



APPENDIX 2 – CASSOWARY COAST REGIONAL COUNCIL
DECISION NOTICE DATED 26 JUNE 2008

26 June 2008

Decision Notice
APPROVAL
Integrated Planning Act 1997 S 3.5.15

D/A073/06
Nicole Moore (Planning Officer)
07 40439101

Seafarer Investments Pty Ltd
C/- Wolter Rowlands
PO Box 5094
TOWNSVILLE QLD 4810

Dear Sir

RE: Application for Development Permit for Reconfiguration of a Lot
Code Assessable (One (1) lot into Nine (9) lots
Explorer Drive, South Mission Beach
Lot 11 on SP171882; Parish of Rockingham

I wish to advise that, on 23 June 2008, the above development application was -

- approved in full with conditions. The conditions relevant to this approval are attached. These conditions are clearly identified to indicate whether the assessment manager or a concurrence agency imposed them.

1. Details of the approval -

The following type of approval has been issued -	Development Permit	Preliminary Approval
• Reconfiguring a lot	<input checked="" type="checkbox"/>	<input type="checkbox"/>

2. The relevant period -

The standard relevant periods stated in section 3.5.21 of IPA apply to each aspect of development in this approval.

3. The approved plans -

The approved plans and / or documents for this development approval are listed in the following table -

Plan / Document Number	Plan / Document Name	Date
Ref T172-1-C	Plan of Reconfiguration of Lot 11 on SP171882 prepared by Wolter Consulting Group	May 2008

4. Other necessary development permits -

Listed below are other development permits that are necessary to allow the development to be carried out -

- Development Permit for Operational Works.

5. Codes for self-assessable development – Not applicable.

6. Superseded planning scheme – Not applicable.

7. Preliminary approval overriding the planning scheme – Not applicable.

8. IDAS referral agencies -

The IDAS referral agencies applicable to this application are –

A. Referrals - triggered by building work assessable against the Standard Building Regulation 1993 – Nil.

B. Referrals – triggered by other assessable development under schedule 8 of the IPA

RECONFIGURING A LOT

	Reconfiguration...	Name of agency	Status	Address
<input checked="" type="checkbox"/>	1. On land containing remnant vegetation where before the reconfiguration the lot is at least 2 hectares in area , and after the reconfiguration two or more lots are created (the size of any lot created is to be 25 hectares in area or smaller)	Dept. of Natural Resources & Water	<input checked="" type="checkbox"/> Concurrence	Dept of Natural Resources & Water PO Box 210 ATHERTON QLD 4883

C. Referrals – triggered by the assessment of the application against a local government planning instrument – Nil.

9. Submissions -

The application was not subject to public notification and therefore no submissions were received.

10. Appeal rights -

Attached is an extract from the *Integrated Planning Act 1997* which details your appeal rights regarding this decision.

11. When the development approval takes effect -

This development approval takes effect -

- from the time the decision notice is given, if there is no submitter and the applicant does not appeal the decision to the court

OR

- when the submitter's appeal period ends, if there is a submitter and the applicant does not appeal the decision to the court

OR

- subject to the decision of the court, when the appeal is finally decided, if an appeal is made to the court.

This approval will lapse unless substantially started within the above stated relevant periods (refer to sections 3.5.19 and 3.5.20 of IPA for further details).

If you wish to discuss this matter further, please contact Council's Planning Officer, Nicole Moore on the above telephone number.

Yours faithfully



JOHN PETTIGREW
ACTING DIRECTOR, PLANNING SERVICES

cc: Referral agency/s

Dept of Natural Resources & Water
PO Box 210
ATHERTON QLD 4883

Assessment Manager's Conditions:

- 1. The development is to be undertaken generally in accordance with the application, documentation, and supporting information received on 24 February 2006 and 6 November 2007, and Plan of Reconfiguration – Ref: T172-1-C, dated May 2008, prepared by Wolter Consulting Group, received by Council on 13 May 2008, all relating to Development Application No. 073/06 excepting where varied by the following conditions.**
- 2. The applicant/owner must contribute in accordance with Council's Headwork Contribution Policy towards the provision of water supply and sewerage headworks. The contributions must be paid at the rates applicable at the time of payment. On the present method of calculation, the estimated total headwork contribution is \$22,950 (9 EDCs) for water, and \$40,500 (9 EDCs) for sewerage. The contribution shall be paid prior to the signing of the Plan of Survey by the Director, Planning Services.**
- 3. The applicant/owner must contribute towards open space and recreation facilities in accordance with Council's Open Space Policy. The contribution rate is that current at the time of payment. On the present method of calculation, the estimated park contribution is \$48,000 (8 lots x \$6,000). The contribution shall be paid prior to the signing of the Plan of Survey, to the requirements and satisfaction of the Director, Planning Services.**
- 4. The applicant/owner must design and install adequate water reticulation, including all necessary hydrants, valves etc and connecting to existing Council water mains. The water reticulation shall include the provision of connection points to each individual allotment to enable Council officers to install water meters and supply water to each allotment on request.**

Three (3) copies of the plan of works must be submitted to and must be endorsed by the Chief Executive Officer prior to the issue of a development permit for carrying out operational works. All works must be carried out in accordance with the approved plans, prior to the signing of the Plan of Survey, to the requirements and satisfaction of the Director, Planning Services.

