



23 May 2023

Planning Officer: Carl Ewin
Direct Phone: (07) 4086 4649
Our Reference: MCU/23/0010
Your Reference: Millett & Casino

K Millett and J Casino
C/- Emergent Building Approvals
PO Box 2784
MAREEBA QLD 4880

Dear Applicants,

Decision Notice

Planning Act 2016

I refer to your application and advise that on 23 May 2023 under delegated authority, Council decided to approve the application in full subject to conditions.

Details of the decision are as follows:

APPLICATION DETAILS

Application No: MCU/23/0010
Street Address: 685 Speewah Road, Speewah
Real Property Description: Lot 621 on SP176565
Planning Scheme: Mareeba Shire Council Planning Scheme 2016

DECISION DETAILS

Type of Decision: Approval
Type of Approval: Development Permit for Material Change of Use
Dwelling House (Secondary Dwelling)
Date of Decision: 23 May 2023

CURRENCY PERIOD OF APPROVAL

The currency period for this development approval is six (6) years starting the day that this development approval takes effect. (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*.)

INFRASTRUCTURE

Where conditions relate to the provision of infrastructure, these are non-trunk infrastructure conditions unless specifically nominated as a "*necessary infrastructure condition*" for the provision of trunk infrastructure as defined under Chapter 4 of the *Planning Act 2016*.

ASSESSMENT MANAGER CONDITIONS

(C) ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)

(a) Development assessable against the Planning Scheme

1. Development must be carried out generally in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, subject to any alterations:
 - found necessary by Council's delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
 - to ensure compliance with the following conditions of approval.
2. Timing of Effect
 - 2.1 The conditions of the development permit must be complied with to the satisfaction of Council's delegated officer prior to the commencement of the use except where specified otherwise in these conditions of approval.
3. General
 - 3.1 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.
 - 3.2 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements (as amended) and to the satisfaction of Council's delegated officer.

REFERRAL AGENCIES

Not Applicable.

APPROVED PLANS

The following plans are Approved plans for the development:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
CAS465 Sheet 00A	Cover Sheet	Superior Steel Homes	-
CAS465 Sheet 02A	Site Plan	Superior Steel Homes	12/04/23
CAS465 Sheet 03A	Ground Floor Plan	Superior Steel Homes	12/04/23
CAS465 Sheet 04A	Floor Plan	Superior Steel Homes	12/04/23
CAS465 Sheet 05A	Elevations	Superior Steel Homes	12/04/23
CAS465 Sheet 06A	Elevations	Superior Steel Homes	12/04/23
CAS465 Sheet 07A	3D Views	Superior Steel Homes	12/04/23

ADVISORY NOTES

The following notes are included for guidance and information purposes only and do not form part of the assessment manager conditions:

(D) ASSESSMENT MANAGER'S ADVICE**(a) Compliance with applicable codes/policies**

The development must be carried out to ensure compliance with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they have not been varied by a condition of this approval.

(b) Compliance with Acts and Regulations

The erection and use of the building must comply with the Building Act and all other relevant Acts, Regulations and Laws, and these approval conditions.

(c) Environmental Protection and Biodiversity Conservation Act 1999

The applicant is advised that referral may be required under the *Environmental Protection and Biodiversity Conservation Act 1999* if the proposed activities are likely to have a significant impact on a matter of national environmental significance. Further information on these matters can be obtained from www.dcceew.gov.au.

(d) Cultural Heritage

In carrying out the activity the applicant must take all reasonable and practicable measures to ensure that no harm is done to Aboriginal cultural heritage (the "cultural heritage duty of care"). The applicant will comply with the cultural heritage duty of care if the applicant acts in accordance with gazetted cultural heritage duty of care guidelines. An assessment of the proposed activity against the duty of care guidelines will determine whether or to what extent Aboriginal cultural heritage may be harmed by the activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from www.dsdsatsip.qld.gov.au.

PROPERTY NOTES

Not Applicable.

FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Building Work
- Compliance Permit for Plumbing and Drainage Work

SUBMISSIONS

Not Applicable.

