

YOUR REF: Pandanus Extension
OUR REF: MCUC 645/2015 (449181)

26 February 2015

Our Stuff Pty Ltd
C/- Laidlaw Holdings Pty Ltd
PO Box 2272
IVANHOE EAST VIC 3079

cc Department of State Development,
Infrastructure and Planning
Far North Queensland Office
PO Box 2358
CAIRNS QLD 4870

Attention: Mr John Lordon

Dear Sir

**NOTICE OF DECISION UNDER S 376 SUSTAINABLE PLANNING
ACT 2009: EXTENSION OF PERIOD OF APPROVAL
MATERIAL CHANGE OF USE FOR
97-107 DAVIDSON STREET, PORT DOUGLAS**

A request to extend the period of approval for the abovementioned Development Permit was received by Council on the 10 February 2015.

Applicant details:

Our Stuff Pty Ltd
C/- Laidlaw Holdings Pty Ltd
PO Box 2272
IVANHOE EAST VIC 3079

Attention: Mr John Lordon

Land details:

Street Address:
Real Property Description:

97-107 Davidson Street, Port Douglas
Lots 1 and 2 on RP741341

Date original application decided:

20 December 2004 (Douglas Shire Council). A copy of this original Decision Notice is attached.

Request

Date request lodged

10 February 2015

Referral Agency:

Department of Transport and Main Roads

Now known as:

Department of State Development,
Infrastructure and Planning
Far North Queensland Regional Office
Ground Floor, Cairns Port Authority
PO Box 2358
CAIRNS QLD 4870

Decision:

- A. That the General Manager Operations, under Instrument of Delegation, approves the extension of the relevant period for a further four (4) years, up to and including the 23 February 2019.
- B. That an Amended Infrastructure Charges Notice be issued to the Applicant.

Decision Date:

25 February 2015
Douglas Shire Council
Determined by Delegate Authority

Please note that this Development Permit is now valid up to and including 23 February 2019.

The Notice includes extracts from the Act with respect to making representations about conditions, negotiated decisions, suspension of the appeal period, and lodging an Appeal.

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

Should you have any enquiries in relation to this Notice of Decision, please contact Jenny Elphinstone of Development and Environment on telephone number 07 4099 9482.

Yours faithfully

Donna Graham
Manager Development & Environment

Att
Attachment 1 - Original Decision Notice
Attachment 2: Concurrence Agency Decision
Attachment 3: Amended Infrastructure Charges Notice
Appeal Rights

ATTACHMENT 1: ORIGINAL APPROVAL

RECEIVED
10 MAR 2005



ENQUIRIES: Mr Paul Gleeson – Acting Manager Planning Services
DEPARTMENT: Planning Services Section - ☎ (07) 4099 9450

OUR REF: PTG
YOUR REF: TPC1170

23 February 2005

John Lordon Developments Pty Ltd
C/-George Rollo
Frangipani
Andrews Close
PORT DOUGLAS QLD 4870

**INTEGRATED PLANNING ACT
NEGOTIATED DECISION NOTICE
DEVELOPMENT APPLICATION**

Applicant's Name: John Lordon Developments Pty Ltd
Owner's Name: Banks Pat & Delma & Jalacorp Pty Ltd Tte Salter Pr & Queensland Industry Development
Proposal: Material Change of Use to permit the construction of 100 Multiple Dwellings (tourist) including 92 x 2 bedroom and 8 x 1 bedroom Units, Caretaker's Residence and ancillary facilities
Application Number: TPC1170
Site Address: 97-107 Davidson Street, Port Douglas
Property Description: Lot 1 & 2 on RP723702

This Negotiated Decision Notice supersedes the Decision Notice dated 20 December 2004. Conditions 2(a)i, 2(a)ii, 3(b), 13 and 23 have been amended. All other conditions remain unchanged.

1. Decision: **Decision Date: 16/02/2005**

Approved with Conditions
ADMINISTRATION CENTRE (ALL DEPARTMENTS) 64-66 FRONT STREET, MOSSMAN
PHONE (07) 4099 9444 FACSIMILE (07) 4098 2902
EMAIL douglas@dsc.qld.gov.au
INTERNET www.dsc.qld.gov.au
ALL COMMUNICATIONS TO BE ADDRESSED TO:
THE CHIEF EXECUTIVE OFFICER
P.O. BOX 357
MOSSMAN, QLD 4873

2. Type of Development Approval:

Material Change of Use

Development Permit

3. Referral Agencies:

Queensland Department of Main Roads (Concurrence)

Conditions Attached

Department of Natural Resources & Mines (Advice)

4. Conditions:

Material Change of Use – Assessment Manager Conditions

Plan of Development

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

- (a) The approved plan of development No's. D02, D03, D04, D09, D10 and D12 attached to this approval;
- (b) The part of each two bedroom Multiple Dwelling Unit identified as "Rear Area Landscape BBQ" has been excluded from the calculation of gross floor area in accordance with clause(d) of the definition of gross floor area under the Transitional Planning Scheme 1996. These areas are not to be enclosed nor used for any other purpose.

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

2. The approved plan of development shall be amended as follows:

- (a) The buildings on the site are to be relocated to avoid the following:
 - i The nine (9) trees marked on the attached plan identified as "Vegetation Management Plan 1". A portion of the developer bond for this development will be held to ensure these trees are retained and managed appropriately; and
 - ii Construction over or within 3.5metres of the existing sewer main within and parallel to the western boundary of the subject site. Alternatively the applicant is to provide an engineering solution to the satisfaction of the Manager Engineering Services. Any alternative solution is to be prepared and certified by a registered structural engineer.

Landscaping

3. The landscaping plan submitted with the proposed development and prepared by Pawsey & Prowse has been approved, as part of this development, subject to the following amendments:
 - (a) Davidson Street planting bed is not to include *Syzygium jambos*. Native *Syzygium* species are to be used in their place.
 - (b) The nine (9) trees marked on the attached plan identified as "Vegetation Management Plan 1"

The amended plan is to be submitted to Council for approval prior to lodgement of the detailed plans for Building Work approval.

4. The applicant shall prepare a detailed landscaping plan for the Davidson Street road reserve, western and eastern sides of the carriageway adjacent to the site. This landscaping plan is to be designed in accordance with the requirements of the Planning Scheme and Local Planning Policy No.4 – Landscaping and is to include 100% native endemic species. The landscaping is to achieve a dense, tropical perspective as required under the Policy. This plan shall be submitted to Council for approval prior to lodgement of the detailed plans for Building Work approval.
5. The landscaping shown on the approved plan shall be completed before the development is occupied and maintained thereafter.

Currency Period

6. This development approval lapses 4 years after the day that the development approval takes effect, unless either works have substantially commenced on the land or this approval is extended under Section 3.5.22 of the *Integrated Planning Act 1997*.

Air Conditioning & Service Equipment

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

Compliance

8. All works required pursuant to the conditions of this Development Permit shall be undertaken and completed in accordance with Council's requirements contained in the Planning Scheme Provisions/Codes.
9. All conditions shall be complied with prior to the Certificate of Classification being issued for the proposed buildings on the land or as otherwise stated in any condition of this approval.

Contributions for Water Supply and Sewerage Headworks and External Works (“the Policy”).

The contribution shall be calculated at the rate per Equivalent Domestic Connection (“EDC”) applicable at the time of payment in accordance with the Policy.

For information purposes only:

(a) The current rates per EDC at the time of this approval are:

Water Supply	\$ 5,330.00
Sewerage	\$ 2,218.00

(b) The current number of EDCs for the approved use are:

Water Supply	51
Sewerage	71

Water Supply

19. The applicant shall connect to reticulated water supply via the main contained within the Davidson Street road reserve. The proposed connection point including all works required to take the reticulated supply to the boundary of the site are to be shown on the plans for Plumbing and Drainage Works approval.
20. The applicant shall provide a 100mm diameter service to be contained within the common property to service the residential allotments and the common property.
21. The Council will make all connections to the existing main in Davidson Street. The applicant is to prepay to the Council the estimated cost of the connection of the new main to the existing system. The applicant will be responsible for meeting the actual cost of the work.

Sewerage

22. The plans and specifications of the internal sewerage works must be submitted to Council at Plumbing & Drainage Works application stage for review.
23. No buildings or other structures are permitted to be located within 3.5metres of the existing main within and parallel to the western boundary of the site unless otherwise determined by the Manager of Engineering Services in conjunction with necessary works.

Electrical & Telephone Services

24. Prior to the issue of a Certificate of Classification for the proposed development, the Applicant must submit to Council a copy of a letter from Ergon Energy stating that satisfactory arrangements have been made for the provision of:
 - (a) an underground electrical supply to the development; and

- (b) street lighting in accordance with Council's adopted standards.
 - (c) locating of all above ground transformer cubicles clear of footpath areas.
25. All Electricity Lines along the full frontages of the subject site (Davidson Street) are to be placed underground. These works are to be undertaken by Ergon Energy at the applicant's expense.
26. All external lighting installed upon the premises including car parking areas shall be certified by Ergon Energy or such other suitably qualified person such that it shall conform with the Planning Scheme whereby vertical illumination at a distance of 1.5 metres outside the boundary of the site shall not exceed eight (8) lux measured at any level upwards from ground level.
27. Prior to the issuing of the Certificate of Classification, the Applicant must submit to Council a copy of a letter from Telstra stating that satisfactory arrangements have been made for the provision of:
- (a) an underground telephone service to the development lot; and
 - (b) locating of all above ground switching station cubicles clear of footpath areas.

Bikeway/Pathway

28. A bikeway/pathway shall be constructed to a minimum width of 2metres on the western side of Davidson Street past the full frontage of the subject site.
29. *The bikeway/walkway(s) shall be suitably signed in accordance with the relevant Standards Association of Australia Code.*

Road Works

30. The applicant must undertake the following works:

Internal

- (a) Provision is to be made for the following works external to the subject site in accordance with Council's Requirements including:
 - i. All unused vehicle crossovers shall be reinstated with kerb and channel and landscaping;
 - ii. Construction of a 6.0m wide concrete vehicle crossover for the entry and exit point to the development.

Environmental Management Plans

31. The applicant is to have prepared with the submission for approval of the plans for Building Work, an Environmental Management Plan (EMP) detailing the controls to be utilised to ensure that no environmental harm or nuisance is caused from the proposed use of the land and construction of the works. In particular, this plan should address

such issues as dust suppression, waste disposal, noise management, vehicle management during construction, proposed hoarding and stormwater management (to minimise discharges of sediment, wastes and other substances). This plan is to be submitted to Council for approval prior to issuing of an Building Work Development Permit.

Maintenance Period

32. The Applicant shall maintain in accordance with the requirements of the Far North Queensland Regional Organisation of Councils Development Manual all road construction works of any nature whatsoever and any drainage works carried out under the provisions of this approval for the land for a period of twenty-four (24) months. The Applicant shall make good within such period any defects arising from faulty workmanship or materials in respect to such road construction and drainage works carried out as part of the works associated with the subdivision.

Security

33. To guarantee the satisfactory completion of the building, site works, landscaping, drainage works and any required works external to the land, to ensure payment of headworks contribution and to ensure the eleven (11) trees identified on the attached plan "Vegetation Management Plan 1" are preserved and managed for a period not less than two years after the commencement of the use, the applicant shall lodge with the Council a Cash Bond or Guarantee to the value of \$600,000, such Guarantee shall be lodged prior to the issue of a Development Permit for Building Work and to ensure the eleven (11) trees identified on the attached plan "Vegetation Management Plan 1" are preserved and managed for a period not less than two years after the commencement of the use Approval for Building Works on the land in relation to this Development Permit. The Council may call up this Guarantee to complete all or any part of the works mentioned herein in accordance with the conditions of this approval, should the applicant fail to do so prior to issuing of a Development Permit for Building Work.

