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13 September 2021

Your Reference:
Our Reference: DA210035

Brandon Ford
14 Leichhardt Street
MUNDUBBERA QLD 4626

Dear Sir/Madam

CONCURRENCE AGENCY RESPONSE
120 FRANK MCCAULEY STREET, MUNDUBBERA
(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 . 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: Brandon Mark Ford
Applicant contact details: 14 Leichhardt Street
MUNDUBBERA QLD 4626
Email: fordb93@yahoo.com
Phone: 0407 510 134
Mobile:

Location details

Street address: 120 FRANK MCCAULEY STREET, MUNDUBBERA
Real property description: L20 SP296682
Local government area: North Burnett Regional Council

Application details

Application number: DA210035
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
Building Work - assessable against planning scheme	Development Permit	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

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

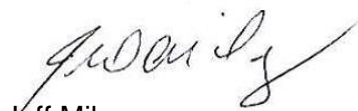
Document Number Reference	Title (prepared by)	Date
Page 1 of 2 DA210035	Site plan by North Burnett Regional Council	13.09.2021
Page 2 of 2 DA210035	Elevations by J & K O's Constructions	28.06.2021

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.

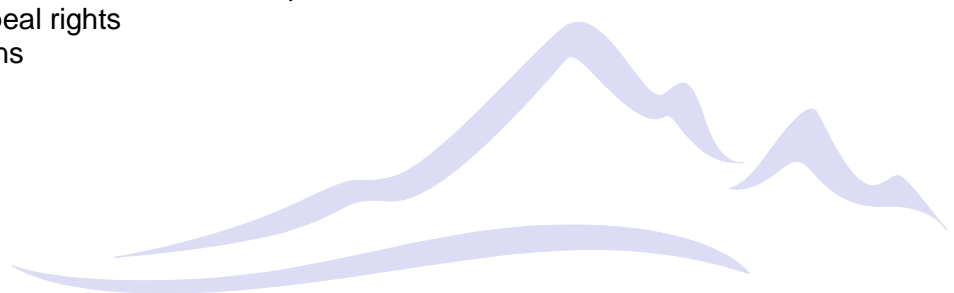
Yours faithfully



Jeff Miles

Planning and Environment Manager

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

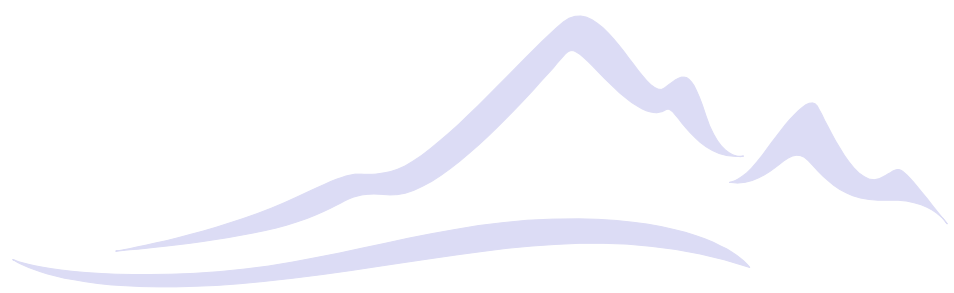


Attachment 1 – Conditions to be imposed by Concurrency Agency

No.	Conditions
General	
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.
Design and Siting	
2.	The approved shed must be sited a minimum 8.4 metres from the northern property boundary and 11.5m from Frank McCauley Street boundary, with all setbacks measured from the outermost projection of the structure.
3.	The floor area of the approved shed must not exceed 290m ²
11.	The openings of the approved shed must not be enclosed in accordance with Approved Plan documentation
5.	The wall height of the approved shed must not exceed 6 metres measured from natural ground level.
Use	
9.	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
10.	The approved shed must not be used for habitable purposes.

