

18 December 2018

The Chief Executive Officer
Mareeba Shire Council
PO Box 154
MAREEBA QLD 4880

Attention: Planning and Approvals

Dear Sir/Madam

**APPLICATION FOR RECONFIGURING A LOT (ACCESS EASEMENT)
L1 KENNEDY HIGHWAY, KOAH – LOT 1 ON SP282712**

We act on behalf of the applicant, Albert and Sharon Donnelly in relation to the abovementioned. On behalf of the applicant we now submit to Council an application seeking a Development Permit for Reconfiguring a Lot (Access Easement) on land located at Lot 1 Kennedy Highway, Koah.

The following has been prepared to assist with Council's assessment of the proposed Reconfiguration of a Lot (Access Easement):

THE SITE

The subject land is located at Kennedy Highway, Koah and is properly described as Lot 1 on SP282712. Figure 1 below, identifies the subject land.

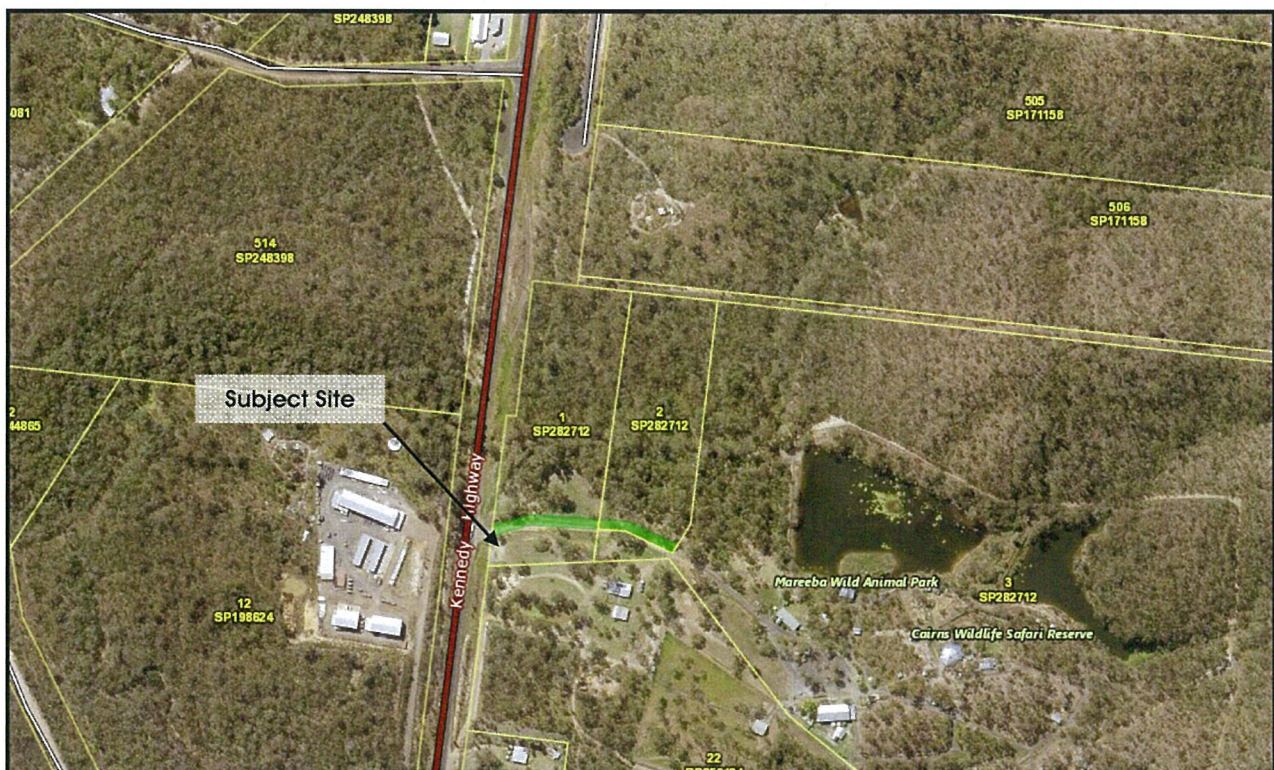


Figure 1: Satellite Imagery of the subject land (source Qld Globe December 2018 – image date 18-08-2017)

PROPOSAL

Approval of the Development Application will authorise a Development Permit for Reconfiguring a Lot (Access Easement). As identified on the enclosed proposal plan (Brazier Motti Drawing No. 33468/004A) it is proposed to create a 10 metre wide Access Easement over Lot 1 on SP282712 to provide legal access to Lot 22 on RP850124.

