

From: Aimee Godfrey
Sent: Fri, 26 Feb 2021 09:08:52 +1000
To: hdavis@bigpond.com
Cc: Paul Cohen;Temp Planning
Subject: SR21\0002 - Decision - Referral Agency Response - 16 Ferrero Street Lucinda
Attachments: DECISION NOTICE - SR21_0002.pdf

RE: Decision Notice
SR21\0002 – Referral Agency Response for Design and Siting
16 Ferrero Street Lucinda – Lot 16 on L46925

Good Morning Mr Davis,

Please see the attached Decision Notice in relation to the aforementioned application which was considered at Council's General Meeting held on Tuesday 23 February 2021.

Hardcopy of the correspondence has been sent via post to your nominated postal address, therefore will be received in due course.

Should you require any further clarification in relation to this matter, please do not hesitate to contact Council's Regulatory Services – Built Environment Team on telephone 4776 4658.

Kind Regards

AIMEE GODFREY

Built Environment Support Officer

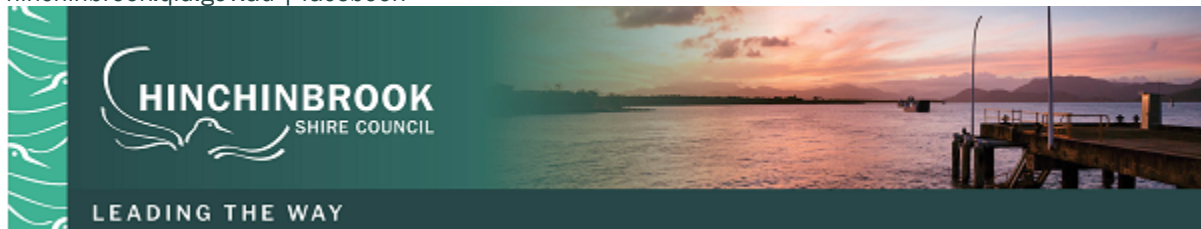
P 07 4776 4658

F 07 4776 3233

hinchinbrook.qld.gov.au | facebook

- **Hinchinbrook Shire Council**

E agodfrey2@hinchinbrook.qld.gov.au



The information contained in this email, together with any attachments, is intended only for the person or entity to which it is addressed, and may contain confidential and/or privileged material. Any form of review, disclosure, modification, distribution and/or publication of this email message is prohibited. If you have received this message in error, please inform the sender as quickly as possible, and delete this message, and any copies of this message, from your computer and/or your computer system network.

Please consider the environment before printing this email. HSC_2021

Your Ref: Referral Agency Response Application (Design and Siting)
Our Ref: PC:HR SR21\0002

23 February 2021

Mr Heath Davis
HLD Constructions Pty Ltd
22 Ferrero Street
LUCINDA QLD 4850

hdavis79@bigpond.com

Dear Heath

Referral Agency Response for Design and Siting
Planning Act 2016

Receipt of your application deemed to be properly made on Monday 1 February 2021 seeking a Development Permit for Referral Agency Response (Siting Variation) to facilitate the construction of a class 10a open carport at 16 Ferrero Street Lucinda, is acknowledged and its contents noted.

Your application was assessed by relevant staff and considered by Council at its General Meeting held on Tuesday 23 February 2021.

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 Thursday 23 February 2023, if 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 the necessary assistance.

Yours sincerely



Kelvin Tytherleigh
Chief Executive Officer

Encl - Referral Agency Response



25 Lannercost Street
INGHAM QLD 4850



PO Box 366 INGHAM QLD 4850
46 291 971 168



4776 4600
4776 3233



council@hinchinbrook.qld.gov.au
HinchinbrookShireCouncil

23 February 2021

SECTION 83 OF PLANNING ACT 2016

APPLICATION DETAILS

This Referral Agency Response relates to the below development application:

Application Number	SR21\0002
Property ID Number	101618
Applicant Details	Heath Davis HLD Constructions Pty Ltd 22 Ferrero Street LUCINDA QLD 4850
Owner Details	Aaron Butler 16 Ferrero Street LUCINDA QLD 4850
Property Description	16 Ferrero Street Lucinda Lot 16 on L46925
Proposal	Referral Agency Response (Siting Variation)
Statutory Environment	<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	23 February 2021
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 (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*.