Health Requirements

34. The applicant shall ensure that on completion of any site construction works the subject land shall be maintained in a clean and tidy condition at all times.
35. All building work, maintenance, repair demolition and other activities on site shall be confined to the following hours:
 - (a) 6.30 am to 6.30 pm Monday to Saturday inclusive, excepting that no machinery shall be operated in conjunction with building work prior to 7.00 am.
 - (b) Building work is not permitted on a Sunday or Public Holiday at any time.
36. All construction works are to be carried out in compliance with the *Environmental Protection Policy (Water)* and the *Environmental Protection Amendment Regulation (No. 2)*

Fencing

37. The applicant is to construct an acoustic screen fence along both the northern and southern boundaries of the subject site. The proposed method of construction is to be provided to Council at Building Works stage for approval. These fences are to be erected prior to construction commencing on site.
38. The applicant is to install temporary hoarding along the western boundary during construction to protect the vegetation within the road reserve. A sediment control device is to be installed along the base of the hoarding full the full length of the boundary to minimise sediment from the site entering the adjacent reserve to the west.

Acid Sulfate Soils

39. Any discharge waters during construction are to be monitored on a daily basis for pH, dissolved oxygen and Electro-conductivity.

Roadworks

40. The applicant is to construct the following works within the Davidson Street Road Reserve:
 - (a) 400mm wide concrete edge restraint along the eastern side of the constructed carriageway for the full frontage of the subject site;

Footpath Damage Liability


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

5. Further Development Approvals Required:

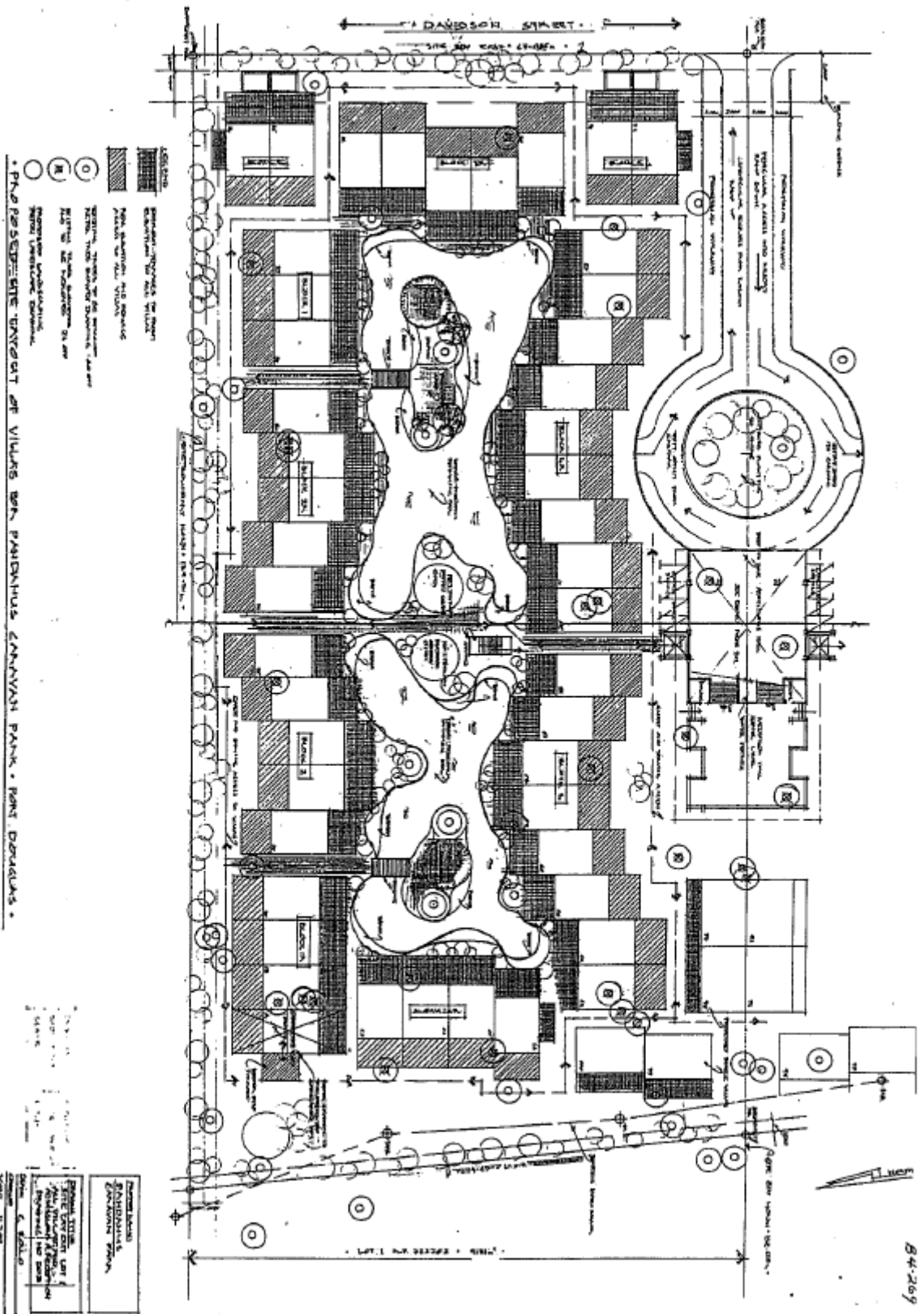
Operational Works	Development Permit
Building Work	Development Permit
Plumbing & Drainage Work	Development Permit

Should you require any further information in relation to this matter, please do not hesitate to contact Mr Paul Gleeson on telephone (07) 4099 9450.

Yours faithfully,

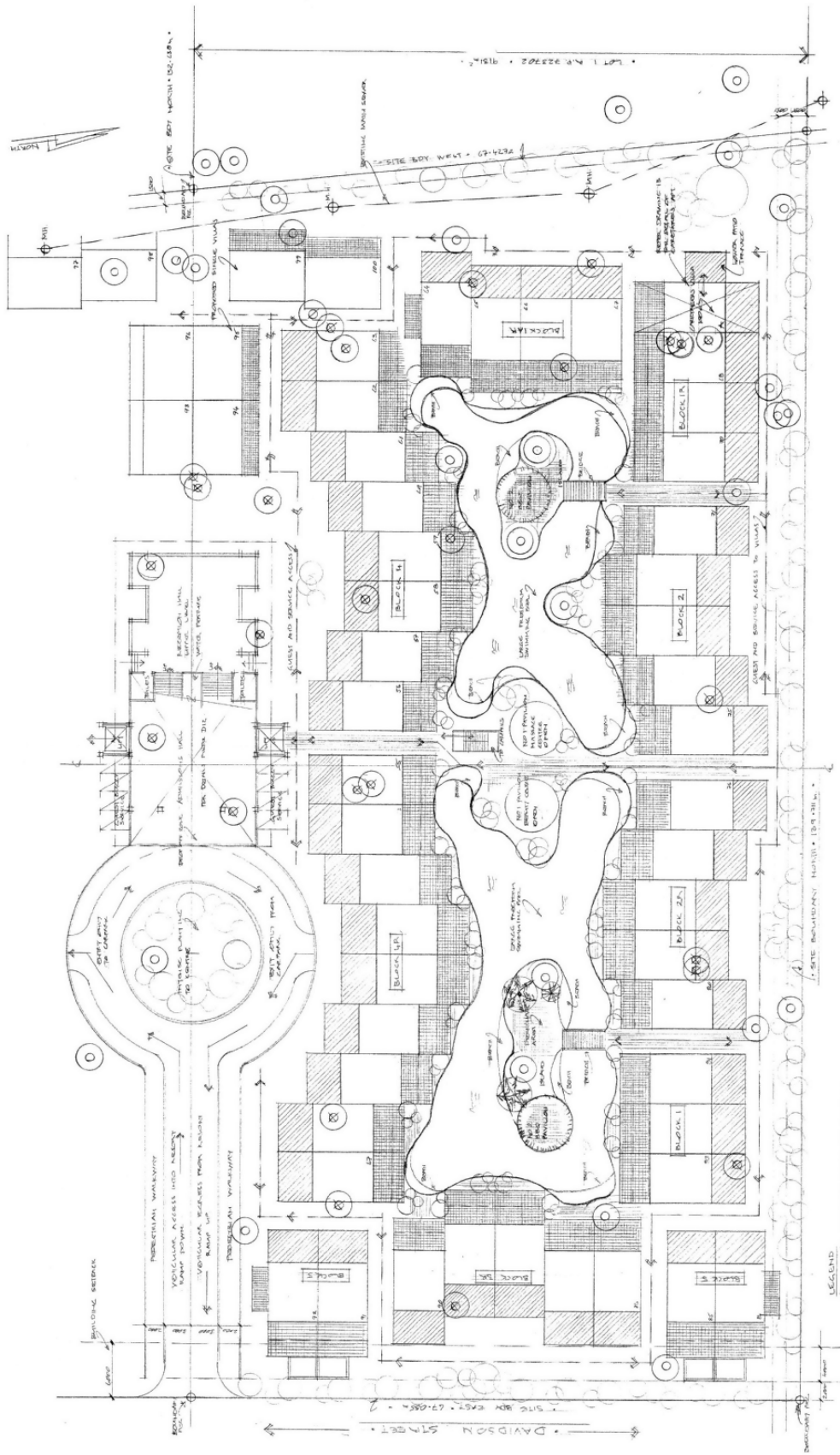


J R Neely
Acting Chief Executive Officer



- 1. PLANTING - TREES TO BE PLANTED
- 2. PLANTING - SHRUBS TO BE PLANTED
- 3. PLANTING - GRASS TO BE PLANTED
- 4. PLANTING - OTHER TO BE PLANTED
- 5. PLANTING - TO BE PLANTED
- 6. PLANTING - TO BE PLANTED
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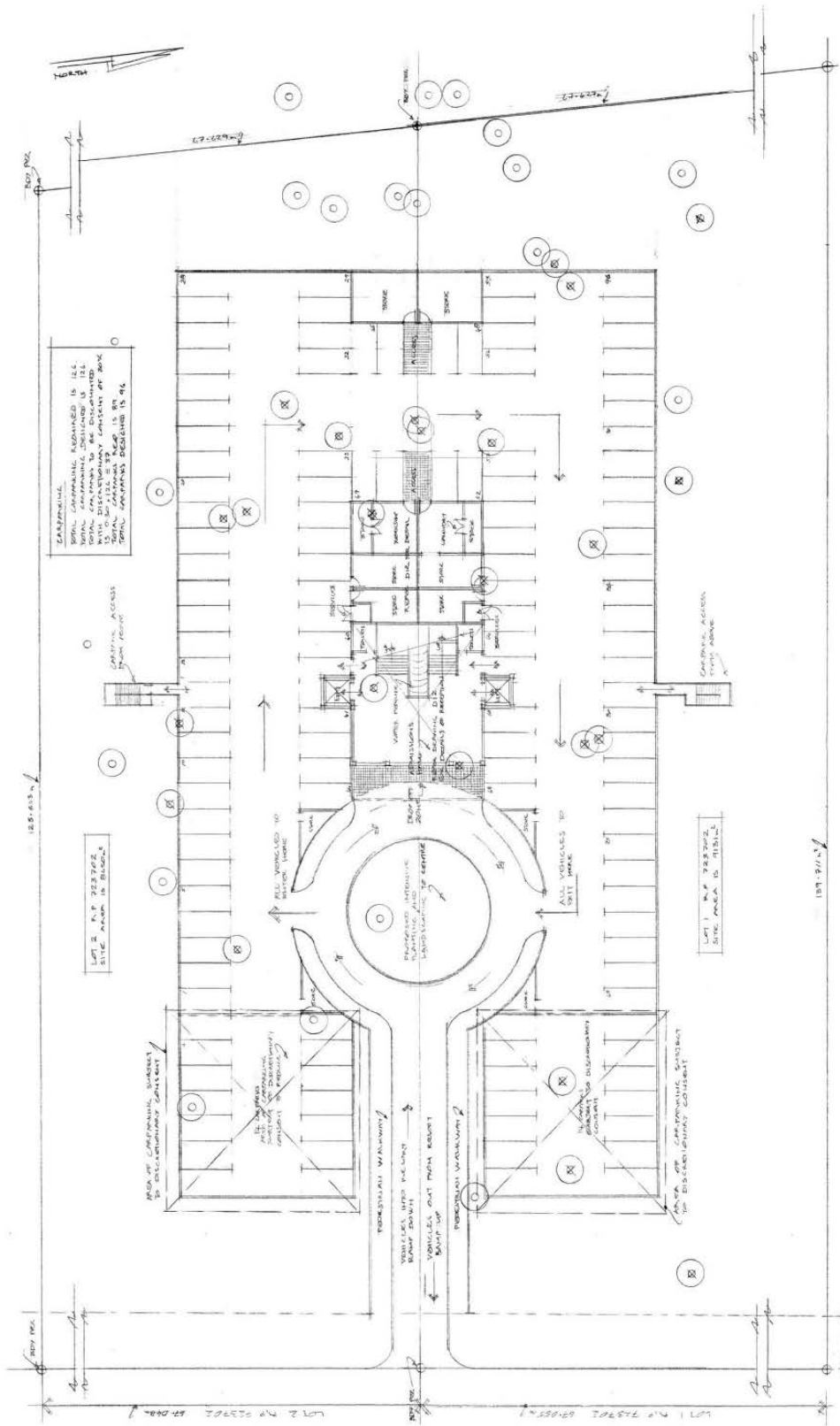
<p>APPROVED FOR THE PORT DOUGLAS LOCAL GOVERNMENT</p>	<p>APPROVED FOR THE PORT DOUGLAS LOCAL GOVERNMENT</p>
<p>DATE: 10/10/11</p>	<p>DATE: 10/10/11</p>
<p>BY: [Signature]</p>	<p>BY: [Signature]</p>
<p>FOR: [Signature]</p>	<p>FOR: [Signature]</p>



