

From: Freshwater Planning
Sent: 8 Oct 2017 12:48:29 +1000
To: Natacha Jones
Subject: Town Planning Application for a ROL – 1 Lot into 4 Lots for SE, JM & GM Morrow located at 764 Hodzic Road, Biboohra
Attachments: 2017.10.08 Town Planning Application.pdf

MSC Planning Department,

Please find attached the Town Planning Application for a Reconfiguration of a Lot – 1 Lot into 4 Lots for SE, JM & GM Morrow located at 764 Hodzic Road, Biboohra. The Town Planning Application comprises of the following:

Town Planning Letter
Twine Surveys Pty Ltd Plans
SmartMap
MSC Superseded Approval Letter
DA Form 1
Landowner's Consent Forms

Can Council please provide an Invoice so that Freshwater Planning Pty Ltd can arrange the Applicants to provide the MSC Application Fee.

Additionally, please do not hesitate to contact me to discuss should you require any additional information or have any questions or queries,

Thanks and Regards,

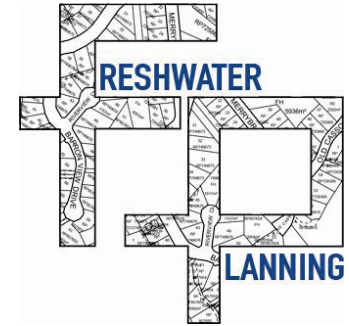
Matt Andrejic



Matthew Andrejic
Director
Freshwater Planning Pty Ltd

M: 0402 729 004
E: freshwaterplanning@outlook.com
A: 17 Barron View Drive, Freshwater, Q4870

Your Ref:
Our Ref: F17/32



08 October, 2017

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

Attention: Regional Planning Group

Dear Sir,

**RE: APPLICATION FOR RECONFIGURATION OF A LOT – 1 LOT INTO 4 LOTS
LOT 150 ON SP284134, 764 HODZIC ROAD, BIBOOHRA.**

This application is for a Reconfiguration of a Lot – 1 Lot into 4 Lots over land described as Lot 150 on SP284134, situated at 764 Hodzic Road, Biboohra is submitted on behalf of SE, JM and GM Morrow.

The application comprises of Application Forms, SmartMap, Twine Surveys Pty Ltd Sketch Plans and this Town Planning Submission. It is requested by the applicant that an Invoice be provided from Council for payment of the Application Fee.

The Site

The subject land is described as Lot 150 on SP284134, Locality of Biboohra and situated 764 Hodzic Road, Biboohra. The site is owned by SE, JM and GM Morrow who are also the applicants for the proposed Reconfiguration. The site has an area of 1,359.8 hectares, contains frontages to Hodzic and Unnamed Roads, encompasses Unnamed Creeks, a dam, abuts Oakey Creek and the Barron River and is naturally vegetated. The site is improved by a Dwelling House and associated structures in relation to the Rural Activities provided over the site. The site is access from the existing Road Network, being Hodzic Road, and is provided with all available services.

The site contains Mapped Remnant 'least concern' Vegetation, Regrowth Vegetation and a GES Wetland. The site is not Mapped as containing Essential Habitat (Remnant and Regrowth) nor a Property Map of Assessable Vegetation (PMAV). The site is not located within 25 metres of a State Controlled Road nor within 25 metres of a Railway Corridor.

Referral Agencies

The site is Mapped as containing Remnant 'least of concern' Vegetation however, the proposal does not result in any allotment created under 25 hectares. The proposed Reconfiguration of a Lot **does not** require Referral to the Department of Infrastructure, Local Government and Planning for Vegetation concerns.

The site is Mapped as containing minor overlaps of a partial area of the boundary that adjoins Rocky Creek as a GES Wetland. It is considered that the Mapping is incorrect given the scale of the Mapping however, it is understood that the proposal **does not** require Referral to the Department of Infrastructure, Local Government and Planning as the existing lot and proposed allotments containing this GES Wetland is/are 16.0 hectares or greater and nor does the proposal provide for any Operational Works located within the Mapped GES Wetland.

With the Repeal of the Far North Queensland Regional Plan Regulatory Provisions the Development Application is not required to be Referred to the Department of Infrastructure, Local Government and Planning in relation to the FNQ Regional Plan.

Background

The site currently contains an Approval from the Mareeba Shire Council being Development Approval DA/14/0050. This is further noted on the Twine Survey Pty Ltd Sketch Plan. The Approval allows for the creation of Approved Lot 153 and Approved Lot 151. Approved Lot 151 has currently been surveyed and is in the process of obtaining a title. For the purpose of this Development Application Approved Lots 151 and 153 are not included. This Development Application is for the Subdivision of the site creating proposed Lots 154, 155, 156 and 157.

Superseded Planning Scheme Development Application

The Mareeba Shire Council on the 05 July, 2017 under delegated authority Approved the applicants request to lodge a Superseded Planning Scheme Application for a Reconfiguration of a Lot under Prelodgement Enquiry PreEnq/17/0027. The following Development Application will be assessed under the Superseded Planning Scheme, being the Mareeba Shire Planning Scheme, 2004.

The Proposed Development

The proposed development is for a Reconfiguration of a Lot – 1 Lot into 4 Lots in the Rural Zone of the Superseded Mareeba Shire Planning Scheme. The site is located at 764 Hodzic Road, Biboohra and is more particularly described as Lot 150 on SP284134. The site is irregular in shape, has an area of 1359.8 hectares and contains a Dwelling House and associated structures in relation to the Rural Activities provided over the site.

A Development Permit for a Reconfiguration of 1 Lot into 4 Lots is sought to subdivide Lot 150 on SP284134 creating three additional Rural Allotment within the Biboohra Rural Area. The Site is designated within the Rural Zone of the new and superseded Mareeba Shire Planning Scheme and no change to the Rural Zone is proposed with the Reconfiguration. The proposal will provide additional large Rural Allotments while maintaining the existing amenities and aesthetics of the site.

The Reconfiguration of a Lot proposes four (4) Allotments described as proposed Lots 154, 155, 156 and 157. The proposed areas of the allotments are:

Proposed Lot 154	119.0 ha
Proposed Lot 155	33.29 ha
Proposed Lot 156	972.23 ha
Proposed Lot 157	125.2 ha.

It is noted that the area for each proposed allotment are approximate only with the new boundary indicative only and subject to final survey. Access to the proposed allotments can be provided by the existing constructed road network, being Hodzic Road. All accesses are located from Hodzic Road only generally in accordance with the proposed Twine Surveys Pty Ltd Sketch Plans.

The site can be connected to all available services, being Power and Telecommunications if required. The existing and proposed allotment/s contains sufficient area for the provision of a Water Supply and Effluent Disposal System at the time of classification for any dwelling provided onsite. The proposal will result in the provision of additional Rural Allotments within the Biboohra District available for Rural Activities now and within the future.

