

**YOUR REF:**

**OUR REF:** MCUC1401/2016 (771183)

4 April 2016

T L Spaapen  
PO Box 7344  
Cairns QLD 4870

Attention: Ms Terri Lee Spaapen

Dear Madam

**DECISION NOTICE UNDER S 335 SUSTAINABLE PLANNING ACT 2009:  
DEVELOPMENT APPLICATION FOR OLD FOREST CREEK ROAD, FOREST  
CREEK**

With reference to the abovementioned Development Application, which was determined under Instrument of Delegation on 4 April 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 Daniel Lamond of Development Assessment and Coordination on telephone number 07 4099 9456.

Yours faithfully

Paul Hoyer  
General Manager Operations

Att

**APPLICANT DETAILS**

T L Spaapen  
PO Box 7344  
Cairns QLD 4870

**ADDRESS**

Old Forest Creek Road FOREST CREEK

**REAL PROPERTY DESCRIPTION**

Lot 1 on RP737266

**PROPOSAL**

Shed

**DECISION**

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

**DECISION DATE**

4 April 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

**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          |
|-----------------------|--|---------------|
| Site Plan             | Plan prepared by applicant                           | 30 March 2016 |
| Floor Plan (Shed)     | Plan prepared by <i>Totalspan Aus</i>                | 1 March 2016  |
| Elevation Plan (Shed) | Plan prepared by <i>Totalspan Aus</i>                | 1 March 2016  |
| Proposal Summary      | Attachment- Summary prepared by <i>Totalspan Aus</i> | 1 March 2016  |

**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, including recommendations and findings confirmed within technical reports; and
  - 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 satisfied prior to Commencement of Use, except where specified otherwise in these conditions of approval.

**Lawful Point of Discharge**

- 3.** The flow of all external 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.

**Damage to Council Infrastructure**

- 4.** In the event that any part of Council's existing road infrastructure is damaged as a result of construction activities occurring on the site, including, but not limited to, mobilisation of heavy construction equipment, stripping and grubbing, the applicant/owner must

notify Council immediately of the affected infrastructure and have it repaired or replaced at the developer's/owner's/builder's cost, prior to the Commencement of Use.

**Vegetation Clearing**

5. Existing vegetation on the land must be retained in all areas except those affected by the construction of access driveways and/or the installation of services as detailed on the approved plans. Any further clearing requires a Permit for Operational Works.

**Landscaping**

6. All landscaping to be installed must consist of native and endemic species and must be planted in an irregular and random fashion to blend with existing vegetation. Exotic species are not permitted.

**Water Supply**

7. The shed is not to be used for human habitation, as this approval is for a Class 10a building consistent with the Queensland Development Code.

**Effluent Disposal system**

8. No effluent disposal system is approved.

**Building Colours**

9. The exterior finishes and colours of Buildings are non-reflective and 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 following proposed building colours are approved for use:

Exterior Walls – Pale Eucalypt

Windows and Doors – Woodlands Grey

Roof – Pale Eucalypt

The above requirements must be made known in writing to all prospective purchasers.

**Sediment and Erosion Control**

10. Soil and water management measures must be installed/implemented prior to discharge of water from the site, such that no external stormwater flow from the site adversely affects surrounding or downstream properties (in accordance with the requirements of the *Environmental Protection Act 1994*, and the *FNQROC Development Manual*).

**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. The applicant/owner is advised that this approval does not approve the construction of the building work. A Development Permit for Building Work must be obtained in order for construction to commence.
3. 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.
4. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.
5. For information relating to the *Sustainable Planning Act 2009* log on to [www.dilgp.qld.gov.au](http://www.dilgp.qld.gov.au) . To access the *FNQROC Development Manual*, Local Laws and other applicable Policies log on to [www.douglas.qld.gov.au](http://www.douglas.qld.gov.au) .

