

Request to change an existing approval template

(Sustainable Planning Act 2009 version 1.1 effective March 2010)

This template may be used for giving a written notice asking the responsible entity to make a permissible change to a development approval under section 369 of the *Sustainable Planning Act 2009* (SPA). It should be noted that if the responsible entity for the request has a form for the request, the request must be made using that form.

This template must be lodged with the following entity (the responsible entity) as applicable:

- if the change is to a condition imposed by a Minister under chapter 6, part 11, division 1 of SPA the template must be lodged with the Minister that imposed the condition
- if the approval was given by a Minister under chapter 6, part 11, division 2 of SPA the template must be lodged with the Minister that gave the approval
- if the change is to a condition of the approval imposed by a concurrence agency the template must be lodged with the concurrence agency
- if the approval was given by the Planning and Environment Court the template must be lodged with the Planning and Environment Court
- in all other cases the template must be lodged with the assessment manager for the original development application.

Attach extra pages if there is insufficient space on this template. Terms used in this template having the meaning given in the *Sustainable Planning Act 2009*.

1. Who is making the request?

Name/s (individual or company name in full)

John Gubrilcor

For companies, contact name

Postal address

DOUGLAS SHIRE COUNCIL
Received
MCU198/2014
Document No.
- 8 AUG 2016
HFong ✓
Information

56 OWEN ST CRAIGIE

Contact phone number

0498 029 254

Mobile number (non-mandatory)

11 11

Fax number (non-mandatory)

e-mail address (non-mandatory)

JG.PPUMA @ GMAIL . Com .
@

2. What are the details of the existing approval sought to be changed?

Type of approval	Identification number	Date decision notice or negotiated decision notice issued	Name of entity that issued the approval or imposed the condition sought to be changed
<input checked="" type="checkbox"/> Development permit	MLV1 198/2014	26/8/2014	DOUGLAS COUNCIL
<input type="checkbox"/> Preliminary approval			

3. Is the approval for a mobile and temporary environmentally relevant activity (ERA)?

- ☒ No
- ☐ Yes—complete table A and then go to question 5

Table A—name of each local government area in which the mobile and temporary ERA is proposed to operate/ is operating

4. Location of the premises (complete table B and/or table C as applicable. Identify each lot in a separate row)

Table B—street address/lot for the premises or street address/lot on plan for the land adjoining or adjacent to the premises

- ☒ street address/lot on the plan
- ☐ street address/lot on plan for the land adjoining or adjacent to the premises (appropriate for development in water e.g. jetty, pontoon)

Street address				Lot on plan description		Local government area (e.g. Logan, Cairns)
Unit no.	Street no.	Street name and official suburb/ locality name	Post-code	Lot no.	Plan type and plan no.	
	1/5	DICKSON ST	4877	LOT 10	PP746523	DOUGLAS SHIRE

Table C—premises coordinates (appropriate for development in remote areas, over part of a lot or in water e.g. channel dredging in Moreton Bay)

Coordinates (note: place each set of coordinates in a separate row)				Zone reference	Datum	Local government area (if applicable)
Easting	Northing	Latitude	Longitude			
					<input type="checkbox"/> GDA94 <input type="checkbox"/> WGS84 <input type="checkbox"/> Other	

5. Details of the proposed change

FROM A GYMNASIUM TO A CHILDRENS INDOOR ENTERTAINMENT CENTRE & THE MARTIAL ARTS WILL MOVE TO AN ADJOINING UNIT

6. Is owner's consent required for this request? (refer to notes at the end of this form for more information)

- ☐ No
☒ Yes—complete either table D or table E as applicable

Table D

Name of owner of the land	PDM TIMBER PTY LTD
I, the above-mentioned owner of the land, consent to the making of this request.	
Signature of owner of the land	R.A. GOODSELL
Date	21/06/2016

Table E

Name of owner of the land	
<input type="checkbox"/> The owner's written consent is attached	

7. Does the request involve a state resource prescribed under the *Sustainable Planning Regulation 2009*, schedule 14? (e.g. the application involves state land, or taking quarry materials. Refer to the notes at the end of this form for more information)

- ☒ No ☐ Yes—the written agreement of the chief executive from whom evidence would need to be obtained under the *Sustainable Planning Act 2009*, section 254(1) must be attached.

