

MEMO TO: GRAHAM BOYD – A/GENERAL MANAGER PLANNING & ENVIRONMENT

FROM: MICHELLE HENDERSON – PLANNING OFFICER

DATE: 23 AUGUST 2013

SUBJECT: **DELEGATED AUTHORITY REPORT –
MATERIAL CHANGE OF USE FOR A HOUSE -
BUCHANAN CREEK ROAD, COW BAY – DIVISION 10**

PROPOSAL: HOUSE

APPLICANT: R HOLLIS
1 LUI ST
BAMAGA QLD 4876

LOCATION: BUCHANAN CREEK ROAD, COW BAY

PROPERTY: LOT 33 ON RP737398

PLANNING LOCALITY: SETTLEMENT AREAS NORTH OF THE
DAINTREE RIVER

PLANNING AREA: CONSERVATION (EASTERN MANAGEMENT
AREA - RAINFOREST CONSERVATION
PRECINCT)

PLANNING SCHEME: DOUGLAS SHIRE PLANING SCHEME 2008

REFERRAL AGENCIES: NONE APPLICABLE

NUMBER OF SUBMITTERS: NOT APPLICABLE

STATUTORY ASSESSMENT
DEADLINE: 3 SEPTEMBER 2013

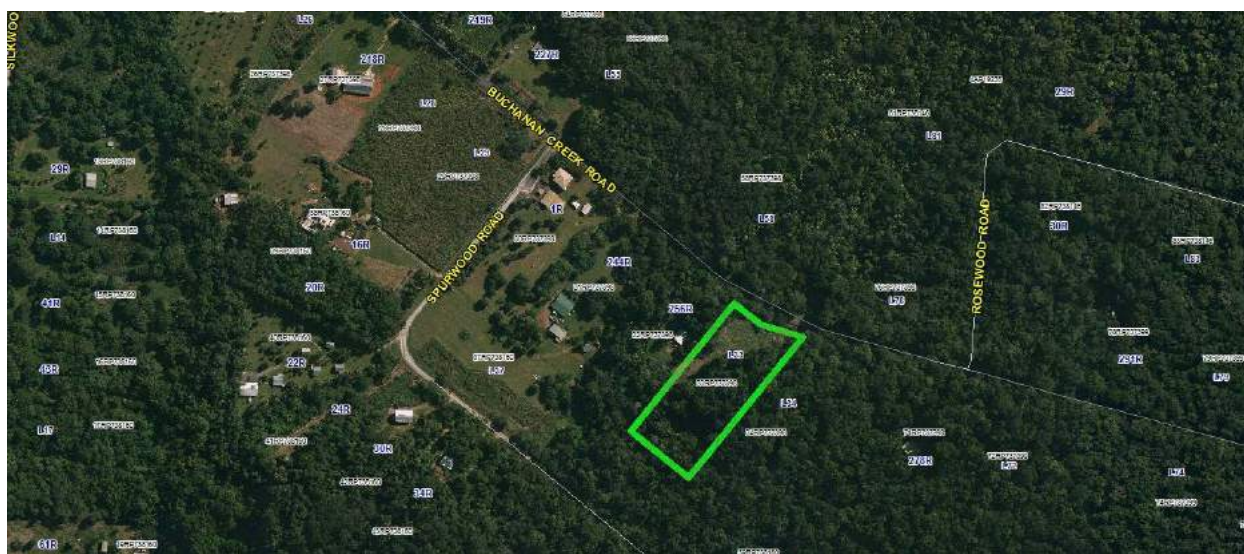
APPLICATION RECEIVED 27 JULY 2013

DIVISION: DIVISION 10

APPENDIX:

1. APPROVED PLAN(S) & DOCUMENT(S)
2. STANDARD DRAWING – RURAL
ALLOTMENT ACCESSES

LOCALITY PLAN



RECOMMENDATION

That the Acting General Manager Planning & Environment under Instrument of Delegation approves the Development Application as detailed above subject to the following:

