

OUR REF: MCUC 140/2014 (420631)

9 May 2014

Mr Casey J Dunne & Ms Erin R Riley
PO Box 831
PORT DOUGLAS QLD 4877

Dear Sir/Madam

**DECISION NOTICE UNDER S 335 SUSTAINABLE PLANNING ACT 2009:
DEVELOPMENT APPLICATION FOR BAMBOO CREEK ROAD, BAMBOO**

With reference to the abovementioned Development Application, which was determined under Instrument of Delegation on 8 May 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 Council's Development and Environment Branch on telephone number (07) 4099 9456.

Yours faithfully

Donna Graham
Manager Development & Environment

Att

APPLICANT DETAILS

Casey J Dunne & Erin R Riley
PO Box 831
PORT DOUGLAS QLD 4877

ADDRESS

Bamboo Creek Road, Bamboo

REAL PROPERTY DESCRIPTION

Lot 13 on SP204463

PROPOSAL

House (Shed)

DECISION

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

DECISION DATE

8 May 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
Site Plan	Council document reference 419622	16/02/2014
Floor Plan	14-00006/A, Council document reference 418805	03/02/2014
Elevations	14-00006/B, Council document reference 418805	03/02/2014

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.

Damage to Council Infrastructure

4. 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.

Landscaping

5. 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.

Building Colours

6. 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’
Roof –	Colorbond® ‘Woodland Grey’

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

Sediment and Erosion Control

7. 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*).

External Works

8. 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.

Shed

9. The use of the shed shall be for purposes ancillary to the residential use of the land.

Residential Use

10. Residential use of the land, including temporary residential use of the land, must not commence until appropriate Development Approvals are obtained. Temporary residential use includes any overnight stay.

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 .

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.*

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.

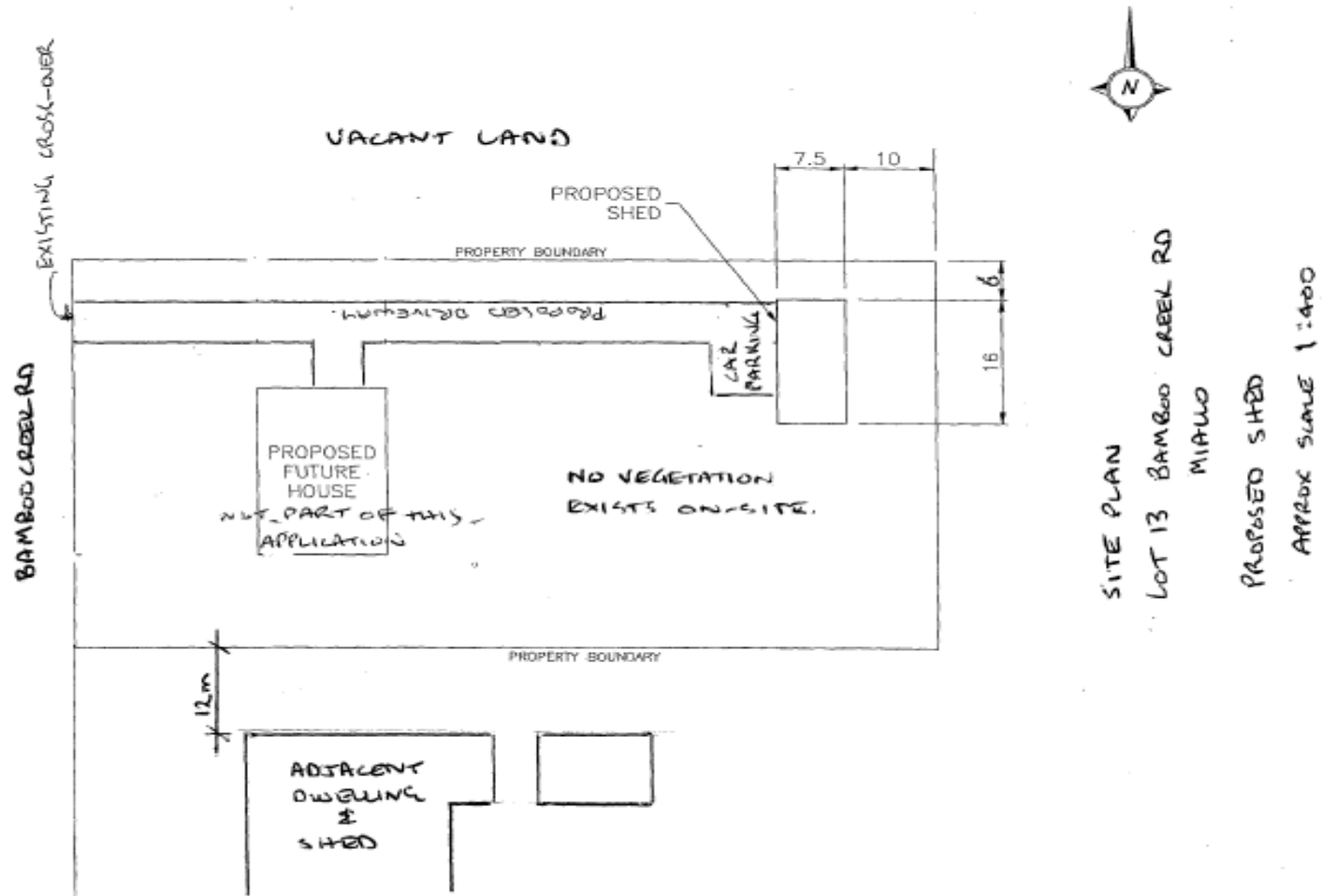
*These definitions are provided for convenience only. This Development Permit is limited to the specifications, facts and circumstances as set out in the application submitted to Council and is subject to the abovementioned conditions of approval and the requirements of Council's Planning Scheme and the *FNQROC Development Manual*.

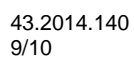
RIGHTS OF APPEAL

Attached

End of Decision Notice

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





APPENDIX 2: STANDARD DRAWING – ACCESS CROSSOVER