8. Has a pre-request response notice been given for this request?

- ☒ No ☐ Yes—a copy of the pre-request response notice must be attached to this request

9. Is a copy of this request required to be given to another entity under section 372 of the *Sustainable Planning Act 2009*? (refer to notes at the end of this form for more information)

- ☒ No ☐ Yes—complete Table F

Table F

A copy of this request has been provided to the entities identified below (provide details for each entity given a copy of the request and the date the copy was given)

<input type="checkbox"/> Assessment manager for the original application	
<input type="checkbox"/> Concurrence agencies for the original application	
<input type="checkbox"/> Any other entity prescribed by a regulation	

10. Provide details of any other supporting information attached to this request

PLANS & STATEMENTS

Notes for completing this template

- This template is not an approved form under the *Sustainable Planning Act 2009*. The entity responsible for deciding the request may have their own form for the purpose of making a written request to change an existing development approval. A change to an existing development approval may involve:
 - a change to an approval given by the assessment manager
 - a change to a condition imposed by a concurrence agency
 - a change to an approval given by the Minister under a Ministerial call in
 - a change to a condition imposed by the Minister under a Ministerial direction
 - a change to an approval given by the Planning and Environment Court

Question 6:

- Under section 371 of the Sustainable Planning Act 2009, if the person making the request is not the owner of the land to which the approval relates, the request must be accompanied by the owner's consent.
- However, owner's consent is not required if the approval:
 - relates to land that was acquisition land to which section 263(2)(d) of the Sustainable Planning Act 2009 applied when the application for the approval was made
 - is for building work or operational work for the supply of community infrastructure on land designated for the community infrastructure, or
 - the consent of the owner would not be required under section 263(1) of the Sustainable Planning Act 2009 if a development application were made for the requested change
- Also, owners' consent is not required if the responsible entity is satisfied that:
 - the number of owners of the land make it impracticable to obtain owners' consent, and the requested change does not materially affect the owners' land, or
 - having regard to the nature of the proposed change, the owner has unreasonably withheld consent and the requested change does not materially affect the owner's land.

Question 7:

- Section 370(3) and (4) of the Sustainable Planning Act 2009 requires that if an application for the development approval were made at the time of making this request and evidence under section 264(1) of the Sustainable Planning Act 2009 would be required to support the application, this request must be accompanied by the written agreement of the chief executive from whom evidence would be required under section 264(1). (Section 264 of the Sustainable Planning Act 2009 provides that if a development involves a State resource, a regulation may require the application to be supported by certain evidence prescribed under the regulation. Schedule 14 of the Sustainable Planning Regulation 2009 prescribes the State resources for which evidence is required to be given, and the evidence required, to support the application.)

Question 9:

- Section 372 of the Sustainable Planning Act 2009 requires that a copy of the request be given to:
 - the assessment manager for the original application, if the request is made to a concurrence agency, the Minister, or the court
 - any concurrence agencies for the original application, if the request is made to the assessment manager for the original application, the Minister or the court
 - any other entity prescribed by a regulation.
- However, a copy of the request is not required to be given to an entity that has given a pre-request response notice for the request.

OFFICE USE ONLY

Date received		Reference numbers	
---------------	--	-------------------	--

Georgia Graham

From: John Guerillot <jg.pdmma@gmail.com>
Sent: Monday, 8 August 2016 3:08 PM
To: Enquiries
Subject: Seeking partial refund of fees for request to change an existing approval # 40.2014.198.1

To whom it may concern,

I am seeking partial refund of fees for request to change an existing approval Ref# 40.2014.198.1

The reasons I am seeking a partial refund of fees are because I am only changing an existing template from gymnasium to indoor sports & entertainment.

Also this business is providing a service to the community, as currently there is not much on offer to parents where they can meet with their babies & toddlers so they can all play safely out of the weather & not disrupt patrons of other venues & not have to travel to Cairns to do so.

