

ENQUIRIES: Gary Warner
PHONE: (07) 4044 3576
FAX: (07) 4044 3836
YOUR REF: 0304/WD-00-001/2013
OUR REF: 8/13/1625 (4219891)

16 December 2013

M^cCloy Group
PO Box 2214
DANGAR NSW 2309

Attention: Mr James Goode

Dear Sir

**NEGOTIATED DECISION NOTICE UNDER S 363 SUSTAINABLE PLANNING
ACT 2009: DEVELOPMENT APPLICATION FOR VIXIES ROAD, WONGA**

With reference to the request for a Negotiated Decision in relation to the abovementioned Development Application, which was determined by Council at the Ordinary Meeting held on 11 December 2013, please find attached the relevant Negotiated Decision Notice.

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

This notice also includes an Infrastructure Charges Notice issued in accordance with s 648F of the *Sustainable Planning Act 2009*.

Should you have any enquiries in relation to this Negotiated Decision Notice, please contact Gary Warner of Council's Development & Regulatory Services team on telephone number (07) 4044 3576.

Yours faithfully



Gary Warner
Acting Manager Development & Regulatory Services

Att

APPLICANT DETAILS

M^cCloy Group
PO Box 2214
DANGAR NSW 2309

ADDRESS

Vixies Road, Wonga

REAL PROPERTY DESCRIPTION

Lot 51 on SP155078

PROPOSAL

Reconfiguring a Lot (1 Lot into 99 Lots)

DECISION

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

DECISION DATE

This Negotiated Decision Notice dated 13 December 2013 replaces the Decision Notice created 25 September 2013.

TYPE

Reconfiguration of a Lot (Development Permit)

REFERRAL AGENCIES

For an application involving	Name of referral agency	Advice agency or concurrence agency	Address
<input checked="" type="checkbox"/> Wetland – land in or near	Department of State Development, Infrastructure and Planning	Advice	Far North Queensland Regional Office PO Box 2358 Cairns QLD 4870
<input checked="" type="checkbox"/> Acid sulphate soils	Department of State Development, Infrastructure and Planning	Advice	Far North Queensland Regional Office PO Box 2358 Cairns QLD 4870

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

For an application involving	Name of referral agency	Advice agency or concurrence agency	Address
<input checked="" type="checkbox"/> High impact earthworks in a Great Barrier Reef wetland protection area	Department of State Development, Infrastructure and Planning	Concurrence	Far North Queensland Regional Office PO Box 2358 Cairns QLD 4870

SUBMISSIONS

There were no submissions for this application.

FURTHER DEVELOPMENT PERMITS REQUIRED

Development Permit for Operational Work

CODES TO COMPLY WITH FOR SELF-ASSESSABLE DEVELOPMENT

None

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

Not in conflict

APPROVED DRAWING(S) AND/OR DOCUMENT(S)

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

Drawing or Document	Reference	Date
Reconfiguration Staging Plan	RPS 9339-20 Issue G	14 March 2013
<u>Reconfiguration Proposal Plan</u>	<u>RPS 9339-20 Issue I</u>	<u>23 October 2013</u>
Concept Filling & Drainage Plan	RPS 9339-37 (derived from PDR Engineers Drawing 10070-S01 Rev B)	7 May 2013

ASSESSMENT MANAGER CONDITIONS

1. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:
 - a. The specifications, facts and circumstances as set out in the application submitted to Council;

- b. The following conditions of approval and the requirements of Council's Planning Scheme and the *FNQROC Development Manual*.

Except where modified by these conditions of approval

Timing of Effect

2. The conditions of the Development Permit must be effected prior to issue of a Compliance Certificate for the Plan of Survey, except where specified otherwise in these conditions of approval.

Amendment to Design

3. The existing alignment of Vixies Road and associated drainage features is not considered conducive to the direct access proposed to support Lots 74-78. Provide to Council an amended Plan showing:
 - a. ~~Lots 40, 85, 86 & 87 are identified as having limited utility. These lots are to be redesigned or amalgamated with adjoining lots so as to be capable of accommodating a regular 600m² area for a building pad that meets all setback requirements;~~
 - ba. A redesign of proposed Stage 7 where all lots are capable of internal access; or
 - eb. Provide a plan identifying how these lots are proposed to be accessed from Vixies Road. This Plan is to illustrate:
 - i. The alignment/treatment of Vixies Road to provide safe and serviceable access; and
 - ii. The treatment of drainage lines and the method of driveway construction (culverts etc).

The amended Plan is to be submitted to Council to the satisfaction of the Chief Executive Officer, prior to the issue of a Development Permit for Operational Works.

