



Our Ref: MagiQ F/ID: 173516
Your Ref: 20264615

File: P03-26 & 03776-00000-000

SC:TS

REFERRAL AGENCY RESPONSE

18 September 2026

Mr Thomas Hynes
C/- Buildable Approvals
701 Albany Creek Road
ALBANY CREEK QLD 4035

admin@buildable.com.au

Attention: Ms Rachel Laneyrie

I refer to the application received by Council requesting approval for the below proposal. This is a response from Mount Isa City Council as an Early Referral Agency pursuant to s57 of the *Planning Act 2016*.

APPLICANT DETAILS

Applicant name: Thomas Hynes
C/- Buildable Approvals
Applicant contact details: admin@buildable.com.au

LOCATION DETAILS

Street address:	31 Alamanda Street, Parkside
Real property description:	Lot 7 on plan CP838449
Local government area:	Mount Isa City

APPLICATION DETAILS

Application number:	P03-26
Approval sought:	Early Referral Response - Local Government as a referral agency (Design and Siting)
Description structure proposed:	Construction of 12.0m x 10.0m Shed
Nature of development proposed:	3800 mm setback from the northern boundary (Alamanda Street frontage) boundary and 2500 mm setback from the eastern boundary (Maple Street frontage)

REFERRAL TRIGGER

The development application was referred to Mount Isa City Council under the following provisions of the *Planning Regulation 2017*:

- Schedule 9, Part 3, Division 2, Table 3, Column 2 (a) - Local Government as Referral Agency (Design and Siting)

REFERRAL AGENCY ASSESSMENT

Mount Isa City Council, as a referral agency for the application, has assessed the development against matters outlined in Schedule 9, Part 3, Division 2, Table 3, Item 4 of the *Planning Regulation 2017*-

For building work stated in item 1, column 2, paragraph (a) – whether the proposed building or structure complies with the performance criteria stated in the paragraph.

EARLY-REFERRAL RESPONSE

In accordance with section 57 of the *Planning Act 2016* the response is taken to be a response under section 56 if the application –

- (a) is the same or is not substantially different from the proposed development; and
- (b) is made within twelve (12) months from the date of this letter.

REFERRAL AGENCY DECISION

Decision detail:

Approved subject to conditions

Pursuant to section 63 of the *Planning Act 2016*, Mount Isa City Council must be given a copy of the Decision Notice about the assessment manager's decision, within five (5) business days after the decision is made.

CONDITIONS

Refer Attachment 1.

Should you have any further queries, please contact Council's Development and Land Use section on (07) 4747 3200.

Yours faithfully



Tim Rose
Chief Executive Officer

Attachment 1 - Referral agency development conditions

Attachment 2 - Approved plans

Attachment 3 - Representation on referral agency response

ATTACHMENT 1 - REFERRAL AGENCY DEVELOPMENT CONDITIONS

1. The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this response. Any variation to the details provided in the plans/documentation to which this approval relates may require further assessment by Mount Isa City Council.

Drawing No.	Document Name	Revision	Date	Prepared by
-	Site Plan	-	Received 27/07/2026	-
2733734356	Elevation	-	05/05/26	Best sheds

2. All roof drainage from the structure must be discharged such that it does not restrict, impair or change adversely the natural flow of runoff water or cause nuisance to adjoining properties.

ADVISORY NOTES:

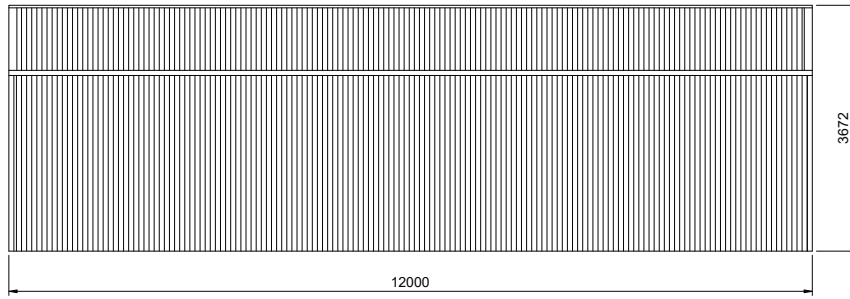
NOTE 1	Where the building project will involve other works, for example: planning approval, plumbing and the related works, should be obtained prior to commencement of the building works authorised by this permit.
NOTE 2	Prior to the commencement of building works undertake Dial Before You Dig searches to ensure the location of all services are identified.
NOTE 3	Any alterations to, or the creation of additional driveway crossover will require a "Works on Council Property" Application to be submitted to, and approved by Council prior to the commencement of any works on Council property

ATTACHMENT 2 - PLANS APPROVED IN REFERRAL RESPONSE

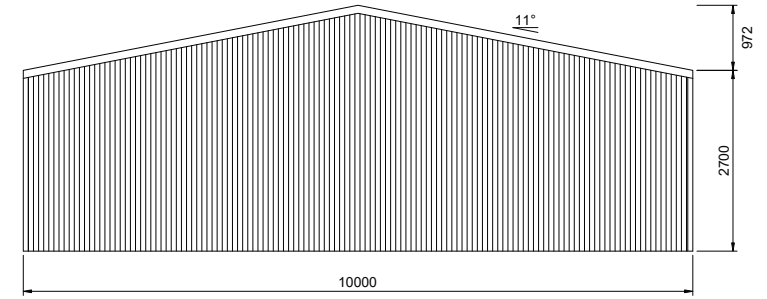
Development Assessment Rules, Part 2 – Referral, section 9.2

Planning Act 2016, section 56

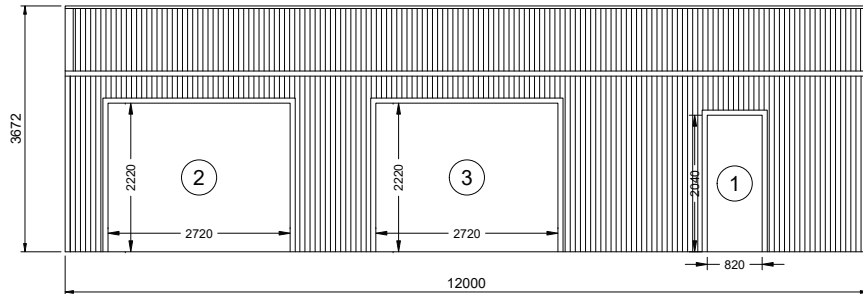
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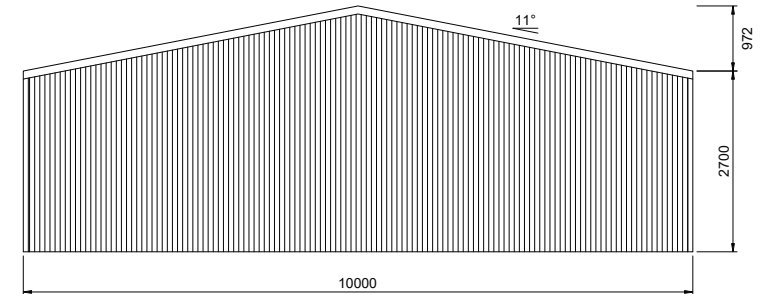
2 LEFT ELEVATION
2 SCALE: 1:75



