

YOUR REF:

OUR REF: MCUC 1762/2016 (798562)

9 December 2016

E Gwynne & C J Gwynne
20 Ives Ave
WONGA QLD 4873

Dear Sir/Madam

**DECISION NOTICE UNDER S 335 SUSTAINABLE PLANNING ACT 2009:
DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR A
HOUSE AND SHED AT 1-3 PADDYS LANE WONGA BEACH**

With reference to the abovementioned Development Application, which was determined under Instrument of Delegation on 9 December 2016, 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 Simon Clarke of Development Assessment and Coordination on telephone number 07 4099 9444.

Yours faithfully

Paul Hoye | Manager
Sustainable Communities | Douglas Shire Council

Att

APPLICANT DETAILS

E Gwynne & C J Gwynne
20 Ives Ave
WONGA QLD 4873

ADDRESS

1-3 Paddys Lane, Wonga Beach

REAL PROPERTY DESCRIPTION

Lot 23 on RP861002

PROPOSAL

House and Shed

DECISION

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

DECISION DATE

9 December 2016

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
Development Permit for Plumbing and Drainage 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 expressions means:

| Drawing or Document | Reference | Date |
|----------------------------------|---------------|------------------|
| Site and Area Plans | 808-16 1 of 5 | 1 September 2016 |
| Floor Plan - Residence | 808-16 2 of 5 | 1 September 2016 |
| Elevations | 808-16 3 of 5 | 1 September 2016 |
| Elevations | 808-16 4 of 5 | 1 September 2016 |
| Floor Plan – Shed, Elevations | 808-16 5 of 5 | 1 September 2016 |

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 Works Internal

4. 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;

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

On-Site Effluent Disposal

5. The method of on-site effluent disposal must be generally in accordance with the recommendations contained in the Wastewater Management System for M & E Gwynne Ref SI 290-16 dated August 2016, prepared by Earth Test.

Damage to Infrastructure

6. In the event that any part of Council's existing water infrastructure is damaged as a result of construction activities occurring on the site, Douglas Water & Waste must be notified immediately of the affected infrastructure and have it repaired or replaced by Douglas Water & Waste at no cost to Council.

Landscaping

7. 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.

Sediment and Erosion Control

8. 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

9. 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.

Access Driveway

10. The access driveway must comply with the relevant requirements of the FNQROC Development Manual.

Shed

11. 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 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

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009

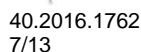
- a display house which displays to the general public the type of construction or design offered by a builder / developer, for a maximum period of 12 months and which then converts to a House for the exclusive use of one (1) Household.

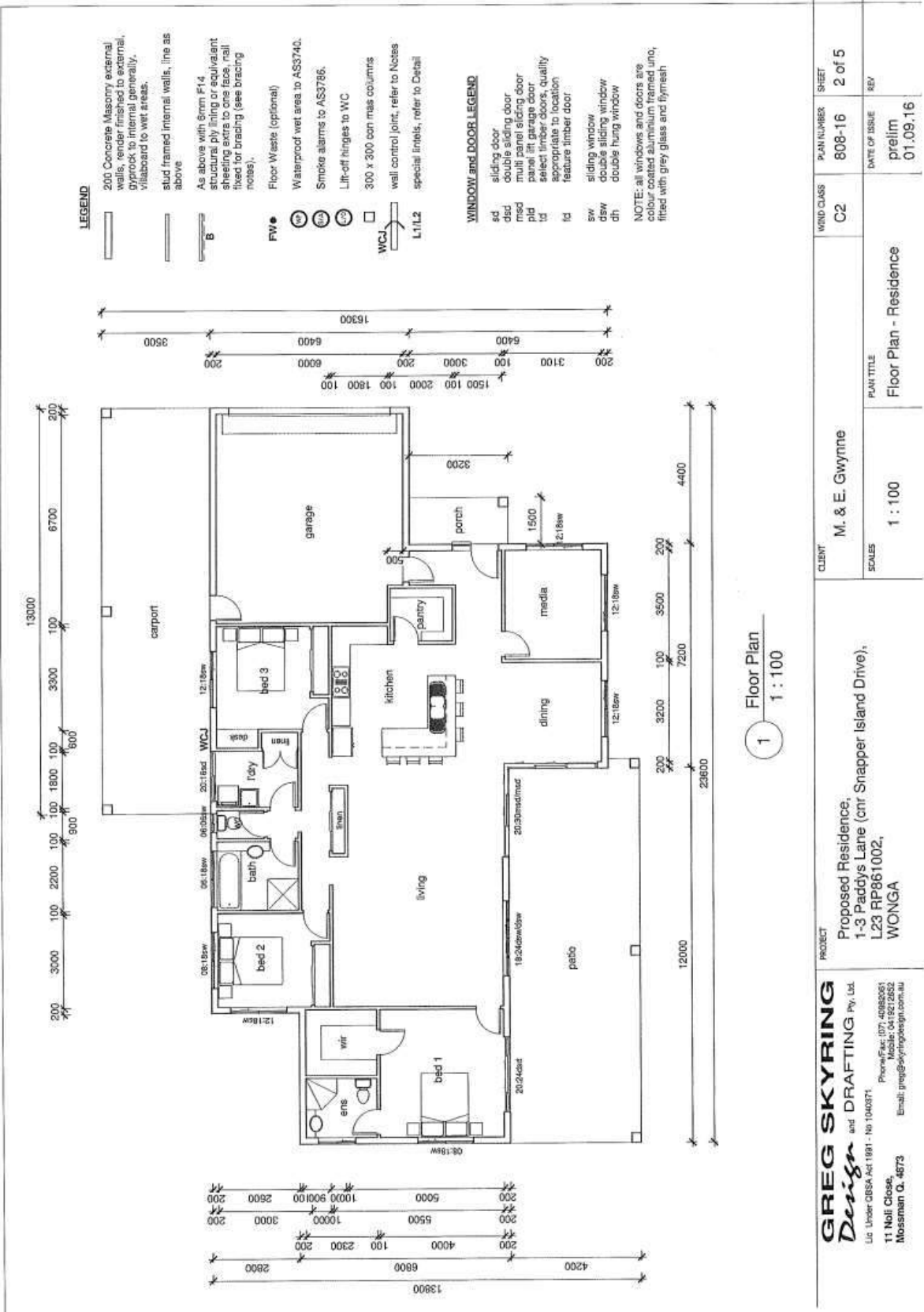
*This definition is provided for convenience only. This Development Permit is limited to the specifications, facts and circumstances as set out in the application submitted to Council and is subject to the abovementioned conditions of approval and the requirements of Council's Planning Scheme and the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