Concept Filling and Drainage Plan

4. The Concept Filling and Drainage Plan, referenced as RPS 9339-37 and dated 7 May 2013, must be amended as follows:
 - a. Provide a plan identifying a building pad of minimum 600m² above the identified Q100 ARI flood interval level for each lot on site;

- b. Finished levels for the pads on the easternmost sections of the site must be at 3.4m AHD so as to provide suitable immunity from storm tide inundation; and
- c. Location and finished levels for a dedicated on-site wastewater treatment, being the 90m² required to accommodate the Wisconsin Mounds.

The amended Plan must be submitted to Council, to the satisfaction of the Chief Executive Officer, prior to submitting a Development Application for Operational Works. All filling is to be completed in accordance with the approved Plan during the Operational Works stage.

Building Envelope Plan

5. Provide a Plan nominating building envelopes for all habitable buildings on each lot. These envelopes are to correspond with the 600m² building pads required by Condition 3 of this Development Permit.

The Building Envelope Plan must be submitted to Council, to the satisfaction of the Chief Executive Officer prior to the issue of a Compliance Certificate for the Plan of Survey.

The applicant/owner must also ensure that the endorsed building envelope plans are made known to all prospective purchasers of the lots.

Updated Stormwater Management Plan

6. The Wonga Beach Integrated Stormwater Management Plan, prepared by BMT WBM and dated April 2013, must be updated so as to demonstrate that the additional fill required to achieve the higher finished design levels in Condition 3 of this Development Permit, will not have direct or cumulative impacts to neighbouring or downstream properties.

The amended Plan must be submitted to Council, to the satisfaction of the Chief Executive Officer, prior to issue of a Development Permit for Operational Works.

Staging Plan

7. Provide further detail on the Reconfiguration Staging Plan, referenced as RPS 9339-20 G and dated 14 March 2013. This includes specific information on the sequencing of proposed infrastructure and common property/parkland to support subsequent stages of development. This plan must be submitted to Council, to the satisfaction of the Chief Executive Officer, prior to the issue of a Development Permit for Operational Works.

Active Parkland

8. The existing ponds proposed to be included within the active parkland for the site are to be filled, graded and grassed. The active parkland must be cleared of all pest and weed species. All works must be completed, to the satisfaction of the Chief Executive Officer, prior to the issue of a Compliance Certificate for the Plan of Survey.

The existing ponds located within Stages 3 and 7 are to be filled, and where they are not to form part of the residential lot development as detailed on the Reconfiguration Proposal Plan, RPS Drawing 9339-20 Issue I, are to be graded and grassed. The active parkland must be cleared of all pest and weed species. All works must be completed, to the satisfaction of the Chief Executive Officer, prior to the issue of a Compliance Certificate for the Plan of Survey for Stage 3 or 7, where applicable.

Parkland Contributions

9. Provide the open space as shown on the ~~Reconfiguration Staging Plan, referenced as RPS 9339-20 G and dated 14 March 2013~~ Reconfiguration Proposal Plan, referenced as RPS 9339-20 Issue I and dated 23 October 2013 and pay a monetary contribution equivalent to ~~4.3~~ 2.0 per cent of the Unimproved Capital Value (UCV) of the created allotment/s or embellish the site (in accordance with a plan approved by Council) to the value of the contribution (ie ~~4.3~~ 2.0 per cent of the UCV of the land) in accordance with the Douglas Shire Planning Scheme Policy.

At the time of seeking approval and dating of the Plan of Survey, a security equivalent to the amount payable must be submitted to Council or if embellishments are proposed, the embellishments must be installed to the satisfaction of the Council in accordance with a plan approved by Council. This security can take the form of a cash bond or bank guarantee. The amount payable must be determined by an appropriately qualified property valuer and must be submitted to Council as supporting information when seeking endorsement of the Survey Plan.

The contribution payable must be made within three (3) months of the registration of the allotment/s.

External Works

10. Undertake the following external works:-
 - a. Construct access for Lot 80 in accordance with FNQROC Drawing S1105;

Three (3) copies of a plan of the works must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works. All works must be carried out in accordance with the approved plan prior to the issue of a Compliance Certificate for the Plan of Survey for the relevant stage.

