

**Our Ref:** 14-20/L000506  
**Council Ref:** ROL 617/2015 SEDA (763534)  
**Date:** 22 January 2016

Attn: Neil Beck  
Chief Executive Officer  
Douglas Shire Council  
PO Box 723  
MOSSMAN QLD 4873

**VIA: Smart eDA/EMAIL: n.beck@douglas.qld.gov.au**

Dear Sir

**RE: REQUEST FOR SUSPENSION OF APPLICANT'S APPEAL PERIOD REGARDING PRELIMINARY APPROVAL TO OVERRIDE THE PLANNING SCHEME FOR USE RIGHTS ASSOCIATED WITH THE RESIDENTIAL 1 PLANNING AREA AND RECONFIGURING A LOT (1 INTO 19), OVER LAND AT 46-62 FRONT STREET, MOSSMAN, MORE PARTICULARLY DESCRIBED AS LOT 12 ON SP252360**

We confirm that Planning Plus act on behalf of NV & JS Pty Ltd ('the Applicant') in relation to the above-described matter.

We refer to Council's Decision Notice dated 18 December 2015 and received by our office on 22 December 2015 (refer to **Annexure 1**) in relation to the subject Development Application and hereby request to suspend the Applicant's appeal period in accordance with Section 366 of the *Sustainable Planning Act 2009* (SPA), to provide the Applicant with further time to make representations to you regarding a request for a Negotiated Decision Notice.

Written representations will be provided to Douglas Shire Council for further consideration in due course.

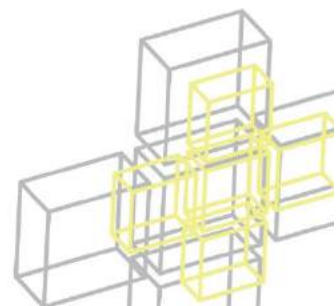
We trust this information is sufficient for your purposes; however should you require any further information or clarification, please do not hesitate to contact the undersigned.

Yours sincerely



**Claire Simmons**  
**Planner**  
**Planning Plus**

Encl. **Annexure 1:** Decision Notice dated 18 December 2015



# Annexure 1

Decision Notice dated 18 December 2015

**YOUR REF:** 14-20/R000112  
**OUR REF:** ROL 617/2015 SEDA (763534)

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

18 December 2015

NV & JS Pty Ltd  
C/- Planning Plus Pty Ltd  
PO Box 8046  
**CAIRNS QLD 4870**

Attention: Ms Claire Simmons

Dear Madam

**DECISION NOTICE UNDER S 335 SUSTAINABLE PLANNING ACT 2009:  
DEVELOPMENT APPLICATION FOR  
46-62 FRONT STREET (12 CRAWFORD STREET), MOSSMAN**

With reference to the abovementioned Development Application, which was determined by Council at the Ordinary Meeting held on 16 December 2015, 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 section 648F of the *Sustainable Planning Act 2009*.

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

  
Paul Hoyer  
General Manager Operations

Att

**APPLICANT DETAILS**

NV & JS Pty Ltd  
C/- Planning Plus Pty Ltd  
PO Box 8046  
CAIRNS QLD 4870

**ADDRESS**

46-62 Front Street (12 Crawford Street), Mossman

**REAL PROPERTY DESCRIPTION**

Lot 12 on SP252360

**PROPOSAL**

Preliminary Approval to Override the Planning Scheme and Reconfiguring a Lot (1 Lot into 19 Lots)

**DECISION**

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

**DECISION DATE**

16 December 2015

**TYPE**

Preliminary Approval to Override the Planning Scheme

Reconfiguration of a Lot (Development Permit)

**REFERRAL AGENCIES**

None Applicable

**SUBMISSIONS**

There were no submissions for this application.

**FURTHER DEVELOPMENT PERMITS REQUIRED**

Development Permit for Operational Works

**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
Proposed Layout Plan	PR124232-4 Issue D	14 July 2015

**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; and
  - 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 the issue of a Compliance Certificate for the Plan of Survey, except where specified otherwise in these conditions of approval.

**Street Layout and Design**

3. The street layout and design is to be generally in accordance with RPS Drawing No PR124232-4 Issue D dated 14 July 2015 subject to any amendments to comply with the conditions and to comply with Queensland Streets and the FNQROC Development Manual, to the satisfaction of the Chief Executive Officer. In particular:
  - The street name of 'Crawford Street' will apply to the proposed new road entering the development. The Applicant may propose a name for the section of road providing access to Lot 5 through to Lot 9;
  - The road reserve widths are to be generally in accordance with RPS drawing PR124232-4 Revision D dated 14 July 2015. The road carriageway within the reserve is to be a minimum width of 7.5 m for all sections of the road. The Eastern Road verge in front of Lots 5 to 9 is to be maintained at 4.5 m minimum with a minor reduction permitted to the verge on the Park Side;
  - Suitably constructed and sealed access to the sewer pump station to allow vehicles to access the wet well for maintenance purposes;
  - Drainage calculations to demonstrate that the piped stormwater solution and overland flow paths are compliant with the Queensland Urban Drainage Manual for event flows up to and including the 100 year ARI rainfall event (1%AEP).

An amended plan incorporating the above requirements must be submitted 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 the issue of a Compliance Certificate for the Plan of Survey.

### **Water Supply & Sewer**

4. An updated water supply and sewerage 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 sewer or water networks;
  - b. Identify any trunk infrastructure external to the subdivision that may require upgrading to accommodate the development; and
  - c. The applicant is to provide a network model for the water supply system operation demonstrating acceptable minimum and maximum pressures are achieved under the conditions nominated in the FNQROC Development Manual. Council may accept alternative supporting information in lieu of a network model subject to such supporting information demonstrating acceptable system operation.

At a minimum this must include a hydrant flow and pressure test with pressures recorded at a minimum of two adjacent hydrants to demonstrate impact on the system for flows up to and including peak hour plus fire fighting flows. Suitable documentation and evidence of such tests must be endorsed by the Registered Professional Engineer of Queensland (RPEQ) design engineer prior to achieving operational works approval.

The water supply and sewerage infrastructure plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

### **Water Supply & Sewerage Works Internal**

5. Undertake the following water supply and sewerage works internal to the subject land:
  - a. Provide a single internal sewer connection to each lot in accordance with the FNQROC Development Manual;
  - b. Provide ability for water connection to each lot in accordance with the FNQROC Development Manual;

All the above works must be designed and constructed in accordance with the FNQROC Development Manual.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to the issue of a Compliance Certificate for the Plan of Survey.

