

13/04/2022

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

Your Reference:
Our Reference: DA220008

Shane Benfield
1032 GOOROOLBA BIGGENDEN ROAD
DEGILBO QLD 4621

Dear Sir

**RE: DEVELOPMENT APPLICATION FOR BUILDING WOR ASSESSABLE AGAINST
PLANNING SCHEME—SECONDARY DWELLING AT 1032 GOOROOLBA BIGGENDEN
ROAD, DEGILBO; LAND DESCRIBED AS LOT 7 ON RP202755**

Thank you for the above-mentioned development application lodged with the North Burnett Regional Council and taken to be properly made on 25 February 2022.

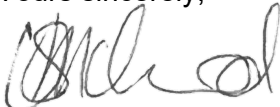
Please find attached the Decision Notice for the above-mentioned development application.

Sections 71 and 72 of the Planning Act 2016 identifies when a development approval has effect and the development may start. In summary, a development approval generally has immediate effect, except when—

- if there is an appeal, after the appeal has ended;
- if there is no appeal but there was a submitter, all submitters have notified the Council that they will not appeal the decision, or when the last appeal period ends.

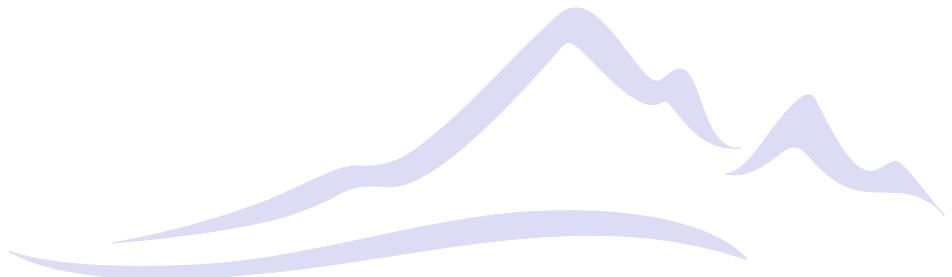
Please quote Council's application number: DA220008 in all subsequent correspondence relating to this development application. Should you require any clarification regarding this matter or wish to schedule a meeting, please contact Council's Development Services team on telephone 1300 696 272.

Yours sincerely,



Lyn McLeod
Development Officer

Enc: Decision notice
Approved plans



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 25 February 2022. The North Burnett Regional Council has assessed your application and decided it as follows—

Applicant's Details

Name: Shane Benfield
 Postal Address: 1032 GOOROOLBA BIGGENDEN ROAD
 DEGILBO QLD 4621
 Email: shane.benfield63@gmail.com
 Phone No.: 0403732011
 Mobile No.:

Location details

Street address: 1032 GOOROOLBA BIGGENDEN ROAD, DEGILBO
 Real property description: 7RP202755
 Local government area: North Burnett Regional Council

Application details:

Application number: DA220008
 Approval sought: Development Permit
 Description of development proposed: Building Work Assessable Against Planning Scheme — Secondary Dwelling

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
Layout	Wide Span Sheds	28/02/2022	DG46592111005-2	

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
- All Plumbing and Drainage Work

Currency period for the approval

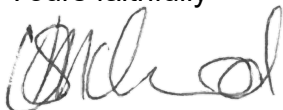
This development approval will lapse at the end of the period set out in section 85 of *Planning Act 2016*—refer <https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-025#sec.85>. A hard copy of section 85 of *Planning Act 2016* can be provided upon request.

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.

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

Yours faithfully



Lyn McLeod
Development Officer

Enc: Attachment 1-conditions imposed by assessment manager
Attachment 2-approved plans
Attachment 3-appeal rights

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.

Secondary Dwelling

- 5) The secondary dwelling structure must be setback a minimum of 10m from any boundary.
- 6) The secondary dwelling structure’s gross floor area must not exceed 130m².

Vehicle access

- 7) Access is to be via the existing access, if a new access or amendment to the existing access point is proposed an approval must be obtained from the Department of Transport and Main Roads prior to any construction works commencing.

Advice to the applicant

- 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.

