135 Abbott Street
Cairns QLD 4870
T +61 7 4031 1336

Our ref: 466270

Date: 19 August 2026

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

Attn: Neil Beck, Team Leader Planning

Dear Neil,

93 Vixies Road, Wonga Beach - Material Change of Use, ROL (1 Lot into 99 Lots) & Operational Works (Stage 1)
Extension application for a development approval (pursuant to Section 86 of the Planning Act 2016)
Your Ref: ROL 2011_4332/2

We refer to Assessment Manager's approval dated 23 March 2021 of the development application over the above site (Ref: ROL 2011_4332/2). The development approval comprises:

- Development Permit for Reconfiguring a Lot (1 Lot into 99 Lots), and
- Development Permit for Operational Works for Subdivision Works (stage 1), excluding Landscape and Lighting Works.

The site has recently been acquired by its current owner who are eager to progress the development. As part of the development of the land, additional time is required to engage contractors to undertake the works and to address relevant conditions of approval to allow for the compliance assessment of a plan of survey.

On behalf of Found Project Partners, we lodge this application for an extension to the currency period of the approval.

In accordance with Council's current fee schedule, we understand that the application attracts an application fee, and it would be appreciated if Council Oficers could provide an invoice, made out to Found Project Partners to facilitate payment.

Proposed extension to the currency period

We note the following dates and durations apply

• Assessment Manager's date of decision	23 March 2021
• Applicant's receipt of decision notice	23 March 2021
• Date the approval took effect	24 March 2021
• Relevant currency period	6 years
• Expiration of the currency period	21 November 2026
• We request the extension of the currency period until	21 November 3032

Planning History

The subject site has the following approval history:

- 8/37/10 - 2 August 2010 - Preliminary Approval for a 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Dwelling House, Local Utility, Display Home, Dwelling House/Attached Flat and Estate Sales Office (as defined in the Superseded Transitional Planning Scheme for the Shire of Douglas, December 1996), issued by Cairns Regional Council;
- 8/37/10 – 18 April 2011 – Negotiated Decision Notice for a 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), issued by Cairns Regional Council;
- 8/13/1625 – 27 September 2013 - Development Permit for Reconfiguring a Lot (1 Lot into 99 Lots), issued by Cairns Regional Council;
- 8/13/1625 - 16 December 2013 – Negotiated Decision Notice for a Development Permit for Reconfiguring a Lot (1 Lot into 99 Lots), issued by Cairns Regional Council;
- MCUI 2248/2006 - 22 September 2014 – Extension of 2 August 2010 approval for Preliminary Approval for a 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) to be consistent with the 16 December 2013 RAL approval, issued by Douglas Shire Council;
- OP 4332/2011 0 21 November 2016 – Development Permit for Operational Works (Engineering) excluding Landscape and Lighting Works Stage 1A only, issued by Douglas Shire Council; and,
- ROL 2011_4332/2 - 23 March 2021 – Extension of Material Change of Use, ROL (1 Lot into 99 Lots) & Operational Works (Stage 1) & Request for Minor Change. – Lapse 21 November 2026, issued by Douglas Shire Council.

It is important to note that the current Douglas Shire Planning Scheme was adopted in 2018, prior to the most recent extension, and there has been no material change in the planning assessment benchmarks since that decision.

A copy of all approvals are attached at **Appendix A**.

Planning Act 2016

In accordance with section 86 of the *Planning Act 2016*, a person may make an application to the assessment manager to extend a currency period of a development approval before the approval lapses. The application is required to be made by notice, where the assessment manager does not have a form and must be accompanied by the consent of landowner, where the applicant is not the landowner.

In this instance, the landowner is Tracey McCloy, refer to **Appendix B** for a current Certificate of Title. As the applicant is not he landowner, the consent of the landowner is provided at **Appendix C**.

In assessing and deciding the application, section 87 of the *Planning Act 2016* states that the Council may consider any matter that the assessment manager considers relevant, even if the matter was not relevant to assessing the development application.

Douglas Shire Planning Scheme 2018

Under the Douglas Shire Planning Scheme 2018, the site is identified in the Rural Residential Zone and in Precinct 4 of the Wonga Beach Local Plan and is affected by the following overlays:

- Acid Sulfate Soils;
- Bushfire Hazard;
- Coastal Environment;
- Flood and Storm Tide Hazard;
- Landscape Values;

- Natural Areas; and,
- Transport Road Hierarchy.

A copy of the Douglas Shire Council Planning Scheme Property report is provided at **Appendix D.**

If the matter were fresh applications, the applications would be code assessable and the Council, as assessment manager, would have regard to the following matters:

- Rural residential Zone Code;
- Coastal Communities Local Plan Code;
- Acid Sulfate Soils Overlay Code;
- Bushfire Hazard Overlay Code;
- Coastal Environment Overlay Code;
- Flood and Storm Tide Hazard Overlay Code;
- Landscape Values Overlay Code;
- Natural Areas Overlay Code;
- Transport Road Hierarchy Overlay Code;
- Access, Parking and Servicing Code;
- Environmental Performance Code;
- Filling and Excavation Code;
- Infrastructure Works Code;
- Landscaping Code;
- Reconfiguring a Lot Code; and,
- Vegetation Management Code.

The consideration of the application, when first approved, considered matters relating to Acid Sulfate Soils, Bushfire Hazards, the Coastal Environment, Flood and Storm Tide Hazards, Natural Areas and the suitability of the site for the proposed development.

This resulted in, amongst other matters, conditions relating to minimum design levels of 3.4 AHD to provide an appropriate level of flood immunity with all lots requiring a building pad of 600m^2 and servicing requirements. These considerations are consistent with those matters that would need to be addressed in considering the codes above.

These matters were the same matters that were considered at the time of the most recent extension in 2021.

Referral Agencies

The original application was the subject of a referral to the Department of Environment and Heritage Protection for consideration of matters relating to wetlands. The referral response was to approve the application subject to conditions. These conditions remain relevant to the proposed development and, if approved, notification of the extension is required to be provided to the State Assessment and Referral Agency (SARA) as the now appropriate agency.

Conclusion

Based on the above, it is considered that there has been no significant change to the planning circumstance that would warrant the Council, as the assessment manager, to refuse to extend the currency period of the development approvals for a further 6 years.

The application and approved development are consistent with the planning intent for the area and the conditions attached to the current approval ensure compliance with the applicable planning scheme codes. In addition, the land is the subject of new ownership, an invested developer with an interest in developing the land. On this basis, the request is submitted for approval.

Our ref: 466270

We look forward to continuing working with you on this development. In the meantime, if you have any queries, please contact the writer (contact details below).

Yours sincerely,
for RPS AAP Consulting Pty Ltd



Patrick Clifton
Senior Principal | Practice Leader - Planning, Cairns
patrick.clifton@rpsconsulting.com
07 4031 1366

Appendix A

Historic Approvals

Cairns Regional COUNCIL

RECEIVED
04 AUG 2010
BY: OCK

ENQUIRIES: Mrs Lauren Payler
PHONE: (07) 4044 3551
FAX: (07) 4044 3836
YOUR REF: 9339/OCK/MLM/L67685
OUR REF: 8/37/10 (2665176)

2 August 2010

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

Dear Sir/Madam

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 Ordinary Meeting held on 28 July 2010 please find attached the relevant Decision Notice.

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.

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

Yours faithfully

Simon Clarke
Manager Development Assessment

Att

40.2006.2248
1/23

Cairns Regional COUNCIL

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

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

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)
Development Application Lodgement
Department of Environment & Resource Management
PO Box 15155
CITY EAST QLD 4002

PO Box 359 Cairns Q 4870
www.cairns.qld.gov.au
council@cairns.qld.gov.au

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

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

ABN 24 310 025 910

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(State Controlled Roads)
Department of Transport and Main Roads
Road Assets and Operations
Senior Planner
(Formerly Main Roads Far North Region)
PO Box 6185
CAIRNS QLD 4870

(Declared fish habitat areas, marine plants, waterway barriers, aquaculture or requests for 3rd party comment)
Department of Employment Economic Development & Innovation
Northern Fisheries Centre
PO Box 5396
CAIRNS QLD 4870

(Acid Sulfate Soils)
Development Application Lodgement
Department of Environment & Resource Management
PO Box 15155
CITY EAST QLD 4002

(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 1425
BRISBANE QLD 4001

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

SUBMISSIONS
There were nine (9) 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 1357	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

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 confined 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. No filling to accommodate future lots and no reconfiguration will be permitted to extend below this line. All land below this line 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.

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, the minimum wetland buffer from a wetland is 200 metres from a wetland of high ecological significance. In the absence of a detailed local assessment 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. 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.

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. A Connector Road shall be provided between Snapper Island Drive and Vixies Road 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 Vixies Road must be upgraded to a Minor Collector Standard with provision for public transport.

   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;
    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 m^2 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 m^2 and dimensions to accommodate a square with a minimum side of 25 metres. Lots of a minimum area of 1000 m^2 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 (Mossman 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.

    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.

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.

CONCURRENCE AGENCY CONDITIONS AND REQUIREMENTS

Concurrency Agency	Concurrence 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).

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 Conics) 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.

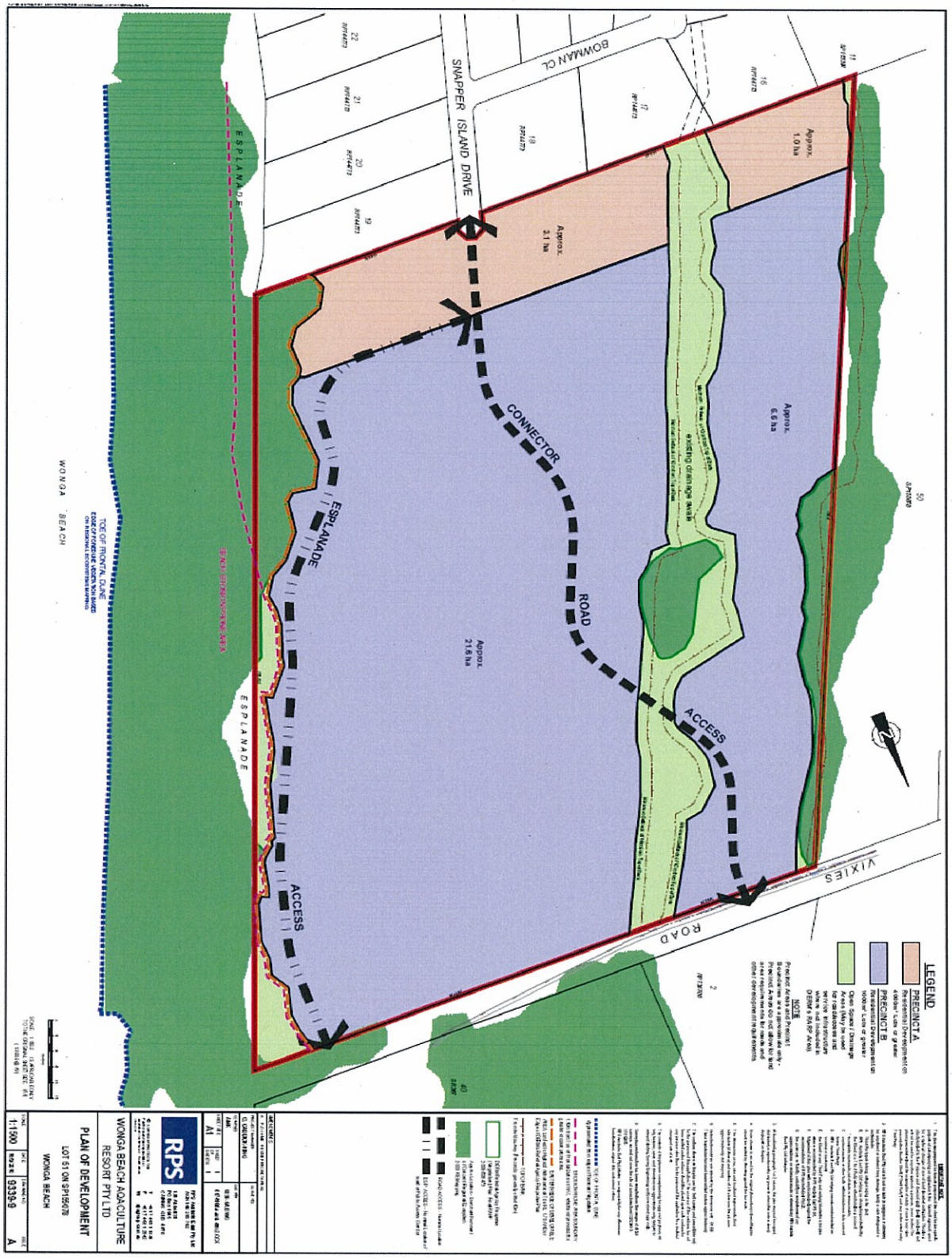
3. For information relating to the *Sustainable Planning Act 2009* log on to www.dip.qld.gov.au. To access Council's Development Manual, Local Laws and other applicable Policies log on to www.cairns.qld.gov.au.

RIGHTS OF APPEAL

Attached

End of Decision Notice

APPENDIX 1 PROPOSED PLAN(S) & DOCUMENT(S)



DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

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

APPENDIX 2 CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS

Queensland Government

29 September 2008

Department of **Main Roads**

Mr N Briggs
Chief Executive Officer
Cairns Regional Council
PO Box 357
Mossman Qld 4873

Dear Mr Briggs

Cairns Regional Council : Mossman-Daintree Road
Situated at Snapper Island Drive & Vixies Road, Wonga Beach
Lot 51 on SP 155078, Parish of Whyanbeel
Wonga Beach Aqaculture 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 2008.

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 2008.

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 Cairns Regional Council.

A. CONDITIONS OF DEVELOPMENT

Pursuant to the *Integrated Planning Act 1997*, the Queensland Department of Main Roads, as an Advice 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 Vixies Road, to the satisfaction of Cairns Regional Council.

Roads Business Group
Far North Regional Office
Floor 4 Cairns Corporate Tower 15 Lake Street
PO Box 6185 CAIRNS Queensland 4870
ABN 57 836 727 711

Our ref 214/655/102(1489.04)
Your ref TPC 1265
Enquiries MALCOLM HARDY
Telephone +61 7 4050 5511
Facsimile +61 7 4050 5438

(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 [CHR(S)] 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
- linemarking 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.

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

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

Queensland Government

Your Reference: 9339/SR/MLM/L62307
Our Reference: IC090BATH0018
Contact: Graeme Masterman
Directorate / Unit: Planning and Environment
Phone: (07) 4039 8270

Department of
Environment and Resource Management

4 August 2009

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

RECEIVED
- 6 AUG 2009
BY:.....

Dear Mr Caddick-King,

Application for Material Change of Use to Residential Purposes on Lot 51 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 2009 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,

G. Masterman

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

4/8/09

Department of Environment and Resource Management
Level 3, 5b Sheridan Street,
PO Box 937, Cairns,
Queensland 4870 Australia

Telephone (07) 4039 8270
Facsimile (07) 4057 3365
Website www.derm.qld.gov

40.2006.2248
15/23

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

Mr Graeme Masterman
Department of Environment and Resource Management
PO Box 937
Cairns Qld 4870

Dear Graeme,

Application for Material Change of Use to Residential Purposes on Lot 51 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*

24 July 2009 *Date*

40.2006.2248
16/23

Queensland Government

Your Reference: 9339/SR/MLM/L62307
Our Reference: IC0908CNS0018
Contact: Graeme Masterman
Directorate / Unit: Planning and Environment
Phone: (07) 4039 8270

Department of
Environment and Resource Management

22 July 2009

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

Dear Sir,

Application for Material Change of Use to Residential Purposes on Lot 51 on SP155078, Vixies 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) 4039 8270, quoting the above reference number.

Yours sincerely,

G. Masterman

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

22/7/09

Department of Environment and Resource Management
Level 3, 5b Sheridan Street,
PO Box 937, Cairns,
Queensland 4870 Australia

Telephone (07) 4039 8270
Facsimile (07) 4057 3365
Website www.derm.qld.gov

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 51 on SP155078
Development Type:	Material Change of Use (Residential Uses)
Assessment Manager & Reference:	Cairns Regional Council, TPC 1265
Date application properly referred to NRW:	22 August 2006
Departmental Reference:	IC0908CNS0018

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 Sulfate Soils

State Planning Policy 2/02 – *Planning and Managing Development Involving Acid Sulfate Soils* (SPP 2/02)

DERM reviewed the reports "Natural Solutions – Preliminary Acid Sulfate Investigation" and "Golder 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 2/02 Guidelines.
- Section 3 of the Natural Solutions report states [on page 3] that the development will require the placement of about 102,000 m^3 of fill between 1 to 2 metres in depth. The report states that some of this fill will be sourced 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

confirmed. The elevations 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 fill 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.

G. Masterman

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

22 July 2009

22/7/09

40.2006.2248
19/23

Department of Environment and Resource Management – Amended Referral agency response

Given under Section 3.3.16 of the *Integrated Planning Act 1997*

1. Application details

1.1.	Applicant's name	Wonga Beach Aquaculture Resort Pty. Ltd. C/O Conics (Cairns) Pty Ltd (Owen Caddick-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 (TPC 1265)
1.6.	Referral date	14 August 2006
1.7.	Our references	eLVAS –2009/006473 RecFind –MBA/000118 TrackJob –IR0806ATH0002

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 allotment 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.

4.0 Aboriginal cultural heritage advice

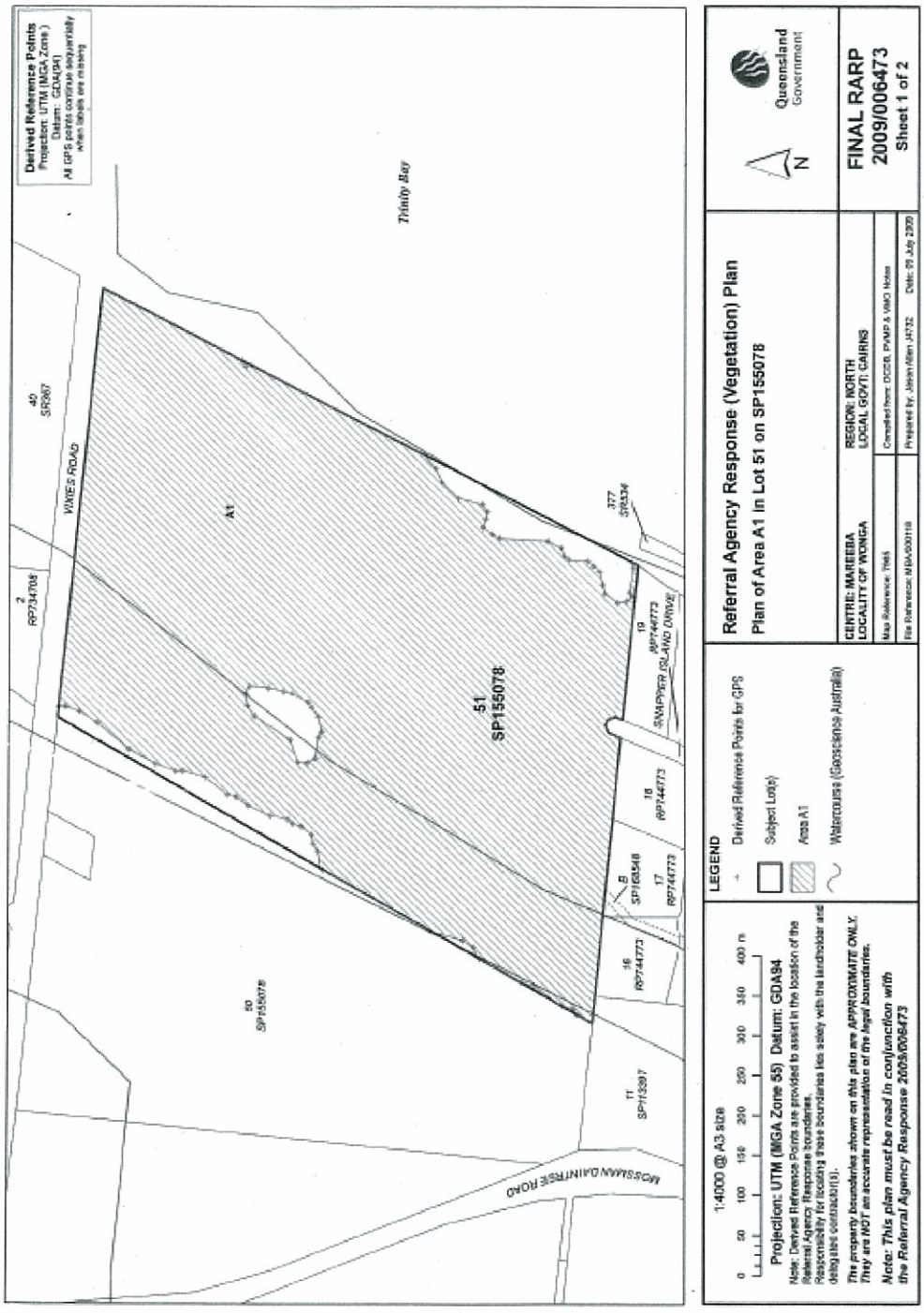
Under Section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure that the activity does not harm Aboriginal cultural heritage (the 'cultural heritage duty of care'). Maximum penalties for breaching the cultural 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 gazetted 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) 3238 3838 or on the DERM website—www.DERM.qld.gov.au/cultural_heritage.

4. Delegated officer signature

Mr Daniel Gillinder
Senior Vegetation Management Officer
North Region, DERM
21/7/2009


Derived Reference Points
Projection: UTM (MGA Zone)
Datum: GDA(94)
All GPS points continue sequentially when labels are missing
Trinity Bay
WIKES ROAD
MOSSMAN DAINTREE ROAD
SNAPPER ISLAND DRIVE
A1
51
SP155078
40
SR867
2
RP734708
80
SP155078
11
SP113897
16
RP744773
17
RP744773
18
RP744773
19
RP744773
377
SR534
LEGEND
Derived Reference Points for GPS
Subject Lot(s)
Area A1
Watercourse (Geoscience Australia)
1:4000 @ A3 size
0 50 100 150 200 250 300 350 400 m
Projection: UTM (MGA Zone 55) Datum: GDA94
Note: Derived Reference Points are provided to assist in the location of the Referral Agency Response boundaries.
Reasonable tolerance for locating these boundaries lies solely with the landholder and designated contractor(s).
This property boundaries shown on this plan are APPROXIMATE ONLY. They are NOT an accurate representation of the legal boundaries.
Note: This plan must be read in conjunction with the Referral Agency Response 2009/006473
Referral Agency Response (Vegetation) Plan
Plan of Area A1 in Lot 51 on SP155078
CENTRE: MAREEBA
LOCALITY OF WONGA
REGION: NORTH
LOCAL GOVT: CAIRNS
Map Reference: 7961
Compiled from: DCDB, PVMP & VMO Notes
File Reference: MBA/2009/118
Prepared by: Jason Allen (JA732
Date: 09 July 2009
N
Queensland Government
FINAL RARP
2009/006473
Sheet 1 of 2

Parcel ID	Unique ID	Easting	Northing	Parcel ID	Unique ID	Easting	Northing	Parcel ID	Unique ID	Easting	Northing
A1	1	331236	8193607	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	330796	8193806
A1	6	331083	8193358	A1	31	330428	8193208	A1	56	330802	8193824
A1	7	331063	8193338	A1	32	330453	8193243	A1	57	330801	8193832
A1	8	331056	8193309	A1	33	330457	8193259	A1	58	330764	8193510
A1	9	331047	8193302	A1	34	330487	8193311	A1	59	330771	8193506
A1	10	331037	8193304	A1	35	330501	8193319	A1	60	330789	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	330631	8193516	A1	65	330825	8193572
A1	16	330992	8193206	A1	41	330642	8193519	A1	66	330828	8193595
A1	17	330987	8193200	A1	42	330652	8193531	A1	67	330818	8193600
A1	18	330985	8193177	A1	43	330655	8193541	A1	68	330803	8193599
A1	19	330979	8193170	A1	44	330661	8193547	A1	69	330790	8193589
A1	20	330972	8193162	A1	45	330665	8193570	A1	70	330761	8193545
A1	21	330955	8193158	A1	46	330678	8193597	A1	71	330732	8193535
A1	22	330944	8193155	A1	47	330689	8193612	A1	72	330732	8193524
A1	23	330933	8193140	A1	48	330692	8193623	A1	73	330737	8193514
A1	24	330935	8193128	A1	49	330714	8193650				
A1	25	330941	8193122	A1	50	330722	8193679				

1:4000 @ A3 size

0 50 100 150 200 250 300 350 400 m

Projection: UTM (MGA Zone 55) Datum: GDA94

Note: Derived Reference Points are provided to assist in the location of the Referral Agency Response boundaries.
Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s).

The property boundaries shown on this plan are APPROXIMATE ONLY. They are NOT an accurate representation of the legal boundaries.

Note: This plan must be read in conjunction with the Referral Agency Response 2009/006473

LEGEND

Derived Reference Points
Projection: UTM (MGA Zone) Datum: (GDA94)
All GPS points continue sequentially when labels are missing

Referral Agency Response (Vegetation) Plan
Plan of Area A1 in Lot 51 on SP155078

CENTRE: MAREEBA
LOCALITY OF WONGA

REGION: NORTH
LOCAL GOVT: CAIRNS

Map Reference: 7985

Compiled from: DCDB, RVMP & VMO layers

Plan reference: MSA/006119

Prepared by: Jason Allen J4732 Date: 09 July 2009

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Queensland Government

FINAL RARP 2009/006473
Sheet 2 of 2

Division 8 Appeals to court relating to development applications and approvals

461 Appeals by applicants

(1) An applicant for a development application may appeal to the court against any of the following—

(a) the refusal, or the refusal in part, of the development application;

(b) any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242;

(c) the decision to give a preliminary approval when a development permit was applied for;

(d) the length of a period mentioned in section 341;

(e) a deemed refusal of the development application.

(2) An appeal under subsection (1)(a), (b), (c) or (d) must be started within 20 business days (the *applicant's appeal period*) after—

(a) if a decision notice or negotiated decision notice is given—the day the decision notice or negotiated decision notice is given to the applicant; or

(b) otherwise—the day a decision notice was required to be given to the applicant.

(3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

462 Appeals by submitters—general

(1) A submitter for a development application may appeal to the court only against—

(a) the part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or

(b) the part of the approval relating to the assessment manager's decision under section 327.

(2) To the extent an appeal may be made under subsection (1), the appeal may be against 1 or more of the following—

(a) the giving of a development approval;

(b) any provision of the approval including—

(i) a condition of, or lack of condition for, the approval; or

(ii) the length of a period mentioned in section 341 for the approval.

(3) However, a submitter may not appeal if the submitter—

(a) withdraws the submission before the application is decided; or

(b) has given the assessment manager a notice under section 339(1)(b)(ii).

(4) The appeal must be started within 20 business days (the ***submitter's appeal period***) after the decision notice or negotiated decision notice is given to the submitter.

463 Additional and extended appeal rights for submitters for particular development applications

(1) This section applies to a development application to which chapter 9, part 7 applies.

(2) A submitter of a properly made submission for the application may appeal to the court about a referral agency's response made by a prescribed concurrence agency for the application.

(3) However, the submitter may only appeal against a referral agency's response to the extent it relates to—

(a) if the prescribed concurrence agency is the chief executive (environment)—development for an aquacultural ERA; or

(b) if the prescribed concurrence agency is the chief executive (fisheries)—development that is—

(i) a material change of use of premises for aquaculture; or

(ii) operational work that is the removal, damage or destruction of a marine plant.

(4) Despite section 462(1), the submitter may appeal against the following matters for the application even if the matters relate to code assessment—

(a) a decision about a matter mentioned in section 462(2) if it is a decision of the chief executive (fisheries);

(b) a referral agency's response mentioned in subsection (2).

464 Appeals by advice agency submitters

(1) Subsection (2) applies if an advice agency, in its response for an application, told the assessment manager to treat the response as a properly made submission.

(2) The advice agency may, within the limits of its jurisdiction, appeal to the court about—

(a) any part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or

(b) any part of the approval relating to the assessment manager's decision under section 327.

(3) The appeal must be started within 20 business days after the day the decision notice or negotiated decision notice is given to the advice agency as a submitter.

(4) However, if the advice agency has given the assessment manager a notice under section 339(1)(b)(ii), the advice agency may not appeal the decision.

465 Appeals about decisions relating to extensions for approvals

(1) For a development approval given for a development application, a person to whom a notice is given under section 389, other than a notice for a decision under section 386(2), may appeal to the court against the decision in the notice.

(2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

(3) Also, a person who has made a request under section 383 may appeal to the court against a deemed refusal of the request.

(4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

466 Appeals about decisions relating to permissible changes

(1) For a development approval given for a development application, the following persons may appeal to the court against a decision on a request to make a permissible change to the approval—

(a) if the responsible entity for making the change is the assessment manager for the application—

(i) the person who made the request; or

(ii) an entity that gave a notice under section 373 or a pre-request response notice about the request;

(b) if the responsible entity for making the change is a concurrence agency for the application—the person who made the request.

(2) The appeal must be started within 20 business days after the day the person is given notice of the decision on the request under section 376.

(3) Also, a person who has made a request under section 369 may appeal to the court against a deemed refusal of the request.

(4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

467 Appeals about changing or cancelling conditions imposed by assessment manager or concurrence agency

(1) A person to whom a notice under section 378(9)(b) giving a decision to change or cancel a condition of a development approval has been given may appeal to the court against the decision in the notice.

(2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

Division 9 Appeals to court about compliance assessment

468 Appeals against decision on request for compliance assessment

(1) A person to whom an action notice has been given under section 405(5) about a request for compliance assessment of development, a document or work may appeal to the court against the decision in the notice.

(2) The appeal must be started within 20 business days after the notice is given to the person.

469 Appeals against condition imposed on compliance permit or certificate

(1) A person who is given a compliance permit or compliance certificate subject to any conditions may appeal to the court against the decision to impose the condition.

(2) The appeal must be started within 20 business days after the day the compliance permit or compliance certificate is given to the person.

470 Appeals against particular decisions about compliance assessment

(1) A person to whom any of the following notices have been given may appeal to the court against the decision in the notice—

(a) a notice of a decision on a request to change or withdraw an action notice;

(b) a notice under section 413(2)(c) about a decision to refuse a request to change a compliance permit or compliance certificate.

(2) The appeal must be started within 20 business days after the day the notice is given to the person.

Division 10 Appeals to court about other matters

471 Appeal by applicant for approval of a proposed master plan

(1) A person who has applied for an approval of a proposed master plan may appeal to the court against—

(a) the refusal, or the refusal in part, to give the approval; or

(b) a matter stated in the notice of decision about the application; or

(c) a deemed refusal of the master plan application.

(2) An appeal under subsection (1)(a) or (b) must be started within 20 business days (the ***applicant's appeal period***) after the day the applicant is given notice of the decision.

(3) An appeal under subsection (1)(c) may be started at any time after the last day a decision on the matter should have been made.

472 Appeal about extension of period under s 98

(1) A person who has requested an extension under section 98(2) may appeal to the court against a refusal of the request.

(2) An appeal under subsection (1) must be started within 20 business days after the day the person is given notice of the refusal.

(3) Also, a person who has made a request under section 98(2) may appeal to the court against a deemed refusal of the request.

(4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

(5) However, an appeal under this section may only be about whether the refusal is so unreasonable that no reasonable relevant local government could have refused the request.

473 Appeals against enforcement notices

(1) A person who is given an enforcement notice may appeal to the court against the giving of the notice.

(2) The appeal must be started within 20 business days after the day notice is given to the person.

474 Stay of operation of enforcement notice

(1) The lodging of a notice of appeal about an enforcement notice stays the operation of the enforcement notice until—

(a) the court, on the application of the entity issuing the notice, decides otherwise; or

(b) the appeal is withdrawn; or

(c) the appeal is dismissed.

(2) However, subsection (1) does not apply if the enforcement notice is about—

(a) a work, if the enforcement notice states the entity believes the work is a danger to persons or a risk to public health; or

(b) stopping the demolition of a work; or

(c) clearing vegetation on freehold land; or

(d) the removal of quarry material allocated under the *Water Act 2000*; or

(e) extracting clay, gravel, rock, sand or soil, not mentioned in paragraph (d), from Queensland waters; or

(f) development the assessing authority reasonably believes is causing erosion or sedimentation; or

(g) development the assessing authority reasonably believes is causing an environmental nuisance.

475 Appeals against local laws

(1) This section applies if—

(a) an applicant is dissatisfied with a decision of a local government or the conditions applied under a local law about the use of premises or the erection of a building or other structure; and

(b) the use is not prohibited development under the planning scheme or a temporary local planning instrument for the planning scheme area.

(2) The applicant may appeal to the court against the decision or the conditions applied.

(3) The appeal must be started within 20 business days after the day notice of the decision is given to the applicant.

476 Appeals against decisions on compensation claims

(1) A person who is dissatisfied with a decision under section 710 or 716 for the payment of compensation may appeal to the court against—

(a) the decision; or

(b) a deemed refusal of the claim.

(2) An appeal under subsection (1)(a) must be started within 20 business days after the day notice of the decision is given to the person.

(3) An appeal under subsection (1)(b) may be started at any time after the last day a decision on the matter should have been made.

477 Appeals against decisions on requests to acquire designated land under hardship

(1) A person who is dissatisfied with a designator's decision to refuse a request made by the person under section 222 may appeal to the court against—

(a) the decision; or

(b) a deemed refusal of the request.

(2) An appeal under subsection (1)(a) must be started within 20 business days after the day notice of the decision is given to the person.

(3) An appeal under subsection (1)(b) may be started at any time after the last day a decision on the matter should have been made.

