

Your Ref: Referral Agency Response Application (Design and Siting)  
Our Ref: BE:AG SR20\0008

27 May 2020

Shane and Genevieve Castles  
49 Bruce Parade  
LUCINDA QLD 4850

shaneandgen@westnet.com.au

Dear Shane and Genevieve

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

Receipt of your application deemed to be properly made on Monday 20 April 2020 seeking a Referral Agency Response for Design and Siting to facilitate the construction of a Class 1a dwelling at 12/15 Denney Street Lucinda, is acknowledged and its contents noted.

Your application was assessed by relevant staff and considered at Council's General Meeting held on Tuesday 26 May 2020.

Council resolved to approve the proposed development, subject to reasonable and relevant conditions which accord generally with the application as made. Council's Referral Agency Response 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.

Please note this approval will lapse in 24 months' time on Thursday 26 May 2022 if it is not acted upon.

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



Alan Rayment  
Chief Executive Officer

Encl - Referral Agency Response



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  
HinchinbrookShireCouncil

27 May 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\0008
Property ID Number	107711
Applicant Details	Shane and Genevieve Castles 49 Bruce Parade LUCINDA QLD 4850
Owner Details	Shane and Genevieve Castles 49 Bruce Parade LUCINDA QLD 4850
Property Description	12/15 Denney Street Lucinda Lot 12 on SP279694
Proposal	Referral Agency Response (Design and Siting)
Referral Trigger	<i>Planning Act 2016;</i> <i>Building Act 1975;</i> and <i>Queensland Development Code.</i>

### 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	26 May 2020
Decision Type	Referral Agency Response
Assessment Instrument	<i>Queensland Development Code MP1.2</i>

### 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

Building 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 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 matter, please contact Council's Built Environment Support Officer, Aimee Godfrey on 4776 4658 for the necessary assistance.

