

Our ref: PR136253-2/OLD/SD/L78428

135 Abbott Street
Cairns QLD 4870
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Date: 7 May 2019

Attn: Mr Brian Milliard
Chief Executive officer
Mareeba Shire Council
PO Box 154
Mareeba QLD 4880

Dear Sir,

RE: APPLICATION FOR A DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT (BOUNDARY REALIGNMENT – 2 LOTS INTO 2 LOTS), OVER LAND LOCATED AT MAREEBA DIMBULAH ROAD, ARRIGA, FORMALLY DESCRIBED AS LOT 155 ON SP202897 AND LOT 156 ON SP202896

RPS Australia East Pty Ltd confirms that we act on behalf of Rosella Sub TC Pty Ltd (the 'applicant') in relation to the abovementioned application to Mareeba Shire Council.

This application seeks a Development Permit for Reconfiguration of a Lot (Boundary Realignment – 2 Lots into 2 Lots) in order to realign the property boundary between Lot 155 on SP202897 and Lot 156 on SP202896 in order to diversify existing agricultural practices, to encompass orchard production. In support of this application, please find attached the following:

- Completed Application Form 1, included as **Attachment 1**;
- Certificates of Titles and Owner's Consent, included as **Attachment 2**;
- Preliminary Survey Plan SP311517, included as **Attachment 3**;
- Regulated Vegetation Management Maps, included as **Attachment 4**; and
- Development Assessment mapping included as **Attachment 5**.

The applicant has elected to pay the applicable application fee of \$1,015.00 (no GST) via Eftpos. Consequently, we request Council generate an invoice for payment which may be forwarded to the applicant.

1.0 Proposed Development

The subject site located on Mareeba Dimbulah Road, Arriga is zoned rural and is currently utilised for the production of irrigated sugarcane, as well as areas of Class A and B Agricultural land, which is in keeping with the wider Arriga district. Stands of Category B and Category C Regulated Vegetation are present within the subject site, as depicted within Regulated Vegetation mapping (**Attachment 4**). Whilst the applicant does not intend to increase the area of production, nor impact or clear any of the existing remnant vegetation, there is intent to alter the current land usage for the purposes of diversifying into orchard production.

The applicant acknowledges the proposed development would be divided by the existing Sunwater Irrigation channel, formally described as Lot 181 on HG611, however the division will not impact upon the proposed establishment of orchards within both parts of Proposed Lot 155. The applicant's intent is to extricate the irrigated sugarcane production within Proposed Lot 156, with a view to future sale, thus enabling the focus

upon the horticultural activities associated with the orchards. The proposed development is depicted in Preliminary Survey Plan SP311517, which is provided for reference as **Attachment 3**.

2.0 Summary of Legislative Requirements

A summary of the proposed development in relation to the provisions of the *Planning Act 2016* and the local Planning Instrument, the Mareeba Shire Council Planning Scheme 2017, is provided below for your reference:

Planning Scheme	Mareeba Shire Council Planning Scheme 2017
Planning Scheme Zone	Rural Zone
Aspect of Development	Reconfiguration of a Lot (Boundary Realignment – 2 Lots into 2 Lots)
Level of Assessment	Code Assessable
Relevant Codes	<ul style="list-style-type: none"> • Rural Zone Code • Agricultural Land Overlay (Class A & Class B) • Bushfire Hazard Overlay (Medium Potential and Potential Impact Buffer) • Transport Infrastructure Overlay • Reconfiguring a Lot Code • Landscaping Code • Parking and Access Code • Works, Services and Infrastructure Code
Referral Agencies	No referral required.

Whilst the proposed development is located adjacent to the Mareeba Dimbulah Road, a State controlled road, there is no actual increase in the number of lots, nor is there a new or changed access to Mareeba Dimbulah Road. Furthermore, the application does not trigger referral for the clearing of native vegetation on the grounds that no operational works will be undertaken, and the lot sizes are greater than 25 ha.

The Rural Zone Code does not include any provisions that specially relate to the boundary realignment proposal. However, the protection of agricultural land for productive agricultural purpose is clearly a primary intention within the Rural Zone and the proposal is considered to be compliant with this intent.

An assessment of the Reconfiguring a Lot Code's provisions most relevant to the proposed development is provided in the following table. Given that the boundary realignment seeks to diversify existing farming practices to encompass orchard production, despite that the separation of the Sunwater Irrigation Channel, the proposal is consistent with the Code's provisions.

Performance outcomes	Solution	Comments
Area and frontage of lots	Complies	The proposed lots exceed the minimum lot size of 60 ha
Boundary realignment	Complies	All attendant and existing infrastructure, including irrigation will be wholly contained within the proposed lots.

Access

Complies

Proposed Lot 155 is accessible
from Mareeba Dimbulah Road.

Proposed Lot 156 is accessible
from Mareeba Dimbulah Road

It is the considered opinion of RPS that a detailed planning assessment of the proposed development against the Planning Scheme is not required in relation to this application. The proposal is generally considered compliant with the relevant assessment benchmarks and the proposed development is simply to reconfigure the existing allotments to reflect diversification of agricultural practices and extricate existing sugarcane production.

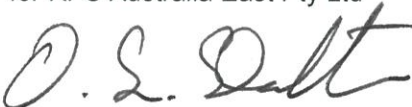
3.0 Conclusion

The submission has been prepared on behalf of Rosella Sub TC Pty Ltd to seek approval for Reconfiguration of a Lot (Boundary Realignment – 2 Lots into 2 Lots) over land located at Mareeba Dimbulah Road, Arriga, formally described as Lot 155 on SP202897 and Lot 156 on SP202896.

In summary, we submit that the proposed development for reconfiguration of the existing lots is unlikely to have any significant impacts, given that the required infrastructure is currently in place, nor is the proposed development likely to give rise to any detrimental impact upon the environment or community. We therefore commend the development for Council approval.

We trust this information is sufficient for your purposes, however should you require any further details or clarification, please do not hesitate to contact the writer by telephone.