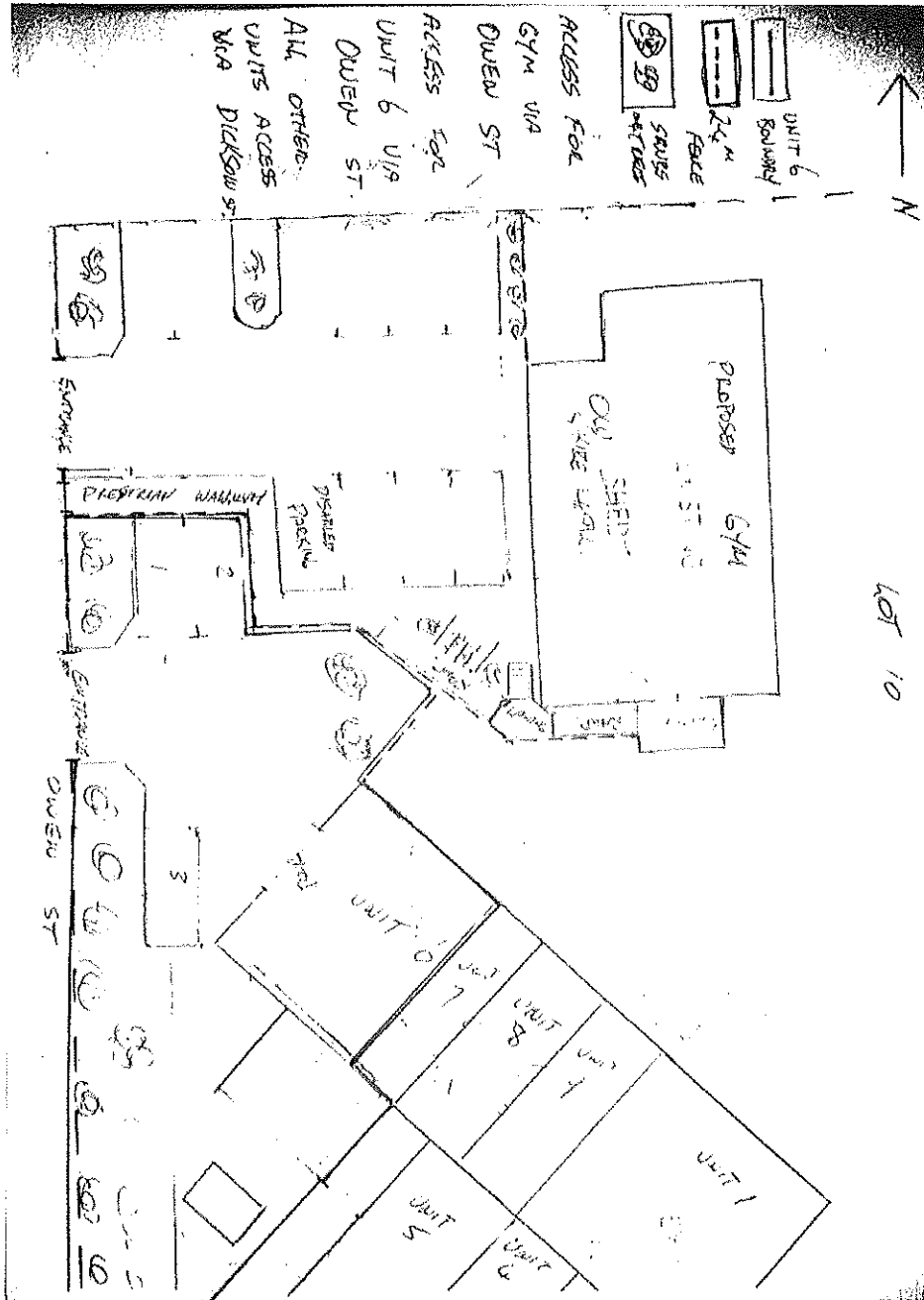
As well, the landlord of the property has been making it quite difficult to get this business up & running despite signing a lease causing some extra expenditure that hasn't been budgeted for.

Thanking you for your consideration of this matter.

Regards

John Guerillot

Sent from my iPad



1.1 INTRODUCTORY INFORMATION

PD Little Ninjas is going to be an Indoor Entertainment Centre for newborn to 6 year old & their parents.

The local parents can come & meet up with their friends & their children's friends to have coffee & cake while their kids play on the modules all in air conditioned comfort.

There will be two play areas to start with. One is for babies & the other is for the older children. The modules are manufactured by a NSW company ' Playtec ' to strict Australian standards. This company provides excellent aft sales service. The children's play area is fenced off with balustrading from the cafe area & both play areas are separated from each other.

The stage area is separate & also fenced off. Up there there will be a quiet play area with various activities including a magnetic play board, chalkboard & a selection of books. There will be comfortable seating so parents can supervise their children.

For hygiene reasons all children must wear socks.

The interior will be monitored with surveillance cameras for safety & insurance purposes.