- 5. The applicant/owner is to provide sewerage reticulation to include connection to existing Council reticulation, gravity delivery main and individual connection to allow each individual house lot to be connected at no cost to Council, as part of a Development Application for Operational Works.**
- 6. The applicant/ owner shall construct the proposed new road to the standard as set out in the FNQROC Development Manual and shall include kerb and channelling both sides, gravel paving and bitumen surfacing and necessary stormwater drainage.**

The proposed new works shall include a sealed turnout to Explorers Drive and the widening of the western side of Explorers Drive to the proposed new road to the existing kerb and channel to the north to allow for safe traffic movements into and out of the development.

7. **The proposed access strip is to be paved and sealed to a minimum width of 4.5 metres. The access shall commence at the kerb of the proposed new road and extent to the building envelopes on Proposed Lots 1, 3, 4 and 5.**

The works shall include installation of conduits for the connection of individual services to each building site at no cost to Council.

8. **The application for Operational Works together with 3 copies of plan for all infrastructure (prepared by a RPEQ) are to be submitted and approved prior to any construction work commencing. Construction of all works shall be completed prior to the endorsement by Council of any Plan of Survey.**
9. **The applicant/owner is to register a covenant reflecting the environmental covenant areas as identified on the Plan of Reconfiguration – Reference T172-1-C, dated May 2008, prepared by Wolter Consulting Group. The purpose of the covenant is to preserve the environmental values of the Remnant Vegetation. The covenant is to be endorsed by the Director, Planning Services prior to the approval and dating of the Plan of Survey and registered with the Department of Natural Resources and Water at the same time as registering the Plan of Survey.**
10. **The parcel of land is to be cleared of all noxious weeds, to the requirements and satisfaction of the Director, Planning Services, prior to the signing of the plan of survey.**
11. **All existing survey marks are to be reinstated, new survey marks are installed in accordance with the plan of survey, and a cadastral surveyor is to certify the survey work in writing, to the requirements and satisfaction of the Director, Planning Services, prior to the endorsement of the Plan of Survey.**
12. **All external stormwater from the property is to be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, all to the requirements and satisfaction of the Director, Planning Services.**
13. **The applicant/owner must provide written evidence of agreement with the electricity supply and telecommunications authorities detailing that the services will be provided to the development, prior to signing of the plan of survey, to the requirements and satisfaction of the Director, Planning Services.**

Advice to Applicant

- a). The *relevant period* for the development approval (reconfiguration of a lot) shall be two (2) years starting the day the approval is granted or takes effect. In accordance with Section 3.5.21(2) of IPA, the development approval for a reconfiguration of a lot lapses if a plan for the reconfiguration is not given to Council under Section 3.7.2(2) within the abovementioned *relevant period*.

An applicant may request Council to extend the *relevant period* provided that such request is made in accordance with Section 3.5.22 of IPA and before the development approval lapses under Section 3.5.21 of IPA;





- b). The applicant/owner is to ensure compliance with the requirements of the Aboriginal Cultural Heritage Act and in particular 'the duty of care' that it imposes all landowners, developers and the like;
- c). The applicant/owner is to ensure that any engineering works involved in the proposed development are designed and constructed in accordance with the FNQROC Development Manual, 2005; and
- d). When the plan of subdivision for the reconfiguring of a lot is submitted to Council for endorsement, such plan shall be accompanied by the endorsement fee in accordance with Council's Schedule of Fees and Charges.

