



Mailing Address: PO Box 390, Gayndah Qld 4625  
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Web: www.northburnett.qld.gov.au  
ABN: 23 439 388 197

27 June 2018

Your Reference:  
Our Reference: 132-18

Rob and Anita Morrison  
348 Gospel Hall Road  
WOOWOONGA QLD 4621

Dear Sir/Madam

**CONCURRENCE AGENCY RESPONSE**  
**348 GOSPEL HALL RD, DALLARNIL, 4621**  
(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 29 May 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**

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Applicant name:	Rob and Anita Morrison
Applicant contact details:	348 Gospel Hall Road, Dallarnil Q 4621
Email:	jazzmeup@bigpond.com
Phone:	
Mobile:	0408 782 386

**Site details**

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Street address:	348 Gospel Hall Rd, Dallarnil
Real property description:	Lot 1 RP81600

**Application details**

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Application No:	132/18
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	Development Permit	To move onsite a Class 1a Dwelling

### **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 <i>Building Act</i> 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 <i>Building Act</i> Part 3 Division 2 Table 7 Building work for removal or rebuilding
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### **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**

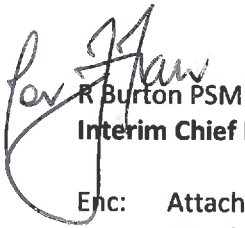
Document No./ Reference	Title (prepared by)	Date
	Removal House Structural Report by DJC Engineering Services	25/4/2018
-	Photos of Dwelling	-
MW1802.1 H128 Drawing 01	Plans by Peter Ferguson Architect	14/2/18
MW1802.1 H128 Drawing 02	Elevations by Peter Ferguson Architect	14/2/18
MW1802.1 H128 Drawing 03	Site Plan by Peter Ferguson Architect	14/2/18

**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



R Burton PSM

**Interim 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

## 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 dwelling must be sited generally in accordance with the approved plans with all setbacks measures from the outmost projection of the structure.
<b>Removal/Resiting of a Dwelling or Other Structure</b>	
4.	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.
<b>Security</b>	
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.
<b>Works to be completed before Release of any Bond</b>	
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: <ol style="list-style-type: none"> <li>a. Relocation and restumping of dwelling including all foundations; and</li> <li>b. Frame, bracing and tie down whether new, or required for upgrade; and</li> <li>c. Any new works whether renovations, additions, or other to bring the structure up to required NCC Classification compliance.</li> </ol>

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**Attachment 1B – Advice Notes**

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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.

## **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.
- 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.

## 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
  - (e) 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—
  - (a) 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—
    - (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
  - (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
  - (f) 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
  - (l) 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 co-respondent in the appeal.
- (8) In this section—  
**storey** see the Building Code, part A1.1.



**Extract of Schedule 1 of the Planning Act 2016**

<b>Table 1</b>			
<b>Appeals to the P&amp;E Court and, for certain matters, to a tribunal</b>			
<p>1. Development applications An appeal may be made against—</p> <p>(a) the refusal of all or part of the development application; or</p> <p>(b) the deemed refusal of the development application; or</p> <p>(c) a provision of the development approval; or</p> <p>(d) if a development permit was applied for—the decision to give a preliminary approval.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The assessment manager	If the appeal is about a concurrence agency's referral response—the concurrence agency	<p>1 A concurrence agency that is not a co-respondent</p> <p>2 If a chosen assessment manager is the respondent—the prescribed assessment manager</p> <p>3 Any eligible advice agency for the application</p> <p>4 Any eligible submitter for the application</p>

<b>Table 3</b>			
<b>Appeals to a tribunal only</b>			
<p>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.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A building advisory agency for the development application related to the approval	The assessment manager	The applicant	<p>1 A concurrence agency for the development application related to the approval.</p> <p>2 A private certifier for the development application related to the approval</p>
<p>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.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant for the development approval	The person who made the decision.	—	—
<p>3. Certain decisions under the Building Act and the Plumbing and Drainage Act An appeal may be made against—</p> <p>(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</p> <p>(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.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who received, or was entitled to receive, an information notice about the decision.	The person who made the decision	—	—
<p>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.</p>			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who was entitled to receive notice of the decision	The local government to which the application was made	—	—

