

Our Ref: 0529/WD-00-001/2014

23 July 2014

Chief Executive Officer
Douglas Shire Council
PO Box 723
MOSSMAN QLD 4873

Attn: Mr Neil Beck

Dear Neil,

RE: REQUEST FOR EXTENSION OF RELEVANT PERIOD RELATING TO DEVELOPMENT APPROVAL FOR A MATERIAL CHANGE OF USE FOR RESIDENTIAL DEVELOPMENT ON LOT 51 SP155078, VIXIES ROAD, WONGA

As the land owners of Lot 51 SP 155078, Wonga Beach Aquaculture Resort Pty Ltd, we lodge the abovementioned request for an extension of time for the current Material Change of Use (MCU) approval.

A Development Approval for the MCU which permits residential development on Lot 51 on SP155078 was granted by the Cairns Regional Council in the form of a Negotiated Decision Notice at its Meeting on 13 April 2011. Notification of the Decision was received by RPS, on behalf of the owner, on 20 April 2011 therefore it is understood that the approval will remain current until 20 April 2015 unless otherwise extended.

The MCU Approval indicates that a Development Permit for Lot Reconfiguration was the further Development Permit required to facilitate the development.

In response to the MCU Approval, a Development Application seeking a Development Permit for the Reconfiguring a Lot (ROL) was lodged with the Cairns Regional Council and was granted approval by the Cairns Regional Council in the form of a Negotiated Decision Notice dated 13 December 2013. The ROL Development Permit is understood to remain current for 4 years and therefore will lapse on the 13 December 2017 unless action is taken to keep the ROL Development Permit current.

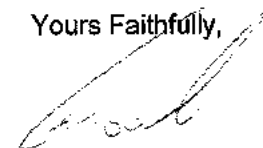
It is understood that the issue of the ROL Development Permit does not automatically extend the life of the MCU Approval even though the ROL Development Permit is dependent on the MCU Approval. As discussed, it is considered appropriate that the MCU Approval's currency aligns with the currency of the ROL Development Permit. Therefore, in accordance with Section 383 of the *Sustainable Planning Act 2009*, it is requested that an extension of time for the MCU Approval be granted where the currency of the MCU Approval aligns with the currency of the ROL Development Permit and so that MCU Approval remains current for as long as the ROL Development Permit remains current.

In regard to this request, please find attached;

- 1) A cheque in the amount of \$6812.75 being your fees in this matter;
- 2) Copy of the above mentioned Material Change of Use MSU; - Attachment A;
- 3) Copy of the above mentioned Reconfiguring a Lot ROL; - Attachment B; and
- 4) Copy of correspondence as sent to the Department of State Development, Infrastructure and Planning as the referral agency associated with our current approvals; - Attachment C.

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

Yours Faithfully,



JAMES GOODE
Development Manager

Attachment A

MCU Development Approval



ENQUIRIES: Mrs Lauren Payler
PHONE: (07) 4044 3551
FAX: (07) 4044 3836
YOUR REF: 8339/OCK/MLM/67685
OUR REF: 8/37/10 (3137619)

18 April 2011

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

BY: OLC

Dear Sir/Madam

**NEGOTIATED DECISION NOTICE UNDER S808 SUSTAINABLE PLANNING ACT
2009: DEVELOPMENT APPLICATION FOR VIXIES ROAD, WONGA**

With reference to the abovementioned Development Application, which was determined by Council at the Planning & Environment Committee Meeting held on 13 April 2011, please find attached the relevant Negotiated Decision Notice.

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

Should you have any enquiries in relation to this Negotiated Decision Notice, please contact Lauren Payler of Council's Development Assessment team on telephone number (07) 4044 3551.

Yours faithfully

Kelly Reaston
Manager Development Assessment

All

40.2008.2248
1/24

For all correspondence:
PO Box 359 Cairns Q 4870
www.cairns.qld.gov.au
council@cairns.qld.gov.au

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

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



DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

30 JAN 2012

APPLICANT DETAILS

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

ADDRESS

Vixies Road, Wonga

REAL PROPERTY DESCRIPTION

Lot 51 on SP155078

PROPOSAL

Preliminary Approval for a Staged Development & Development Permit for Stage 1 of the Staged Development for a Material Change of Use for Residential Purposes for Dwelling House, Local Utility, Display Home, Dwelling House/Attached Flat and Estate Sales Office (as defined in the Superseded Transitional Planning Scheme for the Shire of Douglas, December 1996)

DECISION

Approved in part & Refused in part (Preliminary Approval component and Development Permit component respectively)

DECISION DATE

This Negotiated Decision Notice dated 13 April 2011 replaces the Decision Notice dated 28 July 2010.

TYPE

Material Change of Use

REFERRAL AGENCIES

(MCU or ROL containing remnant vegetation as defined under the Vegetation Management Act 1999)

(Heritage, Coastal & ERAs EPA)

(Acid Sulphate Soils)

Development Application Lodgement

Department of Environment & Resource Management

PO Box 2454

BRISBANE QLD 4001

40.2006.2248
2/24

For all correspondence:

PO Box 359 Cairns Q 4870

www.cairns.qld.gov.au

council@cairns.qld.gov.au

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119-145 Spence Street, Cairns Q 4870

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Mossman Administration Centre

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P: 07 4099 9444 | F: 07 4098 2902

DECISION NOTICE DETAILS
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(State Controlled Roads)
Department of Transport and Main Roads
Far North Region
PO Box 6185
CAIRNS QLD 4870
Attention: Senior Planner

(Declared fish habitat areas, marine plants, waterway barriers, aquaculture or requests for third party comment)
Department of Employment Economic Development & Innovation
Northern Fisheries Centre
PO Box 5396
CAIRNS QLD 4870

(For applications under s3.1.6 of the IPA)
(For Applications under Section 242 of SPA)
Department of Infrastructure and Planning
PO Box 5194
CAIRNS QLD 4870

Department of Emergency Services
GPO Box 1426
BRISBANE QLD 4001

Great Barrier Reef Marine Park Authority
PO Box 6091
CAIRNS QLD 4001

SUBMISSIONS

There were ~~nine (9)~~ eight (8) properly made submissions for this application.

