

OUR REF: MCUC 5231/2014 (prev 8/7/2774) (434159)

17 November 2014

Ms Rae-ann Hollis
225 Aumuller Street
WESTCOURT QLD 4870

Dear Madam

**DECISION NOTICE UNDER S 369 SUSTAINABLE PLANNING ACT 2009:
DEVELOPMENT APPLICATION FOR
BUCHANAN CREEK ROAD, COW BAY**

With reference to the request for a permissible change to the abovementioned Development Approval, which was determined under Instrument of Delegation on 14 November 2014, please find attached the relevant Decision Notice.

The notice includes extracts from the Act with respect to lodging an Appeal.

Should you have any enquiries in relation to this Decision Notice, please contact Susanna Andrews of Development and Environment on telephone number 07 4099 9456.

Yours faithfully

Donna Graham
Manager Development & Environment

Att

APPLICANT DETAILS

Rae-anne Hollis
225 Aumuller Street
WESTCOURT QLD 4870

ADDRESS

Buchanan Creek Road, Cow Bay

REAL PROPERTY DESCRIPTION

Lot 33 on RP737398

PROPOSAL

House

DECISION

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

DECISION DATE

This Changed Decision Notice dated 17 November 2014 replaces the
Decision Notice dated 30 August 2013.

TYPE

Material Change of Use (Development Permit)

REFERRAL AGENCIES

None Applicable

SUBMISSIONS

There were no submissions for this application.

FURTHER DEVELOPMENT PERMITS REQUIRED

Development Permit for Building Works
Development Permit for Plumbing 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
Site Plan	Drawing prepared by Daniel Hollis (Council ref no 4056842)	Received 27 July 2013
<u>Site map with proposed location</u>	<u>Drawing no (1a) (Council ref no 431626)</u>	Received 16 October 2014
Floor Plan	Drawing prepared by Daniel Hollis (Council ref no 4056842)	Received 27 July 2013
Front Elevations	Drawing prepared by Daniel Hollis (Council ref no 4056842)	Received 27 July 2013
Side Elevations	Drawing prepared by Daniel Hollis (Council ref no 4056842)	Received 27 July 2013
Rear Elevations	Drawing prepared by Daniel Hollis (Council ref no 4056842)	Received 27 July 2013
Proposed Generator Shed	Drawing prepared by Daniel Hollis (Council ref no 4056842)	Received 27 July 2013
<u>Auxillary shed elevations</u>	<u>Drawing no (1b) (Council ref no 431626)</u>	Received 16 October 2014

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, including recommendations and findings confirmed within technical reports; 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 satisfied prior to Commencement of Use, except where specified otherwise in these conditions of approval.

Lawful Point of Discharge

3. The flow of all external 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.

Water Supply

4. Water storage tank(s) with a minimum capacity not less than 30 000 litres must be installed prior to occupation of the premises. Details of the water tank(s) must be shown on plans submitted with the Building Application. Such water tank(s) must be provided with:

- a. Mosquito-proof screens of brass, copper, aluminium or stainless steel gauze not coarser than one (1) mm aperture mesh of substantial construction and installed in such manner as not to cause or accelerate corrosion; or
- b. Flap valve at every opening of the tank or other receptacle; or
- c. Other approved means for preventing the ingress or egress of mosquitoes; and
- d. Where a tank or other receptacle is provided with a manhole, the manhole must have a diameter of no more than 40 cm; and
- e. A 50 mm ball valve with a camlock fitting.

On-site Effluent Disposal

- 5. The method of on-site effluent disposal must be in accordance with the *Plumbing and Drainage Act 2002*. Details of the wastewater treatment system to be installed must be in accordance with report submitted by Zammataro Plumbing Pty Ltd dated 31 July 2013, Council Reference 4062962.

Vegetation Clearing

- 6. Existing vegetation on the land must be retained in all areas except those affected by the construction of access driveways and/or the installation of services as detailed on the approved plans. Any further clearing requires an Operational Works Approval.