The cafe will sell coffee, tea & prepackaged food & beverages. Robert Timms will supply the coffee machine along with cups & saucers on the proviso we use their coffee exclusively.

The toilet caters for disabled customers. There is a nappy change table provided that meets Australian Standards. Statewide Pty Ltd are the sanitary waste disposal company we will use to dispose of the sanitary waste. At first they will come every 4 weeks.

The entrance to the car park is in a quiet cul de sac, maximising safety to our customers. There is a disables car park space & a ramp. The ramp will be useful to those parents who have prams.

I envisage this being a most successful business as there is an absolute need for a centre of this nature in the Douglas Community.

Sent from my iPad

Children's indoor entertainment centre Pre lodgement inquiry

I currently have a permit to operate a Martial Arts School on the premises at 1-5 Dickson st Craiglie which has a land use permit for Sports & Entertainment (Gymnasium). At this stage over \$60 000 has been spent on development of this building (the old shire hall from Macrossan st) & surrounds to bring it up to the standards required by the Douglas Shire Council.

I wish to open a Children's Indoor Entertainment Centre where parents can come & have a coffee while their young children can play safely on modules in designated areas. There will also be pre-packaged snacks, cakes & drinks available.

The play modules are designed & made in NSW by Playtec using the best quality materials to Australian safety standards.

The hall will be air-conditioned providing a comfortable atmosphere all year round especially during the hot & steamy months of the monsoon. The centre will be open 7 days a week, from 9am - 5pm. The baby play module will be sectioned off from the other play area. It is designed to allow parents to sit on the edge & be with their babies in their play area. A quiet private area will be set aside for mothers who wish to feed their babies.

The Douglas Shire is in desperate need of this business I wish to open. Currently if parents wish to socialise with their little ones they congregate at a cafe (with their kids annoying the other patrons) or travel to Cairns which is a bit of an ordeal with young children & something most don't do on a regular basis!

There is the stress if travelling on the Captain Cook Highway in a small car full of children (add extra stress if it's raining!), not to mention the cost of extra fuel as well as wear & tear on the vehicle. Plus the extra travelling time taken out of your day & you'd better hope there are no accidents or it could be hours before you're home. Then the money spent doesn't go back into the Douglas Community.

When this business opens it will cater also to tourists who have young family members & day trippers who will want to stop somewhere to let their kids out of the car for a play, before continuing on with their journey & this place is ideally situated for that at Craiglie.

We will be able to employ a couple of local people in the future who will have their blue card & completed a first aid course.

After doing research I believe this is the best location in the Douglas Shire to have this business for many reasons. The land use permit is already in place. The carpark provided is for the exclusive use of the Centre's patrons. The entrance to the carpark comes off Owen st which is a cul-de-sac with no through traffic thereby enhancing safety. The Carpark will be well lit.