RIGHTS OF APPEAL

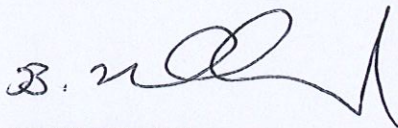
You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

During the appeal period, you as the applicant may suspend your appeal period and make written representations to council about the conditions contained within the development approval. If council agrees or agrees in part with the representations, a "negotiated decision notice" will be issued. Only one "negotiated decision notice" may be given. Taking this step will defer your appeal period, which will commence again from the start the day after you receive a "negotiated decision notice".

OTHER DETAILS

If you wish to obtain more information about Council's decision, electronic copies are available on line at www.msc.qld.gov.au, or at Council Offices.

Yours faithfully



BRIAN MILLARD
SENIOR PLANNER

Enc: Approved Plans/Documents
Referral Agency Response

Approved Plans/Documents



superiorsteel
homes_{na}

QBSA: 1097302

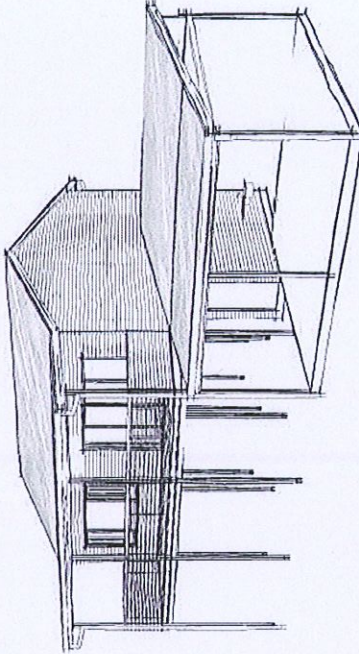
PROPOSED RESIDENCE

JOB NUMBER - CAS465

CLIENT - JACQUES CASINO & KATE MILLETT

SITE Lot 621 on SP176565

ADDRESS - 685 SPEEWAH ROAD
SPEEWAH



DRAWING SCHEDULE



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00	COVER SHEET	NTS	A
01	CONSTRUCTION NOTES	NTS	A
02	SITE PLAN	1:200	A
03	GROUND FLOOR PLAN	1:100	A
04	FLOOR PLAN	1:100	A
05	ELEVATIONS	1:100	A
06	ELEVATIONS	1:100	A
07	SECTION	1:100	A
08	SECTION	1:100	A
09	SECTION DETAILS	AS NOTED	A
10	FOOTINGS PLAN	1:100	A
11	FOOTING DETAILS	AS NOTED	A
12	SUBFLOOR LAYOUT	1:100	A
13	ROOF LAYOUT	1:100	A
14	ELECTRICAL PLAN	1:100	A
15	DRAINAGE PLAN	1:100	A