PROJECT NAME: PANDANUS ZAKAYAN PARK
DEVELOPER: SANGRETT LOT ALL VILAS AND ADJACENT & RECEPTION THROUGH THE DESE
DRAWN: G. B. G. L. O. CHECKED: SCALE: 1:1000

- LEGEND**
- SHADOWY TERRACES TO FRONT OF VILAS
 - REAL ELEVATION AND SERVICE ACCESS TO VILAS
 - VILAS
 - RECEPTION AND SERVICE TERRACE 20 OFF
 - RECEPTION AND SERVICE TERRACE 20 OFF
 - RECEPTION AND SERVICE TERRACE 20 OFF

PROPOSED SITE LAYOUT OF VILAS FOR PANDANUS ZAKAYAN PARK - PORT DOUGLAS



CARPARKING
TOTAL CARPARKING REQUIRED IS 132
TOTAL CARPARKING PROVIDED IS 132
TOTAL CARPARKING AVAILABLE TO BE OCCUPIED BY THE PROPOSED DEVELOPMENT IS 132
TOTAL CARPARKING AVAILABLE TO BE OCCUPIED BY THE PROPOSED DEVELOPMENT IS 132

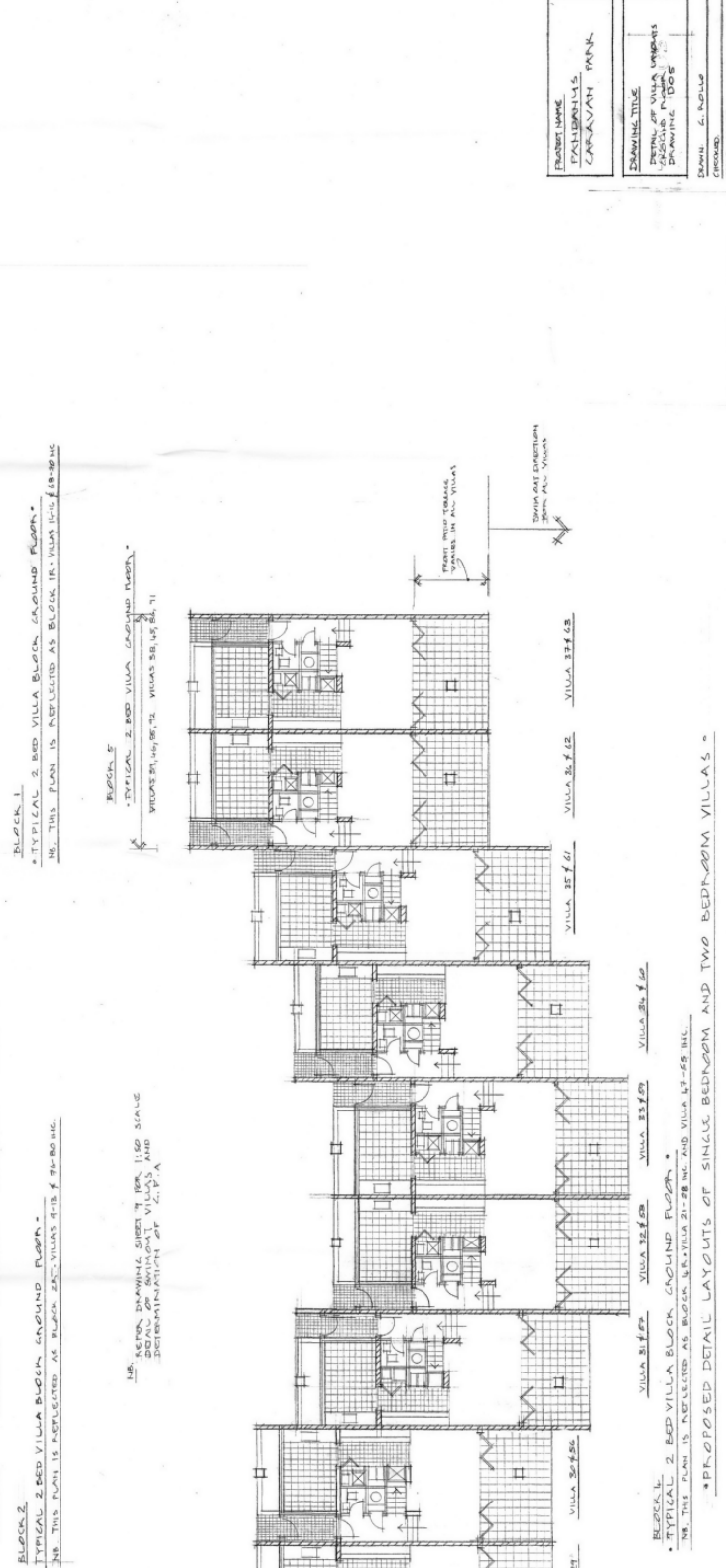
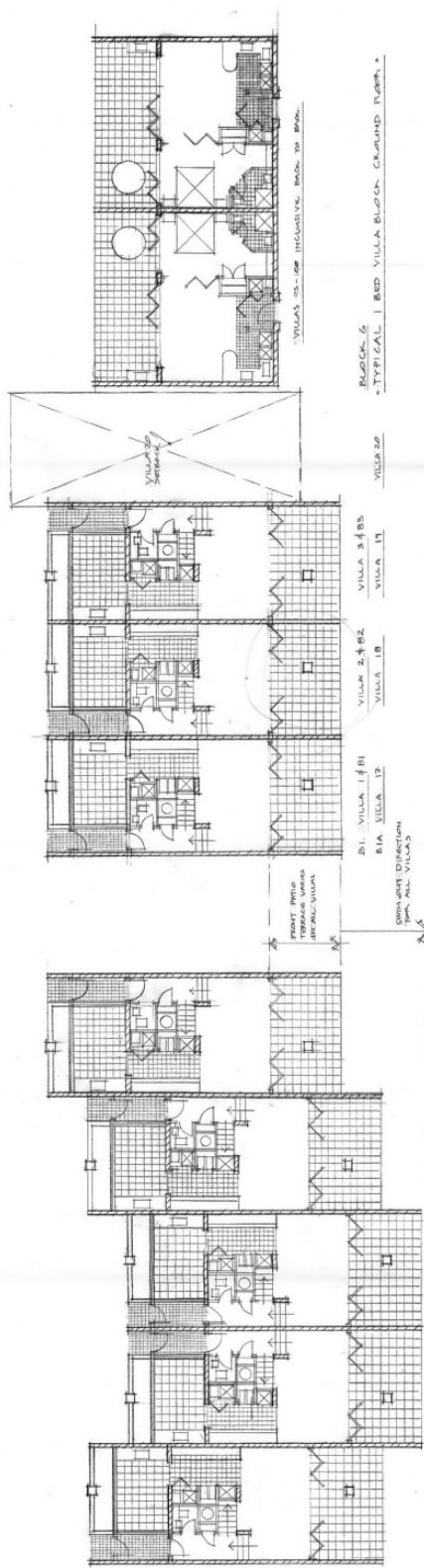
LOT 2 R.P. 223202 SITE AREA IS 2132M²

LOT 1 R.P. 223202 SITE AREA IS 2132M²

EXISTING TREES SUBJECT TO REMOVAL JO OFF

PROJECT NAME PARADISE CANYON PARK
EMPLOYEE ARCHITECTURE PROJECTS ADVISORS DUMRELL DOO 4
DESIGNER MARK CHAPMAN
DATE 11/2014

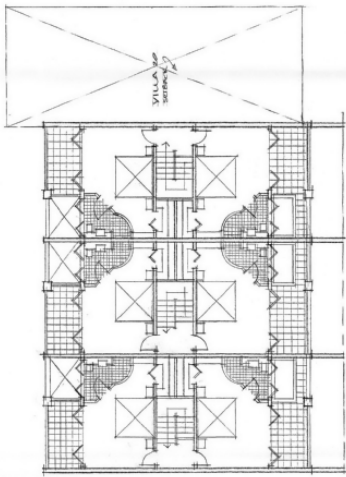
PROPOSED BASEMENT PARKING AND RECEPTION CENTRE



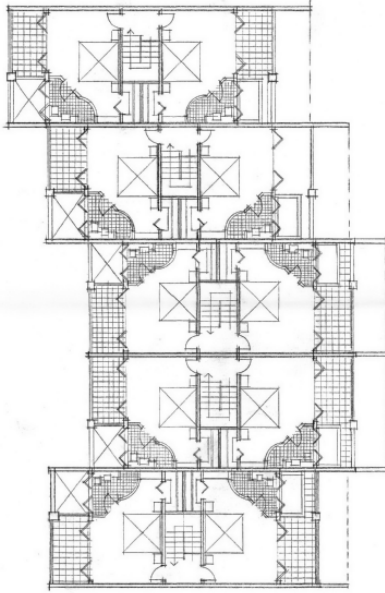
PROJECT NAME
 PALLADIUS
 CARAVAN PARK

DRAWING TITLE
 DETAIL OF VILLA UNITS
 DRAWING NO. 02

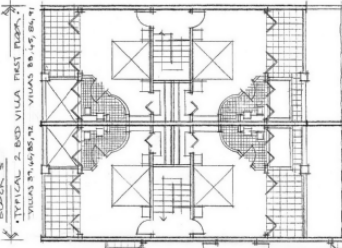
DRAWN: G. NOLAN
 CHECKED:
 SCALE: 1:100



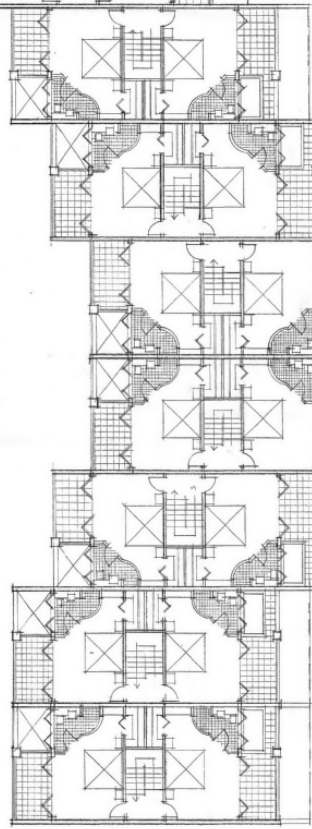
VILLA 20
 VILLA 2402
 VILLA 18
 VILLA 11
 VILLA 20
 TYPICAL 2 BED VILLA BLOCK FIRST FLOOR.
 NB. THIS PLAN IS INDICATED AS BLOCK 1P, VILLAS 10B, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20.



BLOCK 2
 VILLA 431
 VILLA 432
 VILLA 433
 VILLA 434
 VILLA 435
 TYPICAL 2 BED VILLA BLOCK FIRST FLOOR.
 NB. THIS PLAN IS INDICATED AS BLOCK 2P, VILLAS 21B, 22, 23, 24, 25, 26, 27, 28, 29, 30.



