

**ENQUIRIES:** Michelle Henderson  
**PHONE:** (07) 4099 9457  
**FAX:** (07) 4044 3836  
**YOUR REF:**  
**OUR REF:** 8/37/155 (3642747)

3 July 2012

G R Hahn & H B Hahn  
PO Box 809  
**PORT DOUGLAS QLD 4877**

Dear Sir/Madam

**DECISION NOTICE UNDER S335 SUSTAINABLE PLANNING ACT 2009: FOR  
PERMISSIBLE CHANGE TO CONDITIONS OF APPROVAL 18R OCEAN VIEW  
ROAD KILLALOE**

With reference to your request for Permissible Change to Conditions of Approval, please find attached the relevant Decision Notice for the abovementioned Development Application which was determined under Instrument of Delegation on 3 July 2012.

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

Should you have any enquires in relation to this Decision Notice, please contact Michelle Henderson of Council's Development Assessment Team on telephone number (07) 4099 9457.

Yours faithfully

Neil Beck  
**Acting Manager Development Assessment**

**Att.**

**APPLICANT DETAILS**

G R Hahn & H B Hahn  
PO Box 809  
PORT DOUGLAS QLD 4877

**ADDRESS**

18R Ocean View Road Killaloe

**REAL PROPERTY DESCRIPTION**

Lot 16 on RP745096

**PROPOSAL**

House MCU 3B 017/05

**DECISION**

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

**DECISION DATE**

3 July 2012

**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:

<b>Drawing or Document</b>	<b>Reference</b>	<b>Date</b>
<u>Site Plan, Floor Plan &amp; Elevations</u>	<u>NQ Homes</u>	<u>27 April 2012</u>

**ASSESSMENT MANAGER CONDITIONS:**

1. Carry out the approved development generally in accordance with the Site Plan, Floor Plan and Elevations prepared by NQ Homes and dated 27 April 2012 (Council Ref. No. 3615833), and in accordance with:-
  - a. The 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.

**Access Driveway**

3. The applicant will realign the driveway such that it is located within the confines of the property.
4. An Operational Works Approval is required for the proposed realignment of the driveway associated with the development. Such works must be completed to the satisfaction of the Chief Executive Officer prior to issue of a Development Permit for Building Work. Where plans are required, three (3) A1 size copies of the plans and one (1) copy at A3 size must be submitted to Council.

## **Water Supply**

5. Undertake the following water supply works internal to the subject land:
  - a. The development must be serviced by a single internal water connection made clear of any buildings or structures.

The above works must be designed and constructed in accordance with the FNQROC Development Manual.

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.

## **Vegetation Clearing**

6. Existing vegetation on the subject land must be retained in all areas except those affected by the construction of roadworks / access driveways, the installation of services as detailed on the approved plans as stated in Condition 1. Any further clearing requires an Operational Works Approval.

## **On-Site Effluent Disposal**

7. 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 for Building Work.

## **Generators**

8. Noise from; generators, air-conditioning units, swimming and spa pool filters, service equipment or other mechanical equipment, must not emanate from the subject land to a degree that would, in the opinion of the Chief Executive Officer, create an environmental nuisance having regard to the provisions of Chapter 8 Part 3B of the *Environmental Protection Act 1994*.

## **Fuel Storage**

9. All fuels must be stored in an undercover and secure location at all times.

## **Building Colours**

10. The exterior finishes and colours of Buildings must be non-reflective and must 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 and Roof – Colorbond Dune  
Guttering – Colorbond Woodland Grey

The applicant / owner must also ensure that the above Building Exterior requirements are made known in writing to all prospective purchasers.

### **Sediment and Erosion Control**

11. The 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).

### **Landscaping**

12. A Landscape Plan nominating the species and location of trees and shrubs to be planted must be endorsed by the Chief Executive Officer. Sixty per cent of the total proposed species for landscaping must consist of native and endemic species only and planted in an irregular and random fashion to blend with existing vegetation. The approval and completion of all landscaping works must be undertaken in accordance with the endorsed plan prior to the issue of a Certificate of Classification or Commencement of Use whichever occurs first. The landscape plan does not need to be professionally drawn but does need to be of a standard which clearly illustrates those areas to be planted.

### **Weed Management**

13. The site is suspected to contain invasive and / or declared weed species, specifically Siam Weed. The site must be inspected by Council's Land Management Officer and/or Environmental Officer, Development Assessment for the presence of Siam Weed prior to any removal of vegetation or earthworks on the site.