Yours faithfully,
for RPS Australia East Pty Ltd



Owen Dalton

Principal Planner

owen.dalton@rpsgroup.com.au

enc:

Attachment 1: Completed Application Form 1

Attachment 2: Certificates of Title and Owner's Consent

Attachment 3: Preliminary Survey Plan SP311517

Attachment 4: Regulated Vegetation Management Maps

Attachment 5: Development Assessment Mapping

Attachment 1

Completed Application Form 1

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>	Rosella Sub TC Pty Ltd c/o RPS Australia east Pty Ltd
Contact name <i>(only applicable for companies)</i>	Owen Dalton, RPS Australia East Pty Ltd
Postal address <i>(P.O. Box or street address)</i>	PO Box 1949
Suburb	Cairns
State	Queensland
Postcode	4870
Country	Australia
Contact number	(07) 4276 1028
Email address <i>(non-mandatory)</i>	owen.dalton@rpsgroup.com.au ; stacey.devaney@rpsgroup.com.au
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	PR136253-2

2) Owner's consent
2.1) Is written consent of the owner required for this development application?
<input checked="" type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application
<input 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
			Mareeba Dimbulah Road	Arriga
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	155	SP202897	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
			Mareeba Dimbulah Road	Arriga
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	156	SP202896	Mareeba Shire Council

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:

☐ Listed on the Environmental Management Register (EMR) under the *Environmental Protection Act 1994*

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? *(tick only one box)*

- ☐ Material change of use ☒ Reconfiguring a lot ☐ Operational work ☐ Building work

b) What is the approval type? *(tick only one box)*

- ☒ Development permit ☐ Preliminary approval ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

- ☐ Code assessment ☐ Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots)*:

Reconfiguration of a Lot (Boundary realignment – 2 Lots into 2 Lots)

e) Relevant plans

Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms guide: Relevant plans](#).

- ☒ 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? *(tick only one box)*

- ☐ Material change of use ☐ Reconfiguring a lot ☐ Operational work ☐ Building work

b) What is the approval type? *(tick only one box)*

- ☐ Development permit ☐ Preliminary approval ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

- ☐ Code assessment ☐ Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots)*:

e) Relevant plans

Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms Guide: Relevant plans](#).

- ☐ 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?

2

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 checked="" type="checkbox"/> Boundary realignment (complete 12))	<input 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?

<input type="checkbox"/> Yes – provide additional details below
<input type="checkbox"/> 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)
155 on SP202897	255.3 ha	Lot 155 on SP311517	361.4 ha
156 on SP202896	578.9 ha	Lot 156 on SP202896	472.7 ha

12.2) What is the reason for the boundary realignment?

To enable diversification of agricultural practices and extricate existing sugarcane production from the orchard.

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

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: <input type="text"/> | | |

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:	
-----------------------------	--	-----------	--

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 type="checkbox"/> By making this development application, I declare that all information in this development application is true and correct <input 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>, <i>Planning Regulation 2017</i> and the <i>DA Rules</i> 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 <i>Planning Regulation 2017</i>, and the access rules made under the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i>; 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	
---	--

QLeave notification and payment	
<i>Note: For completion by assessment manager if applicable</i>	
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 2

Certificates of Title and Owner's Consent

CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 31074543

Search Date: 24/04/2019 09:53

Title Reference: 50711679

Date Created: 26/03/2008

Previous Title: 21456083

REGISTERED OWNER

Dealing No: 717550662 30/09/2016

ROSELLA SUB TC PTY LTD A.C.N. 164 892 059

TRUSTEE

UNDER INSTRUMENT 717550662

ESTATE AND LAND

Estate in Fee Simple

LOT 155 SURVEY PLAN 202897

Local Government: MAREEBA

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 21456083 (Lot 155 on CP HG611)
2. EASEMENT No 711482745 06/03/2008 at 13:23
burdening the land to
LOT 28 ON SP202897
OVER EASEMENT A ON SP202897
3. MORTGAGE No 717550719 30/09/2016 at 16:21
RABOBANK AUSTRALIA LIMITED A.C.N. 001 621 129

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

COPYRIGHT THE STATE OF QUEENSLAND (NATURAL RESOURCES, MINES AND ENERGY) [2019]

Requested By: D-ENQ GLOBALX TERRAIN

CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 31074622

Search Date: 24/04/2019 09:57

Title Reference: 50706562

Date Created: 18/02/2008

Previous Title: 21345032

REGISTERED OWNER

Dealing No: 717550666 30/09/2016

ROSELLA SUB TC PTY LTD A.C.N. 164 892 059

TRUSTEE

UNDER INSTRUMENT 717550666

ESTATE AND LAND

Estate in Fee Simple

LOT 156 SURVEY PLAN 202896

Local Government: MAREEBA

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 21345032 (Lot 156 on CP HG623)
2. EASEMENT No 711426056 14/02/2008 at 14:39
benefiting the land over
EASEMENT A ON SP202896
3. MORTGAGE No 717550719 30/09/2016 at 16:21
RABOBANK AUSTRALIA LIMITED A.C.N. 001 621 129
4. COVENANT No 717738974 22/12/2016 at 11:17
THE STATE OF QUEENSLAND
(REPRESENTED BY DEPARTMENT OF NATURAL RESOURCES AND MINES)

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

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Requested By: D-ENQ GLOBALX TERRAIN

**Company owner's consent to the making of a development application
under the *Planning Act 2016***

I, Sam Alexander Mitchell

[Insert name in full.]

Sole Director/Secretary of the company mentioned below.

[Delete the above where company owner's consent must come from both director and director/secretary]

I,

[Insert name in full.]

Director of the company mentioned below.

and I,

[Insert name in full.]

[Insert position in full—i.e. another director, or a company secretary.]

Of Rosella Sub TC Pty Ltd

A.C.N 164 892 059

the company being the owner of the premises identified as follows:

Lot 155 on SP202897 and Lot 156 on SP202896

consent to the making of a development application under the *Planning Act 2016* by:

RPS Australia East Pty Ltd


on the premises described above for:

Reconfiguration of a Lot (Boundary realignment – 2 Lots into 2 Lots)

Company seal *[if used]*

Company Name and ACN:

Rosella Sub TC Pty Ltd A.C.N 164 892 059

DocuSigned by:

F3313ABFFF4740D...