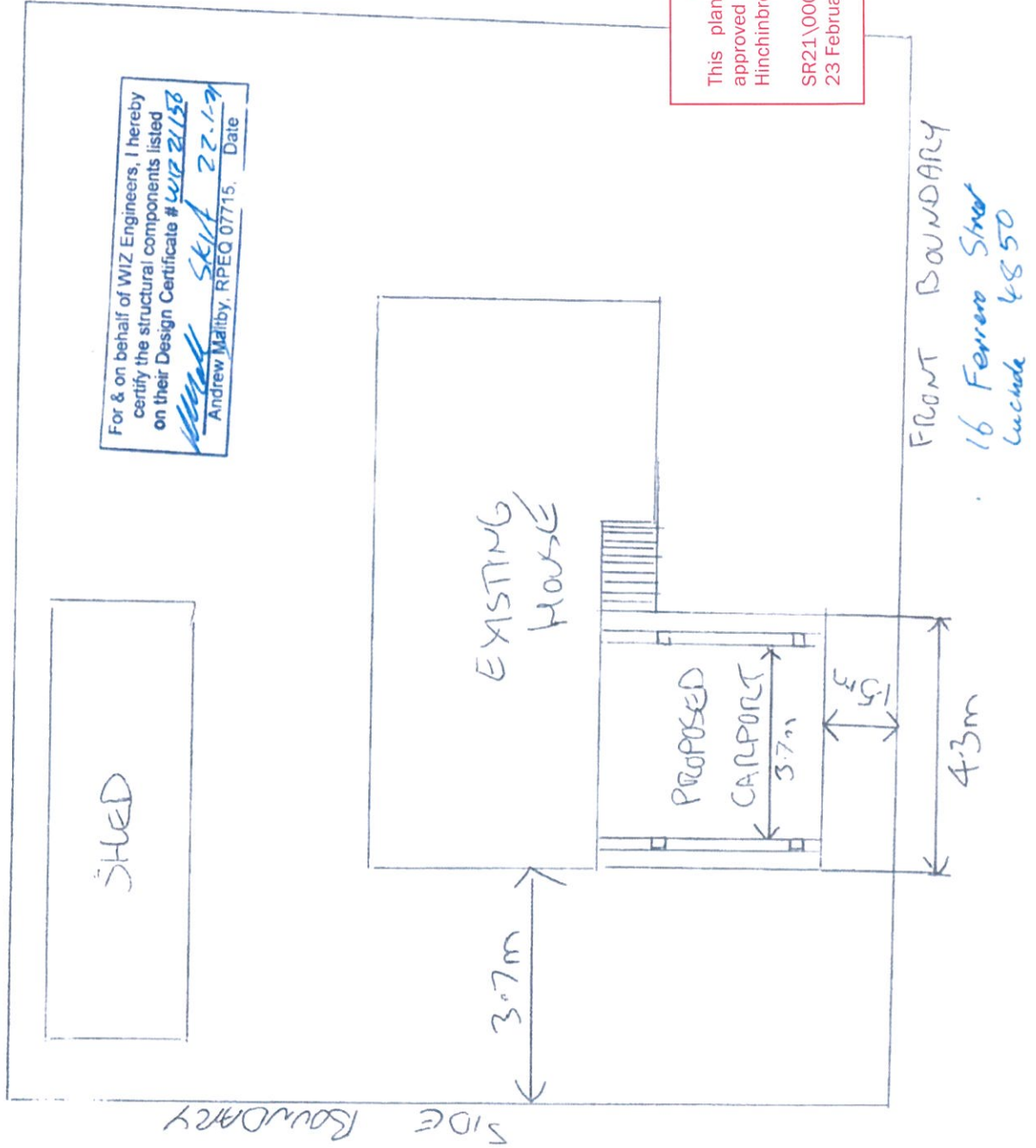
The proposed development is considered to be consistent with the relevant assessment benchmarks of the *Queensland Development Code MP1.2*, specifically:

- 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*.

