

Your Ref: Referral Agency Response Application (Design and Siting)  
Our Ref: BE:HR

29 April 2020

Francesco Giandomenico  
PO Box 195  
INGHAM QLD 4850

[fgiandom@bigpond.net.au](mailto:fgiandom@bigpond.net.au)

Dear Francesco

**Referral Agency Response for Design and Siting**  
*Planning Act 2016*

Receipt of your application dated 23 March 2020 seeking a referral agency response for design and siting for a Class 10a building (enclosed garage) at Atkinson Street Ingham is acknowledged and its content noted.

In accordance with the *Planning Act 2016*, your request was assessed by relevant staff and considered at Council's General Meeting held on Tuesday 28 April 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.

Please note, this approval will lapse in 24 months' time on 29 April 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



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

29 April 2020

**Application Details**

Particulars of the development proposal are listed below:

Application Number	SR20\0004
Property ID Number	106291
Applicant Details	Francesco Giandomenico PO Box 195 INGHAM QLD 4850
Owner Details	Francesco Nicola Giandomenico PO Box 195 INGHAM QLD 4850
Property Description	8 Atkinson Street, Ingham Lot 1 on RP719311
Proposal	Referral Agency Response Design and Siting
Statutory Environment	<i>Planning Act 2016;</i> <i>Building Act 1975;</i> and <i>Queensland Development Code</i>

**Referral Triggers**

The application was referred to Council under the provision of the *Planning Regulation 2017* for design and siting (Schedule 9, Part 3, Division 2, Table 3).

**Decision**

Council resolved to approve the development application, subject to conditions of approval, at the Council General Meeting held on the 28 April 2020. The conditions of this approval are set out within the Schedule of Conditions.

**Reason for Decision**

Under section 56(1) of the *Planning Act 2016*, Council must set out reasons for its decision.

The reasons for this decision are that:

- 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 *Queensland Development Code MP1.2* and the *Hinchinbrook Shire Planning Scheme 2017*; and
- Conditions of approval have been included to ensure that compliance with the *Queensland Development Code MP1.2* is achieved and *Hinchinbrook Shire Planning Scheme 2017*.

**Approval Currency Period**

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

- You submit this referral agency response in its entirety, including all referenced plans and documents, when making the application to the Assessment Manager;
- There are no changes to the proposal that was present to Council with this referral; and
- The development application to the Assessment Manager is made within 24 months of the date of this referral agency response.

## Rights of Appeal

You may appeal against any matter stated in the Referral Agency Response. 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.