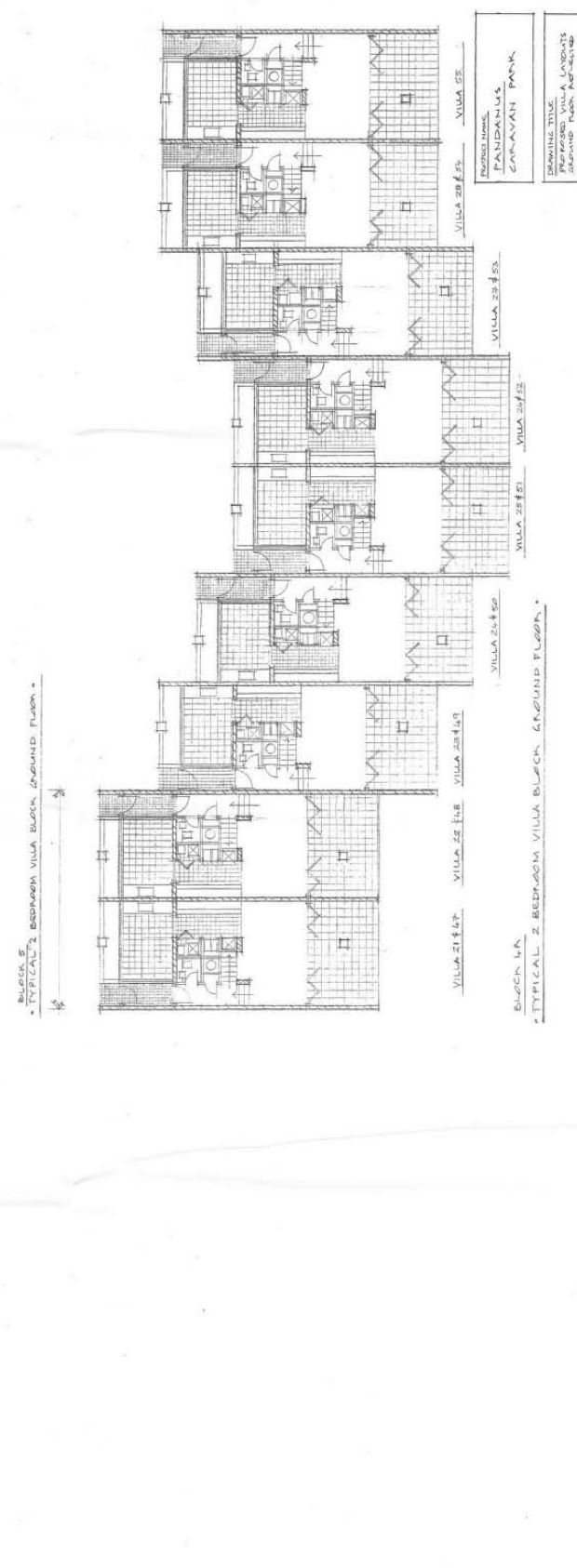
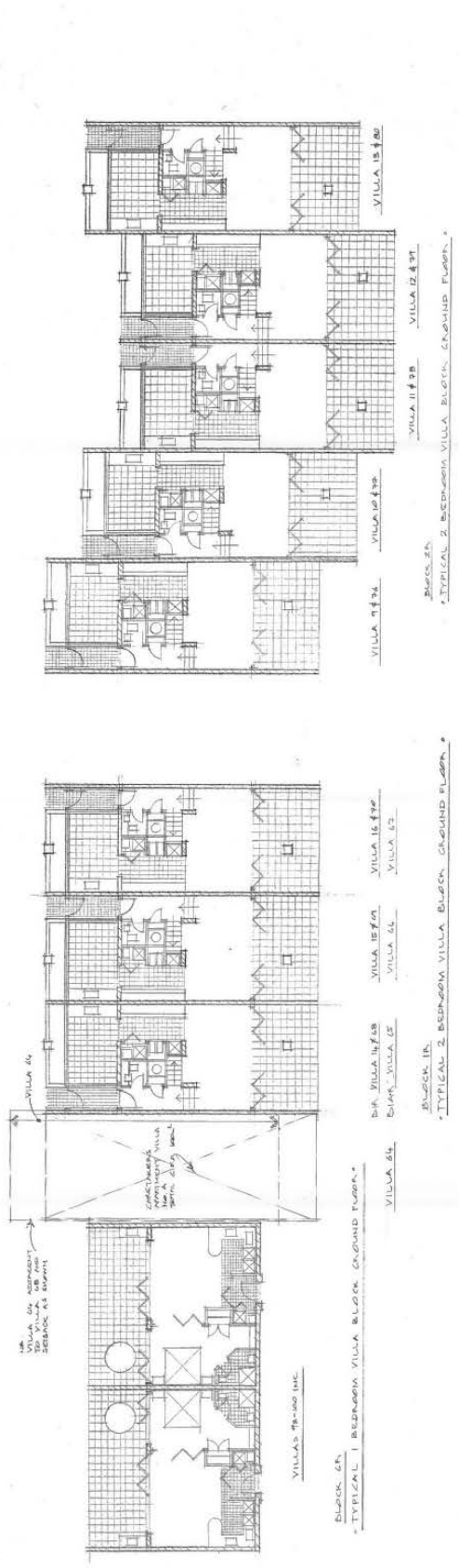
BLOCK 3
 TYPICAL 2 BED VILLA FIRST FLOOR.
 NB. THIS PLAN IS INDICATED AS BLOCK 3P, VILLAS 31, 32, 33, 34, 35, 36, 37, 38, 39, 40.



BLOCK 4
 VILLA 2151
 VILLA 2152
 VILLA 2153
 VILLA 2154
 VILLA 2155
 VILLA 2156
 VILLA 2157
 VILLA 2158
 VILLA 2159
 TYPICAL 2 BED VILLA BLOCK FIRST FLOOR.
 NB. THIS PLAN IS INDICATED AS BLOCK 4P, VILLAS 21B, 22, 23, 24, 25, 26, 27, 28, 29, 30.

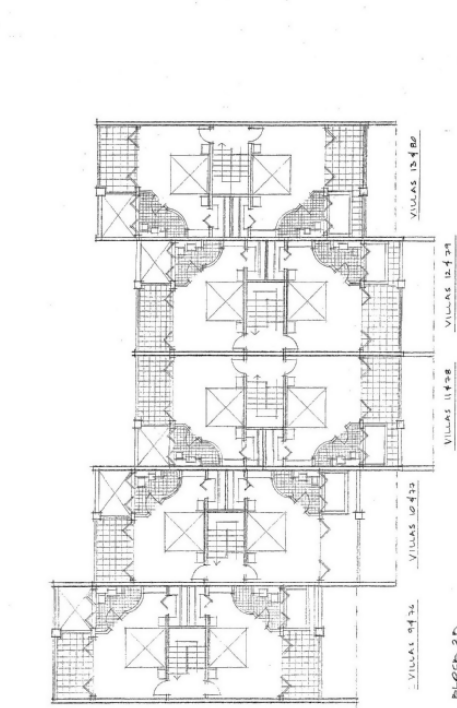
PROPOSED DETAIL LAYOUT OF TWO BEDROOM VILLAS

PROJECT NAME PALESTINE CANAYAN PARK
DRAWING TITLE PROPOSED VILLAS LAYOUTS FIRST FLOOR DRAWING NO. 1002
DRAWN: G. M. H. H. CHECKED: H. H. H. SCALE: 1:1000

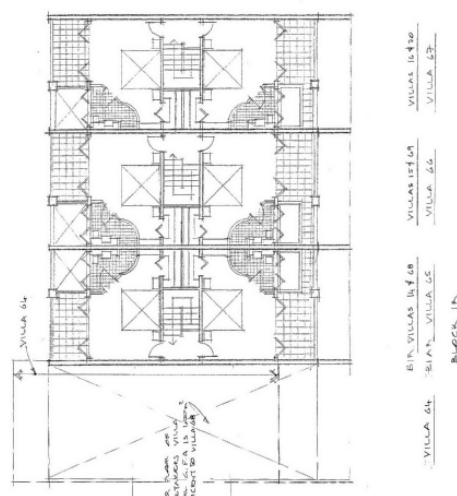


PROJECT NAME:
 PANDANUS
 CAYAVAH PARK
 DRAWING TITLE:
 PROPOSED DETAIL LAYOUT OF TWO BEDROOM VILLAS - REFLECTED -
 DRAWING NO:
 449181

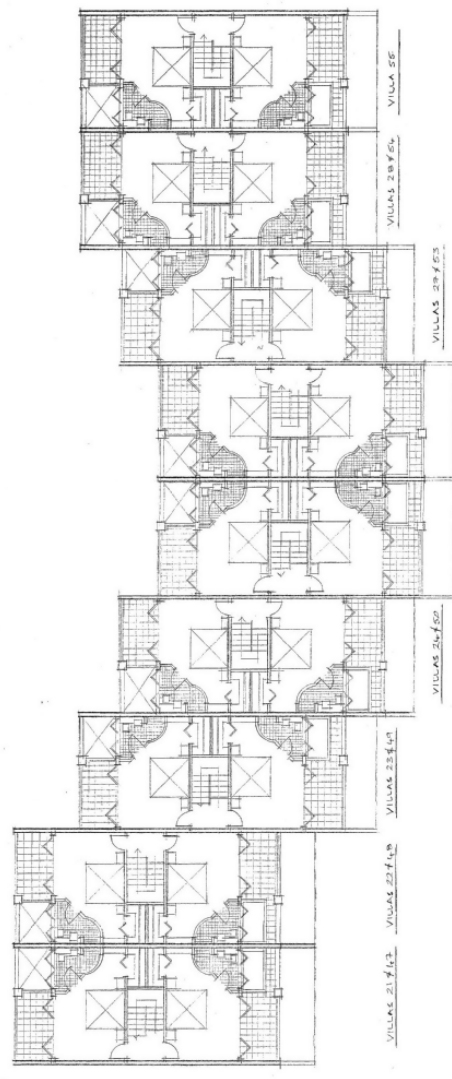
DESIGNER:
 C. KALUP
 DATE:
 15/3/2015



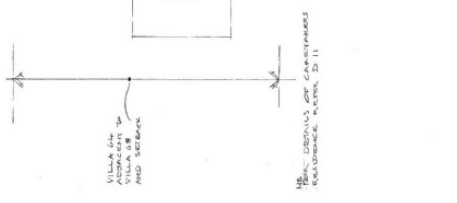
BLOCK 2A
TYPICAL 2 BEDROOM VILLA BLOCK, FIRST FLOOR.



BLOCK 1A
TYPICAL 2 BEDROOM VILLA BLOCK, FIRST FLOOR.



BLOCK 4A
TYPICAL 2 BEDROOM VILLA BLOCK, FIRST FLOOR.



BLOCK 5
TYPICAL 2 BEDROOM VILLA BLOCK, FIRST FLOOR.