Signature of Sole Director/Secretary

4/25/2019

Date

[Delete the above where company owner's consent must come from both director and director/secretary.]

Company Name and ACN:

Signature of Director

Date

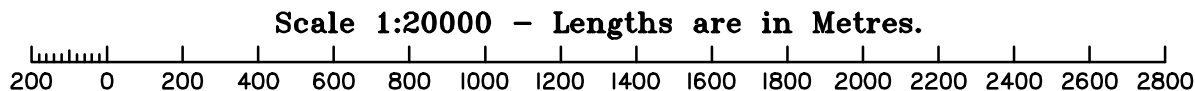
Signature of Director/Secretary

Date

[Delete the above where there is a sole director/secretary for the company giving the owner's consent.]

Attachment 3

Preliminary Survey Plan SP311517



Original information compiled from
SP202896 & SP202897 in the Department of
Natural Resources, Mines and Energy.

Scale 1:20000 – Lengths are in Metres.

_____, for whose work the corporation accepts responsibility, under the supervision of Stephen James REDGWELL, cadastral surveyor, and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on ____/05/2019.

Date _____

LOCALITY: *ARRIGA*

Survey Records: No

*Cancelling Lot 155 on SP202897 and
Lot 156 on SP202896*

SP311517

Scale:
1:20000

Format:

STANDARD

Land Title Act 1994 ; Land Act 1994
Form 2IB Version I

WARNING : Folded or Mutilated Plans will not be accepted.
Plans may be rolled.
Information may not be placed in the outer margins.

Sheet2of3

(Dealing No.)

I. Certificate of Registered Owners or Lessees.

1/We

ROSELLA SUB TC PTY LTD ACN 164 892 059

TRUSTEE UNDER INSTRUMENT 717550666

(Names in full)

* as Registered Owners of this land agree to this plan and dedicate the Public Use Land as shown hereon in accordance with Section 50 of the Land Title Act 1994.

* as Lessees of this land agree to this plan.

Signature of *Registered Owners *Lessees

6.

Existing

Created

Title Reference	Description	New Lots	Road	Secondary Interests
50706562	Lot I56 on SP202896	I55 & I56		
50711679	Lot I55 on SP202897	I55		

MORTGAGE ALLOCATIONS

Mortgage	Lots Fully Encumbered	Lots Partially Encumbered
717550719	I55 & I56	

ENCUMBRANCE EASEMENT ALLOCATIONS

Easement	Lots to be Encumbered
711482745	I55

EXISTING COVENANT ALLOCATIONS

Covenant	Lots Encumbered
717738974	I55 & I56

BENEFIT EASEMENT ALLOCATIONS

Easement	Lots Fully Benefited	Lots Partially Benefited
711426056	I56	I55

Reinstatement Report

2. Planning Body Approval.

*
hereby approves this plan in accordance with the :
%

Dated this day of

#

#

* Insert the name of the Planning Body.
Insert designation of signatory or delegation

% Insert applicable approving legislation.

3.Plans with Community Management Statement :

CMS Number :
Name :

4. References :

Dept File :
Local Govt :
Surveyor: PRI36253–2

7. Orig Grant Allocation :

8. Passed & Endorsed :

By: RPS Australia East Pty Ltd

Date :

Signed :

Designation : Cadastral Surveyor

9. Building Format Plans only.

I certify that :
* As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or road,
* Part of the building shown on this plan encroaches onto adjoining* lots and road

