

**YOUR REF:** 200NQ  
**OUR REF:** MCUC 394/2014 (432609)

30 October 2014

NQ Homes Pty Ltd  
C/- PO Box 831  
**PORT DOUGLAS QLD 4877**

Attention: Ms Cindy Small

Dear Madam

**DECISION NOTICE UNDER S 335 SUSTAINABLE PLANNING ACT 2009:  
DEVELOPMENT APPLICATION FOR  
THOMSON LOW DRIVE, SHANNONVALE**

With reference to the abovementioned Development Application, which was determined under Instrument of Delegation on 29 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**

NQ Homes Pty Ltd  
C/- PO Box 831  
PORT DOUGLAS QLD 4877

**ADDRESS**

Thomson Low Drive, Shannonvale

**REAL PROPERTY DESCRIPTION**

Lot 13 on SP192599

**PROPOSAL**

House (Rural Settlement Planning Area)

**DECISION**

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

**DECISION DATE**

29 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

**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
Planning Report – GMA Certification Group Pty Ltd	Council document reference 428096	27 August 2014
On-site Sewerage Facilities Site Assessment & Design Report – BP Plumbing & Roof Contractors Pty Ltd	Council document reference 428096	27 August 2014
Contour Plan Wind-‘C2’	200NQ (Council document reference 428096)	24 July 2014
Floor Plan Wind-‘C2’	200NQ (Council document reference 428096)	24 July 2014
Elevations Wind-‘C2’	200NQ (Council document reference 428096)	24 July 2014
Detail & Contour Survey	PR108393-180A (Council document reference 431722)	30 September 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 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 Facilities Site Assessment and Design Report (Council document reference 428096) dated 27 August 2014 prepared by BP Plumbing & Roof Contractors Pty Ltd are considered to satisfy this condition requirement.

### **Damage to Council Infrastructure**

6. In the event that any part of Council's existing 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**

7. 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**

8. 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.
9. 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.

10. Landscaping of the Site must include planting of all cut and fill batter areas.

### **Building Colours**

11. 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 <sup>®</sup>
Water Tank –	Colorbond Dune <sup>®</sup>
Roof –	Colorbond Ironstone <sup>®</sup>

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

### **Sediment and Erosion Control**

12. 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*).
13. Stormwater drains and swales must be concreted to reduce erosion caused by stormwater flows to the satisfaction of the Chief Executive Officer.

### **External Works**

14. Undertake the following external works:
  - a. Provide concrete crossover(s) and apron(s) 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.

### **Geotechnical Assessment**

15. 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. Any ameliorative or stabilising works which are required as a result of the findings of the geotechnical report must be submitted to Council and approved prior to the commencement of Building works.

### **Filling and Excavation**

16. Filling and excavation must not:
  - a. result in the ponding of water on the Site or adjacent land or Road reserves;
  - b. result in an increase in the flow of water across the Site or any other land or Road reserves; and

- c. result in an increase in the volume of water or concentration of water in a Watercourse and overland flow paths.

### **Structural Certification**

17. 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**

18. Retaining walls must be constructed of materials and/or finished in colours, which blend with the surrounding natural environment.

### **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. Council has given a Show Cause Notice seeking representations why an Enforcement Notice should not be given for a significant amount of earthworks undertaken on the subject land with respect to creating a house pad and the construction of an open stormwater drain with significant cut batters. Council is yet to consider all representations about the Show Cause Notice within the period stated in the Notice. This Decision Notice does not prevent Council considering or taking further action in respect of any development offence arising from those earthworks including the offence of carrying out assessable development without an effective development permit.
6. 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) .

