

Your Ref: Application for Minor Change  
Our Ref: 058/0378

30 June 2020

Glenn and Deanna Blackford  
Blackford's Mechanical and Auto Electrical Pty Ltd  
20 Moreton Bay Street  
ALLINGHAM QLD 4850

*gndblackford@hotmail.com*

Dear Glenn and Deanna

**Decision Notice – Minor Change to Development Permit for Material Change of Use – Low Impact Industry (Motor Vehicle Workshop)**  
*Planning Act 2016*

Receipt of your application deemed to be properly made on Friday 18 May 2020 seeking a change to an existing Development Permit for Material Change of Use – Low Impact Industry (Motor Vehicle Workshop) at 20 Moreton Bay Street Allingham, is acknowledged and its contents noted.

Please be advised that your application was assessed by relevant staff and considered at Council's General Meeting held on Tuesday 30 June 2020.

Council resolved to approve the proposed change, subject to reasonable and relevant conditions which accord generally with the application as made. Council's Decision Notice is attached for your perusal.

This Notice outlines aspects of the development's condition 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 Team Leader, Hayley Roy on 4776 4609 for the necessary assistance.

Yours sincerely



Alan Rayment  
Chief Executive Officer

Encl - Decision Notice



25 Lannercost Street  
INGHAM QLD 4850



PO Box 366 INGHAM QLD 4850  
ABN 46 291 971 168



4776 4600  
4776 3233



council@hinchinbrook.qld.gov.au  
HinchinbrookShireCouncil

30 June 2020

SECTION 83 OF *PLANNING ACT 2016*

## APPLICATION DETAILS

This Decision Notice relates to the below development application:

Application Number	058/0378
Property ID Number	106702
Applicant Details	Glenn and Deanna Blackford Blackford's Mechanical and Auto Electrical Pty Ltd 20 Moreton Bay Street ALLINGHAM QLD 4850
Owner Details	Glenn Anthony Blackford 20 Moreton Bay Street ALLINGHAM QLD 4850
Property Description	20 Moreton Bay Street, Allingham Lot 9 on SP197647
Proposal	Material Change of Use – Low Impact Industry (Motor Vehicle Workshop)
Level of Assessment	Impact 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	Original Decision Date – 24 February 2015 Minor Change Decision Date – 31 January 2017
Decision Type	Development Permit
Planning Instrument	<i>Hinchinbrook Shire Planning Scheme 2017</i>
Deemed Approval	This Development Permit is not a deemed approval under Section 64 of the <i>Planning Act 2016</i> .



<p><b>Submissions</b></p>	<p>There were five (5) properly made submissions and one (1) not properly made submission about the original development application.</p> <p>Luke and Kylee Rosenberger 3 Mahogany Drive ALLINGHAM QLD 4850</p> <p>Henryka Cieslinski 31 Corck Avenue ANDREWS FARM SA 5114</p> <p>John Leonard PO Box 10988 KALGOORLIE WA 6433</p> <p>Lorence and Jessica Neitz 22 Mahogany Drive ALLINGHAM QLD 4850</p> <p>Dawn Macdonald and Ian Stirling 9 Bellbird Close ALLINGHAM QLD 4850</p>
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## 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.

## PROPERTY NOTES

Not applicable.

## FURTHER APPROVALS REQUIRED

The following further approvals are required to undertake this approved development:

1. A Development Permit for building works is required prior to works commencing on-site.

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 adopted infrastructure charges notice will not be issued for this minor change to the development approval.

## **RIGHTS TO 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 Section 85 of the *Planning Act 2016*, the development approval will lapse six years after the approval starts to have effect, unless otherwise conditioned.

## **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 Team Leader, Hayley Roy on 4776 4609 for necessary assistance.

