

18 July 2023

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ABN: 23 439 388 197

Your Reference:  
Our Reference: DA230029

A Myatt  
78 Huesman Street  
MOUNT PERRY QLD 4671  
Via Email: [opieinoz@gmail.com](mailto:opieinoz@gmail.com)

Dear Sir/Madam

**DECISION NOTICE**

1 ANNIE STREET, MOUNT PERRY

(Given under section 63 of the *Planning Act 2016*)

Thank you for your concurrence agency referral for the following premises which was properly referred on 18 July 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: Anthony Robert Myatt  
Applicant contact details: 78 Huesman Street  
Mount Perry Q 4671  
Email: [opieinoz@gmail.com](mailto:opieinoz@gmail.com)  
Phone:  
Mobile: 0403 779 918

**Site details**

Street address: 1 ANNIE STREET, MOUNT PERRY  
Real property description: 4SP209636

**Application details**

Application No: DA230029  
Date of Decision 18 July 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	Shipping Container Dwelling

## Referral triggers

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

Referral trigger

Schedule 9 – Building work assessable against the *Building Act* Part 3 Division 2 Table 1 Particular class 1 and 10 building and structures involving possible amenity and aesthetic impact

## Decision

Decision Details:

The North Burnett Regional Council advises the assessment manager that;

The development approval must be subject to stated development conditions set out in Attachment 1.

## Conditions

This approval is subject to the conditions in Attachment 1.

The North Burnett Regional Council advises the assessment manager that the conditions must be attached to any development approval for the application in accordance with section 56 of the *Planning Act 2016* and that under section 62(b) of the *Planning Act 2016*. The assessment manager must attach this response to any approval for the development.

## Reasons for decision to impose conditions

Under section 56 (7)(c) of the *Planning Act 2016*, the North Burnett Regional Council is required to set out reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

## Approved Plans and Specifications

Document No./ Reference	Title (prepared by)	Date
A01	Preliminary Site Plan by Sonic Steel	01.06.2023
A02	Preliminary Plan and Sections by Sonic Steel	01.06.2023
A03	Preliminary Elevations by Sonic Steel	01.06.2023

## Giving of the Notice

Under section 56(4) of the *Planning Act 2016*, this notice of referral agency response has been issued (where applicable) to the applicant and the assessment manager of the application.

Should you require any further assistance in process, please contact Council's Development Services Department on 1300 696 272.

Yours faithfully



Mick Jarman

**Planning and Environment Manager**

Enc: Attachment 1-conditions to be imposed  
Attachment 2-reasons for decision to impose conditions  
Attachment 3-appeal rights  
Attachment 4-plans

## Attachment 1 – Conditions to be imposed by Concurrency Agency

No.	Conditions
<b>General</b>	
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.
<b>Design and Siting</b>	
2.	The approved shipping container dwelling must be sited a minimum 14 metres from the Annie Street property boundary; 4.3m from the eastern property boundary, with all setbacks measured from the outermost projection of the structure.
3.	The floor area of the approved shipping container dwelling part only must not exceed 30m <sup>2</sup> .
4.	The overall height of the approved shipping container dwelling must not exceed 3.5 metres measured from natural ground level.
5.	The height of the approved shipping container dwelling must not exceed 3.5 metres height above natural ground shown on the endorsed plan. Any earthworks required for the development must be undertaken in such a way as to ensure that the height of the building complies with this condition.
6.	Utilise 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.
<b>Use</b>	
7.	The approved shipping container dwelling is to be used for private/domestic purposes only. The approved structure must not be 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
8.	The approved shipping container dwelling can be used for habitable purposes.
<b>Landscaping</b>	
9.	Establish landscaping for screening purposes along the elevations of the approved structure as amended in red by Council on the endorsed site plan. 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, excluding the access driveway area.
10.	Maintain the new landscaping on the site to the satisfaction of the Concurrence Agency

