

## Applicant response to an information request

### Section 13 of the Development Assessment Rules

DA240013	[application reference number]
Ellendee Park and Accommodation	[applicant's name]
122 Shepherds Road GAYNDAH QLD 4625 gayndahmilk@gmail.com	[contact address/email address]
0429 066 634	[contact number]
	[notice date]
North Burnett Regional Council	[name of entity who made the information request]
PO Box 390 GAYNDAH QLD 4625	[address of entity who made the information request]

**RE:** Development application for: Material change of use - Rooming accommodation and short-term Accommodation

16191 BURNETT HIGHWAY, GAYNDAH  
L1,3 RP32461 & L3 RP32462 & L26 SP102268

**Dear Sir**

[sir/madam/name]

In accordance with section 13.2 of the Development Assessment Rules, I wish to advise that I am providing:

[tick relevant boxes]

all of the information requested [ensure all information provided is attached to this notice]

[list information provided]

or

part of the information requested [ensure all information provided is attached to this notice]

- 1. Drawings illustrating the proposed development (site plan, floor plans of individual buildings)—**
  - a. neat and drawn to a recognised scale;
  - b. adequately dimensioned;
  - c. accurately represent the mapped flood hazard area;
  - d. show the location and extent of the effluent disposal areas;

(The Council suggests that the drawings be prepared by an appropriately-qualified person, such as a building designer, architect, or draftsman.)

*Please find attached site plan provided by a building designer. Unsuccessful with obtaining the grant applied for, therefore due to financial reasons unable to provide floor plans at this stage. With the application being staged, these plans can be provided as the development progresses. All works will be undertaken by appropriately-qualified builders and plumbers.*

- 2. Description of the intended use** of the existing industrial building on Lot 1 RP32461 – is there a proposed use intended for the building; if the intended use is presently unknown, the building should simply be shown as existing building not part of the application;

*Existing building as shown on site plan. This parcel of land was included in the application because of the access cross over. This building will not be used as part of this proposal being positioned on Industrial land.*

- 3. Purpose of the ‘wooden hut gazebos’** – explain the intended use for these proposed buildings; (The application refers to these containing a ‘BBQ, fridge and washup facilities’).

*Purpose of the gazebos are for campers and Kombi vans to park up utilising the gazebo facilities being central to the gazebo eg BBQ, fridge and sink. However being unsuccessful with the grant, this stage of the application may not go ahead. But in the event of being successful with a future grant application the gazebo’s will stay as part of the application.*

In giving this part-response I also advise that:

I now require you to proceed with your assessment of this application under section 13.3 of the Development Assessment Rules, effectively ending my applicant-response period.

or

I intend to provide further information at a later time before the end of the applicant-response period.

or

**None** of the information requested and I now require you to proceed with your assessment of this application under section 13.3 of the Development Assessment Rules, effectively ending my applicant-response period.

If you wish to discuss this matter further, please contact me on the above telephone number.

Yours sincerely

<i>DM</i>	<i>L.Madden</i>	[applicant signature and
date 03/06/24	DAVID MADDEN	LISA MADDEN

cc: Assessment manager [where notice is being given to a referral agency]

22 April 2024

**Our reference: DA240013**  
**Document ID: 1220953**

Ellendee Park and Accommodation  
122 Shepherds Road  
GAYNDAH QLD 4625

Dear Applicant

### **INFORMATION REQUEST**

(Given under section 12 of the Development Assessment Rules)

Thank you for your development application for the following premises taken to be properly made on 15 April 2024.

#### **Location details**

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Street address:	16191 BURNETT HIGHWAY, GAYNDAH
Real property description:	Lot 1 and 3 RP32461 Lot 3 RP32462 & Lot 26 SP102268
Local government area:	North Burnett Regional Council

#### **Application details**

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Application number:	DA240013
Approval sought:	Development Permit
Nature of development proposed:	Material change of use
Description of development proposed:	Rooming accommodation and short-term accommodation

The North Burnett Regional Council has determined the following additional information is needed to assess the application—

1. **Drawings illustrating the proposed development** (site plan, floor plans of individual buildings)—

- neat and drawn to a recognised scale;
- adequately dimensioned;
- accurately represent the mapped flood hazard area;
- show the location and extent of the effluent disposal areas;

(The Council suggests that the drawings be prepared by an appropriately-qualified person, such as a building designer, architect, or draftsman.)

2. **Description of the intended use** of the existing industrial building on Lot 1 RP32461— is there a proposed use intended for the building; If the intended use is presently unknown, the building should simply be shown as existing building not part of the application;
3. **Purpose of the ‘wooden hut gazebos’**—explain the intended use for these proposed buildings; (The application refers to these containing a ‘BBQ, fridge and washup facilities’.)

