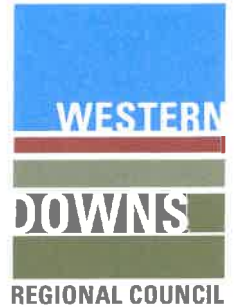


Customer Contact  
**1300 COUNCIL** (1300 268 624)  
**07 4679 4000**

[www.wdrc.qld.gov.au](http://www.wdrc.qld.gov.au)

OUR COMMUNITIES | OUR FUTURE



Address all correspondence  
to the Chief Executive Officer  
PO Box 551, DALBY, QLD 4405  
[info@wdrc.qld.gov.au](mailto:info@wdrc.qld.gov.au)

## DECISION NOTICE - APPROVAL

Given under Section 282 of the Planning Act 2016 for a Decision Notice (Approval) under Section 63(2) of the Planning Act 2016

|                             |   |                            |
|-----------------------------|---|----------------------------|
| Application No:             | 030.2018.376.001  | File Refs: A2645 & LG7.6.1 |
| Council Contact:            | Dominic Bradley<br>Planning Officer Development Assessment  |                            |
| Officer's Contact Details:  | Ph: (07) 4679 4331<br>Email: <a href="mailto:dominic.bradley@wdrc.qld.gov.au">dominic.bradley@wdrc.qld.gov.au</a> |                            |
| Date of Decision Notice:    | 16 October 2018   |                            |
| Applicant's Name:           | David Wheelehen   |                            |
| Applicant's Postal Address: | 45 Mahon Street<br>DALBY QLD 4405   |                            |

I acknowledge receipt of the above development application on 6 September 2018 and confirm the following:

**RE: DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE TO ESTABLISH DOMESTIC OUTBUILDING ON LAND DESCRIBED AS LOT 16 ON RP213900 AND SITUATED AT 45 MAHON STREET DALBY**

Dear Sir,

I advise that on 10 October 2018 the above development application was: approved in full, with conditions\* (refer to the conditions attached).

### 1. Further Development Permit

Please be advised that the following Development Permit is required to be obtained before the development can be carried out:

- Development Permit for Building Work.

### 2. Approved Plans

The following Approved Plans for this development approval are attached:

| Drawing No. and Reference | Plan Title and Details  | Dated     |
|---------------------------|---|-----------|
| -                         | Site Plan, Prepared by David Wheelehen  | 6/09/2018 |
| 4008, Sheet 1, Issue 2    | Skillion and Side Awning Extensions for Dependable Sheds Typical Stud Framed Sheds, Prepared by Mervyn J Rule Pty Ltd | 30/03/16  |

**3. Currency Period for the Approval (Section 85)**

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

- This approval lapses if the first change of use does not happen within 6 years.

**4. Appeal Rights**

The rights of an applicant to appeal to a tribunal or the Planning and Environment Court against a decision 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 (refer Chapter 6, Part 2 of the *Planning Act 2016*).

The Appeal Rights are attached to this Decision Notice.

Should you have any queries in regard to this matter, please contact Council's Planning Officer Development Assessment, Dominic Bradley on telephone (07) 4679 4331 or via email [dominic.bradley@wdrc.qld.gov.au](mailto:dominic.bradley@wdrc.qld.gov.au).

Yours faithfully



Kate Swepson  
**A/PRINCIPAL PLANNER**

Encl

# SCHEDULE OF CONDITIONS

## APPROVED PLANS

1. The development shall be carried out generally in accordance with the Approved Plans listed below, subject to and modified by the conditions of this approval:

| Drawing No. and Reference | Plan Title and Details  | Dated     |
|---------------------------|---|-----------|
| -                         | Site Plan, Prepared by David Wheelehen  | 6/09/2018 |
| 4008, Sheet 1, Issue 2    | Skillion and Side Awning Extensions for Dependable Sheds Typical Stud Framed Sheds, Prepared by Mervyn J Rule Pty Ltd | 30/03/16  |

## APPROVED DEVELOPMENT

2. The approved development is Material Change of Use to establish a Domestic Outbuilding (extension to existing shed) as shown on the Approved Plans.
3. The domestic outbuilding is to be used for domestic purposes only.
4. The extension to the existing shed shall remain open and is not to be enclosed.

## COMPLIANCE, TIMING AND COSTS

5. All conditions of the approval shall be complied with prior to commencement of the use and while the use continues, unless otherwise noted within these conditions.
6. All costs associated with compliance with these conditions shall be the responsibility of the developer unless otherwise noted.

## FEES AND CHARGES

7. All fees, rates, interest and other charges levied on the property, shall be paid in full, in accordance with the rate at the time of payment.

## LANDSCAPING – MISCELLANEOUS

8. All declared weeds and pests shall be removed from the property and the area kept clear of such nuisance varieties at all times during the course of development works and any ensuing defects liability period.
9. Landscaped areas shall be maintained, and the site shall remain in a clean and tidy state at all times.

## MAINTENANCE

10. The development (including landscaping, parking, driveways and other external spaces) shall be maintained in accordance with the Approved Plan subject to and modified by any conditions of this approval.