Landscaping

- 7. All landscaping to be installed must consist of native and endemic species only and planted in an irregular and random fashion to blend with existing vegetation. Exotic species are not permitted.
- 8. A ten (10) metre wide landscape buffer must be provided along the road frontage of the site. The landscaping must consist of native and endemic species which must be planted in an irregular and random fashion to blend with existing vegetation. The use of palm trees must be limited and only used as an accent feature.

Building Colours

- 9. The exterior finishes and colours of Buildings are non-reflective and blend with the natural colours of the surrounding environment. Roofs and structures (including water tanks) must be of moderately dark to darker shades of green, grey, blue and brown.

The following proposed building colours are approved for use:

Exterior Walls – Colorbond Dune[®] (vertical corrugated iron around roof recess; shed)

Colorbond Ironstone[®] (ground floor block, level 1 horizontal cladding and guttering; shed roller doors, gutters and flashing)

Roofs – Colorbond Dune[®]

Sediment and Erosion Control

10. 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*).

External Works

11. Undertake the following external works:
 - a. Upgrade the existing crossover to a rural allotment access standard in accordance with *FNQROC Development Manual Standard Drawing S1105*. A copy is attached at Appendix 2.

The crossover must not impact on stormwater flows in minor and major flow events.

Setback

12. The shed must be setback a minimum of 20 metres from the Road Frontage Boundary and a minimum of ten (10) metres from the side boundary.

Shed

13. The use of the shed shall be for purposes ancillary to the residential use of the land.

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 section 339 and section 341 of the *Sustainable Planning Act 2009*.
2. The applicant/owner is advised that this approval does not approve the construction of the building work. A Development Permit for Building Work must be obtained in order for construction to commence.
3. 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.
4. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.
5. For information relating to the *Sustainable Planning Act 2009* log on to www.dsdip.qld.gov.au. To access the *FNQROC Development Manual*, Local Laws and other applicable Policies log on to www.cairns.qld.gov.au.

LAND USE DEFINITIONS*

In accordance with the Douglas Shire Planning Scheme 2008 the approved land use of House is defined as:

Means the use of premises comprising one Dwelling Unit, located on one (1) lot for the exclusive residential use of one (1) Household. The use includes:

- Outbuildings/structures incidental to and necessarily associated with the residential use;*
- The care of children in accordance with the Child Care (Family Day Care) Regulation 1991;*
- Accommodation for a member or members of the extended family of the Household occupying the House and for personal staff; and*
- A display house which displays to the general public the type of construction or design offered by a builder/developer, for a maximum period of twelve (12) months and which then converts to a House for the exclusive use of one Household.*

