

5 May 2023

Your Reference:
 Our Reference: DA230019

Mchugh Steel
 PO Box 6270
 BUNDABERG EAST

Dear Sir/Madam

CONCURRENCE AGENCY RESPONSE
 260 SMOKERS GULLY ROAD, MOUNT PERRY
 (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 April 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: McHugh Steel
 Applicant contact details: PO Box 6270
 BUNDABERG EAST
 Email: colleeng@mchughsteel.com.au
 Phone: 4153 6588
 Mobile:

Site details

Street address: 260 SMOKERS GULLY ROAD, MOUNT PERRY
 Real property description: 3RP188440

Application details

Application No: DA230019
 Date of Decision: 5 May 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	Shed - Boundary Relaxation

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

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 Attachment 2.

Approved Plans and Specifications

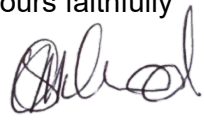
Document No./ Reference	Title (prepared by)	Date
	Site Plan by McHugh Steel	
QP1	Floor Plan & Elevations by McHugh Steel	24/03/2023
FP1	Footing View by McHugh Steel	
EW1	End Wall View by McHugh Steel	

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.

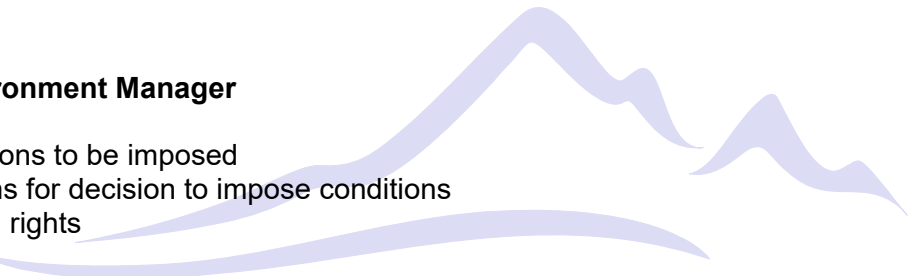
Should you require any further assistance in process, please contact Council's Development Services Department on 1300 696 272.

Yours faithfully

for 

Rachael Duncan
Acting Planning and Environment Manager

Enc: Attachment 1-conditions to be imposed
Attachment 2-reasons for decision to impose conditions
Attachment 3-appeal rights
Attachment 4-plans

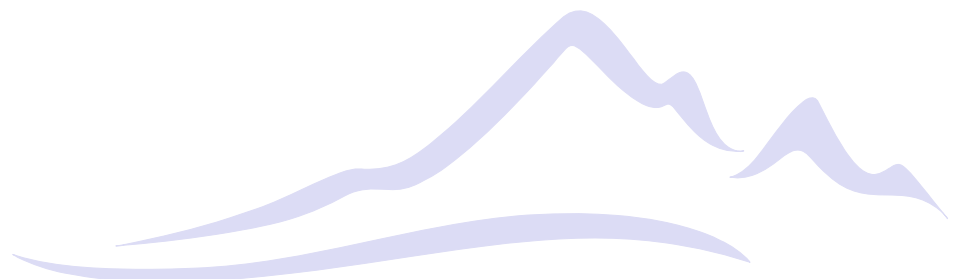


Attachment 1 – Conditions to be imposed by Concurrence Agency

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 must be sited a minimum six (6) metres from the Smokers Gully Road property boundary, with all setbacks measured from the outermost projection of the structure.
3.	The floor area of the approved shed must not exceed 85 m ²
4.	The overall height of the approved shed must not exceed six (6) metres measured from natural ground level.
Use	
9.	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
10.	The approved shed must not be used for habitable purposes.