Michael Wolveridge	PO Box 534	PORT DOUGLAS QLD 4877
Mrs J L Gray	PO Box 229	MOSSMAN QLD 4873
Michelle Lihou	1 Bowman Close	WONGA BEACH QLD 4873
Rod Miller	1 Bowman Close	WONGA BEACH QLD 4873
Nada Petrasevic	6-10 Bowman Close	WONGA BEACH QLD 4873
George Palmer	PO Box 332	MOSSMAN QLD 4873
Marlin Drive Residents Association Inc	PO Box 1367	MOSSMAN QLD 4873
Tonia McNamara and Rhonda Eastment	PO Box 712	MOSSMAN QLD 4873
CM Price	PO Box 821	MOSSMAN QLD 4873

FURTHER DEVELOPMENT PERMITS REQUIRED

Development Permit for Lot Reconfiguration

CODES TO COMPLY WITH FOR SELF-ASSESSABLE DEVELOPMENT

None

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- A. Preliminary Approval for Material Change of Use for Dwelling House, Local Utility, Display Home, Dwelling House/Attached Flat and Estate Sales Office (as defined in the Superseded Transitional Planning Scheme for the Shire of Douglas, December 1996), on lot sizes to be determined in accordance with the approved Plan of Development over land described as Lot 51 on SP155078, located at Vixies Road, Wonga, is subject to the following:

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
Plan of Development (as amended by conditions of approval contained herein)	RPS Drawing 9339-9 Issue A prepared by RPS Australia East Pty Ltd	18/05/2010
Table of Assessment for 8/37/10	-	29/6/2010

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 Commencement of Use, except where specified otherwise in these conditions of approval.

Approved Uses

3. The Approved Uses are specified as Dwelling House, Local Utility, Display Home, Dwelling House/Attached Flat and Estate Sales Office as defined in the Transitional Planning Scheme for the Shire of Douglas, December 1996.

Subsequent Development Applications

4. All development applications for Material Change of Use or Reconfiguring a Lot, subsequent to the Preliminary Approval, must demonstrate compliance with the planning instruments applicable at the time of application.

Future Reconfiguration of a Lot Development

5. The extent of development is to be limited to that portion of the site that is above the 1 in 100 ARI storm tide level and the Q100 flood immunity level inclusive of any hydraulic grade effect in accordance with FNQROC Development Manual, Planning Scheme requirements and the State Coastal Management Plan, Coastal Hazards Policy unless a detailed assessment is prepared to the satisfaction of the Chief Executive Officer to support any further development outside these limits. Such assessment must include:

- Investigation of impacts on flooding upstream and downstream from the site;
- Identification of ongoing maintenance requirements for Council for the resulting drainage reserves;
- Identification of environmental values;
- Consideration of public safety matters; and
- A Staging Plan for the timing of the transfer to the crown of all land outside the approved development area proposed to be approved.

Such assessment must be submitted prior to or together with the first development application for a Development Permit for Reconfiguration of the Lot. No filling to accommodate future lots and no reconfiguration will be permitted to extend below this line. All land below this line outside an approved development area is to be transferred to the Crown at the same time as registering the Plan of Survey with the Department of Environment and Resource Management for the relevant stage identified in the Staging Plan endorsed by Council. Any credit for land transferred to Crown as Park will be calculated in accordance with the Infrastructure Contributions Policy applicable at the time of the issue of the Development Permit for Reconfiguration of the Lot for the relevant stage.

6. Residential lots must be setback from the wetland(s) and waterway(s) on the site and on adjoining sites through the adoption of appropriate buffer zones, to maintain water quality and ecological functions and services of the wetland(s) and waterway(s). ~~In the absence of a detailed local assessment to determine an appropriate wetland buffer~~ Unless a detailed local assessment prepared generally in accordance with Policy 7.1 of the Far North Queensland Regional Plan 2009-2031 identifies a lesser wetland buffer, the minimum wetland buffer from a wetland is 200 metres from a wetland of high ecological significance.

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In the absence of a detailed local assessment Unless a detailed local assessment prepared generally in accordance with Policy 7.1 of the Far North Queensland Regional Plan 2009-2031 identifies a lesser waterway setback, the minimum setback from a waterway is 100 metres of each high bank of a waterway with high intact riparian biodiversity and a minimum of 50 metres of each high bank of a waterway of stream order five or greater. A Staging Plan which details the staging of the transfer of the waterway(s) and wetland(s) relative to individual stages of the development shall be lodged with and endorsed by Council concurrent with the initial Development Application for the Development Permit for Reconfiguration of the Lot. The waterway(s) and wetland(s) are to be rehabilitated to a natural maintenance-free watercourse and transferred to the Crown at the same time as registering the Plan of Survey with the Department of Environment and Resource Management for the relevant stage identified in the Staging Plan endorsed by Council. Credit for land transferred to Crown as Park will be calculated in accordance with the Infrastructure Contributions Policy applicable at the time of the issue of the Development Permit for Reconfiguration of the Lot for the relevant stage.