The proposed allotments meet the minimum area requirements of the Superseded Mareeba Shire Planning Scheme Rural Zone Code. It is not considered that the proposed Subdivision will be detrimental to the adjacent sites or adversely impact on the surrounding area. It is considered that the Specific Outcomes of the both the Rural Zone Code and the Reconfiguring a Lot Code can be met in this instance.

The site is located in the Rural Zone of the Mareeba Shire. Reconfiguring a Lot is a Code Assessable Use within this Zone. The application is Code Assessable.

Far North Queensland Regional Plan 2009-2031

Lot 150 on SP284134 is identified as being in the Regional Landscape and Rural Production Area designation of the FNQ Regional Plan Mapping.

The Regional Plan introduces controls on subdivision of Rural Zoned land in the Regional Landscape and Rural Production Area. These controls serve two purposes – To maintain larger lots sizes to ensure the economic viability or rural land holdings and to protect important agricultural lands and areas of ecological significance from encroachment by urban and rural residential development.

The Objective is for the Region's Rural Production Area and Natural Resources to be protected by limiting land fragmentation.

It is noted that the FNQ Regional Plan has no mention of a Minimum Area for this type of Subdivision. With the Repeal of the Regulatory Provisions, the Regional Plan is now silent on any allotment size within the Regional Landscape and Rural Production Area. Hence, it is understood that there is no minimum allotment size and the proposal is considered to reflect the Intent of the FNQ Regional Plan, Local Governments Planning Schemes and is considered appropriate.

The proposed development is considered to maintain larger lot sizes with the smallest allotment containing an area of approximately 33.29 hectares with the largest allotment containing an area of approximately 972.23 hectares. The proposal results in lots greater than 30 hectares in size that contain areas designated on the Good Quality Agricultural Land Maps as No Data and considered to be Not GQAL. It is additionally noted that the site contains an approved/proposed average of 226.65 hectares allotments with this proposed Reconfiguration proposing an average of 312.43 hectares. The proposal is not considered to fragment the Regions Rural Production Area and protects it by providing large Rural Allotments with the ability to be used for Rural Purposes within the future.

Section 2.6 Rural Subdivisions Land Use Policy 2.6.1 nominates that the further fragmentation of agricultural land in the Regional Landscape and Rural Production Area is avoided to maintain economically viable farming lots. Since the repeal of the Regulatory Provisions there is no longer any minimum allotment size within the Regional Landscape and Rural Production Area therefore, no minimum viable allotment size. The Mareeba Shire Council's Superseded Planning Scheme nominates that 30 hectares (Not GQAL) allotments are acceptable within this area. The proposal provides for a Subdivision that is in accordance with the Superseded Mareeba Shire Council's Planning Scheme's Rural Zone and given that the Regional Plan now has no minimum allotment size, the resulting proposal is considered acceptable.

It is considered that the proposed Reconfiguration is not in conflict with the Intent for Regional Landscape and Rural Production Area in the FNQ Regional Plan 2009-2031.

Rural Zone Code

The proposal is for a Reconfiguration of a Lot – 1 Lot into 4 Lots in the Rural Zone of the Mareeba Shire Planning Scheme. The purpose of the application is to subdivide existing Lot 150 on SP219763 into four Rural parcels of greater than the required 30 hectares. The proposed new layout provides additional Rural Zoned Allotments available for Rural Uses now and within the future. The proposed Subdivision is to preserve the existing Rural nature and character of the site and the immediate and surrounding amenity in accordance with the Mareeba Shire Planning Scheme.

4.78 BUILDING SITING, SCALE AND AMENITY

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Comments
For Self Assessable and Code Assessable Development		
<p>S1 New development is consistent in scale with existing buildings and structures in the vicinity and does not detrimentally impact on road transport infrastructure and adjoining uses.</p>	<p>PS1.1 Any building or structure does not exceed 12 metres and three storeys in height; and</p> <p>PS1.2 Any building or structure is located at least:</p> <p>(i) 50 metres from the centre line of the existing Kennedy Highway, Peninsula Developmental Road, Mareeba-Dimbulah Road or other State controlled road (Main Road Marked Route) as identified on Maps R1 and R2, and</p> <p>(ii) 6 metres from any other road; and</p> <p>(iii) 10 metres from any common boundary of allotments; and</p> <p>PS1.3 Buildings and other structures are located at least 25 metres from any Railway corridor land.</p>	<p>Not Applicable No new buildings proposed.</p> <p>Not Applicable. The site is not located within 50 metres from the centreline of a State-Controlled Road.</p> <p>Not Applicable. No new buildings proposed and the site is not located within 25 metres of a Railway corridor.</p>
<p>S2 Agricultural activities are protected from incompatible land uses.</p>	<p>PS2.1 Where a site in the Rural zone is not already used for agriculture or agriculture – intensive and it adjoins any other zone, a separation distance of 300 metres is to be maintained between any new agricultural or agriculture - intensive use and the boundary of the adjoining zone/s.</p> <p>PS2.2 Non agriculture or agriculture – intensive uses which adjoin any agriculture or agriculture – intensive uses are protected</p>	<p>Not Applicable The site has the ability to be used for agricultural purposes and the adjoining allotments contain the same ability. The site is naturally vegetated maintaining sufficient buffering.</p>

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Comments
	from spray drifts by the maintenance of a separation distance of 300 metres between the agriculture or agriculture – intensive uses and the non agriculture or agriculture – intensive uses.	
<p>S3 Functional, safe and convenient vehicular access and movement to the site for the particular activity.</p>	<p>PS3 Access to the site is provided in accordance with Planning Scheme Policy 4 - Development Manual Section D1.30.</p>	<p>Complies Access to the site can be provided in accordance with the Planning Scheme Policy 4. It is noted that the proposed Lots propose to gain access from Hodzic Road.</p>
<p>S4 Clearing of vegetation does not destabilise soil resources, result in a reduction in water quality or fragmentation of wildlife corridors (wildlife corridors are identified as Category B of Planning Scheme Maps V1 and V2).</p>	<p>For Lots with areas of two (2) hectares or above: PS4.1 Vegetation is retained within fifty (50) metres from the high bank of waterways and wetlands as indicated on any Planning Scheme Map; and</p> <p>For Lots below two (2) hectares in area: PS4.2 Vegetation is retained within ten (10) metres from the high bank of waterways and wetlands as indicated on any Planning Scheme Map; and</p> <p>For all Lots: PS4.3 Vegetation is retained on land with a slope of 15% or greater.</p>	<p>Can Comply, The proposed lots can retain the vegetation within 50 metres from the high bank of waterways and wetlands as indicated on the Planning Scheme Mapping.</p> <p>For the purpose of this Reconfiguration the existing vegetation located within 50 metres of the high bank of the Unnamed Creeks and any vegetation on slopes greater than 15% can be retained. It is noted that this does not take into consideration exemptions under Schedule 24 of the Sustainable Planning Regulations.</p>
For Code Assessable Development		
<p>S5 Buildings are protected from adverse flooding and does not interfere with the passage or storage of stormwater.</p>	<p>PS5.1 Buildings are designed and located as not to be within an subject to flooding, unless: the floor level of all habitable rooms is at least 300mm clear of the Q100 flood level; and (ii) the building is elevated and the area below the building is not enclosed or otherwise does not impede the passage of stormwater.</p>	<p>Not Applicable No Buildings proposed with this Reconfiguration however, if any buildings are proposed within the future they can be provided with appropriate Flood Immunity and will not impede the passage of stormwater.</p>
<p>For the Southedge Potential Tourist Area as identified on the Strategic Framework Maps SP1 & SP2</p> <p>S6 Utility services are provided which are: (i) Cost effective over their life cycle; and (ii) Minimise potential adverse environmental impacts in the short and long term; and (iii) Do not pose a risk to human health or the amenity of the locality; and</p>	<p>PS6 Development occurs in accordance with an approved plan which adequately addresses social, economic, environmental and regional considerations.</p>	<p>Not Applicable</p>

