

<b>ORDINARY MEETING</b> <b>26 JUNE 2008</b>	<b>10</b>
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MATERIAL CHANGE OF USE - BUSINESS FACILITIES - 180 MCLEOD STREET, CAIRNS NORTH - DIVISION 5

Jenny Elphinstone : 8/8/953 : #1651752

<u>PROPOSAL:</u>	BUSINESS FACILITIES
<u>APPLICANT:</u>	M TORJUSSEN C/- PETER ROBINSON PO BOX 4751 CAIRNS QLD 4870
<u>LOCATION OF SITE:</u>	180 MCLEOD STREET, CAIRNS NORTH
<u>PROPERTY:</u>	LOT 145 ON PLN C1987
<u>PLANNING DISTRICT:</u>	CBD - NORTH CAIRNS
<u>PLANNING AREA:</u>	TOURIST AND RESIDENTIAL
<u>PLANNING SCHEME:</u>	CAIRNSPLAN
<u>REFERRAL AGENCIES:</u>	DEPARTMENT OF MAIN ROADS ENVIRONMENTAL PROTECTION AGENCY
<u>NUMBER OF SUBMITTERS:</u>	ONE
<u>STATUTORY ASSESSMENT DEADLINE:</u>	EXPIRED
<u>DIVISION:</u>	5
<u>APPENDIX:</u>	<ol style="list-style-type: none"> <li>1. APPROVED PLAN(S) &amp; DOCUMENT(S)</li> <li>2. CONCURRENCE AGENCY CONDITIONS &amp; REQUIREMENTS</li> <li>3. DEVELOPER CONTRIBUTION CALCULATIONS</li> </ol>

LOCALITY PLAN**RECOMMENDATION:**

That Council approve the development application for Business Facilities premises over land described as Lot 145 on Plan C1987, located at 180 McLeod Street, Cairns North, subject to the following:

**APPROVED DRAWING(S) AND / OR DOCUMENT(S)**

The term 'approved drawing(s) and / or document(s)' or other similar expressions means:

Drawing or Document	Reference	Date
Site Plan	Adaptive Re-use, Herries Private Hospital, Drawing SK 01	January 2008
Site & Floor Plans	Adaptive Re-use, Herries Private Hospital, Drawing SK 02	January 2008
Elevations	Adaptive Re-use, Herries Private Hospital, Drawing SK 03	January 2008
Sections and Model Photographs	Adaptive Re-use, Herries Private Hospital, Drawing SK 04	January 2008

**ASSESSMENT MANAGER CONDITIONS**

1. The applicant/owner must at all times during development of the subject land carry out the development and construction of any building thereon and conduct the approved use(s) generally in accordance with:

- a. The plans, specifications, facts and circumstances as set out in the application submitted to Council;
- b. To ensure that the development complies in all respects with the following conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual; and

Except where modified by these conditions of approval.

#### **Timing of Effect**

2. The conditions of the Development Permit must be effected prior to Commencement of Use, except where specified otherwise in these conditions of approval.

#### **Amendment to Design**

3. The proposed development must be amended to accommodate the following changes:
  - a. Delete the car space no.14 at the front of the site and relocate the disabled car parking spaces on site accordingly;
  - b. Provide elevated mirrors to the driveway for improved vehicle driver and pedestrian visibility;

Details of the above amendments must be endorsed by the Chief Executive Officer prior to issue of a Development Permit for Building Work.

#### **Heritage Record**

4. This approval permits the redevelopment of the heritage premises subject to the following:
  - a. Prior to the issue of a Development Permit for Building Work to modify, the applicant/owner must undertake a archival record of the premises to the satisfaction of the Chief Executive Officer.

#### **Air-conditioning Screens**

5. Air conditioning units located above ground level and visible from external properties and the street must be screened with appropriate materials to improve the appearance of the building. Such screening must be completed prior to the Commencement of Use.

### **Water Supply Contributions**

- 6. Pay a monetary contribution to Council in accordance with the Planning Scheme Policy towards the provision of water supply infrastructure.**

**Contributions must be paid at the rates applicable at time of payment. On the present method of calculation, the contributions are \$5,933.81 (1.38 ERAs).**

**Payment is required prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.**

### **Wastewater Contributions**

- 7. Pay a monetary contribution to Council in accordance with the Planning Scheme Policy towards the provision of sewerage infrastructure.**

**Contributions must be paid at the rates applicable at time of payment. On the present method of calculation, the contributions are \$4,329.83 (1.48 ERAs).**

**Payment is required prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.**

### **Community Purpose Infrastructure Contributions**

- 8. Pay a monetary contribution to Council in accordance with the Planning Scheme Policy towards the provision of Community Purpose Infrastructure.**

**Contributions must be paid at the rates applicable at time of payment. On the present method of calculation, the contributions are \$2,124.02 (7.896 EPs).**

**Payment is required prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.**

### **Stormwater Quality**

- 9. Pay a monetary contribution to Council in accordance with Council's Trunk Infrastructure Contributions Policy towards the improving Stormwater Quality.**

**Contributions must be paid at the rates applicable at time of payment. On the present method of calculation, the contributions are \$840.14 for Stormwater Quality.**

**Payment is required prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.**

### **Public Art Contribution**

- 10. Pay a monetary contribution to Council in accordance with Council's General Policy – Public Art towards the provision of Public Art within the community.**

**Contributions must be paid at the rates applicable at time of payment. On the present method of calculation, the contributions are \$1,087.50.**

**Payment is required prior to Commencement of Use or approval and dating of the Building Format Plan, whichever occurs first.**

### **Water Supply and Sewerage Works**

- 11. The applicant/owner must undertake the following water supply and sewerage works internal to the subject land, in particular:-**

- a. Relocate the existing sewer or site the proposed building such that the sewer is a minimum of 1.5 metres away from the building and clear of the zone of influence from the footings and foundations of any building/structure;**
- b. The development must be serviced by a single internal water service and sewer Property Connection Branch (PCB);**
- c. The sewer Property Connection Branch (PCB) must be located clear of all buildings, structures and driveways;**
- d. If any existing sewer Property Connection Branch (PCB) is required to be retained but is inadequately sized to service the development, it must be upgraded. Existing sewer PCB's not retained must be decommissioned.**

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

**Details of building footings adjacent to the sewer must be endorsed by the Chief Executive Officer prior to the issuing of a Building Permit for building works.**

**Easements must be registered prior to commencement of use or at the time of Council's approval and dating of the Building Unit Plan whichever occurs first.**

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to commencement of use.

12. The applicant/owner must carry out CCTV inspections of all Council owned sewers on site both prior to the commencement of construction and after project completion. Council must assess the condition of the sewers as shown on the CCTV records and any identified defects are to be rectified at the applicant/owner's expense, to the satisfaction of the Chief Executive Officer, prior to commencement of use.

#### **Water Saving**

13. All toilet devices in the development must be fitted with dual flush cisterns and showers and hand basins in the development must be fitted with flow control valves or similar water control devices to generally restrict flow to 9 litres of water per minute.

#### **Vehicle Parking**

14. The amount of vehicle parking provided on site for the approved use is a minimum of thirteen (13) spaces. The car parking layout must comply with the Australian Standard AS2890.1 2004 Parking Facilities - off street car parking and be constructed in accordance with Austroads and good engineering design. In addition, all parking, driveway and vehicular maneuvering areas must be imperviously sealed, drained and line marked.