It is noted that it is intended to utilise the existing access point from the Kennedy Highway, which also provides access to Lots 1, 2 and 3 on SP282712, as identified in Figure 2 below.

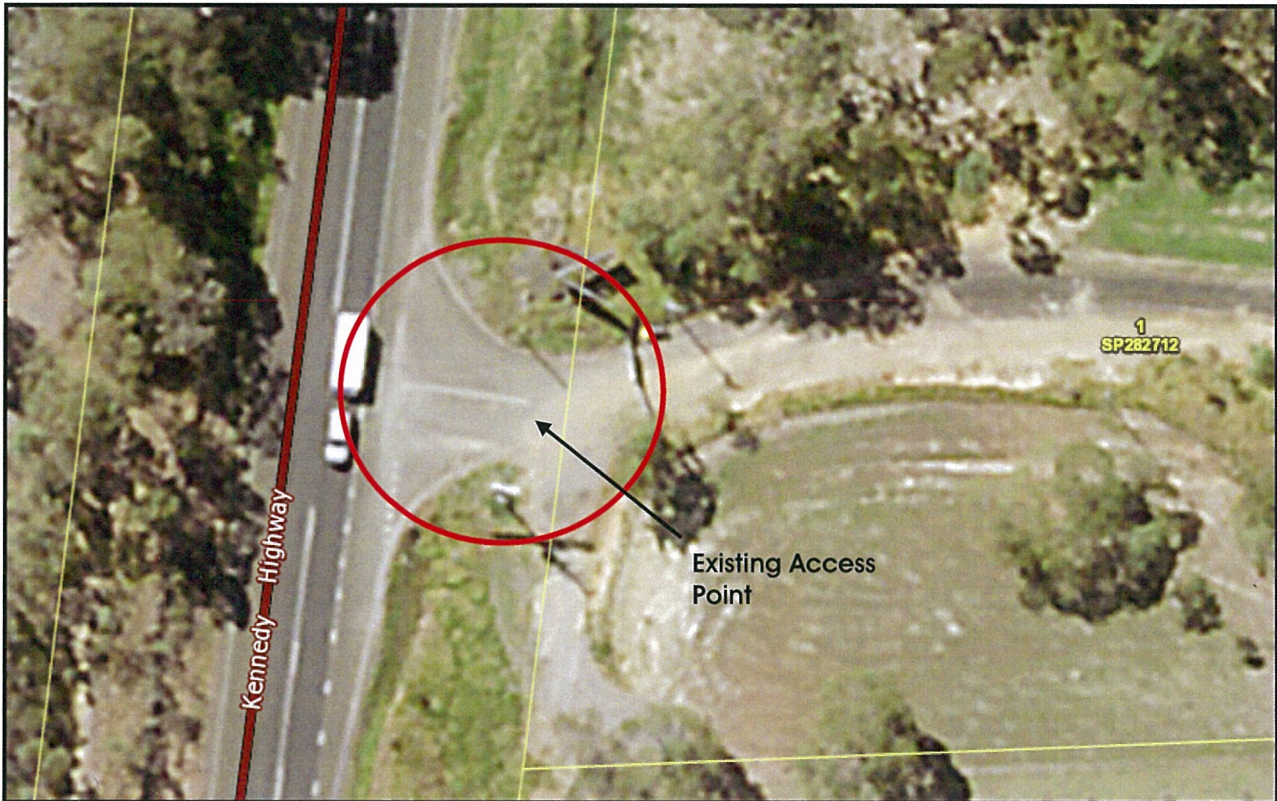


Figure 2: Existing access point from the Kennedy Highway to the subject land.

A copy of the proposal plan (Brazier Motti Drawing No. 33468/004A) showing the proposed Access Easement is included at *Attachment B*.