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	Drawing prepared by Daniel Hollis (Council ref no 4056842)	Received 27 Jul 2013
Floor Plan	Drawing prepared by Daniel Hollis (Council ref no 4056842)	Received 27 Jul 2013
Front Elevations	Drawing prepared by Daniel Hollis (Council ref no 4056842)	Received 27 Jul 2013
Side Elevations	Drawing prepared by Daniel Hollis (Council ref no 4056842)	Received 27 Jul 2013
Rear Elevations	Drawing prepared by Daniel Hollis (Council ref no 4056842)	Received 27 Jul 2013
Proposed Generator Shed	Drawing prepared by Daniel Hollis (Council ref no 4056842)	Received 27 Jul 2013

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 Plumbing and Drainage Act 2002. Details of the wastewater treatment system to be installed must be in accordance with report submitted by Zammataro Plumbing Pty Ltd dated July 31 2013, Council Reference #4062962.**

Vegetation Clearing

6. 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 an Operational Works Approval.

Landscaping

7. All landscaping to be installed must consist of native and endemic species only and planted in an irregular and random fashion to blend with existing vegetation. Exotic species are not permitted.
8. A ten (10) metre wide landscape buffer must be provided along the road frontage of the site. The landscaping must consist of native and endemic species which must be planted in an irregular and random fashion to blend with existing vegetation. The use of palm trees must be limited and only used as an accent feature.

Building Colours

9. 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 (vertical corrugated iron around roof recess) Colorbond Ironstone (ground floor block, level 1 horizontal cladding and guttering)
Roof –	Colorbond Dune

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

Sediment and Erosion Control

10. 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

11. Undertake the following external works:

- a. Upgrade the existing crossover to a rural allotment access standard 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.

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.dsdiq.qld.gov.au. To access FNQROC 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 the approved land use of House is defined as:

Means 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*.

EXECUTIVE SUMMARY:

Council is in receipt of an application for a House at Lot 33 on RP737398, also described as Buchanan Creek Road, Cow Bay. The land is included in the Rainforest Conservation Precinct (Conservation Planning Area) though is afforded development rights by being listed on the Daintree Development Register as 'Developed'. Moreover, the 1.044ha lot in question has been historically cleared and maintained to the present day. The application is recommended for approval, subject to specific conditions regarding the provision of services and landscaping.

PLANNING CONSIDERATIONS:

Background

The land in question is predominantly level. While approximately 65% of the allotment remains forested, large cleared areas have been maintained on the property over time and are evident on historical aerial photographs. A rough existing crossover exists, however the driveway is yet to be formed.

Proposal

The application proposes the establishment of a two storey House and an associated generator shed, water tanks and wastewater system at Buchanan Creek Road, Cow Bay, on land described as Lot 33 on RP737398. The proposed two (2) bedroom House has a total floor area of 179.4m², and a gross floor area (GFA) of 145.4m². The House is proposed to be setback approximately 123m from Buchanan Creek Road, 30m from the rear boundary and 25m from the nearest side boundary, and will be screened from view of the road and adjoining properties by existing stands of native vegetation.

Douglas Shire Planning Scheme Assessment

Douglas Shire Planning Scheme 2008		Code Applicability	Compliance
Locality	Settlement Areas North of the Daintree River	✓	Complies
Planning Area	Conservation	✓	Complies
Land Use	House	✓	Complies
Overlay	Acid Sulfate Soils	✓	Complies
	Cultural Heritage & Valuable Sites	N/A	-
	Natural Hazards	N/A	Complies
General	Design & Siting of Advertising Devices	N/A	-
	Filling & Excavation	✓	Complies
	Landscaping	✓	Complies
	Natural Areas & Scenic Amenity	✓	Complies
	Vehicle Parking & Access	✓	Complies
	Sustainable Development	N/A	-

Compliance Issues

The proposal complies with the vast majority of acceptable solutions and all relevant performance criteria, and no issues are raised. The approval is conditioned to ensure the provision of further screening landscaping at the frontage of the site, to ensure provision of access in accordance with the FNQROC Development Manual requirements for rural allotment accesses and sustainable on-site infrastructure services, such as water tank storage, onsite waste water treatment, and to ensure that storm water from the site does not adversely impact on adjoining/downstream properties.