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Comments
(iv) Provided equitably.		
<p>For Mona Mona Reserve as identified on Map Z10 as Preferred Area No 2</p> <p>S7 Utility services are provided which are:</p> <p>(i) Cost effective over their life cycle; and</p> <p>(ii) Minimise potential adverse environmental impacts in the short and long term; and</p> <p>(iii) Do not pose a risk to human health or the amenity of the locality; and</p> <p>(iv) Provided equitably.</p>	<p>PS7 Development is carried out in accordance with a Plan of Development and Land Management and the Supplementary Table of zones, (as amended on 13 June 2001), approved by Council on 19 June 2001.</p>	<p>Not Applicable</p>
<p>For Clohesy River Area identified on Maps Z8, Z9 and Z10 as Preferred Area No 3</p> <p>S8 Land situated within Preferred Area No 3 (as shown on Maps Z8, Z9 and Z10) is protected for future long term urban development as identified by the FNQ Regional Plan.</p>	<p>PS8 New development within Preferred No 3 does not compromise its potential for future long term urban development.</p>	<p>Not Applicable</p>
<p>S9 Tourism uses in or within 50 metres of a significant landscape feature are located on a site:</p> <p>(i) without impacting on the attributes or values which give rise to the attractiveness of the site; and</p> <p>(ii) with proximity to infrastructure and services adequate to meet the day to-day needs of the tourist population likely to be generated by development on the site; and</p> <p>(iii) that contains land suitable in its physical characteristics to accommodate the form, scale and intensity of development; and</p> <p>(iv) without impact upon the visual and landscape setting of the Shire.</p>	<p>PS9 No probable solution prescribed.</p>	<p>Not Applicable No Tourism Uses proposed.</p>
<p>S10 Uses not dependant upon good quality agricultural land are not located on Good Quality Agricultural Land identified on Agricultural Land Quality Maps S2 to S5, unless there is an overriding need and no alternative sites.</p>	<p>PS10 No probable solution prescribed.</p>	<p>Complies The proposal is for a Reconfiguration of a Lot to provide additional Rural Lots to complement the existing Rural Area and Rural Zone. The proposal will not further fragment the GQAL as each allotment is greater than 30.0 hectares and does not propose non dependant uses on the identified GQAL.</p>

4.79 GRAVEL PITS, RESOURCE RESERVES AND MINING LEASES

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Comments
For Self Assessable and Code Assessable Development		
S1 The continuing or new use of gravel pits, resource reserves, mining lease areas and other areas of mineral interests identified on Maps M1 to M5 is not significantly constrained by the siting of incompatible uses or works.	<p>PS1.1 New dwelling houses and tourist facilities (not located on the same site as the mining interest) are not constructed within 500 metres of Mining Interests identified on Maps M1 to M5; and</p> <p>PS1.2 New dwelling houses and tourist facilities (not located on the same site as the mining interest) are not constructed within 1 km from Mining Interests (as identified on Maps M1 to M5) involving blasting and crushing of material.</p>	Not Applicable No Gravel Pits proposed.
For Code Assessable Development		
S2 Development of new extractive industries ensures neighbouring activities are not impacted upon.	PS2 No probable solution prescribed.	Not Applicable No Extractive Industries proposed.

4.80 RECONFIGURING A LOT

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Comments
For Code Assessable Development		
S1 The viability of the farming industry throughout the Shire and including Good Quality Agricultural Land, and future opportunities for farming pursuits are not compromised	<p>PS1.1 Allotments to have a minimum area of 60 hectares and road frontage of 300 metres within the area identified on Agricultural Land Quality Maps S2, S3, S4 and S5; or</p> <p>PS1.2 Allotments to have a minimum area of 30 hectares and road frontage of 150 metres if outside the area identified on Agricultural Land Quality Maps S2, S3, S4 and S5.</p>	<p>The site is Mapped as containing land designated in the No Data Available designations. It is not considered that the site does not consist of GQAL and the proposed Reconfiguration will not significantly affect the existing designation.</p> <p>The proposal results in four allotments being created with areas in excess of 30 hectares (average of 312.43 hectares). Proposed Lots 151 – 154 contain frontages greater than 150 metres to Hodzic Road. It is noted that each allotment also contains frontages to the Unnamed Roads that front and intersect the site. It is considered that these proposed frontages are sufficient in size for the provision of safe, convenient, accessible and adequate accesses. It is not considered that these frontages will have a significant effect on the provision</p>

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Comments
		<p>of the Rural Allotments and are acceptable.</p> <p>The proposal does not affect the viability of the farming industry throughout the Shire including the GOAL and will not compromise the opportunities for future farming pursuits as the proposal does not further fragment the existing farming land to less than a size of 30 hectares.</p> <p>It is considered that the proposal is not in conflict with the Specific Outcomes of the Reconfiguring a Lot for the Rural Zone Code.</p>
<p>S2 Design and construction caters for the intended use of the road.</p>	<p>PS2 Design and construction of roads and accesses are in accordance with the Planning Scheme Policy 4 - Development Manual and the provisions of the Part 6 Division 5 - Car parking code.</p>	<p>Can Comply</p>
<p>S3 Augmentation of the road network servicing the development is provided.</p>	<p>PS3 A cash contribution is paid in accordance with the Planning Scheme Policy 6 - Augmentation of the Road Network</p>	<p>Complies A cash contribution can be provided in accordance with the Planning Scheme Policy.</p>
<p>S4 Sewage disposal facilities are provided for each allotment which are:</p> <p>(i) Cost effective over their life cycle; and</p> <p>(ii) Minimise potential adverse environmental impacts in the short and long term; and</p> <p>(iii) Do not pose a risk to human health or the amenity of the locality; and</p> <p>(iv) are provided equitably.</p>	<p>PS4 On site sewage disposal facilities are provided in accordance with the Plumbing and Drainage Act 2002.</p>	<p>The proposal is for a Subdivision of 1 Lot into 4 Lots in the Rural Zone of the Mareeba Shire Planning Scheme. No buildings or structures are proposed with the Development Application however, if any dwelling is proposed within the future each proposed allotment contains substantial area for the provision of onsite sewerage disposal.</p>

4.82 CONSISTENT USES

Specific Outcomes
<p>Consistent uses are consistent with the zone outcomes sought for the Rural zone and comprise all uses NOT listed as inconsistent in Column 1 of the Table of Development.</p>

It is not considered that the proposed Reconfiguration is in conflict with the Intent and the proposal complies with the Acceptable Solutions and where there are no Acceptable Solutions or they are unable to be met, the Specific Outcomes of the Rural Zone Code.

