

From: Amy Andersen
Sent: Wed, 7 Apr 2021 15:18:32 +1000
To: costeelconsulting@gmail.com
Subject: Decision Notice, Extension to Currency Period, Material Change of Use – Undefined Use (Over 50's Lifestyle Accommodation) at Beatts Road, Allingham.
Attachments: Decision Notice, Extension of Currency Period, MCU at Beatts Road, Allingham.pdf

Good Afternoon,

Please find attached the Decision Notice relating to Extension to Currency Period, Material Change of Use – Undefined Use (Over 50's Lifestyle Accommodation) at Beatts Road, Allingham.

Should you have any enquiries please contact Council's Built Environment Support Officer, Aimee Godfrey on 4776 4658 for the necessary assistance.

AMY ANDERSEN

Administration Support Officer

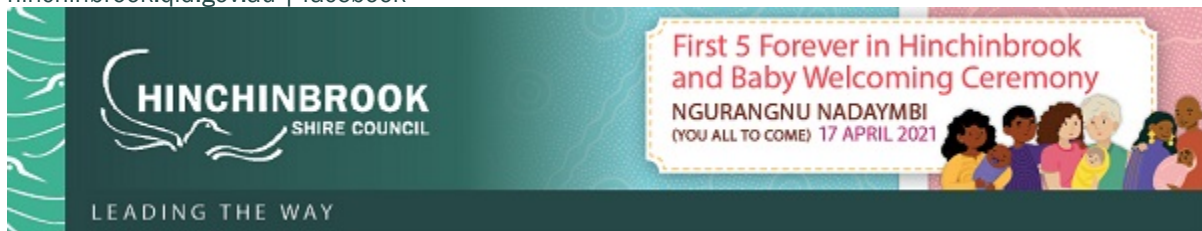
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- Hinchinbrook Shire Council

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Please consider the environment before printing this email. HSC_2021

Your Ref: Extension to Currency Period – Material Change of Use
Our Ref: PC:AG 058\0225

1 April 2021

Mr Brett Taylor
Costeel Consulting
PO Box 332
CHEVRON ISLAND QLD 4217

costeelconsulting@gmail.com

Dear Mr Taylor

Decision Notice
Extension to Currency Period
Material Change of Use – Undefined Use (Over 50's Lifestyle Accommodation)
Beatts Road Allingham – Lot 11 on SP164492
Planning Act 2016

Receipt of your application received on Friday 4 September 2020 seeking an extension to a currency period relating to a Development Permit for Material Change of Use – Undefined Use (Over 50's Lifestyle Accommodation) at Beatts Road Allingham, is acknowledged and its contents noted.

Your application was assessed by relevant staff and considered by Council at its General Meeting held on Tuesday 30 March 2021.

Council resolved to approve the proposed extension for two (2) years from the lapse date to 30 April 2023.

This Notice outlines aspects of the development's conditions of approval, currency period, approved plans, referral agency response and includes extracts from the *Planning Act 2016* with respect to making representations about conditions, negotiated decisions, suspension of the appeal period and lodging an appeal, should you wish to do so.

Should you require any further information or clarification concerning this matter, please contact Council's Built Environment Support Officer, Aimee Godfrey on 4776 4658 for the necessary assistance.

Yours sincerely




Kelvin Tytherleigh
Chief Executive Officer

Encl - Decision Notice

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INGHAM QLD 4850

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 HinchinbrookShireCouncil

1 April 2021

SECTION 87 OF PLANNING ACT 2016

APPLICATION DETAILS

This Decision Notice relates to the below development application:

Application Number	058\0225
Property ID Number	106440
Applicant Details	Brett Taylor Costeel Consulting PO Box 332 CHEVRON ISLAND QLD 4217
Owner Details	Beatts Road Holdings Pty Ltd (as Trustee) Beatts Road Holdings Unit Trust PO Box 1707 BROADBEACH QLD 4218
Property Description	Beatts Road Allingham Lot 11 on SP164492
Proposal	Extension to Currency Period Material Change of Use – Undefined Use (Over 50's Lifestyle Accommodation)
Level of Assessment	Code Assessment