Plan of Drainage Works

11. The subject land must be drained to the satisfaction of the Chief Executive Officer. This includes provision of the following:
 - a. Drainage infrastructure in accordance with the *FNQROC Development Manual*;
 - b. A spoon drain is to be included on the southern boundary of proposed Lots 1, 2 & 3 between Snapper Island Drive and the existing drainage path. This drainage solution should mirror that proposed on Lots 4 & 5 and be incorporated into a ten (10) metre wide easement;
 - c. The drainage system from the development must incorporate a gross pollutant trap(s) or equivalent measure(s), meeting the following Council specifications for stormwater quality improvement devices (SQIDs), namely:
 - i. End-of-line stormwater quality improvement devices (SQIDs) shall be of a proprietary design and construction and shall carry manufacturer's performance guarantees as to removal of foreign matter from stormwater and structural adequacy of the unit.
 - ii. SQIDs shall remove at least 95 per cent of all foreign matter with a minimum dimension of three (3) mm and shall be configured to prevent re-injection of captured contaminants. The SQIDs treat all first flush runoff, which shall be defined as that volume of water equivalent to the runoff from the three (3) month ARI storm event. The location of SQIDs within the drainage system shall be planned to ensure that the first flush waters from all parts of the (developed) catchment are treated.
 - iii. The design of the SQIDs shall not compromise the hydraulic performance of the overall drainage system.
 - iv. SQIDs shall be positioned so as to provide appropriate access for maintenance equipment.
 - d. ~~All new allotments shall have immunity from flooding associated with an ARI 100 year rainfall event; and~~

All drainage works should preserve and promote the immunity of the building pads as nominated under Condition 4, such that these areas maintain immunity from flooding associated with an ARI 100 year rainfall/storm tide event.

All drainage works must be completed to the satisfaction of the Chief Executive Officer, prior to the issue of a Compliance Certificate for the Plan of Survey.

Existing Creek and Drainage Systems

12. All existing creek systems and drainage areas must be left in their current state, including no channel alterations and no removal of vegetation unless consented to in writing by the Chief Executive Officer.

The applicant / owner must obtain any necessary approvals from the Department of Environment and Heritage Protection for carrying out works in a watercourse.

Lawful Point of Discharge

13. 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.

Water Supply Master Plan

14. A Water Supply Master Plan accompanied by supporting calculations must be provided which demonstrates how the development will be staged and serviced.

The Water Supply Master Plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

Water Supply Infrastructure Plan

15. An updated water supply infrastructure plan and supporting information including hydraulic network analysis must be submitted demonstrating how the development will be serviced by Council's Infrastructure. In particular the plan must:
 - a. Identify external catchments that will be connected to the internal water networks;
 - b. Identify any trunk infrastructure external to the subdivision that may require upgrading and/or extending to accommodate the development; and

- c. Connect the site from both Snapper Island Drive and Vixies Road to provide security of supply.

The Water Supply Infrastructure Plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

Water Supply Works External

16. Undertake the following water supply works external to the site to connect the site to existing water supply infrastructure:
 - a. The applicant/owner must carry out water supply works in accordance with the approved Water Supply Infrastructure Plan;
 - b. Connect to, and augment existing water supply infrastructure to the extent necessary to accommodate the increased demand generated by the development;
 - c. Construct a new reservoir at Wonga Beach if the existing reservoir has inadequate storage volume to service the development; and
 - d. Construct 225dia trunk water mains along Mossman-Daintree Road and Vixies Road.

Three (3) copies of a plan of the works must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer, prior to issue of a Compliance Certificate for the Plan of Survey.

Water Supply Works Internal

17. Undertake the following water supply works internal to the subject land:
 - a. Extend water mains such that each allotment can be provided with a water service connection to the lot frontage.

The above works must be designed and constructed in accordance with the *FNQROC Development Manual*.

Three (3) copies of a plan of the works must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to issue of a Compliance Certificate for the Plan of Survey.

On-site Effluent Disposal

18. The development must be serviced by lot based on site sewerage treatment and effluent disposal using a Wisconsin mound in accordance with the methodology set out in the On-site Wastewater Management Assessment dated March 2013 prepared by Gilbert & Sutherland, Council reference # 3985743.

Earthworks for the pads intended for disposal areas must be constructed as part of the operational works in the locations specified and in accordance with section 4.8 of the On-site Wastewater Management Assessment. The level of the pad must be a minimum 300mm above the highest of either the seasonal high groundwater level or the Q100 Q50 ARI flood level.

The property owner will be responsible for supply, installation and maintenance of the on-site sewerage treatment and disposal system. In addition, the property owner would be responsible for preparing a site specific design report and obtaining the necessary plumbing approvals. A notation must be placed on the rates file to this effect at the time of plan sealing.

Infrastructure Agreement

19. External works conditions requiring the design and construction of water infrastructure may be eligible to be claimed against applicable water contributions in accordance with Council's Headworks Policy providing construction is in accordance with the *FNQROC Development Manual*.

The applicant/owner must obtain permission from the Chief Executive Officer for the construction of any headworks infrastructure. The extent of water infrastructure works for construction and value of developer's contribution credit for such works must be determined by the Chief Executive Officer prior to approval of a Development Permit for Operational Works.

If such works generate a credit, Council and the applicant/owner shall enter into an Infrastructure Agreement. The Agreement shall document, to the satisfaction of both parties, the terms and conditions under which the applicant is to be reimbursed.