478 Appeals about particular charges for infrastructure

(1) This section applies to a person who has been given, and is dissatisfied with—

(a) an infrastructure charges notice, regulated infrastructure charges notice or regulated State infrastructure charges notice; or

(b) a negotiated infrastructure charges notice, negotiated regulated infrastructure charges notice or negotiated regulated State infrastructure charges notice.

(2) The person may appeal to the court against the notice.

(3) An appeal against a notice mentioned in subsection (1) must be started within 20 business days after the day the notice is given to the person.

(4) An appeal under this section may only be about—

(a) whether a charge in the notice is so unreasonable that no reasonable relevant local government, State infrastructure provider or coordinating agency could have imposed it; or

(b) an error in the calculation of the charge.

(5) To remove any doubt, it is declared that an appeal under this section can not be about the methodology used to establish the charge in the relevant infrastructure charges schedule, regulated infrastructure charges schedule or regulated State infrastructure charges schedule.

479 Appeals from building and development committees

(1) A party to a proceeding decided by a building and development committee may appeal to the court against the committee's decision, but only on the ground—

(a) of an error or mistake in law on the part of the committee; or

(b) that the committee had no jurisdiction to make the decision or exceeded its jurisdiction in making the decision.

(2) An appeal against a building and development committee's decision must be started within 20 business days after the day notice of the committee's decision is given to the party.

480 Court may remit matter to building and development committee

If an appeal includes a matter within the jurisdiction of a building and development committee and the court is satisfied the matter should be dealt with by a building and development committee, the court must remit the matter to the committee for decision.

Division 11 Making an appeal to court

481 How appeals to the court are started

(1) An appeal is started by lodging written notice of appeal with the registrar of the court.

(2) The notice of appeal must state the grounds of the appeal.

(3) The person starting the appeal must also comply with the rules of the court applying to the appeal.

(4) However, the court may hear and decide an appeal even if the person has not complied with subsection (3).

482 Notice of appeal to other parties—development applications and approvals

(1) An appellant under division 8 must give written notice of the appeal to—

(a) if the appellant is an applicant—

(i) the chief executive; and

(ii) the assessment manager; and

(iii) any concurrence agency; and

(iv) any principal submitter whose submission has not been withdrawn; and

(v) any advice agency treated as a submitter whose submission has not been withdrawn; or

(b) if the appellant is a submitter or an advice agency whose response to the development application is treated as a submission for an appeal—

(i) the chief executive; and

(ii) the assessment manager; and

(iii) any referral agency; and

(iv) the applicant; or

(c) if the appellant is a person to whom a notice mentioned in section 465(1) has been given—

(i) the chief executive; and

(ii) the assessment manager for the development application to which the notice relates; and

(iii) any entity that was a concurrence agency for the development application to which the notice relates; and

(iv) the person who made the request under section 383 to which the notice relates, if the person is not the appellant; or

(d) if the appellant is a person mentioned in section 466(1)—

(i) the chief executive; and

(ii) the responsible entity for making the change to which the appeal relates; and

(iii) the person who made the request to which the appeal relates under section 369, if the person is not the appellant; and

(iv) if the responsible entity is the assessment manager—any entity that was a concurrence agency for the development application to which the notice of the decision on the request relates; or

(e) if the appellant is a person to whom a notice mentioned in section 467 has been given—the entity that gave the notice.

(2) The notice must be given within—

(a) if the appellant is a submitter or advice agency whose response to the development application is treated as a submission for an appeal—2 business days after the appeal is started; or

(b) otherwise—10 business days after the appeal is started.

(3) The notice must state—

(a) the grounds of the appeal; and

(b) if the person given the notice is not the respondent or a co-respondent under section 485—that the person may, within 10 business days after the notice is given, elect to

become a co-respondent to the appeal by filing in the court a notice of election in the approved form.

483 Notice of appeals to other parties—compliance assessment

(1) An appellant under division 9 must, within 10 business days after the day the appeal is started, give written notice of the appeal to—

(a) if the appellant is a person to whom an action notice, compliance permit or compliance certificate has been given—

(i) the compliance assessor who gave the notice, permit or certificate; and

(ii) if the compliance assessor was a nominated entity of a local government and a copy of the request for compliance assessment was given to the local government under section 402—the local government; or

(b) if the appellant is a person to whom a notice mentioned in section 470(1) has been given—

(i) the entity that gave the notice; and

(ii) if the entity that gave the notice was a nominated entity of a local government and the written agreement of the local government was required to give the notice—the local government.

(2) The notice must state the grounds of the appeal.

484 Notice of appeal to other parties—other matters

(1) An appellant under division 10 must, within 10 business days after the day the appeal is started, give written notice of the appeal to—

(a) if the appeal is under section 471—the local government and coordinating agency for the application for approval of the master plan; or

(b) if the appeal is under section 472 or 475—the local government; or

(c) if the appeal is under section 478—the entity that gave the notice the subject of the appeal; or

(d) if the appellant is a person to whom an enforcement notice is given—the entity that gave the notice and if the entity is not the local government, the local government; or

(e) if the appellant is a person dissatisfied with a decision about compensation—the local government that decided the claim; or

(f) if the appellant is a person dissatisfied with a decision about acquiring designated land—the designator; or

(g) if the appellant is a party to a proceeding decided by a building and development committee—the other party to the proceeding.

(2) The notice must state the grounds of the appeal.

485 Respondent and co-respondents for appeals under div 8

(1) Subsections (2) to (8) apply for appeals under sections 461 to 464.

(2) The assessment manager is the respondent for the appeal.

(3) If the appeal is started by a submitter, the applicant is a co-respondent for the appeal.

(4) Any submitter may elect to become a co-respondent for the appeal.

(5) If the appeal is about a concurrence agency's response, the concurrence agency is a co-respondent for the appeal.

(6) If the appeal is only about a concurrence agency's response, the assessment manager may apply to the court to withdraw from the appeal.

(7) The respondent and any co-respondents for an appeal are entitled to be heard in the appeal as a party to the appeal.

(8) A person to whom a notice of appeal is required to be given under section 482 and who is not the respondent or a co-respondent for the appeal may elect to be a co-respondent.

(9) For an appeal under section 465—

(a) the assessment manager is the respondent; and

(b) if the appeal is started by a concurrence agency that gave the assessment manager a notice under section 385—the person asking for the extension the subject of the appeal is a co-respondent; and

(c) any other person given notice of the appeal may elect to become a co-respondent.

(10) For an appeal under section 466—

(a) the responsible entity for making the change to which the appeal relates is the respondent; and

(b) if the responsible entity is the assessment manager—

(i) if the appeal is started by a person who gave a notice under section 373 or a pre-request response notice—the person who made the request for the change is a co-respondent; and

(ii) any other person given notice of the appeal may elect to become a co-respondent.

(11) For an appeal under section 467, the respondent is the entity given notice of the appeal.

486 Respondent and co-respondents for appeals under div 9

(1) For an appeal under section 468 or 469—

(a) the compliance assessor is the respondent; and

(b) if the compliance assessor is a nominated entity of a local government and the appeal relates to a matter required by a local government—the local government is a co-respondent.

(2) However, if the appeal is only about a matter required by the local government, the compliance assessor may apply to the court to withdraw from the appeal.

(3) For an appeal under section 470—

(a) the entity that gave the notice to which the appeal relates is the respondent; and

(b) if the entity mentioned in paragraph (a) is a nominated entity of a local government and the local government did not agree to the request mentioned in section 470(1)—the local government is a co-respondent.

(4) However, if the appeal is only about the local government's refusal of the request, the entity that gave the notice to which the appeal relates may apply to the court to withdraw from the appeal.

487 Respondent and co-respondents for appeals under div 10

(1) This section applies if an entity is required under section 484 to be given a notice of an appeal.

(2) The entity given notice is the respondent for the appeal.

(3) However, if under a provision of the section more than 1 entity is required to be given notice, only the first entity mentioned in the provision is the respondent.

(4) The second entity mentioned in the provision may elect to be a co-respondent.

488 How an entity may elect to be a co-respondent

An entity that is entitled to elect to be a co-respondent to an appeal may do so, within 10 business days after notice of the

appeal is given to the entity, by following the rules of court for the election.

489 Minister entitled to be party to an appeal involving a State interest

If the Minister is satisfied an appeal involves a State interest, the Minister may, at any time before the appeal is decided, elect to be a party to the appeal by filing in the court a notice of election in the approved form.

490 Lodging appeal stops particular actions

(1) If an appeal, other than an appeal under section 465, 466 or 467, is started under division 8, the development must not be started until the appeal is decided or withdrawn.

(2) If an appeal is about a condition imposed on a compliance permit, the development must not be started until the appeal is decided or withdrawn.

(3) Despite subsections (1) and (2), if the court is satisfied the outcome of the appeal would not be affected if the development or part of the development is started before the appeal is decided, the court may allow the development or part of the development to start before the appeal is decided.

292 Advice agency's response powers

(1) An advice agency's response may, within the limits of the advice agency's jurisdiction, make a recommendation to the assessment manager about any aspect of the application relevant to the assessment manager's decision on the application, including, for example—

(a) the conditions that should attach to any development approval; and

(b) that any approval should be for part only of the application; and

(c) that any approval should be a preliminary approval only.

(2) Alternatively, an advice agency's response may, within the limits of the advice agency's jurisdiction, advise the assessment manager that—

(a) the advice agency has no recommendations relating to the application; or

(b) it should refuse the application.

(3) An advice agency's response may also tell the assessment manager to treat the response as a properly made submission.

Cairns Regional COUNCIL

ENQUIRIES: Mrs Lauren Payler
PHONE: (07) 4044 3551
FAX: (07) 4044 3836
YOUR REF: 9339/OCK/MLM/L67685
OUR REF: 8/37/10 (3137619)

18 April 2011

RECEIVED
20 APR 2011
BY: OLK

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

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

Att

40.2006.2248
1/24

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

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

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

ABN 24 310 025 910

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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 1425
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 1357	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

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.

~~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 Vixies 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 Vixies 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.

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;

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 m^2 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 m^2 and dimensions to accommodate a square with a minimum side of 25 metres. Lots of a minimum area of 1000 m^2 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 (Mossman 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.

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	Concurrence 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).

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 Conics) 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.*

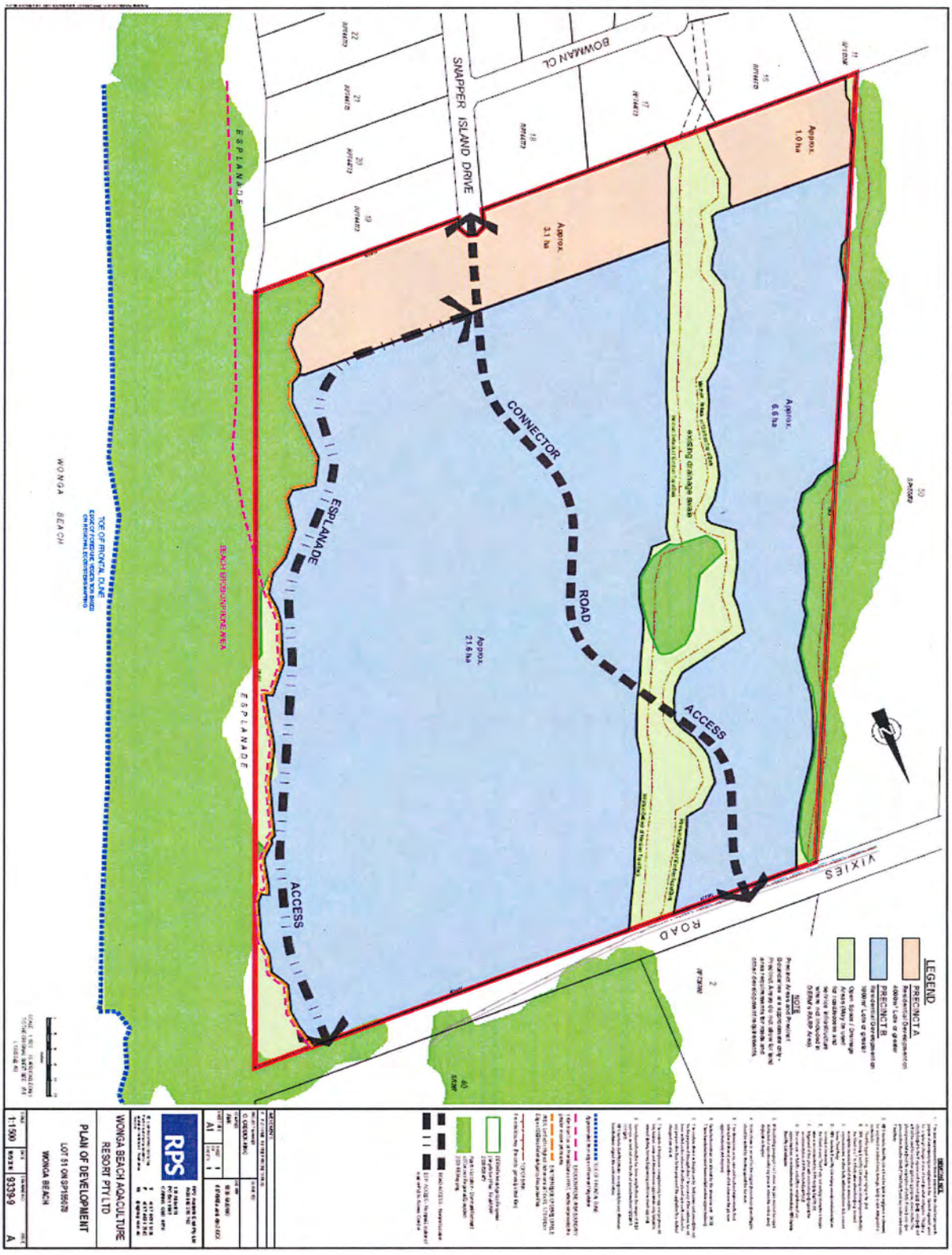
2. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.

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

APPENDIX 1 PROPOSED PLAN(S) & DOCUMENT(S)



DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

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

APPENDIX 2 CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS

Queensland Government

29 September 2008

Department of Main Roads

Mr N Briggs
Chief Executive Officer
Cairns Regional Council
PO Box 357
Mossman Qld 4873

Dear Mr Briggs

Cairns Regional Council : Mossman-Daintree Road
Situated at Snapper Island Drive & Vixies Road, Wonga Beach
Lot 51 on SP 155078, Parish of Whyanbeel
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 2008.

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 2008.

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 Cairns Regional Council.

A. CONDITIONS OF DEVELOPMENT

Pursuant to the *Integrated Planning Act 1997*, the Queensland Department of Main Roads, as an Advice 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 Vixies Road, to the satisfaction of Cairns Regional Council.

Roads Business Group
Far North Regional Office
Floor 4 Cairns Corporate Tower 15 Lake Street
PO Box 6185 CAIRNS Queensland 4870
ABN 57 836 727 711

Our ref 214/655/102(1459.04)
Your ref TPC 1265
Enquiries MALCOLM HARDY
Telephone +61 7 4050 5511
Facsimile +61 7 4050 5438

(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 [CHR(S)] 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
- linemarking 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.

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

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

Queensland Government

Your Reference: 9339/SR/MLM/L62307
Our Reference: IC0908ATH0018
Contact: Graeme Masterman
Directorate / Unit: Planning and Environment
Phone: (07) 4039 8270

Department of Environment and Resource Management

4 August 2009

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

RECEIVED
- 6 AUG 2009
BY:.....

Dear Mr Caddick-King,

Application for Material Change of Use to Residential Purposes on Lot 51 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 2009 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,

G. Masterman

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

4/8/09

Department of Environment and Resource Management
Level 3, 5b Sheridan Street,
PO Box 937, Cairns,
Queensland 4870 Australia

Telephone (07) 4039 8270
Facsimile (07) 4057 3365
Website www.derm.qld.gov

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

Mr Graeme Masterman
Department of Environment and Resource Management
PO Box 937
Cairns Qld 4870

Dear Graeme,

Application for Material Change of Use to Residential Purposes on Lot 51 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

Owen Caddick-King — *Signature*

Owen Caddick-King — *Print name*

24 July 2009 — *Date*

40.2006.2248
17/24

Queensland Government

Your Reference: 9339/SR/MLM/L62307
Our Reference: IC0908CNS0018
Contact: Graeme Masterman
Directorate / Unit: Planning and Environment
Phone: (07) 4039 8270

Department of
Environment and Resource
Management

22 July 2009

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

Dear Sir,

Application for Material Change of Use to Residential Purposes on Lot 51 on SP155078, Vixies 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) 4039 8270, quoting the above reference number.

Yours sincerely,

G. Masterman

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

22/7/09

Department of Environment and Resource Management
Level 3, 5b Sheridan Street,
PO Box 937, Cairns,
Queensland 4870 Australia

Telephone (07) 4039 8270
Facsimile (07) 4057 3365
Website www.derm.qld.gov

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 51 on SP155078
Development Type:	Material Change of Use (Residential Uses)
Assessment Manager & Reference:	Cairns Regional Council, TPC 1265
Date application properly referred to NRW:	22 August 2006
Departmental Reference:	IC0908CNS0018

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 Sulfate Soils

State Planning Policy 2/02 – *Planning and Managing Development Involving Acid Sulfate Soils* (SPP 2/02)

DERM reviewed the reports "Natural Solutions – Preliminary Acid Sulfate Investigation" and "Golder 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 2/02 Guidelines.
- Section 3 of the Natural Solutions report states [on page 3] that the development will require the placement of about 102,000 m^3 of fill between 1 to 2 metres in depth. The report states that some of this fill will be sourced 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

confirmed. The elevations 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 fill 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.

G. Masterman

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

22 July 2009

22/7/09

40.2006.2248
20/24

Department of Environment and Resource Management – Amended Referral agency response

Given under Section 3.3.16 of the *Integrated Planning Act 1997*

1. Application details

1.1.	Applicant's name	Wonga Beach Aquaculture Resort Pty. Ltd. C/O Conics (Cairns) Pty Ltd (Owen Caddick-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 (TPC 1265)
1.6.	Referral date	14 August 2006
1.7.	Our references	eLVAS –2009/006473 RecFind –MBA/000118 TrackJob –IR0806ATH0002

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 allotment 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.

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 gazetted 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*.

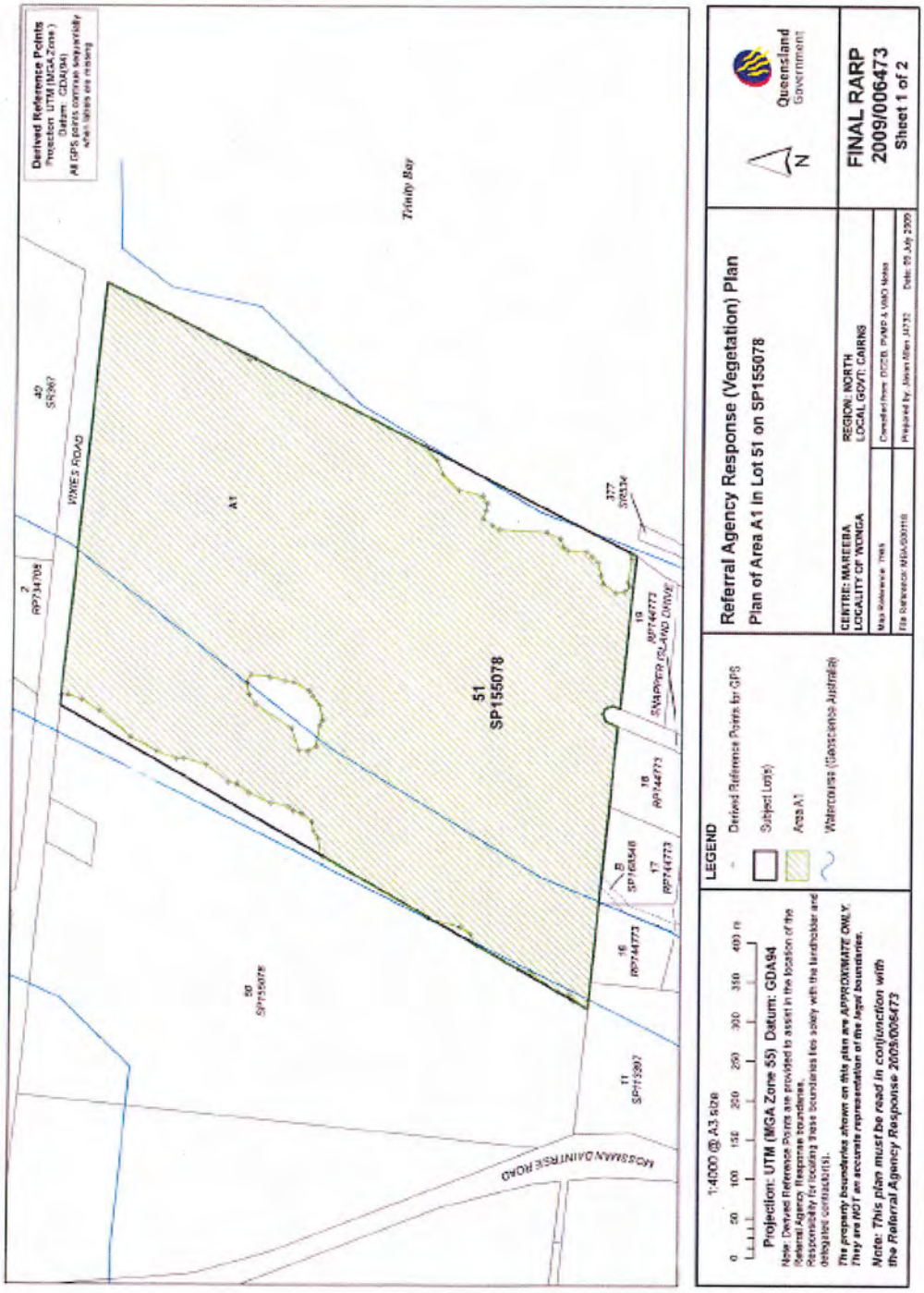
Applicants should also undertake a search of the Aboriginal Cultural Heritage Database and the Aboriginal Cultural Heritage Register, administered by the Cultural Heritage Coordination Unit, DERM. Application forms to undertake a free search of the Aboriginal Cultural Heritage Database and the Aboriginal Cultural Heritage Register may be obtained by contacting the Cultural Heritage Coordination Unit on (07) 3238 3838 or on the DERM website— www.DERM.qld.gov.au/cultural_heritage.

4. Delegated officer signature

Mr Daniel Gillinder
Senior Vegetation Management Officer
North Region, DERM

21/7/2009

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009



40.2006.2248
23/24

Parcel ID	Unique ID	Easting	Northing	Parcel ID	Unique ID	Easting	Northing	Parcel ID	Unique ID	Easting	Northing
A1	1	331236	8193607	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	330796	8193806
A1	6	331083	8193358	A1	31	330428	8193208	A1	56	330802	8193824
A1	7	331063	8193338	A1	32	330453	8193243	A1	57	330801	8193832
A1	8	331056	8193309	A1	33	330457	8193259	A1	58	330764	8193510
A1	9	331047	8193302	A1	34	330487	8193311	A1	59	330771	8193506
A1	10	331037	8193304	A1	35	330501	8193319	A1	60	330789	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	330631	8193516	A1	65	330825	8193572
A1	16	330992	8193206	A1	41	330642	8193519	A1	66	330828	8193595
A1	17	330987	8193200	A1	42	330652	8193531	A1	67	330818	8193600
A1	18	330985	8193177	A1	43	330655	8193541	A1	68	330803	8193599
A1	19	330979	8193170	A1	44	330661	8193547	A1	69	330790	8193589
A1	20	330972	8193162	A1	45	330665	8193570	A1	70	330761	8193545
A1	21	330955	8193158	A1	46	330678	8193597	A1	71	330732	8193535
A1	22	330944	8193155	A1	47	330689	8193612	A1	72	330732	8193524
A1	23	330933	8193140	A1	48	330692	8193623	A1	73	330737	8193514
A1	24	330935	8193128	A1	49	330714	8193650				
A1	25	330941	8193122	A1	50	330722	8193679				

1:4000 @ A3 size

0 50 100 150 200 250 300 350 400 m

Projection: UTM (MGA Zone 55) Datum: GDA94

Note: Derived Reference Points are provided to assist in the location of the Referral Agency Response boundaries.
Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s).

The property boundaries shown on this plan are APPROXIMATE ONLY. They are NOT an accurate representation of the legal boundaries.

Note: This plan must be read in conjunction with the Referral Agency Response 2009/006473

LEGEND

Derived Reference Points
Projection: UTM (MGA Zone)
Datum: GDA(94)
All GPS points continue sequentially when labels are missing

Referral Agency Response (Vegetation) Plan

Plan of Area A1 in Lot 51 on SP155078

N

Queensland Government

CENTRE: MAREEBA LOCALITY OF WONGA	REGION: NORTH LOCAL GOVT: CAIRNS
Map Reference: 7955	Compiled from: DCDB, PMAP & VMO Notes
File Reference: MRA/006119	Prepared by: Jason Allen J4732 Date: 09 July 2009

FINAL RARP
2009/006473
Sheet 2 of 2

Cairns Regional COUNCIL

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

RECEIVED
0 3 OCT 2013
BY:.....

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

Attention: Mr Owen Caddick-King

Dear Sir,

DECISION NOTICE UNDER S 335 SUSTAINABLE PLANNING ACT 2009: DEVELOPMENT APPLICATION FOR VIXIES ROAD, WONGA

With reference to the abovementioned Development Application which was determined by Council at the Ordinary Meeting held on 25 September 2013, please find attached the relevant Decision Notice.

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 Infrastructure Charges Notice issued in accordance with s 648F of the *Sustainable Planning Act* 2009.

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

Yours faithfully

Neil Beck
Acting Manager Development & Regulatory Services

Att

45.2011.4332
1/24

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

Cairns Regional COUNCIL

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

Reconfiguring a Lot (1 Lot into 99 Lots)

DECISION

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

DECISION DATE

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
☐ *Wetland – land in or near*	*Department of State Development, Infrastructure and Planning*	*Advice*	*Far North Queensland Regional Office* *PO Box 2358* *Cairns QLD 4870*
☐ *Acid sulphate soils*	*Department of State Development, Infrastructure and Planning*	*Advice*	*Far North Queensland Regional Office* *PO Box 2358* *Cairns QLD 4870*

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

ABN 24 310 025 910 reef guardian council

Small steps can make a world of difference. 100% Recycled paper.

OTHERS	Concurrence	Advice	Third Party
☐ *high impact earthworks in a Great Barrier Reef wetland protection area* Administration Officer Permit & Licence Management Implementation & Support Unit Department of Environment & Heritage Protection (EHP) Department of State Development, Infrastructure & Planning Northern Regional (Cairns 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
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;

   b. A redesign of proposed Stage 7 where all lots are capable of internal access; or

   c. 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 & 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.

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 and pay a monetary contribution equivalent to 4.3 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 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.

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 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 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	Concurrence 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.

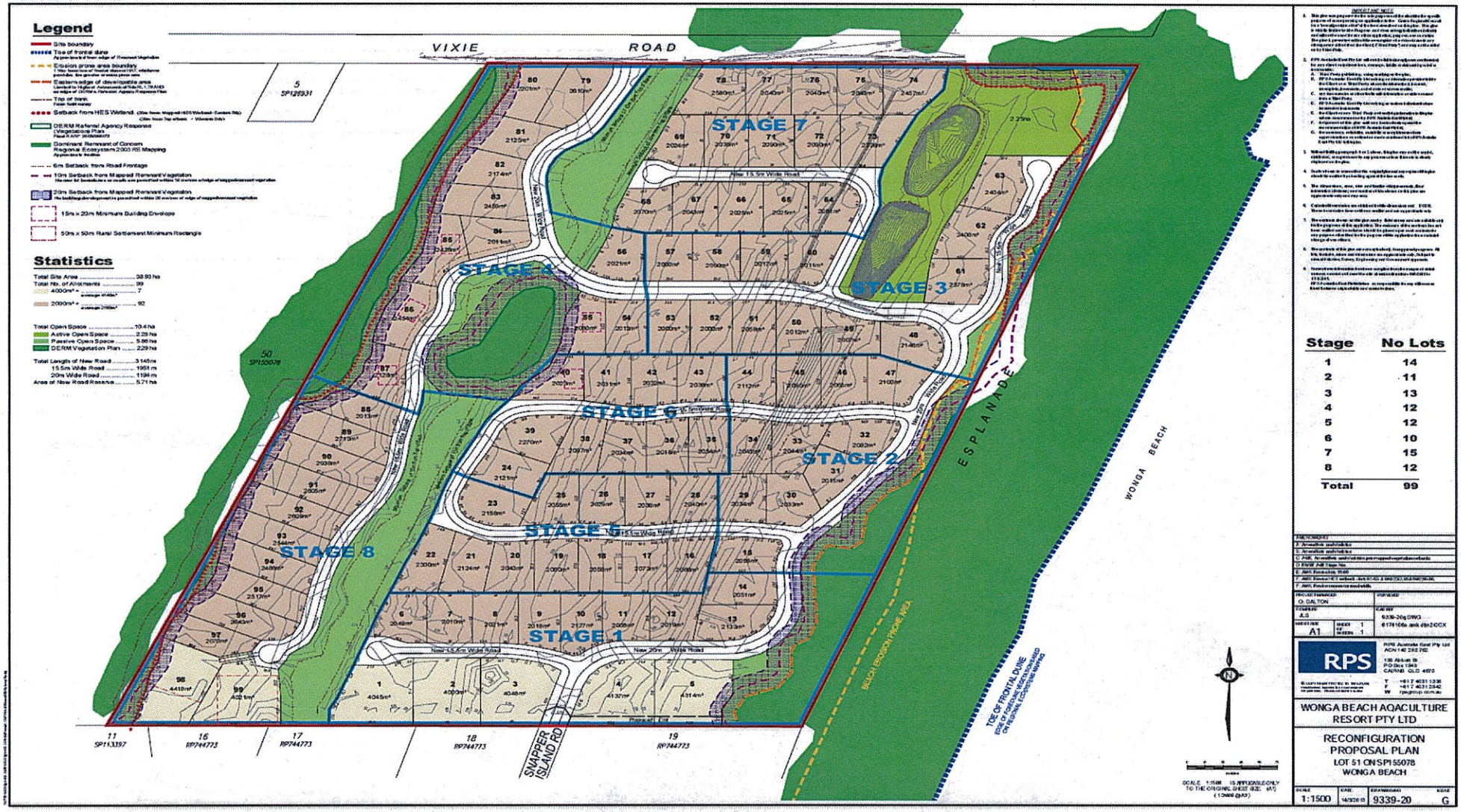
3. The property owner is responsible for supply, installation and maintenance of the on-site sewerage treatment and disposal system. The property owner is responsible for preparing a site specific design report based on using a Wisconsin mound in accordance with the Gilbert and Sutherland report and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

RIGHTS OF APPEAL
Attached

End of Decision Notice

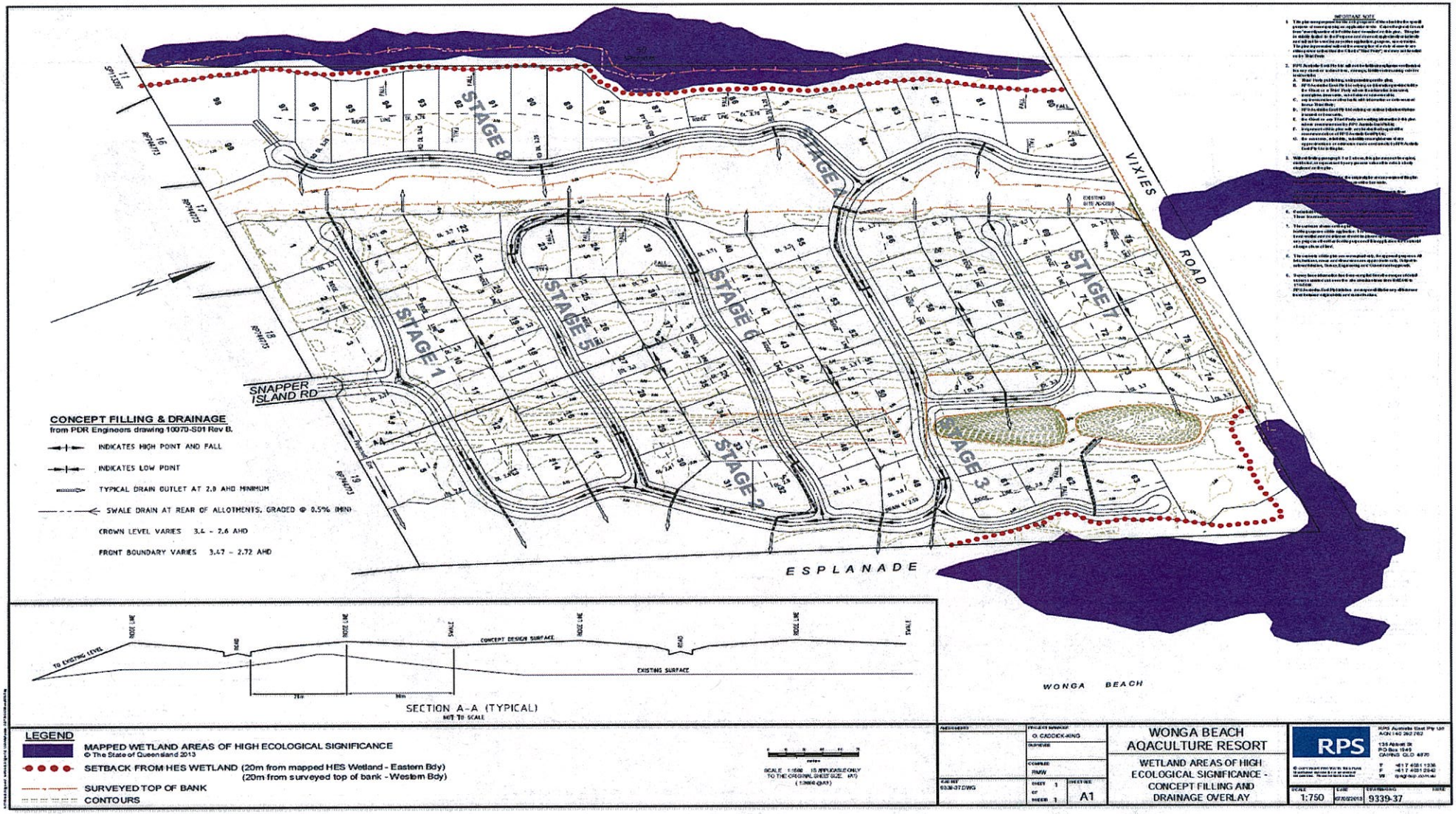
DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

APPENDIX 1: Approved Drawing(s) & Document(s)



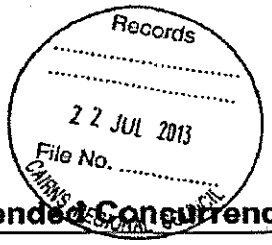
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14/24

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009



45.2011.4332
15/24

APPENDIX 2 – CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS



Notice

Amended Concurrence Agency Response

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

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

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

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

Our reference: 279643

Re: Concurrence Agency Response

1. **Application details**

Applicant: Wonga Beach Aquaculture Resort Pty Ltd

Assessment Manager ref: 8/13/1625 (3255378)

Date application referred to the concurrence agency: 01/09/2011

Development approval applied for: Development permit

Aspect(s) of development:

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

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

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

2. **Concurrence jurisdiction**

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

a. Conditions must attach to any development approval, and those conditions are attached to this notice as:

i) Attachment 1 – EHP Permit number: SPCC02679411

Approved plans and specifications

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

3. **General advice to assessment manager**

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

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

4. **Additional information for applicants**

Environmentally relevant activities

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

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

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

Contaminated land

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

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 Filing and Drainage Overlay' on Lot 51 SP155078, created by RPS Australia East Pty Ltd, drawing no. 9339-37
Attachment 3 - 'Reconfiguration Proposal Plan' on Lot 51 SP155078, created by RPS Australia East Pty Ltd, drawing no. 9339-20 G

Sustainable Planning Act 2009

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:	*Environmental Protection Act 1994* and any related statutory instruments and subordinate legislation *State Planning Policy 4/11: Protecting Wetlands of High Ecological Significance in Great Barrier Reef Catchments*
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 Concurrance 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.