## Further Information

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

Yours sincerely



Electronic

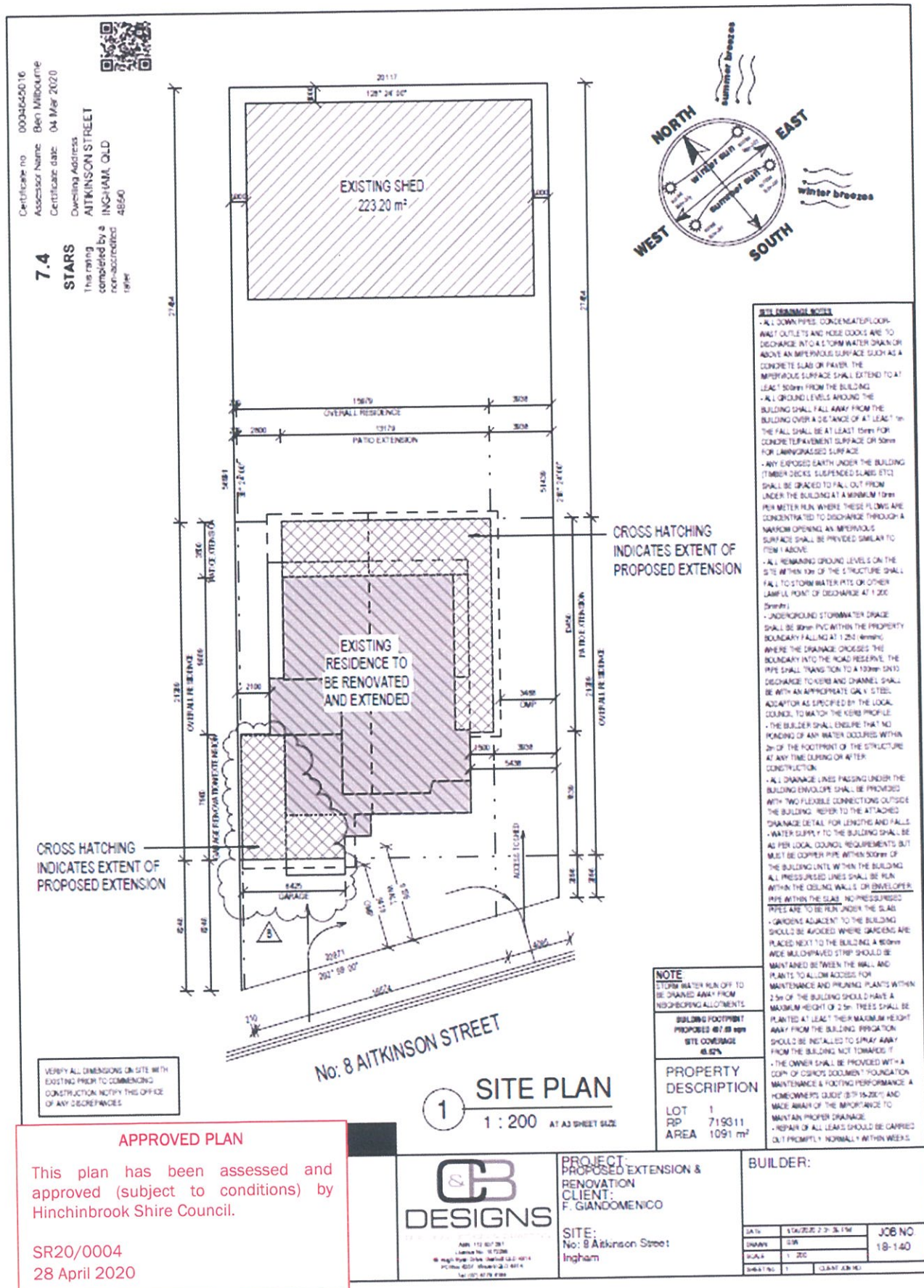
George Milford  
Planning Consultant



CONDITION	TIMING									
<p>(1) <b>Administration</b> 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.									
<p>(2) <b>Approved Plans</b> 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 prepared by B&amp;C Design</td><td>18-140 – Sheet 1</td><td>1/04/20</td></tr><tr><td>Building Drawings (Elevations) page 2 of 2 prepared by Designer Sheds</td><td>18-140 – Sheet 10</td><td>4/03/20</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 prepared by B&C Design	18-140 – Sheet 1	1/04/20	Building Drawings (Elevations) page 2 of 2 prepared by Designer Sheds	18-140 – Sheet 10	4/03/20	At all times.
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<p>(3) <b>Currency Period</b> The currency period applicable to this approval: Design and Siting – Two (2) years from the date of this approval.</p>	As per condition.									
<p>(4) <b>Lawful Point of Discharge</b> 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.									
<p>(5) <b>Building</b> 5.1 The Class 10a building requires a development permit for building works.</p> <p>5.2 The applicant is to seek and comply with all relevant building approvals to be issued by a qualified Building Certifier.</p>	At all times and prior to the issuing of a building permit.									