MAREEBA SHIRE COUNCIL PLANNING SCHEME

Under the Mareeba Shire Planning Scheme the site is included in the Rural Zone. The Table of Assessment for the Rural Zone identifies that Reconfiguring a Lot is Code Assessable.

The Table of Assessment also identifies that the proposed development is assessable against the following planning scheme codes:

Applicable Codes	Rural Zone Code Bushfire Hazard Overlay Code Transport Infrastructure Overlay Code Landscaping Code Parking and Access Code Works, Services and Infrastructure Code Reconfiguring a Lot Code
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All aspects of the proposed development are considered to be generally consistent with the relevant acceptable measures and/or performance criteria of each of the applicable codes identified above. An assessment against the applicable codes is provided below:

RURAL ZONE CODE

The subject lot is included in the Rural Zone. The purposes of the Rural Zone is to provide for rural uses, including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other primary production activities, as well as providing opportunities for non-rural uses that are compatible with agriculture, the environmental features and landscape character of the rural area where they do not compromise the long term use of the land for rural purposes.

The proposed development is for an Access Easement over Lot 1 on SP282712 to provide legal access to the adjoining Lot 22 on RP850124. As the standard of the existing access at the frontage of Lot 1 on SP282712 is more substantial, ingress and egress from this point will be safer than the existing access from the Kennedy Highway to Lot 22 on RP850124.

Overall it is considered that the proposed development achieves consistency with the applicable acceptable outcomes and performance outcomes of the Rural Zone Code.

BUSHFIRE HAZARD OVERLAY CODE

That part of the site where the Access Easement is proposed is identified as being within the medium potential intensity bushfire hazard areas. Accordingly assessment against the Bushfire Hazard Overlay Code is applicable.

The proposed development is for an Access Easement only. The proposed development will not result in increasing the number of people or properties in a bushfire hazard area.

Overall it is considered that the proposed development achieves consistency with the applicable Acceptable and Performance Outcomes of the Bushfire Hazard Overlay Code.

TRANSPORT INFRASTRUCTURE OVERLAY CODE

The purpose of the Transport Network Overlay Code is to ensure that development provides transport infrastructure that supports a safe, efficient transport network, including the active transport network.

As previously mentioned, the proposed development is for an Access Easement over Lot 1 on SP282712 to provide legal access to the adjoining Lot 22 on RP850124. As the standard of the existing access at the frontage of Lot 1 on SP282712 is more substantial, ingress and egress from this point will be safer than the existing access from the Kennedy Highway to Lot 22 on RP850124.

Overall, the proposed development is consistent with intended role and function of the transport network, does not compromise the safety and efficiency of Kennedy Highway and is consistent with the Transport Network Overlay Code.

LANDSCAPING CODE

The Landscaping Code seeks to ensure all development is landscaped to a standard that compliments site and locality.

The proposed development is for an Access Easement only. The provision of landscaping for the creation of an Access Easement is not considered necessary.

Overall it is considered that the proposed development achieves consistency with the applicable acceptable outcomes and performance outcomes of the Landscaping Code.

PARKING AND ACCESS CODE

The Parking and Access Code seeks to ensure sufficient parking is designed to service new developments.

As previously mentioned, the proposed development is for an Access Easement over Lot 1 on SP282712 to provide legal access to the adjoining Lot 22 on RP850124. As the standard of the existing access at the frontage of Lot 1 on SP282712 is more substantial, ingress and egress from this point will be safer than the existing access from the Kennedy Highway to Lot 22 on RP850124.

Overall it is considered that the proposed development achieves consistency with the applicable acceptable outcomes and performance outcomes of the Parking and Access Code.

RECONFIGURING A LOT CODE

The Reconfiguring a Lot Code seeks to ensure that development results in lots that are suitable for their intended use, locality, are of a high standard of amenity, and provide all necessary infrastructure and services.

As previously mentioned, the proposed development is for an Access Easement over Lot 1 on SP282712 to provide legal access to the adjoining Lot 22 on RP850124. As the standard of the existing access at the frontage of Lot 1 on SP282712 is more substantial, ingress and egress from this point will be safer than the existing access from the Kennedy Highway to Lot 22 on RP850124.

