

23 May 2023

Your Reference:
Our Reference: DA230027

Albert & Maria Young
54 Warton Street
GAYNDAH QLD 4625

Dear Sir/Madam

CONCURRENCE AGENCY RESPONSE
24 MONTGOMERIE STREET, GAYNDAH
(Given under section 56(4) of the *Planning Act 2016*)

Thank you for your concurrence agency referral for the following premises which was properly referred on 18 May 2023. The North Burnett Regional Council has assessed the referral against the relevant matters of its jurisdiction and has made a decision as follows:

Applicant details

Applicant name: Albert and Maria Young
Applicant contact details: 54 Warton Street
GAYNDAH QLD 4625
Email: ozalmar@yahoo.com
Phone:
Mobile: 0427 956 423

Site details

Street address: 24 MONTGOMERIE STREET, GAYNDAH
Real property description: Lot 52 on MZ1159

Application details

Application No: DA230027
Date of Decision: 23 May 2023
Proposed development: Development Permit for Building Works

Aspects of development and type of approval being sought

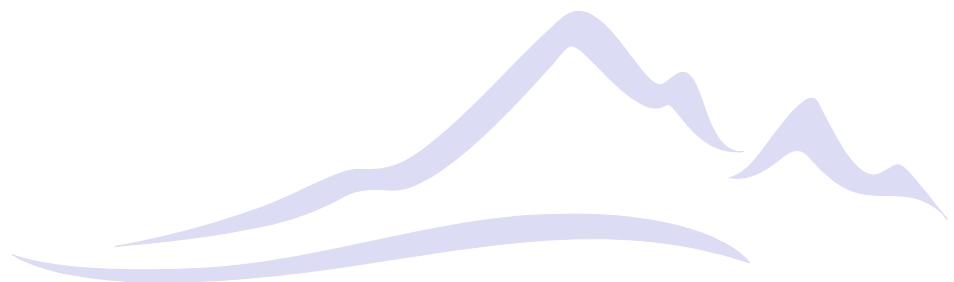
Nature of Development	Approval Type	Brief Description of Proposal
Amenity and Aesthetics	Development Permit	Three (3) shipping containers

Attachment 1 – Conditions to be imposed by Concurrence Agency

No.	Conditions
General	
1.	Unless otherwise stated in a particular condition, all conditions must be completed prior to the completion of building works, or issue of a final certificate, whichever is the sooner, unless otherwise agreed to in writing by the Concurrence Agency.
Design and Siting	
2.	The approved shipping containers must be sited generally in accordance with the approved site plan, with all setbacks measured from the outermost projection of the structure.
3.	The approved shipping containers must be sited outside of the flooding and inundation area <u>OR</u> above the defined flood level for the defined flood event identified on overlay map OM-FH-015 from North Burnett Regional Planning Scheme.
4.	The aggregate floor area of the approved shipping containers must not exceed 60m ²
Amenity and Aesthetics	
5.	Replace or make good all exterior wall cladding material so as to be free of any visible or performance related defects.
6.	Complete all external wall finishes so as to provide a surface that is free of flaking paint, stains or rust. Wall finishes are to be renewed or replaced so as to match the colour and finish of surrounding wall areas of the building or structure.
7.	Replace or make good all roof cladding materials so as to be free of any visible or performance related defects including rust, flaking paint or broken tiles.
8.	Paint the shipping containers so that shipping line markings are not visible.
9.	Paint the shipping containers utilising colours in the development that are sympathetic to the surrounding environment and avoid excessive brightness, contrast, colour intensity, and reflectivity. In this regard, materials/colours on the roof and wall of the structures must not reflect glare into the habitable rooms of any dwelling on surrounding allotments.
Use	
10.	The approved shipping containers are to be used for private/domestic purposes only. The approved structure must not be used as a separate domicile/dwelling or used for any industrial/business use unless valid development approvals are granted for such uses. To this end, the use of any of the approved building/s associated with this approval must be ancillary and incidental to the predominant use of the site for a Dwelling Unit
11.	The approved shipping containers must not be used for habitable purposes.
Landscaping	
12.	Establish landscaping for screening purposes along the elevations of the approved structure as amended in red by Council on the endorsed site plan.
13.	Provide landscaping along the Montgomery Street boundary to screen the shipping containers from being viewed from the street. .
14.	Landscaping must consist of a minimum of one (1) tree and/or shrub per three (3) lineal metres, growing to a minimum height of four (4) metres.
15.	Maintain the new landscaping on the site to the satisfaction of the Concurrence Agency

Attachment 1B – Advice Notes

A.	This Concurrence Agency Response does not represent a development approval for Building Works under the <i>Building Act 1975</i> .
B.	All building works the subject of this notice can only proceed once a development permit for building works is issued by a Building Certifier.
C.	Please note this amenity and aesthetics assessment pertains to the approval of a class 10 building only (defined as Domestic Carport, Shed and Garage (10a)). It is recommended that clarification from a Building Certifier be sought to ensure that an appropriate building classification is applied to align with the building size, purpose, use and intent of operations within the building.



