



Our Ref: LM:DA/4203 AD2020/0005004
Your Ref: M10-19

17 November 2020

Diversified Agriculture Pty Ltd
c/- U&i Town Plan
51 Macquarie Street
Teneriffe QLD 4005
E-mail: ramon@uitownplan.com.au
Attention: Ramon Samanes

Dear Mr Samanes

Decision Notice - approval (with conditions)
Given under section 63 of the *Planning Act 2016*

The development application described below was properly made to Cook Shire Council on 24 July 2020.

Applicant details

Applicant name: Diversified Agriculture Pty Ltd
C/- U&i Town Plan

Applicant contact details: 51 Macquarie Street
Teneriffe Qld 4005
E-mail: ramon@uitownplan.com.au
Attention: Ramon Samanes

Application details

Application number: DA/4203

Approval sought: Material Change of Use

Description of the development: Non-Resident Workforce Accommodation and
Caretaker's Accommodation

Location details

Street address: Palmerville Road, Palmer 4892

Real property description: Lot: 14 PT: A SP: 250040 TL: 14/5422

Decision

Date of decision: 10 November

Decision Details: Approved in full with conditions. These conditions are set out in Attachment 1 and are clearly identified to indicate whether the assessment manager or concurrence agency imposed them.

Details of the approval

Development Permit Material Change of Use for Non-Resident Workforce Accommodation and Caretaker's Accommodation

Conditions

This approval is subject to the conditions in Attachment 1.

Further development permits

Please be advised that the following development permits are required to be obtained before the development can be carried out:

1. Development Permit for carrying out Building Works;
2. Development Permit for Plumbing/Drainage Works.

Properly made submissions

Not applicable - no part of the application required public notification.

Referral Agencies

The referral agencies for the application are:

Referral Agency	Referral Matter	Referral Role
State Assessment Referral Agency (SARA) – Queensland Treasury Far North Queensland Regional Office PO Box 2358 CAIRNS QLD 4870 Ph: (07) 07 4037 3209 Email: CairnsSARA@dsmip.qld.gov.au	Schedule 10, Part 3, Division 4, Table 3 – Native Vegetation Clearing	Concurrence

MyDAS2 online referrals: https://prod2.dev-assess.qld.gov.au/		
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Approved plans and specifications

Copies of the approved are enclosed in 'Appendix A'.

Currency period for the approval

This development approval will lapse at the end of the period set out in section 85 of the *Planning Act 2016* (refer to Condition 15).

Lapsing of approval if development started but not completed

Any period required under a development condition.

Rights of appeal

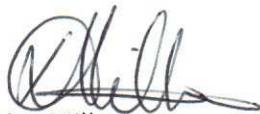
The rights of applicants to appeal to a tribunal or the Planning and Environment court against decisions about a development application are set out in chapter 6, part 1 of the *Planning Act 2016*. For particular applications, there may be also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the *Planning Act 2016*).

An applicant and/or submitter may appeal to the Planning and Environment Court or the Development tribunal against a number of matters (see Schedule 1 of the *Planning Act 2016*).

A copy of the extracts of the above referenced sections of the *Planning Act 2016* are attached (Attachment 2).

For further information please contact Town Planning, Planning and Environment Services or alternatively email: mail@cook.qld.gov.au on 07 4082 0500.

Yours sincerely



Lisa Miller
Manager
Environment and Planning

cc: Chief Executive – Department of State Development, Infrastructure, Local Government and Planning (formerly Queensland Treasury)

Far North Queensland Regional Office
Cairns QLD 4870
Email: CairnsSARA@dsmip.qld.gov.au

enc: **Attachment 1 (Part 1)** – Conditions imposed by the assessment manager

Attachment 1 (Part 2) – Conditions imposed by the State Assessment & Referral Agency (SARA)

Attachment 2 – Extract of Appeal Provisions (Chapter 6, Part 1 and Part 2 and Schedule 1 of the *Planning Act 2016*).

