

20 August 2018

Enquiries: Daniel Lamond
Our Ref: MCUC2774/2018 (867932)
Your Ref: 20182866

Administration Office
64 - 66 Front St Mossman
P 07 4099 9444
F 07 4098 2902

C R Leyshon
C/- GMA Certification Group
PO Box 831
PORT DOUGLAS QLD 4877

Dear Sir/Madam

Development Application
Material Change of Use (Dwelling & Shed)
George Road FOREST CREEK
Land Described as LOT: 49 on RP: 735856

Thank you for lodging the above Development Application with Council on 26 July 2018.

Please find attached the Decision Notice for the above-mentioned development application.

Please quote Council's application number: MCUC2774/2018 in all subsequent correspondence relating to this development application. Should you require any clarification regarding this, please contact Daniel Lamond on telephone 07 4099 9456.

Yours faithfully

Neil Beck
A/Manager Sustainable Communities

encl.

- Decision Notice
- Approved Plans

DECISION NOTICE
APPROVAL (WITH CONDITIONS)
(GIVEN UNDER SECTION 63 OF THE PLANNING ACT 2016)

Please be aware that Douglas Shire Council has assessed your application and decided it as follows:

1. Applicant's details

Name: C R Leyshon
Postal Address: C/- GMA Certification Group
PO Box 831
PORT DOUGLAS QLD 4877

2. Location details

Street Address: George Road FOREST CREEK
Real Property Description: LOT: 49 RP: 735856
Local Government Area: Douglas Shire Council

3. Details of proposed development

Material Change of Use (Dwelling & Shed)

4. Decision

Date of decision: 20 August 2018

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

5. Approved plans and specifications

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

Drawing/report title	Prepared by	Date	Reference no.	Sheet
Aspect of development: Material Change of Use (Dwelling House)				
Site Plan	Magnic Drafting Service	April 2018	Drawing No 181681	1 of 11

House Floor Plan	Magnic Drafting Service	April 2018	Drawing No 181681	3 of 11
Elevations- Front & Right	Magnic Drafting Service	April 2018	Drawing No 181681	4 of 11
Elevations- Rear & Left	Magnic Drafting Service	April 2018	Drawing No 181681	5 of 11
Slab Plan- Shed	Wayne Lavery Quality Sheds	5 January 2018	18-00006; F	Not nominated
Wall Girt Layout	Wayne Lavery Quality Sheds	5 January 2018	18-00006; D	Not nominated

6. Conditions

This approval is subject to the conditions in Schedule 1. These conditions are clearly identified to indicate whether the assessment manager or concurrence agency imposed them.

7. Further development permits

Please be advised that the following development permits are required to be obtained before the development can be carried out:

- All Building Work
- All Plumbing Work

8. Properly made submissions

Not applicable — No part of the application required public notification.

9. Currency period for the approval

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

10. Rights of appeal

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 also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the *Planning Act 2016*).

A copy of the relevant appeal provisions are included in Schedule 2.

SCHEDULE 1 – CONDITIONS AND ADVICE

PART 1A—CONDITIONS IMPOSED BY THE ASSESSMENT MANAGER

- 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.**

Damage to Council Infrastructure

- 3. In the event that any part of Council’s 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/owners/builders cost, prior to the Commencement of Use.**

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.**

Landscaping

- 5. A landscaping plan drawn to scale must be submitted to Council for endorsement by the Chief Executive Officer prior to commencement of use. A minimum of 60% of the total proposed species are endemic or native species. The plan must include planting of the frontage and setback areas to achieve a visual buffer between the road and the buildings.**

Vegetation Clearing

- 6. Existing vegetation on the subject land must be retained in all areas. Any further clearing requires an Operational Works Approval.**

Building Colours

- 7. 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 must be of**

moderately dark to darker shades of green, grey, blue and brown.

The following proposed building colours are approved for use on the house and shed:

Exterior Walls - Colorbond Woodland Grey or similar

Roof- Colorbond Woodland Grey or similar

External Works

8. Any proposed concrete crossover and apron are to be designed and constructed in accordance with *FNQROC Development Manual Standard Drawing S1105*. A copy is attached at Appendix 2. The crossover must not impact on storm water flows in minor and major flow events.