Yours sincerely



Electronic

George Milford  
Planning Consultant



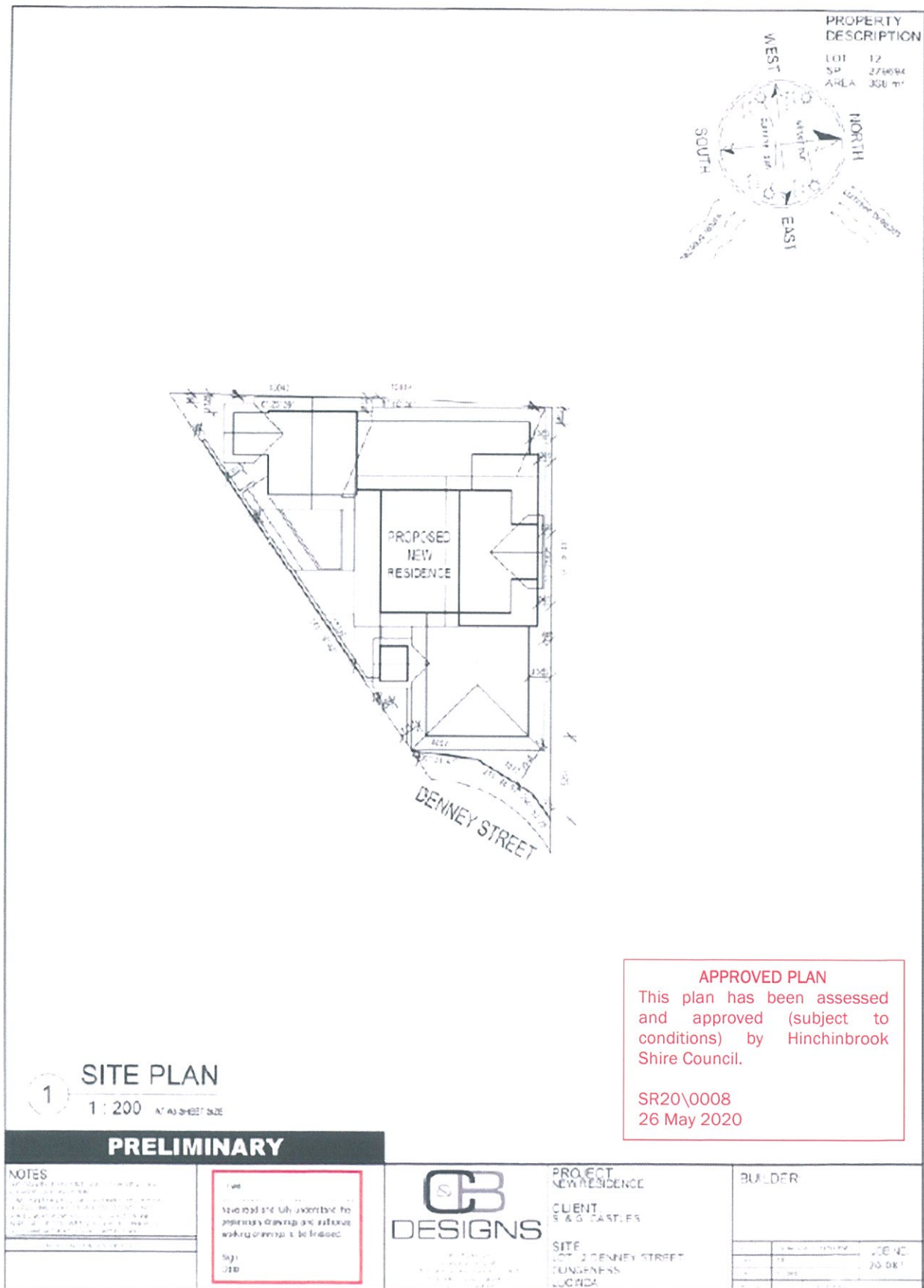
## SCHEDULE OF CONDITIONS

CONDITION		TIMING												
1.	<p><b>Administration</b></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><b>Approved Plans</b></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 prepared by C&amp;B Designs</td><td>20-087 - 1</td><td>16/04/2020</td></tr><tr><td>Elevations 1 and 2 prepared by C&amp;B Designs</td><td>20-087 - 4</td><td>16/04/2020</td></tr><tr><td>Elevations 3 and 4 prepared by C&amp;B Designs</td><td>20-087 - 5</td><td>16/04/2020</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 prepared by C&B Designs	20-087 - 1	16/04/2020	Elevations 1 and 2 prepared by C&B Designs	20-087 - 4	16/04/2020	Elevations 3 and 4 prepared by C&B Designs	20-087 - 5	16/04/2020	At all times.
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3.	<p><b>Currency Period</b></p> <p>This Referral Agency Response in its entirety, including all referenced plans and documents, must be submitted with a building application to the relevant Assessment Manager within two (2) years of the date of this Referral Agency Response.</p>	As per condition.												
4.	<p><b>Lawful Point of Discharge</b></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
<p><b>5. Building</b></p> <p>5.1 The Class 1a 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> <p>5.3 The Class 1a 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>At all times and prior to the issuing of a building permit.</p>
<p><b>6. Construction and Operation</b></p> <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>	<p>At all times and prior to the issuing of a building permit.</p>
<p><b>7. Damage to Infrastructure</b></p> <p>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. Architectural Review Committee Consent</b></p> <p>The applicant must obtain re-consent from the Architectural Review Committee of the Marine Cove Moorings Body Corporate for the design and siting of the Class 1a building as per the approved plans detailed in Condition 2.1.</p>	<p>Prior to the issuing of a building permit.</p>



## APPROVED PLANS



FIRST FLOOR WALL HT. 5.50 m

BED 1 GARAGE WALL HT. 3.00 m

FIRST FLOOR PLAN 2.90 m

GATE HOUSE BEAM HT. 2.60 m

GROUND FLOOR WALL HT. 2.70 m

F.L. = 1.62m

GROUND FLOOR PLAN 0.00 m

G.L. -0.50 m

MIN F.L. = 3.32m

**1** ELEVATION 1

1:100 AT AS SHOWN

FIRST FLOOR WALL HT. 5.

BED 1/GARAGE WALL HT. 3.

FIRST FLOOR PLAN 2.

GATE HOUSE BEAM HT. 2.

GROUND FLOOR WALL HT. 2.

