

Your Ref:  
Our Ref: PC:HR MCU25-0003

23 May 2025

Mr George Milford  
Milford Planning Pty Ltd  
PO Box 5463  
TOWNSVILLE QLD 4810

[info@milfordplanning.com.au](mailto:info@milfordplanning.com.au)

Dear Sir

**Decision Notice**

**Material Change of Use for Dwelling House (Non-compliant Accepted Development)**

**1-3 Keast Street, Lucinda (Lot 210 on L4691)**

*Planning Act 2016*

Receipt of your application deemed to be properly made on Tuesday 29 April 2025, for Material Change of Use for a Dwelling House (Non-compliant Accepted Development) at 1-3 Keast Street Lucinda, described as Lot 210 on L4691, is acknowledged and its contents noted.

Your application was assessed by relevant staff and considered under Instrument of Delegation on Tuesday 21 May 2025.

Council resolved to approve the proposed Development Application for Material Change of Use for a Dwelling House (Non-compliant Accepted Development), subject to conditions as set out in the attached Decision Notice. Please see the enclosed Decision Notice.

This Notice outlines aspects of the development's conditions of approval, currency period, approved plans, referral agency response (if any) 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.

Should you require any further information or clarification concerning this matter, please contact Council's Planning and Development Team on 4776 4600 for the necessary assistance.

Yours sincerely



Paul Cohen  
Development and Regulatory Services Manager

Encl - Decision Notice



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](mailto:council@hinchinbrook.qld.gov.au)  
HinchinbrookShireCouncil

23 May 2025

**SECTION 83 OF *PLANNING ACT 2016***

## APPLICATION DETAILS

This Referral Agency Response relates to the below Development Application:

Application Number	MCU25-0003
Property ID Number	106676
Applicant Details	Milford Planning Pty Ltd PO Box 5463 TOWNSVILLE QLD 4810
Owner Details	Lizec Pty Ltd 62B Alligator Creek ALLIGATOR CREEK QLD 4816
Property Description	1-3 Keast Street, LUCINDA QLD 4850 Lot 210 on L4691
Proposal	Material Change of Use – Dwelling House (Non-compliant Accepted Development)
Level of Assessment	Code Assessment

## DECISION

The information below outlines the specifics of the Application:

Decision	The application was <b>approved</b> subject to conditions.
Decision Date	23 May 2025
Decision Type	Development Permit
Deemed Approval	The Development Permit is not a deemed approval under Section 64 of the <i>Planning Act 2016</i> .
Assessment Instrument	Hinchinbrook Shire Planning Scheme 2017
Submissions	Not Applicable

## CONDITIONS OF APPROVAL

The conditions of approval are set out in the Conditions of Approval. The conditions are identified to indicate whether the Assessment Manager or Referral Agency imposed them.

## REFERRAL AGENCIES

No referrals apply to the Development Application.

## FURTHER APPROVALS REQUIRED

This approval does not authorise any filling of land or building work and a Development Permit for carrying out the above mentioned may require additional assessment.

This approval does not authorise any works within Council's Road Reserve (e.g., new/additional access, repair/modification to existing access or works to footpaths). If this is required as part of your development proposal, an application will need to be lodged with Council or other relevant authority.

## INFRASTRUCTURE CHARGES

Not Applicable.

## RIGHTS OF APPEAL

The rights of an applicant to appeal to the Planning and Environment Court against a decision about a Development Application are set out in Chapter 6, Part 1 of the *Planning Act 2016*. There may also be a right to make an application for a declaration by a tribunal (see Chapter 6, Part 2 of the *Planning Act 2016*).

An applicant for a Development Application may appeal to the Planning and Environment Court against the following:

- The refusal of all or part of the Development Application;
- A provision of the Development Approval;
- The decision to give a preliminary approval when a Development Permit was applied for; and
- A deemed refusal of the Development Application.

The timeframes for starting an appeal in the Planning and Environment Court are set out in section 229 of the *Planning Act 2016*.

## APPROVAL CURRENCY PERIOD

Pursuant to Section 85 of the *Planning Act 2016*, the Development Approval will lapse six years after the approval starts to have effect, unless otherwise conditioned.

