

**From:** Amy Andersen  
**Sent:** Wed, 7 Apr 2021 15:21:53 +1000  
**To:** ehmculloch@gmail.com  
**Subject:** Referral Agency Response for Design and Siting for 55 Sir Arthur Fadden Parade, Ingham  
**Attachments:** Referral Agency Response for Design and Siting at 55 Sir Arthur Fadden Parade, Ingham.pdf

Good Afternoon,

Please find attached the Referral Agency Response for Design and Siting for 55 Sir Arthur Fadden Parade, Ingham.

Should you have any enquiries please contact Council's Built Environment Support Officer, Aimee Godfrey on 4776 4658 for the necessary assistance.

Your Ref: Referral Agency Response Application (Design and Siting)  
Our Ref: PC:AG SR21\0003

1 April 2021

Ms Eryn McCulloch  
55 Sir Arthur Fadden Parade  
INGHAM QLD 4850

[ehmcculloch@gmail.com](mailto:ehmcculloch@gmail.com)

Dear Ms McCulloch

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

Receipt of your application deemed to be properly made on Monday 22 February 2021 seeking a Development Permit for Referral Agency Response (Siting Variation) to facilitate the construction of a Class 10a garage at 55 Sir Arthur Fadden Parade Ingham, is acknowledged and its contents noted.

Your application was assessed by relevant staff and considered by Council at its General Meeting held on Tuesday 30 March 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 30 March 2023, if 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



Kelvin Tytherleigh  
Chief Executive Officer

Encl - Referral Agency Response

1 April 2021

**SECTION 83 OF PLANNING ACT 2016**

**APPLICATION DETAILS**

This Referral Agency Response relates to the below development application:

Application Number	SR21\0003
Property ID Number	103890
Applicant Details	Eryn McCulloch 55 Sir Arthur Fadden Parade INGHAM QLD 4850
Owner Details	Eryn McCulloch 55 Sir Arthur Fadden Parade INGHAM QLD 4850
Property Description	55 Sir Arthur Fadden Parade Ingham Lot 83 on RP727375
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	30 March 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;
- (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:

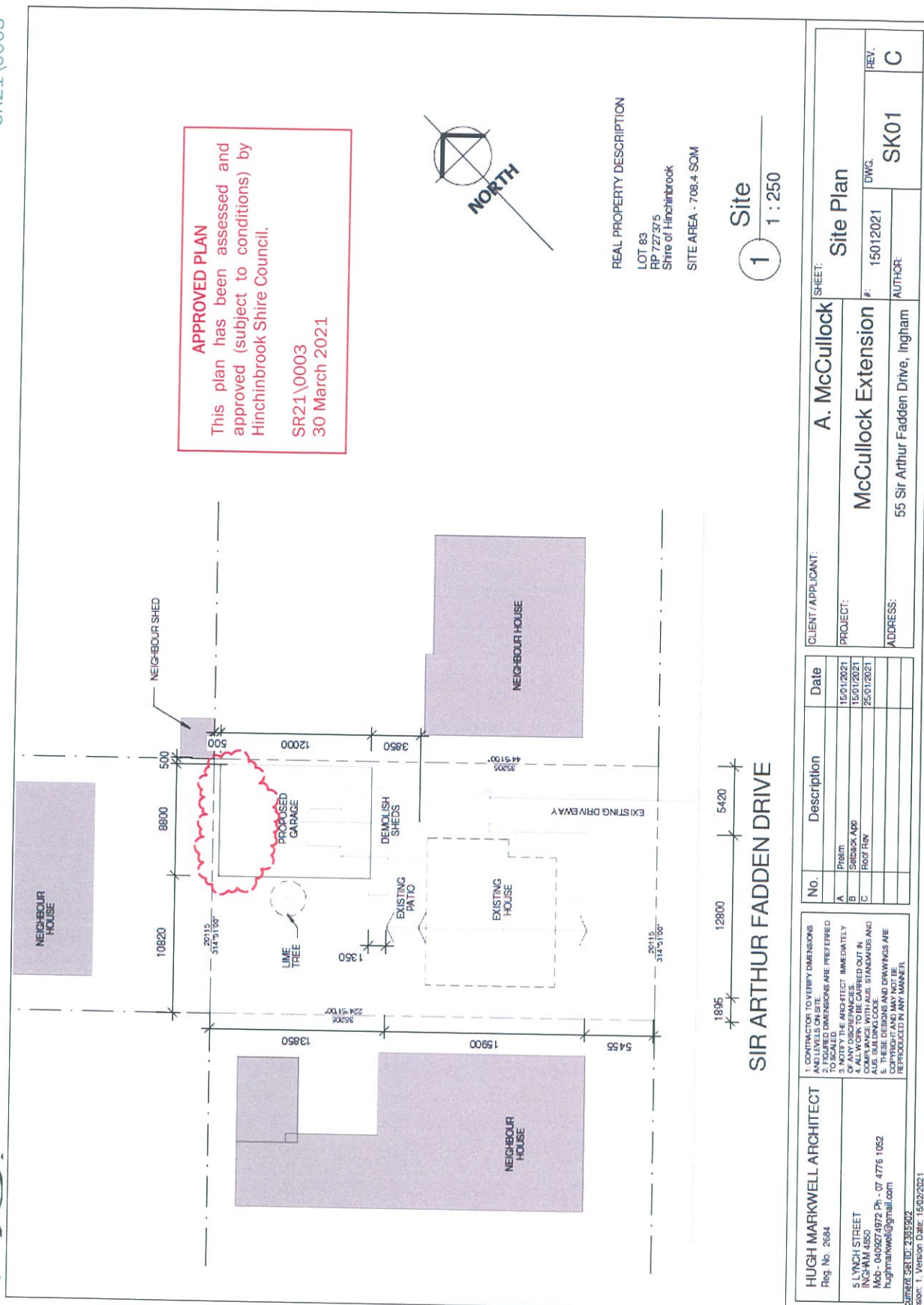
- The proposal is considered to meet, or have the ability to meet, the requirements of the relevant Performance Outcome(s) of the *Queensland Development Code MP1.2*; and
- Conditions have been included with the Referral Agency Response to ensure compliance with the *Queensland Development Code MP1.2*.