EHP Permit number: SPCC02679411

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

45.2011.4332
20/24

EHP Permit number: SPCC02679411

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 3 – ADOPTED INFRASTRUCTURE CHARGES NOTICE

Cairns Regional Council

2006 Douglas Shire Planning Scheme Applications

INFRASTRUCTURE CHARGES NOTICE

McCloy Group	0	0
DEVELOPERS NAME	ESTATE NAME	STAGE

Vixies Road	Wonga	L51 on SP155078	10957
STREET No. & NAME	SUBURB	LOT & RP No.s	PARCEL No.

ROL	8/13/1625	30-Jun-13	4
DEVELOPMENT TYPE	COUNCIL FILE NO.	QUARTER ENDING	VALIDITY PERIOD

4121145	1	This logsheet is indexed appropriately only for payments made within the quarter noted above.
SKIDS No.	VERSION No.	

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

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

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 cretaed allotments.

Note:

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

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

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

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

Cairns Regional COUNCIL

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 is 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

Neil Beck
Acting Manager Development & Regulatory Services

45.2011.4332
23/24

Adopted Infrastructure Charges Notice

2006 Douglas Shire Planning Scheme Applications

INFRASTRUCTURE CHARGES NOTICE

McCloy Group	0	0
DEVELOPERS NAME	ESTATE NAME	STAGE

Vixies Road	Wonga	L51 on SP155078	10957
STREET No. & NAME	SUBURB	LOT & RP No.s	PARCEL No.

ROL	8/13/1625	30-Jun-13	4
DEVELOPMENT TYPE	COUNCIL FILE NO.	QUARTER ENDING	VALIDITY PERIOD

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Water sub - total						$1,369,389.76		
SEWERAGE								
Ex	6	2,469.44	X	0.00	0.00	$0.00		T 617/ 05689
Pro	6	1,073.52	X	0.00	0.00	$0.00		T 618/ 05683
Sewerage sub - total						$0.00		
Road Network	Not Applicable in Former DSC Area				0			
	District No. 0					$0.00		000/ 0
DRAINAGE	Not Applicable in Former DSC Area				None			
	Stream Management					$0.00		0
	Stormwater Quality					$0.00		0
OPEN SPACE	Former DSC Area					$0.00		T 614 / 546
BONDS	None					$0.00		
	None					$0.00		
OTHER	Port Douglas General road upgrade					$0.00		348 / 05427
	None					$0.00		
	TOTAL					$1,369,389.76		

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

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 cretaed allotments.

Note:

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

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

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

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

45.2011.4332
24/24

Cairns Regional COUNCIL

Infrastructure Charges

September 2011

Infrastructure charges are payments made by developers to enable Council to provide the necessary infrastructure to support development. They are required under the Sustainable Planning 2009.

The costs of providing infrastructure are equitably apportioned across the entire catchment. The charge covers of the net increase in service demand resulting from a development. The charges are subject to regular indexation.

They are applicable to development; however, they are not applicable in all instances.

Infrastructure Charges for:

Water Supply, **Wastewater**, **Transport** contribute towards the planned augmentation of the existing network and new works to service new development;

Public Parks and Community Land contribute towards the provision of new land for parks and associated embellishments within the network which provide a range of recreational and open space opportunities, and the land component only for local community facilities;

Stormwater contributes towards works including: protection of existing downstream development, riparian management, habitat protection, water quality enhancement and flood immunity in accordance with a Drainage or Stream Management Plan. Charges are paid where new development increases the hydraulic demand on waterways in the catchment

CBD Car Parking contributes towards the cost associated with purchasing land and constructing car parking thereon. Charges are paid in lieu of providing car spaces on site; and

Public Art contributes towards the establishment of public art in the Region.

More information can be found on Council's website in relation to Infrastructure Charges at www.cairns.qld.gov.au. If you have an enquiry please contact Council's Development Assessment Team on 07 4044 3044 or by email townplanner@cairns.qld.gov.au

478 Appeals about particular charges for infrastructure

(1) This section applies to a person who has been given, and is dissatisfied with—

(a) an infrastructure charges notice, regulated infrastructure charges notice, adopted infrastructure charges notice or regulated State infrastructure charges notice; or

(b) a negotiated infrastructure charges notice, negotiated regulated infrastructure charges notice, negotiated adopted infrastructure charges notice or negotiated regulated State infrastructure charges notice.

(2) The person may appeal to the court against the notice.

(3) An appeal against a notice mentioned in subsection (1) must be started within 20 business days after the day the notice is given to the person.

(4) An appeal under this section may only be about—

(a) whether a charge in the notice is so unreasonable that no reasonable relevant local government, State infrastructure provider or coordinating agency could have imposed it; or

(b) an error in the calculation of the charge.

(5) To remove any doubt, it is declared that an appeal under this section can not be about the methodology used to establish an adopted infrastructure charge or the charge in a relevant infrastructure charges schedule, regulated infrastructure charges schedule or regulated State infrastructure charges schedule.

535 Appeals about charges for infrastructure

(1) This section applies to a person who—

(a) has been given—

(i) an infrastructure charges notice, regulated infrastructure charges notice, adopted infrastructure charges notice or regulated State infrastructure charges notice; or

(ii) a negotiated infrastructure charges notice, negotiated regulated infrastructure charges notice, negotiated adopted infrastructure charges notice or negotiated regulated State infrastructure charges notice; and

(b) is dissatisfied with the calculation of a charge in the notice.

(2) The person may appeal to a building and development committee about an error in the calculation of the charge.

(3) An appeal about a notice mentioned in subsection (1)(a) must be started within 20 business days after the day the notice is given to the person.

(4) To remove any doubt, it is declared that an appeal under this section can not be about the methodology used to establish an adopted infrastructure charge or the charge in a relevant infrastructure charges schedule, regulated infrastructure charges schedule or regulated State infrastructure charges schedule.

Division 8 Appeals to court relating to development applications and approvals

461 Appeals by applicants

(1) An applicant for a development application may appeal to the court against any of the following—

(a) the refusal, or the refusal in part, of the development application;

(b) any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242;

(c) the decision to give a preliminary approval when a development permit was applied for;

(d) the length of a period mentioned in section 341;

(e) a deemed refusal of the development application.

(2) An appeal under subsection (1)(a), (b), (c) or (d) must be started within 20 business days (the ***applicant's appeal period***) after—

(a) if a decision notice or negotiated decision notice is given—the day the decision notice or negotiated decision notice is given to the applicant; or

(b) otherwise—the day a decision notice was required to be given to the applicant.

(3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

462 Appeals by submitters—general

(1) A submitter for a development application may appeal to the court only against—

(a) the part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or

(b) the part of the approval relating to the assessment manager's decision under section 327.

(2) To the extent an appeal may be made under subsection (1), the appeal may be against 1 or more of the following—

(a) the giving of a development approval;

(b) any provision of the approval including—

(i) a condition of, or lack of condition for, the approval; or

(ii) the length of a period mentioned in section 341 for the approval.

(3) However, a submitter may not appeal if the submitter—

(a) withdraws the submission before the application is decided; or

(b) has given the assessment manager a notice under section 339(1)(b)(ii).

(4) The appeal must be started within 20 business days (the ***submitter's appeal period***) after the decision notice or negotiated decision notice is given to the submitter.

463 Additional and extended appeal rights for submitters for particular development applications

(1) This section applies to a development application to which chapter 9, part 7 applies.

(2) A submitter of a properly made submission for the application may appeal to the court about a referral agency's response made by a prescribed concurrence agency for the application.

(3) However, the submitter may only appeal against a referral agency's response to the extent it relates to—

(a) if the prescribed concurrence agency is the chief executive (environment)—development for an aquacultural ERA; or

(b) if the prescribed concurrence agency is the chief executive (fisheries)—development that is—

(i) a material change of use of premises for aquaculture; or

(ii) operational work that is the removal, damage or destruction of a marine plant.

(4) Despite section 462(1), the submitter may appeal against the following matters for the application even if the matters relate to code assessment—

(a) a decision about a matter mentioned in section 462(2) if it is a decision of the chief executive (fisheries);

(b) a referral agency's response mentioned in subsection (2).

464 Appeals by advice agency submitters

(1) Subsection (2) applies if an advice agency, in its response for an application, told the assessment manager to treat the response as a properly made submission.

(2) The advice agency may, within the limits of its jurisdiction, appeal to the court about—

(a) any part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or

(b) any part of the approval relating to the assessment manager's decision under section 327.

(3) The appeal must be started within 20 business days after the day the decision notice or negotiated decision notice is given to the advice agency as a submitter.

(4) However, if the advice agency has given the assessment manager a notice under section 339(1)(b)(ii), the advice agency may not appeal the decision.

465 Appeals about decisions relating to extensions for approvals

(1) For a development approval given for a development application, a person to whom a notice is given under section 389, other than a notice for a decision under section 386(2), may appeal to the court against the decision in the notice.

(2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

(3) Also, a person who has made a request under section 383 may appeal to the court against a deemed refusal of the request.

(4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

466 Appeals about decisions relating to permissible changes

(1) For a development approval given for a development application, the following persons may appeal to the court against a decision on a request to make a permissible change to the approval—

(a) if the responsible entity for making the change is the assessment manager for the application—

(i) the person who made the request; or

(ii) an entity that gave a notice under section 373 or a pre-request response notice about the request;

(b) if the responsible entity for making the change is a concurrence agency for the application—the person who made the request.

(2) The appeal must be started within 20 business days after the day the person is given notice of the decision on the request under section 376.

(3) Also, a person who has made a request under section 369 may appeal to the court against a deemed refusal of the request.

(4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

467 Appeals about changing or cancelling conditions imposed by assessment manager or concurrence agency

(1) A person to whom a notice under section 378(9)(b) giving a decision to change or cancel a condition of a development approval has been given may appeal to the court against the decision in the notice.

(2) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.

Division 9 Appeals to court about compliance assessment

468 Appeals against decision on request for compliance assessment

(1) A person to whom an action notice has been given under section 405(5) about a request for compliance assessment of development, a document or work may appeal to the court against the decision in the notice.

(2) The appeal must be started within 20 business days after the notice is given to the person.

469 Appeals against condition imposed on compliance permit or certificate

(1) A person who is given a compliance permit or compliance certificate subject to any conditions may appeal to the court against the decision to impose the condition.

(2) The appeal must be started within 20 business days after the day the compliance permit or compliance certificate is given to the person.

470 Appeals against particular decisions about compliance assessment

(1) A person to whom any of the following notices have been given may appeal to the court against the decision in the notice—

(a) a notice of a decision on a request to change or withdraw an action notice;

(b) a notice under section 413(2)(c) about a decision to refuse a request to change a compliance permit or compliance certificate.

(2) The appeal must be started within 20 business days after the day the notice is given to the person.

Division 10 Appeals to court about other matters

471 Appeal by applicant for approval of a proposed master plan

(1) A person who has applied for an approval of a proposed master plan may appeal to the court against—

(a) the refusal, or the refusal in part, to give the approval; or

(b) a matter stated in the notice of decision about the application; or

(c) a deemed refusal of the master plan application.

(2) An appeal under subsection (1)(a) or (b) must be started within 20 business days (the ***applicant's appeal period***) after the day the applicant is given notice of the decision.

(3) An appeal under subsection (1)(c) may be started at any time after the last day a decision on the matter should have been made.

472 Appeal about extension of period under s 98

(1) A person who has requested an extension under section 98(2) may appeal to the court against a refusal of the request.

(2) An appeal under subsection (1) must be started within 20 business days after the day the person is given notice of the refusal.

(3) Also, a person who has made a request under section 98(2) may appeal to the court against a deemed refusal of the request.

(4) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

(5) However, an appeal under this section may only be about whether the refusal is so unreasonable that no reasonable relevant local government could have refused the request.

473 Appeals against enforcement notices

(1) A person who is given an enforcement notice may appeal to the court against the giving of the notice.

(2) The appeal must be started within 20 business days after the day notice is given to the person.

474 Stay of operation of enforcement notice

(1) The lodging of a notice of appeal about an enforcement notice stays the operation of the enforcement notice until—

(a) the court, on the application of the entity issuing the notice, decides otherwise; or

(b) the appeal is withdrawn; or

(c) the appeal is dismissed.

(2) However, subsection (1) does not apply if the enforcement notice is about—

(a) a work, if the enforcement notice states the entity believes the work is a danger to persons or a risk to public health; or

(b) stopping the demolition of a work; or

(c) clearing vegetation on freehold land; or

(d) the removal of quarry material allocated under the *Water Act 2000*; or

(e) extracting clay, gravel, rock, sand or soil, not mentioned in paragraph (d), from Queensland waters; or

(f) development the assessing authority reasonably believes is causing erosion or sedimentation; or

(g) development the assessing authority reasonably believes is causing an environmental nuisance.

475 Appeals against local laws

(1) This section applies if—

(a) an applicant is dissatisfied with a decision of a local government or the conditions applied under a local law about the use of premises or the erection of a building or other structure; and

(b) the use is not prohibited development under the planning scheme or a temporary local planning instrument for the planning scheme area.

(2) The applicant may appeal to the court against the decision or the conditions applied.

(3) The appeal must be started within 20 business days after the day notice of the decision is given to the applicant.

476 Appeals against decisions on compensation claims

(1) A person who is dissatisfied with a decision under section 710 or 716 for the payment of compensation may appeal to the court against—

(a) the decision; or

(b) a deemed refusal of the claim.

(2) An appeal under subsection (1)(a) must be started within 20 business days after the day notice of the decision is given to the person.

(3) An appeal under subsection (1)(b) may be started at any time after the last day a decision on the matter should have been made.

477 Appeals against decisions on requests to acquire designated land under hardship

(1) A person who is dissatisfied with a designator's decision to refuse a request made by the person under section 222 may appeal to the court against—

(a) the decision; or

(b) a deemed refusal of the request.

(2) An appeal under subsection (1)(a) must be started within 20 business days after the day notice of the decision is given to the person.

(3) An appeal under subsection (1)(b) may be started at any time after the last day a decision on the matter should have been made.

478 Appeals about particular charges for infrastructure

(1) This section applies to a person who has been given, and is dissatisfied with—

(a) an infrastructure charges notice, regulated infrastructure charges notice or regulated State infrastructure charges notice; or

(b) a negotiated infrastructure charges notice, negotiated regulated infrastructure charges notice or negotiated regulated State infrastructure charges notice.

(2) The person may appeal to the court against the notice.

(3) An appeal against a notice mentioned in subsection (1) must be started within 20 business days after the day the notice is given to the person.

(4) An appeal under this section may only be about—

(a) whether a charge in the notice is so unreasonable that no reasonable relevant local government, State infrastructure provider or coordinating agency could have imposed it; or

(b) an error in the calculation of the charge.

(5) To remove any doubt, it is declared that an appeal under this section can not be about the methodology used to establish the charge in the relevant infrastructure charges schedule, regulated infrastructure charges schedule or regulated State infrastructure charges schedule.

479 Appeals from building and development committees

(1) A party to a proceeding decided by a building and development committee may appeal to the court against the committee's decision, but only on the ground—

(a) of an error or mistake in law on the part of the committee; or

(b) that the committee had no jurisdiction to make the decision or exceeded its jurisdiction in making the decision.

(2) An appeal against a building and development committee's decision must be started within 20 business days after the day notice of the committee's decision is given to the party.

480 Court may remit matter to building and development committee

If an appeal includes a matter within the jurisdiction of a building and development committee and the court is satisfied the matter should be dealt with by a building and development committee, the court must remit the matter to the committee for decision.

Division 11 Making an appeal to court

481 How appeals to the court are started

(1) An appeal is started by lodging written notice of appeal with the registrar of the court.

(2) The notice of appeal must state the grounds of the appeal.

(3) The person starting the appeal must also comply with the rules of the court applying to the appeal.

(4) However, the court may hear and decide an appeal even if the person has not complied with subsection (3).

482 Notice of appeal to other parties—development applications and approvals

(1) An appellant under division 8 must give written notice of the appeal to—

(a) if the appellant is an applicant—

(i) the chief executive; and

(ii) the assessment manager; and

(iii) any concurrence agency; and

(iv) any principal submitter whose submission has not been withdrawn; and

(v) any advice agency treated as a submitter whose submission has not been withdrawn; or

(b) if the appellant is a submitter or an advice agency whose response to the development application is treated as a submission for an appeal—

(i) the chief executive; and

(ii) the assessment manager; and

(iii) any referral agency; and

(iv) the applicant; or

(c) if the appellant is a person to whom a notice mentioned in section 465(1) has been given—

(i) the chief executive; and

(ii) the assessment manager for the development application to which the notice relates; and

(iii) any entity that was a concurrence agency for the development application to which the notice relates; and

(iv) the person who made the request under section 383 to which the notice relates, if the person is not the appellant; or

(d) if the appellant is a person mentioned in section 466(1)—

(i) the chief executive; and

(ii) the responsible entity for making the change to which the appeal relates; and

(iii) the person who made the request to which the appeal relates under section 369, if the person is not the appellant; and

(iv) if the responsible entity is the assessment manager—any entity that was a concurrence agency for the development application to which the notice of the decision on the request relates; or

(e) if the appellant is a person to whom a notice mentioned in section 467 has been given—the entity that gave the notice.

(2) The notice must be given within—

(a) if the appellant is a submitter or advice agency whose response to the development application is treated as a submission for an appeal—2 business days after the appeal is started; or

(b) otherwise—10 business days after the appeal is started.

(3) The notice must state—

(a) the grounds of the appeal; and

(b) if the person given the notice is not the respondent or a co-respondent under section 485—that the person may, within 10 business days after the notice is given, elect to

become a co-respondent to the appeal by filing in the court a notice of election in the approved form.

483 Notice of appeals to other parties—compliance assessment

(1) An appellant under division 9 must, within 10 business days after the day the appeal is started, give written notice of the appeal to—

(a) if the appellant is a person to whom an action notice, compliance permit or compliance certificate has been given—

(i) the compliance assessor who gave the notice, permit or certificate; and

(ii) if the compliance assessor was a nominated entity of a local government and a copy of the request for compliance assessment was given to the local government under section 402—the local government; or

(b) if the appellant is a person to whom a notice mentioned in section 470(1) has been given—

(i) the entity that gave the notice; and

(ii) if the entity that gave the notice was a nominated entity of a local government and the written agreement of the local government was required to give the notice—the local government.

(2) The notice must state the grounds of the appeal.

484 Notice of appeal to other parties—other matters

(1) An appellant under division 10 must, within 10 business days after the day the appeal is started, give written notice of the appeal to—

(a) if the appeal is under section 471—the local government and coordinating agency for the application for approval of the master plan; or

(b) if the appeal is under section 472 or 475—the local government; or

(c) if the appeal is under section 478—the entity that gave the notice the subject of the appeal; or

(d) if the appellant is a person to whom an enforcement notice is given—the entity that gave the notice and if the entity is not the local government, the local government; or

(e) if the appellant is a person dissatisfied with a decision about compensation—the local government that decided the claim; or

(f) if the appellant is a person dissatisfied with a decision about acquiring designated land—the designator; or

(g) if the appellant is a party to a proceeding decided by a building and development committee—the other party to the proceeding.

(2) The notice must state the grounds of the appeal.

485 Respondent and co-respondents for appeals under div 8

(1) Subsections (2) to (8) apply for appeals under sections 461 to 464.

(2) The assessment manager is the respondent for the appeal.

(3) If the appeal is started by a submitter, the applicant is a co-respondent for the appeal.

(4) Any submitter may elect to become a co-respondent for the appeal.

(5) If the appeal is about a concurrence agency's response, the concurrence agency is a co-respondent for the appeal.

(6) If the appeal is only about a concurrence agency's response, the assessment manager may apply to the court to withdraw from the appeal.

(7) The respondent and any co-respondents for an appeal are entitled to be heard in the appeal as a party to the appeal.

(8) A person to whom a notice of appeal is required to be given under section 482 and who is not the respondent or a co-respondent for the appeal may elect to be a co-respondent.

(9) For an appeal under section 465—

(a) the assessment manager is the respondent; and

(b) if the appeal is started by a concurrence agency that gave the assessment manager a notice under section 385—the person asking for the extension the subject of the appeal is a co-respondent; and

(c) any other person given notice of the appeal may elect to become a co-respondent.

(10) For an appeal under section 466—

(a) the responsible entity for making the change to which the appeal relates is the respondent; and

(b) if the responsible entity is the assessment manager—

(i) if the appeal is started by a person who gave a notice under section 373 or a pre-request response notice—the person who made the request for the change is a co-respondent; and

(ii) any other person given notice of the appeal may elect to become a co-respondent.

(11) For an appeal under section 467, the respondent is the entity given notice of the appeal.

486 Respondent and co-respondents for appeals under div 9

(1) For an appeal under section 468 or 469—

(a) the compliance assessor is the respondent; and

(b) if the compliance assessor is a nominated entity of a local government and the appeal relates to a matter required by a local government—the local government is a co-respondent.

(2) However, if the appeal is only about a matter required by the local government, the compliance assessor may apply to the court to withdraw from the appeal.

(3) For an appeal under section 470—

(a) the entity that gave the notice to which the appeal relates is the respondent; and

(b) if the entity mentioned in paragraph (a) is a nominated entity of a local government and the local government did not agree to the request mentioned in section 470(1)—the local government is a co-respondent.

(4) However, if the appeal is only about the local government's refusal of the request, the entity that gave the notice to which the appeal relates may apply to the court to withdraw from the appeal.

487 Respondent and co-respondents for appeals under div 10

(1) This section applies if an entity is required under section 484 to be given a notice of an appeal.

(2) The entity given notice is the respondent for the appeal.

(3) However, if under a provision of the section more than 1 entity is required to be given notice, only the first entity mentioned in the provision is the respondent.

(4) The second entity mentioned in the provision may elect to be a co-respondent.

488 How an entity may elect to be a co-respondent

An entity that is entitled to elect to be a co-respondent to an appeal may do so, within 10 business days after notice of the

appeal is given to the entity, by following the rules of court for the election.

489 Minister entitled to be party to an appeal involving a State interest

If the Minister is satisfied an appeal involves a State interest, the Minister may, at any time before the appeal is decided, elect to be a party to the appeal by filing in the court a notice of election in the approved form.

490 Lodging appeal stops particular actions

(1) If an appeal, other than an appeal under section 465, 466 or 467, is started under division 8, the development must not be started until the appeal is decided or withdrawn.

(2) If an appeal is about a condition imposed on a compliance permit, the development must not be started until the appeal is decided or withdrawn.

(3) Despite subsections (1) and (2), if the court is satisfied the outcome of the appeal would not be affected if the development or part of the development is started before the appeal is decided, the court may allow the development or part of the development to start before the appeal is decided.

292 Advice agency's response powers

(1) An advice agency's response may, within the limits of the advice agency's jurisdiction, make a recommendation to the assessment manager about any aspect of the application relevant to the assessment manager's decision on the application, including, for example—

(a) the conditions that should attach to any development approval; and

(b) that any approval should be for part only of the application; and

(c) that any approval should be a preliminary approval only.

(2) Alternatively, an advice agency's response may, within the limits of the advice agency's jurisdiction, advise the assessment manager that—

(a) the advice agency has no recommendations relating to the application; or

(b) it should refuse the application.

(3) An advice agency's response may also tell the assessment manager to treat the response as a properly made submission.

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^{c}Cloy 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

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

APPLICANT DETAILS

M^{c}Cloy 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
☒	Wetland – land in or near	Department of State Development, Infrastructure and Planning	Advice	Far North Queensland Regional Office PO Box 2358 Cairns QLD 4870
☒	Acid sulphate soils	Department of State Development, Infrastructure and Planning	Advice	Far North Queensland Regional Office PO Box 2358 Cairns QLD 4870

	For an application involving	Name of referral agency	Advice agency or concurrence agency	Address
☒	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
Reconfiguration Proposal Plan	RPS 9339-20 Issue I	23 October 2013
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;~~

~~b~~a. A redesign of proposed Stage 7 where all lots are capable of internal access; or

~~c~~b. 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	Concurrence 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



45.2011.4332
15/26

APPENDIX 2: ORIGINAL APPROVED PLANS



DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009



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

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

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

Our reference: 279643

Re: Concurrence Agency Response

1. **Application details**

Applicant: Wonga Beach Aquaculture Resort Pty Ltd

Assessment Manager ref: 8/13/1625 (3255378)

Date application referred to the concurrence agency: 01/09/2011

Development approval applied for: Development permit

Aspect(s) of development:

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

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

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

Department of Environment and Heritage Protection
www.ehp.qld.gov.au ABN 46 640 294 485

Queensland Government

2. **Concurrence jurisdiction**

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

a. Conditions must attach to any development approval, and those conditions are attached to this notice as:

i) Attachment 1 – EHP Permit number: SPCC02679411

Approved plans and specifications

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

3. **General advice to assessment manager**

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

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

4. **Additional information for applicants**

Environmentally relevant activities

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

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

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

Contaminated land

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

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

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

Attachment(s)

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

EHP Permit [1] number: SPCC02679411

Assessment manager reference (if any):	8/13/1625 (3255378)
Date application received:	01/09/2011
Permit type:	concurrence agency response
Date of decision:	08/07/2013
Decision:	For a **concurrence agency response** conditions that must attach to any development approval
Relevant laws and policies:	*Environmental Protection Act 1994* and any related statutory instruments and subordinate legislation *State Planning Policy 4/11: Protecting Wetlands of High Ecological Significance in Great Barrier Reef Catchments*
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 Concurrance 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.

Department of Environment and Heritage Protection
www.ehp.qld.gov.au ABN 46 640 294 485

Delegate
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	10957
STREET No. & NAME	SUBURB	LOT & RP No.s	PARCEL No.

ROL	8/13/1625	30-Jun-13	4
DEVELOPMENT TYPE	COUNCIL FILE NO.	QUARTER ENDING	VALIDITY PERIOD

4121145	1	This logsheet is indexed appropriately only for payments made within the quarter noted above.
SKIDS No.	VERSION No.	

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

Prepared by	Leon Doutre	on	11-Sep-13	**Amount Paid**
Checked by	Sean Lisle	on	12-Sep-13	**Date Paid**
Date Payable Advice			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 cretaed 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 is 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.

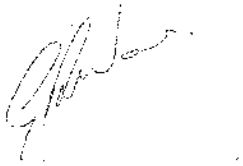
These charges are payable prior to the issue of a Compliance Certificate for the Plan of Subdivision.

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

DEVELOPERS NAME	ESTATE NAME	STAGE
McCloy Group	0	0

STREET No. & NAME	SUBURB	LOT & RP No.s	PARCEL No.
Vixies Road	Wonga	L51 on SP155078	10957

DEVELOPMENT TYPE	COUNCIL FILE NO.	QUARTER ENDING	VALIDITY PERIOD
ROL	8/13/1625	30-Jun-13	4

SKIDS No.	VERSION No.	
4121145	1	This logsheet is indexed appropriately only for payments made within the quarter noted above.

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

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

Open Space Contributions are also applicable to the application. In accordance with Condition 9 - this includes the payment of a monetary contribution equivalent to 4.3% of the Unimproved Capital Value (UCV) of the created allotments.

Note:

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

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

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

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

ENQUIRIES: 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^{c}Cloy 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

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

APPLICANT DETAILS

M^{c}Cloy 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
☒	Wetland – land in or near	Department of State Development, Infrastructure and Planning	Advice	Far North Queensland Regional Office PO Box 2358 Cairns QLD 4870
☒	Acid sulphate soils	Department of State Development, Infrastructure and Planning	Advice	Far North Queensland Regional Office PO Box 2358 Cairns QLD 4870

	For an application involving	Name of referral agency	Advice agency or concurrence agency	Address
☒	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
Reconfiguration Proposal Plan	RPS 9339-20 Issue I	23 October 2013
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;~~

~~b~~a. A redesign of proposed Stage 7 where all lots are capable of internal access; or

~~c~~b. 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	Concurrence 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



45.2011.4332
15/26

APPENDIX 2: ORIGINAL APPROVED PLANS



DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009



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

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

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

Our reference: 279643

Re: Concurrence Agency Response

1. **Application details**

Applicant: Wonga Beach Aquaculture Resort Pty Ltd

Assessment Manager ref: 8/13/1625 (3255378)

Date application referred to the concurrence agency: 01/09/2011

Development approval applied for: Development permit

Aspect(s) of development:

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

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

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

Department of Environment and Heritage Protection
www.ehp.qld.gov.au ABN 46 640 294 485

Queensland Government

2. **Concurrence jurisdiction**

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

a. Conditions must attach to any development approval, and those conditions are attached to this notice as:

i) Attachment 1 – EHP Permit number: SPCC02679411

Approved plans and specifications

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

3. **General advice to assessment manager**

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

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

4. **Additional information for applicants**

Environmentally relevant activities

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

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

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

Contaminated land

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

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

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

Attachment(s)

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

EHP Permit [1] number: SPCC02679411

Assessment manager reference (if any):	8/13/1625 (3255378)
Date application received:	01/09/2011
Permit type:	concurrence agency response
Date of decision:	08/07/2013
Decision:	For a **concurrence agency response** conditions that must attach to any development approval
Relevant laws and policies:	*Environmental Protection Act 1994* and any related statutory instruments and subordinate legislation *State Planning Policy 4/11: Protecting Wetlands of High Ecological Significance in Great Barrier Reef Catchments*
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 Concurrance 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.

Department of Environment and Heritage Protection
www.ehp.qld.gov.au ABN 46 640 294 485

Delegate
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	10957
STREET No. & NAME	SUBURB	LOT & RP No.s	PARCEL No.

ROL	8/13/1625	30-Jun-13	4
DEVELOPMENT TYPE	COUNCIL FILE NO.	QUARTER ENDING	VALIDITY PERIOD

4121145	1	This logsheet is indexed appropriately only for payments made within the quarter noted above.
SKIDS No.	VERSION No.	

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

Prepared by	Leon Doutre	on	11-Sep-13	**Amount Paid**
Checked by	Sean Lisle	on	12-Sep-13	**Date Paid**
Date Payable Advice			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 cretaed 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 is 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.

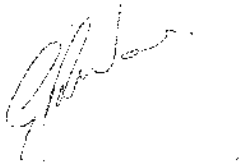
These charges are payable prior to the issue of a Compliance Certificate for the Plan of Subdivision.

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

DEVELOPERS NAME	ESTATE NAME	STAGE
McCloy Group	0	0

STREET No. & NAME	SUBURB	LOT & RP No.s	PARCEL No.
Vixies Road	Wonga	L51 on SP155078	10957

DEVELOPMENT TYPE	COUNCIL FILE NO.	QUARTER ENDING	VALIDITY PERIOD
ROL	8/13/1625	30-Jun-13	4

SKIDS No.	VERSION No.	
4121145	1	This logsheet is indexed appropriately only for payments made within the quarter noted above.

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

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

Open Space Contributions are also applicable to the application. In accordance with Condition 9 - this includes the payment of a monetary contribution equivalent to 4.3% of the Unimproved Capital Value (UCV) of the created allotments.