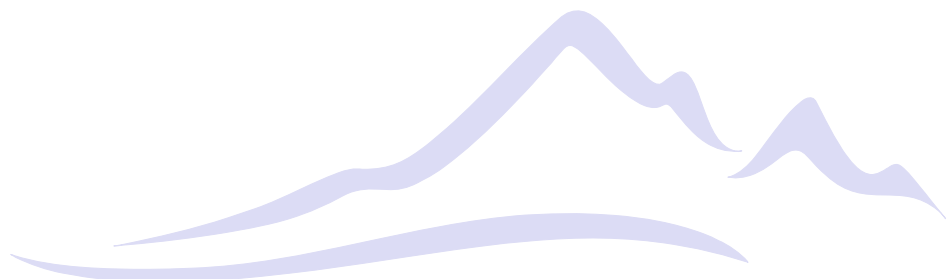
## Attachment 1B – Advice Notes

A.	This 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.

## **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.

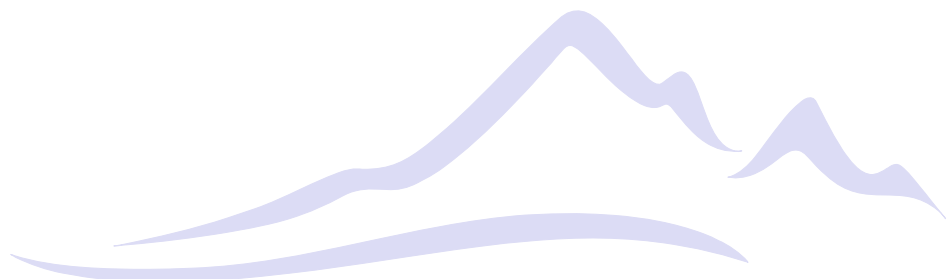


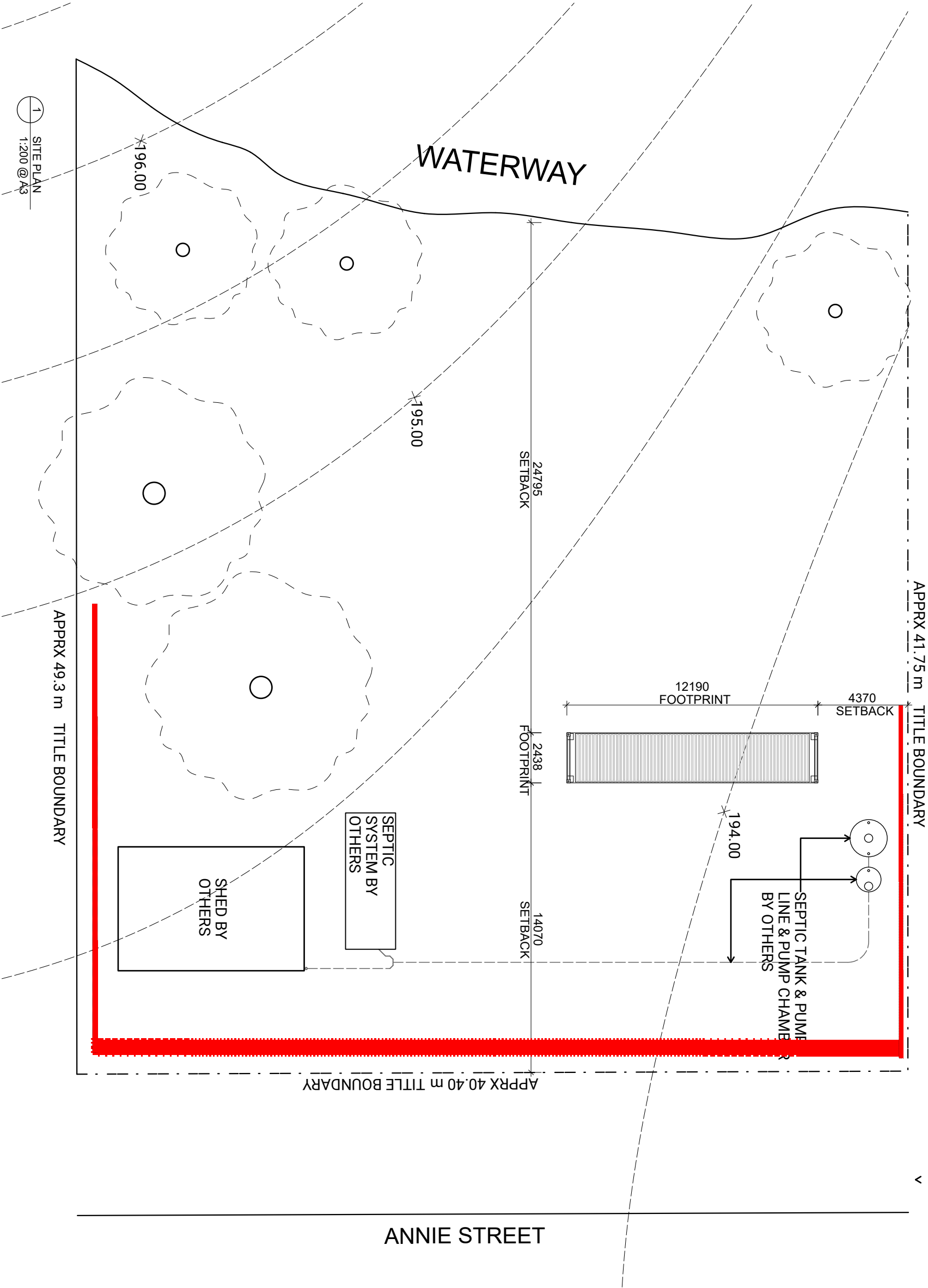
## **Attachment 3 – Approved Plans**

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**Please refer to the following pages for approved plans.**





Notes		PROJECT		DRAWING		PRELIMINARY		LEGEND	
1. ALL DIMENSIONS & LEVELS TO BE VERIFIED PRIOR TO COMMENCEMENT OF THE WORKS 2. FIGURED DIMENSIONS TAKE PREFERENCE OVER SCALED DIMENSION 3. THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL OTHER RELEVANT DRAWINGS 4. THESE DRAWINGS ARE THE PROPERTY OF SONIC STEEL & SHALL NOT BE USED, COPIED OR ALTERED IN ANY MANNER UNLESS WRITTEN PERMISSION IS OBTAINED FROM SONIC STEEL.		ANTHONY & KAREN MYATT		TITLE		SITE PLAN			
		LOCATION		DRAWING NO.		A01			
		LOT 4 ON SP209636		DATE		01.06.2023			
		ANNIE STREET, MOUNT PERRY		SCALE		1:200 @ A3			
				REVISION		01			

