

ENQUIRIES: Danny Favier
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YOUR REF:
OUR REF: 8/7/2815 (4163472)

23 October 2013

J A Vincent
PO Box 134
Kudat Sabah
BORNEO EAST MALAYSIA 89057

Dear Sir/Madam

**DECISION NOTICE UNDER S335 SUSTAINABLE PLANNING ACT 2009:
DEVELOPMENT APPLICATION FOR GEORGE ROAD FOREST CREEK**

With reference to the abovementioned Development Application which was determined under Instrument of Delegation on 23 October 2013, 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 enquires in relation to this Decision Notice, please contact Danny Favier of Council's Development Services Team on telephone number (07) 4044 3558.

Yours faithfully

Graham Boyd
Manager Development & Regulatory Services

Att.

APPLICANT DETAILS

J A Vincent
PO Box 134
Kudat Sabah
BORNEO EAST MALAYSIA 89057

ADDRESS

George Road Forest Creek

REAL PROPERTY DESCRIPTION

Lot 66 on RP735856

PROPOSAL

House (Rural Settlement)

DECISION

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

DECISION DATE

23 October 2013

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 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	Lot 66 George Rd, Forest Creek	Not Dated
Creek Crossing Sketch	Lot 66 George Rd, Forest Creek	15 September 2013
House Pad and Position	Lot 66 George Rd, Forest Creek	Not Dated
Floor Plan (with Roof Lines)	Lot 66 George Rd, Forest Creek	Not Dated
Floor Plan (without Roof Lines)	Lot 66 George Rd, Forest Creek	Not Dated
Right Elevation	Lot 66 George Rd, Forest Creek	Not Dated
Rear Elevation	Lot 66 George Rd, Forest Creek	Not Dated
Front Elevation	Lot 66 George Rd, Forest Creek	Not Dated
Left Elevation	Lot 66 George Rd, Forest Creek	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.

External Works

4. Undertake the following external works:
 - a. Provide a gravel or other approved material rural allotment access, including a minimum 450mm concrete culvert and standard headwall and apron, constructed generally in accordance with FNQROC Development Manual Standard Drawing S1105 and the manufacture's specifications. A copy is attached at Appendix 2.

The crossover must not impact on stormwater flows in minor and major flow events.

Internal Works

5. Undertake the following internal works:
 - a. In the construction of the seasonal creek crossing, provide a minimum 900mm concrete culvert and standard headwall and apron in the approved location and to the manufacture's specification.

The crossing must not impact on stormwater flows in minor and major flow events.

- b. Construct a gravel driveway or other approved surface to the proposed dwelling site. The driveway is to extend the full length of the access from the rural allotment access as required by Condition 4 above.

The driveway access must be constructed with a minimum 100 mm depth of free draining gravel, or any other surface as approved by Chief Executive Officer.

Water Supply

6. Water storage tank(s) with a minimum capacity not less than 30,000 litres, and 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 tanks must be provided with:
 - a. Mosquito-proof screens of brass, copper, aluminium or stainless steel gauze not coarser than 1mm 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. The water tank(s) shall be fitted with a 50mm ball valve with a camlock fitting.

On-site Effluent Disposal

7. The method of on-site effluent disposal must be in accordance with the *Plumbing and Drainage Act 2002*. Details of the wastewater treatment system to be installed must be approved in accordance with report submitted by Earth Test Dated 13 September 2013 report SI 279-13 V2, Council reference # 4135594.

Vegetation Clearing

8. Existing vegetation on the land must be retained in all areas except those affected by the construction of the Designated Development Area (700m²), access driveways and/or the installation of any services as detailed on the approved plans. Any further clearing requires a Permit for Operational Works.

Vegetation Protection

9. Plant specimens protected under the *Nature Conservation Act 1992* were observed onsite. A clearing permit under the *Nature Conservation Act 1992* will be required prior to the removal of any protected plant species.

It is recommended that all clearing is undertaken in the presence of an experienced botanist.

Wildlife Protection

10. Trees and/or vegetation that contain nesting native birds, dens or roosting sites of native animals are not to be removed while the nests, dens or roosting sites are in use as per the requirements of the *Nature Conservation (Wildlife Management) Regulation 2006* without the necessary Ecoaccess Approval. Information on Ecoaccess approvals may be obtained at www.ehp.qld.gov.au or by contacting the Cairns Office of QPWS.