COUNCILLOR COMMENTS

The Divisional Councillor was forwarded a copy of this Delegated Authority Report. The Councillor responded on 27 August 2013 advising that the application can be determined by Delegation.

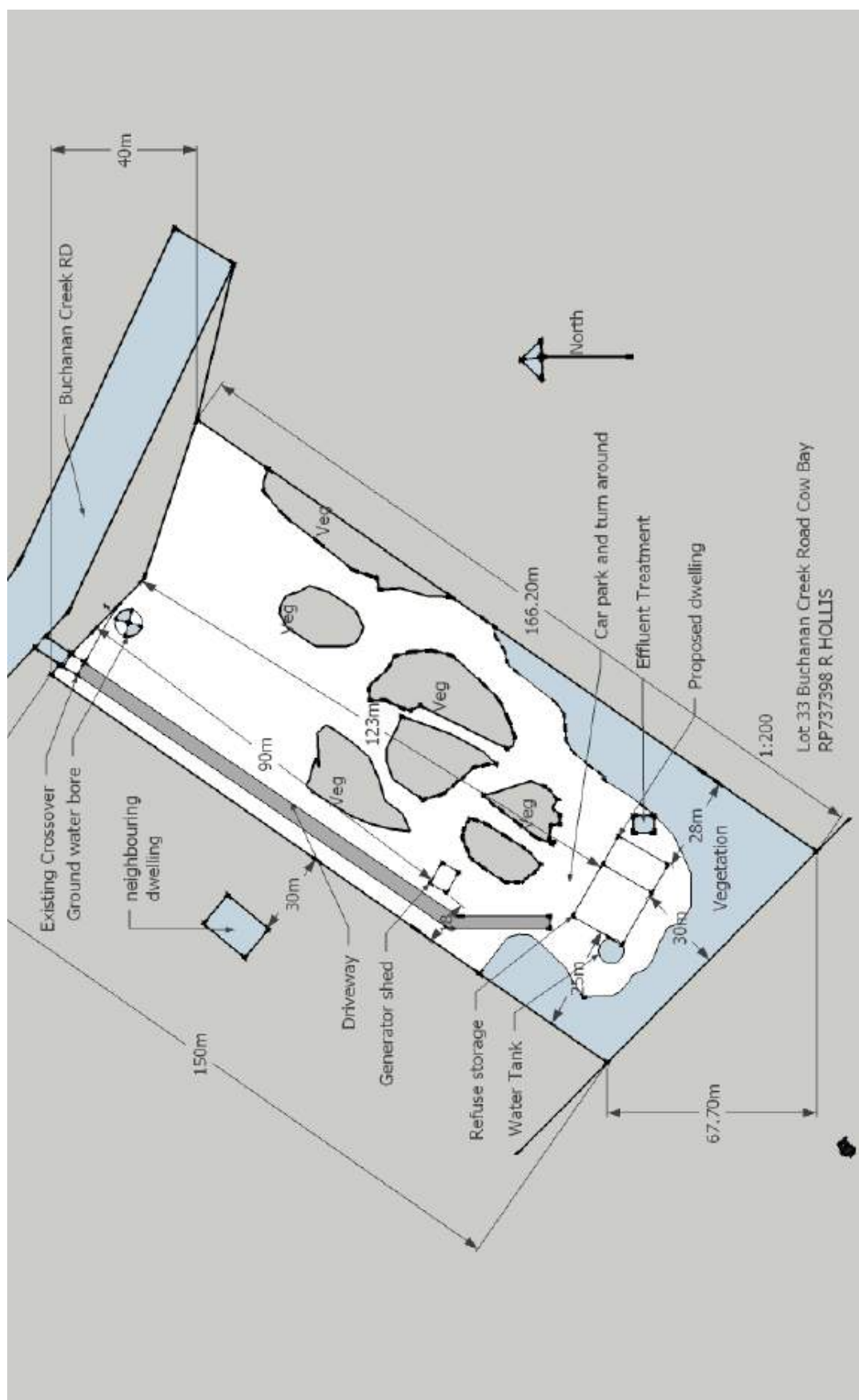
Michelle Henderson
Planning Officer
Action Officer

