ISAAC REGION
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Our Ref.: CAR23/0003

5 July 2023

NOTICE ABOUT DECISION - STATEMENT OF REASONS
Section 63(5) of the *Planning Act 2016*

Proposal:	Proposed Carport - Boundary setbacks not consistent with A1(a)(i) and A2(a)(i) in section MP1.2 of the *Queensland Development Code*
Application Number:	CAR23/0003
Address:	16 Mackay Street, Moranbah
Property Description:	Lot 34 on M973100

The development application described above was approved in full subject to conditions on 5 July 2023.

1. Reasons for Decision

The reasons for decision are:

- The proposed development generally complies with Performance Criteria P1 & P2 of the *Queensland Development Code - MP 1.2 – Design and Siting Standard for Single Detached Housing – on Lots 450m^2 and over.*
- The proposed carport is considered an acceptable addition to the locality given it is unenclosed and has maximum building height of 3.32m of the pitched roof form directly facing Mackay Street.
- The proposed carport is consistent with the location and size of a large number of other existing carports in the surrounding area.
- The proposed carports design and location will not result in significant adverse impacts on the privacy, light, ventilation to habitable rooms at the adjoining residences.

2. Assessment Benchmarks

The following are the benchmarks applying for this development:

Benchmarks applying for the development	Benchmark reference
Queensland Development Code - MP 1.2 – Design and Siting Standard for Single Detached Housing – on Lots 450m^2 and over	Performance Criteria P1 and P2.

3. Compliance with benchmarks

Not applicable as the approval complies with all relevant benchmarks.

4. Relevant matters for impact assessable development

Not applicable

5. Matters raised in submissions for impact assessable development

Not applicable

6. Matters prescribed by Regulation

Schedule 9, Part 3, Division 2, Table 3, Item 1 of the *Planning Regulation 2017*

If you find an inaccuracy in any of the information provided above or have a query, please contact Isaac Regional Council on 1300 472 227 or email liveability.sustainability@isaac.qld.gov.au quoting CAR23/0003.

Yours faithfully

MICHAEL ST CLAIR
Manager Liveability & Sustainability
(on behalf of Darren Fettell, Acting Chief Executive Officer)

ATTACHMENT C – Appeal Rights

Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules[1] regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.

28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—

(a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or

(b) the Minister has given the concurrence agency a direction under section 99 of the Act; or

(c) the applicant has given written agreement to the change to the referral agency response.[2]

28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.

28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—

(a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and

(b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

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1 Pursuant to Section 68 of the *Planning Act 2016*

2 In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

Part 7: Miscellaneous

30 Representations about a referral agency response

30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.[3]

[3] An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.