Natural Disaster – Bushfire Overlay

The site is designated in the Medium Bushfire Hazard for the Natural Disaster – Bushfire Overlay. No additional buildings are proposed with the Reconfiguration. However, if any buildings and structures are proposed, they can be positioned in locations of lowest hazard within the lot and achieve setbacks from hazardous vegetation of 1.5 times the predominant mature canopy tree height or 10 metres whichever is greater. No change to the existing structure is proposed and no new buildings are proposed on the site. However, if or when a new building is proposed a reliable water supply can be provided by way or Bore or onsite water storage with not less than 5,000 litres for firefighting purposes with appropriate fittings.

It is considered that the lots are designed to ensure that efficient emergency access to buildings for fire-fighting appliances and relevant setbacks are maintained. Firebreaks can be provided onsite to minimise any potential fires. Any firebreaks, fire/maintenance trails can be provided to an acceptable standard to the satisfaction of Council’s delegated officer. It is not considered that Easements are necessary nor required in this instance.

The proposal is for a Reconfiguration of one (1) Rural Allotment into four (4) Rural Allotments. No new buildings or structures are proposed with this Application and no change to the existing structures are proposed. It is not considered that the proposed development will adversely be affected by the detrimental impacts of bushfire on hazardous materials. It is not considered that a Bushfire Management Plan is required in this instance.

It is considered that the proposed Reconfiguration can meet the Intent of the Natural Disaster – Bushfire Overlay.

Reconfiguration of a Lot Code

The proposal is for a Reconfiguration of a Lot – 1 Lot into 4 Lots in the Rural Zone of the Superseded Mareeba Shire Planning Scheme. The purpose of the Application is sought to subdivide Lot 150 on SP284134 creating three additional Rural Allotment allowing additional Rural Allotments available for Rural Activities. No change to the Rural Zone is proposed with the Reconfiguration. The proposal will provide an additional Allotment while maintaining the existing amenities and aesthetics of the site. The proposed Subdivision is to preserve the existing nature of the site and the immediate and surrounding amenity in accordance with the Mareeba Shire Planning Scheme.

Specific Outcomes	Probable Solutions (code assessable)	Comments
For all Zones in Part 4 - Zones		
S1 Vehicular access Each new lot has appropriate vehicular access to a road that does not significantly detract from the function of the road; and complies with the Planning Scheme Policy 4- Development Manual.	PS1 No probable solution provided.	The proposed Reconfiguration will enable all allotments to gain access from the constructed Hodzic Road. It is not considered that the proposed accesses will significantly detract from the function of the existing road and can comply with the relevant Planning Scheme Policies.
S2 On-site services and facilities Each new lot is provided with an appropriate level of the following: (i) water supply; and (ii) sewage treatment; and (iii) drainage; and (iv) power supply; and (v) telecommunications; and	PS2 No probable solution provided.	All proposed allotments can be provided with an appropriate level of services. The proposed new allotments can be provided with Rainwater Tanks or Bores, effluent disposal, reticulated power and telecommunication at the time of any dwelling being provided onsite. The proposal is for a Reconfiguration of 1 Lot into 4 Lots in the Rural Zone of the

Specific Outcomes	Probable Solutions (code assessable)	Comments
<p>complies with the Planning Scheme Policy 4 - Development Manual.</p>		<p>Mareeba Shire Planning Scheme. It is not considered that certain services are required to be provided at the present time and these services can be provided if or when a dwelling is provided over each individual allotment.</p>
<p>S3 Works All works are carried out in accordance with the Planning Scheme Policy 4- Development Manual.</p>	<p>PS3 No probable solution provided.</p>	<p>Can Comply All works can be carried out in accordance with the Planning Scheme Policies or to the satisfaction of Council's delegated officer.</p>
<p>For Residential, Village and Rural Residential zone Reconfigurations</p>		
<p>S4 Urban use Each new lot intended for residential use has adequate useable area to allow for:</p> <ul style="list-style-type: none"> (i) a dwelling house and ancillary buildings and structures to be erected in a location that is convenient and, as far as practicable, avoids placing people and works at risk from flooding or other hazard; and (ii) adequate useable open space for the occupants; and (iii) reasonable vehicular access for a car from the road to a site for the dwelling house; and (iv) for new reconfigurations creating in excess of twenty (20) lots, street networks are designed to ensure connected open space networks or streets to facilitate convenient bicycle and pedestrian trips; and (v) for reconfigurations including the opening of new roads, new road networks are designed with a hierarchy of streets and connectivity to ensure future bus servicing is practical; and complies with the Planning Scheme Policy 4- Development Manual. 	<p>PS4 No probable solution provided.</p>	<p>Not Applicable The proposal is located in the Rural Zone.</p>

The proposed allotments meet the minimum area requirements of the Superseded Mareeba Shire Planning Scheme Reconfiguring a Lot Code. It is not considered that the proposed Subdivision will be detrimental to the adjacent sites or adversely impact on the surrounding area. It is considered that the Acceptable Solutions and where there are no Acceptable Solutions or they are unable to be met, the Specific Outcomes of the Reconfiguring a Lot Code can be met in this instance.

Conclusion

It is considered that the proposed development being a Reconfiguration of one Lot into four Allotments over land described as Lot 150 on SP284134 is appropriate. In particular, the proposed development:

- Can meet the Acceptable Outcomes relating to minimum allotment size and creates additional Rural Allotments available for the provision of Rural Activities within the future;
- Will encompass no change to the Rural nature and character of the area and the proposed Reconfiguration will ensure that the properties will remain to be used for Rural purposes;
- Can meet the Acceptable Outcomes and where the Criteria cannot be met, meets the Specific Outcomes and the Intent of the Reconfiguring a Lot Code for land included in the Rural Zone;
- Can meet the Intent for the Rural Zone and the Specific Outcomes of the Code;
- Meets the objective of the Land Use Policies relating to of Rural Subdivisions for the FNQ Regional Plan 2009-2031.

Freshwater Planning Pty Ltd request that Council provide a copy of the Draft Conditions with sufficient time for review prior to a Decision is provided. If you have any queries please do not hesitate to contact Freshwater Planning Pty Ltd.

