

YOUR REF: 15-23\000561
OUR REF: MCUC 1667/2016 (792375)

18 October 2016

Dr Russell Joshua
C/- Planning Plus
PO Box 8046
CAIRNS QLD 4870

Attention: Ms Claire Simmons

Dear Madam

**DECISION NOTICE UNDER S 335 SUSTAINABLE PLANNING ACT 2009:
DEVELOPMENT APPLICATION FOR 63R STONEWOOD ROAD DIWAN**

With reference to the abovementioned Development Application, which was determined under Instrument of Delegation on 18 October 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 Jenny Elphinstone of Development Assessment and Coordination on telephone number 07 4099 9456.

Yours faithfully

Paul Hoyer
Manager Sustainable Communities

Att

APPLICANT DETAILS

Dr Russell Joshua
C/- Planning Plus
PO Box 8046
Cairns QLD 4870

ADDRESS

63R Stonewood Road DIWAN

REAL PROPERTY DESCRIPTION

Lot 196 on RP740952

PROPOSAL

House

DECISION

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

DECISION DATE

18 October 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
Compliance 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
Contour Plan	Folkhome Drafting Service Job 20114 Drawing 2 of 11, Revision A	September 2000
Floor Plan	Folkhome Drafting Service Job 20114 Drawing 3 of 11, Revision A	September 2000
Elevations 1 and 3	Folkhome Drafting Service Job 20114 Drawing 4 of 11, Revision A	September 2000
Elevations 2 and 4	Folkhome Drafting Service Job 20114 Drawing 5 of 11, Revision A	September 2000

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;
 - 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 effected prior to Commencement of Use, except where specified otherwise in these conditions of approval.

Water Supply

3. 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 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 40 cm; and
- e. The water tank(s) shall be fitted with a 50 mm ball valve with a camlock fitting.

On-Site Effluent Disposal

- 4. The method of on-site effluent disposal must be in accordance with the Queensland Plumbing & Wastewater Code. Details of the wastewater treatment system to be installed must be approved by the Chief Executive Officer prior to the issue of a Development Permit for Building Work.

Building Colours

- 5. The exterior finishes and colours of Buildings must be non-reflective and must 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 / owner must also ensure that the above Building Exterior requirements are made known in writing to all prospective purchasers.

Landscaping and Setback from Top of Creek Bank

- 6. a. All landscaping on the land 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. Species to have regard to Council's Planning Scheme Policy No.7 Landscaping. No species that are identified as Declared or Environmental Weeds or constitute an Invasive Species are to be established on the land

And

- b. A setback of 10m from the top of creek bank must be revegetated within 1 year of the approval date and thereon maintained with a hierarchy of planting, which includes shade trees, shrubs and groundcovers.

Existing Creek and Drainage Systems

- 7. With the exception of replanting of the setback of the top of creek, as required under Condition 6 above all existing creek systems and drainage areas must be left in their current state, including no channel alterations and no removal of vegetation unless consented to in writing by the Chief Executive Officer.

Lawful Point of Discharge

- 8. All 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, all to the requirements and satisfaction of the Chief Executive Officer.

Generators

9. Noise from; generators, air-conditioning units, swimming and spa pool filters, service equipment 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

10. 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 section 339 and section 341 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.

LAND USE DEFINITIONS

In accordance with the Douglas Shire Planning Scheme 2006, 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;
- 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; and
- The short term letting of a house for the purpose of holiday rental accommodation.