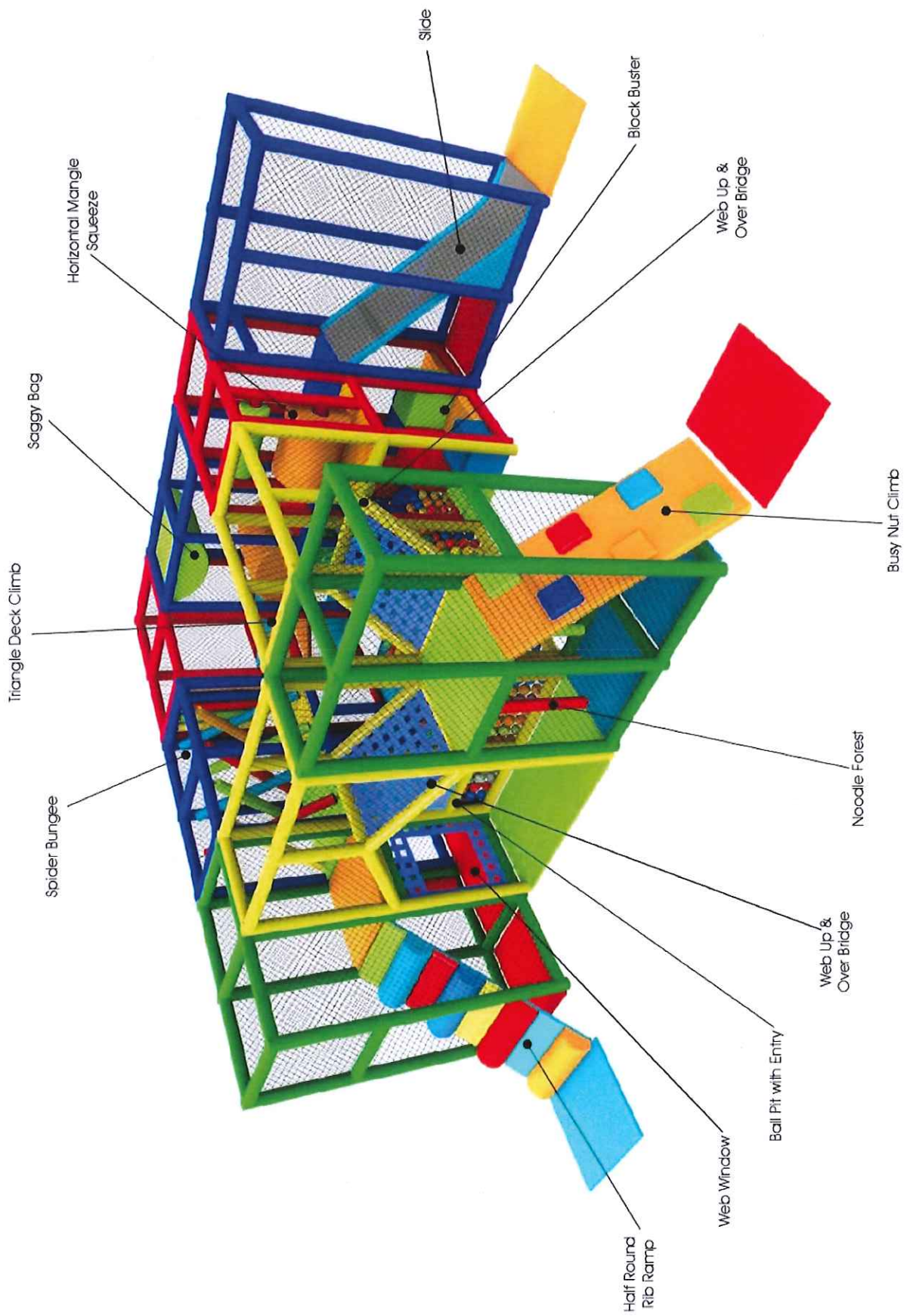
Directly across the road is the Petit Early Learning Journey, a child care centre catering for 88 children.

At this location there is room for expansion.

Internally there is room to add another module if necessary.

Externally the carpark can be added to.

The old shire hall building offers a relaxed, homely atmosphere with it's high 4 metre ceiling & hardwood timber floor. It is already set up for disabled users with a disabled carpark space, ramp & toilet. The toilet is also a unisex toilet with a nappy change table & sanitary disposal unit which will