7. The development must incorporate an adequate buffer area along the Western boundary of the lot to reduce the potential for conflict between existing and future farming activities on the adjoining rural property and the future residential development. The width and characteristics of the buffer area must be calculated in accordance with the State Planning Policy 1/92: Development and the Conservation of Agricultural Land and the Planning Guidelines: Separating Agricultural and Residential Land Uses.
8. An Esplanade in the form of a public road and carriageway is to form the eastern limit of the development and shall separate residential lots from the land to be dedicated to the Crown as required by condition 5 herein.
9. The road reserve for the A Connector Road shall to be provided between Snapper Island Drive and Vixles Road shall be dedicated to Council at Stage 1 of any future development application to reconfigure the land. The alignment of the Connector Road as shown in the Plan of Development is indicative only and shall be subject to further detailed design considerations. The Connector Road and Vixles Road must be upgraded to a Minor Collector Standard with provision for public transport.

A Staging Plan which details the staging of construction of the Road upgrades relative to individual stages of the development shall be lodged with and endorsed by Council concurrent with the initial Development Application for the Development Permit for Reconfiguration of the Lot.

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A Concept Plan which adequately accommodates the above requirements to the satisfaction of the Chief Executive Officer shall be lodged with Council concurrent with the Initial Development Application for the Reconfiguration of the Land. The Concept Plan shall identify the location for the Connector Road and other Infrastructure required to service the whole development.

Street Layout and Design

10. The street layout and design must comply with Queensland Streets and the FNQROC Development Manual, to the satisfaction of the Chief Executive Officer. In particular:
 - a. All roads must have a minimum road reserve width of 14.5 metres;
 - b. Provision of a two (2) metre wide footpath within all Access Streets and higher order roads in accordance with Table D1.3;
 - c. Ensure the access place 'street leg length' is designed to satisfy the 30 km/hr design speed control criteria;
 - d. Ensure the access street 'street leg length' is designed to satisfy the 40 km/hr design speed control criteria;
11. Undertake a Local Drainage Study of the whole site to determine the drainage impacts development on the land will have on upstream and downstream properties and the mitigation measures required to minimise such impacts. In particular, the study must address the following:
 - a. The contributing catchment boundaries;
 - b. The extent of the 100 year ARI flood event in relation to the site both pre and post development;
 - c. Primary and secondary flow paths for the 5, 20, 50 and 100 year ARI flood events;
 - d. Identify any requirement for drainage easements;
 - e. Identify the need and tenure for flood detention areas to ensure a no-worsening impact on downstream properties for the entire development;
 - f. Detail the proposed works and any impacts proposed at the drainage outlet from the proposed development;

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- g. Demonstrate how the proposed drainage will be directed toward a Lawful Point of Discharge; and
- h. Provide calculations to demonstrate that the proposed receiving Infrastructure has sufficient capacity to convey stormwater flows.

The Local Drainage Study must be provided to the satisfaction of the Chief Executive Officer prior to the issue of the initial Development Permit for the Reconfiguration of a Lot,

- 12. Lots within Precinct A (as amended by conditions herein) shall have minimum area of 4000 m² and dimensions to accommodate a square with a minimum side of 50 metres.
- 13. Lots within Precinct B (as amended by conditions herein) shall have a minimum area of 2000 m² and dimensions to accommodate a square with a minimum side of 25 metres. Lots of a minimum area of 1000 m² will only be permitted where it is demonstrated that a community effluent disposal system or similar alternative means is to be installed in association with any development proposal.
- 14. Lots which have frontage to the Connector Road and Vixies Road shall have a minimum frontage of 35 metres.
- 15. Any future development application seeking a Development Permit for a Material Change of Use and/or Reconfiguration of a Lot on the land must be supported by an Assessment of Service Infrastructure Requirements and Proposed Provision for the whole development. The Assessment must be prepared by an appropriately qualified Professional Engineer to the satisfaction of the Chief Executive Officer, prior to the issue of a Development Permit.
- 16. The following issues must be addressed to the satisfaction of the Chief Executive Officer prior to the issue of the initial Development Permit for the Reconfiguration of a Lot:
 - a. Demonstrate how sewage generated from the site will be conveyed to and serviced by Council's existing sewerage infrastructure, and identify any pump stations, rising mains, trunk mains and treatment facilities (Mossmann Treatment Plant) are required to be constructed or upgraded to cater for the development. This development is out of sequence with Council's infrastructure planning and all costs associated with expanding Council's sewerage scheme to cater for the development is the responsibility of the developer.

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- b. Demonstrate how Council's existing water supply infrastructure can cater for the increased demand generated by the development and identify any upgrades that are required to be undertaken by the Developer. ~~This development is out of sequence with Council's infrastructure planning and~~ All costs associated with expanding Council's water supply scheme to cater for the development is the responsibility of the developer. Any credit applicable for external water supply infrastructure works will be determined in accordance with the Infrastructure Contributions Policy applicable at the time of making the application for a Development Permit for Reconfiguration of a Lot.

Infrastructure Contributions

17. A monetary contribution must be paid to Council in accordance with Council's Trunk Infrastructure Contributions Policy or Priority Infrastructure Plan, for any Development Permit for Material Change of Use or Reconfiguring a Lot, towards infrastructure charges applicable under the relevant charging policy at the time of making the subsequent development application.

Contributions must be paid at the rates applicable at time of payment in accordance with the method of calculation the charged under the relevant policy.

Payment is required prior to commencement of use or approval and dating of the Plan of Survey for each respective Development Permit granted as a result of this Preliminary Approval.

Any credit applicable for external infrastructure works will be determined in accordance with the Infrastructure Contributions Policy applicable at the time of making the application for a Development Permit for Reconfiguration of a Lot.

