

Our reference: 1710-2156 SRA
Your reference: CA2275/2017

12 January 2018

Chief Executive Officer
Douglas Shire Council
PO Box 723
Mossman Qld 4873
enquiries@douglas.qld.gov.au

Attention: Jenny Elphinstone

Dear Sir/Madam

Referral agency response—with conditions

(Given under section 56 of the *Planning Act 2016*)

The development application described below was properly referred to the Department of State Development, Manufacturing, Infrastructure and Planning on 23 October 2017.

Applicant details

| | |
|----------------------------|--|
| Applicant name: | W & L Petrie c/- Planz Town Planning Pty Ltd |
| Applicant contact details: | PO Box 181 Edge Hill QLD 4870 info@planztp.com |

Location details

| | |
|----------------------------|---|
| Street address: | 49 Macrossan Street (Port Douglas Road), Port Douglas |
| Real property description: | Lot 410 on PTD2091 |
| Local government area: | Douglas Shire Council |

Application details

| | |
|--------------------|---|
| Development permit | Material change of use for shopping facilities, restaurant, multi-unit housing and holiday accommodation. |
|--------------------|---|

Referral triggers

The development application was referred to the department under the following provisions of the Planning Regulation 2017:

- 10.9.4.2.4.1 State transport corridors and future State transport corridors

Conditions

Under section 56(1)(b)(i) of the *Planning Act 2016* (the Act), the conditions set out in Attachment 1 must be attached to any development approval.

Reasons for decision to impose conditions

The department must provide reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

Advice to the assessment manager

Under section 56(3) of the Act, the department offers advice about the application to the assessment manager—see Attachment 3.

Approved plans and specifications

The department requires that the plans and specifications set out below and enclosed must be attached to any development approval.

| Drawing/report title | Prepared by | Date | Reference no. | Version/issue |
|--|---|-----------------|-----------------------|---------------|
| Aspect of development: Material change of use | | | | |
| Floor Plans | TPG Architects | December 2017 | DA-100H | |
| Vehicle Swept Paths | C.M.G Consulting Engineers Pty Ltd | 4 December 2017 | Sheet 1 of 2 | |
| TMR Layout Plan (6504-5.46km) | Queensland Government, Transport and main Roads | 08/01/2018 | TMR17-22871(500-1184) | A |

A copy of this response has been sent to the applicant for their information.

For further information please contact Belinda Jones, Senior Planning Officer, on 40373239 or via email CairnsSARA@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Brett Nancarrow
Manager (Planning)

cc W & L Petrie c/- Planz Town Planning Pty Ltd, info@planztp.com

enc Attachment 1—Conditions to be imposed
Attachment 2—Reasons for decision to impose conditions
Attachment 3—Advice to the assessment manager
Approved plans and specifications

