

Your Ref: Referral Agency Response Application (Siting Variation)
Our Ref: GM:HR SR20\0001

2 April 2020

WA and CJ Gard
PO Box 155
HALIFAX QLD 4850

cos110451@yahoo.com.au

Dear William and Coral

Referral Agency Response for Siting Variation
Planning Act 2016

Receipt of your application dated 25 February 2020 seeking a referral agency response for design and siting of a proposed open carport is acknowledged and its contents noted.

Please be advised that in accordance with the *Planning Act 2016*, your request was assessed by relevant staff and considered at Council's General Meeting held on Friday 27 March 2020.

Council resolved to approve the proposed application, subject to conditions. Attached is a copy of the Referral Agency Response for the application which outlines the conditions of approval, matters considered in the assessment of the application and the rights that you have to appeal Council's decision, should you wish to do so.

This approval will lapse in two years on 27 March 2022, if it is not acted upon.

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



Alan Rayment
Chief Executive Officer

Encl - Referral Agency Response Decision Notice



25 Lannercost Street
INGHAM QLD 4850



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HinchinbrookShireCouncil

2 April 2020

REFERRAL AGENCY RESPONSE

SECTION 56 OF PLANNING ACT 2016

APPLICATION DETAILS

This Referral Agency Response relates to the below development application:

Application Number	SR20/0001
Property ID Number	100024
Applicant Details	William Arthur Gard Coral Jane Gard PO Box 155 HALIFAX QLD 4850
Owner Details	William Arthur Gard Coral Jane Gard PO Box 155 HALIFAX QLD 4850
Property Description	98 Musgrave Road Halifax Lot 811 on H2841
Proposal	Referral Agency Response (siting Variation) Class 10a Structure within Front Boundary Setback
Referral Trigger	Schedule 9, Part 3, Division 2, Table 3 of <i>Planning Regulation 2017</i> (Design and Siting)

DECISION

The information below outlines the specifics of the Referral Agency Response:

Decision	Hinchinbrook Shire Council as the relevant Referral Agency issues a Referral Agency Response – with Conditions.
Decision Date	27 March 2020
Decision Type	Referral Agency Response
Assessment Instrument	Queensland Development Code MP1.2

Referral Agency Conditions

Hinchinbrook Shire Council, as the relevant Referral Agency, requires that any development approval issued for the proposal is subject to the Referral Agency Conditions stated in this response in accordance with Section 56(1)(b) of the *Planning Act 2016*.

Assessment Manager

Private Certifier to be engaged.

Response Currency Period

Pursuant to Section 54(4) of the *Planning Act 2016*, you will not be required to refer your building work application to Council for a further Referral Agency Response if:

- (a) you submit this Referral Agency Response in its entirety, including all referenced plans and documents, when making the application to the Assessment Manager; and
- (b) there are no changes to the proposal that was presented to Council with this referral; and
- (c) the development application to the Assessment Manager is made within two (2) years of the date of this Referral Agency Response.

Notice about Decision – Statement of Reasons

This Notice is prepared in accordance with Section 56(7) of the *Planning Act 2016* to provide the reasons for the decision made in relation to this Referral Agency Response.

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 assessment benchmarks of the *Queensland Development Code MP1.2*, specifically:

- The proposal is considered to meet, or have the ability to meet the requirements of the relevant Performance Outcome(s) of the *Queensland Development Code MP1.2*; and
- Conditions have been included with the Referral Agency Response to ensure compliance with the *Queensland Development Code MP1.2*.

Should you require any further information or clarification concerning this Referral Agency Response, please contact Council's Built Environment Team Leader, Hayley Roy on 4776 4609 for the necessary advice.