## APPROVED PLANS AND SPECIFICATIONS

The development must be carried out in accordance with the approved plans, specifications and/or drawings, along with the requirements of all relevant laws. Any deviation must have prior approval from the Chief Executive Officer.

Copies of the approved plans, specifications and/or drawings are attached.

## **NOTICE ABOUT DECISION – STATEMENT OF REASONS**

This Notice is prepared in accordance with Section 63(5) and section 83(7) of the *Planning Act 2016* to inform the public about a decision that has been made in relation to a Development Application.

The purpose of this Notice is to enable a public understanding of the reasons for the planning decision, specially having regard to:

- The relevant part of the Planning Scheme and Assessment Benchmarks against which the application was assessed; and
- Any other information documents or other material Council was either required to, or able to, consider in its assessment.

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 overall outcomes and assessment benchmarks of the *Hinchinbrook Shire Planning Scheme 2017*, in particular:

- 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 *Hinchinbrook Shire Planning Scheme 2017*; and
- Conditions of Approval have been included to ensure that compliance with the *Hinchinbrook Shire Planning Scheme 2017*.

Should you require any further information or clarification concerning this matter, please contact Council's Planning and Development Team on 4776 4600 for the necessary assistance.

CONDITION		TIMING																											
(1)	<p><b>Administration</b></p> <p>The applicant is responsible to ensure the approved development is carried out and complies with the following relevant requirements:</p> <p>(a) 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>(b) The development must, unless stated, be designed, constructed and maintained in accordance with relevant Council policies, guidelines and standards; and</p> <p>(c) 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>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>Lucinda Boat Shed Material Change of Use at 1-3 Keast Street, Lucinda Drawing list</td><td>Job No. 24-11 Sheet No. A000 Rev 1</td><td>-</td></tr><tr><td>Locality Plan</td><td>Job No. 24-11 Sheet No. A001 Rev 1</td><td>5/11/2024</td></tr><tr><td>External 3D Views</td><td>Job No. 24-11 Sheet No. A002 Rev 1</td><td>5/11/2024</td></tr><tr><td>Internal 3D Views</td><td>Job No. 24-11 Sheet No. A003 Rev 1</td><td>5/11/2024</td></tr><tr><td>Site Survey original Contours</td><td>Job No. 24-11 Sheet No. A100 Rev 1</td><td>5/11/2024</td></tr><tr><td>Preconstruction Existing Site Plan</td><td>Job No. 24-11 Sheet No. A101 Rev 1</td><td>5/11/2024</td></tr><tr><td>Proposed Site Plan</td><td>Job No. 24-11 Sheet No. A200 Rev 1</td><td>5/11/2024</td></tr><tr><td>Ground Floor Plan</td><td>Job No. 24-11 Sheet No. A201 Rev 1</td><td>5/11/2024</td></tr></table>	Plan / Document Name	Number	Date	Lucinda Boat Shed Material Change of Use at 1-3 Keast Street, Lucinda Drawing list	Job No. 24-11 Sheet No. A000 Rev 1	-	Locality Plan	Job No. 24-11 Sheet No. A001 Rev 1	5/11/2024	External 3D Views	Job No. 24-11 Sheet No. A002 Rev 1	5/11/2024	Internal 3D Views	Job No. 24-11 Sheet No. A003 Rev 1	5/11/2024	Site Survey original Contours	Job No. 24-11 Sheet No. A100 Rev 1	5/11/2024	Preconstruction Existing Site Plan	Job No. 24-11 Sheet No. A101 Rev 1	5/11/2024	Proposed Site Plan	Job No. 24-11 Sheet No. A200 Rev 1	5/11/2024	Ground Floor Plan	Job No. 24-11 Sheet No. A201 Rev 1	5/11/2024	At all times.
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CONDITION				TIMING
	Mezzanine Floor Plan	Job No. 24-11 Sheet No. A202 Rev 1	5/11/2024	
	Roof Plan	Job No. 24-11 Sheet No. A203 Rev 1	5/11/2024	
	Elevations (North & West)	Job No. 24-11 Sheet No. A300 Rev 1	5/11/2024	
	Elevations (South & East)	Job No. 24-11 Sheet No. A301 Rev 1	5/11/2024	
	Site Sections	Job No. 24-11 Sheet No. A400 Rev 1	5/11/2024	
	Building Sections	Job No. 24-11 Sheet No. A401 Rev 1	5/11/2024	
(d) 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.				
<b>(3) Development Approvals</b> 3.1 The Class 1a structure requires Development Permits for the Building and Plumbing Work. The Applicant is to seek and comply with all relevant development approvals to be issued by suitably qualified persons; and  3.2 No other habitable structure is permitted on the subject land without obtaining the necessary approvals under the <i>Planning Act 2016</i> and Hinchinbrook Shire Planning Scheme 2017.				Prior to constructions works commencing and at all times.
<b>(4) Damage to Infrastructure and Land</b> Where any part of Council's existing infrastructure or land is damaged as a result of construction activities occurring on the land, including but not limited to; mobilisation of heavy construction equipment, stripping, grubbing and vegetation damage, notify Council immediately of the affected infrastructure or land and have it repaired, replaced or reinstated at no cost to Council.				At all times.
<b>(5) Water Supply and Sewerage</b> Any new and existing water supply and sewerage provisions are to be installed and maintained at no cost to Council, and must be wholly contained within each allotment/s.				Prior to Commencement of Use