#### **Protection of Landscaped Areas From Parking**

15. Landscaped areas adjoining the parking area must be protected by a 150mm high vertical concrete kerb or similar obstruction. The kerb must be set back from the garden edge sufficiently to prevent vehicular encroachment and damage to plants by vehicles.

#### **Bicycle Parking**

16. Provide secured, on-site bicycle parking in accordance with Table 10-1 of *AUSTROADS Guide to Traffic Engineering Practice Part 14 - Bicycles*. Based on the provisions in Table 10-1 (page 133) the minimum number of parking spaces required for this development is three (3) spaces. The bicycle parking area must be constructed prior to Commencement of Use.

## Lighting

17. All lighting installed upon the premises including car parking areas must be certified by Ergon Energy (or such other suitably qualified person). The vertical illumination at a distance of 1.5 metres outside the boundary of the subject land must not exceed eight (8) lux measured at any level upwards from ground level.

## External Works

18. Undertake the following works external to the land at no cost to Council:
- a. Provide a full seal from the edge of the pavement to the kerb and channel.
  - b. Repair any damage to existing kerb and channel, footway or roadway (including removal of concrete slurry from footways, roads, kerb and channel and stormwater gullies and drain lines that may occur during and works carried out in association with the constructions of the approved development).
  - c. Construct a 2.0 metre wide concrete footpath to McLeod Street frontage in accordance with FNQROC Development Manual Standard Drawing 1035

All works in the road reserve need to be properly separated from pedestrians and vehicles, with any diversions adequately signed and guarded. Particular attention must be given to providing safe passage for people with disabilities i.e. the provision of temporary kerb ramps if pedestrian diversions are necessary.

The external works outlined above require approval from Council in accordance with Local Law 22 – (Activities on Roads). Three (3) copies of a plan of the works at A1 size and one (1) copy at A3 size must be endorsed by the Chief Executive Officer prior to commencement of such works. Such work must be constructed in accordance with the endorsed plan to the satisfaction of the Chief Executive Officer prior to Commencement of Use.

## Above Ground Transformer Cubicles/ Electrical Sub-Stations

19. Any above ground transformer cubicles and/or electrical sub-stations are to be positioned so that they do not detract from the appearance of the streetscape and must be clear of footpath areas. This will require cubicles/sub-stations to be setback from the street alignment behind a screen of landscaping, or incorporated within the built form of the proposed building. Details of the electrical sub-station positioning must be endorsed by the Chief Executive Officer prior to the issue of Development Permit for Building Work.

20. **Dust emissions or other air pollutants, including odours, do not extend beyond the boundary of the site and cause a nuisance to surrounding properties.**

#### **Landscaping Plan**

21. **The site must be landscaped in accordance with details included on a Landscaping Plan. The Landscaping Plan must show:**
  - a. **Deep planting of setback areas;**
  - b. **Planting of the footpath with trees, using appropriate species with regard to any site constraints;**
  - c. **Plantings to give protection to western walls; and**
  - d. **The Landscape Plan must incorporate traditional plant species, particularly those that may be recorded on relative historic records for the precinct and that are sympathetic to the local streetscape. Examples of such plants are Crotons, Acalyphas, Alexander Palms and Frangipanni.**
  - e. **Inclusion of any other relevant conditions included in this Development Permit. A copy of this Development Approval must 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 Building Works. Areas to be landscaped must be established prior to Commencement of Use and must be maintained at all times, both to the satisfaction of the Chief Executive Officer.**

#### **Lawful Point of Discharge**

22. **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, all to the requirements and satisfaction of the Chief Executive Officer.**

**Note that the stormwater will be directed toward the front of the property for the legal point of discharge.**

### Minimum Fill and Floor Levels: CBD and Environs Area - Zone 2

23. All floor levels in all buildings must be located a minimum of 150mm above the Q100 flood immunity level of 3.1 metres AHD, in accordance with FNQROC Development Manual, the CBD Environs Drainage Management Plan and Planning Scheme requirements.

Note that 150mm is the minimum allowable freeboard and Council recommends a freeboard of 300mm.

The development of the site must not consume more than sixty (60) percent of the existing flood storage volume of the site and must be conducted so as not to impede or hinder the surface water flow onto or off the subject land.

Three (3) copies of a plan of works, with supporting flood storage volume calculations, must be submitted to and be endorsed by the Chief Executive Officer prior to issue of a Development Permit for Building Work.

### Sediment and Erosion Control

24. Soil and water management measures must be installed/implemented prior to discharge of water from the site, such that no external stormwater flow from the site adversely affects surrounding or downstream properties (in accordance with the requirements of the *Environmental Protection Act 1994*, and the FNQROC Development Manual).

### Screen Fence

25. A screen fence must be provided to the side and rear boundaries of the subject land, to the satisfaction of the Chief Executive Officer. The fencing must be consistent in terms of design and materials with other fences in the locality. The fencing must be completed prior to the Commencement of Use.

### Street Fencing

26. Any proposed fences and/or walls to the road frontage is limited to the following:
- a. 1.2 metres in height if solid; or
  - b. 1.5 metres in height if at least 25% visually transparent; or
  - c. 1.8 metres in height if at least 50% visually transparent.

Details of the street fencing must be detailed in the Landscape Plan and be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Work.

Approval of any proposed fence must also be approved by the Environment Protection Agency.

#### Refuse Storage

27. The refuse bin enclosure must be roofed and bunded and fitted with a bucket trap.

#### Details Of Development Signage

28. The development must provide clear and legible signage incorporating the street number for the benefit of the public.

#### Advertising Signage

29. Signs on the subject land must conform with Council's Local Law No. 28 (Control of Advertising), to the requirements and satisfaction of the Chief Executive Officer.

#### Crime Prevention Through Environmental Design

30. The applicant/owner must ensure that all lighting and landscaping requirements complies with Council's General Policy Crime Prevention Through Environmental Design (CPTED).

#### CONCURRENCE AGENCY CONDITIONS & REQUIRMENTS

Concurrence Agency	Concurrence Agency Reference	Date	Council Electronic Reference
Environment Protection Agency	IPCH00909408	21 April 2008	1700715

Refer to Appendix 2: Concurrence Agency Requirements. (Please note that these conditions / requirements may be superseded by subsequent negotiations with the relevant referral agencies).

#### ADVICE

1. This approval, granted under the provisions of the *Integrated Planning Act 1997*, shall lapse four (4) years from the day the approval takes effect in accordance with the provisions of Section 3.5.21 of the *Integrated Planning Act 1997*.

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 potential cyclone warning 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 relevant Local Laws and statutory requirements.
4. For information relating to the *Integrated Planning Act 1997* log on to [www.ipa.qld.gov.au](http://www.ipa.qld.gov.au). To access Council's Development Manual, Local Laws and other applicable Policies log on to [www.cairns.qld.gov.au](http://www.cairns.qld.gov.au).
5. Headwork contribution calculations are attached as Appendix 3. Please note that the contributions must be paid at the rates applicable at the time of payment. Updated calculations must be requested prior to payment.