Notification

11. Council's Development Assessment Branch must be notified two (2) business days prior to the proposed date of commencement of any approved vegetation clearing.

Building Colours

12. The exterior finishes and colours of Buildings 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 applicant must provide colour samples prior to the issue of the Development Permit for Building Works.

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

Generators

13. All power generation devices are to be positioned and housed (including noise attenuation material) so as to mitigate noise nuisance to adjoining and nearby residents.

Fuel Storage

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

Sediment and Erosion Control

15. 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*).

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.cairns.qld.gov.au.

LAND USE DEFINITIONS*

In accordance with *Douglas Shire Planning Scheme 2008* the approved land use of 'House' is defined as:

"...the use of premises comprising one Dwelling Unit, located on one lot for the exclusive residential use of one 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 twelve (12) months and which then converts to a House for the exclusive use of one Household."*

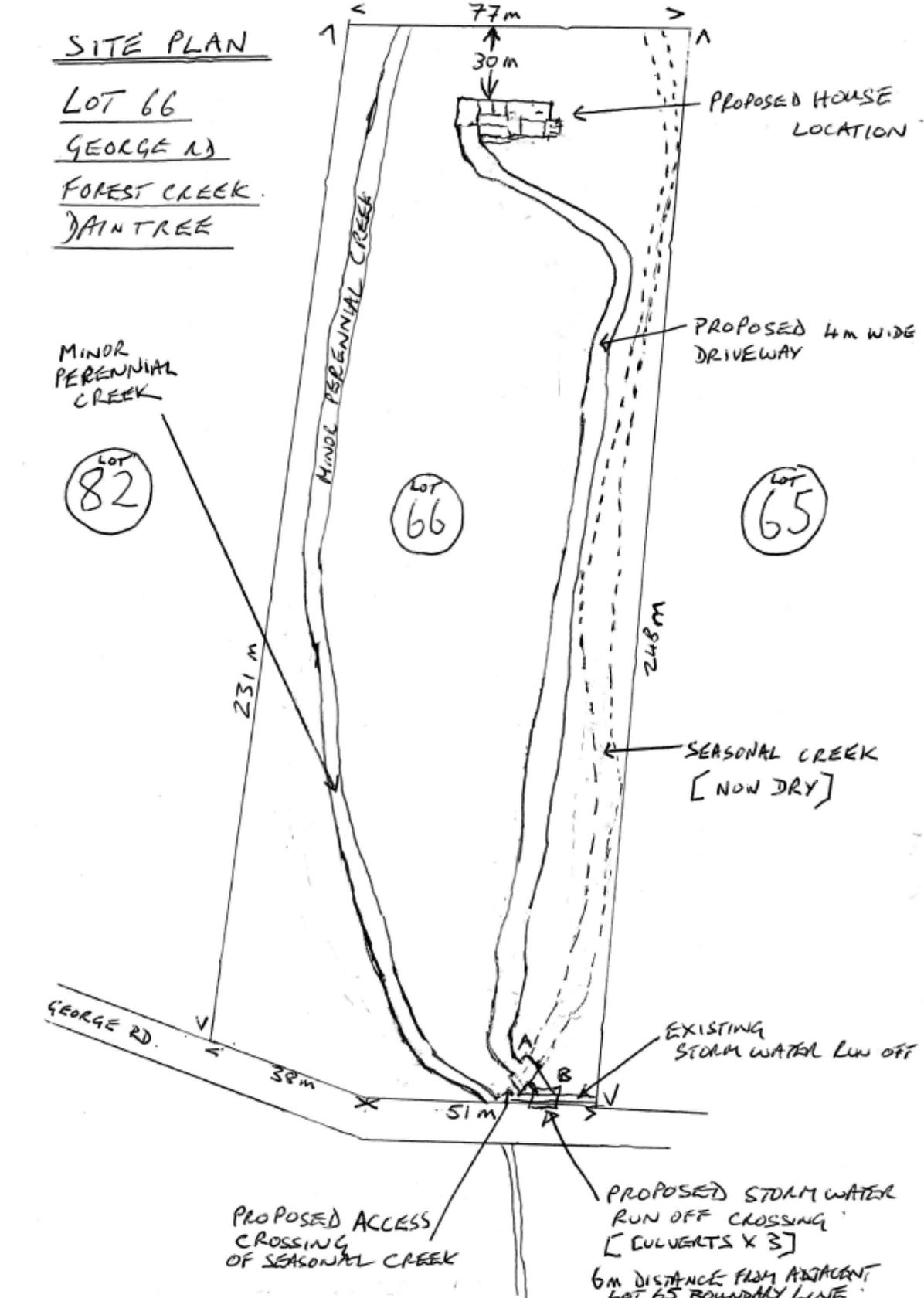
*This definition is provided for convenience only. This Development Permit is limited to the specifications, facts and circumstances as set out in the application submitted to Council and is subject to the abovementioned conditions of approval and the requirements of Council's Planning Scheme and the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