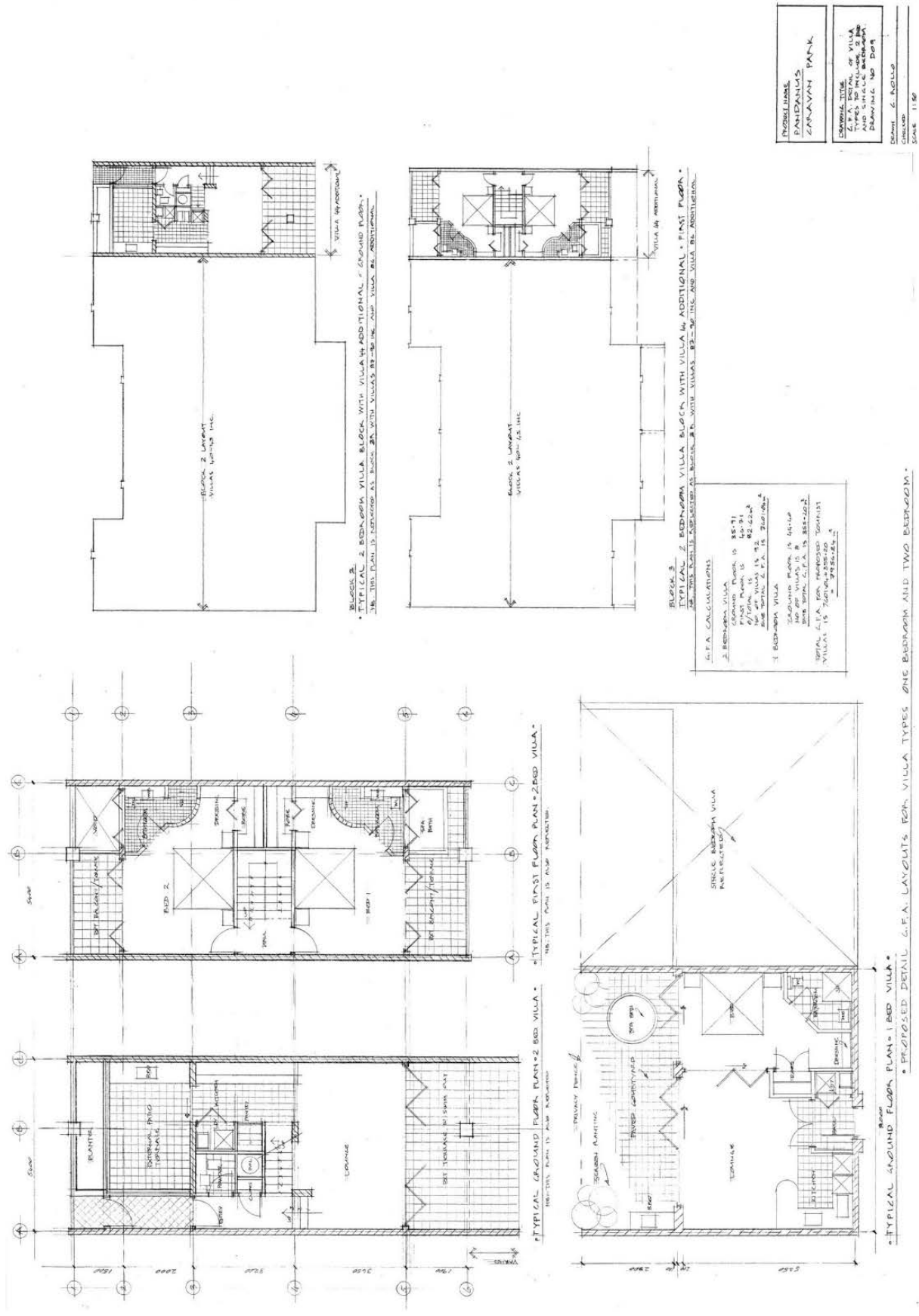
PROJECT NAME
PANDANILAS
CANTAVANI PARK

DRAWING TITLE
PROPOSED VILLA UNITS
FIRST FLOOR, REFLECTED
DATA SHEET FOR DDB

DATE
DRAWN BY
CHECKED BY
SCALE 1:1000

PROPOSED DETAIL LAYOUT OF TWO BEDROOM VILLAS, REFLECTED.

43.2015.645
17/34 (449181)

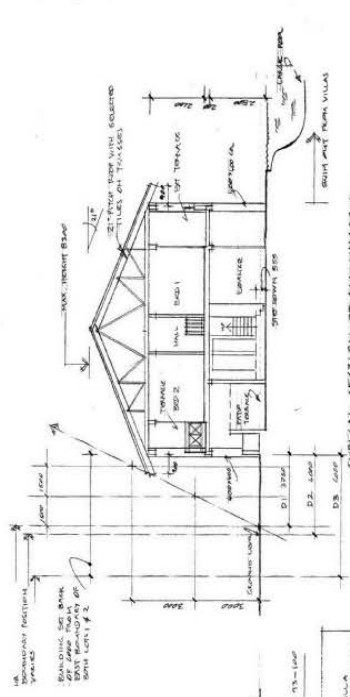


PROJECT NAME
PANDANILAS
ZARAVAN PARK

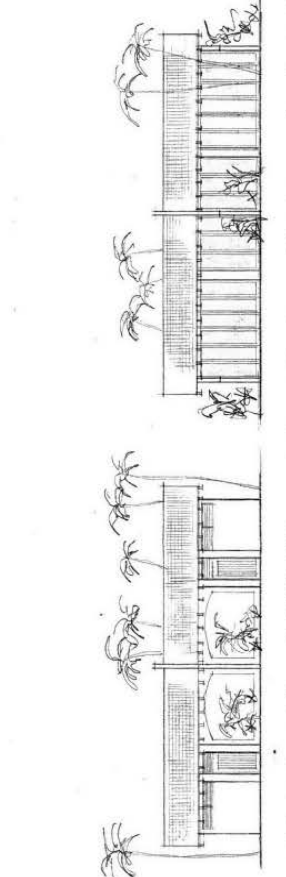
DESIGNED BY
C.M.A. ENGINEERS
TYPES TO FOLLOW 2
DRAWING NO. 17/34

DATE
2.10.15

SCALE
1:100

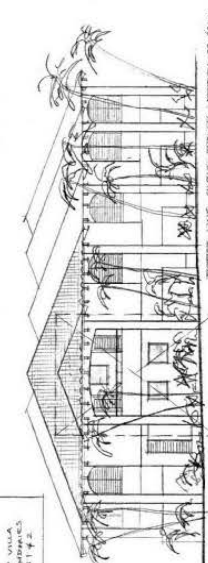


TYPICAL SECTION OF ALL VILLAGES

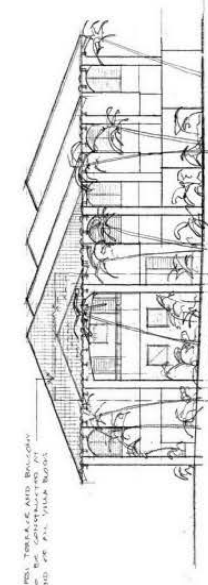


TYPICAL PRIVATE COURTYARDS FOR SINGLE UNITS - VILLAGES 13-16/17

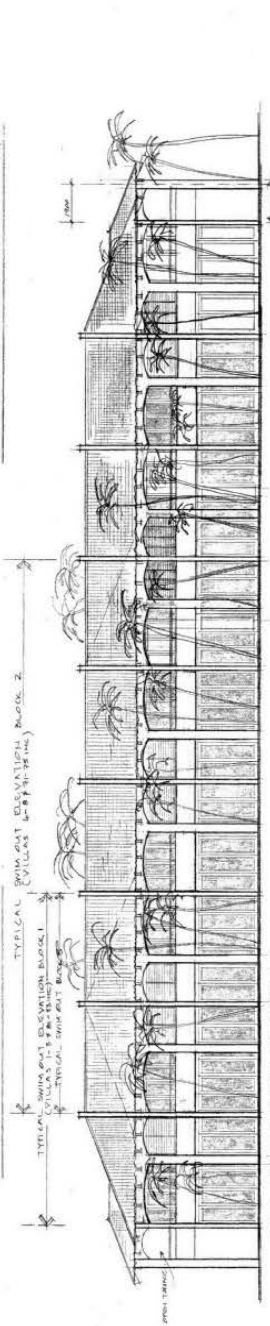
LEGEND:
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 DISTANCE P2 IS WITH DISTANCE OF ANY VILLA
 POSITIONED IN PLAN. BLOCK D3 WITH
 DISTANCE P3 IS WITH DISTANCE OF ANY VILLA
 POSITIONED IN PLAN. BLOCK D4 WITH
 DISTANCE P4 IS WITH DISTANCE OF ANY VILLA
 POSITIONED IN PLAN.



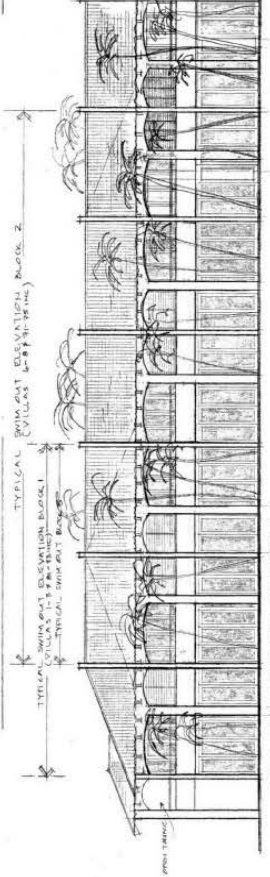
TYPICAL END ELEVATION OF BLOCK 1



TYPICAL END ELEVATION OF BLOCK 4



TYPICAL NORTH ELEVATION OF BLOCK 2



TYPICAL NORTH ELEVATION OF BLOCK 1

TYPICAL NORTH ELEVATION OF BLOCK 4

TYPICAL NORTH ELEVATION OF BLOCK 5

TYPICAL NORTH ELEVATION OF BLOCK 6

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TYPICAL NORTH ELEVATION OF BLOCK 44

TYPICAL NORTH ELEVATION OF BLOCK 45

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TYPICAL NORTH ELEVATION OF BLOCK 98

TYPICAL NORTH ELEVATION OF BLOCK 99

TYPICAL NORTH ELEVATION OF BLOCK 100

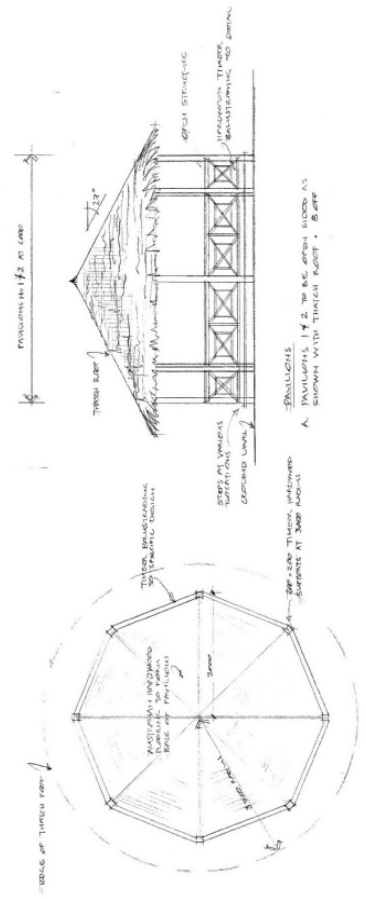
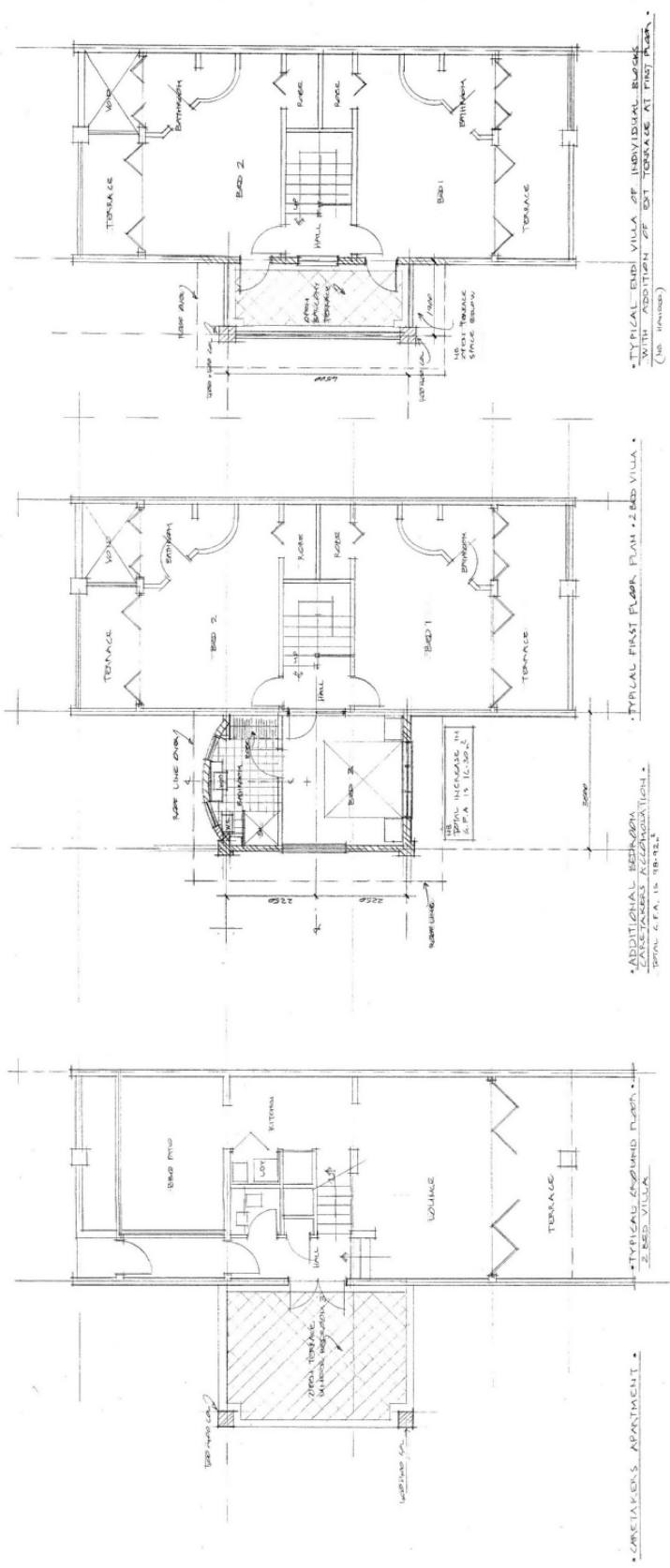
PROJECT NAME	PANDAHUS
LOCATION	CANAVAH PARK
DRAWING TITLE	SECTION OF TYPICAL VILLAGES DRAWING D 10
DRAWN	C. KHALID
CHECKED	
DATE	11/20/08