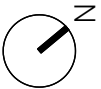


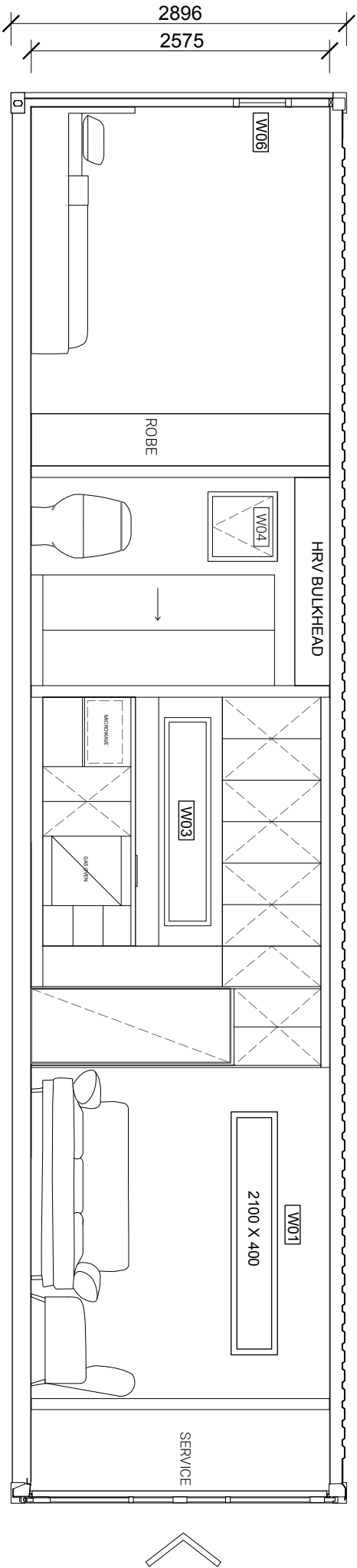
**NORTH BURNETT**  
REGIONAL COUNCIL

**APPROVED PLANS**

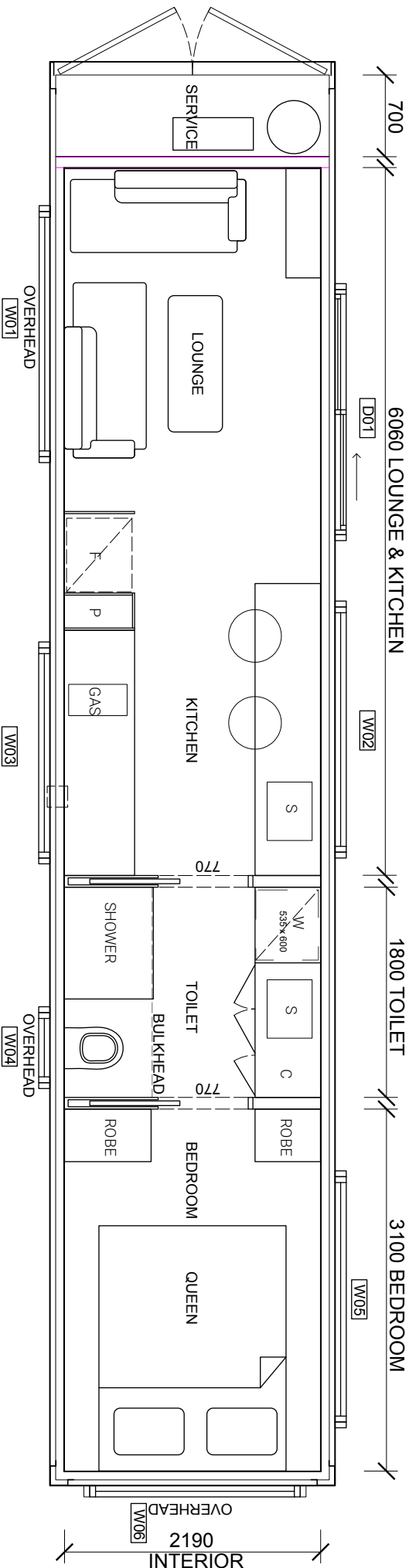
These plans are associated to the decision notice for application number

