

OUR REF: MCUC 4786_2012 (790035)

27 September 2016

P Wilson and J E Wilson
PO Box 1009
Mossman QLD 4873

Dear Mr and Mrs Wilson

**NOTICE OF DECISION UNDER SUSTAINABLE PLANNING ACT 2009
REQUEST TO EXTEND RELEVANT PERIOD OF APPROVAL AND
CHANGE A DEVELOPMENT APPROVAL
SPURWOOD ROAD, COW BAY**

In accordance with section 383 of the *Sustainable Planning Act 2009*, please be advised that Council has extended the Period of Approval for four (4) years, up to and including 3 September 2020, subject to the attached conditions.

Reference is made to your request to change a development approval under section 369 of the *Sustainable Planning Act 2009*

Applicant details:

P Wilson & J E Wilson
PO Box 1009
Mossman QLD 4873

Land details:

Street Address:

Spurwood Road, Cow Bay

Real Property Description:

Lot 37 on RP738160

Date original application decided:

3 September 2012 (Cairns Regional Council).

Request

Date request lodged:

31 August 2016

Referral Agency:

None

Decision:

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

Decision Date:

This Changed Decision Notice dated 27 September 2016 replaces the Decision Notice dated 3 September 2012.

Should you have any enquiries in relation to this Notice of Decision, please contact Daniel Lamond of Development Assessment and Coordination on telephone number 07 4099 9456.

Yours faithfully

Nick Wellwood
General Manager Operations

Att

APPROVED DRAWING(S) AND / OR DOCUMENT(S)

The term 'approved drawing(s) and / or document(s)' or other similar expressions means:

Drawing or Document	Reference	Date
Site Plan	37 Spurwood Road Cow Bay	Not Dated
Floor Plan	Not Referenced	Not Dated
Elevation Plan	Not Referenced	Not Dated

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 40cm; and
 - e. A 50mm ball valve with a camlock fitting.

On Site Effluent Disposal

5. The method of on-site effluent disposal must be in accordance with the recommendations contained in the On-Site Sewage Disposal Assessment Report prepared by North Queensland Environmental for the site in July 2012.

Landscaping

6. A ten (10) metre wide landscape buffer must be provided along the full length of the road frontages of the site, such that the both the House and Shed are effectively screened from view from Spurwood Road. A five (5) metre wide landscaped buffer must be provided along the rear boundary of the Lot, adjoining Lot 4 on AP19235 to provide a buffer to the neighbouring conservation estate.

The landscaping must be planted in an irregular and random fashion to blend with existing vegetation. The use of palm trees should be limited and only used as an accent feature. All landscaping to be installed must consist of native and endemic species. Exotic species are not permitted.

Weed Management

7. The area is known to contain invasive and / or declared weed species. 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. For assistance with eradication methods visit the Queensland Biosecurity website on www.deedi.qld.gov.au.

Building Colours

8. The exterior finishes and colours of the House and Shed must be 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 above requirements must be made known in writing to all prospective purchasers.

Sediment and Erosion Control

9. 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

10. Undertake the following external works:
 - a. Provide a rural allotment access into the site off Spurwood Road in accordance with FNQROC Development Manual Standard Drawing S1105. A copy is attached at Appendix 2.

All works should be constructed according to the approved plans and completed prior to the Commencement of Use.