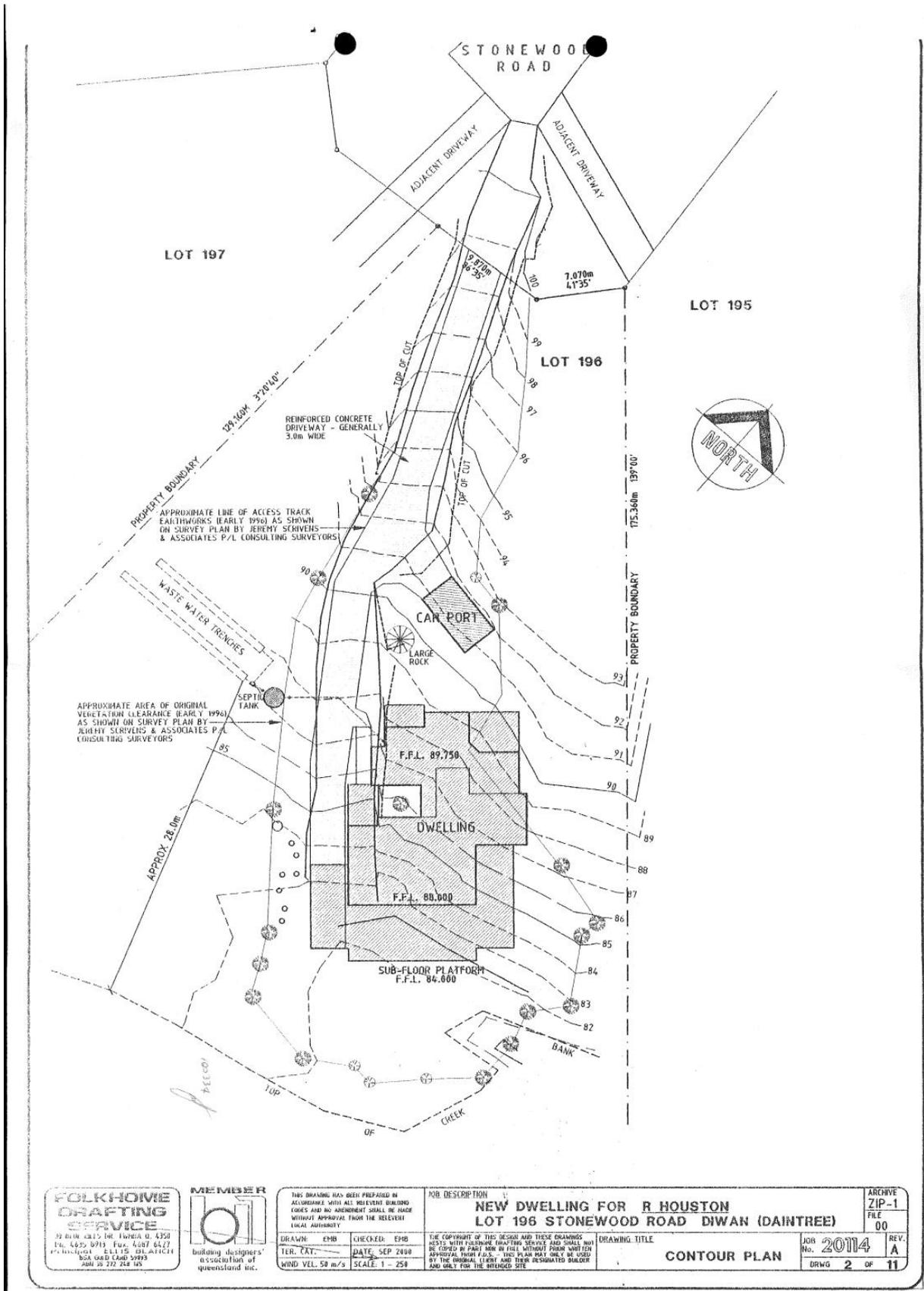
***This definition is provided for convenience only. This Development Permit is limited to the specifications, facts and circumstances as set out in the application submitted to Council and is subject to the abovementioned conditions of approval and the requirements of Council's Planning Scheme and the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

RIGHTS OF APPEAL
Attached

End of Decision Notice

**DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009**

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



FOLKHOIVE DRAFTING SERVICE
39 BURN 2815 TEL: 1463 4258
146 4625 0713 FAX: 4387 6427
P.O. BOX 21115 DUNEDIN
DUNEDIN 9100

MEMBER
QIP
building designers' association of queensland inc.