DECISION

The information below outlines the specifics of any approval or refusal issued by the Assessment Manager resulting from development assessment as per the provisions of the *Planning Act 2016*:

Decision	The application was approved subject to conditions.
Decision Date	30 March 2021
Decision Type	Development Permit
Assessment Instrument	<i>Hinchinbrook Shire Planning Scheme 2017</i>
Deemed Approval	The Development Permit is not a deemed approval under Section 64 of the <i>Planning Act 2016</i>
Submissions	Not Applicable

CONDITIONS OF APPROVAL

The conditions of this approval are set out in the Schedule of Conditions. The conditions are identified to indicate whether the Assessment Manager or Referral Agency (if any) imposed them.

REFERRAL AGENCIES

Not Applicable.

FURTHER APPROVALS REQUIRED

This approval does not authorise any filling of land or building work and a Development Permit for carrying out the above mentioned may require additional assessment.

This approval does not authorise any works within Council's Road Reserve (e.g. new/additional access, repair/modification to existing access or works to footpaths). If this is required as part of your development proposal, an application will need to be lodged with Council or other relevant authority.

INFRASTRUCTURE CHARGES

An Infrastructure Charges Notice outlining the estimated infrastructure contributions payable relevant to this Development Permit will be issued to you as soon as practicable in accordance with Section 119 of the *Planning Act 2016*, if relevant to this development.

RIGHTS OF APPEAL

The rights of an applicant to appeal to 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*. 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*).

An applicant for a development application may appeal to the Planning and Environment Court against the following:

- The refusal of all or part of the development application;
- A provision of the development approval;
- The decision to give a preliminary approval when a Development Permit was applied for; and
- A deemed refusal of the development application.

The timeframes for starting an appeal in the Planning and Environment Court are set out in section 229 of the *Planning Act 2016*.

APPROVAL CURRENCY PERIOD

Pursuant to Council's resolution made on 30 March 2021, the development approval will lapse two years from the current lapse date, on 30 April 2023.

APPROVED PLANS AND SPECIFICATIONS

The development must be carried out in accordance with the approved plans, specifications and/or drawings, along with the requirements of all relevant laws. Any deviation must have prior approval from the Chief Executive Officer.

Copies of the approved plans, specifications and/or drawings are attached.

NOTICE ABOUT DECISION – STATEMENT OF REASONS

This Notice is prepared in accordance with section 63(5) and section 83(7) of the *Planning Act 2016* to inform the public about a decision that has been made in relation to a development application.

The purpose of this Notice is to enable a public understanding of the reasons for the planning decision, specifically having regard to:

- The relevant part of the Planning Scheme and Assessment Benchmarks against which the application was assessed; and
- Any other information documents or other material Council was either required to, or able to, consider in its assessment.

All terms used in this Notice have the meaning given to them in the *Planning Act 2016*.

The proposed development is considered to be consistent with the relevant overall outcomes and assessment benchmarks of the *Hinchinbrook Shire Planning Scheme 2017*, in particular:

- The application has been approved as it is considered to meet, or have the ability to meet the requirements of the relevant aspects of the *Hinchinbrook Shire Planning Scheme 2017*; and
- Conditions of approval have been included to ensure that compliance with the *Hinchinbrook Shire Planning Scheme 2017*.

Should you require any further information or clarification concerning this matter, please contact Council's Built Environment Support Officer, Aimee Godfrey on 4776 4658 for the necessary assistance.