Should Siam Weed be identified on the site, all works must be undertaken in a manner which does not spread these species off site. Vehicles and machinery are to be washed down effectively before leaving the site. Identified weed species must be eradicated from the site over time, with a Weed Management Plan with the goal of eradication of Siam Weed from the property to be put in place. For assistance with eradication methods visit the Queensland Biosecurity website on [www.deedi.qld.gov.au](http://www.deedi.qld.gov.au).

## ADVICE

1. This approval shall lapse 30 January 2014 in accordance with the extension to currency issued 12 March 2010 (Council Ref No 2506424).
2. The applicant / owner is advised that this approval does not approve the construction of the building works. The applicant will be required to obtain a Development Permit for Building Work 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. The taking of water, or interfering with water from streams or groundwater sources will require a permit administered under the *Water Act 2000* and issued by the regional office of the Department of Environment and Resource Management. Further information can be obtained from the Department of Environment and Resource Management on (07) 4039 8431 or at [www.derm.qld.gov.au](http://www.derm.qld.gov.au).
6. For information relating to the *Sustainable Planning Act 2009* log on to [www.dip.qld.gov.au](http://www.dip.qld.gov.au). To access the FNQROC Development Manual, Local Laws and other applicable Policies log on to [www.cairns.qld.gov.au](http://www.cairns.qld.gov.au).