CONCURRENCE AGENCY CONDITIONS AND REQUIREMENTS

Concurrency Agency	Concurrency Agency Reference	Date	Council Electronic Reference
Department of Environment and Resource Management	IC0908CNS0018	22 July 2009	#2609539

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

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B. Development Permit (Stage 1 of a staged residential development) for a Material Change of Use – Impact Assessment for the permitted and permissible uses in the Table of Zones for Residential "A" Zone in the Transitional Planning Scheme for the Shire of Douglas including Dwelling House, Local Utility, Park, Display Home, Dwelling House/Attached Flat, and Estate Sales Office, and residential lots with a minimum area of 800 m² over part of the site containing an area of 7.4 hectares (approx), is refused on the following grounds:

1. Insufficient information has been provided to demonstrate that the proposed layout for Stage 1 (Drawing No. 9339-3, dated 23/09/08, prepared by Conles) is consistent with the Plan of Development (as amended by conditions of preliminary approval) for Lot 51 on SP155078.

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 Section 802 of the *Sustainable Planning Act 2009*.
2. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.
3. For information relating to the *Sustainable Planning Act 2009* log on to www.dip.qld.gov.au. To access Council's Development Manual, Local Laws and other applicable Policies log on to www.cairns.qld.gov.au.

RIGHTS OF APPEAL

Attached

End of Decision Notice

DECISION NOTICE DETAILS
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29/06/2010 Table of assessment for development in accordance with Preliminary Approval 8/37/10

The following is the approved modifications to the affect of the Planning Scheme as approved within Preliminary Approval 8/37/10

Defined Use	Assessment Level
Dwelling House	Self assessable
Local utility	Self assessable
Park	Self assessable
Display Home	Self assessable
Dwelling House/ attached flat	Self assessable
Estate Sales Office	Code assessable

**DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009**

APPENDIX 2 CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS



**Queensland
Government**

29 September 2006

Mr N Briggs
Chief Executive Officer
Calrus Regional Council
PO Box 357
Moggan QLD 4873

Department of Main Roads

Dear Mr Briggs:

Calrus Regional Council: Mossman-Daintree Road
Situated at Snapper Island Drive & Viles Road, Wonga Beach
Lot 51 on SP 155078, Parish of Wynahuel
Wonga Beach Aquaculture Resort Pty Ltd
Proposed Material Change of Use (Residential Purposes & Stage 1 of Development) Application
Referral Agency's Response

I refer to:

- the above application received at the Department 18 August 2006 and 18 September 2006 requesting consideration of the above development,
- the Department's letter of 3 October 2006 of conditions of development, and
- Response to Information Request received at the Department 26 September 2006.

The additional information received at the Department 18 September 2006 was a letter from the applicant's engineering consultants, which specifically addressed the Department's information request, and which is contained in Annexure 1 to the full Response to Information Request received at the Department 26 September 2006.

Consequently, the Department's letter of 3 October 2006 of conditions of development remains this department's referral agency response and is included here, with the only update being the references to Douglas Shire Council being replaced by Calrus Regional Council.

A. CONDITIONS OF DEVELOPMENT

Pursuant to the *Integrated Planning Act 1997*, the Queensland Department of Main Roads, as an Advise Agency, has assessed the impact of the proposed development on the State-controlled road network and requests that Council include the following conditions of development for the subject application:

1. Permitted Road Access Location

- (i) Access between the State controlled road (i.e. Mossman-Daintree Road) and the subject land shall be via Snapper Island Drive and Viles Road, to the satisfaction of Calrus Regional Council.

Roads & Transport Group
For the Regional Office
Floor 4, Calrus Corporate Tower, 15 Lake Street
PO Box 1121, CAIRNS QLD 4870
ABN 67 436 127 711

Current 21452750/14706
You tel 130 1265
Enquiries 08 17 436 1111
Telephone 08 17 436 1111
Facsimile 08 17 436 5728

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- (ii) No direct access between the State controlled road reserve (i.e. Mossman-Daintree Road) and the subject land is permitted

2. Intersection Works

- (i) The Mossman-Daintree Road/Wonga Beach Road and Mossman-Daintree Road/Vixies Road intersections shall be upgraded in accordance with
- the Department of Main Roads *Road Planning and Design Manual*, and
 - current Department of Main Roads standards
- A recent site inspection indicates the provision at each intersection of:
- Channelised Right Turn Treatment with Short Length Slot (CHRTS) including 1.5m wide sealed shoulders for the 100kph design speed, as generally indicated on attached DMR Figure D2,
 - install street lighting to category V3, in accordance with *Road Planning and Design Manual* Chapter 17
 - relocation of road edge guide posts, and
 - line marking and raised pavement markers
- (ii) The landowner/ applicant shall submit design drawings prepared by a suitably qualified Registered Professional Engineer Queensland (RPEQ) for approval to the Cairns office of the Department of Main Roads prior to commencing any works within the State-controlled road reserve (i.e. Mossman-Daintree Road).
- (iii) All required intersection works shall be completed to the satisfaction of the Director-General of the Department of Main Roads prior to the landowner/ applicant seeking Council approval and dating of the first plan of survey of the subject land creating any residential allotments which connect to:
- Snapper Island Drive, for the Mossman-Daintree Road/ Wonga Beach Road intersection works, and
 - Vixies Road, for the Mossman-Daintree Road/ Vixies Road intersection works.

3. Advertising

No advertising device for the proposed development is permitted within the State-controlled road reserve (i.e. Mossman-Daintree Road).