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.
D.	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

The reason for this decision are:

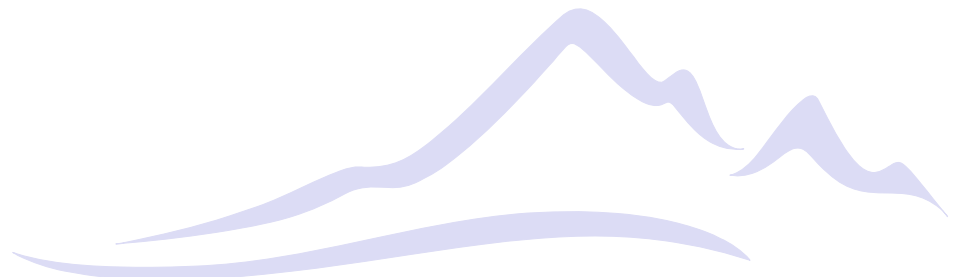
- To ensure the development is carried out generally in accordance with the plans of development submitted with the application.
- To ensure that the development is carried out in accordance with the performance criteria as stated in the Queensland Development Code MP1.2.
- To ensure that the development 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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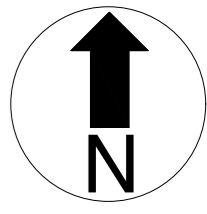
Please refer to the following pages for approved plans.



SITE PLAN FOR:

DIMENSIONS IN METRES - SCALE 1:300 ON A3

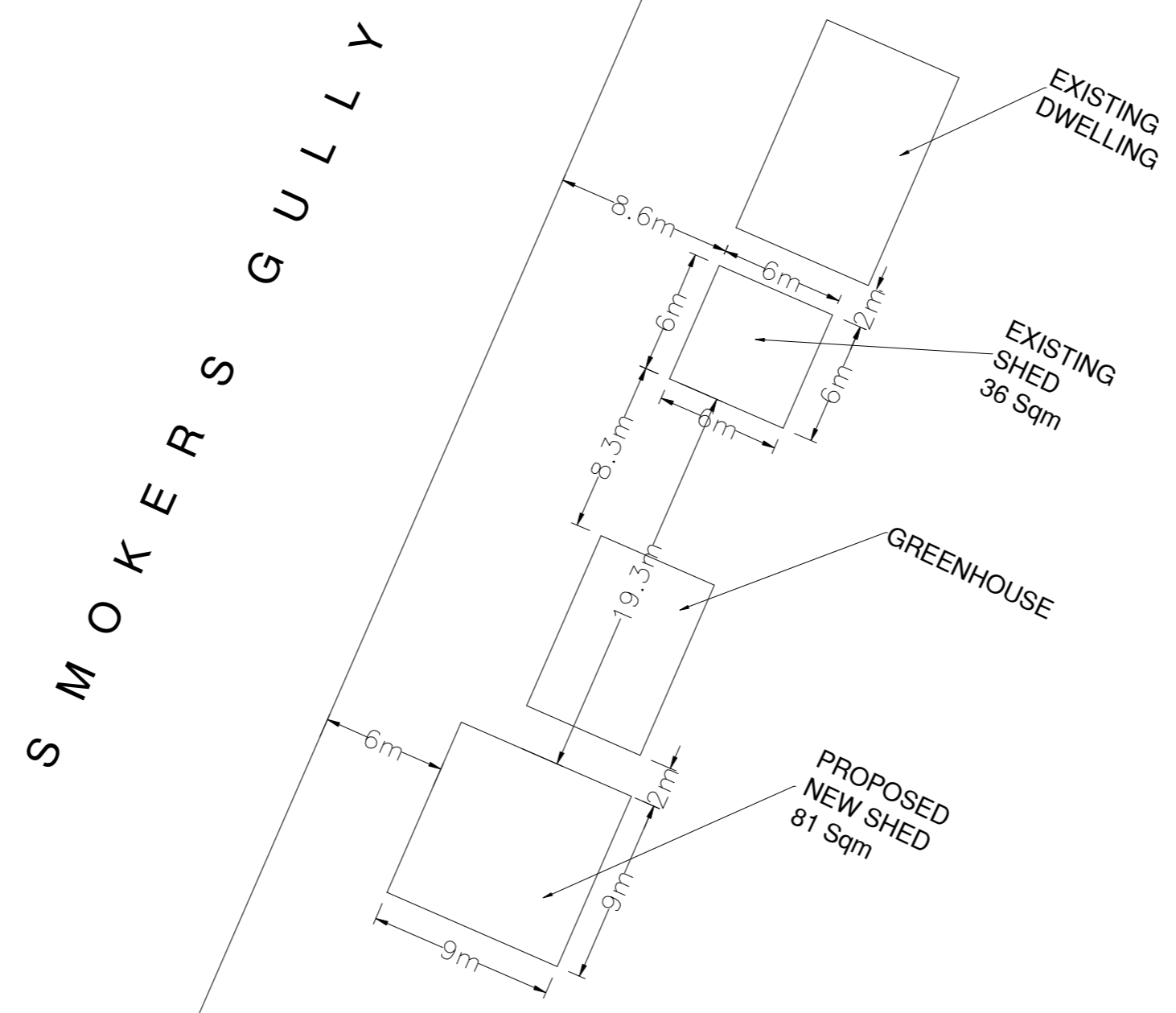
SCOT & WENDY HANSEN
260 SMOKERS GULLY ROAD,
MOUNT PERRY 4671



