

**From:** Hayley Roy  
**Sent:** Fri, 2 Oct 2020 15:56:35 +1000  
**To:** simon.oleen@bigpond.com  
**Cc:** Aimee Godfrey;Temp Planning;Anne Waring;Kaj Simmons  
**Subject:** SR20\0003 - Referral Agency Response for Siting Variation - DECISION NOTICE  
**Attachments:** SR20\_0013 WILLIAMS DECISION.pdf

**Attention:** Simon Williams

*RE: SR20\0013 – DECISION NOTICE  
Referral Agency Response for Siting Variation  
16 Chestnut Street, Allingham – Lot 13 on SP179180*

Good Afternoon Simon,

Thank you for your patience with regard to this matter.  
Please find attached an electronic copy of Council's decision notice in relation to the aforementioned referral agency response application. A hardcopy of this correspondence has been forwarded to your nominated postal address and will arrive in due course.

Additionally a copy of this information has been provided to Council's Building Officers for notation on any forthcoming building application/lodgement.

Should you require any further information or clarification concerning this matter, I encourage you to contact Council's Regulatory Services – Built Environment Team on 4776 4609 for the necessary assistance.

Kindest regards,

**HAYLEY ROY**

**Built Environment Team Leader**

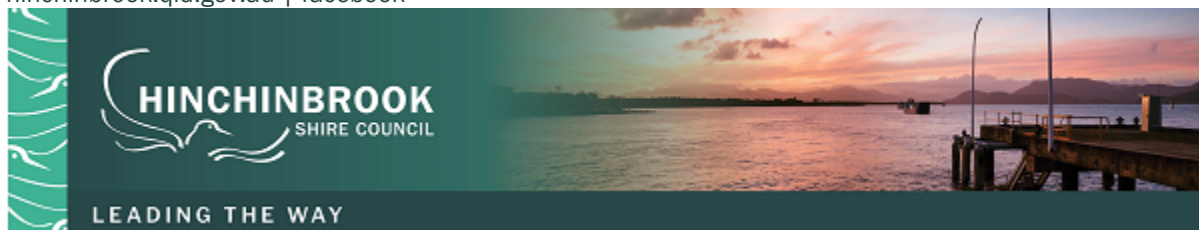
**P** 07 4776 4609

**F** 07 4776 3233

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- **Hinchinbrook Shire Council**

**E** [hroy@hinchinbrook.qld.gov.au](mailto:hroy@hinchinbrook.qld.gov.au)



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Your Ref: Referral Agency Response Application (Design and Siting)  
Our Ref: BE:AG SR20\0013

30 September 2020

Simon Williams  
PO Box 18  
ALLINGHAM QLD 4850

*simon.oleen@bigpond.com*

Dear Simon

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

Receipt of your application deemed to be properly made on Tuesday 1 September seeking a Development Permit for Referral Agency Response (Siting Variation) to facilitate the construction of a Class 10a Garage structure at 16 Chestnut Street Allingham, is acknowledged and its contents noted.

Please be advised your application was assessed by relevant staff and considered at Council's General Meeting held on Tuesday 29 September 2020.

Council resolved to approve the proposed application, 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, Conditions of Approval (if any), currency period and approved plans.

Please note, this approval will lapse in 24 months' time on Friday 30 September 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



James Stewart  
Acting Chief Executive Officer

Encl - Referral Agency Response



25 Lannercost Street  
INGHAM QLD 4850



ABN

PO Box 366 INGHAM QLD 4850  
46 291 971 168



4776 4600  
4776 3233



council@hinchinbrook.qld.gov.au  
HinchinbrookShireCouncil



30 September 2020

**SECTION 83 OF PLANNING ACT 2016****APPLICATION DETAILS**

This Referral Agency Response relates to the below development application:

Application Number	SR20\0013
Property ID Number	106560
Applicant Details	Simon Williams PO Box 18 ALLINGHAM QLD 4850
Owner Details	Simon and Oleen Williams PO Box 18 ALLINGHAM QLD 4850
Property Description	16 Chestnut Street Allingham Lot 13 on SP179180
Proposal	Referral Agency Response (Siting Variation)
Statutory Environment	<i>Planning Act 2016;</i> <i>Building Act 1975; and</i> <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	29 September 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