Shed

9. The domestic shed must not be used for habitation.

PART 1B—ADVICE NOTES

1. This approval, granted under the provisions of the *Planning Act 2016*, shall lapse six (6) years from the day the approval takes effect.
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 *Planning Act 2016* log on to www.dsdmip.qld.gov.au . To access the *FNQROC Development Manual*, Local Laws and other applicable Policies log on to www.douglas.qld.gov.au

PART 1C— STATEMENT OF REASONS

1. The proposal generally complies with the 2018 Douglas Shire Planning Scheme version 1.0.
2. Conditions have been imposed to make the proposal compliant with the benchmarks of the relevant development codes of the 2018 Douglas Shire Planning Scheme version 1.0.

SCHEDULE 2 – PLANNING ACT EXTRACT ON APPEAL RIGHTS

CHAPTER 6, PART 1 APPEAL RIGHTS

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 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.
- (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 is 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.

SCHEDULE 1 APPEALS

1 Appeal rights and parties to appeals

- (1) Table 1 states the matters that may be appealed to—
- (a) the P&E court; or
 - (b) a tribunal.
- (2) However, table 1 applies to a tribunal only if the matter involves—
- (a) the refusal, or deemed refusal of a development application, for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (b) a provision of a development approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (c) if a development permit was applied for—the decision to give a preliminary approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (d) a development condition if—
 - (i) the development approval is only for a material change of use that involves the use of a building classified under the Building Code as a class 2 building; and
 - (ii) the building is, or is proposed to be, not more than 3 storeys; and
 - (iii) the proposed development is for not more than 60 sole-occupancy units; or
 - (e) a decision for, or a deemed refusal of, an extension application for a development approval that is only for a material change of use of a classified building; or
 - (f) a decision for, or a deemed refusal of, a change application for a development approval that is only for a material change of use of a classified building; or
 - (g) a matter under this Act, to the extent the matter relates to—
 - (i) the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or

- (ii) the Plumbing and Drainage Act, part 4 or 5; or
 - (h) a decision to give an enforcement notice in relation to a matter under paragraphs (a) to (g); or
 - (i) a decision to give an infrastructure charges notice; or
 - (j) the refusal, or deemed refusal, of a conversion application; or
 - (k) a matter that, under another Act, may be appealed to the tribunal; or
 - (l) a matter prescribed by regulation.
- (3) Also, table 1 does not apply to a tribunal if the matter involves—
- (a) for a matter in subsection (2)(a) to (d)—
 - (i) a development approval for which the development application required impact assessment; and
 - (ii) a development approval in relation to which the assessment manager received a properly made submission for the development application; or
 - (b) a provision of a development approval about the identification or inclusion, under a variation approval, of a matter for the development.
- (4) Table 2 states the matters that may be appealed only to the P&E Court.
- (5) Table 3 states the matters that may be appealed only to the tribunal.
- (6) In each table—
- (a) column 1 states the appellant in the appeal; and
 - (b) column 2 states the respondent in the appeal; and
 - (c) column 3 states the co-respondent (if any) in the appeal; and
 - (d) column 4 states the co-respondents by election (if any) in the appeal.
- (7) If the chief executive receives a notice of appeal under section 230(3)(f), the chief executive may elect to be a co-respondent in the appeal.

Extract of Schedule 1 of the Planning Act 2016

Table 1			
Appeals to the P&E Court and, for certain matters, to a tribunal			
1. Development applications An appeal may be made against— <ul style="list-style-type: none"> (a) the refusal of all or part of the development application; or (b) the deemed refusal of the development application; or (c) a provision of the development approval; or (d) if a development permit was applied for—the decision to give a preliminary approval. 			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The assessment manager	If the appeal is about a concurrence agency's referral response—the concurrence agency	1 A concurrence agency that is not a co-respondent 2 If a chosen assessment manager is the respondent—the prescribed assessment manager 3 Any eligible advice agency for the application 4 Any eligible submitter for the application

**Table 2
Appeals to the P&E Court only**

2. Eligible submitter appeals
 An appeal may be made against the decision to give a development approval, or an approval for a change application, to the extent that the decision relates to—
 (a) any part of the development application for the development approval that required impact assessment; or
 (b) a variation request.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 For a development application—an eligible submitter for the development application 2 For a change application—an eligible submitter for the change application	1 For a development application—the assessment manager 2 For a change application—the responsible entity	1 The applicant 2 If the appeal is about a concurrence agency's referral response—the concurrence agency	Another eligible submitter for the application

3. Eligible submitter and eligible advice agency appeals
 An appeal may be made against a provision of a development approval, or failure to include a provision in the development approval, to the extent the matter relates to—
 (a) any part of the development application or the change application, for the development approval, that required impact assessment; or
 (b) a variation request.