Cadastral Surveyor/Director* Date
*delete words not required

10. Lodgement Fees :

Survey Deposit \$

Lodgement \$

New Titles \$

Photocopy \$

Postage \$

TOTAL \$

II. Insert Plan Number

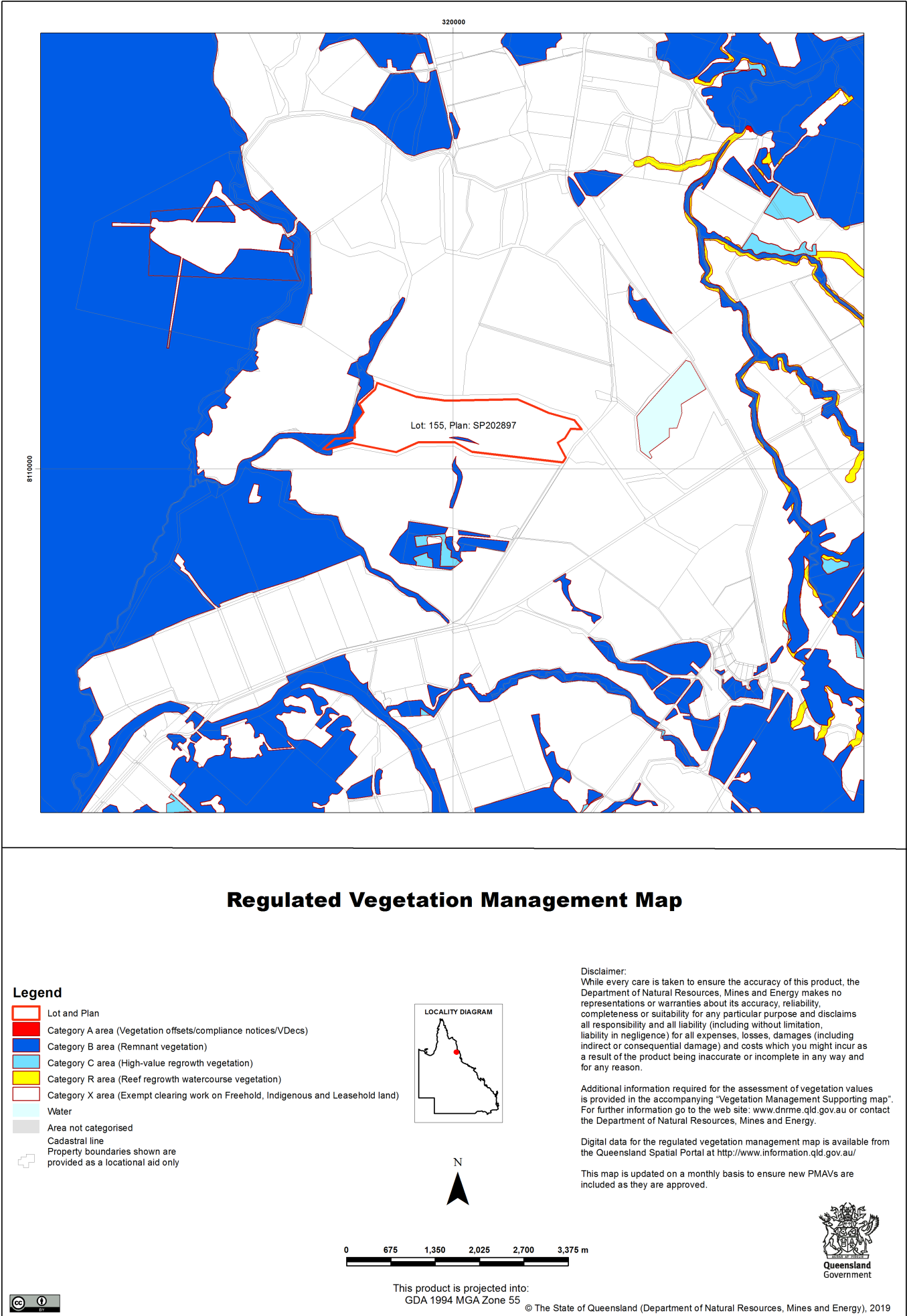
SP311517

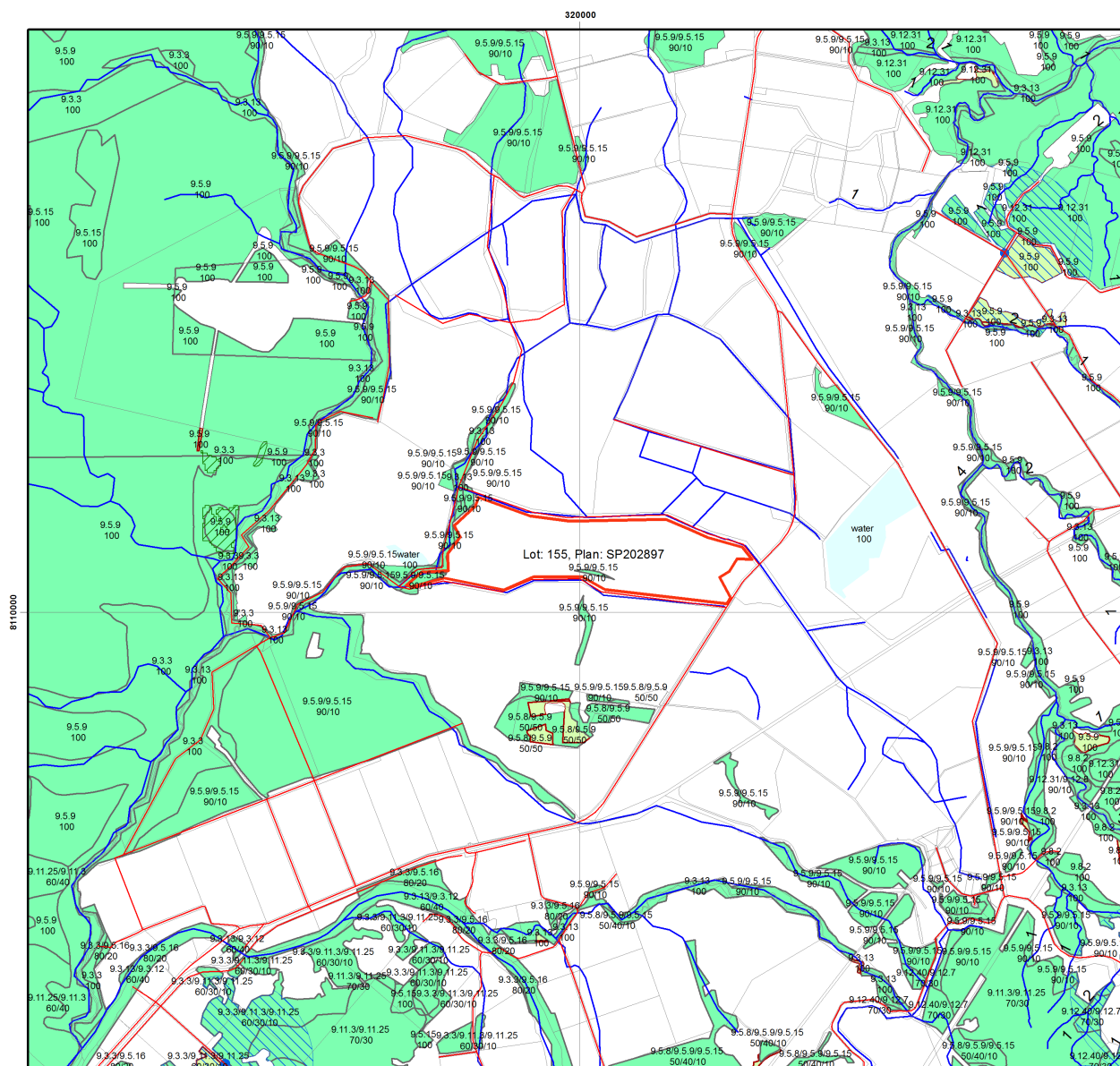


State copyright reserved.