The due date for providing the requested information is 21 June 2024. Please advise North Burnett Regional Council of your response to this information request in accordance with section 13 of the Development Assessment Rules. To assist in you, please find enclosed a standard response template you can use with your response if you wish.

As the North Burnett Regional Council’s assessment of your application will be based on the information provided, it is recommended all the requested information is provided.

As the North Burnett Regional Council’s assessment of your application will be based on the information provided, it is recommended all the requested information is provided.

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

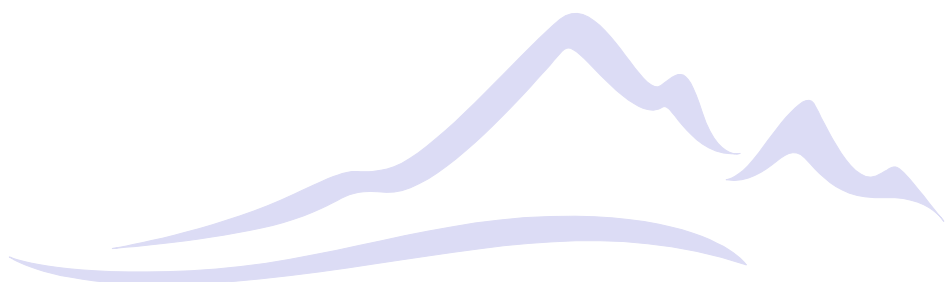
Please quote Council’s application number DA240013 in all subsequent correspondence relating to this development application. Should you require any clarification regarding this matter or wish to schedule a meeting, please contact the North Burnett Regional Council’s Development Services Department on 1300 696 272.

Yours faithfully

for 

Michael Lisle  
**Planning & Environment Manager**

Enc: “Applicant response to an information request” template



## Applicant response to an information request

### Section 13 of the Development Assessment Rules

DA240013	[application reference number]
Ellendee Park and Accommodation	[applicant's name]
122 Shepherds Road GAYNDAH QLD 4625 lisa-jensen@bigpond.com	[contact address/email address]
0429 066 634	[contact number]
	[notice date]
North Burnett Regional Council	[name of entity who made the information request]
PO Box 390 GAYNDAH QLD 4625	[address of entity who made the information request]

**RE:** Development application for: Material change of use - Rooming accommodation and short-term accommodation

16191 BURNETT HIGHWAY, GAYNDAH

L1 BON1469 & L1,3 RP32461 & L3 RP32462 &

L156 BON440:PAR TAUGHBOYNE

**Dear**

[sir/madam/name]

In accordance with section 13.2 of the Development Assessment Rules, I wish to advise that I am providing:

[tick relevant boxes]

**all** of the information requested [ensure all information provided is attached to this notice]

[list information provided]

or

**part** of the information requested [ensure all information provided is attached to this notice]

[list information provided]

In giving this part-response I also advise that:

I now require you to proceed with your assessment of this application under section 13.3 of the Development Assessment Rules, effectively ending my applicant-response period.

**or**

I intend to provide further information at a later time before the end of the applicant-response period.

**or**

**None** of the information requested and I now require you to proceed with your assessment of this application under section 13.3 of the Development Assessment Rules, effectively ending my applicant-response period.

If you wish to discuss this matter further, please contact me on the above telephone number.

Yours sincerely

*[applicant, signature and date]*

*cc: Assessment manager [where notice is being given to a referral agency]*



SARA reference: 2404-40135 SRA  
 Council reference: DA240013

10 May 2024

Mrs Lisa Madden  
 122 Shepherds Road  
 GAYNDAH QLD 4625  
 jenlands2@bigpond.com

Attention: Lisa Madden

Dear Lisa

## SARA information request – Burnett Highway and Gayndah Monto Branch Railway, Gayndah

(Given under section 12 of the Development Assessment Rules)

This notice has been issued because the State Assessment and Referral Agency (SARA) has identified that information necessary to assess your application against the relevant provisions of the State Development Assessment Provisions (SDAP), version 3.0, has not been provided.