Yours faithfully,



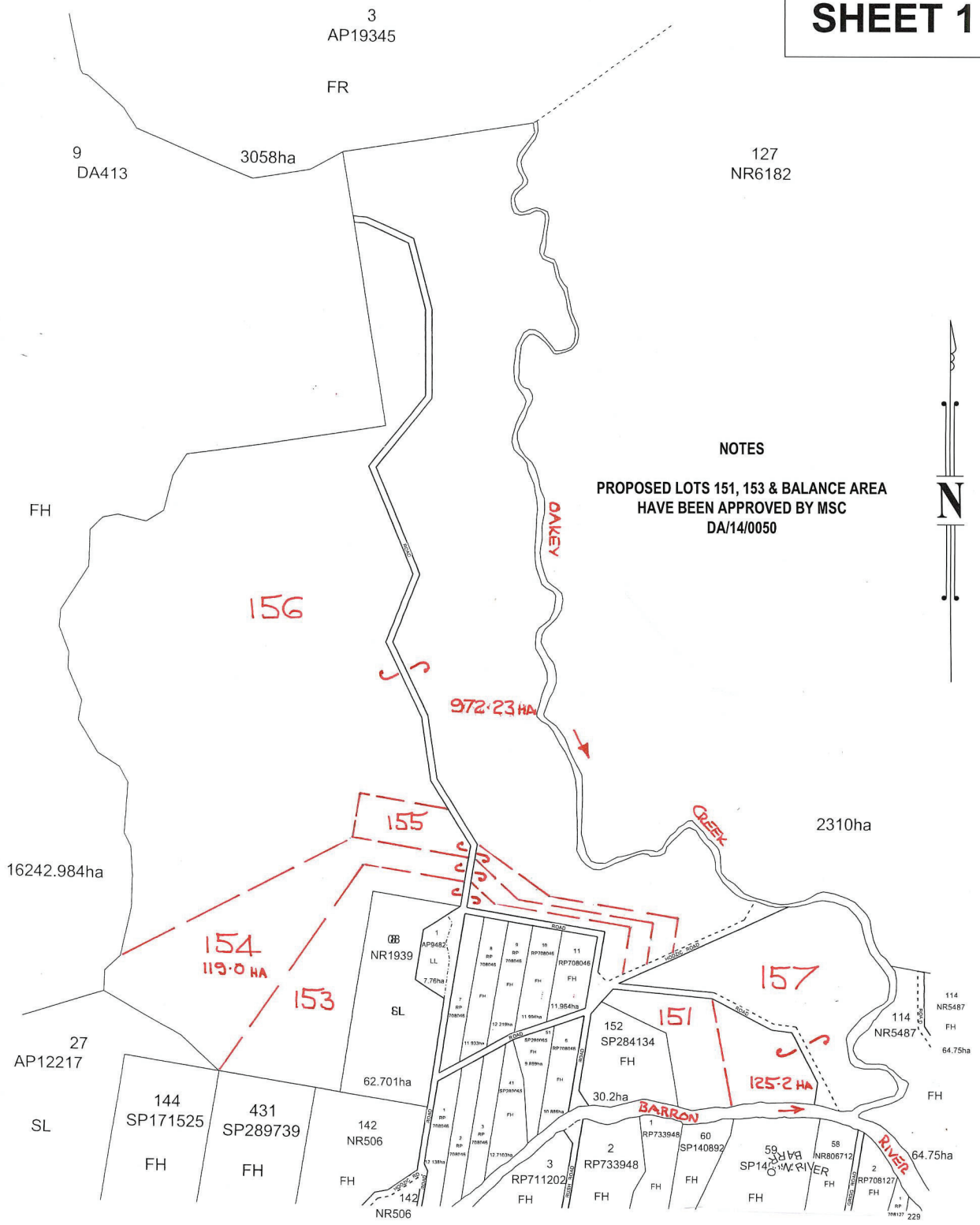
MATTHEW ANDREJIC

FRESHWATER PLANNING PTY LTD

P: 0402729004

E: FreshwaterPlanning@outlook.com

17 Barron View Drive, FRESHWATER QLD 4870



NOTES
 PROPOSED LOTS 151, 153 & BALANCE AREA
 HAVE BEEN APPROVED BY MSC
 DA/14/0050

SCALE : 1 : 25000 (A3 Sheet)
 0m 1Km 2Km

PROPERTY DESCRIPTION
 LOT 150 ON SP284134
 (formerly Lot 150 on SP219763)
 PARISH OF MONAMONA
 COUNTY OF NARES

REGISTERED OWNER
 S E, J M & G M MORROW

AMENDMENTS
A - ORIGINAL

LOCAL GOVERNMENT: MSC
 LOCALITY: BIBOOHRA
 SITUATED AT:
 HODZIC ROAD

PROPOSED RECONFIGURATION OF A LOT (1 LOT INTO 4 LOTS)

DWG NO. 7980 - LL1 29.6.2017 REV A



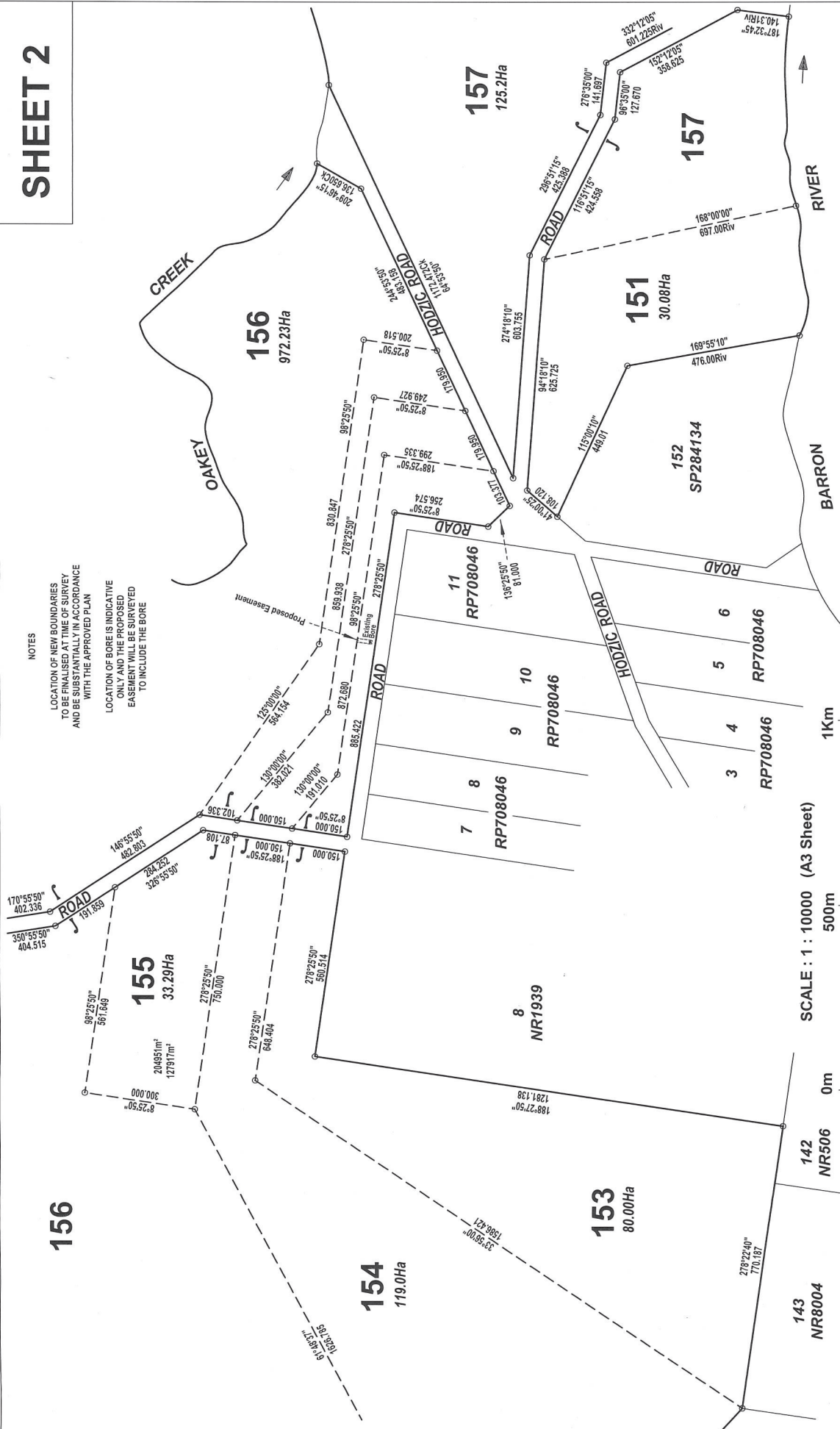
TWINE SURVEYS PTY LTD
 36 Mabel St, Atherton 4883
 PO Box 146, Atherton 4883
 P 07 40911303
 E info@twinesurveys.com.au