Overall it is considered that the proposed development achieves consistency with the applicable Acceptable and Performance Outcomes of the Reconfiguring a Lot Code.

WORKS, SERVICES AND INFRASTRUCTURE CODE

The Infrastructure Works Code seeks to ensure that development is safely and efficiently serviced by and connected to infrastructure.

The proposed development is for an Access Easement only. Accordingly, the provision of services is not required. As previously mentioned, due to the existing access the Access Easement provides for safe and efficient movement of vehicles for Lot 22 on RP850124, without adversely impacting on the Kennedy Highway.

Overall it is considered that the proposed development achieves consistency with the applicable acceptable outcomes and performance outcomes of the Infrastructure Works Code.

PLANNING ACT 2016 CONSIDERATIONS

The table below provides an overview of the legislative context of the development application under the provisions of the *Planning Act 2016* and *Planning Regulation 2017*.

Assessable Development	The proposed development constitutes assessable development under the Mareeba Shire Planning Scheme. Accordingly, pursuant to Section 44(3) of the <i>Planning Act 2016</i> a development approval is required.
Assessment Manager	Pursuant to Schedule 8 of the <i>Planning Regulation 2017</i> the Assessment Manager for this development application is Mareeba Shire Council.
Category of Assessment	The Mareeba Shire Planning Scheme identifies that the proposed development is Code Assessable development.
Public Notification	The application is Code Assessable, therefore, in accordance with section 53 of the <i>Planning Act 2016</i> public notification is not required.
Referrals	The application does not trigger referral to any referral agencies, as even though the subject land is within 25 metres of a State transport corridor (Kennedy Highway) the proposal does not involve a new or changed access between the premises and the State transport corridor.

CONCLUSION

The abovementioned has demonstrated that the proposed Reconfiguration of a Lot (Access Easement) at L1 Kennedy Highway, Koah has been assessed against the assessment benchmarks of the Mareeba Shire Planning Scheme and is considered to comply with the relevant provisions.

Accordingly, subject to the imposition of reasonable and relevant conditions, we request that Council issue a Development Permit for Reconfiguring of a Lot (Access Easement).

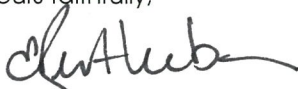
SUPPORTING DOCUMENTS

Please see enclosed the following supporting documents to assist with Council's assessment of the application:

- Attachment A: DA Form 1; and
Attachment B: Plan of Proposed Access Easement (Brazier Motti Drawing No 33468/004A).

We trust that the enclosed documentation is sufficient to allow Council's assessment of the proposed development, however, should you have any further queries or wish to discuss please do not hesitate to contact this office.

Yours faithfully,



ERIN BERTHELSEN
Senior Planner
Brazier Motti Pty Ltd

Attachment A

DA Form 1 – Development application details

Approved form (version 1.1 effective 22 JUNE 2018) made under section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving code assessment or impact assessment**, except when applying for development involving building work.

For a development application involving **building work only**, use *DA Form 2 – Building work details*.

For a development application involving **building work associated with any other type of assessable development (i.e. material change of use, operational work or reconfiguring a lot)**, use this form (*DA Form 1*) and parts 4 to 6 of *DA Form 2 – Building work details*.

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994*, and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

Note: All terms used in this form have the meaning given under the *Planning Act 2016*, the *Planning Regulation 2017*, or the *Development Assessment Rules (DA Rules)*.

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) <i>(individual or company full name)</i>	Albert and Sharon Donnelly
Contact name <i>(only applicable for companies)</i>	
Postal address <i>(P.O. Box or street address)</i>	C/- Brazier Motti Pty Ltd PO Box 1185
Suburb	Cairns
State	Queensland
Postcode	4870
Country	Australia
Contact number	07 4033 2377
Email address <i>(non-mandatory)</i>	cns.planning@braziermotti.com.au
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	33468-003-01

2) Owner's consent
2.1) Is written consent of the owner required for this development application?
<input type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application
<input checked="" type="checkbox"/> No – proceed to 3)

PART 2 – LOCATION DETAILS

3) Location of the premises (complete 3.1) or 3.2), and 3.3) as applicable)

Note: Provide details below and attach a site plan for any or all premises part of the development application. For further information, see DA Forms Guide: Relevant plans.