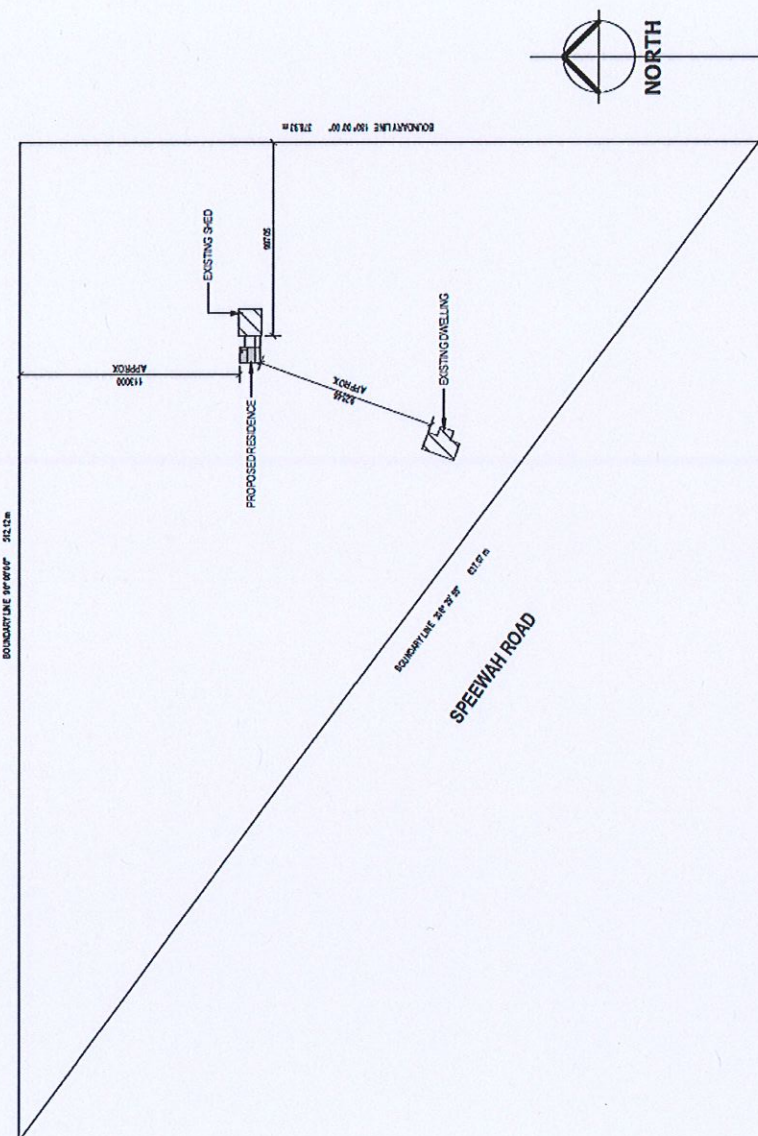
20 - 25 St Albans Rd, The City Centre | P.O. Box 676, Adelaide SA 5000
 8137 4025-4026 | 8137 4025-4027 | www.superiorsteelhomes.com.au