SHEET 2

NOTES

LOCATION OF NEW BOUNDARIES TO BE FINALISED AT TIME OF SURVEY AND BE SUBSTANTIALLY IN ACCORDANCE WITH THE APPROVED PLAN

LOCATION OF BORE IS INDICATIVE ONLY AND THE PROPOSED EASEMENT WILL BE SURVEYED TO INCLUDE THE BORE



TWINE SURVEYS PTY LTD
 36 Mabel St, Atherton 4883
 PO Box 146, Atherton 4883
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TWINE SURVEYS

PROPOSED RECONFIGURATION OF A LOT (1 LOT INTO 4 LOTS)

DWG NO. 7980 - LL1 29.6.2017 REV A

LOCAL GOVERNMENT: MSC
 LOCALITY: BIBOCHRA
 SITUATED AT:
 HODZIC ROAD

REGISTERED OWNER
 S E, J M & G M MORROW

PROPERTY DESCRIPTION
 LOT 150 ON SP284134
 (formerly Lot 150 on SP219763)
 PARISH OF MONAMONA
 COUNTY OF NARES

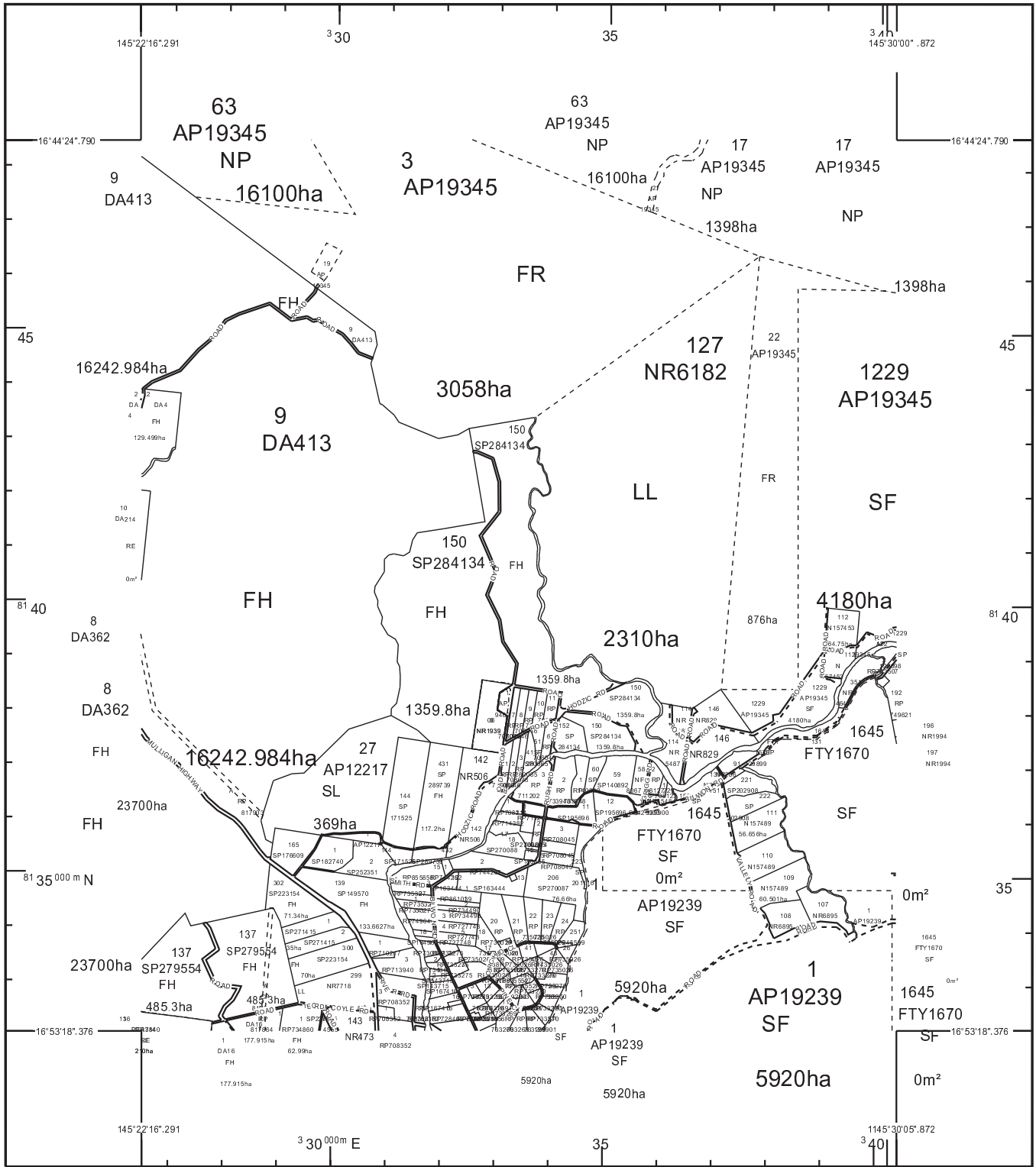
AMENDMENTS
A - ORIGINAL

SCALE : 1 : 10000 (A3 Sheet)