Cairns Mixed Martial Arts - Proposal 1

Perspective View



© Playtec Pty Ltd

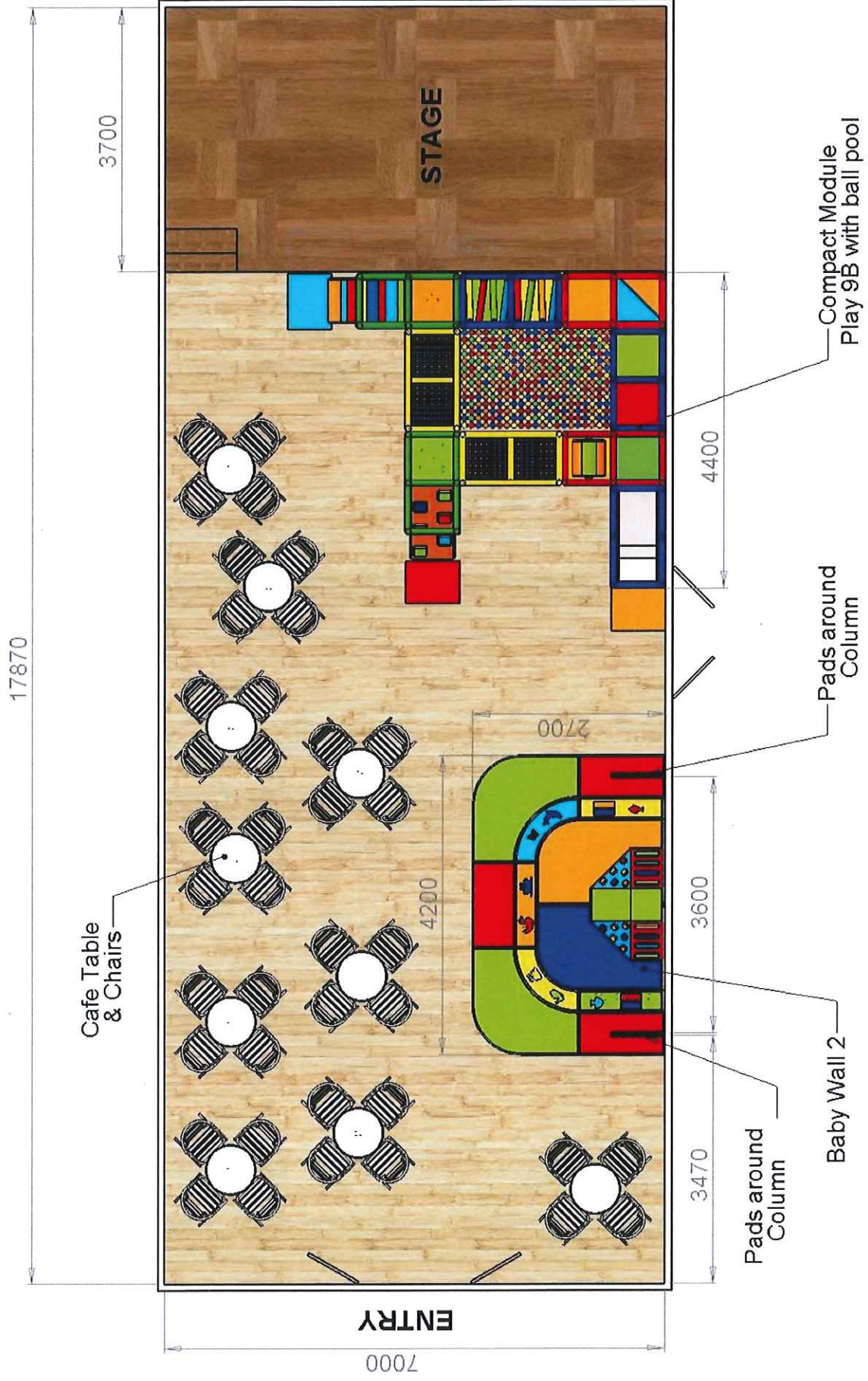
Made in Australia



Perspective View
© Playtec Pty Ltd
Made in Australia

Cairns Mixed Martial Arts - Proposal 1

STAGE TO BE



(Columns Will Be Removed)

View 5 previous replies...



Michelle Kreyts

You can ring them to double check but am sure it was before Xmas



Amee Holder

Yep it closed on the 23rd Dec I think it was.



Write a reply...



Chris Tiquis

I know theres one at smithfield beside toyotapacific

Yesterday at 2:38 PM · Like · 📢 1 · Reply



Molly Cook

Geckos at Smithfield or monkey business in cairns 🐸

Yesterday at 2:47 PM · Like · Reply



Lana Gardner

John Guerillot

Yesterday at 11:17 PM · Like · Reply



Lana Gardner

Monkey business is pretty cool. But yes long drive x

Yesterday at 11:17 PM · Like · Reply



Kim Neele

Gekko's in smithfield is closing down after tomorrow! So monkey business would be your only option after that!

3 hours ago · Like · Reply



John Guerillot

Should be one in the shire shortly

5 hours ago · Like · Reply



Amee Holder

Is one going to open up here? That would be awesome!



Write a reply...



Tee Ketu

The water park at Mowbray

5 hours ago · Like · Reply



Danni Faye

Muddy's playground at the Esplanade is really fun too, at no cost. :)

3 hours ago · Like · Reply



Write a comment...



2 days

Louise Cawkwell
PO Box 386
PORT DOUGLAS
4877

Casamia68@gmail.com

0427 689282

14TH December 2015

DOUGLAS SHIRE COUNCIL

TO WHOM IT MAY CONCERN

I write to express my great interest on the much awaited "childrens recreational area" proposed for Craiglie, Port Douglas.

As a mother of 2 small Boys hanging out in the wet Season! I, along with every other mother in Port Douglas make the journey to Smithfield to visit "Ceko's" which is also a kids recreational Centre.

But its in "Smithfield"! If there were to be a similar Centre in Port Douglas I would envisage it to be the busiest and most successful Business in the area.

Sincerely


L. E. CAWKWELL