

1 June 2023

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  
Email: [admin@northburnett.qld.gov.au](mailto:admin@northburnett.qld.gov.au)  
Web: [www.northburnett.qld.gov.au](http://www.northburnett.qld.gov.au)  
ABN: 23 439 388 197

Your Reference:  
Our Reference: DA230028

DJ & LK Doyle Pty Limited  
PO Box 238  
GAYNDAH QLD 4625

Dear Sir/Madam

**CONCURRENCE AGENCY RESPONSE**

43 BAMBOO 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 23 May 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:	DJ & LK Doyle Pty Limited
Applicant contact details:	PO Box 238 GAYNDAH QLD 4625
Email:	<a href="mailto:ddoyle.mail4@bigpond.com">ddoyle.mail4@bigpond.com</a>
Phone:	07 4161 1860
Mobile:	0427 582 390

**Site details**

Street address:	43 BAMBOO STREET, GAYNDAH
Real property description:	50MZ1159

**Application details**

Application No:	DA230028
Date of Decision	1 June 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 length over 12m and GFA over 110m <sup>2</sup>

## 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
------------------	---

## 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> .
-------------------	---

## 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

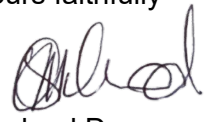
Document No./ Reference	Title (prepared by)	Date
	Site Plan by DJ & LK Doyle Pty Ltd	
33040304395203 QP1	Architectural Drawing by McHugh Steel	
33040304395203 FP1	Footing View by McHugh Steel	
33040304395203 SW1	Side Wall by McHugh Steel	
33040304395203 EP1	End Wall Frame by McHugh Steel	

## 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  
**Planning and Environment Manager**

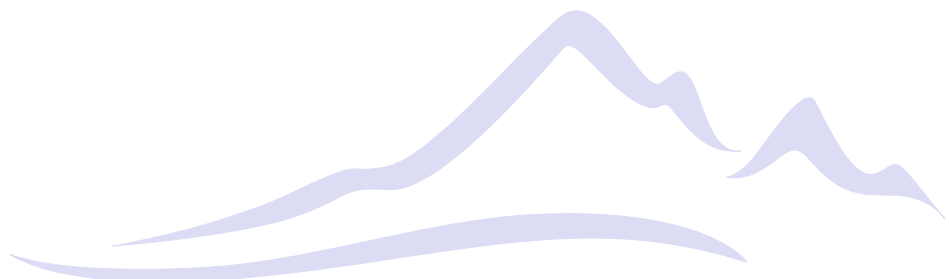
Enc: Attachment 1-conditions to be imposed  
Attachment 2-reasons for decision to impose conditions  
Attachment 3-appeal rights  
Attachment 4-plans

## **Attachment 1 – Conditions to be imposed by Concurrence Agency**

No.	Conditions
<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 shed must be sited a minimum 7 metres from the northern boundary property boundary and 28m from the Bamboo Street boundary, with all setbacks measured from the outermost projection of the structure.
3.	The floor area of the approved shed must not exceed 129m <sup>2</sup> The horizontal dimensions of the approved shed must not exceed 14m x 9m.
6.	The overall height of the approved shed must not exceed 4 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.
<b>Use</b>	
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**

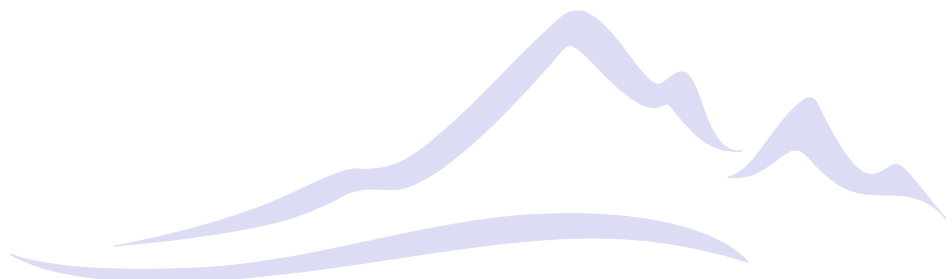
A.	This Concurrence Agency Response does not represent a development approval for Building Works under the <i>Building Act 1975</i> .
B.	All building works the subject of this notice can only proceed once a development permit for building works is issued by a Building Certifier.
C.	Please note this amenity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



## **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.
- Consideration was given to the adjoining Dwelling to the north of the proposed shed as the boundary setback is the closest at 7.2m but it will not affect sunlight or ventilation to the dwelling and with the current vegetation visual amenity will not be impacted.