Note:

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

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

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

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

DOUGLAS
SHIRE COUNCIL

25 SEP 2014

PO Box 723 Mossman Qld 4873
www.douglas.qld.gov.au
enquiries@douglas.qld.gov.au
ABN 71 241 237 800

Administration Office
64 - 66 Front St Mossman
P 07 4099 9444
F 07 4098 2902

YOUR REF: 0529/WD-00-001/2014
OUR REF: MCUI 2248/2006 (429356)

22 September 2014

Wonga Beach Aqaculture Pty Ltd
PO Box 2214
DANGAR NSW 2309

Attention: Mr James Goode

Dear Sir

REQUEST TO EXTEND RELEVANT PERIOD
MATERIAL CHANGE OF USE – PRELIMINARY APPROVAL
VIXIES ROAD, WONGA BEACH

Reference is made to your request to extend the relevant period for a Preliminary Approval for a Staged Development and 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) on land located at Vixies Road, Wonga Beach, also described as Lot 51 on SP155078.

Your request was determined at the Ordinary Meeting held on 16 September 2014, where Council resolved to approve the request, so that the Relevant Period of the Preliminary Approval aligns with the Relevant Period of the Reconfiguring a Lot approval as detailed in the Negotiated Decision Notice dated 16 December 2013 (Council document reference 259470).

Should you have any enquiries in relation to this Decision Notice, please contact Neil Beck of Development and Environment on telephone number 07 4099 9451.

Yours faithfully

Donna Graham
Acting General Manager Operations

43.2006.2248.2
1/1

DOUGLAS SHIRE COUNCIL

DOUGLAS
SHIRE COUNCIL

PO Box 723 Mossman Qld 4873
www.douglas.qld.gov.au
enquiries@douglas.qld.gov.au
ABN 71 241 237 800

Administration Office
64 - 66 Front St Mossman
P 07 4099 9444
F 07 4098 2902

YOUR REF: PDR 10070
OUR REF: OP 4332/2011 (763281)

21 November 2016

Wonga Beach Aquaculture Resort Pty Ltd
C/- PDR Engineers
PO Box 2551
CAIRNS QLD 4870

Attention: Mr Alan M^{c}Pherson

Dear Sir

DECISION NOTICE FOR OPERATIONAL WORKS
VIXIES ROAD, WONGA BEACH

Please find attached the relevant Decision Notice for the above Operational Works. Also find attached a 'Pre-Start' meeting template, which identifies the information that must be provided for Council approval, prior to the commencement of works.

The template also provides the Consulting Engineer with a format for conducting the meeting. An invitation to attend the meeting must be sent to Council's representative Neil Beck on telephone number 07 4099 9451, giving at least five (5) working days notification if possible.

In addition to the Decision Notice, Council provides the following 'Advice Statement' which relates to issues that are relevant to the proposed works:

1. The design of landscape and lighting works are subject to separate agreement and must be submitted to Council, prior to the commencement of associated works; and

2. The Consulting Engineer is to present all contractors with a copy of this Decision Notice and the Council approved plans, prior to the commencement of works.

Should you require further information or assistance, please contact Neil Beck of Development and Environment on telephone 07 4099 9451.

Yours faithfully

Paul Hoye
Manager Sustainable Communities

44.2011.4332
1/34

Att

Copy To: Manager Infrastructure – Michael Kreidemann
A/Manager Water & Waster – Peter White
Project Engineer – Michael Mathews
Coordinator Civil Works – Kim Armbrust
Coordinator Public Spaces – Peter Logan
GIS Support – Alistair Hart

DOUGLAS
SHIRE COUNCIL

PO Box 723 Mossman Qld 4873
www.douglas.qld.gov.au
enquiries@douglas.qld.gov.au
ABN 71 241 237 800

Administration Office
64 - 66 Front St Mossman
P 07 4099 9444
F 07 4098 2902

YOUR REF: PDR 10070
OUR REF: OP 4332/2011 (763281)

21 November 2016

DECISION NOTICE FOR OPERATIONAL WORKS VIXIES ROAD, WONGA BEACH

PROPOSAL:
Operational Works (Engineering) excluding Landscape and Lighting Works

TYPE OF DEVELOPMENT:
Operational Work

REAL PROPERTY DESCRIPTION:
Lot 51 on SP155078

REFERRAL AGENCY CONDITIONS:
None applicable

FURTHER DEVELOPMENT PERMITS OR APPROVALS REQUIRED:
None applicable

DECISION DATE:
21 November 2016

DECISION:
Approved subject to conditions

TYPE OF APPROVAL:
Development Permit

ASSESSMENT MANAGER CONDITIONS – STANDARD:

The standard conditions are shown in Appendix B and must be read in conjunction with any approved plans and project specific conditions identified below.

ASSESSMENT MANAGER CONDITIONS – PROJECT SPECIFIC:

Earthworks

1. In the event that acid sulphate soils are encountered, the applicant is to ensure the site is managed in accordance with requirements of the Queensland Acid Sulphate Technical Manual and State Planning Policy. In addition, an ASS/PASS Management Plan is to be submitted to Council within seven (7) days, should site excavations identify the presence of acid sulphate soils.

2. All earthworks are to be constructed in accordance with Australian Standard 3798-2007, Guidelines on Earthworks for Commercial and Residential Developments; additionally, further certification is to occur when works are completed and test results are compiled. This information is to be provided to Council prior to Works Acceptance.

3. The works must not cause, or be likely to cause, environmental harm resulting from the release of contaminants, dust, noise or sediments from the site. Appropriate Erosion and Sediment Control (ESC) measures must be installed and maintained for the duration of the works or until all exposed areas have been fully re-vegetated or stabilized.

4. Allotment earthworks should be free draining and not cause any ponding on adjacent properties.

5. Haul routes are to be advised to and approved by Council prior to the commencement of work. The internal Haulage Route is to be from Vixies Road.

6. Prior to the commencement of filling, the applicant/contractor is to prepare a Road Condition Report of the proposed haulage route indicating all existing problems with the roadway along the identified haul route. On completion, the haul route shall be subject to a joint inspection by the applicant and Council Officers to identify any further damage that has occurred. If any additional damage has occurred, all rectification works shall be at the applicant's expense, to the satisfaction of the Chief Executive Officer. The report is to contain (but not limited to): location of existing deficiencies of the roadway and site photos of the route especially at areas where turning movements will occur.

7. The toe of the building pads is to be setback a minimum of 6 metres from the front boundary. The building pad for Lot 10 is to be amended or extended to provide a regular shaped pad. Such amendments are required prior to the commencement of works.

Water

8. Confirm the existing and proposed cover over Council owned existing water mains within the area of Snapper Island Drive Culvert works and confirm that the water mains will not be adversely impacted by the works. Details, including a long section, are to be submitted and approved prior to commencement of work. Provide details of any modifications to valves and hydrant. Modifications to the existing water infrastructure are to be undertaken by Council at the developer's cost.

9. Any entry and exit point over Council's existing water infrastructure under the proposed haulage route is to be provided with adequate protection measures to avoid damage.

On-site Wastewater Disposal

10. Locations and details of earthworks pads intended for disposal area submitted and approved prior to commencement of work. Submit an amended allotment grading and earthworks plan prior to the commencement of works.

Roads and Paths

11. A footpath in accordance with the requirements of FNQROC Development Manual must be provided on the eastern side of Snapper Island Drive. The drainage culvert in Snapper Island Drive must be extended to accommodate the footpath and associated handrails within the road verge. The footpath is to ultimately extend through the development to connect to Vixies Road. Amended plans detailing the requirements must be submitted prior to the commencement of works.

Erosion and Sediment Control

12. During construction the contractor must implement a suitable dust management strategy to minimise dust nuisance on adjacent properties. Details of the dust management strategy must be incorporated into the erosion & sediment control strategy and be noted on the contractors ESC plan.

13. Upon completion of earthworks and prior to Works Acceptance all exposed surfaces are to be treated. Temporary ESC measures must remain in place during construction and until the site is stabilised to prevent sediment entering the open drains or properties.

    All reasonable and practicable measures must be taken to prevent pollution to the existing creek, waterways or drainage lines, as a result of silt run-off, oil and grease spills from any machinery. Wastewater for cleaning equipment must not be discharged directly or in-directly to any watercourses, stormwater systems or private properties.

Drainage and Vegetation

14. The alignment of the east / west drainage line adjacent the southern boundary of the site must be investigated and re-positioned to the extent necessary to protect and preserve the band of significant vegetation located adjacent the southern boundary.

    Further investigations are to be reflected in amended drainage plans which detail the alignment of the re-positioned drain and the location of significant vegetation. The alignment of the drain must be pegged and ground-truthed by Council Officers prior to the commencement of works. The amended plans are to also consider access for future maintenance purposes.

APPROVED PLANS AND SPECIFICATIONS:

Generally in accordance with the following drawings submitted by PDR Engineers subject to any alterations made by conditions of Development Permit for Operational Work OP 4332/2011.

Drawing Description	No	Rev
Cover Sheet & Locality Plan	10070-C01	B
Typical Sections Notes	10070-C02	B
Allotment Grading & Earthworks Plan	10070-C03	B
Roads & Stormwater Drainage Plan	10070-C04	B
Snapper Island Drive – Longitudinal Section	10070-C05	B
Snapper Island Drive Cross Sections 1/2	10070-C06	B
Snapper Island Drive Cross Sections 2/2	10070-C07	B
Longitudinal Section – Road B	10070-C08	B
Cross Sections Road B 1/2	10070-C09	B
Cross Sections Road B 2/2	10070-C10	B
Intersection Details	10070-C11	B
Drain 1 – Longitudinal Section	10070-C12	B
Drain 1 Cross Section 1/2	10070-C13	B
Drain 1 Cross Section 2/2	10070-C14	B
Drain 2 Longitudinal Section	10070-C15	B
Drain 2 Cross Sections	10070-C16	B
Stormwater Catchments	10070-C17	B
Erosion Sediment Control Strategy	10070-C18	B
Water Reticulation Plan	10070-C19	B
Control Line & Earthworks Setout	10070-C20	B

EROSION AND SEDIMENT CONTROL DRAWINGS

The following drawings must form the basis of the contractor's Erosion and Sediment Control Plan in accordance with the *FNQROC Development Manual*, Clause CP1.06.

Drawing Description	No	Rev
Erosion Sediment Control Strategy	10070-C18	B

For information relating to the *Sustainable Planning Act* 2009 log on to www.dilgp.qld.gov.au . To access the *FNQROC Development Manual*, Local Laws and other applicable Policies log on to www.douglas.qld.gov.au .

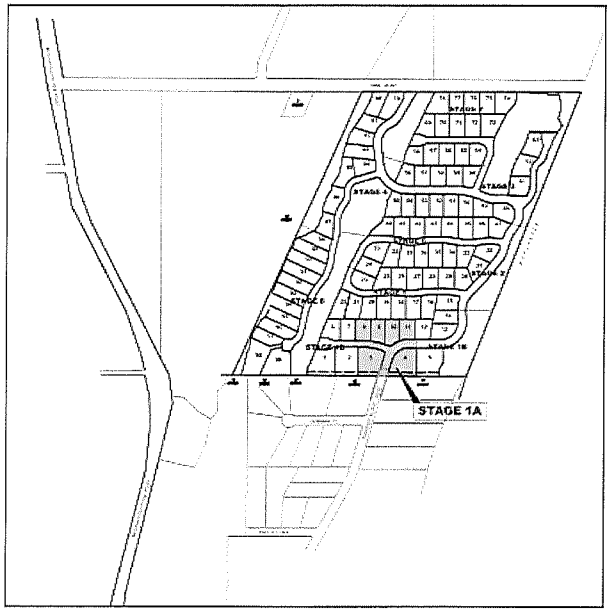
RIGHTS OF APPEAL

Attached

End of Decision Notice

Att Appeal Rights
Pre-Start Meeting Template
Approved Drawings, Appendix A
Standard Conditions, Appendix B
Referral Agency conditions – Appendix C

APPENDIX A: APPROVED DRAWINGS



LOCALITY PLAN
NOT TO SCALE

WONGA BEACH VILLAGE PTY. LTD.

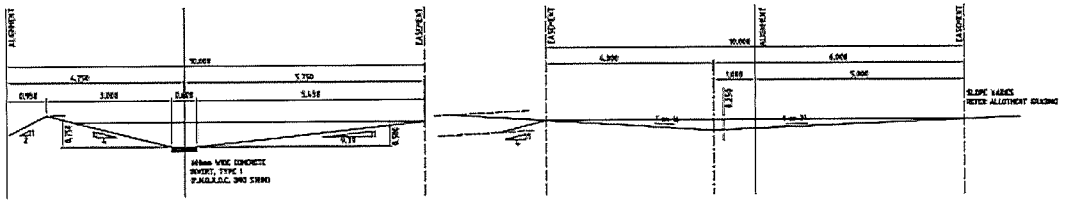
PROPOSED SUBDIVISION STAGE 1A SNAPPER ISLAND DRIVE WONGA BEACH

DRAWING LIST:

C01 - COVER SHEET
C02 - TYPICAL DETAILS & NOTES
C03 - ALLOTMENT GRADING/EARTHWORKS PLAN
C04 - ROADWORKS & STORMWATER DRAINAGE PLAN
C05 - SNAPPER ISLAND DRIVE - LONGITUDINAL SECTION
C06 - SNAPPER ISLAND DRIVE - CROSS SECTIONS SH. 1 OF 2
C07 - SNAPPER ISLAND DRIVE - CROSS SECTIONS SH. 2 OF 2
C08 - ROAD 'B' - LONGITUDINAL SECTION
C09 - ROAD 'B' - CROSS SECTIONS SH. 1 OF 2
C10 - ROAD 'B' - CROSS SECTIONS SH. 2 OF 2
C11 - INTERSECTION DETAILS
C12 - DRAIN '1' - LONGITUDINAL SECTION
C13 - DRAIN '1' - CROSS SECTIONS SH. 1 OF 2
C14 - DRAIN '1' - CROSS SECTIONS SH. 2 OF 2
C15 - DRAIN '2' - LONGITUDINAL SECTION
C16 - DRAIN '2' - CROSS SECTIONS SH. 1 OF 2
C17 - STORMWATER CATCHMENTS
C18 - EROSION SEDIMENT CONTROL STRATEGY
C19 - WATER RETICULATION PLAN
C20 - CONTROL LINE & EARTHWORKS SETOUT

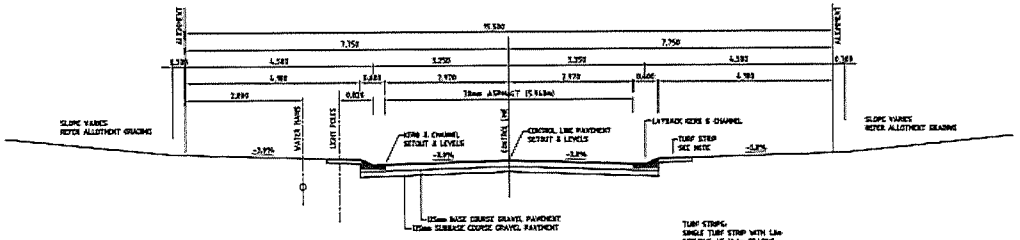
Issue	Description	Date
B	FOR COUNCIL SUBMISSION	30/10/15
A	FOR PRELIMINARY REVIEW	19/10/15

Drawing Status: PRELIMINARY
SCALE N/A | Orig. Sheet A1
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Client: WONGA BEACH VILLAGE PTY. LTD.
Project: PROPOSED SUBDIVISION STAGE 1A SNAPPER ISLAND DRIVE WONGA BEACH
Drawing Title: COVER SHEET LOCALITY PLAN DRAWING LIST
Drawn: GCH | Designed: GCH | Standard: -
Approved: - | Date: NOV.2015
Drawing Number: 10070-C01 | Issue: B



DRAIN '1'

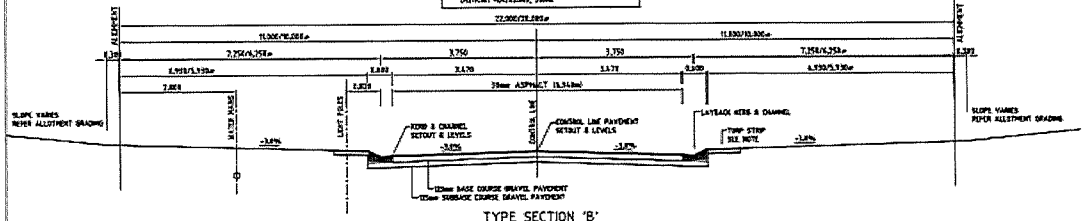
DRAIN '2'



ROAD 'B'

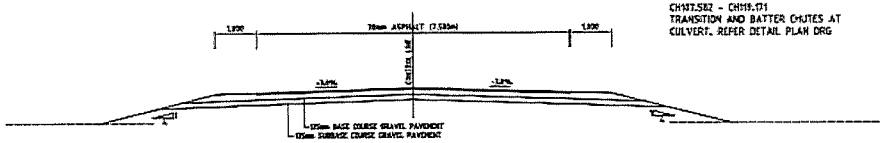
TURF STRIPS:
SINGLE TURF STRIP WITH 1.0m RETURNS AT 30.0m SPACING BEHIND ALL KERB & CHANNEL. TYPICAL

* ROAD RESERVE WIDTH VARIES FROM 22.0m TO 29.0m
CH68 - CH105.776, 22.0m
CH105.776 - CH119.301, VARIES
CH119.301 - CH242.000, 29.0m



TYPE SECTION 'B'
CH119.171 - CH242.000

CH107.582 - CH119.171
TRANSITION AND BATTER CHUTES AT CULVERT. REFER DETAIL PLAN DRG



TYPE SECTION 'A'
CH68.0 - CH107.582

SNAPPER ISLAND DRIVE

EARTHWORKS NOTES

1. ALL FOOTPATHS ARE TO BE GRASSED (SHELL SEEDED WITH APPROVED GRASS SPECIES IN ACCORDANCE WITH LANDSCAPE SPECIFICATIONS, FERTILISED AND MAINTAINED FOR THE REQUIRED MAINTENANCE PERIOD.
2. ALL BARE EARTHWORKS AREAS (LOTS, DRAINS, PARKS, VERGES, ETC.), SHALL BE GRASSED (SHELL SEEDED WITH APPROVED GRASS SPECIES) FOR SLOPES UP TO AND INCLUDING 1 ON 4, OR HYDROMULCHED FOR SLOPES GREATER THAN 1 ON 4, USE APPROVED SEED MIX AND MAINTAIN, WATER AND FERTILISE FOR MAINTENANCE PERIOD.
3. CLEAR TREES, LARGE SHRUBS ETC FROM THE AREA OF LOTS AND ROAD RESERVES, ONLY FOR CONSTRUCTION OF ROADS AND SERVICES, AND EITHER REMOVE FROM SITE OR ALTERNATIVELY CHIP MULCH AND STOCKPILE FOR REUSE IN LANDSCAPING. CONTRACTOR SHALL OBTAIN COUNCIL INSPECTION AND APPROVAL PRIOR TO COMMENCING ANY TREE AND VEGETATION CLEARING. ALL VEGETATION/CONSERVATION ZONES SHALL BE RETAINED AND SHALL BE ADEQUATELY FENCED/SEGREGATED PRIOR TO COMMENCING CONSTRUCTION.
4. SLASH THE EARTHWORKS AREA, RAKE AND STOCKPILE CUT VEGETATION FOR REUSE IN THE LANDSCAPING. CONTINUE SLASHING AND RAKING LOTS AND PARK AREAS AS NECESSARY AND AS INSTRUCTED BY THE SUPERINTENDENT DURING THE CONTRACT AND MAINTENANCE PERIOD TO KEEP GRASS TO A MAXIMUM 50mm TO 100mm HIGH.
5. ALL GULLIES AND DEPRESSIONS REQUIRING FILLING SHALL BE CLEANED, GRUBBED AND CLEANED OUT OF SILT, BOULDERS, DEBRIS ETC TO PROVIDE A CLEAN, FIRM BASE PRIOR TO PLACING ANY FILL OR WHERE MATERIALS COMPACT ALL NATURAL SUBGRADES WITH 6 TO 8 PASSES OF A 10 TONNE VIBRATING ROLLER PRIOR TO PLACING ANY FILL MATERIALS. PLACE SUBSOIL DRAINS/MATS TO ENGINEERS APPROVALS AT THE BASE OF ALL SUCH FILLS AND OUTLET TO THE STORMWATER DRAINAGE SYSTEM.
6. STRIP UP TO 150mm OF EXISTING TOPSOIL AND STOCKPILE FOR RE-USE TO TOPDRESS VERGES AND LOTS
7. IMPORTED AND CUT MATERIAL SHALL BE PLACED IN LAYERS NOT EXCEEDING 200mm AND COMPACTED TO 98% SMDD. PREFERRED METHOD OF COMPACTION OF LOWER LAYERS IS BY SHEEPSFOOT ROLLER.
8. IMPORTED FILL MATERIAL SHALL BE OF GOOD QUALITY AND SHALL NOT CONTAIN ROCKS GREATER THAN 150mm.
9. WHERE FILL IS PLACED ON SLOPING EXISTING SURFACE, THE EXISTING SURFACE IS TO BE BENCHED AND THE BENCH COMPACTED TO 98% SMDD PRIOR TO PLACING THE FILL MATERIAL.
10. REMOVE SURFACE ROCKS FROM THE LOTS, FOOTPATHS, VERGES AND PARKLAND AREAS. REUSE IN SCOUR PROTECTION. REMOVE EXCESS FROM SITE OR STOCKPILE AS DIRECTED. ALL COSTS TO BE INCLUDED IN CONTRACT LUMP SUM.
11. CONTRACTOR IS TO ENSURE NO PONDING AREAS RESULT FROM THE EARTHWORKS OPERATION. ANY SUCH AREAS WHICH DEVELOP SHALL BE RECTIFIED AS DIRECTED BY THE SUPERINTENDENT. THE CONTRACTOR SHALL NOTIFY THE SUPERINTENDENT OF THE DEVELOPMENT OR EXISTENCE OF ANY SUCH PONDING AREAS.
12. BATTERS IN EXCESS OF 1.5m HIGH SHALL BE ASSESSED AND REPORTED FOR STABILITY DURING CONSTRUCTION BY A GEOTECHNICAL ENGINEER. TYPES OF REPORTS SHALL BE FORWARDED TO THE SUPERINTENDENT AND TO CAIRNS REGIONAL COUNCIL.
13. THE CONTRACTOR SHALL CONSTRUCT TEMPORARY BERMS AT THE TOP OF ALL BATTERS TO DIRECT AND CONTROL RUNOFF TO A SINGLE LOCATION. THE DISCHARGE OVER THE BATTER SHALL BE THROUGH A STABILISED CHUTE ADDRESSED IN THE CONTRACTORS PLAN, e.g. REINFORCED TURF, GEOTEXTILE, CONCRETE OR SIMILAR.
14. THE CONTRACTOR SHALL SET OUT (WITH SURVEY) THE LOCATION OF ALL CUT BATTERS PRIOR TO COMMENCING THESE EARTHWORKS. HE SHALL ENGAGE A GEOTECHNICAL ENGINEER TO INSPECT, REPORT AND CHECK THE DESIGN PROFILE AND THE INSITU MATERIAL FOR LONG TERM STABILITY. DESIGN AMENDMENTS AND ANY RETAINING WALLS SHALL BE FINALIZED TO COUNCIL'S APPROVALS PRIOR TO COMMENCEMENT OF ANY OF THESE EARTHWORKS.
15. NEW RETAINING WALLS IN EXCESS OF 1.5m SHALL BE DESIGNED, CERTIFIED & CONSTRUCTED BY A REGISTERED PROFESSIONAL GEOTECHNICAL ENGINEER. THE CERTIFICATE, TOGETHER WITH A STRUCTURAL INSPECTION CERTIFICATE, SHALL BE PROVIDED TO THE SUPERINTENDENT FOR ISSUE TO COUNCIL.
16. ALL BOUNDARIES WITH EXISTING CREEKS AND VEGETATION MUST BE TEMPORARILY DELINEATED AND FENCED OFF/SEGREGATED TO RESTRICT BUILDING ACCESS FOR THE DURATION OF THE CONSTRUCTION ACTIVITY.
17. ALL BATTERS FRONTING THE ROAD RESERVES (AND NOT IN PRIVATE PROPERTY) SHALL BE FINISHED AT 1 ON 4. SLOPES WHEREVER POSSIBLE. BATTERS FINISHED AT STEEPER THAN 1 ON 4 SHALL BE LANDSCAPED WITH LOW MAINTENANCE PLANTS IN ACCORDANCE WITH FNQROC DEVELOPMENT MANUAL. BATTERS 1 ON 4 OR FLATTER SHALL BE TOPSOILED AND GRASSED.

GENERAL ROADWORKS NOTES

1. TRAFFIC CONTROL DEVICES TO BE SUPPLIED AND INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CURRENT ISSUE OF THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AS ISSUED BY THE DEPARTMENT OF TRANSPORT, QUEENSLAND.
2. SEE THE "TYPE CROSS SECTIONS NOTES" BELOW, FOR PAVEMENT DETAILS.
3. CONSTRUCTION AND INSTALLATION OF ALL WORKS AS DETAILED ON THIS DRAWING IS TO BE IN ACCORDANCE WITH THE PROCEDURES, SPECIFICATIONS AND DRAWINGS CONTAINED IN THE CURRENT ISSUE OF THE "REGIONAL DEVELOPMENT MANUAL" AS ISSUED BY FNQROC, AND TO THE REQUIREMENTS OF THE DOUGLAS SHIRE COUNCIL.
4. THE CONTRACTOR IS TO LIAISE WITH THE RELEVANT AUTHORITIES TO CONFIRM THE LOCATION OF ALL EXISTING SERVICES, AND TO ARRANGE FOR THE REMOVAL OR RELOCATION OF ANY SERVICES WHICH WILL BE AFFECTED BY ANY OF THESE WORKS.

TYPE CROSS SECTION NOTES

PAVEMENT DATA

BASE:
BASE COURSE - 125 mm TYPE 2.3 BASE COURSE (CBR 80) COMPACTED TO 100% SMDD.
SUBBASE COURSE - 125mm TYPE 2.3 SUB-BASE COURSE (CBR 45) COMPACTED TO 100% SMDD

GRAVEL TYPE MUST COMPLY WITH ALL ASPECTS OF THE "MAIN ROADS STANDARD SPECIFICATION MRS 11.05 - UNBOUND PAVEMENTS".

SUB-GRADE TO BE TRIMMED AND COMPACTED TO 98% SMDD. (ASSUMES SOAKED CBR 10 MIN).

THE CONTRACTOR SHALL CHECK THE PAVEMENT SUBGRADE CBR AND SUBMIT THE CBR TEST RESULTS TO THE SUPERINTENDENT, FOR CONFIRMATION OF PAVEMENT DESIGN, AT LEAST TWO WEEKS PRIOR TO THE PLACEMENT OF ANY GRAVEL. REFER FNQROC SPECIFICATION FOR TEST FREQUENCY AND LOCATION.

THE CONTRACTOR SHALL ADVISE THE COUNCIL, IN WRITING, OF THE SOURCE OF GRAVEL SUPPLY, PROOF OF GRADING, CBR's AND TYPE, AT LEAST ONE WEEK PRIOR TO PAVEMENT GRAVEL BEING DELIVERED TO THE SITE.

NO PAVEMENT GRAVEL IS TO BE DELIVERED TO THE SITE UNTIL AFTER THE CONTRACTOR HAS RECEIVED WRITTEN CONFIRMATION OF THE PAVEMENT DESIGN FROM THE SUPERINTENDENT.

THE CONTRACTOR IS TO ENSURE THAT THE PAVEMENT COURSES ARE SET DOWN SUFFICIENTLY TO ALLOW FOR THE THICKNESS OF ASPHALT (AND/OR BITUMEN SEAL COAT.

ASPHALT SURFACE (WHERE SPECIFIED)

PRIME COAT -
CSS BITUMEN 8% CUT BACK 0.8 Litres/sq.m.
ASPHALT -
48 HOURS MIN. AFTER PRIME COAT

KERB AND CHANNEL

ALL KERB AND CHANNEL TYPES TO BE ACCORDANCE WITH FNQROC DWG No. S1015

FOOTPATHS

VERGE CROSSFALLS NOT TO EXCEED THOSE SPECIFIED.
ALL FOOTPATHS ARE TO BE HYDROMULCHED / GRASSED (SHELL SEEDED WITH APPROVED GRASS SPECIES, FERTILISED, AND MAINTAINED FOR THE REQUIRED MAINTENANCE PERIOD.

SEDIMENT CONTROL TURF DETAILS

PROVIDE ONE STRIP OF TURF BEHIND ALL KERBS, CONCRETE SLABS, PATHWAYS, DRIVEWAYS, CHANNELS, ETC. WITH ONE METRE LONG RETURNS AT 10 METRE CENTRES (WHERE LONGITUDINAL GRADES EXCEED 5%).

COMPLIANCE WITH COUNCIL REQUIREMENTS

CONSTRUCTION AND INSTALLATION OF ALL WORKS AS DETAILED ON THESE DRAWINGS SHALL BE IN ACCORDANCE WITH THE PROCEDURES, SPECIFICATIONS AND DRAWINGS CONTAINED IN THE CURRENT ISSUE OF THE "DEVELOPMENT MANUAL" P.A.S.A.C.(AS ISSUED BY THE DOUGLAS SHIRE COUNCIL.

Issue	Description	Date
B	FOR COUNCIL SUBMISSION	30.10.15
A	FOR PRELIMINARY REVIEW	16.10.15

Drawing Status: PRELIMINARY

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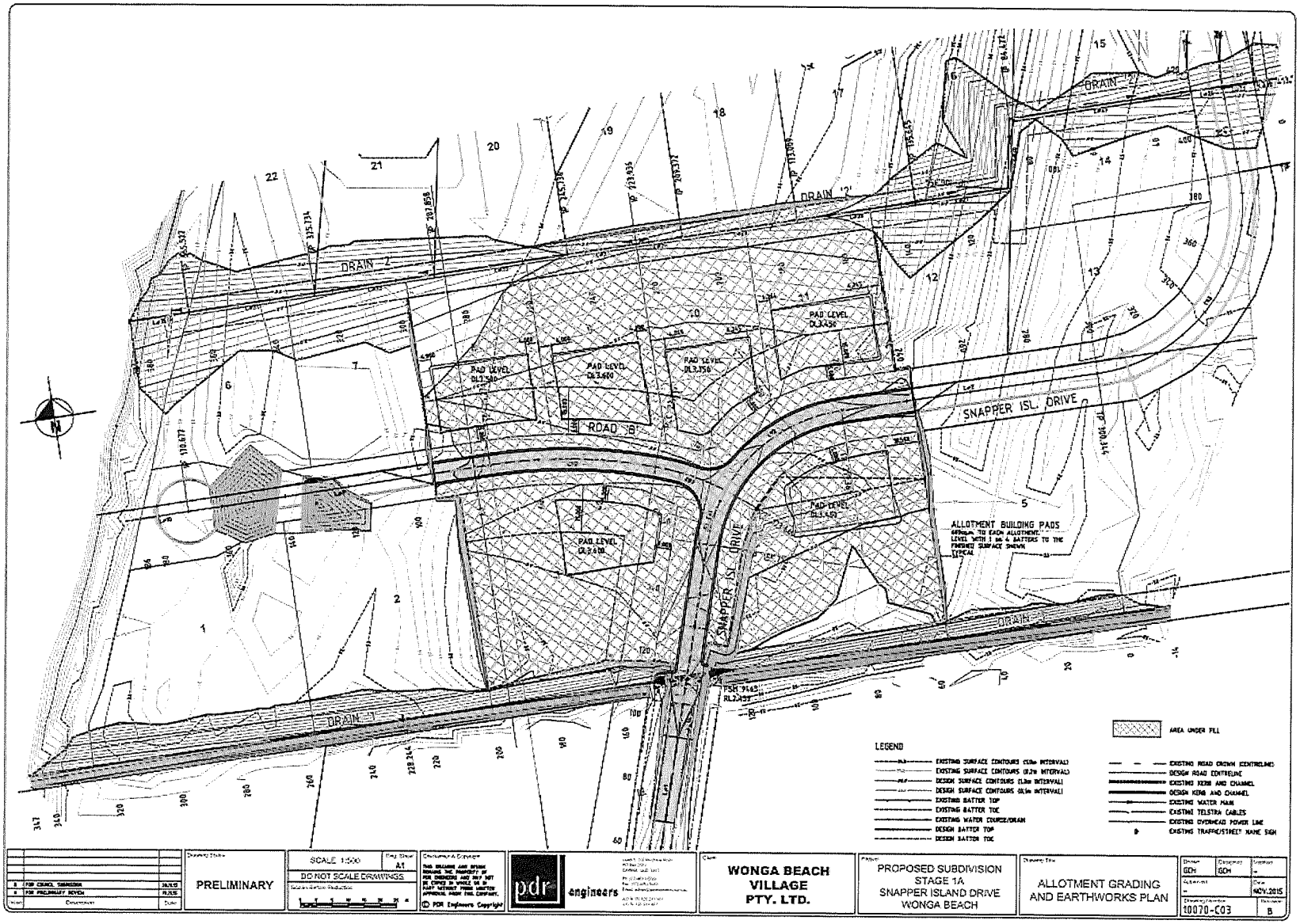
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Client: WONGA BEACH VILLAGE PTY. LTD.