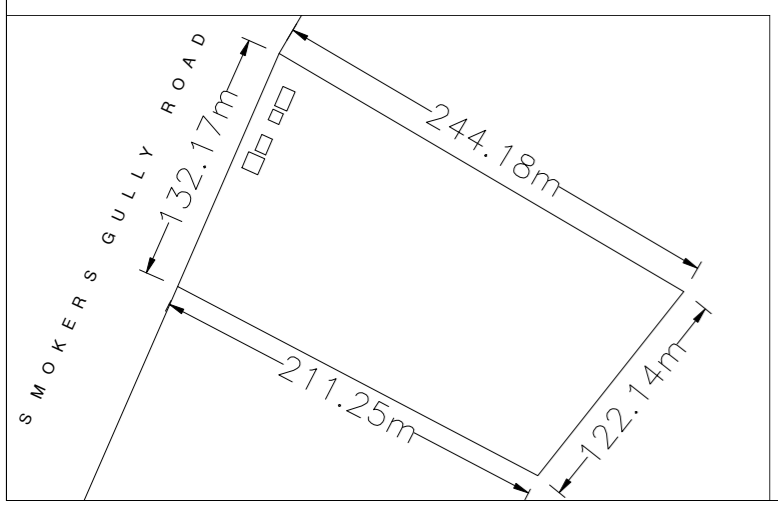
LOT 3 - RP188440
AREA - 28697.65 Sqm

BUILDER: MCHUGH STEEL
QBCC: 1142323
REF: 32091905344332
DATE: 17/03/2023

S M O K E R S G U L L Y R O A D

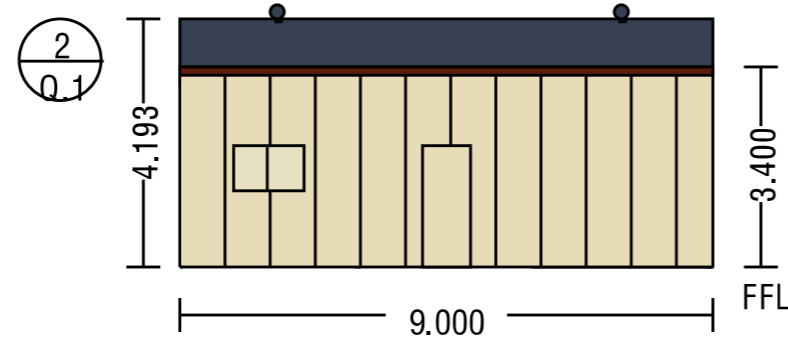
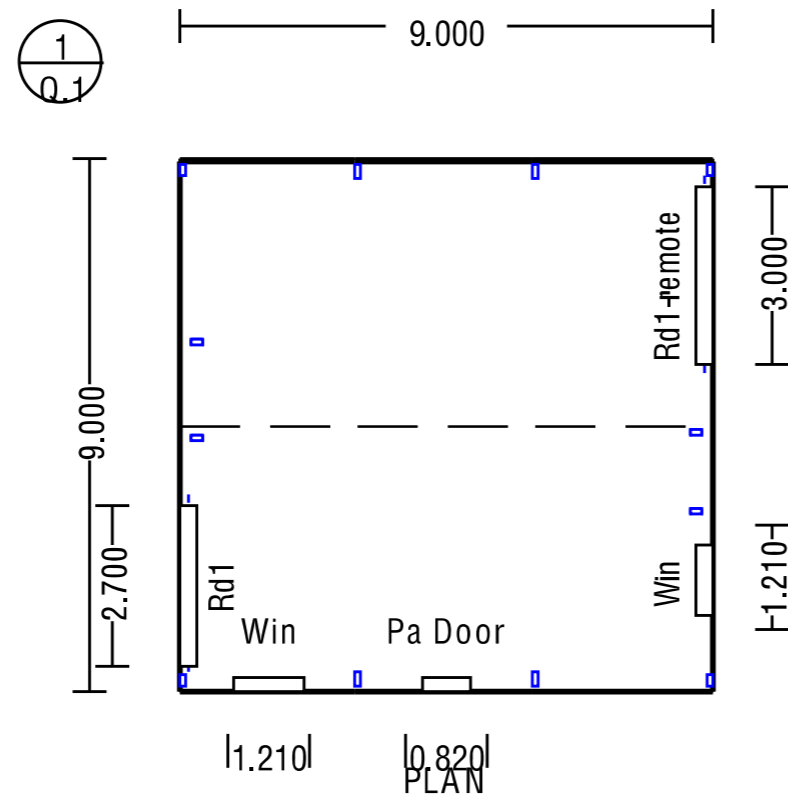