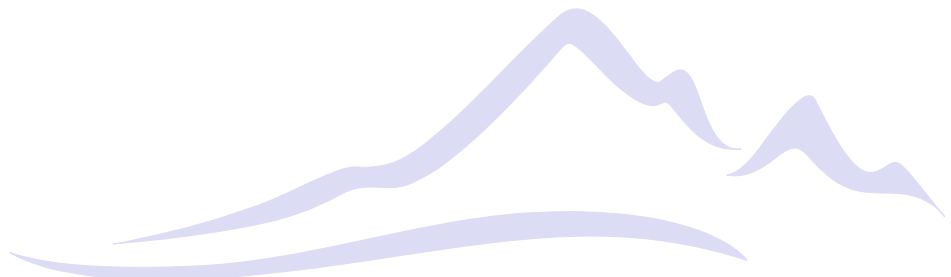


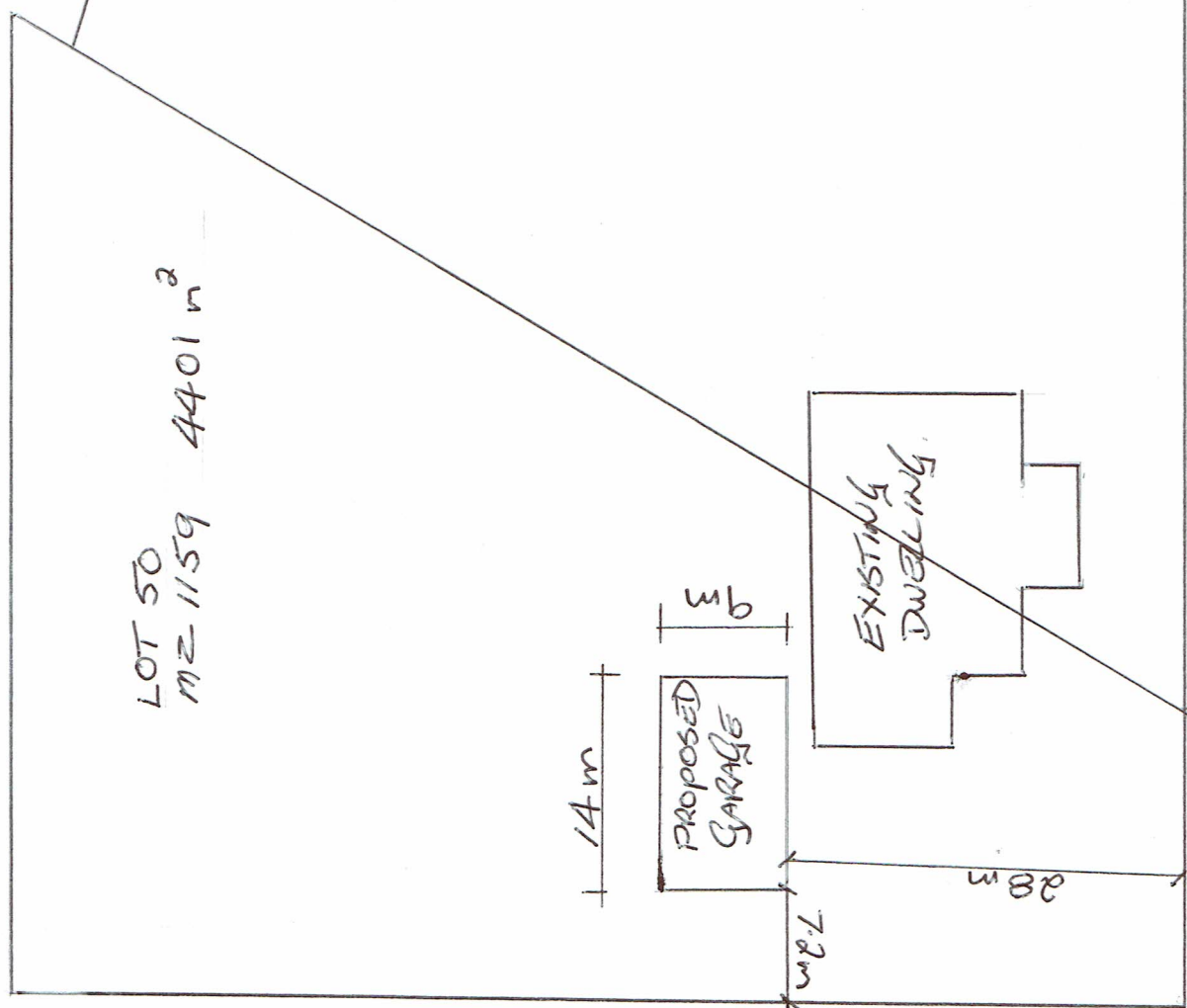
## **Attachment 3 – Approved Plans**

---

**Intentionally left blank**

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