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 Application Referrals and Assessment Guide; and
- Douglas Shire Planning Scheme

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- 3 -

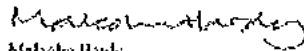
B. GENERAL DISCUSSION

Council is requested to reflect the above conditions on its Rates Record, to ensure that the planning intentions of the conditions 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



Malcolm Hardy

SENIOR PLANNER FAR NORTH



**Queensland
Government**

Your Reference
Our Reference
Contact
Disability Unit
Phone

Imperial and Resource Management

4 August 2009

Wonga Beach Aquaculture Resort Pty Ltd
C/- Mr Owen Caddick King
Conics (Colins) Pty Ltd
PO Box 1949
Colins Qld 4870

Dear Mr Cuddick-King,

**Application for Material Change of Use to Residential Purposes on Lot 61 on
SP155078 – Amended Concurrence Agency Response**

I enclose, as requested today, a copy of the amended concurrence agency response of the chief executive, Department of Environment and Resource Management for the above application. This response is dated 22 July 2009.

I note that a copy of this response was forwarded to you as an attachment to a copy of the Department's letter to Council dated 28 July 2006 on this matter.

Should you have any questions about the above, please contact Graeme Masterman, Senior Project Officer, Landscape and Community Services, North Region, on telephone number (07) 4039 8270, quoting the above reference number.

Yours sincerely,

Graeme Masternan
Senior Project Officer
Landscape and Community Services, North Region

Department of Economic
and Resource Management
Level 5, 50 St. Andrew Street
PO Box 533, Cairns,
Queensland 4870 Australia
Telephone (07) 4933 8270
Facsimile (07) 4351 3165
Website www.derm.qld.gov.au

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Wonga Beach Aquaculture Resort Pty Ltd
C/- Mr Owen Caddick King
Concor (Gaines) Pty Ltd
PO Box 1949
Gaines Qld 4670

Ms Graeme Mistleman
Department of Environment and Resource Management
PO Box 937
Gaines Qld 4670

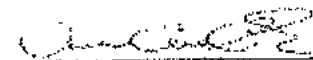
Dear Graeme,

Application for Material Change of Use to Residential Purposes on Lot 61 on
SP155078, Vixies Road, Wonga Beach - Agreement to change referral agency
response

For the above application, I advise that I:

- ☒ Agree to the content of amended referral agency response dated 21 July 2009
☐ Disagree to the original referral agency response dated 20 February 2009 being
altered by amended referral agency response dated 21 July 2009.

Signed

 Signature
Owen Caddick King Print name
29 July 2009 Date

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**Queensland
Government**

Your Reference: 5975/3194/35162167
Our Reference: 100905CH50010
Subject: Graeme Masterman
Director's Unit: Planning and Development
Phone: (07) 4038 8270

Department of
Environment and Resource
Management

22 July 2009

Wonga Beach Aquaculture Resort Pty Ltd
c/- Mr Owen Coddick-King
Conco (Calms) Pty Ltd
PO Box 1949
Calms Qld 4870

Dear Sir,

Application for Material Change of Use to Residential Purposes on Lot 51 on
SP155078, Vixion Road, Wonga Beach - Request for agreement to change
referral agency response

I refer to the referral agency response prepared by the chief executive of the
Department of Environment and Resource Management for the above application
and dated 20 February 2009. As a result of our recent correspondence, an
amended referral agency response has been prepared. A copy of the amended
response is enclosed for your perusal.

In order for the amended response to be given effect, I require your written
agreement to its content, pursuant to section 3.3.17(2) of the *Integrated Planning
Act 1997*. If you agree to the content of the amended response, it will replace the
original referral agency response dated 20 February 2009. Please indicate your
agreement or otherwise to the content of the amended response by completing and
returning the enclosed letter as a matter of urgency and prior to 29 July 2009.

Should you have any questions about the above, please contact Graeme
Masterman, Senior Project Officer, Landscape and Community Services, North
Region, on telephone number (07) 4038 8270, quoting the above reference number.

Yours sincerely,


Graeme Masterman
Senior Project Officer
Landscape and Community Services, North Region

22/7/09

Department of Environment
and Resource Management
Level 3, 15 Stephen Street,
PO Box 207 Cairns,
Queensland 4870 Australia

Telephone (07) 4038 8270
Facsimile (07) 4038 3365
Website www.derm.qld.gov

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Department of Environment and Resource Management (DERM)
Amended Referral Agency Response
section 3.3.16 Integrated Planning Act 1997

Application Information

Applicant's name:	Wonga Beach Aquaculture Resort Pty Ltd
Property description:	Lot 61 on SP 155075
Development Type:	Material Change of Use (Residential Uses)
Assessment Manager & Reference:	Calva Regional Council, TPC 1265
Date application properly referred to NRW:	22 August 2005
Departmental Reference	IC0008CNS0018

CONCURRENCE AGENCY MATTERS

Vegetation Management

Please see the attached and separate Referral Agency Response with respect to the *Vegetation Management Act 1999*.

In accordance with section 3.3.18(8) of the *Integrated Planning Act 1997* a Statement of Reasons is enclosed as part of the above Referral Agency Response.

ADVICE AGENCY MATTERS

The Department of Environment and Resource Management provides the following advice.

Acid Sulphate Soils

State Planning Policy 2002 - Planning and Managing Development Involving Acid Sulphate Soils (SPP 2002)

DERM reviewed the reports 'Natural Solutions - Preliminary Acid Sulphate Investigation' and 'Golden Associates - Preliminary Investigations Ref 05673041(A)' and provides the following comments:

- Both investigations used test pitting techniques in very sandy soils which resulted in collapse of the shallow pits at the groundwater table.
- Both investigations merely confirm that acid sulphate soils (ASS) are unlikely to occur in clean dry sand above the groundwater table below which ASS could be present. DERM notes that shallow excavations only are proposed for the site.
- Both investigations, being preliminary in nature and, together, do not meet the requirements of SPP 2002 Guidelines.
- Section 3 of the Natural Solutions report states (on page 3) that the development will require the placement of about 102,000 m³ of fill between 1 to 2 metres in depth. The report states that some of this fill will be poured from the proposed stormwater basins which will be excavated to 2.2m AHD. Given the predominantly sandy condition, DERM considers that the site could receive fill with limited displacement effects. However the source of the very large volume of fill needs to be

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contained. The dimensions of placement need confirmation and require reinforcement through conditions on any development approval.