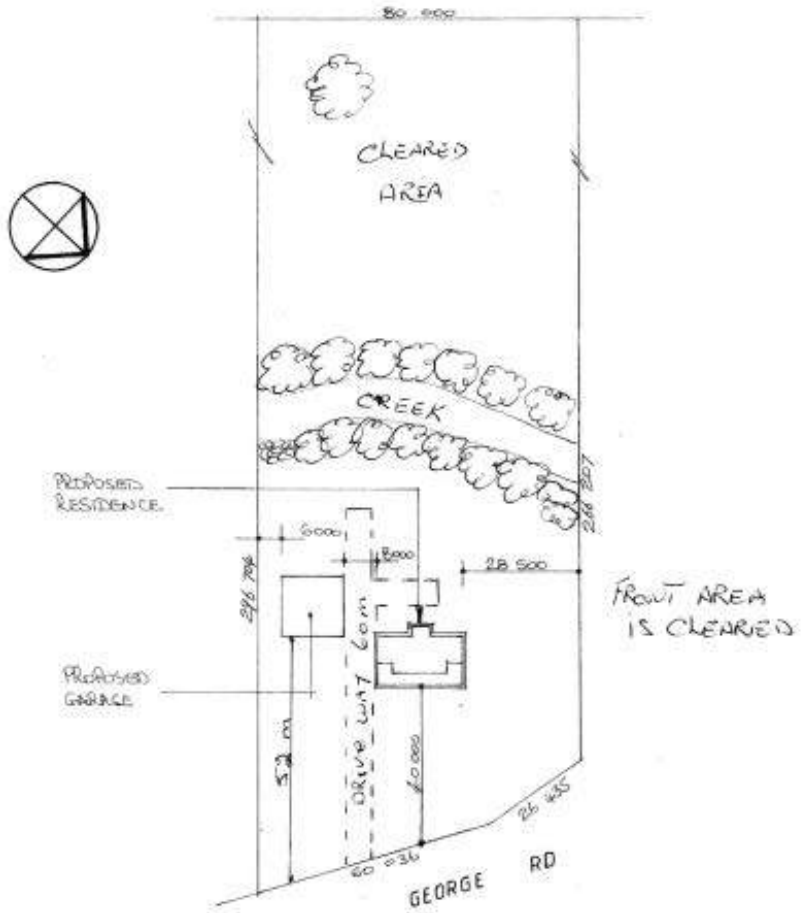
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 For a development application—an eligible submitter for the development application 2 For a change application—an eligible submitter for the change application 3 An eligible advice agency for the development application or change application	1 For a development application—the assessment manager 2 For a change application—the responsible entity	1 The applicant 2 If the appeal is about a concurrence agency's referral response—the concurrence agency	Another eligible submitter for the application

Note:

Attached is a Rights of Appeal Waiver form (Schedule 3). Please complete and return this form if you are satisfied with the approval and agree to the conditions contained therein and you wish to waive the 20 day appeal period available under the *Planning Act 2016*

APPROVED PLANS (ATTACHING TO THE DECISION NOTICE)

BEWARE: SUBSTITUTION OF ANY STRUCTURAL MEMBERS, AND OR VARIATIONS TO ANY PART OF THE DESIGN WILL VOID ANY RESPONSIBILITIES OF MAGNIC DRAFTING SERVICE, FOR THE STRUCTURAL INTEGRITY AND PERFORMANCE OF THE BUILDING.



RPD
 LOT 49 on RP 35856
 PARISH of ALEXANDRA
 COUNTY of SOMERSET
 AREA : 2.275 ha.

