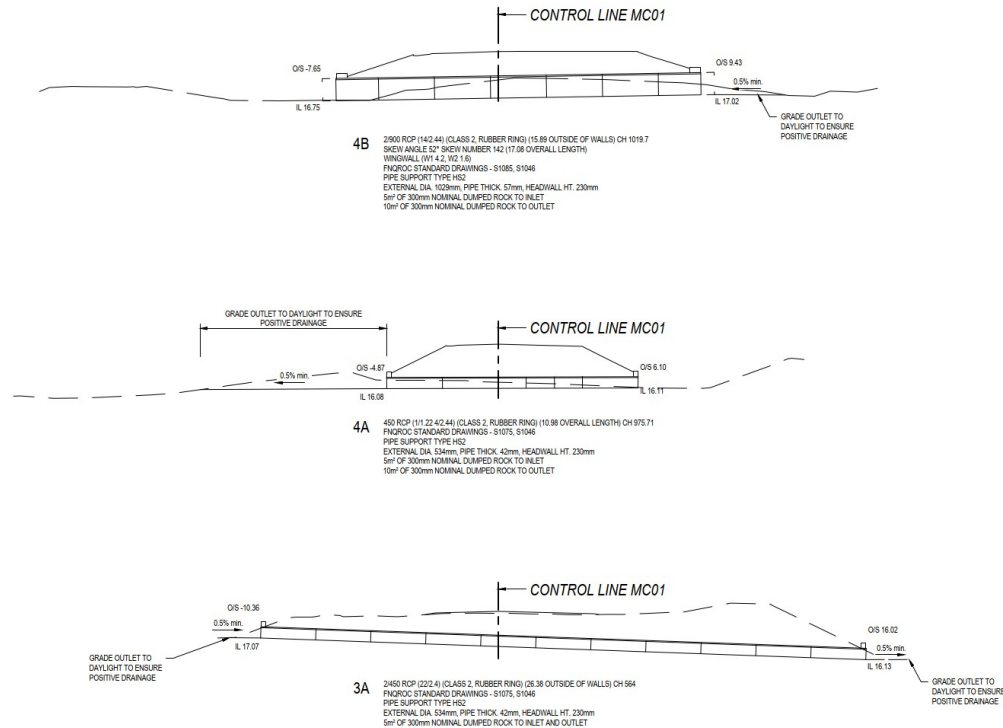
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2. REFER TO DRAWING No. 42-21142-0002 FOR NOTES AND LEGEND.
3. REFER TO DRAWING No. 42-21142-0001 TO 0002 FOR STRUCTURAL NOTES.
4. INCLUDE APRONS AND CUT-OFF WALLS AT ALL INLETS AND OUTLETS.

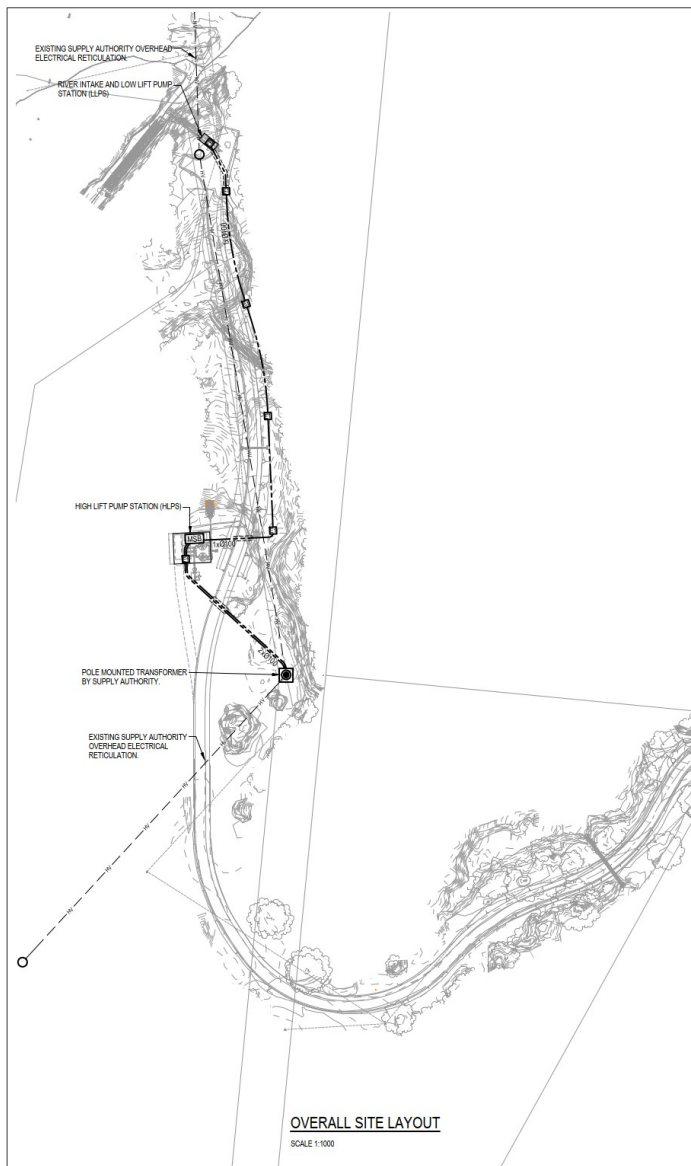
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A	ISSUED FOR TENDER	JM	GG*	TMB*	14.01.20				
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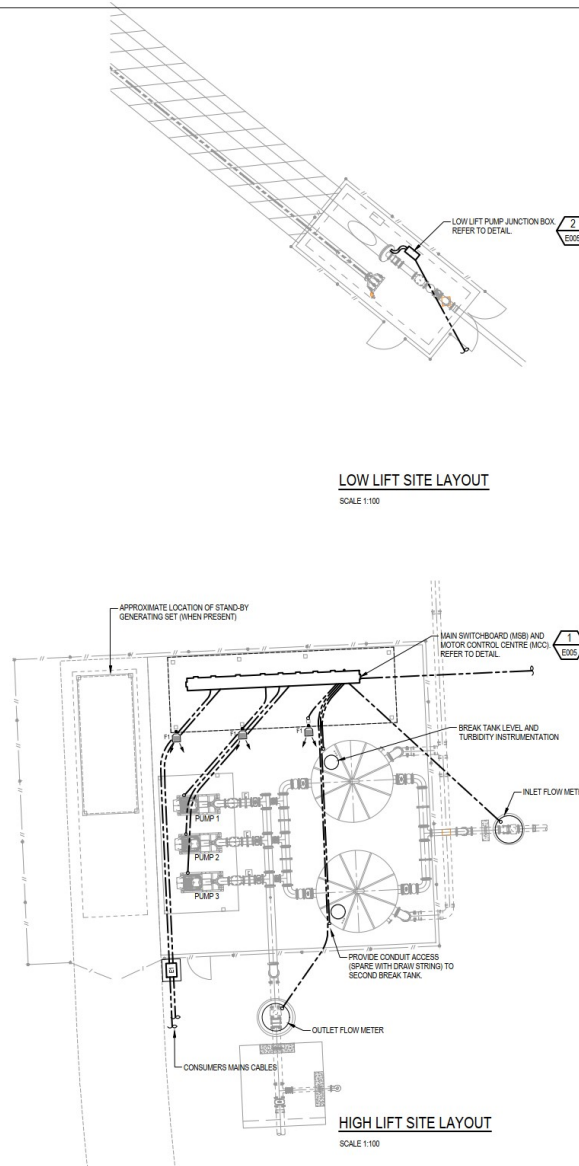
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OVERALL SITE LAYOUT
SCALE 1:1000



LOW LIFT SITE LAYOUT
SCALE 1:100

HIGH LIFT SITE LAYOUT
SCALE 1:100

NOTES

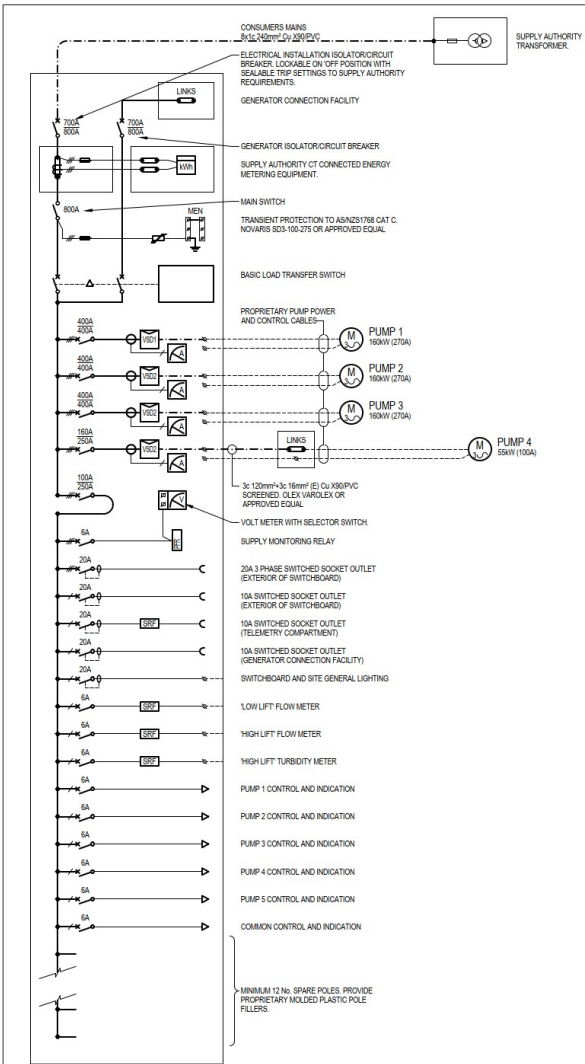
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- CONDUIT & CABLE SIZES SHOWN ARE MINIMUM SIZES. FINAL SIZES SHALL BE DETERMINED TO SUIT WIRING METHODS AND DERATING FACTORS.
- FINAL LOCATION OF ELECTRICAL AND COMMUNICATIONS CABLE PITS AND DISTRIBUTION BOXES SHALL BE COORDINATED WITH LANDSCAPE, KERBS AND PAVEMENT LAYOUTS. PITS SHALL BE LOCATED ENTIRELY WITHIN PAVEMENT OR GARDEN AREAS AND SHALL NOT INTERRUPT PAVEMENT AND/OR KERBS.
- ALL SOLID STATE (LED) LAMPS SHALL BE OF MATCHING COLOUR APPEARANCE: 'COOL WHITE' COT 4000K, R_a > 80 UNLESS NOTED OTHERWISE. EFFICACY, AS-INSTALLED AND INCLUDING DRIVER LOSSES, SHALL BE NOT LESS THAN 80lm/W INITIAL, AS-INSTALLED MAINTAINED LAMP FLUX AT 5000 HOURS SHALL BE NOT LESS THAN 65% OF INITIAL (L85 = 5000).
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LEGEND OF SYMBOLS

