



Mailing Address: PO Box 390, Gayndah Qld 4625  
Street Address: 34-36 Capper Street, Gayndah Qld 4625  
Telephone: 1300 696 272  
Facsimile: (07) 4161 1425  
Email: admin@northburnett.qld.gov.au  
Web: www.northburnett.qld.gov.au  
ABN: 23 439 388 197

26 October 2021

Your Reference:  
Our Reference: DA210021

Robert Slack  
PO Box 74  
GAYNDAH QLD 4621

Dear Sir/Madam

**CONCURRENCE AGENCY RESPONSE**  
11 WARTON STREET, GAYNDAH  
(Given under section 56(4) of the *Planning Act 2016*)

Thank you for your concurrence agency referral for the following premises which was properly referred on 18 October 2021. The North Burnett Regional Council has assessed the referral against the relevant matters of its jurisdiction and has made a decision as follows:

**Applicant details**

---

Applicant name: Robert and Kerry Charles Slack  
Applicant contact details: PO Box 74  
GAYNDAH QLD 4625  
Email: robbiecrslack@gmail.com  
Phone: 0427 155 245  
Mobile:

**Location details**

---

Street address: 11 WARTON STREET, GAYNDAH  
Real property description: L13 SP323524  
Local government area: North Burnett Regional Council

**Application details**

---

Application number: DA210021  
Proposed development: Development Permit for Building Works

**Aspects of development and type of approval being sought**

Nature of Development	Approval Type	Brief Description of Proposal
Concurrency Agency	Development Permit	Design and Siting for Shed

**Referral triggers**

The development application was referred to the Council under the following provisions of the *Planning Regulation 2017*

Referral trigger Schedule 9 – Building work assessable against the *Building Act* Part 3 Division 2 Table 1 Particular class 1 and 10 building and structures involving possible amenity and aesthetic impact  
Schedule 9 – Building work assessable against the *Building Act* Part 3 Division 2 Table 3 Design and Siting – QDC non-compliance and/or QDC alternate provision assessment

**Decision**

Decision Details: The North Burnett Regional Council advises the assessment manager that;  
The development approval must be subject to stated development conditions set out in Attachment 1.

**Conditions**

This approval is subject to the conditions in Attachment 1.

The North Burnett Regional Council advises the assessment manager that the conditions must be attached to any development approval for the application in accordance with section 56 of the *Planning Act 2016* and that under section 62(b) of the *Planning Act 2016*. The assessment manager must attach this response to any approval for the development.

**Reasons for decision to impose conditions**

Under section 56 (7)(c) of the *Planning Act 2016*, the North Burnett Regional Council is required to set out reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

**Approved Plans and Specifications**

Document Number Reference	Title (prepared by)	Date
Page 6 of 8	Elevations provided by Mick Coulson	
Page 7 of 8	Site Plan provided by Robert Slack	

**Giving of the Notice**

Under section 56(4) of the *Planning Act 2016*, this notice of referral agency response has been issued (where applicable) to the applicant and the assessment manager of the application.

Should you require any further assistance in process, please contact Council’s Development Services Department on 1300 696 272.

Yours faithfully

  
Jeff Miles  
**Planning and Environment Manager**

Enc: Attachment 1-conditions to be imposed  
Attachment 2-reasons for decision to impose conditions  
Attachment 3-plans  
Attachment 4-appeal rights

## Attachment 1 – Conditions to be imposed by Concurrence Agency

No.	Conditions
<b>General</b>	
1.	Unless otherwise stated in a particular condition, all conditions must be completed prior to the completion of building works, or issue of a final certificate, whichever is the sooner, unless otherwise agreed to in writing by the Concurrence Agency.
<b>Design and Siting</b>	
2.	The approved shed must be sited a minimum 3 metres from the Warton Street road property boundary or no closer to the Warton Street boundary than closest neighbouring shed at 2 Capper street, with all setbacks measured from the outermost projection of the structure.
3.	The approved shed must be sited a minimum 1.5 metres from the north-eastern boundary.
4.	The floor area of the approved shed must not exceed 115m <sup>2</sup>
5.	The overall height of the approved shed must not exceed 4 metres.
6.	Utilise colours in the development that are sympathetic to the surrounding environment and avoid excessive brightness, contrast, colour intensity, and reflectivity. In this regard, materials/colours on the roof and wall of the structures must not reflect glare into the habitable rooms of any dwelling on surrounding allotments.
<b>Use</b>	
7.	The approved shed is to be used for private/domestic purposes only. The approved structure must not be used as a separate domicile/dwelling or used for any industrial/business use unless valid development approvals are granted for such uses. To this end, the use of any of the approved building/s associated with this approval must be ancillary and incidental to the predominant use of the site for a Dwelling Unit
8.	The approved shed must not be used for habitable purposes.