HINCHINBROOK
SHIRE COUNCIL

Our Ref: GV: HJR 058/0225

06 March 2017

Taylor Willis Town Planners
PO Box 10282
Southport BC Queensland 4215

email: lauren@taylorwillis.com.au

Attention: Lauren Schmidt

Dear Madam,

REQUEST FOR EXTENSION OF RELEVANT PERIOD BEFORE AN APPROVAL LAPSE
Sustainable Planning Act 2009, s.383

Development Application: 058/0225
Application Description: Development Application for Material Change of Use: Undefined Use
(Over 50's Lifestyle Accommodation - 150 Dwelling Units)
Property Location: Beatts Road, Allingham
Property Description: Lot 11 on SP164492, Parish of Cordella

I refer to your request received by Council on Friday, 02 December 2016, to extend the currency period a development approval issued by Hinchinbrook Shire Council, as the assessment manager, on 23 April 2009.

In accordance with section 383 of the *Sustainable Planning Act 2009*, the request was considered by Council as the Assessment Manager on Tuesday, 28 February 2017 and has been approved as follows:

"Council grant approval to extend the development currency period for a further four (4) years, subject to the following update conditions:

- a) The proposal to be generally in accordance with drawings as submitted with the Development Application and response to information request;***
- b) The fronting section of Beatts Road to be upgraded to an 8m sealed and kerbed standard, and turnout provision as detailed on Drawing No. FBD1020/SK6. Such work to include appropriate street lighting;***

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Version: 1, Version Date: 04/09/2020

- c) *Filling and levelling of lots and footpaths, to ensure water drains to the front of lots and/or other legal points of discharge;*
- d) *Surface drainage to be catered for in a manner that lessens possible impacts in receiving areas;*
- e) *An updated water supply infrastructure plan and supporting information including hydraulic network analysis must be submitted demonstrating how the development will be serviced by Council's infrastructure. In particular the plan must:*
 - i. *The hydraulic network analysis must be tested against the Hinchinbrook Shire Hydraulic Model developed by GHD;*
 - ii. *A full report with conclusions must be submitted to the Hinchinbrook Shire Council, to the satisfaction of the Chief Executive Officer prior to commencement of the development; and*
 - iii. *Identify any trunk infrastructure external to the site that may require upgrading to accommodate the development.*

The water supply infrastructure plan must be endorsed as part of the Development Permit for Operational Works and completed, to the satisfaction of the Chief Executive Officer prior to the commencement of use;

- f) *In the event that any part of Council's existing water infrastructure is damaged as a result of work associated with the development, Council's Water and Waste Department must be notified immediately of the affected infrastructure and have it repaired or replaced by Water and Waste at no cost to Council. All works must be completed, to the satisfaction of the Chief Executive Officer, prior to the commencement of use;*
 - g) *Payment to the Council of water headworks contribution(s) – in accordance with Council's Adopted Infrastructure Charges Resolution at the rates applicable time of payment;*
 - h) *Payment to the Council of Public Open Space contribution(s) – in accordance with Council's Adopted Infrastructure Charges Resolution at the rates applicable time of payment;*
 - i) *Prior to commencement of external civil works, submission to Council for approval of Engineering Drawings and specifications setting out proposed works. Payment of engineering plan scrutiny fee based on 2% of approved cost estimate of engineering construction works;*
 - j) *Provision of Completion Certificates for civil construction works, including "as constructed" surveyed information, to suit Council's software. [Autocad drawing files connected to two (2) Council permanent marks or similar accuracy]; and*
 - k) *A twelve (12) month maintenance period is to apply and commencing at practical completion of works for those works associated with the upgrading of Beatts Road in front of the development.*
- A security to be kept by Council for any unfinished works and expected maintenance obligations. After the 12 month maintenance period has ended, and all maintenance obligations have been met, Council will return the security bond."*

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Should you have any questions or seek clarification with regard to any aspect of this notice, please do not hesitate to contact Council's Development and Planning Services on telephone (07) 4776 4609.