CONDITION	TIMING
<p>(6) <b>Storm Surge Floor Level</b></p> <p>The finished floor level of the lower storey of the Class 1a dwelling must be constructed at or above 3.27 metres AHD, in accordance with the minimum storm tide immunity level specified under the Coastal Hazard Overlay Code of the <i>Hinchinbrook Shire Planning Scheme 2017</i>.</p> <p>Evidence of compliance must be provided to Council at the time of final building inspection or as otherwise reasonably requested.</p>	<p>Prior to Commencement of Use and at all times.</p>







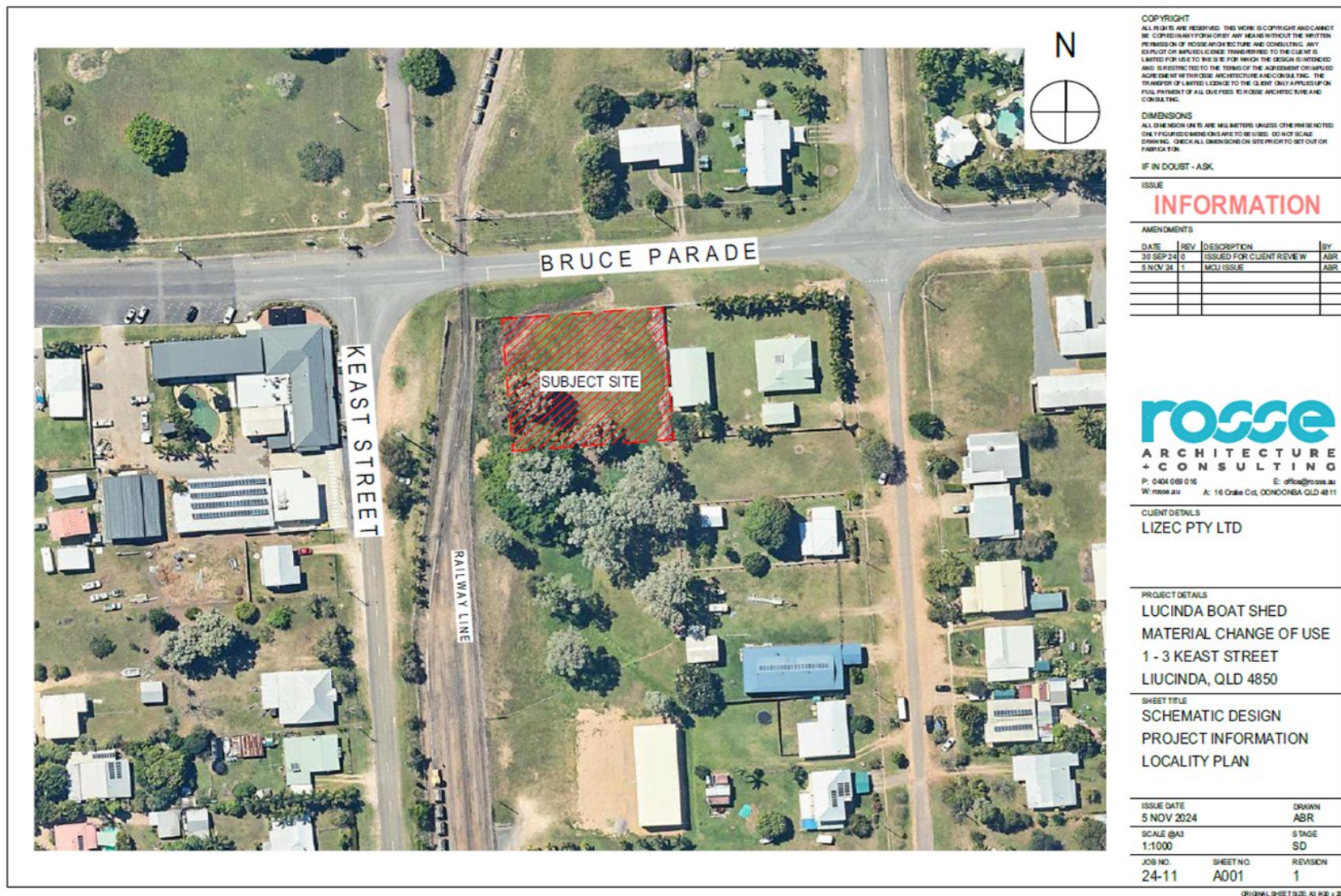
# LUCINDA BOAT SHED MATERIAL CHANGE OF USE AT 1 - 3 KEAST STREET, LUNCINDA, QLD