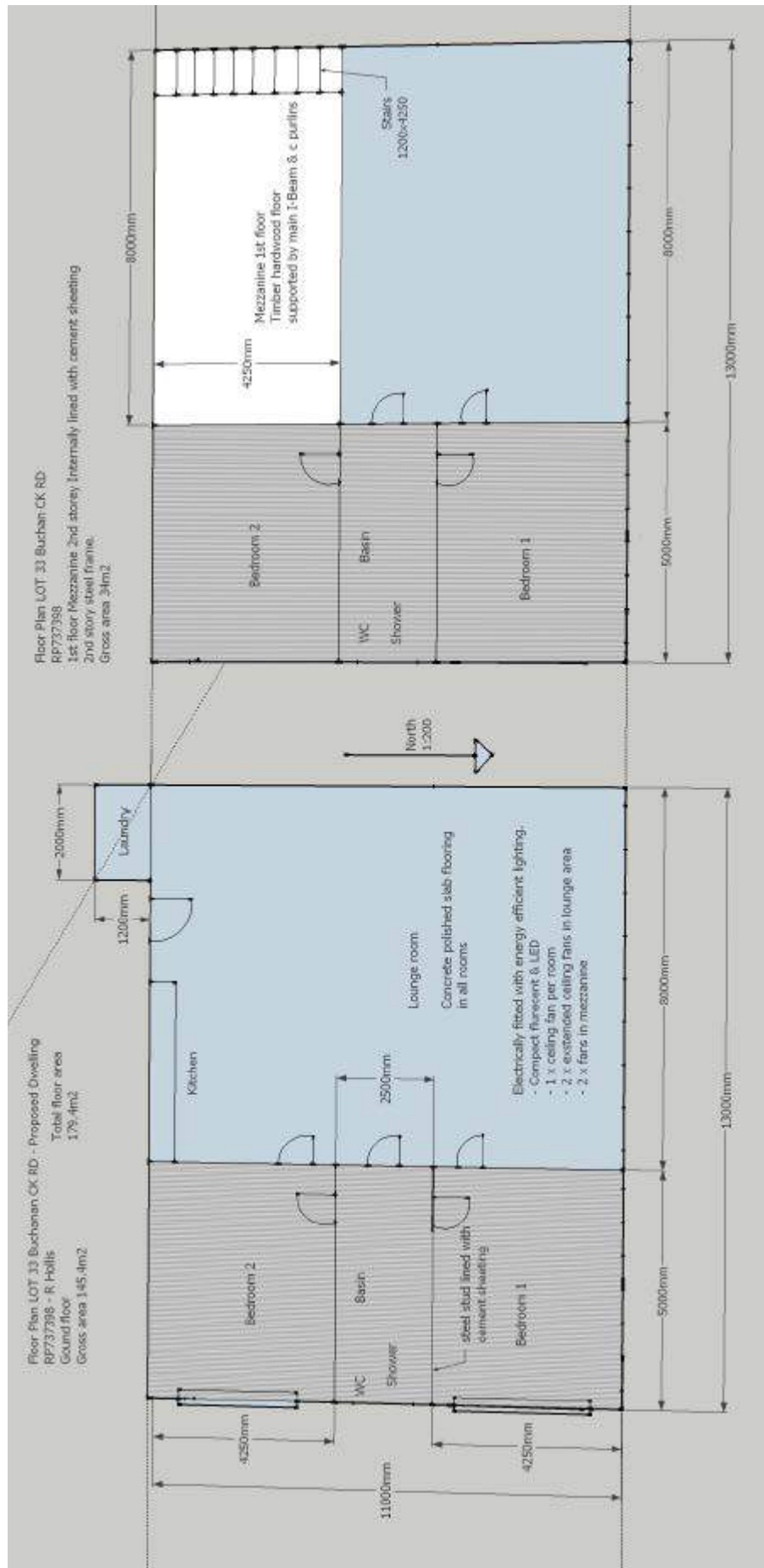


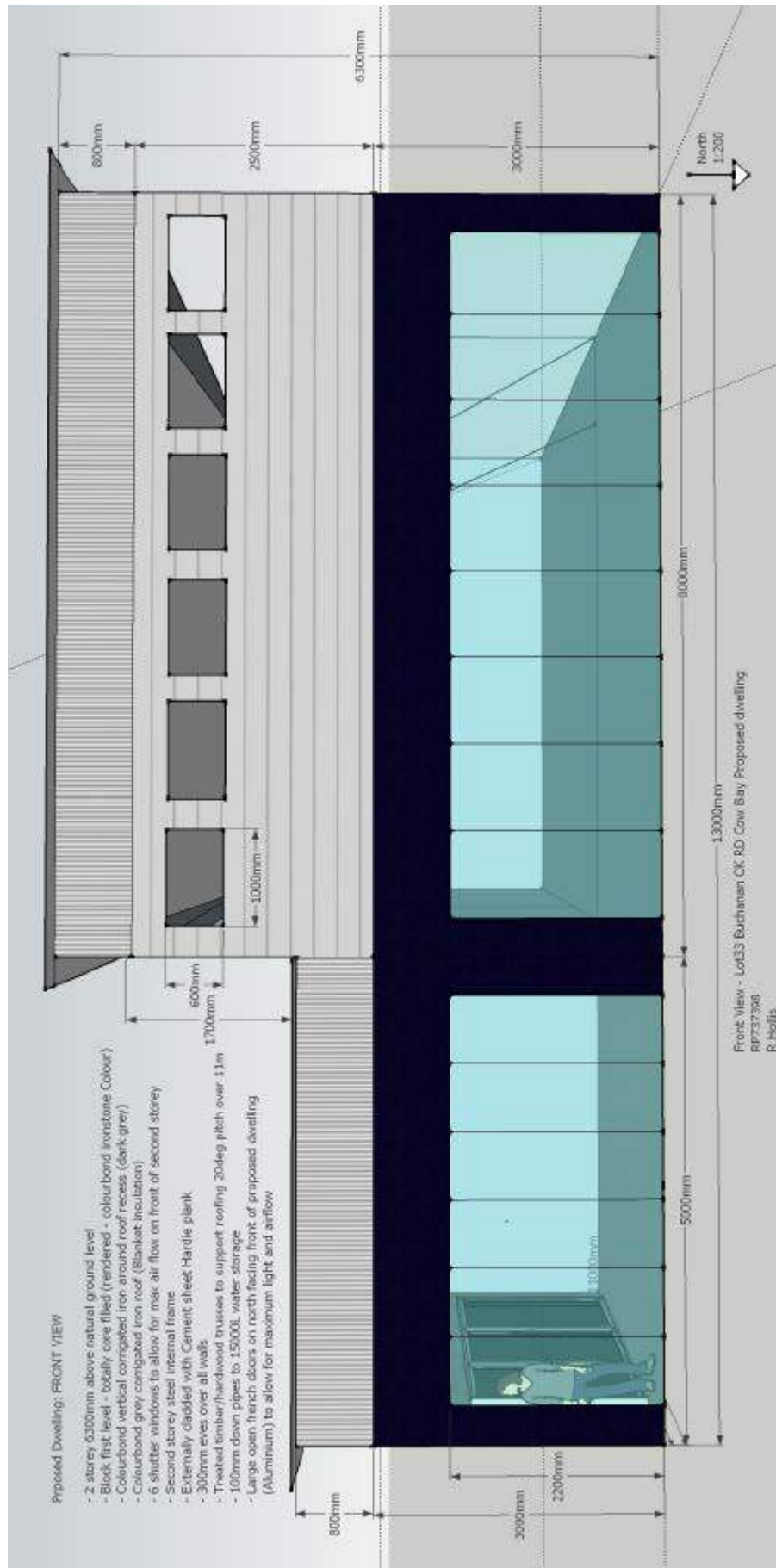
Graham Boyd
A/General Manager Planning & Environment Department