Attachment 1—Conditions to be imposed

| No. | Conditions | Condition timing |
|---|---|--|
| Material Change of Use | | |
| 10.9.4.2.4.1 State transport infrastructure—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s): | | |
| 1. | <p>The car parking and access arrangements must be carried out generally in accordance with the following plans:</p> <ul style="list-style-type: none"> • Floor Plans prepared by TPG Architects, dated December 2017, Reference DA-100H. • Vehicle Swept Paths, prepared by C.M.G Consulting Engineers Pty Ltd, dated 4 December 2017, sheet 1 of 2. | Prior to the commencement of use and to be maintained at all times |
| 2. | <p>(a) The road access location is to be located generally in accordance with TMR Layout Plan (6504-5.49km), prepared by Queensland Government Transport and Main Roads, Reference TMR17-22871(500-1184), dated 08/01/2018, issue A,</p> <p>(b) Road access works comprising a Commercial/Industrial Vehicle Crossing must be designed and constructed in accordance with FNQROC Standard Drawing S1015.</p> | (a) At all times (b) Prior to commencement of use |
| 3. | <p>(a) The existing vehicle property access located between Macrossan Street and Lot 410 on PTD2091 must be permanently closed and removed.</p> <p>(b) The kerb and channel, table drain and concrete footpath must be reinstated in accordance with FNQROC standards.</p> | Prior to commencement of use |
| 4. | <p>The location of the property gate must be positioned wholly within the boundaries of Lot 410 on PTD2091 such that:</p> <ol style="list-style-type: none"> i. No other gate infrastructure is to encroach into the state-controlled road corridor, ii. The gate must open away from, or parallel to, Macrossan Street, iii. It is controlled remotely, and iv. There is no requirement for traffic to queue on Macrossan Street. | At all times |
| 5. | <p>(a) Stormwater management of the development must ensure no worsening or actionable nuisance to the state-controlled road.</p> <p>(b) Any works on the land must not:</p> <ol style="list-style-type: none"> i. create any new discharge points for stormwater runoff onto the state-controlled road; ii. interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road; iii. surcharge any existing culvert or drain on the state-controlled road; iv. reduce the quality of stormwater discharge onto state-controlled road. | (a) and (b) At all times |
| 6. | Any excavation, filling/backfilling/compaction, retaining structures and other works involving ground disturbance must not encroach or de-stabilise the state-controlled road or the land supporting this infrastructure, or cause similar adverse impacts. | At all times |

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- To ensure that the development is carried out generally in accordance with the plans of development submitted with the application.
- To ensure the road access location to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road.
- To ensure the design of any road access maintains the safety and efficiency of the state-controlled road.
- To maintain the safety and efficiency of the state-controlled road by reducing the number of road accesses.
- To ensure that the impacts of stormwater events associated with development are minimised and managed to avoid creating any adverse impacts on the state-controlled road.
- To ensure the development and its construction does not cause adverse structural impacts on state-transport infrastructure.

Attachment 3—Advice to the assessment manager

| | |
|---|---|
| General advice | |
| Advertising advice | |
| 1. | <p>A local government should obtain advice from the Department of Transport and Main Roads (DTMR) if it intends to approve the erection, alteration or operation of an advertising sign or another advertising device that would be visible from a state-controlled road, and beyond the boundaries of the state-controlled road, and reasonably likely to create a traffic hazard for the state-controlled road.</p> <p>Note: DTMR has powers under section 139 of the Transport Operations (Road Use Management - Accreditation and Other Provisions) Regulation 2015 to require removal or modification of an advertising sign and/or a device which is deemed that it creates a danger to traffic.</p> |
| Transport noise corridor | |
| 2. | <p>Mandatory Part (MP) 4.4 of the Queensland Development Code (QDC) commenced on 1 September 2010 and applies to building work for the construction or renovation of a residential building in a designated transport noise corridor. MP4.4 seeks to ensure that the habitable rooms of Class 1, 2, 3 and 4 buildings located in a transport noise corridor are designed and constructed to reduce transport noise. Transport noise corridor means land designated under Chapter 8B of the Building Act 1975 as a transport noise corridor. Information about transport noise corridors is available at state and local government offices. A free online search tool can be used to find out whether a property is located in a designated transport noise corridor. This tool is available at the Department of Local Government and Planning website: http://www.dilgp.qld.gov.au/planning/state-planning-instruments/spp-interactive-mapping-system.html and allows searches on a registered lot number and/or property address to determine whether and how the QDC applies to the land. Transport Noise Corridors (NAPMAP) are located under Administrative Layers within the State Planning Policy (SPP) mapping system.</p> |
| Further development permits required | |
| Road works approval | |
| 3. | <p>In accordance with section 33 of the Transport Infrastructure Act 1994 (TIA), an applicant must obtain written approval from Department of Transport and Main Roads (DTMR) to carry out road works, including road access works on a state-controlled road. Please contact DTMR on 4045 7144 to make an application under section 33 of the TIA to carry out road works. This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). The road works approval process takes time – please contact Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.</p> |
| Road corridor permit | |
| 4. | <p>An application for a Road Corridor Permit is required for any ancillary works and encroachments on the state-controlled road under section 50(2) and Schedule 6 of the Transport Infrastructure Act 1994 and Part 5 and Schedule 1 of the Transport Infrastructure (State-Controlled Roads) Regulation 2006. Please contact the Department of Transport and Main Roads on 4045 7144 at the Cairns district office to make an application for a Road Corridor Permit.</p> <p>Ancillary works and encroachments include but are not limited to advertising signs or other advertising devices, paths or bikeways, buildings/shelters, vegetation clearing, landscaping and planting.</p> |