DIMENSIONS IN METRES - SCALE 1:4000 ON A3

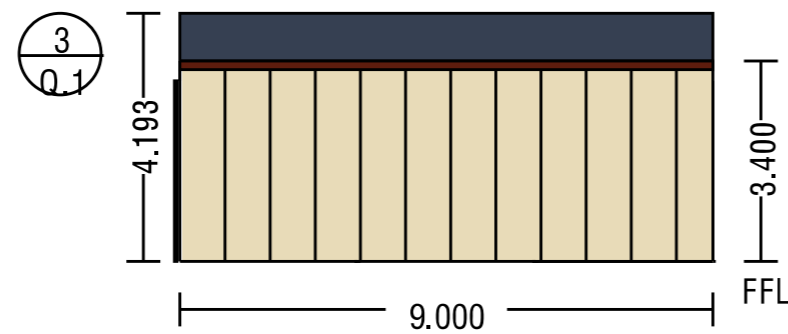


NORTH BURNETT
REGIONAL COUNCIL

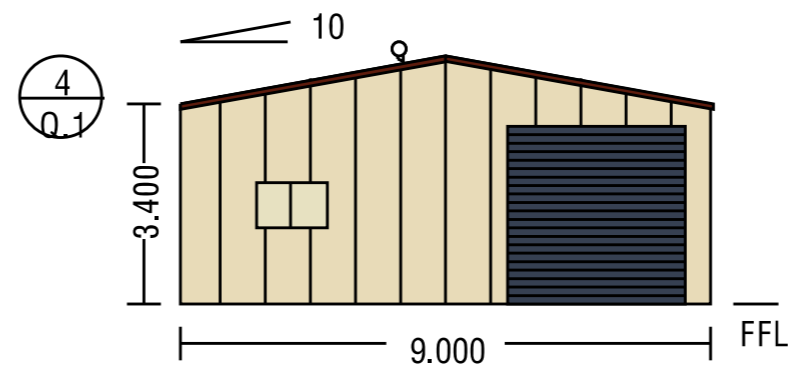
APPROVED PLANS
These plans are associated to the
decision notice for application number
DA230019