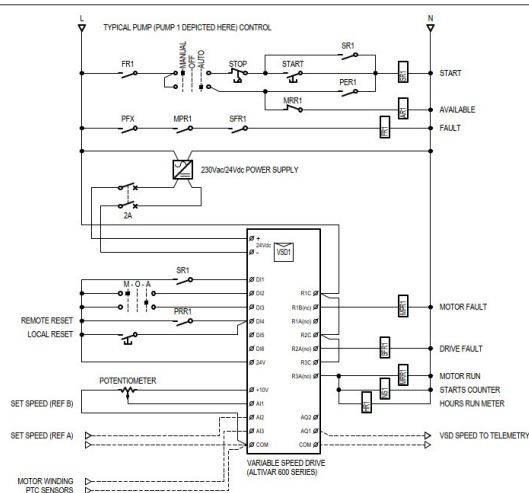
- CIRCUIT BREAKER
- COMBINED CIRCUIT BREAKER/RCD (RCBO)
- LOAD BREAK ISOLATOR
- HRC FUSE
- TRANSIENT PROTECTION (SURGE DIVERTER)
- TRANSIENT PROTECTION (SURGE FILTER)
- PUSHBUTTON MAKE CONTACT
- PUSHBUTTON BREAK CONTACT
- FLOAT SWITCH MAKE CONTACT
- FLOAT SWITCH BREAK CONTACT
- LIMIT SWITCH MAKE CONTACT
- LIMIT SWITCH BREAK CONTACT
- THERMAL SWITCH (MICROTHERM)
- THERMAL SENSOR (THERMISTER)
- RELAY MAKE CONTACT
- RELAY BREAK CONTACT
- RELAY CHANGE OVER CONTACT
- RELAY DELAY TO MAKE CONTACT
- RELAY DELAY TO BREAK CONTACT
- RELAY DELAY TO RESEAL CONTACT
- RELAY DELAY TO REMAKE CONTACT
- CONTRACTOR MAKE CONTACT
- RELAY/CONTRACTOR COOL
- DROPOUT DELAY RELAY COOL
- PICKUP DELAY RELAY COOL
- INDICATOR LAMP (COLOUR AS SHOWN)
- 81W (NOM. 8200m) LED WEATHERPROOF (IP66) MEDIUM ASYMMETRIC BEAM FLOODLIGHT, GERARD ROAD 1887 OR APPROVED EQUAL MOUNT AND AIM AS NOTED.
- ELECTRICAL CABLEING PIT WITH MEDIUM DUTY (CLASS C TO AS3996) STEEL COVER, MINIMUM INTERNAL DIMENSIONS AS FOLLOWS AND AS NOTED:
E1: 900x450/750 DEEP
E2: 900x600/750 DEEP
- ROUTE OF UNDERGROUND ELECTRICAL HDU/PVC (ORANGE) CONDUITS, MINIMUM NUMBER AND SIZE AS SHOWN

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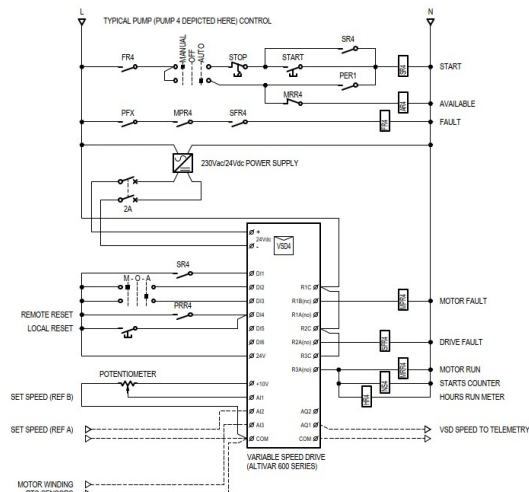
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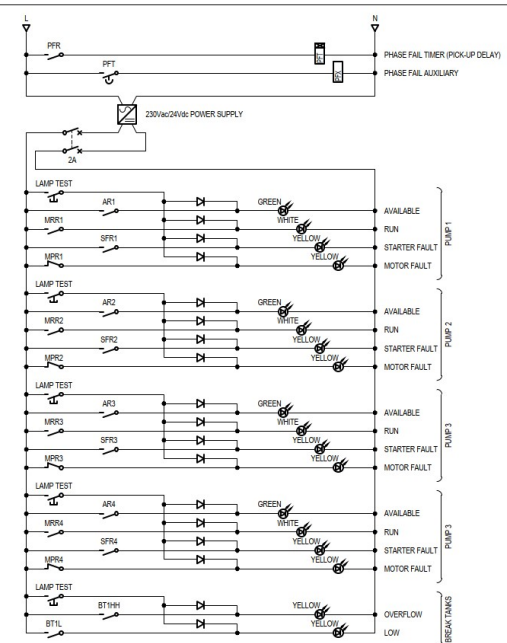
MAIN SWITCHBOARD AND MOTOR CONTROL CENTRE



TYPICAL HIGH LIFT PUMP - CONTROL AND INDICATION
PUMP 1 DEPICTED HERE. PUMP 2 AND PUMP 3 SHALL BE SIMILAR.



LOW LIFT PUMP - CONTROL AND INDICATION
PUMP 4 DEPICTED HERE.



COMMON CONTROL AND INDICATION

NOTE:
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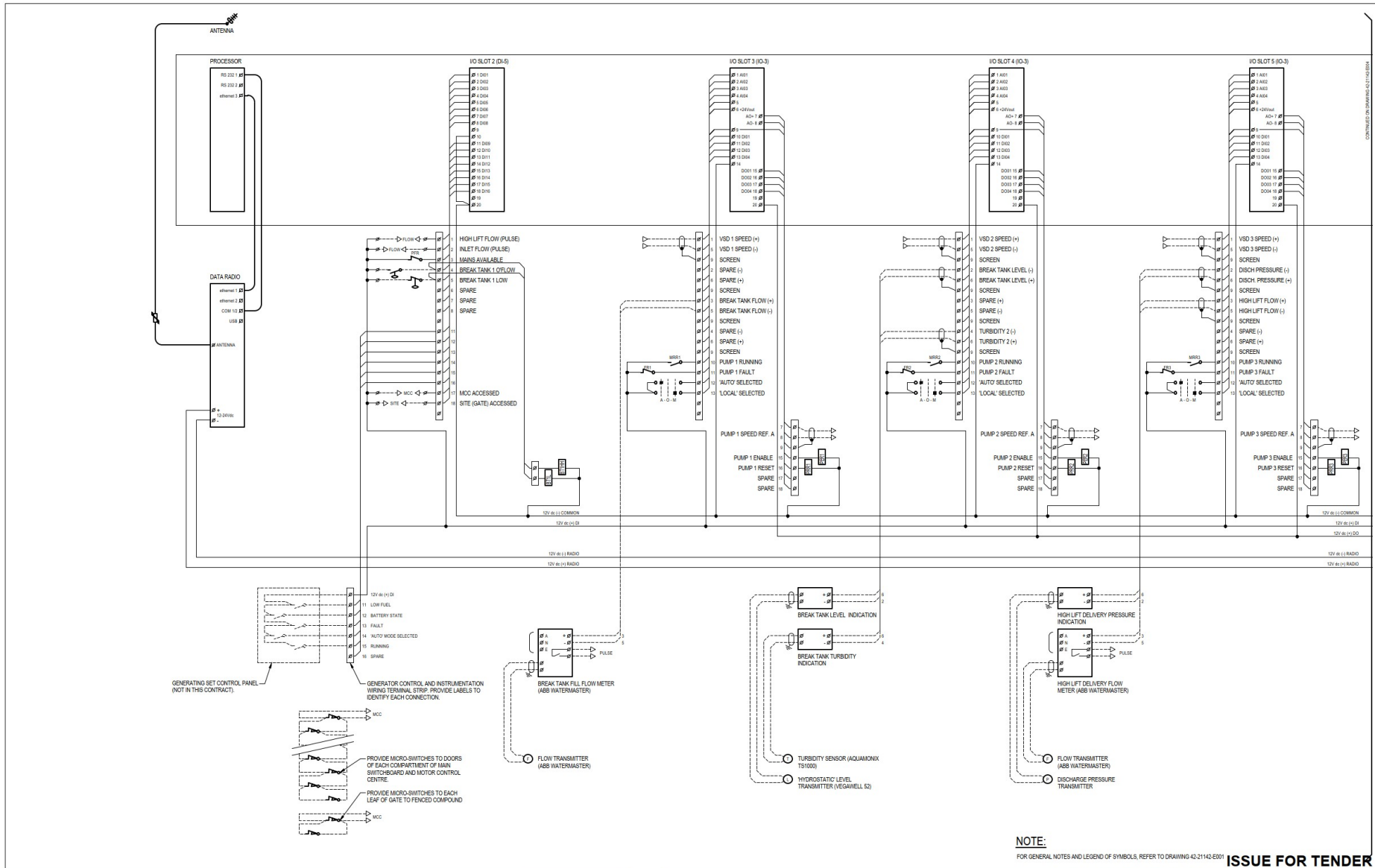


