

Your Ref: 200263
Our Ref: BE:HR RC20/0005

30 June 2020

Geoff Hansen
Hansen Surveys Pty Ltd
27 Palm Terrace
INGHAM QLD 4850

gehansen@iprimus.com.au

Dear Geoff

Decision Notice –Reconfiguring a Lot for Boundary Realignment (Two Lots into Two Lots)
Planning Act 2016

Receipt of your application on 2 June 2020 seeking a Development Permit for Reconfiguring a Lot to facilitate a boundary realignment at Pandanus and Bottlebrush Streets 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 development, 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 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



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INGHAM QLD 4850



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HinchinbrookShireCouncil

30 June 2020

SECTION 63 OF PLANNING ACT 2016
APPLICATION DETAILS

This Decision Notice relates to the below development application:

Application Number	RC20/0005	
Property ID Number	103187 and 107520	
Applicant Details	Geoff Hansen Hansen Surveys Pty Ltd 27 Palm Terrace Ingham QLD 4850	
Owner Details	Peter Poppi and Yolanda Poppi PO Box 927 Ingham QLD 4850	Patricia Lahtinen as Trustee The Lahtinen Property Trust 3 Gardiner Street Ingham QLD 4850
Property Description	23 Bottlebrush Street, Allingham Lot 17 on RP857758 28-30 Pandanus Street, Allingham Lot 30 on RP255366	
Proposal	Reconfiguring a Lot – Boundary Realignment (Two Lots into Two Lots)	
Level of Assessment	Code Assessable	

DECISION

Development assessment, as per the provisions of the Planning Act 2016, has been undertaken. The information below outlines the specifics of any approval or refusal issued by the Assessment Manager

Decision	The application was approved subject to conditions.
Decision Date	30 June 2020
Decision Type	Development Permit
Planning Instrument	<i>Hinchinbrook Shire Planning Scheme 2017</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.

PROPERTY NOTES

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.

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 four (4) 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 the Decision Notice, please contact Council's Built Environment Team Leader, Hayley Roy on 4776 4609 for the necessary advice.

Yours sincerely



Electronic

George Milford
Planning Consultant

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><tr><th>Plan / Document Name</th><th>Number</th><th>Date</th></tr><tr><td>Proposed Reconfiguration prepared by Hansen Surveys</td><td>200263 Rev A</td><td>June 2020</td></tr></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	Proposed Reconfiguration prepared by Hansen Surveys	200263 Rev A	June 2020	At all times.
Plan / Document Name	Number	Date						
Proposed Reconfiguration prepared by Hansen Surveys	200263 Rev A	June 2020						
3.	<p>Access</p> <p>Access to each lot must be provided and maintained to Council standards and where any works is required within the road reserve, a road work permit must be obtained.</p>	At all times and prior to Council’s endorsement of the formal survey plan.						
4.	<p>Water Supply</p> <p>Each lot must be connected to Council’s reticulated water network at no cost to Council.</p>	At all times and prior to Council’s endorsement of the formal survey plan.						



<p>5. On-site Wastewater Treatment System</p> <p>5.1 Each lot must be serviced by an on-site wastewater treatment system in accordance with ASNZ 1547 On-site Domestic Wastewater Management (as amended) associated with any future works on the land.</p> <p>5.2 Prospective purchasers of each lot must be notified of the requirement for the establishment of an on-site wastewater treatment system.</p>	<p>Prior to obtaining a building permit or sale of a lot.</p>
<p>6. Electricity and Telecommunications</p> <p>6.1 Each lot must be serviced by electricity and telecommunication services.</p> <p>6.2 The connection to each lot is to be achieved prior to Council's endorsement of the survey plan or suitable evidence provided demonstrating that connection to electricity and telecommunication services can be achieved.</p>	<p>At all times and prior to Council's endorsement of the survey plan.</p>
<p>7. Existing Services</p> <p>Written confirmation of the location of any existing services for the land must be provided by either the applicant or licensed surveyor. In any instance where existing services to be contained within the respective lot or within a reciprocal services easement.</p>	<p>Prior to Council's endorsement of the formal survey plan.</p>
<p>8. Damage to Infrastructure</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>9. Stormwater</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>10. Relocation of Utilities</p> <p>Any relocation and/or alteration to any public utility installation required as a result of any works carried out in connection with this development must be carried out at no cost to Council.</p>	<p>Prior to Council's endorsement of the formal survey plan.</p>