## Attachment 1B – Advice Notes

A.	This Concurrence Agency Response does not represent a development approval for Building Works under the <i>Building Act 1975</i> .
B.	All building works the subject of this notice can only proceed once a development permit for building works is issued by a Building Certifier.
C.	Please note this amenity and aesthetics assessment pertains to the approval of a class 10 building only (defined as Domestic Carport, Shed and Garage (10a)). It is recommended that clarification from a Building Certifier be sought to ensure that an appropriate building classification is applied to align with the building size, purpose, use and intent of operations within the building.



Mailing Address: PO Box 390, Gayndah Qld 4625  
Street Address: 34-36 Capper Street, Gayndah Qld 4625  
Telephone: 1300 696 272  
Facsimile: (07) 4161 1425  
Email: [admin@northburnett.qld.gov.au](mailto:admin@northburnett.qld.gov.au)  
Web: [www.northburnett.qld.gov.au](http://www.northburnett.qld.gov.au)  
ABN: 23 439 388 197

## **Attachment 2 – Reasons for decision to impose conditions**

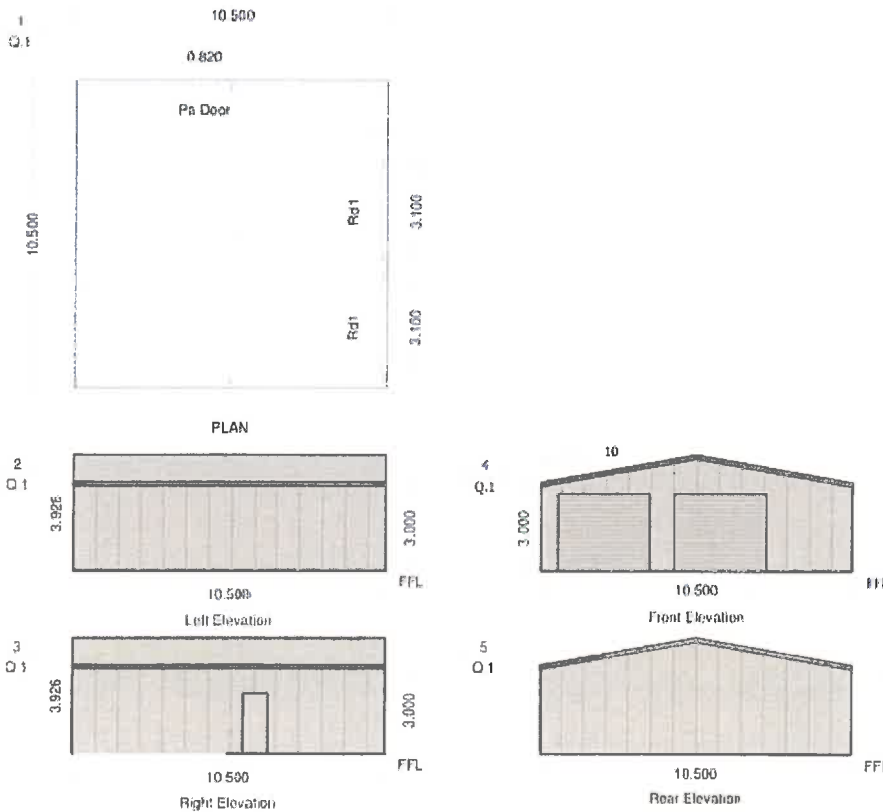
The reason for this decision are:

- To ensure the development is carried out generally in accordance with the plans of development submitted with the application.
- To ensure that the development is carried out in accordance with the performance criteria as stated in the Queensland Development Code MP1.2.
- To ensure that the development is carried out in accordance with the Dwelling House Code of the north Burnett Regional Council Planning Scheme.