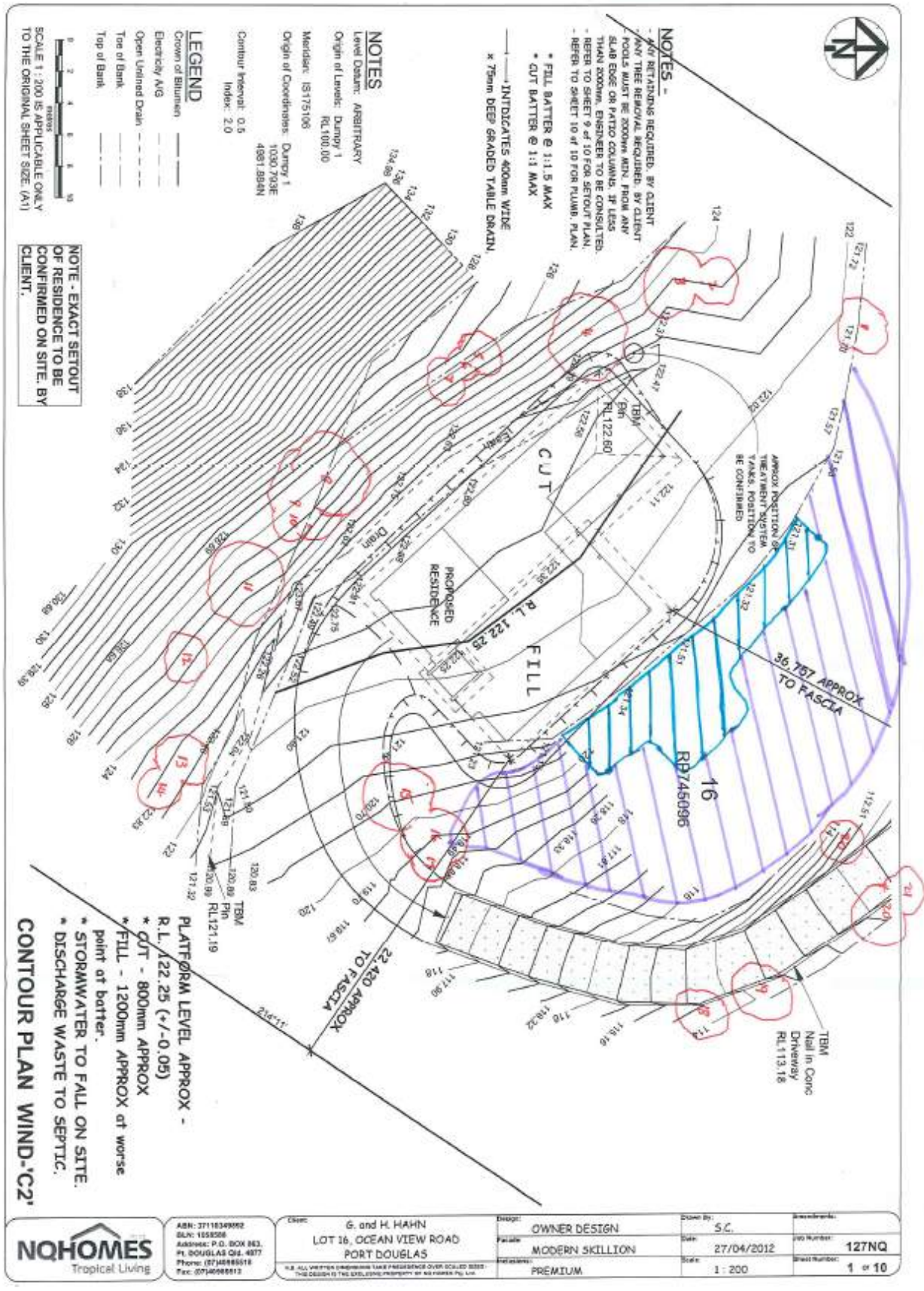
## RIGHTS OF APPEAL

Attached

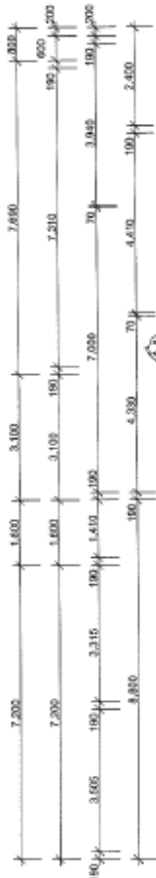
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**End of Decision Notice**

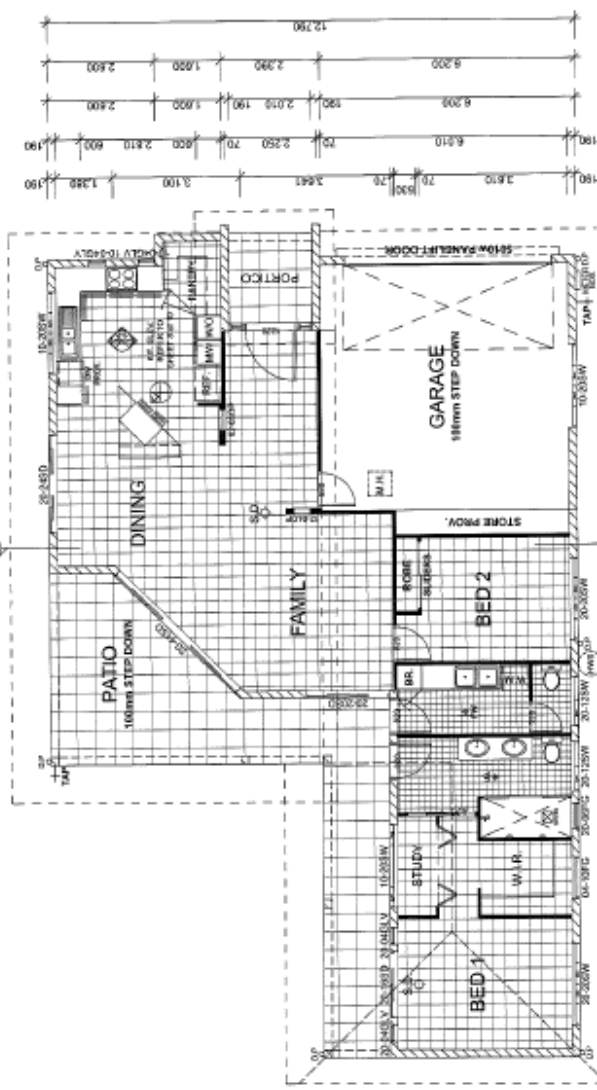
APPENDIX 1: Approved Drawing(s) & Document(s)



**ENERGY EFFICIENCY NOTES:**  
 : ALL TAPWARE & SHOWERS TO BE 3 STAR min.  
 : ALL TOILETS TO BE 4 STAR min.  
 : ELECTRIC HOT WATER SYSTEM WITH HEAT PUMP TO BE INSTALLED