### SDAP, State code 1: Development in a state-controlled road environment (State code 1)

#### Information request

1.	<p><b>Vehicular access to state-controlled road</b></p> <p><b>Issue</b></p> <p>The development application does not include sufficient detail to assess the development against PO15 to PO17, in Table 1.2, of State code 1, specifically in relation to the access proposed to the Burnett Highway.</p> <p>The access location reflected in Appendix A of the Town Planning Report shows access from the Burnett Highway located within Lot 26 on SP102268, whereas the existing formed pathway starts on the road frontage of Lot 1 on RP32461, crosses Lot 26 on SP102268, then into Lot 3 on RP32461.</p> <p>Additionally, the likely timing as to the commencement of the five stages has not been provided, nor any projected traffic movements (number, type and distribution of traffic) generated by the proposed change in use at the Burnett Highway access.</p>
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	<p>Without this information, compliance with the PO15 or the purpose statement of State code 1 cannot be determined, and the Department of Transport and Main Roads (DTMR) is unable to issue a decision about access under Section 62 of the <i>Transport Infrastructure Act 1994</i>.</p> <p><b><u>Action</u></b></p> <p>Please provide clarification about access and relevant traffic information, for the proposed development. In your response, please ensure you address the following matters:</p> <ul style="list-style-type: none"> <li>(a) provide a clear, drawn-to-scale plan that confirms the precise access location proposed to the Burnett Highway</li> <li>(b) identify the number, types and frequency of traffic that will be generated by the proposed development on a daily, AM and PM peak hour basis. The traffic information must account for all uses nominated in the application and capture the maximum yield proposed</li> <li>(c) provide the distribution of generated traffic at the Burnett Highway access and include suitable justifications for any assumptions used</li> <li>(d) nominate the expected commencement date for each stage of development. For a staged approach, provide a clear staging plan and specify the anticipated commencement date for each stage of development.</li> </ul> <p>It is not necessary for this information to be prepared by a traffic engineer, but should be prepared by person/s involved with the development who have good knowledge of the development and an understanding of the traffic that is likely to be generated.</p>
<b>Advice</b>	
2.	<p><b>Access over Lot 26 SP102268 (land administered by DTMR)</b></p> <p><b><u>Issue</u></b></p> <p>DTMR's letter of 9 April 2024 has only consented to the lodgement of the development application and does not constitute approval for any person to enter a rail corridor or land administered by DTMR, which, in this case is Lot 26 on SP102268.</p> <p>Based on the issues raised in the information request (item 1 of this notice), clarification is requested about the access arrangements for the proposed development, specifically where they are intended to occur across Lot 26 on SP102268.</p> <p><b><u>Action</u></b></p> <p>Please provide a plan of development drawn to scale which clearly shows where vehicular access is proposed to occur from Lot on 26 SP102268. If approval has been given by DTMR for the crossing, please provide evidence of this with your response.</p> <p><b><u>Additional advice</u></b></p> <p><i>To assist in this matter, please ensure no permanent part of the development, with the exception of the vehicle crossing, is located within Lot 26 on SP102268.</i></p> <p><i>Any decision issued by DTMR under Section 62 of the Transport Infrastructure Act 1994 only relates to access to state-controlled roads and does not include access to rail corridor land, such as Lot 26 on SP102268.</i></p> <p><i>Access over rail corridor land is administered by DTMR. Further advice about entry over or into rail corridor land can be directed to DTMR's Rail Corridor Management team via</i></p>

<a href="mailto:RCM@tmr.qld.gov.au">RCM@tmr.qld.gov.au</a>
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### How to respond

You have three months to respond to this request and the due date to SARA is **12 August 2024**. You may respond by providing either: (a) all of the information requested; (b) part of the information requested; or (c) a notice that none of the information will be provided. Further guidance on responding to an information request is provided in section 13 of the [Development Assessment Rules](#) (DA Rules).

It is recommended that you provide all the information requested above. If you decide not to provide all the information requested, your application will be assessed and decided based on the information provided to date.

You are requested to upload your response and complete the relevant tasks in [MyDAS2](#).

As SARA is a referral agency for this application, a copy of this information request will be provided to the assessment manager in accordance with section 12.4 of the DA Rules.

If you require further information or have any questions about the above, please contact Caroline Plank, Principal Planning Officer - Wide Bay Burnett, on (07) 5352 9709 or via email [WBBSARA@dasilgp.qld.gov.au](mailto:WBBSARA@dasilgp.qld.gov.au) who will be pleased to assist.