Should you require any further information or clarification concerning this matter, please contact Council's Built Environment Support Officer, Aimee Godfrey on 4776 4658 for the necessary assistance.

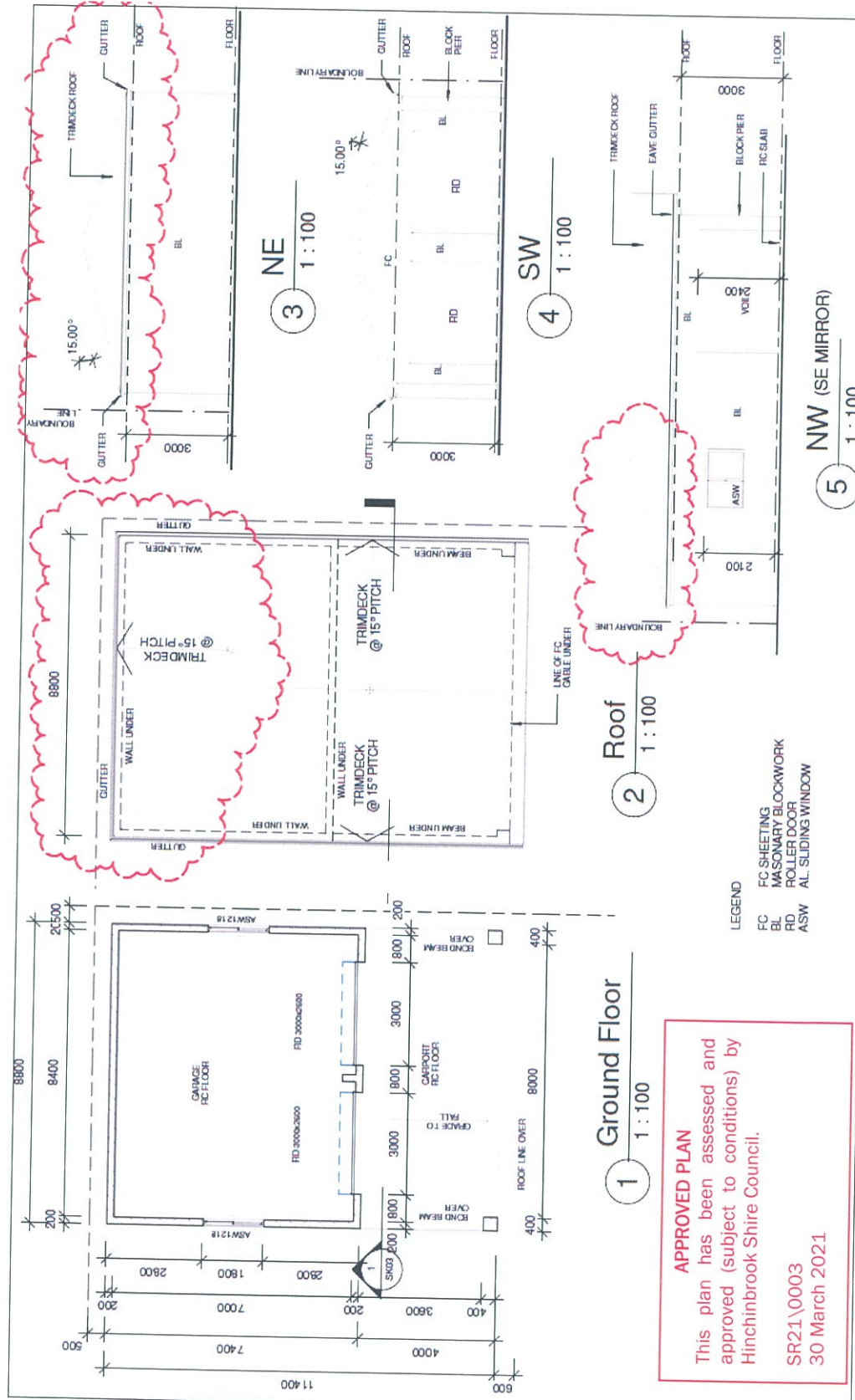
CONDITION		TIMING												
1.	<p><b>Administration</b></p> <p>The applicant is responsible to carry out the approved development and comply with relevant requirements in accordance with:</p> <p>1.1 The specifications, facts and circumstances as set out in the application submitted to Council, including 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 Hugh Markwell Architect</td><td>SK01</td><td>29/01/2021</td></tr><tr><td>Elevations Plan prepared by Hugh Markwell Architect</td><td>SK02</td><td>29/01/2021</td></tr><tr><td>Sections Plan prepared by Hugh Markwell Architect</td><td>SK03</td><td>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 prepared by Hugh Markwell Architect	SK01	29/01/2021	Elevations Plan prepared by Hugh Markwell Architect	SK02	29/01/2021	Sections Plan prepared by Hugh Markwell Architect	SK03	29/01/2021	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 10a structure 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; and</p> <p>5.3 The Class 10a structure 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.</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 are 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, kerb and channel, 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>	<p>At all times.</p>
<p><b>8. Setback Clearance Area</b></p> <p>8.1 The area between the Class 10a structure and the side boundary shared with Lot 84 RP 727375 and rear boundary shared with Lot 78 RP 884770 must not to be utilised as storage space; and</p> <p>8.2 The setback between the proposed structure with the side and rear boundary is have an impervious finish.</p>	<p>At all times.</p>
<p><b>9. Structure Material</b></p> <p>9.1 Any part of the structure within 750mm of the side or rear property boundary must be constructed of and treated with material that is maintenance free.</p> <p>9.2 Any part of the structure within 750mm of the side or rear property boundary must not include windows.</p>	<p>At all times.</p>