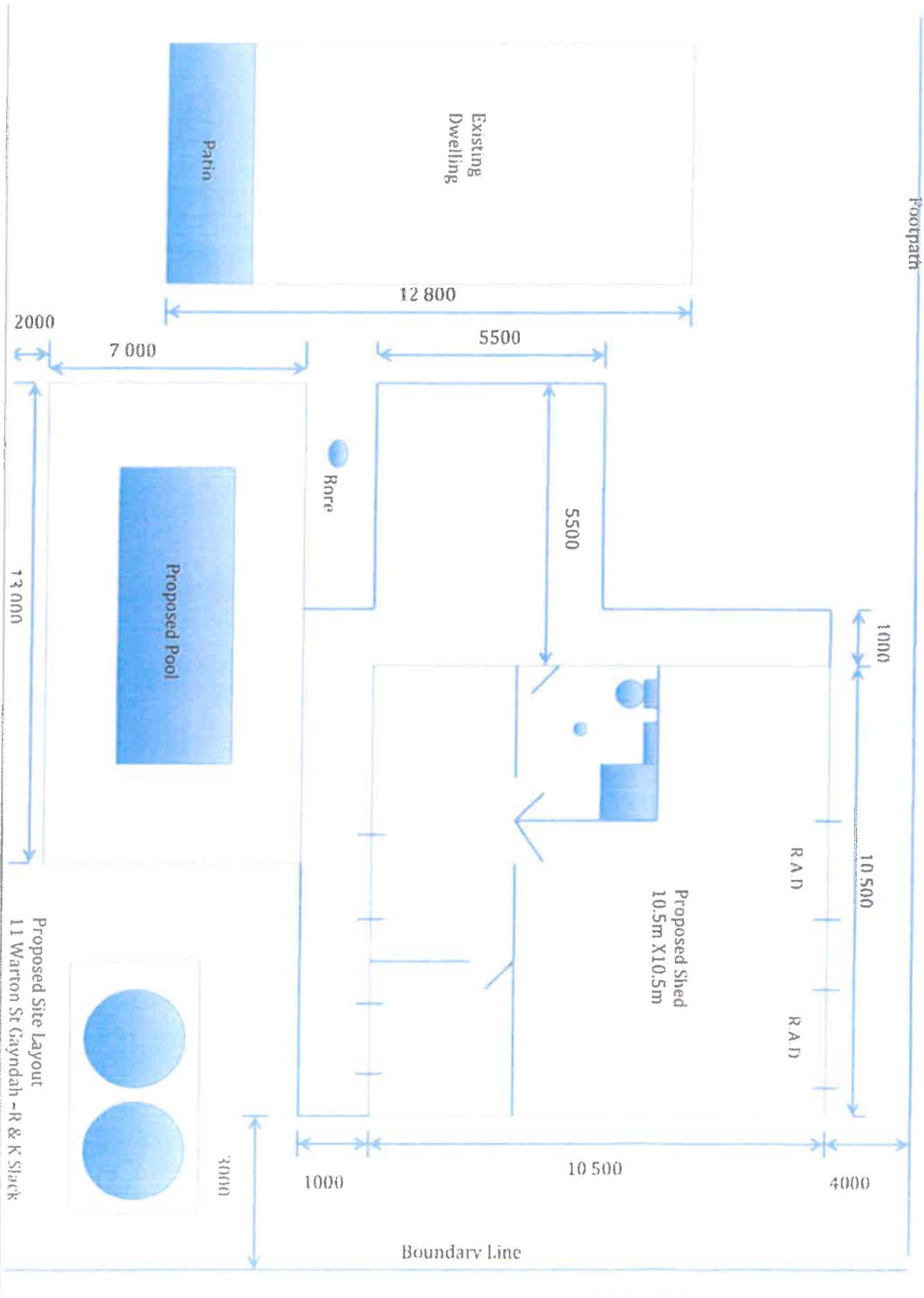
**Attachment 4 – Approved Plans**

◀ 9 McHugh Steel She... ^ v

Purchase	
<p>For the above please pay the deposit amount listed above.            Pty Ltd BSB: 084901 Acct: 870 997 078            Date #. Balance due Prior to Fabrication of Kit Materials.            If Any Changes are Required to your Order.</p>	<p>Date of Order.....            Client to sign here.....</p>
<p>© 2021 Mc Hugh Steel Pty Ltd (5) [SZA0077]</p>	



CLIENT	DRAW
<p>Portal Frame Cable Roof Enclosed Domestic Design Voles-49 m<sup>2</sup>s (Reg B) 10.500 x 10.500 x 3.000            At: 11 Warton St Gayndah 4625            For: Mick Coulsen            Approved by</p>	<p>OP1 Rel 3104301527086  <b>ARCHITECTURA</b>            Date:</p>



## **Attachment 3 – Planning Act 2016 Extract Appeal Rights**

---

**Intentionally left blank**

**Please refer to attached document or**

<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-025#ch.6>

<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-025#sch.1>