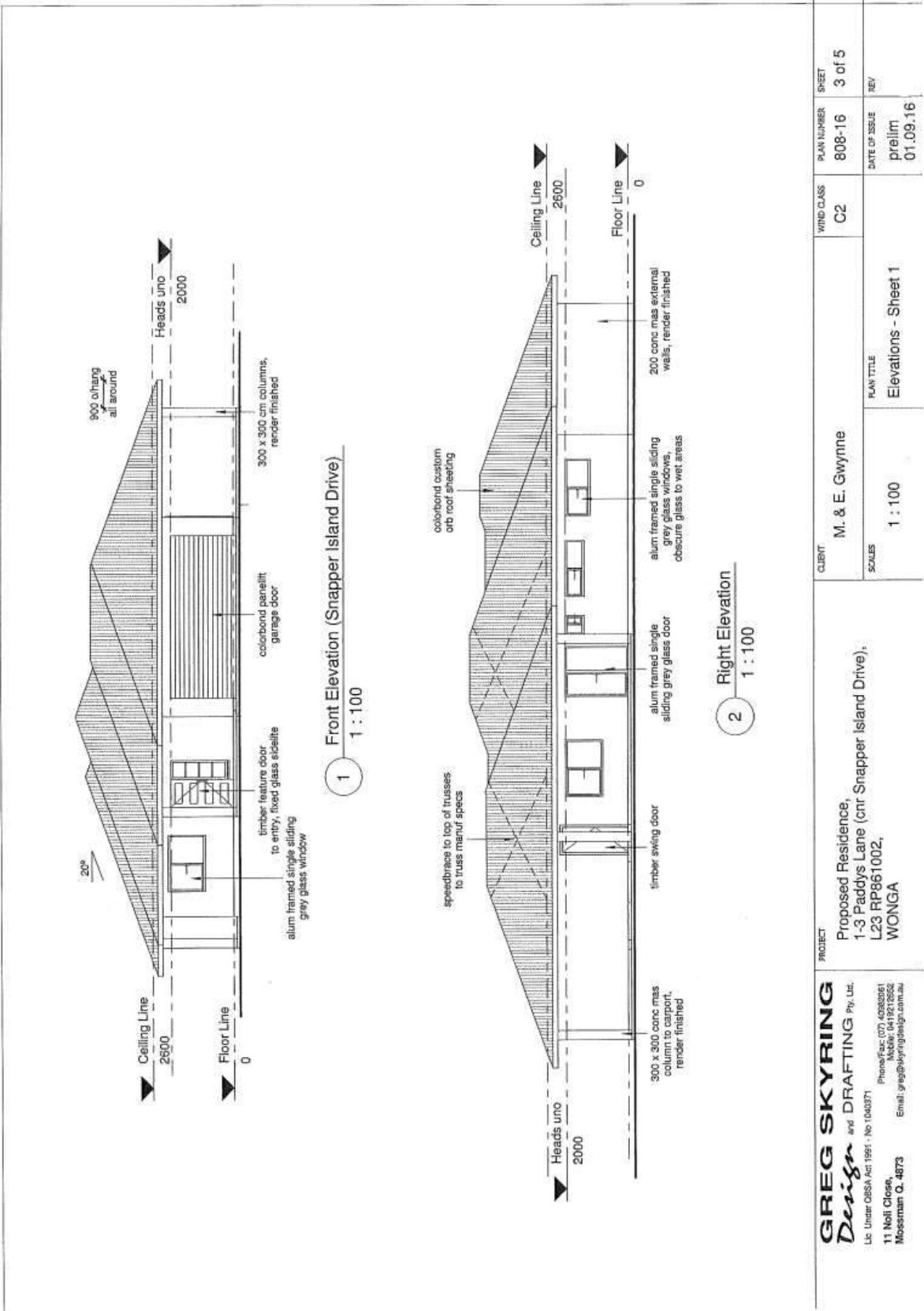
RIGHTS OF APPEAL