Attachment 2 – Reasons for decision to impose conditions

The reason for this decision are:

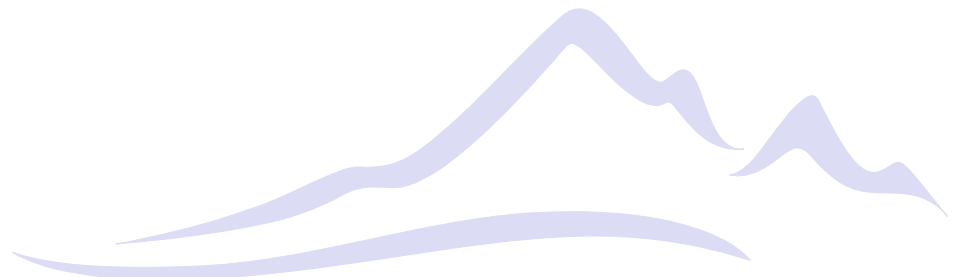
- To ensure the development is carried out generally in accordance with the plans of development submitted with the application.
- To ensure that the development is carried out in accordance with the performance criteria as stated in the Queensland Development Code MP1.2.
- To ensure that the development is carried out in accordance with the performance criteria as stated in the North Burnett Regional Council Planning Scheme V1.4.
- The Amenity and Aesthetics policy adopted by North Burnett Regional Council on the 4 November 2016 states that matters for consideration are to be the architectural style, building form, construction materials and physical condition of the proposed dwelling complements existing houses in the locality and surrounding pattern of development.
- The shipping containers are to be used for storage and it is possible to locate most of the containers outside or above the flood zone without being at an impractical height.



Attachment 3 – Approved Plans

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Please refer to the following pages for approved plans.