**DA230029**

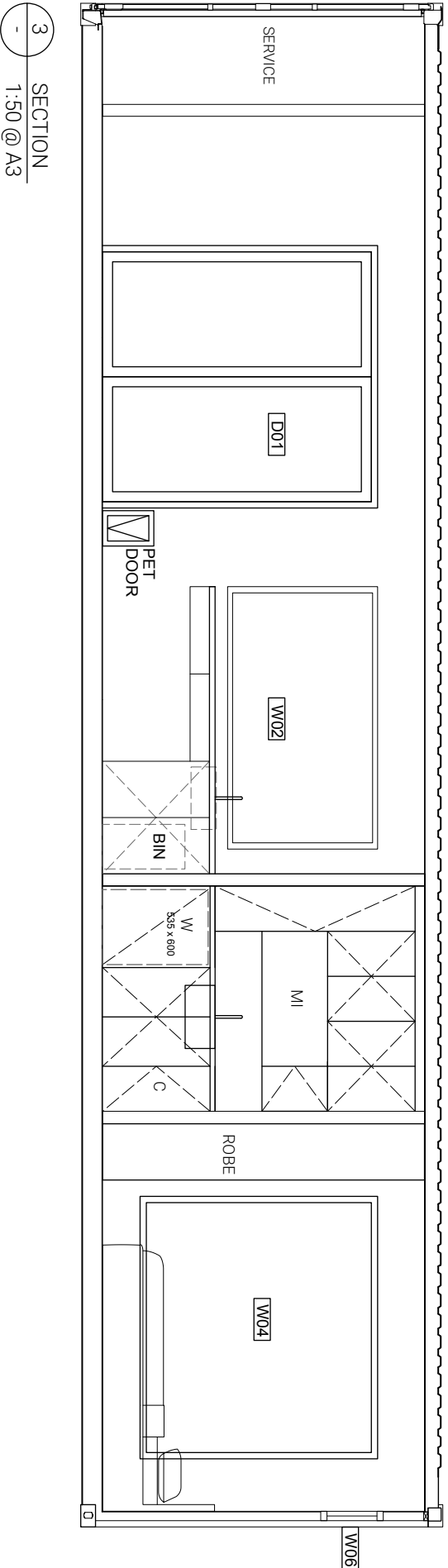




2 SECTION  
1:50 @ A3



1 GROUND FLOOR PLAN  
1:50 @ A3