1Km

500m

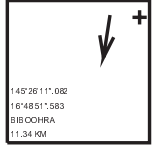
0m



STANDARD MAP NUMBER
7964-21311



MAP WINDOW POSITION & NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	150/SP284134
Lot/Plan	1359.8ha
Area/Volume	FREEHOLD
Tenure	MAREEBA SHIRE
Local Government	BIB OOHRA
Locality	21007/16
Segment/Parcel	

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 07/10/2017

DCDB 05/10/2017 (Lots with an area less than 4.000ha are not shown)

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For further information on SmartMap products visit <http://nrw.qld.gov.au/property/mapping/blinmap>



An External Product of SmartMap Information Services
Based upon an extraction from the Digital Cadastral Data Base



Queensland Government

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Mareeba SHIRE COUNCIL

65 Rankin Street
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W: www.msc.qld.gov.au
E: info@msc.qld.gov.au

Council Ref: PreEnq/17/0027

Our Ref: BM:nj

5 July 2017

S Morrow
C/- Twine Surveys Pty Ltd
PO Box 146
ATHERTON QLD 4883

Dear Madam,

***NOTICE OF DECISION - REQUEST FOR APPLICATION OF SUPERSEDED PLANNING SCHEME
RECONFIGURING A LOT - SUBDIVISION (1 INTO 4 LOTS)
LOT 150 ON SP284134
SITUATED AT 764 HODZIC ROAD, BIBOOHRA***

I refer to your request dated 30 June 2017 for the application of the now superseded Mareeba Shire Planning Scheme 2004 (Amendment No. 01/11) for the assessment of a future application for reconfiguring a lot - subdivision (1 into 4 Lots) over the abovementioned property.

In accordance with section 97 of the *Sustainable Planning Act 2009* (SPA) I wish to confirm that on 5 July 2017, Council, under delegated authority, has approved your request. A code assessable development application is required to be submitted to Council for assessment for the proposed subdivision.

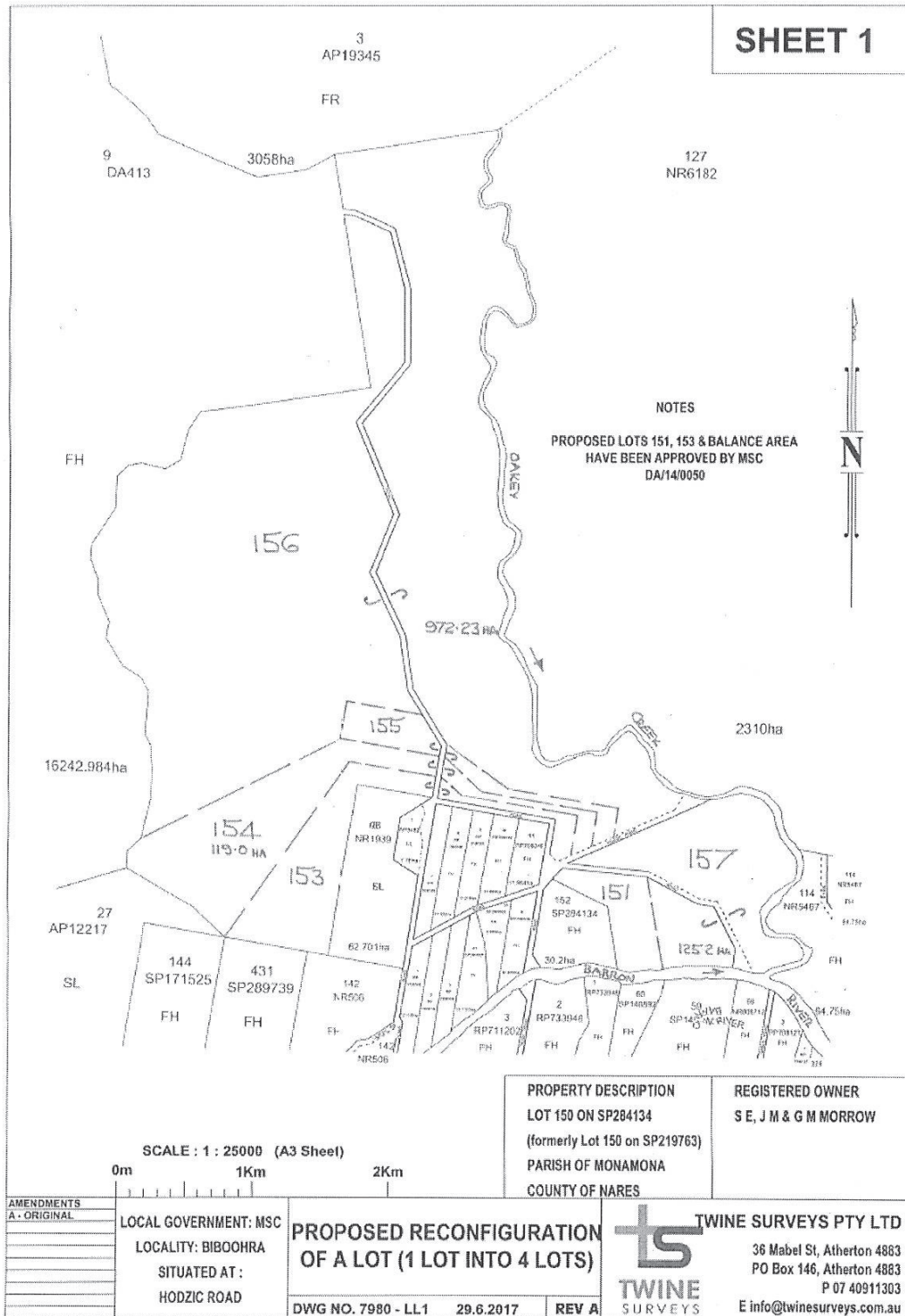
The plan of development for which this approval applies is limited to that which is shown on the attached plan (**Attachment 1**) and does not constitute an approval of the application of the superseded planning scheme for any other form or scale of development on the property. Furthermore, this approval is subject to the statutory timeframes included in sections 98, 99 and 100 of the SPA.

Should you require any further information, please contact Council's **Senior Planner, Brian Millard** on the above telephone number.

Yours faithfully

**BRIAN MILLARD
SENIOR PLANNER**

Attachment: 1. Proposed Plan of Development



5 September 2017

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

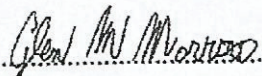
Dear Sir,

**RE: APPLICATION FOR A RECONFIGURATION OF A LOT (1 LOT INTO 4 LOTS)
LOT 150 ON SP284134
SITUATED AT 764 HODZIC ROAD, BIBOOHRA**

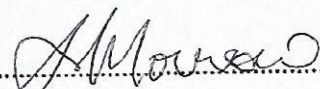
Under Section 51 of the *Planning Act, 2016* it is mandatory for the owner of the land to which a Development Application relates to consent to the making of the Application.