THIS DRAWING HAS BEEN PREPARED IN ACCORDANCE WITH ALL RELEVANT BUILDING CODES AND NO WARRANTY SHALL BE MADE WITHOUT APPROVAL FROM THE RELEVANT LOCAL AUTHORITY

DRAWN: EMB
TER. CAT:
WIND VEL: 50 m/s

CHECKED: EMB
DATE: SEP 2010
SCALE: 1 - 250

**NEW DWELLING FOR R HOUSTON
LOT 196 STONEWOOD ROAD DIWAN (DAINTREE)**

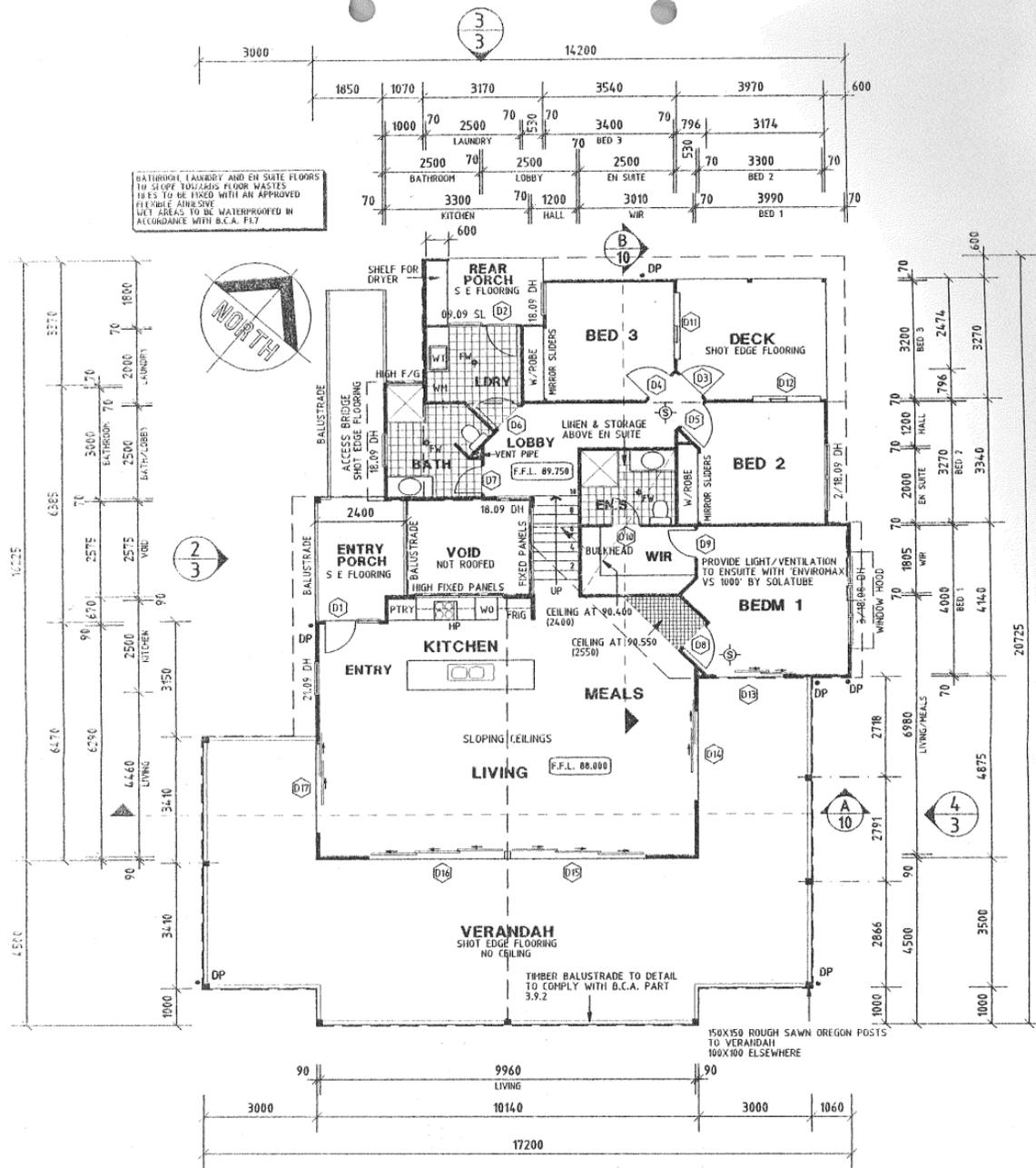
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DRAWING TITLE
CONTOUR PLAN