3.1) Street address and lot on plan

☒ Street address **AND** lot on plan (all lots must be listed), **or**

☐ Street address **AND** lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon; all lots must be listed).

a)	Unit No.	Street No.	Street Name and Type	Suburb
			Kennedy Highway	Koah
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4881	1	SP282712	Mareeba
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

3.2) Coordinates of premises (appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land e.g. channel dredging in Moreton Bay)

Note: Place each set of coordinates in a separate row. Only one set of coordinates is required for this part.

☐ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

☐ Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> 54 <input type="checkbox"/> 55 <input type="checkbox"/> 56	<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

3.3) Additional premises

☐ Additional premises are relevant to this development application and their details have been attached in a schedule to this application

☒ Not required

4) Identify any of the following that apply to the premises and provide any relevant details

☐ In or adjacent to a water body or watercourse or in or above an aquifer

Name of water body, watercourse or aquifer:

☐ On strategic port land under the *Transport Infrastructure Act 1994*

Lot on plan description of strategic port land:

Name of port authority for the lot:

☐ In a tidal area

Name of local government for the tidal area (if applicable):

Name of port authority for tidal area (if applicable):

☐ On airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*

Name of airport:

<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>	
EMR site identification:	
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>	
CLR site identification:	

5) Are there any existing easements over the premises?
Note: Easement uses vary throughout Queensland and are to be identified correctly and accurately. For further information on easements and how they may affect the proposed development, see [DA Forms Guide](#).

☒ Yes – All easement locations, types and dimensions are included in plans submitted with this development application

☐ No

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect			
a) What is the type of development? <i>(tick only one box)</i>			
<input type="checkbox"/> Material change of use	<input checked="" type="checkbox"/> Reconfiguring a lot	<input type="checkbox"/> Operational work	<input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>			
<input checked="" type="checkbox"/> Development permit	<input type="checkbox"/> Preliminary approval	<input type="checkbox"/> Preliminary approval that includes a variation approval	
c) What is the level of assessment?			
<input checked="" type="checkbox"/> Code assessment	<input type="checkbox"/> Impact assessment <i>(requires public notification)</i>		
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots)</i> :			
Reconfiguring a Lot (Access Easement)			
e) Relevant plans			
Note: <i>Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms guide: Relevant plans.</i>			
<input checked="" type="checkbox"/> Relevant plans of the proposed development are attached to the development application			
6.2) Provide details about the second development aspect			
a) What is the type of development? <i>(tick only one box)</i>			
<input type="checkbox"/> Material change of use	<input type="checkbox"/> Reconfiguring a lot	<input type="checkbox"/> Operational work	<input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>			
<input type="checkbox"/> Development permit	<input type="checkbox"/> Preliminary approval	<input type="checkbox"/> Preliminary approval that includes a variation approval	
c) What is the level of assessment?			
<input type="checkbox"/> Code assessment	<input type="checkbox"/> Impact assessment <i>(requires public notification)</i>		
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots)</i> :			
e) Relevant plans			
Note: <i>Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>			
<input type="checkbox"/> Relevant plans of the proposed development are attached to the development application			

6.3) Additional aspects of development

- ☐ Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application
- ☒ Not required

Section 2 – Further development details**7) Does the proposed development application involve any of the following?**

Material change of use	<input type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input checked="" type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

Division 1 – Material change of use

Note: This division is only required to be completed if any part of the development application involves a material change of use assessable against a local planning instrument.

8.1) Describe the proposed material change of use

Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)

8.2) Does the proposed use involve the use of existing buildings on the premises?

<input type="checkbox"/> Yes		
<input type="checkbox"/> No		

Division 2 – Reconfiguring a lot

Note: This division is only required to be completed if any part of the development application involves reconfiguring a lot.

9.1) What is the total number of existing lots making up the premises?

1

9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)

<input type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input type="checkbox"/> Boundary realignment (complete 12))	<input checked="" type="checkbox"/> Creating or changing an easement giving access to a lot from a construction road (complete 13))

10) Subdivision**10.1) For this development, how many lots are being created and what is the intended use of those lots:**

Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				

10.2) Will the subdivision be staged?