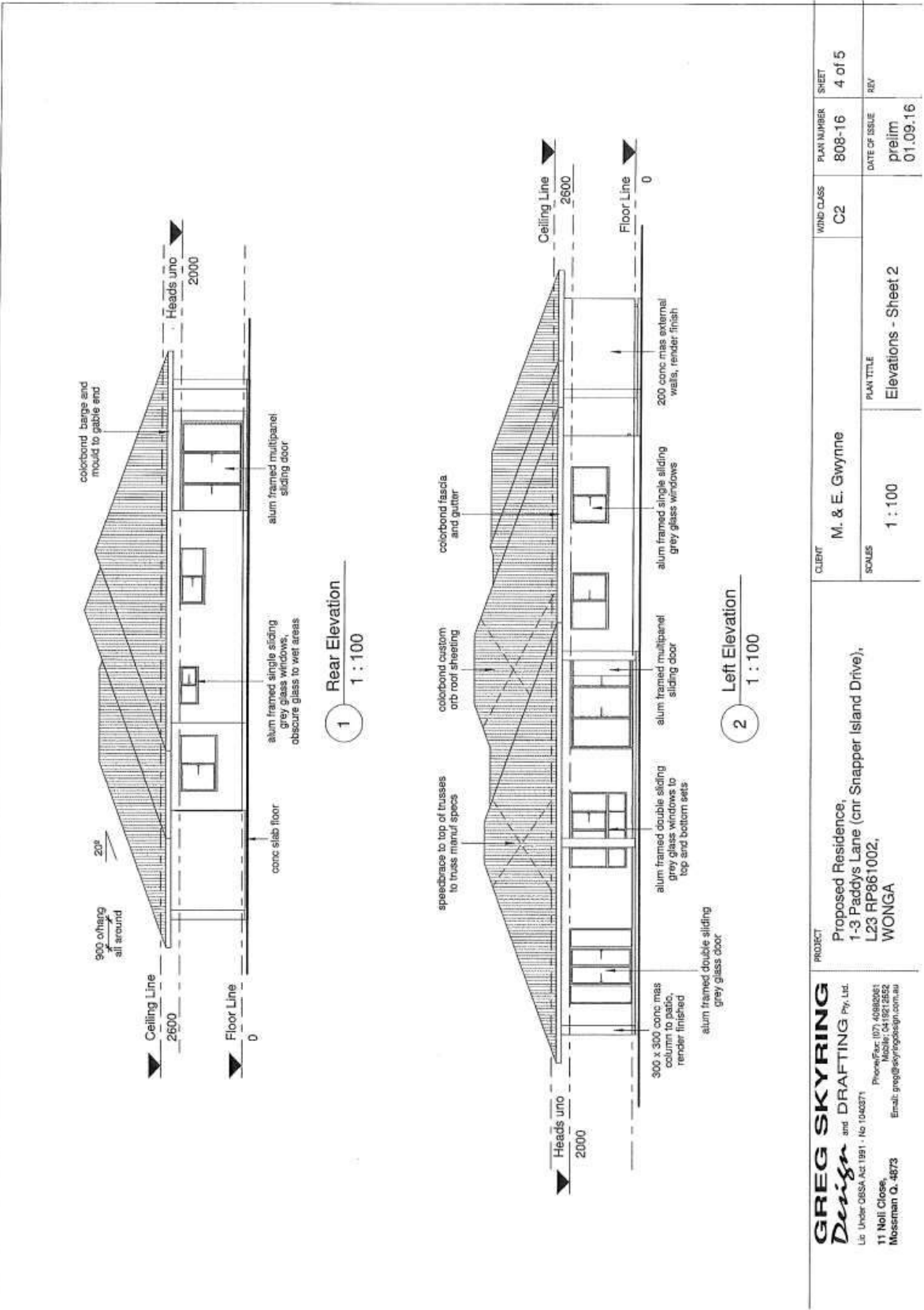
Attached

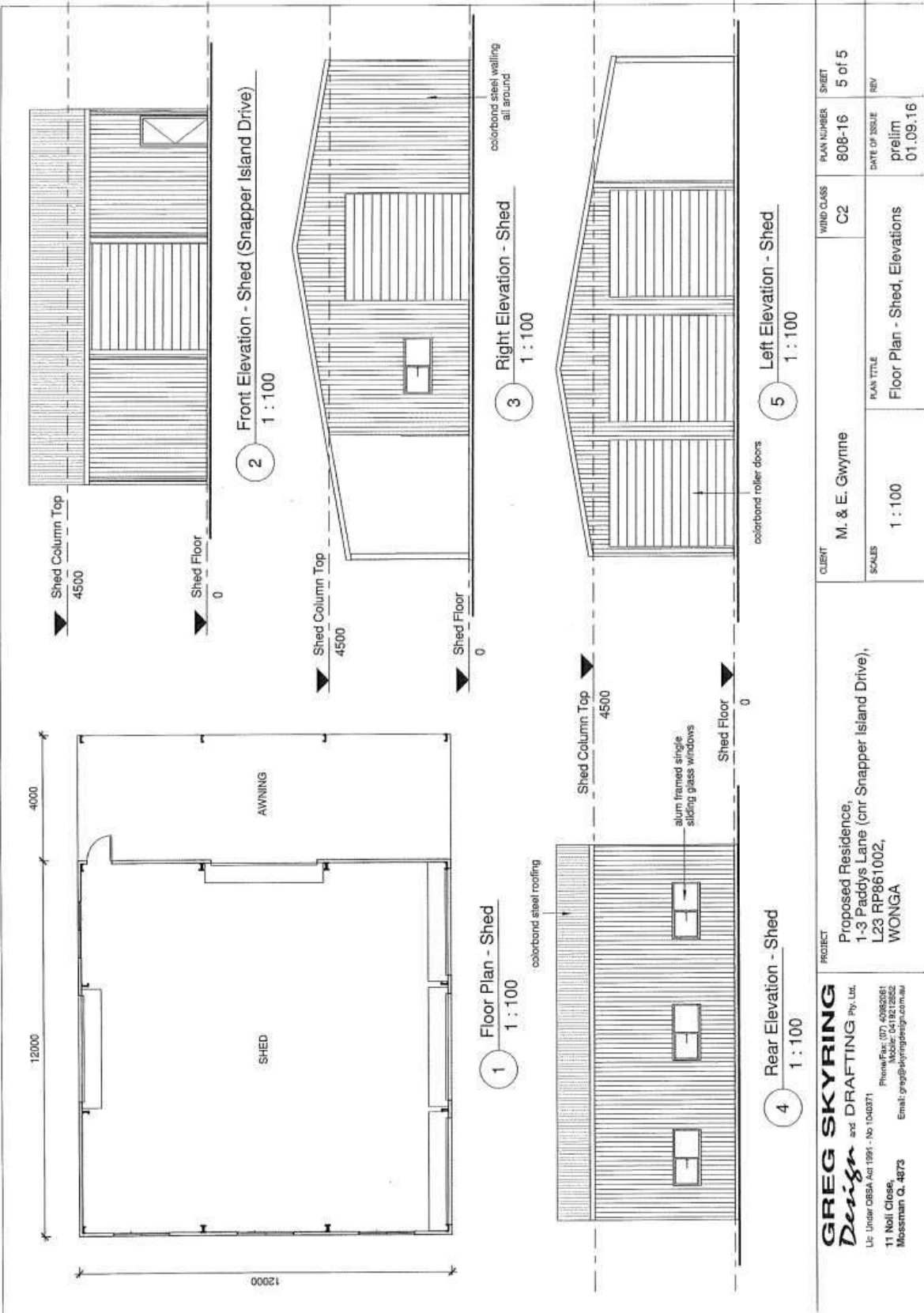
End of Decision Notice











APPENDIX 2: STANDARD DRAWING – ACCESS CROSSOVER