ARCHIVE
ZIP-1
FILE
00

JOB No. **20114** REV. **A**
DRWG **2** OF **11**

**DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009**



BATHROOM, LAUNDRY AND EN SUITE FLOORS TO SLOPE TOWARDS FLOOR WASTES UNLESS TO BE FIXED WITH AN APPROVED FLEXIBLE AIRBORNE WET AREAS TO BE WATERPROOFED IN ACCORDANCE WITH B.C.A. F1.7

FLOOR AREAS

HABITABLE	151.3 sq.m
ENTRY PORCH	7.6 sq.m
REAR PORCH	5.7 sq.m
VERANDAH	91.2 sq.m
DECK	12.7 sq.m
GROSS	268.5 SQ.M

CONCRETE NOTES
WINDOW & DOOR SCHEDULE

⊕ DENOTES LOCATION OF SMOKE ALARM TO BE INSTALLED IN ACCORDANCE WITH B.C.A. CLAUSE 3.7.2. AND ALSO A53786

FOLKHOME DRAFTING SERVICE
30 BURN 1215 DR. TUMBA U. 4350
Ph. 0825 2913 Fax. 0827 6427
Principal: ELLIOTT DE WITTECH
ESA 1660 1780 2493
MWh 35 212 248 180

MEMBER
Building Designers' Association of Queensland Inc.

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TER. CAT.
WIND VEL. 50 m/s

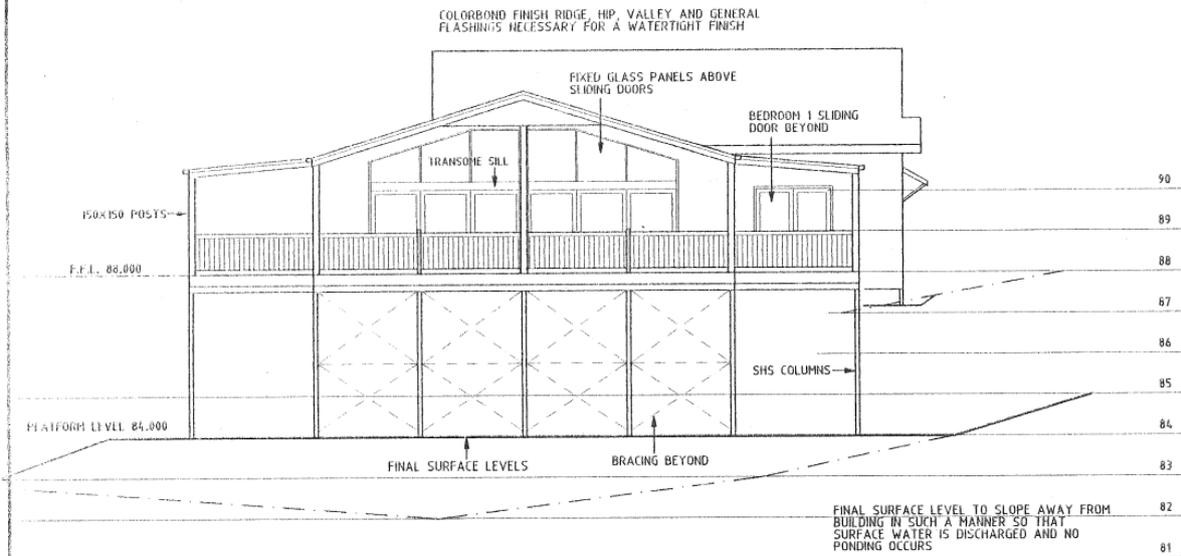
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DATE: SEP 2008
SCALE: 1 - 100