RIGHTS OF APPEAL

Attached

End of Decision Notice

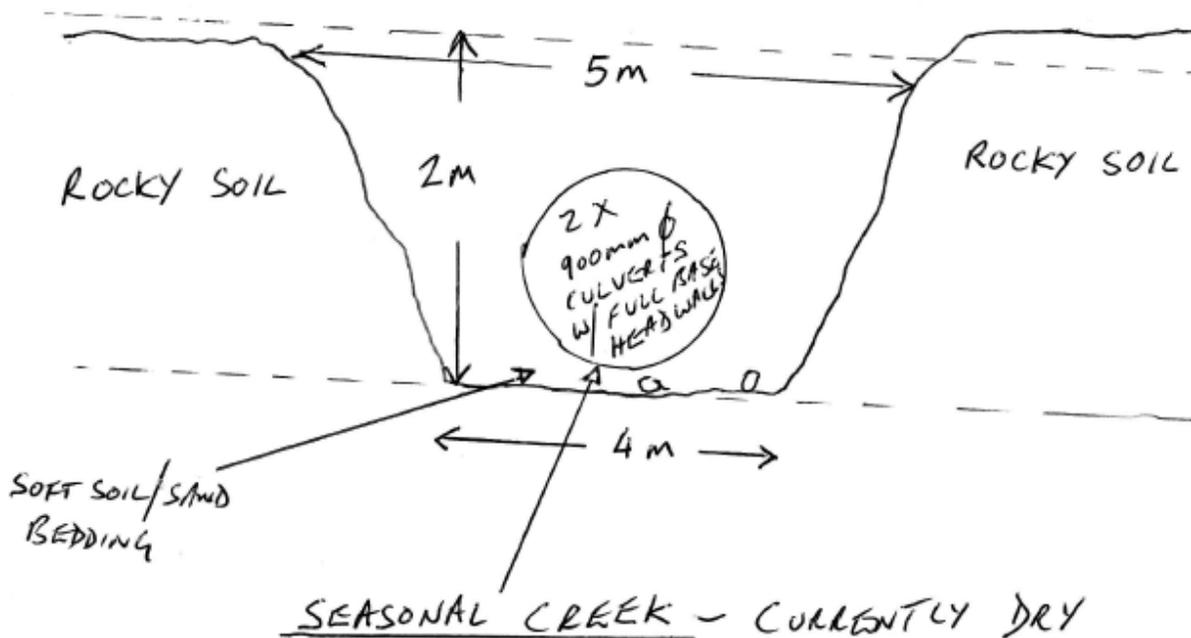
APPENDIX 1: Approved Drawing(s) & Document(s)



