

5 December 2023

Our reference: DA230051
Document ID: 1183779

Sheree Cummins
 2331 Wondai Proston Road
 HIVESVILLE QLD 4612
 Via email—sjcbundy@gmail.com

Dear Applicant

CONCURRENCE AGENCY RESPONSE
 BURKE STREET, BYRNESTOWN
 (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 15 August 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: Sheree Cummins
 Applicant contact details: 2331 Wondai Proston Road
 HIVESVILLE QLD 4612
 Email: sfcbundy@gmail.com
 Phone:
 Mobile: 0438 939 000

Site details

Street address: BURKE STREET, BYRNESTOWN
 Real property description: 11B5812

Application details

Application No: DA230051
 Date of Decision: 5 December 2023
 Proposed development: Development Permit for Building Works

Aspects of development and type of approval being sought

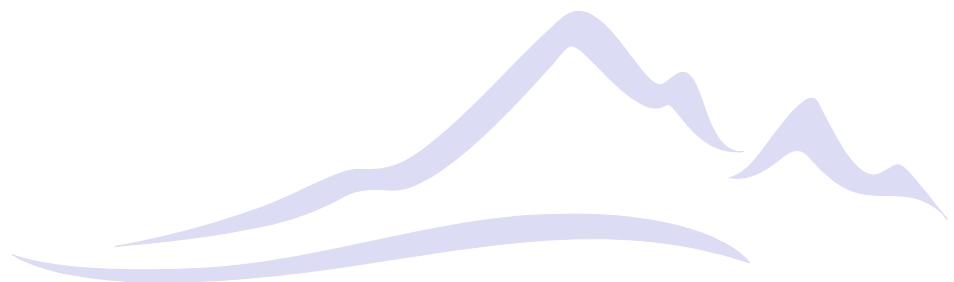
Nature of Development	Approval Type	Brief Description of Proposal
Amenity and Aesthetics	Development Permit	Shipping Container

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 a minimum— <ul style="list-style-type: none"> • 8.7 metres from the eastern side boundary, • 7 metres from King George Avenue property boundary, • 7.8 metres from the property boundary that adjoins the lane, and • 30 metres from the Burke Street property boundary. All setbacks measured from the outermost projection of the structure.
3.	This approval is for 2 shipping containers. The dimensions of the shipping containers are 2.4m x 6m and 2.4m x 12.2m.
4.	The floor area of the approved shipping containers must not exceed 45m ² .
5.	The overall height of the approved shipping containers must not exceed 4 metres measured from natural ground level.
6.	The shipping containers are to be painted so that shipping branding is no longer visible.
7.	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.
Use	
8.	The approved shipping containers is 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
9.	The approved shipping containers must not be used for habitable purposes.
10.	Maintain the shipping containers so that the external walls and roof are free of flaking paint, stains or rust.
Landscaping	
11.	Establish landscaping for screening purposes along the eastern boundary as amended in red by Council on the endorsed site plan for the length of 30m from the southernmost boundary (lane end). Landscaping must consist of a minimum of one (1) tree and/or shrub per three (3) lineal metres.
12.	Maintain the new landscaping on the site to the satisfaction of the Concurrence Agency.
Works to be completed before Release of any Bond	
13.	All conditions of the Amenity and Aesthetics approval are to be completed prior to issue of Form 21.
14.	Replace or make good all exterior wall cladding material so as to be free of any visible or performance related defects.
15.	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.
16.	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.

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.





Queen and Globe Streets

Burke St

Burke St

15

17

landscaping
(30m trees/shrubs to be planted)