## DEFINITIONS

### Land Use\*

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.*

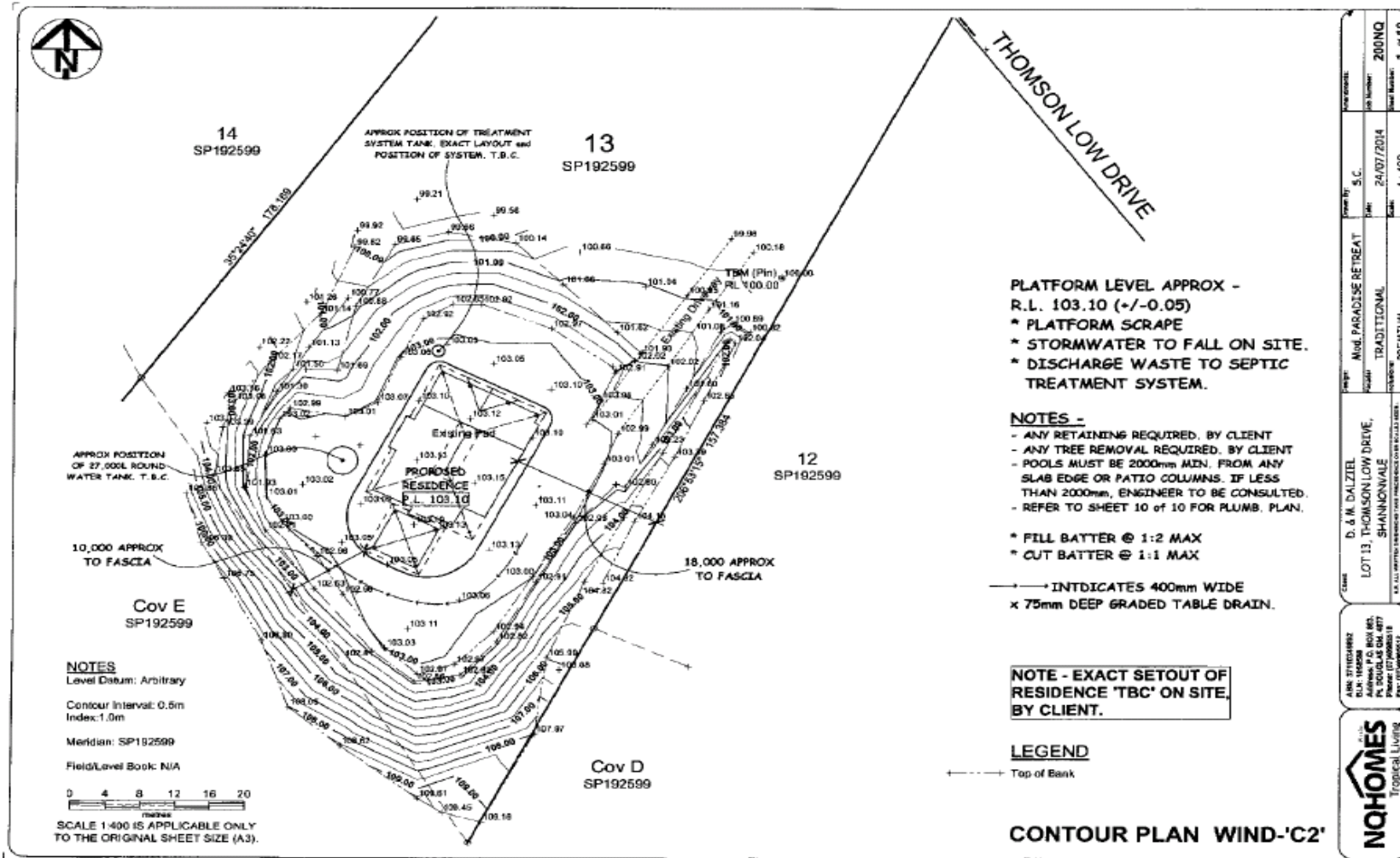
### RIGHTS OF APPEAL

Attached

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**End of Decision Notice**

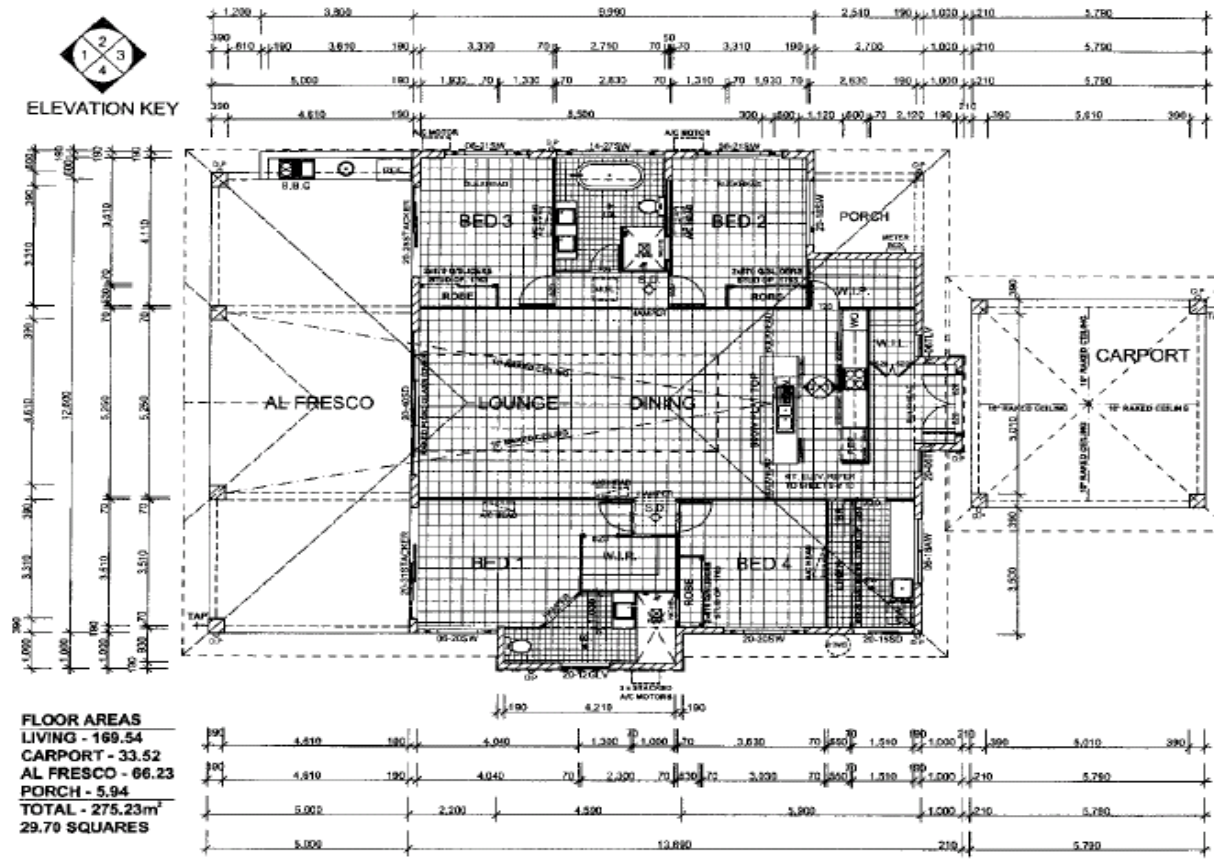
APPENDIX 1: APPROVED DRAWING(S) & DOCUMENT(S)







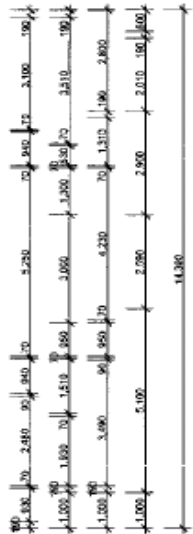
ELEVATION KEY



**FLOOR AREAS**  
 LIVING - 169.54  
 CARPORT - 33.52  
 AL FRESCO - 66.23  
 PORCH - 5.94  
 TOTAL - 275.23m<sup>2</sup>  
 29.70 SQUARES

NOTE : ADDITIONAL BRACING WILL BE REQUIRE TO VANITY WALLS. (FLOATING VANTIES)

**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



**GENERAL NOTES :**  
 : Solar block 2 to all alum. framed glass windows and doors.  
 : Dishwasher prov. with SPP and cold water plumb.  
 : Lift off hinges to wc.  
 : Mechanical exhaust to wc with no external opening.  
 : Nichas - 900H base with a 2100H head U.N.O.  
 : Hampers and Openings - 2100H head U.N.O.  
 : Bulkheads - 2100H U.N.O.