15/9/13

ANNEXURE 1

CREEK CROSSING SKETCH

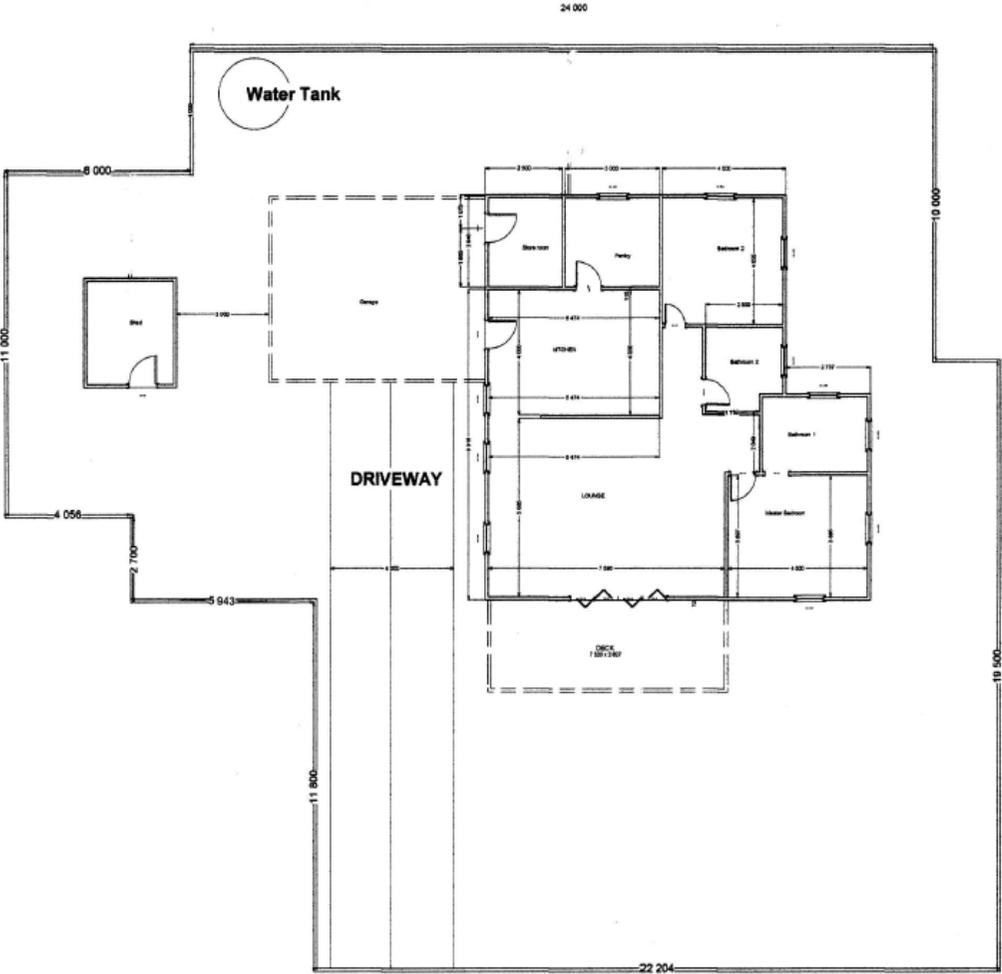


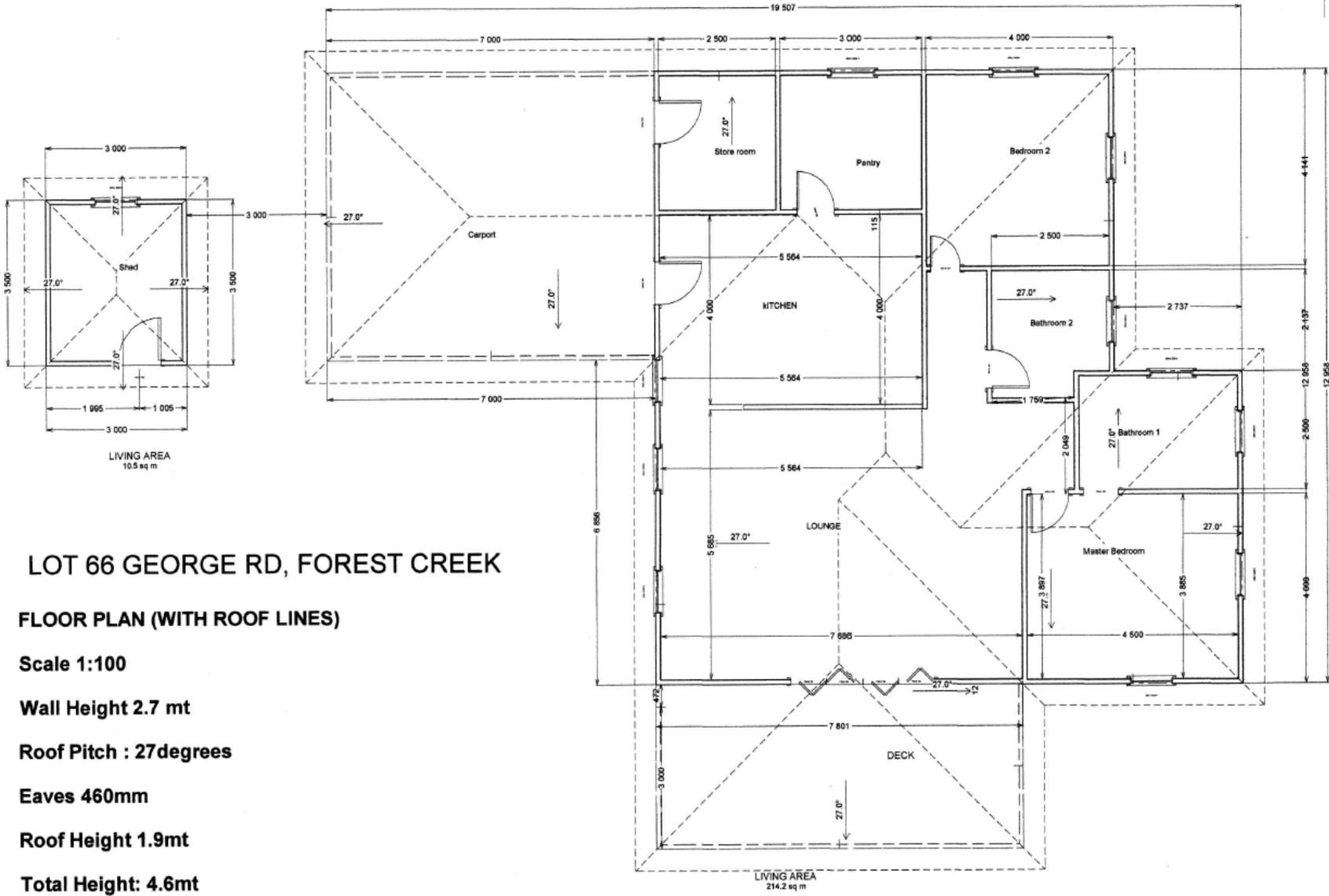
LOT 66 GEORGE RD, FOREST CREEK

House Pad showing house position

