

YOUR REF: T995-BUDGE
OUR REF: MCUC 120/2014 (429353)

Administration Office
64 - 66 Front St Mossman
P 07 4099 9444
F 07 4098 2902

22 September 2014

Mr & Mrs David & Christine Budge
C/- chris vandyke designs
PO Box 236
CLIFTON BEACH QLD 4879

Attention: Mr Sean Reason

Dear Sir/Madam

**DECISION NOTICE UNDER S 335 SUSTAINABLE PLANNING ACT 2009:
DEVELOPMENT APPLICATION FOR
97-101 REYNOLDS ROAD, OAK BEACH**

With reference to the abovementioned Development Application, which was determined under Instrument of Delegation on 22 September 2014, please find attached the relevant Decision Notice.

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 Susanna Andrews of Development and Environment on telephone number 07 4099 9456.

Yours faithfully



Donna Graham
Acting General Manager Operations

Att

APPLICANT DETAILS

David & Christine Budge
C/- chris vandyke designs
PO Box 236
CLIFTON BEACH QLD 4879

ADDRESS

97-101 Reynolds Road, Oak Beach

REAL PROPERTY DESCRIPTION

Lot 19 on RP881022

PROPOSAL

House (Rural Settlement)

DECISION

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

DECISION DATE

22 September 2014

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
Compliance Permit for Plumbing Works

CODES TO COMPLY WITH FOR SELF-ASSESSABLE DEVELOPMENT

None

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

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
Planning Report	T995-Budge (Council document reference 418095)	11/03/14
Response to Information Request	T995-Budge (Council document reference 424178)	27/06/14
Response to Further Information Request	T995-Budge (Council document reference 425654)	29/07/14
Site Assessment and Design report – Dirt Professionals	Job No 15271 (Council document reference 418095)	04/02/2014
Site Plan, Legend & Notes	T-995 Sheet 01 (Council document reference 418095)	13/02/14
Floor Plan	T-995 Sheet 02 (Council document reference 418095)	13/02/14
Elevations	T-995 Sheet 03 (Council document reference 418095)	13/02/14
Elevations 2	T-995 Sheet 04 (Council document reference 418095)	13/02/14
Earthworks and Stormwater Drainage Plan	Job No K-???? Sheet C01 A (Council document reference 424182)	Undated
Section	Job No K-???? C02 A (Council document reference 424182)	Undated
Earthworks and Stormwater Drainage Plan	Job No K-0828 C01 A (Council document reference 425654)	Undated

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.

Fire Fighting

5. A water supply must be maintained that will provide an adequate and accessible supply for fire-fighting purposes to the satisfaction of the Chief Executive Officer. The estimated minimum level to be maintained for on-Site water storage is not less than 5000 litres.

On-Site Effluent Disposal

6. 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. The recommendations contained in the On-Site Sewage Disposal Assessment Report 15271 dated 4 February 2014, prepared by Tandel Investments Pty Ltd t/as Dirt Professionals (Council document reference 418095), are considered to satisfy this condition requirement.

Designated Development Area

7. Buildings / structures, access driveways, car parking and infrastructure must be constructed within the Designated Development Area identified on the approved Site Plan.

Vegetation Clearing

8. 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 a Permit for Operational Works.

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:

The applicant must provide colour samples prior to the issue of the Development Permit for Building Works.

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*).

House

11. The lot must not contain more than one (1) House and such House is to be occupied by one (1) Household.

Geotechnical Report

12. All earthwork batters steeper than 1 in 2 and/or higher than 1.8 metres must be certified by a qualified Geotechnical Engineer prior to the Commencement of Use.

Structural Certification

13. All retaining walls or structures higher than 900 mm must be structurally certified prior to the issue of a Development Permit for Building Work. Where the profile or height of the wall is redesigned during structural certification, amended plans must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Building Work.

The Applicant/owner must ensure that the retaining wall does not result in the ponding or concentration of stormwater flows.

Finished Retaining Wall Colour

14. Any retaining wall must be constructed of materials and/or finished in colours, which blend with the surrounding natural environment.

The applicant must provide colour samples prior to the issue of the Development Permit for Building Works.

Glass Balustrading

15. Glass balustrading is to be of a non-reflective nature.

Drainage and Rock Protection Works

16. The stormwater drainage and rock protection works as detailed on the approved plans must be constructed and certified by a Registered Professional Engineer of Queensland (RPEQ) prior to Commencement of Use.

Infrastructure

17. All infrastructure associated with this development, in particular all drainage works, must be contained on 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.douglas.qld.gov.au .

LAND USE DEFINITIONS*

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

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

Means the use of premises comprising one (1) 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;*
- *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 12 months and which then converts to a House for the exclusive use of one (1) Household; and,*
- *the short term letting of a house for the purpose of holiday rental accommodation.*

*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*.

ADMINISTRATIVE DEFINITIONS

Designated Development Area

Means an area to contain future development on a Site which is delineated on a Site plan or a Registered Plan of Survey.

