

6 September 2022

Your Reference:
 Our Reference: DA220028

T Haupt
 9 Mount Rose Street
 EIDSVOLD QLD 4627

Dear Sir

CONCURRENCE AGENCY RESPONSE
 9 MOUNT ROSE STREET, EIDSVOLD
 (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 30 June 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: Terrence Haupt
 Applicant contact details: 9 Mount Rose Street
 EIDSVOLD QLD 4627
 Email:
 Phone: 07 4165 1142
 Mobile:

Site details

Street address: 9 MOUNT ROSE STREET, EIDSVOLD
 Real property description: 1MPH2167

Application details

Application No: DA220028
 Date of Decision: 6 September 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 over 110m2 GFA and length over 12m

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 <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 3 Design and Siting – QDC non-compliance and/or QDC alternate provision assessment
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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 <u>Attachment 1</u> .
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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 Attachment 2.

Approved Plans and Specifications

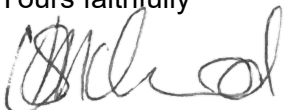
Document No./ Reference	Title (prepared by)	Date
	Site Plan by Daniel Wengel	
	Elevations by Wide Span Sheds	29.06.22

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
General	
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.
Design and Siting	
2.	The approved shed and awning must be sited a minimum 1.5 metres from the southern property boundary and 2.4m from western boundary, with all setbacks measured from the outermost projection of the structure.
3.	The floor area of the approved shed and awning must not exceed 180m ²
4.	The carport (awning) area is maintained as an 'open' structure and is not to be infilled with walling or roller doors.
5.	The wall height of the approved shed and awning must not exceed four (4) metres measured from natural ground level.
6.	The overall height of the approved shed and awning must not exceed five (5) metres measured from natural ground level.
8.	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.
Use	
9.	The approved shed and awning 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
10.	The approved shed and awning must not be used for habitable purposes.
11.	The openings of the approved shed and awning must not be enclosed in accordance with Approved Plan documentation

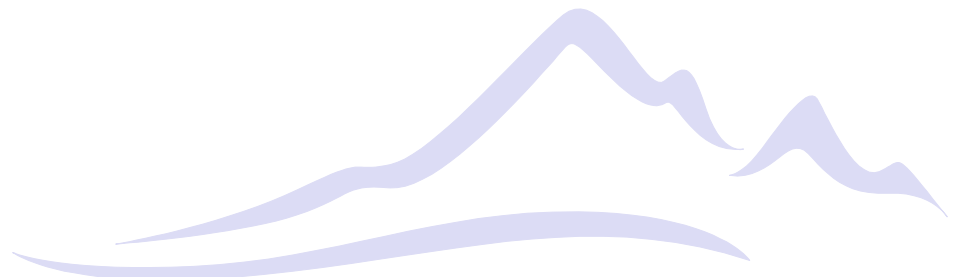
Attachment 1B – Advice Notes

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

The reason for this decision are:

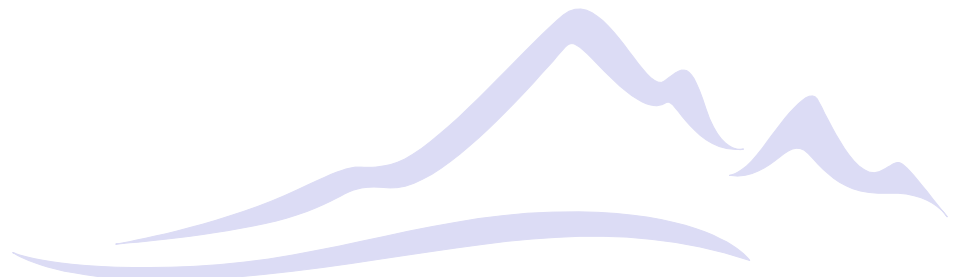
- To ensure the development is carried out generally in accordance with the plans of development submitted with the application.
- To ensure that the development is carried out in accordance with the performance criteria as stated in the Queensland Development Code MP1.2.
- To ensure that the development 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>