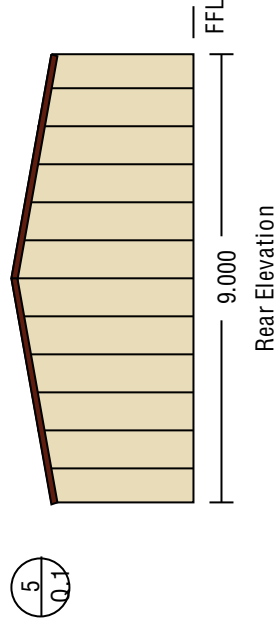
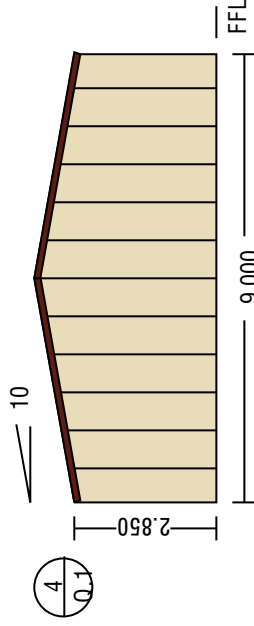
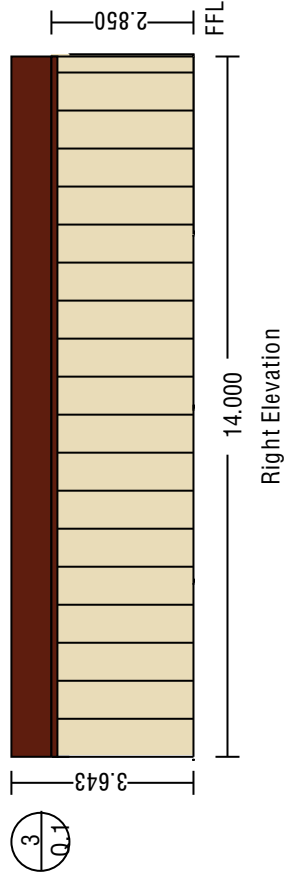
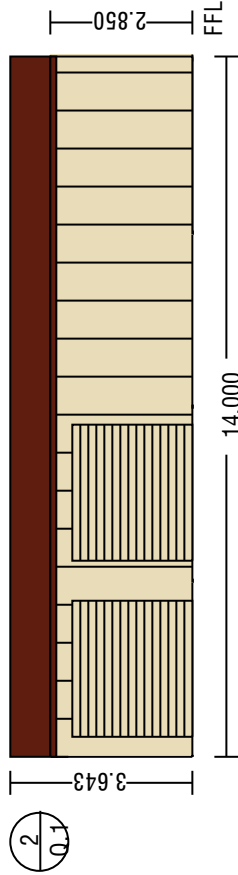
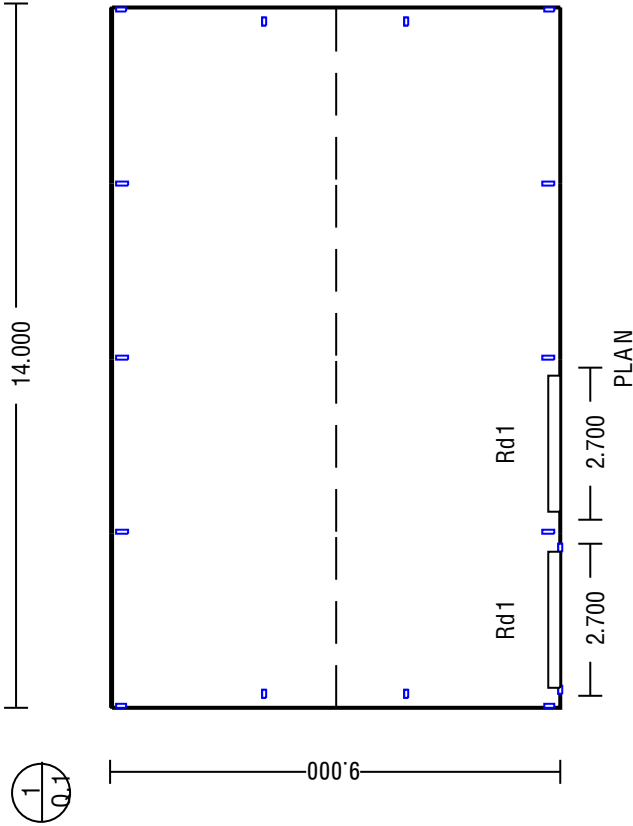