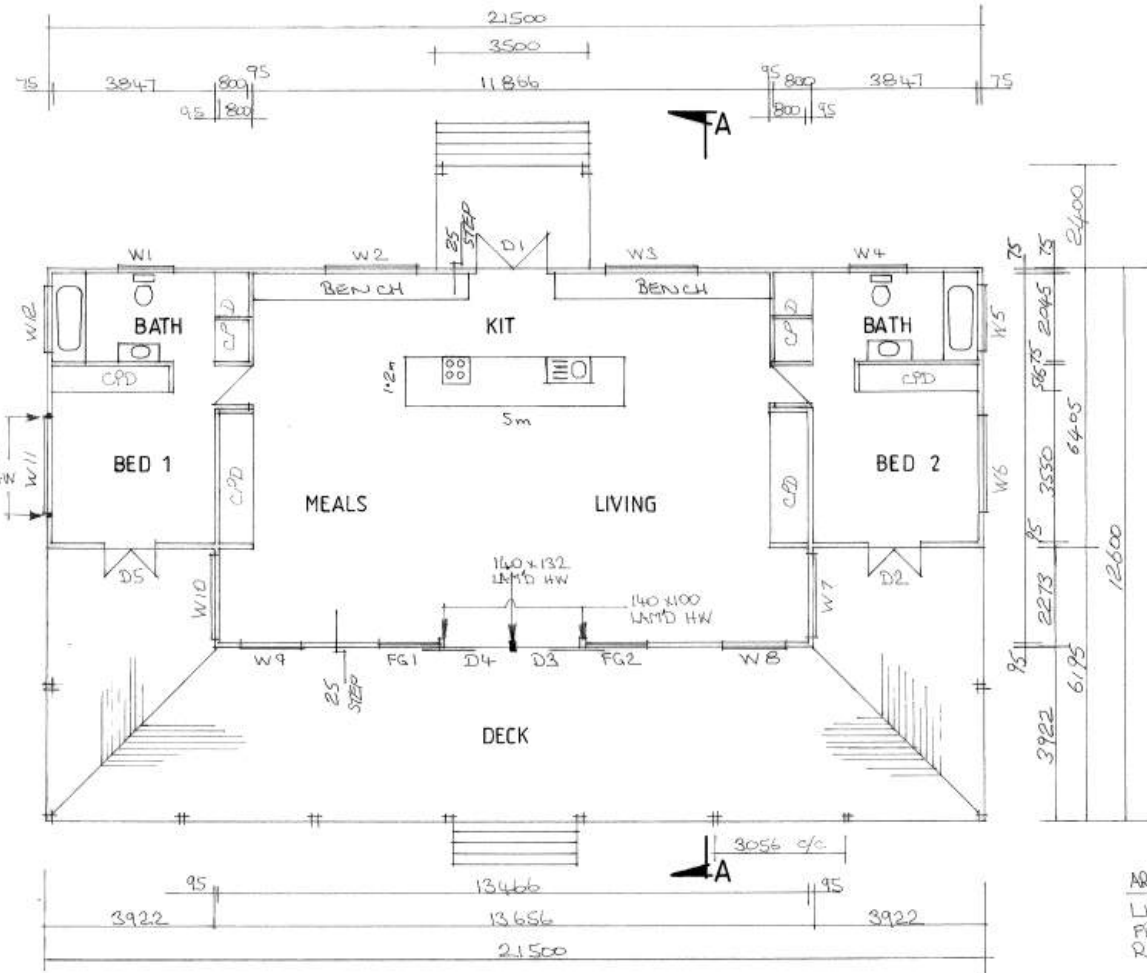
MAGNIC DRAFTING SERVICE <small>PH: 7141 071 3649 / 06246181</small> <small>REG NUMBER: 0853 IN 93764</small>	PROPOSED RESIDENCE LOT 49 GEORGE ROAD FOREST CREEK C. LEYSHON	SITE PLAN	
		SCALE 1: 1000	DRAWN GN
DATE APRR 18	DRAWING No 28 1681	JOB No 2506	SHEET No 1 OF 11

BEWARE: SUBSTITUTION OF ANY STRUCTURAL MEMBERS, AND OR VARIATIONS TO ANY PART OF THE DESIGN, WILL VOID ANY RESPONSIBILITIES OF MAGNIC DRAFTING SERVICES FOR THE STRUCTURAL INTEGRITY AND PERFORMANCE OF THE BUILDING

WINDOW LEGEND

WINDOW	H	W
W1	1020	1304
W2	1100	2100
W3	1100	2100
W4	1020	1300
W5	1020	1300
W6	1440	1956
W7	1580	1956
W8	1580	1304
W9	1580	1304
W10	1580	1956
W11	1440	1956
W12	1020	1304

- MULLIONS TO BE 160x50 HW
- WINDOW JAMBS 160x50 HW



AREA

LIVING	-	168.75 m ²
FRONT DECK	-	102.15 m ²
REAR DECK	-	8.4 m ²
		<u>279.3 m²</u>