TYPICAL ELEVATIONS OF VILLA APARTMENTS FOR PANDAHUS CANAVAH PARK BOUT DOUGLAS

TYPICAL ELEVATION OF BLOCK 1

TYPICAL ELEVATION OF BLOCK 2

TYPICAL ELEVATION OF BLOCK 3

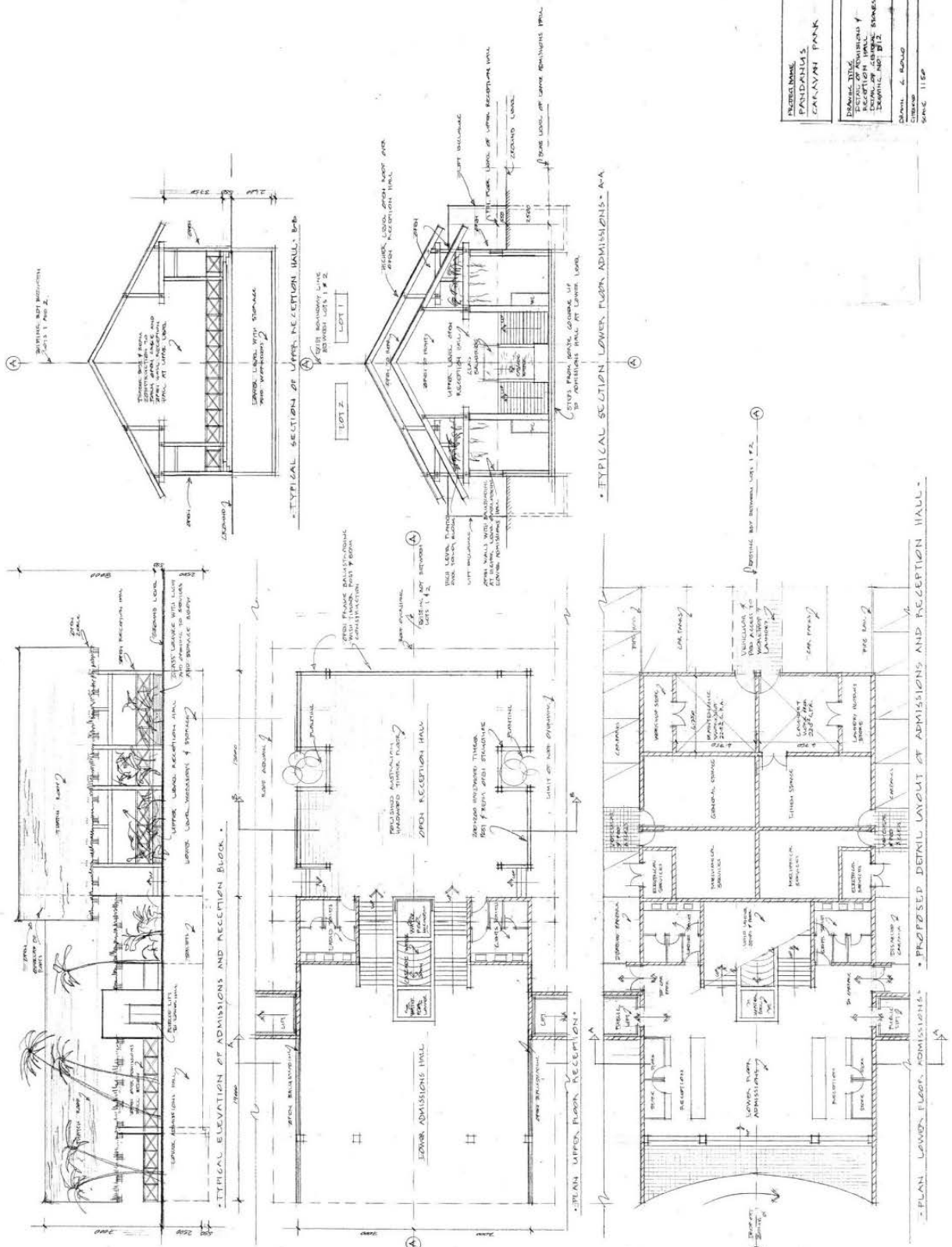


PROJECT NAME
PANDIPLUS
CARAYAN PARRA

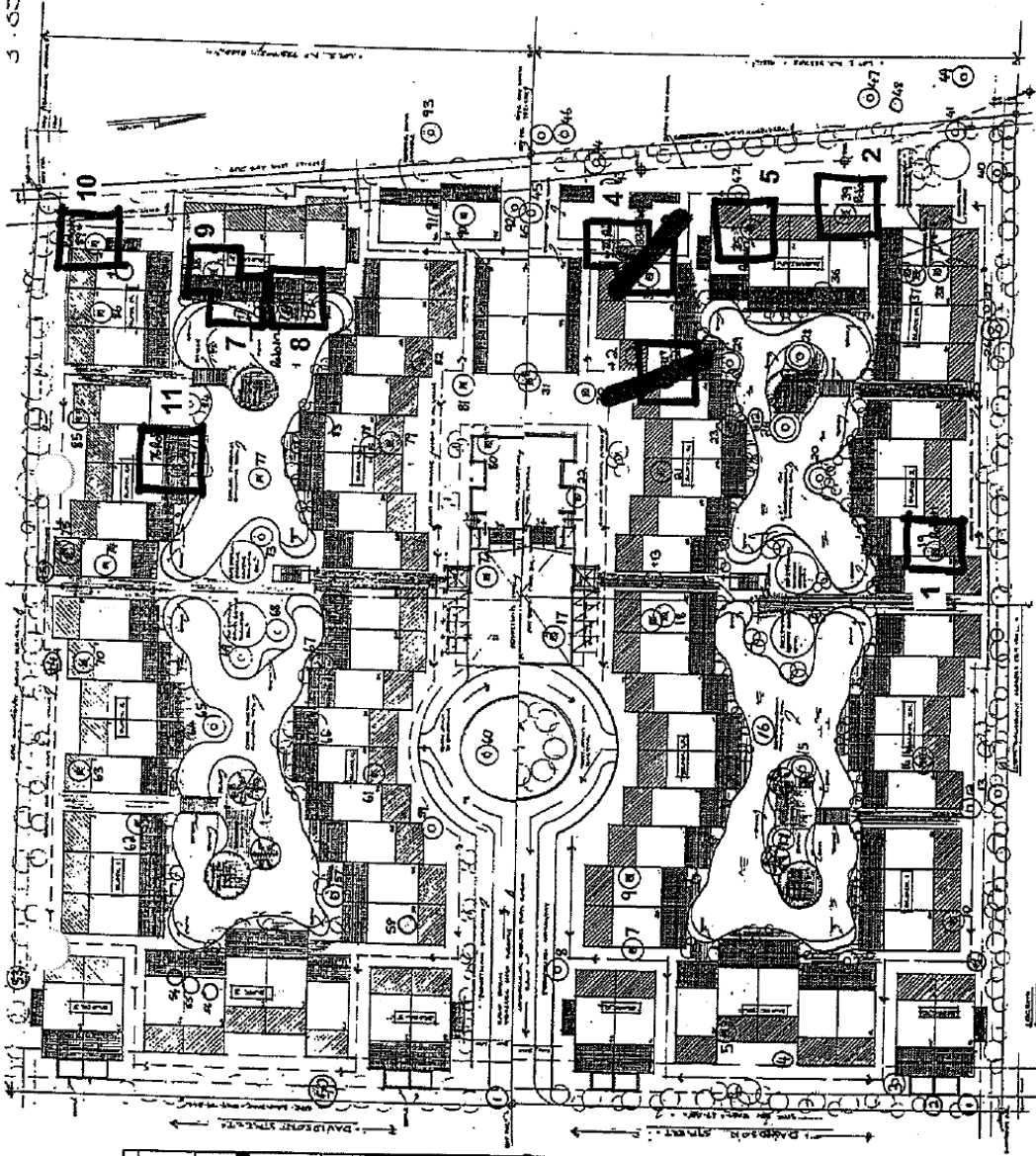
DRAWING TITLE
PROVISION OF CARETAKER'S
DRAWING: D11

DESIGNER
NAME: C. KOLUP
GROUP

SCALE
1:150



PROJECT NAME PANDANUS KARAYAN PARK
DESIGNED BY ARCHITECTURAL RECEPTION HALL DRAWING NO. 115
DATE 4. 2015
DRAWN BY 115



Vegetation Management Plan 1

Trees to be retained:

No.	Specimen
1	A specimen of Swamp Mahogany (<i>Lophostemon succulentus</i>), approximately 20 metres with a stem diameter of 100 cm at breast height. This tree contains a specimen of 11 Tree Orchid (<i>Dendrobium paniculatum</i> , which is to be retained).
2	A specimen of Red Beach (<i>Dillenia alata</i>) approximately 12 metres with twin stems with diameter of 100cm at breast height.
3	A specimen of paper bark tea tree (<i>Melaleuca leucadendra</i>) at approximately 30 metres with a stem diameter of 180cm at breast height. This tree is a native species and is in good health and contains specimens of art plant (<i>Mymecodia baccata</i>) which is listed as Vulnerable under the Nature Conservation Act 1992.
4	A specimen of paper bark tea tree (<i>Melaleuca leucadendra</i>) at approximately 30 metres with a stem diameter of 160cm at breast height. This tree is a native species and is in good health and contains specimens of art plant (<i>Mymecodia baccata</i>) which is listed as Vulnerable under the Nature Conservation Act 1992 and will require a permit from Environment Protection Agency for removal, also contains 11 Tree Orchid (<i>Dendrobium paniculatum</i>).
5	A specimen of paper bark tea tree (<i>Melaleuca leucadendra</i>) at approximately 18 metres with a stem diameter of 100cm at breast height. This tree is a native species and is in good health and contains specimens of art plant (<i>Mymecodia baccata</i>) which is listed as Vulnerable under the Nature Conservation Act 1992. This tree was proposed for removal as it is in the building footprint.
6	A specimen of Beach Calleryum (<i>Calleryum inophyllum</i>) at approximately 15 metres with twin stems with diameters of 100/70cm at breast height. This tree is a native species and is in good health but has been heavily pruned. This tree was not included in the Application for Permit to Damage Proposed Building Footprint. This tree was proposed for removal as it is in the building footprint.
7	A specimen of Beach Calleryum (<i>Calleryum inophyllum</i>) at approximately 18 metres with a stem diameter of 200cm at breast height. This tree is a native species and is in good health and contains a strap-fig (<i>Ficus beringiana</i>). This tree was proposed for removal as it is in the building footprint.
8	A specimen of Swamp Mahogany (<i>Lophostemon succulentus</i>) at approximately 20 metres with a stem diameter of 80 cm breast height. This tree is a native species and is in good health. This tree was proposed for removal as it is in the building footprint.