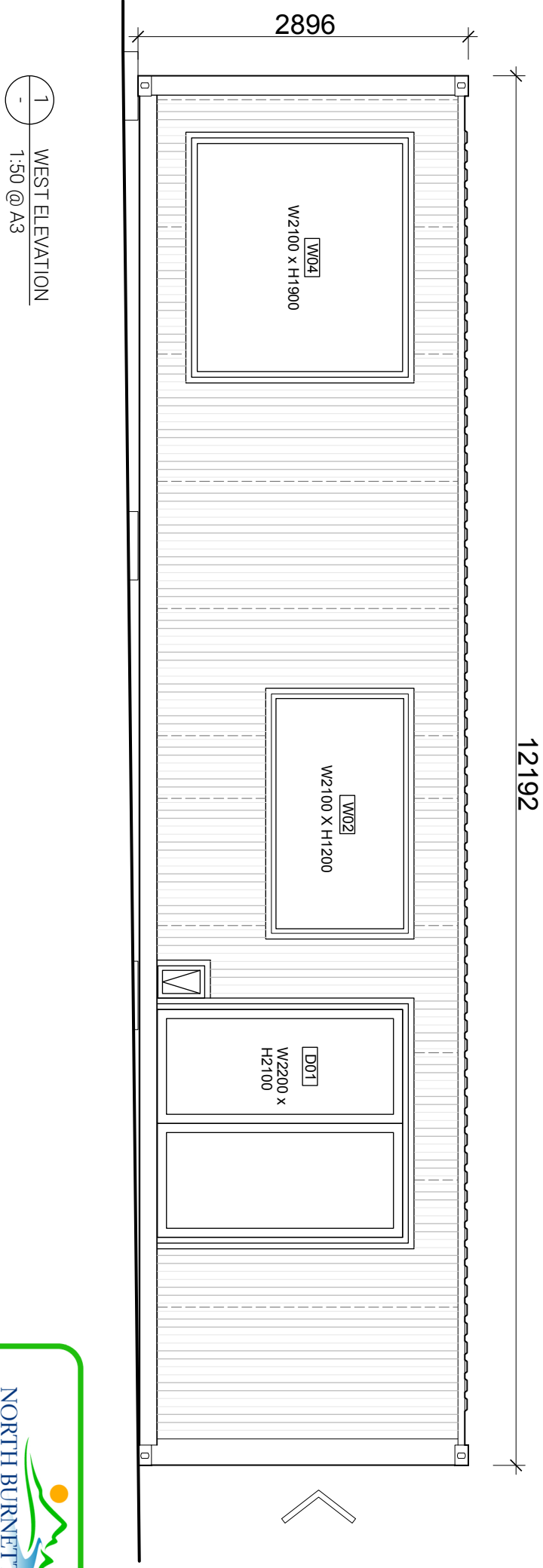
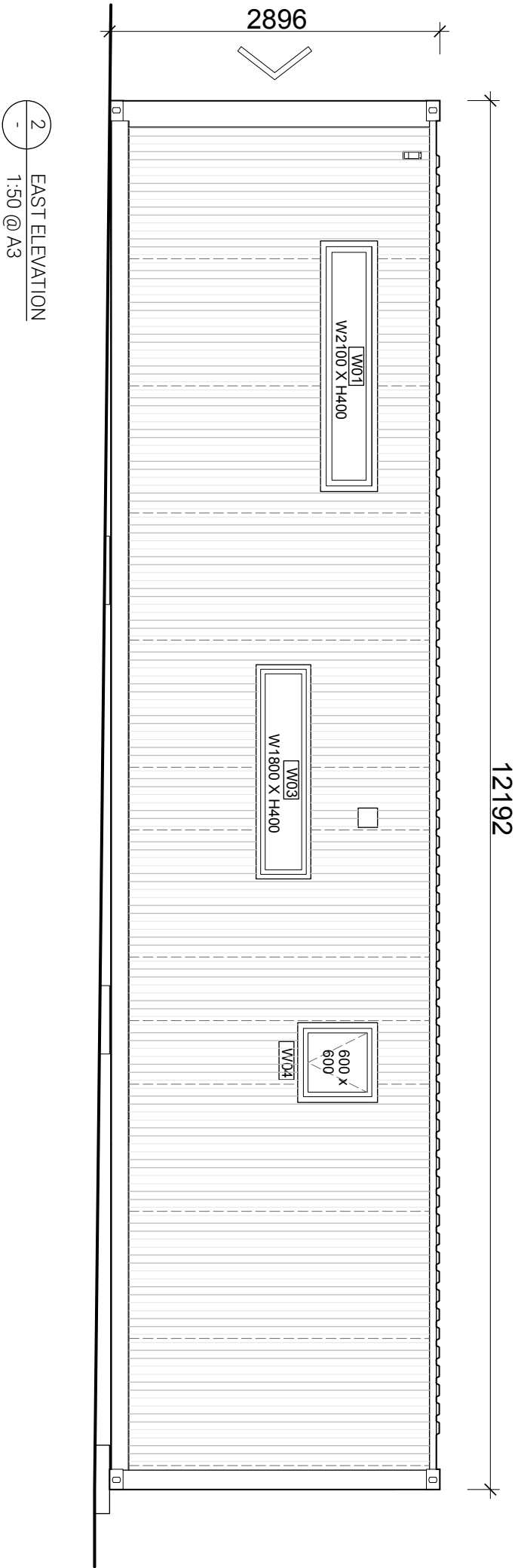
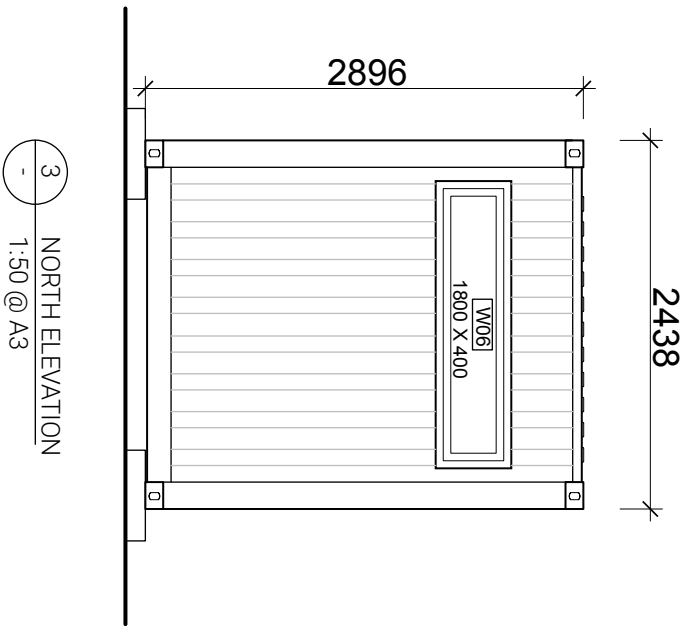