MAGNIC DRAFTING SERVICE
ph / fax (07) 3409 1357 / 0482003931

GREG NANKERVIS O.B.S.A. No. 063344

PROPOSED RESIDENCE
LOT 49 GEORGE ROAD
FOREST CREEK
C. LEYSHON

PLAN

SCALE
1:100

DRAWN
GN

DATE
APRIL 18

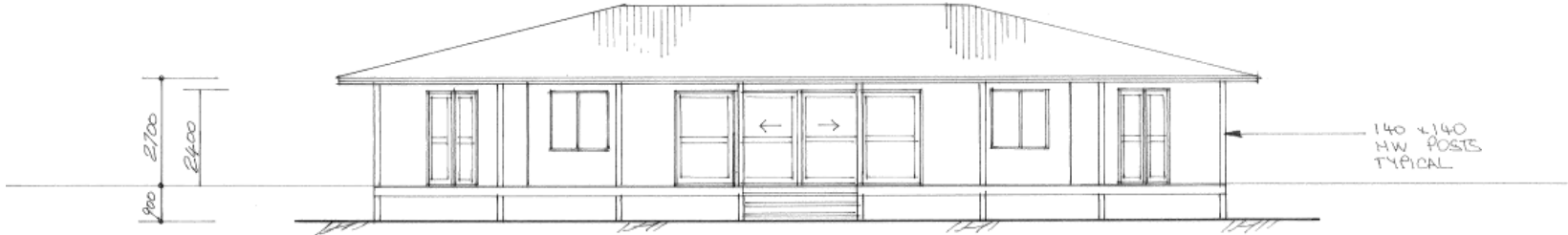
DRAWING No.
18 1681

JOB No.
2586

SHEET No.
3 OF 11

BEWARE: SUBSTITUTION OF ANY STRUCTURAL MEMEBERS, AND OR VARIATIONS TO ANY PART OF THE DESIGN, WILL VOID ANY RESPONSIBILITIES OF MAGNIC DRAFTING SERVICES FOR THE STRUCTURAL INTEGRITY AND PERFORMANCE OF THE BUILDING.

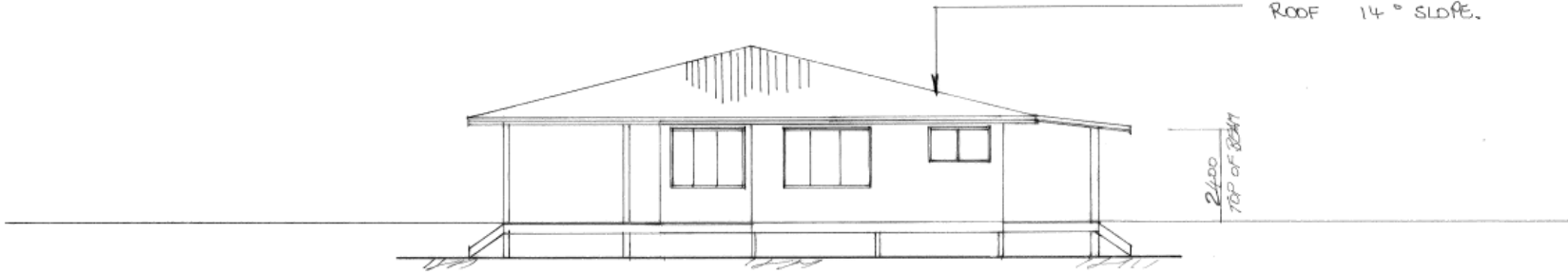
850
TYPICAL



FRONT ELEVATION

COLORBOND CUSTOM ORB
ROOF 14° SLOPE.