House Pad Area: 700 sqm plus driveway of 75 sqm: 4mt x 18.5 mt

Scale 1: 200

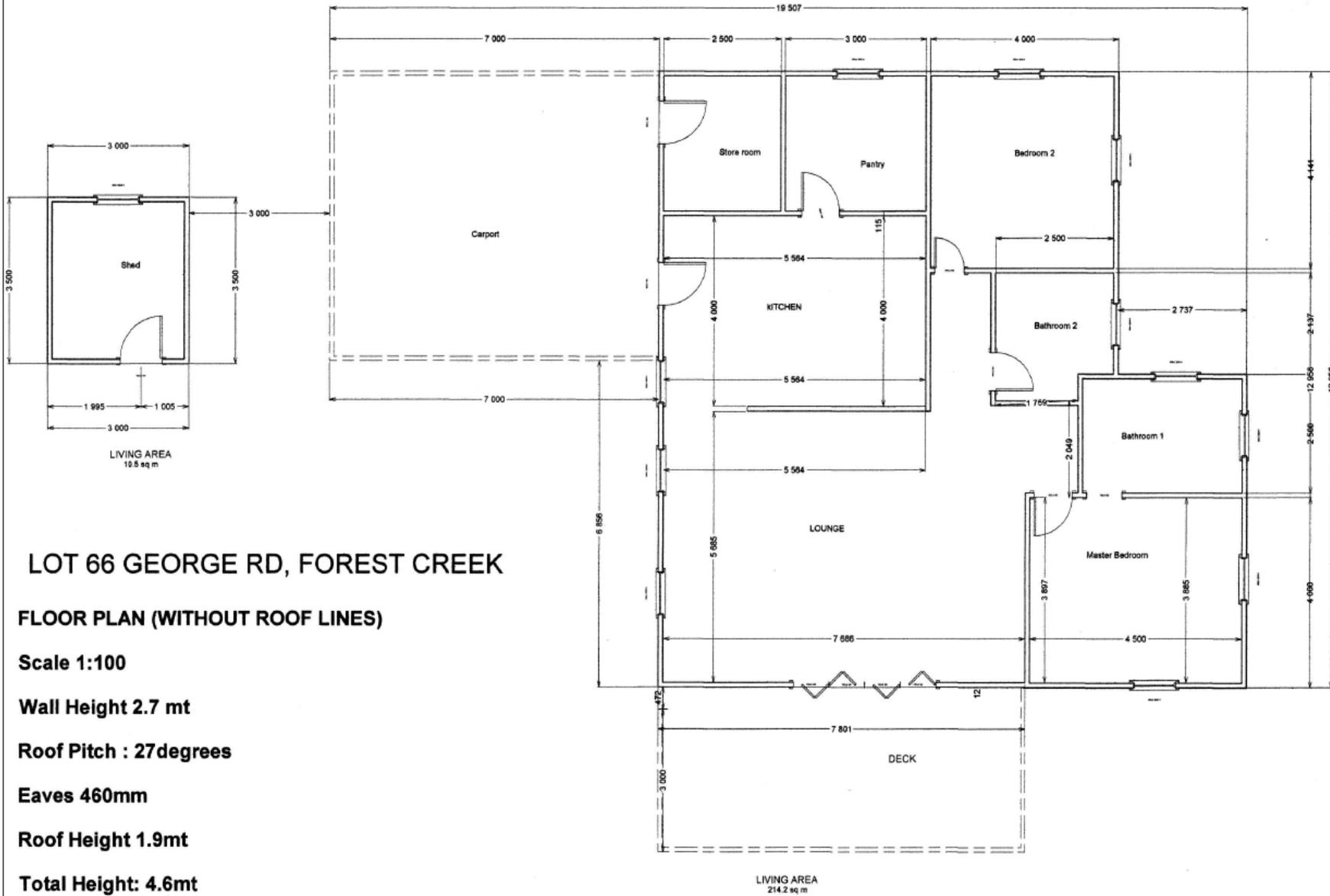




LOT 66 GEORGE RD, FOREST CREEK

FLOOR PLAN (WITH ROOF LINES)

- Scale 1:100**
- Wall Height 2.7 mt**
- Roof Pitch : 27degrees**
- Eaves 460mm**
- Roof Height 1.9mt**
- Total Height: 4.6mt**



LOT 66 GEORGE RD, FOREST CREEK

FLOOR PLAN (WITHOUT ROOF LINES)