Damage to Infrastructure

20. In the event that any part of Council's existing water infrastructure is damaged as a result of construction activities occurring on the site, including but not limited to, mobilisation of heavy earthmoving equipment, stripping and grubbing, the applicant/owner must notify Cairns Water & Waste immediately of the affected infrastructure and have it repaired or replaced by Cairns Water & Waste, at the developer's cost, prior to the commencement of use.

Electricity Supply

21. Written evidence from Ergon Energy advising if distribution substation/s are required within the development must be provided. If required, details regarding the location of these facilities must be submitted to the Chief Executive Officer accompanied by written confirmation from Ergon Energy. Details regarding electricity supply must be provided prior to the issue of a Development Permit for Operational Works.

Electricity and Telecommunications

22. Written evidence of negotiations with Ergon Energy and the telecommunication authority must be submitted to Council stating that both an underground electricity supply and telecommunications service will be provided to the development prior to the issue of a Compliance Certificate for the Plan of Survey.

Stockpiling and Transportation of Fill Material

23. Soil used for filling or spoil from the excavation is not to be stockpiled in locations that can be viewed from adjoining premises or a road frontage for any longer than one (1) month from the commencement of works.

Transportation of fill or spoil to and from the site must not occur within:

- a. peak traffic times; or
 - b. before 7:00 am or after 6:00 pm Monday to Friday; or
 - c. before 7:00 am or after 1:00 pm Saturdays; or
 - d. on Sundays or Public Holidays.
24. Dust emissions or other air pollutants must not extend beyond the boundary of the site and cause a nuisance to surrounding properties.

Storage of Machinery and Plant

25. The storage of any machinery, material and vehicles must not cause a nuisance to surrounding properties, to the satisfaction of the Chief Executive Officer.

Construction Access

26. Vehicular access to the site for construction and demolition purposes must be provided from Vixies Road only, unless authorised by the Chief Executive Officer.

CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS

Concurrency Agency	Concurrency Agency Reference	Date	Council Electronic Reference
Department of Environment & Heritage Protection	DEHP 279643 – 120829 – EM700 – Version 2A (amended response)	18 July 2013	#4045953

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

ADVICE

1. This approval, granted under the provisions of the *Sustainable Planning Act 2009*, shall lapse four (4) years from the day the approval takes effect in accordance with the provisions of the *Sustainable Planning Act 2009*.
2. 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.
3. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.
4. For information relating to the *Sustainable Planning Act 2009* log on to www.dsdp.qld.gov.au. To access the *FNQROC Development Manual*, Local Laws and other applicable Policies log on to www.cairns.qld.gov.au .

Infrastructure Charges Notice

5. A charge levied for the supply of trunk infrastructure is payable to Council towards the provision of trunk infrastructure in accordance with the Adopted Infrastructure Charges Notice, a copy of which is attached for reference purposes only. The original Adopted Infrastructure Charges Notice will be provided under cover of a separate letter.

The amount in the Adopted Infrastructure Charges Notice has been calculated according to Council's Adopted Infrastructure Charges Resolution.

Please note that this Decision Notice and the Adopted Infrastructure Charges Notice are stand-alone documents. *The Sustainable Planning Act 2009* confers rights to make representations and appeal in relation to a Decision Notice and an Adopted Infrastructure Charges Notice separately.

The amount in the Adopted Infrastructure Charges Notice is subject to index adjustments and may be different at the time of payment. Please contact the Development Services Branch at Council for review of the charge amount prior to payment.

The time when payment is due is contained in the Adopted Infrastructure Charges Notice.

Advice Statement for Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

You are advised that the EPBC Act applies to action that has, will have, or is likely to have, a significant impact on matters of national environmental significance.

Further information on the EPBC Act can be obtained from the Department of Sustainability, Environment, Water, Population and Communities' website www.environment.gov.au/epbc EPBC Act Policy Statement 1.1 Significant Impact Guidelines Matters of National Environmental Significance (Oct 2009).

B. The following notations will be placed on Council's rates record in respect of the property:

1. All future habitable dwellings must be sited within the building envelope as detailed on the Building Envelope Plan held by Council. A copy of the Building Envelope Plan is available from Council's Planning Department.
2. The method of on-site effluent disposal must be in accordance with the *Plumbing and Drainage Act 2002*. A report previously approved prior to compliance assessment of the Survey Plan is available from Council reference #3985743.

3. The property owner is responsible for supply, installation and maintenance of the on-site sewerage treatment and disposal system. The property owner is responsible for preparing a site-specific design report based on using a Wisconsin mound in accordance with the Gilbert and Sutherland report and obtaining the necessary plumbing approvals.