We, GLEN MICHAEL MORROW, SUSAN ELIZABETH MORROW & JULIE MARIE MORROW, as the registered owners of 764 Hodzic Road, Biboohra and more particularly described as Lot 150 on SP 284134, authorise Freshwater Planning Pty Ltd to lodge a Town Planning Application for a reconfiguration of a lot (1 lot into 4 lots) with Mareeba Shire Council on our behalf.

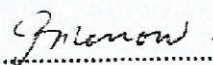
GLEN MICHAEL MORROW


.....
05.09.17

SUSAN ELIZABETH MORROW


.....
.09.17

JULIE MARIE MORROW


.....
.09.17

DA Form 1 – Development application details

Approved form (version 1.0 effective 3 July 2017) 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**, 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>	SE, JM and GM Morrow
Contact name <i>(only applicable for companies)</i>	
Postal address <i>(P.O. Box or street address)</i>	C/- Freshwater Planning Pty Ltd 17 Barron View Drive
Suburb	Freshwater
State	Queensland
Postcode	4870
Country	Australia
Contact number	0402 729 004
Email address <i>(non-mandatory)</i>	FreshwaterPlanning@outlook.com
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	F17/32

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
		764	Hodzic Road	Biboohra
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	150	SP284134	Mareeba Shire Council
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:

Barron River, Oakey Creek and Unnamed Creeks

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 1 Lot into 4 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?	
1	

9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)	
<input checked="" type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input 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:
				Rural
Number of lots created				3

10.2) Will the subdivision be staged?	
<input type="checkbox"/> Yes – provide additional details below	
<input checked="" 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)
12.2) What is the reason for the boundary realignment?			

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? <i>(attach schedule if there are more than two easements)</i>				
Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? <i>(e.g. pedestrian access)</i>	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"/> Drainage work	<input type="checkbox"/> Earthworks
<input type="checkbox"/> Landscaping	<input type="checkbox"/> Signage
<input type="checkbox"/> Other – please specify:	<input type="checkbox"/> Water infrastructure
	<input type="checkbox"/> Sewage infrastructure
	<input type="checkbox"/> Clearing vegetation
14.2) Is the operational work necessary to facilitate the creation of new lots? <i>(e.g. subdivision)</i>	
<input type="checkbox"/> Yes – specify number of new lots:	
<input type="checkbox"/> No	
14.3) What is the monetary value of the proposed operational work? <i>(include GST, materials and labour)</i>	
\$	

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?
<input checked="" type="checkbox"/> Yes – a copy of the decision notice is attached to this development application
<input type="checkbox"/> Local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
<input type="checkbox"/> No

PART 5 – REFERRAL DETAILS

17) Do any aspects of the proposed development require referral for any referral requirements?
<i>Note: A development application will require referral if prescribed by the Planning Regulation 2017.</i>
<input checked="" type="checkbox"/> 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 :
<input type="checkbox"/> Clearing native vegetation
<input type="checkbox"/> Contaminated land <i>(unexploded ordnance)</i>

<input type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA have not been devolved to a local government)</i> <input type="checkbox"/> Fisheries – aquaculture <input type="checkbox"/> Fisheries – declared fish habitat area <input type="checkbox"/> Fisheries – marine plants <input type="checkbox"/> Fisheries – waterway barrier works <input type="checkbox"/> Hazardous chemical facilities <input type="checkbox"/> Queensland heritage place <i>(on or near a Queensland heritage place)</i> <input type="checkbox"/> Infrastructure – designated premises <input type="checkbox"/> Infrastructure – state transport infrastructure <input type="checkbox"/> Infrastructure – state transport corridors and future state transport corridors <input type="checkbox"/> Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels <input type="checkbox"/> Infrastructure – state-controlled roads <input type="checkbox"/> Land within Port of Brisbane's port limits <input type="checkbox"/> SEQ development area <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – community activity <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – indoor recreation <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – residential development <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – urban activity <input type="checkbox"/> Tidal works or works in a coastal management district <input type="checkbox"/> Urban design <input type="checkbox"/> Water-related development – taking or interfering with water <input type="checkbox"/> Water-related development – removing quarry material <i>(from a watercourse or lake)</i> <input type="checkbox"/> Water-related development – referable dams <input type="checkbox"/> Water-related development – construction of new levees or modification of existing levees <i>(category 2 or 3 levees only)</i> <input type="checkbox"/> Wetland protection area
Matters requiring referral to the local government:
<input type="checkbox"/> Airport land <input type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA have been devolved to local government)</i> <input type="checkbox"/> 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 <input type="checkbox"/> Strategic port land
Matters requiring referral to the relevant port operator: <input type="checkbox"/> Brisbane core port land (below high-water mark and within port limits)
Matters requiring referral to the chief executive of the relevant port authority: <input type="checkbox"/> Land within limits of another port
Matters requiring referral to the Gold Coast Waterways Authority: <input type="checkbox"/> Tidal works, or development in a coastal management district in Gold Coast waters
Matters requiring referral to the Queensland Fire and Emergency Service: <input type="checkbox"/> Tidal works, or development in a coastal management district

18) Has any referral agency provided a referral response for this development application?

- Yes – referral response(s) received and listed below are attached to this development application
 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 (if applicable).

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules

- I agree to receive an information request if determined necessary for this development application
 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:

- 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 [DA Forms Guide](#).

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 checked="" type="checkbox"/> Approval <input type="checkbox"/> Development application	DA/14/0050		Now Mareeba Shire Council
<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 – the yellow local government/private certifier's 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

Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
\$		

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 EM941) 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 “EM941” 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.justice.qld.gov.au for further information.

Clearing native vegetation

23.3) Does this development application involve **clearing native vegetation** that requires written confirmation 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 is accompanied by written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)
 No

Note: See www.qld.gov.au for further information.

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.ehp.qld.gov.au for further information.

Water resources

23.6) Does this development application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, taking overland flow water or waterway barrier works**?

- Yes – the relevant template is completed and attached to this development application
 No

Note: DA templates are available from www.dilgp.qld.gov.au.

23.7) Does this application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water** under the *Water Act 2000*?

- Yes – I acknowledge that a relevant water authorisation under the *Water Act 2000* may be required prior to

commencing development

No

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

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 and Mines at www.dnrm.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 Heritage Protection at www.ehp.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.dews.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.ehp.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.ehp.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>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

- By making this development application, I declare that all information in this development application is true and correct
- 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 *Electronic Transactions Act 2001*
- Note: It is unlawful to intentionally provide false or misleading information.*

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.

Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, *Planning Regulation 2017* and the *DA Rules* except where:

- such disclosure is in accordance with the provisions about public access to documents contained in the *Planning Act 2016* and the *Planning Regulation 2017*, and the access rules made under the *Planning Act 2016* and *Planning Regulation 2017*; or
- required by other legislation (including the *Right to Information Act 2009*); or
- otherwise required by law.

This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.

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

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	

The *Planning Act 2016*, the *Planning Regulation 2017* and the *DA Rules* are administered by the Department of Infrastructure, Local Government and Planning. This form and all other required development application materials should be sent to the assessment manager.