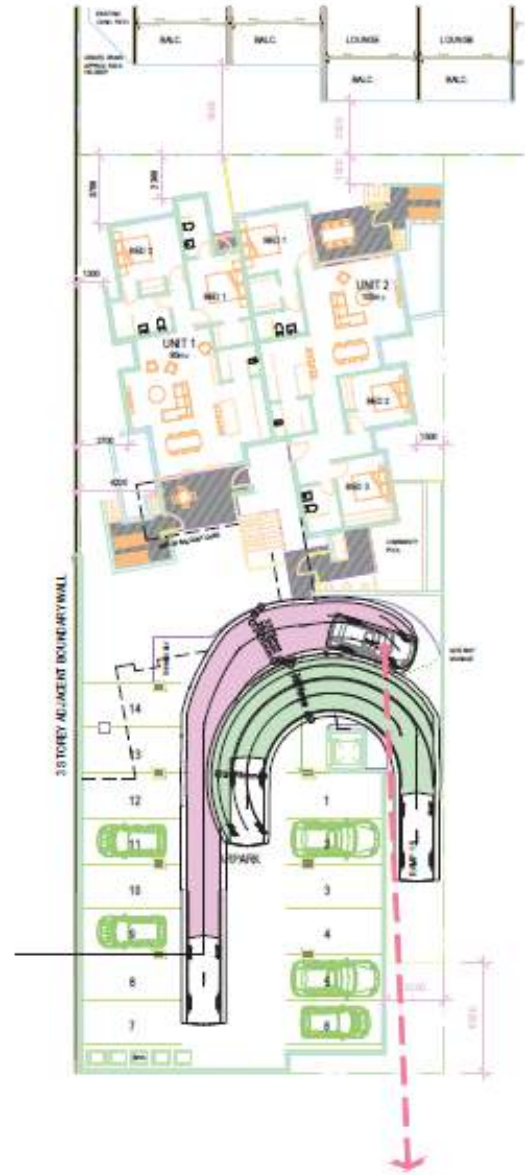
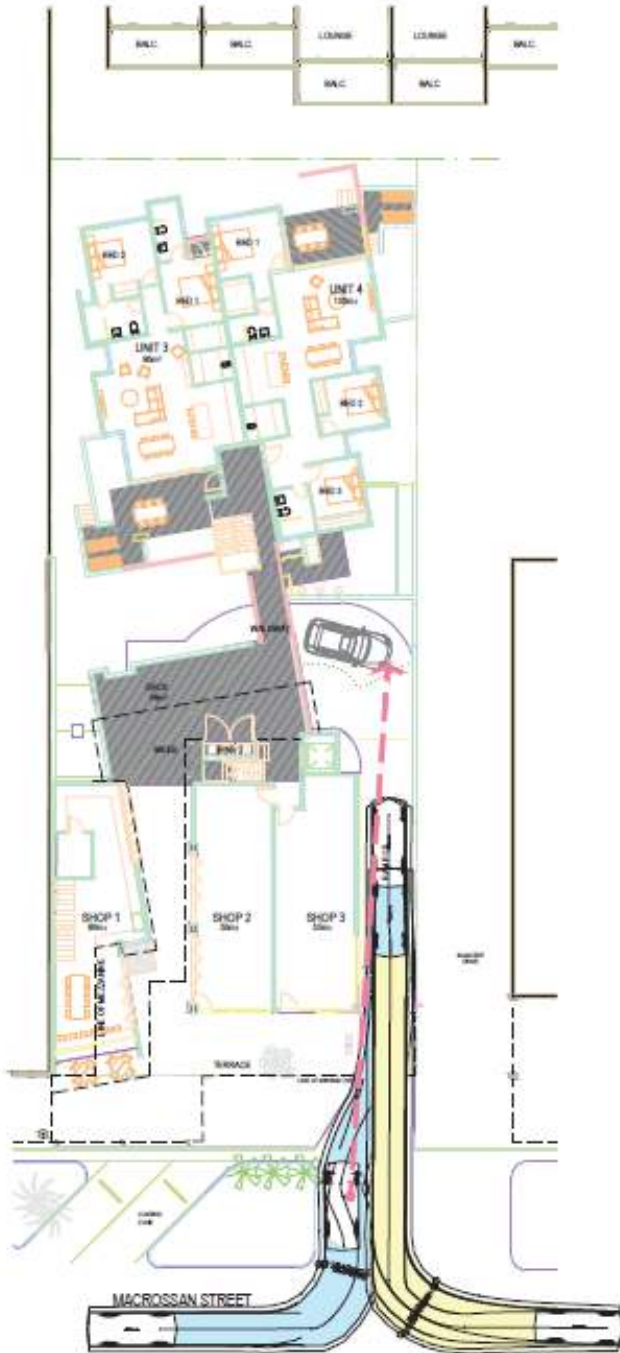
PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 1710-2156 SRA

