

14 May 2018

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

ABN: 23 439 388 197

Your Reference:

Our Reference: #869928

John John Romanous 191 Walters Road BLACKTOWN NSW 2148

Dear Sir/Madam

CONCURRENCE AGENCY RESPONSE OLD NANANGO ROAD, GAYNDAH Q 4625

(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 20 April 2018. 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: John John Romanous

Applicant contact details:

Email: johnjohnconstruction@hotmail.com

Phone:

Mobile: 0416 034 129

Site details

Street address: Old Nanango Road, Gayndah

Real property description: Lot 321 MZ1159

Application details

Application No: 85/18

Proposed development: Development Permit for Building Works

Aspects of development and type of approval being sought

	Approval Type	Brief Description of Proposal
Building Work	Development Permit	To move onsite a Class 1a Dwelling

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 7 Building work for removal or rebuilding

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 <u>Attachment 2</u>.

Approved Plans and Specifications

Document No./ Reference	Title (prepared by)	Date
200101-03 A101	Photos of Existing Dwelling By Dowse & Co	17.04.2018
200101-03 A103	Site Plan by Dowse & Co	17.04.2018
200101-03 A100	Cover Page by Dowse & Co	17.04.2018
200101-03 A105	Upper Floor Plan by Dowse & Co	17.04.2018
200101-03 A106	Elevations North South by Dowse & Co	17.04.2018
200101-03 A107	Elevations East West by Dowse & Co	17.04.2018

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

MJP Pitt

Chief Executive Officer

Enc: Attachment 1-conditions to be imposed

Attachment 2-reasons for decision to impose conditions

Attachment 3-appeal rights

Attachment 4-plans



Street Address:

Mailing Address: PO Box 390, Gayndah Qld 4625 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

Attachment 1 – Conditions to be imposed by Concurrency Agency

No.	Conditions							
Gene	ral							
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.							
Desig	n and Siting							
2.	The approved dwelling must be sited as per the submitted plans with all setbacks measured from the outermost projection of the structure.							
6.	The habitable rooms floor level must be 300mm above the defined flood level in the North Burnett Regional Council Planning Scheme.							
7.	The height of the approved dwelling must not exceed 8.5m in height above natural ground shown on the endorsed plan. Any earthworks required for the development must be undertaken in such a way as to ensure that the height of the building complies with this condition.							
Use								
9.	The approved dwelling 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							
Remo	val/Resiting of a Dwelling or Other Structure							
15.	Complete all external works associated with the relocated dwelling within 12 months from the date of the development approval, or as otherwise approved in writing by the Concurrence Agency.							
Securi								
18.	Provide a security to the Concurrence Agency to the amount of \$12,000.00 in the form of a cash bond, or an irrevocable bank guarantee that is to be maintained until such time as the Concurrence Agency provides written advice that the security (or part of the security) can be released. This security must be provided to the Concurrence Agency prior to the issue of the development approval for building works.							
Works	s to be completed before Release of any Bond							
19.	All conditions of the Amenity and Aesthetics approval are to be completed prior to issue of Form 21.							
20.	Replace or make good all exterior wall cladding material so as to be free of any visible or performance related defects.							
21.	Complete all external wall finishes so as to provide a surface that is free of flaking paint, stains or rust. Wall finishes are to be renewed or replaced so as to match the colour and finish of surrounding wall areas of the building or structure.							
22.	Replace or make good all roof cladding materials so as to be free of any visible or performance related defects including rust, flaking paint or broken tiles.							
23.	Provide a copy of Form 21 Final Certificate/s covering all building works carried out under this approval to ensure that the dwelling is fully compliant with the <i>Building Act 1975</i> including, but not limited to the following works:							

- a. Relocation and restumping of dwelling including all foundations; and
- b. Frame, bracing and tie down whether new, or required for upgrade; and
- c. Any new works whether renovations, additions, or other to bring the structure up to required NCC Classification compliance.

