

From: Amy Andersen
Sent: Wed, 7 Apr 2021 15:04:39 +1000
To: approvals@rapidapprovals.com.au
Subject: Decision Notice - MCU for Dwelling House at Bruce Highway Coolbie being Lot 1 on RP749540
Attachments: MCU for Dwelling House at Bruce Highway Coolbie.pdf

Good Afternoon,

Please find attached the Decision Notice relating to Material Change of Use for Dwelling House at Bruce Highway Coolbie being Lot 1 on RP749540.

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

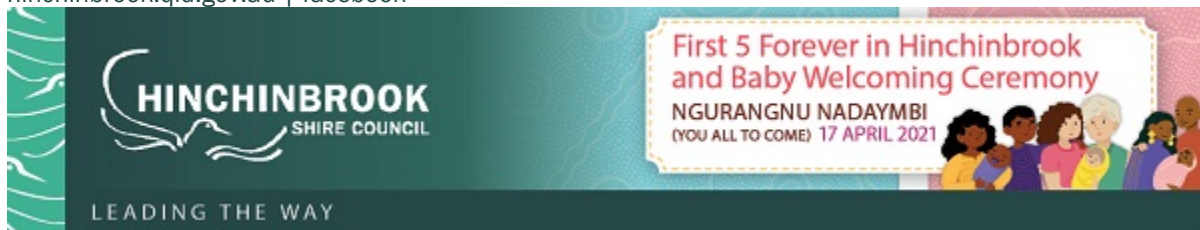
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- Hinchinbrook Shire Council

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Your Ref: Material Change of Use – Dwelling House
Our Ref: PC:AG MCU20\0002

1 April 2021

Mr Ryan Bird
Rapid Building Approvals
Level 1
112 Denham Street
TOWNSVILLE QLD 4810

approvals@rapidapprovals.com.au

Dear Mr Bird

Decision Notice
Material Change of Use for Dwelling House
Bruce Highway Coolbie – Lot 1 on RP749540
Planning Act 2016

Receipt of your application deemed to be properly made on Wednesday 24 February 2021 seeking a Development Permit for Material Change of Use – Dwelling House at Bruce Highway 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 30 March 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



25 Lannercost Street
INGHAM QLD 4850



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HinchinbrookShireCouncil

1 April 2021

SECTION 83 OF PLANNING ACT 2016

APPLICATION DETAILS

This Decision Notice relates to the below development application:

Application Number	MCU21\0002
Property ID Number	106671
Applicant Details	Ryan Bird Rapid Building Approvals Level 1 112 Denham Street TOWNSVILLE QLD 4810
Owner Details	Michael Bannister PO Box 20 ROLLINGSTONE QLD 4816
Property Description	Bruce Highway Coolbie Lot 1 on RP749540
Proposal	Material Change of Use – Dwelling House
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

Not Applicable.

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.

CONDITION		TIMING						
1.	<p>Administration</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>Approved Plans</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>Steel Framed Shed Home – Site Plan</td><td>200819-04</td><td>02/02/21</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	Steel Framed Shed Home – Site Plan	200819-04	02/02/21	At all times.
Plan / Document Name	Number	Date						
Steel Framed Shed Home – Site Plan	200819-04	02/02/21						
3.	<p>Building Approval</p> <p>3.1 The Class 1a structure requires a Development Permit for Building Work. The applicant is to seek and comply with all relevant building approvals to be issued by a qualified Building Certifier.</p> <p>3.2 No other habitable structures are permitted on the subject land without obtaining the necessary approvals under the <i>Planning Act 2016</i> and <i>Hinchinbrook Shire Planning Scheme 2017</i>.</p>	Prior to construction works commencing and at all times.						