## **Attachment 4 – Approved Plans**

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### **Intentionally Left Blank**

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

**This document forms  
part of development  
application no.**

**132-18**

**DJC ENGINEERING SERVICES**

A.B.N. 64 308 544 588

Daniel J Cooper, RPEQ 9385  
(Principal Structural Engineer)  
PO Box 556, Toowoomba  
Qld, 4350

25 April 2018  
Town Clerk  
North Burnett Regional Council  
PO Box 390  
Gayndah, Qld, 4625

Dear Sir/Madam,

**Re: REMOVAL HOUSE – LOT 1 GOSPEL HALL RD, QLD, 4625**

This report covers the general structural condition of the existing dwelling (House No. H128) located at Nans Rd, Helidon, Qld 4344, to be removed to the above address. The building is considered to be in good condition and is suitable for removal.

The existing house is of a typical timber framed construction with chamferboard external cladding, new zinc roof and plasterboard interior sheeting. The age of the building is approximately 50 years.

After the house is relocated, the following building work will be required to achieve a tie-down wind rating of N3 (W41):

- Support the house on 75 x 75 x 4 SHS posts in the positions indicated in the attached drawings. Connect stumps to bearers with 2/M12 bolts and cast the posts into concrete footings as specified by the footings design engineers. Lower Level bracing resistance is achieved from the steel stumps as shown in the architectural plans.
- Install new zincalume roof. Rafters are to be strapped to top plates. Top plates are to be strapped to studs at sides of openings and at every second stud. Alternatively, using 150mm long M10 coach screws through top plate into the wall stud below.
- The existing wall bracing in the dwelling is not constructed to present day methods. However, from our knowledge of the bracing used at the time this house was constructed together with the nominal wall bracing and the additional tie-down to be applied after re-location, we believe that the bracing will be adequate for the building in its new location.
- Any rotted or decayed timber which becomes evident during the building work is to be replaced.

Yours Faithfully



Dan Cooper  
Structural Engineer, RPEQ 9385

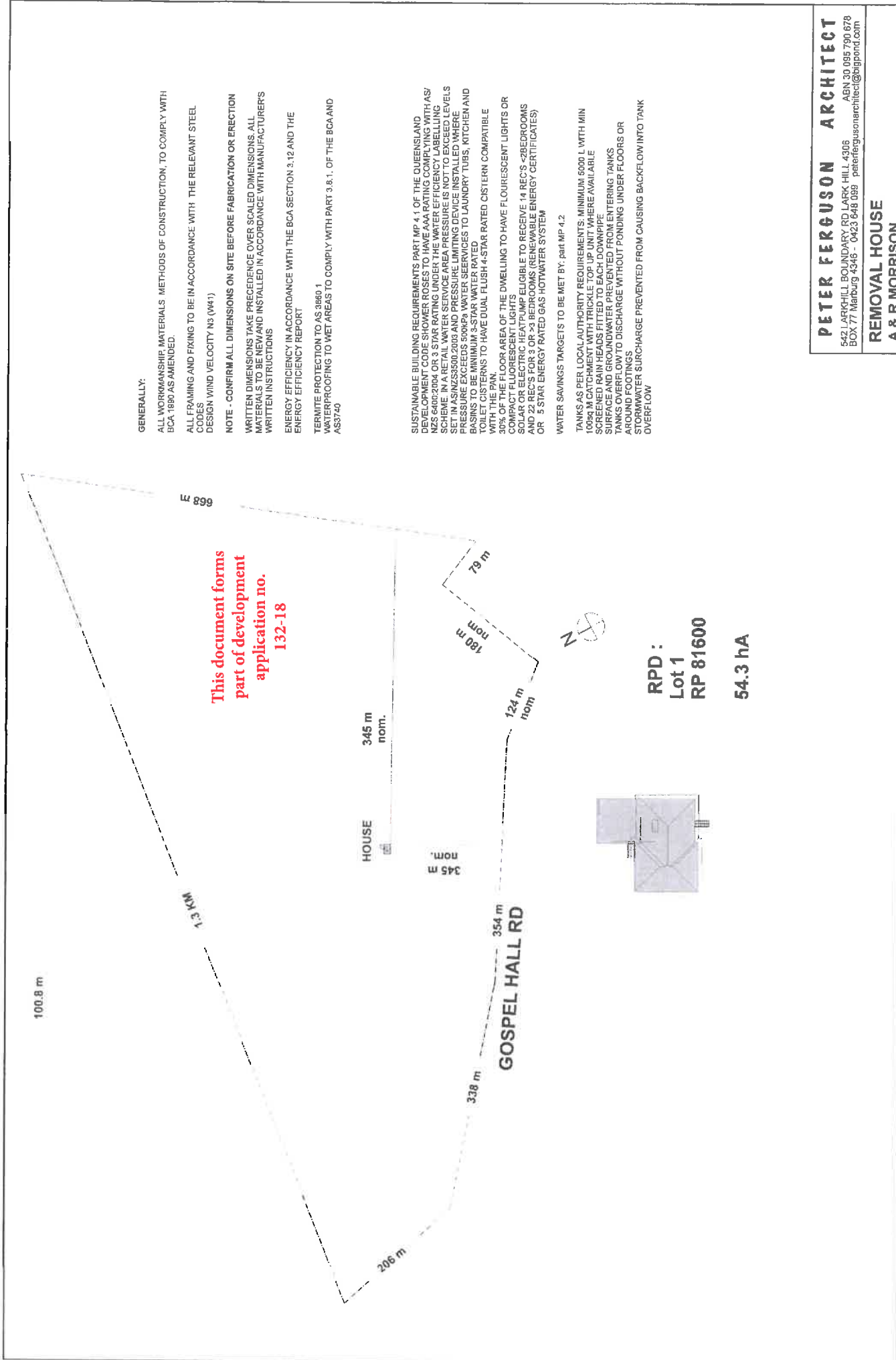
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132-18**