3 SECTION  
1:50 @ A3

Notes		PROJECT		LEGEND	
1. ALL DIMENSIONS & LEVELS TO BE VERIFIED PRIOR TO COMMENCEMENT OF THE WORKS. 2. FIGURED DIMENSIONS TAKE PREFERENCE OVER SCALED DIMENSION. 3. THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL OTHER RELEVANT DRAWINGS. THESE DRAWINGS ARE THE PROPERTY OF SONIC STEEL & SHALL NOT BE USED OR ALTERED IN ANY MANNER UNLESS WRITTEN PERMISSION IS OBTAINED FROM SONIC STEEL.		ANTHONY & KAREN MYATT		ALL WINDOWS AND DOORS ARE DOUBLE-GLAZED	
		LOCATION			
		LOT 4 ON SP209636			
		ANNNIE STREET. MOUNT PERRY			
		DRAWING TITLE			
		DRAWING NO.			
		DATE			
		SCALE			
		REVISION			



**APPROVED PLANS**  
These plans are associated to the decision notice for application number  
**DA230029**





Container Homes Specialist

Notes

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PROJECT

ANTHONY & KAREN MYATT

LOCATION

LOT 4 ON SP209636  
ANNIE STREET. MOUNT PERRY

DRAWING TITLE

DRAWING NO.

DATE

SCALE

REVISION

PRELIMINARY ELEVATIONS

A03


01.06.2023

1:50 @ A3

02

LEGEND

ALL WINDOWS AND DOORS ARE DOUBLE-GLAZED



APPROVED PLANS

These plans are associated to the decision notice for application number

DA230029



## **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>