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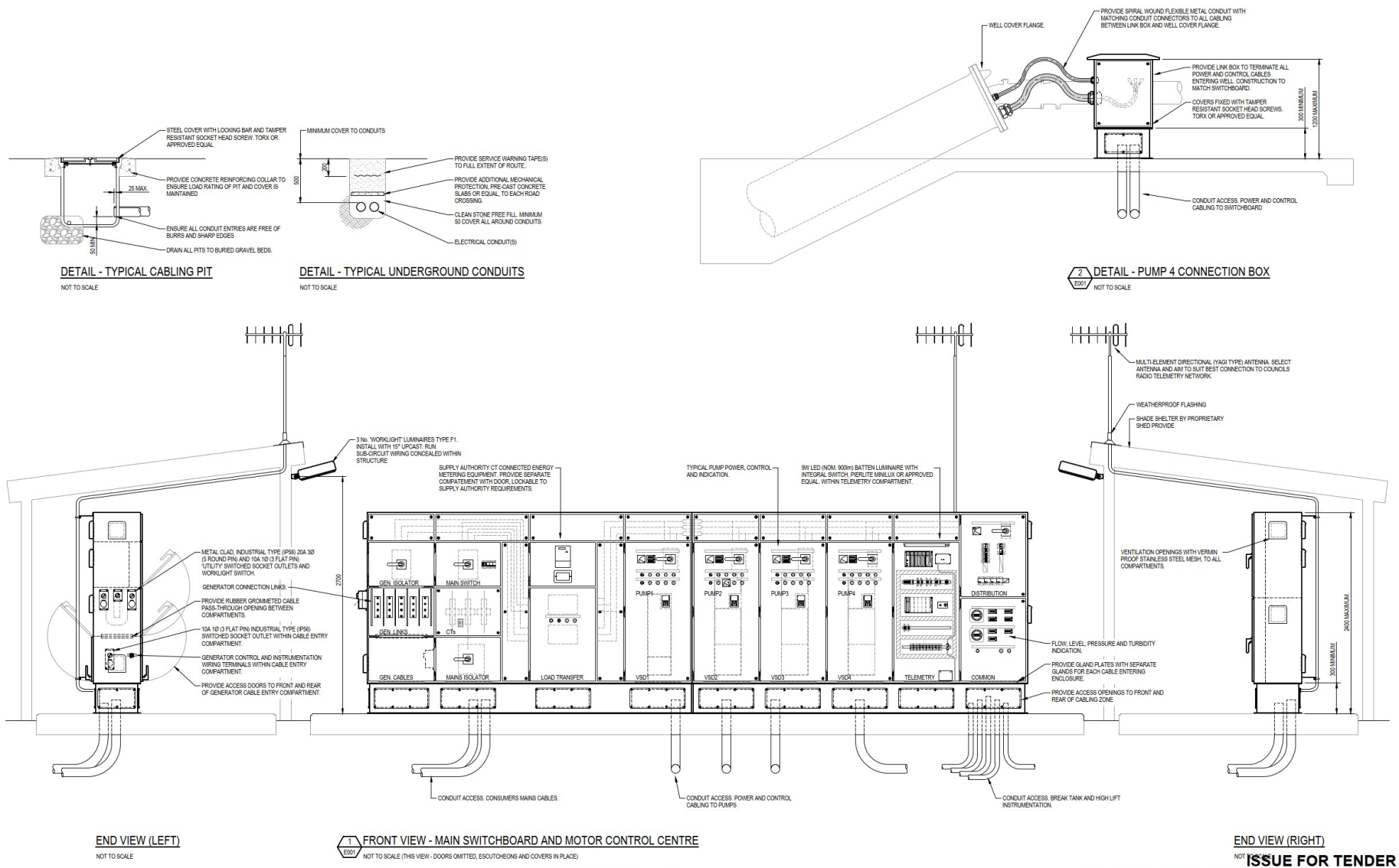
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Approved	Project Director	Date		Title	ELECTRICAL SERVICES SCHEMATICS
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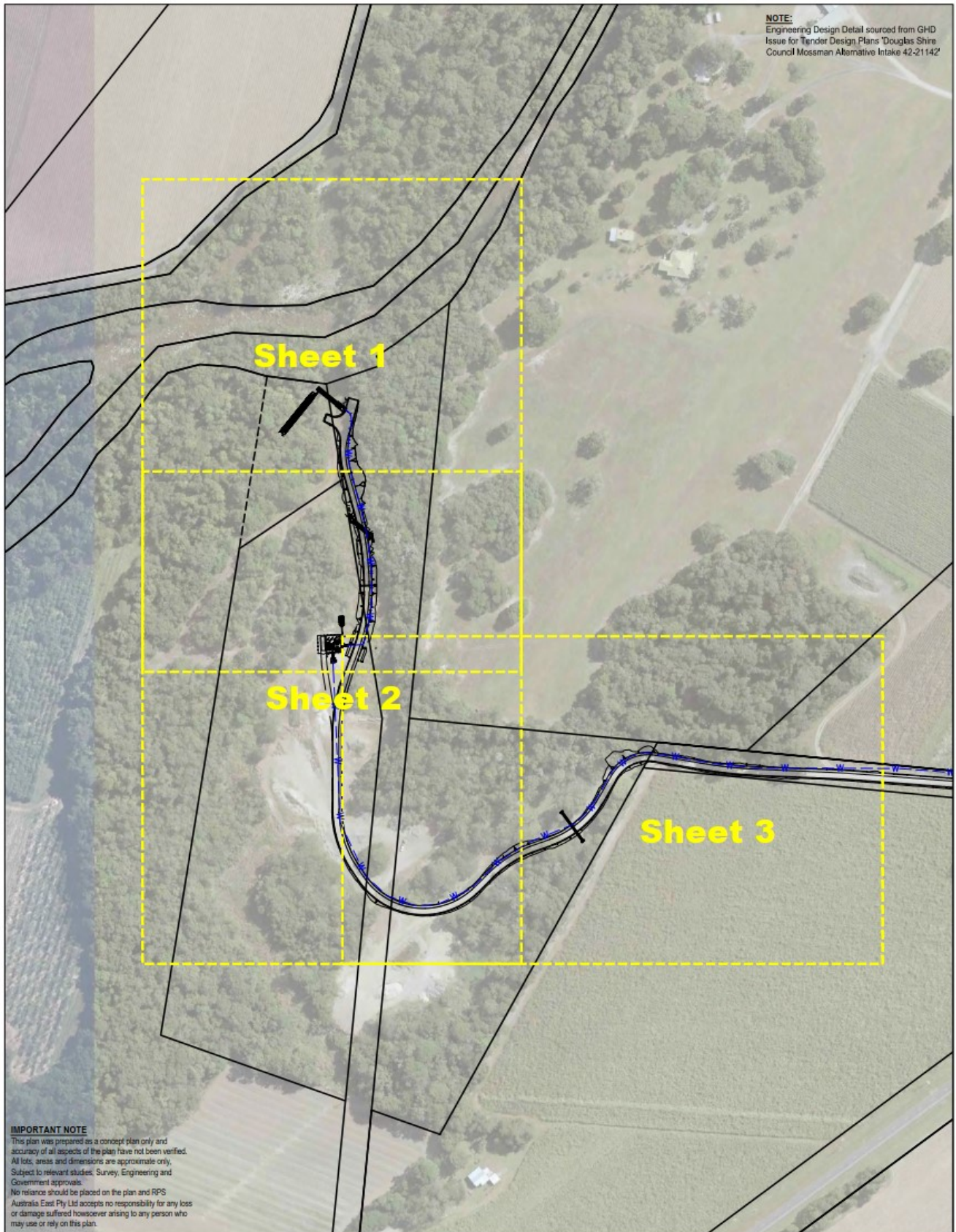


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NOTE:
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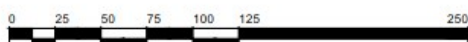
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Site Plan - Mossman Proposed Water Intake