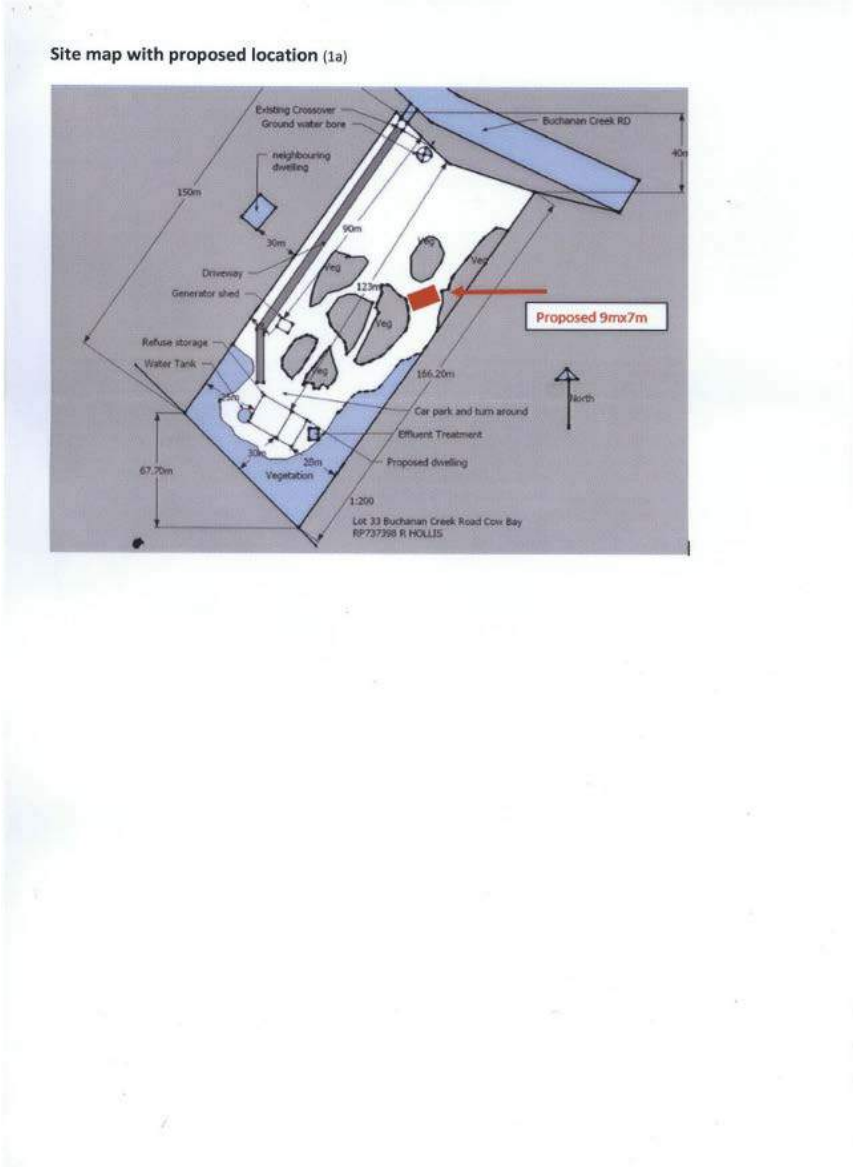
*This definition is provided for convenience only. This Development Permit is limited to the specifications, facts and circumstances as set out in the application submitted to Council and is subject to the abovementioned conditions of approval and the requirements of Council's Planning Scheme and the *FNQROC Development Manual*.

