

Our Ref: LM:mf:DA/4186:AD2020/0003316  
Your Ref: M4-20

29 July 2020

Paul Buldo and Rebecca Buldo  
C/- U&i Town Plan  
PO Box 426  
Cooktown Qld 4895

Attention: Ramon Samanes

Dear Mr Samanes

**Decision Notice - Approval (with conditions)**  
Given under section 63 of the *Planning Act 2016*

The development application described below was properly made to Cook Shire Council on 15 June 2020.

**Applicant details**

Applicant name: U&i Town Plan

Applicant contact details: PO Box 426  
Cooktown Qld 4895

**Application details**

Application number: DA/4186  
Approval sought: Material Change of Use  
Description of the development proposed: Dwelling House (erosion prone area)

**Location details**

Street address: 17 Slaughter Yard Road MARTON 4895  
Real property description: Lot: 7 SP: 152471

**Decision**

Date of decision: 28 July 2020

**Decision Details:**

Approved in full with conditions. These conditions are set out in Attachment 1 and are clearly identified to indicate whether the assessment manager or concurrence agency imposed them.

### **Details of the approval**

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Development Permit

Material Change of Use - Dwelling House (erosion Prone Area)

### **Conditions**

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This approval is subject to the conditions in Attachment 1.

### **Approved plans and specifications**

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Copies of the following plans, specifications and/or drawings are in Attachment.

### **Currency period for the approval**

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This development approval will lapse at the end of the period set out in section 85 of the *Planning Act 2016*.

### **Lapsing of approval if development started but not completed**

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Any period required under a development condition.

### **Rights of appeal**

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The rights of applicants to appeal to a tribunal or the Planning and Environment court against decisions about a development application are set out in chapter 6, part 1 of the *Planning Act 2016*. For particular applications, there may be also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the *Planning Act 2016*).

An applicant and/or submitter may appeal to the Planning and Environment Court or the Development tribunal against a number of matters (see Schedule 1 of the *Planning Act 2016*).

A copy of the extracts of the above referenced sections of the *Planning Act 2016* are attached (Attachment 2).

For further information please contact Planning Officer, Planning and Environment department or alternatively email: [mail@cook.qld.gov.au](mailto:mail@cook.qld.gov.au) on 07 4082 0500.

Yours sincerely



Lisa Miller  
Manager  
Environment and Planning

enc: **Attachment 1 (Part 1)** – Conditions imposed by the assessment manager

**Attachment 2** – Extract of Appeal Provisions (Chapter 6, Part 1 and Part 2 and Schedule 1 of the *Planning Act 2016*).

## **Attachment 1 (Part 1) – Conditions imposed by the assessment manager**

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### **A. Assessment Manager (Council) Conditions**

#### **Approved Plans**

1. The development must be carried out generally in accordance with the following plans submitted with the application, except for any variations required to comply with the conditions of this approval:

- Development Plan – Proposed Dwelling House – Prepared by: U&i Town Plan – Plan # M4-20 (1) – Dated: 08.06.20; and
- Proposed Floor Plan – Submitted by U&i Town Plan – Dated: 05.06.20.

#### **Access**

2. Access to the proposed development must be constructed from the unnamed road and be constructed in accordance with the requirements of the FNQROC Development Manual.

#### **Water Supply**

3. A potable water supply must be provided to the property at the time of construction of a dwelling house. This would be satisfied by the provision of a rainwater tank with a minimum capacity of 50,000 litres. Where an alternative source of water supply is available within the allotment, the Applicant can provide certified evidence as to the flow rates and water quality of the bore water or other supply to eliminate or reduce the requirement of on-site water storage.

#### **Effluent Disposal**

4. Any application for wastewater treatment and disposal must include details of the proposed wastewater disposal systems and calculation demonstrating compliance with the Queensland Plumbing and Wastewater Code and AS/NZS, 1547:2000 – ‘On-site domestic wastewater management’. Details are to be provided at the time of lodgement of a Plumbing and Building application.

#### **Electricity**

5. The proposed development must be connected to reticulated electricity at the time of building application. If the development is proposed to be connected to another means of electricity supply, details of this supply must be provided for Council approval at the time of building application.

#### **Timing of Effect**

6. The conditions of this development permit must be complied with to the satisfaction of Council’s delegated officer prior to the commencement of the use.

7. The applicant must notify Council that all the conditions of the development permit have been complied with prior to the commencement of the use.

**Amenity**

8. There shall be no adverse impact on the amenity of the surrounding area by reason of light nuisance, dust or noise.

**Fire Management**

9. The development must be maintained at all times to a standard so as not to create a fire hazard.

**Stormwater**

10. Stormwater must be directed to a legal point of discharge.

**Environmental Protection**

11. During the construction stage of the dwelling house, the Applicant must ensure that no sand, soil, or silt runoff occurs from the site. Erosion and sediment controls must be in place.

**Erosion Protection**

12. The development site must be landscaped with appropriate native trees and shrubs to prevent erosion and silt runoff from the site once construction of the dwelling house is complete.

**Public Utilities**

13. The development is responsible for the cost of any alterations to public utilities as a result of complying with the conditions of this approval.

**Compliance**

14. All relevant conditions of this development permit must be complied with prior to the use commencing.

**Currency Period**

15. The currency period for this Development Approval is **six (6) years**. Should the use not be established within this time, the approval shall lapse.

**Outstanding Charges**

16. All rates, service charges, interest and other charges levied on the land are to be paid prior to the certificate of classification.

**A. Assessment Manager (Council) Advice**

1. A development permit is required for carrying out Building Works, and a Plumbing and Drainage Approval/Compliance Permit is required for plumbing and drainage works prior to construction of any buildings associated with this development.
2. The applicant/owner must notify Council of their intention to commence the use after acceptance of and compliance with these conditions, or negotiated decisions (or court determined conditions) and prior to the commencement of the use. This will allow a check for compliance with conditions to be carried out by Council officers.
3. The applicant/owner is to ensure compliance with the requirements of the *Aboriginal Cultural Heritage Act 2003*, and in particular - 'the duty of care' that it imposes on all landowners.

# Development Plan - Proposed Dwelling

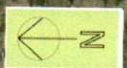


~40m from top of bank

Approx. location of House

16m

Slaughter Yard Road



Date: 08.06.20  
Plan# M4-20 (1)



This plan is conceptual and for discussion purposes only. All areas, dimensions and land uses are preliminary, subject to investigation, survey, engineering, and Local Authority and Agency approvals.

Total Living 216 m<sup>2</sup>  
 Total Verandah 169.2 m<sup>2</sup>

1:100

12 metres

Final

