

Your Ref: DA132-19  
Our Ref: BE:AG MCU19\0004

27 May 2020

Dino Donadel  
c/- BNC Planning Pty Ltd  
PO Box 5493  
TOWNSVILLE QLD 4810

[bnc@bncplanning.com.au](mailto:bnc@bncplanning.com.au)

Dear Benjamin

**Decision Notice – Minor Change to Development Permit (Material Change of Use – Veterinary Services)**  
*Planning Act 2016*

Receipt of your application deemed to be properly made on Friday 8 May 2020 seeking a change to an existing Development Permit for Material Change of Use (Veterinary Services) at 65-69 Herbert Street Ingham, is acknowledged and its contents noted.

Your application was assessed by relevant staff and considered at Council's General Meeting held on Tuesday 26 May 2020.

Council resolved to approve the proposed development, subject to reasonable and relevant conditions which accord generally with the application as made. Council's Decision Notice and Amended Infrastructure Charges Notice are attached for you 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.

Please note this approval will lapse in six years' time on Tuesday 26 May 2026 if it is not acted upon.

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



Alan Rayment  
Chief Executive Officer

Encl - Decision Notice  
Amended Infrastructure Charges 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](mailto:council@hinchinbrook.qld.gov.au)  
HinchinbrookShireCouncil



27 May 2020

# DECISION NOTICE – MINOR CHANGE

## SECTION 83 OF PLANNING ACT 2016

### APPLICATION DETAILS

This Decision Notice relates to the below development application:

Application Number	MCU19\0004
Property ID Number	105842
Applicant Details	Dino Donadel c/- BNC Planning PO Box 5493 TOWNSVILLE QLD 4810
Owner Details	Dino Donadel, Alfina Donadel, Giancarlo Donadel and Jamie Donadel PO Box 545 INGHAM QLD 4850
Property Description	65-69 Herbert Street Ingham Lot 1 on RP722007
Proposal	Material Change of Use (Veterinary Services)
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 <b>approved</b> subject to conditions.
Decision Date	Original Decision Date – 25 February 2020 Minor Change Decision Date – 26 May 2020
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> .
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) impose them.

## Referral Agencies

Department of State Development, Manufacturing, Infrastructure and Planning  
North and North West Regional Office  
PO Box 5666  
TOWNSVILLE QLD 4810

Pursuant to the *Planning Act 2016*, a copy of any relevant Referral Agency Response is attached.

## 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 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 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 Support Officer, Aimee Godfrey on 4776 4658 for necessary assistance.