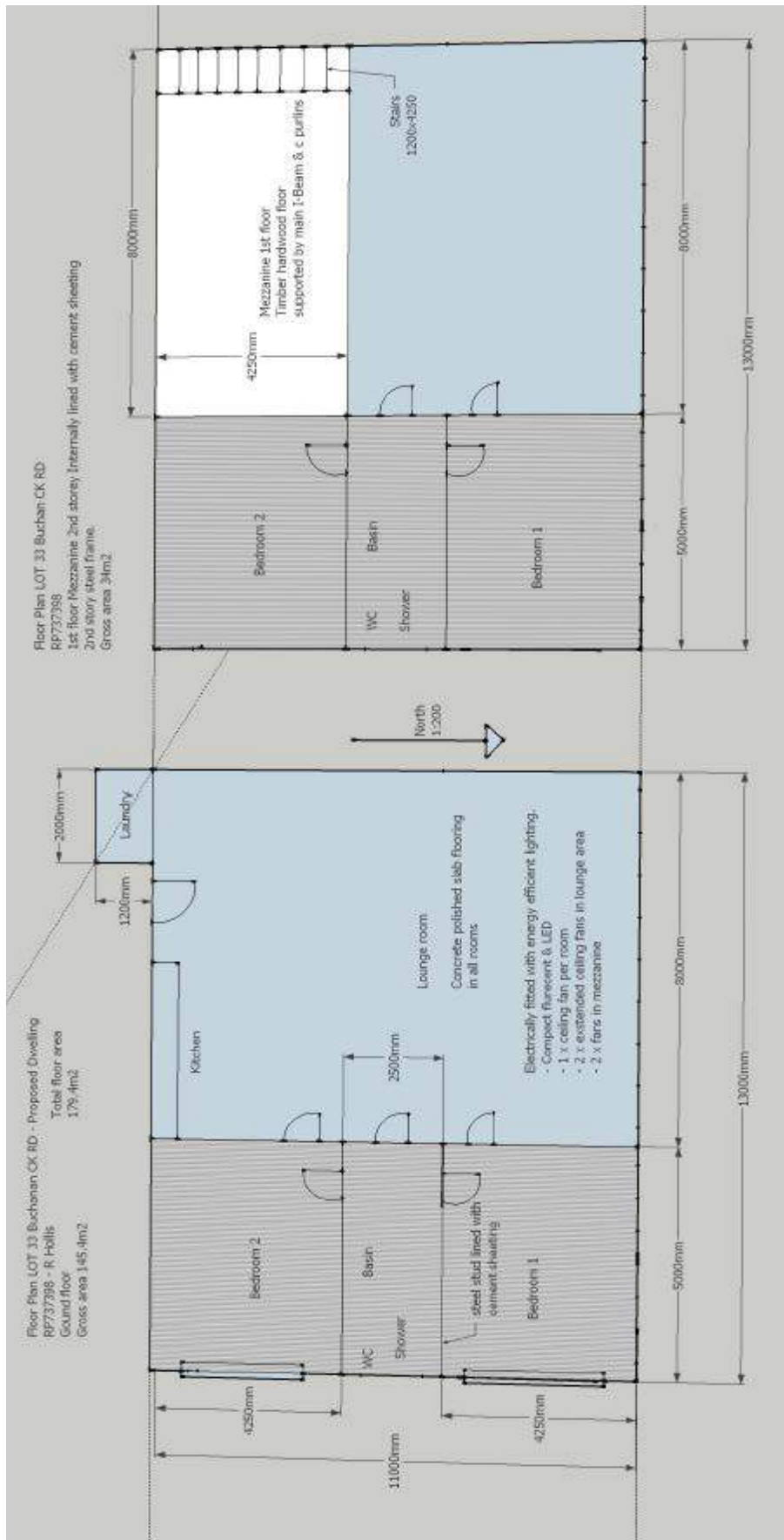
RIGHTS OF APPEAL

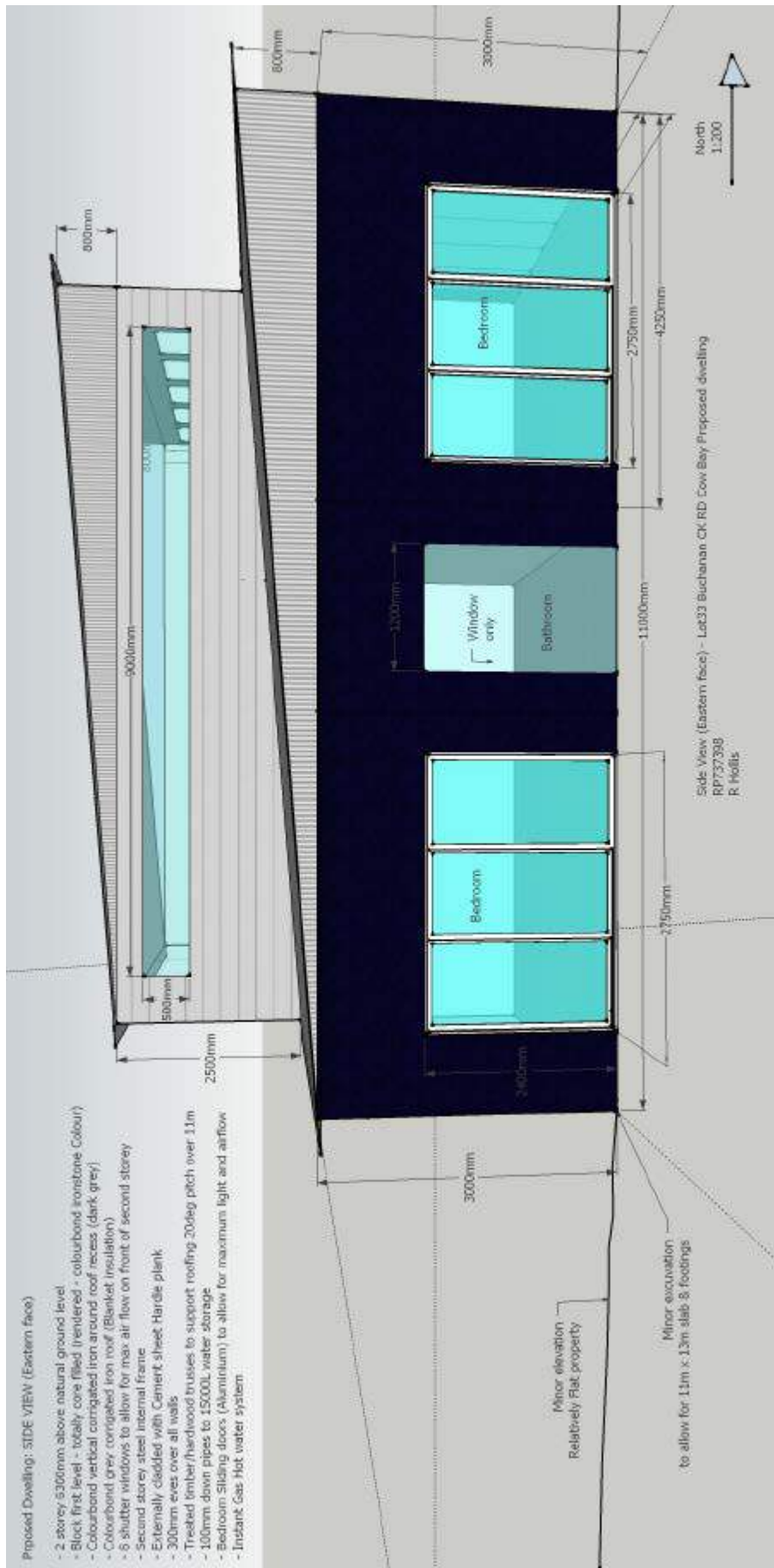
