

**OUR REF:** MCUC 393/2014 (431606)

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

20 October 2014

Mr T J Maloney  
12 Bowman Close  
**WONGA QLD 4873**

Dear Sir

**DECISION NOTICE UNDER S 335 SUSTAINABLE PLANNING ACT 2009:  
DEVELOPMENT APPLICATION FOR 15-17 PADDYS LANE, WONGA BEACH**

With reference to the abovementioned Development Application, which was determined under Instrument of Delegation on 20 October 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  
Manager Development & Environment

Att

**APPLICANT DETAILS**

T J Maloney  
12 Bowman Close  
WONGA QLD 4873

**ADDRESS**

15-17 Paddys Lane, Wonga Beach

**REAL PROPERTY DESCRIPTION**

Lot 20 on RP861002

**PROPOSAL**

House (Rural Settlement Planning Area)

**DECISION**

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

**DECISION DATE**

20 October 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

**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

**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**

**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>
Planning Report GMA Certification Group Pty Ltd	Council document reference 428098	28 August 2014
Site Plan	Clarkeville Designs 1 – 8 14, 6 of (Council document reference 428098)	Not provided
Ground Floor Plan and Mezzanine Floor Plan	Clarkeville Designs 1 – 8 14, 1 of (Council document reference 428098)	Not provided
Front View, End View and Side View	Clarkeville Designs 1 – 8 14, 2 of (Council document reference 428098)	Not provided
Site Classification and Wastewater Management System Report	Earth Test SI 166-14Report.doc (Council document reference 428098)	June 2014
Photographic information regarding setback	Applicant submission (Council document reference 429312)	17 September 2014
Colefax Associates Consulting Engineers Information Request Response	140153 RFC (Council document reference 430983)	3 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.

**Minimum Fill and Floor Levels**

4. All floor levels in all buildings must be located 300 mm above the Q100 flood immunity level, plus any hydraulic grade effect (whichever is the greater), in accordance with *FNQROC Development Manual* and Planning Scheme requirements.

**Water Supply Works Internal**

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

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

**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 Site Classification and Wastewater Management System Report SI 166-14Report.doc dated June 2014 prepared by Earth Test are considered to satisfy this condition requirement.

**Damage to Council Infrastructure**

7. In the event that any part of Council's existing water or road infrastructure is damaged as a result of construction activities occurring on the site, including but not limited to, mobilisation of heavy construction equipment, stripping and grubbing, the applicant/owner must notify Council immediately of the affected infrastructure and have it repaired or replaced at the developer's/owner's/builder's cost, prior to the Commencement of Use.

**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.

**Landscaping**

9. The applicant / owner must landscape areas affected by building works in accordance with *Planning Scheme Policy No 7 – Landscaping*, and the *FNQROC Development Manual* prior to the issue of a Certificate of Classification or Commencement of Use. Sixty per cent of the total proposed species for landscaping must consist of native and endemic species.
10. A ten (10) metre wide landscape buffer must be provided along the road frontage of the site and must be landscaped with Dense Planting to the satisfaction of the Chief Executive Officer prior to issue of a Certificate of Classification or Commencement of Use.

11. Landscaping with screening qualities must be planted along the boundary adjoining 11-13 Paddys Lane, Wonga Beach, also described as Lot 21 RP861002.

**Building Colours**

12. 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 Paperbark®
Gutters –	Colorbond Ironstone®
Roof –	Colorbond Paperbark®

The above requirements must be made known in writing to all prospective purchasers.

**Filling**

13. Any filling of the Site must not:
- result in the ponding of water on the Site or adjacent land or Road reserves;
  - result in an increase in the flow of water across the Site or any other land or Road reserves; and
  - result in an increase in the volume of water or concentration of water in a Watercourse and overland flow paths; and
  - occur within two (2) metres of the Site Boundary.
14. Water quality of receiving waters must be maintained to comply with the specifications set out in the *FNQROC Development Manual*.

**Stockpiling and Transportation of Fill Material**

15. Soil used for filling or spoil from the excavation is not to be stockpiled in locations that can be viewed from adjoining premises or a road frontage for any longer than one (1) month from the commencement of works.

Transportation of fill or spoil to and from the site must not occur within:

- peak traffic times;
  - before 7:00 am or after 6:00 pm Monday to Friday;
  - before 7:00 am or after 1:00 pm Saturdays; or
  - on Sundays or Public Holidays.
16. Dust emissions or other air pollutants, including odours, must not extend beyond the boundary of the site and cause a nuisance to surrounding properties.

**Sediment and Erosion Control**

17. 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*).

**Existing Creek and Drainage Systems**

18. All existing creek systems and drainage areas must be left in their current state, including no channel alterations and no removal of vegetation unless consented to in writing by the Chief Executive Officer.

The applicant / owner must obtain any necessary approvals from the Department of Natural Resources and Mines for carrying out works in a watercourse.

**External Works**

19. Undertake the following external works:
  - a. Provide concrete crossover(s) and apron(s) in accordance with *FNQROC Development Manual Standard Drawing S1015*. A copy is attached at Appendix 2.

**Shed**

20. 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](http://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](http://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:

*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; 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 12 months and which then converts to a House for the exclusive use of one (1) 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*.

## **Administrative**

In accordance with the 2008 Douglas Shire Planning Scheme, the Administrative Definition of Dense Planting is:

*Means the massed planting of large, advanced shrubs and trees within natural ground and at Ground Level and clear of service trenches and other impervious surfaces, to provide privacy screening and a landscape buffer for screening and amenity purposes.*

## **RIGHTS OF APPEAL**

Attached

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**End of Decision Notice**

[illegible]





Da nun keine ein' der daz.

## OF A REVENUE

**DECEMBER**

**Chadwell Design**  
Phone: 47501123, Mob: 04281 80534  
[www.chadwell-design.com](http://www.chadwell-design.com)

GENERAL NOTES.

- [illegible]

**SAVODOR & DORR.**

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## Abstract

## PROPOSED PRESIDENCE

T. HALL, OWNER,  
 LUMBER, SHEDS, ETC., ETC., ETC.,  
 MILLERS FALLS, MASS.

Dwg. No.	1-8-14
Sheet	1 of
Scale	1" = 10' OR AS SHOWN
Drawn	SK. W. W. QUESADA
Date	

# GROUND FLOOR PLAN.



**APPENDIX 2: STANDARD DRAWING – ACCESS CROSSOVER**