Shed

11. The use of the Shed shall be for purposes ancillary to the residential use of the land.

House

12. The lot must not contain more than one House and such House is to be occupied by one household.

Generators

13. Noise from generators 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

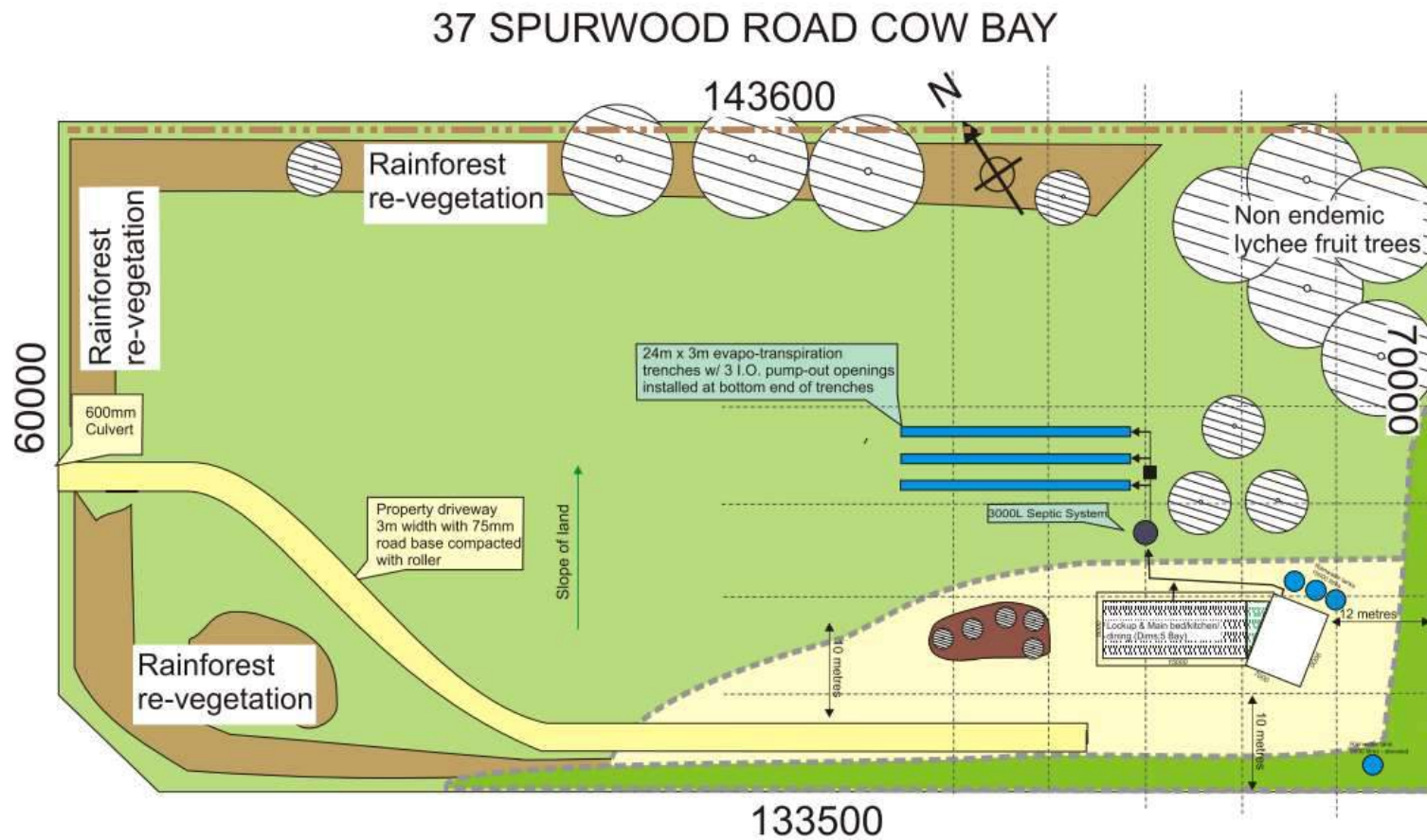
14. All fuels must be stored in an undercover and secure location at all times.