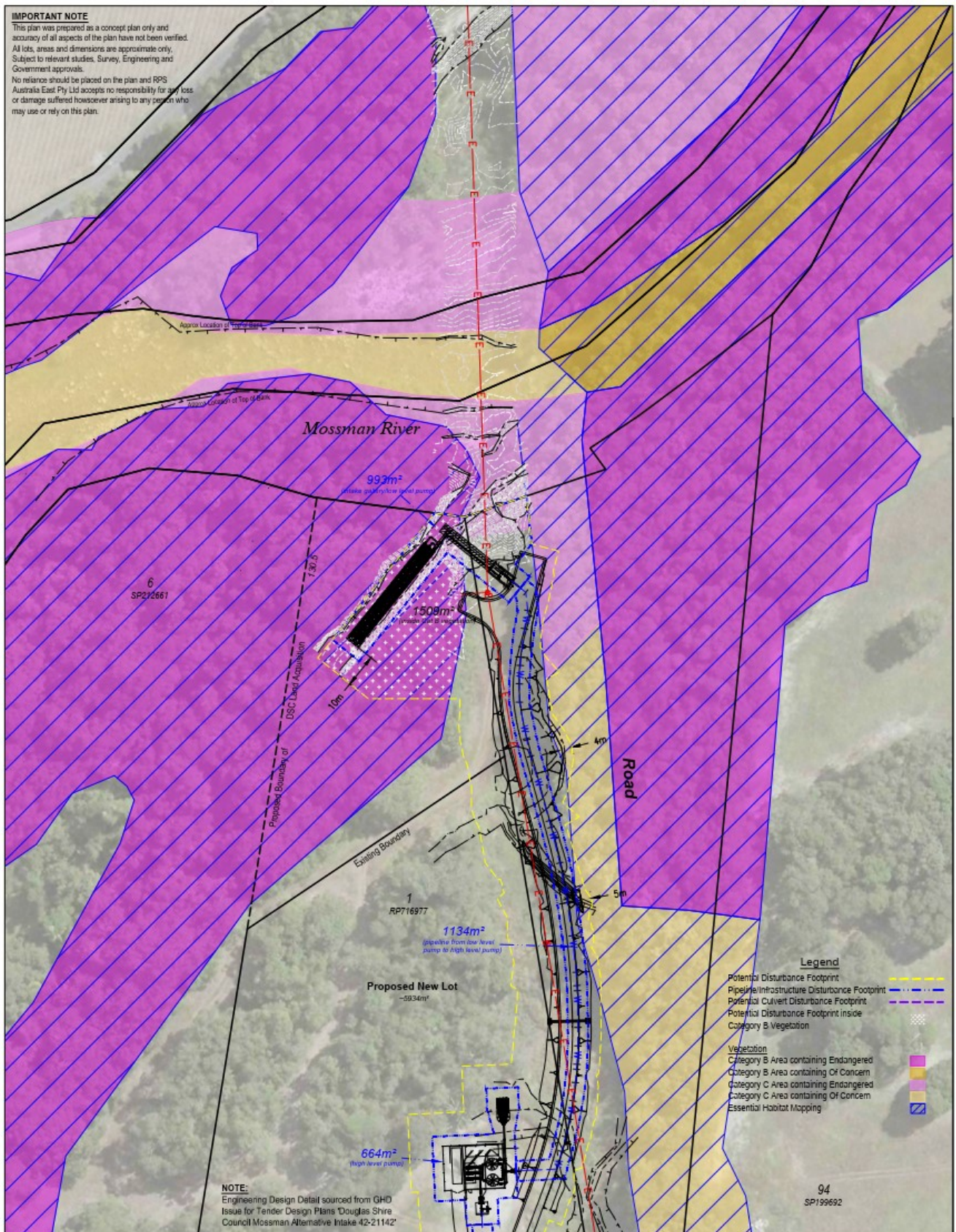
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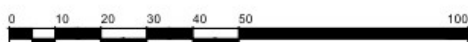
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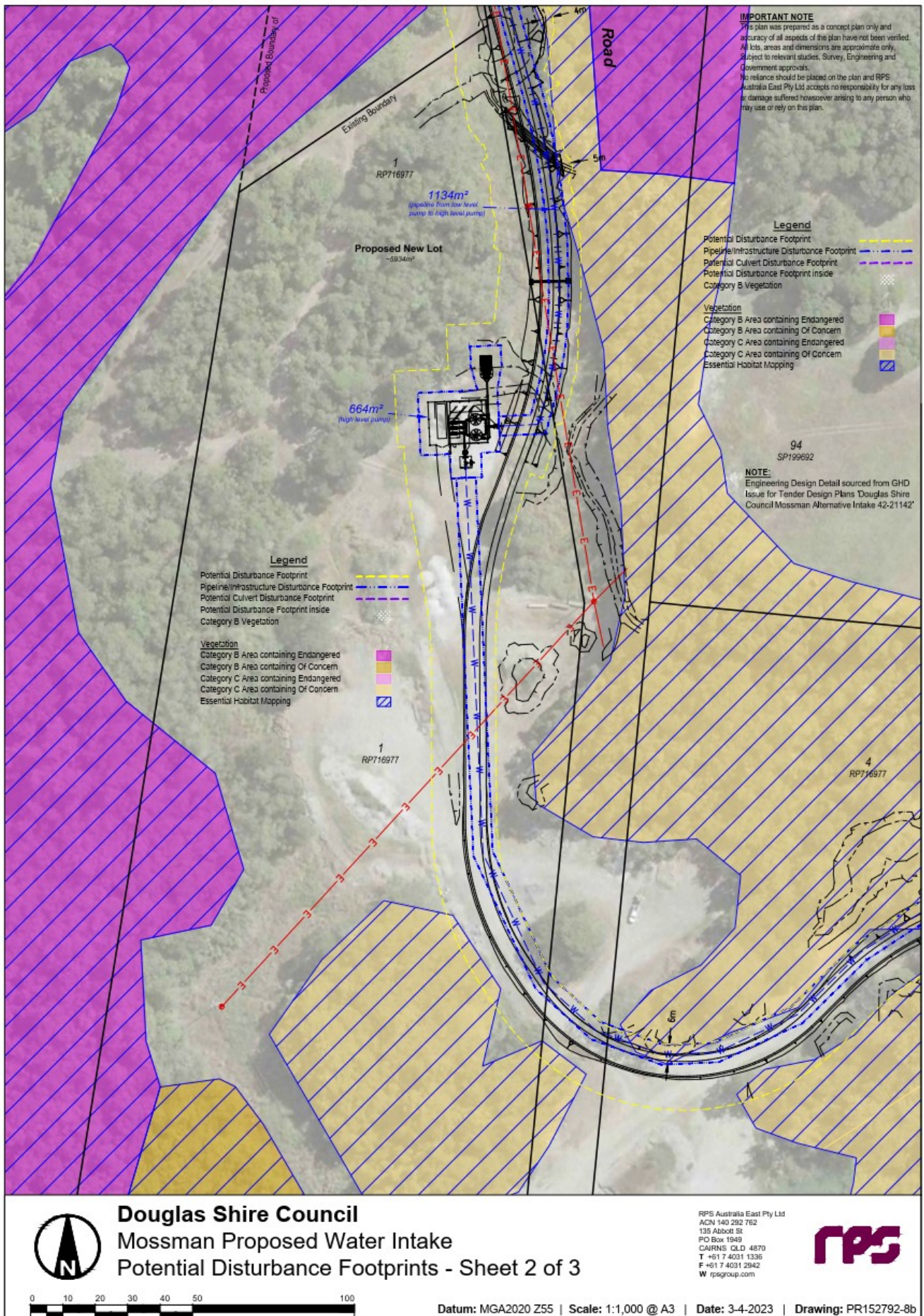


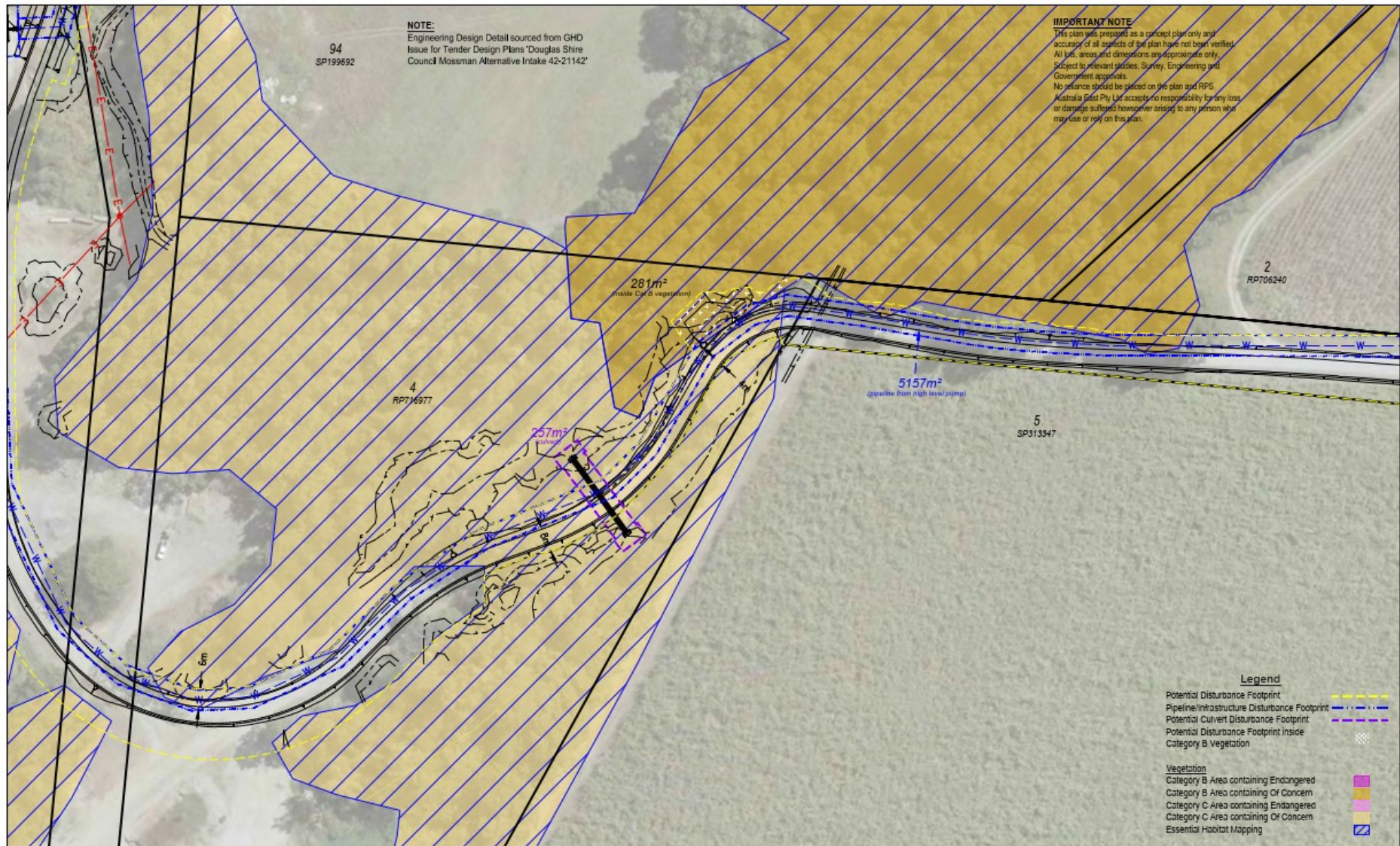
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Potential Disturbance Footprints - Sheet 1 of 3

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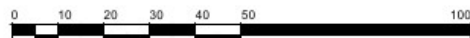
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Potential Disturbance Footprints - Sheet 3 of 3

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REHABILITATION PLAN

Mossman Water Intake



AU006055.003
01
26 July 2023

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REPORT

Document status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
0	Rehabilitation Plan	N. May	M Davis	N. May	18 May 2023
1	Minor edits	O. Caddick-King	M. Davis	M. Davis	26 July 2023

Approval for issue

Natalie May



26 July 2023

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1 INTRODUCTION

RPS AAP Consulting Pty Ltd (RPS) has been engaged by Douglas Shire Council (DSC) to prepare a Vegetation Rehabilitation Plan to enable vegetation of cleared areas required for the development of the proposed additional water supply intake, and linked intake infrastructure extracting water from the Mossman River. The water supply intake is located on part of Lot 6 on SP212661, the project will be management and developed by Council.

The related infrastructure, which includes a low-level pump, high-level pump, and linked pipeline are proposed to be placed on Lot 6 on SP212661, Lot 1 and 4 on RP716977 and Road Reserve with the proposed works extending from the anabranch of the Mossman River to Mossman Gorge Road via Drumsara Road, Mossman.

As part of this engagement, RPS were required to create a Rehabilitation Plan to address any potential vegetation/ land health impacts and provide recommendations to enable DSC to commence work and support their Development Approval conditions.