- Vegetation clearing for the purposes of infrastructure must comply with the “Accepted Development Vegetation Clearing Code – Clearing for Infrastructure” document by the Department of Natural Resources, Mines and Energy or otherwise a formal application for Operational Works is required to be submitted to SARA for assessment. Please note that some aspects of the vegetation clearing works may be required to be notified to DNRME as part of the Accepted Development requirements.
- The use has been approved in an area that is not currently connected to a reticulated water supply. In accordance with the *Public Health Act 2005*, the development must be provided with a safe, adequate and potable water supply. Tank water must be treated to a potable standard and fitted with an appropriate sanitation system such that water is safe to drink. It is recommended that prior to commencement of use, testing certification be undertaken in order to ensure water is safe for consumption.

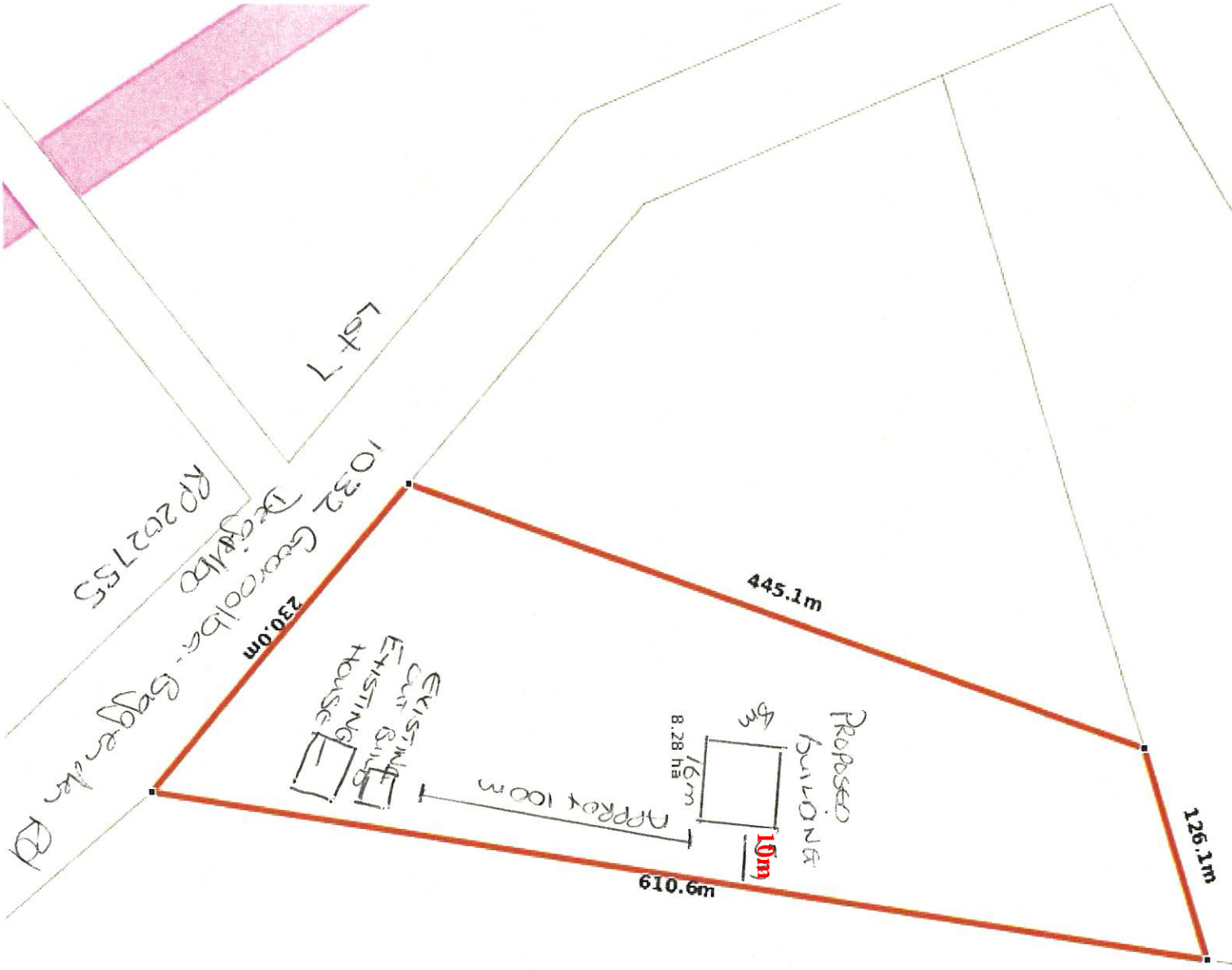


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Attachment 2 – Approved Plans