Yours sincerely



Electronic

George Milford  
Planning Consultant

## SCHEDULE OF CONDITIONS

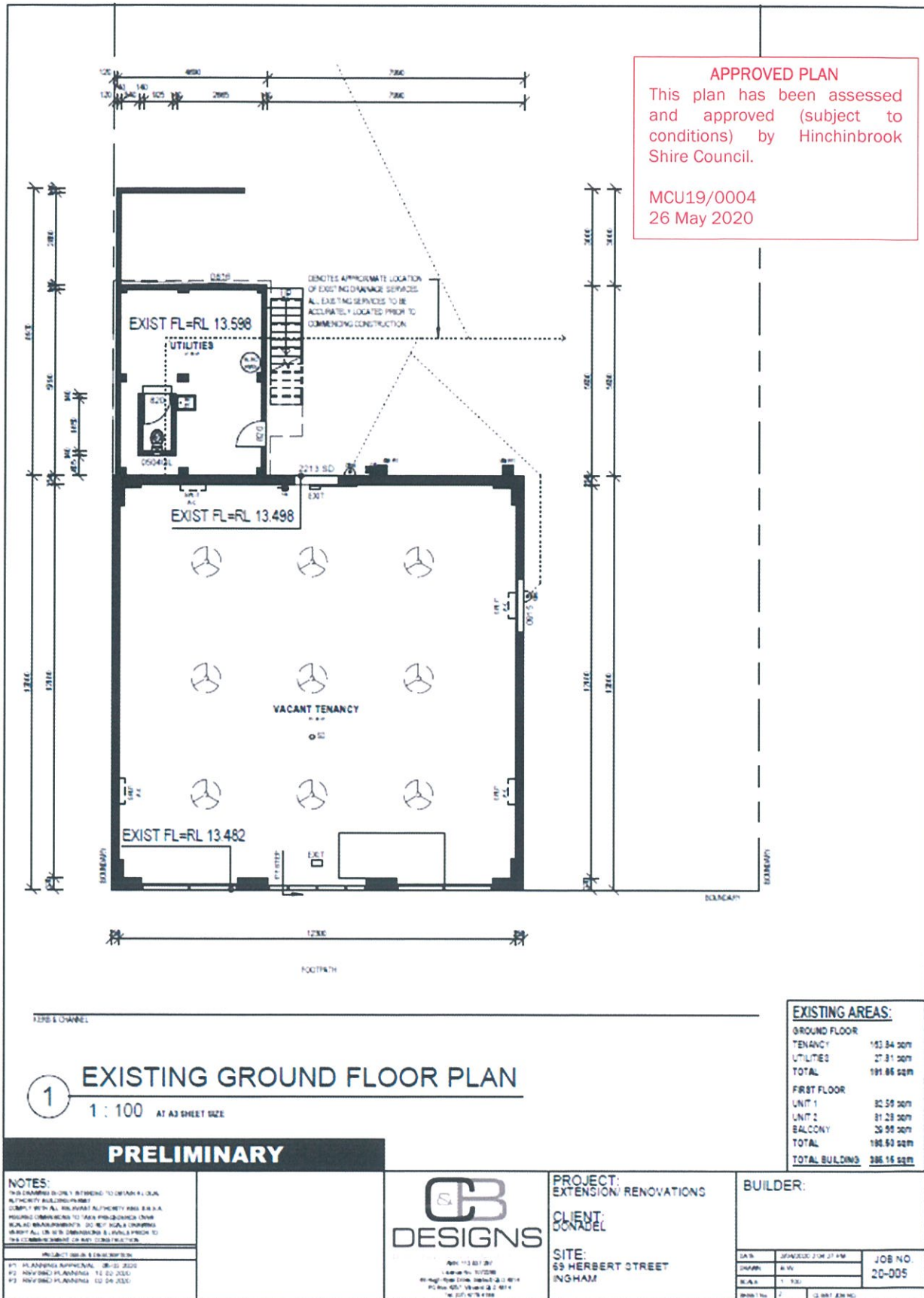
CONDITION		TIMING																																							
1.	<p><b>Administration</b></p> <p>The applicant is responsible to carry out the approved development and comply with relevant requirements in accordance with:</p> <p>1.1 The specifications, facts and circumstances as set out in the application submitted to Council, including recommendations and findings confirmed within relevant technical reports;</p> <p>1.2 The development must unless stated, be designed, constructed and maintained in accordance with relevant Council policies, guidelines and standards; and</p> <p>1.3 The conditions of approval, the requirements of Council's Planning Scheme and best practice engineering.</p>	At all times.																																							
2.	<p><b>Approved Plans</b></p> <p>2.1 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 border="1"> <thead> <tr> <th>Plan / Document Name</th><th>Number</th><th>Date</th></tr> </thead> <tbody> <tr> <td>Site Plan</td><td>20-005 Sheet 1</td><td><del>10/02/2020</del> 2/04/2020</td></tr> <tr> <td>Existing Ground Floor Plan</td><td>20-005 Sheet 2</td><td><del>10/02/2020</del> 2/04/2020</td></tr> <tr> <td>Existing First Floor Plan</td><td>20-005 Sheet 3</td><td><del>10/02/2020</del> 2/04/2020</td></tr> <tr> <td>Existing Elevation 1 and 2</td><td>20-005 Sheet 4</td><td><del>10/02/2020</del> 2/04/2020</td></tr> <tr> <td>Existing Elevation 3 and 4</td><td>20-005 Sheet 5</td><td><del>10/02/2020</del> 2/04/2020</td></tr> <tr> <td>Existing Ground Floor Ceiling Plan</td><td>20-005 Sheet 6</td><td><del>10/02/2020</del> 2/04/2020</td></tr> <tr> <td>Proposed Ground Floor Plan</td><td>20-005 Sheet 7</td><td><del>10/02/2020</del> 2/04/2020</td></tr> <tr> <td>Proposed