The investigation reports provided with the application do not provide reasonable justification for deep excavations on the land.

DERM recommends that the following conditions be placed on any Development Permit:

1. The applicant is to specify prior to operational works the location from which all RI materials will be sourced and provide reasonable evidence to the satisfaction of the Department of Environment and Resource Management that these materials do not contain acid sulphate soils.
2. The applicant must provide to the Department of Environment and Resource Management, engineering plans of cut and fill for the site prior to the commencement of operational works. These plans must show that the maximum invert depth for any bulk earthwork does not exceed +2.2 m AHD.

THIRD PARTY MATTERS

The Department of Environment and Resource Management provides the following advice to assist the Assessment Manager to fully consider the application:

Aboriginal Cultural Heritage Act 2003

See the requirements of this Act within the attached and separate Referral Agency Response with respect to the Vegetation Management Act below.


Grisome Masterman
Senior Project Officer (Planning & Environment)
North Region, Cairns

22 July 2009

22/7/09

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

**Department of Environment and Resource
Management –**

Amended Referral agency response

Given under Section 3.3.15 of the Integrated Planning Act 1997

1. Application details

- | | |
|-----------------------------------|--|
| 1.1. Applicant's name | Wunga Beach Aquaculture Resort Pty.
Ltd. C/O Centex (Cairns) Pty Ltd (Owen
Coddick-King) |
| 1.2. Property description | Lot 51 on SP155078 |
| 1.3. Development type | Material Change of Use (MCU) |
| 1.4. Assessment manager | Cairns City Council |
| 1.5. Assessment manager reference | Mr Neil Beck (TFC 1263) |
| 1.6. Referral date | 14 August 2009 |
| 1.7. Our reference | elVAS -2009/006473
RecPin -MBA/000115
TrackJob -IR0506A/TI0002 |

2. Concurrence agency response

The chief executive of the Department of Environment and Resource Management (DERM) directs the assessment manager to include the following conditions in any development approval given for the above mentioned application—

- 2.1. No clearing of assessable vegetation on Lot 51 SP155078 is to occur as a result of the Material Change of Use, including the clearing of assessable vegetation for roads, road reserves, infrastructure, fences and fire breaks
- 2.2. Any future clearing of native vegetation will require a development approval, unless the clearing of native vegetation is exempt under Schedule 8 of the *Integrated Planning Act 1997*.
- 2.3. All infrastructure and effluent boundaries must be located in Area A1 as depicted on Referral Agency Response Plan 2009/006473.

3. Reasons for the concurrence agency response

DERM has assessed the application against the *Concurrence Agency Policy for Material Change of Use (MCU) 23 August 2007* (MCU Policy) and has determined that the application meets the requirements of Criteria Table A, because clearing as a result of the MCU will not occur within assessable vegetation.

The chief executive of DERM has directed the assessment manager to include conditions in any development approval given for the above mentioned application to ensure that—

- Clearing as a result of the MCU does not occur within assessable vegetation; and
- The application remains consistent with the MCU Policy.

Page 1 of 2

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6694 - Natural Resources (2009) 28/05/2009

4.0 Aboriginal cultural heritage advice

Under Section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure that the activity does not harm Aboriginal cultural heritage (the 'cultural heritage duty of care'). Maximum penalties for breaching the cultural heritage duty of care are \$750 000 for a corporation and \$75 000 for an individual.

Applicants will comply with the cultural heritage duty of care in relation to Aboriginal cultural heritage if they are acting in compliance with the cultural heritage duty of care guidelines provided under the *Aboriginal Cultural Heritage Act 2003*, available on the DERM website, or in accordance with an agreement with the Aboriginal party for the area or a cultural heritage management plan approved under Part 7 of the *Aboriginal Cultural Heritage Act 2003*.

Applicants should also undertake a search of the Aboriginal Cultural Heritage Database and the Aboriginal Cultural Heritage Register, administered by the Cultural Heritage Coordination Unit, DERM. Application forms to undertake a free search of the Aboriginal Cultural Heritage Database and the Aboriginal Cultural Heritage Register may be obtained by contacting the Cultural Heritage Coordination Unit on (07) 3278 3818 or on the DERM website - www.DERM.qld.gov.au/cultural_heritage.