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### **EXECUTIVE SUMMARY:**

Application has been made to redevelop the former Herries Hospital with a refurbishment, modern addition and reuse as Business Facilities with accompanying on site car parking. The development is considered suitable to the land and support of the development has been issued by the Environmental Protection Agency for the works to the State registered heritage building. One submission was received with respect to the works not being in keeping with heritage principles. While the application is impact assessable it is only the assessment of the development against the planning scheme that is the impact assessable component. The CairnsPlan Demolition and Cultural Heritage Codes do not apply to State registered premises. The development is supported subject to conditions.

### **TOWN PLANNING CONSIDERATIONS:**

#### **Background**

The land was the former Herries Hospital site and has been in disrepair and vacant for an extensive length of time. The premises is registered by the State as a significant element of the State's cultural heritage. The applicant has undertaken extensive discussions with the Environmental Protection Agency regarding the redevelopment and reuse of the premises.

## Proposal

The development involves the construction of alterations and additions to the existing building and use as Business Facilities. An expansive car park is to be developed in the rear yard with a side driveway along the northern property boundary. The building is a mix of traditional fabric and new modern construction. The application included a cultural heritage report.

## CairnsPlan Assessment

CairnsPlan CBD North Cairns Planning District		Code Applicability	Compliance
<b>Planning Area</b>	Tourist and Residential	✓	Complies, refer to Comment
<b>Land Use</b>	Material Change of Use (Impact) Business Facilities	✓	Complies
<b>Overlays</b>	Hillslopes	✗	-
	Vegetation Conservation & Waterway Significance	✗	-
	Cultural Heritage	✗	Refer to comment
	Potential or Actual Acid Sulphate Soil Material	✓	Complies
	Bushfire Management	✗	-
	Flood Management	✓	Complies
	Height and Impact of Buildings	✓	Complies, refer to comment
	Operational Aspects of the Cairns International Airport	✓	Complies
<b>General</b>	Demolition	✗	Refer to comment
	Excavation and Filling Code	✓	Refer to comment
	Infrastructure Works Code	✓	Satisfactory through conditions
	Landscaping Code	✓	Satisfactory through conditions
	Parking & Access Code	✓	Does not comply, refer o comment
	Reconfiguring a Lot Code	✗	-
	Development Near Major Transport Corridors & Facilities	✓	Complies

## Compliance Issues

### Tourist & Residential Planning Area

The development is relatively small in scale and has minimum impacts on the environment. It is considered that the development of the use will not result in a detrimental impact on the amenity of the surrounding properties, which are holiday accommodation premises.

### Height & Impact of Buildings Code

The siting of the building is limited by its cultural significance and this is satisfactory. The plot ratio and building height are substantially less than what could be constructed if the heritage building was not present.

## **Cultural Heritage and Demolition Codes**

The building is included in the State's heritage register and development is subject to the Queensland Heritage Act administered by the Environmental Protection Agency in regards to cultural heritage. The CairnsPlan codes do not apply.

## **Excavation and Filling Code**

The CBD and Environs flood study requires the ground floor to have a height of 3.1m AHD with a 60/40 fill ratio. It is not clear whether this will impact on the original building fabric or the intended design that has been approved by the EPA. A standard condition requires the minimum floor level for Q100 flood immunity any deviation from this will require further negotiation.

## **Vehicle Access & Parking**

Under the Acceptable Measure, the development of 525m<sup>2</sup> net lettable floor area requires the provision of twenty-one (21) spaces. Fourteen (14) spaces are provided on site. The Performance Criteria nominates that discretion can be given to reduce the parking requirement having regard to the retention of an identified heritage building and the previous requirements for car parking for the building. The premises was last used as a House which had a demand requirement of two (2) car spaces. Considering the restrictions due to the heritage buildings the on-site provision is considered satisfactory. The pioneer cemetery is sited on the opposite side of McLeod Street and there is on-street parking available in the area.

One space is sited in the front of the building. Exiting of these spaces requires turning into the driveway and there is poor visibility to the driveway of other vehicles when undertaking a reverse turn. A condition of the approval requires the deletion of the front car parking space.

There is a preference for a two way driveway and the applicant was advised of this requirement through a prelodgement enquiry. The entry is splayed to allow the standing of a vehicle and the driveway is considered suitable provided mirrors are provided to enable visibility for drivers travelling the length of the driveway.

## **Referrals**

The Environmental Protection Agency has nominated conditions to be included and these are detailed in Appendix 2.

The Department of Main Roads advised that it did not require conditions to be applied.

## **Public Notification / Submissions**

One submission was received and the grounds of submission are summarised as follows.

**The development proposes the use of modern materials to the original elements of the building which is inconsistent with the ICOMOS Burra Charter. The design is not consistent with the Charter's heritage principles and should not be supported. Concern is also raised with the appearance of the proposed building being not in keeping and respectful of the original premises and the lack of documentation in respect to a conservation management plan.**

The Charter is the recognised code of international standing for assessment of cultural heritage. CairnsPlan makes reference to the Code in the supporting Planning Policies. In this instance the evaluation of the cultural heritage is undertaken by the State, and the planning scheme codes are not applicable. Under CairnsPlan there is no double assessment of heritage issues. Premises of State significance are assessed by the Environmental Protection Agency as a concurrence agency. Premises of local significance are assessed against the planning scheme codes. As the site is of State significance it is not assessed against the Scheme's heritage codes.

**The proposal was reported in the application by the planning consultant and the Cairns Post with the article reporting that the adaptive reuse of the building was unviable unless a business facilities use could be established.**

The newspaper article is not part of the application. The planning scheme allows the alternative use under the District Assessment Table. There was no objection raised with the proposed use by the Environmental Protection Agency.

