

## Sheet 14: Concurrence Agency Referral Application for Assessment Against Queensland Development Code MP1.1 or MP1.2

- A concurrence referral is necessary where the proposed works do not comply with the siting requirements as provided under the Queensland Development Code Mandatory Part (MP) 1.1 or 1.2, where it is applicable.
- A Concurrence Agency can direct the assessment manager to impose conditions upon the development approval or refuse an application.
- Council is the responsible entity for the assessment of applications where an alternative is sought to the siting provisions under the Queensland Development Code MP1.1 or 1.2.
- This document provides an explanation of the requirements and process for assessing a concurrence agency referral.

### Referral Application Process

#### Concurrence Pre-Lodgement Meeting

- A pre-lodgement meeting is an opportunity for the applicant to obtain advice from Council regarding the proposal before the applicant proceeds to lodge the formal development application.
- It is recommended that the [Duty Planner](#) be contacted to initially confirm siting provisions for the works under the [Planning Scheme](#) and confirm the need for any approvals in this regard prior to any building approvals – remembering that compliance with planning scheme provision is a pre-requisite to any building approval.
- If the siting of the proposed development is not regulated under the Planning Scheme but does not comply with the applicable acceptable solutions within the Queensland Development Code, then it is likely a concurrence application is required to be made to Council.
- There is no fee associated with these pre-lodgement discussions.

#### Lodgement/Assessment Process

1. A development application is to be lodged with an Assessment Manager;
2. The Assessment Manager issues the applicant with a Confirmation Notice to confirm a referral agency response is required.
3. The applicant is to provide Council with a copy of the application with the following information:
  - a complete copy of its application as submitted to the Assessment Manager;
  - the Confirmation Notice as issued by the Assessment Manager; and
  - scheduled fee.
4. During the assessment process, the Concurrence Agency:
  - must assess the application within the limits of its jurisdiction and relevant legislation;
  - may request further information about matters within its jurisdiction;
  - may seek advice from any person or entity.
5. In its response, the Concurrence Agency can direct the Assessment Manager to:
  - approve, partly approve or refuse the application and may also impose conditions upon the approval; and
  - may offer advice to the assessment manager about the application.
6. The Assessment Manager is obliged to comply with the response.
7. An applicant may make representations to Council about its response as a Concurrence Agency prior to the application being decided.

### Legislation Affecting Siting Requirements

- **The Queensland Development Code:** Mandatory Parts 1.1 and 1.2 of this Code regulate siting requirements for single detached dwellings and Class 10 type structures. Refer to website [www.hpw.qld.gov.au](http://www.hpw.qld.gov.au)
- **Planning Scheme:** A [Planning Scheme](#) may have 'alternative provisions' regarding siting size and boundary setbacks that conflict with the Queensland Development Code. Check the Scheme on Council's website or contact Council's [Duty Planner](#).
- **Planning Act 2016 and Development Rules:** This Act and Rules govern the application process for a development and concurrence agency application.

### How To Lodge The Building Application

The application can be lodged either via:-

- Council's on-line service available on its website (refer to Building Information Guide 00), or
- in person at the Yeppoon Town Hall, located at 25 Normanby Street, Yeppoon, or
- in person at the Emu Park Library, located at Hill Street, Emu Park.

## Request For Concurrence Assessment For A Proposed Building / Structure

Livingstone Shire Council, PO Box 2292, Yeppoon Queensland 4703  
Telephone: 4913 5000 Email: enquiries@livingstone.qld.gov.au

**Privacy Notice:** Livingstone Shire Council is collecting the personal information you supply on this form for the purpose of processing your application. The Council is authorised to do this under the Planning Act 2016 and the Building Act 1975. Your personal details will not be disclosed to any other person or agency external to Council without your consent unless required or authorised by law.

### 1. Applicants Details

Name		
Postal Address		
Phone	Mobile	Email Address

### 2. Owners Details

Name		
Postal Address		
Phone	Mobile	Email Address

### 3. Assessment Manager Details

**IMPORTANT:** a development application for the proposed development **must** be lodged. If the Assessment Manager is a private building certifier a Confirmation Notice must be obtained and submitted with this application. If this application is lodged prior to lodging the development application then it shall be **considered as not properly made**.

Name		
Accred. No.	Phone	Email Address
Company Name		
Postal Address		

### 4. Property Details

House No.	Street Name	Locality
Lot No.	Plan No.	

The remainder of this application is a guide to assist the applicant to identify the required acceptable solutions required for the proposed development. The applicant is required to detail the aspect which does not comply with the acceptable solutions and how the proposal will meet the performance criteria. Refer to the Queensland Development Code MP 1.1 or 1.2. If this form is not used then the application must be supported with documentation showing how the proposal will satisfy the performance criteria of the relevant Code.