Yours sincerely



Electronic

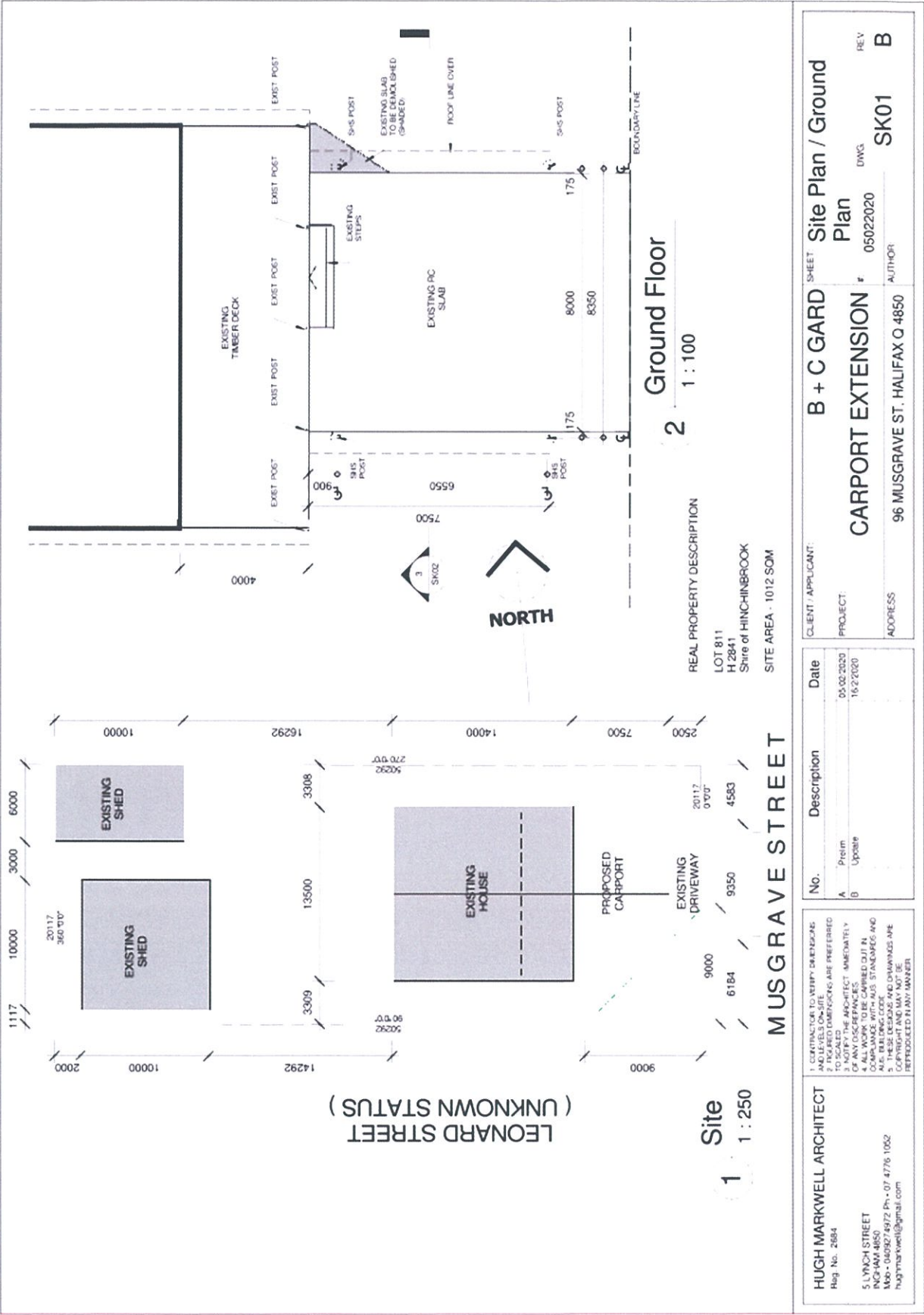
George Milford
Planning Consultant

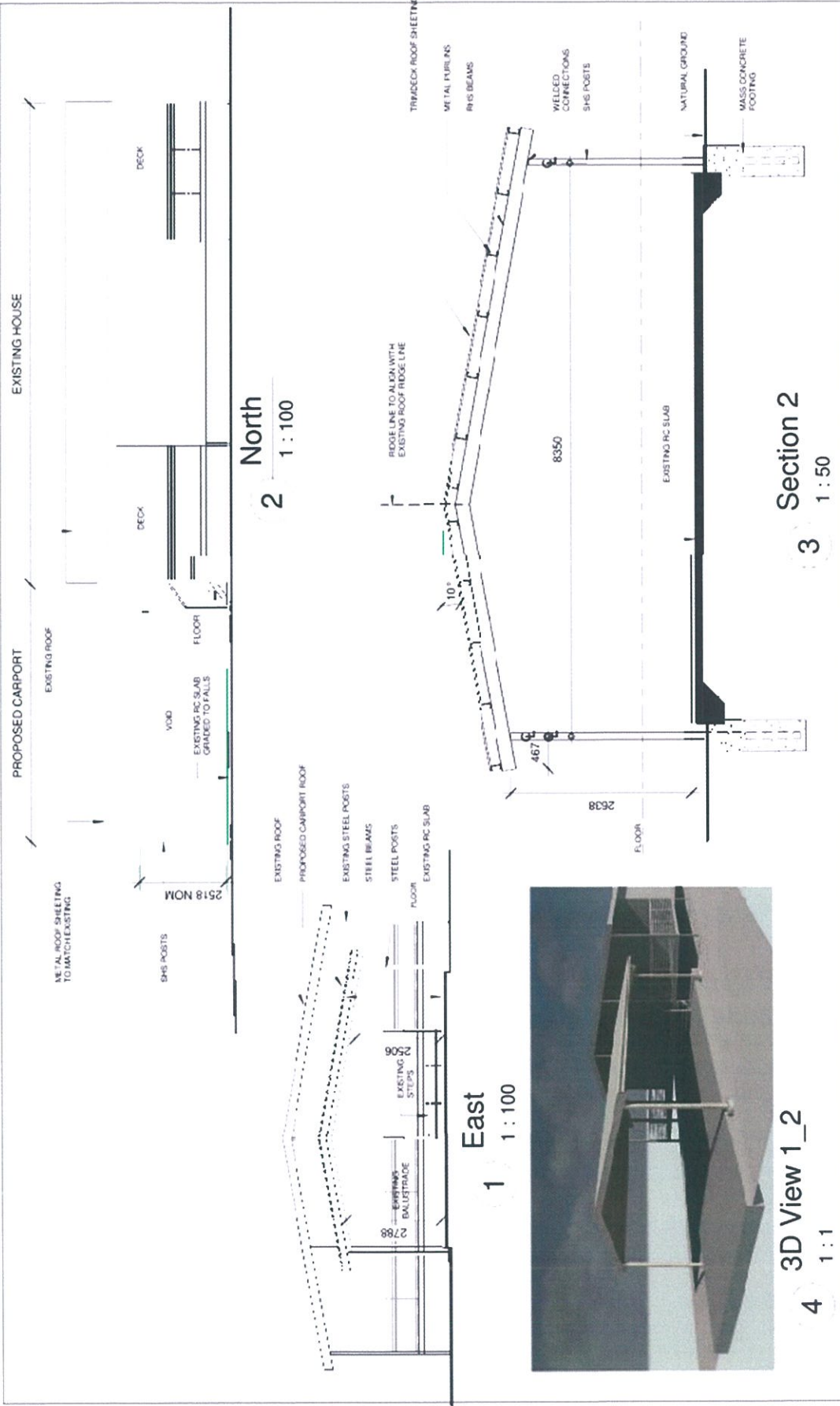
SCHEDULE OF CONDITIONS

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>Site Plan/ Ground Plan prepared by Hugh Markwell Architect</td><td>SK01-B</td><td>16/02/2020</td></tr><tr><td>Elevations and Sections Plan prepared by Hugh Markwell Architect</td><td>SK02-B</td><td>16/02/2020</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	Site Plan/ Ground Plan prepared by Hugh Markwell Architect	SK01-B	16/02/2020	Elevations and Sections Plan prepared by Hugh Markwell Architect	SK02-B	16/02/2020	At all times
Plan / Document Name	Number	Date									
Site Plan/ Ground Plan prepared by Hugh Markwell Architect	SK01-B	16/02/2020									
Elevations and Sections Plan prepared by Hugh Markwell Architect	SK02-B	16/02/2020									
3.	<p>Currency Period</p> <p>The currency period applicable to this approval:</p> <ul style="list-style-type: none">- Design and Siting – Two (2) years from the date of this approval.	As per condition.									
4.	<p>Lawful Point of Discharge</p> <p>4.1 All stormwater from the property must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, all to the requirements and satisfaction of the Chief Executive Officer;</p> <p>4.2 The structure must include guttering which directs stormwater to a legal point of discharge within the confines of the boundary to which the attached dwelling resides; and</p> <p>4.3 Where retaining walls, fences, buildings