## INFORMATION



### DRAWING LIST

A000	COVER	A201	GROUND FLOOR PLAN
A001	LOCALITY PLAN	A202	MEZZANINE FLOOR PLAN
A002	EXTERNAL 3D VIEWS	A203	ROOF PLAN
A003	INTERNAL 3D VIEWS	A300	ELEVATIONS
A100	SITE SURVEY	A301	ELEVATIONS
A101	EXISTING SITE PLAN	A400	SITE SECTIONS
A200	PROPOSED SITE PLAN	A401	SECTIONS







2 EXTERNAL 3D VIEW 2



4 EXTERNAL 3D VIEW 4



1 EXTERNAL 3D VIEW 1



3 EXTERNAL 3D VIEW 3

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## ISSUE INFORMATION

DATE	REV	DESCRIPTION	BY
30 SEP 24	0	ISSUED FOR CLIENT REVIEW	ABR
5 NOV 24	1	MCU ISSUE	ABR

**rosse**  
ARCHITECTURE  
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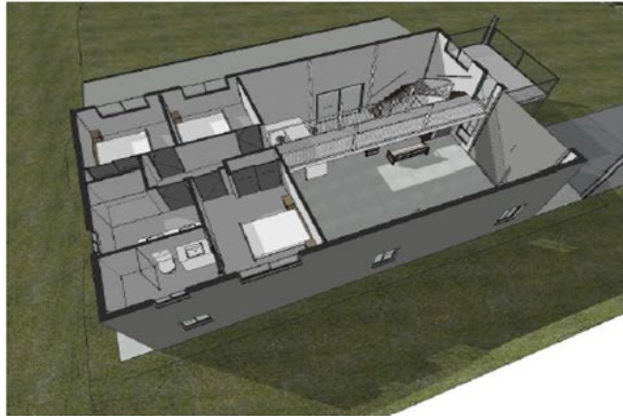
**CLIENT DETAILS**  
LIZEC PTY LTD

**PROJECT DETAILS**  
LUCINDA BOAT SHED  
MATERIAL CHANGE OF USE  
1 - 3 KEAST STREET  
LUCINDA, QLD 4850

**SHEET TITLE**  
SCHEMATIC DESIGN  
PROJECT INFORMATION  
EXTERNAL 3D VIEWS  
TEXT

ISSUE DATE	5 NOV 2024	DRAWN	ABR
SCALE	@A3	S TAPE	SD
JOB NO.	24-11	SHEET NO.	A002
		REVISION	1

ORIGINAL SHEET SIZE: A3 (420 x 297)



2 INTERNAL 3D VIEW 2



4 INTERNAL 3D VIEW 4



1 INTERNAL 3D VIEW 1



3 INTERNAL 3D VIEW 3

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SCALE @A3	NTS	S TAGE	SD
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ORIGINAL SHEET SIZE: A0 (841 x 1191)