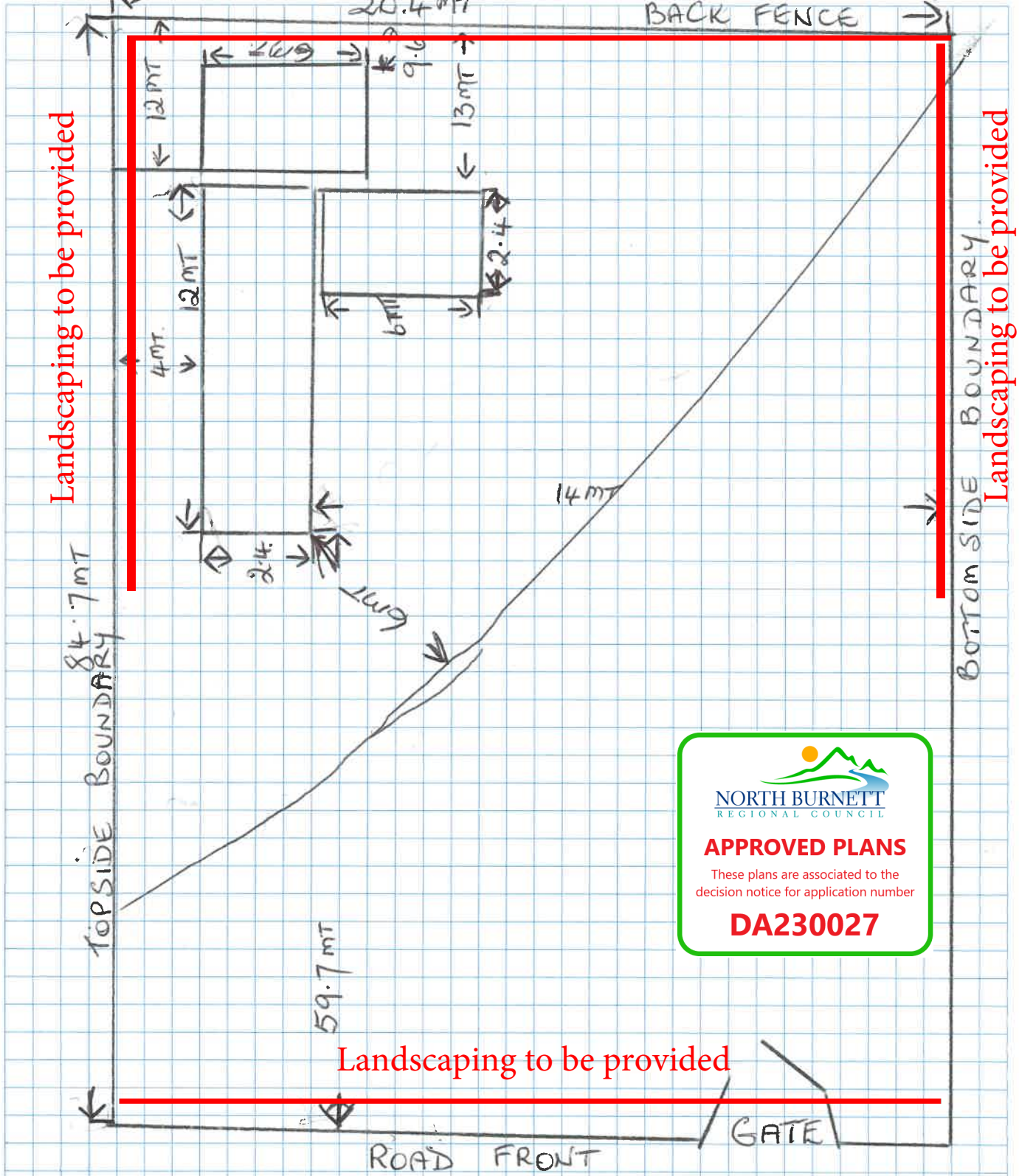


Landscaping to be provided

Landscaping to be provided

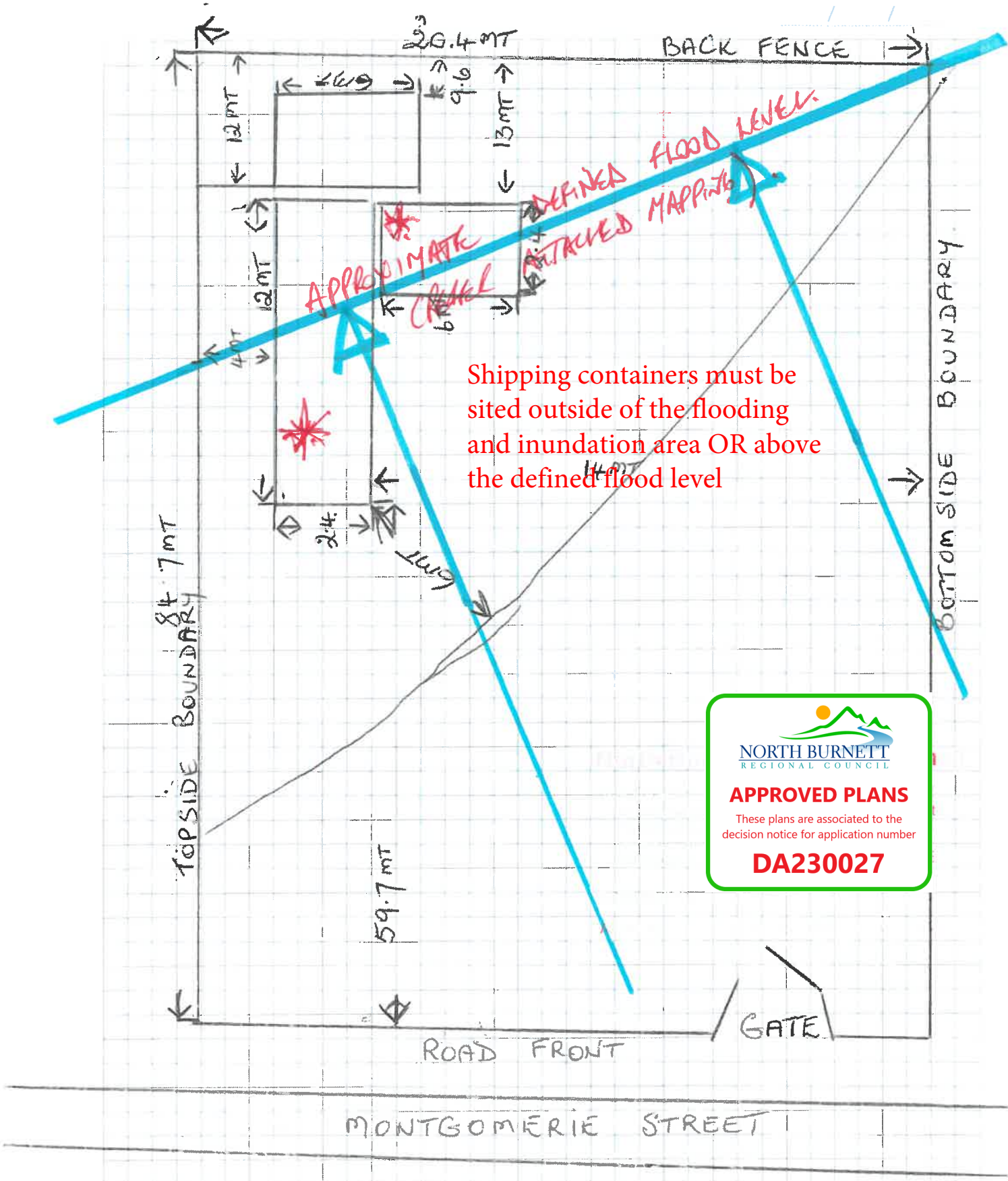
Landscaping to be provided

Landscaping to be provided



MONTGOMERIE STREET

ESTIMATED BUILD COST \$3,000-00.