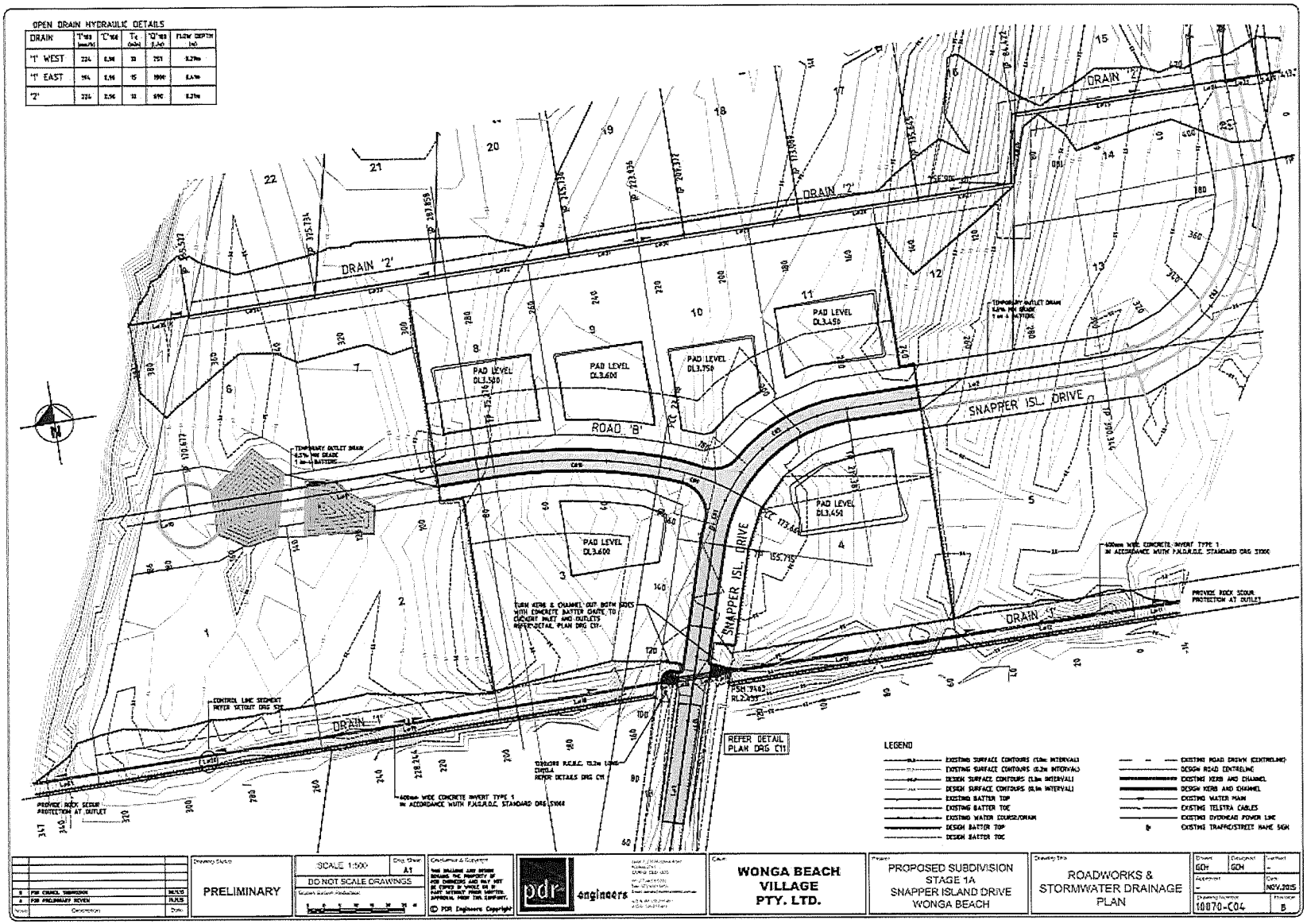
Project: PROPOSED SUBDIVISION STAGE 1A SNAPPER ISLAND DRIVE WONGA BEACH

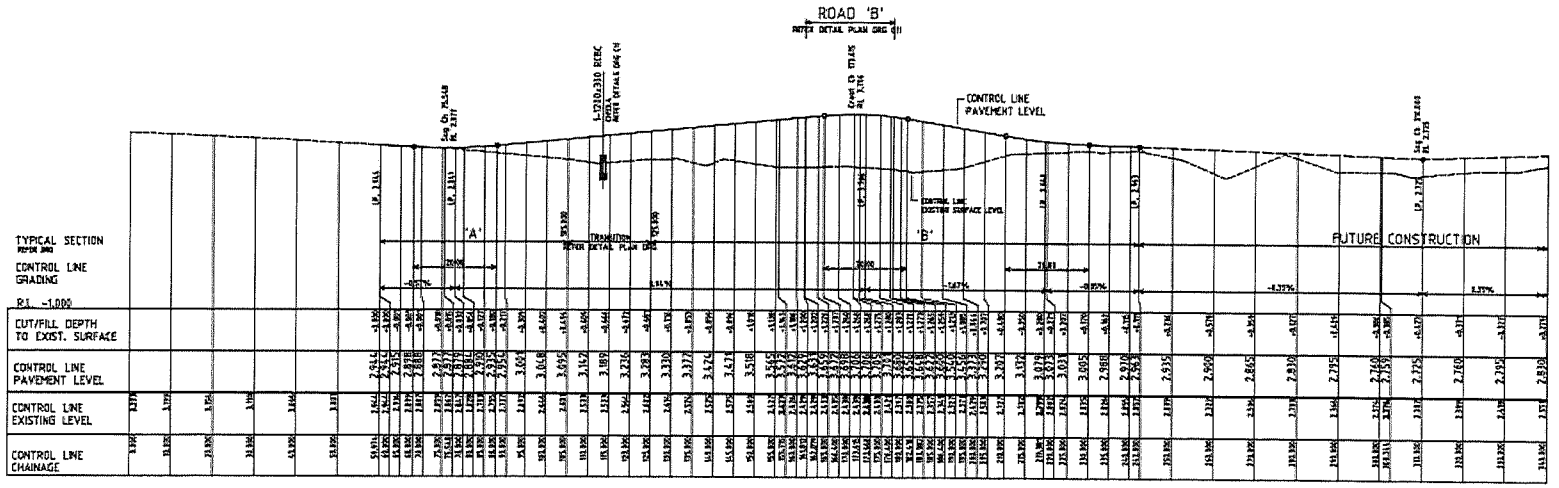
Drawing Title: TYPICAL SECTIONS NOTES

Drawn	Designed	Version
GDH	GDH	-
Approved		Date
-		NOV.2015
Drawing Number		Revision
10070-C02		B

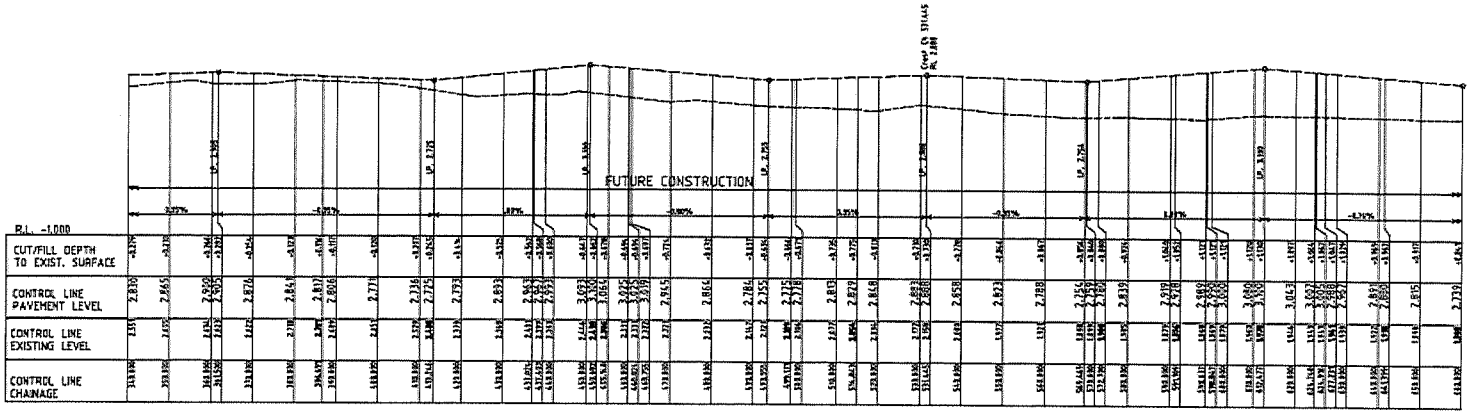


44.2011.4332
3/34


OPEN DRAIN HYDRAULIC DETAILS
DRAIN
'I' WEST
'I' EAST
'2'
FLOW DEPTH
DRAIN '2'
DRAIN 'I'
ROAD 'B'
SNAPPER ISL. DRIVE
PAD LEVEL DL3.450
PAD LEVEL DL3.600
PAD LEVEL DL3.750
PAD LEVEL DL3.580
TEMPORARY OUTLET DRAIN
CONTROL LINE SEDIMENT
PROVIDE ROCK SCOUR PROTECTION AT OUTLET
REFER DETAIL PLAN DRG C11
LEGEND
EXISTING SURFACE CONTOURS (1.0m INTERVAL)
EXISTING SURFACE CONTOURS (0.2m INTERVAL)
DESIGN SURFACE CONTOURS (1.0m INTERVAL)
DESIGN SURFACE CONTOURS (0.2m INTERVAL)
EXISTING BATTER TOP
EXISTING BATTER TOE
EXISTING WATER COURSE/DRAIN
DESIGN BATTER TOP
DESIGN BATTER TOE
EXISTING ROAD CROWN (CENTRELINE)
DESIGN ROAD CENTRELINE
EXISTING KERB AND CHANNEL
DESIGN KERB AND CHANNEL
EXISTING WATER MAIN
EXISTING TELSTRA CABLES
EXISTING OVERHEAD POWER LINE
EXISTING TRAFFIC/STREET NAME SIGN
PRELIMINARY
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WONGA BEACH VILLAGE PTY. LTD.
PROPOSED SUBDIVISION STAGE 1A SNAPPER ISLAND DRIVE WONGA BEACH
ROADWORKS & STORMWATER DRAINAGE PLAN
10070-C04
B
NOV.2015



SNAPPER ISLAND DRIVE



SNAPPER ISLAND DRIVE (Cont.)

3	FOR COUNCIL SUBMISSION	26/5/15			
2	FOR PRELIMINARY REVIEW	7/5/15			
Issue	Description	Date			

Drawing Status: PRELIMINARY

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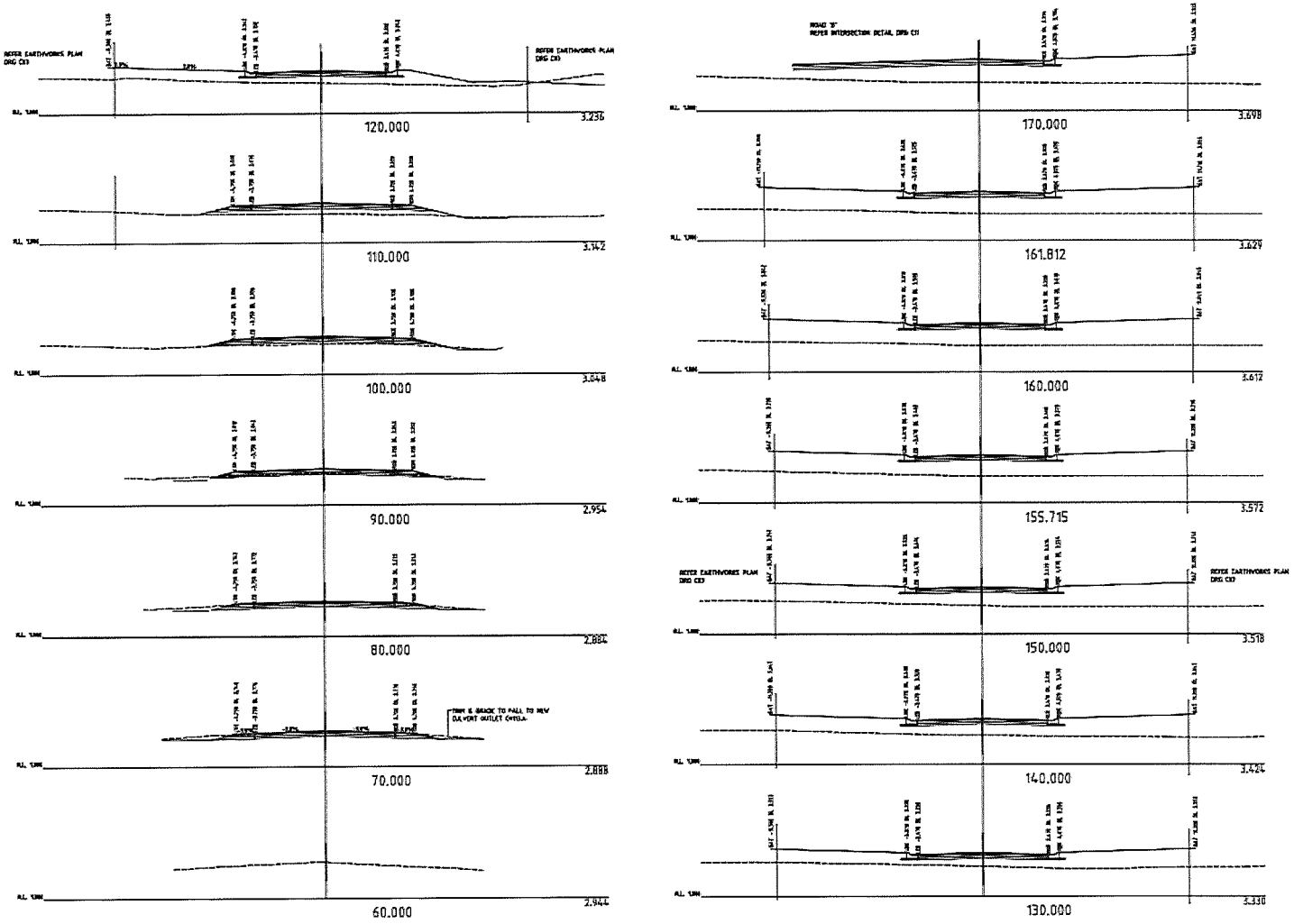
Level 1, The Metropolitan Centre
48 Berry Street
CHARLESTOWN NSW 2290
PO Box 2270 CHARLESTOWN NSW 2290
Phone: (02) 4942 2539
Fax: (02) 4942 4676
Email: pdr@pdrengineers.com.au
ACN 102 073 863
ABN 63 102 073 863

Client: **WONGA BEACH VILLAGE PTY. LTD.**

Project: PROPOSED SUBDIVISION STAGE 1A SNAPPER ISLAND DRIVE WONGA BEACH

Drawing Title: SNAPPER ISLAND DRIVE LONGITUDINAL SECTION

Drawn: GEH	Designed: GCH	Checked: -	
Approved: -		Date: NOV.2015	
Drawing Number: 10070-C05		Revision: B	



B	FOR COUNCIL SUBMISSION	30.10.15	
A	FOR PRELIMINARY REVIEW	19.7.15	
Issue	Description	Date	

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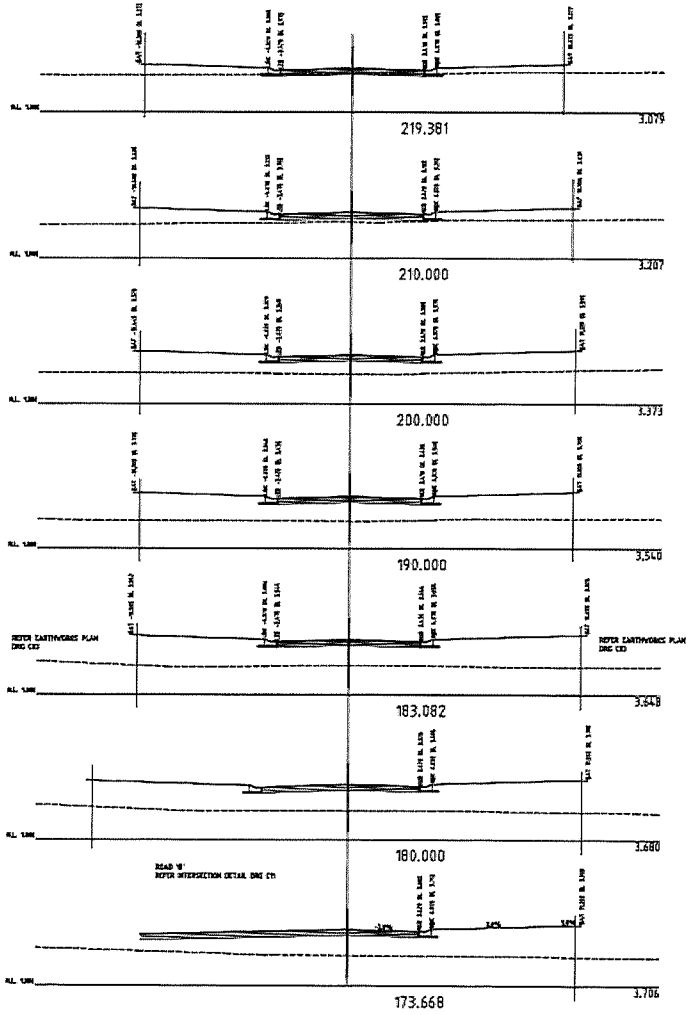
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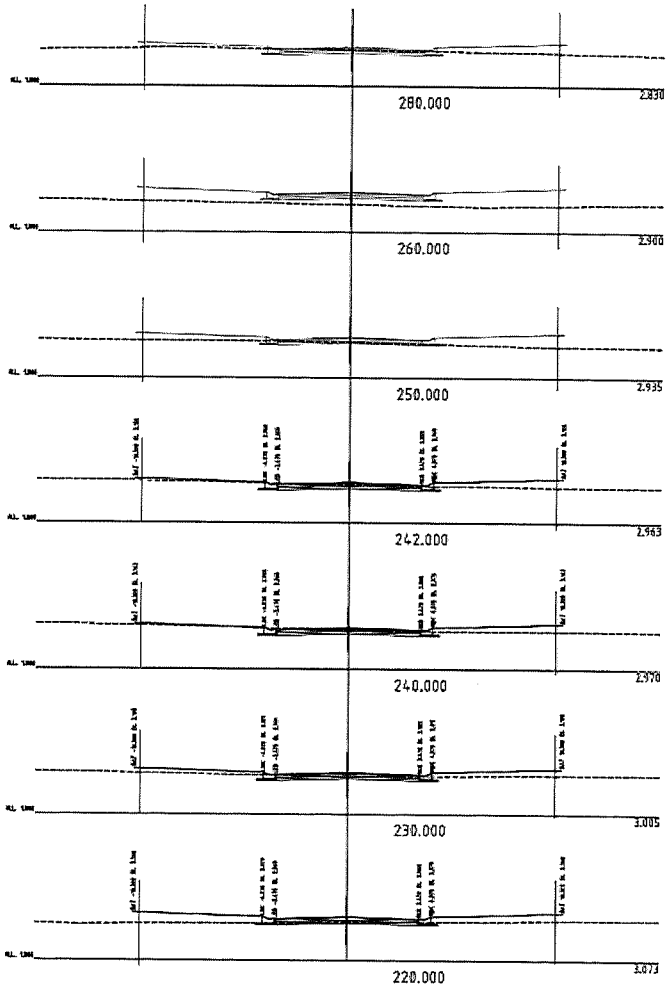
WONGA BEACH VILLAGE PTY. LTD.

PROPOSED SUBDIVISION
STAGE 1A
SNAPPER ISLAND DRIVE
WONGA BEACH

SNAPPER ISLAND DRIVE
CROSS SECTIONS
SH.1 OF 2

Drawn: GCH	Designed: GCH	Checked: -
Approved: -		Date: NOV.2015
Document Number: 10070-C06		Revision: B





A	FOR COUNCIL SUBMISSION	24/5/15									
A	FOR PRELIMINARY REVIEW	19/3/15									
Issue	Description	Date									

PRELIMINARY

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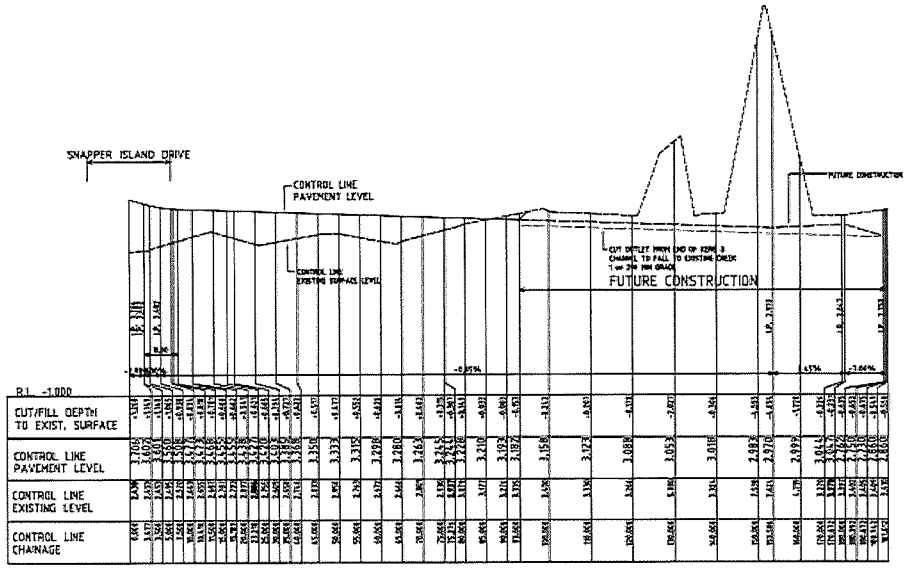
WONGA BEACH VILLAGE PTY. LTD.

PROPOSED SUBDIVISION STAGE 1A SNAPPER ISLAND DRIVE WONGA BEACH

SNAPPER ISLAND DRIVE CROSS SECTIONS SH.2 OF 2

Drawn	Designed	Surveyed	
GDH	GDH	-	
Approved		Date	
-		NOV.2015	
Drawing Number		Revision	
10070-C07		B	

44.2011.4332
7/34



ROAD 'B'

B	FOR COUNCIL SUBMISSION						
A	FOR PRELIMINARY REVIEW						
Issue	Description						Date

Drawing Status: PRELIMINARY

SCALE 1:500 | Orig. Sheet: A1

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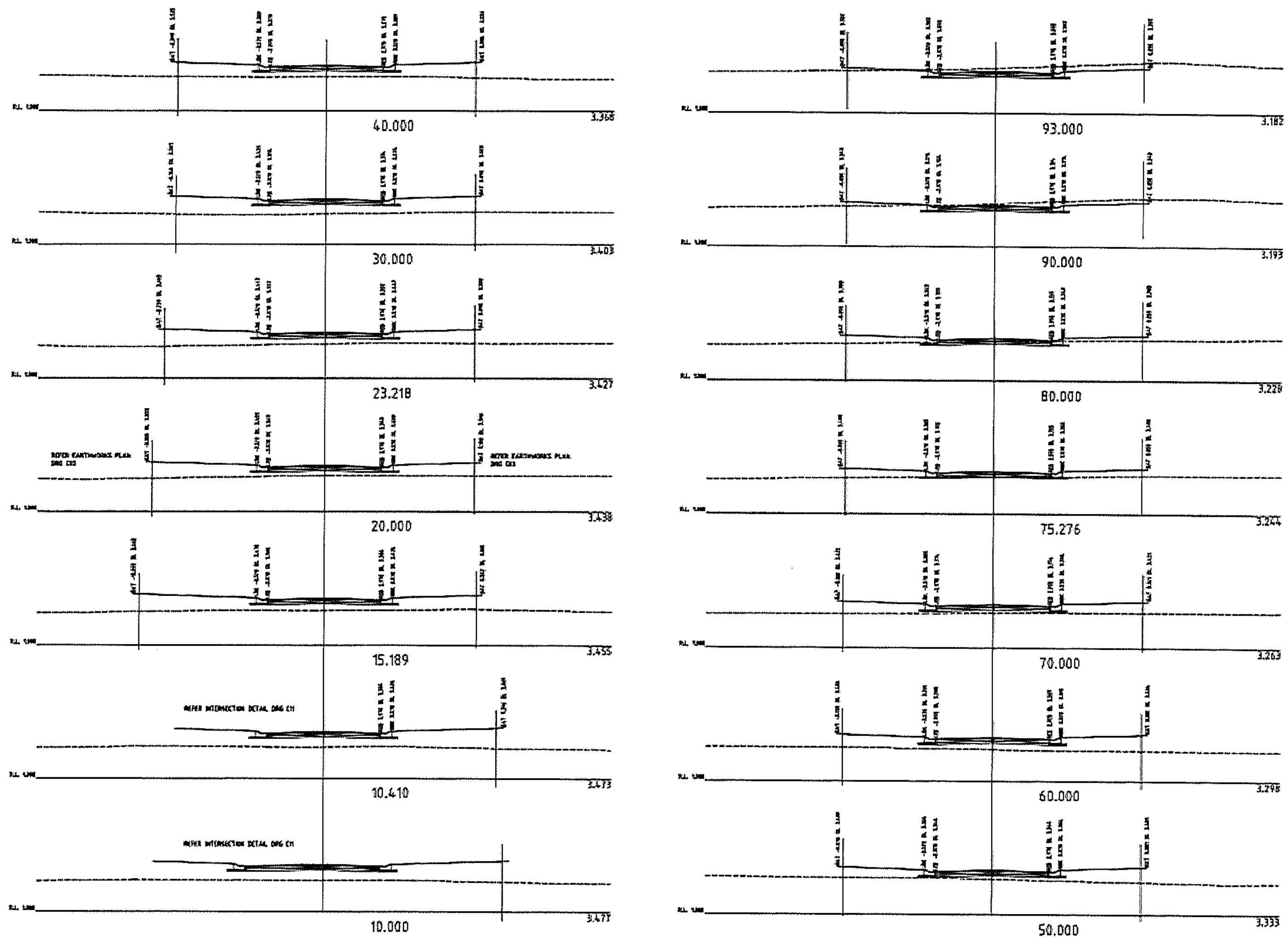
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Client: WONGA BEACH VILLAGE PTY. LTD.

Project: PROPOSED SUBDIVISION STAGE 1A SNAPPER ISLAND DRIVE WONGA BEACH

Drawing Title: ROAD 'B' LONGITUDINAL SECTION

Drawn: GOH	Designed: GOH	Job Number: -	
Approved: -		Date: NOV.2015	
Drawing Number: 10070-C08		Revision: B	



PRELIMINARY

SCALE 1:100 | A1

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WONGA BEACH VILLAGE PTY. LTD.

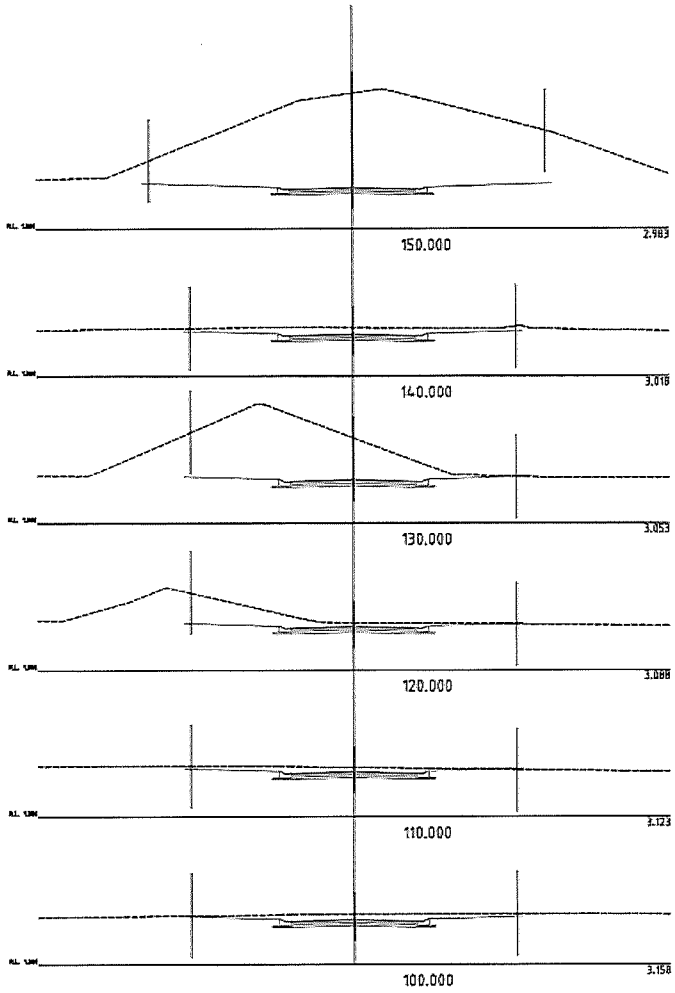
PROPOSED SUBDIVISION
STAGE 1A
SNAPPER ISLAND DRIVE
WONGA BEACH

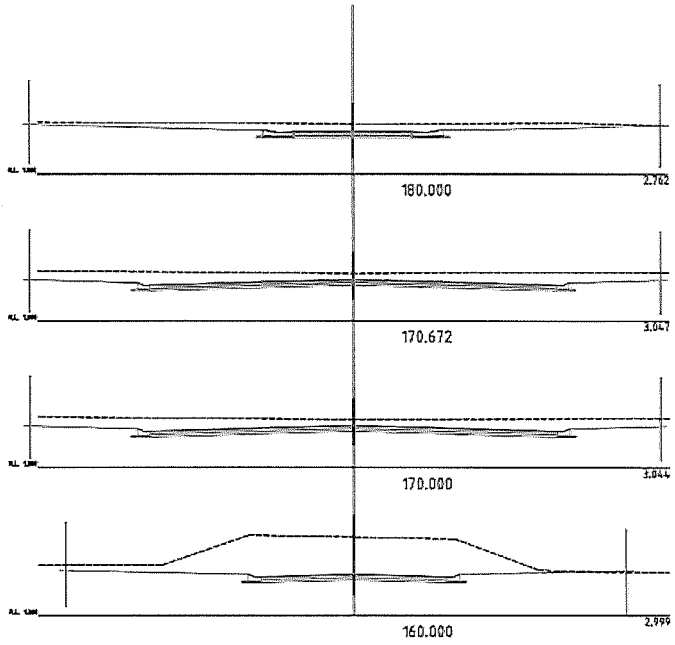
ROAD 'B'
CROSS SECTIONS
SH.1 OF 2

GCH | GCH | NOV.2015

10070-C09 | B

44.2011.4332
9/34



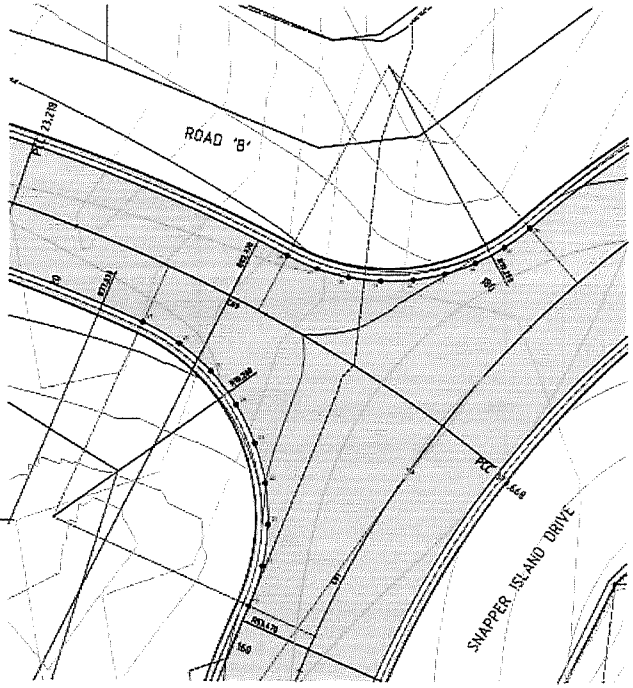


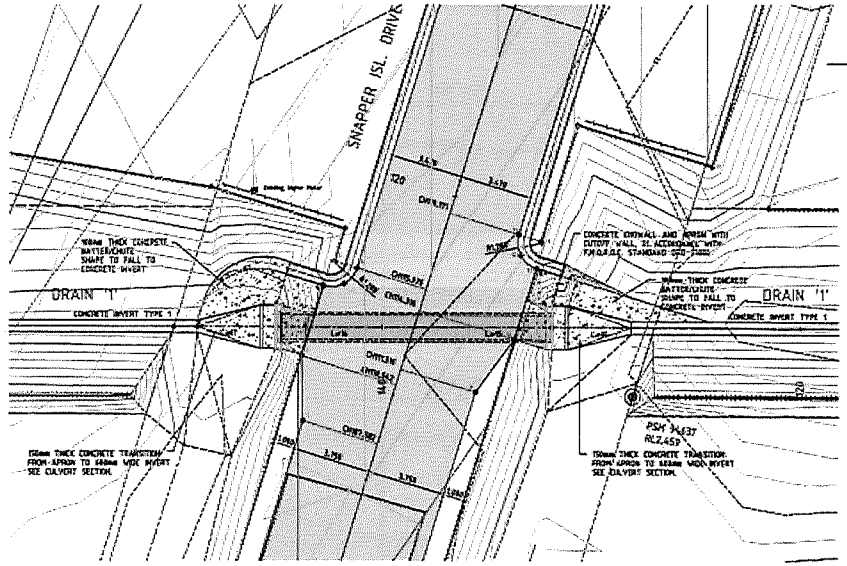
			PRELIMINARY	SCALE 1:100	A1	pdr engineers	WONGA BEACH VILLAGE PTY. LTD.	PROPOSED SUBDIVISION STAGE 1A SNAPPER ISLAND DRIVE WONGA BEACH	ROAD 'B' CROSS SECTIONS SH.2 OF 2	GCH / GCH / -
2	FOR COUNCIL SUBMISSION	30.9.15		DO NOT SCALE DRAWINGS						- / - / NOV.2015
1	FOR PRELIMINARY REVIEW	16.9.15								10070-C10 / B
Issue	Description	Date								