### **Earthworks & Sewer Control Plan**

6. Provide a plan of the proposed site earthworks and finished surface design contours which address the following requirements:
  - a. Filling of the lots to achieve flood immunity. The earthworks plan is to nominate fill levels, batter slopes and the interface to existing surface levels for lots proposed to be filled;
  - b. Detail the extent and location of proposed filling to take place on proposed Lots 1, 6, 7, 9, 11 & 12;
  - c. Filling must be contained to each allotment with the toe of fill batters within property boundaries;
  - d. The area of lots to be controlled by sewer must be clearly identified and be of sufficient area to accommodate a residence;
  - e. Consideration to be given to the relocation of the sewer to the front of Lots 1 to 3 subject to sewer lot controls being satisfactory.

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 plans during the Operational Works stage.

### **Building Envelope Plan**

7. Dependent upon the sewer design and extent of fill, provide a plan nominating building envelopes for buildings on those lots to which the siting of buildings may be restricted.

The Building Envelope Plan must be submitted to Council at the time of seeking a Development Permit for Operational Works.

The applicant / owner must also ensure that the endorsed building envelope plans are made known to all prospective purchasers of the lots.

### **Sewage Pump Station**

8. The applicant is to provide detailed design plans for the Pump Station. The plans are to nominate all operating levels for the pump station as per the FNQROC Development Manual.

Supporting information for the pump station is to be provided at the time of seeking operational works approval and must include at a minimum:

- a. Emergency storage capacity and duration;
- b. Emergency overflow operation;

- c. Freeboard achieved to each lot in the event of system overflow;
- d. RPEQ Certification.

The switchboard and pump station design including pump selection is to be provided to Council for approval prior to obtaining operational works approval. Council may nominate a preferred pump supplier and switchboard configuration to ensure consistency of infrastructure across Council's network.

The applicant is to provide a commissioning plan for the sewage pump station.

### **Local Drainage Study**

- 9. Undertake a local drainage study of the site to determine the drainage impacts on upstream and downstream properties and the mitigation measures required to minimise such impacts. In particular, the study must address the following:
  - 1. The contributing catchment boundaries;
  - 2. The extent of the 100 year ARI flood event in relation to the site both pre and post development;
  - 3. Primary and secondary flow paths for the 5, 10 and 100 year ARI rainfall (1%AEP) events;
  - 4. Identify any requirement for drainage easements;
  - 5. Identify the need and tenure for flood detention areas to ensure a no worsening impact on downstream properties for the development;
  - 6. Information on the proposed works and any impacts proposed at the drainage outlet from the proposed development. Specific information on the pipe outlet and erosion protection in addition to the overland flow path outlet and its erosion protection measures is to be provided;
  - g. Supporting calculations must include specific advice on the western catchment run off and how this is conveyed through the site to the creek. The calculations must show how the minor rainfall event is conveyed underground and must include calculations on the overland flow for the major event. Information on the pit entry capacity, blockage factors, pit losses are to be included for the minor event. A severe impact assessment is required to demonstrate safe conveyance of flows in the event of complete inlet blockage;
  - h. Advice on storm water drainage and flooding is to be provided for lots 6, 7, 9, 11 and 12. Where lots are proposed to be filled to achieve the required immunity, and earthworks plan is to be provided demonstrating fill levels, batter slopes and the interface to existing surface levels;
  - i. Lawful point of discharge.



The study must be to the satisfaction of the Chief Executive Officer prior to issue of a Development Permit for Operational Works.

**Plan of Drainage Works**

10. The subject land must be drained to the satisfaction of the Chief Executive Officer. This includes provision of the following:
  - a. Drainage infrastructure generally in accordance with the concepts shown as Option 2 on RPS Drawing No PR124232-4 Issue D. Calculations of the sub-catchment discharge and the flow width and depth in roadside drains and easements must be provided prior to the issue of a Development Permit for Operational Works. The calculations must demonstrate that the flows are fully contained in the drainage paths and do not enter private property except where easements exist;
  - b. 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 ninety-five 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.
  - c. All new allotments shall have immunity from flooding associated with an ARI 100 year rainfall event;
  - d. Where practical, all new allotments must be drained to the road frontages, drainage easements or drainage reserves and discharged to the existing drainage system via storm water quality device(s); and
  - e. Detail the outlet into Parker Creek and erosion and scour protection measures to be installed to the satisfaction of the Chief Executive Officer.

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**

11. 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.

### **Lawful Point of Discharge**

12. 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.

### **Landscape Plan**

13. Undertake landscaping of the site and street frontages of new roads in accordance with FNQROC Development Manual and in accordance with a landscape plan. The landscape plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Work. In particular, the plan must show:
  - a. Planting of the footpath with trees using appropriate species;
  - b. The provision of shade trees in the park;
  - c. Species to have regard to the Planning Scheme Policy No 7 Landscaping;
  - d. Inclusion of all requirements as detailed in other relevant conditions included in this Approval, with a copy of this Development Approval to be given to the applicant's Landscape Architect / Designer.

Two (2) A1 copies and one (1) A3 copy of the landscape plan must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works. Areas to be landscaped must be established prior to approval and dating of the Plan of Survey and must be maintained for the duration of the on-maintenance period to the satisfaction of the Chief Executive Officer.

### **Open Space & Drainage Reserve**

14. The area identified as park on RPS Drawing No PR124232-4 Issue D must be transferred to Council as freehold land tenure. The area of land adjacent the Parker Creek corridor must be transferred to the Crown for Public Use Land – Drainage Reserve. The park area central to the development must include:
  - a. Water service and provision of a tap for the central park;
  - b. Bollards around the perimeter to prevent vehicle access with the exception of Council access;
  - c. Shelter and seating area in the central park;

**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**

- d. Profiling of the park is to be demonstrated on the earthworks plan. In particular site grading, batter height and slope must meet the requirements of the Planning Scheme and FNQROC Development Manual;
- e. Seeded and grassed.

The inclusion of other embellishments will be determined at the time of seeking a Development Permit for Operational Works.

This area of land must be to the requirements and satisfaction of the Chief Executive Officer. The land must be transferred at the same time as registering the Plan of Survey with the Department of Natural Resources and Mines.

**Damage to Infrastructure**

- 15. In the event that any part of Council's existing infrastructure is damaged as a result of construction activities occurring on the site, Council must be notified of the affected infrastructure and have it repaired or replaced at no cost to Council.

**Electricity Supply**

- 16. 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 underground electricity supply must be provided prior to the issue of a Development Permit for Operational Works.

**Electricity & Telecommunications**

- 17. 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 & Transportation of Fill Material**

- 18. 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.
- 19. Dust emissions or other air pollutants must not extend beyond the boundary of the site and cause a nuisance to surrounding properties.