The following actions were taken in delivering the Rehabilitation Plan:

- Source and review existing desktop ecological information/mapping for the subject site, plus any local knowledge of the ecological values based on previous assessments undertaken in the vicinity of the project area.
- Prepare a Rehabilitation Report.
- Provide recommendations on land rehabilitation areas across the project area.

2 PROJECT AREA

The proposed works are shown in Appendix A for the water intake infrastructure.

The site includes regional ecosystem (RE) 7.3.17 which is listed as Endangered while RE 7.3.19 and 7.3.10 are listed as Of Concern under the *Vegetation Management Act*. Further east from the waterway, the RE changes to 7.3.19 and 7.3.10. These vegetation communities are key elements of healthy functional ecosystems. Figure 1 shows the project site location. Figure 2 shows the impact of RE 7.3.17.



Figure 1 Project Area and RE Mapping



Figure 2 Mapped RE 7.3.17, RE 7.3.19 and RE 7.3.10

Approximately 1509m² of RE 7.3.17 is required to be cleared as a result of the water intake infrastructure, refer to Figure 2 above and Appendix A. It is proposed that this area is naturally revegetated as much as feasible allowing for ongoing operations through the methodology detailed below.

2.1.1 Flora

2.1.1.1 Existing Plant Communities Present on Site

There are three (3) regional ecosystems present within the project area. One (1) RE 7.3.17 listed as Endangered and two (2) RE 7.3.19 and 7.3.10 listed as Of Concern under the Vegetation Management Act. Regional Ecosystem/plant community descriptions for all four are listed below:

2.1.1.1.1 Regional Ecosystem: 7.3.17

Vegetation Management Act: Endangered

Biodiversity Status: Endangered

Description: Complex mesophyll vine forest. Well-drained alluvium of high fertility. Not a Wetland.

2.1.1.1.2 Regional Ecosystem: 7.3.19

Vegetation Management Act: Of Concern

Biodiversity Status: Of Concern

Description: *Corymbia intermedia* (pink bloodwood) or *C. tessellaris* (Moreton Bay ash) +/- *Eucalyptus tereticornis* (forest red gum) open forest (or vine forest with these species as emergents). Well-drained alluvium. Not a Wetland.

Vegetation communities in this regional ecosystem include:

7.3.19a: *Corymbia intermedia*, *Eucalyptus tereticornis*, *E. drepanophylla*, *Allocasuarina torulosa*, *A. littoralis*, *Lophostemon suaveolens*, woodland with *Acacia circinnata*, *A. flavescens*, *Banksia aquilonia* and *Xanthorrhoea johnsonii*. Well-drained alluvium. Not a Wetland.

- 7.3.19b: *Corymbia tessellaris* and *C. intermedia* woodland and open forest. Well-drained alluvium. Not a Wetland.
- 7.3.19c: *Corymbia tessellaris* and *C. intermedia* woodland and open forest with a very well-developed vine forest understorey. Well-drained alluvium. Not a Wetland.
- 7.3.19d: *Corymbia intermedia* open forest. Well-drained alluvium. Not a Wetland.
- 7.3.19e: *Corymbia intermedia* open forest with a very well-developed vine forest understorey. Well-drained alluvium. Not a Wetland.
- 7.3.19f: *Eucalyptus moluccana* woodland and open forest. Alluvium. Not a Wetland.
- 7.3.19g: *Eucalyptus tereticornis*, *E. drepanophylla*, *E. portuensis*, *Corymbia intermedia*, *C. tessellaris*, woodland and open forest with *Allocasuarina torulosa* and *Angophora floribunda*. Uplands and highlands on alluvium, of the dry rainfall zone. Not a Wetland.
- 7.3.19h: *Corymbia tessellaris* +/- *Eucalyptus tereticornis*, *C. intermedia*, *E. drepanophylla*, *E. platyphylla* and *Lophostemon suaveolens* layered grassy woodland with *Acacia celsa* and *Cycas media*. Lowlands on alluvium, of the wet and moist rainfall zones. Not a Wetland.
- 7.3.19i: *Corymbia intermedia*, *Allocasuarina torulosa* and *Lophostemon suaveolens* woodland and open forest. Uplands on alluvium, of the moist rainfall zone. Not a Wetland.
- 7.3.19j: *Themeda triandra* and *Imperata cylindrica* grassland. Alluvium, Palm Islands. Not a Wetland.

2.1.1.1.3 Regional Ecosystem 7.3.10

Vegetation Management Act: Of Concern

Biodiversity Status: Endangered

Simple-complex mesophyll to notophyll vine forest. Moderately to poorly-drained alluvial plains of moderate fertility. Contains Palustrine.

Vegetation communities in this regional ecosystem include:

- 7.3.10a: Mesophyll vine forest. Moderately to poorly-drained alluvial plains, of moderate fertility. Lowlands of the very wet and wet zone. Not a Wetland.
- 7.3.10b: Mesophyll vine forest recovering from disturbance, with *Acacia* spp. canopy or emergents. Moderately to poorly-drained alluvial plains, of moderate fertility. Lowlands of the very wet and wet zone. Not a Wetland.
- 7.3.10c: Mesophyll vine forest with scattered *Archontophoenix alexandrae* (feather palm) in the sub-canopy. Seasonally inundated lowland alluvial plains. Palustrine.
- 7.3.10d: Open areas in vine forests dominated by sprawling vines, with emergent vine-draped trees or clumps of trees. Vines commonly include *Decalobanthus peltatus*. Alluvial plains. Not a Wetland.
- 7.3.10e: Simple notophyll vine forest with *Blepharocarya involucrigeria*, *Acacia celsa*, *Flindersia bourjotiana*, *Syzygium angophoroides*, *Dillenia alata*, *Grevillea baileyana*, *Syzygium kuranda*, *Calophyllum sil*, *Backhousia hughesii* and *Acronychia acronychioides*. Swampy alluvial plains. Palustrine.
- 7.3.10f: Simple Notophyll vine forest with *Syzygium angophoroides*. Swampy alluvial plains. Palustrine.
- 7.3.10g: Simple notophyll vine forest dominated by *Blepharocarya involucrigeria*. Alluvial plains. Not a Wetland.

3 REVEGETATION METHODOLOGY

3.1 Weed Control

Weeds pose a serious threat to the project area. Weeds can harm native plants and animals, natural landscape and water catchment within the project area.

Environmental weeds threaten the biodiversity of the project area by:

- reducing the diversity and abundance of native species
- upsetting the balance of natural ecosystems.

Weeds compete with native plant species for nutrients, water, sunlight and space. Weeds can form dense areas of vegetation that shade and smother native species and may alter key environmental events. This can threaten both native plants and the animals that rely on them for food and shelter.

Weed control will involve herbicide treatments to reduce the amount of weeds present. This will reduce the competition for available water and nutrients with the native seedlings, leading to a more successful revegetation outcome. Weed control will be carried out once the annuals emerge.

Areas to be revegetated will ideally be sprayed before planting with a residual herbicide (e.g. Simazine) and knockdown (e.g. Glyphosate) mix, although it is noted that this area is within close proximity to the Mossman River and no herbicide should be allowed to runoff into the waterway.

A follow up spray in spring with Fusilade or Verdict may be required to control narrow leaf grasses. If narrow leaf grasses are prevalent on the site it would be anticipated this herbicide treatment would be required.

3.2 Topsoil Management

During construction, it is recommended that topsoil is stripped and stockpiled for reuse for revegetation. Topsoil should be stockpiled in small stockpiles to ensure the viability of the native seedstock.

3.3 Fauna Management

It is recognised that fauna along waterways can provide valuable corridor for movement of native wildlife. During clearing, it is recommended that a spotter catcher is engaged to prevent impacts to native wildlife and any cleared vegetation is mulched for reuse during revegetation or large logs/trees are retained and placed throughout the revegetation area to enable use for wildlife by providing habitat.

3.4 Timing

It is recommended that for improved success rates of native rehabilitation, the area is prepared prior to the wet season to allow for natural seed dispersal and establishment during the rains.

3.5 Site Preparation

Prior to planting/seeding any available site topsoil and mulched vegetation will be spread across the revegetation site to a minimum depth of 50 mm and not more than 100 mm thick. The topsoil and mulch will be blended at a 5:1 ratio before spreading and applied in one application.

3.6 Ongoing Maintenance and Monitoring

Monitoring should occur regularly at the site, preferably monthly for the first 6 months then reducing thereafter.

Ongoing monitoring will ensure the successful establishment of the revegetated rehabilitated areas.

Criteria for success: Follow-up herbicide treatment will take place when the weed cover (non-indigenous species) exceeds 30% and these weed species are assessed by the Council or contractor during the

ongoing monitoring are deemed to be having a detrimental impact on the survival of the revegetation that will result in the quantity and species diversity dropping below the set completion criteria.

Target composition: 9-10 indigenous species present consistent with mapped vegetation 5 years after establishment. 10% Upper Story and 70% Mid Story and 20% Low Story. If the species density or diversity has dropped significantly below these amounts infill planting will be required.

Follow up weed control is likely to be vital to the success of native vegetation re-establishment.