RIGHTS OF APPEAL

Attached

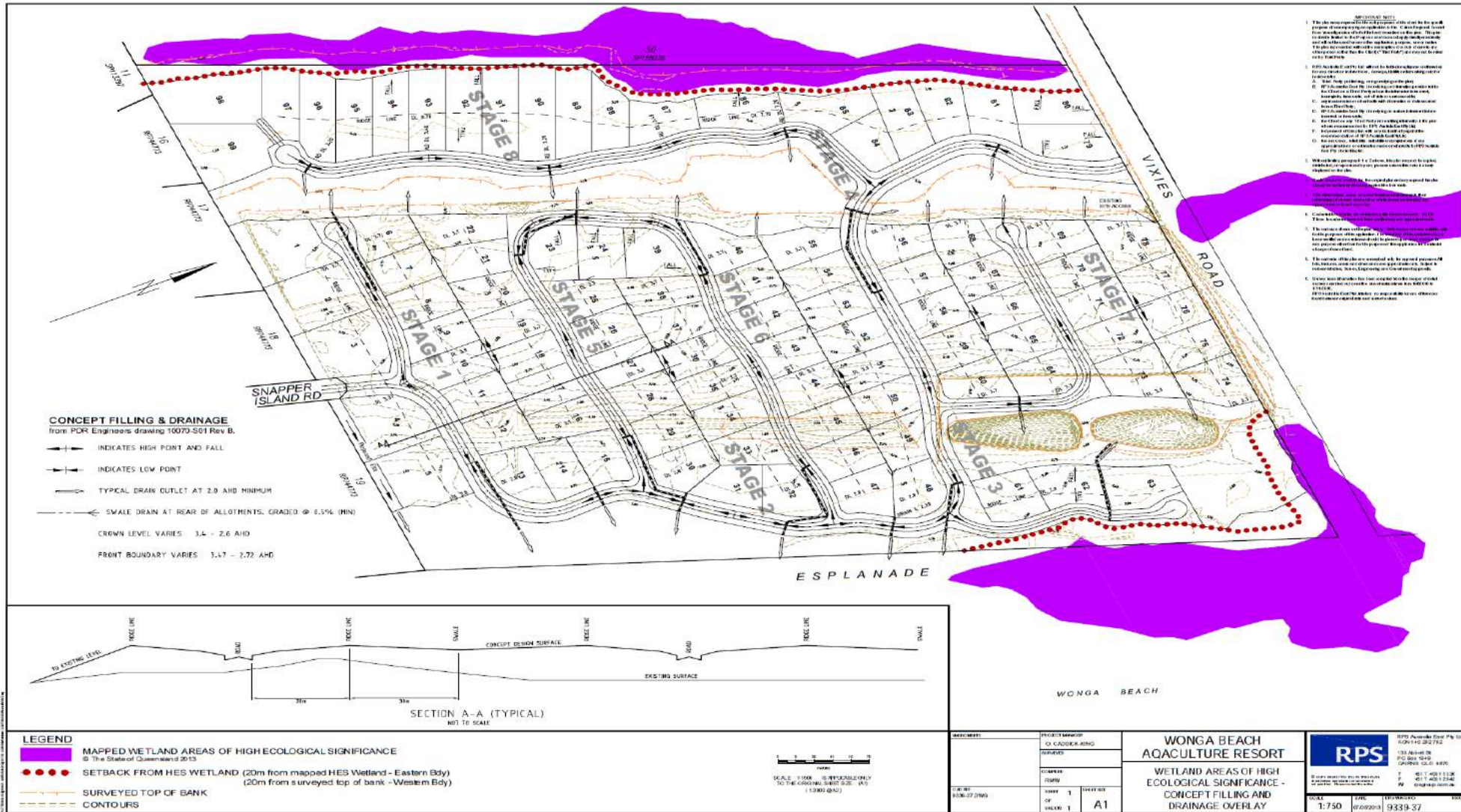
End of Decision Notice

**DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009**

APPENDIX 1: UPDATED APPROVED PLAN



DECISION NOTICE DETAILS SUSTAINABLE PLANNING ACT 2009



APPENDIX 3: CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS



Notice

Amended Concurrence Agency Response

This notice is issued by the chief executive pursuant to section 287 (concurrence agency response) of the Sustainable Planning Act 2009.