Date: 12 January 2018




49 Macrossan Street



PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE

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C.M.G. CONSULTING ENGINEERS PTY. LTD.
STRUCTURAL AND CIVIL

208 Buchan Street
CARRNS, 4870.
Phone: (07) 4031 2775

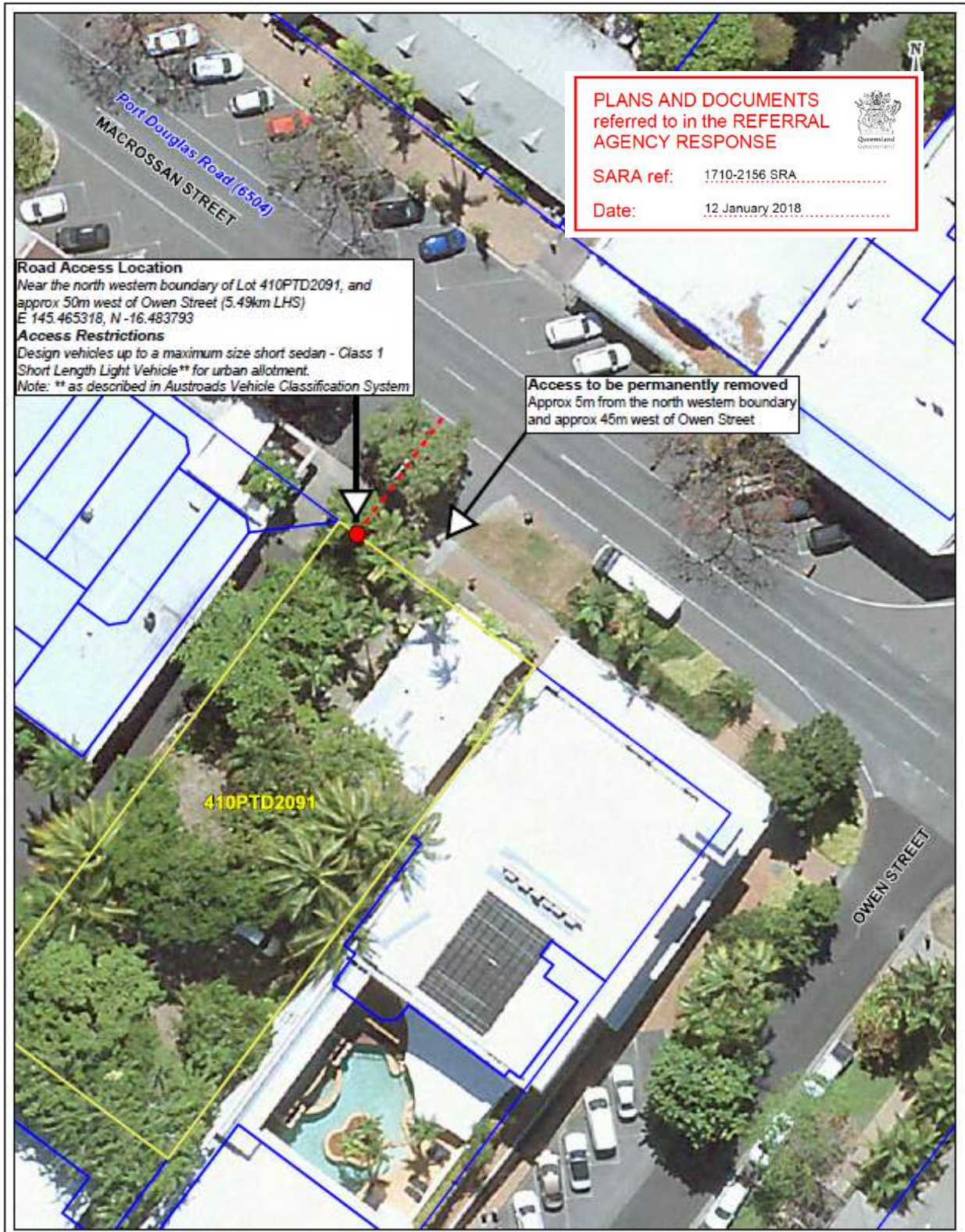
P.O. Box 3901
Centre Mail Centre
Fax: (07) 4051 9013