or other barriers which would cause a 'damaging effect' and produce a concentrated flow at an outfall are constructed, a drainage system is installed to discharge surface water such that it does not adversely affect surrounding properties or properties downstream from the development.</p>	At all times									

CONDITION		TIMING
5. Building		
5.1	The Class 10a structure requires a development permit for building works.	At all times and prior to the issuing of a building permit associated with any new works
5.2	The applicant is to seek and comply with all relevant building approvals to be issued by a qualified Building Certifier.	
5.3	The Class 10a structure requires compliance to relevant Fire Safety regulations as reflected in s3.7.1.6 of the Building Code of Australia (Volume Two), as required.	
6. Construction and Operation	<p>Any construction work associated with this development shall be carried out in accordance with sound engineering practice. In particular, no nuisance is to be caused to adjoining residents by way of smoke, dust, stormwater discharge or siltation of drains, at any time, including non-working hours. Where material is to be carted to or from the site, loads are to be covered to prevent dust or spillage. Where material is spilled or carried onto existing roads, it is to be removed forthwith so as to restrict dust nuisance and ensure traffic safety.</p> <p>Any construction works associated with the access arrangements to the property from the road reserve is subject to a Private works in a road Reserve application and approval.</p>	At all times and prior to the issuing of a building permit associated with any new works