Chief Executive Officer
Cairns Regional Council
PO Box 359
Cairns QLD 4870

cc. Wonga Beach Aquaculture Resort Pty Ltd
C/- RPS Australia East Pty Ltd
PO Box 1949
CAIRNS QLD 4870

Attn: Neil Beck
Assessment manager reference:
8/13/1625 (3255378)

Our reference: 279643

Re: Concurrence Agency Response

1. Application details

Applicant: Wonga Beach Aquaculture Resort Pty Ltd
Assessment Manager ref: 8/13/1625 (3255378)
Date application referred to the concurrence agency: 01/09/2011
Development approval applied for: Development permit
Aspect(s) of development:

Assessable development		Referral agency reference
Reconfiguring a lot - Land in or near a wetland	Sustainable Planning Regulation 2009 - Schedule 7, table 2, item 43A	EHP ref. no. - 279643

Development description(s): Reconfiguring a lot (1 lot into 99 lots)

Property/Location description(s): Lot 51 on SP155078, described as Vixies Road, Wonga Beach QLD 4873

2. Concurrence jurisdiction

The concurrence agency response for the concurrence agency referral jurisdiction for the aspect of development involved with the application the subject of this Notice is to tell the assessment manager as follows:

- a. Conditions must attach to any development approval, and those conditions are attached to this notice as:
 - i) Attachment 1 – EHP Permit number: SPCC02679411

Approved plans and specifications

Document no.	Document name	Date
9339-37	Wetland Areas of High Ecological Significance – Concept Filling and Drainage Overlay	07/05/2013
9339-20 G	Reconfiguration Proposal Plan	14/03/2013

3. General advice to assessment manager

Pursuant to section 334 and section 363 of the *Sustainable Planning Act 2009*, a copy of a decision notice or negotiated decision notice issued by the assessment manager must be forwarded to the referral agency for the relevant application. Please send a copy of the relevant notice to <INSERT EHP office name and postal address> and an electronic copy to palm@ehp.qld.gov.au.

The state's Native Title Work Procedures provide that responsibility for assessment of native title issues for an IDAS application rests with the assessment manager.

4. Additional information for applicants

Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which a development approval is issued is a restatement of the ERA as defined by legislation at the time the approval is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by a development approval as to the scale, intensity or manner of carrying out an ERA, then the conditions prevail to the extent of the inconsistency.

A development permit authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the permit specifically authorises environmental harm.

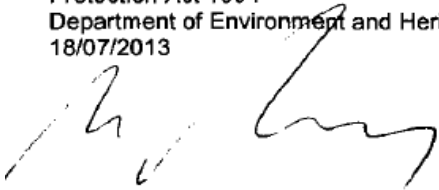
A person carrying out an ERA must also hold a registration certificate issued under the *Environmental Protection Act 1994*, or must be acting under a registration certificate for the ERA.

Contaminated land

It is a requirement of the *Environmental Protection Act 1994* that if an owner or occupier of land becomes aware a Notifiable Activity (as defined in Schedule 3 and Schedule 4 of the *Environmental Protection Act 1994*) is being carried out on the land, or that the land has been, or is being, contaminated by a hazardous contaminant, the owner or occupier must, within 22 business days after becoming so aware, give written notice to the chief executive.

Delegate

Mike Trenerry
Delegate, Chief Executive administering the *Environmental Protection Act 1994*
Department of Environment and Heritage Protection
18/07/2013



Enquiries

Matt Bogart
Department of Environment and Heritage Protection
Level 3 William McCormack Place Building II
5b Sheridan Street, Cairns Q 4870
PO Box 937, Cairns Q 4870
Phone: 07 4222 5534
Fax: 07 4222 5595
Email: matt.bogart@ehp.qld.gov.au

Attachment(s)

Attachment 1 – EHP Permit number: SPCC02679411
Attachment 2 - 'Wetland Areas of High Ecological Significance – Concept Filing and Drainage Overlay' on Lot 51 SP155078, created by RPS Australia East Pty Ltd, drawing no. 9339-37
Attachment 3 - 'Reconfiguration Proposal Plan' on Lot 51 SP155078, created by RPS Australia East Pty Ltd, drawing no. 9339-20 G

EHP Permit ¹ number: SPCC02679411

Assessment manager reference (if any):	8/13/1625 (3255378)		
Date application received:	01/09/2011		
Permit type:	concurrence agency response		
Date of decision:	08/07/2013		
Decision:	For a concurrence agency response conditions that must attach to any development approval		
Relevant laws and policies:	<i>Environmental Protection Act 1994</i> and any related statutory instruments and subordinate legislation <i>State Planning Policy 4/11: Protecting Wetlands of High Ecological Significance in Great Barrier Reef Catchments</i>		
Jurisdiction(s):			
	Reconfiguring a lot - Land in or near a wetland	Sustainable Planning Regulation 2009 - Schedule 7, table 2, item 43	EHP ref. no. - 471359

Development Description(s)

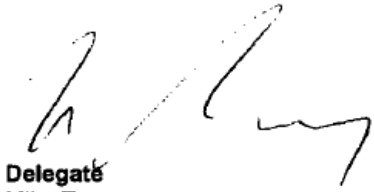
Property/Location		Development
Vixies Road and Snapper Island Drive, Wonga	Lot 51 SP155078	Reconfiguring a Lot (1 lot into 99 lots)

Reason(s) for inclusion of conditions

In accordance with section 289 of the *Sustainable Planning Act 2009*, the conditions stated in this permit are included pursuant to section 73B of the *Environmental Protection Act 1994*.

