

Decision notice — approval (with conditions)

(Given under section 63 of the Planning Act 2016)

Thank you for your development application detailed below which was properly made on 17 February 2022. The North Burnett Regional Council has assessed your application and decided it as follows—

Applicant's Details

Name: Tyler Roberts
 Postal Address: 17 Queen Street
 DALLARNIL QLD 4621
 Email: robertssally73@gmail.com
 Phone No.: 0466 370 814
 Mobile No.:

Location details

Street address: 17 QUEEN STREET, DALLARNIL
 Real property description: 23RP15872
 Local government area: North Burnett Regional Council

Application details:

Application number: DA220003
 Approval sought: Development Permit
 Description of development proposed: Building Work Assessable Against Planning Scheme — Shed — Design and Siting

Decision

Date of decision: 13 April 2022
 Decision details: Approved in full with conditions. These conditions are set out in [Attachment 1](#) and are clearly identified to indicate whether the assessment manager or a concurrence agency imposed them.

	Planning Regulation 2017 reference	Development Permit	Preliminary Approval
Development assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval which includes a variation approval		<input checked="" type="checkbox"/>	<input type="checkbox"/>

Approved plans and specifications

Copies of the following plans, specifications and/or drawings are enclosed in attachment 3—

Drawing/report title	Prepared by	Date	Reference no.	Version/ issue
Site plan	North Burnett Regional Council	13/04/2022		
Architectural Drawings	McHugh Steel	03/02/2022	QP1 - 32020308313466	
Footing View	McHugh Steel	03/02/2022	FP1 - 32020308313466	
Side Wall View	McHugh Steel	03/02/2022	SW1 – 32020308313466	
Side Wall View	McHugh Steel	03/02/2022	SW2 – 32020308313466	
End Wall View	McHugh Steel	03/02/2022	EW1 - 32020308313466	

Conditions

This approval is subject to the conditions in Attachment 1. These conditions are clearly identified to indicate whether the assessment manager or concurrence agency imposed them.

Further development permits

Please be advised that the following development permits are required to be obtained before the development can be carried out:

- All Building Work

Currency period for the approval

This development approval will lapse at the end of the period set out in section 85 of *Planning Act 2016*—refer <https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-025#sec.85>. A hard copy of section 85 of *Planning Act 2016* can be provided upon request.

Conditions about infrastructure

No conditions about infrastructure have been imposed under Chapter 4 of the *Planning Act 2016*.

Rights of appeal

The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in chapter 6, part 1 of the *Planning Act 2016* (<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-025#ch.6>) and Schedule 1 of the *Planning Act 2016* (<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-025#sch.1>). For particular applications, 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* – <https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-025#ch.6-pt.2>). A hard copy of the appeal rights extracted from the *Planning Act 2016* can be provided upon request.

Attachment 1 – Conditions Imposed by Assessment Manager

General

- 1) Carry out the approved development in accordance with the approved plans and documents identified in section 5 “Approved plans” of the decision notice approval, except as modified by the conditions of this approval as relevant.
- 2) Where there is any conflict between conditions of this approval and details shown on the approved plans and documents, the conditions prevail.
- 3) Exercise the approval and complete all associated works, including any relocation or installation of services, at no cost to Council.
- 4) Comply with all the conditions of this development permit prior to commencement of the use, and maintain compliance whilst the use continues.

Design and Siting

- 5) The approved shed must be sited a minimum 1.5 metres from the side boundaries and 6 metres from the front property boundary, with all setbacks measured from the outermost projection of the structure.
- 6) The floor area of the approved shed must not exceed 130m².

Use

- 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.

Advice to the applicant

- This Concurrence Agency Response does not represent a development approval for Building Works under the *Building Act 1975*.
- All building works the subject of this notice can only proceed once a development permit for building works is issued by a Building Certifier.
- This approval relates to development requiring approval under the *Planning Act 2016* only. It is the applicant’s responsibility to obtain any other necessary approvals, licences or permits required under State and Commonwealth legislation or council local law, prior to carrying out the development. Information with respect to other council approvals, licences or permits may be found on the Sunshine Coast Council website (www.sunshinecoast.qld.gov.au). For information about State and Commonwealth requirements please consult with these agencies directly.
- This development approval does not authorise any activity that may harm Aboriginal cultural heritage. Under the Aboriginal Cultural Heritage Act 2003 you have a duty of care in relation to such heritage. Section 23(1) provides that "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage." Council does not warrant that the approved development avoids affecting

Aboriginal cultural heritage. It may therefore be prudent for you to carry out searches, consultation, or a cultural heritage assessment to ascertain the presence or otherwise of Aboriginal cultural heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding.

- Inspect the vegetation prior to clearing for the presence of nesting birds, koalas, and other fauna, including habitat hollows. No clearing of vegetation which may disturb nesting birds is permitted until the birds have fledged and left the nest. Removal of trees with koalas and other fauna must be carried out under the supervision of a Department of Environment and Heritage Protection registered fauna management spotter-catcher who will be responsible for dealing with native fauna present as required under the Queensland Nature Conservation Act 2002.



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ABN: 23 439 388 197

Attachment 2 – Approved Plans

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Please refer to the following pages for approved plans.

Attachment 3 – 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>