SITE PLAN  
D. GEISSLER  
43-45 BAMBOO ST  
GAYNDAH 4625  
N.B.R.C.



43-45 BAMBOO ST GAYNDAH.



CLIENT	
Portal Frame Gable Roof-Open Domestic Design Vdes=49 m/s (Reg-B) 9,000 x 14,000 x 2,850	
At: 43 Bamboo Street Gayndah 4625	
For: D.J & L.K Doyle	
Approved by:	Date:

DRAWING	
QP1	Ref: 33040304395203
ARCHITECTURAL DRAWINGS	
NTS	



Refer to standard drawing SLAB

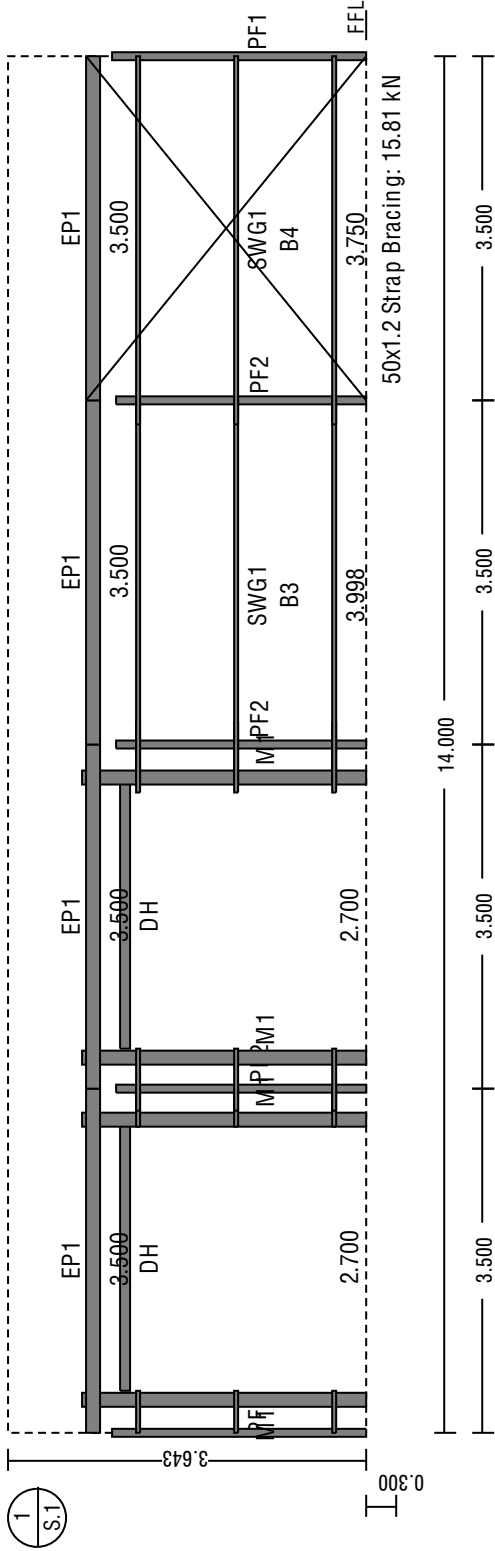


CLIENT	
Portal Frame Gable Roof-Open Domestic Design Vdes=49 m/s (Reg-B) 9,000 x 14,000 x 2,850	
At: 43 Bamboo Street Gayndah 4625	
For: D.J & L.K Doyle	
Approved by :	Date:

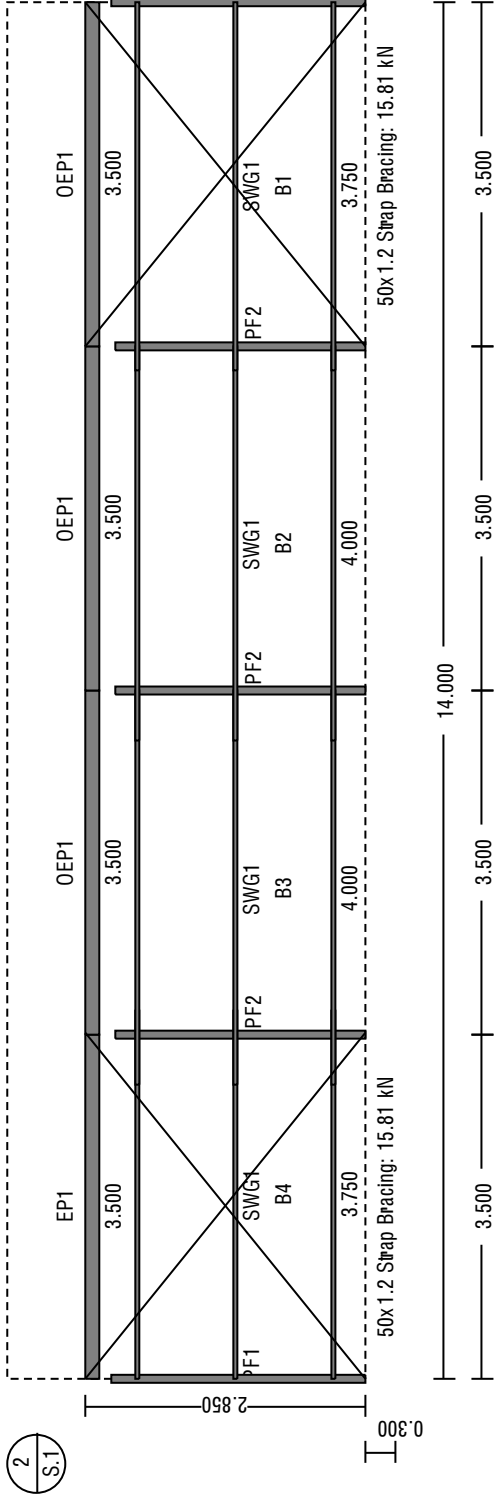
DRAWING			NIS
FPI	R#:	33000068203	

Footing View

Long Wnd Bracing
Bracing Required: 16.55 kN
Bracing Designed: 47.43 kN



Left Elevation

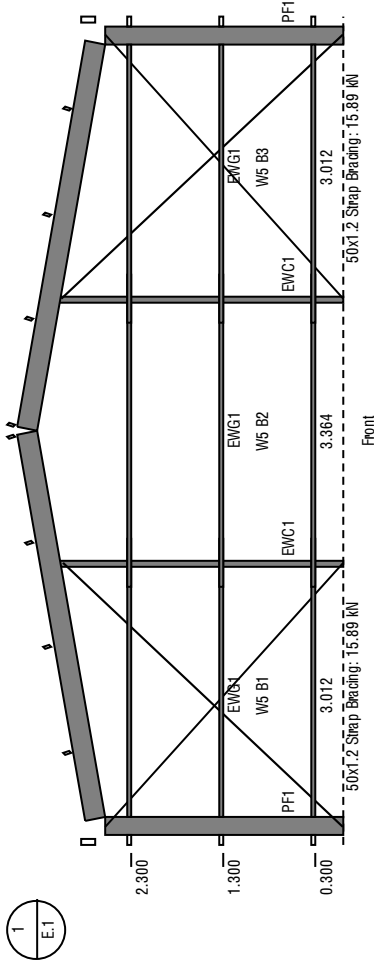


Right Elevation

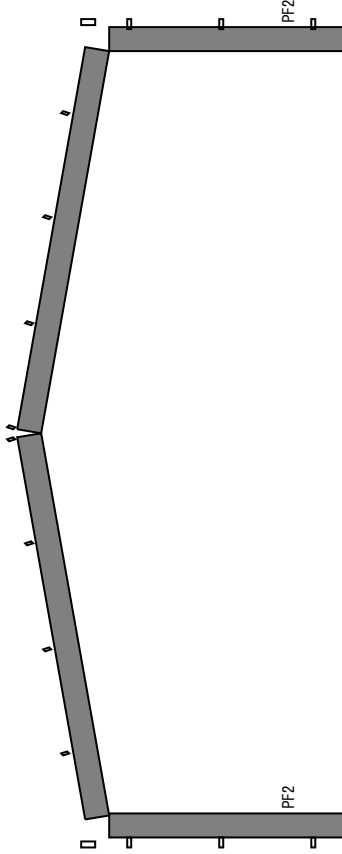


CLIENT	
Portal Frame Gable Roof-Open Domestic Design Vdes=49 m/s (Reg-B) 9,000 x 14,000 x 2,850	
