



**City Planning & Sustainability
Development Services**

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Dedicated to a better Brisbane

10 January 2019

Lynette Anne Lee, Michael Lee
C/- Planning Initiatives
PO Box 1774
NEW FARM QLD 4005

ATTENTION: Francarlo Rizzo

Application Reference: A005165084
Address of Site: 25 FINCHLEY ST MILTON QLD 4064

Dear Francarlo

RE: Decision notice pursuant to section 63 of the *Planning Act 2016*

I am pleased to inform you that your development application has been approved as indicated in the attached decision notice. This approval must be carried out in accordance with the attached development approval package.

In addition to this approval you may also be required to obtain a water approval from the Central SEQ Distributor Retailer trading as Queensland Urban Utilities.

Infrastructure charges notices have been issued for the approved development pursuant to the *Brisbane Infrastructure Charges Resolution (No. 8) 2019*, as detailed below:

Brisbane City Council has levied infrastructure charges for the transport, public parks and land for community facilities and stormwater trunk infrastructure networks. The infrastructure charges notice has been attached to the decision notice.

An infrastructure charges notice for the sewerage and water supply trunk infrastructure networks is not attached to this decision notice. Queensland Urban Utilities may issue this infrastructure charges notice following this decision notice.

Included is a table of appeal rights under the *Planning Act 2016* advising you of appeal rights to the Planning and Environment Court or a tribunal.

Please phone me on telephone number below during normal business hours if you have any queries regarding this matter.

Yours sincerely

Mohammed Aslam
Urban Planner
Planning Services City West
Phone: (07) 34037240
Email: mohammed.aslam@brisbane.qld.gov.au
Development Services
Brisbane City Council

Decision Notice

(Section 63 (Notice of decision) of the *Planning Act 2016*)

INTRODUCTION

This is a decision notice given pursuant to section 63 of the *Planning Act 2016*. The decision to approve the application on **10 January 2020** was made by the Principal Urban Planner as the delegate appointed by Council to determine the application.

APPLICATION DETAILS

Application Reference Number: A005165084
Application Made Date: 11 April 2019
Properly Made Date: 11 April 2019

DESCRIPTION OF THE DEVELOPMENT

Aspect of Development: DA - PA - Material Change of Use (ref DAMC373284119)
Nature Application: Development Permit
Activity: Hotel and Special Industry
Description of Proposal: Special Industry (Distillery) and Hotel

APPLICANT DETAILS

Name of Applicant: Lynette Anne Lee
Name of Applicant: Michael Lee
Applicant Address: Lynette Anne Lee, Michael Lee
C/- Planning Initiatives
PO Box 1774
NEW FARM QLD 4005

SITE DETAILS

Address of Site: 25 FINCHLEY ST MILTON QLD 4064
Real Property Description: L13 RP.18886
City Plan Area Classification: CP-LI, QPP-LII
Owner: Mr Michael Lee & Mrs Lynette Anne Lee
Ward: Paddington

TYPE OF APPROVAL

Material Change of Use – Development Permit (ref DAMC373284119)

CURRENCY PERIOD FOR THE DEVELOPMENT APPROVAL

The currency period for this development approval (inclusive of all of its parts) will end on **10 April 2026**.

This development approval (inclusive of all of its parts) lapses at midnight on the above stated date if:

- for a material change of use, the first change of use does not happen;
- for reconfiguring a lot, the plan of subdivision for the reconfiguration is not given to Council; or

- for any other development (including building work, operational work and any early referral agency response), the development does not substantially start; or
- for any development approval made up of two or more different parts, each part which does not fulfil the measures stated above for material change of use, reconfiguring a lot, or any other development.

The currency period is determined by Council pursuant to section 85 of the *Planning Act 2016*.

FURTHER DEVELOPMENT PERMITS

The following development permit/s are required to carry out the development:

- Carry Out Building Work – Development Permit

ASSESSMENT OF CONDITION COMPLIANCE

Assessment of compliance with conditions that require a document and/or works to be approved by Council must be actioned by the submission of form CC11018: Request for Assessment of Compliance with Conditions (available on Council's website).

The form should be submitted by electronic lodgement to dalodgement@brisbane.qld.gov.au. A fee quote will be generated upon receipt of the request and forwarded for payment prior to assessment of the request. A separate request must be made for each condition or part condition as appropriate.

CONDITIONS

This approval is subject to conditions included in the attached development approval package which includes:

- conditions imposed by Council as assessment manager

SUBMISSIONS

Submissions were received for this application. A list of the name, residential or business address and electronic address of each principal submitter is attached. The appeal period for a submitter of a properly made submission does not commence until the applicant's appeal period has ended or the applicant gives to the Council written notice that the applicant does not intend to make change representations about the conditions of the development approval.

If, within 1 year after a development application (the original application) lapses or is withdrawn, another development application that is not substantially different from the original application (the later application) is made, any properly made submission for the original application is taken to be a properly made submission for the later application.

An eligible submitter for a development application, or a change application, is entitled to appeal this decision or elect to become a co-respondent by election for an appeal in circumstances described in Schedule 1 of the *Planning Act 2016*.

Pursuant to section 71 of the *Planning Act 2016*, this development approval does not take effect until the submitters' appeal period has ended or, if an appeal about the approval is started and subject to the outcome of the appeal – approval starts to have effect when the appeal ends.

APPEAL RIGHTS

In accordance with the *Planning Act 2016*, the rights of appeal must be stated for the applicant and any submitters. Attached is a table of appeal rights under the *Planning Act 2016* that details your appeal rights and the appeal rights of any submitters.

Decision Notice – Infrastructure Charges

(Section 121(3) of the *Planning Act 2016*)

INTRODUCTION

This is a decision notice given pursuant to section 121(3) of the *Planning Act 2016*. The decision to give the infrastructure charges notice on **10 January 2020** was made by the Principal Urban Planner as the delegate appointed by Council to determine the application.

APPLICATION DETAILS

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Application Made Date: 11 April 2019
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