- ☐ Yes – provide additional details below
- ☐ No

How many stages will the works include?	
What stage(s) will this development application apply to?	

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?

Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

12) Boundary realignment

12.1) What are the current and proposed areas for each lot comprising the premises?

Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot on plan description	Area (m ²)

12.2) What is the reason for the boundary realignment?

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13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)

Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement
Proposed	10 metres	~41 metres	Access Easement	Lot 22 on RP850124

Division 3 – Operational work

Note: This division is only required to be completed if any part of the development application involves operational work.

14.1) What is the nature of the operational work?

- | | | |
|--|-------------------------------------|--|
| <input type="checkbox"/> Road work | <input type="checkbox"/> Stormwater | <input type="checkbox"/> Water infrastructure |
| <input type="checkbox"/> Drainage work | <input type="checkbox"/> Earthworks | <input type="checkbox"/> Sewage infrastructure |
| <input type="checkbox"/> Landscaping | <input type="checkbox"/> Signage | <input type="checkbox"/> Clearing vegetation |
| <input type="checkbox"/> Other – please specify: <table border="1" style="display: inline-table; width: 300px; height: 20px;"></table> | | |

14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)

☐ Yes – specify number of new lots:

☐ No

14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)

\$

PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application

Mareeba Shire Council

16) Has the local government agreed to apply a superseded planning scheme for this development application?

- ☐ Yes – a copy of the decision notice is attached to this development application
- ☐ Local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- ☒ No

PART 5 – REFERRAL DETAILS

17) Do any aspects of the proposed development require referral for any referral requirements?

Note: A development application will require referral if prescribed by the Planning Regulation 2017.

☒ No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6

Matters requiring referral to the **Chief Executive of the Planning Regulation 2017:**

- ☐ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ Environmentally relevant activities (ERA) (*only if the ERA have not been devolved to a local government*)
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Queensland heritage place (*on or near a Queensland heritage place*)
- ☐ Infrastructure – designated premises
- ☐ Infrastructure – state transport infrastructure
- ☐ Infrastructure – state transport corridors and future state transport corridors
- ☐ Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels
- ☐ Infrastructure – near a state-controlled road intersection
- ☐ On Brisbane core port land near a State transport corridor or future State transport corridor
- ☐ On Brisbane core port land – ERA
- ☐ On Brisbane core port land – tidal works or work in a coastal management district
- ☐ On Brisbane core port land – hazardous chemical facility
- ☐ On Brisbane core port land – taking or interfering with water
- ☐ On Brisbane core port land – referable dams
- ☐ On Brisbane core port land - fisheries
- ☐ Land within Port of Brisbane's port limits
- ☐ SEQ development area
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – community activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – combined use
- ☐ Tidal works or works in a coastal management district
- ☐ Reconfiguring a lot in a coastal management district or for a canal
- ☐ Erosion prone area in a coastal management district
- ☐ Urban design
- ☐ Water-related development – taking or interfering with water
- ☐ Water-related development – removing quarry material (*from a watercourse or lake*)
- ☐ Water-related development – referable dams
- ☐ Water-related development – construction of new levees or modification of existing levees (*category 3 levees only*)
- ☐ Wetland protection area

Matters requiring referral to the **local government:**

- ☐ Airport land
- ☐ Environmentally relevant activities (ERA) (*only if the ERA have been devolved to local government*)
- ☐ Local heritage places

Matters requiring referral to the chief executive of the distribution entity or transmission entity : <input type="checkbox"/> Electricity infrastructure
Matters requiring referral to: <ul style="list-style-type: none"> • The Chief executive of the holder of the licence, if not an individual • The holder of the licence, if the holder of the licence is an individual <input type="checkbox"/> Oil and gas infrastructure
Matters requiring referral to the Brisbane City Council : <input type="checkbox"/> Brisbane core port land
Matters requiring referral to the Minister under the Transport Infrastructure Act 1994 : <input type="checkbox"/> Brisbane core port land (inconsistent with Brisbane port LUP for transport reasons) <input type="checkbox"/> Strategic port land
Matters requiring referral to the relevant port operator : <input type="checkbox"/> Land within Port of Brisbane's port limits (below high-water mark)
Matters requiring referral to the Chief Executive of the relevant port authority : <input type="checkbox"/> Land within limits of another port (below high-water mark)
Matters requiring referral to the Gold Coast Waterways Authority : <input type="checkbox"/> Tidal works, or work in a coastal management district in Gold Coast waters
Matters requiring referral to the Queensland Fire and Emergency Service : <input type="checkbox"/> Tidal works marina (<i>more than six vessel berths</i>)