3.7 Signage

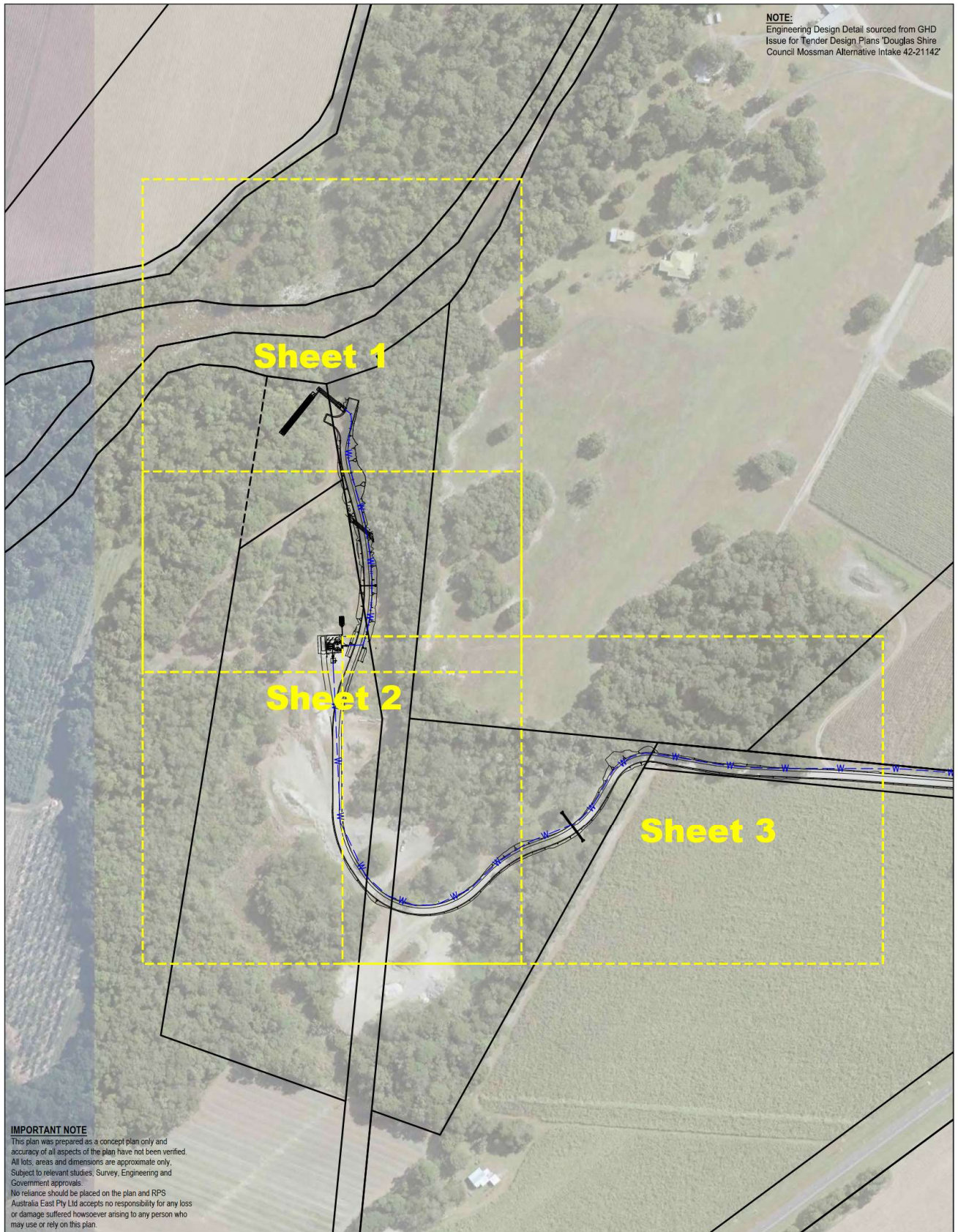
Revegetated areas will be signed and preferably taped off to prevent access from staff where possible.

4 RECOMMENDATIONS AND CONCLUSION

As detailed above, it is proposed that the area to be cleared for the Mossman Water Intake project will be naturally revegetated with active site preparation, monitoring and weeding for at least the first year or until the success criteria is met.

Appendix A Site Plan

NOTE:
Engineering Design Detail sourced from GHD
Issue for Tender Design Plans 'Douglas Shire
Council Mossman Alternative Intake 42-21142'



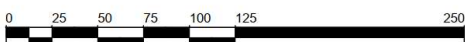
IMPORTANT NOTE

This plan was prepared as a concept plan only and accuracy of all aspects of the plan have not been verified. All lots, areas and dimensions are approximate only. Subject to relevant studies, Survey, Engineering and Government approvals. No reliance should be placed on the plan and RPS Australia East Pty Ltd accepts no responsibility for any loss or damage suffered howsoever arising to any person who may use or rely on this plan.



Douglas Shire Council
Site Plan - Mossman Proposed Water Intake

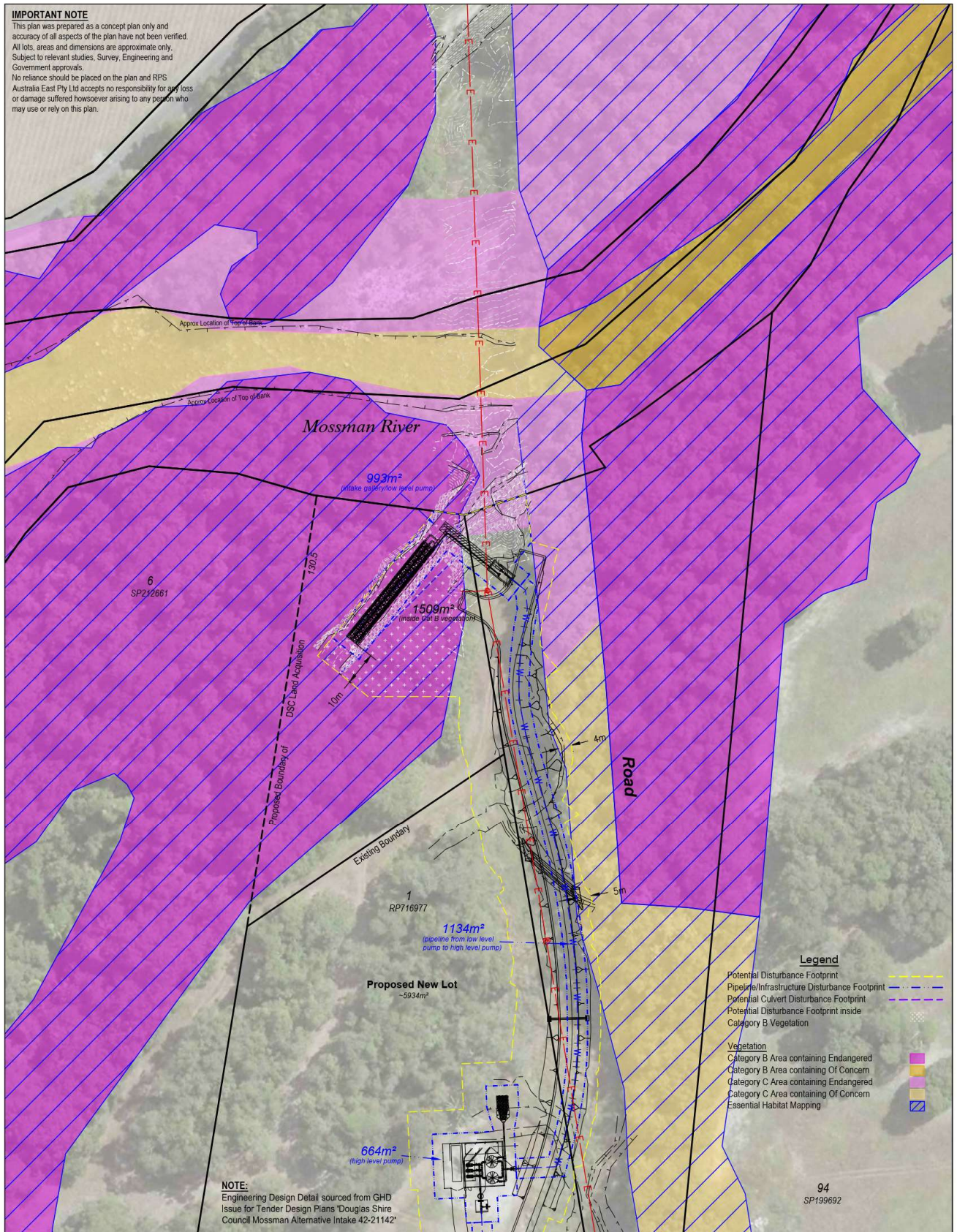
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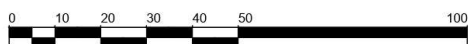
Datum: MGA2020 Z55 | Scale: 1:2,500 @ A3 | Date: 3-4-2023 | Drawing: PR152792-6b

IMPORTANT NOTE

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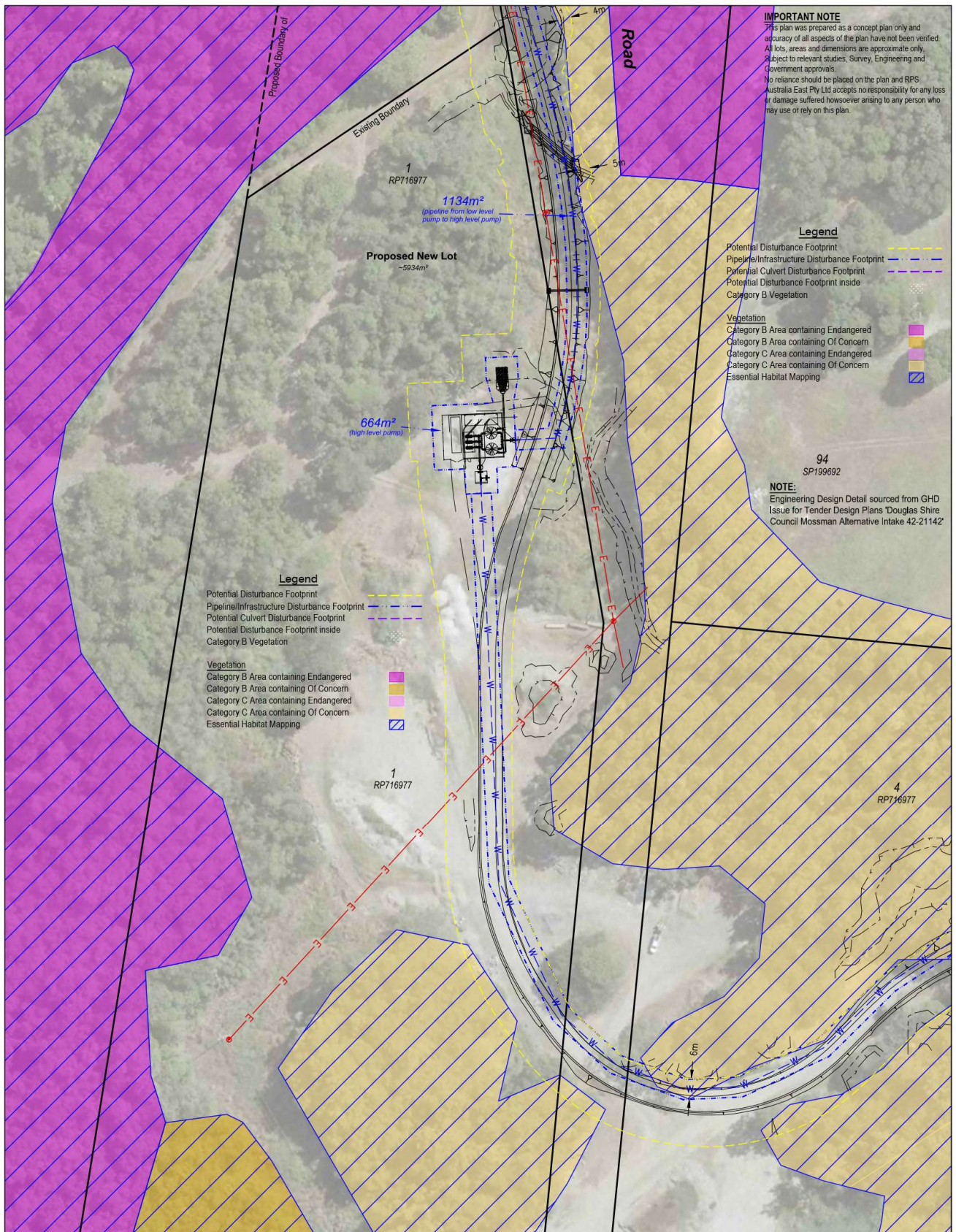
Douglas Shire Council Mossman Proposed Water Intake Potential Disturbance Footprints - Sheet 1 of 3