First Floor Plan</td><td>20-005 Sheet 8</td><td><del>10/02/2020</del> 2/04/2020</td></tr> <tr> <td>Proposed Elevation 1 and 2</td><td>20-005 Sheet 9</td><td><del>10/02/2020</del> 2/04/2020</td></tr> <tr> <td>Proposed Elevation 3 and 4</td><td>20-005 Sheet 10</td><td><del>10/02/2020</del> 2/04/2020</td></tr> <tr> <td>Front 3D 1 and 2</td><td>20-005 Sheet 11</td><td><del>10/02/2020</del> 2/04/2020</td></tr> <tr> <td>Rear 3D 1 and 2</td><td>20-005 Sheet 12</td><td><del>10/02/2020</del> 2/04/2020</td></tr> </tbody> </table> <p>2.2 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	Site Plan	20-005 Sheet 1	<del>10/02/2020</del> 2/04/2020	Existing Ground Floor Plan	20-005 Sheet 2	<del>10/02/2020</del> 2/04/2020	Existing First Floor Plan	20-005 Sheet 3	<del>10/02/2020</del> 2/04/2020	Existing Elevation 1 and 2	20-005 Sheet 4	<del>10/02/2020</del> 2/04/2020	Existing Elevation 3 and 4	20-005 Sheet 5	<del>10/02/2020</del> 2/04/2020	Existing Ground Floor Ceiling Plan	20-005 Sheet 6	<del>10/02/2020</del> 2/04/2020	Proposed Ground Floor Plan	20-005 Sheet 7	<del>10/02/2020</del> 2/04/2020	Proposed First Floor Plan	20-005 Sheet 8	<del>10/02/2020</del> 2/04/2020	Proposed Elevation 1 and 2	20-005 Sheet 9	<del>10/02/2020</del> 2/04/2020	Proposed Elevation 3 and 4	20-005 Sheet 10	<del>10/02/2020</del> 2/04/2020	Front 3D 1 and 2	20-005 Sheet 11	<del>10/02/2020</del> 2/04/2020	Rear 3D 1 and 2	20-005 Sheet 12	<del>10/02/2020</del> 2/04/2020	At all times.
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3.	<p><b>Veterinary Services Operation</b></p> <p>3.1 The approved operating hours for the use are between the hours of 8:00am to 5:00pm from Monday to Friday.</p> <p>3.2 The approved operating hours for the use are between the hours of 9:00am to 12:00pm on a Saturday.</p>	At all times.																																							