strong ■ versatile ■ efficient

CONSTRUCTION ISSUE

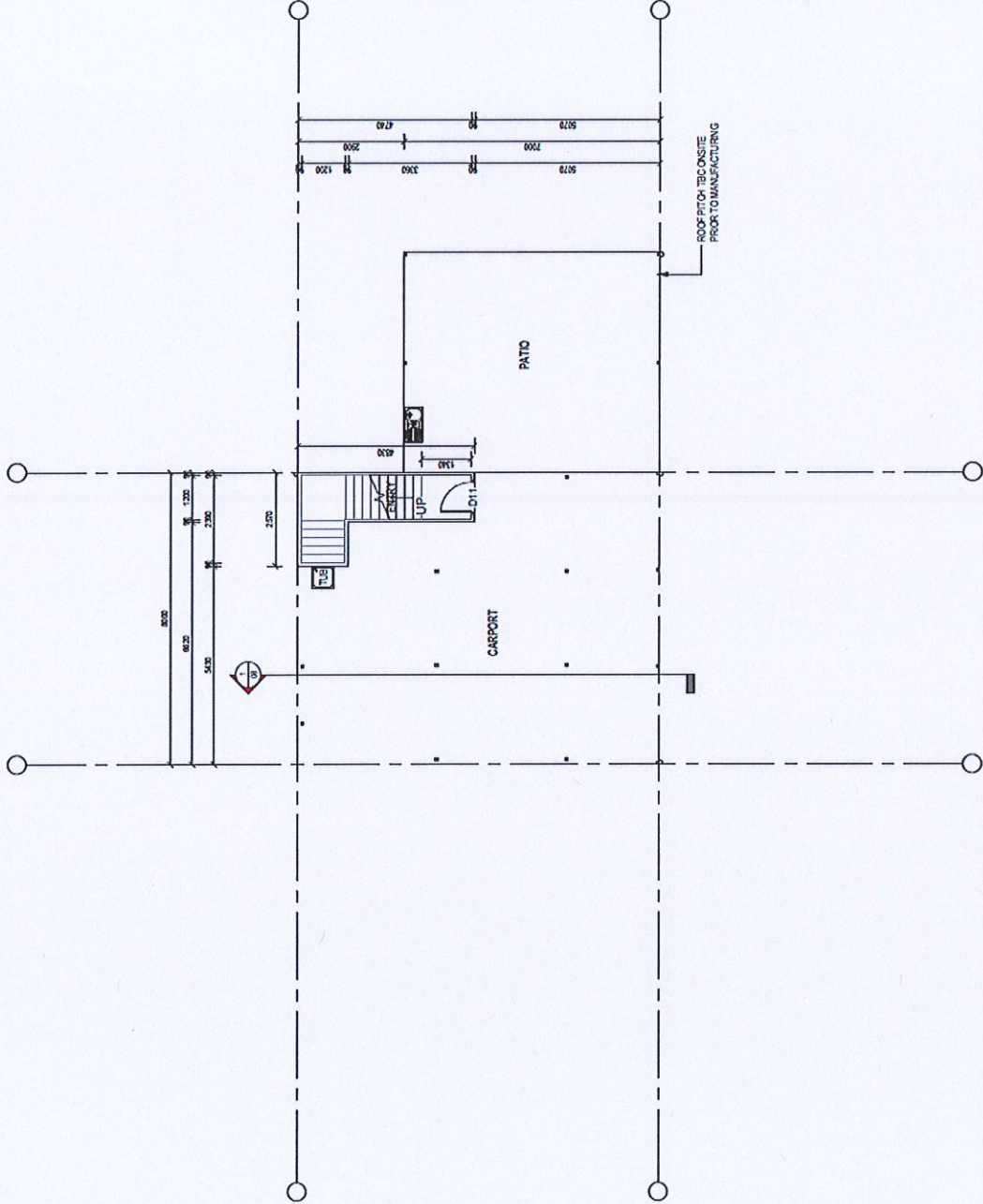
23/5/2023
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 KFB Engineers Structural Engineers 17/03/23	Ove & Structural 17/03/23
Date: 05/02/23 Job No: K-11434 RFD No: 5711	Drawn: [Signature] Checked: [Signature]
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A	12/04/23
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SPACING NO: CAS465	DRAWING NO: 23031701
PROJECT	
PROPOSED RESIDENCE Lot 621 on SP176565 685 SPEERWAH ROAD SPEERWAH	
CLIENT	
JACQUES CASINO & KATE MILLETT	
	