The Department of Environment and Heritage Protection is Concurrence Agency under the *Sustainable Planning Regulation 2009 - Schedule 7, table 2, item 43A*

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Department of Environment and Heritage Protection.



Delegate
Mike Trenergy
Delegate *Environmental Protection Act 1994*
Department of Environment and Heritage Protection
18 July 2013

CONDITIONS

C1. The reconfiguration of a lot and associated earthworks must be conducted generally in accordance with the following plans:

- 'Wetland Areas of High Ecological Significance – Concept Filling and Drainage Overlay' on Lot 51 SP155078, created by RPS Australia East Pty Ltd, drawing no. 9339-37, dated 07-May-2013.

C2. A minimum buffer width is established and maintained between the development and mapped Great Barrier Reef HES Wetland boundary in accordance with the following plans:

- 'Reconfiguration Proposal Plan' on lot 51 SP155078, created by RPS Australia East Pty Ltd, drawing no. 9339-20 G, dated 14-March-2013

C3. Wetland surface water hydrological regimes must be maintained through the use of WSUD and streetscape bioretention systems in accordance with the Wonga Beach Integrated Stormwater Management Plan


C4. The quality and quantity of stormwater entering the HES wetlands must be maintained through the use of WSUD and streetscape bioretention systems in accordance with the Wonga Beach Integrated Stormwater Management Plan

C5. Detailed engineering works design and an erosion and sediment control strategy must be provided for approval by the Assessment Manager prior to the commencement of any operational works

C6. An operational management plan which addresses the management of potential impacts on hydrology, water quality and ecological processes in the HES wetlands during the construction and operational stages of the development should be provided to and approved by the assessment manager prior to the commencement of any operational works

END OF CONDITIONS

APPENDIX 4: ADOPTED INFRASTRUCTURE CHARGES NOTICE

	2006 Douglas Shire Planning Scheme Applications		
INFRASTRUCTURE CHARGES NOTICE			
McCloy Group		0	0
DEVELOPERS NAME		ESTATE NAME	STAGE
Vixies Road		Wonga	L51 on SP155078
STREET No. & NAME		SUBURB	LOT & RP No.s
ROL		8/13/1625	30-Jun-13
DEVELOPMENT TYPE		COUNCIL FILE NO.	QUARTER ENDING
4121145		1	This logsheet is indexed appropriately only for payments made within the quarter noted above.
SKIDS No.		VERSION No.	

	DIST.	\$ / ERA		NET ERA	ADJUSTMENT	AMOUNT DUE	AMOUNT PAID	RECEIPT TYPE
WATER								
EX	6	13,973.36	X	98.00	0.00	\$1,369,389.76		T 615/ 05669
Pro	6	0.00	X	98.00	0.00	\$0.00		T 616/ 05655
Water sub - total						\$1,369,389.76		
SEWERAGE								
Ex	6	2,469.44	X	0.00	0.00	\$0.00		T 617/ 05689
Pro	6	1,073.52	X	0.00	0.00	\$0.00		T 618/ 05683
Sewerage sub - total						\$0.00		
Road Network		Not Applicable in Former DSC Area			0			
		District No.			0	\$0.00		000/ 0
DRAINAGE		Not Applicable in Former DSC Area			None			
		Stream Management				\$0.00		0
		Stormwater Quality				\$0.00		0
OPEN SPACE		Former DSC Area				\$0.00		T 614 / 546
BONDS		None				\$0.00		
		None				\$0.00		
OTHER		Port Douglas General road upgrade				\$0.00		348 / 05427
		None				\$0.00		
TOTAL						\$1,369,389.76		

Prepared by	Leon Doutre	on	11-Sep-13	Amount Paid	
Checked by	Sean Lisle	on	12-Sep-13	Date Paid	
Date Payable					
Advice					
Open Space Contributions are also applicable to the application. In accordance with Condition 9 - this includes the payment of a monetary contribution equivalent to 4.3% of the Unimproved Capital Value (UCV) of the created allotments.					