①	Proposed New Plantings
②	Proposed Retention
③	Proposed Removal
④	Proposed Pruning
⑤	Proposed Stump Removal
⑥	Proposed Tree Protection
⑦	Proposed Tree Removal
⑧	Proposed Tree Pruning
⑨	Proposed Tree Stump Removal
⑩	Proposed Tree Protection
⑪	Proposed Tree Removal
⑫	Proposed Tree Pruning
⑬	Proposed Tree Stump Removal
⑭	Proposed Tree Protection
⑮	Proposed Tree Removal
⑯	Proposed Tree Pruning
⑰	Proposed Tree Stump Removal
⑱	Proposed Tree Protection
⑲	Proposed Tree Removal
⑳	Proposed Tree Pruning
㉑	Proposed Tree Stump Removal
㉒	Proposed Tree Protection
㉓	Proposed Tree Removal
㉔	Proposed Tree Pruning
㉕	Proposed Tree Stump Removal
㉖	Proposed Tree Protection
㉗	Proposed Tree Removal
㉘	Proposed Tree Pruning
㉙	Proposed Tree Stump Removal
㉚	Proposed Tree Protection
㉛	Proposed Tree Removal
㉜	Proposed Tree Pruning
㉝	Proposed Tree Stump Removal
㉞	Proposed Tree Protection
㉟	Proposed Tree Removal
㊱	Proposed Tree Pruning
㊲	Proposed Tree Stump Removal
㊳	Proposed Tree Protection
㊴	Proposed Tree Removal
㊵	Proposed Tree Pruning
㊶	Proposed Tree Stump Removal
㊷	Proposed Tree Protection
㊸	Proposed Tree Removal
㊹	Proposed Tree Pruning
㊺	Proposed Tree Stump Removal
㊻	Proposed Tree Protection
㊼	Proposed Tree Removal
㊽	Proposed Tree Pruning
㊾	Proposed Tree Stump Removal
㊿	Proposed Tree Protection

PROPOSED REMOVAL OF VILAS 001, FARMHOUSE, ZANAYAN PARK, UNIT D014-03.

18 March 2004

Mr T Melchert
Chief Executive Officer
Douglas Shire Council
PO Box 357
Mossman Qld 4873

DOUGLAS SHIRE COUNCIL RECEIVED	
FILE NAME	<i>Material Change of Use</i>
DOCUMENT NO.	<i>510 P-Suburban</i>
18 MAR 2004 RZ219	
ATTENTION	<i>PTG</i>
INFORMATION	<i>SAA</i>

Department of Main Roads

Dear Mr T Melchert

Douglas Shire : Captain Cook Highway
Situating at Old Port Road, Port Douglas
Lots 304-306 on C 2251 & Lot 1 on RP 720006, Parish of Salsbury
John Lordan Developments Pty Ltd
Proposed Material Change of Use (Residential A) Application
Review of Referral Agency's Response (conditions apply)

I refer to:

- the above application received at the Department 12 and 16 February 2004, requesting consideration of the above development,
- the Department's letter of conditions of development of 4 March 2004, and
- written representations of 8 March 2004, faxed 16 March 2004, from the applicant's consultant, concerning conditions 1 and 2.

The Department has completed the investigation of the representations, noting no new information was submitted, and is not prepared to:

- alter the access location from the position as indicated, or
- compromise the road traffic noise and visual treatments standards.

In accordance with section 3.3.17 of the *Integrated Planning Act 1997*, the Queensland Department of Main Roads advises its response to the representations is to maintain the following conditions of development for the subject application:

A. CONDITIONS OF DEVELOPMENT

I. Permitted Road Access Location

- (i) Vehicular access between the Captain Cook Highway and the subject site shall be via the Port Gardens estate link to Owen Street.
- (ii) No direct vehicular access (including motor bikes) between the Captain Cook Highway and the subject site and Owen Street is permitted.

North Queensland Region
Peninsula District
PO Box 6185
CAIRNS Queensland 4870
ABN 57 836 727 711

Our ref 45/20A/102(3146)
Your ref RZ 219
Enquiries MALCOLM HARDY
Telephone +61 7 4050 5511
Facsimile +61 7 4050 5438

- (iii) The existing direct vehicular access between Old Port Road and the subject land shall be maintained only for the existing dwelling. However, for any new development or redevelopment on the subject land, no direct vehicular access between Old Port Road and the subject land is permitted, and the existing access shall be permanently closed, unless with the written approval of Douglas Shire Council.

2. Road Traffic Noise & Visual Treatments

For the purposes of this condition:

- Parts (a), (b) and (c) below shall apply to noise-sensitive uses proposed to be located within 50m of the Captain Cook Highway frontage of the subject land,
- the Captain Cook Highway shall hereafter be referred to as 'SCR', and
- attached 'DMR Plan No. PD85C (dated 3/2001)' shall hereafter be referred to as the 'DMR Buffer Plan'.

(a) Buffer Strip

For the purposes of this condition the buffer strip shall include:

- a minimum of six metre wide freehold strip located within the subject site and adjacent the SCR frontage, and
- the four metre wide registered easement located adjacent to and east of the above freehold strip.

The registered covenant shall:

- allow representatives of Council and the Department of Main Roads and public utility authorities to construct/ maintain/ upgrade/ remove noise attenuation treatments, landscaping and public utilities within the registered covenant,
- prevent (unless approved by Council and the Department of Main Roads) landowners from altering, damaging or destroying any noise ameliorative treatments, landscaping, or public utilities located within the registered covenant, and
- prohibit the construction of any structures within the registered covenant except where approved/ required otherwise by Council and the Department of Main Roads.

The registered covenant shall be created, and the covenant agreement shall be registered in the Titles Office of the Department of Natural Resources. These requirements shall be completed prior to the commencement of any noise-sensitive use.

The applicant/landowner shall create and transfer the freehold allotment/s to Department of Main Roads ownership prior to the commencement of any noise-sensitive use.

(b) Visual Amenity Works

The applicant/landowner shall provide landscaping covering the entire buffer strip along the frontage of the SCR. The landscaping shall be designed, installed and maintained such that existing and future SCR infrastructure, any noise ameliorative works if applicable, and on site buildings and facilities, are screened as much as practicable from each other.

The species of plants used in the landscaping works shall be in accordance with Council's standards. If Council doesn't have standards, then the only requirement is that they are native, low maintenance species which are effective at providing the necessary screening specified above and do not create a safety risk (i.e. no thorns or poisonous fruits or berries).

All landscaping of the buffer strip shall be completed prior to the commencement of any noise-sensitive use.

(c) Road Traffic Noise Ameliorative Works

(i) Location of Works

Road traffic noise ameliorative works shall be incorporated into the design of the development, including the buffer strip, and the applicant/landowner shall have regard to the design criteria specified within AS3671. Any noise barrier within the buffer shall be designed and constructed in accordance with the DMR Buffer Plan.

(ii) Maximum Noise Levels and Time Horizons

The following maximum road traffic noise levels are not to be exceeded before 10 years after the time of completion of the full development:

- External noise levels shall not exceed 63dB(A) 18h.
- Internal noise levels (ie, within buildings above the ground floor level only) shall not exceed the maximum noise levels specified in AS2107-2000.

(iii) Noise Testing

The following parameters shall be used to determine the required noise amelioration works:

- External noise levels shall be those predicted to occur on the subject land in areas likely to be frequently occupied by people for significant periods.
- Internal noise levels shall be determined in accordance with AS2107-2000.
- Noise monitoring shall be carried out in accordance with AS2702-1984.
- Noise predictions shall be carried out in accordance with Calculation of Road Traffic Noise (CRTN88) United Kingdom Department of Transport.

(iv) Road Traffic Noise Report

The applicant/ landowner shall prepare a road traffic noise report, which demonstrates how the development is to be designed to conform to the above requirements. The report shall:

- predict the road traffic noise levels,
- identify the ameliorative works required within the buffer strip, the rest of the subject land, and the relevant buildings, and

- contain all relevant information and calculations upon which the conclusions of the report are based.

The applicant/ landowner shall submit the report to the Cairns Office of the Department of Main Roads, and if necessary, shall amend the report until the Department of Main Roads considers that the report reflects the requirements of this condition. The report and any subsequent amendments shall be completed prior to the commencement of any noise-sensitive use.

(v) Incorporation of Works into the Development

Noise ameliorative works within the buffer shall conform to the requirements of the approved noise report and DMR Buffer Plan.

All noise ameliorative works required within the Buffer Strip shall be completed prior to the commencement of any noise-sensitive use.

All noise ameliorative works required within the relevant building(s) shall be:

- incorporated into the building design(s) prior to the applicant/ landowner seeking Council (or private certifier) approval for a development permit for carrying out building works on the subject land; and
- incorporated into the building(s) prior to commencement of use of the building.

(vi) Building Covenant

When a covenant is required by the Road Traffic Noise (acoustical) Report then the following requirements shall be met:

- The covenants shall be included on the same Plan of Survey which creates the lots which are subjected to the covenant and lodge concurrently the Plan of Survey and validly executed Covenant Form 31 referred to in the above conditions.
- Acknowledges to Main Roads that an acoustic covenant will be annexed to the REIQ contract for the relevant lots prior to execution of the Covenants Forms 31.
- Submit to Main Roads for approval a Noise Covenant Plan which shows:
 - the final layout plan with finished contour levels and highlighting lots effected by a covenant,
 - summary of noise amelioration works and covenant conditions, and
 - a table showing, pad levels in Australia Height Datum (AHD) and the type of covenant,prior to execution of the Covenants Forms 31.
- Submit to Main Roads, certification (RPEQ) from the civil engineer that the pad levels in (AHD) used on the Covenant Plan comply with the acoustical report, prior to the execution of the Covenant Form 31. If the building pad levels have risen by more than 200mm, a new acoustical assessment must be submitted. Any new works or covenants to be registered or amended as

detailed in the new acoustical assessment must be completed within the above relevant timeframes.

- Submit to Main Roads a properly executed Covenant Form 31 pursuant to Land Title Act 1994, and in terms approved by the District Director covering all lots where it has not been demonstrated that condition (c)(ii) above would be met, prior to the submission of the Plan of Survey to Council for approval and dating.
- Submit to Main Roads a copy of the receipt of the Registration Confirmation Statements for the Covenants within 14 days of the receipt being forwarded to the applicant or their agents.

3. Access to Adjoining Properties

The applicant/ landowner shall dedicate a 15m wide road reserve to link the future proposed internal road network on the subject land to the northern boundary of either Lot 303 on C 2251 or Lot 18 on C 2256.

4. Owen Street Barrier

The applicant/landowner shall erect a physical barrier on the alignment of property frontages to the Captain Cook Highway across the full width of Owen Street to prevent vehicles, but allow pedestrians and cyclists to access the Captain Cook Highway reserve. The barrier shall be designed and erected to the satisfaction of the Director-General of the Department of Main Roads prior to the applicant/landowner requesting Council to approve and date the first plan of survey of the subject land.

An extension of the landscaped noise amelioration mound in condition 2 would satisfy this condition.

5. Provision of Pedestrian/ Bicycle Paths

- (i) The applicant/landowner shall provide a pedestrian/ bicycle path along the full Captain Cook Highway frontage, subject to the approval of the Department of Main Roads.
- (ii) The applicant/landowner shall provide pedestrian/ bicycle path(s) between the subject site and the proposed Captain Cook Highway pedestrian/ bicycle path via Owen Street.
- (iii) The applicant/landowner shall construct the pedestrian/ bicycle paths to the requirements of the Douglas Shire Council prior to the applicant/landowner requesting Council to approve and date the first plan of survey of the subject land.

6. Advertising

No advertising device for the proposed development is permitted within the State-controlled road reserve (i.e. Captain Cook Highway).

Reasons

The reasons and information used in the setting of conditions detailed above include:

- Department of Main Roads Access Policy,
- Department of Main Roads Involvement in Development Applications Referrals and Assessment Guide, and
- Douglas Shire Planning Scheme.

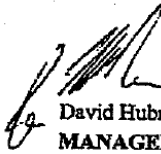
B. GENERAL DISCUSSION

Council is requested to reflect Conditions 1, 2 and 3 above on its Rates Record, to ensure that the planning intentions of Conditions 1, 2 and 3 are secured.

This Department would appreciate a copy of Council's decision notice regarding the application.

A copy of this letter has been sent to the applicant.