Attachment 4






















Regulated Vegetation Management Maps

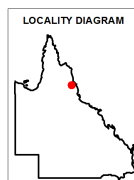




Vegetation Management Supporting Map

Legend

- | | |
|---|---|
|  | Lot and Plan |
|  | Category A or B area containing endangered regional ecosystems |
|  | Category A or B area containing of concern regional ecosystems |
|  | Category A or B area that is a least concern regional ecosystem |
|  | Category A or B area under Section 20AH |
|  | These areas are edged in yellow and filled with the remnant RE Status |
|  | Category C area containing endangered regional ecosystems |
|  | Category C area containing of concern regional ecosystems |
|  | Category C area that is a least concern regional ecosystem |
|  | Category C area under Section 20AI |
|  | These areas are edged in purple and filled with the remnant RE Status |
|  | Non Remnant |
|  | Water |
|  | Wetland on the vegetation management wetlands map |
|  | Essential habitat on the essential habitat map |
|  | Essential habitat species record |
|  | Watercourses and drainage features on the vegetation management watercourse and drainage features map |
|  | (Stream order shown as black number against stream where available) |
|  | Roads |
|  | National Parks, State Forest and other reserves |
|  | Cadastral line |
| | Property boundaries shown are provided as a locational aid only |



A horizontal scale bar with tick marks at 0, 480, 960, 1,440, 1,920, and 2,400 m. The bar is divided into segments by vertical lines corresponding to these values.

This product is projected into:
GDA 1994 MGA Zone 55

Labels for Essential Habitat are centred on the area of enquiry.

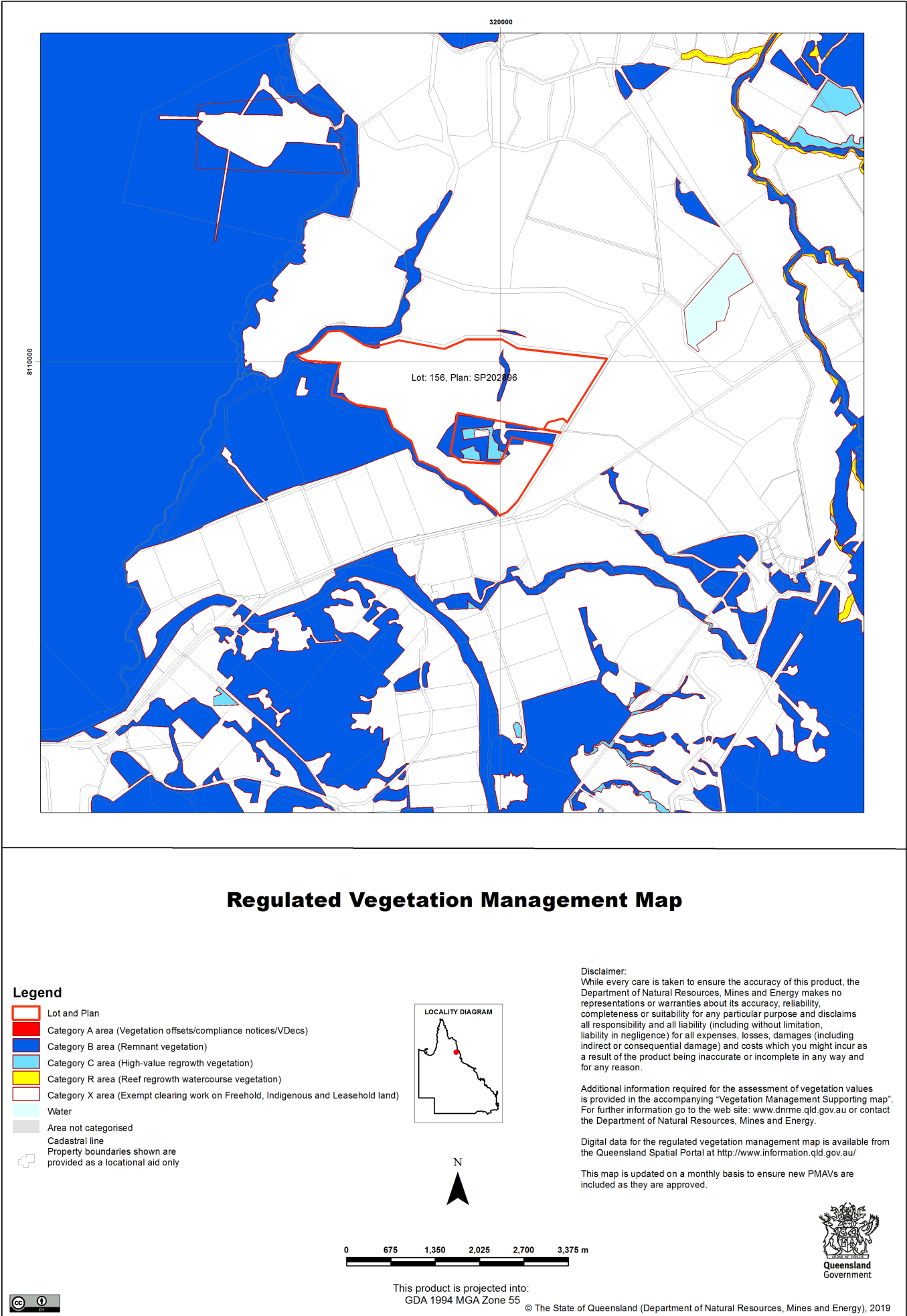
Regional ecosystem linework has been compiled at a scale of 1:100 000, except in designated areas where a compilation scale of 1:50 000 is available. Linework should be used as a guide only. The positional accuracy of RE data mapped at a scale of 1:100 000 is +/- 100 metres.