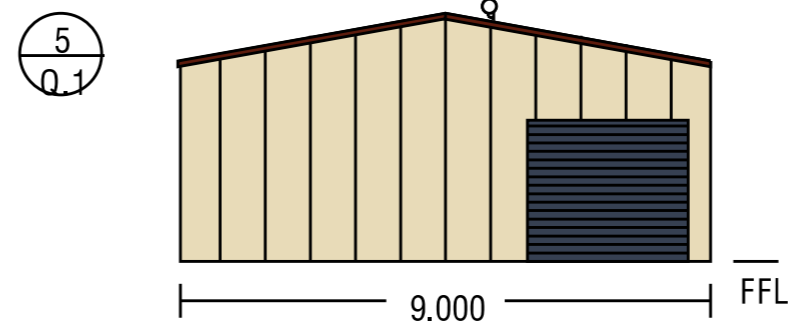
Left Elevation



Right Elevation



Front Elevation

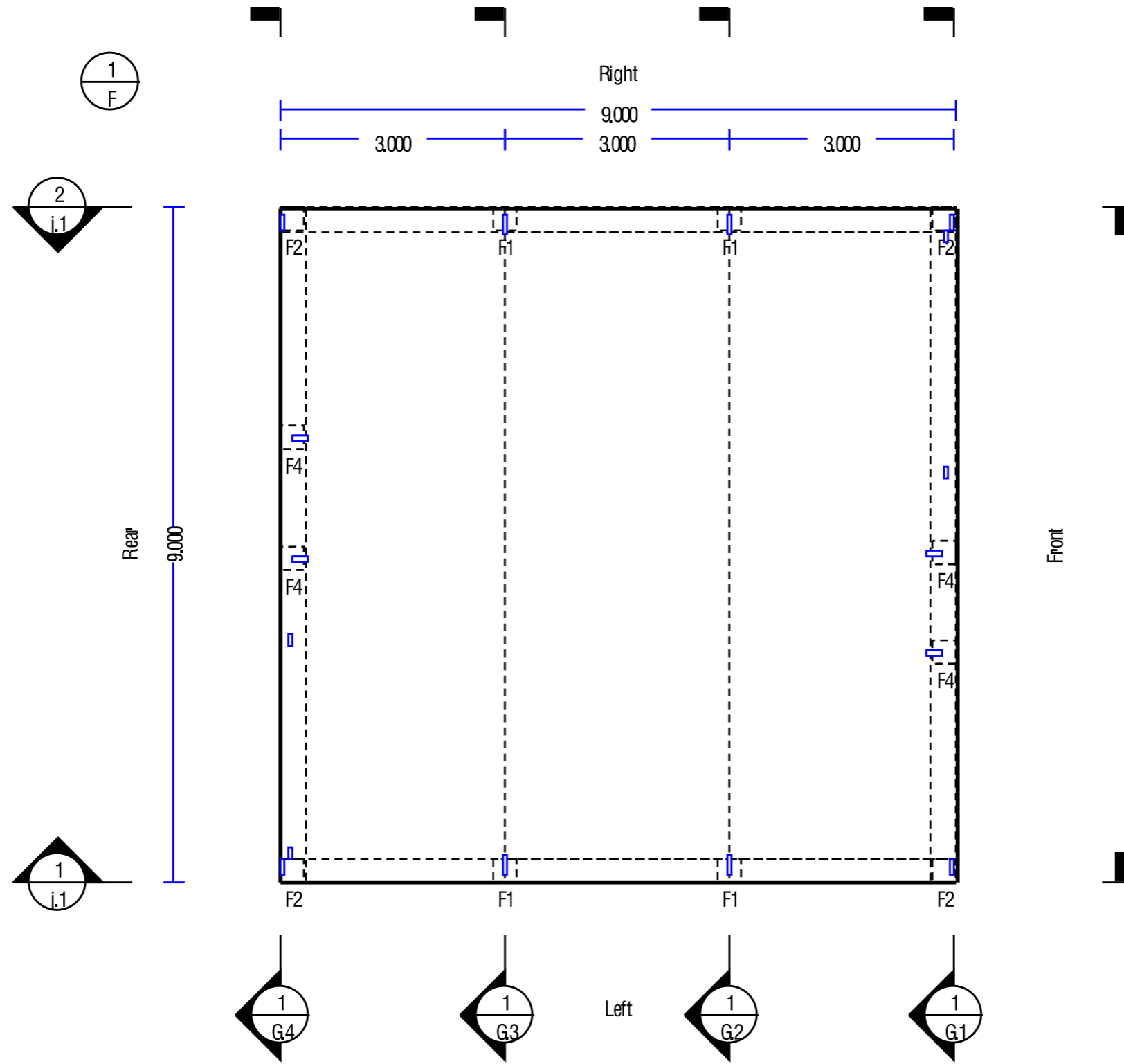


Rear Elevation



CLIENT	
Portal Frame Gable Roof-Open Domestic Design Vdes=49 m/s (Reg-B) 9.000 x 9.000 x 3.400	
At: 260 Smokers Gully Road Mount Perry 4671	
For: Scot Hansen	
Approved by:	Date: 24/03/2023