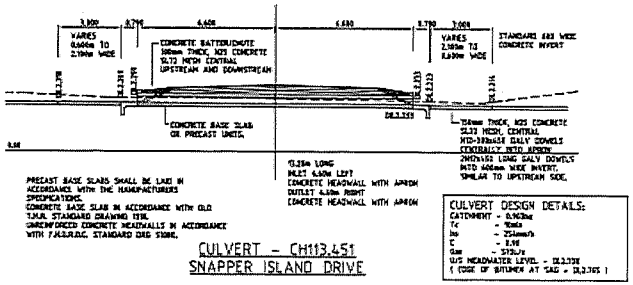
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POINT TABLE				
Point No.	Easting	Northing	Level	Description
1	1831.271	4307.658	3.307	EBL
2	1832.145	4318.288	3.345	EBL
3	1834.384	4316.150	3.238	EBL, LIP, KNC
4	1835.280	4314.248	3.269	LIP, KNC
5	1835.784	4314.943	3.308	LIP, KNC
6	1836.235	4315.391	3.221	TOP BATTER
7	1835.217	4316.676	3.229	TOP BATTER
8	1833.791	4318.879	3.431	TOP BATTER
9	1841.688	4318.981	3.842	EBR
10	1843.324	4317.250	3.840	EBR
11	1844.393	4314.965	3.976	EBR, LIP, KNC
12	1843.678	4315.591	3.384	LIP, KNC
13	1843.540	4316.367	3.324	LIP, KNC
14	1834.591	4316.261	3.249	TOP BATTER
15	1846.218	4321.838	3.306	TOP BATTER
16	1852.771	4319.806	3.520	TOP BATTER
17	1851.332	4321.154	2.299	INLET ACEC
18	1843.225	4312.112	2.600	OUTLET RCBC

POINT TABLE				
Point No.	Easting	Northing	Level	Description
19	1852.846	4309.629	3.525	LIP, KNC, TURNOUT
20	1850.688	4311.525	3.529	LIP, KNC, TURNOUT
21	1858.943	4313.517	3.521	LIP, KNC, TURNOUT
22	1858.913	4315.523	3.530	LIP, KNC, TURNOUT
23	1850.291	4313.463	3.467	LIP, KNC, TURNOUT
24	1869.602	4369.265	3.626	LIP, KNC, TURNOUT
25	1868.179	4378.868	3.291	LIP, KNC, TURNOUT
26	1844.678	4372.187	3.375	LIP, KNC, TURNOUT
27	1844.451	4372.196	3.366	LIP, KNC, TURNOUT
28	1851.837	4376.616	3.384	LIP, KNC, TURNOUT
29	1851.261	4375.713	3.396	LIP, KNC, TURNOUT
30	1854.761	4375.394	3.472	LIP, KNC, TURNOUT
31	1856.265	4375.225	3.437	LIP, KNC, TURNOUT
32	1857.856	4375.299	3.467	LIP, KNC, TURNOUT
33	1859.388	4375.589	3.494	LIP, KNC, TURNOUT
34	1860.861	4376.116	3.218	LIP, KNC, TURNOUT
35	1862.287	4376.852	3.532	LIP, KNC, TURNOUT
36	1863.448	4377.789	3.544	LIP, KNC, TURNOUT







CULVERT - CH113.451
SNAPPER ISLAND DRIVE

CULVERT DESIGN DETAILS:
CATCHMENT - 0.903ha
Tc - 10min
Io - 251mm/h
C - 1.00
Qdes - 315l/s
U/S HEADWATER LEVEL - 12.270
(CREST OF BITUMEN AT SAG = 12.305)

3	FOR COUNCIL SUBMISSION	NOV.15		
2	FOR PRELIMINARY REVIEW	NOV.15		
Mark	Description	Date		

Drawing Status: PRELIMINARY

SCALE 1:100 @ A1

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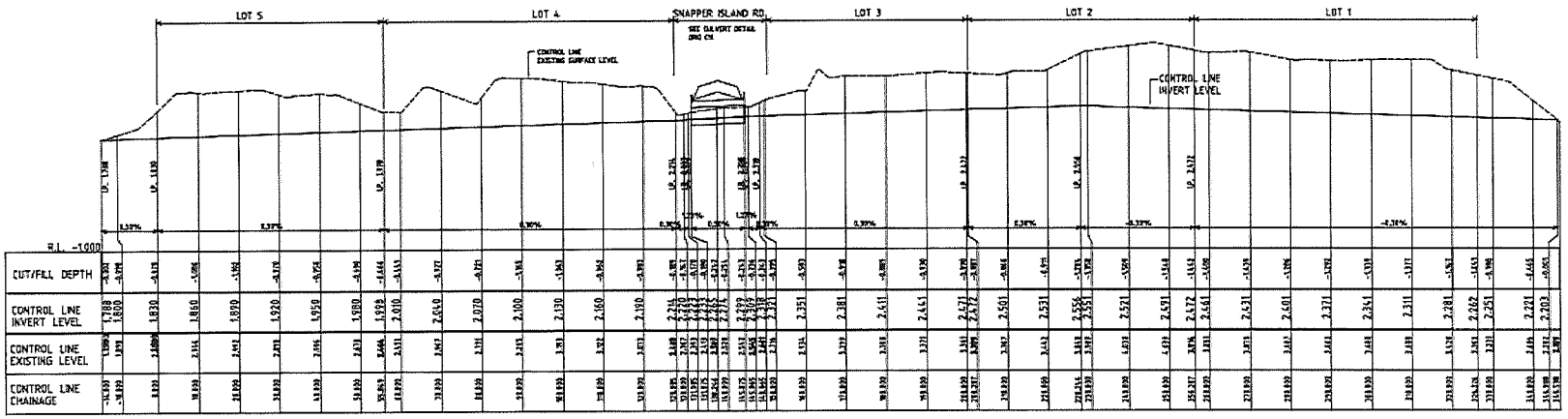
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Client: WONGA BEACH VILLAGE PTY. LTD.

Project: PROPOSED SUBDIVISION STAGE 1A SNAPPER ISLAND DRIVE WONGA BEACH

Drawing Title: INTERSECTION DETAILS

Drawn	Designed	Traced
GCH	GCH	-
Approved		Date
-		NOV.2015
Drawing Number		Revision
10070-C11		B



LOT DRAIN 1

B	FOR COUNCIL SUBMISSION	30/9/15
A	FOR PRELIMINARY REVIEW	19/8/15
Mark	Description	Date

PRELIMINARY

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Scales/Section Reduction

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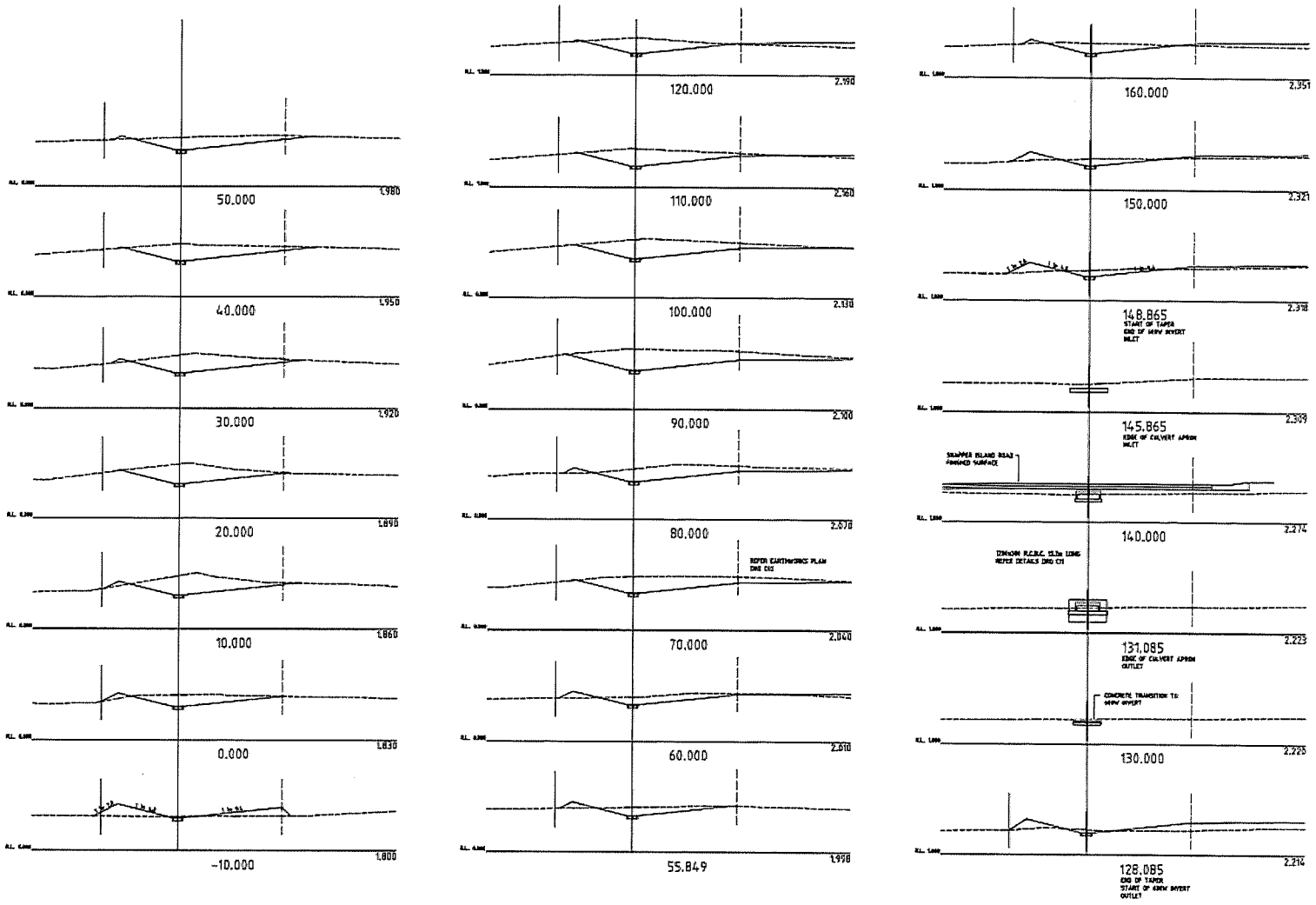
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Client: WONGA BEACH VILLAGE PTY. LTD.

Project: PROPOSED SUBDIVISION STAGE 1A SNAPPER ISLAND DRIVE WONGA BEACH

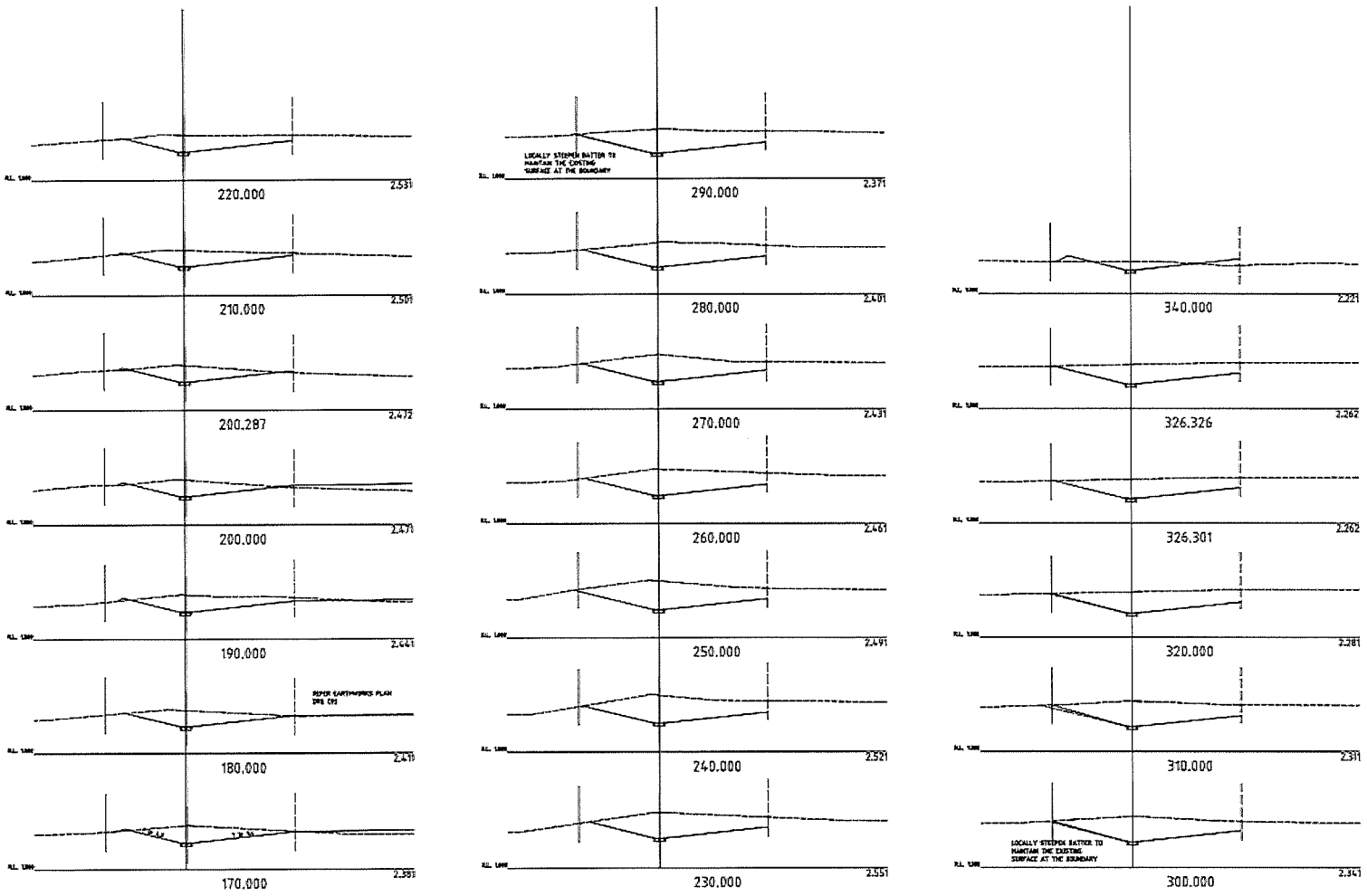
Drawing Title: DRAIN 1 LONGITUDINAL SECTION

Drawn: GDH	Designed: GDH	Scale: -
Approved: -		Date: NOV.2015
Drawing Number: 10070-C12		Revision: B



3	FOR COUNCIL SUBMISSION	26/11/15	PRELIMINARY	SCALE 1:100 @ A1	pdr engineers	WONGA BEACH VILLAGE PTY. LTD.	PROPOSED SUBDIVISION STAGE 1A SNAPPER ISLAND DRIVE WONGA BEACH
2	FOR PRELIMINARY REVIEW	16/11/15		DO NOT SCALE DRAWINGS			DRAIN 1 CROSS SECTIONS SH.1 OF 2
Issue	Description	Date		© PDR Engineers Copyright			Drawn: GCH Checked: GCH Approved: – Date: NOV.2015 Drawing Number: 10070-C13 Revision: B

44.2011.4332
13/34



A	FOR COUNCIL SUBMISSION	MJ/LG						
A	FOR PRELIMINARY REVIEW	MJ/LG						
Issue	Description	Date						

Drawing Status: PRELIMINARY

SCALE 1:100 | Orig. Sheet: A1

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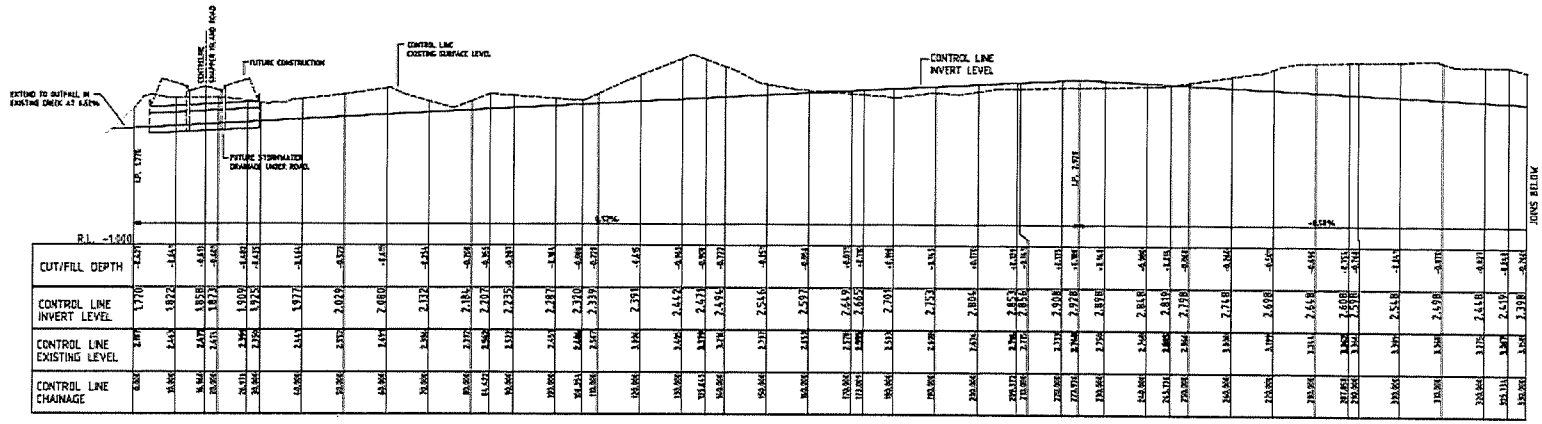
pdr engineers

Client: WONGA BEACH VILLAGE PTY. LTD.

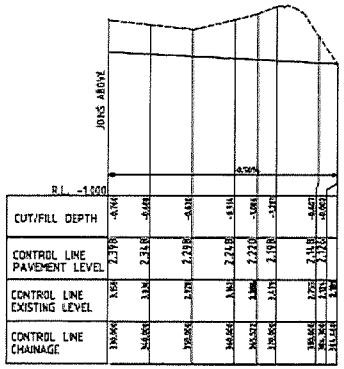
Project: PROPOSED SUBDIVISION STAGE 1A SNAPPER ISLAND DRIVE WONGA BEACH

Drawing Title: DRAIN 1 CROSS SECTIONS SH.2 OF 2

Drawn	Designed	Verified
GCH	GCH	–
Approved		Date
–		NOV.2015
Drawing number		Revision
10070-C14		B



DRAIN 2



DRAIN 2 (Cont)

2	FOR COUNCIL SUBMISSION	24/4/15			
1	FOR PRELIMINARY REVIEW	16/1/15			
Issue	Description	Date			

Drawing Status: PRELIMINARY

SCALE 1:500 | Orig. Sheet A1

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Scales shown indicative

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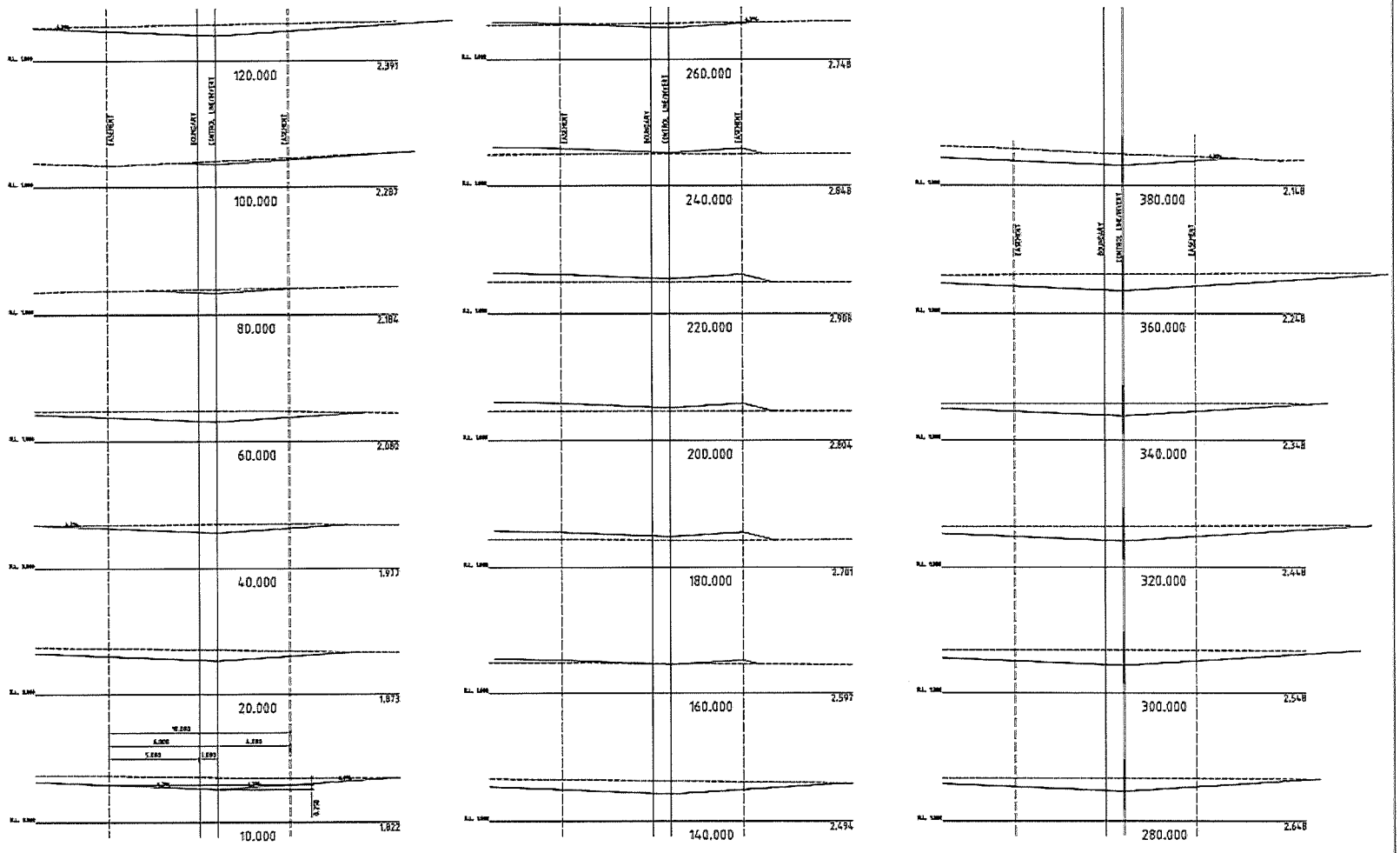
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Client: WONGA BEACH VILLAGE PTY. LTD.

Project: PROPOSED SUBDIVISION STAGE 1A SNAPPER ISLAND DRIVE WONGA BEACH

Drawing Title: DRAIN 2 LONGITUDINAL SECTION

Drawn: GCH	Checked: GCH	Number: –
Approved: –		Date: NOV.2015
Drawing Number: 10070-C15		Revision: B



B	FOR COUNCIL SUBMISSION	30/9/15	
A	FOR PRELIMINARY REVIEW	11/7/15	
Issue	Description	Date	

Drawing Status: PRELIMINARY

SCALE 1:100 | Orig. Sheet: A1

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Scale Validation Reduction: 1 2 3 4 5 6 cm

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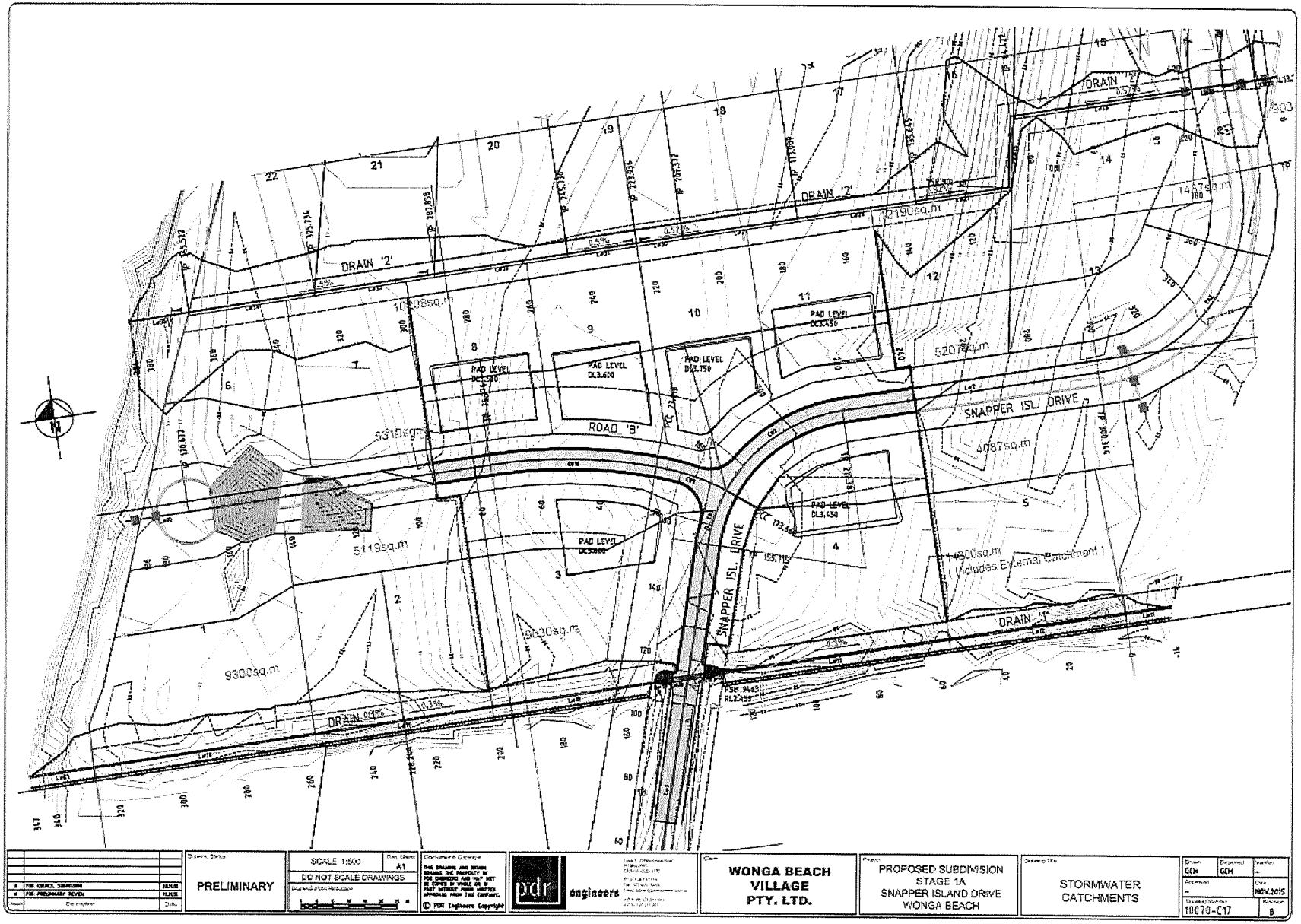
pdr engineers

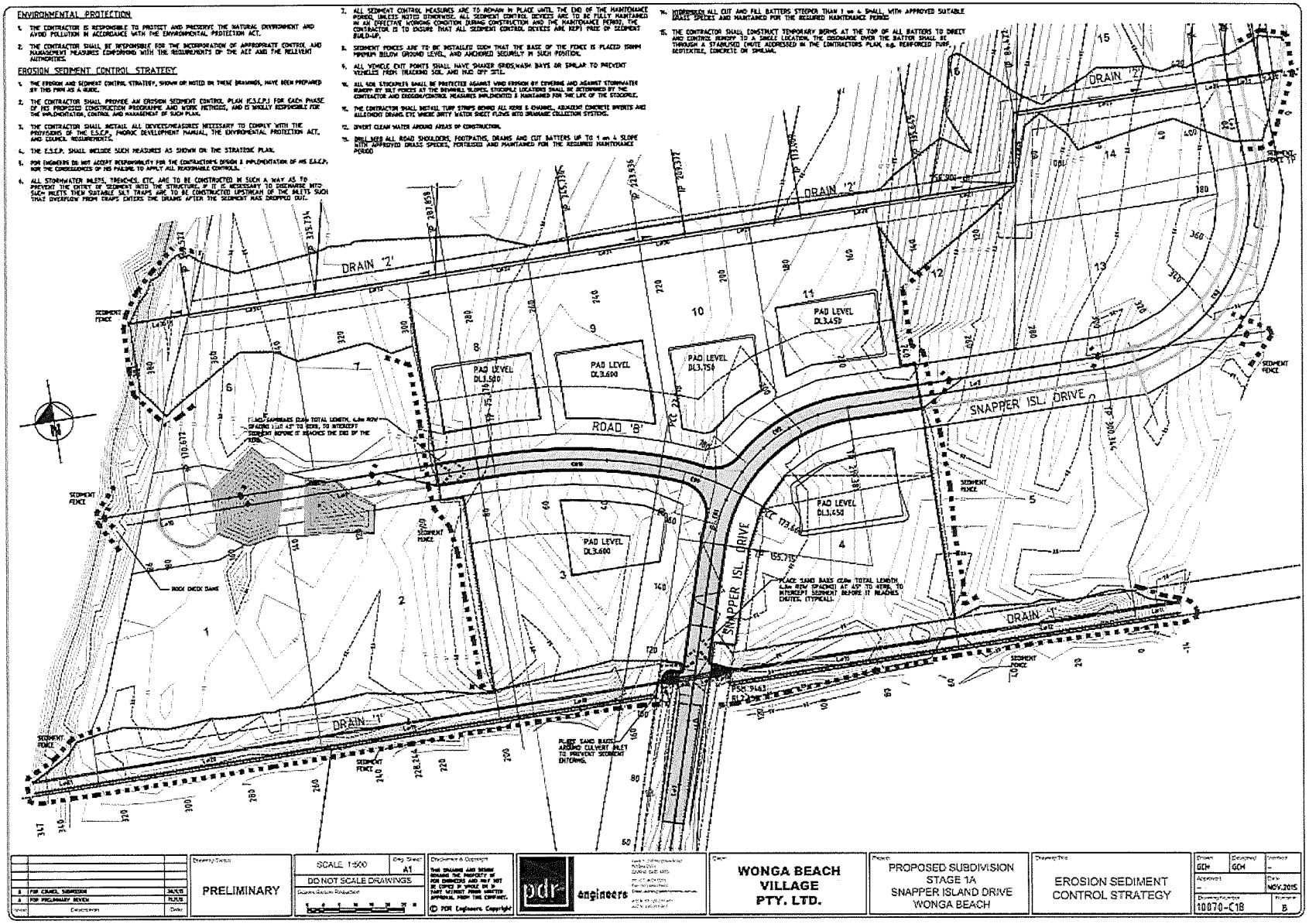
Client: WONGA BEACH VILLAGE PTY. LTD.