Vehicle Swept Paths

Sheet 1 of 2

4 DEC 2017

G:\CAID\PLAN\Road Corridor Permits\ACCESS\6504\500-1184 TMR17-22871 Petrie (49 Macrossan St 5.49km)\Drawings (Recd TMR 19-12-17)



PLANS AND DOCUMENTS
referred to in the REFERRAL
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Road Access Location
Near the north western boundary of Lot 410PTD2091, and
approx 50m west of Owen Street (5.49km LHS)
E 145.465318, N -16.483793

Access Restrictions
Design vehicles up to a maximum size short sedan - Class 1
Short Length Light Vehicle** for urban allotment.
Note: ** as described in Austroads Vehicle Classification System

Access to be permanently removed
Approx 5m from the north western boundary
and approx 45m west of Owen Street

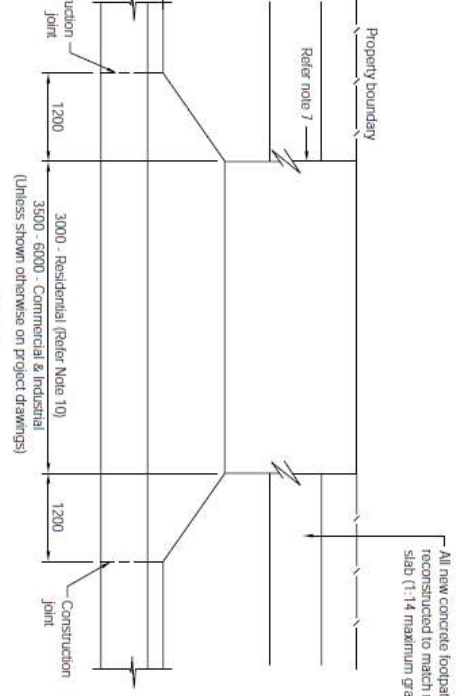
410PTD2091

| | |
|---|--|
| Branch/Unit: Corridor Management/Far North Region | |
| Projection/Datum: | Geocentric Datum of Australia (GDA) 1994 |
| | PROPERTY BOUNDARY |
| | SUBJECT LAND |
| | ROAD ACCESS DRIVEWAY |

**TMR Layout Plan
(6504 - 5.49km)**

| | | | | | |
|---|-------|-----------|------------------------|-------|------------|
| Queensland Government Transport and Main Roads | | | | | |
| Plan No: | 1 / 1 | Issue: | A | Date: | 28/01/2018 |
| Drawn by: | RPK | File ref: | TMR17-22871 (500-1184) | | |