REAL PROPERTY DESCRIPTION
LOT 11 ON SP171882

DEVELOPMENT SUMMARY

TOTAL SITE AREA : 4.053ha
 TOTAL NUMBER OF LOTS : 8

LEGEND

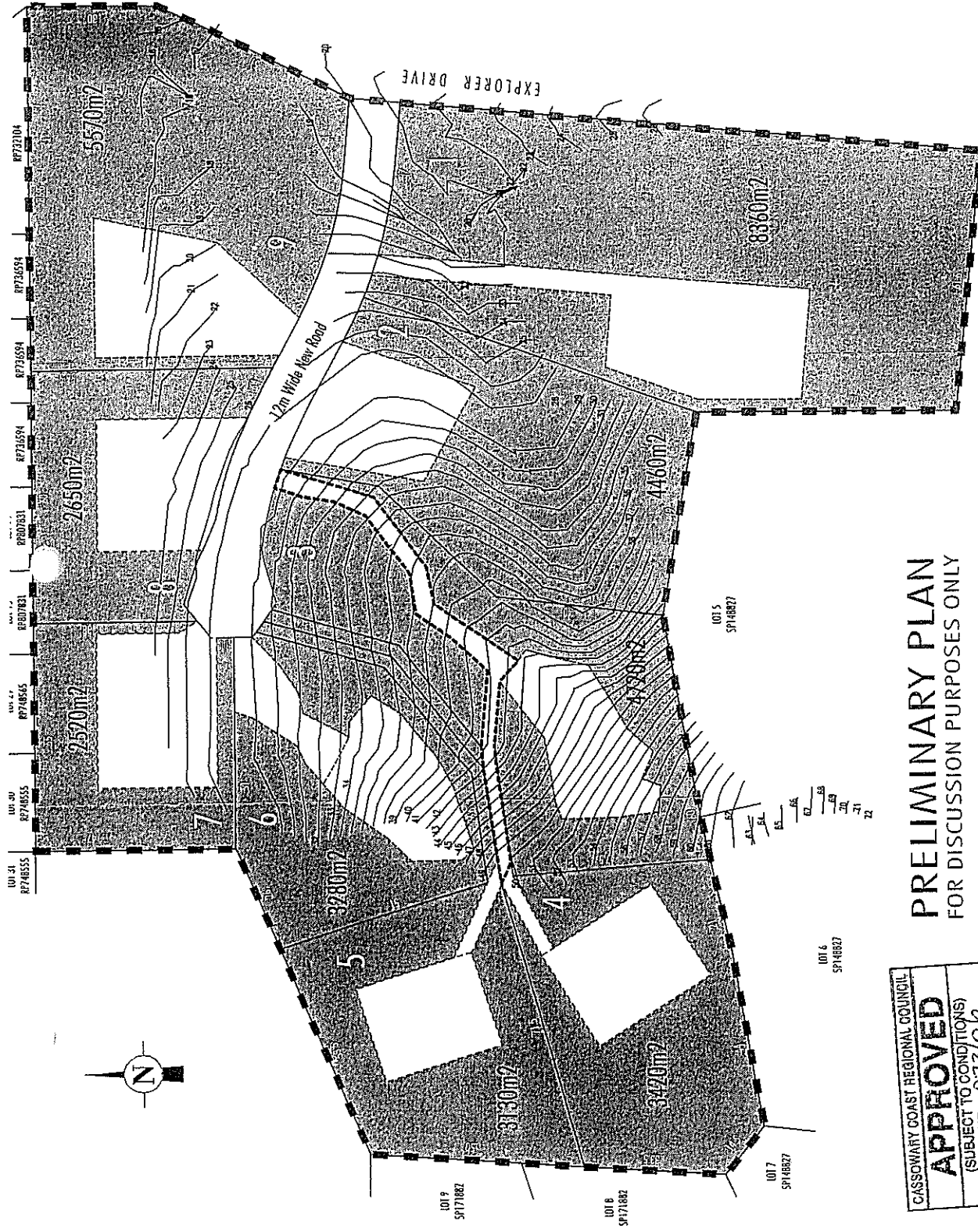
-  Site Boundary
-  Indicative maximum Building Location Envelope
-  Area to be conserved/protected/managed by way of an environmental covenant. (Total approx. area 2.9ha - 71.5% total site area)
-  Easement for the purposes of access.

PLAN NOTES:

1. Preliminary plan for discussion purposes only. Plan subject to stormwater and ecological assessment.
2. Design subject to local authority approval and detailed engineering requirements. Areas, dimensions and contours are approximate only and are subject to survey.

AMENDMENTS:

- A. Original
- B. Amend lot 4 boundary and move indicative maximum BLE
- C. Amend lot 3, 4 & 5 boundaries and addition of Lot 9 and BLE and re-number lots



PRELIMINARY PLAN
 FOR DISCUSSION PURPOSES ONLY

CASSOWARY COAST REGIONAL COUNCIL
APPROVED
(SUBJECT TO CONDITIONS)
D/A NUMBER: 023/06
DATE: 21/08
CHIEF EXECUTIVE OFFICER

PLAN OF RECONFIGURATION

DATE: 21/08/2008 CONTOUR INTERVAL 1M



WOLTER
 CONSULTING GROUP