**ELEVATION KEY**

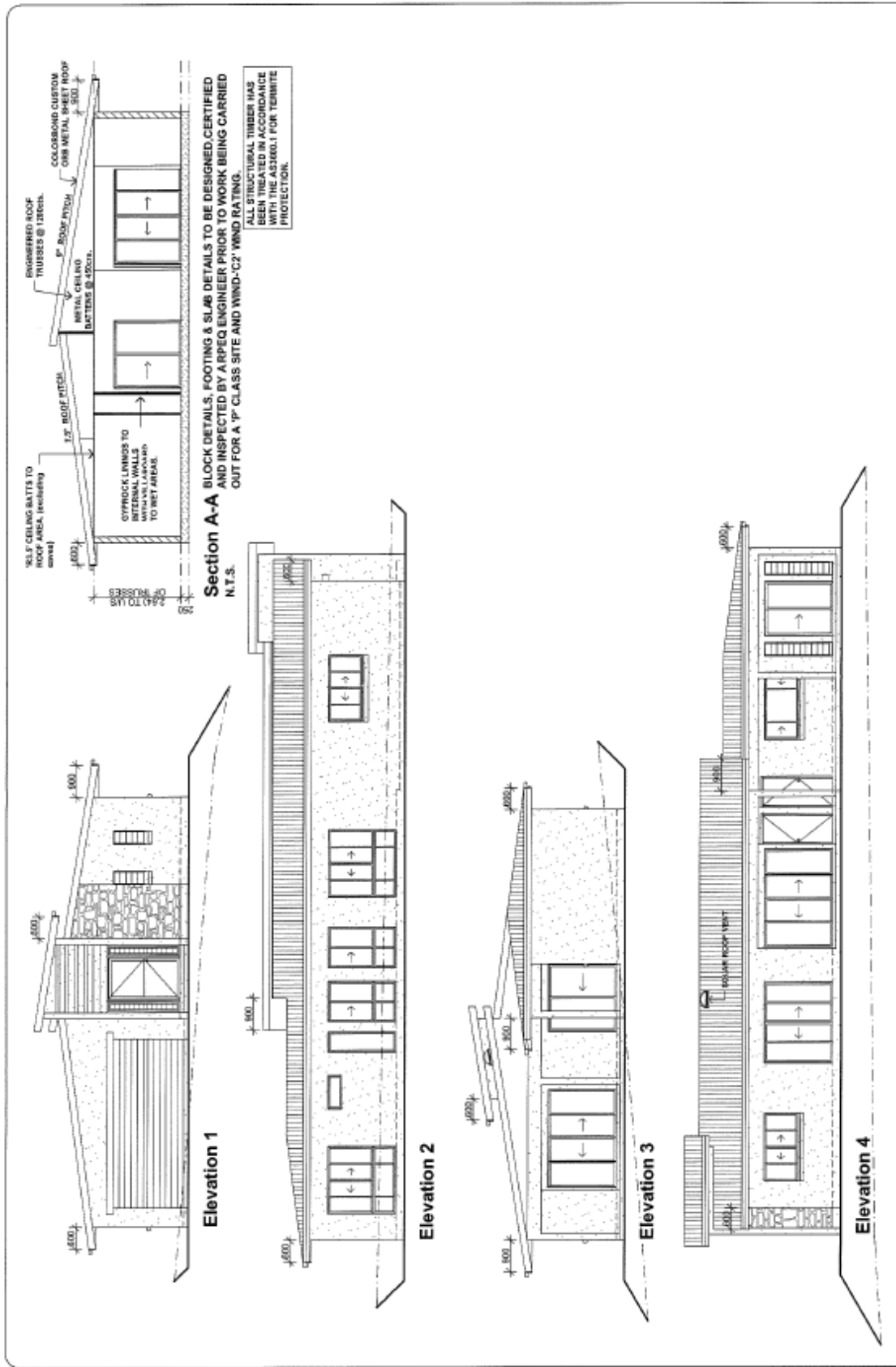


**GENERAL NOTES :**  
 : Solar Block 1 to all alum. framed glass windows and doors.  
 : Dishwasher prov. with SPP and cold water plumb.  
 : LUT off hinges to wc.  
 : Mechanical exhaust to wc with no external opening.  
 : Niches - 300H base with a 2100H head U.M.O.  
 : Hampers and Openings - 2100H head U.M.O.  
 : Bulkheads - 2100H U.M.O.