Scale 1:100

Wall Height 2.7 mt

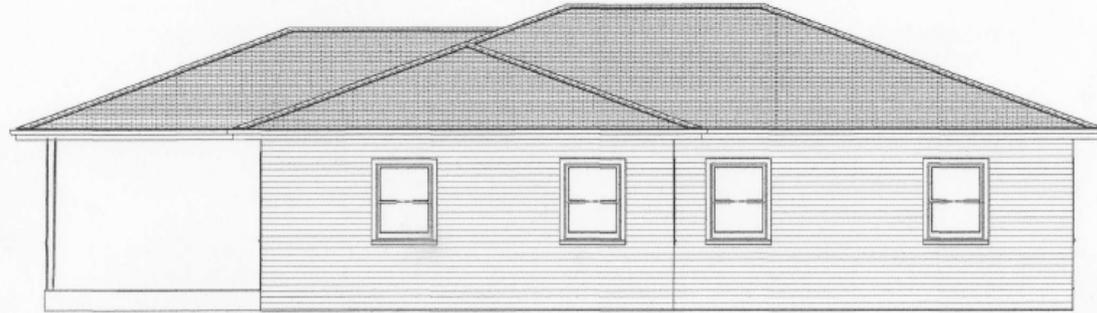
Roof Pitch : 27degrees

Eaves 460mm

Roof Height 1.9mt

Total Height: 4.6mt

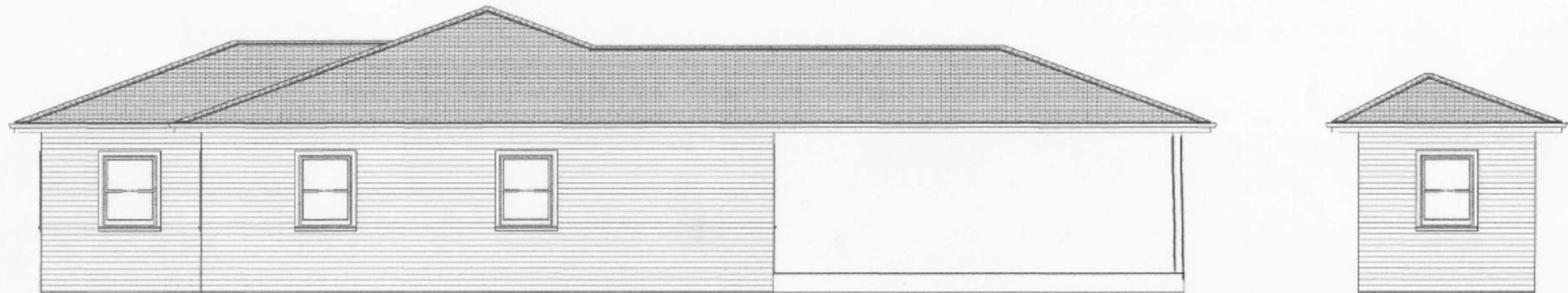
LOT 66 GEORGE RD, FOREST CREEK



RIGHT ELEVATION

SCALE 1:100

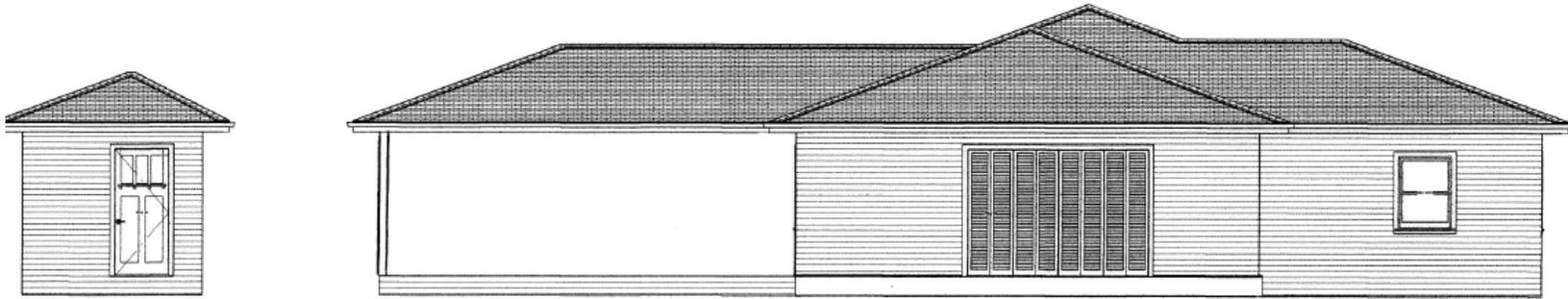
LOT 66 GEORGE RD, FOREST CREEK



REAR ELEVATION

SCALE 1:100

LOT 66 GEORGE RD, FOREST CREEK



FRONT ELEVATION

SCALE 1:100

LOT 66 GEORGE RD, FOREST CREEK



LEFT ELEVATION

SCALE 1:100

APPENDIX 2: Standard Drawing – Access Crossover

NOTES

1. Minimum length of culvert shall be 4.8m for single access, 7.2m for double access.
2. Minimum pipe size shall be Ø375. Minimum RCBC to be 300mm H_{gr}.
3. Minimum RC pipe / RCBC gradient shall be 1:100.
4. Where cover to RC pipes is less than 260mm 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 headwalks 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 80km/hr or greater.
8. Concrete shall be grade N25 in accordance with AS 1379 and AS 3600.
9. All dimensions are in millimetres.

DISCLAIMER

The author and approving organisations shall have no liability or responsibility for any liability, loss or damage caused or alleged to be caused, directly or indirectly, by the adoption and use of these Standard Drawings or any part thereof, or consequential damage resulting from the use of these Standard Drawings. Review must not rely on these Standard Drawings as an independent or sole source of information for design and construction of any project or for any other purpose.

RURAL ALLOTMENT ACCESSSES

C VARIOUS MINOR AMENDMENTS	13/01/06
B NOTES AMENDED	18/01/05
A ORIGINAL ISSUE	12/03/04

A	Standard Drawing
B	S1105
C	