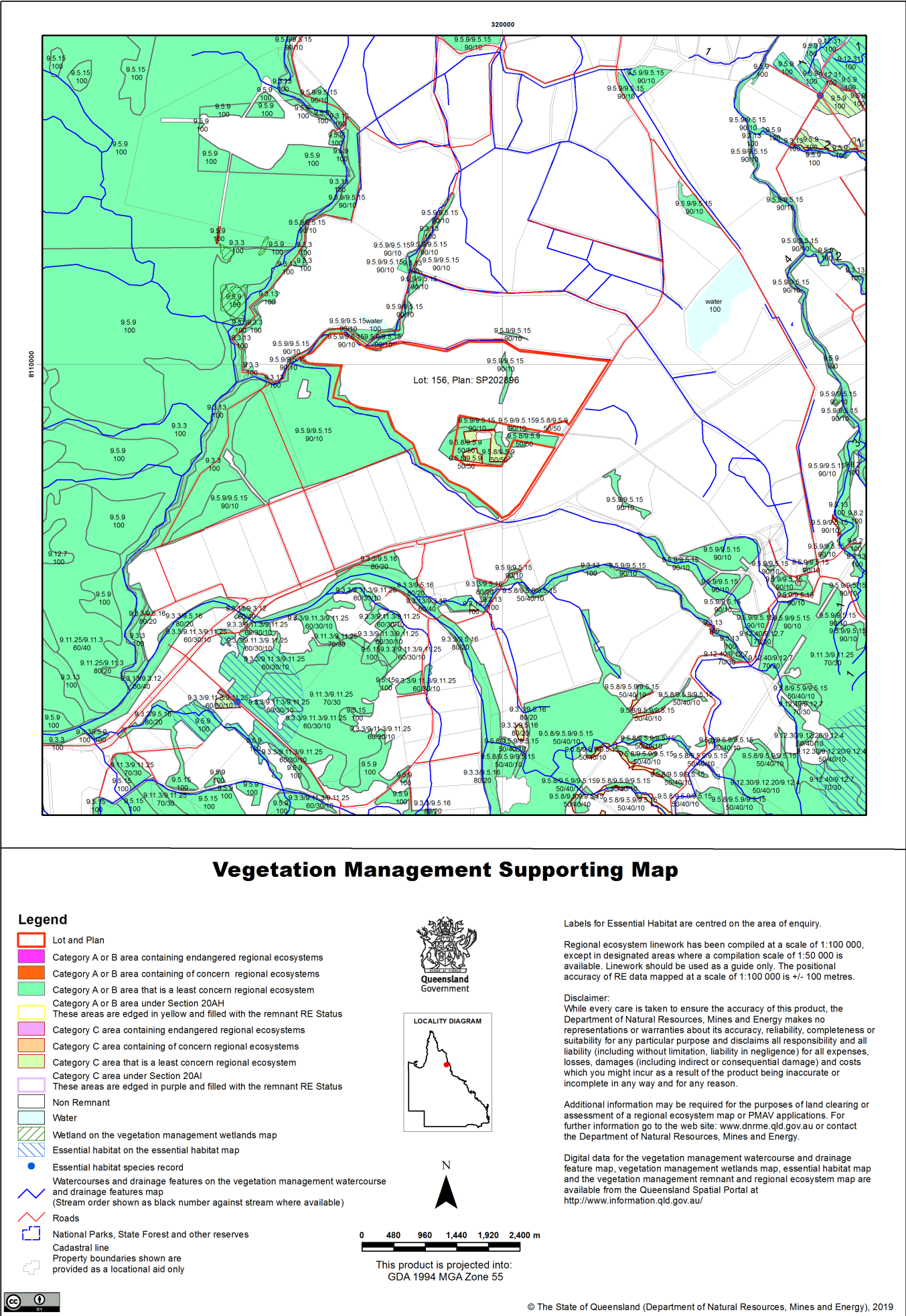
Disclaimer:

While every care is taken to ensure the accuracy of this product, the Department of Natural Resources, Mines and Energy makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the product being inaccurate or incomplete in any way and for any reason.

Additional information may be required for the purposes of land clearing or assessment of a regional ecosystem map or PMAV applications. For further information go to the web site: www.dnrme.qld.gov.au or contact the Department of Natural Resources, Mines and Energy.

Digital data for the vegetation management watercourse and drainage feature map, vegetation management wetlands map, essential habitat map and the vegetation management remnant and regional ecosystem map are available from the Queensland Spatial Portal at <http://www.information.qld.gov.au/>





Attachment 5

Development Assessment Mapping

State Assessment and Referral Agency

Date: 24/04/2019



Department of State Development
Manufacturing, Infrastructure
and Planning

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Disclaimer:

This map has been generated from the information supplied to the Department of State Development, Manufacturing, Infrastructure and Planning for the purposes of the Development Assessment Mapping System. The map generated has been prepared with due care based on the best available information at the time of publication. The State of Queensland holds no responsibility for any errors, inconsistencies or omissions within this document. Any decisions made by other parties based on this document solely the responsibility of those parties. This information is supplied subject to the full terms and conditions available on the department's website.



Matters of Interest for all selected Lot Plans

Queensland waterways for waterway barrier works
Water resource planning area boundaries
Regulated vegetation management map (Category A and B extract)
Area within 25m of a State-controlled road
State-controlled road