**FLOOR AREAS**  
 LIVING - 128.09  
 GARAGE - 38.90  
 PATIO - 34.09  
 PORTICO - 4.42  
 TOTAL - 205.50m<sup>2</sup>  
 22.11 SQUARES

	ADN: 371654882 BLN: 00628 PL: 02048818 Phone: (07)488818 Fax: (07)488812	<b>FLOOR PLAN</b> N.B. ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED SIZES - THIS DESIGN IS THE EXCLUSIVE PROPERTY OF NQHOMES Pty. Ltd.	Title: G. and H. HAHN LOT 36, OCEAN VIEW ROAD PORT DOUGLAS	Designer: OWNER DESIGN Project: MODERN SKILLION Scale: PREMIUM	Project No.: S.C. Date: 27/04/2012 Sheet No.: 127NQ Sheet Count: 2 of 10
	Scale: 1 : 100				



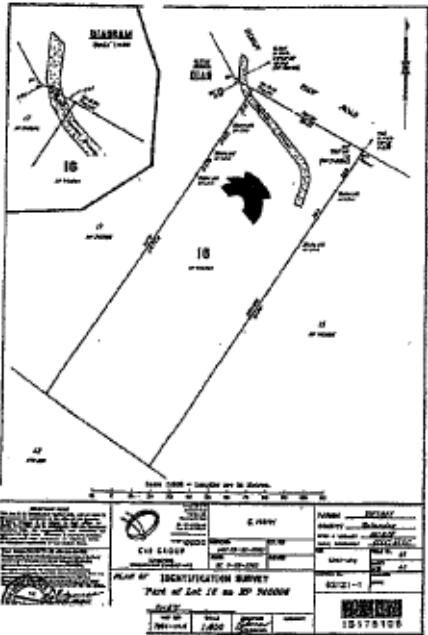


**Section A-A** BLOCK DETAILS, FOOTING & SLAB DETAILS TO BE DESIGNED, CERTIFIED AND INSPECTED BY A PEQ ENGINEER PRIOR TO WORK BEING CARRIED OUT FOR A 1<sup>st</sup> CLASS SITE AND WIND-'C2' WIND RATING.

ALL STRUCTURAL TIMBER HAS BEEN TREATED IN ACCORDANCE WITH THE AS3601.1 FOR TERMITTE PROTECTION.

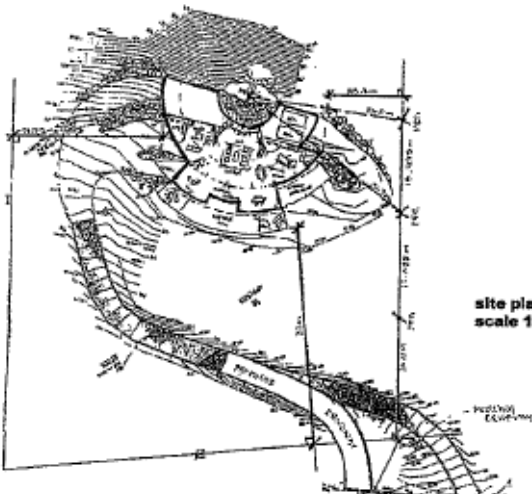
	APR: 37100488X BLK: 1000000 P: DOUGLAS CGL 4077 Phone: 0774335548 Fax: 0774885513	<b>ELEVATIONS</b> WIND-'C2' <small>N.B. ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED SIZES - THIS DESIGN IS THE EXCLUSIVE PROPERTY OF NQ HOMES Pty. Ltd.</small>	6. and H. HAHN LOT 16, OCEAN VIEW ROAD PORT DOUGLAS	Design: OWNER DESIGN Architect: MODERN SKILLION Draughtsman: PREMIUM	Project No: S.C. Date: 27/04/2012 Scale: 1 : 100	Plan Number: 127NQ Sheet Number: 3 of 10
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Appendix 2 Original Approved Plans (MCU 3B 017/05)



<p>REGISTERED PLAN</p> <p>15178108</p>	<p>OWNER: G. HAHN</p> <p>ADDRESS: [illegible]</p> <p>DATE: 19 JULY 05</p>	<p>PROJECT: IDENTIFICATION BARVEY</p> <p>PART OF LOT 16 OF DP 90000</p>
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registered plan  
nts



