

Exemption Certificate

Planning Act 2016



PLEASE QUOTE: EXE22/0001

YOUR REFERENCE: 1554/22

OUR REFERENCE: :DSN: 3184925

ENQUIRIES TO: Michelle Perkins – Technical Officer Planning

4 August 2022

Rapid Building Approvals
Suite 2, Level 2
82 Grafton Street
CAIRNS QLD 4870

Via email: approvals@rapidapprovals.com.au

Dear Sir/Madam

I refer to your request that Council issue an Exemption Certificate for particular assessable development pursuant to the *Planning Act 2016*.

ASSESSABLE DEVELOPMENT DETAILS

Council reference:	EXE22/0001
Proposal:	Exemption Certificate for a Landslide Hazard and Bushfire Hazard Overlay required for a Material Change of Use for a Dwelling House(including secondary dwelling and side boundary setback dispensation)
Required Development Approval(s):	Development permit for Material Change of use for a Dwelling House (including secondary dwelling and side boundary setback dispensation).
Street Address:	Jack Drive, Feluga
Real Property Description:	Lot 21 on SP333294
Planning Scheme:	Cassowary Coast Regional Council Planning Scheme

EXEMPTION CERTIFICATE DETAILS

You are advised that on 4 August 2022. Council decided that a development approval is not required for the following assessable development:

- Landslide Hazard and Bushfire Hazard Overlay assessment required for a Material Change of use for a Dwelling House (including secondary dwelling and side boundary setback dispensation).

REFERRAL AGENCIES

The no Referral agencies for the development the subject of this certificate.

REASONS FOR GIVING EXEMPTION CERTIFICATE

The development is exempt under this certificate under s46(3)(b) of the Planning Act 2016 for the following reason(s):

- The effects of the development would be minor or inconsequential, considering the circumstances under which the development was categorised as assessable development;
- Following completion of the original subdivision and operational works approvals, the mapping for bushfire hazard is no longer accurate due to no significant vegetation located within 100 metres of the proposed development site;
- Not including a Bushfire Hazard or Landslide Hazard overlay assessment for the proposed development will not cause any adverse impacts to life or property for the property owners or those of the adjoining properties;
- The Material Change of Use development permit will be conditioned to ensure that at the building approval stage:
 - a structural engineer certifies the design is appropriate for the site and
 - the applicant provides a BAL Assessment

WHEN EXEMPTION CERTIFICATE CEASES TO HAVE EFFECT

This Exemption Certificate attaches to the premises and benefits each of the owners, the owners' successors in title and any occupiers of the premises.

- This Exemption Certificate has effect for two years from the day after it is given

Furthermore, the material change of use for which the Exemption Certificate has been given must have started by **5 August 2024**. Please note that if this timeframe is not met then the Exemption Certificate has no effect.

If you require any further information in relation to this matter, please contact Michelle Perkins, Technical Officer Planning on Ph: (07) 4043 9188 or by email at michelle.perkins@ccrc.qld.gov.au .

Yours faithfully



Daniel Horton
MANAGER PLANNING SERVICES

CC:

Amanda & Zachary Matthews
Lot 21 Jack Drive
FELUGA QLD 4854

Via Email: cricket4455654@gmail.com