18) Has any referral agency provided a referral response for this development application?		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application <input checked="" type="checkbox"/> No		
Referral requirement	Referral agency	Date of referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and the development application the subject of this form, or include details in a schedule to this development application (<i>if applicable</i>).		

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application <input type="checkbox"/> I do not agree to accept an information request for this development application Note: By not agreeing to accept an information request I, the applicant, acknowledge: <ul style="list-style-type: none"> • that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties • Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules. Further advice about information requests is contained in the <u>DA Forms Guide</u> .

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)

- ☐ Yes – provide details below or include details in a schedule to this development application
☒ No

List of approval/development application references	Reference number	Date	Assessment manager
<input type="checkbox"/> Approval			
<input type="checkbox"/> Development application			
<input type="checkbox"/> Approval			
<input type="checkbox"/> Development application			

21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)

- ☐ Yes – a copy of the receipted QLeave form is attached to this development application
☐ No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid
☒ Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)

Amount paid	Date paid (dd/mm/yy)	QLeave levy number
\$		

22) Is this development application in response to a show cause notice or required as a result of an enforcement notice?

- ☐ Yes – show cause or enforcement notice is attached
☒ No

23) Further legislative requirements

Environmentally relevant activities

23.1) Is this development application also taken to be an application for an environmental authority for an **Environmentally Relevant Activity (ERA)** under section 115 of the *Environmental Protection Act 1994*?

- ☐ Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below
☒ No

Note: Application for an environmental authority can be found by searching “ESR/2015/1791” as a search term at www.qld.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.

Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			

- ☐ Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.

Hazardous chemical facilities

23.2) Is this development application for a **hazardous chemical facility**?

- ☐ Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application
☒ No

Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.

Clearing native vegetation

23.3) Does this development application involve **clearing native vegetation** that requires written confirmation that the chief executive of the *Vegetation Management Act 1999* is satisfied the clearing is for a relevant purpose under section 22A of the *Vegetation Management Act 1999*?

☐ Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)

☒ No

Note: 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development.

2. See <https://www.qld.gov.au/environment/land/vegetation/applying> for further information on how to obtain a s22A determination.

Environmental offsets

23.4) Is this development application taken to be a prescribed activity that may have a significant residual impact on a **prescribed environmental matter** under the *Environmental Offsets Act 2014*?

☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter

☒ No

Note: The environmental offset section of the Queensland Government's website can be accessed at www.qld.gov.au for further information on environmental offsets.

Koala conservation

23.5) Does this development application involve a material change of use, reconfiguring a lot or operational work within an assessable development area under Schedule 10, Part 10 of the Planning Regulation 2017?

☐ Yes

☒ No

Note: See guidance materials at www.des.qld.gov.au for further information.

Water resources

23.6) Does this development application involve **taking or interfering with underground water through an artesian or subartesian bore, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water under the Water Act 2000**?

☐ Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the *Water Act 2000* may be required prior to commencing development

☒ No

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au for further information.

DA templates are available from <https://planning.dsdmip.qld.gov.au/>. If the development application involves:

- Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1
- Taking or interfering with water in a watercourse, lake or spring: complete DA Form 1 Template 2
- Taking overland flow water: complete DA Form 1 Template 3.

Waterway barrier works

23.7) Does this application involve **waterway barrier works**?

☐ Yes – the relevant template is completed and attached to this development application

☒ No

DA templates are available from <https://planning.dsdmip.qld.gov.au/>. For a development application involving waterway barrier works, complete DA Form 1 Template 4.

Marine activities

23.8) Does this development application involve **aquaculture, works within a declared fish habitat area or removal, disturbance or destruction of marine plants**?

☐ Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*

☒ No

Note: See guidance materials at www.daf.qld.gov.au for further information.

