

15 July 2024

Our Ref: 4951376  
File Ref: MCU2024/0006  
Enquiries: Kelly Reaston

Halloran & Sons Earth Moving Pty Ltd  
C/- BNC Planning  
PO Box 5493  
**TOWNSVILLE QLD 4810**

Sent via email: [enquire@bncplanning.com.au](mailto:enquire@bncplanning.com.au)

Dear Ben,

### Information Request

(Given under Section 12 of the Development Assessment Rules)

The assessment manager has carried out a further review of your development application and has concluded that further information is required in order to decide the application.

#### Applicant details

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Applicant name: Halloran & Sons Earth Moving Pty Ltd C/- BNC Planning

#### Location details

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Street address: 56 Picnic Creek Road, BROUGHTON QLD 4820  
Real property description: Lot 1 on SP200711

#### Application details

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Application number: MCU2024/0006  
Approval sought: Development Permit  
Development type: Material Change of Use  
Description of development: Rural workers accommodation  
Categorising instrument: Charters Towers Regional Town Plan Version 2

#### Information requested

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##### 1. Land Use Definition

The *Planning Regulation 2017* defines '**Rural Workers Accommodation**' as '*the use of premises for accommodation, whether or not self-contained, for employees of a rural use, if the premises, and the premises where the rural use is carried out, are owned by the same person*'.

*Note: underlining added by Council for emphasis.*



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**Information Required:**

EITHER

1) Provide-

- a. Evidence that the proposed development will accommodate employees of the Applicant/Owner only; and
- b. Details of the Rural use that employs the staff that will be accommodated in the proposed development; and
- c. Details of the premises where the rural use is carried out (noting it is not contained on the premises the subject of the application); and
- d. Evidence that the premises where the rural use is carried out is owned by the same person as the Applicant/Owner nominated in this Application; and
- e. Justification as to why the 'Rural Workers Accommodation' cannot be accommodated on the premises where the rural use is carried out.

OR

Amend the Development Application material and the DA Form 1 to apply for the correct/intended Land Use for the proposed development.

**2. Economic and Social Need**

Charters Towers Regional Council is currently assessing a number of Applications that seek to accommodate non-resident workers.

The Application does not contain any supporting information as to the Economic and Social Need of the proposed land use in this location.

**Information Required:**

Provide an Economic and Social Needs Assessment to demonstrate that the use of the site for 'Rural Workers Accommodation', or the alternative nominated land use, is required giving consideration to the availability of other short-term accommodation and permanent accommodation options within the Charters Towers Region (noting the premises is located less than 10km for the Charters Towners Town Centre).



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The Needs Assessment should include but not be limited to the following matters:

- a. an outline of the purpose of the study;
- b. description of the methodology used;
- c. a description of the proposed size and function of the proposed development;
- d. the identification of the proposed development's purpose and the projects it services (note: this is particularly relevant if the Land Use is changed in response to Item 1);
- e. the nature of the potential users of the development (e.g. residents, workers, students, tourists, other businesses);
- f. the identification of any approved or existing similar development that may affect the proposed development or be affected by the proposed development;
- g. evidence that any feasible alternative, appropriately zoned location/s have been investigated;
- h. supporting information demonstrating that there is a legitimate and demonstrated planning need for the proposed development.

### **3. Rural Residential Zone Code**

Based on the information provided in the application material, the proposed development is not considered to comply with PO3 of the Rural Residential Zone Code. Additionally, no information has been provided to demonstrate compliance with PO9 and PO10.

The area immediately surrounding the development is characterised as a typical Rural Residential development on large lots with dwelling houses. It is considered to have a high level of residential amenity.

#### **Information Required:**

Provide a detailed assessment against the Rural Residential Zone Code, including the Overall Outcomes, to demonstrate the density reflects the character of the area and will not have an adverse impact on the existing residential amenity of the area. This assessment should be supported by information from suitability qualified professionals as to how the impacts of noise, odour, dust, traffic and parking, and visual impact are addressed and mitigated.

### **4. Water Supply**

The application does not contain supporting information to demonstrate compliance with the relevant assessment benchmarks contained in the Development Works code.

#### **Information Required:**

Further information is required regarding the proposed water supply, including both supply capacity and quality.



## **5. On-site effluent disposal system**

The application does not contain supporting information to demonstrate compliance with the relevant assessment benchmarks contained in the Development works code.

### **Information Required:**

Further information is required regarding the proposed on-site effluent disposal system to demonstrate it can be adequately accommodated on-site.

## **6. Waste Management**

The common material provided does not include any provision for waste management.

### **Information Required:**

Provide amended plans demonstrating compliance with Performance Outcome 18 of the Development Works Code. Specifically, where and how the waste will be stored and the disposal frequency and methodology.

## **7. Stormwater Management Plan**

The common material provided does not include any information on stormwater management.

### **Information Required:**

Please provide a Stormwater Management Plan (SMP) addressing stormwater quantity and quality management required for the development.

The SMP should at a minimum:

- a) detail a lawful point of discharge and downstream capacity to cater for the proposed development;
- b) detail pre and post-development stormwater flows;
- c) detail the proposed internal stormwater network including any required stormwater detention;
- d) align with the proposed staging of the development;
- e) identify catchment areas;
- f) nominate methods to control soil erosion and pollutant transport and other water quality issues that may arise during the construction phase and use phase of the proposed development.

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### 8. **Traffic Impact Assessment**

The common material has not addressed the traffic impacts associated with the proposed use and Council is unable to determine compliance with Performance Outcome 31 and Performance Outcome 33 – 34 of the Development Works Code.

#### **Information Required:**

Provide a basic traffic impact assessment that addresses site lines and access standards at the location of the proposed access. Additionally, provide amended plans detailing the location of the proposed parking demonstrating the dimension is sufficient to accommodate the parking numbers proposed.

#### **Applicant's response**

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The due date for providing a response is three months from the date of this information request being 15 October 2024 or a further period agreed between you the applicant, and the assessment manager.

As the assessment of your application will be based on the information provided, it is recommended that you provide all the information requested. You may however respond by providing:

- a) all of the information requested, or
- b) part of the information requested, or
- c) a notice that none of the information will be provided.

For your assistance, you may wish to use the State Assessment Referral Agencies '*applicant response to an information request*' template found at: <https://planning.dsdmip.qld.gov.au/>.

#### **Failure to respond**

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In accordance with Section 14.2 of the Development Assessment Rules, if you do not provide a response before the due date (or a further agreed period), it will be taken as if you, the applicant, have decided not to respond to the information request and the assessment manager will continue with the assessment of your application without the information requested.

Please note that the assessment manager may give further advice to the applicant about the development application before the development application is decided.

Should you wish to discuss this matter, please contact Kelly Reaston, Consultant Town Planner on (07) 4761 5300 or email [development@charters Towers.qld.gov.au](mailto:development@charters Towers.qld.gov.au).

Yours faithfully



Hayley Thompson  
**Executive Manager Community Building**