7m
7.8m
10.01m

King George Ave

King George Ave

King George Ave

50m

25m

0

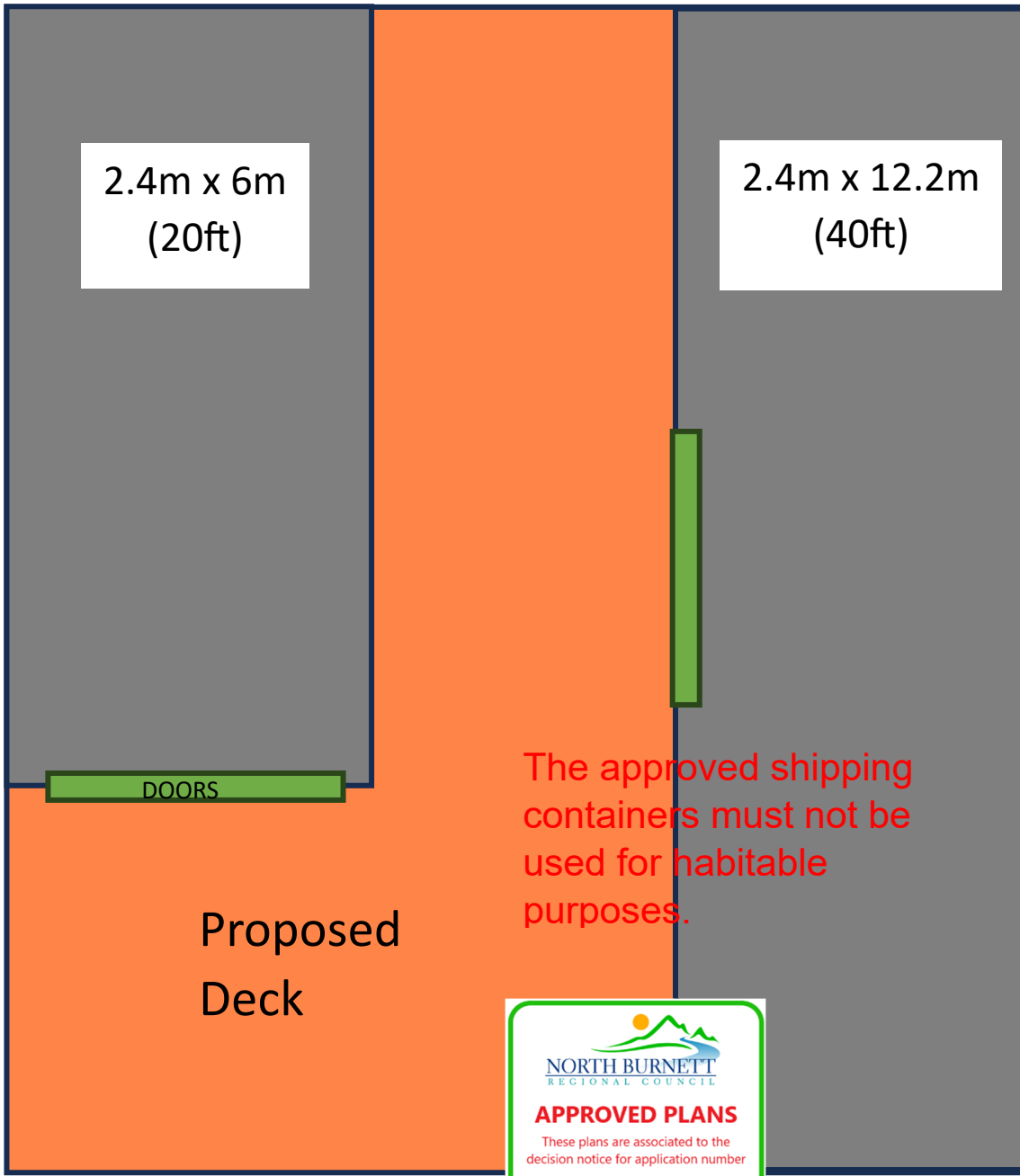


Burke Street, Bynestown (RPD: 11B5812)

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Floor plan by S Cummins

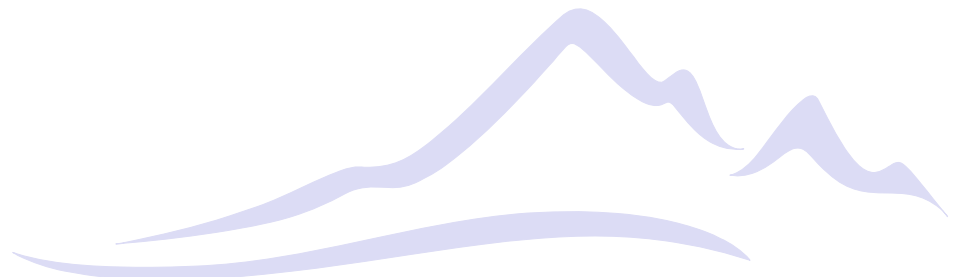
Date: August 2023



Attachment 3 – Approved Plans

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Please refer to the following pages for approved plans.



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>