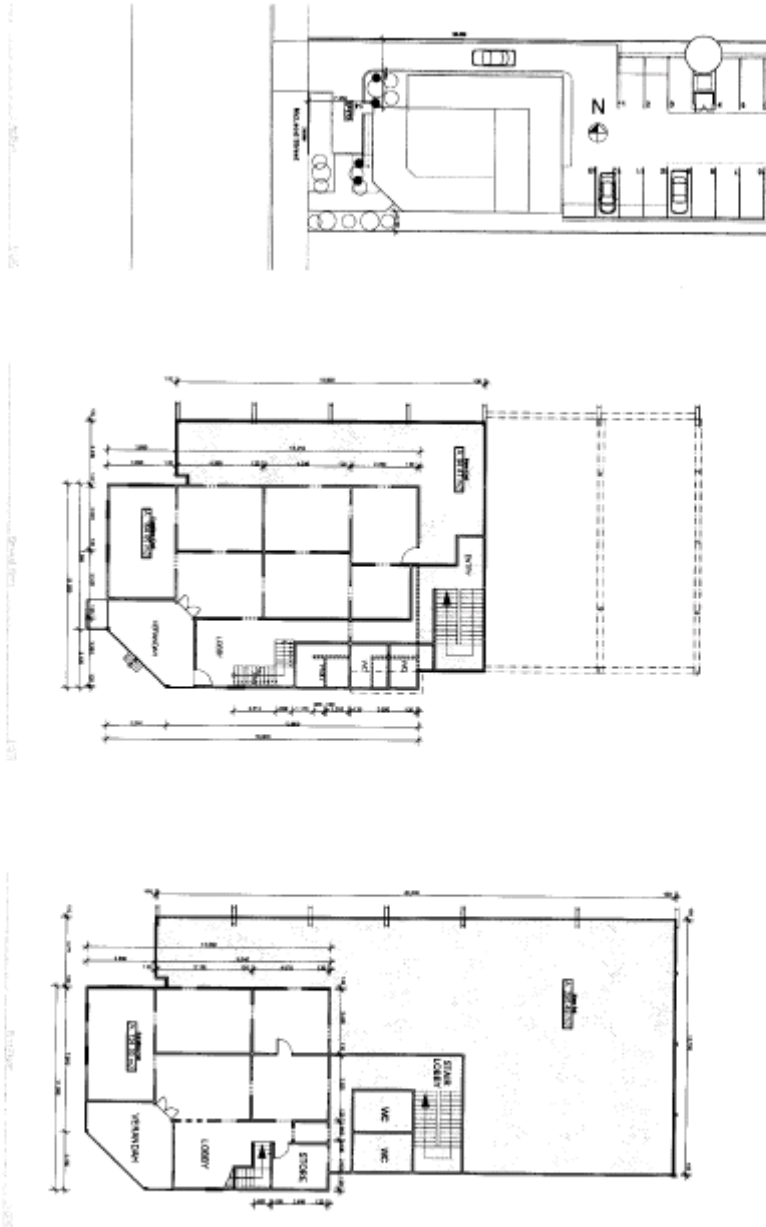
**HEADWORKS / CONTRIBUTIONS:**

The proposed development triggers Developer's Headwork's Contributions. Refer to Appendix 3 to view calculations.

Jenny Elphinstone  
Senior Planning Officer  
**Action Officer**

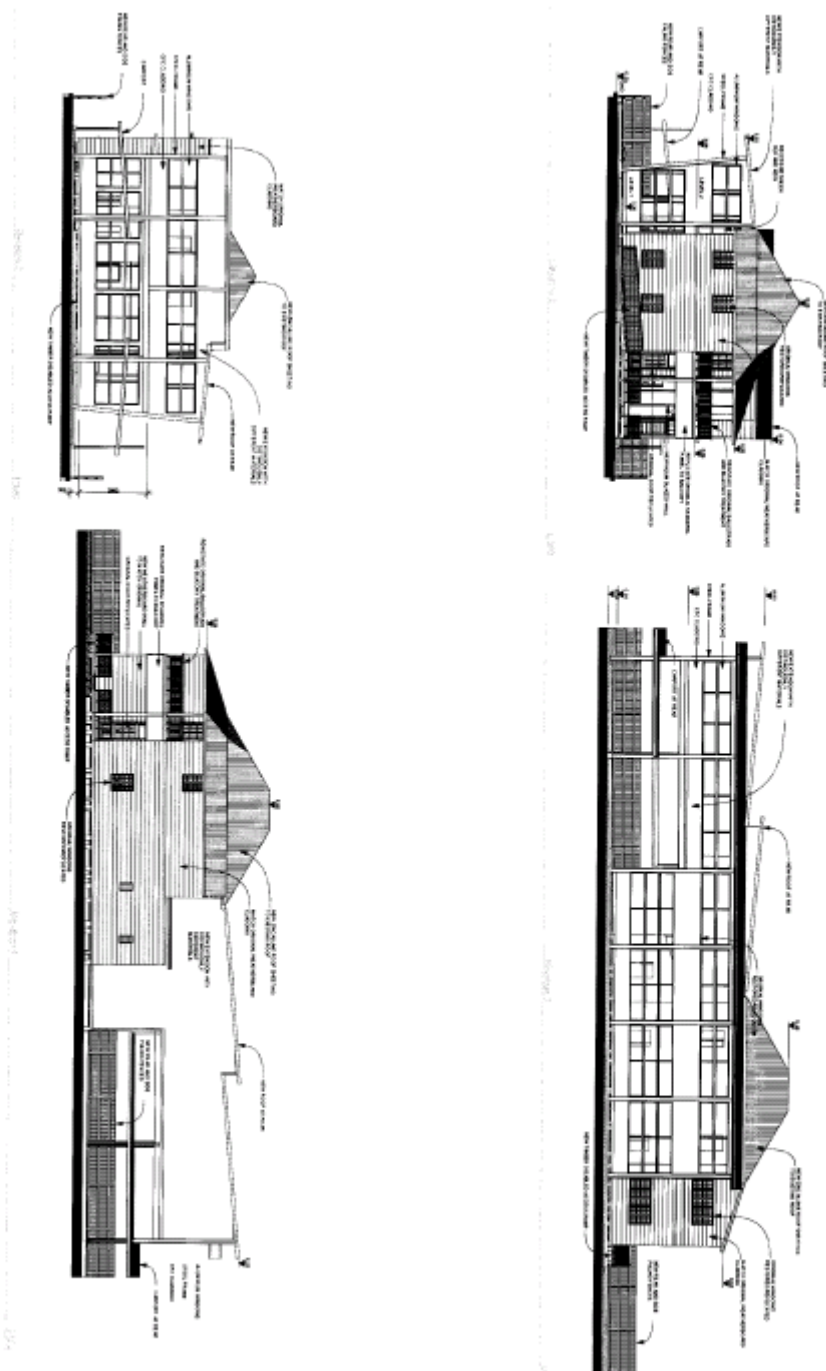
Simon Clarke  
**Manager Development Assessment**





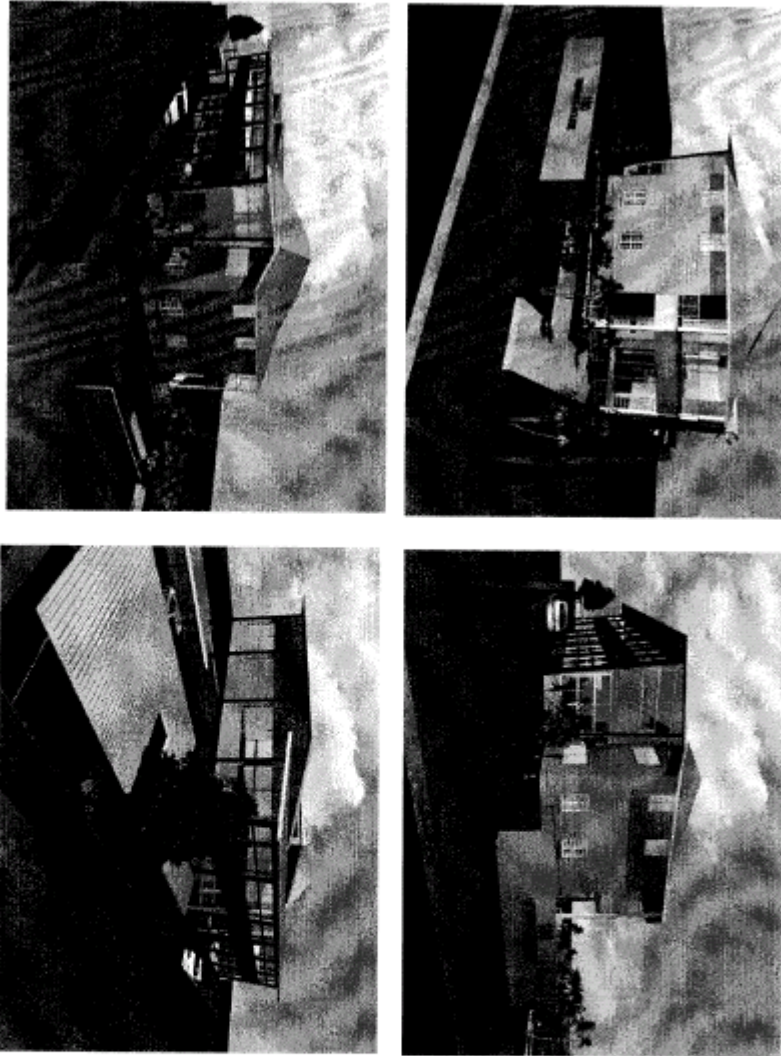
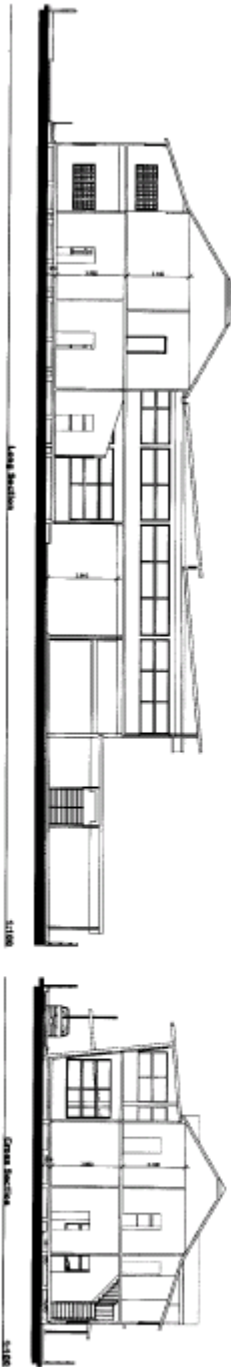
**SK02 Adaptive Re-Use  
Herries Private Hospital, 180 McLeod St**