Attached

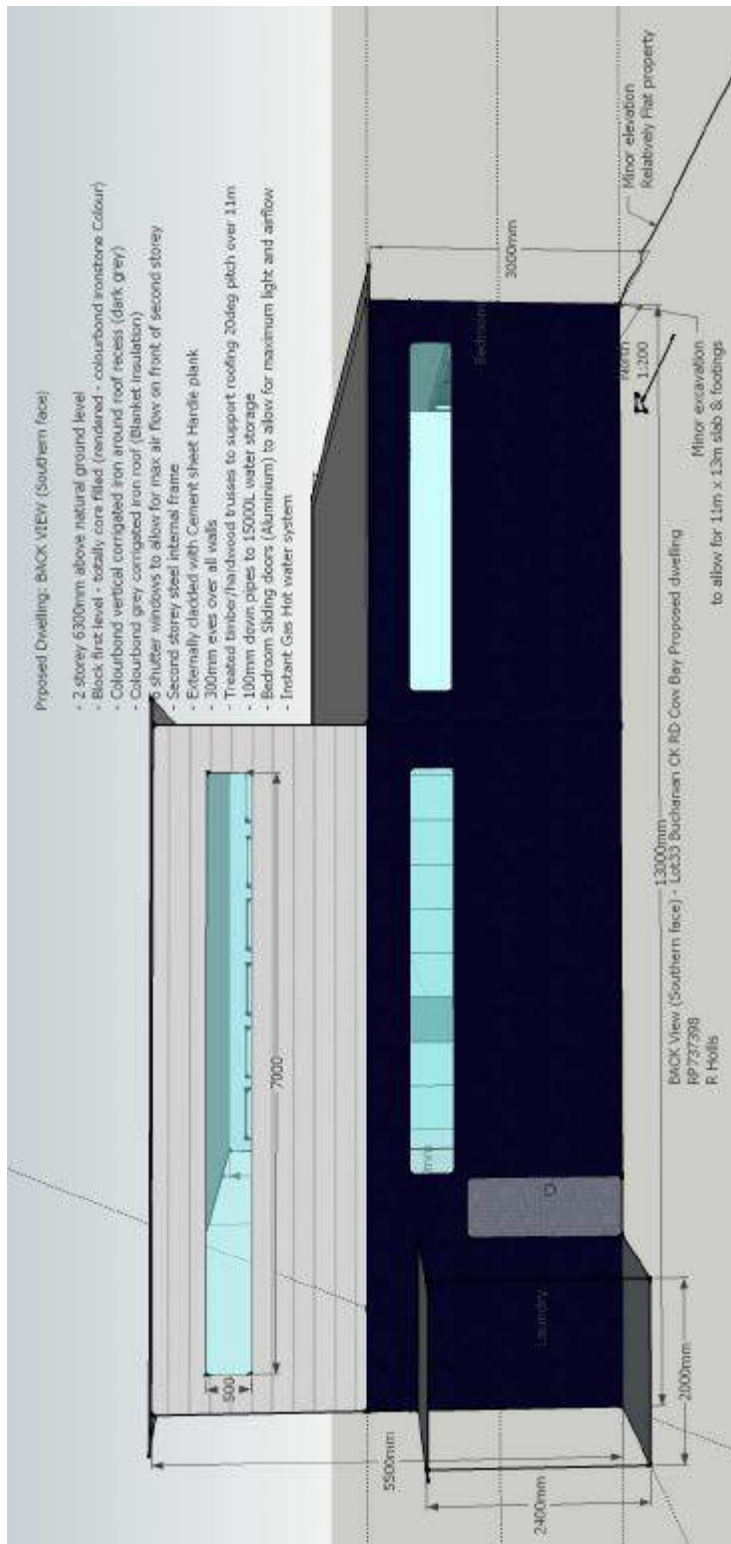
End of Decision Notice