3 REAR ELEVATION
2 SCALE: 1:75

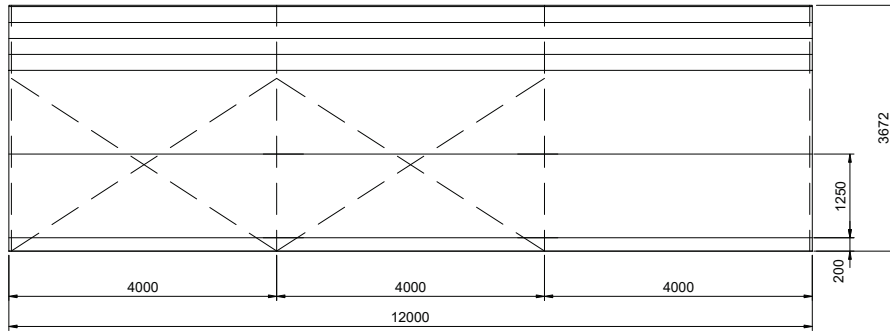


1 RIGHT ELEVATION
2 SCALE: 1:75

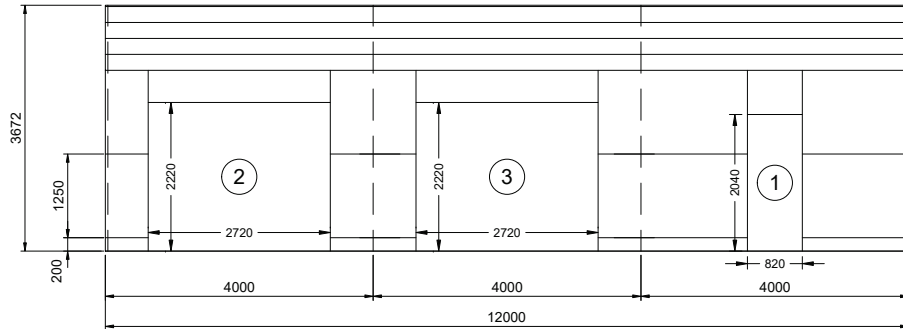


4 FRONT ELEVATION
2 SCALE: 1:75

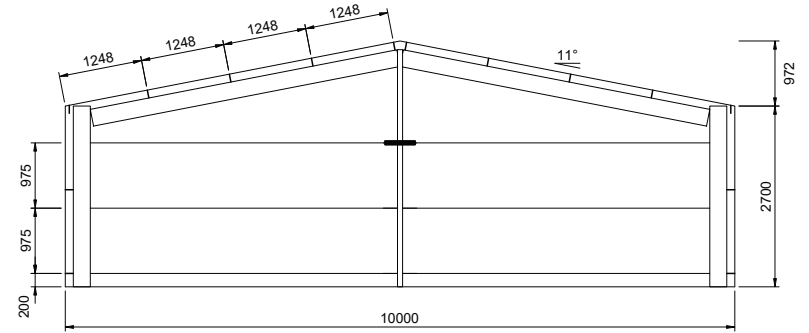




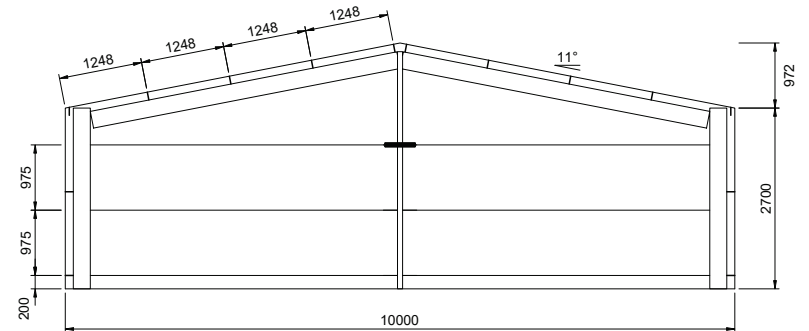
2 LEFT ELEVATION
3 SCALE: 1:75



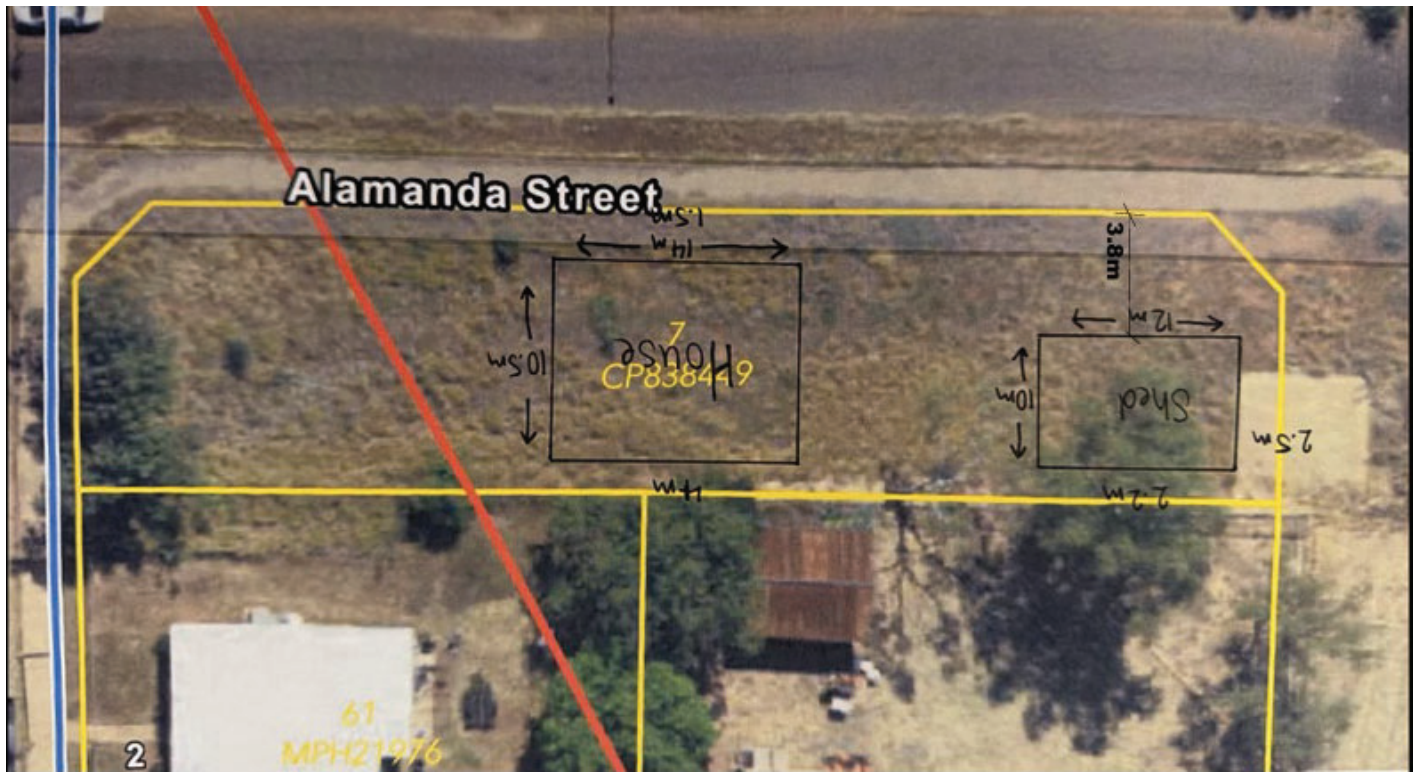
1 RIGHT ELEVATION
3 SCALE: 1:75



3 REAR ELEVATION
3 SCALE: 1:75 FRAME #4



4 FRONT ELEVATION
3 SCALE: 1:75 FRAME #1



Drawing No.	Document Name	Revision	Date
-	Site Plan	-	27/07/2026

MOUNT ISA CITY COUNCIL
DIGITAL STAMP
APPROVED PLAN

Application No.: [P03-26](#)
 Development Approval: [Development Permit for Building Work Assessable Against the Planning Scheme](#)
 Approved Use: [Construction of 12.0m x 10.0m Shed](#)
 Lot Details: [Lot 7 on plan CP838449](#)
 Street Address: [31 Alamanda Street, Parkside, Mount Isa](#)
 Approved Plan: [18 September 2026](#)

ATTACHMENT 3 - REPRESENTATION ON REFERRAL AGENCY RESPONSE

Development Assessment Rules, Part 2 – Referral, section 9.2

Planning Act 2016, section 56

Under section 30 of the Development Rules 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. An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action.