January 2008  
**Henry Di Paolo - ARCHITECT**  
ON REG 2002 P/L 04/01/1997 PER PER 001-0701 AUT/CONF/04/02



**SK03 Adaptive Re-Use  
Herries Private Hospital, 180 McLeod St**

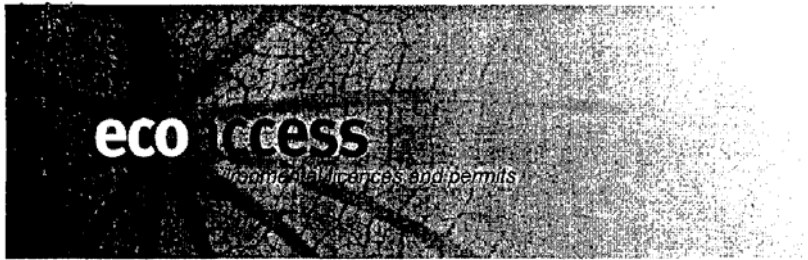
January 2008  
**Herry Di Paolo - ARCHITECT**  
PROF. 14 11714 044 P.O. Box 2004, St. John's, N.S. 1A1 1X1



**SK04** **Adaptive Re-Use**  
**Herries Private Hospital, 180 McLeod St**

January 2008  
**Herry Di Paolo - ARCHITECT**  
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## APPENDIX 2 CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS



# Notice

### Cultural Heritage- Concurrence Agency Response

*This notice is issued by the Environmental Protection Agency and Queensland Heritage Council pursuant to Sections 3.3.16 and 3.3.18 of the Integrated Planning Act 1997 to advise of a decision or action.*

Jenny Elphinstone  
Cairns City Council  
PO Box 359  
CAIRNS QLD 4870



CC: Mr Mark Torjussen  
C/- Peter Robinson  
PO Box 4751  
CAIRNS QLD 4870

Our reference: 249837

Dear Sir/Madam

#### Re: Referral for Concurrence Agency Response

The Environmental Protection Agency (EPA), wishes to advise that the referral for a concurrence agency response, received on 26-FEB-2008, has been assessed, and on **21-APR-08** it was decided that conditions must be attached to any development approval.

The advice and/or conditions relevant to this response are attached. They are clearly identified to indicate which referral trigger they apply to.

#### 1. Property/Location:

Street address - 180 Mcleod Street, CAIRNS QLD 4870  
Lot/Plan - Lot 145 Plan C1987

#### 2. Details of the recommendation

##### Aspect of Development

- Concurrence Response for Development on a heritage registered place
- Development carried out on a registered place under the Queensland Heritage Act 1992

##### Recommendation

- Granted in full with conditions

##### EPA Ref Number

- IPCH00909408

## Cultural Heritage- Concurrence Agency Response

### 3. Currency period

This approval will lapse unless substantially started within the currency period set by the Assessment Manager or within the standard currency periods stated in section 3.5.21 of the Integrated Planning Act 1997 applying to each aspect of development in this approval.

### 4. The approved plans

The approved plans and/or documents for this approval are:

Plan/Document No.	Plan/Document Name	Date
SK01	Site Plan: Adaptive Re-use: Herries Private Hospital, 180 McLeod Street Cairns, prepared by Henri Di Paolo	January 08
SK02	Site Plan/Ground Floor/First Floor: Adaptive Re:use: Herries Private Hospital, 180McLeod Sreet, Cairns, prepared by Henri Di Paolo	January 2008
SK03	Elevations 1-4: Adaptive Re:use: Herries Private Hospital, 180McLeod Sreet, Cairns, prepared by Henri Di Paolo	January 2008
SK04	Long Section/ Cross Section: Adaptive Re:use: Herries Private Hospital, 180McLeod Sreet, Cairns, prepared by Henri Di Paolo	January 2008

### 5. Codes for self-assessable development

Any self-assessable development for an environmentally relevant activity conducted in conjunction with this approval, must comply with the relevant code of environmental compliance.

### 6. Assessment Manager Responsibilities

*Please note that it is a requirement under Sections 3.5.15 and 3.5.17 of the Integrated Planning Act 1997 that a copy of the final Decision Notice (which includes the EPA's concurrence response) for this application issued by the Cairns City Council, be forwarded to each referral agency. Therefore could you please send a signed hardcopy to the EPA's Ecoaccess Customer Service Unit, PO Box 15155 CITY EAST 4002 and an electronic copy to [eco.access@epa.qld.gov.au](mailto:eco.access@epa.qld.gov.au).*

*In addition, the State's Native Title Work Procedures indicate that responsibility for assessment of native title issues for an IDAS application rest with the Assessment Manager. Therefore in this instance, the EPA has not provided a notification to native title parties.*

**Cultural Heritage- Concurrence Agency Response**

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If you require more information, please contact Sandra Robb, the Project Manager, on the telephone number listed below.

Yours sincerely



**Delegate**  
Environmental Protection Agency  
21-APR-08

**Enquiries:**  
Sandi Robb  
Environmental Services, EPA  
PO Box 5391  
TOWNSVILLE QLD 4810  
Phone: 47 225 339  
Fax: 47 225 331

**Cultural Heritage- Concurrence Agency Response**

**Attachment 1 – Conditions of approval**

**Concurrence Agency Response for Development on a Queensland heritage place  
Former Herries Private Hospital, McLeod Street, Cairns**

(1) Carry out all development in accordance with drawings and documents specified in this notice. In the case of a discrepancy between documents and conditions, conditions take precedence.