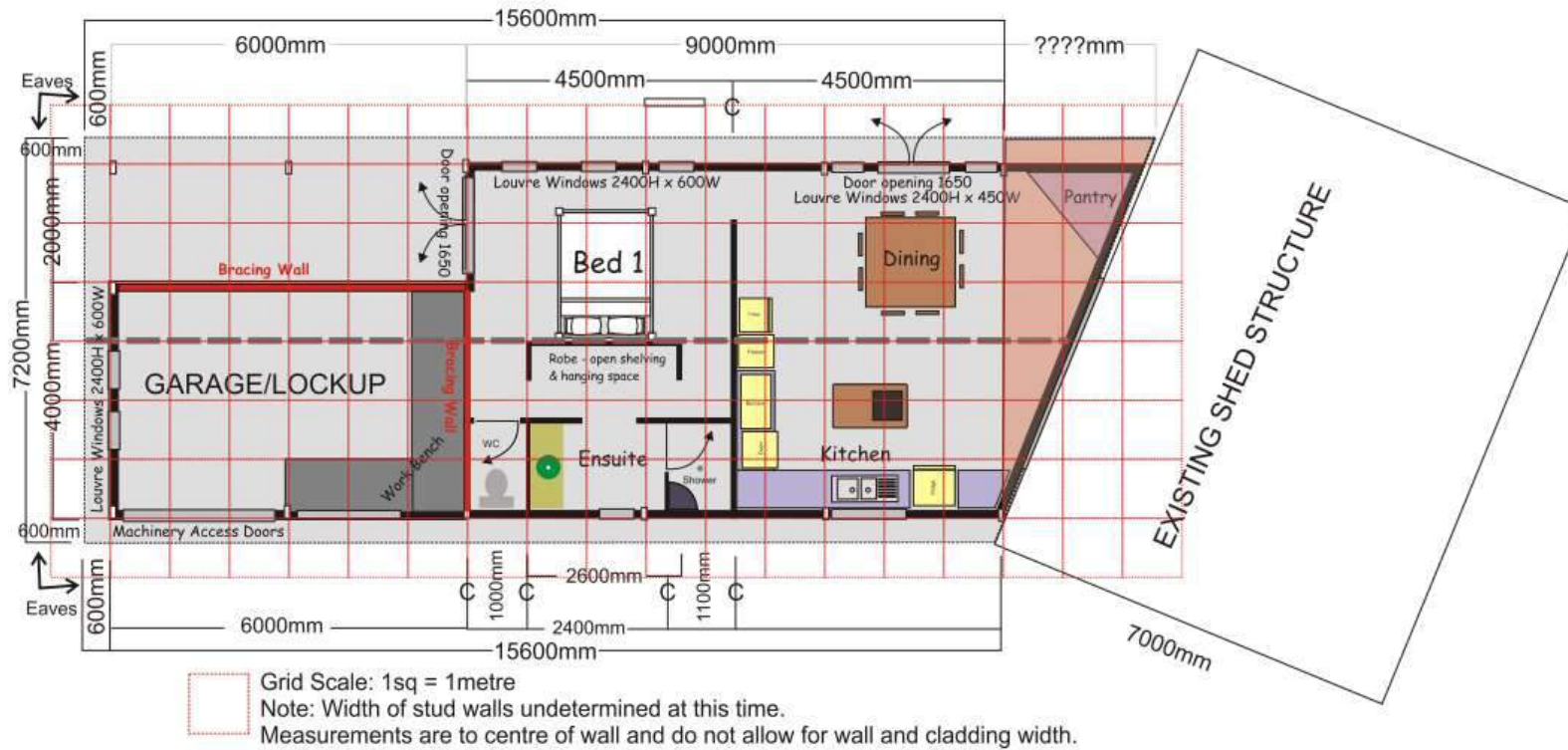
FURTHER ADVICE

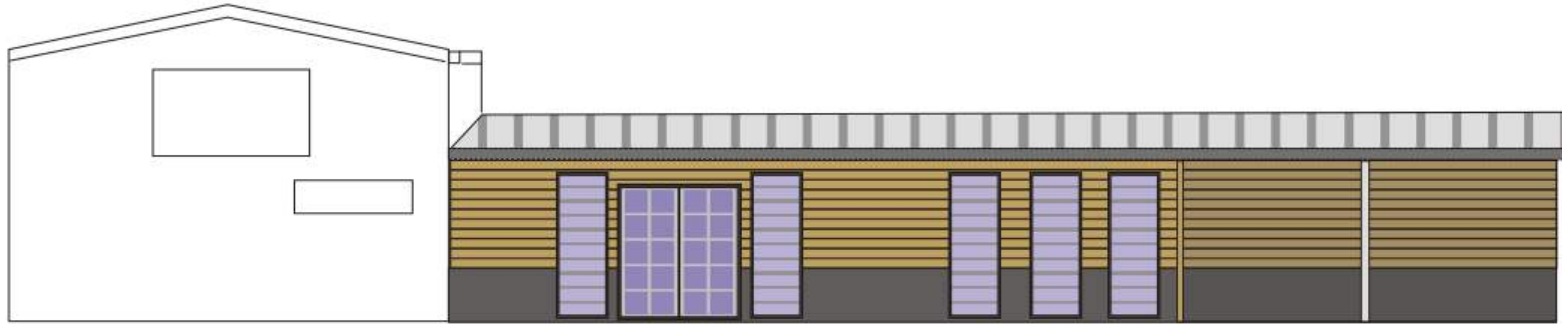
1. This approval, granted under the provisions of the *Sustainable Planning Act 2009*, shall lapse four (4) years from the day the approval takes effect in accordance with the provisions of the *Sustainable Planning Act 2009*.
 2. All building site managers must take all action necessary to ensure building 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.
 3. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.
 4. For information relating to the *Sustainable Planning Act 2009* log on to www.dilgp.qld.gov.au . To access the *FNQROC Development Manual*, Local Laws and other applicable Policies log on to www.douglas.qld.gov.au .
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End of Decision Notice

APPROVED DRAWING(S) & DOCUMENT(S)







NORTHERN ELEVATION



SOUTHERN ELEVATION



WESTERN ELEVATION