Attachment 1 (Part 1) – Conditions imposed by the Assessment Manager (Council)

A. Assessment Manager (Council) Conditions

Approved Plan

1. The development must be carried out generally in accordance with the Proposal Plans submitted with the application, except for any variations required to comply with the conditions of this approval. This includes:
 - Site Access Plan – Prepared by: U&i Town Plan – Plan No: M10/19 (2) – Date: 12/12/2019;
 - Site Plan for Development – Prepared by: U&i Town Plan – Plan No: M10/19 (1) – Date: 12/12/2019;
 - DONGA 1 – Standard Room and Accommodation Layout – Prepared by U&i Town Plan – Plan No: M10/19 (3) – Date: 12/12/2019; and
 - Kitchen Layout – Prepared by U&i Town Plan – Plan No: M10/19 (4) – Date: 12/12/2019.

Water Supply

2. A potable water supply must be provided prior to the commencement of the use. This would be satisfied by the provision of a rainwater tank with a minimum capacity of 100,000 litres. Where an alternative source of water supply is available within the allotment, the applicant can provide certified evidence as to the flow rates and water quality of the bore water or other supply to eliminate or reduce the requirement of on-site water storage.

Effluent Disposal

3. Any application for wastewater treatment and disposal must include details of the proposed wastewater disposal systems and calculation demonstrating compliance with the Queensland Plumbing and Wastewater Code and AS/NZS, 1547:2000 – ‘On-site domestic wastewater management’. Details are to be provided at the time of lodgement of a Plumbing and/or Building application.

Amenity

4. There shall be no adverse impact on the amenity of the surrounding area by reason of light, nuisance, dust, or noise.

Fire Management

5. The development must be maintained at all times to a standard so as not to create a fire hazard. Specifically, a cleared buffer of must be maintained between the approved structures and adjacent vegetation equal to 1.5 times the height of the

tallest adjacent tree or 20m (whichever is greatest).

Electricity Supply

6. The applicant is to ensure that the non-resident workforce accommodation and caretaker's accommodation have a reliable electricity supply, prior to the commencement of the use.

Stormwater

7. Stormwater must be directed to a legal point of discharge.

Recreation

8. The recreation space between the accommodation buildings must be roofed and sealed with concrete and/or formally landscaped prior to the commencement of the use.

Facilities

9. One building is to contain a kitchenette, laundry and storage facilities suitable for the proposed use, with a separate outdoor clothes drying area.

Kitchenette Living Conditions

10. The kitchenette must be designed and constructed to the requirements of the Australia New Zealand Food Standards Code- Standard 4.2.3 - Food Premises and Equipment.
11. The kitchenette must be roofed and enclosed by 4 walls and a solid wall must be used to separate the kitchenette from any area that is not used for food preparation and storage.

Environmental Protection

12. During the construction phase of the development, the applicant must ensure that no sand, soil, or silt runoff occurs from the site. Erosion and sediment controls must be in place.

Compliance

13. The conditions of this development permit must be complied with to the satisfaction of Council's Manager Planning and Environment prior to the commencement of the use.

14. The applicant must notify Council that all the conditions of the development permit have been complied with prior to the commencement of the use.

Currency Period

15. The currency period for this Development Permit is six (6) years. Should the use not be established within this time, the approval shall lapse.

Outstanding Charges

16. All rates, service charges, interest, and other charges levied on the land are to be paid prior to the commencement of the use.

A. Assessment Manager (Council) Advice

1. A development permit is required for carrying out Building Works, and a Plumbing and Drainage Approval/Compliance Permit is required for plumbing and drainage works prior to the construction of any buildings associated with this development.
2. The applicant/owner must notify Council of their intention to commence the use after acceptance of and compliance with these conditions or negotiated decisions (or court determined conditions) and prior to the commencement of the use. This will allow a check for compliance with conditions to be carried out by Council officers.
3. The applicant/owner is to ensure compliance with the requirements of the *Aboriginal Cultural Heritage Act 2003*, and in particular – ‘the duty of care’ that it imposes on all landowners.