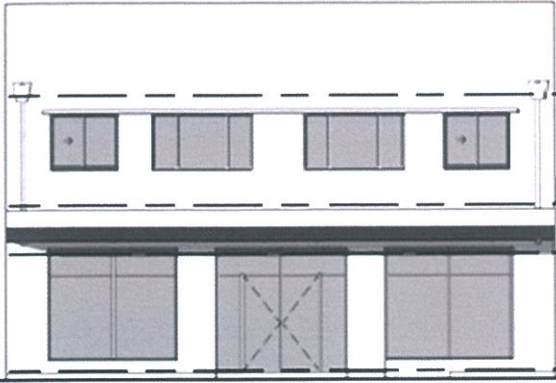


CONDITION	TIMING
<p>3.3 The use may operate outside of the approved operating hours only in the event of an emergency.</p> <p>3.4 A maximum of six employees may operate at the use during the approved operating hours.</p> <p>3.5 A maximum of one employee may operate at the use outside of the approved operating hours in the event overnight care of an animal is required.</p> <p>3.6 A maximum of three employees may operate at the use outside of the approved operating hours during emergency operating hours.</p>	
<p><b>4. Outdoor Area</b></p> <p>4.1 The grassed outdoor area may only be utilised for animal treatment during the approved operating hours.</p> <p>4.2 A one metre landscape strip must be provided around the perimeter of the grassed landscape area and must comprise of species that screen the adjoining properties at Lot 9 on RP702598, Lot 10 on RP702598, Lot 2 on RP722007 and Lot 1 on RP721505. Landscaping must include species appropriate for the area and able to achieve a minimum height of 1.5 metres.</p> <p>4.3 The grassed outdoor area must be maintained in a clean and tidy state at all times and to the satisfaction of Council.</p>	<p>Prior to the commencement of use and maintained at all times.</p>
<p><b>5. Waste Disposal</b></p> <p>Any animal or putrescent waste must be suitably stored to ensure no emission of odour from the land and must be suitably disposed of to the satisfaction of the Council.</p>	<p>Prior to the commencement of use and maintained at all times.</p>
<p><b>6. Stormwater</b></p> <p>All stormwater from the property must be directed to a lawful point of discharge or follow natural overland flow paths, such that it does not adversely affect surrounding properties or properties downstream from the development in accordance with Part 9.4.1.3 Infrastructure, Services and Works Code of the <i>Hinchinbrook Shire Planning Scheme 2017</i>.</p>	<p>At all times.</p>
<p><b>7. Damage to Infrastructure</b></p> <p>In the event that any part of Council's infrastructure is damaged as a result of work associated with the development, Council must be notified immediately of the affected infrastructure and have it repaired or replaced by Council, at no cost to Council.</p>	<p>At all times.</p>
<p><b>8. Car Parking and Vehicle Manoeuvring Areas</b></p> <p>A minimum of nine on-site car parking spaces are to be provided on the premises and associated with the use. One car park is to be allocated for persons with a disability. All access and vehicle manoeuvring areas are to be designed and provided in accordance with Australian Standard 2890 – Parking Facilities.</p>	<p>Prior to the commencement of the use and maintained at all times.</p>
<p><b>9. Infrastructure Services</b></p> <p>9.1 The use must maintain connection to Council's reticulated water and sewerage networks.</p> <p>9.2 The use must maintain connection to the reticulated electricity network and telecommunication services.</p>	<p>At all times.</p>









		<b>F.F. CEILING HT.</b> 6.450 m <b>FIRST FLOOR PLAN</b> 3.860 m <b>G.F. CEILING HT.</b> 2.740 m <b>BALCONY FLOOR LEVEL</b> 2.751 m <b>GROUND FLOOR PLAN</b> 0.000 m <b>FOOTPATH LEVEL</b> -0.175 m											
<b>1 EXISTING ELEVATION 1</b> 1 : 100 AT A3 SHEET SIZE													
<div style="border: 1px solid red; padding: 10px; color: red;"> <p><b>APPROVED PLAN</b></p> <p>This plan has been assessed and approved (subject to conditions) by Hinchinbrook Shire Council.</p> <p>MCU19/0004 26 May 2020</p> </div>													
													
<b>2 EXISTING ELEVATION 2</b> 1 : 100 AT A3 SHEET SIZE													
<b>PRELIMINARY</b>													
<b>NOTES:</b> THIS DOCUMENT IS ONLY MEANT TO BE USED IN CONJUNCTION WITH THE LOCAL AUTHORITY BUILDING PERMIT. COMPLIANCE WITH ALL RELEVANT AUTHORITY RULES & REGULATIONS IS THE RESPONSIBILITY OF THE BUILDING OWNER. VERIFY ALL IN SITU CONDITIONS & LEVELS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.	 ARCHITECTS 40/110 ST. ST. LAKEVIEW VIC 3026 03 9478 1000 03 9478 1001	<b>PROJECT:</b> EXTENSION/ RENOVATIONS <b>CLIENT:</b> DONADEL <b>SITE:</b> 59 HERBERT STREET INGHAM											
<b>BUILDER:</b> <table border="1"> <tr> <td>DATE:</td> <td>26/05/2020</td> <td rowspan="2">JOB NO. 20-005</td> </tr> <tr> <td>DESIGNER:</td> <td>CB</td> </tr> <tr> <td>SCALE:</td> <td>1 : 100</td> <td></td> </tr> <tr> <td>SHEET NO.</td> <td>1</td> <td></td> </tr> </table>	DATE:	26/05/2020	JOB NO. 20-005	DESIGNER:	CB	SCALE:	1 : 100		SHEET NO.	1			
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27 May 2020