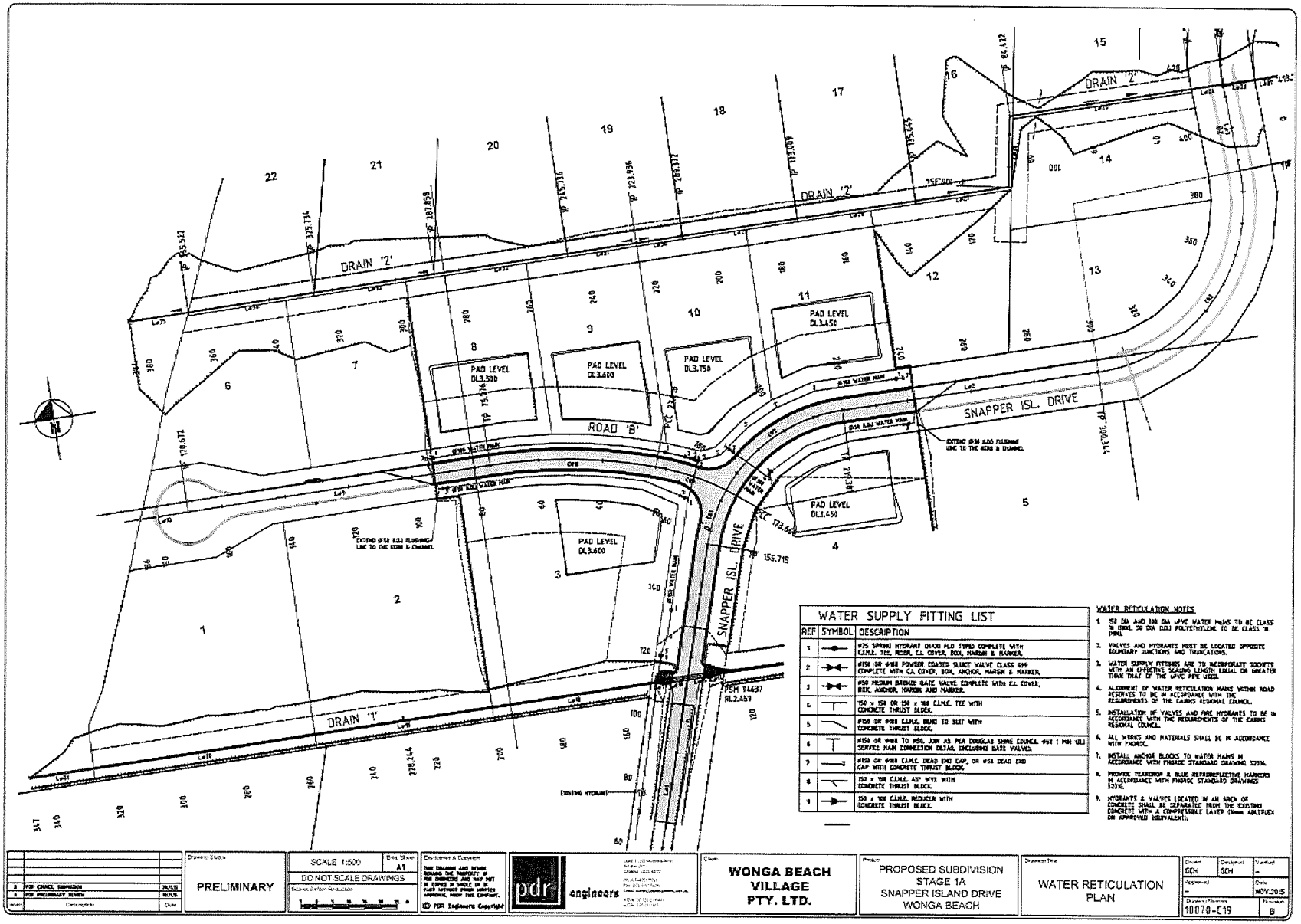
Project: PROPOSED SUBDIVISION STAGE 1A SNAPPER ISLAND DRIVE WONGA BEACH

Drawing Title: DRAIN 2 CROSS SECTIONS

Drawn	GCH	Designed	GCH
Verified	-	Approved	-
Date	NOV.2015	Drawing Number	10070-C16
Revision	B		


DRAIN 'Z'
DRAIN 'Z'
DRAIN 'Z'
DRAIN 'Y'
DRAIN 'X'
ROAD 'B'
SNAPPER ISL. DRIVE
SNAPPER ISL. DRIVE
PAD LEVEL DL3.550
PAD LEVEL DL3.600
PAD LEVEL DL3.750
PAD LEVEL DL3.650
PAD LEVEL DL3.600
10208sq.m
2190sq.m
5207sq.m
5319sq.m
5119sq.m
9300sq.m
9300sq.m
4087sq.m
14300sq.m
(Includes External Catchment)
PSH 9463
RL2.495
PRELIMINARY
SCALE 1:500
A1
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WONGA BEACH VILLAGE PTY. LTD.
PROPOSED SUBDIVISION STAGE 1A SNAPPER ISLAND DRIVE WONGA BEACH
STORMWATER CATCHMENTS
GCH
GCH
NOV 2015
10070-C17
B


ENVIRONMENTAL PROTECTION
1. THE CONTRACTOR IS RESPONSIBLE TO PROTECT AND PRESERVE THE NATURAL ENVIRONMENT AND AVOID POLLUTION IN ACCORDANCE WITH THE ENVIRONMENTAL PROTECTION ACT.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE INCORPORATION OF APPROPRIATE CONTROL AND MANAGEMENT MEASURES CONFORMING WITH THE REQUIREMENTS OF THE ACT AND THE RELEVANT AUTHORITIES.
EROSION SEDIMENT CONTROL STRATEGY
1. THE EROSION AND SEDIMENT CONTROL STRATEGY, SHOWN OR NOTED ON THESE DRAWINGS, HAVE BEEN PREPARED BY THIS FIRM AS A GUIDE.
2. THE CONTRACTOR SHALL PROVIDE AN EROSION SEDIMENT CONTROL PLAN (E.S.C.P.) FOR EACH PHASE OF HIS PROPOSED CONSTRUCTION PROGRAMME AND WORK METHODS, AND IS WHOLLY RESPONSIBLE FOR THE IMPLEMENTATION, CONTROL AND MANAGEMENT OF SUCH PLAN.
3. THE CONTRACTOR SHALL INSTALL ALL DEVICES/MEASURES NECESSARY TO COMPLY WITH THE PROVISIONS OF THE E.S.C.P., PRIORIC DEVELOPMENT MANUAL, THE ENVIRONMENTAL PROTECTION ACT, AND COUNCIL REQUIREMENTS.
4. THE E.S.C.P. SHALL INCLUDE SUCH MEASURES AS SHOWN ON THE STRATEGIC PLAN.
5. PDR ENGINEERS DO NOT ACCEPT RESPONSIBILITY FOR THE CONTRACTORS DESIGN & IMPLEMENTATION OF HIS E.S.C.P., NOR THE CONSEQUENCES OF HIS FAILING TO APPLY ALL REASONABLE CONTROLS.
6. ALL STORMWATER INLETS, TRENCHES, ETC, ARE TO BE CONSTRUCTED IN SUCH A WAY AS TO PREVENT THE ENTRY OF SEDIMENT INTO THE STRUCTURE. IF IT IS NECESSARY TO DISCHARGE INTO SUCH INLETS THEN SUITABLE SILT TRAPS ARE TO BE CONSTRUCTED UPSTREAM OF THE INLETS SUCH THAT OVERFLOW FROM TRAPS ENTERS THE DRAINS AFTER THE SEDIMENT HAS DROPPED OUT.
7. ALL SEDIMENT CONTROL MEASURES ARE TO REMAIN IN PLACE UNTIL THE END OF THE MAINTENANCE PERIOD, UNLESS NOTED OTHERWISE. ALL SEDIMENT CONTROL DEVICES ARE TO BE FULLY MAINTAINED IN AN EFFECTIVE WORKING CONDITION DURING CONSTRUCTION AND THE MAINTENANCE PERIOD. THE CONTRACTOR IS TO ENSURE THAT ALL SEDIMENT CONTROL DEVICES ARE KEPT FREE OF SEDIMENT BUILD-UP.
8. SEDIMENT FENCES ARE TO BE INSTALLED SUCH THAT THE BASE OF THE FENCE IS PLACED 150MM MINIMUM BELOW GROUND LEVEL, AND ANCHORED SECURELY IN SUCH POSITION.
9. ALL VEHICLE EXIT POINTS SHALL HAVE SHAKER GRIDS/WASH BAYS OR SIMILAR TO PREVENT VEHICLES FROM TRACKING SOIL AND MUD OFF SITE.
10. ALL SOIL STOCKPILES SHALL BE PROTECTED AGAINST WIND EROSION BY COVERING AND AGAINST STORMWATER RUNOFF BY SILT FENCES AT THE DOWNHILL SLOPES. STOCKPILE LOCATIONS SHALL BE DETERMINED BY THE CONTRACTOR AND EROSION/CONTROL MEASURES IMPLEMENTED & MAINTAINED FOR THE LIFE OF THE STOCKPILE.
11. THE CONTRACTOR SHALL INSTALL TURF STRIPS BEHIND ALL KERB & CHANNEL, ADJACENT CONCRETE INVERTS AND ALLOTMENT DRAINS ETC WHERE DIRTY WATER SHEET FLOWS INTO DRAINAGE COLLECTION SYSTEMS.
12. DIVERT CLEAN WATER AROUND AREAS OF CONSTRUCTION.
13. REVEGETATE ALL ROAD SHOULDERS, FOOTPATHS, DRAINS AND CUT BATTERS UP TO 1 on 4 SLOPE WITH APPROVED GRASS SPECIES, FERTILISED AND MAINTAINED FOR THE REQUIRED MAINTENANCE PERIOD
14. HYDROMULCH ALL CUT AND FILL BATTERS STEEPER THAN 1 on 4 SMALL WITH APPROVED SUITABLE GRASS SPECIES AND MAINTAINED FOR THE REQUIRED MAINTENANCE PERIOD
15. THE CONTRACTOR SHALL CONSTRUCT TEMPORARY BERMS AT THE TOP OF ALL BATTERS TO DIRECT AND CONTROL RUNOFF TO A SMALL LOCATION. THE DISCHARGE OVER THE BATTER SHALL BE THROUGH A STAPLIFIED CHUTE ADDRESSED IN THE CONTRACTORS PLAN, e.g. REINFORCED TURF, GEOTEXTILE, CONCRETE OR SIMILAR.
DRAIN '2'
DRAIN '1'
ROAD 'B'
SNAPPER ISL. DRIVE
PAD LEVEL DL3.450
PAD LEVEL DL3.600
PAD LEVEL DL3.750
SEDIMENT FENCE
ROCK CHECK DAMS
PLACE SAND BAGS (2.0m TOTAL LENGTH, 4.0m ROW SPACING) AT 45° TO KERB, TO INTERCEPT SEDIMENT BEFORE IT REACHES THE DRAINS (TYPICAL)
PLACE SAND BAGS AROUND CULVERT INLET TO PREVENT SEDIMENT ENTERING
PRELIMINARY
SCALE 1:500
A1
DO NOT SCALE DRAWINGS
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WONGA BEACH VILLAGE PTY. LTD.
PROPOSED SUBDIVISION STAGE 1A SNAPPER ISLAND DRIVE WONGA BEACH
EROSION SEDIMENT CONTROL STRATEGY
GCH
GCM
NOV.2015
10870-C18
B


DRAIN '2'
DRAIN '1'
ROAD '6'
SNAPPER ISL. DRIVE
PAD LEVEL DL3.530
PAD LEVEL DL3.600
PAD LEVEL DL3.750
PAD LEVEL DL3.450
PAD LEVEL DL3.650
PAD LEVEL DL3.600
EXISTING HYDRANT
PSM 94637
RL2.459
WATER SUPPLY FITTING LIST
REF SYMBOL DESCRIPTION
1 #25 SPRING HYDRANT CHARI FLO TYPED COMPLETE WITH C.I.M.E. TEE, RISER, CI. COVER, BOX, MARKER & MARKER.
2 #150 OR 4"BE POWDER COATED SLUICE VALVE CLASS 600 COMPLETE WITH CI. COVER, BOX, ANCHOR, MARKER & MARKER.
3 #50 MEDIUM BRONZE GATE VALVE COMPLETE WITH CI. COVER, BOX, ANCHOR, MARKER AND MARKER.
4 150 x 150 OR 150 x 100 C.I.M.E. TEE WITH CONCRETE THRUST BLOCK.
5 #150 OR 4"BE C.I.M.E. BEND TO SUIT WITH CONCRETE THRUST BLOCK.
6 #150 OR 4"BE TO #50, 100 AS PER DOUGLAS SHIRE COUNCIL 450 I MM UCL SERVICE MAIN CONNECTION DETAIL INCLUDING GATE VALVES.
7 #150 OR 4"BE C.I.M.E. DEAD END CAP, OR #50 DEAD END CAP WITH CONCRETE THRUST BLOCK.
8 150 x 100 C.I.M.E. 45° WYE WITH CONCRETE THRUST BLOCK.
9 150 x 100 C.I.M.E. REDUCER WITH CONCRETE THRUST BLOCK.
WATER RETICULATION NOTES
1. 150 DIA AND 100 DIA uPVC WATER MAINS TO BE CLASS 'N' 0MPA. 50 DIA (OD) POLYETHYLENE TO BE CLASS 'A' 1MPA.
2. VALVES AND HYDRANTS MUST BE LOCATED OPPOSITE BOUNDARY JUNCTIONS AND TRUNCATIONS.
3. WATER SUPPLY FITTINGS ARE TO INCORPORATE SOCKETS WITH AN EFFECTIVE SEALING LENGTH EQUAL OR GREATER THAN THAT OF THE uPVC PIPE USED.
4. ALIGNMENT OF WATER RETICULATION MAINS WITHIN ROAD RESERVES TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE CAIRNS REGIONAL COUNCIL.
5. INSTALLATION OF VALVES AND FIRE HYDRANTS TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE CAIRNS REGIONAL COUNCIL.
6. ALL WORKS AND MATERIALS SHALL BE IN ACCORDANCE WITH FNQROC.
7. INSTALL ANCHOR BLOCKS TO WATER MAINS IN ACCORDANCE WITH FNQROC STANDARD DRAWING S3314.
8. PROVIDE TEARDROP & BLUE RETROREFLECTIVE MARKERS IN ACCORDANCE WITH FNQROC STANDARD DRAWINGS S3319.
9. HYDRANTS & VALVES LOCATED IN AN AREA OF CONCRETE SHALL BE SEPARATED FROM THE EXISTING CONCRETE WITH A COMPRESSIBLE LAYER 10mm ABLEFLEX OR APPROVED EQUIVALENT.
PRELIMINARY
SCALE 1:500
A1
DO NOT SCALE DRAWINGS
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WONGA BEACH VILLAGE PTY. LTD.
PROPOSED SUBDIVISION STAGE 1A SNAPPER ISLAND DRIVE WONGA BEACH
WATER RETICULATION PLAN
GCH
GCH
NOV.2015
10079-C19
B

SNAPPER ISLAND DRIVE

Number		Chainage	Easting	Northing	Radii/A Value	Bearing
Lot1	Start End	0.000 155.715	9804.975 9851.954	4265.774 4353.498	-	121°16'09" Straight
Lot1	Start End IP Co-ords	155.715 173.868 164.789	9851.954 9851.386 9855.343	4353.498 4368.334 4361.985	51.800	121°16'09" Arc 37°48'33" Arc
Lot2	Start End IP Co-ords	173.868 291.281 232.362	9851.386 9898.976 9876.282	4368.334 4387.682 4383.344	51.800	37°48'33" Arc 90°11'38" Arc
Lot2	Start End	291.281 382.344	9898.976 9979.929	4387.682 4387.411	-	90°11'38" Straight
Lot3	Start End IP Co-ords	382.344 396.691 356.367	9979.929 2833.300 2835.962	4387.411 4443.384 4383.224	53.250	90°11'38" Arc 257°17'04" Arc
Lot3	Start End	396.691 413.266	2833.300 2832.950	4443.384 4449.709	-	257°17'04" Straight
Lot4	Start End IP Co-ords	413.266 456.682 432.826	2832.950 2843.372 2834.122	4449.709 4584.560 4499.286	51.758	257°17'04" Arc 38°43'55" Arc
Lot5	Start End IP Co-ords	456.682 495.968 452.917	2843.372 2864.293 2844.370	4584.560 4503.899 4506.283	51.758	38°43'55" Arc 43°44'36" Arc
Lot4	Start End	495.968 499.171	2864.293 2874.715	4503.899 4539.738	-	43°44'36" Straight
Lot6	Start End IP Co-ords	499.171 516.863 503.811	2874.715 2887.883 2882.539	4539.738 4555.685 4554.209	204.082	43°44'36" Arc 34°19'19" Arc
Lot5	Start End	516.863 572.788	2887.883 2923.448	4555.685 4596.338	-	34°19'19" Straight
Lot7	Start End IP Co-ords	572.788 596.984 582.830	2923.448 2932.416 2929.533	4596.338 4612.395 4603.565	53.830	29°77'09" Arc 18°05'30" Arc
Lot6	Start End	596.984 612.477	2932.416 2939.058	4612.395 4626.787	-	18°05'30" Straight
Lot7	Start End	612.477 627.239	2939.058 2943.831	4626.787 4644.731	-	18°05'30" Straight
Lot8	Start End IP Co-ords	627.239 663.599 636.363	2943.831 2949.868 2945.836	4644.731 4659.608 4652.530	53.830	38°05'30" Arc 34°19'49" Arc
Lot8	Start End	663.599 668.008	2949.868 2946.957	4659.608 4674.741	-	34°19'49" Straight

ROAD 'B'

Number		Chainage	Easting	Northing	Radii/A Value	Bearing
Lot9	Start End IP Co-ords	8.893 23.239 11.811	9858.336 9858.899 9849.771	4368.336 4378.852 4375.299	90.000	359°27'14" Arc 286°49'27" Arc
Lot10	Start End IP Co-ords	23.238 75.278 49.479	9858.899 9787.566 9818.807	4378.852 4387.321 4387.282	160.000	286°49'27" Arc 218°05'58" Arc
Lot9	Start End	75.278 170.672	9787.566 9692.378	4387.321 4387.459	-	278°05'58" Straight
Lot10	Start End	170.672 195.954	9692.378 9674.398	4387.459 4387.482	-	278°05'58" Straight

DRAIN '1'

Number		Chainage	Easting	Northing	Bearing
Lot11	Start End	+11.593 0.000	9991.806 9977.686	4371.622 4371.668	218°11'30" Straight
Lot12	Start End	0.000 51.849	9977.686 9935.157	4371.668 4371.855	218°11'30" Straight
Lot13	Start End	51.849 128.885	9935.157 9868.121	4371.855 4372.197	218°11'30" Straight
Lot14	Start End	128.885 191.095	9868.121 9865.121	4372.197 4372.783	278°11'30" Straight
Lot15	Start End	191.095 198.246	9865.121 9858.265	4372.783 4372.131	278°11'30" Straight
Lot16	Start End	198.246 14.3.845	9858.265 9831.962	4372.131 4372.154	278°11'30" Straight
Lot17	Start End	14.3.845 14.3.845	9831.962 9828.142	4372.154 4372.764	278°11'30" Straight
Lot18	Start End	14.3.845 206.287	9828.142 9776.728	4372.764 4372.538	278°11'30" Straight
Lot19	Start End	206.287 256.287	9776.728 9725.728	4372.538 4372.526	278°11'30" Straight
Lot20	Start End	256.287 306.226	9725.728 9656.682	4372.526 4372.760	278°11'30" Straight
Lot21	Start End	306.226 344.538	9656.682 9638.618	4372.760 4372.829	278°11'30" Straight

DRAIN '2'

Number		Chainage	Easting	Northing	Bearing
Lot22	Start End	0.000 6.923	2868.986 2862.850	6438.318 6438.328	270°05'00" Straight
Lot23	Start End	6.923 76.968	2862.850 2832.824	6438.328 6438.575	270°05'00" Straight
Lot24	Start End	76.968 24.376	2832.824 2822.808	6438.575 6438.369	270°05'00" Straight
Lot25	Start End	24.376 84.422	2822.808 2966.562	6438.369 6438.433	270°05'00" Straight
Lot26	Start End	84.422 104.356	2966.562 2968.862	6438.433 6438.839	189°45'48" Straight
Lot27	Start End	104.356 135.445	2968.862 2935.551	6438.839 6438.861	270°05'00" Straight
Lot28	Start End	135.445 173.809	2935.551 2894.388	6438.861 6438.936	270°05'00" Straight
Lot29	Start End	173.809 209.372	2894.388 2857.824	6438.936 6438.969	270°05'00" Straight
Lot30	Start End	209.372 223.936	2857.824 2843.261	6438.969 6438.990	270°05'00" Straight
Lot31	Start End	223.936 245.736	2843.261 2821.461	6438.990 6438.821	270°05'00" Straight
Lot32	Start End	245.736 287.858	2821.461 2779.338	6438.821 6439.083	270°05'00" Straight
Lot33	Start End	287.858 303.736	2779.338 2763.465	6439.083 6438.528	270°05'00" Straight
Lot34	Start End	303.736 343.522	2763.465 2723.676	6438.528 6438.196	270°05'00" Straight
Lot35	Start End	343.522 384.662	2723.676 2682.737	6438.196 6439.223	270°05'00" Straight

CONTROL LINE SETOUT

POINT TABLE

Point No.	Easting	Northing	Level	Description
37	2776.634	6318.889	3.862	LOT GRADING LEVEL
38	2795.301	6319.399	3.765	LOT GRADING LEVEL
39	2814.162	6321.529	3.268	LOT GRADING LEVEL
40	2818.899	6340.164	3.475	LOT GRADING LEVEL
41	2825.826	6358.951	3.781	LOT GRADING LEVEL
42	2838.895	6360.984	3.676	LOT GRADING LEVEL
43	2808.692	6362.979	3.639	LOT GRADING LEVEL
44	2798.844	6384.361	3.682	LOT GRADING LEVEL
45	2782.266	6364.371	3.566	LOT GRADING LEVEL
46	2778.594	6364.587	3.527	LOT GRADING LEVEL
47	2825.675	6317.825	2.796	LOT GRADING LEVEL
48	2868.353	6323.543	2.930	LOT GRADING LEVEL
49	2864.971	6348.228	3.179	LOT GRADING LEVEL
50	2866.471	6351.375	3.108	LOT GRADING LEVEL
51	2867.578	6368.783	3.924	LOT GRADING LEVEL
52	2876.825	6369.812	3.769	LOT GRADING LEVEL
53	2921.837	6362.646	3.332	LOT GRADING LEVEL
54	2921.598	6351.375	2.934	LOT GRADING LEVEL
55	2898.916	6351.375	3.126	LOT GRADING LEVEL
56	2925.177	6317.695	2.598	LOT GRADING LEVEL
57	2898.217	6317.679	2.663	LOT GRADING LEVEL
58	2877.257	6317.752	2.729	LOT GRADING LEVEL
59	2769.875	6318.896	3.695	LOT GRADING LEVEL

POINT TABLE

Point No.	Easting	Northing	Level	Description
60	2795.749	6320.059	3.576	LOT GRADING LEVEL
61	2818.235	6320.305	3.626	LOT GRADING LEVEL
62	2822.986	6338.791	3.672	LOT GRADING LEVEL
63	2825.737	6357.089	3.784	LOT GRADING LEVEL
64	2842.295	6359.762	3.896	LOT GRADING LEVEL
65	2825.679	6397.586	3.947	LOT GRADING LEVEL
66	2829.638	6422.825	3.925	LOT GRADING LEVEL
67	2822.287	6438.238	3.795	LOT GRADING LEVEL
68	2829.305	6422.716	3.536	LOT GRADING LEVEL
69	2921.518	6422.628	3.382	LOT GRADING LEVEL
70	2921.552	6442.882	3.234	LOT GRADING LEVEL
71	2877.762	6442.948	3.083	LOT GRADING LEVEL
72	2843.252	6442.990	3.178	LOT GRADING LEVEL
73	2898.252	6443.043	3.093	LOT GRADING LEVEL
74	2898.925	6443.296	2.892	LOT GRADING LEVEL
75	2769.931	6442.296	2.883	LOT GRADING LEVEL
76	2898.259	6448.041	2.795	LOT GRADING LEVEL
77	2843.259	6447.990	2.870	LOT GRADING LEVEL
78	2877.750	6447.168	2.742	LOT GRADING LEVEL
79	2921.551	6447.882	2.586	LOT GRADING LEVEL
80	2898.202	6448.966	2.628	LOT GRADING LEVEL
81	2843.191	6447.358	2.853	LOT GRADING LEVEL
82	2877.696	6489.668	3.644	LOT GRADING LEVEL

LOT GRADING SETOUT & LEVELS

2	FOR COUNCIL SUBMISSION	30.11.15
1	FOR PRELIMINARY REVIEW	19.11.15
Issue	Description	Date

Drawing Status: PRELIMINARY

SCALE 1:500 @ A1

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Scales & Reduction

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pdr engineers
Level 1, 200 Mounts Bay Road
PO Box 2000
EMPIRE GSD 6872
PH (08) 9221 1704
FAX (08) 9221 1601
Email: admin@pdrengineers.com.au
ACN 152 321 749
ABN 50 152 321 749

Client: WONGA BEACH VILLAGE PTY. LTD.

Project: PROPOSED SUBDIVISION STAGE 1A SNAPPER ISLAND DRIVE WONGA BEACH

Drawing Title: CONTROL LINE & EARTHWORKS SETOUT

Drawn	Designed	Verified
GCH	GCH	-
Approved		Date
-		NOV.2015
Drawing Number		Revision
10070-C20		B

APPENDIX B: STANDARD CONDITIONS

General

1. The proposed works are permitted subject to any alterations:

   a. found necessary by Chief Executive Officer at the time of examination of Engineering drawings or during construction of the works because of particular engineering requirements and.

   b. to ensure the works comply in all respects with the requirements of the *FNQROC Development Manual* and good engineering practice; and

   c. to comply with project specific conditions and the following standard conditions of approval.

   All works must be carried out in accordance with the approved plans, conditions and specifications, to the requirements and satisfaction of the Chief Executive Officer.

2. The conditions of any Reconfiguration of Lot or Material Change of Use permits applicable to the subject lot or lots shall be complied with in conjunction with this development permit.

3. Council's examination of the documents should not be taken to mean that the documents have been checked in detail and Council takes no responsibility for their accuracy. If during construction, inadequacies of the design are discovered, it is the responsibility of the Principal Consulting Engineer to resubmit amended plans to Council for approval and rectify works accordingly.

4. Notwithstanding any approval given to engineering documents, where a discrepancy occurs between these documents and Council's standards, then Council's standards shall apply. All works must be performed in accordance with Council standards and Local Laws and other statutory requirements.

5. If in fact there are errors, omissions or insufficient detail on the plans for the purpose of construction, these deficiencies shall be made good during construction and Council reserves the right to withhold approval of construction until such deficiencies are made good to its satisfaction.

6. Work and or Technical Documents identified within these Development Approval Conditions are nominated as requiring Compliance Assessment under section 398 of the *Sustainable Planning Act* 2009. In particular As-Constructed Water, Stormwater and Sewerage Plans must be submitted to the Compliance Assessor (Douglas Shire Council) on the approved form (Form 32) and will be assessed against the provisions of Council's *FNQROC Development Manual*. Council must issue a Compliance Certificate for the assessable documents prior to granting Early Plan Sealing or Plan Sealing of a Subdivision Plan or the issue of a Works Acceptance Certificate, whichever occurs first.

Timing of Effect

7. The conditions of this development permit must be effected prior to the approval and dating of the survey plan, except where specified otherwise in these conditions of approval, or at Council's discretion.

Easement Documentation

8. Easement documents are to be submitted to Council's solicitors for checking in accordance with the conditions of the Reconfiguration Development Permit. Contact Council for current nominated solicitors details.

Portable Long Service Leave Notification

9. As per the QLeave – Building and Construction Industry Authority Guidelines, if the works are over $80 000, Council must sight a copy of the receipted Portable Long Service Notification and Payment form prior to commencement of work.

Construction Security Bond

10. Lodgement of Construction Security Bond as per the *FNQROC Development Manual*, Section CP1.07, (ie, five (5) per cent of the value of the works) is required, prior to commencement of work. The bond shall be in favour of Council and in the format of cash or an unconditional bank guarantee, which must cover all aspects of the construction and have no termination date.

Third Party Agreement

11. The developer must obtain written agreement from third parties and/or Referral Agencies for any works proposed on adjacent properties. The agreement(s) must be provided prior to the associated works commencing on site. All agreements must be available for Council scrutiny, upon request.

Commencement of Works

12. Council is to receive written Notice of Intention to Commence Works and all matters relevant to the Pre-Start meeting are to be attended to in accordance with Section CP1.07, CP1.08 and Section CP1.09, of the *FNQROC Development Manual*.

Hours of Work

13. Work involving the operation of construction plant and equipment of any description, shall only be carried out on site during the following times:

    a. 7:00 am to 6:00 pm, Monday to Friday;

    b. 7:00 am to 1:00 pm, Saturdays; and

    c. no work is permitted on Sundays or Public Holidays.

    Any variations to the above working hours must be authorised by the Chief Executive Officer, prior to the commencement of such works.

Public Notification of the Works

14. The developer or the nominated representative must provide:

    a. Public notification of the development in local newspapers in accordance with Section CP1.11 of the *FNQROC Development Manual*.

b. Signage identifying the location of the project, general allotment layout, contact numbers (including out-of-office hours emergency numbers) must be provided at all entrance points to the development. All signage must be appropriately positioned, prior to the commencement of any works on the site.

Site Inspections

15. Council requires a number of major inspections to be completed as Witness and Hold Points for Consulting Engineers and Council officers during the construction of the works. Inspections undertaken during construction shall be in accordance with Section CP1.16 (Inspection and Testing) of the *FNQROC Development Manual.* These Witness and Hold points are to be included in the contractors Inspection and Test Plan (ITP) and be made available for inspection, prior to the commencement of any works on the site.

Soil and Water Management

16. All works must be in accordance with Section CP1.13 and D5 of the *FNQROC Development Manual,* and must comply with the following:

    a. A copy of the contractor's Erosion and Sediment Control (ESC) Plan is to be submitted to Council and endorsed by the Consulting Engineer, prior to commencement of any works. In particular, the ESC Plan must address the Institution of Engineers' Australia *Guidelines for Soil Erosion and Sediment Control and the Environment Protection (Water) Policy* and Clauses CP1.06, CP1.13 and D5.10 of Council's *FNQROC Development Manual.* The ESC Plan must be relevant to all phases of the construction and be updated where necessary as works progress.

    b. Any dewatering activities will require approval from Council's Environmental Protection Unit, telephone number 07 4099 9475 and a valid permit obtained prior to commencement.

    c. During the construction period, the Consulting Engineer shall randomly audit and inspect ESC measures for compliance with the Engineer endorsed contractor's ESC Plan, derived from the Engineer's ESC Strategy (As per *FNQROC Development Manual* CP1 Appendix A).

    d. It is the contractor's responsibility to ensure that the ESC Plan is updated and amended to reflect any changes in the construction methodology. All such amendments shall be approved by the Engineer and presented to Council.

    e. The developer shall be held responsible for any rectification works required to clean up dust, pollutants and sediments that may leave the site as a result of construction activities.

    f. The developer or their representative shall be responsible for communicating with third parties affected by any dust, pollutants or sediment leaving the site as a result of any construction activity that is associated with the project site.

Street Lighting

17. The provision of street lighting is to be in accordance with the *FNQROC Development Manual* D8 and designed to comply with the Road Lighting Standard AS/NZS 1158, a compliance certificate that has been certified by an appropriate Registered Professional Engineer of Queensland (RPEQ) must be provided to demonstrate the lighting design

complies to the requirements of the Road Lighting Standard AS/NZS 1158. New street lighting is to be erected as a Rate 2 public lighting installation, Rate 1 will only be considered where an overhead electricity reticulation exists:

a. Lighting columns, luminaires and lamps are to be of a type specified in Ergon Energy's *Lighting Construction Manual*, unless approved otherwise by Council.

b. The applicable lighting category for roads associated with this project having a road hierarchy of residential access and above is identified in Table D8.1 of the *FNQROC Development Manual.*

c. Local Area Traffic Management (LATM) devices including roundabouts, must be provided with an illumination of not less than 3.5 Lux as specified in the Road Lighting Standard AS/NZS 1158.

d. Street lighting located adjacent to the development frontage must be located behind the kerb (usually a minimum of 820 mm from the invert of the kerb) and spaced to meet the required lighting category for the road.

Infrastructure Plans for Utility Services

18. Approved infrastructure plans for gas, electrical and telecommunications services must be endorsed by Council, prior to the commencement of associated works.

Landscaping General

19. Landscaping shall be provided in accordance with Part D9 and Part S8 of the *FNQROC Development Manual*, unless approved otherwise by Council.

20. The landscaping works must be constructed in accordance with the approved plans and conditions. The developer must seek approval in writing from the Council for any changes to the plan or the landscaping works on the site. This approval must be obtained prior to commencement of these works on site.

21. The landscape must be maintained in good order by the developer for at least three (3) months during the Works Acceptance period, and generally timed to coincide with the Final Works Acceptance Inspection, when all landscaping works must be in a condition suitable for Council to commence regular maintenance.

Trees

22. Any trees must be planted and staked in accordance with the *FNQROC Development Manual* drawing S4210, with root barriers installed such that they are just visible at the finished surface level. Note that where footpaths are to be provided, a root barrier must also be provided between the tree and the path. Root barriers must be installed and appropriate topsoil, level of compaction and drainage provided, as specified by the manufacturer.

23. Street tree planting locations must be in compliance with *FNQROC Development Manual* D9.07.6 'Alignment and placement of Street Trees'. Trees shall be positioned a minimum of:

a. 7.5 metres from streetlights;

b. two (2) metres from the inlet or outlet of stormwater pipes;

c, three (3) metres from any driveways;

d. ten (10) metres back from the apex of both boundaries of a corner lot;

e. 0.8 metres – one (1) metres from the back of kerbs.

24. All trees must be watered directly after planting and prior to laying mulch. The mulch must be left clear of the trunk and be laid in accordance with *FNQROC Development Manual* drawing S4210 and S8.14, at a radius of 0.5 metre around the base of the tree and out to the back of kerb.

25. All trees must be of good vigour and health and must not be root-bound at the time of planting. They should be approximately 1.5 metres – two (2) metres tall with well-established root and branch formation. Trees should have a clear dominant central leader.

26. A joint site inspection is to be held with Council officers and developer's representative to assess the general condition of any existing trees and shrubs within six (6) metres of any property boundary abutting the road reserve, or other Council land. If any dead, dying or dangerous trees are identified during the meeting, with the landowner's consent, they are to be removed to the satisfaction of Council officers, prior to the sealing of plans for the associated lot.

27. Any trees identified on drawings to be retained, are to be protected in accordance with approved plans. This must include, but is not limited to, the erection and continued maintenance of suitable physical barrier(s) placed around the tree to protect the tree and the root system. Additional protection of tree trunks by the fixing of timber planks using wire loops is also required unless approved otherwise by Council. Any damage caused to nominated trees as a result of construction activity, will require inspection by Council and will require a specified number of suitable replacements trees of suitable maturity to be provided to replace the loss in amenity.

Verges

28. All verges are to be covered full-width with topsoil (AS 4419/Soils for Landscaping and Garden Use) to a depth of not less than 40 mm, lightly compacted and grassed in accordance with Council's Guidelines and Specifications.

29. Any island beds or any shrub beds must have a permanent irrigation system installed, which must be connected to the Douglas Water Network. An Application for a Water Service Connection must be presented to Douglas Water & Waste to facilitate the connection, and must include the installation of a flow meter and associated valves.

30. All water reticulation, including permanent irrigation systems, are to be identified in as-constructed plans which must be submitted to Council for approval prior to the Works Acceptance (On Maintenance) meeting for landscaping.

Structures and Retaining Walls

31. Separate building certification and/or structural certification is required for any works to alter existing structures, provide new structures or construct retaining walls that are over 900 mm high. Certification by a suitably qualified engineer must be provided, prior to opening the work site to the public.

The Location of Stormwater Quality Interception Devices (SQIDs)

32. Council must approve the location of any SQIDs prior to installation. They shall be positioned to allow for economic and efficient maintenance operations, and will require a reinforced concrete hard standing area to be provided from the edge of the carriageway to the SQID location. Vehicular access from the public road reserve to the SQID must remain unrestricted.