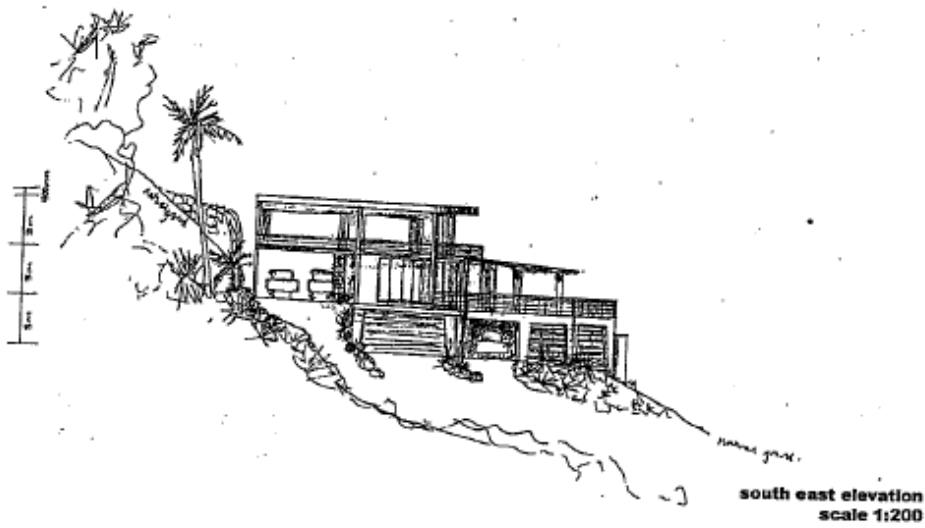
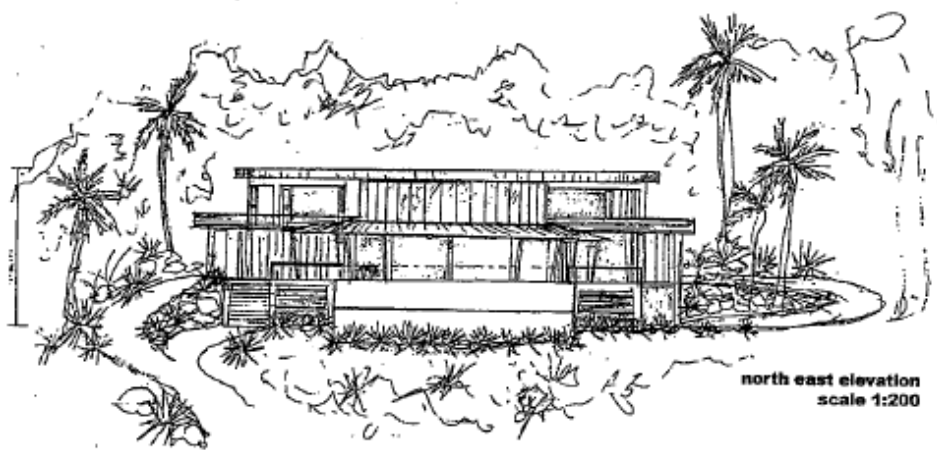
**gary + helen hahn**