**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**

**Storage of Machinery & Plant**

20. 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**

21. Vehicular access to the site for construction and demolition purposes must be provided from Crawford Street only, unless authorized by the Chief Executive Officer.

**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 sections 339 and 341 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.

**Infrastructure Charges Notice**

4. 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 appeals 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 Development and Environment 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.

5. For information relating to the *Sustainable Planning Act 2009* log on to [www.dilgp.qld.gov.au](http://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](http://www.douglas.qld.gov.au) .

**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**

6. That the following notation be placed on Council's future rates records in respect of the 19 residential allotments:

'The allotment is located in close proximity to the Mossman Sugar Mill and may from time to time be impacted by operation of the Mill with respect to odour, air-borne omissions/material and heavy vehicle movements.'

**RIGHTS OF APPEAL**

Attached

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**End of Decision Notice**



**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**

**APPENDIX 2: INFRASTRUCTURE CHARGES NOTICE**

<b>DOUGLAS</b> SHIRE COUNCIL		<b>2006 &amp; 2009 Douglas Shire Planning Schemes Application</b>	
<b>INFRASTRUCTURE CHARGES NOTICE</b>			
V3 schemazon		N/A	
DEVELOPER'S NAME		ESTATE NAME	
Vilvoe Road		Lot 32 SP128526	
STREET No. & NAME		LOT & RP No.s	
RCL		31-Mor-16	
DEVELOPMENT TYPE		COUNCIL FLI	
732876		1	
DSC Reference Doc. No.		VERSION No.	

	Use	Charge per Use	Amount Due	Amount Paid	Receipt Code & Dt. Code
Rural Areas - Water Only	proposed	0	0.00		
		0	0.00		
	existing	0	0.00		
	<b>Total</b>		<b>0.00</b>		
Urban Areas - Water only	proposed	0	0.00		
		0	0.00		
	existing	0	0.00		
	<b>Total</b>		<b>0.00</b>		
Urban Areas - Water & Sewer	proposed	19	14,342.13	272,800.47	
		0	0.00	0.00	
	existing	1	14,342.13	14,342.13	
	<b>Total</b>		<b>14,342.13</b>	<b>287,142.60</b>	
<b>TOTAL</b>			<b>\$287,142.60</b>		

Prepared by	<input type="text" value="H Beck"/>	<input type="text" value="7-Dec-14"/>	Amount Paid	<input type="text"/>
Checked by	<input type="text" value="S Clouse"/>	<input type="text" value="7-Dec-14"/>	Date Paid	<input type="text"/>
Date Payable	<input type="text"/>		Receipt No.	<input type="text"/>
Amount	<input type="text"/>	Date	Cashier	<input type="text"/>

**Note:**  
The Infrastructure Charges in this Notice are payable in accordance with Part 2 Division 1 of the Sustainable Planning Act 2009 (SPA).  
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, Mosman 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.

**YOUR REF:** 14-20/R000112  
**OUR REF:** ROL 617/2015 SEDA (763534)

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

18 December 2015

NV & JS Pty Ltd  
C/- Planning Plus Pty Ltd  
PO Box 8046  
**CAIRNS QLD 4870**

Dear Sir/Madam

**ADOPTED INFRASTRUCTURE CHARGES NOTICE FOR  
46-62 FRONT STREET (12 CRAWFORD STREET), MOSSMAN**

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.

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 Neil Beck of Development and Environment on telephone number 07 4099 9451.


Yours faithfully

  
Paul Hoyer  
General Manager Operations

Att



# INFRASTRUCTURE CHARGES NOTICE

		<b>2006 &amp; 2008 Douglas Shire Planning Schemes Application</b>	
<b>INFRASTRUCTURE CHARGES NOTICE</b>			
V Socession <b>DEVELOPER'S NAME</b>		N/A <b>ESTATE NAME</b>	
Viter Road <b>STREET No. &amp; NAME</b>		Winger Beach <b>LOT &amp; RP No. 6</b>	0 <b>STAGE</b>
ROL <b>DEVELOPMENT TYPE</b>		1/0/0/0/0 <b>LOT &amp; RP No. 6</b>	10343 <b>PARCEL No.</b>
702378 <b>D&amp;O Reference Doc. No.</b>		1/0/0/0/0 <b>VERSION No.</b>	4 <b>VALIDITY PERIOD (years)</b>

	Use	Charge per Use	Annual Due	Amount Paid	Receipt Code & GL Code
Rural Areas - Water Only	proposed	0	0.00		
		0	0.00		
	existing	0	0.00		
	<b>Total</b>		<b>0.00</b>		
Urban Areas - Water only	proposed	0	0.00		
		0	0.00		
	existing	0	0.00		
	<b>Total</b>		<b>0.00</b>		
Urban Areas - Water & Sewer	proposed	19	14,342.13	272,800.47	
		0	0.00		
	existing	1	14,342.13	14,342.13	
	<b>Total</b>		<b>14,342.13</b>	<b>287,142.60</b>	
<b>TOTAL</b>			<b>\$287,142.60</b>		

Prepared by	N Beck	7-Dec-15	Amount Paid	
Checked by	S Clark	7-Dec-15	Date Paid	
Date Payable			Receipt No.	
Amounts		Date	Cashier	

**Note:**

The Infrastructure Charges in this Notice are payable in accordance with Part 2, Division 1 of the Sustainable Planning Act 2009 (SPA).

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 9544 or by email on enquiries@douglas.qld.gov.au

**Part 8**                      **Dealing with decision notices  
and approvals**

**Division 1**                **Changing decision notices and  
approvals during applicant's appeal  
period**

**360**      **Application of div 1**

This division applies only during the applicant's appeal period.

**361**      **Applicant may make representations about decision**

- (1) The applicant may make written representations to the assessment manager about—
  - (a) a matter stated in the decision notice, other than a refusal or a matter about which a concurrence agency

told the assessment manager under section 287(1) or (5); or

- (b) the standard conditions applying to a deemed approval.
- (2) However, the applicant can not make representations under subsection (1)(a) about a condition attached to an approval under the direction of the Minister.

**362 Assessment manager to consider representations**

The assessment manager must consider any representations made to the assessment manager under section 361.

