



BUILDING DEVELOPMENT APPROVAL

APPROVAL No: PS.01-2020

APPLICANT: PDR/SMEC

ADDRESS: Level 2 Pullman Building Lake Street, Cairns. P.O. Box 2551. Cairns QLD 4870

OWNER: Erub Fisheries Management Torres Strait Islander Corporation ICN 7922.

FULL SITE ADDRESS: Lot 74 on Plan SP:270873 (No street address)

LOT & PLAN No. As above.

DESCRIPTION: Shelter over freezer & storeroom

Dear Applicant/ Submitter/ Referral Agency:

The Development Application No. PS.01-2020 was assessed on 18 March 2020 and approved on 21 March 2020

The decision was made on 21 March 2020.

The following schedule provides all relevant details.

1. Referral agencies / Concurrence Agencies;

2. Conditions of approval (including concurrence agency conditions if any) **SEE OVER**

3. Reasons for refusal if applicable;

4. Approval Type;
Preliminary Approval

X Development Approval

5. Further development permits required;

6. Rights of appeal
See Attached.

LAPSE OF APPROVAL

This approval for building work shall lapse if the work is not commenced within two (2) years after the date on which the approval is given as per Section 341 of the Sustainable Planning Act 2009. This approval will expire on 20 March 2022

Building work relating to demolition or relocation must be commenced within two (2) months of the approval being given and completed within one (1) year as per Section 71 of the Building Act 1975.

Note: The currency period for any development work may be extended by written application to the Private Certifier as per section 96 of the Building Act 1975.

CONDITIONS APPLYING TO THIS APPROVAL.

1. Cut and fill batters are to comply with Part 4 of Schedule 1 of the Standard Building Regulation 2006 and relevant Building Code of Australia clauses.
2. A Form 15 for design is required from a RPEQ Engineer.
3. Before the use is commenced, adequate provision shall be made for drainage and retainment of the site to the satisfaction of the Private Certifier. Such drainage shall be designed and constructed in accordance with design standards adopted by Council development manuals from time to time to convey waters that flow on or through the site to a lawful point of drainage that will not cause damage, nuisance or annoyance to other landowners.
4. Termite Control At the time of final inspection a durable notice must be lodged in a prominent location (e.g. Meter box) and kitchen cupboard indicating the following;
 - (a) The method of protection; and
 - (b) The date of installation of the system; and
 - (c) Where the chemical barrier is used, it's life expectancy as listed on the National Registration Authority label; and
 - (d) The installers or manufacturers recommendation for the scope and frequency of future inspections for termite activity.

As per part 3.1.3 of the Building Code of Australia must be installed.

5. Roof stormwater to be taken to kerb and channelling or other point of discharge by means as approved on the plans or method determined as satisfactory by the inspecting officer at the time of final inspection.
6. Surface water must be diverted away from a Class 1 Building as follows;
 - (a) Slab on ground- finished ground level adjacent to buildings.
The external finished surface surrounding the slab must be drained to move surface water away from the building and graded to give a slope of not less than 50mm over the first metre from the building.
 - (b) Slab-on-ground- finished slab heights.
The height of the slab-on-ground (measured at the slab edge) above external finished surfaces must be not less than;
 1. 150mm above finished ground level: or
 2. 100mm above sandy, well drained areas; or
 3. 50mm above paved or concreted areas that slope away from the building in accordance with (a).
7. **The following certificates are to be provided prior to the request of a Final Inspection:**
 - (a) **Balustrades and Handrails to comply with BCA: Volume 2 Part 3.9.**
 - (b) **Engineer inspection certificates, where applicable; (Form 16)**
 - (c) **Termite protection system (including architraves, skirtings etc where present) (Form 16)**
 - (d) **Engineered frame and/ or roof certification. Confirmation cladding complies with LHL, requirements and Roof Batten Installation (must include type of screws used) ; (Form 16)**
 - (e) **Wet area waterproof membrane (Form 16) including type and manufacturers name for material used. (If applicable)**
 - (f) **Glazing compliance with AS.1288, AS.2208 and AS.2047: (Form 15 required from manufacturer including details on fixing requirements) This includes any shower screens installed.**
 - (g) **Glazing compliance from installer including confirmation that the windows have been installed in accordance with the manufacturer's instructions (Form 16.)**
 - (h) **Builders/ Electricians certificate indicating smoke alarm location and installation is in accordance with AS: 3000 and AS.3786:**

**THE FOLLOWING INSPECTIONS WILL BE REQUIRED FOR
YOUR BUILDING PROJECT:**

- **FOOTINGS (Photos)**
- **SLAB. (Photos)**
- **WALL FRAME (Photos)**



- **ROOF FRAME (To be carried out on final.)**
- **FINAL**

**5 DAYS NOTICE WILL BE REQUIRED PRIOR TO ANY OF THE
ABOVE INSPECTIONS.**

Please phone or email for an inspection to;

Phone: Peter Watton Mobile: 0427 022 484

Email: peter.watton@smec.com

Approval No: PS.01-2020

Address of Site: Lot 64 on Plan SP:270873.

NOTE: Final inspections only will be required for the following Projects

DOMESTIC SHEDS

Peter W Watton (MAIBS)
QBCC: A647368.
On behalf of PDR/SMEC

21 March 2020.

RIGHTS OF APPEAL

Division 8 Appeals to court relating to development applications and approvals

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—
- (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.

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).
- (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.

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 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) development for an aquacultural ERA; or
- (b) 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;
 - (b) a referral agency's response mentioned in subsection (2).

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.

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.

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.

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.