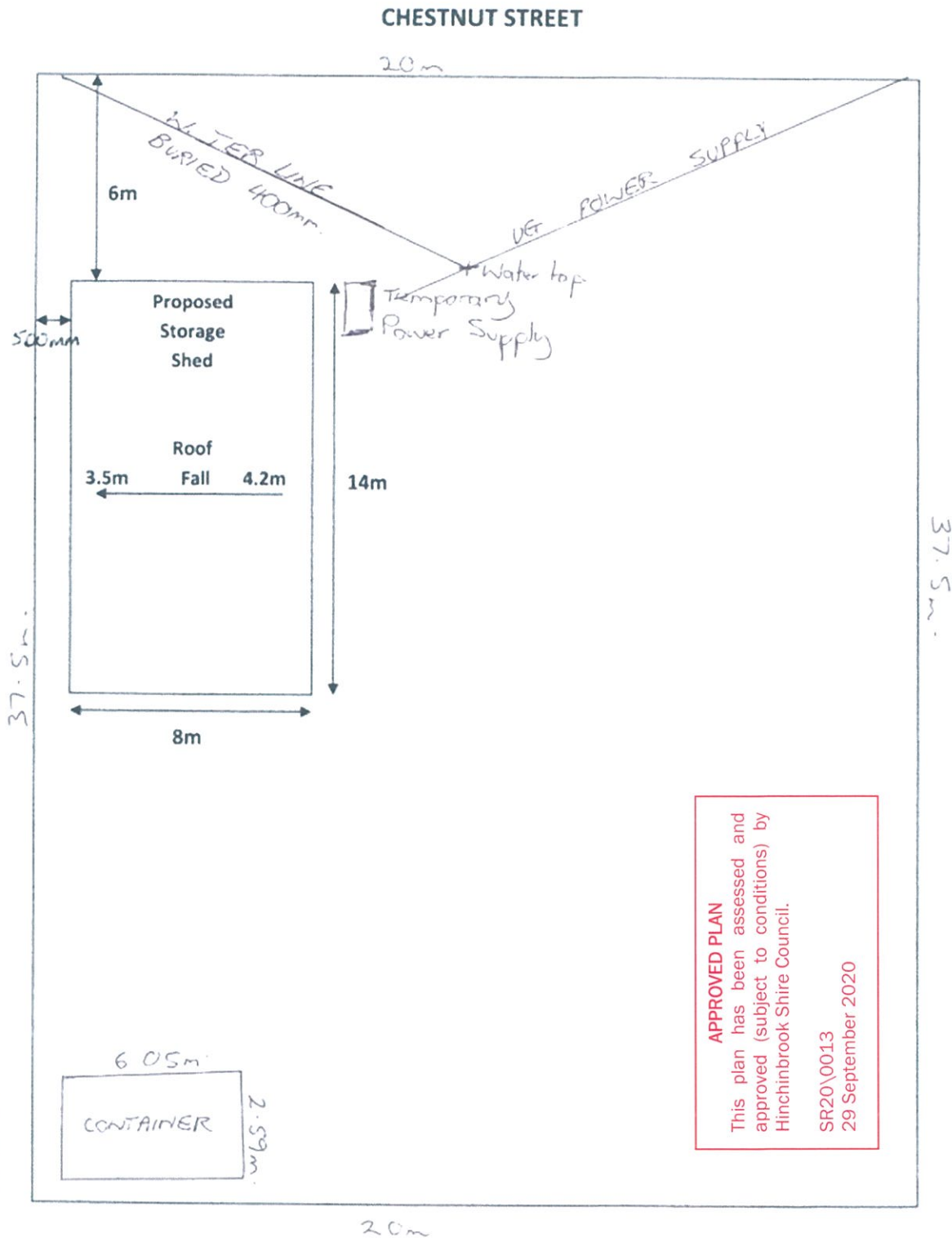
George Milford  
Planning Consultant

CONDITION	TIMING									
<p><b>1. 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.									
<p><b>2. 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 O and S Williams</td><td>N/A</td><td>Received 12/08/2020</td></tr><tr><td>Elevations Plan prepared by NQ Garages</td><td>N/A</td><td>Received 12/08/2020</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 O and S Williams	N/A	Received 12/08/2020	Elevations Plan prepared by NQ Garages	N/A	Received 12/08/2020	At all times.
Plan / Document Name	Number	Date								
Site Plan prepared O and S Williams	N/A	Received 12/08/2020								
Elevations Plan prepared by NQ Garages	N/A	Received 12/08/2020								
<p><b>3. 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.									
<p><b>4. 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 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> <p>5.3 The Class 10a building requires compliance to relevant Fire Safety regulations as reflected in s3.7.1.6 of the <i>Building Code of Australia (Volume Two)</i>, as required.</p>	At all times and prior to the issuing of a building permit.
<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 <i>Private Works In A Road Reserve Application</i> and approval.</p>	At all times and prior to the issuing of a building permit.
<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 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.</p>	At all times.
<p><b>8. Setback Clearance Areas</b></p> <p>8.1 The area between the Class 10a building and side property boundary must be imperviously sealed.</p> <p>8.2 The area between the Class 10a building and side property boundary may not be used as storage space.</p>	At all times.
<p><b>9. Building Maintenance</b></p> <p>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.</p> <p>9.2 The Class 10a structure must not include any windows within 750mm of a side property boundary.</p>	At all times and prior to the issuing of a building permit.