**363 Decision about representations**

- (1) If the assessment manager agrees with any of the representations about a decision notice or a deemed approval, the assessment manager must give a new decision notice (the *negotiated decision notice*) to—
  - (a) the applicant; and
  - (b) each principal submitter; and
  - (c) each referral agency; and
  - (d) if the assessment manager is not the local government and the development is in a local government area—the local government.
- (2) Before the assessment manager agrees to a change under this section, the assessment manager must consider the matters the assessment manager was required to consider in assessing the application, to the extent the matters are relevant.
- (3) Only 1 negotiated decision notice may be given.
- (4) The negotiated decision notice—
  - (a) must be given within 5 business days after the day the assessment manager agrees with the representations; and

[s 364]

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- (b) must comply with section 335; and
  - (c) must state the nature of the changes; and
  - (d) replaces—
    - (i) the decision notice previously given; or
    - (ii) if a decision notice was not previously given and the negotiated decision notice relates to a deemed approval—the standard conditions applying to the deemed approval.
- (5) If the assessment manager does not agree with any of the representations, the assessment manager must, within 5 business days after the day the assessment manager decides not to agree with any of the representations, give written notice to the applicant stating the decision about the representations.

**364 Giving new infrastructure charges notice or regulated infrastructure charges notice**

- (1) This section applies if the development approved by the negotiated decision notice is different from the development approved in the decision notice or deemed approval in a way that affects the amount of an infrastructure charge or regulated infrastructure charge.
- (2) The local government may give the applicant a new infrastructure charges notice under section 633 or regulated infrastructure charges notice under section 643 to replace the original notice.

**365 Giving new regulated State infrastructure charges notice**

- (1) This section applies if the development approved by the negotiated decision notice is different from the development approved in the decision notice or deemed approval in a way that affects the amount of a regulated State infrastructure charge.

- (2) The relevant State infrastructure provider may give the applicant a new regulated State infrastructure charges notice under section 669 to replace the original notice.

**366 Applicant may suspend applicant's appeal period**

- (1) If the applicant needs more time to make the representations, the applicant may, by written notice given to the assessment manager, suspend the applicant's appeal period.
- (2) The applicant may act under subsection (1) only once.
- (3) If the representations are not made within 20 business days after the day written notice was given to the assessment manager, the balance of the applicant's appeal period restarts.
- (4) If the representations are made within 20 business days after the day written notice was given to the assessment manager—
  - (a) if the applicant gives the assessment manager a notice withdrawing the notice under subsection (1)—the balance of the applicant's appeal period restarts the day after the assessment manager receives the notice of withdrawal; or
  - (b) if the assessment manager gives the applicant a notice under section 363(5)—the balance of the applicant's appeal period restarts the day after the applicant receives the notice; or
  - (c) if the assessment manager gives the applicant a negotiated decision notice—the applicant's appeal period starts again the day after the applicant receives the negotiated decision notice.

**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—

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- (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).

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- (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).



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**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.

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**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.

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## **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.

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**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.

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- (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

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- (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.

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**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.



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- (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

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- (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

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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—

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- (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.

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- (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

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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



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- (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.

## Infrastructure Charges

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 Act 2009*.

The costs of providing infrastructure are equitably apportioned across the entire catchment. The charge covers 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 Headworks, Sewerage Headworks and Works External** contribute towards the cost of providing water supply headworks and sewerage headworks, water supply works external and sewerage works external. Full details are outlined in Council's Planning Scheme Policy No 11;

**Open Space** contribute towards the provision of adequate parks and open space areas for the enjoyment of resident and visitors to the Shire. Full details are outlined in Council's Planning Scheme Policy No 9;

**Car Parking** contributions may be made in lieu of providing car parking on site in certain circumstances and in association with a development. Full details are outlined in Council's Planning Scheme Policy No 3;

Council's Planning Scheme Policies can be found on Council's website at [www.douglas.qld.gov.au](http://www.douglas.qld.gov.au) . If you have an enquiry please contact Council's Development Assessment team on 07 4099 9444 or by email [planning@douglas.qld.gov.au](mailto:planning@douglas.qld.gov.au) .

## **Part 4                      Changing notices**

### **675      Definition for pt 4**

In this part—

*relevant appeal period*, for a person who has been given an infrastructure charges notice, regulated infrastructure charges notice, adopted infrastructure charges notice or regulated State infrastructure charges notice, means the period within which the person may appeal against the notice to the court or a building and development committee under section 478 or 535.

### **676      Application of pt 4**

This part applies to a person who has been given an infrastructure charges notice, regulated infrastructure charges notice, adopted infrastructure charges notice or regulated

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State infrastructure charges notice only during the person's relevant appeal period.

**677 Representations about notice**

The person may make representations about the notice to the entity that gave the notice.

**678 Consideration of representations**

The entity that gave the infrastructure charges notice, regulated infrastructure charges notice, adopted infrastructure charges notice or regulated State infrastructure charges notice must consider any representations made to the entity under section 677.

**679 Decision about representations**

- (1) If the entity agrees with any of the representations, the entity must give to the person—
  - (a) for representations about an infrastructure charges notice—a new infrastructure charges notice (the *negotiated infrastructure charges notice*); or
  - (b) for representations about a regulated infrastructure charges notice—a new regulated infrastructure charges notice (the *negotiated regulated infrastructure charges notice*); or
  - (c) for representations about an adopted infrastructure charges notice—a new adopted infrastructure charges notice (the *negotiated adopted infrastructure charges notice*); or
  - (d) for representations about a regulated State infrastructure charges notice—a new regulated State infrastructure charges notice (the *negotiated regulated State infrastructure charges notice*).

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- (2) The entity may give only 1 negotiated infrastructure charges notice, negotiated regulated infrastructure charges notice, negotiated adopted infrastructure charges notice or negotiated regulated State infrastructure charges notice.
- (3) The negotiated infrastructure charges notice, negotiated regulated infrastructure charges notice, negotiated adopted infrastructure charges notice or negotiated regulated State infrastructure charges notice—
  - (a) must be given within 5 business days after the day the entity agrees with the representations; and
  - (b) must be in the same form as the notice previously given; and
  - (c) must state the nature of the changes; and
  - (d) replaces the notice previously given.
- (4) If the entity does not agree with any of the representations, the entity must, within 5 business days after the day the entity decides not to agree with any of the representations, give a written notice to the person stating the decision about the representations.

#### **680 Suspension of relevant appeal period**

- (1) If the person given the infrastructure charges notice, regulated infrastructure charges notice, adopted infrastructure charges notice or regulated State infrastructure charges notice needs more time to make the written representations, the person may, by written notice given to the entity that gave the notice, suspend the person's relevant appeal period.
- (2) The person may act under subsection (1) only once.
- (3) If the written representations are not made within 20 business days after the day written notice was given to the entity, the balance of the person's relevant appeal period restarts.
- (4) If the written representations are made within 20 business days after the day written notice was given to the entity—

- (a) if the person gives the entity a notice withdrawing the notice under subsection (1)—the balance of the person's relevant appeal period restarts the day after the entity receives the notice of withdrawal; or
- (b) if the entity gives the person a notice under section 679(4)—the balance of the person's relevant appeal period restarts the day after the person receives the notice; or
- (c) if the entity gives the person a negotiated infrastructure charges notice, negotiated regulated infrastructure charges notice, negotiated adopted infrastructure charges notice or negotiated regulated State infrastructure charges notice (the *negotiated notice*)—the person's relevant appeal period starts again the day after the person receives the negotiated notice.