2400
TOP OF ROOF



RIGHT HAND ELEVATION

MAGNIC DRAFTING SERVICE
ph / fax (07) 3409 7357 / 0402003931

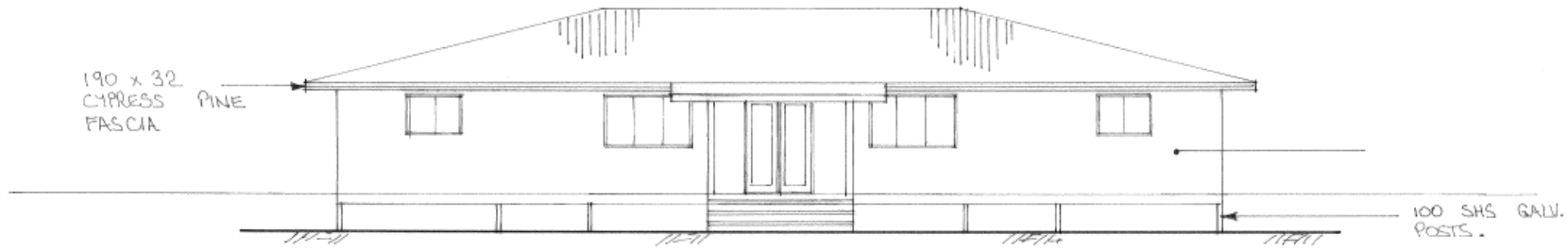
GREG NANKERVIS Q.B.S.A. No. 063344

PROPOSED RESIDENCE
LOT 49 GEORGE ROAD
FOREST CREEK
C. LEYSHON

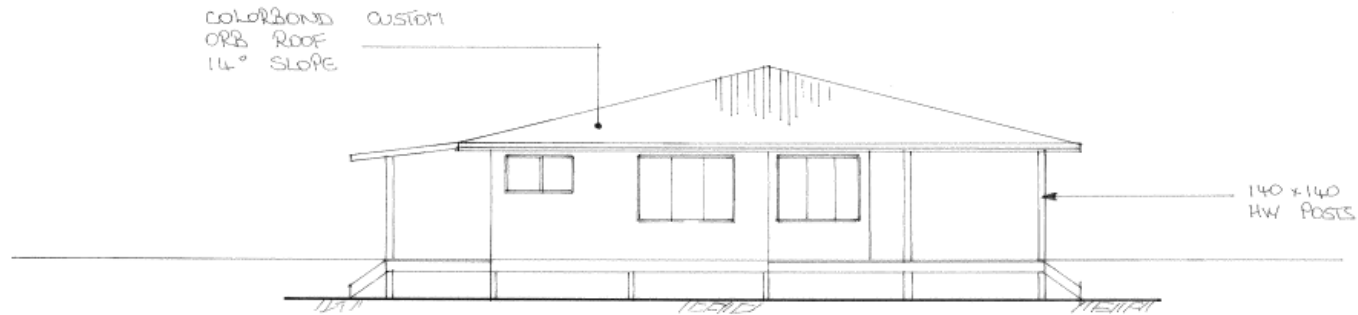
ELEVATIONS

SCALE 1:100		DRAWN GN	
DATE APRIL 18	DRAWING No. 18 1681	JOB No. 2586	SHEET No. 4 OF 11

BWARE: SUBSTITUTION OF ANY STRUCTURAL MEMEBERS, AND OR VARIATIONS TO ANY PART OF THE DESIGN, WILL VOID ANY RESPONSIBILITIES OF MAGNIC DRAFTING SERVICES FOR THE STRUCTURAL INTEGRITY AND PERFORMANCE OF THE BUILDING.