RIGHTS OF APPEAL

Attached

End of Decision Notice

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PRELIMINARY ISSUE - NOT FOR CONSTRUCTION

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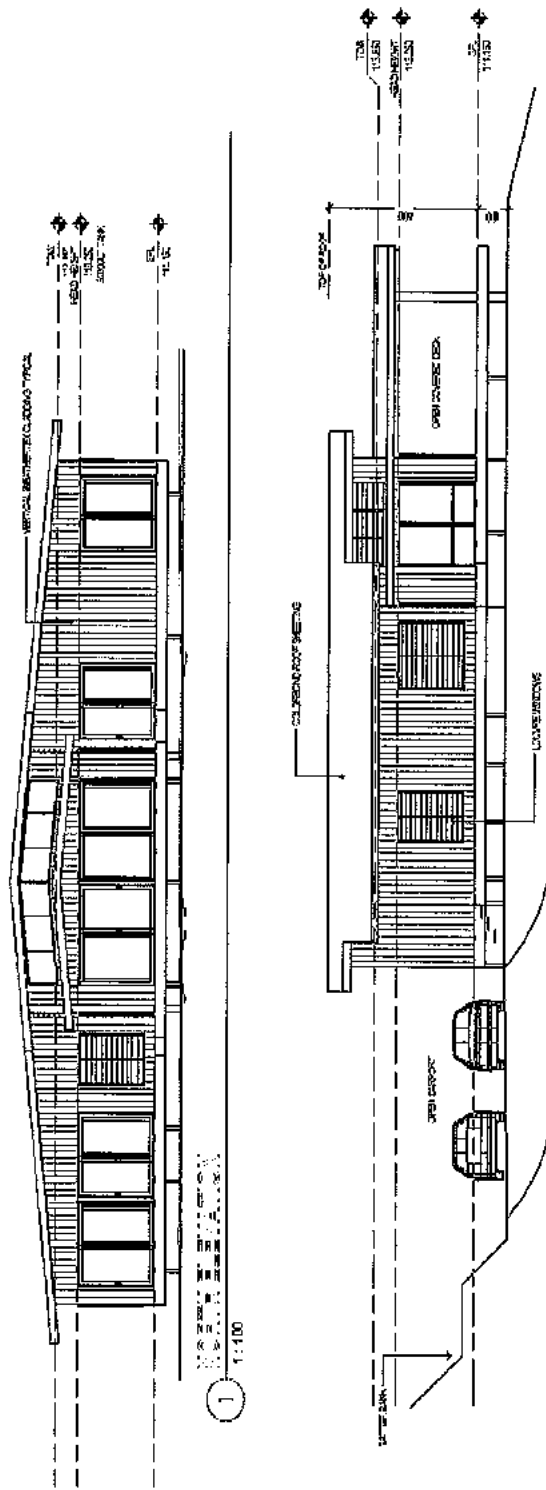
A Division of Great American Power **P.O. Box 600 • Seattle, WA 98101**
Customer Service Department **1-800-762-2264 • FAX 206-461-2264**



DATE	10/1	TIME	11:00
NAME	DANIEL S. CLARK JR		
ADDRESS	12111 REED ROAD, DAKESBORO, MASSACHUSETTS		
CITY	DANVER, MASSACHUSETTS		
STATE	MASSACHUSETTS		
ZIP	01923		
PHONE	508-253-1011		
TELETYPE	508-253-1011		
TELEFAX	508-253-1011		
EMAIL	DANIEL.S.CLARK@MASS.GOV		
WEBSITE	WWW.DANIELSCLARK.COM		
OTHER	NONE		



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PRELIMINARY DESIGN NOT FOR CONSTRUCTION	
1	1/4\"/>
DATE	10/15/14
BY	CHRIS VANDYKE
CHECKED BY	CHRIS VANDYKE
APPROVED BY	CHRIS VANDYKE

chris vandyke designs

ARCHITECTURE • INTERIOR DESIGN • LANDSCAPE ARCHITECTURE

1015 10TH AVENUE, SUITE 100, DENVER, CO 80202

TEL: 303.733.1111 FAX: 303.733.1112

WWW.CHRIKVANDYKEDESIGNS.COM

PROJECT NO.	015	DATE	10/15/14
CLIENT	CHRYSLER GROUP LLC	ARCHITECT	CHRIS VANDYKE
PROJECT NAME	CHRYSLER GROUP LLC	SCALE	1/4\"/>
PROJECT LOCATION	CHRYSLER GROUP LLC	DATE	10/15/14
PROJECT STATUS	CHRYSLER GROUP LLC	BY	CHRIS VANDYKE
PROJECT NO.	015	DATE	10/15/14
CLIENT	CHRYSLER GROUP LLC	ARCHITECT	CHRIS VANDYKE
PROJECT NAME	CHRYSLER GROUP LLC	SCALE	1/4\"/>
PROJECT LOCATION	CHRYSLER GROUP LLC	DATE	10/15/14
PROJECT STATUS	CHRYSLER GROUP LLC	BY	CHRIS VANDYKE