**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.



# OPERATIONAL WORKS RECEIPTING CHECKLIST

(To be completed by Consulting Engineer making the application)

Name of Council: **DOUGLAS SHIRE COUNCIL**

Development Name and Location: .....

.....

Planning Permit No/Council File No: ...../ .....

## DESIGN SUBMISSION

## CHECK

## COMMENT

- |   |                          |  |
|---|--------------------------|--|
| 1. Completed 'Statement of Compliance' form.<br>(FNQROC - AP1 – Appendix A)   | <input type="checkbox"/> |  |
| 2. IDAS Forms 1 and 6<br>(Available from <a href="http://www.dsdip.qld.gov.au/forms-templates">www.dsdip.qld.gov.au/forms-templates</a> )   | <input type="checkbox"/> |  |
| 3. Payment of Engineering Application Fees<br>(Copy of receipt to be attached)<br>(Available from <a href="http://www.douglas.qld.gov.au">www.douglas.qld.gov.au</a> )  | <input type="checkbox"/> |  |
| 4. Copy of Decision Notice for Development Application<br>Conditions, <u>inc explanation of how each condition<br/>is to be addressed (Statement of Compliance)</u>   | <input type="checkbox"/> |  |
| 5. Engineering Design drawings -<br>Complete sets (1 x A1 set, 2 x A3 sets and<br>1 x electronic copy on compact disc in 'PDF' format)  | <input type="checkbox"/> |  |
| 6. One copy of Design and Standard Specifications<br>(Unbound Copy Preferable)  | <input type="checkbox"/> |  |
| 7. Written consent from adjoining property owners<br>authorising any works on their property  | <input type="checkbox"/> |  |
| 8. Water reticulation network in electronic format<br>(Engineer to confirm system requirements and<br>compatibility with Douglas Water)   | <input type="checkbox"/> |  |
| 9. Landscape drawings -<br>Complete set (1 x A1 set, 2 x A3 sets and<br>1 x electronic copy on compact disc in 'PDF' format)<br>These must be accompanied by elements of the<br>stormwater & street ltg. layout design, to avoid conflicts. | <input type="checkbox"/> |  |
| 10. Overall network drawings (for staged development) for:  |                          |  |
| • Water   | <input type="checkbox"/> |  |
| • Stormwater  | <input type="checkbox"/> |  |
| • Sewer   | <input type="checkbox"/> |  |
| • Pathways and roads  | <input type="checkbox"/> |  |
| • Street Lighting   | <input type="checkbox"/> |  |

## OPERATIONAL WORKS RECEIPTING CHECKLIST (Continued)

### DESIGN SUBMISSION

### CHECK

### COMMENT

10. Overall network drawings (for staged development) Continued.

- Electrical
- Gas
- Public Transport
- Park Reserves
- Drainage Reserves

11. Pavement design criteria

12. Geotechnical reports for proposed Earthworks

13. Structural and geotechnical certificates for retaining walls etc.

14. Water supply/sewerage pump station design parameters

15. Stormwater drainage calculations

16. Erosion and Sediment Control Strategy (ESCS)

17. Declared Pest Management Plan (if applicable)

18. The approval of any other Authorities & concurrence agencies likely to be affected by the works.

19. Contact details of the Consulting Engineer who is submitting the Application:

Name of Engineer		
Name of Company		
Telephone Number (s)	Office:	Mobile:
Email address		
RPEQ No		

20. Date of submission of application

*(For further information on all of the above refer to the FNQROC Development Manual Section AP1)*

**PLEASE RETURN THIS FORM AND ALL ASSOCIATED DOCUMENTS TO 'PLANNER OF THE DAY', CUSTOMER SERVICE DESK, DOUGLAS SHIRE COUNCIL, 64-66 FRONT STREET, MOSSMAN; OR PO BOX 723, MOSSMAN QLD 4873.**



PO BOX 723  
MOSSMAN QLD 4873  
[www.douglas.qld.gov.au](http://www.douglas.qld.gov.au)  
[planning@douglas.qld.gov.au](mailto:planning@douglas.qld.gov.au)

**Development Assessment Division**  
**Development Engineering Unit**  
Ph: 07 4099 9444  
Fax: 07 4098 2902

## **PRE-START MEETING PROCESS**

This document provides an outline of the requirements of the Pre-Start process. Full details are available in the *FNQROC Development Manual*, in particular Sections CP1.02-09 which should be used as the reference source, should there be any discrepancy in detail between this pro-forma and the Manual. The Manual can be downloaded from the Douglas Shire Council website [www.douglas.qld.gov.au](http://www.douglas.qld.gov.au).

Only works that have been 'Approved' by the Council can be submitted for the Pre-Start process and meeting. These works must incorporate all aspects of the Planning Approval and Operational Works Decision Notices, including all pre-start requirements and any imposed conditions from Concurrence agencies.

This document is in three parts and should be attached to any supporting documentation. The shaded areas identified in parts 1 and 2, are to be completed by the **Applicant / Engineer** and submitted to Council to initiate the Pre-Start process. Parts 2 and 3 will be used during the site meeting.

## **ACCURACY OF SUBMISSION**

Council's examination of 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.

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.

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.

PART 1 of 3	<b>Pre-Start Meeting Process</b>				
(NOTE: Items marked * are to be deleted as appropriate.)					
<b>1. Document Requirements</b>	<b>Pre-Meeting Information and Check List</b>				
	Project Name				
	<b>1. a Contact details of the Engineer (Nominated point of contact) for the works</b>				
	Name of Engineer				
	Name of Company				
	Telephone No	Office:	Mobile:		
	Email Address				
	After Hours Contact N.				
	RPEQ N.				
	<b>1. b Contact details of the Principal contractor for the works</b>				
	Name of Contractors Representative				
	Name of Company				
	Telephone N.	Office:	Mobile:		
	Email Address				
	After Hours Contact No				
	<b>1. c Person to be contacted in regard to any matter relating to the construction of the works, day-to day queries, complaints etc. (if different from the above)</b>				
	Name of Engineers Representative				
	Name of Company				
	Telephone No	Office:	Mobile:		
	Email Address				
	After Hours Contact No				
<b>1. d Council contacts, Development Engineering, Development Assessment</b>					
Paul Steele	Development Engineering Admin Consultant	4099 9444 4099 9456		planning@douglas.qld.gov.au	