*(Reason - To ensure development is carried out as approved)*

(2) During development, permit access to the registered place by EPA officers if requested.

*(Reason - To ensure development complies with approval)*

(3) During development, take appropriate precautions to protect existing building fabric and other significant elements or artefacts from incidental damage.

*(Reason - To ensure that the cultural heritage values of the place are appropriately recognised and managed)*

(4) During development, should damage occur to existing building fabric and/or other significant elements or artefacts, report such incidents immediately to Manager, Cultural Heritage, Townsville Region, EPA and confirm details of the incident in writing within 2 business days. The incident report must include (but is not limited to) the following information:

- i. Location and name of registered place;
- ii. Permit number and condition number incident report being made under;
- iii. Details of incident, including time and cause of incident and damage report;
- iv. Details of measures that were in place at the time to protect against such incident and why these did not prevent damage;
- v. Details of proposed measures to reinstate, remediate or rectify damage; and
- vi. Name and contact details of person making report.

*(Reason - To ensure that the cultural heritage values of the place are appropriately recognised and managed)*

(5) Inform Manager, Cultural Heritage, Townsville Region, EPA in writing, within 10 working days of completion, that development authorised under this permit is complete. State location and name of registered place and permit number and condition number this report is being made under.

*(Reason - To ensure development complies with approval)*

(6) All replacement building materials to be used in original building to be of a similar type and profile to original.

This includes:

- i. External wall cladding.
- ii. Internal wall cladding to original walls.
- iii. Floor boards
- iv. Reinstatement of doors and windows.
- v. Roofing iron to the original roof.

*(Reason - To ensure that the conservation of building fabric is carried out in accordance with best practice conservation principals.)*

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**Cultural Heritage- Concurrence Agency Response**

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(7). Flooring to be reinstated throughout original building and coated with a suitable product such as Tung Oil.

*(Reason - To ensure that the conservation of building fabric is carried out in accordance with best practice conservation methods.)*

(8). Windows located at the side interface of original and new section to be reinstated to match original windows..

*(Reason - To ensure that the conservation of building fabric is carried out in accordance with best practice conservation principals set out in the Burra Charter.)*

(9). Rear external window openings on the lower and upper level may be lowered to floor level to form doorways. Height is to remain consistent with original window openings.

*(Reason - To ensure that the adaptation of original building fabric remains minimal and sympathetic with original size and scale.)*

(10). Where practical, date stamping should be applied to new building fabric and located in a discreet location. *(Reason - To ensure that introduced building fabric is discernable upon close inspection.)*

(11). Conservation works and change are to be fully documented and recorded with a copy supplied to the Manager, Cultural Heritage, Townsville Region, EPA, within 30 working days of completion.

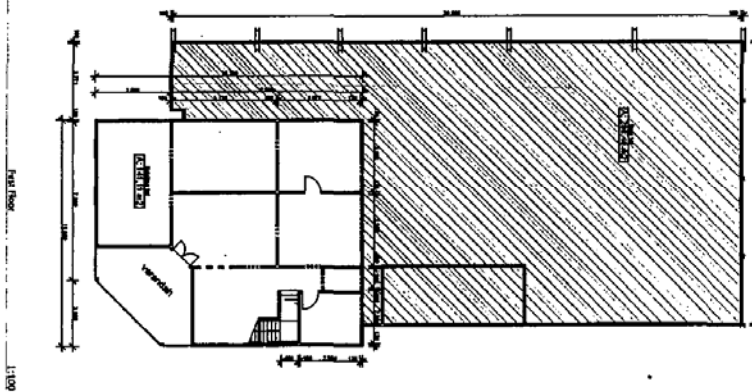
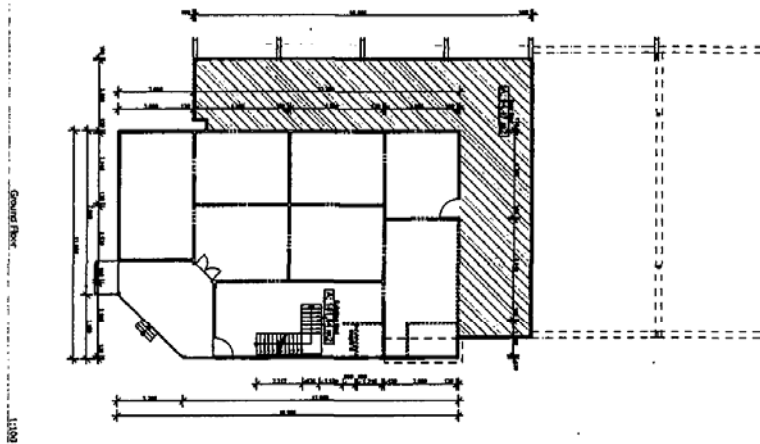
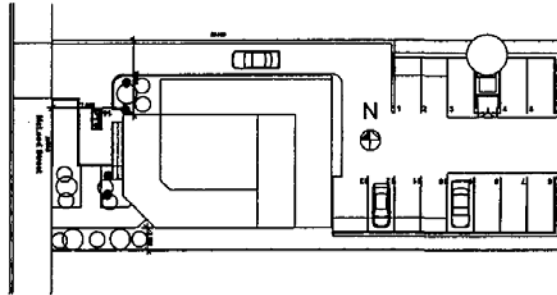
*(Reason - To ensure that the documenting evidence and decisions associated with conservation of building fabric is carried out in accordance with best practice conservation principals set out in the Burra Charter.)*

(12). Variation to these conditions requires application to the EPA. All other variations to works shall be carried out to the satisfaction of the Manager, Cultural Heritage, Northern Region, Environmental Protection Agency.

*(Reason - To ensure that the cultural heritage values of the place are appropriately managed.)*



CONCURRENCE AGENCY RESPONSE  
**APPROVED**  
 IN ACCORDANCE WITH THE  
 QUEENSLAND HERITAGE ACT 1992 s6D  
 SUBJECT TO ALL THE CONDITIONS  
 SET OUT IN THE NOTICE  
 REFERENCE IPC#00909A08  
 DATED 1 APR 2008  
 SIGNED *Peter Hatcher* DELEGATE  
 ENVIRONMENTAL PROTECTION AGENCY  
 PO BOX 155 BRISBANE ALBERT ST. Q. 4802



**SK02 Adaptive Re-Use**  
**Herries Private Hospital, 180 McLeod St**

January 2008  
**Henry Di Pado - ARCHITECT**  
Old Reg 7802 Ph. 0419 778 188 PO Box 2784 North Cairns Q. 4870