At: 43 Bamboo Street Gayndah 4625	
For: D.J & L.K Doyle	
Approved by:	Date:

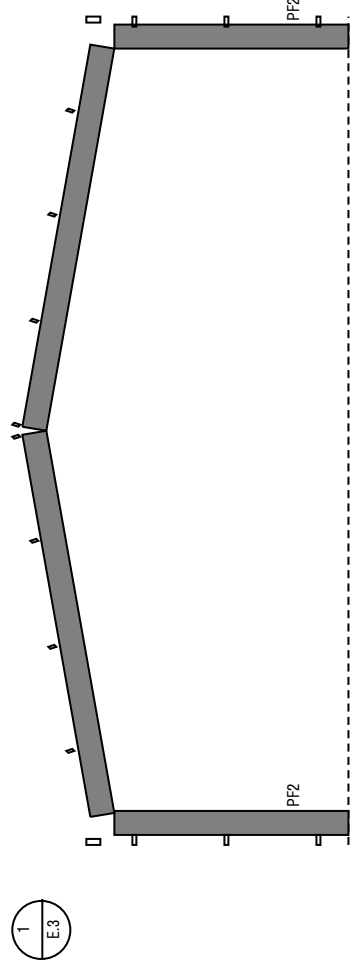
DRAWING	
SW1	Ref: 33040304395203
Side Wall	
NTS	



1  
E.1

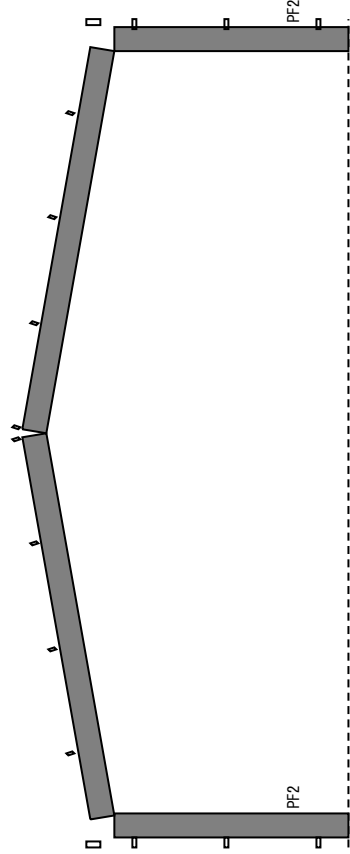


1  
E.2



1  
E.3

1  
E.4



## **Attachment 4 – Planning Act 2016 Extract Appeal Rights**

**Intentionally left blank**

**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>

