

Exemption Certificate

Section 46 of the Planning Act 2016

File reference: EC23/14
Contact name: Mrs Ronnie McMahon: PD
Contact number: (07) 4671 7400
Date: 5 June 2023

Juanita Duncan
PO Box 66
YELARBON QLD 4388

Dear Juanita,

I wish to advise that an Exemption Certificate is granted for a development comprising of a domestic garage with open carport built within a mapped flood hazard area, on Lot 10 on Y56915, 29 Lagoon Street, Yelarbon.

1. Description of the Development to which this Certificate relates

**Assessable Development under the Goondiwindi
Region Planning Scheme 2018 (Version 2), Part 5
Tables of Assessment**

Part 5 Reference

"Accommodation activities" – "Dwelling house" (Domestic garage with open carport, built within a mapped flood hazard area)

Table 5.9.1 (Flood Hazard Overlay Code)

2. Reasons for Giving Exemption Certificate

The development is exempt under this Certificate under section 46(3)(b) of the *Planning Act 2016* for the following reasons:

- The effects of the development would be minor or inconsequential, considering the circumstances under which the development was categorised as assessable development.
- The proposed structure is for a non-habitable shed and open carport. Given that the site is currently developed with a residential dwelling, it is considered that the development would not increase the risk to personal safety.

- Anecdotal evidence provided to the applicant by a long-term neighbour suggests that no flood water has encroached on Lagoon Street in 63 years. The application states that the proposed garage with carport will not direct any flood water to adjoining properties, therefore will not increase the potential for flood damage either on-site or on other properties as per AO2.1 of the Flood Hazard Overlay code.

3. When Exemption Certificate Ceases to have Effect

This Exemption Certificate has effect for **two (2) years** from 5 June 2023.

4. State Periods that Must be Complied with

To the extent the development does not comply with any of the following, this Exemption Certificate has no effect:

- The use must commence by 5 June 2025.

Should you have a query or seek clarification about any of these details, please contact Council's Manager of Planning Services, Mrs Ronnie McMahon, on (07) 4671 7400.

Yours faithfully



Ronnie McMahon
Manager of Planning Services
Goondiwindi Regional Council

enc Attachment 1—Site Plan (29 Lagoon Street, Yelarbon)



**Attachment 1 – Site Plan (29 Lagoon Street,
Yelarbon)**



