

**YOUR REF:** 30666-006-01  
**OUR REF:** MCUC 605/2014 (456594)

3 June 2015

Australian Rainforest Foundation  
C/- Brazier Motti Pty Ltd  
PO Box 1185  
**CAIRNS QLD 4877**

Dear Sir/Madam

**DECISION NOTICE UNDER S 241 SUSTAINABLE PLANNING ACT 2009:  
DEVELOPMENT APPLICATION FOR WATTLE CLOSE, COW BAY**

With reference to the abovementioned Development Application, which was determined under Instrument of Delegation on 3 June 2015, please find attached the relevant Decision Notice.

As provided by section 361 of the Sustainable Planning Act 2009, the Applicant is given an opportunity to make representations to the Assessment Manager such that upon the Applicant satisfying the Assessment Manager of the matters outstanding, the Preliminary Approval will be amended accordingly. The following procedure must be followed:

**361. Applicant may make representations about decision**

1. *The applicant may make written representations to the assessment manager about:*
  - a. *a matter stated in the decision notice, other than a refusal or a matter about which a concurrence agency told the assessment manager under section 287(1) or (5); or*
  - b. *the standard conditions applying to a deemed approval.*
2. *However, the applicant cannot make representations under subsections (1)(a) about a condition attached to an approval under the direction of the Minister.*

The Notice includes extracts from the Act with respect to making representations about conditions, negotiated decisions, suspension of the appeal period, and lodging an Appeal.

Should you have any enquiries in relation to this Decision Notice, please contact Neil Beck of Development and Environment on telephone number 07 4099 9451.

Yours faithfully

Paul Hoyer  
General Manager Operations

Att

**APPLICANT DETAILS**

Australian Rainforest Foundation  
C/- Brazier Motti Pty Ltd  
PO Box 1185  
CAIRNS QLD 4877

**ADDRESS**

Wattle Close, Cow Bay

**REAL PROPERTY DESCRIPTION**

Lot 161 on RP738167

**PROPOSAL**

House (Conservation Planning Area)

**DECISION**

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

**DECISION DATE**

3 June 2015

**TYPE**

Material Change of Use (Preliminary Approval)

**REFERRAL AGENCIES**

None Applicable

**SUBMISSIONS**

There were no submissions for this application.

**FURTHER DEVELOPMENT PERMITS REQUIRED**

Development Permit for Material Change of Use

**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

**ASSESSMENT MANAGER CONDITIONS:**

Prior to Council being required to determine a Development Permit for the proposed house, the following details are to be provided to Council:

Access Detail

1. Detailed engineering drawings illustrating practical vehicular access across the un-named creek to the proposed building envelope. The un-named creek is very steep and it is likely that a spanning structure will be necessary. This may have a significant impact in terms of siting, construction, vegetation clearing and cost.

**On-Site Effluent Disposal**

2. The method of on-site effluent disposal must be in accordance with the Queensland Plumbing & Wastewater Code. Details of the wastewater treatment system to be installed must be approved by the Chief Executive Officer prior to the issue of a Development Permit.

**Elevations**

3. Elevations of the proposed house.

**ADVICE**

1. This approval, granted under the provisions of the *Sustainable Planning Act 2009*, shall lapse two (2) 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 is a Preliminary Approval only. A Development Permit for a Material Change of Use for the House is required prior to a Development Permit for Building Work.
3. For information relating to the *Sustainable Planning Act 2009* log on to [www.dilqp.qld.gov.au](http://www.dilqp.qld.gov.au) . To access the *FNQROC Development Manual*, Local Laws and other applicable Policies log on to [www.douglas.qld.gov.au](http://www.douglas.qld.gov.au) .