Sewer and Water

33. All water and sewerage works must be in accordance with Sections D6 and D7 of the *FNQROC Development Manual*, and must comply with the following:

    a. Douglas Shire Council requires a minimum of five (5) working days notice of intention to commence water and sewerage related works. The notice shall be given to the Senior Plumbing Inspector at Douglas Shire Council either in writing, by telephone 07 4099 9479, fax 07 4098 2902 or email to enquiries@douglas.qld.gov.au prior to the commencement of works.

    b. The developer shall be responsible for confirming the location of all existing sewer, water and utility service infrastructure prior to the commencement of works on site. Any permits necessary to alter/interfere with such services must be obtained prior to the commencement of work and be available for Council inspection if required.

    c. Any works over or within the zone of influence of Council's existing water and sewerage infrastructure must be approved by Douglas Shire Council prior to the commencement of the proposed works. Unless otherwise approved in writing, existing infrastructure impacted by the development shall be subject to the maintenance period provisions contained in this Decision Notice.

       Construction works shall include any works that may impact on existing infrastructure such as, but not limited to, mobilisation of heavy earthmoving equipment, stripping and grubbing, site filling, stockpiling of materials and installation of erosion and sediment control measures.

    d. All testing and acceptance of water and sewerage works shall be in accordance with CP1 Construction Procedures of the *FNQROC Development Manual.* Works are to be certified as acceptable by Douglas Water & Waste, and any operating manuals etc be provided to Council, prior to making an application for the acceptance of the works.

Sewer

34. Douglas Water & Waste must be contacted to perform any direct connection to live sewer mains. Unless otherwise approved in writing, separate applications for approval on the prescribed forms shall be made to Douglas Water & Waste for each connection together with payment of the relevant fee. All connections are to be provided subject to the terms and conditions of Douglas Shire Council's 'Application for Plumbing Works'.

    a. Amended drawings in accordance with these conditions must be approved prior to the pre-start meeting.

    b. The Inspection and Test Plan (ITP) must be approved prior to the pre-start meeting. At project completion the completed and validated ITP must be submitted and approved prior to the issue of a Works Acceptance Certificate.

c. Where retaining walls are located within the zone of influence of a sewer the footings must be 1000 mm clear of the sewer and designed in accordance with the *Queensland Development Code*. Full design details and structural certification must be approved prior to commencement of works.

d. Minimum clearances between sewer mains and other services must be in accordance with the *Sewerage Code of Australia*. Clearances must be included on the long-section drawing.

e. Where a manhole is located in a batter, a flat area of 1.5 metres radius from the centre of the manhole must be provided. Where the manhole is located along a side or rear boundary and is on the 0.8 metre standard alignment then the flat area must be on at least three (3) sides.

f. Where an easement is required the property connection branch must be extended at least one (1) metre from the easement boundary.

g. House drains are to extend one (1) metre past the end of the driveway on hatchet blocks and 1.5 metres beyond the top of batters. An I.O. is to be provided at the downstream end of the house drain within one (1) metre of the boundary to delineate the end of the property connection branch.

h. As-constructed sewerage drawings must be approved prior to granting of Early Plan Sealing or Issue of a Works Acceptance Certificate whichever occurs first. The as-constructed submission is to include the 'Statement of Compliance – As-constructed Documentation' and must be the final issue.

Water

35. Douglas Shire Council must be contacted to perform any direct connection to live water mains whether being as a permanent connection, a connection for irrigation purposes or for construction water. Unless otherwise approved in writing, separate applications on the prescribed forms shall be made to Douglas Shire Council for connections, together with payment of the relevant fee. All connections are to be provided subject to the terms and conditions of Douglas Shire Council's 'Application for a Water Service Connection'.

    a. Amended drawings in accordance with these conditions must be approved prior to the pre-start meeting.

    b. The Inspection and Test Plan (ITP) must be approved prior to the pre-start meeting. At project completion the completed and validated ITP must be submitted and approved prior to the issue of a Works Acceptance Certificate.

    c. Minimum clearances between water mains and other services must be in accordance with the *Water Supply Code of Australia* in particular the minimum clearance between water mains and sewer mains must be 500 mm with the sewer under the water main.

    d. As-constructed water drawings must be approved prior to Issue of a Works Acceptance Certificate. The as-constructed submission is to include the 'Statement of Compliance – As-constructed Documentation' and must be the final issue.

Roads and Footpaths

36. All works are to be designed and constructed in accordance with AS 1428.1-2001: *'Design for access and mobility'* – General requirements for access – New building work, and associated standard AS/NZS 1428.4 2002, *'Design for Access and Mobility'* – Tactile Indicators. The design is required to provide equal access for people with disability and include the provision of suitable ramps and landing areas and the installation of Tactile Ground Surface Indicators (TGSIs) where required.

Cultural Heritage

37. The *Aboriginal Cultural Heritage Act* 2003 (the Act) seeks to protect artefacts and cultural sites that are of significance to Aboriginal people. The Act requires anyone carrying out an activity to exercise a Duty of Care. Guidelines have been produced to enable assessment of sites under the Act. These are available from Department of Environment Heritage Protection and can be downloaded from their website at www.ehp.qld.gov.au. The work identified in the project documentation is likely to require assessment of the site under the Act.

DOUGLAS SHIRE COUNCIL

PO Box 723 Mossman Qld 4873
www.douglas.qld.gov.au
enquiries@douglas.qld.gov.au
ABN 71 241 237 800

Administration Office
64 - 66 Front St Mossman
P 07 4099 9444
F 07 4098 2902

23 March 2021

Enquiries: Neil Beck
Our Ref: ROL 2011_4332/2 (1003684)
Your Ref: L79890/9339/OC

Wonga Beach Village Pty Ltd
C/- RPS Australia P/L
PO Box 1949
CAIRNS QLD 4870

Dear Owen,

Request to extend Material Change of Use, ROL (1 Lot into 99 Lots) & Operational Works (Stage 1) & Request for Minor Change – Lot 51 Vixies Road Wonga Beach

Please find attached the Decision Notice for the above-mentioned request.

Please quote Council's application number: ROL 2011_4332/2 in all subsequent correspondence relating to this development application.

Should you require any clarification regarding this, please contact Neil Beck on telephone 07 4099 9451.

Yours faithfully

For
Paul Hoye
Manager Environment & Planning

encl.

- Decision Notice
- Advice For Making Representations and Appeals (Decision Notice)
- Adopted Infrastructure Charges Notice
- Advice For Making Representations and Appeals (Infrastructure Charges)

Decision Notice

Approval (with conditions)

Given under section 63 of the Planning Act 2016

Applicant Details

Name:	Wonga Beach Village Pty Ltd
Postal Address:	C/- RPS Australia P/L PO Box 1949 CAIRNS QLD 4870
Email:	or jeff@mccloys.com.au

Property Details

Street Address:	Vixies Road WONGA BEACH
Real Property Description:	LOT: 51 SP: 155078
Local Government Area:	Douglas Shire Council

Details of Proposed Development

Request to extend Material Change of Use, ROL (1 Lot into 99 Lots) & Operational Works (Stage 1) & Request for Minor Change

Decision

Date of Decision:	23 March 2021
Decision Details:	Approved (subject to conditions)

Approval

Request to extend Material Change of Use, ROL (1 Lot into 99 Lots) & Operational Works (Stage 1) is approved subject to the following changes to conditions of Development Permit for the ROL dated 16 December 2013

Condition 4 be amended to read as follows

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 300mm above the storm tide water levels as shown on the attached plan "Peak Storm Tide Levels :2100 1%AEP as attached. This ensures the finished floor levels of future dwellings will be compliant with the recommended freeboard of 500mm as detailed in the 2020 Storm Tide Inundation Methodologies Study prepared by JBP Scientist & Engineers. ~~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 and/or an Application to Change the existing Operational Works Approval. All filling is to be completed in accordance with the approved Plan during the Operational Works stage.

Condition 5 be amended to read as follows

Building Envelope Plan

5. Provide a Plan nominating building envelopes for all habitable buildings on each lot with a building pad having a minimum area of 600m^2 which is immune from storm tide inundation and the 1% AEP rainfall event. ~~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.

Further Development Permits

- All Building Work
- All Operational Work

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

Concurrence Agency Response

N/A

Currency Period for the Approval

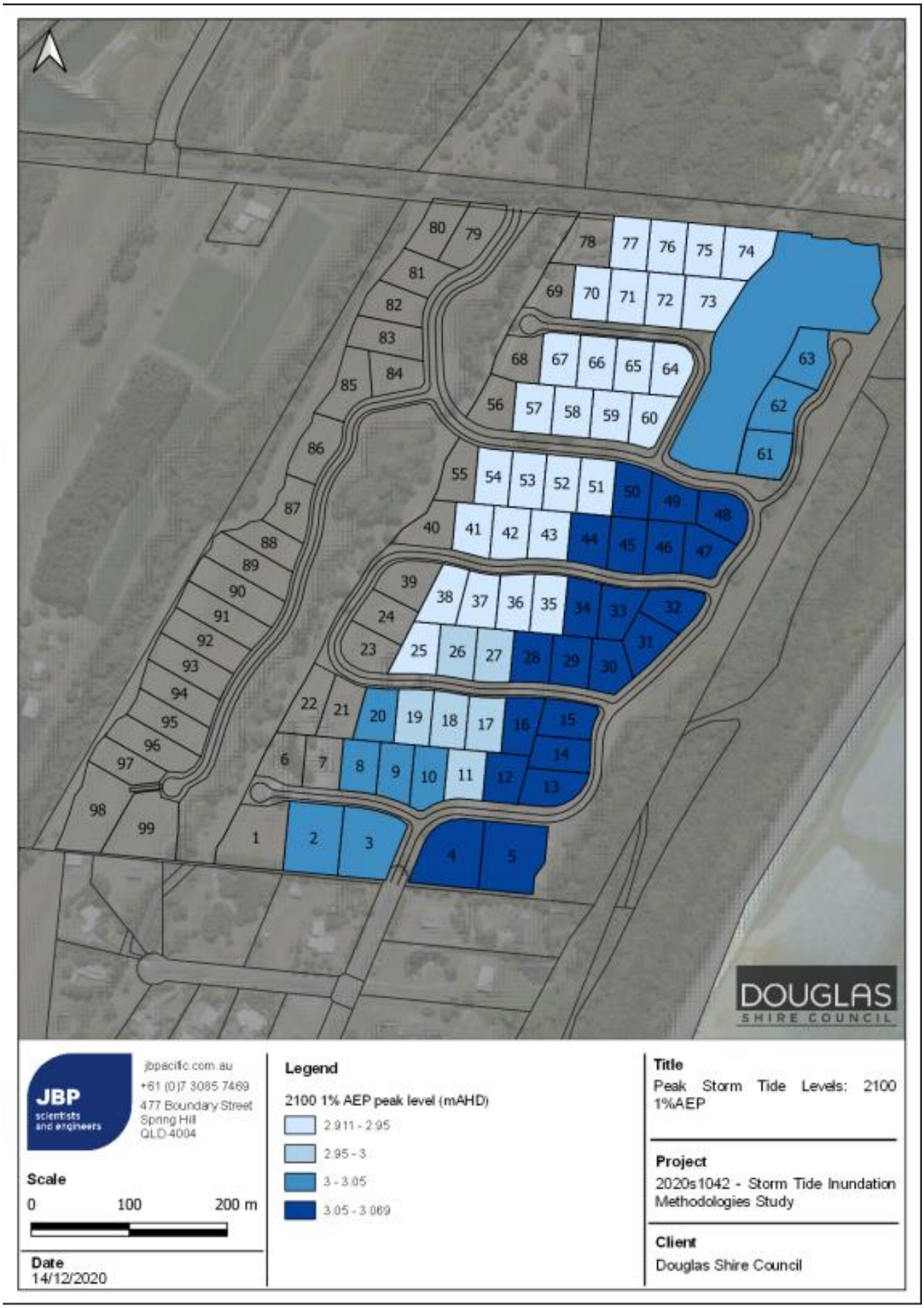
This approval, granted under the provisions of the *Planning Act 2016*, shall lapse six (6) years from the day the approval takes effect being 21 November 2026 in accordance with the provisions of Section 85 of the *Planning Act 2016*.

Rights to make Representations & Rights of Appeal

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

A copy of the relevant appeal provisions are attached.

Plan Illustrating Peak Storm Tide Levels (Water Level only)



(2) The person is taken to have engaged in the representative's conduct, unless the person proves the person could not have prevented the conduct by exercising reasonable diligence.

(3) In this section—

conduct means an act or omission.

representative means—

(a) of a corporation—an executive officer, employee or agent of the corporation; or

(b) of an individual—an employee or agent of the individual.

state of mind, of a person, includes the person's—

(a) knowledge, intention, opinion, belief or purpose; and

(b) reasons for the intention, opinion, belief or purpose.

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

(1) Schedule 1 states—

(a) matters that may be appealed to—

(i) either a tribunal or the P&E Court; or

(ii) only a tribunal; or

(iii) only the P&E Court; and

(b) the person—

(i) who may appeal a matter (the ***appellant***); and

(ii) who is a respondent in an appeal of the matter; and

Authorised by the Parliamentary Counsel

(iii) who is a co-respondent in an appeal of the matter; and

(iv) who may elect to be a co-respondent in an appeal of the matter.

(2) An appellant may start an appeal within the appeal period.

(3) The ***appeal period*** is—

(a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or

(b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or

(c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or

(d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or

(e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or

(f) for an appeal relating to the *Plumbing and Drainage Act 2018*—

(i) for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and Drainage Act 2018*, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or

(ii) for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or

Authorised by the Parliamentary Counsel

(iii) otherwise—20 business days after the day the notice is given; or

(g) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note—

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

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

(5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.

(6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—

(a) the adopted charge itself; or

(b) for a decision about an offset or refund—

(i) the establishment cost of trunk infrastructure identified in a LGIP; or

(ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

(1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—

(a) is in the approved form; and

(b) succinctly states the grounds of the appeal.

(2) The notice of appeal must be accompanied by the required fee.

(3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—

Authorised by the Parliamentary Counsel

(a) the respondent for the appeal; and

(b) each co-respondent for the appeal; and

(c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and

(d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and

(e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and

(f) for an appeal to the P&E Court—the chief executive; and

(g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.

(4) The ***service period*** is—

(a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or

(b) otherwise—10 business days after the appeal is started.

(5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).

(6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—

(a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or

(b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.

Authorised by the Parliamentary Counsel

(7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

231 Non-appealable decisions and matters

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

(2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.

(3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.

(4) In this section—

decision includes—

(a) conduct engaged in for the purpose of making a decision; and

(b) other conduct that relates to the making of a decision; and

(c) the making of a decision or the failure to make a decision; and

(d) a purported decision; and

(e) a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter—

(a) is final and conclusive; and

(b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise,

Authorised by the Parliamentary Counsel

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

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

232 Rules of the P&E Court

(1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.

(2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.

Part 2 Development tribunal

Division 1 General

233 Appointment of referees

(1) The Minister, or chief executive, (the ***appointer***) may appoint a person to be a referee, by an appointment notice, if the appointer considers the person—

(a) has the qualifications or experience prescribed by regulation; and

(b) has demonstrated an ability—

(i) to negotiate and mediate outcomes between parties to a proceeding; and

(ii) to apply the principles of natural justice; and

(iii) to analyse complex technical issues; and

(iv) to communicate effectively, including, for example, to write informed succinct and well-organised decisions, reports, submissions or other documents.

Authorised by the Parliamentary Counsel

DOUGLAS SHIRE COUNCIL

PO Box 723 Mossman Qld 4873
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ABN 71 241 237 800

Administration Office
64 - 66 Front St Mossman
P 07 4099 9444
F 07 4098 2902

23 March 2021

Enquiries: Neil Beck
Our Ref: ROL 2011_4332 (1003684)
Your Ref: L79890/9339/OC

Wonga Beach Village Pty Ltd
C/- RPS Australia P/L
PO Box 1949
CAIRNS QLD 4870

Dear Owen

Request to extend Material Change of Use, ROL (1 Lot into 99 Lots) & Operational Works (Stage 1) & Request for Minor Change – Lot 51 Vixies Road Wonga Beach

Please find attached the Adopted Infrastructure Charges Notice issued in accordance with section 119 of the *Planning Act 2016.*

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

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.

Please quote Council's application number: ROL 2011_4332 in all subsequent correspondence relating to this matter.

Should you require any clarification regarding this, please contact Neil Beck on telephone 07 4099 9451.

Yours faithfully

Paul Hoye
Manager Environment & Planning

encl.

- Adopted Infrastructure Charges Notice
- Rights to Make Representations and Appeals Regarding Infrastructure Charges

Adopted Infrastructure Charges Notice

DOUGLAS SHIRE COUNCIL

2018 Douglas Shire Planning Scheme version 1.0 Applications

ADOPTED INFRASTRUCTURE CHARGES NOTICE

Wonga Beach Aquaculture Resort Pty Ltd		**N/A**	**0**
DEVELOPERS NAME		ESTATE NAME	STAGE
Lot 51 Vixies Road	**Wonga Beach**	**Lot 51 on RP155078**	**10957**
STREET No. & NAME	**SUBURB**	LOT & RP No.s	PARCEL No.
ROL		**8/13/1625**	**6**
DEVELOPMENT TYPE		COUNCIL FILE NO.	VALIDITY PERIOD (year)
8/13/1625	**1**	**Payment prior to lodgmentof survey plan for endorsement**	
DSC Reference Doc . No.	VERSION No.		

Infrastrucutre Charges as resolved by Council at the Ordinary Meeting held on 23 February 2021 (Came into effect on 1 March 2021)

	Charge per Use	rate	Floor area/No.	Amount	Amount Paid	Receipt Code & GL Code
Locality						
0						
Proposed Demand						
Dwelling house (includir $ per 3 or more bedroom dwelli	24143.37505	24,143.38	99	2,390,194.13		
Total Demand				**2,390,194.13**		
Existing Credit						
Residential Lot Vacant Lot	24143.37505	24,143.38	1	24,143.38		
Total Credit				**860,711.32**		**Code 895 GL 07500.0135.0825**

Required Payment or Credit — **TOTAL** — **$1,529,482.81**

Prepared by	**Neil Beck**	**17-Mar-21**	**Amount Paid**	
Checked by	**Dan Lamond**	**23-Mar-21**	**Date Paid**	
Date Payable	**ROL - Before the Local Government approves the plan of subdivision**		**Receipt No.**	
Amendments		**Date**	**Cashier**	

Note:

The Infrastructure Charges in this Notice are payable in accordance with Sections 119 and 120 of the *Planning Act 2016* *as from Council's resolution from the Ordinary Meeting held on 23 February 2021.*

Charge rates under the Policy are subject to indexing.
Any Infrastructure Agreement for trunk works must be determined and agreed to prior to issue of Development Permit for Operational Work.

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

Extracts from the Planning Act 2016 – Making Representations during Applicant's Appeal Period

Subdivision 5 Changing charges during relevant appeal period

124 Application of this subdivision

This subdivision applies to the recipient of an infrastructure charges notice given by a local government.

125 Representations about infrastructure charges notice

(1) During the appeal period for the infrastructure charges notice, the recipient may make representations to the local government about the infrastructure charges notice.

(2) The local government must consider the representations.

(3) If the local government—

(a) agrees with a representation; and

(b) decides to change the infrastructure charges notice;

the local government must, within 10 business days after making the decision, give a new infrastructure charges notice (a ***negotiated notice***) to the recipient.

(4) The local government may give only 1 negotiated notice.

(5) A negotiated notice—

(a) must be in the same form as the infrastructure charges notice; and

(b) must state the nature of the changes; and

(c) replaces the infrastructure charges notice.

(6) If the local government does not agree with any of the representations, the local government must, within 10 business days after making the decision, give a decision notice about the decision to the recipient.

(7) The appeal period for the infrastructure charges notice starts again when the local government gives the decision notice to the recipient.

Authorised by the Parliamentary Counsel

126 Suspending relevant appeal period

(1) If the recipient needs more time to make representations, the recipient may give a notice suspending the relevant appeal period to the local government.

(2) The recipient may give only 1 notice.

(3) If the representations are not made within 20 business days after the notice is given, the balance of the relevant appeal period restarts.

(4) If representations are made within the 20 business days and the recipient gives the local government a notice withdrawing the notice of suspension, the balance of the relevant appeal period restarts the day after the local government receives the notice of withdrawal.

Division 3 Development approval conditions about trunk infrastructure

Subdivision 1 Conditions for necessary trunk infrastructure

127 Application and operation of subdivision

(1) This subdivision applies if—

(a) trunk infrastructure—

(i) has not been provided; or

(ii) has been provided but is not adequate; and

(b) the trunk infrastructure is or will be located on—

(i) premises (the ***subject premises***) that are the subject of a development application, whether or not the infrastructure is necessary to service the subject premises; or

(ii) other premises, but is necessary to service the subject premises.

Authorised by the Parliamentary Counsel

(2) The person is taken to have engaged in the representative's conduct, unless the person proves the person could not have prevented the conduct by exercising reasonable diligence.

(3) In this section—

conduct means an act or omission.

representative means—

(a) of a corporation—an executive officer, employee or agent of the corporation; or

(b) of an individual—an employee or agent of the individual.

state of mind, of a person, includes the person's—

(a) knowledge, intention, opinion, belief or purpose; and

(b) reasons for the intention, opinion, belief or purpose.

Chapter 6 Dispute resolution

Part 1 Appeal rights

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(1) Schedule 1 states—

(a) matters that may be appealed to—

(i) either a tribunal or the P&E Court; or

(ii) only a tribunal; or

(iii) only the P&E Court; and

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(i) who may appeal a matter (the ***appellant***); and

(ii) who is a respondent in an appeal of the matter; and

Authorised by the Parliamentary Counsel

(iii) who is a co-respondent in an appeal of the matter; and

(iv) who may elect to be a co-respondent in an appeal of the matter.

(2) An appellant may start an appeal within the appeal period.

(3) The ***appeal period*** is—

(a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or

(b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or

(c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or

(d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or

(e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or

(f) for an appeal relating to the *Plumbing and Drainage Act 2018*—

(i) for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and Drainage Act 2018*, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or

(ii) for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or

Authorised by the Parliamentary Counsel

(iii) otherwise—20 business days after the day the notice is given; or

(g) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note—

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

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

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(6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—

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(b) succinctly states the grounds of the appeal.

(2) The notice of appeal must be accompanied by the required fee.

(3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—

Authorised by the Parliamentary Counsel

(a) the respondent for the appeal; and

(b) each co-respondent for the appeal; and

(c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and

(d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and

(e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and

(f) for an appeal to the P&E Court—the chief executive; and

(g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.

(4) The ***service period*** is—

(a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or

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(5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).

(6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—

(a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or

(b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.

Authorised by the Parliamentary Counsel

(7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

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

(2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.

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(4) In this section—

decision includes—

(a) conduct engaged in for the purpose of making a decision; and

(b) other conduct that relates to the making of a decision; and

(c) the making of a decision or the failure to make a decision; and

(d) a purported decision; and

(e) a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter—

(a) is final and conclusive; and

(b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise,

Authorised by the Parliamentary Counsel

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

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

232 Rules of the P&E Court

(1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.

(2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.

Part 2 Development tribunal

Division 1 General

233 Appointment of referees

(1) The Minister, or chief executive, (the ***appointer***) may appoint a person to be a referee, by an appointment notice, if the appointer considers the person—

(a) has the qualifications or experience prescribed by regulation; and

(b) has demonstrated an ability—

(i) to negotiate and mediate outcomes between parties to a proceeding; and

(ii) to apply the principles of natural justice; and

(iii) to analyse complex technical issues; and

(iv) to communicate effectively, including, for example, to write informed succinct and well-organised decisions, reports, submissions or other documents.

Authorised by the Parliamentary Counsel

Appendix B

Certificate of Title

Current Title Search

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	**50434531**	**Search Date:**	11/08/2026 10:53
Date Title Created:	04/04/2003	**Request No:**	57190190
Previous Title:	21397243, 50316284		

ESTATE AND LAND

Estate in Fee Simple

LOT 51 SURVEY PLAN 155078
Local Government: DOUGLAS

REGISTERED OWNER

Dealing No: 723576133 02/10/2024

TRACEY ANN MCCLOY

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20393048 (POR 44)

ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status
710109794	VEG NOTICE VEGETATION MANAGEMENT ACT 1999	17/11/2006 14:45	CURRENT
714160425	VEG NOTICE VEGETATION MANAGEMENT ACT 1999	14/11/2011 13:15	CURRENT
715051418	VEG NOTICE VEGETATION MANAGEMENT ACT 1999	24/04/2013 13:12	CURRENT

UNREGISTERED DEALINGS

NIL

** End of Current Title Search **

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Requested by: D-ENQ DYE & DURHAM (S)

Appendix C

Landowners Consent

Chief Executive Officer
Chief Executive Officer
PO Box 723
Mossman, QLD 4873

To whom it may concern,

RE: LANDOWNER CONSENT FOR EXTENSION APPLICATION, 93 VIXIES ROAD, WONGA, MATERIAL CHANGE OF USE, ROL (1 LOT INTO 99 LOTS) & OPERATIONAL WORKS (STAGE 1)

1, TRACEY ANN MCCLOY, as the owner of land located at 93 Vixies Road, Wonga, and described as Lot 51 on SP155078 consents to the lodgement of an extension applications by Found Project Partners Pty Ltd for the extension of:

- Development Permit for Reconfiguring a Lot (1 Lot into 99 Lots), and
- Development Permit for Operational Works for Subdivision Works (stage 1), excluding Landscape and Lighting Works.

Kind regards,

X 18/8/26

Sign Date

TRACEY ANN MCCLOY

Name

Position (e.g. Director / Secretary)

Notes for providing owners consent:
- *If signing under a Power of Attorney, please provide a copy of the Power of Attorney documents.*

The A.C.N. must be included and accompanied by –
- *the signature of either:*
  - *two directors of the company;*
  - *a director and a company secretary of the company; or*
  - *if a proprietary company that has a sole director who is also the sole company secretary, that director;*

Appendix D

Douglas Shire Planning Scheme Property Report

2018 Douglas Shire Council Planning Scheme Property Report

The following report has been automatically generated to provide a general indication of development related information applying to the premise.

For more information and to determine if the mapping layers are applicable, refer to the 2018 Douglas Shire Council Planning Scheme. This report is not intended to replace the need for carrying out a detailed assessment of Council and State controls or the need to seek your own professional advice on any town planning instrument, local law or other controls that may impact on the existing or intended use of the premise mentioned in this report. For further information please contact Council by phone: 07 4099 9444 or 1800 026 318 or email enquiries@douglas.qld.gov.au.

Visit Council's website to apply for an official property search or certificate, or contact the Department of Natural Resources, Mines and Energy to undertake a title search to ascertain how easements may affect a premise.

Property Information

Property Address	93 Vixies Road WONGA BEACH
Lot Plan	51SP155078 (Freehold - 388800m^2)



Selected Property | Easements | Property

Douglas Shire Planning Scheme 2018 version 1.0

The table below provides a summary of the Zones and Overlays that apply to the selected property.

Zoning

Applicable Zone
Rural Residential

More Information
- View Section 6.2.11 Rural Residential Zone Code
- View Section 6.2.11 Rural Residential Zone Compliance table
- View Section 6.2.11 Rural Residential Zone Assessment table

Douglas Shire Planning Scheme 2018 version 1.0

The table below provides a summary of the Zones and Overlays that apply to the selected property.

Local Plans	**Applicable Precinct or Area** Wonga Beach Precinct 4	**More Information** • View Section 7.2.2 Coastal Communities Local Plan Code • View Section 7.2.2 Coastal Communities Local Plan Compliance table
Acid Sulfate Soils	**Applicable Precinct or Area** Acid Sulfate Soils (< 5m AHD)	**More Information** • View Section 8.2.1 Acid Sulfate Soils Overlay Code • View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table
Bushfire Hazard	**Applicable Precinct or Area** Potential Impact Buffer Medium Potential Bushfire Intensity	**More Information** • View Section 8.2.2 Bushfire Hazard Overlay Code • View Section 8.2.2 Bushfire Hazard Overlay Compliance table
Coastal Processes	**Applicable Precinct or Area** Erosion Prone Area	**More Information** • View Section 8.2.3 Coastal Environment Overlay Code • View Section 8.2.3 Coastal Environment Overlay Compliance table
Flood Storm	**Applicable Precinct or Area** Medium Storm Tide Hazard High Storm Tide Hazard Floodplain Assessment Overlay (Daintree River)	**More Information** • View Section 8.2.4 Flood and Storm Tide Hazard Overlay Code • View Section 8.2.4 Flood and Storm Tide Hazard Overlay Compliance table
Landscape Values	**Landscape Values** Coastal scenery Medium Landscape Value	**More Information** • View Section 8.2.6 Landscape Values Overlay Code • View Section 8.2.6 Landscape Values Overlay Compliance table
Natural Areas	**Applicable Precinct or Area** MSES - Regulated Vegetation (Intersecting a Watercourse) MSES - Regulated Vegetation MSES - High Ecological Significance Wetlands	**More Information** • View Section 8.2.7 Natural Areas Overlay Code • View Section 8.2.7 Natural Areas Overlay Compliance table
Transport Road Hierarcy	**Applicable Precinct or Area** Collector Road	**More Information** • View Section 8.2.10 Transport Network Overlay Code • View Section 8.2.10 Transport Network Overlay Compliance table

Zoning

Applicable Zone
Rural Residential

More Information
- View Section 6.2.11 Rural Residential Zone Code
- View Section 6.2.11 Rural Residential Zone Compliance table
- View Section 6.2.11 Rural Residential Zone Assessment table



Selected Property

Property

Zoning

- Centre
- Community Facilities
- Conservation
- Environmental Management
- Industry
- Low Density Residential
- Low-medium Density Residential
- Medium Density Residential
- Recreation and Open Space
- Rural
- Rural Residential
- Special Purpose
- Tourism
- Tourist Accommodation

Local Plans

Applicable Precinct or Area

Wonga Beach

Precinct 4

More Information

- View Section 7.2.2 Coastal Communities Local Plan Code
- View Section 7.2.2 Coastal Communities Local Plan Compliance table



Selected Property

Property

Transport Investigation Corridor

Transport Investigation Corridors

Major Road Connections

Major Road Connections

Major Road Connections (No Arrow)

Major Road Connections

Daintree River to Bloomfield

Daintree River to Bloomfield

Creb Track and Quaid Road

Creb Track

60 metre contour

60 metre contour

Local Plan Boundary

Local Plan Boundary

Local Plan Precincts

Not Part of a Precinct

Precinct 1

Precinct 2

Precinct 3

Precinct 4

Precinct 5

Precinct 6

Precinct 7

Precinct 8

Precinct 9

Live Entertainment Precinct

Live Entertainment Precinct

Indicative Future Open Space

Indicative Future Open Space

Road Reserve Esplanade

Acid Sulfate Soils

Applicable Precinct or Area

Acid Sulfate Soils (< 5m AHD)

More Information

- View Section 8.2.1 Acid Sulfate Soils Overlay Code
- View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table



Selected Property

Property

Acid Sulfate Soils

Acid Sulfate Soils (< 5m AHD)

Acid Sulfate Soils (5-20m AHD)

all others

Bushfire Hazard

Applicable Precinct or Area

Potential Impact Buffer

Medium Potential Bushfire Intensity

More Information

- View Section 8.2.2 Bushfire Hazard Overlay Code
- View Section 8.2.2 Bushfire Hazard Overlay Compliance table



Selected Property

Property

Bushfire_Hazard

High Potential Bushfire Intensity

Medium Potential Bushfire Intensity

Potential Impact Buffer

Very High Potential Bushfire Intensity

all others

Coastal Processes

Applicable Precinct or Area

Erosion Prone Area

More Information

- View Section 8.2.3 Coastal Environment Overlay Code
- View Section 8.2.3 Coastal Environment Overlay Compliance table



Flood Storm

Applicable Precinct or Area

Medium Storm Tide Hazard

High Storm Tide Hazard

Floodplain Assessment Overlay (Daintree River)

More Information

- View Section 8.2.4 Flood and Storm Tide Hazard Overlay Code
- View Section 8.2.4 Flood and Storm Tide Hazard Overlay Compliance table



Selected Property | Property | Medium Storm Tide Hazard | High Storm Tide Hazard

100 Year ARI - Mossman Port Douglas and Daintree Flood Studies | Floodplain Assessment Overlay

Landscape Values

Landscape Values

Coastal scenery

Medium Landscape Value

More Information

- View Section 8.2.6 Landscape Values Overlay Code
- View Section 8.2.6 Landscape Values Overlay Compliance table



Selected Property

Property

Scenic Buffer Area

Gateway

Lookout

Scenic route

Scenic route buffer

View corridor

all others

Landscape Values

Coastal scenery

High landscape values

Medium Landscape Value

all others

Natural Areas

Applicable Precinct or Area

MSES - Regulated Vegetation (Intersecting a Watercourse)
MSES - Regulated Vegetation
MSES - High Ecological Significance Wetlands

More Information

- View Section 8.2.7 Natural Areas Overlay Code
- View Section 8.2.7 Natural Areas Overlay Compliance table



Selected Property | Property | MSES - Regulated Vegetation (Intersecting a Watercourse)

MSES - High Ecological Value Waters (Watercourse) | MSES - Wildlife Habitat | MSES - Regulated Vegetation

MSES - Protected Area | MSES - Marine Park | MSES - Legally Secured Offset Area

MSES - High Ecological Value Waters (Wetland) | MSES - High Ecological Significance Wetlands

Transport Road Hierarcy

Applicable Precinct or Area
Collector Road

More Information
- View Section 8.2.10 Transport Network Overlay Code
- View Section 8.2.10 Transport Network Overlay Compliance table



Selected Property

Property

Road Hierarchy

Access Road
Arterial Road
Collector Road
Industrial Road
Major Rural Road
Minor Rural Road
Sub Arterial Road
Unformed Road
all others

Major Transport Corridor Buffer Area

Disclaimer

This report is not a substitute for a Planning and Development Certificate and should not be relied upon where the reliance may result in loss, damage or injury. While every effort is taken to ensure the information in this report is accurate and up to date, Douglas Shire Council makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs that may occur as a result of the report being inaccurate or incomplete in any way or for any reason.