

Referral Agency/Change to Referral Agency Response Application Form

Privacy Notice: Council is collecting the personal information you supply on this form for the purpose of processing your application. Council is authorised to do this under the *Planning Act 2016* and the *Building Act 1975*. Council deals with personal information in accordance with law, including the *Information Privacy Act 2009*.

This form is to be completed when the proposed building or structure does not meet the siting requirements under the Queensland Development Code (QDC) Mandatory Part 1.1 or 1.2. Where the Planning Scheme specifies a siting requirement for the property which conflicts with the QDC, then the Scheme takes precedence, and the variation will require planning approval.

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Applicant Details

Organisation name (if applicable):

Applicant name:

Contact name (if organisation):

Postal address:

Preferred contact number:

Email:

Preferred delivery method: ☐ Email ☐ Post ☐ Collect – Rockhampton, Gracemere, Mount Morgan

Email is the standard form of delivery. If this method is unsuitable, please select an alternative.

Assessment Manager Details

Has a development application been lodged for this building work:

☐ Yes – Private Certifier (please note, a Confirmation Notice from your private certifier is required)

☐ Yes – Council Application

☐ No (please note, referral agency response timeframes under the Development Assessment Rules do not apply where an application has not yet been made)

Private Certifier's name:

Private Certifier's address:

Site Details

Street number and name:

Suburb:

State:

Postcode:

Lot number:

Plan number:

Development Details or Details of Change

Proposed development: (for example, Carport located 2000mm from the road boundary)

OFFICE USE
ONLY

Amount:

Date received:

Receipt number:

Application number:

Reason for the request:

Relaxation Type

What type of relaxation are you seeking?

- ☐ Road frontage encroachment – only answer questions for section 1 below
- ☐ Side and/or rear boundary encroachment – only answer questions for section 2 below
- ☐ Exceed the height requirement – only answer questions for section 3 below
- ☐ Exceed the site coverage – only answer questions for section 4 below

1 Road Frontage Encroachment

Discuss how the proposed structure is designed to integrate with the existing dwelling and the residential streetscape: *(i.e. size, roof types, open structure, colours, materials, etc)*

Discuss how the proposed location does not interfere with the outlook and views of neighbouring residents:

Discuss how the proposed structure does not cause nuisance or impact on safety to the public: *(i.e. sight lines, casual surveillance, limiting opportunities for concealments, etc)*

What is the proposed setback from the road boundary?

Is a new driveway proposed to be constructed in the road reserve? ☐ Yes ☐ No ☐ Undecided

2 Side and/or Rear Boundary Encroachment

Provide justification for how the proposed structure would not impact the amenity and privacy of residents on adjoining lots: *(i.e. location in relation to views from adjoining lots, location in relation to private outdoor spaces/habitable rooms on adjoining structures, consideration of height and design features, etc.)*

Demonstrate how the proposed structure still allows for adequate daylight and ventilation to habitable rooms on the site and adjoining lots: *(i.e. adequate distance to habitable rooms, the structure is open/semi-open, position on the lot for breezes, etc.)*

What is the proposed setback from the side and/or rear boundary?

3 Exceed the Height Requirement

What is the total height of the structure from natural ground level to the outermost projection?

Provide details on how the additional height does not overshadow any adjoining houses:

4 Exceed the Site Coverage

What site coverage is proposed?

Demonstrate that adequate open space is still provided for recreation, service facilities and landscaping:

Declaration

I submit this form with the relevant supporting documentation as required and declare that the details are true and correct to the best of my ability.

Name:

Signature:

Date:

Supporting Documentation

Please remember to provide the following supporting documentation when submitting this form (your application will not be processed without it):

- ☐ Confirmation notice from your private certifier (if applicable)
- ☐ Floor Plan
- ☐ Elevations showing outermost projection and overall heights from natural ground level
- ☐ Site Plan indicating:
 - ☐ Boundary clearance from existing and proposed building/s to all boundaries from the outermost projection height;
 - ☐ Distance from proposed building to nearest buildings on the property;
 - ☐ Lawful point of discharge for stormwater;
 - ☐ Nine (9) x nine (9) metre truncation (if applicable);
 - ☐ Distance from proposed building to nearest buildings on the adjoining property; and
 - ☐ Location of any Council infrastructure services on the property with dimensions to proposed building/s (if applicable).

Building Terminology

Building, as per the *Building Act 1975*, is a fixed structure that is wholly or partly enclosed by walls or is roofed. The term includes a floating building and any part of a building.

Habitable room, as per the [National Dictionary of Building and Plumbing Terms](#), means a room used for normal domestic activities, and –

- (a) includes a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family room, home theatre and sunroom; but
- (b) excludes a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes-drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods.

Lot, as per the Queensland Development Code MP1.1 and MP1.2, means a separate, distinct parcel of land on which a *building* is to be built, or is built.

Outermost projection, as per the Queensland Development Code MP1.1 and MP1.2, means the outermost projection of any part of a building or structure including, 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.

Road, as per section 93 of the *Land Act 1994*, means an area of land, whether surveyed or unsurveyed, dedicated, notified or declared to be a road for public use. This term includes:

- (a) a street, esplanade, reserve for esplanade, highway, pathway, thoroughfare, track or stock route; and
- (b) a bridge, causeway, culvert or other works in, on, over or under a road; and
- (c) any part of a road.

Setback, as per the Queensland Development Code MP1.1 and MP1.2, means –

- (a) for a building or structure other than a swimming pool, the shortest distance measured horizontally from the outermost projection of the building or structure to the vertical projection of the boundary of the lot.
- (b) for a swimming pool, the shortest distance measured horizontally from the water's edge to the vertical projection of a boundary of the lot.

Side and rear boundary clearance, as per the Queensland Development Code MP1.1 and MP1.2, means –

- (a) for a building or structure other than a swimming pool, the shortest distance measured horizontally from the outermost projection of the building or structure to the vertical projection of the boundary of the lot.
- (b) for a swimming pool, the shortest distance measured horizontally from the water's edge to the vertical projection of a boundary of the lot.

Structure, as per the *Building Act 1975*, includes a wall or fence and anything fixed to or projecting from a building, wall, fence or other structure.