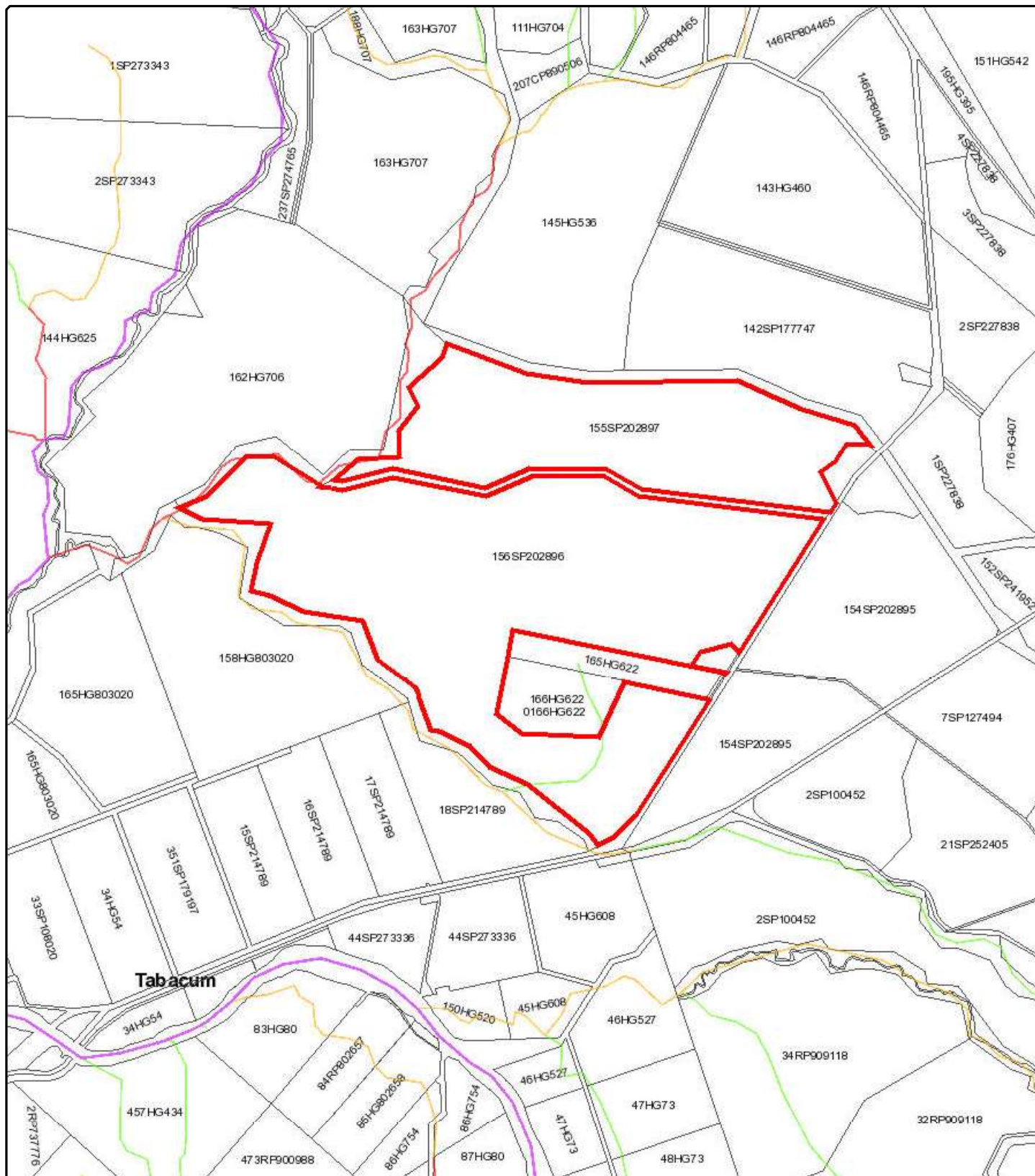
Matters of Interest by Lot Plan

Lot Plan: 155SP202897 (Area: 2553000 m²)

Queensland waterways for waterway barrier works
Water resource planning area boundaries
Regulated vegetation management map (Category A and B extract)
State-controlled road
Area within 25m of a State-controlled road

Lot Plan: 156SP202896 (Area: 5789000 m²)

Queensland waterways for waterway barrier works
Water resource planning area boundaries
Regulated vegetation management map (Category A and B extract)
Area within 25m of a State-controlled road



State Assessment and Referral Agency

Date: 24/04/2019



Department of State Development
Manufacturing, Infrastructure
and Planning

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Legend

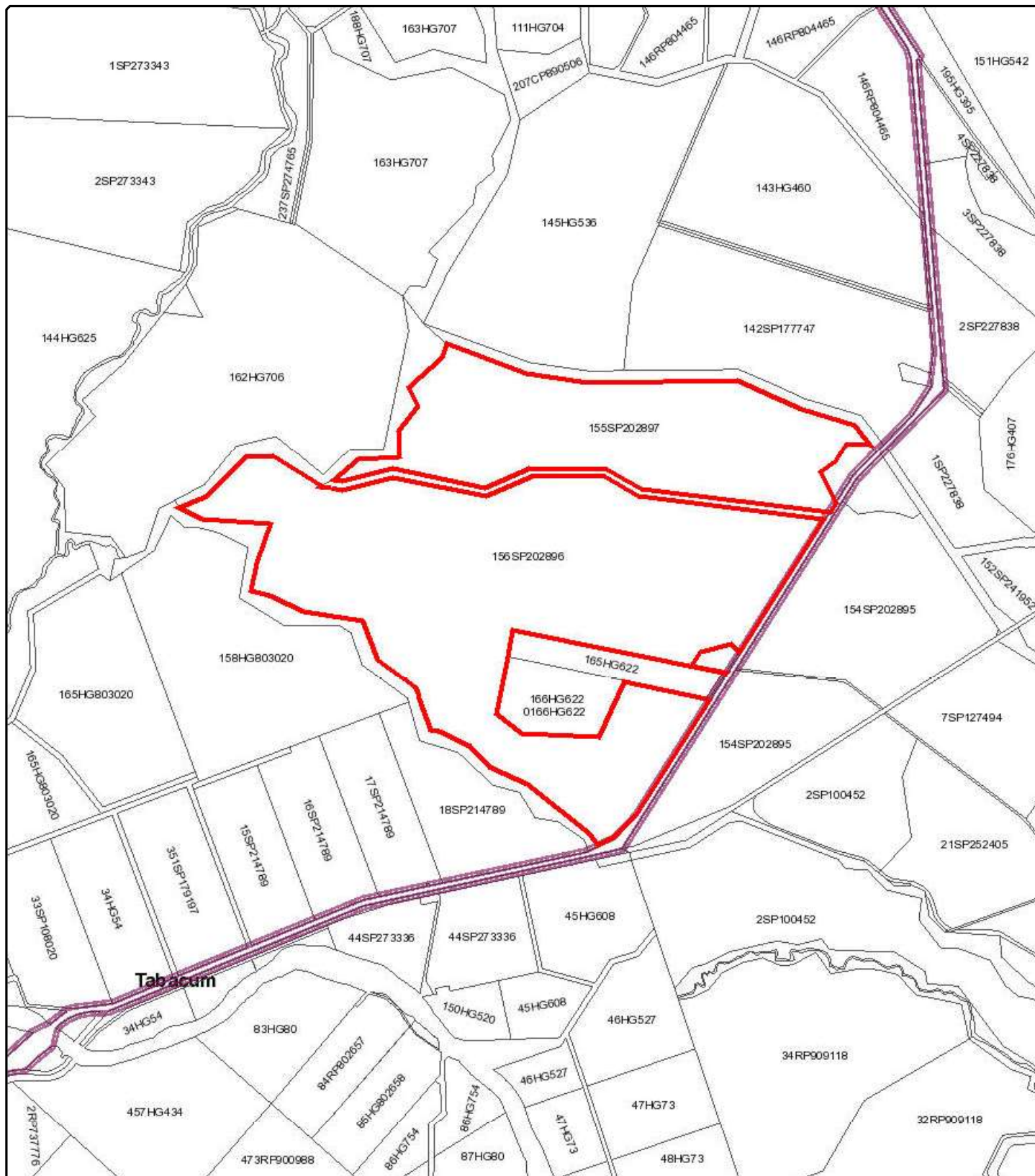
Queensland waterways for waterway
barrier works