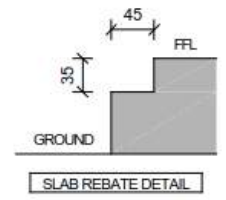
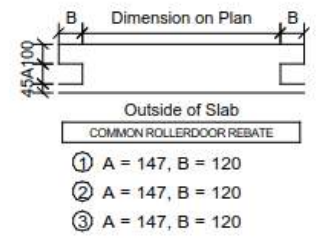
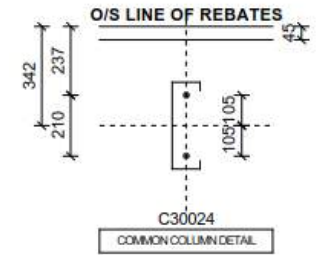
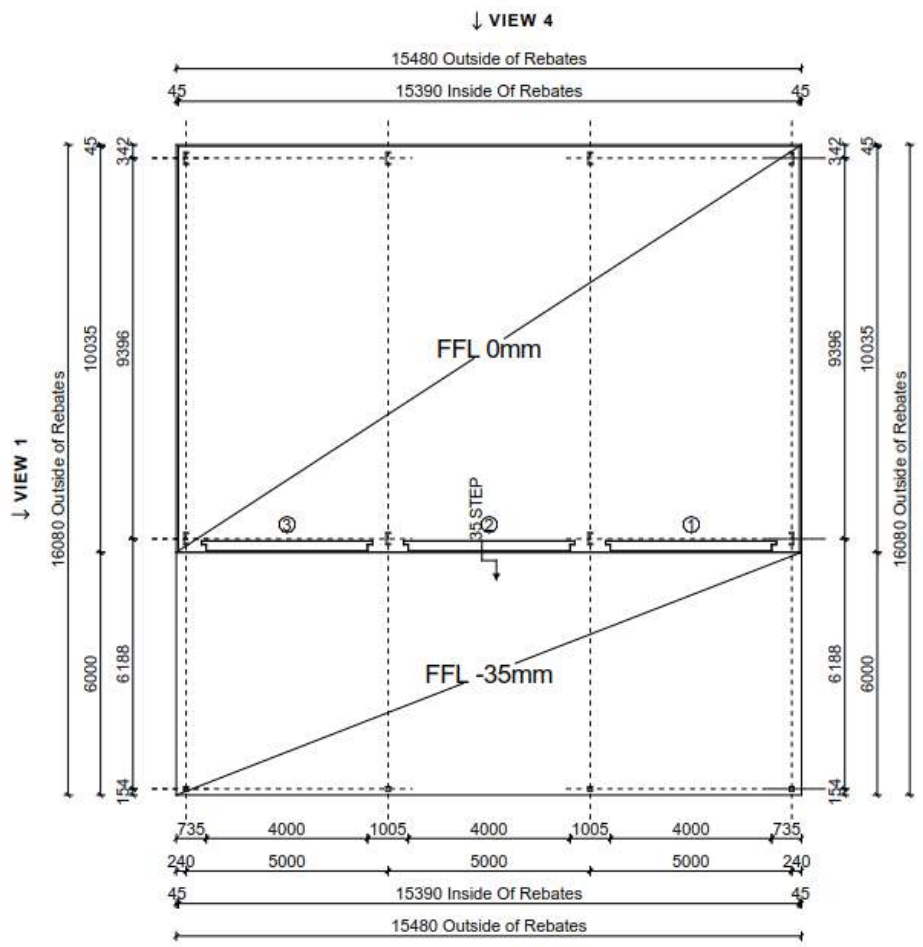


REAR ELEVATION



LEFT HAND ELEVATION

MAGNIC DRAFTING SERVICE ph / fax (071) 34 09 7357 / 0402003931 GREG NANKERVIS Q.B.S.A. No. 063344	PROPOSED RESIDENCE LOT 49 GEORGE ROAD FOREST CREEK C. LEYSHON	ELEVATIONS		SCALE 1:100		DRAWN GN	
				DATE APRIL 18	DRAWING No. 18 1681	JOB No. 2586	SHEET No. 5 OF 11