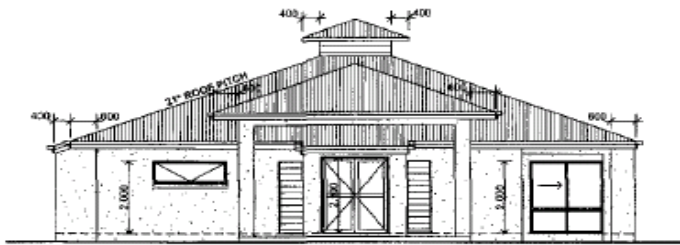
WIND 'C2'

FLOOR PLAN

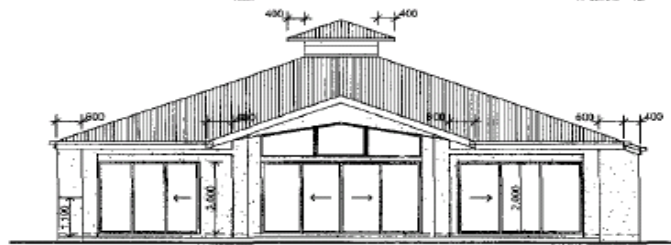
PROJECT	Mod. PARADISE RETREAT	DATE	24/07/2014
CLIENT	D. & M. DALZIEL	SCALE	1:100
ADDRESS	LOT 13, THOMSON LOW DRIVE, SHANNONVALE	JOB NUMBER	200NQ
DATE	24/07/2014	REVISION	2 of 10
DESIGNER	PREMIUM		

ARC: 2711024802  
 B.L.A. 103880  
 IN 10/12/14 04:00 AM  
 Project: 2711024802  
 File: 2711024802.dwg