<p>5.3 The Class 10a building requires compliance to relevant Fire Safety regulations as reflected in s3.7.1.6 of the Building Code of Australia (Volume Two), as required.</p>	
<p><b>(6) Construction and Operation</b> 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>	<p>At all times and prior to the issuing of a building permit.</p>
<p><b>(7) Damage to Infrastructure</b> 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 1 building, 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.</p>	<p>At all times.</p>
<p><b>(8) Setback Clearance Areas</b> 8.1 The area between the Class 10a building and side property boundary must be imperviously sealed. 8.2 The area between the Class 10a building and side property boundary may not be used as storage space.</p>	<p>At all times.</p>
<p><b>(9) Building Maintenance</b> 9.1 Any wall of the Class 10a structure within 750mm of the side property boundary must be constructed of and treated with material that is maintenance free. 9.2 The Class 10a structure must not include any windows within 750mm of a side property boundary.</p>	<p>At all times and prior to the issuing of a building permit.</p>






<p>VERIFY ALL DIMENSIONS ON SITE WITH EXISTING PRIOR TO COMMENCING CONSTRUCTION NOTIFY THIS OFFICE OF ANY DISCREPANCIES</p>		<p>DESIGN WIND CLASSIFICATION: C1 BUILDING EXPOSURE SUBURBAN</p>		<p>PROVIDE FOR BACKSIS SEALATION UNDER ROOF SHEETING AND BULK INSULATION TO CEILING SPACE OR APPROXIMATE EQUIVALENT TO PERFORM</p>	
<p>200 CONCRETE WASCOR BLOCKWORK REINFORCED FAMILY MEDIUM COLOUR</p>		<p>ROOF PITCH TO MATCH EXISTING</p>		<p>WALL HT. 2.70 m</p>	
<p>1 ELEVATION 1 1:100 AT A3 SHEET SIZE</p>		<p>ROOF RISES TO MATCH EXISTING ROOF RISES TO MATCH EXISTING ROOF RISES TO MATCH EXISTING</p>		<p>FLOOR PLAN 0.00 m G.L. -0.30 m</p>	
<p>2 ELEVATION 2 1:100 AT A3 SHEET SIZE</p>		<p>ALUMINUM FRAMED GLASS WINDOWS &amp; SLIDING GLASS DOORS TO NEW ROOF RISES TO MATCH EXISTING</p>		<p>WALL HT. 2.70 m</p>	
<p>3 ELEVATION 3 1:100 AT A3 SHEET SIZE</p>		<p>ALUMINUM FRAMED GLASS WINDOWS &amp; SLIDING GLASS DOORS TO NEW ROOF RISES TO MATCH EXISTING</p>		<p>FLOOR PLAN 0.00 m G.L. -0.30 m</p>	
<p>4 ELEVATION 4 1:100 AT A3 SHEET SIZE</p>		<p>ALUMINUM FRAMED GLASS WINDOWS &amp; SLIDING GLASS DOORS TO NEW ROOF RISES TO MATCH EXISTING</p>		<p>FLOOR PLAN 0.00 m G.L. -0.30 m</p>	

**APPROVED PLAN**

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

SR20/0004  
28 April 2020

 <p><b>CB DESIGNS</b></p> <p>REGISTERED ARCHITECT REGISTERED PLANNER REGISTERED ENGINEER REGISTERED LANDSCAPE ARCHITECT REGISTERED SURVEYOR</p>		<p>PROJECT: PROPOSED EXTENSION &amp; RENOVATION CLIENT: F. GIANDOMENICO</p> <p>SITE: No 8 Atkinson Street Hinchinbrook</p>	<p>BUILDER:</p> <table border="1" style="width: 100%;"> <tr> <td>DATE</td> <td>4/20/2020</td> <td>JOB NO</td> </tr> <tr> <td>DESIGN</td> <td>1:100</td> <td>18-140</td> </tr> <tr> <td>SCALE</td> <td>1:100</td> <td></td> </tr> <tr> <td>DATE</td> <td>4/20/2020</td> <td></td> </tr> </table>	DATE	4/20/2020	JOB NO	DESIGN	1:100	18-140	SCALE	1:100		DATE	4/20/2020	
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