**CONCURRENCE AGENCY RESPONSE  
APPROVED**

IN ACCORDANCE WITH THE  
QUEENSLAND HERITAGE ACT 1992 s. 68  
SUBJECT TO ALL THE CONDITIONS  
SET OUT IN THE NOTICE

REFERENCE *IPCH 00909408*

DATED *21 APR 2008*

SIGNED *Peter Hetherington*

DELEGATE  
ENVIRONMENTAL PROTECTION AGENCY  
PO BOX 155 BRISBANE ALBERT ST. Q. 4002

Section 1  
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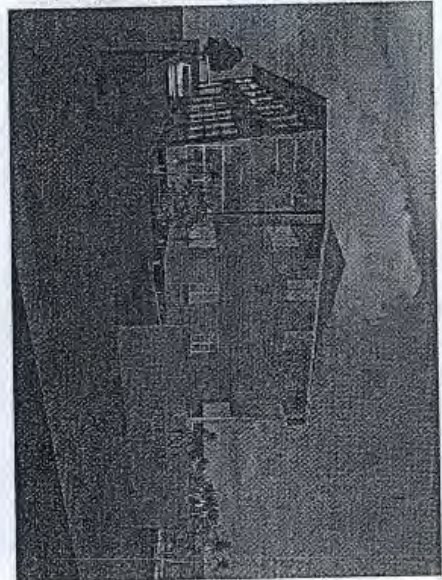
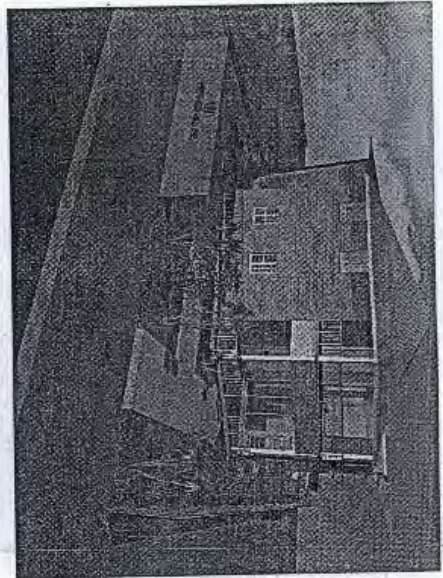
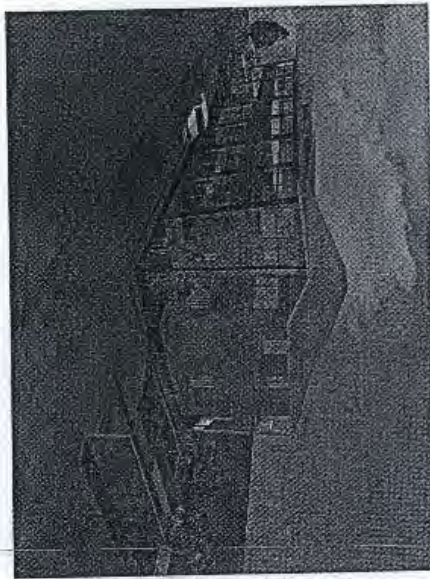
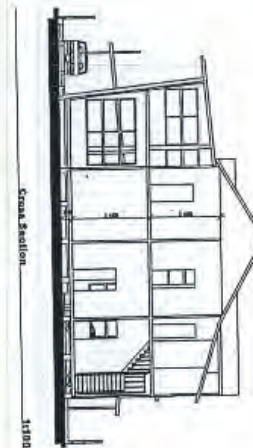
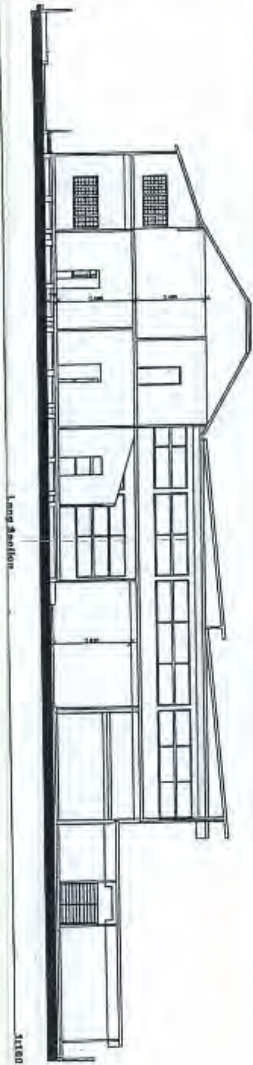
Section 2  
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Section 3  
1:100

Section 4  
1:100

**SK03 Adaptive Re-Use  
Herries Private Hospital, 180 McLeod St**

January 2008  
**Herry Di Pado - ARCHITECT**  
CRP Reg 2002 P.O. Box 2729 North Quay QLD 4000




CONCURRENCE AGENCY RESPONSE  
**APPROVED**  
 IN ACCORDANCE WITH THE  
 QUEENSLAND HERITAGE ACT 1992 s.68  
 SUBJECT TO ALL THE CONDITIONS  
 SET OUT IN THE NOTICE  
 REFERENCE IRCH00909408  
 DATED 21 APR 2008  
 SIGNED *Peter Holt*  
 ENVIRONMENTAL PROTECTION AGENCY  
 PO BOX 155 BRISBANE ALBERT ST. Q. 4802


SK04

**Adaptive Re-Use**  
**Herries Private Hospital, 180 McLeod St**

January 2008  
**Henry Di Pado ARCHITECT**  
Can Reg 2001  
Pr. 0411 118 158 PG. Box 2751 North Sydney NSW 1585