Quarry materials from a watercourse or lake

23.9) Does this development application involve the **removal of quarry materials from a watercourse or lake** under the *Water Act 2000*?

- ☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development
☒ No

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au and www.business.qld.gov.au for further information.

Quarry materials from land under tidal waters

23.10) Does this development application involve the **removal of quarry materials from land under tidal water** under the *Coastal Protection and Management Act 1995*?

- ☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development
☒ No

Note: Contact the Department of Environment and Science at www.des.qld.gov.au for further information.

Referable dams

23.11) Does this development application involve a **referable dam** required to be failure impact assessed under section 343 of the *Water Supply (Safety and Reliability) Act 2008* (the Water Supply Act)?

- ☐ Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the Water Supply Act is attached to this development application
☒ No

Note: See guidance materials at www.dnrme.qld.gov.au for further information.

Tidal work or development within a coastal management district

23.12) Does this development application involve **tidal work or development in a coastal management district**?

- ☐ Yes – the following is included with this development application:
☐ Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)
☐ A certificate of title
☒ No

Note: See guidance materials at www.des.qld.gov.au for further information.

Queensland and local heritage places

23.13) Does this development application propose development on or adjoining a place entered in the **Queensland heritage register** or on a place entered in a local government's **Local Heritage Register**?

- ☐ Yes – details of the heritage place are provided in the table below
☒ No

Note: See guidance materials at www.des.qld.gov.au for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
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Brothels

23.14) Does this development application involve a **material change of use for a brothel**?

- ☐ Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*
☒ No

Decision under section 62 of the Transport Infrastructure Act 1994

23.15) Does this development application involve new or changed access to a state-controlled road?

- ☐ Yes - this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)
☒ No

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist	
I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17 <i>Note: See the Planning Regulation 2017 for referral requirements</i>	<input checked="" type="checkbox"/> Yes
If building work is associated with the proposed development, Parts 4 to 6 of <i>DA Form 2 – Building work details</i> have been completed and attached to this development application	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
Supporting information addressing any applicable assessment benchmarks is with development application <i>Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see DA Forms Guide: Planning Report Template.</i>	<input checked="" type="checkbox"/> Yes
Relevant plans of the development are attached to this development application <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>	<input checked="" type="checkbox"/> Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (<i>see 21</i>)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable

25) Applicant declaration
<input checked="" type="checkbox"/> By making this development application, I declare that all information in this development application is true and correct <input checked="" type="checkbox"/> Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the <i>Electronic Transactions Act 2001</i> <i>Note: It is unlawful to intentionally provide false or misleading information.</i>
<p>Privacy – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.</p> <p>Personal information will not be disclosed for a purpose unrelated to the <i>Planning Act 2016</i>, Planning Regulation 2017 and the DA Rules except where:</p> <ul style="list-style-type: none"> such disclosure is in accordance with the provisions about public access to documents contained in the <i>Planning Act 2016</i> and the Planning Regulation 2017, and the access rules made under the <i>Planning Act 2016</i> and Planning Regulation 2017; or required by other legislation (including the <i>Right to Information Act 2009</i>); or otherwise required by law. <p>This information may be stored in relevant databases. The information collected will be retained as required by the <i>Public Records Act 2002</i>.</p>

PART 9 – FOR OFFICE USE ONLY

Date received: Reference number(s):

Notification of engagement of alternative assessment manager	
Prescribed assessment manager	
Name of chosen assessment manager	
Date chosen assessment manager engaged	
Contact number of chosen assessment manager	

Relevant licence number(s) of chosen assessment manager	
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QLeave notification and payment

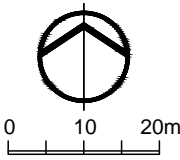
Note: For completion by assessment manager if applicable

Description of the work	
QLeave project number	
Amount paid (\$)	
Date paid	
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	

Attachment B

PROPOSED
RECONFIGURATION

Easement C (Access Purposes)
in Lot 1 on SP282712



This plan is conceptual and for discussion purposes only. All areas, dimensions and land uses are preliminary, subject to investigation, survey, engineering, and Local Authority and Agency approvals.



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Date: 17th december, 2018
Scale: 1:1000 @ A3
Drawn: AJL
Job No: 33468/003-01
Plan No: 33468/004 A