

**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.

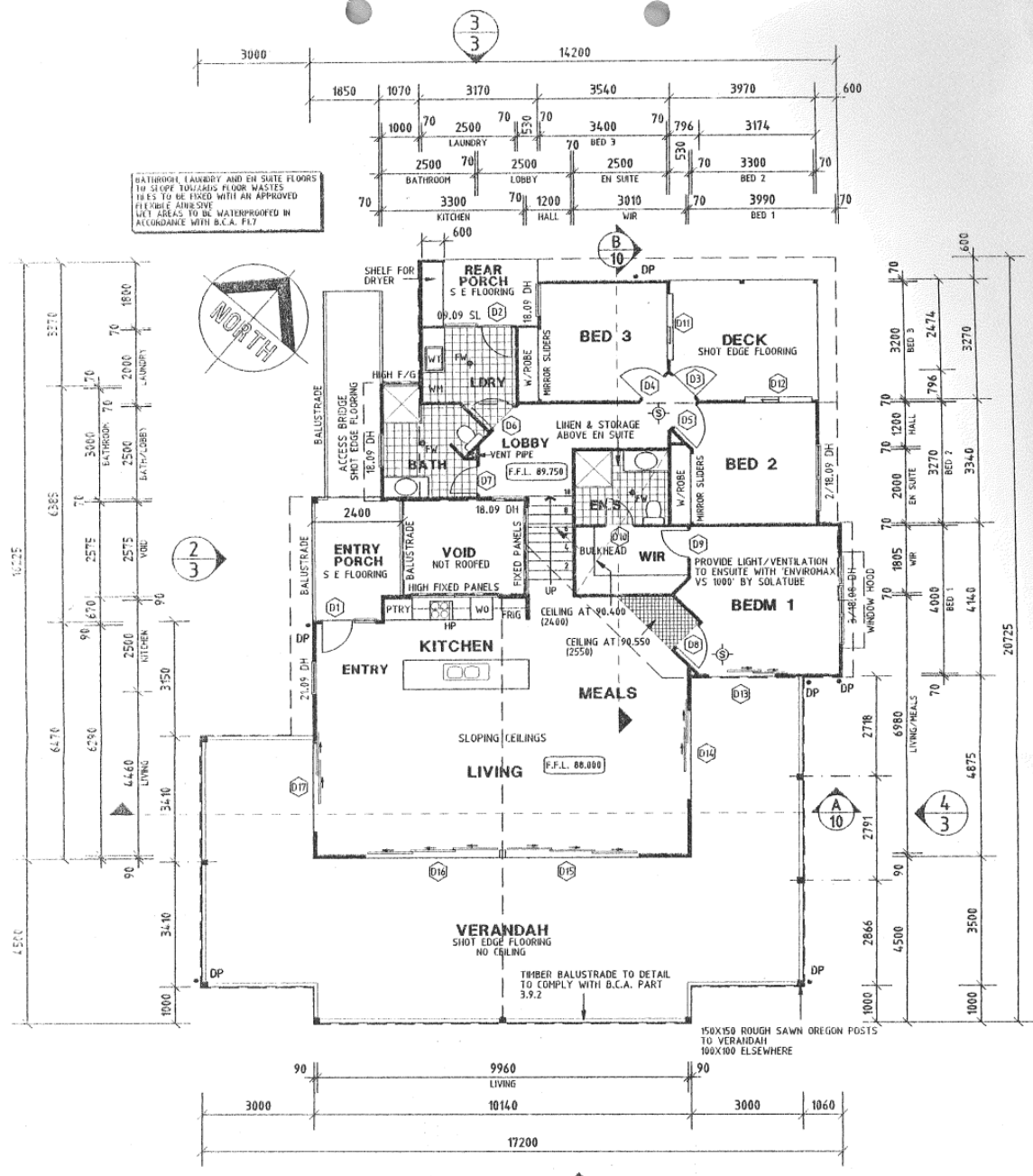
**\*This definition is provided for convenience only. This Development Permit is limited to the specifications, facts and circumstances as set out in the application submitted to Council and is subject to the abovementioned conditions of approval and the requirements of Council's Planning Scheme and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

**RIGHTS OF APPEAL**  
Attached

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**End of Decision Notice**



CHECKING NOTES  
WINDOW & DOOR SCHEDULE

 DENOTES LOCATION OF SMOKE ALARM TO BE INSTALLED IN ACCORDANCE WITH B.C.A. CLAUSE 3.7.2. AND ALSO AS3706

**FOLKHOME  
DRAFTING  
SERVICE**  
30 BLUE ISLES DR. TOWNDALE, IL 61460  
Ph. 635 5913 Fax. 637 6427  
Principal: ELLIS BEANCH  
ESA 6000 FARD 5993  
Ade 35 272 248 185



THIS DRAWING HAS BEEN PREPARED IN ACCORDANCE WITH ALL RELEVANT BUILDING CODES AND NO AMENDMENT SHALL BE MADE WITHOUT APPROVAL FROM THE RELEVANT LOCAL AUTHORITY	
DRAWN: EMB	CHECKED: EMB
TER. CAT.	DATE: SEP 2001
WIND VEL. 50 m/s	SCALE: 1 - 100