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application no.  
132-18





**This document forms  
part of development  
application no.  
132-18**

**RPD:  
Lot 1  
RP 81600  
54.3 ha**

**GENERALLY:**  
ALL WORKMANSHIP, MATERIALS, METHODS OF CONSTRUCTION, TO COMPLY WITH BCA 1990 AS AMENDED.  
ALL FRAMING AND FIXING TO BE IN ACCORDANCE WITH THE RELEVANT STEEL CODES.  
DESIGN WIND VELOCITY N3 (W41)  
**NOTE - CONFIRM ALL DIMENSIONS ON SITE BEFORE FABRICATION OR ERECTION**  
WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS. ALL MATERIALS TO BE NEW AND INSTALLED IN ACCORDANCE WITH MANUFACTURERS WRITTEN INSTRUCTIONS  
ENERGY EFFICIENCY IN ACCORDANCE WITH THE BCA SECTION 3.12 AND THE ENERGY EFFICIENCY REPORT  
TERMITE PROTECTION TO AS 3660.1  
WATERPROOFING TO WET AREAS TO COMPLY WITH PART 3.8.1. OF THE BCA AND AS3740

SUSTAINABLE BUILDING REQUIREMENTS PART MP 4.1 OF THE QUEENSLAND DEVELOPMENT CODE SHOWER ROSES TO HAVE AAA RATING COMPLYING WITH AS/ NZS 4044 OR 3 STAR RATING UNDER THE WATER EFFICIENCY LABELLING SCHEME. IN REPAIRS TO EXISTING WATER SERVICES THE PRESSURE IS NOT TO EXCEED LEVELS SET IN AS/NZS 3500:2003 AND PRESSURE LIMITS TO BE MAINTAINED WHERE PRESSURE EXCEEDS 500kPa WATER SERVICES TO LAUNDRY TUBS, KITCHEN AND BASINS TO BE MINIMUM 3-STAR WATER RATED  
TOILET CISTERNS TO HAVE DUAL FLUSH 4-STAR RATED CISTERN COMPATIBLE WITH THE PAN.  
30% OF THE FLOOR AREA OF THE DWELLING TO HAVE FLOURESCENT LIGHTS OR COMPACT FLUORESCENT LIGHTS  
SOLAR OR ELECTRIC HEATPUMP ELIGIBLE TO RECEIVE 14 REC'S 4-BEDROOMS AND 22 REC'S FOR 3 OR 3+ BEDROOMS (RENEWABLE ENERGY CERTIFICATES) OR 5 STAR ENERGY RATED GAS HOTWATER SYSTEM  
WATER SAVINGS TARGETS TO BE MET BY: part MP 4.2