Attachment 1B – Advice Notes

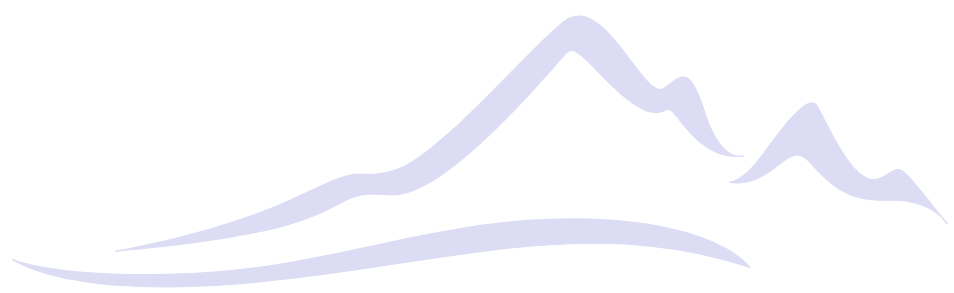
A.	This Concurrence Agency Response does not represent a development approval for Building Works under the <i>Building Act 1975</i> .
B.	All building works the subject of this notice can only proceed once a development permit for building works is issued by a Building Certifier.
C.	Please note this assessment 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.



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 performance criteria as stated in the North Burnett Regional Council Planning Scheme

