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APPLICATION REF
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BRISBANE CITY COUNCIL ABN 72 002 765 795

Property Owner's Statement of Consent or Refusal to allow a Lawful Point of Discharge for a Proposed Development

General Information

This Statement of **consent or refusal** is to be provided to support a Development Application where a Lawful Point of Discharge for stormwater piping is required through a property that is not legally OWNED by the developer/applicant.

The affected property owner is advised that a stormwater pipe provided through the property will actually benefit your properties. The proposed pipe, if consented to will reduce nuisance stormwater flows across the property, allowing for a connection of stormwater drainage for the proposed development.

A conceptual plan identifying the proposed works is to be sighted and signed by the downstream owner and provided as part of this consent.

Where the property owner does not agree to a lawful point of discharge through their property or rescinds an agreement after an application has been approved by Council, the developer may choose to provide alternate mitigation measures to reduce drainage impacts to affected properties.

While the measures adopted by the developer/applicant must ensure that no unreasonable adverse effects to any downstream property could occur, refusal of consent may cause nuisance to downstream property owners in the form of frequent damp soils or shallow ponding of stormwater that an engineered, piped system would prevent.

Privacy Statement

The personal information collected on this form will be used by Brisbane City Council for the purposes of fulfilling your request and undertaking associated Council functions and services. Your personal information will not be disclosed to any third party without your consent, unless this is required or permitted by law.

Applicant Details

1 Applicant's full name

Sebastien Laflamme

Address

590 VULTURE ST E

EAST BRISBANE QLD 4169

Postcode **4169**

2 Contact details

Contact phone number: **0429933452**

Contact fax number:

Mobile phone number: **0429933452**

E-mail address: **jhague@localityplanning.com.au**

3 Development Application No.

A00 6220530

4 Applicant's signature

Date: **09 / 07 / 2023**

Affected Property Owner's Details

1 Full name/s of property owner/s

1. **Nicole Kathryn Byrnes**

2.

2 Address of affected property.

29 Gresham Street

EAST BRISBANE QLD 4169

Postcode **4169**

3 Do you agree for the property above to be considered a lawful point of discharge for stormwater flows in regard to the Development Application noted on this form and in accordance with the attached Plan?

I agree ☐ ***Go to next question***

I DO NOT agree ☒ ***Go to 5***

4 Details and/or Conditions of Consent Agreement

Plan No.

265-003-300

Details and/or Conditions

The lawful pint of discharge is to be made inline with the Plan 265-003-300 by BaX Engineering.

5 PLEASE READ AND MAKE SURE YOU UNDERSTAND THIS STATEMENT BEFORE SIGNING IT

Statement

1. This agreement (if accepted) will allow Council to reasonably determine that a Lawful Point of Discharge regarding a Development Application has been obtained.
2. Costs associated with design and installation of the proposed pipe will be covered by the applicant/developer requesting consent.
3. Any other compensation or remediation works pursuant to the consent is to be agreed to by the applicant/developer and the owner of the downstream property owner.

If the owner of the relevant property does not grant a lawful point of discharge Council is not required to reject the Development Application, although this issue will be taken into account in relation to any determination by Council.

Declaration

I/We declare that I/we are the legal owner/s of the above-mentioned property and have read and understand the above Statement.

Full name of owner 1

1. NICOLE KATHRYN BYRNES

Signature

N. Byrnes

Date

19/09/23

Full name of owner 2 *(if applicable)*

2.

Signature

Date

/ /