↑ VIEW 3
REFER TO ENGINEERING FOR EDGE AND MID BEAM DIMENSIONS



Quality Sheds
89 501 645 493
Po Box 475
Atherton Qld 4883

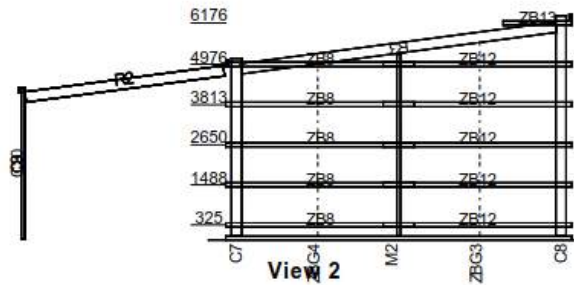
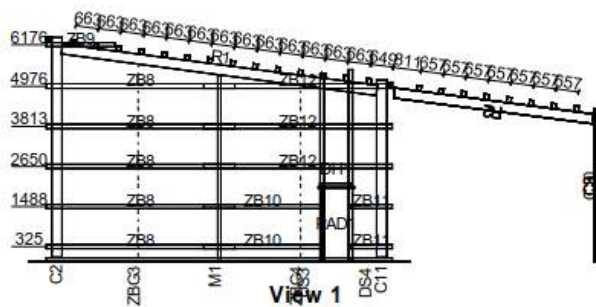
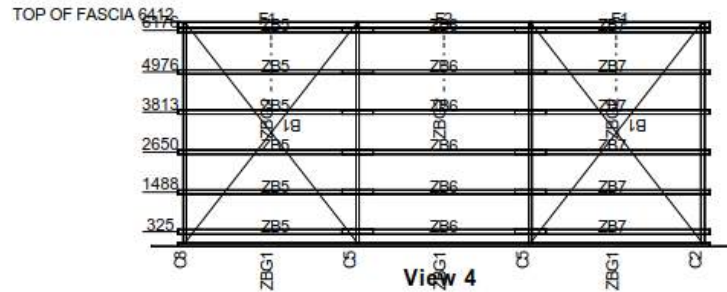
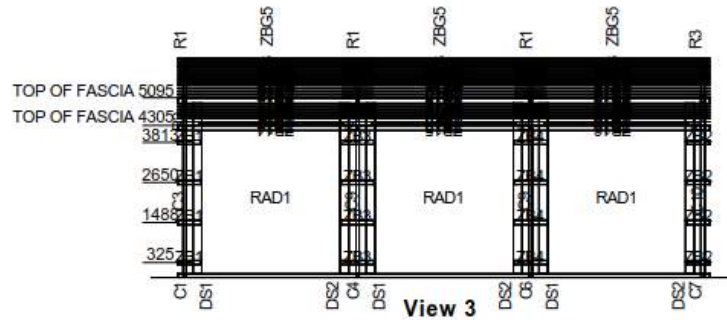
0419 721 229
wayne@qualitysheds.com.au
www.qualitysheds.com.au

TITLE: **SLAB PLAN**
PROJECT NO:
18-00006

CUSTOMER:
Cameron Leyshon
CLIENT:

SITE:
**Lot 49 George Road
Forest Creek
LOT: 49 RP/SP: RP 735 856**

DATE: **05/01/2018**
ULT WIND SPEED:
59.37m/s
DRAWING No:
18-00006;F



BRACING SCHEDULE

REQ. DIR. X 53.32 KN
 REQ. DIR. Y N/A
 ACHIEV. DIR. X 88.55 KN
 ACHIEV. DIR. Y N/A

MEMBER SCHEDULE LABEL, MEMBER, DIMENSIONS

B1, 2-M16 Threaded Rod,
 C1, 1-C30024, 5140
 C10, 1-100x100x4.0 RHS, 4394
 C2, 1-C30024, 6377
 C3, 1-100x100x4.0 RHS, 4394
 C4, 1-C30024, 5140
 C5, 2-C30024, 6377
 C6, 1-C30024, 5140
 C7, 1-C30024, 5140
 C8, 1-C30024, 6377
 C9, 2-100x100x4.0 RHS, 4394
 DH1, 1-Flashing 73, 920
 DS1, 3-Z25019, 4943
 DS2, 3-Z25019, 4943
 DS3, 1-Flashing 73, 5410
 DS4, 1-Flashing 73, 5520
 F1, 4-C15015, 5200
 F2, 2-C15015, 5000
 M1, 1-C30030, 5256
 M2, 1-C30030, 5256
 PAD1, 1-, 2050Hx840W
 R1, 3-C30024, 9190
 R3, 1-C30024, 9190
 RAD1, 3-, 4400Hx4000W
 ZB1, 4-Z15012, 671
 ZB10, 2-Z15012, 3406
 ZB11, 2-Z15012, 1194
 ZB12, 8-Z15012, 5450
 ZB13, 1-Z15012, 1979
 ZB2, 4-Z15012, 671
 ZB3, 4-Z15012, 957
 ZB4, 4-Z15012, 957
 ZB5, 6-Z15012, 5650
 ZB6, 6-Z15012, 5900
 ZB7, 6-Z15012, 5650
 ZB8, 10-Z15012, 5450
 ZB9, 1-Z15012, 1979

* Measurements for girt positions are approximate only.

Max Girt Centres:
 View 1,2,3,4: 1200



Quality Sheds
 89 501 645 493
 Po Box 475
 Atherton Qld 4883

0419 721 229
 wayne@qualitysheds.com.au
 www.qualitysheds.com.au

TITLE: **WALL GIRTS LAYOUT**

PROJECT NO:
18-00006

CUSTOMER:
Cameron Leyshon
 CLIENT:

SITE:
Lot 49 George Road
Forest Creek
LOT: 49 RP/SP: RP 735 856

DATE: **05/01/2018**
 ULT WIND SPEED:
59.37m/s
 DRAWING No:
18-00006;D