**NEW DWELLING FOR R HOUSTON
LOT 196 STONEWOOD ROAD DIWAN (DAINTREE)**

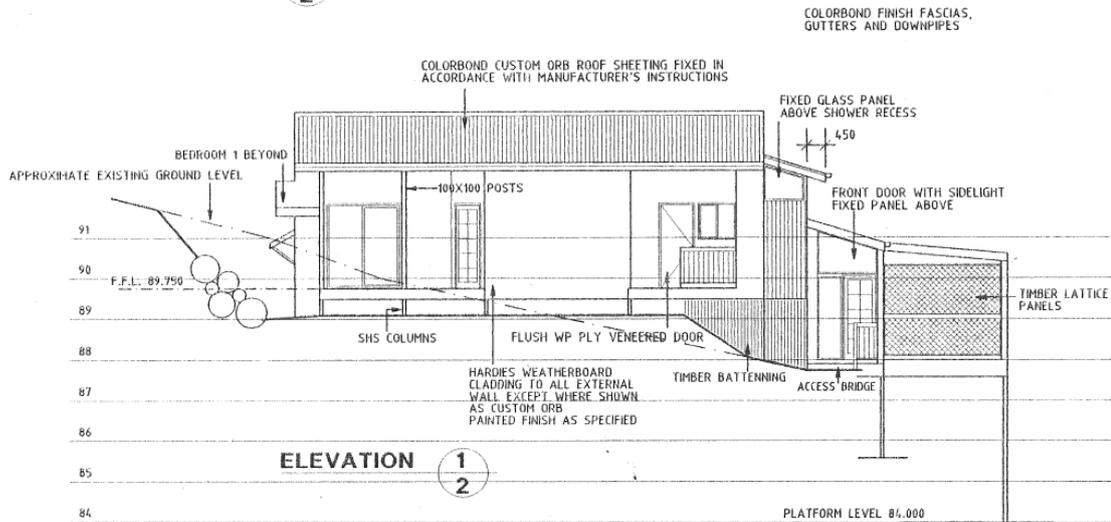
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ARCHIVE ZIP-1
FILE 00
REV. A
JOB No. 2014
DRAWING TITLE **FLOOR PLAN**
DRWG 3 OF 11

DECISION NOTICE DETAILS
SUSTAINABLE PLANNING ACT 2009



ELEVATION (3/2)



ELEVATION (1/2)

FOLKHOME DRAFTING SERVICE
 30 BIRCH DRIVE, ERMINGHAM QLD 4350
 PH: 4375 8915 FAX: 4375 8437
 PRINCIPAL: ELLIS BLANCHETT
 SOA: QGD 5049 5049
 ABN: 95 272 246 105

MEMBER

 building designers' association of Queensland inc.

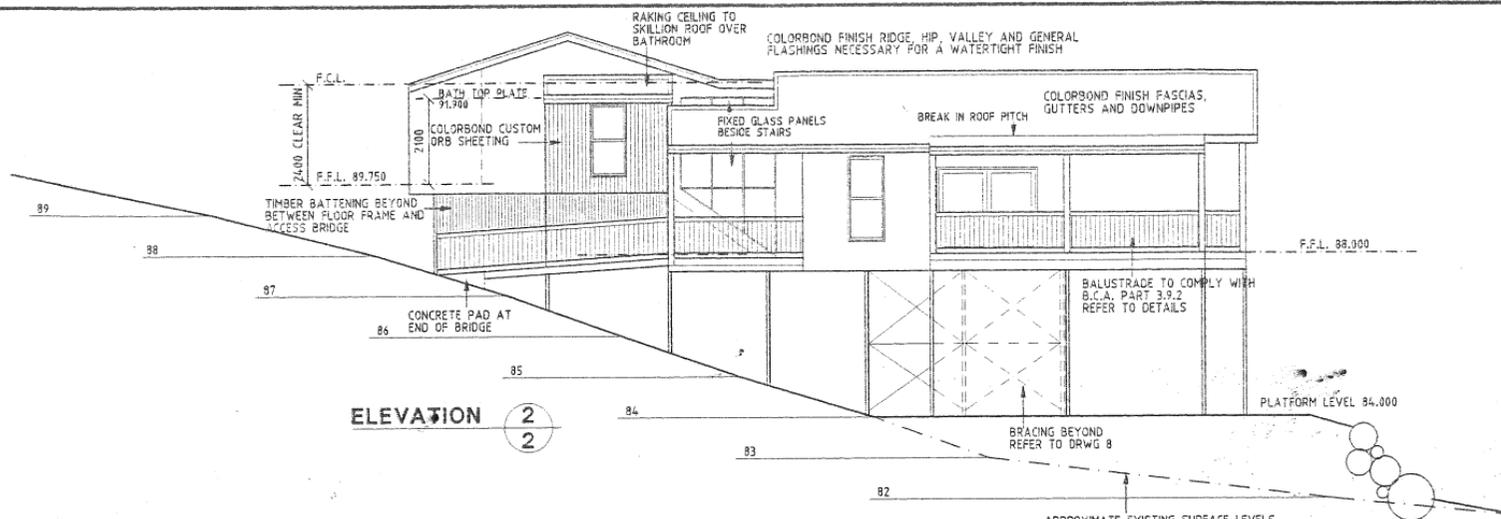
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FER. CAT.	DATE: SEP 2008
WIND VEL: 58 m/s	SCALE: 1 - 100