PO BOX 875 ATHERTON QLD 4883 33-35 ALBRECHT ST TOUGA INDUSTRIAL ESTATE, QLD 4882 PH: 07 4976 4008 MIL: 07 4976 4008 WEB: www.superiorsteelhomes.com.au	
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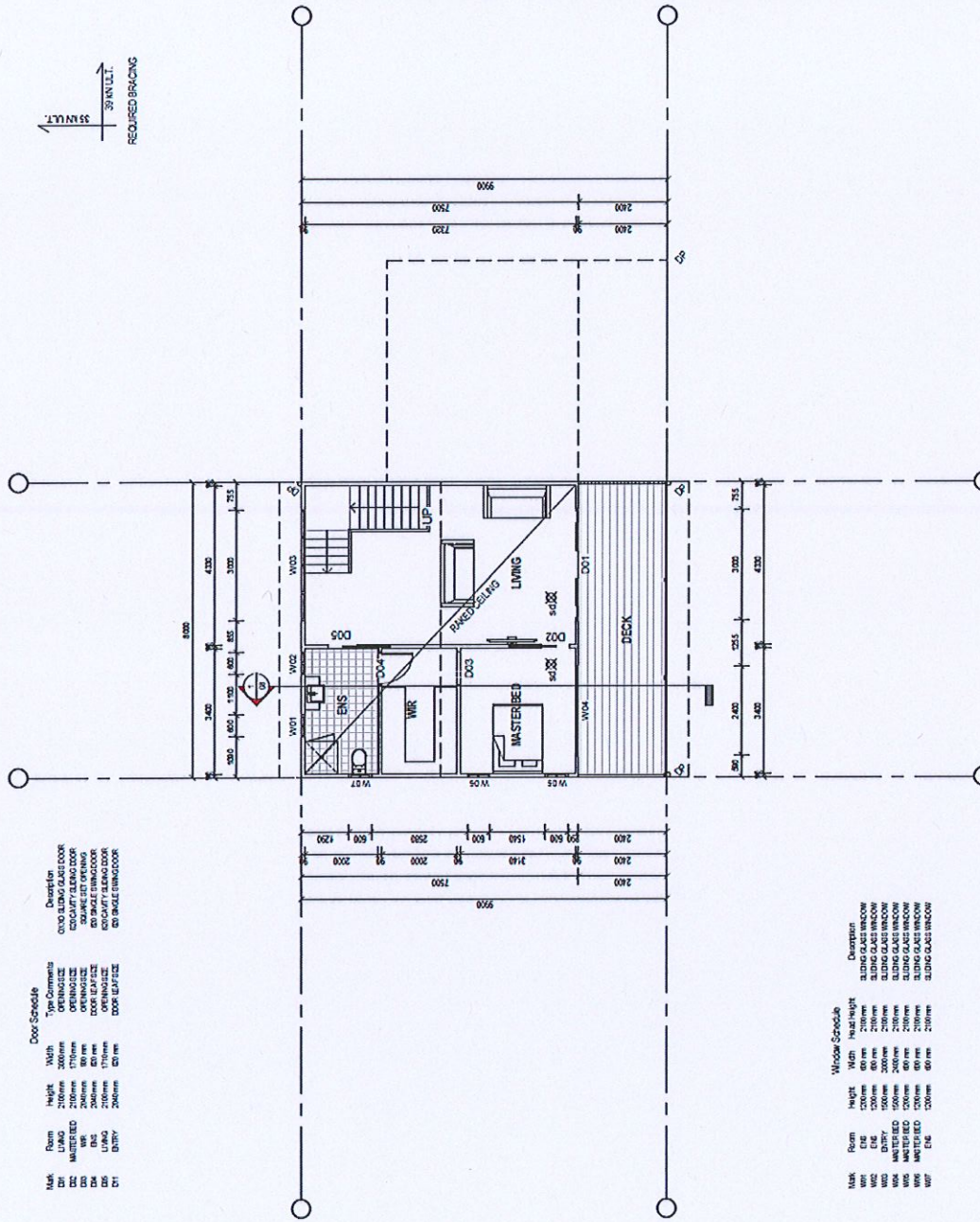
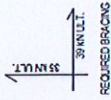
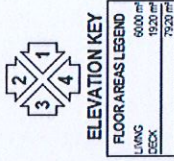
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SPRING NO.	CAS465	DRAWING NO.	231031701
PROJECT			
PROPOSED RESIDENCE			
Lot 621 on SP176565			
685 SPEERWAH ROAD			
SPEERWAH			
CLIENT			
JACQUES CASINO & KATE MILLETT			
PO BOX 876 ATHONTON QLD 4883 33-35 ALBRECHT ST TULLA INDUSTRIAL ESTATE QLD 4882 PH: 07 4996 4000 EMAIL: info@superiorsteelhomes.com.au WEB: www.superiorsteelhomes.com.au			
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23/5/2023
38.21



Door Schedule

Room	Height	Width	Type	Comments
LIVING	2100mm	3000mm	OPENING	ONTO SLIDING GLASS DOOR
MASTER BED	2000mm	1500mm	OPENING	TO BATH
ENS	2000mm	1500mm	OPENING	TO BATH
LIVING	2100mm	1700mm	OPENING	TO BATH
DECK	2000mm	1500mm	OPENING	TO BATH