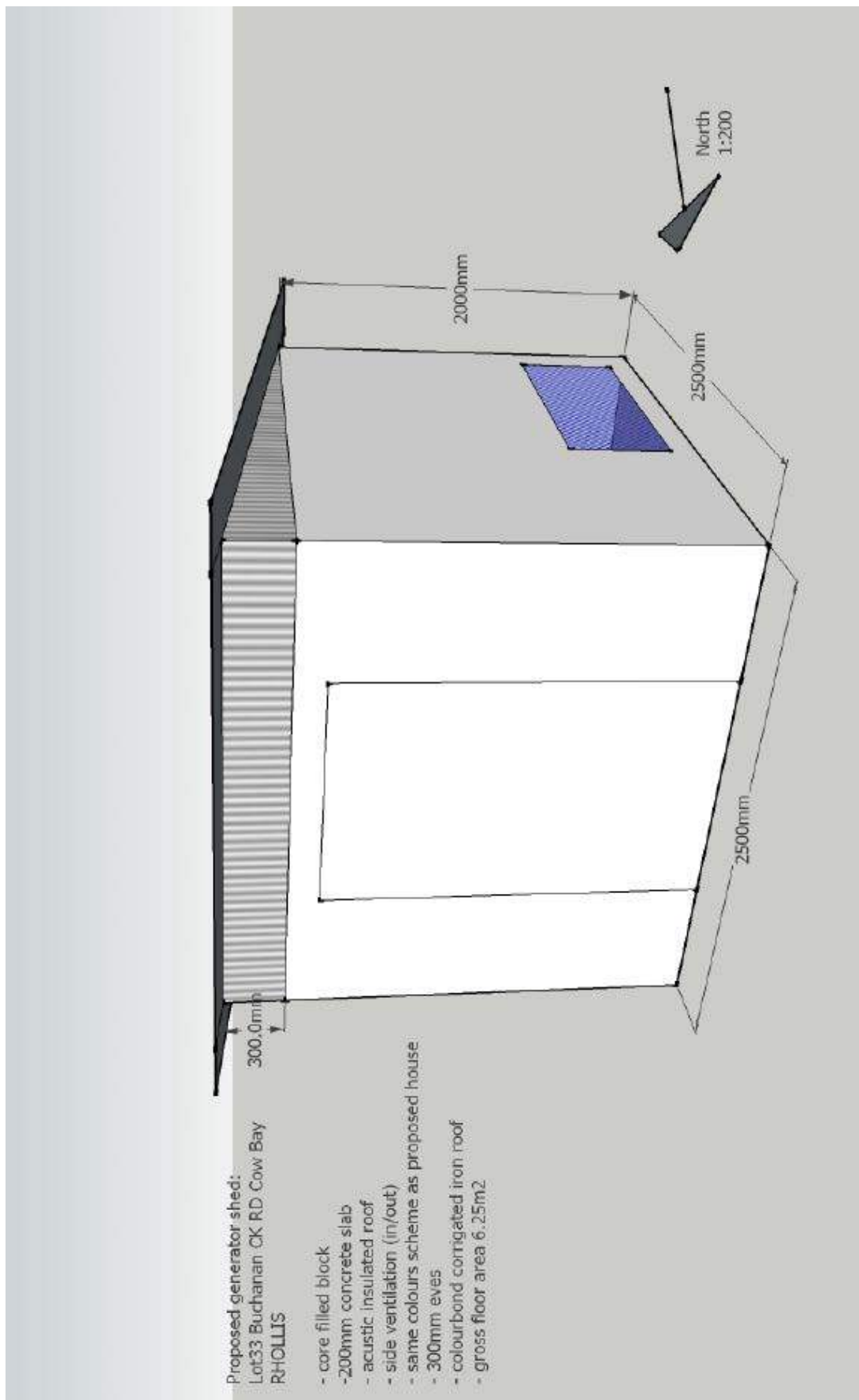
APPENDIX 1: Approved Plan(s) & Document(s)