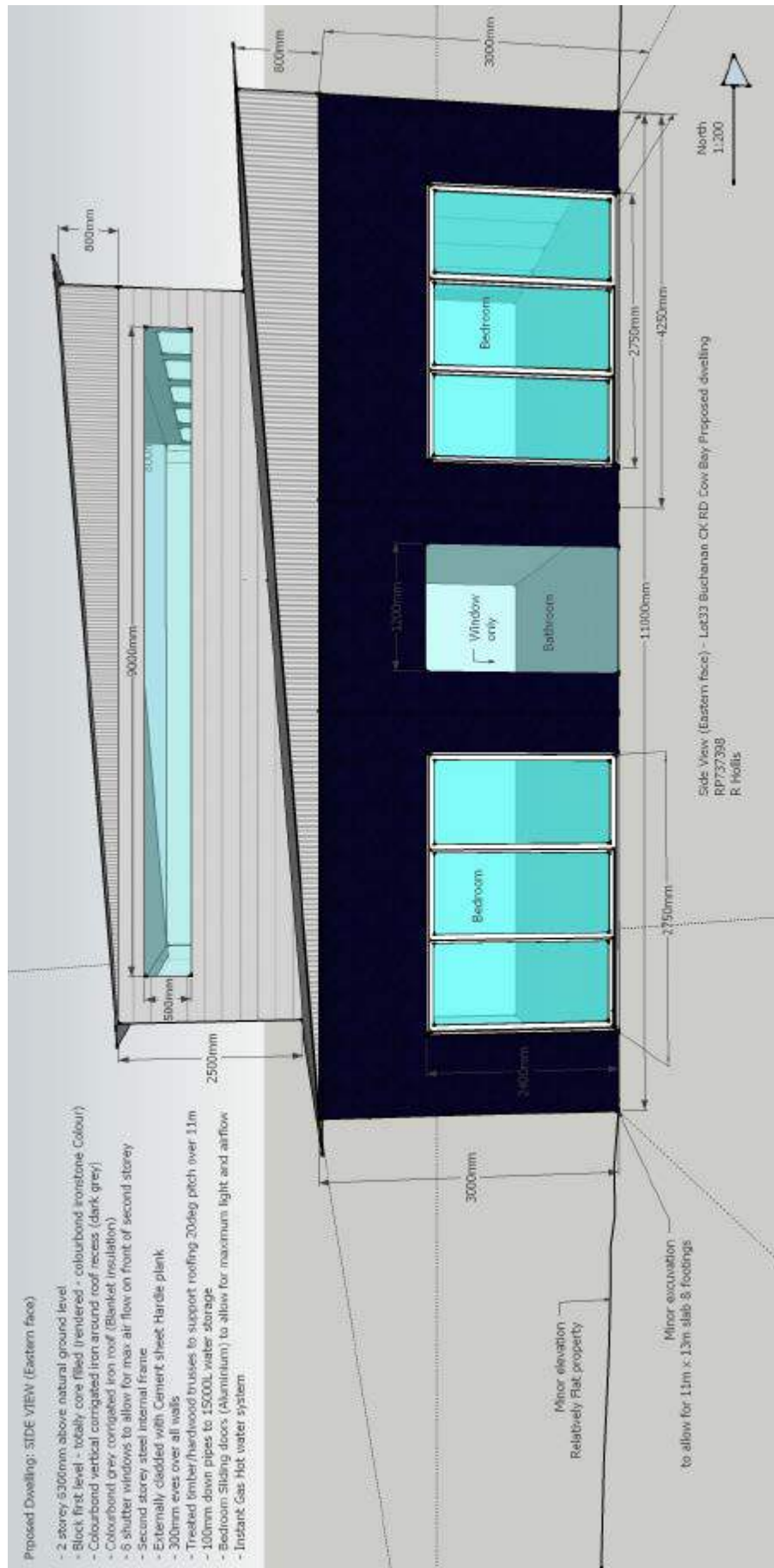
Approved / ~~Not Approved~~