Note:

The infrastructure charges in this notice are payable in accordance with Section 629 of the Sustainable Planning Act 2009

Charge rates are subject to index adjustments. The total charge amount indicated on this notice is current at the date of issue. Development Assessment Team, Cairns Regional Council prior to payment for review

Charges are payable to: Cairns Regional Council. You can make payment at any of Council's Business Offices or by mail with your cheque or money order to Cairns Regional Council, PO Box 359, Cairns QLD 4870. Cheques must be made payable to Cairns Regional Council and marked 'Not Negotiable.' Acceptance of a cheque is subject to collection of the proceeds. Post dated cheques

Any enquiries regarding Infrastructure Charges can be directed to the Development Assessment Team, Cairns Regional Council on 07 4044 3044 or by email on townplanner@cairns.qld.gov.au

ENQUIRIES: Leon Doutre
PHONE: (07) 4044 3243
FAX: (07) 4044 3836
YOUR REF: 9339/OCK/KK/L69705
OUR REF: 8/13/1625 (4135704)

27 September 2013

Wonga Beach Aquaculture Resort Pty Ltd
C/- RPS Australia East Pty Ltd
PO Box 1949
CAIRNS QLD 4870

Dear Sir/Madam

ADOPTED INFRASTRUCTURE CHARGES NOTICE FOR VIXIES ROAD, WONGA

Please find attached an Adopted Infrastructure Charges Notice issued in accordance with section 648F of the *Sustainable Planning Act 2009* (the Act).

The amount in the Adopted Infrastructure Charges Notice has been calculated according to Council's Adopted Infrastructure Charges Resolution.

The amount in the Adopted Infrastructure Charges Notice is subject to index adjustments and may be different at the time of payment. Please contact the Development Services Branch at Council for review of the charge amount prior to payment.

These charges are payable prior to the issue of a Compliance Certificate for the Plan of Subdivision.

Please also find attached extracts from the Act regarding the following:

- your right to make representations to Council about the Adopted Infrastructure Charges Notice; and
- your Appeal rights with respect to the Adopted Infrastructure Charges Notice.


Should you have any enquiries in relation to this Adopted Infrastructure Charges Notice, please contact Leon Doutre of Council's Development Services Branch on telephone number (07) 4044 3243.

Yours faithfully



Gary Warner
Acting Manager Development & Regulatory Services

Adopted Infrastructure Charges Notice

	2006 Douglas Shire Planning Scheme Applications
INFRASTRUCTURE CHARGES NOTICE	

McCloy Group	0	0	
DEVELOPERS NAME	ESTATE NAME	STAGE	
Vixies Road	Wonga	L51 on SP155078	10957
STREET No. & NAME	SUBURB	LOT & RP No.s	PARCEL No.
ROL	8/13/1625	30-Jun-13	4
DEVELOPMENT TYPE	COUNCIL FILE NO.	QUARTER ENDING	VALIDITY PERIOD
4121145	1	This logsheet is indexed appropriately only for payments made within the quarter noted above.	
SKIDS No.	VERSION No.		

	DIST.	\$ / ERA		NET ERA	ADJUSTMENT	AMOUNT DUE	AMOUNT PAID	RECEIPT TYPE
WATER								
	EX	6	13,973.36	X	98.00	0.00	\$1,369,389.76	T 615/ 05669
	Pro	6	0.00	X	98.00	0.00	\$0.00	T 616/ 05655
Water sub - total						\$1,369,389.76		
SEWERAGE								
	Ex	6	2,469.44	X	0.00	0.00	\$0.00	T 617/ 05689
	Pro	6	1,073.52	X	0.00	0.00	\$0.00	T 618/ 05683
Sewerage sub - total						\$0.00		
Road Network	Not Applicable in Former DSC Area				0			
	District No.				0	\$0.00		000/ 0
DRAINAGE	Not Applicable in Former DSC Area				None			
	Stream Management					\$0.00		0
	Stormwater Quality					\$0.00		0
OPEN SPACE	Former DSC Area					\$0.00		T 614 / 546
BONDS	None					\$0.00		
	None					\$0.00		
OTHER	Port Douglas General road upgrade					\$0.00		348 / 05427
	None					\$0.00		
TOTAL						\$1,369,389.76		

Prepared by	Leon Doutre	on	11-Sep-13	Amount Paid	
Checked by	Sean Lisle	on	12-Sep-13	Date Paid	
Date Payable					
Advice					
Open Space Contributions are also applicable to the application. In accordance with Condition 9 - this includes the payment of a monetary contribution equivalent to 4.3% of the Unimproved Capital Value (UCV) of the created allotments.				Cashier	

Note:

The infrastructure charges in this notice are payable in accordance with Section 629 of the Sustainable Planning Act 2009

Charge rates are subject to index adjustments. The total charge amount indicated on this notice is current at the date of issue, Development Assessment Team, Cairns Regional Council prior to payment for review

Charges are payable to: Cairns Regional Council. You can make payment at any of Council's Business Offices or by mail with your cheque or money order to Cairns Regional Council, PO Box 359, Cairns QLD 4870. Cheques must be made payable to Cairns Regional Council and marked 'Not Negotiable.' Acceptance of a cheque is subject to collection of the proceeds. Post dated cheques

Any enquiries regarding Infrastructure Charges can be directed to the Development Assessment Team, Cairns Regional Council on 07 4044 3044 or by email on townplanner@cairns.qld.gov.au