7. Damage to Infrastructure	In the event that any part of Council's existing sewer, water, channel and kerbing, or road infrastructure is damaged as a result of construction activities occurring on the site that is associated with the Class 10a structure, including but not limited to, mobilisation off heavy earthmoving equipment, stripping and grubbing, the applicant/ owner must notify Council immediately of the affected infrastructure and have it repaired or replaced by Council, at the developer's cost.	At all times
8. Open Car Port	The proposed car port must be designed and constructed with open sides.	At all times and prior to the issuing of a building permit associated with any new works

APPROVED PLANS





HUGH MARKWELL ARCHITECT Reg. No. 2684		CLIENT / APPLICANT: B + C GARD		SHEET Elevations and Section	
5 LYNCH STREET INCHAM 4850 MOB - 0409274972 PH - 07 4776 1052 hughmarkwell@gmail.com		PROJECT: CARPORT EXTENSION		DWG SK02	
		DATE 05.02.2020 16.2.2020		REV B	
		DESCRIPTION A Prelim B Update		ADDRESS 96 MUSGRAVE ST. HALIFAX Q 4850	
				AUTHOR	

1. CONTRACTOR TO VERIFY DIMENSIONS AND LEVELS ON-SITE
2. PROVIDED DIMENSIONS ARE PREFERRED
3. NOTIFY THE ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES
4. ALL WORK TO BE CARRIED OUT IN ACCORDANCE WITH THE NATIONAL BUILDING CODE
5. THESE DRAWINGS AND DIMENSIONS ARE COPYRIGHT AND MAY NOT BE REPRODUCED IN ANY MANNER