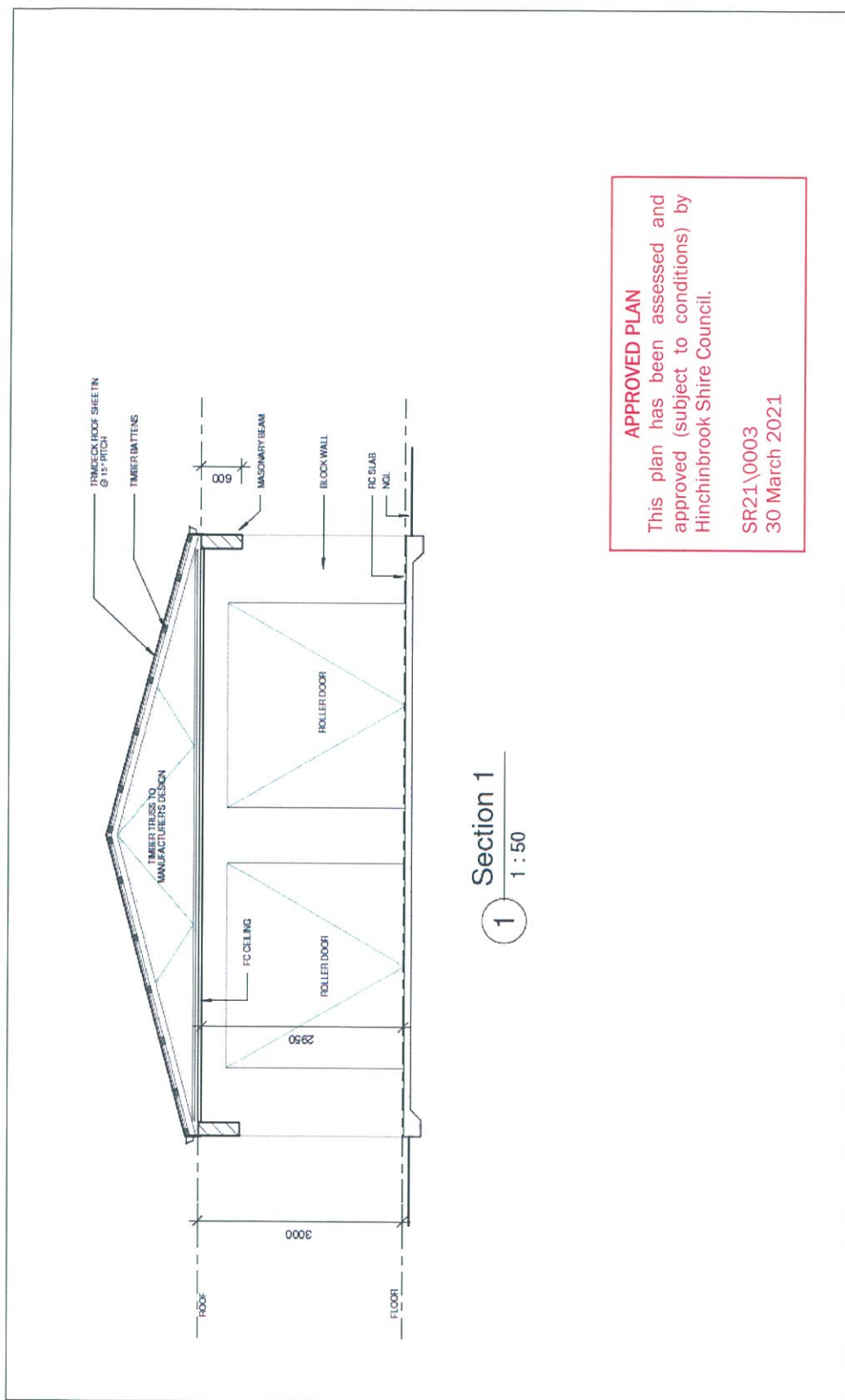






<b>HUGH MARKWELL ARCHITECT</b> Reg No. 2684		<b>CLIENT/APPLICANT:</b> A. McCulloch		<b>SHEET:</b> Plans and Elevations	
5 LYNCH STREET INGHAM 4850 Mob - 0405274972 Ph - 07 4776 1052 hughmarkwell@gmail.com		<b>PROJECT:</b> McCulloch Extension		<b>REV.</b> C	
1. CONTRACTOR TO VERIFY DIMENSIONS AND LEVELS ON SITE. 2. DIMENSIONS ARE PREFERRED TO BE GIVEN IN METERS. 3. NOTIFY THE ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES. 4. ALL WORKS MUST BE COMPLETED OUT IN COMPLIANCE WITH ALL STANDARDS AND ALL BUILDING CODE. 5. THESE DESIGN AND DRAWINGS ARE THE PROPERTY OF HUGH MARKWELL ARCHITECTS AND MUST NOT BE REPRODUCED IN ANY MANNER.		<b>ADDRESS:</b> 55 Sir Arthur Fadden Drive, Ingham		<b>DWG.</b> SK02	
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<b>HUGH MARKWELL ARCHITECT</b> Reg. No. 2694 5 LYNCH STREET INGHAM 4850 Mob - 0409274972 Ph - 07 4776 1062 hughmarkwell@gmail.com		1. CONTRACTOR TO VERIFY DIMENSIONS AND LEVELS ON SITE. 2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE. 3. NOTIFY THE ARCHITECT IMMEDIATELY IF ANY DISCREPANCIES ARE FOUND. 4. ALL WORK TO BE CARRIED OUT IN ACCORDANCE WITH THE BUILDING CODE OF PRACTICE. 5. THESE DRAWINGS AND DIMENSIONS ARE THE PROPERTY OF HUGH MARKWELL ARCHITECT AND ARE NOT TO BE REPRODUCED IN ANY MANNER.	
No.	Description	Date	
A	PRINT	15/07/2021	
B	SECTION APP	15/07/2021	
CLIENT / APPLICANT: <b>A. McCulloch</b>		SHEET: <b>Section</b>	
PROJECT: <b>McCulloch Extension</b>		DWG. #:	15012021
ADDRESS: <b>55 Sir Arthur Fadden Drive, Ingham</b>		AUTHOR:	SK03
		REV.	B