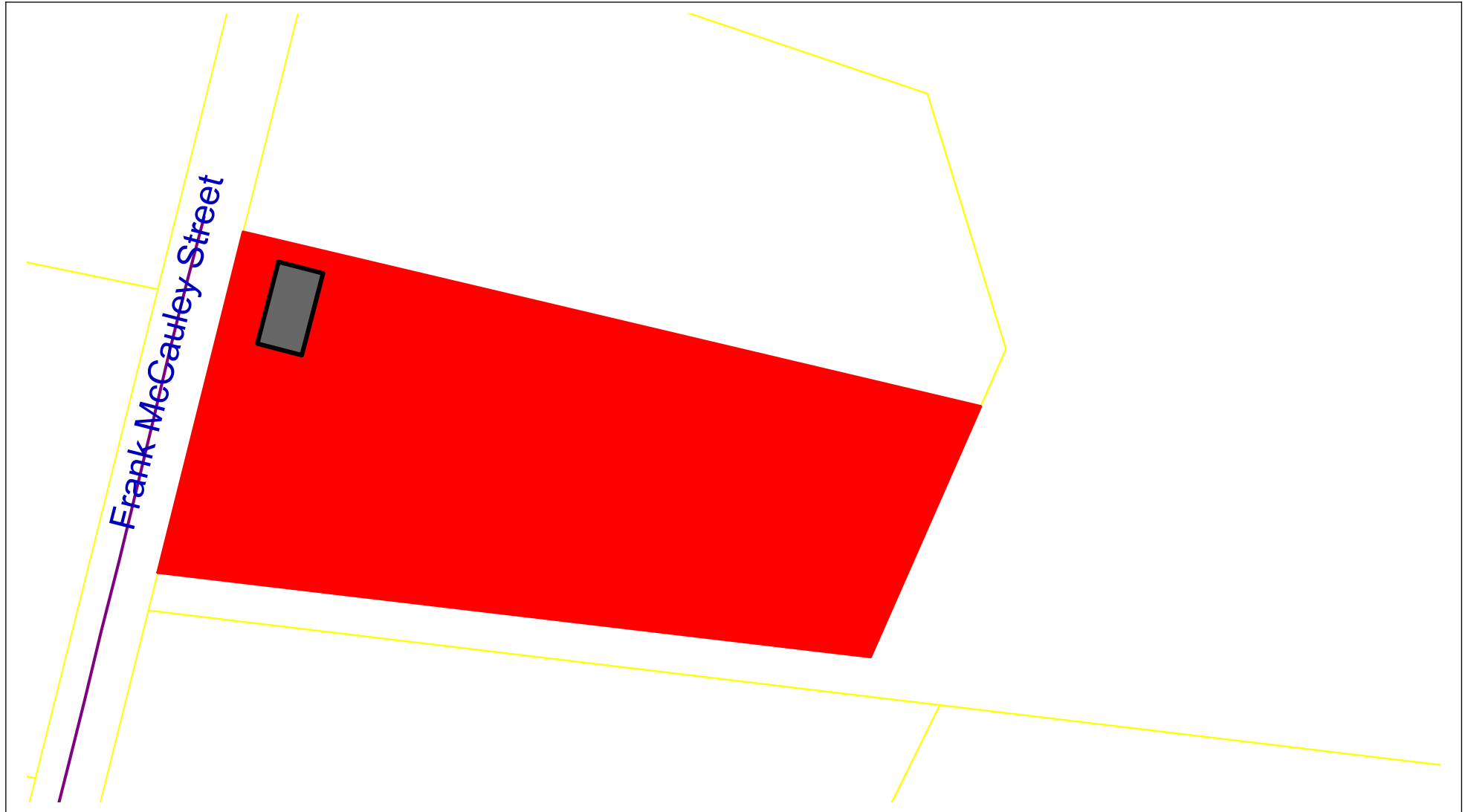


Attachment 3 – Approved Plans

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Please refer to the following pages for approved plans.





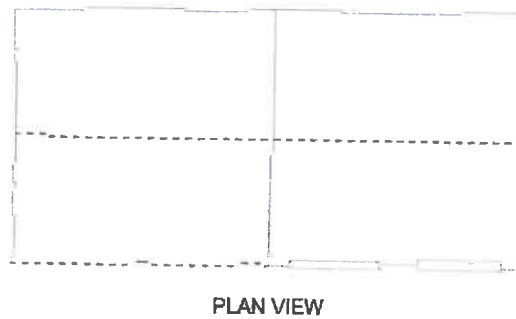
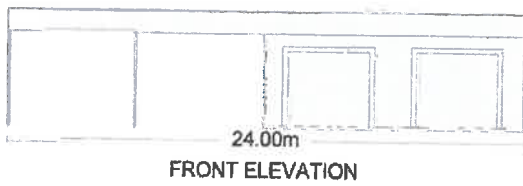
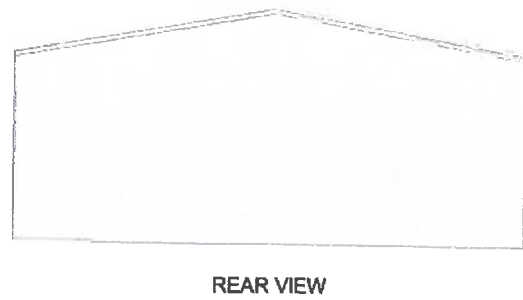
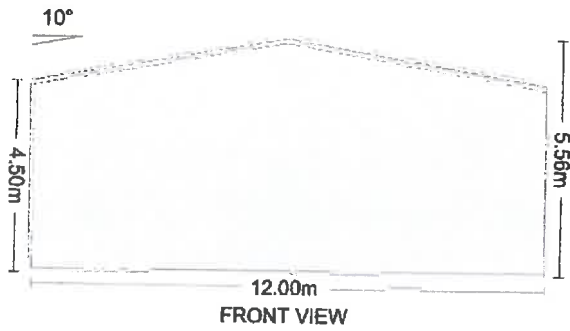
While every care is taken to ensure the accuracy of this data, the North Burnett Regional Council makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibilities and all liabilities (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you may incur as a result of the data being inaccurate or incomplete in anyway and for any reason.

13/09/2021

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J & K O'S Constructions		Order
ABN: 73048184234	Phone: 0477 916 011	No: 300933
Address: 18 Olympia Street Mundubbera QLD 4626	Lic No: 15142600	Date: 28/06/2021
Email: jayden_oppermann93@hotmail.com		



Attachment 4 – Appeal Rights Planning Act 2016

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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>

