

3 August 2023

Your Reference:  
 Our Reference: DA230036

DRIVER'S CONCRETE & CONSTRUCTIONS PTY LTD  
 2 Downing Street  
 GAYNDAH QLD 4625  
 Via Email—admin@driversconcrete.com

Dear Sir/Madam

**CONCURRENCE AGENCY RESPONSE**  
 21 MITCHELL STREET, MONTO  
 (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 16 June 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: 21 MITCHELL STREET, MONTO  
 Real property description: 24M74746

**Application details**

Application No: DA230036  
 Date of Decision: 3 August 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
Concurrency Agency	Development Permit	Shed - QDC 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 *Building Act* 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 *Building Act* Part 3 Division 2 Table 3 Design and Siting – QDC non-compliance and/or QDC alternate provision assessment

**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	
QP1	Architectural Drawings 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

Kim Mahoney  
**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

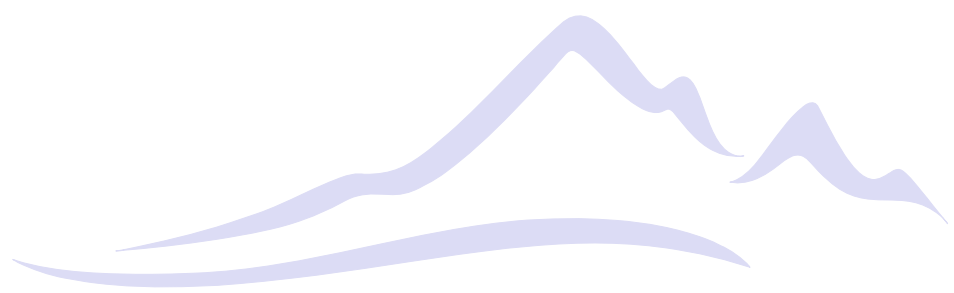


## Attachment 1 – Conditions to be imposed by Concurrence Agency

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— <ul style="list-style-type: none"> <li>• 0.6 metres from the north-western side property boundary, and</li> <li>• 3 metres from the Mitchell Street road property boundary.</li> </ul> with all setbacks measured from the outermost projection of the structure.
3.	The floor area of the approved shed must not exceed 42m <sup>2</sup> .
4.	The overall height of the approved shed must not exceed 4.5 metres measured from natural ground level.
5.	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>	
6.	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
7.	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.

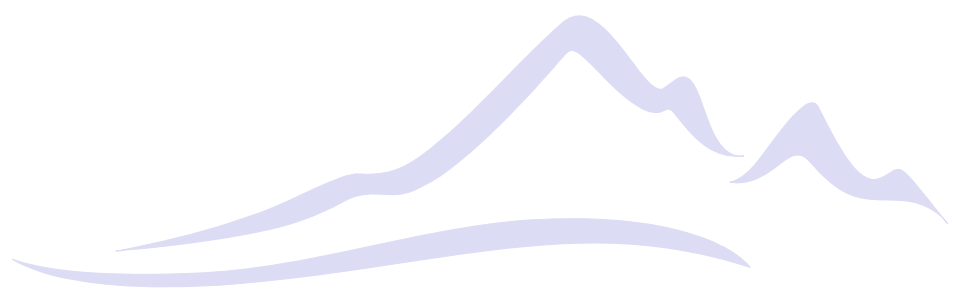


## **Attachment 2 – Reasons for decision to impose conditions**

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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.
- 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.**