<b>PART 1 of 3</b>		<b>Pre-Start Meeting Process</b>		
<b>1. Document Requirements</b>	<b>Pre-Meeting Information and Check List</b>			
	1. e	Intended date for commencement of works	/ / 20	
	1. f	Expected date for completion of works	/ / 20	
	It is desirable for the following information to be provided to the Council <u>prior</u> to the site meeting in order to allow assessment of the scope of works and reduce any possible delays in reviewing documentation and the granting of Approvals for the commencement of works			
	Item	Detail	Checked & agreed by the Principal / Consulting Engineer Yes / No	Comments
	1. g	<b>Development and Operational Works Approvals</b>  Current Development and Operational Works Approvals have been granted and all proposed works are to be in accordance with Council Approved drawings and supporting documentation.	Yes <input type="checkbox"/> No <input type="checkbox"/>	
		<b>Operational Works Decision Notice file number</b>  <b>8/ / Date of Notice / /</b>		
	1. h	<b>Appeal Rights Waiver</b>  Work cannot proceed until the Developer (or his representative) provides written notice to the Council to waive the right of appeal to the Operational Works Permit Approval Conditions or until the appeal period expiry date (20 days after the Decision Notice is given to submitter) – whichever occurs first:  i. The Developer will waive Appeal Rights.  ii. A copy of letter is attached.	Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	
	1. i	<b>Preservation of the Existing Environment Features</b>  The Contractor and Engineer have identified and adequately protected any vegetation identified within any conditions of approval, prior to the start of any clearance works.	Yes <input type="checkbox"/> No <input type="checkbox"/>	
	1. j	<b>Contractors Erosion and Sediment Control, and Soil and Water Management Plans</b>  Reviewed and approved by the Engineer prior to the Pre-Start meeting.	Yes <input type="checkbox"/> No <input type="checkbox"/>	
	1. k	<b>Notice of Intention to commence Work</b>  i. Public Notices and advertisements have been posted (Note: The engineer calling this meeting is deemed to have informed Council of the requirement to commence works)	Yes <input type="checkbox"/> No <input type="checkbox"/>	
	1. l	<b>Public Liability and other Insurances</b>  Copies attached	Yes <input type="checkbox"/> No <input type="checkbox"/>	
1. m	<b>Portable Long Service and Q Leave</b> (QLeave will collect a total of 0.525% on all building and construction work, to be carried out in Queensland, where the total cost of work is \$80,000 or more (inclusive of GST) Copies attached	Yes <input type="checkbox"/> No <input type="checkbox"/>		
1. n	<b>Contractors Workplace Health and Safety Plan</b>  Copies attached	Yes <input type="checkbox"/> No <input type="checkbox"/>		

PART 1 of 3	Pre-Start Meeting Process			
1. Document Requirements	Pre-Meeting Information and Check List			
Continued..	1. o	<b>Concurrence Agencies &amp; Third Party Agreements</b>  Written approval has been obtained for any proposed works relating to concurrence agency conditions or agreement from third parties provided to work within their property.  Copies of approvals or agreements attached.	Yes <input type="checkbox"/> No <input type="checkbox"/>  Yes <input type="checkbox"/> No <input type="checkbox"/>	
	1. p	<b>Traffic Management Plans</b> Copies attached	Yes <input type="checkbox"/> No <input type="checkbox"/>	
	1. q	<b>QA Documentation including ITP's</b> Copies provided to Council to identify project specific wks.	Yes <input type="checkbox"/> No <input type="checkbox"/>	
	1. r	<b>Bond:</b>  i. A fully priced <b>schedule of quantities</b> has been provided to Council, as per FNQROC AP1.07-12(xxi)  ii. A Security Lodgement Form (FNQROC CP1. App. B) has been provided with a <b>value=0.05 X cost of works</b>  iii. Copy of payment receipt attached.	Yes <input type="checkbox"/> No <input type="checkbox"/>	
			Yes <input type="checkbox"/> No <input type="checkbox"/>	
			Yes <input type="checkbox"/> No <input type="checkbox"/>	
	1. t	<b>Additional Information not identified above</b>  Additional information has been submitted to support the application, and is attached to this document.	Yes <input type="checkbox"/> No <input type="checkbox"/>	
	Detail: ..... .....			
1. u	<b>Request for Meeting</b>  Date requested for Pre-Start meeting:  Proposed time of meeting (Ideally between 0900-1600 hrs) (Please telephone the Council officer prior to submitting a time)  (Note: The Council usually requires <b>SEVEN</b> days written notice of the proposed meeting date. The Principal should only make the request when <b>all</b> of the appropriate documentation is available. An additional re-inspection charge may apply if documentation is not complete at the time of the initial inspection.	_ / / 20  _ AM / PM		

PART 1 of 3	Pre-Start Meeting Process		
1. Document Requirements	Pre-Meeting Information and Check List		
Continued..	Details of the consulting engineer submitting the checklist and associated documentation required for Pre-Start meeting		
	Name of Engineer		
	Signature		
	Name of Company		
	Telephone No	Office:	Mobile:
	RPEQ No		
	Date		
This space can be used for any other notes or information:			

PART 2 of 3	Pre-Start Meeting Process	
2. Pre-Start Meeting	2.1 Attendance Register	
To be completed by meeting organizer	Project Name	
	Location	
	Douglas File Ref #	/
	Date and Time	/ / 20 at am / pm
	Meeting Held at	
	Chaired by	
	Apologies	



Attendees				
Name	Company	Title	Phone / Mobile	Email
Engineer (i)				
Engineer (ii)				
Contractor (i)				
Contractor (ii)				
<i>Possible attendees representing Douglas Shire Council:</i>				
Michael Matthews	Douglas Shire Council	Project Engineer	4099 9475	<a href="mailto:michael.matthews@douglas.qld.gov.au">michael.matthews@douglas.qld.gov.au</a>
Jenny Elphinstone	Douglas Shire Council	Senior Planning Officer	4099 9482	<a href="mailto:jenny.elphinstone@douglas.qld.gov.au">jenny.elphinstone@douglas.qld.gov.au</a>
Neil Beck	Douglas Shire Council	Planning Officer	4099 9451	<a href="mailto:neil.beck@douglas.qld.gov.au">neil.beck@douglas.qld.gov.au</a>
Paul Steele	Representing Douglas Shire Council	Consultant	4031 9944 0400 535 416	<a href="mailto:paul.steele@blackm.com">paul.steele@blackm.com</a>
<b>DISTRIBUTION:</b> Marked *				