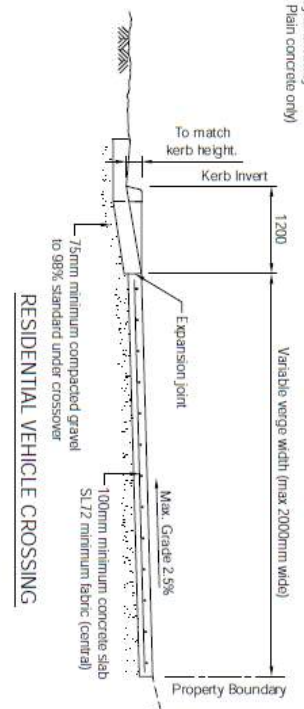
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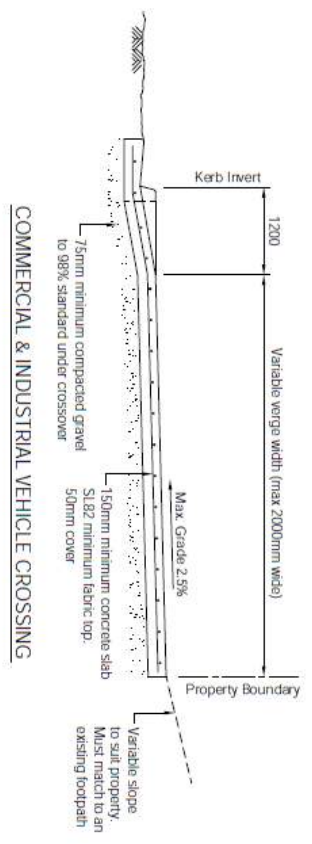
PLAN

NOTES

1. All joints to existing kerbs shall be sawcut prior to breaking out concrete for removal. Entire section of kerb to be removed.
2. Concrete is to be N25 min residential, N32 min, Commercial/Industrial in accordance with AS131379 and ACS3600.
3. All concrete to be broom finished.
4. Where a concrete footpath abuts a crossing an expansion joint shall be installed.
5. Expansion joints to be 10mm thick, closed coil cross linked polyethylene foam (85-150kg/m), 12mm round galvanised dowels @ 600 CRTS
6. Depths of concrete and reinforcing steel shown are minimum requirements for good foundations and average traffic loadings. Where this does not apply, depths of concrete and reinforcing steel shall be increased to suit specific conditions.
7. Where an existing footpath is present it is to be sawcut and an expansion joint provided. 12mm round galvanised dowels @ 600 CRTS
8. Subgrade to be compacted to 95% standard.
9. All dimensions are in millimetres.
10. Residential refers to single dwelling or duplex. All other crossings as per commercial/Industrial details.
11. Where new sections of footpath are required, these shall be 2000mm wide and constructed in accordance with standard drawing S1035.
12. For Cook Shire Council, fibre can be used in lieu of reinforcement fabric.



RESIDENTIAL VEHICLE CROSSING



COMMERCIAL & INDUSTRIAL VEHICLE CROSSING

Department of Transport and Main Roads note:
 Site specific requirements may not reflect this example in its entirety. Drawing details must reflect site specific conditions for Road Works / Road Access Works.

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| REVISIONS | <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td>1</td> <td>12/03/04</td> <td>DATE</td> </tr> </table> | NO. | DATE | DESCRIPTION | 1 | 12/03/04 | DATE |
| NO. | DATE | DESCRIPTION | | | | | |
| 1 | 12/03/04 | DATE | | | | | |
| MAJOR AMENDMENTS | 26/11/14 | | | | | | |
| DATE TO ADDED | 13/07/06 | | | | | | |
| ORIGINAL ISSUE | 12/03/04 | | | | | | |



ACCESS CROSSOVERS

| | | |
|------------------|-------|---|
| Standard Drawing | S1015 | |
| A | B | C |

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