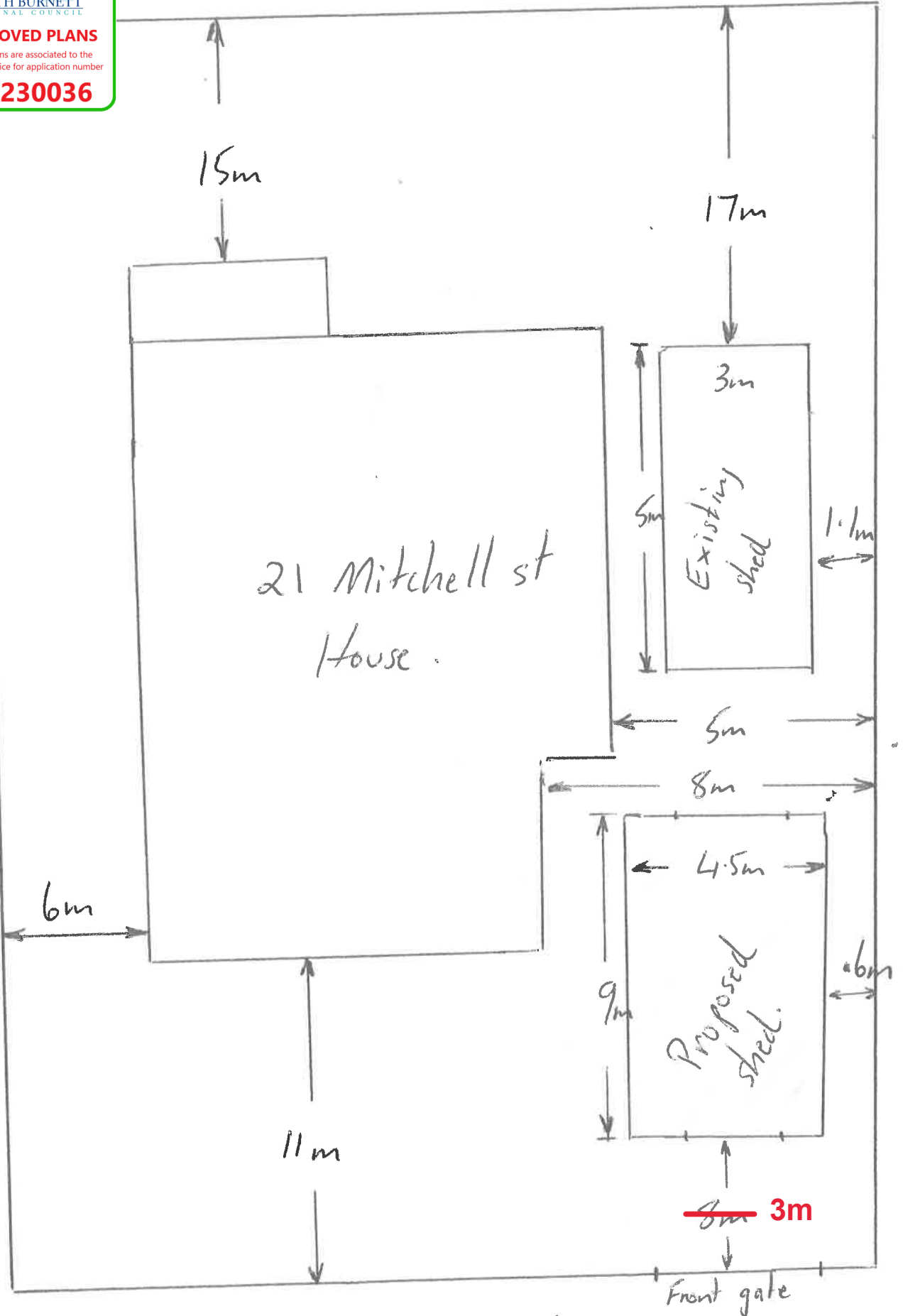


**APPROVED PLANS**

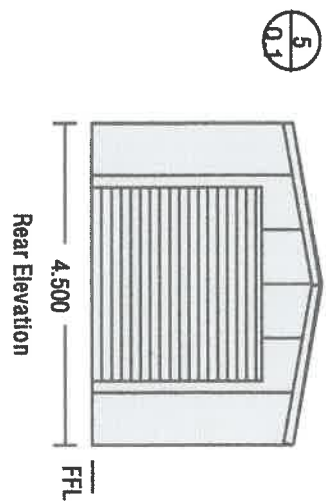
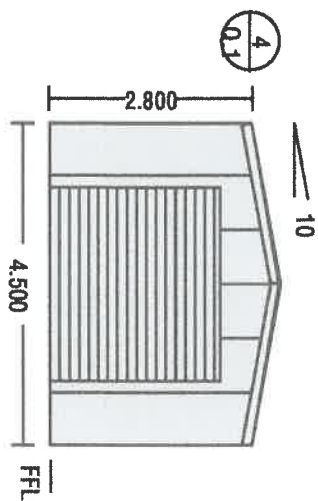
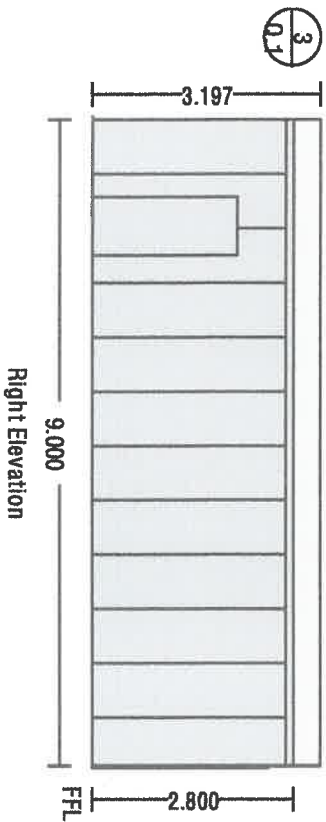
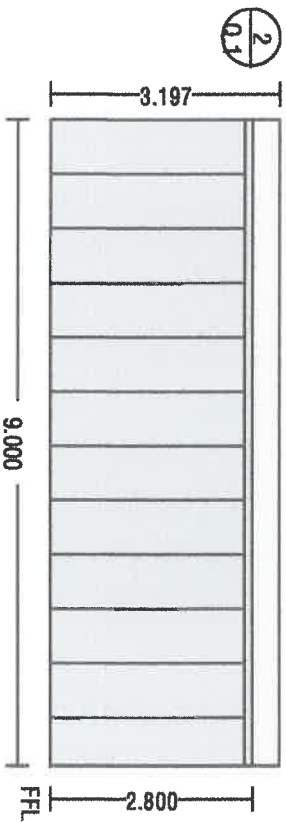
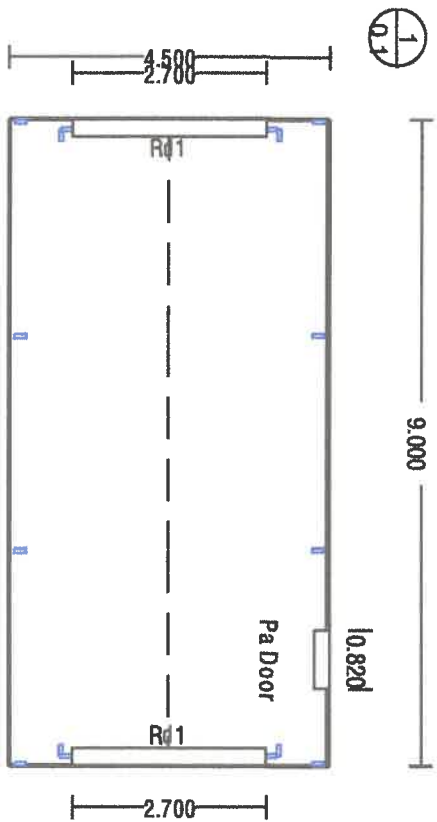
These plans are associated to the decision notice for application number

**DA230036**

Beadell Street



Mitchell Street



**MHUGH**  
**STEEL**

**CLIENT**

Portal Frame Gable Roof-Open Domestic Design Vides-49 m/s (Reg-B) 4,500 x 9,000 x 2,800  
 At: 21 Mitchell Street Mooloh 4630  
 For: LINCOLN DRIVER

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

**DRAWING**

QP1 Ref: 33040604291913

**ARCHITECTURAL DRAWINGS**

NTS

## **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>