drawing: siteplan  
scale: 1:500  
date: 19 July 05  
drawn: gh

**proposal**



©chris vandyke 2005



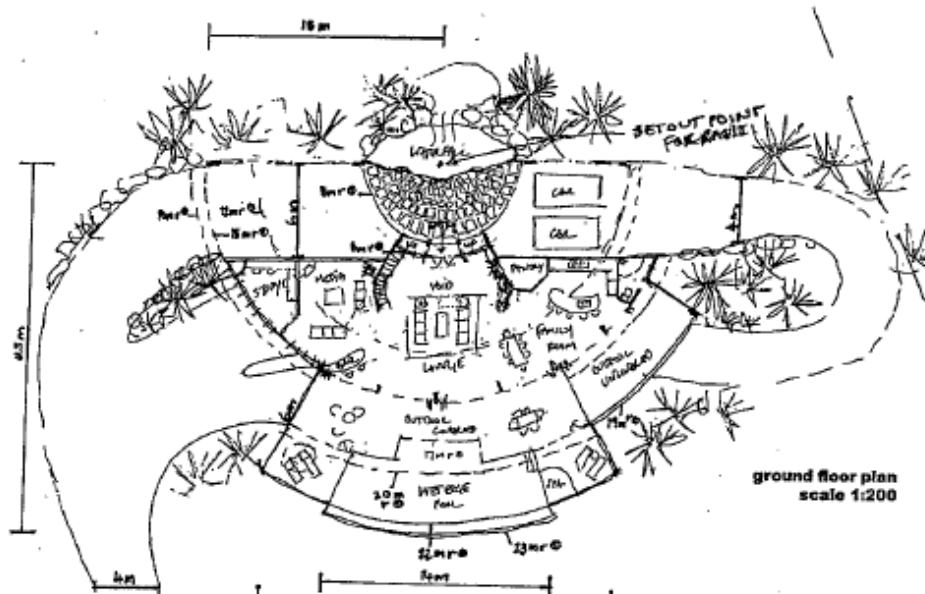
**gary + helen hahn**

drawing: elevations  
scale: 1:200  
date: 19 July 05  
drawn: sw

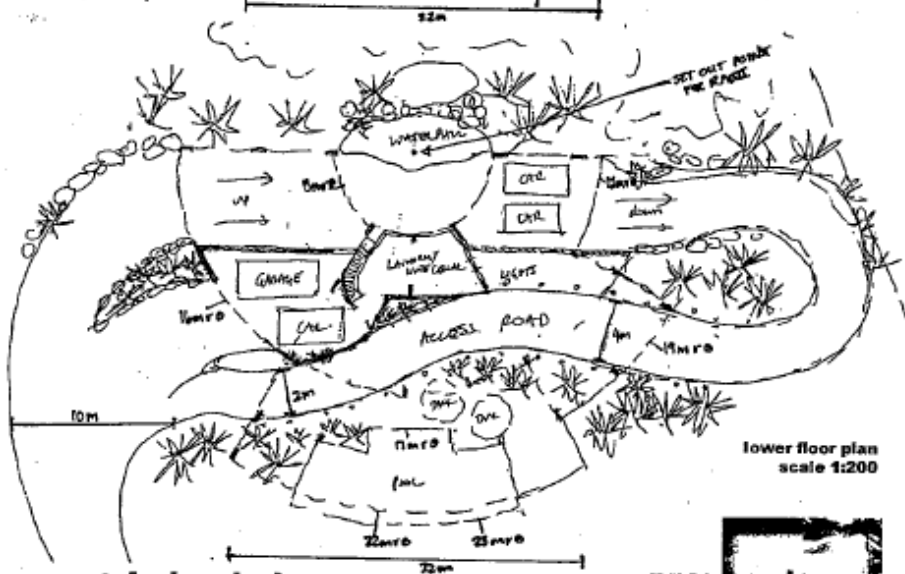
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©chris vandya 2005



ground floor plan  
scale 1:200



lower floor plan  
scale 1:200

**gary + helen hahn**

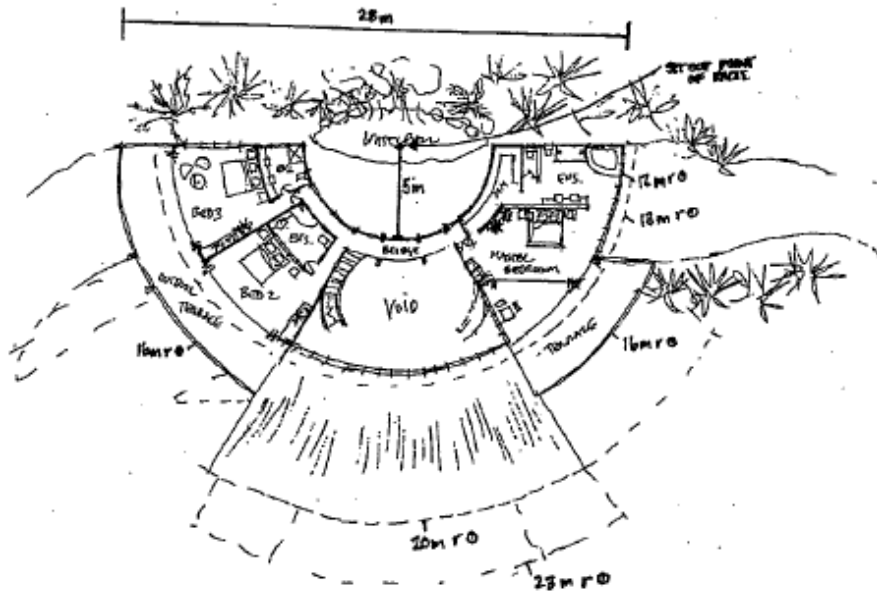
drawing: floor plans  
scale: 1:200  
date: 10 July 06  
drawn: sh

GFA = 455m<sup>2</sup>



**proposal**

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upper floor plan  
scale 1:200