**RIGHTS OF APPEAL**

Attached

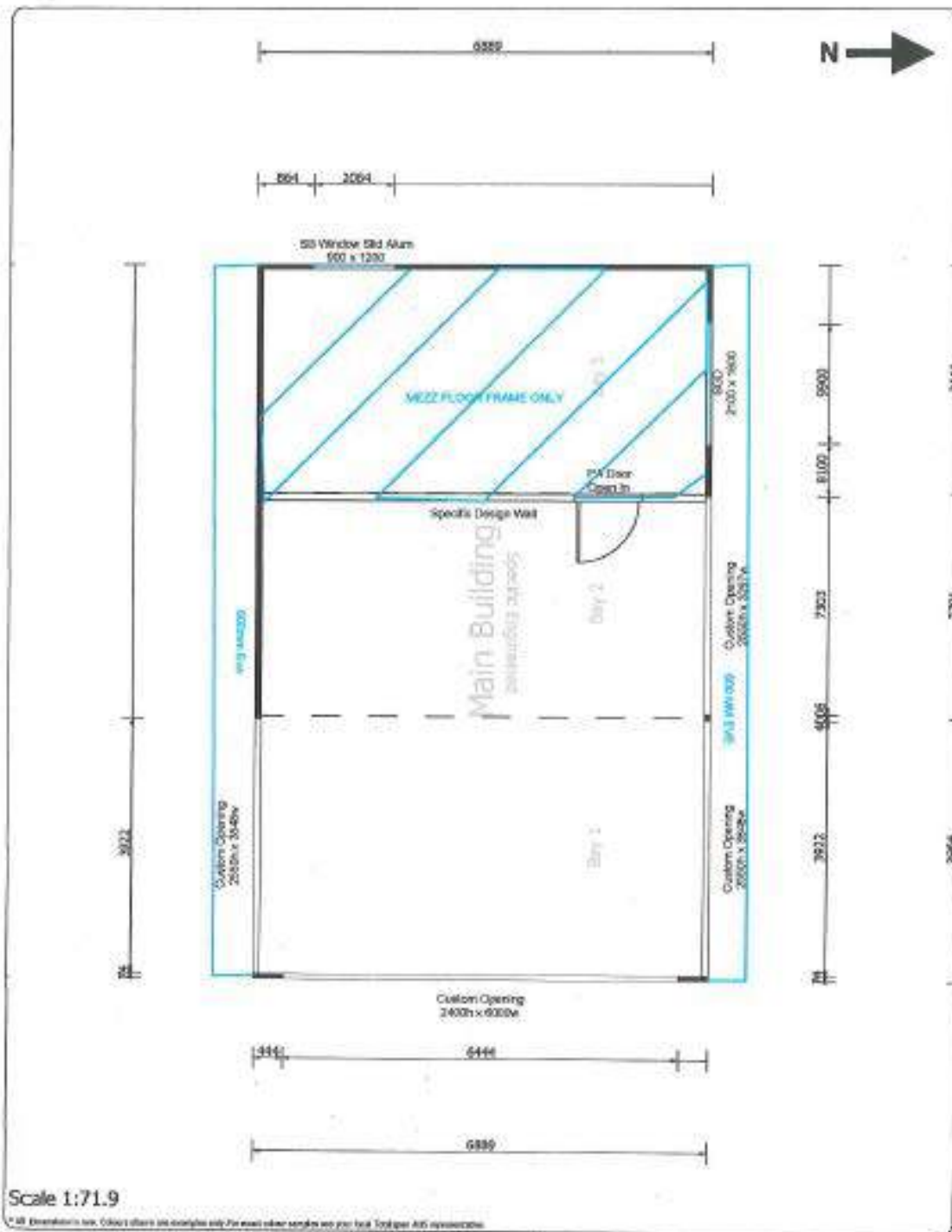
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**End of Decision Notice**

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



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



|   |   |   |
|---|---|---|
| <p><b>Floor Plan</b></p> <p>Gross floor area 74.32m<sup>2</sup>.<br/> Gross roof area 57.27m<sup>2</sup>.<br/> Site for entire structure area (open &amp; enclosed) is not commercial storage of equipment.</p> | <p>For: <b>Mr Terri Lee Spence</b><br/> <b>Lot 1 Thornton Park Drive</b><br/> <b>FOREST CREST, QLD</b><br/> <b>Australia, 4073</b><br/> <b>S.I. RP 727260</b></p> | <p>Project Building<br/> Project Number: 1606-000000011.4<br/> DP Number:<br/> 1/10/2008</p> <p><b>TOTALSPAN</b><br/> <b>STEEL BUILDING</b></p> |
|---|---|---|