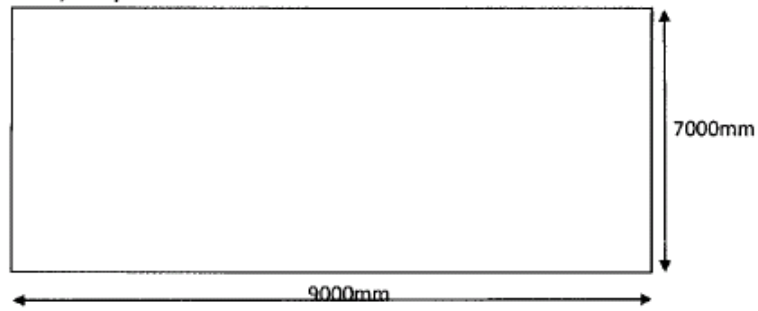




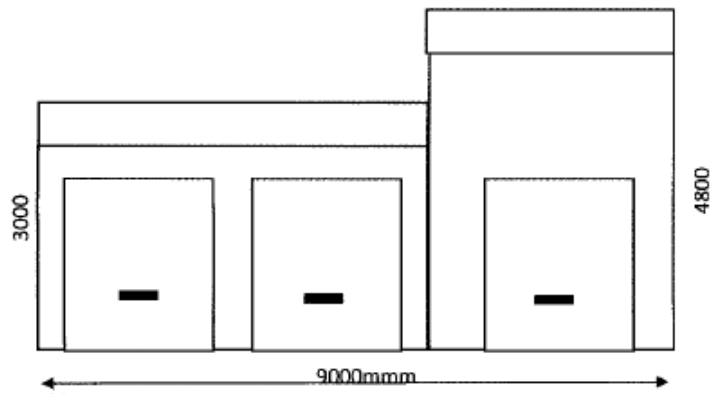


Auxiliary shed elevations (Nil fixtures) (1b)

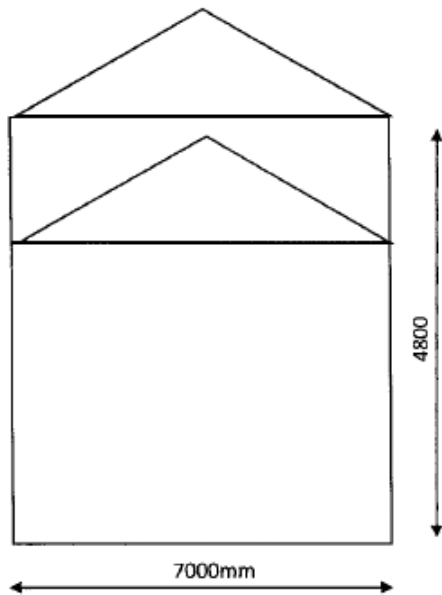
Floor/slab plan:



Front:



Side:



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14/14