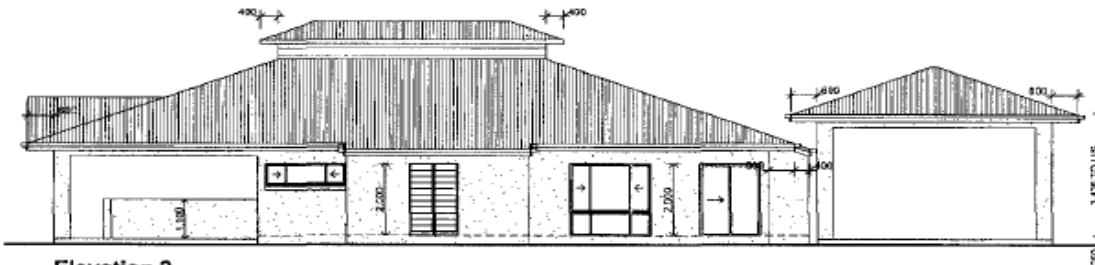




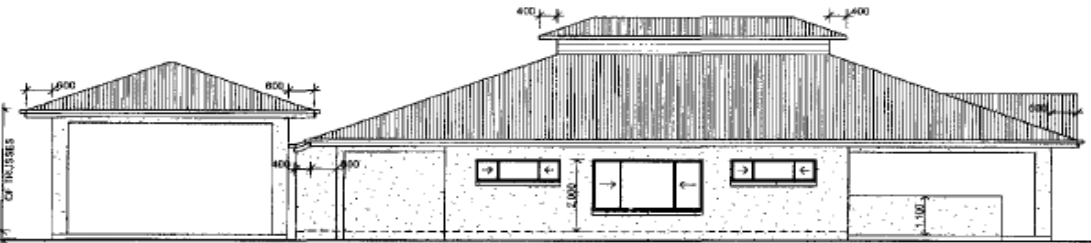
Elevation 1



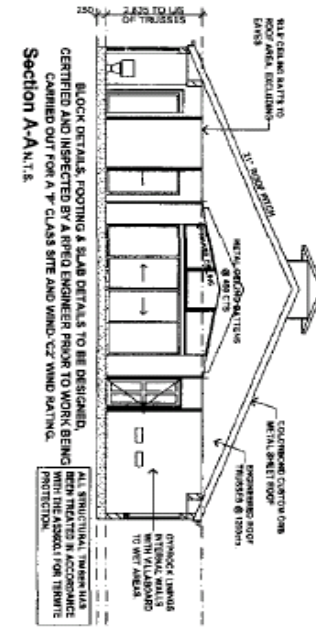
Elevation 3



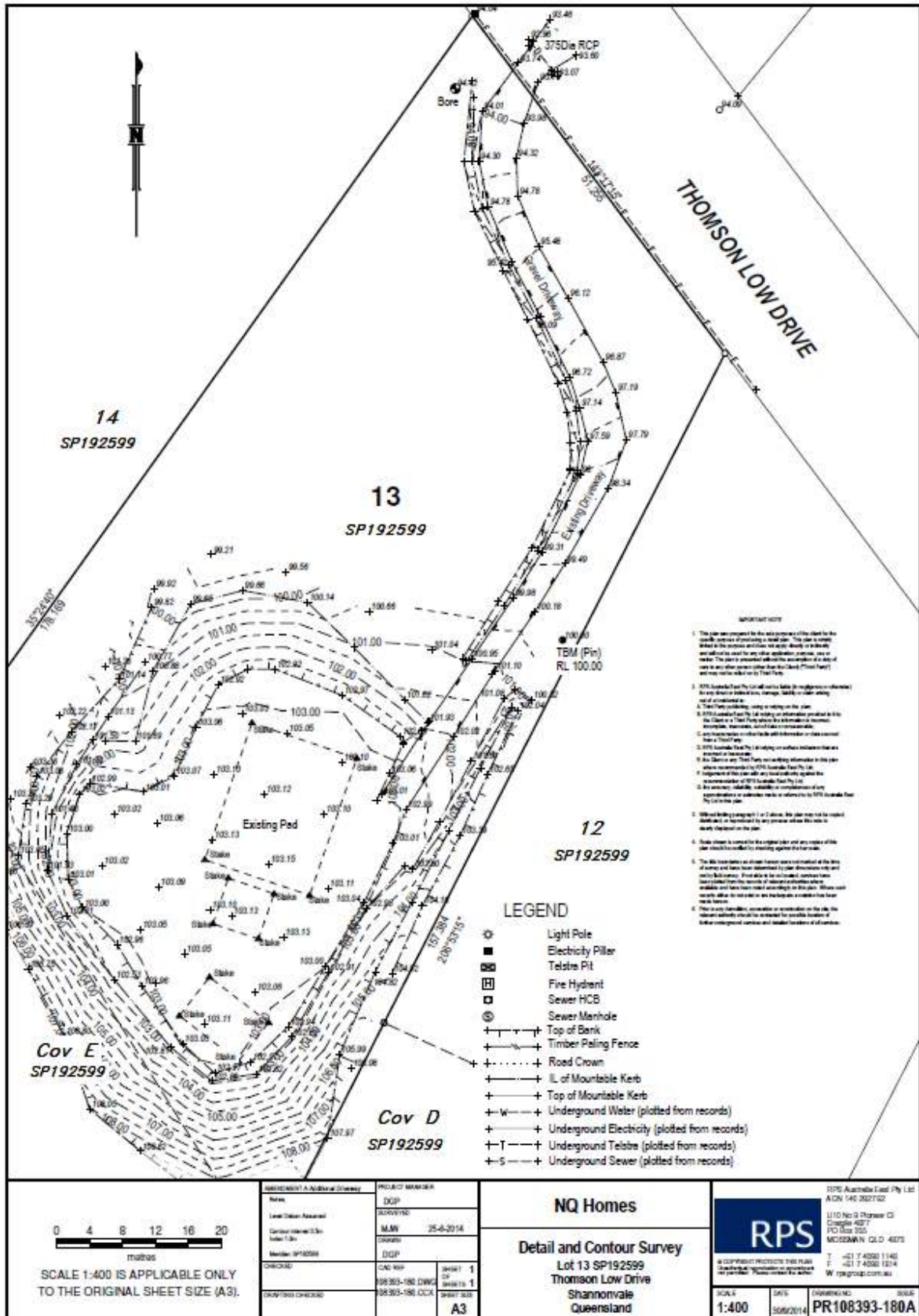
Elevation 2



Elevation 4



	ABN: 27119349902 BLN: 108958 ADDRESS: P.O. BOX 863, PT. DOUGLAS QLD 4817 PH: (07) 4296 3519 FAX: (07) 4296 8512	<b>ELEVATIONS</b>	<b>WIND-'C2'</b>	Client: <b>D. &amp; M. DALZIEL</b> LOT 13, THOMSON LOW DRIVE, SHANNONVALE	Design: <b>Mod. PARADISE RETREAT</b>	Drawn By: <b>S.C.</b>	Project Name: <b>200NQ</b>
	N.B. ALL WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED SIZES - THIS DESIGN IS THE EXCLUSIVE PROPERTY OF NQ HOMES Pty. Ltd.				Product: <b>TRADITIONAL</b>	Date: <b>24/07/2014</b>	Sheet Number: <b>3 of 10</b>
					Manufacturer: <b>PREMIUM</b>	Scale: <b>1 : 500</b>	



43.2014.394  
11/12

# APPENDIX 2: STANDARD DRAWING – ACCESS CROSSOVER

**NOTES**

1. Minimum length of culvert shall be 4.9m for single access, 7.2m for double access.
2. Minimum pipe size shall be Ø375. Minimum RCB/C to be 300mm high.
3. Minimum RC pipe / RCB/C gradient shall be 1:100.
4. Where cover to RC pipes is less than 250mm pipe shall have 100mm concrete surround.
5. Drainage from access must not flow over the through road. All stormwater runoff shall be directed to the table drain.
6. Where grade is steeper than 6% the bitumen seal shall extend from the road edge to the property boundary, unless otherwise approved.
7. Precast sloping headwalls shall be used when:
  - a) the through road has a signposted speed of 60km/hr or greater.
  - b) the through road has a signposted speed of 60km/hr and the offset distance from the traffic lane to the culvert is less than 4.2m.
8. Concrete shall be grade NZS1 in accordance with AS 1379 and AS 3600.
9. All dimensions are in millimetres.

**ALLOTMENT ACCESS  
OFF SEALED ROAD**

**NOTES**

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7. Precast sloping headwalls shall be used when:
  - a) the through road has a signposted speed of 60km/hr or greater.
  - b) the through road has a signposted speed of 60km/hr and the offset distance from the traffic lane to the culvert is less than 4.2m.
8. Concrete shall be grade NZS1 in accordance with AS 1379 and AS 3600.
9. All dimensions are in millimetres.

**ALLOTMENT ACCESS  
OFF UNSEALED ROAD**

<b>DISCLAIMER</b>	
<p>The authors and sponsoring organizations shall have no liability or responsibility for any liability, loss of damage, cost or expense to be incurred directly or indirectly, by the design and use of these Standard Drawings, but not limited to, any interruption of service, loss of business or other financial loss, arising from the use of these Standard Drawings. Access must not rely on these Standard Drawings as the equivalent of, or a substitute for, professional design and assessment by an appropriately qualified professional.</p>	



**RURAL ALLOTMENT ACCESSSES**

Standard Drawing S1105
A   B   C