Yours sincerely









Matthew Holznagel  
Principal Planning Officer

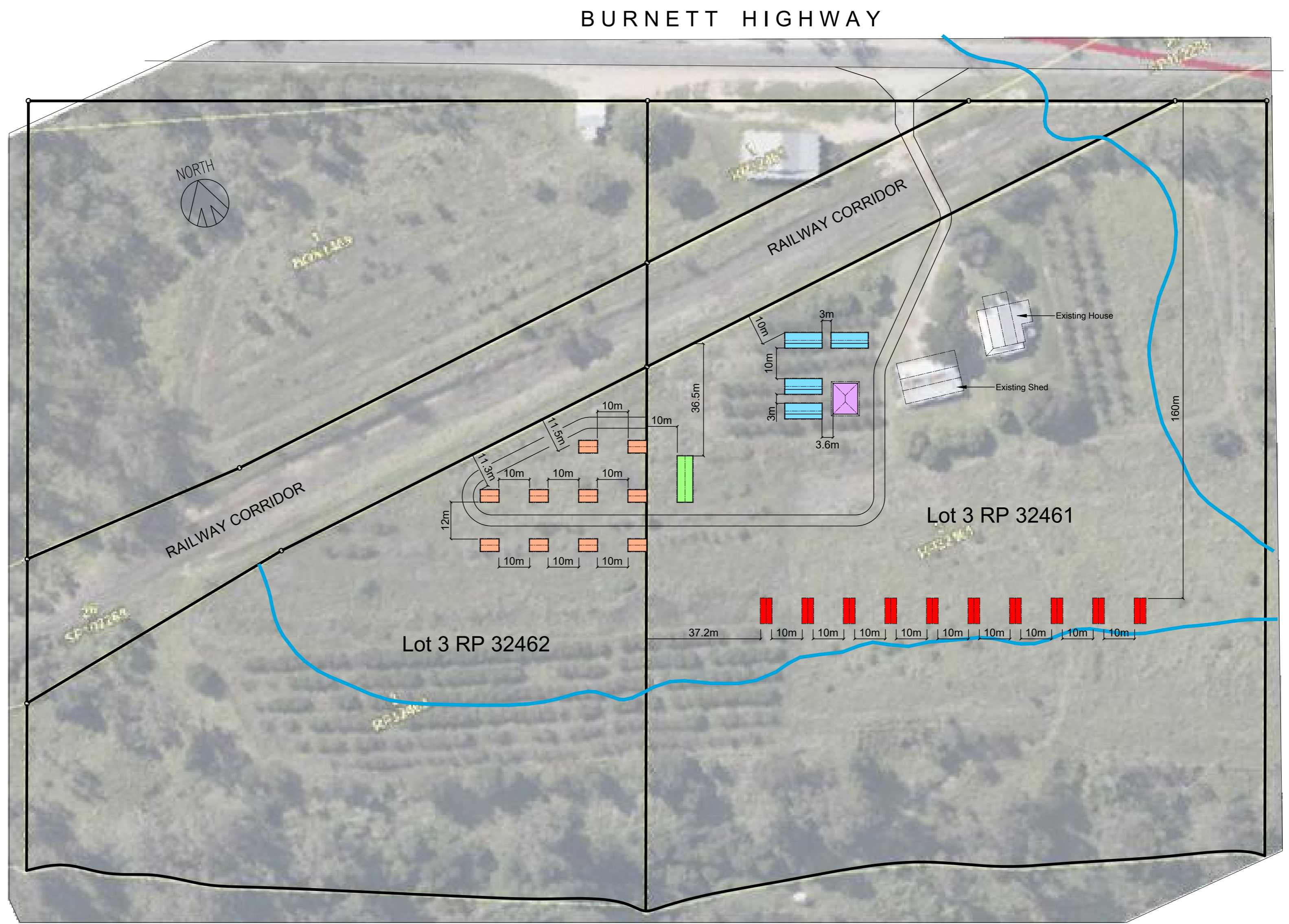
cc North Burnett Regional Council, [admin@northburnett.qld.gov.au](mailto:admin@northburnett.qld.gov.au)

Development details	
Description:	Development permit Material change of use for rooming accommodation and short-term accommodation
SARA role:	Referral agency
SARA trigger:	Planning Regulation 2017: 10.9.4.2.4.1 Material change of use of premises near a State transport corridor
SARA reference:	2404-40135 SRA
Assessment criteria:	SDAP, version 3.0, State code 1: Development in a state-controlled road environment

Rev	Description	Date
-	-	-


LEGEND:

-  10m x 8m Camp Kitchen
-  15m x 5m Amenities Block
-  12m x 5m Non-Self Contained Accommodation
-  8m x 3.5m Self Contained Accommodation
-  6m x 4m Gazebo
-  Flood Line



 **SITE PLAN**  
Scale 1:1000 @A2

**DRAFT 02**  
For Client Review - 23/05/24

	Q.B.C.C. No: 15243624 P.O. Box 1530 Bundaberg Q. 4670 Ph: (07) 41531183 Email: admin@gatleybuildingdesign.com.au Web: www.gatleybuildingdesign.com.au	Site: Ellendee Park & Accomodation 16191 Burnett Highway Lot 3 RP32461 & Lot 3 RP32462 Project: Proposed Amenities Block Client: D & L Madden Description: Site Plan	Issue: <b>Preliminary</b> © Copyright 2024, John Gatley Building Designs. Design: M.J. Drawn: M.J. Approved: . Drawing No: <b>24493</b> Page: <b>01</b>	Date: 14/05/24
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