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

|  |   |   |  |   |
|--|---|---|--|---|
|  <p>East Elevation</p> <p>Scale 1:200</p> <p><small>* All Dimensions in mm. Colours shown are examples only for exact colour samples see your local TotalSpan RSL representative</small></p>  |  <p>West Elevation</p> <p>Scale 1:200</p> <p><small>* All Dimensions in mm. Colours shown are examples only for exact colour samples see your local TotalSpan RSL representative</small></p>    |   |  |   |
|  <p>South Elevation</p> <p>Scale 1:200</p> <p><small>* All Dimensions in mm. Colours shown are examples only for exact colour samples see your local TotalSpan RSL representative</small></p>   |  <p>North Elevation</p> <p>Scale 1:200</p> <p><small>* All Dimensions in mm. Colours shown are examples only for exact colour samples see your local TotalSpan RSL representative</small></p> |   |  |   |
| <table border="1"> <tr> <td data-bbox="215 1668 566 1812"> <p><b>Elevation Plan</b></p> </td> <td data-bbox="566 1668 933 1812"> <p>For: Mrs Terri Lee Spenser<br/>           Unit 1 Thornton Peak Drive<br/>           FOREST CREEK, QLD<br/>           Australia, 4072<br/>           S-1, RP 1212840</p> </td> <td data-bbox="933 1668 1307 1812"> <p>Project Building<br/>           Project Number: 5005-588880215-4<br/>           DP Number: .<br/>           3/8/2008</p>  </td> </tr> </table> |   | <p><b>Elevation Plan</b></p>  | <p>For: Mrs Terri Lee Spenser<br/>           Unit 1 Thornton Peak Drive<br/>           FOREST CREEK, QLD<br/>           Australia, 4072<br/>           S-1, RP 1212840</p> | <p>Project Building<br/>           Project Number: 5005-588880215-4<br/>           DP Number: .<br/>           3/8/2008</p>  |
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**ATTACHMENT – CODE REQUIREMENTS (DOUGLAS SHIRE)**

**Property Location:** ~~OLD FOREST CREEK RD~~  
**Lot/Registered Plan:** Lot 1 Thornton Peak Drive, FOREST CREEK, QLD 4873  
L1, RP 737266

**SUMMARY**

The proposed shed structure is a non-livable shed that will house equipment for agricultural purposes of a non-commercial nature. The property has no existing structures. The chosen site is on flat land and has been distanced from the nearest watercourse (category 3) and natural vegetation per the planning code. Site has also been chosen to reduce vehicular driveway access whilst allowing access to both cleared areas of the property.

Chosen colours for all external and visible surfaces are non-reflective Colorbond colours 'Pale Eucalypt' and 'Woodlands Grey' to blend in with the surrounding rainforest vegetation, per the planning code. The design of the shed maximizes air flow and natural light with most of the structure open on at least one side and the remainder of the structure which is enclosed has both a window and sliding screen door.

The structure is single storey and only requires excavation for the footings and piers. The enclosed section is raised on a mezzanine floor, again to increase airflow as well as reduce the use of concrete and required excavation on site. The structure has been engineered to meet cyclonic region TC2 rating.

Though not required (given the total roof surface of 87.27m<sup>2</sup>), the water runoff from the roof will be discharged into a 1,500L water storage tank adjacent to the structure from gutters and two downpipes.

Total floor storage area of the proposed shed structure is 74.33m<sup>2</sup>. Maximum height of the structure (including roof height & pier elevation) is 3,923mm from ground.

The structure will not have a power system, toilet or require internal plumbing.

All required diagrams, plans and information are attached and referenced below (where applicable).

Please refer below for a detailed explanation of various applicable planning code solutions (third column) addressing all relevant planning performance criteria.