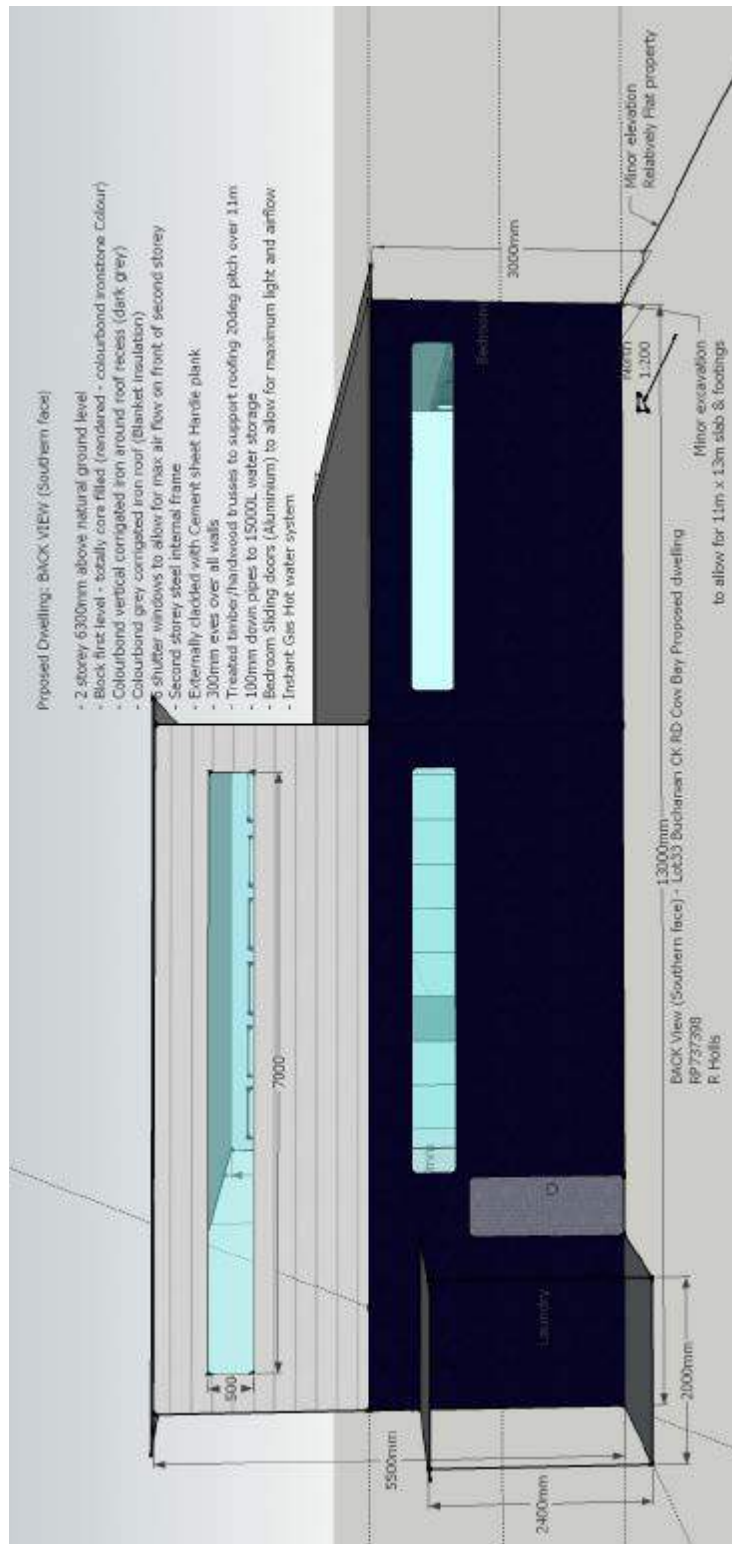
APPENDIX 1: Approved Plan(s) & Document(s)