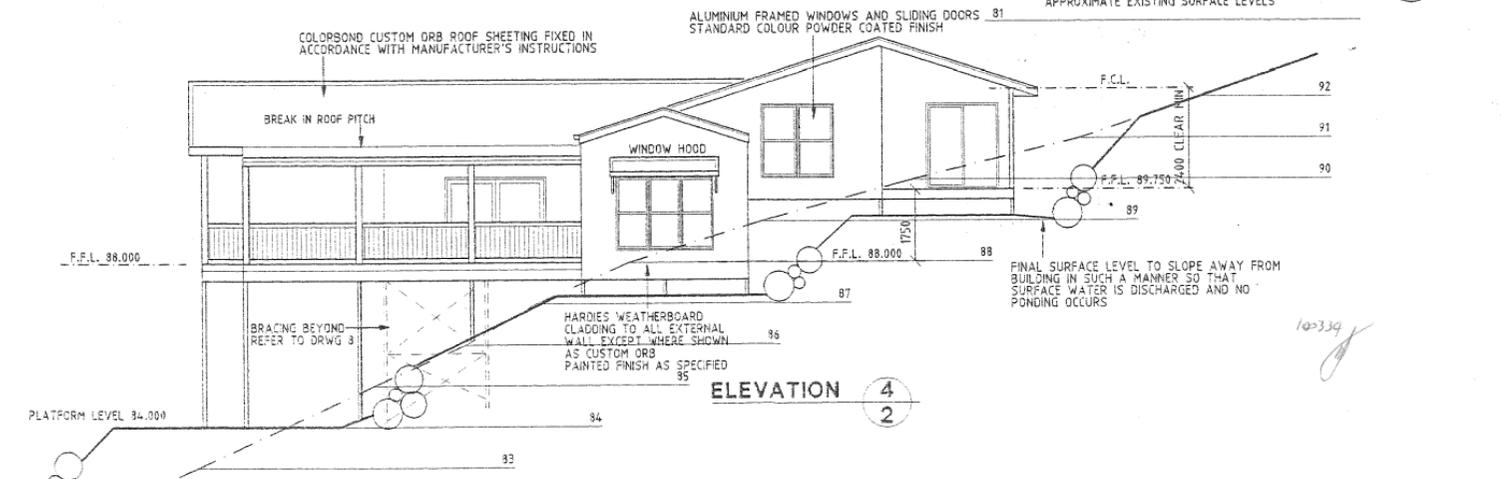
JOB DESCRIPTION
NEW DWELLING FOR R HOUSTON
LOT 196 STONEWOOD ROAD DIWAN (DAINTREE)

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DRAWING TITLE	JOB No.	REV.
ELEVATIONS 1 & 3	2014	A
	DRWG 4	OF 11



ELEVATION 2



ELEVATION 4

FOLKHOME DRAFTING SERVICE
 30 BLUE HILLS DR, TAMBORA 2, QLD
 PH: 4625 1915 FAX: 4647 3427
 30 BLUE HILLS DR, TAMBORA 2, QLD
 PH: 4625 1915 FAX: 4647 3427
 30 BLUE HILLS DR, TAMBORA 2, QLD
 PH: 4625 1915 FAX: 4647 3427

MEMBER
 Building Designers' Association of Queensland Inc.

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DRAWN: EMB
 CHECKED: EMB
 DATE: SEP 2009
 WIND VEL: 44 km/h SCALE: 1:100

JOB DESCRIPTION
 NEW DWELLING FOR R HOUSTON
 LOT 198 STONEWOOD ROAD DIWAN (DAINTREE)

DRAWING TITLE
 ELEVATIONS 2 & 4

ARCHIVE: ZIP-1
 FILE: 00
 JOB No: 2014
 REV: A
 DRAWING No: 5 OF 11

100339