# AMENDED INFRASTRUCTURE CHARGES NOTICE

SECTION 119 OF PLANNING ACT 2016

## APPLICATION DETAILS

This Infrastructure Charges Notice relates to the below development application:

Application Number	MCU19\0004
Property ID Number	105842
Applicant Details	Dino Donadel C/- BNC Planning PO Box 5493 TOWNSVILLE QLD 4810
Owner Details	Dino Donadel, Alfina Donadel, Ginacarlo Donadel and Jamie Donadel PO Box 545 INGHAM QLD 4850
Property Description	65-69 Herbert Street, INGHAM QLD 4850 Lot 1 on RP722007
Proposal	Material Change of Use – Veterinary Services
Level of Assessment	Code assessment
Approval Date	26 May 2020

## APPLICABLE INFRASTRUCTURE CHARGE

The applicable infrastructure charge has been calculated in accordance with Hinchinbrook Shire Council's *Adopted Infrastructure Charges Resolution CR1-2018* and makes allowances for any imposed waiver or dispensation issued by the relevant authority.

LEVIED CHARGE	\$5,190.00 + annual adjustments and/or reviews
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## PAYMENT DETAILS

The adopted infrastructure charge must be made to Hinchinbrook Shire Council prior to the commencement of use or local government endorsement of a survey plan.

Payment can be made in person at Council's main office, 25 Lannercost Street, INGHAM QLD, or via post PO Box 366, INGHAM QLD 4850.



## ADJUSTMENTS TO THE CHARGE

The amount of the levied charge will be recalculated at time of payment using the adopted infrastructure charges stated in the resolution in use at that time.

## GOODS AND SERVICES TAX (GST)

The federal government has determined that rates and utility charges levied by local government will be GST free. Accordingly, no GST is included in this Infrastructure Charges Notice.

## FAILURE TO PAY

An infrastructure charge levied by a local government is, for the purposes of recovery, taken to be a rate within the meaning of the *Local Government Act 2009*. Compound annual interest at 10% calculated daily is to be applied to an overdue charge.

## APPEAL RIGHTS

You may appeal against any matter stated in the adopted infrastructure charges notice.

Under the provisions of the Planning Act 2016, the Applicant may –

- i. Make representation to Council to discuss the adopted infrastructure charges notice by contacting Council's Chief Executive Officer. You must make these representations within twenty (20) business days after the day you receive this notice. If Council alters the decision, you will be given a 'negotiated adopted infrastructure charges notice'; or
- ii. Appeal to the Planning and Environment Court or Development Tribunal.

Chapter 6, Part 1 and Part 2 of the *Planning Act 2016* detail appeal rights afforded to the Applicant to the Planning and Environment Court or Development Tribunal.

## AMENDED INFRASTRUCTURE CHARGES CALCULATION

The applicable infrastructure charge has been calculated in accordance with Hinchinbrook Shire Council's *Adopted Infrastructure Charges Resolution CR1-2018*.

Detail of the calculated infrastructure charge is as reflected hereunder.

APPLICABLE NETWORKS	
Network	Provided to Subject Land
Water supply	Yes
Sewerage	Yes
Transport	Yes
Stormwater	Yes
Public parks and community facilities*	-

\*Not applicable to non-residential development.

PROPOSED LAND USE						
Charge Category	Unit of Measure	Unit Quantity	Network Quantity	Adopted Rate	Network Adjustment	Applicable Charge
Essential services (Vet. services)	GFA	264	4	\$45.00/ m <sup>2</sup>	-	\$11,880.00
Stormwater network	Impervious area	195	-	\$10/ m <sup>2</sup>	-	\$1,950.00

CREDIT LAND USE						
Charge Category	Unit of Measure	Unit Quantity	Network Quantity	Adopted Rate	Network Adjustment	Applicable Credit
Essential services (Health care services)	GFA	192	4	\$45.00/ m <sup>2</sup>	-	\$8,640.00

LEVIED CHARGE		
Total Applicable Charge	Total Applicable Credit	Net Levied Charge
\$13,830.00	\$8,640.00	\$5,190.00