TANKS AS PER LOCAL AUTHORITY REQUIREMENTS: MINIMUM 6000 L WITH MIN 10094 M CATCHMENT WITH TRICKLE TOP UP UNIT WHERE AVAILABLE  
SCREENED RAIN HEADS FITTED TO EACH DOWNPIPE  
SURFACE AND GROUNDWATER PREVENTED FROM ENTERING TANKS  
TANKS OVERFLOW TO DISCHARGE WITHOUT PONDING UNDER FLOORS OR AROUND FOOTINGS  
STORMWATER SURCHARGE PREVENTED FROM CAUSING BACKFLOW INTO TANK OVERFLOW

**PETER FERGUSON ARCHITECT**  
542 LARKHILL BOUNDARY RD LARK HILL 4306  
BOX 77 Marburg 4346 - 0423 648 089 peterfergusonarchitect@bigpond.com  
ABN 30 095 730 678

**REMOVAL HOUSE  
A & R MORRISON  
GOSPEL HALL ROAD  
DALLARNIL**

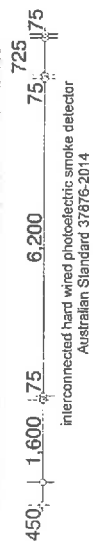
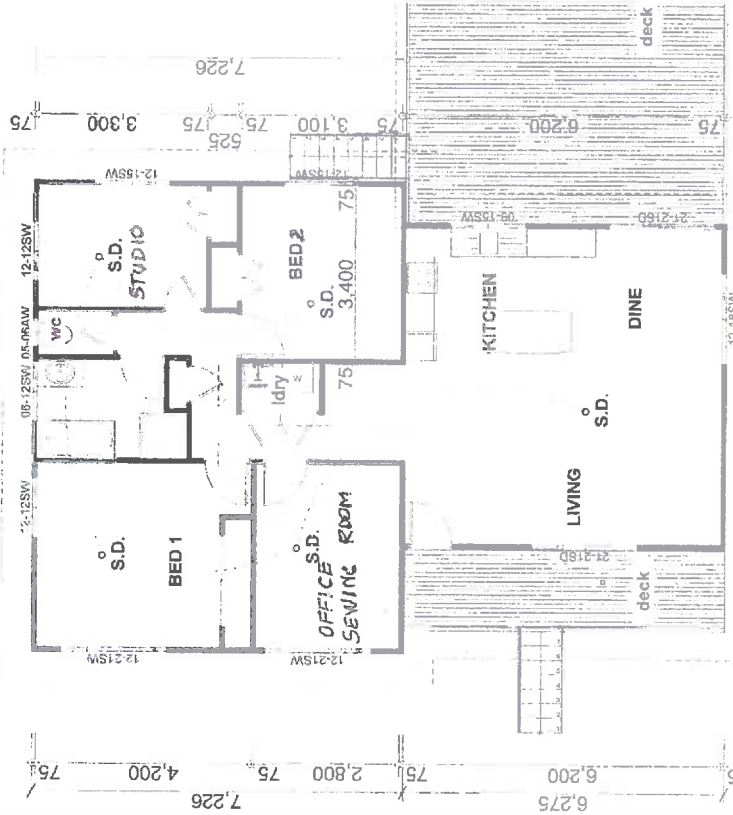
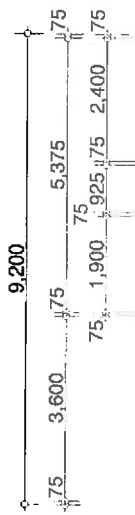
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**SITE PLAN 5000**

ISSUE DATE  
14/2/18

PROJECT NO  
MW1802.1 H128

DRAWING NO  
03



interconnected hard wired photoelectric smoke detector  
Australian Standard 3787/6-2014



WIND LOAD DIRECTION A

SUB FLOOR:

43. SQ.M x 1.1 = 47.3kN

BRACING PROVIDED

3 BRACING SETS @ 22.5kN = 67.5  
kN + 12 stumps@90 @ 4.5 kN = 54kN

TOTAL = 121.5 kN

WIND LOAD DIRECTION B

SUB FLOOR:  
55.9 SQ.M x 1.1 = 62.59 kN

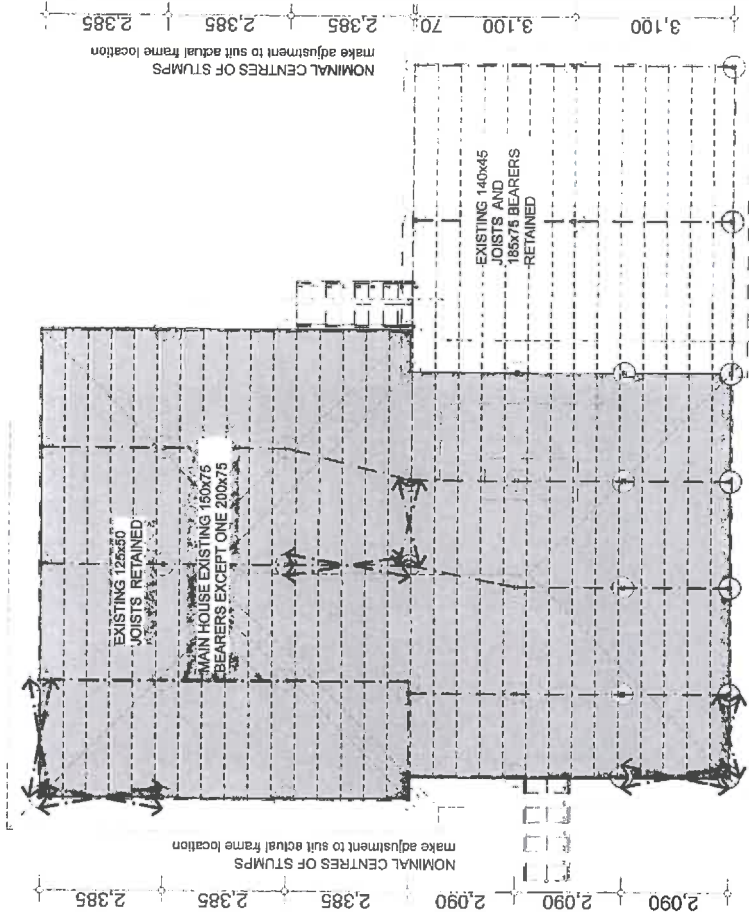
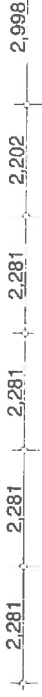
BRACING PROVIDED

3 BRACING SETS @ 22.5kN = 67.5  
kN + 12 stumps@90 @ 4.5 kN = 54kN

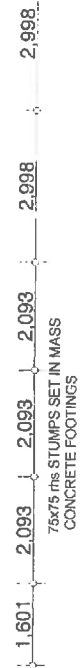
TOTAL = 121.5 kN

wind load N3 (W41)

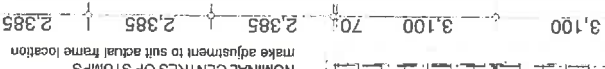
NOMINAL CENTRES OF STUMPS  
make adjustment to suit actual frame location