- 1 - Low
- 2 - Moderate
- 3 - High
- 4 - Major

0 730 1,460 2,190 2,920
Metres

Disclaimer:

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State Assessment and Referral Agency

Date: 24/04/2019



Department of State Development
Manufacturing, Infrastructure
and Planning

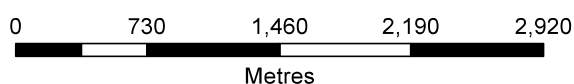
© The State of Queensland 2019.

Legend

Area within 25m of a State-controlled road

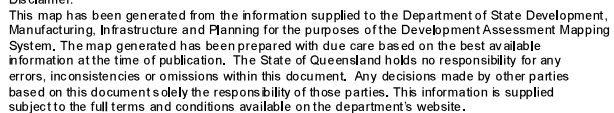


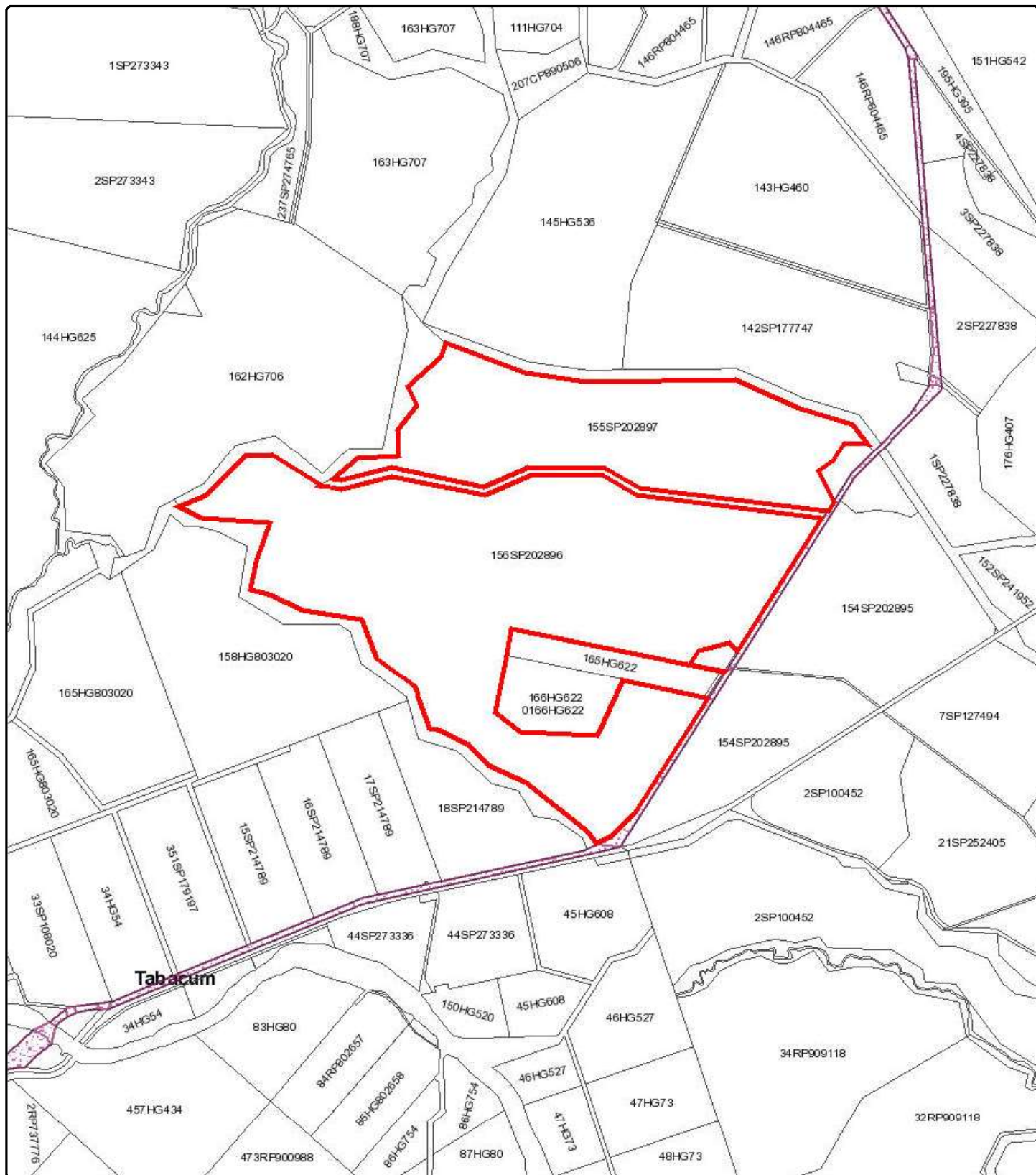
Area within 25m of a State-controlled road



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State Assessment and Referral Agency

Date: 24/04/2019



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Legend

State-controlled road



State-controlled road

0 730 1,460 2,190 2,920
Metres

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