Shipping containers must be sited outside of the flooding and inundation area OR above the defined flood level

NORTH BURNETT
REGIONAL COUNCIL

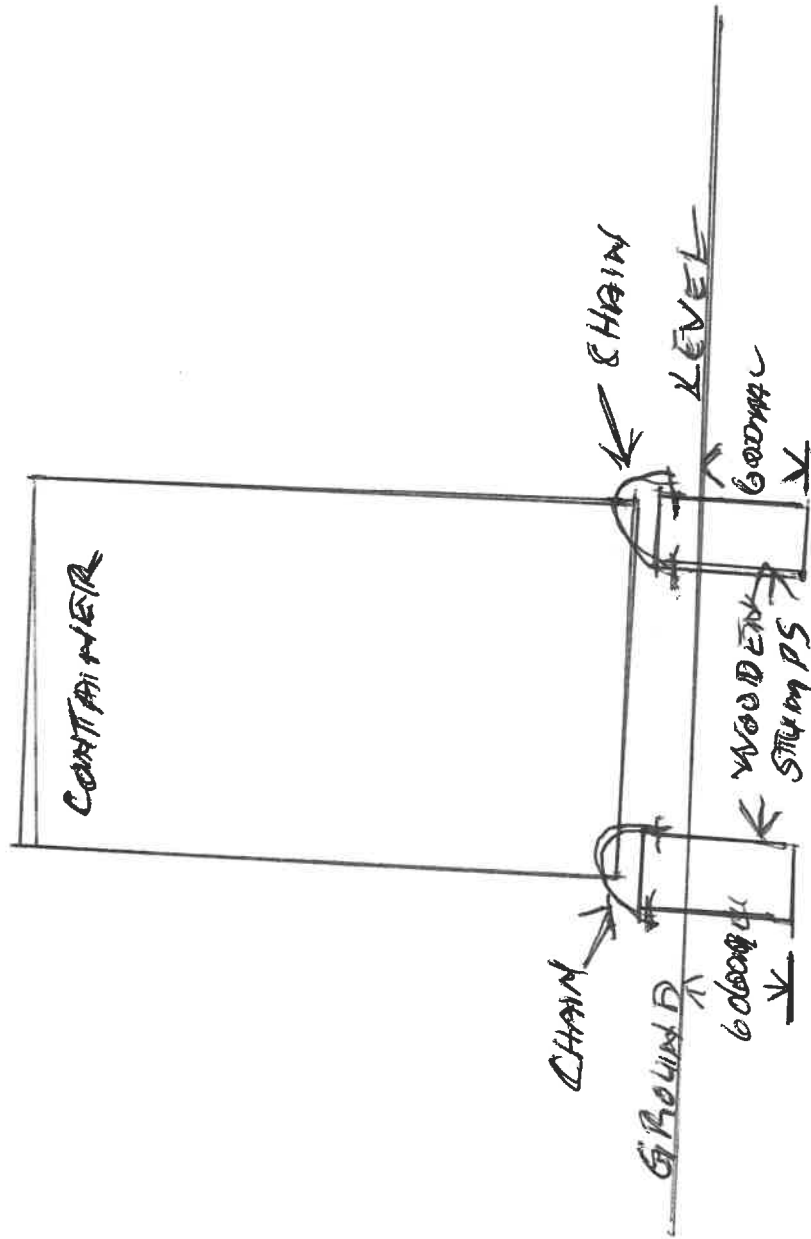
APPROVED PLANS

These plans are associated to the decision notice for application number

DA230027

ESTIMATED BUILD COST \$3,000-00.

END VIEW



CHAINS THROUGH CONTAINER
BOLTED TO STUMPS

NORTH BURNETT
REGIONAL COUNCIL

APPROVED PLANS

These plans are associated to the
decision notice for application number

DA230027

Attachment 4 – Planning Act 2016 Extract Appeal Rights

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Please refer to attached document or

<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-025#ch.6>

<https://www.legislation.qld.gov.au/view/html/inforce/current/act-2016-025#sch.1>