F.L. = 1.62m

GROUND FLOOR PLAN 0.

G.L. -0.

MIN F.L. = 3.32m

**2** ELEVATION 2

1:100 AT AS SHOWN

**APPROVED PLAN**

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

SR20\0008  
26 May 2020

**PRELIMINARY**

**NOTES**

1. THIS PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE LOCAL COUNCIL. ANY CHANGES TO THE PLAN MUST BE APPROVED BY THE LOCAL COUNCIL.

I, the undersigned, have read and fully understand the contents of the drawings and hereby certify that they are to be used.

Sgt. [Signature]

Colo. [Signature]

**CB DESIGNS**

10/100 [Address]

10/100 [Address]


**PROJECT:** NEW RESIDENCE

**CLIENT:** S & S. CASTLES

**SITE:** LOT 2 DENNEY STREET DUNGENESS LUCINDA

**BUILDER:**

DATE	10/100
TIME	20:00



FIRST FLOOR WALL HT. 5.50 m

BED 1/CARAGE WALL HT. 3.00 m

FIRST FLOOR PLAN 2.00 m

GATE HOUSE BEAM HT. 2.50 m

GROUND FLOOR WALL HT. 2.70 m

F.L. = 3.62AHD

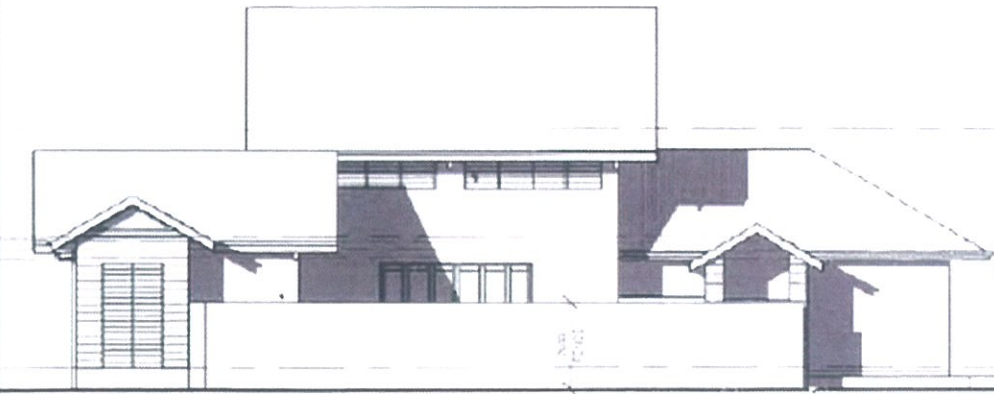
GROUND FLOOR PLAN 0.00 m

G.L. = -0.50 m

**1 ELEVATION 3**

1 : 100 AT AS SHOWN SIZE

WIN F.L. = 3.32AHD



FIRST FLOOR WALL HT. 5.50 m

BED 1/CARAGE WALL HT. 3.00 m

FIRST FLOOR PLAN 2.00 m

GATE HOUSE BEAM HT. 2.50 m

GROUND FLOOR WALL HT. 2.70 m

F.L. = 3.62AHD

GROUND FLOOR PLAN 0.00 m

G.L. = -0.50 m

**2 ELEVATION 4**

1 : 100 AT AS SHOWN SIZE

**APPROVED PLAN**

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

SR20\0008  
26 May 2020


**PRELIMINARY**

**NOTES**

THE CLIENT HAS BEEN ADVISED THAT THIS PLAN IS PRELIMINARY AND NOT FOR CONSTRUCTION. ANY CHANGES TO THE PLAN MUST BE APPROVED BY THE ARCHITECT BEFORE PROCEEDING.

have read and fully understood the conditions of use and authorize working drawings to be prepared

Sign: \_\_\_\_\_



**CB DESIGNS**

**PROJECT**  
NEW RESIDENCE

**CLIENT**  
S & G CASTLES

**SITE**  
LOT 2 DENNEY STREET  
DUNGENESS  
QUEENSLAND

**BUILDER**

Name: _____	Job No. _____
Phone: _____	Date: _____
Email: _____	Signature: _____