

Your Ref: Material Change of Use - Dwelling House Our Ref: PC:AG MCU21\0004

28 July 2021

Mr Rodney Byl New Wave Housing & Construction c/- The Building Approval Company PO Box 74 REDLYNCH QLD 4870

rbyl@tbac.com.au

Dear Mr Byl

**Decision Notice** Material Change of Use - Dwelling House Amos Road, Coolbie - Lot 4 on SP284274 Planning Act 2016

Receipt of your application deemed to be properly made on Wednesday 19 May 2021 seeking a Development Permit for Material Change of Use - Dwelling House at Amos Road Coolbie, is acknowledged and its contents noted.

Your application was assessed by relevant staff and considered by Council at its General Meeting held on Tuesday 27 July 2021.

Council resolved to approve the proposed application, 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 Support Officer, Aimee Godfrey on 4776 4658 for the necessary assistance.

Yours sincerely

Kelvin Tytherleigh Chief Executive Officer

Encl - Decision Notice













28 July 2021

## SECTION 83 OF PLANNING ACT 2016

APPLICATION DETAILS  This Decision Notice relates to the below Development Application:				
Application Number	MCU21\0004			
Property ID Number	105242			
Applicant Details	Rodney Byl New Wave Housing & Construction c/- The Building Approval Company PO Box 74 REDLYNCH QLD 4870			
Owner Details	Rodney Cronin and Susan Connolly 4 Amos Road COOLBIE QLD 4850			
Property Description	Amos Road, Coolbie Lot 4 on SP284274			
Proposal	Material Change of Use – Dwelling House			
Level of Assessment	Code Assessment			

<b>DECISION</b> 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 <i>Planning Act 2016</i> :				
Decision	The application was <b>approved</b> subject to conditions.			
Decision Date	27 July 2021			
Decision Type	Type Development Permit			
Assessment Instrument	Hinchinbrook Shire Planning Scheme 2017			
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 Conditions of Approval. 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**

Not Applicable.

Infrastructure charges do not apply for this development proposal.

### **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 the necessary assistance.



## **CONDITIONS OF APPROVAL**

MCU21\0004

CON	DITION			CALCULATION AND A	TIMING
1.	The a	nistration applicant is responsible to carry or oly with relevant requirements in ac	evelopment and	At all times.	
	1.1	The specifications, facts and capplication submitted to Council findings confirmed within relevant			
	1.2	The development must unless stamaintained in accordance with reand standards; and			
	1.3	The conditions of approval, the re Scheme and best practice engine			
2.	Appro 2.1	oved Plans The development and use of the something plans that an Development, except as altered I and	At all times.		
		Plan / Document Name	Number	Date	
		Site Plan	069 - WD2 D	06/02/2020	
		Ground Floor Plan	069 - WD3 B	06/02/2020	
		Elevations	069 – WD4 B	06/02/2020	
	2.2	Where there is any conflict between and the details shown on the acconditions of Approval prevail.			
3.	Build	ling Approval			
	3.1	The Class 1a structure requires a Work. The Applicant is to seek an approvals to be issued by a quali	nd comply with all	relevant building	Prior to construction works
	3.2	No other habitable structures a without obtaining the necessary 2016 and Hinchinbrook Shire Pla	commencing and at all times.		
4.	Infra 4.1	structure Services The development must be provide no cost to Council;	Prior to commencement of use and maintained at all times.		
	4.2	The development must be provide system contained wholly within Council; and			
	4.3	The development must be provide cost to Council.			
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This Development Permit does not approve any native vegetation clearing that is not exempt clearing works provided for under Schedule 21 of the Planning Regulation 2017. Any native vegetation clearing that is deemed Assessable Development pursuant to Schedule 8, Table 4 of the Planning Regulation 2017 is to be obtained independent of this Development Permit.

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Hinchinbrook Shire Council.

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2 Site Plan

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SITE PLAN Crystal Creek, Old, 4816. Proposed New House At: Lot 4 Amos Poad,

For: Cronin & Connolly.

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Utoper Barron, Via Atharton, 4883. P.O. Box 1420 Atharton, 4883. tabphons 07 40950248 addan@ownhomads.sgn.com.au Adrian Gallo Llc. No. 065385 9137 Kennody Highway, DESIGN HOME

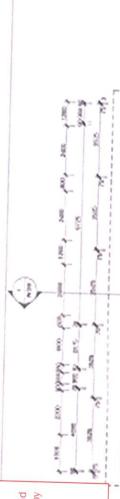
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Page 6 of 8

# APPROVED PLAN

This plan has been assessed and approved (subject to conditions) by Hinchinbrook Shire Council.

MCU21\0004 27 July 2021



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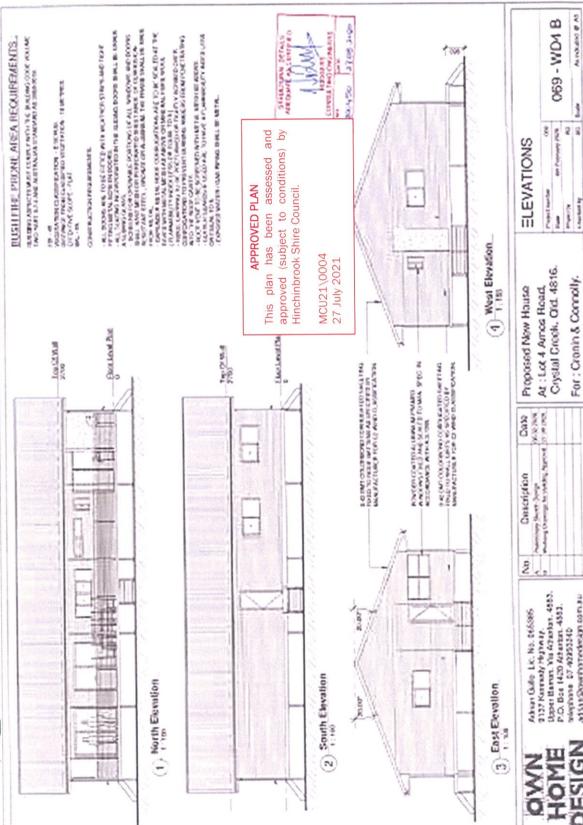
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