## 5. Proposed Development Description (tick type)

### Class 1a

<input type="checkbox"/>	Alteration to dwelling
<input type="checkbox"/>	Extension to dwelling
<input type="checkbox"/>	New dwelling
<input type="checkbox"/>	Raise existing dwelling
<input type="checkbox"/>	Other – specify below:

### Class 10a

<input type="checkbox"/>	Carport
<input type="checkbox"/>	Garage (vehicle only)
<input type="checkbox"/>	Shed
<input type="checkbox"/>	Patio/ Verandah / Roofed deck
<input type="checkbox"/>	Deck
<input type="checkbox"/>	Pergola (unroofed)

### Class 10b

<input type="checkbox"/>	Retaining wall
<input type="checkbox"/>	Swimming pool / spa
<input type="checkbox"/>	Rainwater tank
<input type="checkbox"/>	Combined fence and retaining wall
<input type="checkbox"/>	Fence
<input type="checkbox"/>	Other – specify below:

## 6. Request Details

Complete the section which is relevant to the application

<b>A. Road Boundary</b> <i>(distance is from property boundary to outermost projection ie fascia board or top of balustrade if extends beyond fascia). One line per request.</i>	<b>Road Name</b> <b>1 line per road frontage</b>	<b>Detail the QDC Acceptable Solution</b> <b>eg 6000 mm</b>	<b>Detail the Proposed Setback</b> <b>eg 4500 mm</b>
Primary Road	Existing (name):	Required (name):	

<b>B. Side Boundary</b> <i>(If more than one structure use one line per structure)</i>	<b>Detail the QDC Acceptable Solution</b> <b>eg 1500 mm</b>	<b>Detail the Proposed Setback</b> <b>eg 750 mm</b>
Right Side		
Left Side		

<b>C. Total Length On Boundary</b> <i>(If more than one structure use one line per structure)</i>	<b>Detail the QDC Acceptable Solution</b> <b>eg 9000 mm</b>	<b>Detail the Proposal</b> <b>eg 13000 mm</b>
Right Side		
Left Side		

<b>D. Site Coverage</b>	<b>Detail the QDC Acceptable Solution</b> <b>eg 50%</b>	<b>Detail the Proposal</b> <b>eg 65%</b>

E. Overall Height Above Natural Ground	Detail the Acceptable Solution eg 2000 mm	Detail the Proposal eg 2500 mm

## 7. Supporting Information

**The following details the criteria detailed in the Code to determine the effect / impact of the proposed work to the area. The applicant is to state how the proposal will satisfy the performance criteria of the Queensland Development Code MP 1.1 or 1.2 as detailed below. If there is insufficient space for your comment, please attach your comment.**

P1 Location of a building or structure facilitates an acceptable streetscape appropriate for:  
a) the bulk of the building or structure *(if not applicable state why)*

P1 Location of a building or structure facilitates an acceptable streetscape appropriate for:  
b) The road boundary setbacks of neighbouring buildings or structure *(if not applicable state why)*

P1 Location of a building or structure facilitates an acceptable streetscape appropriate for:  
c) The outlook and views of neighbouring residents *(if not applicable state why)*

P1 Location of a building or structure facilitates an acceptable streetscape appropriate for:  
d) Nuisance and safety to the public *(if not applicable state why)*

P2 The building or structure: a) Will provide adequate daylight and ventilation to habitable rooms *(if not applicable state why)*

P2 The building or structure: b) Will allow adequate light and ventilation to habitable rooms of buildings on adjoining lots *(if not applicable state why)*

P2 The building or structure: c) Will not adversely impact on the amenity and privacy of residents on adjoining lots *(if not applicable state why)*

P3 Adequate open space is provided for recreation, service facilities and landscaping (if not applicable state why)

P6 The location of the building or structure facilitates normal building maintenance (if not applicable state why)

**8. Other Information**

Provide details if there is other evidence to support the request or why compliance with the acceptable solutions of the QDC cannot be achieved.

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*The proposal is assessed wholly against the criteria detailed in 7. above. In the interest of maintaining good community relations it is recommended that your neighbour who may be affected by the development be advised of the proposal.*  
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**Terminology (source: Queensland Development Code MP1.1)**

**Outermost Projection** means the outermost project of any part of a building or structure. In the case of a roof, the outside face of the fascia or the roof structure where there is no fascia, or attached sunhoods or the like, but does not include retractable blinds, fixed screens, rainwater fittings or ornamental attachments.

**Boundary Clearance** for other than a pool is the shortest distance measured horizontally from the outermost projection of the building or structure to the vertical projection of the boundary of the lot. For a pool, is the shortest distance measured horizontally from the water's edge to the vertical project of a boundary of the lot.