If the applicant intends to make a representation to MICC regarding the attached concurrence agency response, the applicant needs to do this before the assessment manager decides the application. The assessment manager cannot decide the application before ten (10) business days after receiving the final concurrence agency response, pursuant to sections 22.5 and 23.1 of the Development Assessment Rules.

The applicant will need to give the assessment manager written notice pursuant to section 32 of the Development Rules to stop the decision-making period to make representation to MICC and subsequently contact MICC to make representations.

Appeal Rights

The timeframes for starting an appeal in the Planning and Environment Court are set out in section 229 of the Planning Act 2016.

An extract from the relevant appeal provisions from the Planning Act 2016 is attached.

Schedule 1 Appeals

section 229

1 Appeal rights and parties to appeals

(1) Table 1 states the matters that may be appealed to—

- (a) the P&E court; or
- (b) a tribunal.

Note—

For limitations on appeal rights in relation to a development approval for development requiring social impact assessment, see section 106ZJ.

(2) However, table 1 applies to a tribunal only if the matter involves—

- (a) the refusal, or deemed refusal of a development application, for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
- (b) a provision of a development approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
- (c) if a development permit was applied for—the decision to give a preliminary approval for—
 - (i) a material change of use for a classified building; or
 - (ii) operational work associated with building work, a retaining wall, or a tennis court; or
- (d) a development condition if—

- (i) the development approval is only for a material change of use that involves the use of a building classified under the Building Code as a class 2 building; and
 - (ii) the building is, or is proposed to be, not more than 3 storeys; and
 - (iii) the proposed development is for not more than 60 sole-occupancy units; or
 - (e) a decision for, or a deemed refusal of, an extension application for a development approval that is only for a material change of use of a classified building; or
 - (f) a decision for, or a deemed refusal of, a change application for a development approval that is only for a material change of use of a classified building; or
 - (g) a matter under this Act, to the extent the matter relates to the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or
 - (h) a decision to give an enforcement notice—
 - (i) in relation to a matter under paragraphs (a) to (g); or
 - (ii) under the *Plumbing and Drainage Act 2018*; or
 - (i) an infrastructure charges notice; or
 - (j) the refusal, or deemed refusal, of a conversion application; or
 - (l) a matter prescribed by regulation.
- (3) Also, table 1 does not apply to a tribunal if the matter involves—
- (a) for a matter in subsection (2)(a) to (d)—
 - (i) a development approval for which the development application required impact assessment; and
 - (ii) a development approval in relation to which the assessment manager received a properly made submission for the development application; or

- (b) a provision of a development approval about the identification or inclusion, under a variation approval, of a matter for the development.
- (4) Table 2 states the matters that may be appealed only to the P&E Court.
- (5) Table 3 states the matters that may be appealed only to the tribunal.
- (6) In each table—
 - (a) column 1 states the appellant in the appeal; and
 - (b) column 2 states the respondent in the appeal; and
 - (c) column 3 states the co-respondent (if any) in the appeal; and
 - (d) column 4 states the co-respondents by election (if any) in the appeal.
- (7) If the chief executive receives a notice of appeal under section 230(3)(f), the chief executive may elect to be a co-respondent in the appeal.
- (8) In this section—
storey see the Building Code, part A1.1.

Table 1
Appeals to the P&E Court and, for certain matters, to a tribunal

1. Development applications

For a development application other than an excluded application, an appeal may be made against—

- (a) the refusal of all or part of the development application; or
- (b) the deemed refusal of the development application; or
- (c) a provision of the development approval; or
- (d) if a development permit was applied for—the decision to give a preliminary approval.