Yours sincerely



Electronic

George Milford  
Planning Consultant

CONDITION		TIMING						
1.	<p><b>Approved Plans</b> <del>The development must operate within the existing shed, in accordance with plans submitted with the development application on 22 January 2015.</del></p> <p>1.1 The development and use of the site is to be generally in accordance with the following plans that are to be the Approved Plans of Development, except as altered by any other condition of approval; and</p> <table><tr><th>Plan / Document Name</th><th>Number</th><th>Date</th></tr><tr><td>Floor Plan &amp; Elevations prepared by NQ Garages and More</td><td>10894</td><td>Received on 28/05/20</td></tr></table> <p>1.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plan and documents, the conditions of approval prevail.</p>	Plan / Document Name	Number	Date	Floor Plan & Elevations prepared by NQ Garages and More	10894	Received on 28/05/20	At all times.
Plan / Document Name	Number	Date						
Floor Plan & Elevations prepared by NQ Garages and More	10894	Received on 28/05/20						
2.	<p><b>Scale of Development</b> The development must operate at a residential scale and in particular:</p> <p>2.1 The use must be contained within the existing 16m x 10m shed; <del>The expansion of the shed by an additional 10m x 4m is permissible, recognising it is for storage not associated with the business.</del></p> <p>2.2 The additional 5m x 10m bay on the western side of the existing shed must only be used for personal storage not associated with the approved low impact industry use;</p> <p>2.3 The additional 5m x 10m open awning on the eastern side of the existing shed must only be used for the storage of personal vehicles not associated with the approved low impact industry use; and</p> <p>2.4 The additional 5m x 10m open awning on the eastern side of the existing shed must remain open and unenclosed.</p>	At all times.						
3.	<p><b>Operations</b></p> <p>3.1 Hours of operation: 7am – 5pm Monday to Saturday;</p> <p>3.2 Staff: the applicant and one (1) employee; and</p> <p>3.3 Number of clients must not exceed an average of three (3) customers per day, recognising that vehicles may be on site for several days waiting for parts.</p>	At all times.						
4.	<p><b>Noise</b> All repairs shall be undertaken inside the shed and air compressors and similar machinery shall be baffled to reduce noise levels outside the shed. Noise levels and vibration from commercial development are to be maintained within acceptable limits that do not affect the safety or amenity of residents of any adjacent properties.</p>	At all times.						



CONDITION	TIMING
<p><b>5. Vehicle Access and Storage</b> The bitumen sealed driveway to the site shall be maintained and vehicles are stored on-site are not to be visible from the street.</p>	At all times.
<p><b>6. Signage and Lighting</b></p> <p>6.1 Signage (if erected) shall be limited to one sign not exceeding 2m<sup>2</sup> (e.g. 1m x 2m or similar dimensions) on the premises; and</p> <p>6.2 Lighting: The operation of the activity does not cause undue disturbance to any person, activity or fauna because of the light it emits.</p>	At all times.
<p><b>7. Equipment Maintenance</b> Equipment Maintenance: The washing of vehicles and other plant on the development site is dealt with in a manner which:</p> <p>(i) does not preclude the reuse of, or the extra treatment of, runoff water to allow its reuse on the site; and</p> <p>(ii) does not result in the discharge of contaminants into the environment.</p>	At all times.
<p><b>8. Workshop</b> Workshop facilities:</p> <p>(i) The workshop's painted concrete floors shall be maintained;</p> <p>(ii) The workshop is to maintain spill kits to contain spills and prevent seepage;</p> <p>(iii) Adequate provision shall be made for the retention of waste oils and automotive lubricants and disposal of trade waste in a manner which prevents the discharge of contaminants into the water table to the satisfaction of the Chief Executive Officer;</p> <p>(iv) All fuels, oils, fluids, lubricants, solvents, batteries or other products that may cause contamination shall be stored in a covered area, on an impervious surface designed to prevent spillage seepage into the environment; and</p> <p>(v) Any land directly or indirectly contaminated as a result of the activities conducted on site shall be remediated to a state resembling or improving upon the condition of the site prior to the activity commencing.</p>	At all times.
<p><b>9. Scale</b> Should the business expand beyond the currently approved scale, the use shall be relocated from the residential area to an appropriately zoned or appropriately located area.</p>	At all times.

#### Advice

That aspect of mechanical/ auto-electrical business that is conducted off-site (i.e. contracts to mines and mobile/ field service) does not require approval and can continue to operate

Building For:  
**GLEN & DI BLACKFORD**  
20 MORTON BAY STREET ALLINGHAM QLD  
Job Number: 10394  
Produced by:  
**NQ Garages and Sheds**  
Phone: 07 47772884

**APPROVED PLAN**  
This plan has been assessed  
and approved (subject to  
conditions) by Hinchinbrook  
Shire Council.  
  
058/0378  
30 June 2020