## JOB DESCRIPTION

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

THE COPYRIGHT OF THIS DESIGN AND THESE DRAWINGS  
RESTS WITH FOLKHOFF DRAFTING SERVICE AND SHALL NOT  
BE COPIED IN PART NOR IN FULL WITHOUT PRIOR WRITTEN  
APPROVAL FROM F.O.S. - THIS PLAN MAY ONLY BE USED  
BY THE ORIGINAL CLIENT AND THEIR DESIGNATED BUILDER  
AND ONLY FOR THE INTENDED SITE

DRAWING TITLE

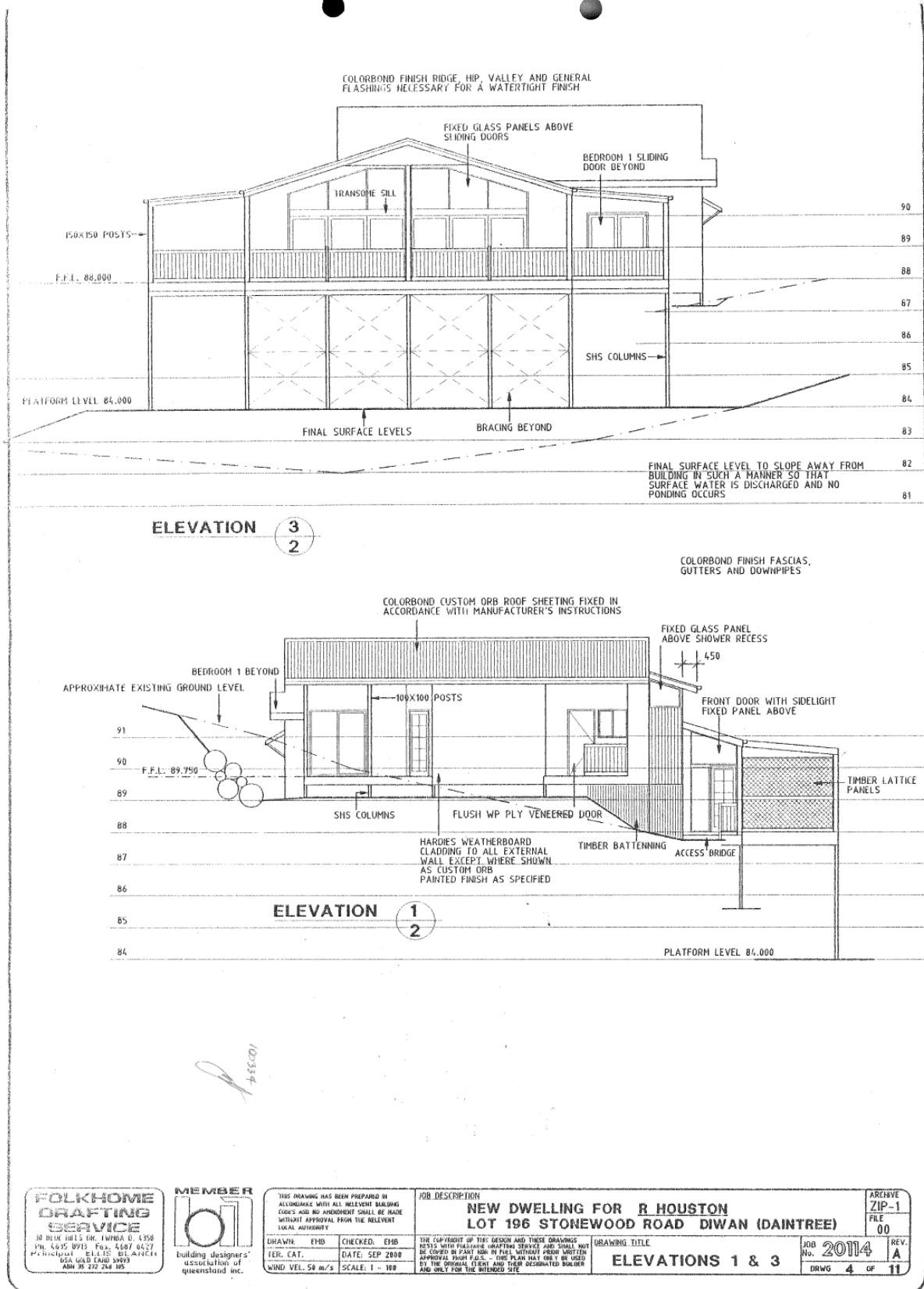
## FLOOR PLAN

ARCHIVE  
ZIP-1  
FILE  
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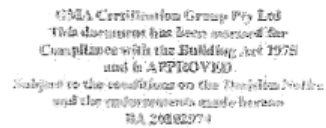
JOB No.	20114	REV.	A
DRWG	3	OF	11



**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**





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