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.	Prior to any alteration or modification of a building, it is recommended that an inspection be
	undertaken of the resite/removal dwelling or building by a qualified person/s to determine
	the existence of Asbestos Cement Material (ACM), Asbestos Cement Products (ACP) or any
	other material not deemed as an acceptable construction material as defined in the
	Australian Standards or the Building Code of Australia.



Mailing Address: Street Address: Telephone:

PO Box 390, Gayndah Qld 4625 34-36 Capper Street, Gayndah Qld 4625

Facsimile: 1300 696 272 (07) 4161 1425

Email: admin@northburnett.qld.gov.au Web: 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.
- Under Planning Regulations 2017 Schedule 9, Division 2, Table 7, Council can set an amount for security of the works and the Building Act 1975 s93 allows for the security to be release. The amount of this security bond has been set by the North Burnett Regional Council under Council resolution adopted on the 15 June 2016.
- The currency period for a resited structure is legislated by the Building Act 1975 s71(3)
- The Amenity and Aesthetics policy adopted by North Burnett Regional Council on the 4 November 2016 states that matters for consideration are to be the architectural style, building form, construction materials and physical condition of the proposed dwelling complements existing houses in the locality and surrounding pattern of development.
- To comply with the requirements of the North Burnett Regional Council Planning Scheme and Queensland Development Code.



Mailing Address:

PO Box 390, Gayndah Qld 4625

Street Address: Telephone: 34-36 Capper Street, Gayndah Qld 4625

Telephone: 1300 696 272 Facsimile: (07) 4161 1425

ABN: 23 439 388 197

Attachment 3 - Planning Act 2016 Extract Appeal Rights

CHAPTER 6, PART 1 APPEAL RIGHTS

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
 - (a) matters that may be appealed to-
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) the person-
 - (i) who may appeal a matter (the appellant); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The appeal period is-
 - (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
 - (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
 - for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
 - (f) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note — See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund—
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to—
 - (a) the respondent for the appeal; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, table 1, item 1—each principal submitter for the development application; and
 - (d) for an appeal about a change application under schedule 1, table 1, item 2—each principal submitter for the change application; and
 - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
 - (f) for an appeal to the P&E Court—the chief executive; and
 - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The service period is—
 - if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

SCHEDULE 1 APPEALS

1 Appeal rights and parties to appeals

- (1) Table 1 states the matters that may be appealed to
 - a) the P&E court; or
 - (b) a tribunal.
- (2) However, table 1 applies to a tribunal only if the matter involves—
 - (a) the refusal, or deemed refusal of a development application, for-
 -) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (b) a provision of a development approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (c) if a development permit was applied for—the decision to give a preliminary approval for
 - i) a material change of use for a classified building, or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
 - (d) a development condition if-
 - (i) the development approval is only for a material change of use that involves the use of a building classified under the Building Code as a class 2 building; and
 - (ii) the building is, or is proposed to be, not more than 3 storeys; and
 - (iii) the proposed development is for not more than 60 sole-occupancy units; or
 - (e) a decision for, or a deemed refusal of, an extension application for a development approval that is only for a material change of use of a classified building; or
 - a decision for, or a deemed refusal of, a change application for a development approval that is only for a material change of use of a classified building; or
 - (g) a matter under this Act, to the extent the matter relates to-
 - (i) the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or
 - (ii) the Plumbing and Drainage Act, part 4 or 5; or
 - (h) a decision to give an enforcement notice in relation to a matter under paragraphs (a) to (g); or
 - (i) a decision to give an infrastructure charges notice; or
 - (j) the refusal, or deemed refusal, of a conversion application; or
 - (k) a matter that, under another Act, may be appealed to the tribunal, or
 - (I) a matter prescribed by regulation.
- (3) Also, table 1 does not apply to a tribunal if the matter involves—
 - (a) for a matter in subsection (2)(a) to (d)—
 - (i) a development approval for which the development application required impact assessment; and
 - (ii) a development approval in relation to which the assessment manager received a properly made submission for the development application; or
 - (b) a provision of a development approval about the identification or inclusion, under a variation approval, of a matter for the development.
- (4) Table 2 states the matters that may be appealed only to the P&E Court.
- (5) Table 3 states the matters that may be appealed only to the tribunal.
- (6) In each table—
 - (a) column 1 states the appellant in the appeal; and
 - (b) column 2 states the respondent in the appeal; and
 - (c) column 3 states the co-respondent (if any) in the appeal, and
 - (d) column 4 states the co-respondents by election (if any) in the appeal.
- (7) If the chief executive receives a notice of appeal under section 230(3)(f), the chief executive may elect to be a corespondent in the appeal.
- (8) In this section
 - storey see the Building Code, part A1.1.