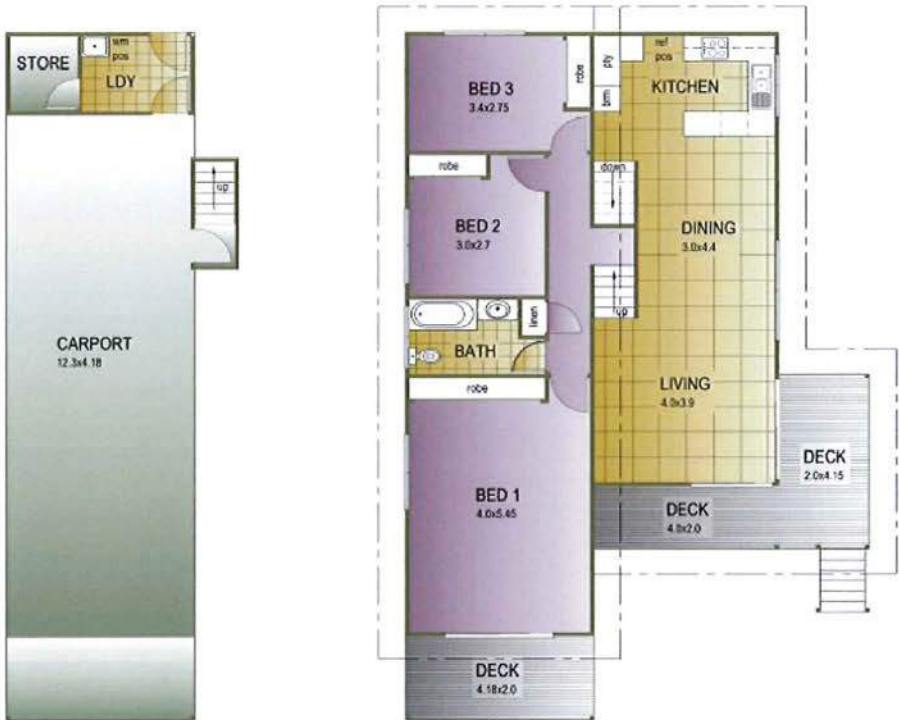
**RIGHTS OF APPEAL**

Attached

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**End of Decision Notice**

**APPENDIX 1: PROPOSED HOUSE**

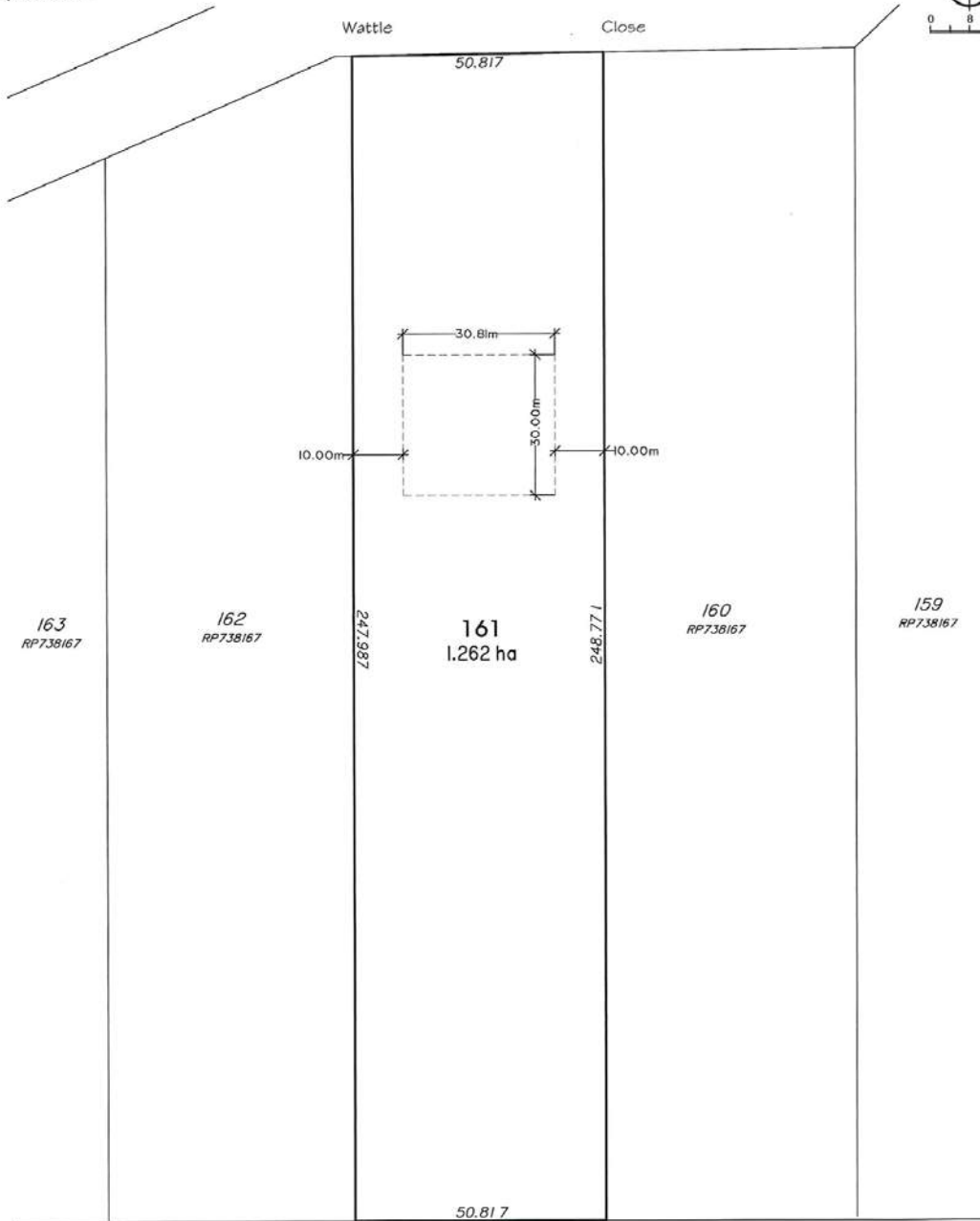


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**THE JADE 186**

AREAS	
LIVING	103.69
CARPORT/LDY	59.64
DECKS	23.04
TOTAL AREA	186.37 SQ.M
FOOTPRINT	126.73
<b>11/01/10</b>	

Lot 161 on RP738167  
 Parish of Alexandra  
 County of Solander



**LEGEND**

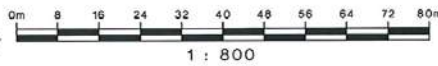
----- Building Setback

**Note 1:**  
 All other boundary setbacks shall comply with the requirements of the Standard Building Regulation.

**Note:**

1. Final Intended use of allotments is in accordance with the Planning Scheme zoning.
2. Land not affected by Q100.

This plan is conceptual and for discussion purposes only. All areas, dimensions and land uses are preliminary, subject to investigation, survey, engineering, and Local Authority and Agency approvals.



Date: 11th November 2014  
 Scale: 1:800 @ A3  
 Drawn: MJM  
 Job No: 30566-006-01  
 Plan No: 30566/016 A

surveying | town planning | project management | mapping and GIS