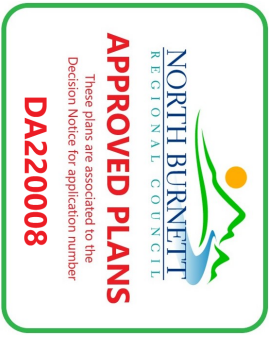
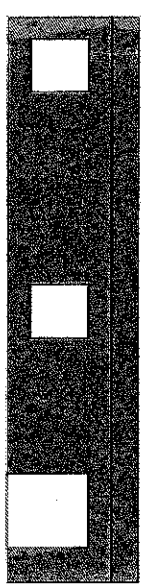
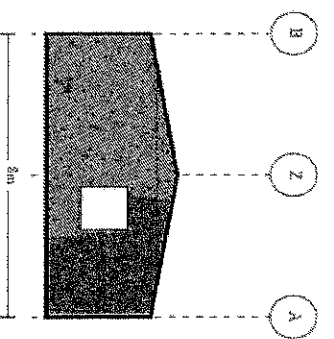
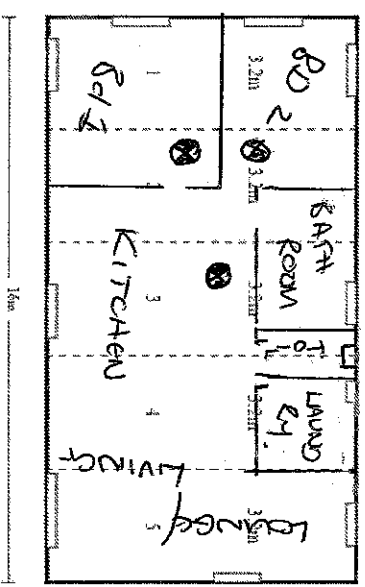
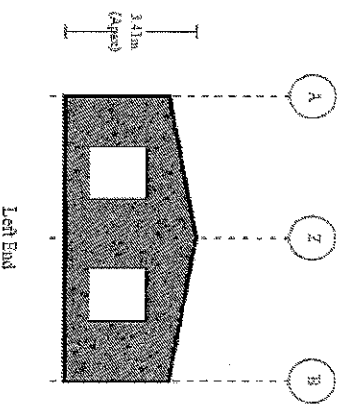
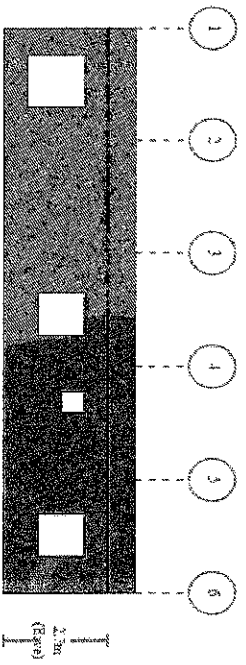
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Please refer to the following pages for approved plans.



Minimum boundary setback is to be 10m.


 NORTH BURNETT
 REGIONAL COUNCIL
APPROVED PLANS
 These plans are associated to the
 Decision Notice for application number
DA220008



Purchaser Name: Shane Barfield

Site Address: 1032 Coonulla Biggenden Road Deeglo QLD 4821 Australia

Drawing # DQ46921 11005-2

Layout
NOT FOR CONSTRUCTION
Not to Scale
© Copyright Swanke Pty Ltd

Sellers: Wade Sparn Shields Pty Ltd
Nina Durno & Emily Gibson
Phone: 07 47295539
Fax: 07 47295539
Email: durno@jsumnerdistrichreally.com.au

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>