

Street Address: 34-36 Capper Street, Gayndah Qld 4625

Telephone: 1300 696 272 Facsimile: (07) 4161 1425

Email: admin@northburnett.qld.gov.au

Web: northburnett.qld.gov.au ABN: 23 439 388 197

10 November 2023

Our reference: DA230060 Document ID: 1179428

Driver's Concrete & Constructions Pty Ltd 2 Downing Street GAYNDAH QLD 4625 Via email— admin@driversconcrete.com

Dear Applicant

CONCURRENCE AGENCY RESPONSE

76 FIELDING 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 9 November 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: 76 FIELDING STREET, GAYNDAH

Real property description: 5RP207576

Application details

Application No: DA230060

Date of Decision 10 November 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	Pool area and shade cover - 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 <u>Attachment 2</u>.

Approved Plans and Specifications

Document No./ Reference	Title (prepared by)	Date
Page 1 of 4	Site plan	
Page 2 of 4	Elevation and floor plan	
Page 3 of 4	Site photos	
Page 4 of 4	Site photos	

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

General Manager – Corporate and Community

Enc: Attachment 1-conditions to be imposed

Attachment 2-reasons for decision to impose conditions

Attachment 3-appeal rights

Attachment 4-plans



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Attachment 1 – Conditions to be imposed by Concurrency Agency

No.	Conditions		
Gene	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 roofed patio must be sited a minimum 200mm from the southern side boundary property boundary, with all setbacks measured from the outermost projection of the structure.		
3.	The floor area of the approved roofed patio must not exceed 115m ² .		
5.	The height of the approved roofed patio must not exceed— • 4 metres measured from terraced ground level to the highest point on the eastern end, and • 3.5m from the patio deck on the western end. 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		
Use	habitable rooms of any dwelling on surrounding allotments.		
6.	The approved roof patio 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 roofed patio 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, Patio 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.



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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.



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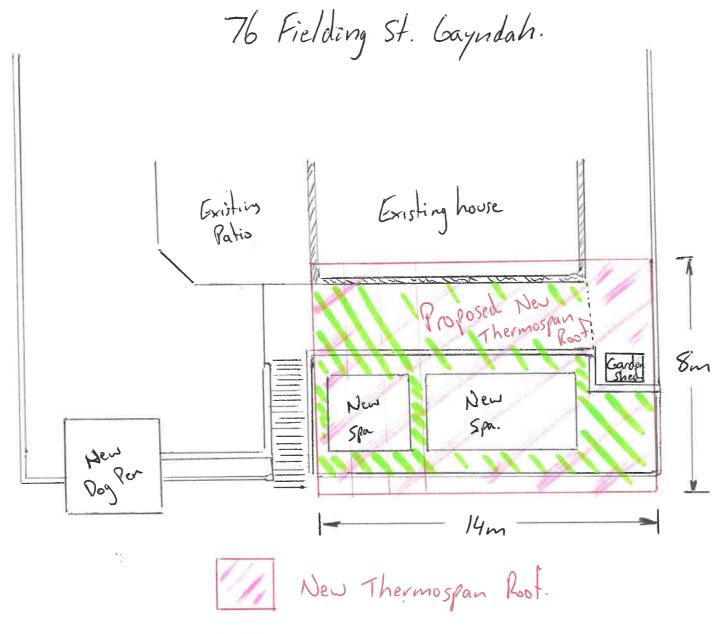
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Attachment 3 – Approved Plans

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Please refer to the following pages for approved plans.



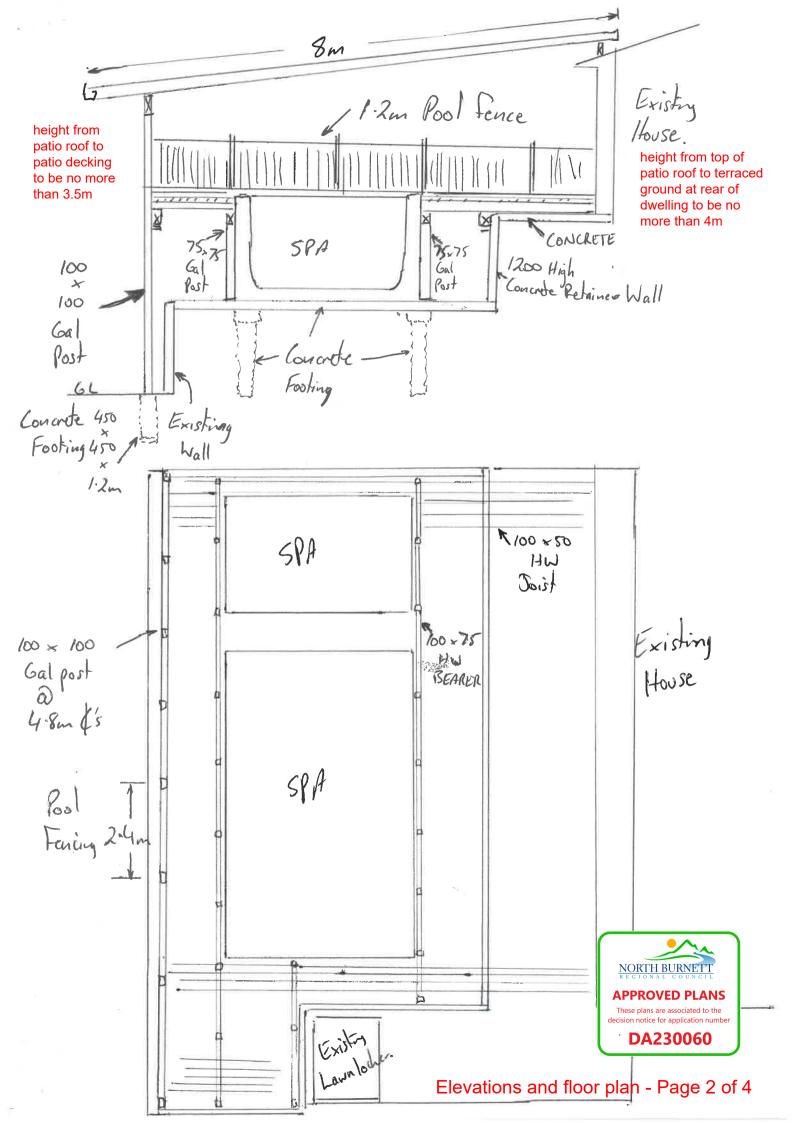




New Dech

Site plan - Page 1 of 4













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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.gld.gov.au/view/html/inforce/current/act-2016-025#sch.1