

31 August 2022

Your Reference:  
 Our Reference: DA220036

Neville Richardson  
 PO Box 49  
 BIGGENDEN QLD 4621

Dear Sir/Madam

**CONCURRENCE AGENCY RESPONSE**  
 14A ELIZABETH STREET, BIGGENDEN  
 (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 August 2022. 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: Neville Leonard Richardson  
 Applicant contact details: PO Box 49  
 BIGGENDEN QLD 4621  
 Email:  
 Phone: 0457 047 231  
 Mobile: 0418 304 762

**Site details**

Street address: 14A ELIZABETH STREET, BIGGENDEN  
 Real property description: L17SP270947

**Application details**

Application No: DA220036  
 Date of Decision: 31 August 2022  
 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 height over 4m, length over 12m and GFA greater than 110m <sup>2</sup>

## Referral triggers

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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

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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

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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.

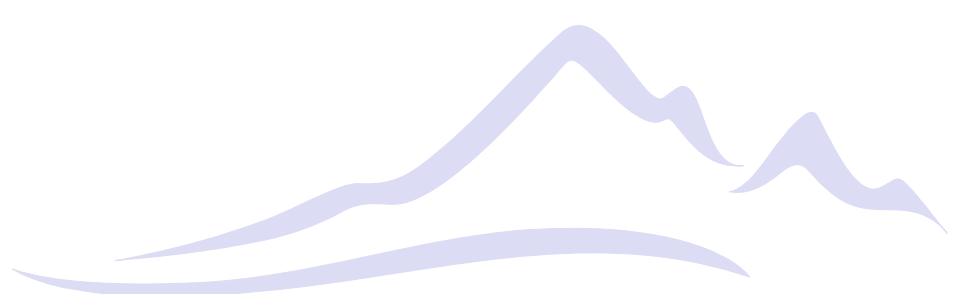
## Reasons for decision to impose conditions

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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 No./ Reference	Title (prepared by)	Date
	Site Plan	
S03	Footing and Slab Plan by Ezi Built Sheds	24.05.2022
S05	Elevation Framing by Ezi Built Sheds	24.05.2022
S07	Side Elevation Framing by Ezi Built Sheds	24.05.2022
S09	Elevation Sheeting Layout by Ezi Built Sheds	24.05.2022



**Giving of the Notice**

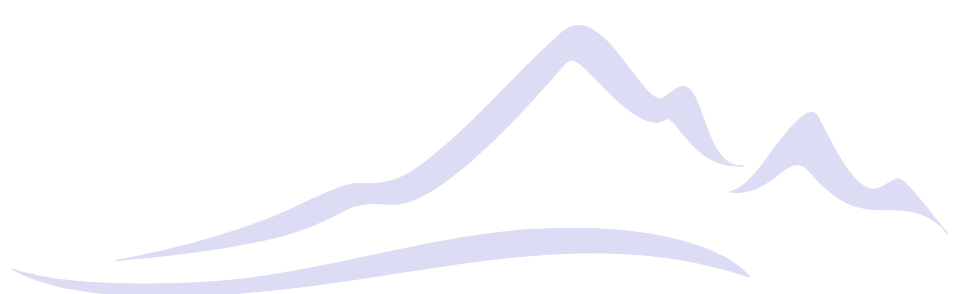
Under section 56(4) of the *Planning Act 2016*, this notice of referral agency response has been issued (where applicable) to the applicant and the assessment manager of the application.

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

Yours faithfully

Lyn McLeod  
**Development Officer**

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 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 of <ul style="list-style-type: none"> <li>• 3 metres from the northern,</li> <li>• 15m from the western,</li> <li>• 25m from the eastern, and</li> <li>• 30m from the southern property boundaries</li> </ul> with all setbacks measured from the outermost projection of the structure.
3.	The floor area of the approved shed must not exceed 195m <sup>2</sup>
4.	The overall height of the approved shed must not exceed 5.5 metres measured from natural ground level.
5.	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>	
6.	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
7.	The approved shed must not be used for habitable purposes.
8.	The openings of the approved shed must not be enclosed in accordance with Approved Plan documentation

### 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.

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

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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 V1.4.

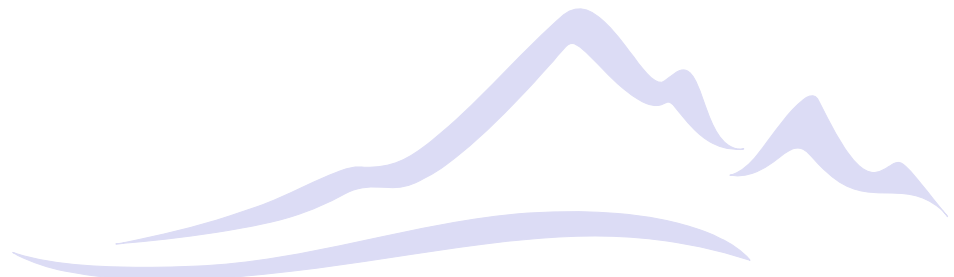


## **Attachment 3 – Approved Plans**

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**Please refer to the following pages for approved plans.**



## **Attachment 4 – Planning Act 2016 Extract Appeal Rights**

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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>