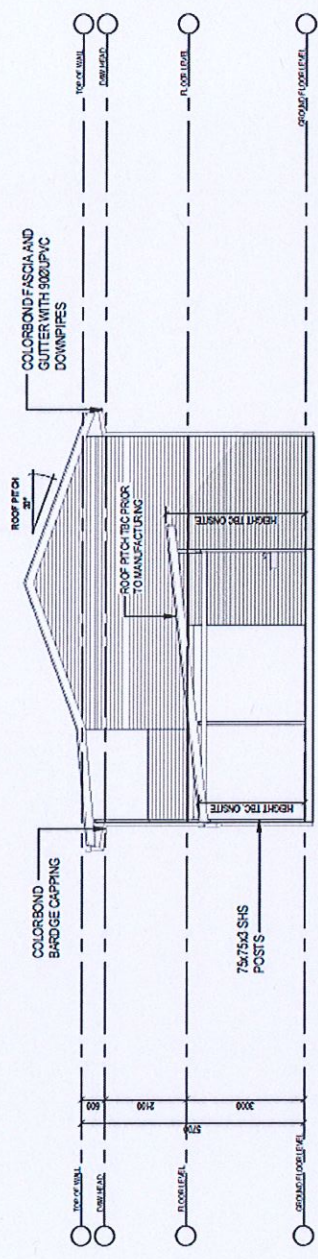
Window Schedule

Room	Height	Width	Head Height	Comments
W01	1200mm	600mm	2100mm	SLIDING GLASS WINDOW
W02	1200mm	600mm	2100mm	SLIDING GLASS WINDOW
W03	1200mm	600mm	2100mm	SLIDING GLASS WINDOW
W04	1200mm	600mm	2100mm	SLIDING GLASS WINDOW
W05	1200mm	600mm	2100mm	SLIDING GLASS WINDOW
W06	1200mm	600mm	2100mm	SLIDING GLASS WINDOW
W07	1200mm	600mm	2100mm	SLIDING GLASS WINDOW

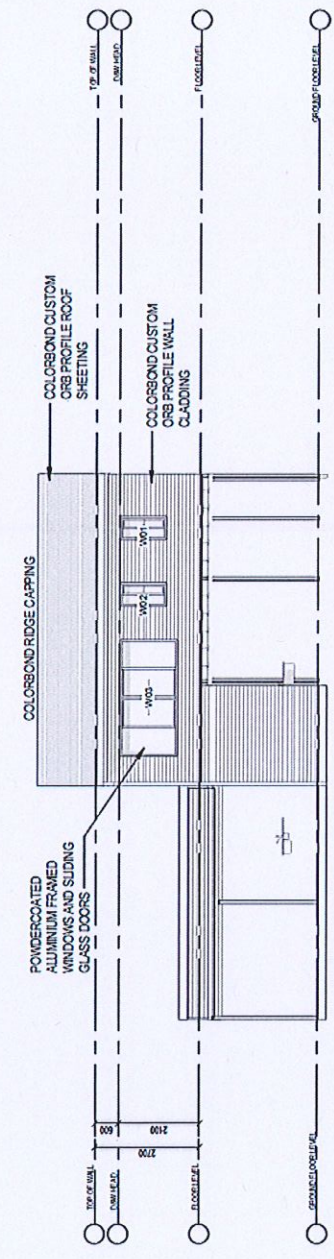
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CERTIFIED AS STRUCTURALLY ADEQUATE		KFB Engineers Civil & Structural 10/100 St. Georges Road Mareeba VIC 3875 Phone: 07 4295 4008 Fax: 07 4295 4008 Email: info@kfb.com.au Web: www.kfb-engineers.com.au	
Date:	5/5/23	Scale:	As Shown
Job No:	K11434	RFQ No:	5711
Design Wind:	C2	Soil Classification:	P
No.	A	Date	12/04/23
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VARIATIONS INCLUDED IN THIS DRAWING			
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PROJECT			
PROPOSED RESIDENCE			
LOT 621 ON SP176565			
685 SPEEWAH ROAD			
SPEEWAH			
CLIENT			
JACQUES CASINO & KATE MILLETT			
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ATHLINGTON QLD 4283			
33-35 ALBERT ST			
TOUGA INDUSTRIAL ESTATE, QLD 4882			
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ELEVATION 1