PART 2 of 3	Pre-Start Meeting Process		
2. Pre-Start Meeting	2.2 Pre-Meeting Documentation		
To be completed by meeting organizer	<p>All documentation, drawings, plans and fees as identified in Part 1 of the Pre-Start Meeting template document <b>..HAVE / HAVE NOT *</b> been provided and approved by the Council prior to the meeting. Details of any non-compliance issues or incomplete documentation are identified below:</p>		
	2.3 Conditions Of Approval And Approved Drawings		
	<p>a. The developer, contractor(s) and engineer are to have the relevant copy of all approved drawings and conditions relating to this project. <b>All contractors must review these documents prior to the commencement of any work on the site.</b></p> <p>b. A complete copy of the documents is to be located on site at all times and updated when necessary.</p> <p>c. Should any changes be proposed to the approved plans and conditions, they are to be submitted to the Council for approval <b>prior</b> to implementing any changes on site.</p>		
	<p>A copy of the approved plan and conditions has been presented to all parties and is available on site for inspection. YES <input type="checkbox"/> / NO <input type="checkbox"/> *</p> <p>Comments:</p>		
	2.4 Site Safety Procedures		
	<p>Council officers will report to a site representative for an initial site safety induction and prior to each site inspection. The nominated Contractor's site representative will be:</p>		
	<table border="1"> <tr> <td data-bbox="379 1205 948 1283">Name</td> <td data-bbox="948 1205 1527 1283">Mobile Tel. No:</td> </tr> </table>	Name	Mobile Tel. No:
	Name	Mobile Tel. No:	
	<p>Any other site safety requirements specific to this site:</p>		
	2.5 Site Access and Signage		
<p>a. Vehicular access to the site for construction and demolition is off:</p> <p>Name of road(s):</p> <p>Comments:</p>			
<p>b. A Public Notice sign <u>must</u> be positioned at the entrance(s) to the site. <b>No works can proceed until the sign(s) is in place.</b></p> <p>Sign(s) are positioned on site YES <input type="checkbox"/> / NO <input type="checkbox"/></p> <p>Comments:</p>			
2.6 Witness and Hold Point Inspections			
<p>Michael Matthews (4099 9475) is Council's nominated contact officer to conduct witness and hold point inspections to compliment those required by the engineer.</p>			

PART 2 of 3	Pre-Start Meeting Process
2. Pre-Start Meeting	2.7 Environmental Protection (Soil and Water Management)
To be completed by meeting organiser	a. An engineer endorsed contractors Erosion and Sediment Control Plan has been provided for this project and has been reviewed and discussed at this meeting?
	YES <input type="checkbox"/> / NO <input type="checkbox"/> * Comments on any omissions from the ESCP or suggested changes:
	b. In accordance with Council's Development Manual, during the construction period, the Consulting Engineer shall randomly audit and inspect ESC measures for compliance with the Engineer endorsed Contractors ESC Plan.
	c. The Consulting Engineer is to provide a copy of the ESC Plan to all contractor representatives (including landscape contractors) prior to the commencement of associated works on the site.
	d. The developer or nominated representative shall be responsible for communicating with third party complainants that may have been affected by dust, noise, sediments etc. leaving the site as a result of construction related activities.
	e. All areas opened up to construction must be protected prior to every storm event and at the end of each working day. Failure to have all reasonable and relevant ESC measures in place, in the event of environmental harm being caused as a result of works being undertaken on this site, may result in action being taken by Council's EPU and/or the EPA. All ESC measures must be inspected, maintained and where necessary improved, expanded or reinforced after every storm event.
	f. If any declared weeds are, or have been identified on the site, the Council are to be notified immediately for advice on what action needs to be taken.
	g. Council's preferred method of vegetation disposal is by chipping / shredding on site. The burning of vegetation is not permitted under Council Policy.
	h. Any land which contains environmentally significant areas, significant trees, trees with Preservation Declarations placed upon them, or areas specifically identified for protection and preservation as part of the Development Approval Notification must be discussed at the meeting. The Developer must take appropriate measures to identify, preserve and protect these areas prior to works commencing and throughout the duration of the project.
	To assist in this process, photographs may be taken of all significant features and stored in Council records. Photos taken: YES <input type="checkbox"/> / NO <input type="checkbox"/> *
2.8 Inspections by Council / Concurrence Agencies	
Council or Concurrence agency staff may undertake random visits to site during construction, and may also take photographs of the various work activities in progress.	
2.9 Council Requirements – Development Approval (DA) Conditions	
Refer to any specific DA conditions, which are not covered by OP WKS conditions:	

PART 2 of 3	Pre-Start Meeting Process
2. Pre-Start Meeting	2.10 Construction Requirements – Operational Works Approval Conditions
To be completed by meeting organiser	<b>Third Party Agreement</b>
	<p>Are works required in adjacent properties not owned by the developer? YES <input type="checkbox"/> / NO <input type="checkbox"/>* this may include sewer connections, stormwater outlets, noise mounds etc.</p> <p>Have all agreements been provided to allow works to be conducted in these areas?          YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>*</p> <p>Comments:</p>
	<b>Hours Of Work</b>
	<p>Work involving the operation of construction plant and equipment of any description, shall only be carried out on site: during the following times:</p> <p>a. 7:00 am to 6:00 pm, Monday to Friday;          b. 7:00 am to 1:00 pm, Saturdays;          c. No work is permitted on Sundays or Public Holidays.</p> <p>Any variations to the above working hours must be authorised by the Chief Executive Officer, prior to the commencement of such works.</p>
	<b>Landscaping</b>
	<p>Council has approved a landscape plan: YES <input type="checkbox"/> NO <input type="checkbox"/> *(tick as appropriate)</p> <p>Comments:</p>
	<p>a. All <b>soft landscaping works will be subject to a minimum 3-month maintenance period</b>, prior to acceptance of the works by Council. Council must be advised of the date of completion for all planting works in order for a Council inspection to be conducted at the start of the three (3)-month period. The completion of the maintenance period shall coincide with the Final Works Acceptance inspection, or sooner by agreement.</p> <p>b. All <b>hard landscaping</b> works including, but not limited to: shelters, paths, play equipment, retaining walls, bollards etc. will be subject to a <b>minimum 12 months Defects Liability Period</b> after the Works Acceptance inspection.</p> <p>c. Any equipment maintenance manuals and details of specialised equipment and material suppliers are to be provided to Council prior to the Works Acceptance Inspection.</p>
	<b>Structures and Retaining Walls</b>
	<p>Separate building certification and/or structural <b>certification is required</b> for any works to alter existing structures, provide new structures or construct retaining walls that are over 900mm high. Certification by a suitably qualified engineer must be provided, prior to opening the work site to the public.</p>
	<b>The Location of Stormwater Quality Interception Devices (SQIDS)</b>
<p>SQIDS shall be positioned to allow for economic and efficient maintenance operations, and will require a <b>reinforced concrete hard standing area to be provided from the edge of the carriageway</b> to the SQID location. Vehicular access from the public road reserve to the SQID must remain unrestricted.</p>	