## STORMWATER MANAGEMENT

11. Provide overland flow paths that do not alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.
12. Ensure that adjoining properties and roadways are protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.
13. Discharge all minor storm flows that fall or pass onto the site to the lawful point of discharge in accordance with the Queensland Urban Drainage Manual (QUDM).

## ADVISORY NOTES

### NOTE 1: Currency Period

To the extent a development approval is for a Material Change of Use of premises, the approval lapses if the first change of use under the approval does not start within the following period (the currency period) -

- (i) the period stated for that part of the approval; or
- (ii) if no period is stated—6 years after the approval starts to have effect.

### NOTE 2: Aboriginal Cultural Heritage

It is advised that under Section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal cultural heritage legislation. The information on Aboriginal cultural heritage is available on the Department of Aboriginal and Torres Strait Islander and Partnerships' website [www.datsip.qld.gov.au](http://www.datsip.qld.gov.au).

### NOTE 3: General Environmental Duty

General environmental duty under the *Environmental Protection Act 1994* prohibits unlawful environmental nuisance caused by noise, aerosols, particles, dust, ash, fumes, light, odour or smoke beyond the boundaries of the development site during all stages of the development including earthworks, construction and operation.

### NOTE 4: General Safety of Public During Construction

The *Work Health and Safety Act 2011* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works being constructed on a road.

### NOTE 5: Property Note (Audit of Conditions)

An inspection of the property to ascertain compliance with conditions will be undertaken three (3) months after the approval takes effect. If the works are completed prior to this time, please contact Council for an earlier inspection. A property note to this effect will be placed on Council's records.

### NOTE 6: Commencement of Use

- (i) Prior to commencement of this use, the applicant is to request a Compliance Inspection be undertaken by Council to confirm that all conditions of this Development Permit are considered compliant.
- (ii) Upon receipt of confirmation from Council that all conditions of this Development Permit are considered compliant, the applicant is to notify Council within 20 business days, that this approved use has lawfully commenced.

### NOTE 7: Flood Hazard

The property is identified as being located in Medium, High and Extreme Flood Hazard Category Areas on the Flood Hazard Overlay Map in the Western Downs Planning Scheme. As the shed extension is not proposed to be elevated above the defined flood level, the shed may be subject to inundation during a flood event.

## APPEAL RIGHTS

The rights of an applicant 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*).

### "Chapter 6 Dispute Resolution

#### Part 1 Appeal Rights

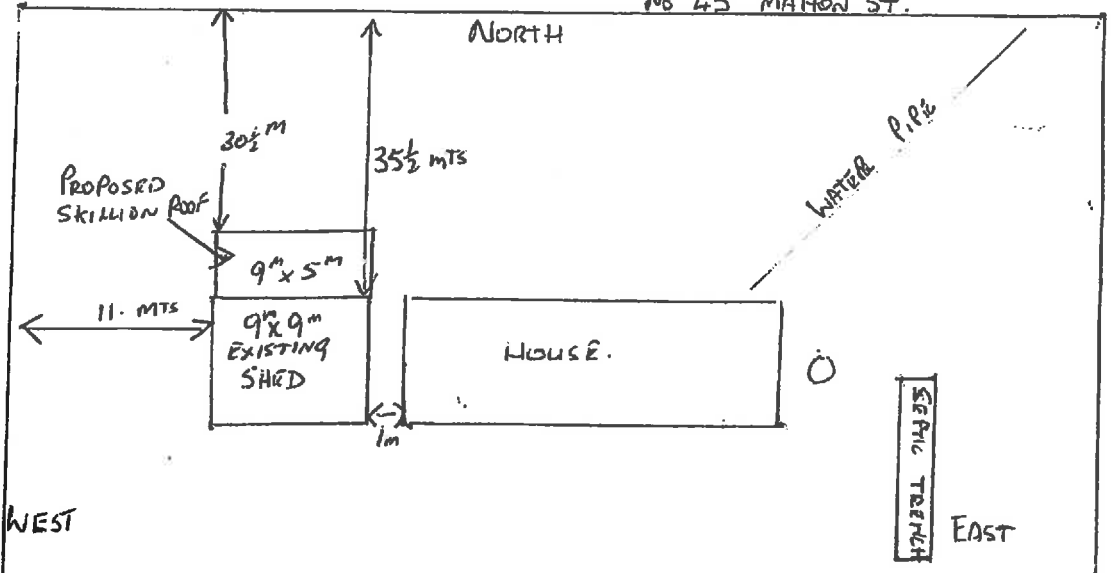
#### 228 Appeals to Tribunal or P&E Court

- (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."

MAHON ST.

No 45 MAHON ST.