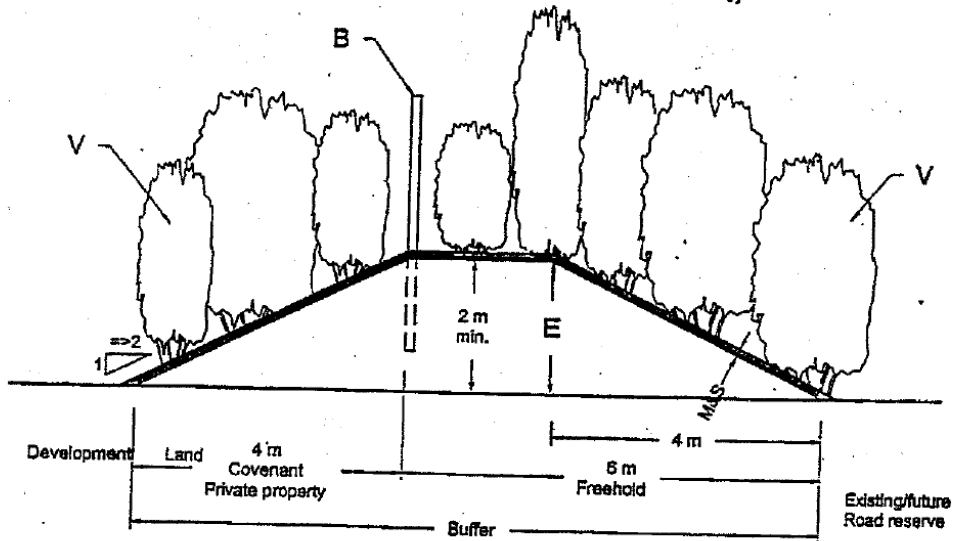
Yours sincerely



David Hubner

MANAGER (TRANSPORT PLANNING) PENINSULA

Enclosed (DMR Plan No. PD85C dated 03/2001)



- V = Landscaping to the requirements and satisfaction of the Chief Executive Officer of the Council.
- E = Embankment material constructed to Department of Main Roads Standard Specification.
- M&S = A minimum 100 mm layer of fertile topsoil with a minimum 200 mm layer of mulch on top.
- B = Noise Barrier designed in accordance with Main Roads Department Road Traffic Noise Management Code of Practice, January 2000.

Note :

All work shall be designed and approved in accordance with the above requirements unless altered in writing by the Director General, Department of Main Roads.

All work shall be installed and maintained in accordance with the approved plan to the satisfaction of the Director General, Department of Main Roads. The installed approved works shall be completed prior to the commencement of the use onsite, unless approved otherwise.

**NOISE AMELIORATION
AND VISUAL AMENITY WORKS
FREEHOLD & COVENANT
BUFFER STRIP**
DMR Plan No. DRRS (C)

3/2001)



Council Ref: 8/38/2

11 February 2011

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



Attention: Leon Doutre

Dear Mr Doutre

Sustainable Planning Act 2009 – Request to extend currency period

Applicant: John Lordan Developments Pty Ltd

Application: Material Change of Use (Multiple Dwellings (Tourist) & Caretaker's Residence)

**Location: Lots 1 & 2 on RP723702, Parish of Salisbury
97-107 Davidson Street, Port Douglas**

I refer to:

- the above application received at the former Department of Main Roads (DMR) on 26 August 2004 requesting consideration of the above development
- DMR referral agency response dated 22 September 2004 of conditions of development,
- Council's negotiated decision notice dated 23 February 2005,
- request for an extension to the currency period from Our Stuff Pty Ltd received at DMR on 9 August 2007,
- DMR letter dated 20 August 2007,
- further request for an extension to the currency period from Our Stuff Pty Ltd received at DMR on 16 June 2008,
- DMR letter dated 23 June 2008,
- Council's extension of currency period received at DMR 4 December 2004 with incorrect referral agency response attached, and
- further request for an extension to the currency period from Our Stuff Pty Ltd received at the Department of Transport & Main Roads on 11 February 2011..

This department has no objection to a further extension of the currency period, subject to Council's determination.

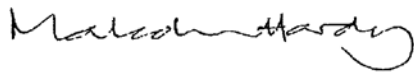
Assets & Operations
Far North Regional Office
Floor 4 Cairns Corporate Tower 15 Lake Street
PO Box 6185 CAIRNS Queensland 4870
ABN 39 407 690 291

Our ref 214/6504/102 (1590)
Enquiries MALCOLM HARDY
Telephone +61 7 4050 5511
Facsimile +61 7 4050 5436

The Department would appreciate a copy of Council's decision regarding the application.

A copy of this letter has been sent to the applicant.

Yours sincerely

A handwritten signature in black ink that reads "Malcolm Hardy". The signature is written in a cursive style with a large, sweeping 'M' and a long, horizontal tail.

Malcolm Hardy
Senior Planner (Assets & Operations) Far North

ATTACHMENT 2: CONCURRENCE AGENCY DECISION FOR EXTENSION REQUEST



Department of
**State Development,
Infrastructure and Planning**

Our reference : SPD-0215-015278
Your reference : TPC1170

18 February 2015

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

Attention: Jenny Elphinstone

Dear Ms Elphinstone,

Notice about request to extend relevant period

Lot on plan	Street address
Lots 1 & 2 on RP723702	97 Davidson Street, Port Douglas

(Given under section 385 of the *Sustainable Planning Act 2009*)

The Department of State Development, Infrastructure and Planning received written notice under section 383(1)(a) of the *Sustainable Planning Act 2009* (the act) on 11 February 2015 advising the department, as a concurrence agency, of the request to extend the relevant period. The proposed extension to the relevant period is until 23 February 2019.

The department has considered the request to extend the relevant period and advises that it has no objection to the extension being approved.

If you require any further information, please contact Jenny Sapuppo, Senior Planning Officer, Regional Services – Far North Queensland on (07) 4037 3202, or via email jenny.sapuppo@dndip.qld.gov.au who will be pleased to assist.

Yours sincerely

Robin Clark
Manager (Planning)

Page1	Far North Queensland Regional Office Ground Floor, Cairns Port Authority PO Box 2358 Cairns QLD 4870
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ATTACHMENT 3: AMENDED INFRASTRUCTURE CHARGES NOTICE



2006 & 2008 Douglas Shire Planning Schemes Applications

INFRASTRUCTURE CHARGES NOTICE

Our Stuff Pty Ltd		0	0
DEVELOPERS NAME		ESTATE NAME	STAGE
97-107 Davidson Street		Port Douglas	L1 L2 RP741341
STREET No. & NAME		SUBURB	LOT & RP No.s
MCU Code (multiple dwellings)		43.2011.4125	31-Dec-14
DEVELOPMENT TYPE		COUNCIL FILE NO.	R&B INDEX QUARTER ENDING
448831		1	VALIDITY PERIOD
DSC Reference Doc . No.		VERSION No.	
		This logsheet is indexed appropriately only for payments made within the quarter noted above.	

	DIST	\$ / EDC		NET EDC	ADJUSTMENT	AMOUNT DUE	AMOUNT PAID	Receipt Code & GL Code
WATER								
Existing	11	6,547.95	X	50.00	0.00	\$327,397.42		861GL 07470.0135.0823
Proposed	11	647.61	X	50.00	0.00	\$32,380.39		875 GL 07470.0135.0824
Port Douglas	Water sub - total					\$359,777.81		
SEWERAGE								
Existing	3	3,920.69	X	69.20	0.00	\$271,311.43		883 GL 07480.0135.0823
Proposed	3	525.04	X	69.20	0.00	\$36,332.78		889 GL 07480.0135.0824
Pt D Mirage & A	Sewerage sub - total					\$307,644.21		
OPEN SPACE	DSC Area					\$0.00		894 GL 07230.0135.0825
Off-Site Car Parking	0.00					\$0.00		
TOTAL						\$667,422.02		

Prepared by	J Elphinstone	on	19.2.2015	Amount Paid	
Checked by	Neil Beck	on	19-Feb-15	Date Paid	
Date Payable					
Amendments	Date			Cashier	

Note:

The Infrastructure Charges in this Notice are payable in accordance with Section 629 of the *Sustainable Planning Act 2009 (SPA)*.

Charge rates are subject to index adjustments (QLD Road & Bridge Index, ABS data as per SPA). The total charge amount indicated on this notice is current at the date of issue. **The total charge due at the date of payment must reflect the current indexed value. Please contact the Development & Environment Douglas Shire Council prior to payment for review.**

Charges are payable to: Douglas Shire Council. You can make payment at any of Council's Business Offices or by mail with your cheque or money order to Douglas Shire Council, PO Box 723, Mossman QLD 4873. Cheques must be made payable to Douglas Shire Council and marked 'Not Negotiable.' Acceptance of a cheque is subject to collection of the proceeds. Post dated cheques will not be accepted

Any enquiries regarding Infrastructure Charges can be directed to the Development & Environment, Douglas Shire Council on 07 4099 9444 or by email on enquiries@douglas.qld.gov.au

OUR REF: MCUC 645/2015 (449181)

26 February 2015

Our Stuff Pty Ltd
C/- Laidlaw Holdings Pty Ltd
PO Box 2272
IVANHOE EAST VIC 3079

Dear Sir

**AMENDED ADOPTED INFRASTRUCTURE CHARGES NOTICE FOR
97-107 DAVIDSON STREET, PORT DOUGLAS**

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

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

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

These charges are payable prior to the change of use occurring in accordance with section 648H of the Act.

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

- your right to make representations to Council about the Amended 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 Jenny Elphinstone of Development and Environment on telephone number 07 4099 9482.

Yours faithfully

Donna Graham
Manager Development & Environment

Att

43.2015.645
33/34 (449181)

AMENDED INFRASTRUCTURE CHARGES NOTICE



2006 & 2008 Douglas Shire Planning Schemes Applications

INFRASTRUCTURE CHARGES NOTICE

Our Stuff Pty Ltd	0	0
DEVELOPERS NAME	ESTATE NAME	STAGE
97-107 Davidson Street	Port Douglas	L1 L2 RP741341
STREET No. & NAME	SUBURB	LOT & RP No.s
MCU Code (multiple dwellings)	43.2011.4125	31-Dec-14
DEVELOPMENT TYPE	COUNCIL FILE NO.	R&B INDEX QUARTER ENDING
448831	1	VALIDITY PERIOD
This logsheet is indexed appropriately only for payments made within the quarter noted above.		
DSC Reference Doc. No.	VERSION No.	

	DIST	\$ / EDC		NET EDC	ADJUSTMENT	AMOUNT DUE	AMOUNT PAID	Receipt Code & GL Code
WATER								
Existing	11	6,547.95	X	50.00	0.00	\$327,397.42		861GL 07470.0135.0823
Proposed	11	647.61	X	50.00	0.00	\$32,380.39		875 GL 07470.0135.0824
Port Douglas	Water sub - total					\$359,777.81		
SEWERAGE								
Existing	3	3,920.69	X	69.20	0.00	\$271,311.43		883 GL 07480.0135.0823
Proposed	3	525.04	X	69.20	0.00	\$36,332.78		889 GL 07480.0135.0824
Pt D Mirage & A	Sewerage sub - total					\$307,644.21		
OPEN SPACE	DSC Area					\$0.00		894 GL 07230.0135.0825
Off-Site Car Parking	0.00					\$0.00		
TOTAL						\$667,422.02		

Prepared by	J Elphinstone	on	19.2.2015	Amount Paid	
Checked by	Neil Beck	on	19-Feb-15	Date Paid	
Date Payable					
Amendments		Date		Cashier	

Note:

The Infrastructure Charges in this Notice are payable in accordance with Section 629 of the *Sustainable Planning Act 2009 (SPA)*.

Charge rates are subject to index adjustments (QLD Road & Bridge Index, ABS data as per SPA). The total charge amount indicated on this notice is current at the date of issue. **The total charge due at the date of payment must reflect the current indexed value. Please contact the Development & Environment Douglas Shire Council prior to payment for review.**

Charges are payable to: Douglas Shire Council. You can make payment at any of Council's Business Offices or by mail with your cheque or money order to Douglas Shire Council, PO Box 723, Mossman QLD 4873. Cheques must be made payable to Douglas Shire Council and marked 'Not Negotiable.' Acceptance of a cheque is subject to collection of the proceeds. Post dated cheques will not be accepted

Any enquiries regarding Infrastructure Charges can be directed to the Development & Environment, Douglas Shire Council on 07 4099 9444 or by email on enquiries@douglas.qld.gov.au