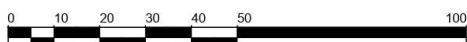
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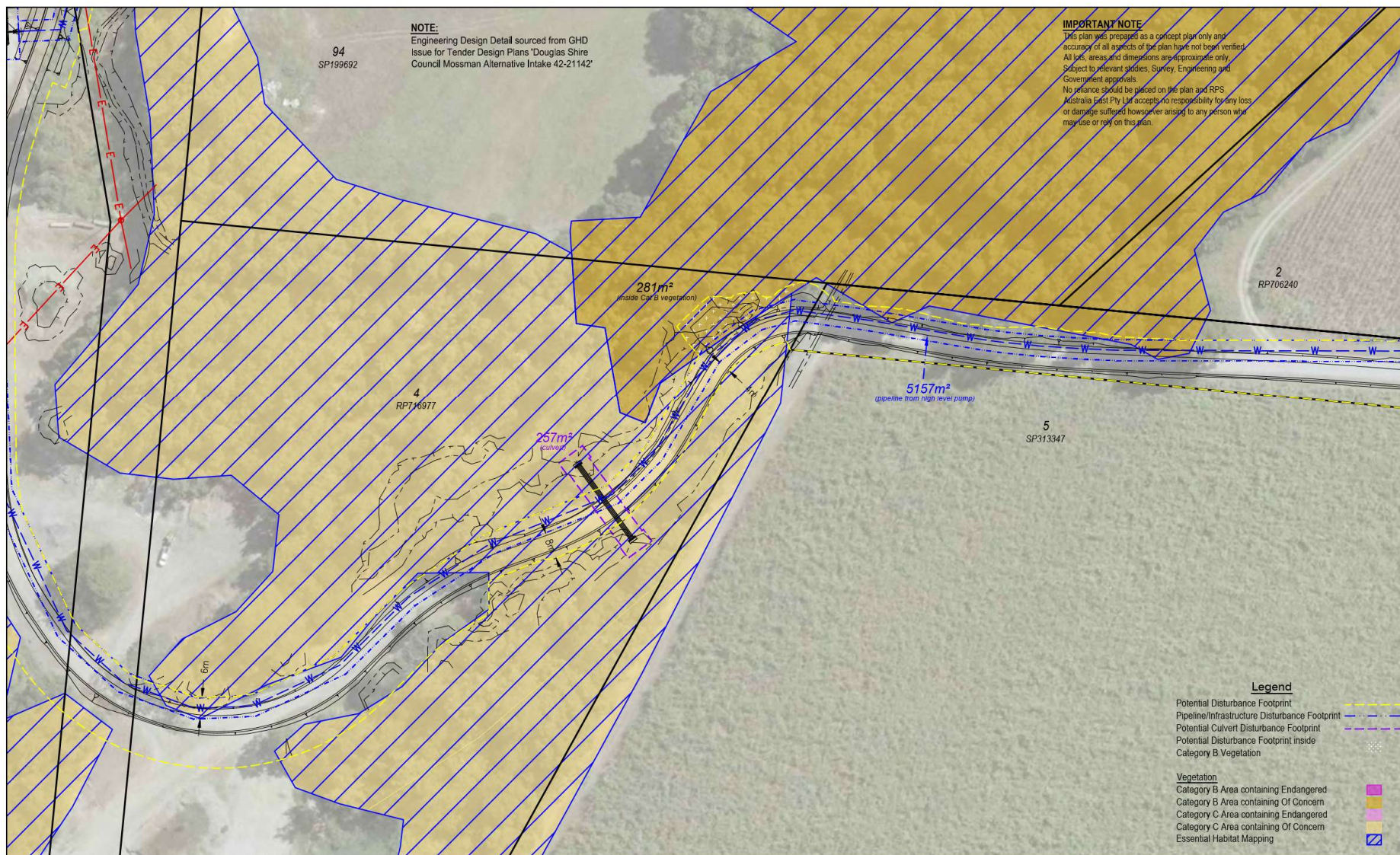
Douglas Shire Council
Mossman Proposed Water Intake
Potential Disturbance Footprints - Sheet 2 of 3



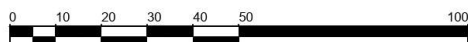
Datum: MGA2020 Z55 | Scale: 1:1,000 @ A3 | Date: 3-4-2023 | Drawing: PR152792-8b

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Douglas Shire Council
Mossman Proposed Water Intake
Potential Disturbance Footprints - Sheet 3 of 3



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RA6-N



SARA reference: 2308-36116 SRA
Council reference: MCUC2023_5485/1
Applicant reference: AU006055 / R82095

12 September 2023

Chief Executive Officer
Douglas Shire Council
PO Box 723
MOSSMAN QLD 4873
enquiries@douglas.qld.gov.au

Attention: Jenny Elphinstone

Dear Sir/Madam

SARA referral agency response—Utility Installation - Additional Water Supply from Mossman River, Mossman Gorge

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 11 August 2023.

Response

Outcome:	Referral agency response – with conditions	
Date of response:	12 September 2023	
Conditions:	The conditions in Attachment 1 must be attached to any development approval	
Advice:	Advice to the applicant is in Attachment 2	
Reasons:	The reasons for the referral agency response are in Attachment 3	

Development details

Description:	Development permit	Material change of use for Utility Installation (an additional water supply intake and associated intake infrastructure extracting water from an anabranch of the Mossman River)
SARA role:	Referral agency	

Page 1 of 7

Far North Queensland regional office
Ground Floor, Cnr Grafton and Hartley
Street, Cairns
PO Box 2358, Cairns QLD 4870

SARA trigger: **Schedule 10, Part 3, Division 4, Table 3** (Planning Regulation 2017)
– Material change of use involving vegetation clearing

SARA reference: 2308-36116 SRA

Assessment manager: Douglas Shire Council

Street address: 1 & 3 Manjal Dimbi Road (and adjacent road reserve) and Lot 6 Gorge Road (and adjacent road reserve), Mossman Gorge

Real property description: Lot 4 on RP716977, Lot 1 on RP716977, and Lot 6 on SP212661

Applicant name: Douglas Shire Council

Applicant contact details: C/- RPS AAP Consulting Pty Ltd
135 Abbott Street
Cairns QLD 4870
owen.caddick-king@rpsgroup.com.au

Human Rights Act 2019 considerations: Section 58 of the *Human Rights Act 2019* specifies required conduct for public entities when acting or making a decision. Sections 15 – 37 of the *Human Rights Act 2019* identifies the human rights a public entity must consider in making a decision.
This decision does not limit the above identified human rights.

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

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

For further information please contact Anthony Westbury, Planning Officer, on 40373214 or via email CairnsSARA@dasilgq.qld.gov.au who will be pleased to assist.

Yours sincerely



Brett Nancarrow
Manager (Planning)

cc Douglas Shire Council, owen.caddick-king@rpsgroup.com.au

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Representations about a referral agency response
Attachment 5 - Documents referenced in conditions

Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the plans and specifications referenced below are found at **Attachment 5**)

No.	Conditions	Condition timing
Reconfiguring a lot		
Schedule 10, Part 3, Division 4, Table 3 – Material change of use involving native vegetation clearing—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Resources to be the enforcement 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.	<p>Clearing of vegetation must:</p> <p>(a) Only occur within Area A (Part A1-A4) as shown on the attached:</p> <p>(i) Vegetation Management Plan, prepared by Queensland Government, reference VMP 2308-36116 SRA, Sheet 1 of 1, version 2, dated 12 September 2023; and</p> <p>(ii) Attachment to Vegetation Management Plan VMP 2308-36116 SRA, Derived Reference Points for GPS.</p> <p>(b) Not exceed 0.197 hectares.</p>	At all times.
2.	Any person(s) engaged or employed to carry out the clearing of vegetation under this development approval must be provided with a full copy of this development approval and must be made aware of the full extent of areas where the clearing of vegetation must not occur.	Prior to clearing.

Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) v3.0. If a word remains undefined it has its ordinary meaning.
2.	<p>Operational works for waterway barrier works</p> <p>Aspects of the proposed access road may constitute waterway barrier works, as it appears the proposed works may be in areas that would meet the definition of a waterway as defined under the <i>Fisheries Act 1994</i>.</p> <p>Please review the Department of Agriculture and Fisheries' What is waterway? factsheet to determine whether the areas between CH950 to CH1000; CH1010 to CH1030; and CH1040 to CH1090 of the Access Road Plan (drawing no. 42-21142-C004), may meet the definition of a waterway under the <i>Fisheries Act 1994</i>.</p> <p>If these areas are waterways, the proposed culverts/filling of these areas will constitute waterway barrier works and you are advised to seek further pre-lodgement advice from SARA to determine waterway barrier works requirements.</p>

Attachment 3—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for the SARA decision are:

The proposed development, with conditions, complies with the relevant provisions of State code 16:

Native vegetation clearing, as follows:

- The proposed development has reasonably avoided, and minimised, the impacts to native vegetation and essential habitat.
- The development footprint has been located within non-remnant vegetation and the existing access track, wherever possible.
- Clearing of endangered regional ecosystems, of concern regional ecosystems, and essential habitat, is within acceptable limits.
- Clearing will retain sufficient vegetation in the subject lots and adjacent landscape to maintain ecological connectivity.

Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the State Development Assessment Provisions (version 3.0)
- the Development Assessment Rules
- SARA DA Mapping system
- State Planning Policy mapping system
- *Human Rights Act 2019*

Attachment 4—Representations about a referral agency response

(page left intentionally blank – attached separately)

Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

Part 7: Miscellaneous

30 Representations about a referral agency response

30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.³

³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

Attachment 5—Documents referenced in conditions

(page left intentionally blank – attached separately)

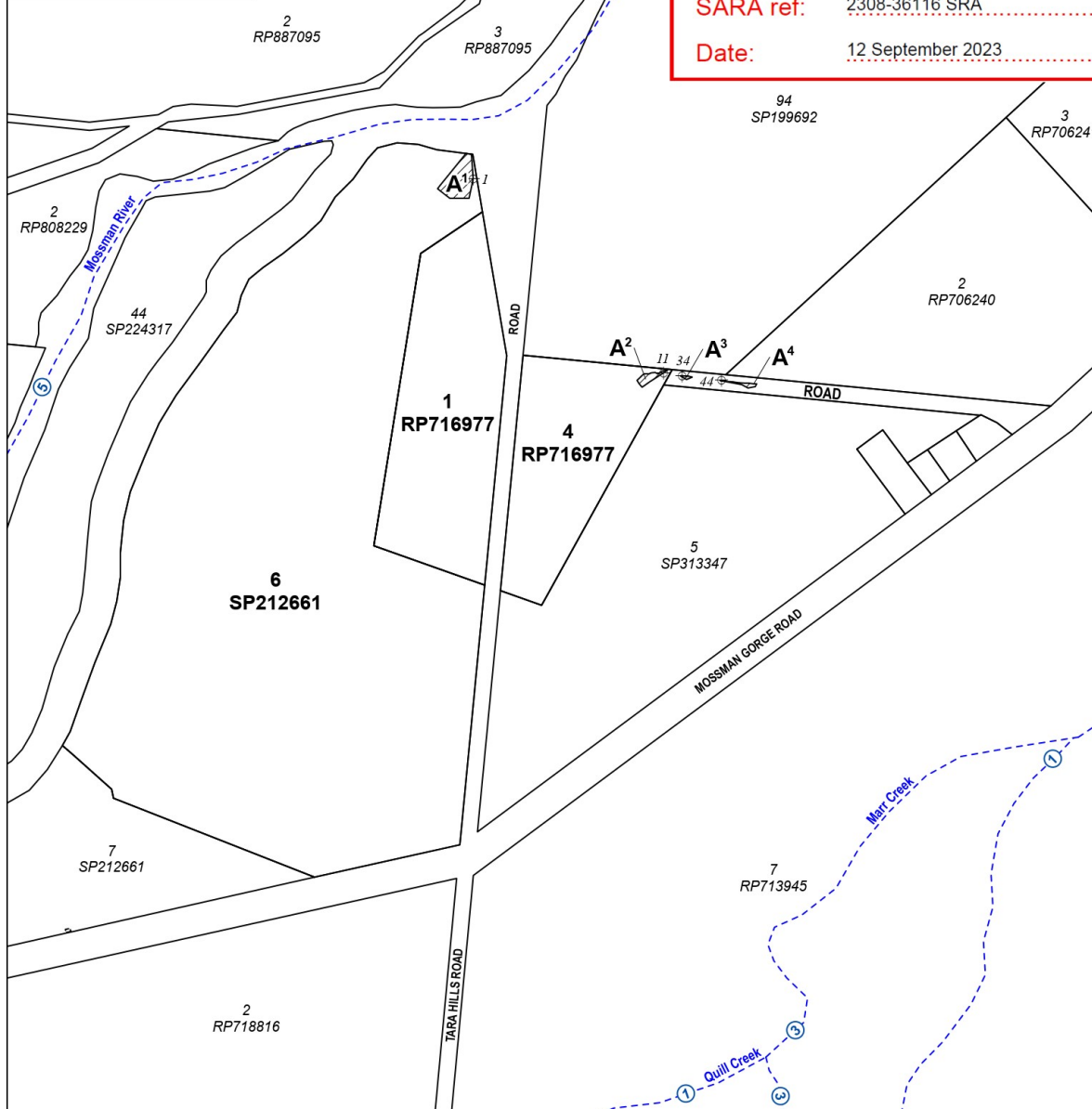
Derived Reference Points
Projection: GDA2020 MGA Zone 55
Datum: GDA2020
All reference points continue sequentially
when labels are not shown

**PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE**



SARA ref: 2308-36116 SRA

Date: 12 September 2023



1:5 000 @ A3 size
0 125 250 375 500 m
Projection: UTM (MGA Zone 55) Datum: GDA2020

Notes: Derived Reference Points are provided to assist in the location of area boundaries. Responsibility for locating these boundaries lies solely with the landholder.
Watercourse and drainage feature locations shown on the Vegetation Management Plan are derived from the certified Vegetation Management Watercourse and Drainage Feature Map. These alignments are approximate only and require ground truthing to identify the exact location of the watercourse or drainage feature.
The property boundaries shown on this plan are APPROXIMATE ONLY. They are NOT an accurate representation of the legal boundaries.

This plan must be read in conjunction with conditions attached to 2308-36116 SRA

LEGEND

- Derived Reference Start Points (see attachment)
- Subject Lot(s)
- Area A - Clearing Permitted
- Watercourse and/or drainage feature (Stream order label)



Note: This is a colour plan and should only be reproduced in colour

Vegetation Management Plan

Plan of Area A (Parts A¹ - A⁴) in Lot 4 on
Plan RP716977, Lot 6 on Plan SP212661,
Lot 1 on Plan RP716977 and Road

Version: 2

eLVAS Case ID: 2023/002734



© The State of Queensland, 2023

VMP
2308-36116 SRA
Sheet 1 of 1

Prepared by: SAK (VMGIS-NR-2014)

Reasons for Decision

1. The reasons for this decision are:
 - a. Sections 60, 62 and 63 of the *Planning Act 2016*;
 - b. to ensure the development satisfies the benchmarks of the 2018 Douglas Shire Planning Scheme Version 1.0; and
 - c. to ensure compliance with the *Planning Act 2016*.
2. Findings on material questions of fact:
 - a. the development application was properly lodged to the Douglas Shire Council 8 August 2023 under section 51 of the *Planning Act 2016* and Part 1 of the *Development Assessment Rules*;
 - b. the development application contained information from the applicant which Council reviewed together with Council's own assessment against the 2017 State Planning Policy and the 2018 Douglas Shire Planning Scheme Version 1.0 in making its assessment manager decision.
3. Evidence or other material on which findings were based:
 - a. the development triggered assessable development under the Assessment Table associated with the Rural Zone Code;
 - b. Council undertook an assessment in accordance with the provisions of sections 60, 62 and 63 of the *Planning Act 2016*; and
 - c. the applicant's reasons have been considered and the following findings are made:
 - i. Subject to conditions, the development satisfactorily meets the Planning Scheme benchmarks.

Non-Compliance with Assessment Benchmarks

Through the conditions of the approval the development complies with the majority of the relevant codes and the planning scheme and no concerns are raised.

The code where conflict occurs, and where the development is supported despite the conflict, is discussed below.

Benchmark Reference	Alternative Measure/Comment
Natural Areas overlay	<p>AO 1.1 Development avoids significant impact on the relevant environmental values.</p> <p>PO1 Development protects matters of environmental significance.</p> <p>Comment – the extent of vegetation impacted has been designed to be as minimal as possible. Nevertheless, part of the natural area will be permanently removed.</p> <p>The approval is supported despite the conflict as the water intake infrastructure is essential to allow Council to provide an uninterrupted water supply to the community and the proposed works will be undertaken in a manner that minimises the disturbance of MSES – Regulated Vegetation. The application includes a vegetation remediation plan and a condition of the approval requires that this be achieved.</p>

Planning Act 2016
Chapter 3 Development assessment

[s 74]

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

- (ii) a development condition imposed under a direction made by the Minister under chapter 3, part 6, division 2; or
- (b) if the development approval is a deemed approval—the standard conditions taken to be included in the deemed approval under section 64(8)(c).
- (2) If the applicant needs more time to make the change representations, the applicant may, during the applicant's appeal period for the approval, suspend the appeal period by a notice given to the assessment manager.
- (3) Only 1 notice may be given.
- (4) If a notice is given, the appeal period is suspended—
 - (a) if the change representations are not made within a period of 20 business days after the notice is given to the assessment manager—until the end of that period; or
 - (b) if the change representations are made within 20 business days after the notice is given to the assessment manager, until—
 - (i) the applicant withdraws the notice, by giving another notice to the assessment manager; or
 - (ii) the applicant receives notice that the assessment manager does not agree with the change representations; or
 - (iii) the end of 20 business days after the change representations are made, or a longer period agreed in writing between the applicant and the assessment manager.
- (5) However, if the assessment manager gives the applicant a negotiated decision notice, the appeal period starts again on the day after the negotiated decision notice is given.

76 Deciding change representations

- (1) The assessment manager must assess the change representations against and having regard to the matters that

- 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.

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
 - (a) matters that may be appealed to—
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) the person—
 - (i) who may appeal a matter (the *appellant*); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (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
 - (iii) for an appeal against a failure to make a decision about an application or other matter under the *Plumbing and Drainage Act 2018*—at anytime after the period within which the application or matter was required to be decided ends; or
 - (iv) otherwise—20 business days after the day the notice is given; or
- (g) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note—

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.

- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund—
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—
 - (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.
- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

231 Non-appealable decisions and matters

- (1) Subject to this chapter, section 316(2), schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.

- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section—
decision includes—
 - (a) conduct engaged in for the purpose of making a decision; and
 - (b) other conduct that relates to the making of a decision; and
 - (c) the making of a decision or the failure to make a decision; and
 - (d) a purported decision; and
 - (e) a deemed refusal.**non-appealable**, for a decision or matter, means the decision or matter—
 - (a) is final and conclusive; and
 - (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, 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.