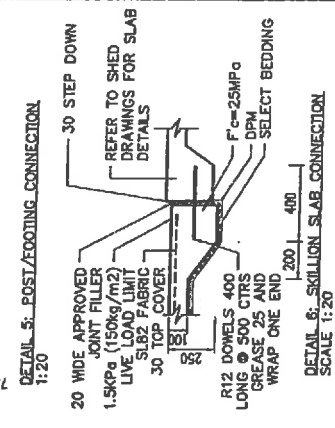
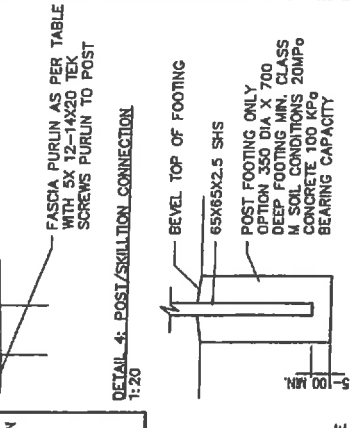
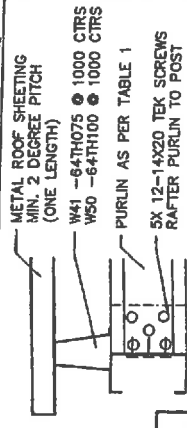
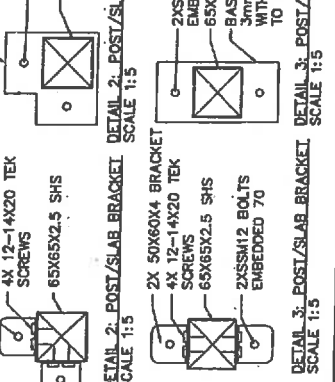
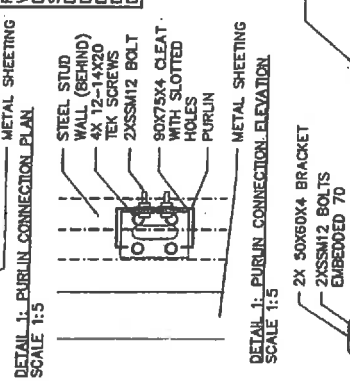
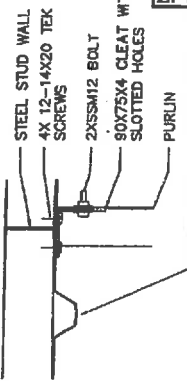
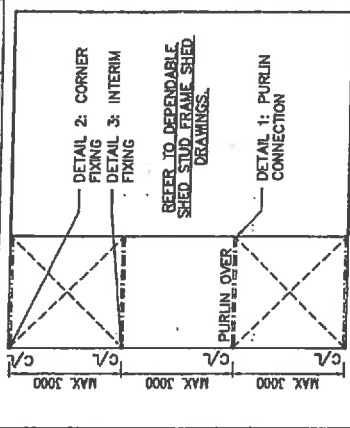
SITE PLAN  
6/9/2018 BY DAVID WHERLEHEN

South

WESTERN DOWNS  
REGIONAL COUNCIL  
APPROVED  
10 OCT 2018  
PER *[Signature]*

TABLE 1: SKILLION AWNING RAFTER SIZE (EMPTY UNDER)

| SKILLION SPAN | W41 BRIDGING BATTEN | W50 BRIDGING BATTEN | 20 BRIDGING BATTEN |
|---------------|---------------------|---------------------|--------------------|
| 2400          | C/Z100-10 NIL       | C/Z100-10 NIL       | C/Z100-10 NIL      |
| 3000          | C/Z100-10 1         | C/Z100-12 1         | C/Z100-12 1        |
| 3600          | C/Z100-10 2         | C/Z100-12 2         | C/Z100-12 2        |
| 4200          | C/Z150-12 2         | C/Z150-12 2         | C/Z150-12 2        |
| 4800          | C/Z150-12 2         | C/Z150-15 2         | C/Z150-15 2        |
| 5400          | C/Z150-15 2         | C/Z150-19 3         | C/Z150-19 3        |
| 6000          | C/Z150-19 2         | C/Z150-24 3         | C/Z150-24 3        |



NOTE: THIS DRAWING TO BE READ IN CONJUNCTION WITH APPLICABLE DEPENDABLE SHED STUD FRAME SHED DRAWINGS: DSZ2009-01, DSZ2009-02, DSZ2009-03, DSZ2009-04.

DEPENDABLE SHEDS  
SCALE RULE  
USK RULE CIVIL & STRUCTURAL  
DRAWN AS SHOWN 4008

WESTERN DOWNS REGIONAL COUNCIL  
APPROVED  
10 OCT 2018  
PER *Kearney*

## NOTICE OF INTENTION TO COMMENCE USE

|                             |  |
|-----------------------------|--|
| <b>Planning Approval</b>    | 030.2018.376.001   |
| <b>Date of Approval</b>     | 15 October 2018  |
| <b>Approved Development</b> | Material Change of Use to establish a Domestic Outbuilding |
| <b>Location</b>             | 45 Mahon Street, Dalby                                     |
| <b>Property Description</b> | Lot 16 on RP213900   |

I am hereby notifying you of my intention to commence the approved use on

\_\_\_\_\_ (insert date)

I have read the conditions of the above Decision Notice and believe that all the applicable conditions have been complied with.

Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**SIGNATURE OF APPLICANT**

Date: \_\_\_\_\_