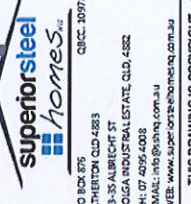
ELEVATION 2

NOTE: (1) VERIFY ALL DIMENSIONS AND LEVELS BEFORE COMMENCING ANY WORK. (2) VERIFY ALL ON-SITE DIMENSIONS BEFORE COMMENCING ANY FABRICATION. (3) VERIFY DIMENSIONS TO TAKE PRECEDENCE OVER SPECIFIED MEASUREMENTS. (4) ALL WORK TO COMPLY WITH LOCAL AUTHORITY REQUIREMENTS. THE DESIGNING BUILDING ENGINEER, THE BUILDING CODE OF AUSTRALIA AND RELEVANT AUSTRALIAN STANDARDS. (5) SUBSTITUTION OF ANY STRUCTURAL MEMBER, MATERIAL, OR VARIATION TO ANY PART OF THE DESIGN WILL VOID ANY RESPONSIBILITY OF THE STRUCTURAL DESIGNER TO THE STRUCTURAL INTEGRITY & PERFORMANCE OF THE BUILDING.

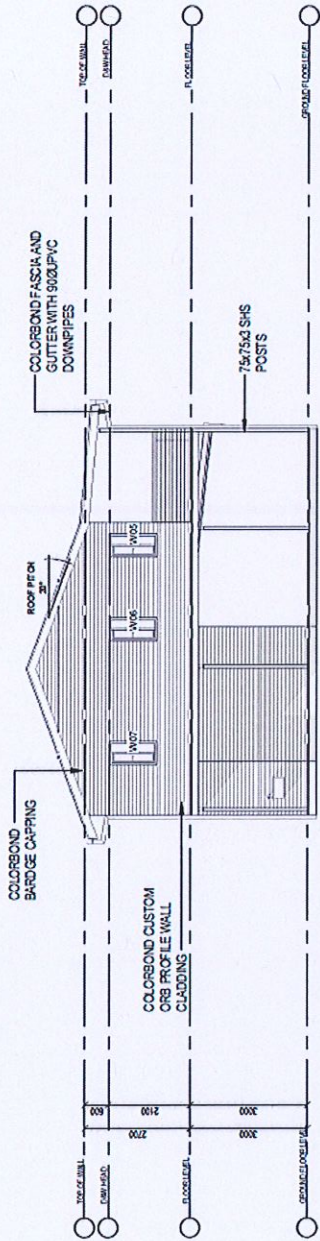
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KFB Engineers 1000 Pines Creek Road, Mt. Clearwater, QLD 4873 Ph: 07 4935 4008 Email: info@kfb.com.au	Civil & Structural 1000 Pines Creek Road, Mt. Clearwater, QLD 4873 Ph: 07 4935 4008 Email: info@kfb.com.au
Date: 05/23 Job No: K-11434	Scale: 1:100 RFQ No: 2711
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No. A	DATE 12/04/23
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COMP. NO. IN CAS5485	DRAWING NO. 23031701
PROJECT PROPOSED RESIDENCE Lot 621 on SP176565 685 SPEEWAH ROAD SPEEWAH	
CLIENT JACQUES CASINO & KATE MILLETT	
PO BOX 876 ATHONTON QLD 4883 33-35 ALBRECHT ST TOUGA INDUSTRIAL ESTATE, QLD 4882 PH: 07 4935 4008 EMAIL: info@superiorsteel.com.au WEB: www.superiorsteel.com.au	
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B. N. [Signature]