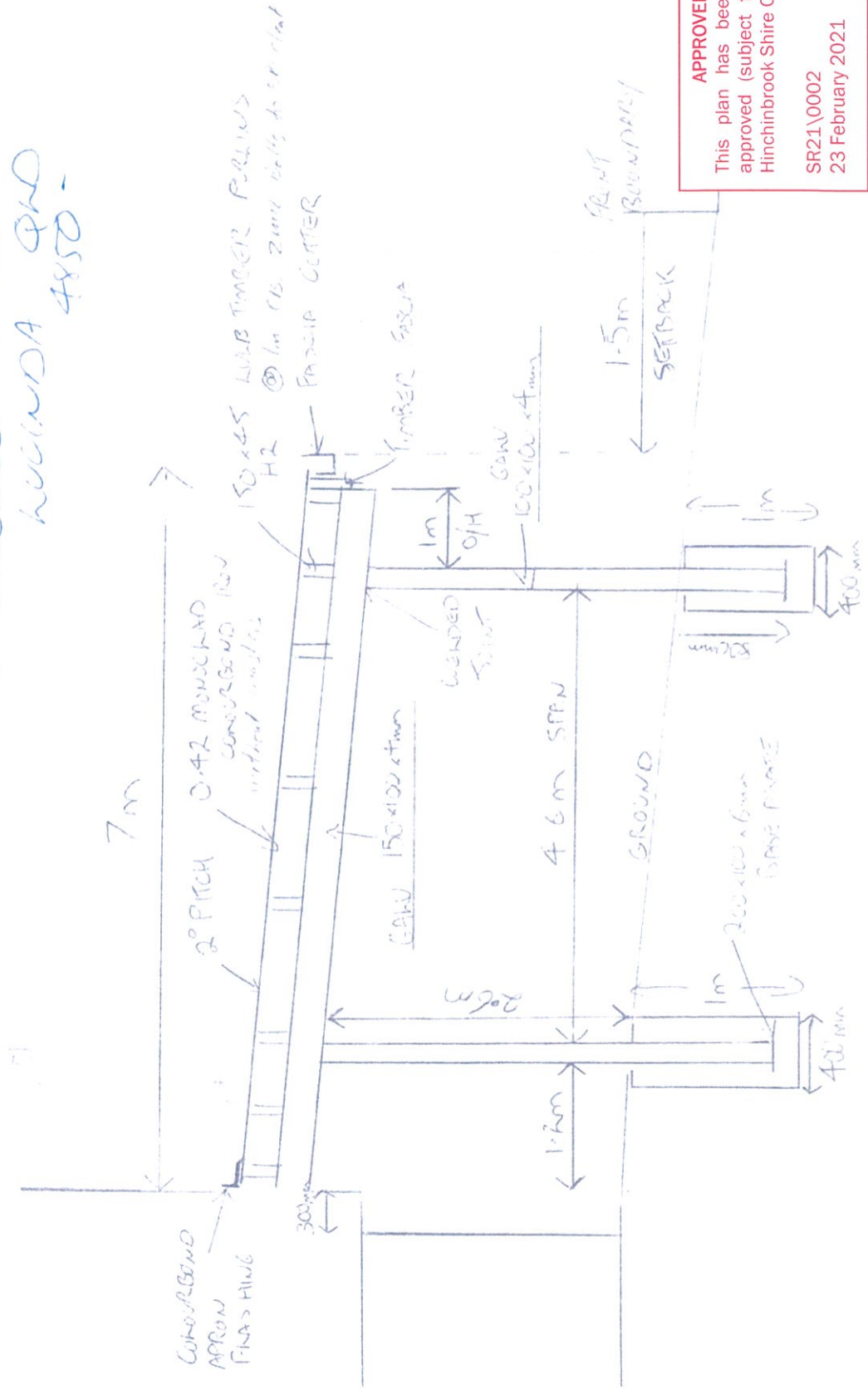
Should you require any further information or clarification concerning this matter, please contact Council's Built Environment Team Leader, Hayley Roy on 4776 4609 for the necessary assistance.

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 and prepared by HLD Constructions Pty Ltd</td><td>N/A</td><td>Received 29/01/2021</td></tr><tr><td>Elevation Plan prepared by HLD Constructions Pty Ltd</td><td>N/A</td><td>Received 29/01/2021</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 and prepared by HLD Constructions Pty Ltd	N/A	Received 29/01/2021	Elevation Plan prepared by HLD Constructions Pty Ltd	N/A	Received 29/01/2021	At all times.
Plan / Document Name	Number	Date									
Site Plan and prepared by HLD Constructions Pty Ltd	N/A	Received 29/01/2021									
Elevation Plan prepared by HLD Constructions Pty Ltd	N/A	Received 29/01/2021									
3.	<p>Currency Period</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>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 building requires a development permit for building works;	At all times and prior to the issuing of a building permit.
5.2	The applicant is to seek and comply with all relevant building approvals to be issued by a qualified Building Certifier; and	
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</i> (Volume Two), as required.	



16 FERRER STREET
LUCINDA QLD
4850-



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

SR21\0002
23 February 2021