PART 2 of 3	Pre-Start Meeting Process
2. Pre-Start Meeting	Sewer and Water
To be completed by meeting organizer	<p>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 Plumbing Inspector &amp; Trade Waste Officer at Douglas Shire Council either in writing, by telephone 07 4099 9479, facsimile 07 40998 2902 or email to <a href="mailto:enquiries@douglas.qld.gov.au">enquiries@douglas.qld.gov.au</a> prior to the commencement of works.</p> <p>b. WATER: 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'.</p>
	<p>c. SEWER: Council's Plumbing Inspector &amp; Trade Waste Officer 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 Shire Council 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'.</p> <p>d. 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.</p> <p>e. 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, stripping and grubbing, mobilisation of heavy earthmoving equipment, site filling, stockpiling of materials and installation of erosion and sediment control measures.</p>
	<b>Design Access for People with Disabilities</b>
	All footpaths, drains and ramps are to be designed in accordance with the Australian Standard to provide equal access for people with a disability, including limiting footpath longitudinal grades to maximum 1:8 and the provision of Tactile Ground Surface Indicators (TGSI's) as required
	<b>Cultural Heritage</b>
	The <i>Aboriginal Cultural Heritage Act 2003</i> 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 Queensland Government Natural Resources and Mines and can be downloaded from their website at <a href="http://www.nrm.qld.gov.au">www.nrm.qld.gov.au</a> . The work identified in the project documentation is likely to require assessment of the site under the Act.
	<b>Any Project Specific Conditions must be identified below</b>
OP WKS Condition #	Summary of condition
	Use additional Sheet for more conditions if required

PART 2 of 3	Pre-Start Meeting Process		
2. Pre-Start Meeting	Other Business		
To be completed by meeting organiser	a. Earthworks for this project have been designed to be:		
	{ Balanced / in surplus / imported}* If surplus or imported, approx. quantity ..... T / m3 *		
	b. Is Early Plan Sealing likely in this project?		
	YES <input type="checkbox"/> NO <input type="checkbox"/> *		
	If 'YES' summarise any special requirements relating to this project		
To be completed by meeting organiser	c. Additional comments (if any):		
PART 3 of 3	Pre-Start Meeting Process		
3. Agreement	Based on the submitted information and the points discussed in the meeting, works <b>can / cannot</b> proceed		
To be completed by meeting organiser	Should works not be permitted, or additional information required, the following items must be addressed and presented to the Council or the engineer for approval.		
	The set of notes (Parts 1, 2 and 3) form the Pre-Start meeting minutes and are to be presented to Council for information and action as necessary. They must be presented in the form of a copy of the original document, scanned and forwarded to the Councils nominated contact officer in PDF format. Should the Engineer, developer or Council representative(s) not agree with this record of the meeting, this must be advised to the meeting organiser by email or fax within 48 hours of receipt. If this is the case, another meeting may be called and works may need to stop until all parties have reached agreement.		
	<b>A COPY OF THE EARLY PLAN SEALING OR WORKS ACCEPTANCE TEMPLATE MUST BE USED FOR REQUESTING FUTURE MEETINGS</b>		
	<b>Meeting closed at ... . : ..... am/pm</b>		
	<i>I confirm that these notes represent an accurate account of the issues discussed and comments made during the site meeting</i>		
	Name of Engineer		
	Signature		
	Name of Company		
	Telephone No	Office:	Mobile:
RPEQ No			
Date			



**APPLICATION FOR ENDORSEMENT OF LANDSCAPE PLANS  
ASSOCIATED WITH AN APPLICATION FOR A BUILDING APPROVAL.**

**Applicant's contact details:** (Applicant must fill in the details)

Date of application: \_\_\_\_\_

Applicant's name: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

Phone No: \_\_\_\_\_ Fax No: \_\_\_\_\_

Email: \_\_\_\_\_

**Development details:** (Applicant must fill in details)

Development property address: \_\_\_\_\_

Development Approval number: \_\_\_\_\_

Development type: \_\_\_\_\_

Landscape architect or designer: \_\_\_\_\_

Are they on Council's Register of landscape architects/designers? YES / NO

Are they a Qualified Landscape Architect with a current membership with the Australian Institute of Landscape Architects (AILA)? YES / NO

**Required application documents:** (Please tick off if submitted)

- Two of A1 size copies of the original plans showing proposed landscaping;
- One of A3 size copy of the original plans showing proposed landscaping;

---

**Customer Service Officer's use only:**

FEE PAID      Receipt No: \_\_\_\_\_

- Lower fee (2014/2015): (if on Register)      \$235.20 or,
- Higher fee (2014/2015): (if not on Register)      \$557.40 or,
- Re-submission of a previously not approved plan      \$557.40

Receiving Customer Service Officer: \_\_\_\_\_

## APPLICATION FOR APPROVAL OF LANDSCAPING PLANS

ASSOCIATED WITH AN APPLICATION FOR BUILDING APPROVAL.

### **Schedule of fees 2014/2015**

### **Fee**

<b>Landscaping Plans – Assessment fee</b>	
(i) Landscaping Plans designed by a Landscape Architect or Landscape Designer listed on Council's Register of Landscape Architects and Designers.	<b>\$235.20</b>
(ii) Landscaping Plans submitted and not in accordance with (i) above.	<b>\$557.40</b>
(iii) Submission of an amended plan when the original plan was not approved (when deemed not to be of a satisfactory standard; incorporating unsuitable landscaping; or generally not in accordance with Council's documented requirements).	<b>\$557.40</b>

#### **NOTES:**

1. Council's Register of Landscape Architects and Designers (doc #413608).
2. The relevant Council's Officer will take up any matters of concern directly with the applicant or landscape designer.
3. Council's Approval Notice with conditions of approval will be returned to the Applicant or Building Certifier for attachment to a building approval. Only the approved plan must be used for construction.

Please turn to page one to fill out the application details.

#### ***Douglas Shire Council – Information Privacy Statement***

Your personal information has been collected for the purpose of assessment of landscaping associated with a development application. You are providing personal information which will be used for the purpose of delivering services and carrying out Council business. Your personal information is handled in accordance with the *Information Privacy Act 2009* and will be accessed by persons who have been authorised to do so. Your information will not be disclosed to any other person or agency unless you have given Council permission or the disclosure is required by law.