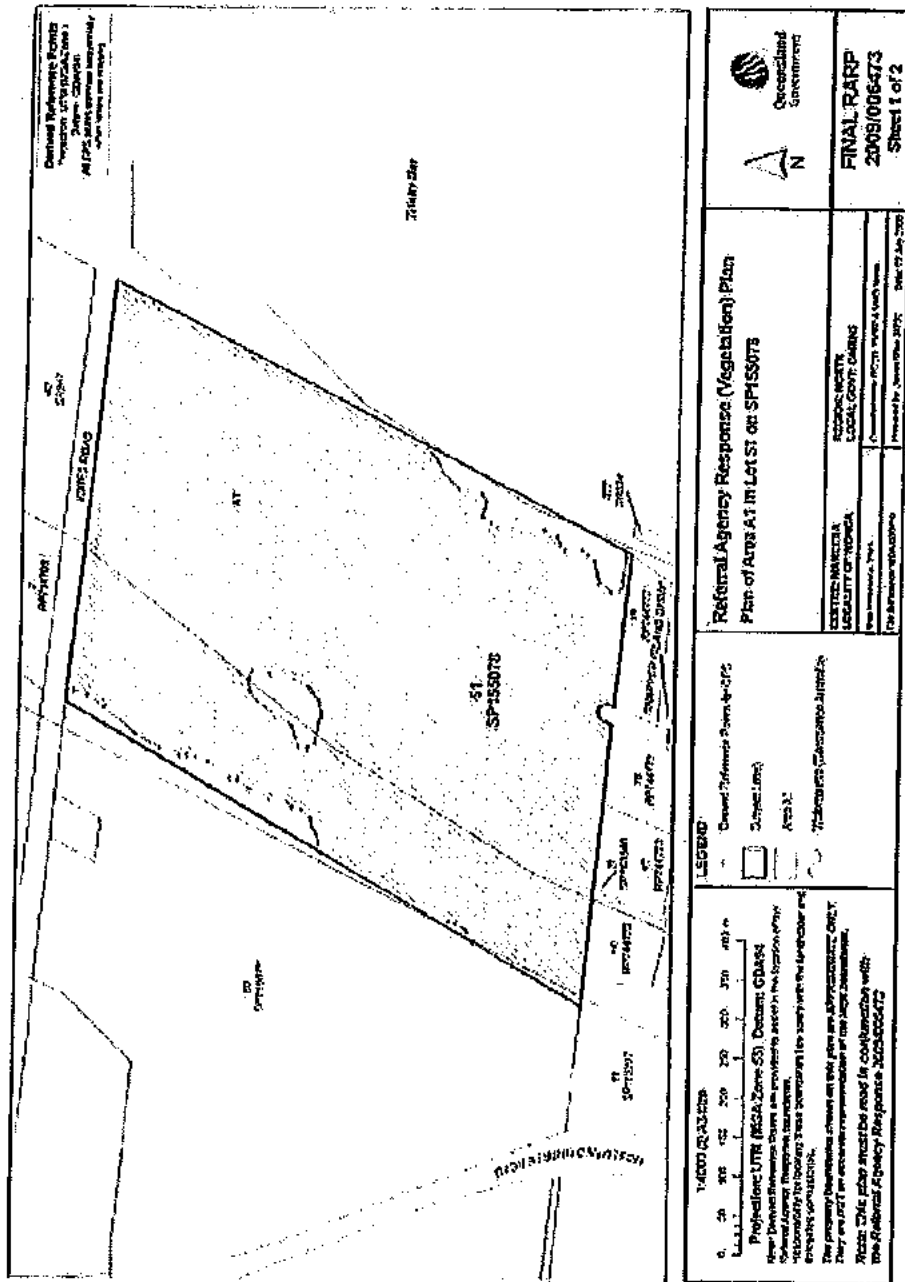
4. Delegated officer signature



Mr David Gillinder
Senior Vegetation Management Officer
North Region, DERM

21/7/2009

DECISION NOTICE DETAILS
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DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

Parcel ID	Unique ID	Eastings	Northing	Parcel ID	Unique ID	Eastings	Northing	Parcel ID	Unique ID	Eastings	Northing
A1	1	331236	8193507	A1	26	330947	8193125	A1	51	330721	8193688
A1	2	331227	8193602	A1	27	330977	8193120	A1	52	330730	8193712
A1	3	331229	8193595	A1	28	330985	8193123	A1	53	330748	8193745
A1	4	331119	8193381	A1	29	330416	8193189	A1	54	330781	8193784
A1	5	331100	8193366	A1	30	330424	8193194	A1	55	330795	8193808
A1	6	331083	8193358	A1	31	330438	8193208	A1	56	330802	8193824
A1	7	331063	8193338	A1	32	330463	8193243	A1	57	330801	8193832
A1	8	331056	8193308	A1	33	330457	8193259	A1	58	330764	8193510
A1	9	331047	8193302	A1	34	330487	8193311	A1	59	330771	8193508
A1	10	331037	8193304	A1	35	330501	8193319	A1	60	330780	8193510
A1	11	331027	8193307	A1	36	330509	8193332	A1	61	330802	8193518
A1	12	331019	8193296	A1	37	330521	8193372	A1	62	330808	8193523
A1	13	331014	8193286	A1	38	330598	8193505	A1	63	330818	8193543
A1	14	331011	8193227	A1	39	330621	8193510	A1	64	330821	8193553
A1	15	331002	8193210	A1	40	330642	8193516	A1	65	330825	8193572
A1	16	330992	8193206	A1	41	330642	8193518	A1	66	330828	8193595
A1	17	330987	8193200	A1	42	330552	8193531	A1	67	330818	8193500
A1	18	330985	8193177	A1	43	330555	8193541	A1	68	330803	8193599
A1	19	330979	8193170	A1	44	330561	8193547	A1	69	330790	8193580
A1	20	330972	8193162	A1	45	330565	8193570	A1	70	330781	8193545
A1	21	330955	8193158	A1	46	330578	8193597	A1	71	330732	8193535
A1	22	330944	8193155	A1	47	330589	8193612	A1	72	330732	8193524
A1	23	330933	8193140	A1	48	330592	8193623	A1	73	330737	8193514
A1	24	330935	8193128	A1	49	330714	8193650				
A1	25	330941	8193122	A1	50	330722	8193679				

1:4000 @ A3 scale

LEGEND

Project: RTM (MCA Zone 59) Owner: CMAA

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Scale: 1:4000 @ A3 scale

North Arrow

Legend

Project: RTM (MCA Zone 59) Owner: CMAA

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Scale: 1:4000 @ A3 scale

North Arrow

Legend

Project: RTM (MCA Zone 59) Owner: CMAA

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Attachment B

ROL Development Permit



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

45.2011.4332
1/26

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
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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.dsdip.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 2: ORIGINAL APPROVED PLANS



