

7 February 2023

Your Reference:
 Our Reference: DA230002

DRIVER'S CONCRETE & CONSTRUCTIONS PTY LTD
 2 Downing Street
 GAYNDAH QLD 4625

Dear Sir/Madam

CONCURRENCE AGENCY RESPONSE

43 WARTON STREET, GAYNDAH
 (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 3 February 2023. 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: DRIVER'S CONCRETE & CONSTRUCTIONS PTY LTD
 Applicant contact details: 2 Downing Street
 GAYNDAH QLD 4625
 Email: admin@driversconcrete.com
 Phone: 0428 408 401
 Mobile:

Site details

Street address: 43 WARTON STREET, GAYNDAH
 Real property description: 3RP72516

Application details

Application No: DA230002
 Date of Decision: 7 February 2023
 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	Carport design and siting

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

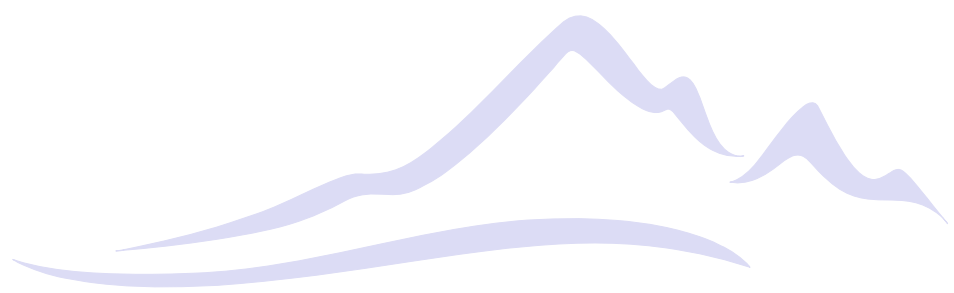
Document No./ Reference	Title (prepared by)	Date
	Site Plan by Drivers Concrete and Construction	
DWG-MT1 Page 1 of 1 32082505080562	Compliance Statement by McHugh Steel	25/08/2022
DWG-BC1 page 1 of 1 32082505080562	Bracing Calculations by McHugh Steel	25/08/2022
QP1 32082505080562	Architectural Drawings by McHugh Steel	25/08/2022
SW1 32082505080562	Side Wall View by McHugh Steel	25/08/2022
EW1 32082505080562	End Wall View by McHugh Steel	25/08/2022
DWG-MT1 Page 1 of 1 32082504571058	Compliance Statement by McHugh Steel	25/08/2022
DWG-BC1 page 1 of 1 32082504571058	Bracing Calculations by McHugh Steel	25/08/2022
QP1 32082504571058	Architectural Drawings by McHugh Steel	25/08/2022
SW1 32082504571058	Side Wall View by McHugh Steel	25/08/2022
EW1 32082504571058	End Wall View by McHugh Steel	25/08/2022

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 carport must be sited a minimum 1.2 metres from the northeastern property boundary, with all setbacks measured from the outermost projection of the structure.
3.	The floor area of the approved carport awning extension to existing approved shed must not exceed 127m ² and existing shed not to exceed 162m ² .
4.	The carport is maintained as an 'open' structure and is not to be infilled with walling or roller doors.
5.	The overall height of the approved shed and carport awning must not exceed 4.5 metres measured from natural ground level.
Use	
6.	The approved shed and carport 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
7.	The approved shed and carport awnings must not be used for habitable purposes.
8.	The openings of the approved carport awning must not be enclosed in accordance with Approved Plan documentation

Attachment 1B – Advice Notes

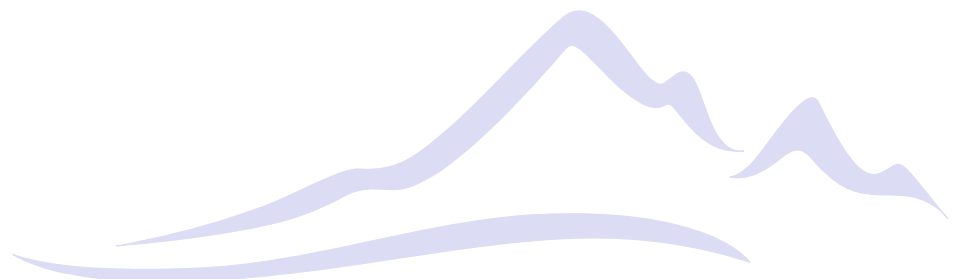
A.	This Concurrence Agency Response does not represent a development approval for Building Works under the <i>Building Act 1975</i> .
B.	All building works the subject of this notice can only proceed once a development permit for building works is issued by a Building Certifier.
C.	Please note this amenity 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:

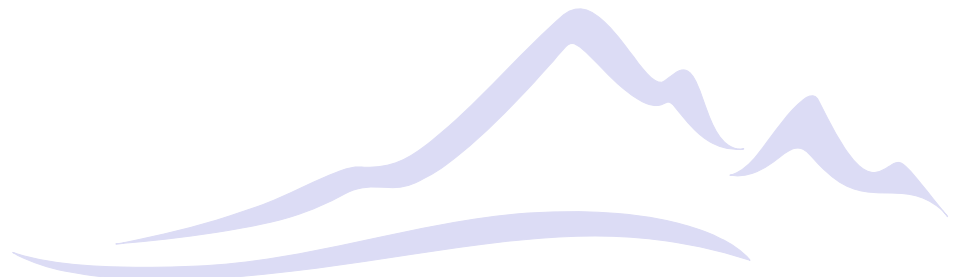
- To ensure the development is carried out generally in accordance with the plans of development submitted with the application.
- To ensure that the development is carried out in accordance with the performance criteria as stated in the Queensland Development Code MP1.2.
- To ensure that the development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