Extract of Schedule 1 of the Planning Act 2016

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal Development applications 1. An appeal may be made againstthe refusal of all or part of the development application; or the deemed refusal of the development application; or (b) a provision of the development approval; or (c)if a development permit was applied for—the decision to give a preliminary approval (d) Column 1 Column 2 Column 3 Column 4 Appellant Respondent Co-respondent (if Co-respondent by election (if any) any) The applicant The assessment If the appeal is A concurrence agency that is not a manager about a concurrence co-respondent agency's referral 2 If a chosen assessment manager is response—the the respondent—the prescribed concurrence agency assessment manager 3 Any eligible advice agency for the application Any eligible submitter for the application Table 3 Appeals to a tribunal only 1. Building advisory agency appeals An appeal may be made against giving a development approval for building work to the extent the building work required code assessment against the building assessment provisions. Column 1 Column 2 Column 3 Column 4 Appellant Respondent Co-respondent by election (if any) Co-respondent (if any) A building advisory agency The assessment The applicant 1 A concurrence agency for the for the development manager development application related to the application related to the approval approval 2 A private certifier for the development application related to the approval 2. Inspection of building work An appeal may be made against a decision of a building certifier or referral agency about the inspection of building work that is the subject of a building development approval under the Building Act. Column 1 Column 2 Column 3 Column 4 Appellant Respondent Co-respondent (if Co-respondent by election (if any) any) The applicant for the The person who made development approval the decision. 3. Certain decisions under the Building Act and the Plumbing and Drainage Act An appeal may be made against-(a) a decision under the Building Act, other than a decision made by the Queensland Building and Construction Commission, if an information notice about the decision was given or required to be given under that Act; or (b) a decision under the Plumbing and Drainage Act, part 4 or 5, if an information notice about the decision was given or required to be given under that Act. Column 1 Column 2 Column 3 Column 4 Appellant Respondent Co-respondent Co-respondent by election (if any) (if any) A person who received, or The person who made was entitled to receive, an the decision information notice about the decision. 4. Local government failure to decide application under the Building Act An appeal may be made against a local government's failure to decide an application under the Building Act within the period required under that Act Column 1 Column 2 Column 3 Column 4 Appellant Respondent Co-respondent Co-respondent by election (if any) (if any)

The local

made

government to which

the application was

A person who was

entitled to receive

notice of the decision



Mailing Address: Street Address:

Email:

PO Box 390, Gayndah Qld 4625 34-36 Capper Street, Gayndah Qld 4625

Telephone: 1300 696 272 Facsimile: (07) 4161 1425

admin@northburnett.qld.gov.au Web: www.northburnett.qld.gov.au

ABN: 23 439 388 197

Attachment 4 - Approved Plans

This page is intentionally left blank

Please refer to the following pages for approved plans

This Decument Forms Part Of Development Permit No. 0085-18



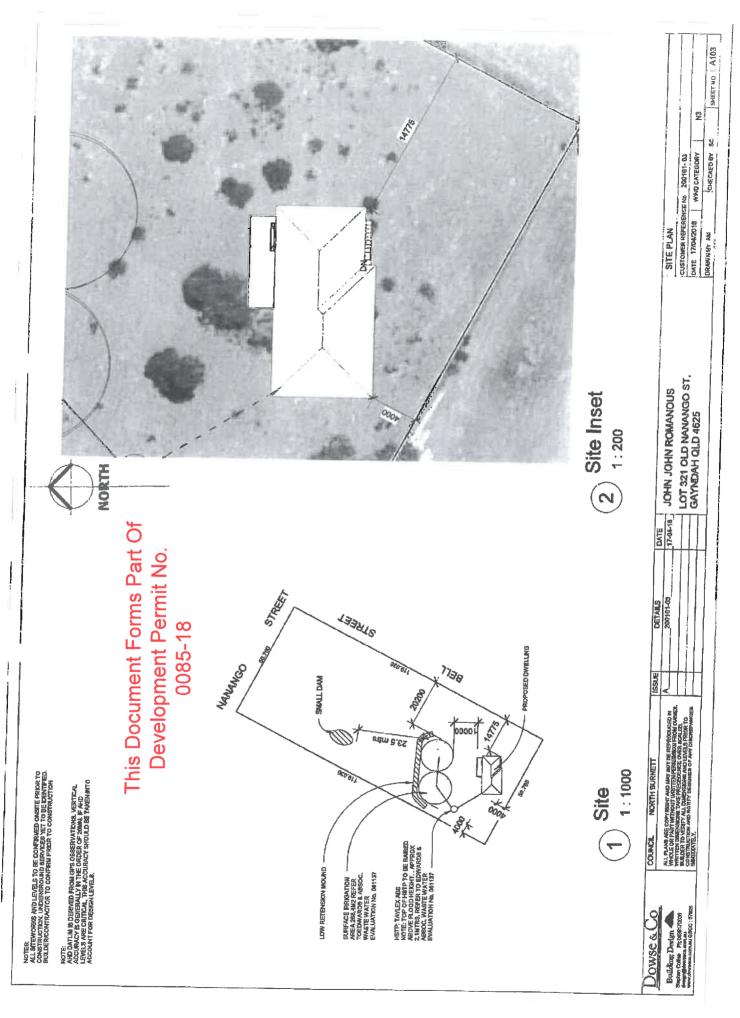




	JOHN JOHN ROMANGUS	LOT 321 OLD NANANGO ST	GAYNDAH OLD 4625
DATE	17-04-18		
DETAILS	200101-003		
31881	«		
COUNCIL NORTH BURNETT	ALL PLANS ARE COPYRIDATION MAY NOT BE REPRODUCED IN WHOLE OR PART WITHOUT WHITTEN RESERVED TO SERVE THE SE	WHITTEN DRIENBLONG THE PRECEDENCE ONLY COLLEY. BUILDER TO VEREY ALL DEVELORISM AND LEVELS BRICK TO	CONSTRUCTION AND NOTHER DESIGNER OF ANY CHARGOLD
Dowse & Co	Building Design	Blackway College Physiology 70039	WWW.downers.pum.mu GBCC : 57828

SHEET NO A101

PHOTOS OF EXISTING DWELLING
OUSTONER REFERENCE NO. 201011-03
DATE 1704/2016 WASD CATEGORY
DRAWNER AN ELECTROP SC



This Document Forms Part Of Development Permit No.

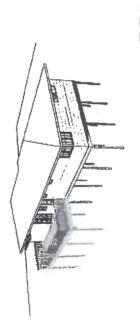
0085-18

Height	1200	970	1200	970	1200	870	1170	106	\$	484	DS0	1050	570	570	1170	1170	970
Wheth	1771	1770	1780	1760	1705	1705	1585	540	92G	550	139	1170	690	980	1575	1583	1580
MOTX	-	2	63	4	S	8 0	s-	80	8	10	Ŧ	12	13	7	ř.	18	17

	Wieth	1080	610	610	810	760	758	810	670	1540	2800	
Door Schedule	Height	2170	2070	2070	2070	2030	2040	2040	2070	2030	2400	
	Mizrik	-	2	פיו	4	N/7	æ	7	B	B	10	