This document forms  
part of development  
application no.  
132-18



75x75 r/s STUMPS SET IN MASS  
CONCRETE FOOTINGS



NOMINAL CENTRES OF STUMPS  
make adjustment to suit actual frame location

DRAWING NO  
**01**

PROJECT NO  
**MW1802.1 H128**

ISSUE DATE  
14/2/18

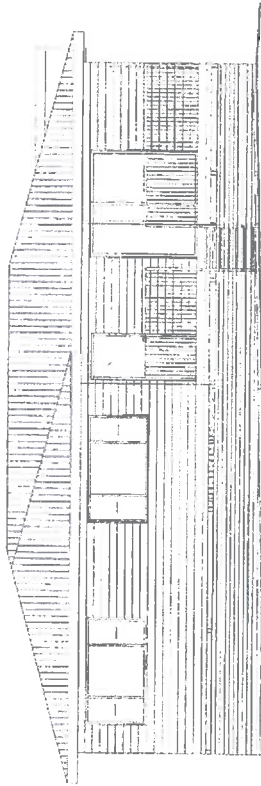
PLANS

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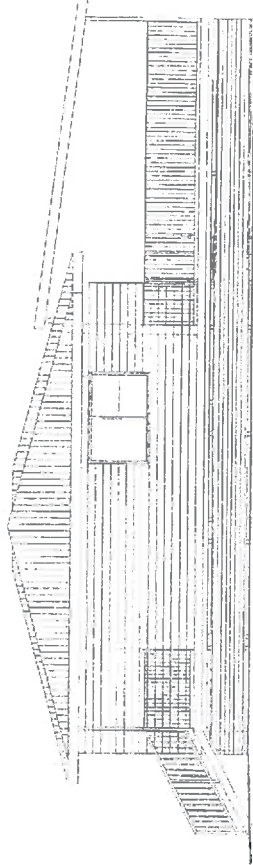
**PETER FERGUSON ARCHITECT**  
562 LARKHILL BOUNDARY RD LARK HILL 4306 ABN 30 095 790 678  
BOX 77 Marburg 4346 - 0423 848 059 peterfergusonarchitect@bigpond.com

**REMOVAL HOUSE**  
**A & R MORRISON**  
GOSPEL HALL ROAD  
DALLARNIL

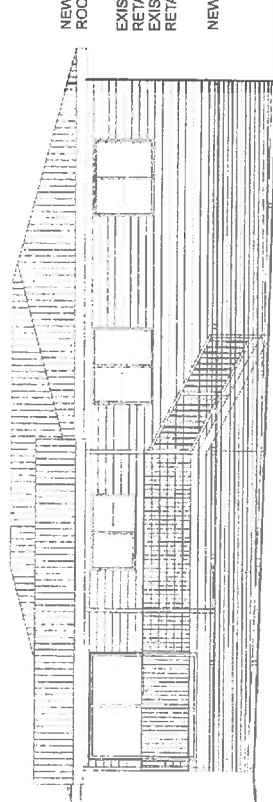




1 WEST ELEVATION  
1:100



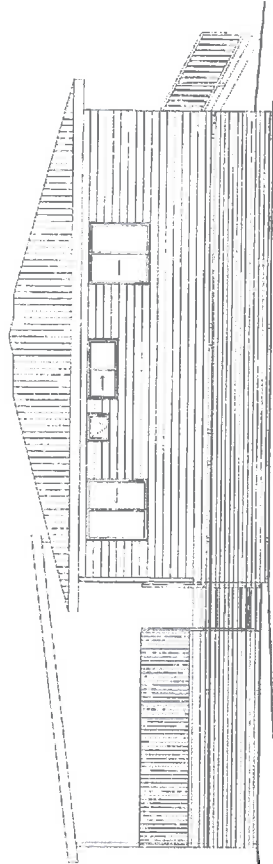
2 SOUTH ELEVATION  
1:100



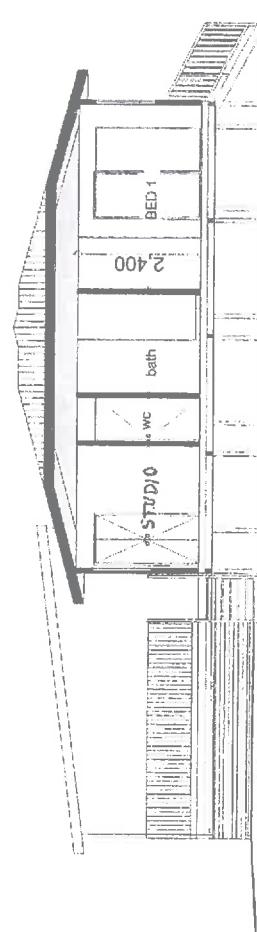
3 EAST ELEVATION  
1:99.89

NEW ZINCALUME ROOFING  
EXISTING WINDOWS RETAINED  
EXISTING CLADDING RETAINED  
NEW STEEL STUMPS

NEW ZINCALUME ROOFING  
EXISTING WINDOWS RETAINED  
EXISTING CLADDING RETAINED  
NEW STEEL STUMPS



4 NORTH ELEVATION  
1:100



5 SECTION  
1:100

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ELEVATIONS

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**REMOVAL HOUSE**  
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DALLARNIL