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The assessment manager	If the appeal is about a concurrence agency's referral response—the concurrence agency	1 A concurrence agency that is not a co-respondent 2 If a chosen assessment manager is the respondent—the prescribed assessment manager 3 Any eligible advice agency for the application 4 Any eligible submitter for the application
2. Change applications For a change application other than an excluded application, an appeal may be made against— (a) the responsible entity's decision on the change application; or (b) a deemed refusal of the change application.			

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 The applicant 2 If the responsible entity is the assessment manager—an affected entity that gave a pre-request notice or response notice	The responsible entity	If an affected entity starts the appeal—the applicant	1 A concurrence agency for the development application 2 If a chosen assessment manager is the respondent—the prescribed assessment manager 3 A private certifier for the development application 4 Any eligible advice agency for the change application 5 Any eligible submitter for the change application
3. Extension applications For an extension application other than an extension application called in by the Minister or made to the chief executive under section 87A, an appeal may be made against— (a) the assessment manager’s decision on the extension application; or (b) a deemed refusal of the extension application.			

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 The applicant 2 For a matter other than a deemed refusal of an extension application—a concurrence agency, other than the chief executive, for the application	The assessment manager	If a concurrence agency starts the appeal—the applicant	If a chosen assessment manager is the respondent—the prescribed assessment manager
4. Infrastructure charges notices An appeal may be made against an infrastructure charges notice on 1 or more of the following grounds— (a) the notice involved an error relating to— (i) the application of the relevant adopted charge; or <i>Examples of errors in applying an adopted charge—</i> • the incorrect application of gross floor area for a non-residential development • applying an incorrect ‘use category’, under a regulation, to the development (ii) the working out of extra demand, for section 120; or (iii) an offset or refund; or (b) there was no decision about an offset or refund; or (c) if the infrastructure charges notice states a refund will be given—the timing for giving the refund; or (d) for an appeal to the P&E Court—the amount of the charge is so unreasonable that no reasonable relevant local government could have imposed the amount.			

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the infrastructure charges notice	The local government that gave the infrastructure charges notice	—	—
5. Conversion applications An appeal may be made against— (a) the refusal of a conversion application; or (b) a deemed refusal of a conversion application.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant	The local government to which the conversion application was made	—	—
6. Enforcement notices An appeal may be made against the decision to give an enforcement notice.			

Table 1 Appeals to the P&E Court and, for certain matters, to a tribunal			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the enforcement notice	The enforcement authority	—	If the enforcement authority is not the local government for the premises in relation to which the offence is alleged to have happened—the local government
7. Enforcement notices under the <i>Plumbing and Drainage Act 2018</i> An appeal may be made against the decision to give an enforcement notice.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The person given the enforcement notice	The local government that gave the enforcement notice	—	—

Table 2 Appeals to the P&E Court only
1. Appeals from tribunal An appeal may be made against a decision of a tribunal, other than a decision under section 252, on the ground of— (a) an error or mistake in law on the part of the tribunal; or (b) jurisdictional error.

Table 2
Appeals to the P&E Court only

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A party to the proceedings for the decision	The other party to the proceedings for the decision	—	—
2. Eligible submitter appeals For a development application or change application other than an excluded application, an appeal may be made against the decision to approve the application, to the extent the decision relates to— (a) any part of the development application or change application that required impact assessment; or (b) a variation request.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 For a development application—an eligible submitter for the development application 2 For a change application—an eligible submitter for the change application	1 For a development application—the assessment manager 2 For a change application—the responsible entity	1 The applicant 2 If the appeal is about a concurrence agency's referral response—the concurrence agency	Another eligible submitter for the application