Sheat List

Shoet Number	Sheet Name	Drawer By	Charlesot By	Obsess heart
A100	COVER PAGE	ANI	AG Dawnos	OURSE INSTRUCTION
A101	DHOTTNE OF EVICTION DAMES I THE	E S	3	17/04/2018
6.4.00	TIPLOS OF ENGLISHED OWNERS	M	80	17/04/2018
ZNI W	THE SHEET / GENERAL NOTES	AM	BC	17/04/2018
A103	STE PLAN	*	SEC	42004000
A104	EXBITING DWPELLING PLOOR PLAN	AM	6	AMERICAN POR
A108	UPPER FLOOR PLAN	ASA	3 6	BLDZAMOVA
A103	ELEVATIONS NORTH SOUTH	710	3	1/704/2018
A107	ELEVATIONS EAST WEST	400	3	17/04/2018
A108	PI OCO EDAMINO I AVOITT	3	ac	17,704/2018
A 4 Pec	CONTRACTOR DELICATION	AM	28	47/04/2018
Alea	COMPARE BLOCK WALL DETAILS	ABA	28	17/04/2018
ATTO	LOWER FLOOR WALL BRACING PLAN	ARO	28	47/MA/MArs
A111	UPPER PLOOR WALL BRACING PLAN	AM	2	O DEPOSIT
A112	SECTION THROUGH DETAIL	AM	J.	TENENT P
A113	ROOF FRAMING LAYOUT PLAN	AM	3	OLONGOVA I
A114	FOUNDATION LAYOUT PLAN	Alle	3	1104/2012
A115	FOUNDATION SEASOFTER S	ž	200	17/04/2018
A-118	FOOTING BOOK LIVE STEEL SON ISH IN THE	*	SS	17/04/2018
A117	REAL CONNECTIONS	AM	28	17/04/2018
5918	BBAC E LALL COMMENS	ARG	30	17/04/2018
4446	THE PROPERTY OF THE PROPERTY OF TAILS	AM	28	17/04/2018
2110	HIMDER PROMING NEDOWN DETAILS	AM	28	47/PMBB
		ĺ		1



PROPERTY INFORMATION

REAL PROPERTY DESCRIPTION: LOT 321 MZ1159 SITE AREA: 5944m²

COUNCIL NORTH BURNETT	ALL PLANS ARE DOPPROPER AND MAY NOT BEEN WITHOUT WASTER POWINGS WITHOUT WASTER PRECEDENCE ON BULLDEN TO VERWY ALL DIM BRIGHES AND LEVY MANUEL TO WERE ALD MANUEL TO WERE AND MOTHER PERSONER OF AN WINNER AND LEVY DESCRIPTION.
Dowse & Co	Buffding Design Persons properties of the second persons of the se

Ī		ľ	
	ALL PLANS ARE DEDVINE ALL ALL MAY BY MY BY MITHINGS AND BY		
	WHOLE OR PART WITHOUT WHATTEN PERCESSON PROMI CHANGE		
	WITHTEN DIMENSIONED TAKE PRECEDENCE OVER BOALED.		
	CONSTRUCTION AND MOTHER PERSONNED OF ANY PROPERTY OF		
٦	WANTEDATELY,		