DRAWING		
QP1	Ref: 32091905344332	NTS
ARCHITECTURAL DRAWINGS		
FLOOR PLAN & ELEVATIONS		

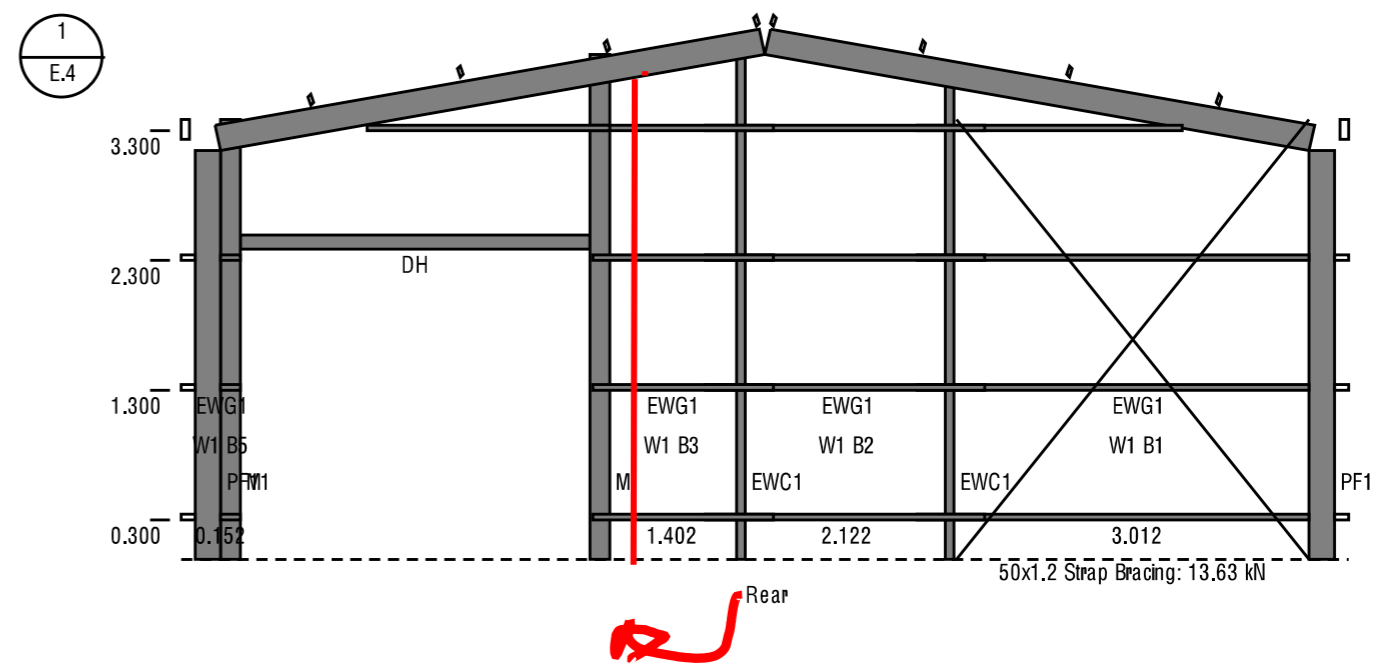
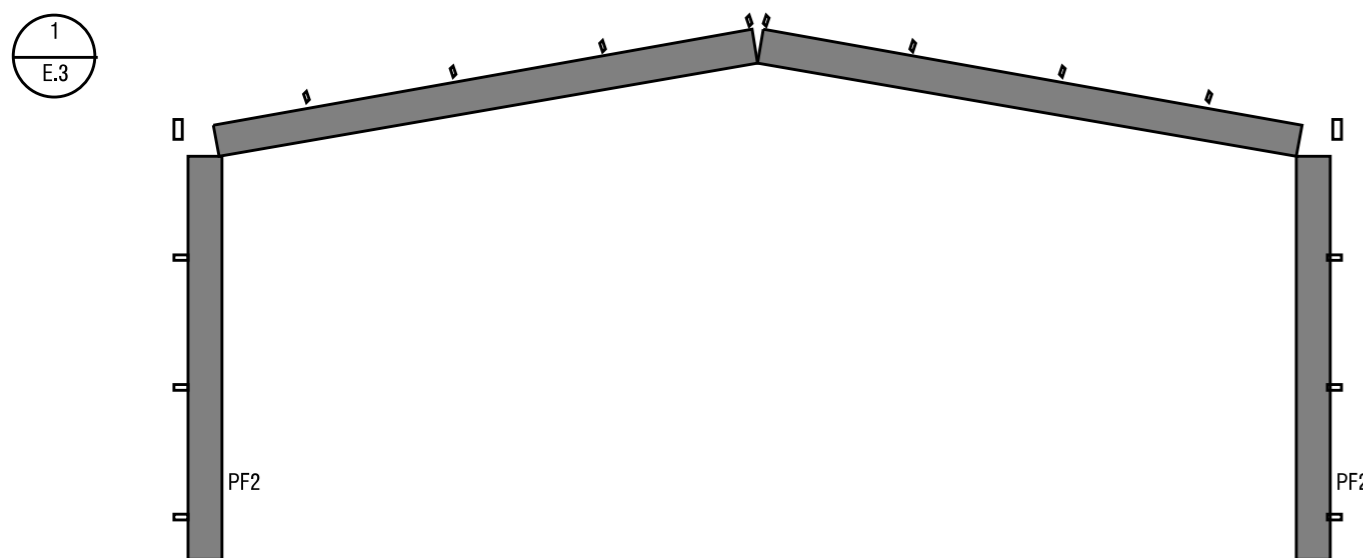
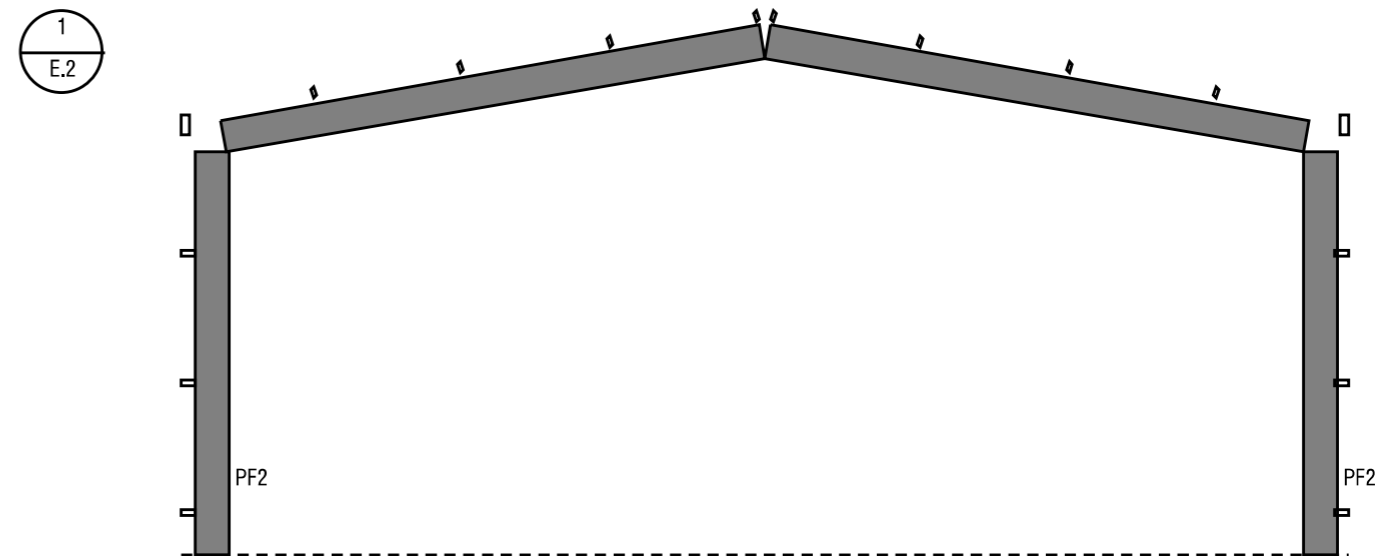
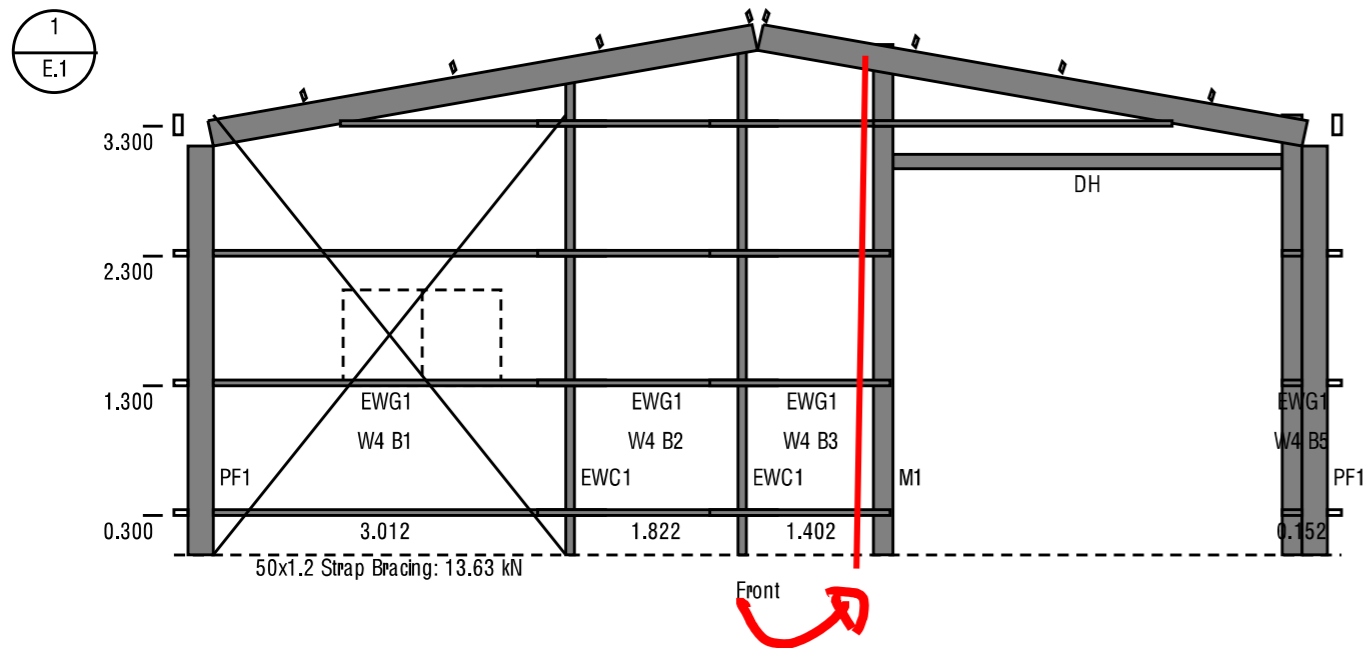


Refer to standard drawing SLAB



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At: 260 Smokers Gully Road Mount Perry 4671	
For: Scot Hansen	
Approved by:	Date: 24/03/2023

DRAWING		
FP1	Ref: 3201903432	NIS
Footing View		



CLIENT

Portal Frame Gable Roof-Open Domestic Design Vdes=49 m/s (Reg-B) 9.000 x 9.000 x 3.400

At: 260 Smokers Gully Road Mount Perry 4671

For: Scot Hansen

Approved by:

Date: 24/03/2023

DRAWING

EW1

Ref: 32091905344332

NTS

End Wall View

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>