Table 2
Appeals to the P&E Court only

3. Eligible submitter and eligible advice agency appeals

For a development application or change application other than an excluded application, an appeal may be made against a provision of the development approval, or a failure to include a provision in the development approval, to the extent the matter relates to—

- (a) any part of the development application or change application that required impact assessment; or
- (b) a variation request.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 For a development application—an eligible submitter for the development application 2 For a change application—an eligible submitter for the change application 3 An eligible advice agency for the development application or change application	1 For a development application—the assessment manager 2 For a change application—the responsible entity	1 The applicant 2 If the appeal is about a concurrence agency's referral response—the concurrence agency	Another eligible submitter for the application
4. Compensation claims An appeal may be made against— (a) a decision under section 32 about a compensation claim; or (b) a decision under section 265 about a claim for compensation; or (c) a deemed refusal of a claim under paragraph (a) or (b).			

Table 2 Appeals to the P&E Court only			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person dissatisfied with the decision	The local government to which the claim was made	—	—
5. Registered premises An appeal may be made against a decision of the Minister under chapter 7, part 4.			

Table 2 Appeals to the P&E Court only			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
1 A person given a decision notice about the decision 2 If the decision is to register premises or renew the registration of premises—an owner or occupier of premises in the affected area for the registered premises who is dissatisfied with the decision 3 If the decision is to amend the registration of premises to include additional land in the affected area for the premises—an owner or occupier of premises within the additional land who is dissatisfied with the decision	The Minister	—	If an owner or occupier starts the appeal—the owner of the registered premises

Table 2
Appeals to the P&E Court only

6. Local laws

An appeal may be made against a decision of a local government, or conditions applied, under a local law about—

- (a) the use of premises, other than a use that is the natural and ordinary consequence of prohibited development; or
- (b) the erection of a building or other structure.

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who— (a) applied for the decision; and (b) is dissatisfied with the decision or conditions.	The local government	—	—

Table 3
Appeals to a tribunal only

1. Building advisory agency appeals

An appeal may be made against giving a development approval for building work to the extent the building work required code assessment against the building assessment provisions.

Table 3 Appeals to a tribunal only			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A building advisory agency for the development application related to the approval	The assessment manager	The applicant	1 A concurrence agency for the development application related to the approval 2 A private certifier for the development application related to the approval
2. Inspection of building work An appeal may be made against a decision of a building certifier or referral agency about the inspection of building work that is the subject of a building development approval under the Building Act.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
The applicant for the development approval	The person who made the decision	—	—
3. Certain decisions under the Building Act and the <i>Plumbing and Drainage Act 2018</i> An appeal may be made against— (a) a decision under the Building Act, other than a decision made by the Queensland Building and Construction Commission, if an information notice about the decision was given or required to be given under that Act; or (b) a decision under the <i>Plumbing and Drainage Act 2018</i>, other than a decision made by the Queensland Building and Construction Commission, if an information notice about the decision was given or required to be given under that Act.			

Table 3
Appeals to a tribunal only

Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who received, or was entitled to receive, an information notice about the decision	The entity that made the decision	—	—
4. Failure to decide an application or other matter under the Building Act An appeal may be made against a failure to make a decision under the Building Act within the period required under that Act, other than a failure by the Queensland Building and Construction Commission to make a decision, if an information notice about the decision was required to be given under that Act.			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who was entitled to receive notice of the decision	The entity that failed to make the decision	—	—
5. Failure to decide an application or other matter under the <i>Plumbing and Drainage Act 2018</i> An appeal may be made against a failure to make a decision under the <i>Plumbing and Drainage Act 2018</i> within the period required under that Act, other than a failure by the Queensland Building and Construction Commission to make a decision, if an information notice about the decision was required to be given under that Act.			

Table 3 Appeals to a tribunal only			
Column 1 Appellant	Column 2 Respondent	Column 3 Co-respondent (if any)	Column 4 Co-respondent by election (if any)
A person who was entitled to receive an information notice about the decision	The entity that failed to make the decision	—	—