APPENDIX 3 DEVELOPER CONTRIBUTION CALCULATIONS

		<b>DEVELOPERS CONTRIBUTIONS</b> <b>SUMMARY</b>	
<b>Preliminaries</b> Developer: M TORJUSSEN Estate Name: NA Slage: 0 Street No. and Name: 180 MCLEOD STREET Suburb: Cairns North Parcel No.: 53014 Lot and RP No.: L145 C1987 Development Permit No.: 8/6/953		Development Type: MCU (Impart) Business Facilities Status: <b>Cairns Plan Application</b> Quarter Ending Effective: Mar-08 SKIDS No.: 1731140 Version No.: 1 Current RICI: 0.00 Current GPI: 0.00 Validity Period: 4 Current R&B: 148.6	
<b>Water Supply</b> Adjustment Index: R&B District No.: 10 District Name: Inner City Base Rate - existing: \$2,860.00 Current Rate (Indexed): \$3,589.49 Base Rate - proposed: \$566.00 Current Rate (Indexed): \$710.37 Base Rate - total: \$3,426.00 Current Rate (Indexed): \$4,299.86 Base Date: Jun-03 Base Index: 118.40 <b>Proposed Demand</b> 2.4763635 Business Facilities (per 275m2 gra) 2.48 ERA None 0.00 ERA None 0.00 ERA Total demand 2.48 ERA <b>Existing land use</b> 1 House lot 901m2 - 1100m2 1.10 ERA None 0.00 ERA None 0.00 ERA Nominal use credit 1.10 ERA <b>Long term water use</b> Credit for long term water consumption removed from policy on 12.2.2002 as per minutes of meeting #403699 <b>Previous contribution</b> Historical amount \$0.00 Date of payment 0-Jan-00 Credit for previous payment 0.00 ERA <b>Credit for Works External</b> Opening balance of works external \$0.00 Opening balance of credits \$0.00 Credit claimed \$0.00 ERA Net demand 1.38 ERA Net Charges Existing Works 360 \$4,953.50 Net Charges Proposed Works 357 \$980.31 Contributions <b>\$5,933.81</b> Time of payment prior to commencement of works		<b>Wastewater</b> Adjustment Index: R&B District No.: 24 District Name: City Base Rate - existing: \$1,613.00 Current Rate (Indexed): \$2,024.42 Base Rate - proposed: \$718.00 Current Rate (Indexed): \$901.14 Base Rate - total: \$2,331.00 Current Rate (Indexed): \$2,925.56 Base Date: Jun-03 Base Index: 118.40 <b>Proposed Demand</b> 2.5 Business Facilities (per 275m2 gra) 2.48 EDC None 0.00 EDC None 0.00 EDC Total demand 2.48 EDC <b>Existing land use</b> 1 House lot 901m2 - 1100m2 1.00 EDC None 0.00 EDC None 0.00 EDC Nominal use credit 1.00 EDC <b>Long term water use</b> Credit for long term sewer use removed from policy on 12.2.2002 as per minutes of meeting #403699 <b>Previous contribution</b> Historical amount \$0.00 Date of payment 0-Jan-00 Credit for previous payment 0.00 EDC <b>Credit for Works External</b> Opening balance of works external \$0.00 Opening balance of credits \$0.00 Credit claimed \$0.00 EDC Net demand 1.48 EDC Net Charges Existing Works 359 \$2,996.15 Net Charges Proposed Works 356 \$1,333.69 Contributions <b>\$4,329.83</b> Time of payment prior to commencement of use	
<b>Road Network</b> Adjustment Index: R&B District No.: 1 District Name: Cairns Urban Receipt Code: 05967 Base Rate: \$4,365.00 /ERA Base Index: 125.20 Base Date: Dec-04 Current Rate (Indexed): \$5,180.82 /ERA <b>Proposed Demand</b> None 0.00 ERA None 0.00 ERA None 0.00 ERA Total demand 0.00 ERA <b>Existing land use</b> None 0.00 ERA None 0.00 ERA None 0.00 ERA Allowable credit 0.00 ERA Subtotal \$0.00 <b>Credit for Works External</b> Works external 0 \$0.00 Opening balance of credits \$0.00 Credit for this work \$0.00 Closing Balance for works external \$0.00 Contributions <b>\$0.00</b> Time of payment		<b>Drainage</b> District No.: 24 District Name: Saltwater Creek Mitigation Unit: Ha Adjustment Index: R&B Quantity: 0.00 Receipt Code: 358/5068 Base Rate: \$0.00 Base Index: 107.80 Base Date: Dec-00 Current Rate (Indexed): \$0.00 <b>Demand</b> Saltwater Creek \$0.00 Sub-total \$0.00 <b>Credit for works external</b> Works external 0 \$0.00 Opening balance of credits \$0.00 Credit for this work \$0.00 Closing Balance for works external \$0.00 Contributions (Mitigation) <b>\$0.00</b> <b>Water Quality</b> Unit: Ha Adjustment Index: R&B Quantity: 0.2066 Receipt Code: 400/5141 Base Rate: \$2,950.00 Base Index: 107.80 Base Date: Dec-00 Current Rate (Indexed): \$4,066.51 <b>Demand</b> Saltwater Creek \$0.00 Sub-total \$840.14 <b>Credit for works external</b> Works external 0 \$0.00 Opening balance of credits \$0.00 Credit for this work \$0.00 Closing Balance for works external \$0.00 Contributions (Water Quality) <b>\$840.14</b> Time of payment within 14 days from issue of building approval	
<b>Open Space</b> Adjustment Index: Other MCU Land Use / Planning Area: CBD - North Cairns EP Rate: 1.6 EP@100m2 GFA Demand: 6.81 EP@100m2 GFA Demand EP: 10,996 EP Rate: \$3.00 EP/House Credit: 1 EP/House Credit EP: 3 Charge: 269 \$/Person Districts: 5 Name: CBD - North Cairns Receipt Code: 5172 \$1,274.41 City Wide: 5179 \$649.61 Contribution <b>\$2,124.02</b> Time of payment within 14 days from issue of building approval		<b>Other Bonds and Contributions</b> None \$0.00 None \$0.00 Public Art Contribution: T 363 \$0.00 None \$0.00 Public Art Contribution \$1,087.50 Subtotal <b>\$1,087.50</b> Time of payment prior to commencing works for reconfiguration Adjustment index: R&B	
<b>Amendments</b>		Prepared: J Elphinstone 18-Jun-08 Checked: <b>TOTAL \$14,315.91</b>	



**CAIRNSPLAN APPLICATIONS ONLY**

**DEVELOPERS HEADWORKS CONTRIBUTIONS**

<b>M TORJUSSEN</b>	<b>NA</b>	<b>0</b>
<small>DEVELOPERS NAME</small>	<small>ESTATE NAME</small>	<small>STAGE</small>
<b>180 MCLEOD STREET</b>	<b>Cairns North</b>	<b>L145 C1987</b>
<small>STREET No. &amp; NAME</small>	<small>SUBURB</small>	<small>LOT &amp; RP No.s</small>
<b>MCU (Impact) Business Facilities</b>	<b>8/8/953</b>	<b>31-Mar-08</b>
<small>DEVELOPMENT TYPE</small>	<small>COUNCIL FILE NO.</small>	<small>QUARTER ENDING</small>
<b>1731140</b>	<b>1</b>	<b>4</b>
<small>SKIDS No.</small>	<small>VERSION No.</small>	<small>VALIDITY PERIOD</small>

This logsheet is indexed appropriately only for payments made within the quarter noted above.

	DIST.	\$ / ERA		NET ERA	ADJUSTMENT	AMOUNT DUE	AMOUNT PAID	RECEIPT TYPE
<b>WATER</b>								
EX	10	3,589.49	X	1.38	0.00	\$4,953.50		360
Pro	10	710.37	X	1.38	0.00	\$980.31		357
Water sub - total						<b>\$5,933.81</b>		
<b>WASTEWATER</b>								
Ex	24	2,024.42	X	1.48	0.00	\$2,996.15		359
Pro	24	901.14	X	1.48	0.00	\$1,333.69		356
Sewerage sub - total						<b>\$4,329.83</b>		
<b>Road Network</b>	(Road Network Catchment)			Cairns Urban				
	District No.		1			\$0.00		T348/ 05967
<b>DRAINAGE</b>	(Catchment)			Saltwater Creek				
	Stream Management					\$0.00		358/ 5068
	Stormwater Quality					\$840.14		400/5141
<b>Community Purpose</b>	(Precinct)			CBD - North Cairns		\$1,274.41		354/ 5172
	MCU Land Use / Planning Area			City Wide		\$849.61		354/ 5179
<b>BONDS</b>	None					\$0.00		
	None					\$0.00		
<b>OTHER</b>	Public Art Contribution					\$0.00		T 363
	None					\$0.00		
	Public Art Contribution					\$1,087.50		
<b>TOTAL</b>						<b>\$14,315.31</b>		

Prepared by	J Elphinstone	on	18-Jun-08	Amount Paid	
Checked by		on		Date Paid	
Amendments			Date	Receipt No.	
				Cashier	

1. The Developer should confirm these details with City Assessment prior to arranging payment
2. City Assessment must update these details if the effective quarter is no longer current
3. City Assessment must update these details in the event of policy change or variation to Development Approval
4. These details must be presented at time of payment
5. A photocopy of these details to be forwarded to City Assessment once payment is received
6. The original of these details to be forwarded to Finance Department with receipt once payment is received
7. Payment details to be entered into Developer Contributions Register by Finance Officer