LEGEND

- MAPPED WETLAND AREAS OF HIGH-ECOLOGICAL SIGNIFICANCE
- DETACH FROM HIGH WETLAND 120m from nearest High Ground - Current Day
- (DOWN FROM SURVEYED TOP OF BANK - Approx Day)
- SURVEYED TOP OF BANK
- CONTOURS

CONCEPT FILLING & DRAINAGE

- HIGH RAIN-LOGGED STAGNANT TROUGH TERRAIN
- INDICATED HIGH POINT AND TALL
- NEGATIVE LOW POINT
- TYPICAL SOIL QUALITY AT ALL HIGHS MARCH
- WATER LEVELS AT HEAD OF ACCUMULATING DRAINAGE IN LOW FLOW
- ELEVATION LEVEL VARIES: SL - 2.6 AHD
- POINT ELEVATION VALUES: 3.62 - 3.72 AHD

SECTION A-A (TYPICAL) MET TO SCALE

VIXIES ROAD
SWANSON ROAD
ESPLANADE

STAGE 1
STAGE 2
STAGE 3
STAGE 4
STAGE 5
STAGE 6
STAGE 7
STAGE 8

100m
50m
0m
-50m
-100m

NORTH ARROW

RPS
WONGA BEACH
ACQUICULTURE RESORT
WETLAND PART OF HIGH
ECOLOGICAL SIGNIFICANCE
CONCEPT FILLING AND
DRAINAGE

DATE	BY	FOR	REVISION
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	1
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	2
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	3
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	4
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	5
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	6
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	7
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	8
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	9
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	10
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	11
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	12
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	13
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	14
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	15
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	16
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	17
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	18
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	19
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	20
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	21
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	22
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	23
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	24
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	25
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	26
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	27
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	28
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	29
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	30
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	31
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	32
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	33
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	34
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	35
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	36
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	37
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	38
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	39
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	40
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	41
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	42
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	43
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	44
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	45
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	46
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	47
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	48
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	49
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	50
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	51
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	52
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	53
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	54
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	55
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	56
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	57
19/01/2011	J. BROWN	WONGA BEACH ACQUICULTURE RESORT	58
19/01			

45.2011.4332
17/26

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

co. 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

Notice
Concurrence Agency Response

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
9338-37	Wetland Areas of High Ecological Significance – Concept Filling and Drainage Overlay	07/05/2013
9338-20 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.

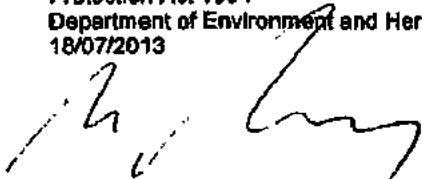
Contaminated land

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.

Notice
Concurrence Agency Response

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 Filling 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.



Delegato
Mike Trenerry
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	VALIDITY PERIOD
4121145		1	This logsheet is indexed appropriately only for payments made within the quarter noted above.
SKID9 No.		VERSION No.	

	DIST.	S / 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	1,073.62	X	0.00	0.00	\$0.00	T 618/ 05683
Sewerage sub - total					\$0.00		
Road Network	District No 0				\$0.00		000/ 0
DRAINAGE	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		349 / 05427
	None				\$0.00		
TOTAL					\$1,369,389.76		

Prepared by	Leon Dautre	on	11-Sep-13	Amount Paid	
Checked by	Sean Lisle	on	12-Sep-13	Date Paid	
Date Payable					
Advice	Date				
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

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	
DEVELOPERS NAME		ESTATE NAME	
Vixies Road		Wonga	
STREET No. & NAME		LOT & RP No.s	
ROL		30-Jun-13	
DEVELOPMENT TYPE		VALIDITY PERIOD	
4121145		1	
SKIDS No.		VERSION No.	
<div style="border: 1px solid red; padding: 2px;"> This logsheet is indexed appropriately only for payments made within the quarter noted above. </div>			

	DIST.	\$ / ERA	NET ERA	ADJUSTMENT	AMOUNT DUE	AMOUNT PAID	RECEIPT TYPE
WATER							
EX	6	13,973.26	X	98.00	0.00	\$1,369,389.76	T 615/ 05669
PRO	6	0.00	X	98.00	0.00	\$0.00	T 610/ 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	
ROADS							
District No.		0			\$0.00		000/ 0
DRAINAGE							
Stream Management		None			\$0.00		0
Stormwater Quality					\$0.00		0
OPEN SPACE							
Former CSC 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

Attachment C

Referral Agency Correspondence.

Our Ref: 0528/WD-00-001/2014

23 July 2014

Department of State Development, Infrastructure and Planning
Far North Queensland Regional Office
State Assessment and Referral Agency
PO Box 2358
CAIRNS QLD 4870

Att: Joanne Manson

Dear Joanne,

**RE: REQUEST FOR EXTENSION OF RELEVANT PERIOD RELATING TO DEVELOPMENT
APPROVAL FOR A MATERIAL CHANGE OF USE FOR RESIDENTIAL DEVELOPMENT
ON LOT 51 SP155078, VIXIES ROAD, WONGA**

As the land owners of Lot 51 SP155078, Wonga Beach Aquaculture Resort Pty Ltd, in respect of the above matter and enclose a copy of our submission to the Douglas Shire Council for your consideration.

We ask that a response in accordance with Section 385 of the *Sustainable Planning Act 2009* be provided at your earliest convenience.

A copy of this notice has been forwarded to the Douglas Shire Council pursuant to Section 383(3)(b) of the Sustainable Planning Act.

We trust the details provided are adequate to facilitate your assessment. However, should you require any further details or clarification prior to formally responding, please do not hesitate to contact the undersigned.

Yours Faithfully



JAMES GOODE
Development Manager

cc: Chief Executive Officer
Douglas Shire Council
PO Box 723
MOSSMAN QLD 4873
Att: Mr Neil Beck