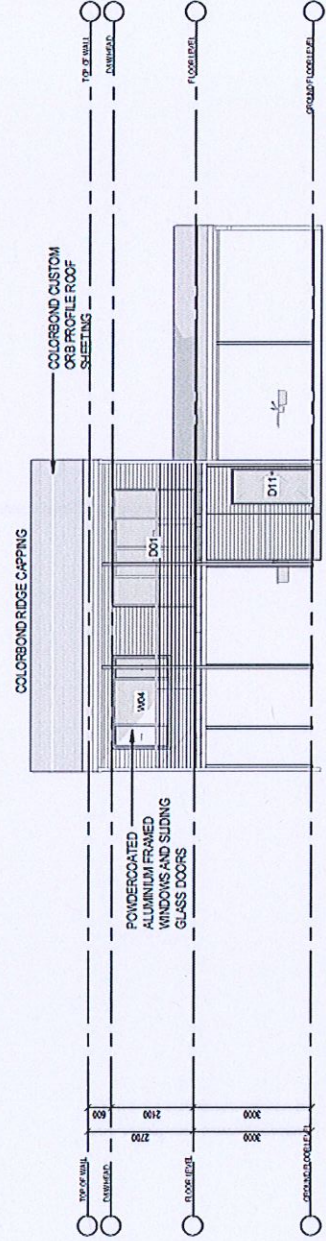
CERTIFIED AS STRUCTURALLY ADEQUATE KRB Engineers Civil & Structural 10/22 Pines Creek Road, PO Box 42, Cairns QLD Professional Engineers (E) (No. 17907)	
Date:	5/5/23
Job No:	K-11434
Scale:	As Shown
APCC No:	5711
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PROJECT PROPOSED RESIDENCE Lot 621 on SP176565 685 SPEERWAH ROAD SPEERWAH	
CLIENT JACQUES CASINO & KATE MILLETT	



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ELEVATION 3



ELEVATION 4

23/5/2023
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CERTIFIED AS STRUCTURALLY ADEQUATE		KFB Engineers Civil & Structural 104/2 Park Ave, Parkside, Adelaide P.O. Box 117, Parkside, Adelaide	
Date:	5/5/23	Scale:	AS1434
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DRAWN	NTSATAS	DRAWN	MB
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DRAWING NO.	CAS645	DRAWING NO.	23031701
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PROPOSED RESIDENCE			
Lot 621 on SP176565			
685 SPEERVAH ROAD			
SPEERVAH			
CLIENT			
JACQUES CASINO & KATE MILLETT			
PO BOX 876			
ATHERTON QLD 4383			
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23/5/2023
B. M. [Signature]

Appeal Rights

PLANNING ACT 2016 & THE PLANNING REGULATION 2017

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 of the *Planning Act 2016* states –
- (a) Matters that may be appealed to –
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) The person-
 - (i) who may appeal a matter (**the appellant**); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.

(Refer to Schedule 1 of the Planning Act 2016)

- (2) An appellant may start an appeal within the appeal period.
- (3) The **appeal period** is –
- (a) for an appeal by a building advisory agency – 10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal – at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises – 20 business days after a notice is published under section 269(3)(a) or (4); or
 - (d) for an appeal against an infrastructure charges notice – 20 business days after the infrastructure charges notice is given to the person; or
 - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given – 30 business days after the applicant gives the deemed approval notice to the assessment manager; or
 - (f) for any other appeal – 20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note –

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt. It is declared that an appeal against an infrastructure charges notice must not be about-

- (a) the adopted charge itself; or
- (b) for a decision about an offset or refund-
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that-
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to –
 - (a) the respondent for the appeal ; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, table 1, item 1 – each principal submitter for the development application; and
 - (d) for an appeal about a change application under schedule 1, table 1, item 2 – each principal submitter for the change application; and
 - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
 - (f) for an appeal to the P&E Court – the chief executive; and
 - (g) for an appeal to a tribunal under another Act – any other person who the registrar considers appropriate.
- (4) The *service period* is –
 - (a) if a submitter or advice agency started the appeal in the P&E Court – 2 business days after the appeal has started; or
 - (b) otherwise – 10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

231 Other appeals

- (1) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section –
decision includes-
 - (a) conduct engaged in for the purpose of making a decision; and

- (b) other conduct that relates to the making of a decision; and
- (c) the making of a decision or failure to make a decision; and
- (d) a purported decision ; and
- (e) a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter-

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the Judicial Review Act 1991 or otherwise, whether by the Supreme Court, another court, a tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with the rules of the P&E Court.