SITE PLAN: Simon & Oleen Williams  
16 Chestnut Street, Forrest Beach 4850  
Lot 13, SP179180

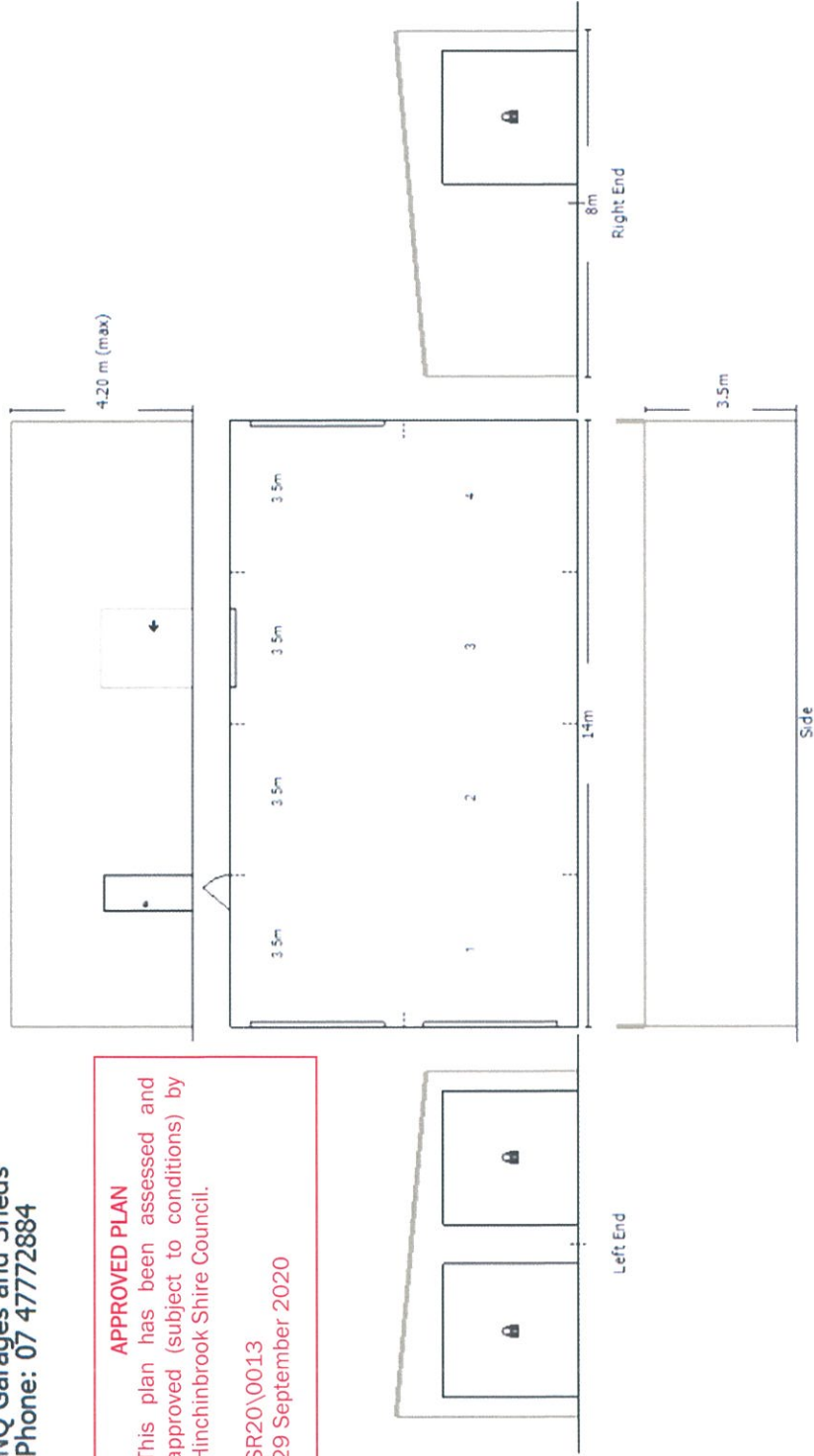


**APPROVED PLAN**  
This plan has been assessed and approved (subject to conditions) by Hinchinbrook Shire Council.  
SR20\0013  
29 September 2020



Building For:  
**SIMON WILLIAMS**  
**16 CHESTNUT STREET FORREST BEACH**  
Job Number: 13807  
Produced by:  
**NQ Garages and Sheds**  
Phone: 07 47772884

**APPROVED PLAN**  
This plan has been assessed and approved (subject to conditions) by Hinchinbrook Shire Council.  
SR20\0013  
29 September 2020



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