Yours sincerely,



Gerhard Visser
Planning & Development Manager

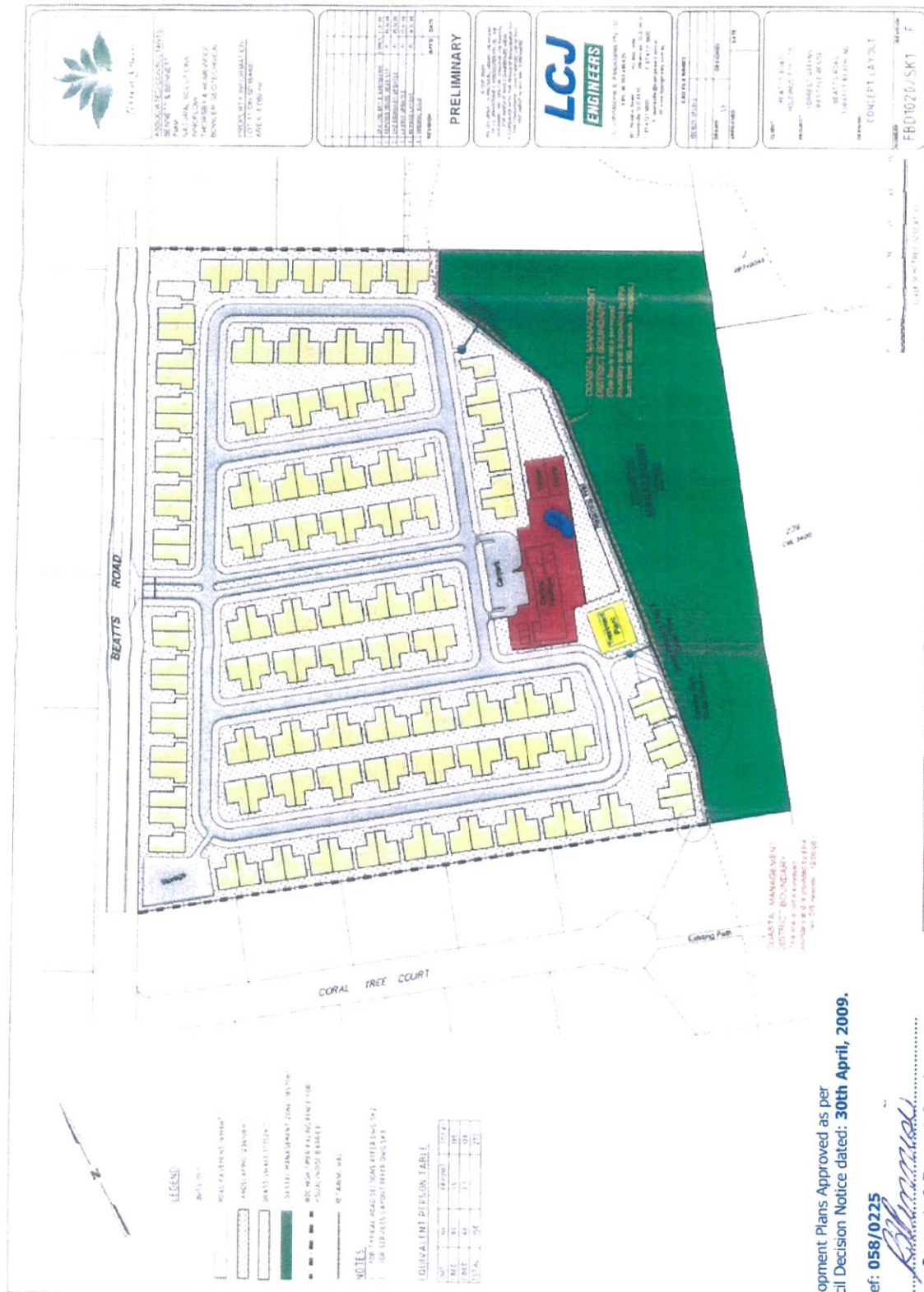
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Development Plans Approved as per
Council Decision Notice dated: **30th April, 2009.**

File Ref: 058/0225

Manager Corporate & Economic Development