	JOHN JOHN ROMANOUS	 LOT 323 OLD NANANGO ST,	GAYNDAH QLD 4625
3			
DELMIN			

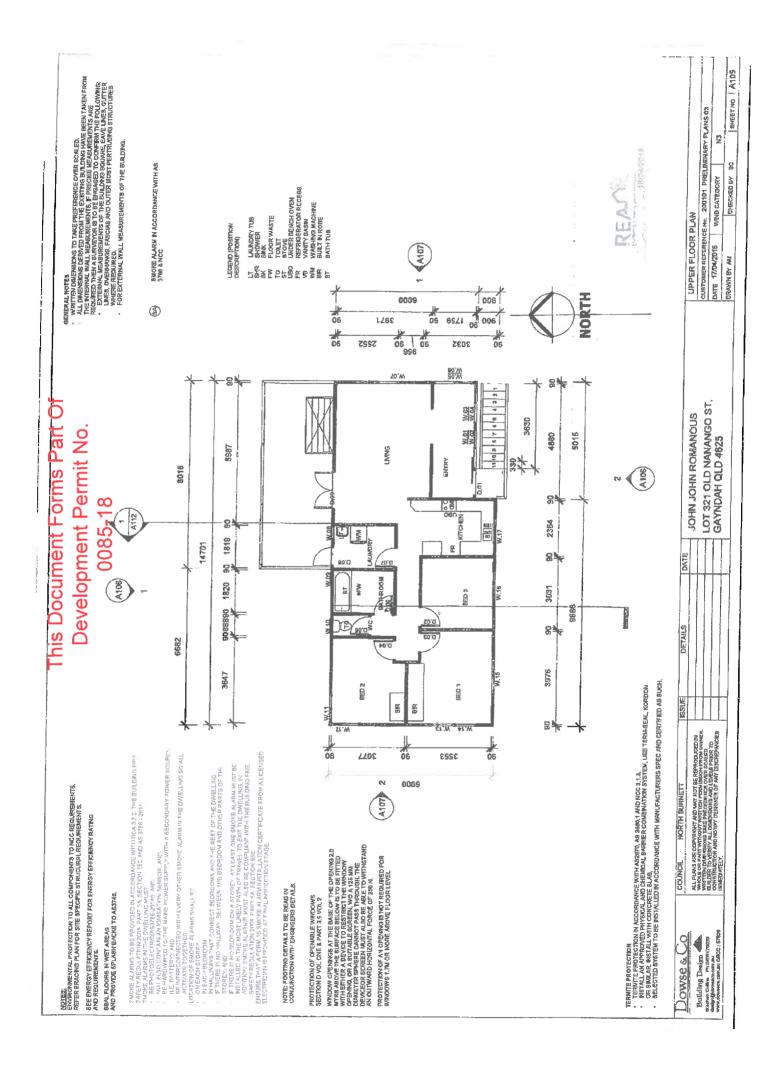
SHEET NO. A100

COVER PAGE

CUSTOMER REPERENCE No.: 200101 PRELIMBNARY PLANS 03

DATE 1770/2018 WRID CATEGORY NS

ORAWN BY AM CHECKED BY SC SHEET NO



SHEET NO A106 This Document Forms Part Of Development Permit No. CUBTOMER REFERENCE No. 200101 PRELIMBINARY PLANS GR DATE 1770-42018 WIND CATEGORY INS PRONVINGY AN CHECKED BY SC SHEET NO. CHECKED BY SC 0085-18 ELEVATIONS NORTH SOUTH Ce/ling 100250 1st Floor Level Celling 106250 1st Floor Level 103760 **Ground Level** EAVES EAVES TO 5118 JOHN JOHN ROMANOUS LOT 321 OLD NANANGO ST, GAYNDAH QLD 4825 *81 DATE ·81 DETAILS 800 EAVES SSUE 9192 800 EAVES ALL FANA RICCOMPRIGHT AND MAY NOT BE REPRODUCED IN WARALE OF PART VARIENT IN WARREN STATEMEN FYOND VARIENT FOR WELLOW FYND VARIEN FOR WELLOW FOR WARREN FOR MAY DISCREPS MINISTER FOR MAY DISCREPS MINISTER. 2480 BALUSTHADES, 125mm MAX 3AP, MN 1000mm HISH WHERE FLOOR LEVEL EXCEEDS 1000mm ABOVE GROUND. NOTES: ENVRONMENTAL PROTECTION TO ALL COMPONENTS TO NCC REQUIREMENTS. REFER BRACING PLAN FOR BITE SPECIFIC STRUGURAL REQUIREMENTS. COUNCIL NORTH BURNETT 2480 2400 1 North South 1:100 Building Design Capture Stephen College Processing Management College Processing Williams (1997) 1992 Dowse & Co