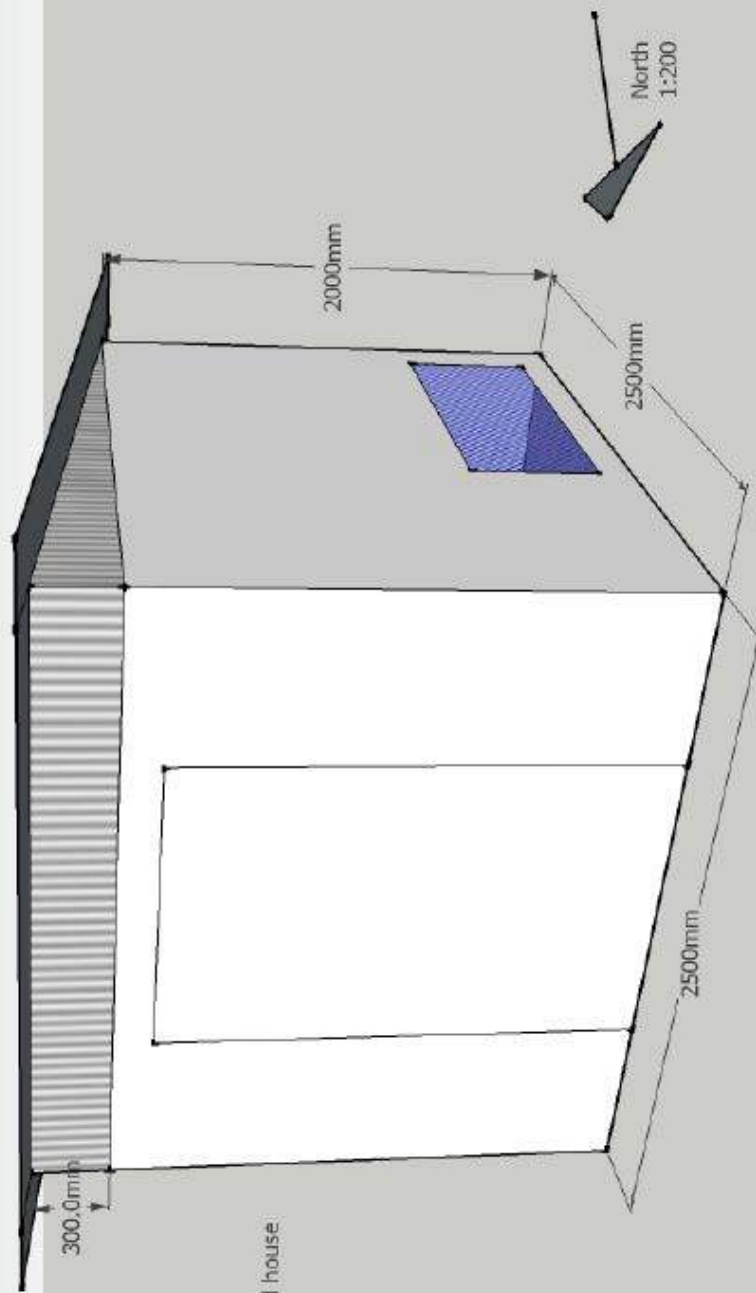












Proposed generator shed:
Lot 33 Buchanan CK RD Cow Bay
RHOLLIS

- core filled block
- 200mm concrete slab
- acoustic insulated roof
- side ventilation (in/out)
- same colours scheme as proposed house:
- 300mm eaves
- colourbond corrugated iron roof
- gross floor area 6.25m²

40.2013.5231
14/14

