

Our ref: PR147640/OCK/SD/L79583

135 Abbott Street
Cairns QLD 4870
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Date: 29 July 2020

Attn: Mr Brian Millard
Chief Executive Officer
Mareeba Shire Council
PO Box 154
Mareeba QLD 4880

Dear Brian,

RE: APPLICATION FOR DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT (BOUNDARY REALIGNMENT AND SURRENDER OF AN ACCESS EMT) FOR LAND DESCRIBED AS LOTS 39 AND 40 ON SP124051, SALISBURY DRIVE, JULATTEN

RPS Australia East Pty Ltd confirms that we act on behalf of Luke Murray and Sarah Goldfinch (the 'Applicant') and 'Owner' of Lot 40 on SP124051, in respect of the preparation and lodgement of the abovementioned Development Application with the Mareeba Shire Council.

This application seeks a Development Permit for Reconfiguration of a Lot to permit a boundary re-alignment and thereby allowing Easement A on SP124051 an Access Easement burdening Lot 40 on SP124051 and benefitting Lot 39 on SP124051 to be surrendered. Pre-lodgement advice received from Council dated 23 July provides support for the boundary realignment and confirms that the application is subject to Code Assessment.

In support of this Application, please find attached the following:

- Completed DA Form 1, included as **Attachment A**;
- Owners Consent for Lot 39 on SP124051, included as **Attachment B**;
- Proposal Plan, RPS Drawing No PR140636-1, included as **Attachment C**; and
- The following details to facilitate Council's assessment of the proposal.

Please forward an invoice to enable payment of the applicable application fee of \$1,065.00. Please address the invoice to Sarah Goldfinch and email to owen.caddick-king@rpsgroup.com.au to allow us to arrange payment.

1.0 Site Information

1.1 Site Details

Key details of the subject site include:

Address: Salisbury Drive, Julatten

Real Property Description: Lot 39 on SP124051 and Lot 40 on SP124051

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Land Area: Lot 39 – 3.326 ha
Lot 40 - 3.254 ha

Land Owners: Lot 39 – Andrew Clark Lennox & Jane Carol Bloomfield
Lot 40 – Luke Murray & Sarah Elizabeth Goldfinch

Easements / Encumbrances: Yes – Easement A on SP124051 burdening Lot 40 on SP124051 and benefiting Lot 39 on SP124051

1.2 Planning Context

The planning context relation to the site includes:

Planning Scheme Zone: Rural Residential Zone

Relevant Overlays:

- Environmental Significance – Waterways Overlay (Waterway 100m buffer)
- Residential Dwelling – Alignment Amendment 2017 Overlay

1.3 Site Characteristics

Topography: Relatively flat with minor undulations

Vegetation: The majority of vegetation on Lot 40 has been historically cleared. There is some Category B vegetation located in the north west portion of the site. The balance of the site is Category X.

Lot 39 contains vegetation, however this site is not subject of any regulated vegetation mapping and is designated as Category X.

Waterways: Nil

Road Frontage Refer to Proposal Plan in **Attachment C**.

Existing Use A detached dwelling exists on each lot.

1.4 Surrounding Land Uses

There are a number of rural residential allotments located along Salisbury Drive, to south, east and west of the subject sites. Larger allotments located within the Rural Zone are located immediately to the north.

2.0 Proposed Development

The proposal development is for the Reconfiguration of a Lot to permit a boundary re-alignment and thereby allowing Easement A on SP124051, an Access Easement burdening Lot 40 on SP124051 and benefiting Lot 39 on SP124051, to be surrendered. The proposal is depicted in RPS Drawing No. PR140636-1, provided for reference as **Attachment C**.

3.0 Legislative Requirements

3.1 Planning Act 2016

This section provides an overview of the legislative context of the development application under the provisions of the *Planning Act 2016*.

3.1.1 Confirmation that development is not prohibited

The proposed development is not prohibited. This has been established by considering all relevant instruments which can provide prohibition under the *Planning Act 2016*.

3.1.2 Assessable Development

The development proposed by this application is “assessable development” pursuant to Section 43 of the *Planning Act 2016*.

3.1.3 Assessment Manager

The Assessment Manager for this development application is Mareeba Shire Council as determined by Schedule 8 of the *Planning Regulation 2017*.

3.1.4 Level of Assessment

The table below summarises the level of assessment under the provisions of Council's Planning Scheme:

Aspect of Development	Local Categorising Instrument that determines Level of Assessment	Level of Assessment
Reconfiguration of a Lot	Mareeba Shire Council Planning Scheme 2016 (v2)	Code Assessable

3.1.5 Referral Agencies

No referrals are triggered by the proposed development.

3.1.6 Public Notification

This application does not require public notification as it is subject to ‘code’ assessment.

4.0 Statutory Planning Assessment

4.1 Regional Plan

Section 2.2 of the Planning Scheme states that, “the minister has identified that the planning scheme appropriately advances the Far North Queensland Regional Plan 2009-2031, as it applies in the planning scheme areas”. Therefore, assessment against the applicable Planning Scheme provisions will address any relevant Regional Plan matters.

4.2 State Planning Policies

As outlined in Part 2 of the Planning Scheme, all aspects of the April 2016 State Planning Policy (SPP) relevant to the Mareeba Shire Council area have been integrated into Council's current Planning Scheme. The current SPP, dated July 2017, is not known to include any amendments likely to be of relevance to the reconfiguration proposal. Therefore, compliance with the relevant provisions of the Planning Scheme is understood to adequately address the assessment benchmarks stated in the SPP.

4.3 State Development Assessment Provisions

Given that no referrals are triggered by the proposed development, no State Development Assessment Provisions are applicable to the proposed reconfiguration of a lot application.

4.4 Local Authority Assessment Benchmarks

This application is to be assessed against the Mareeba Shire Council Planning Scheme 2016 (v.2). The assessment applicable under the Planning Scheme are addressed below.

4.4.1 Codes

Mareeba Shire Council Planning Scheme 2016 (v.2) codes applicable to the proposal are identified below:

- Rural Residential Zone Code;
- Environmental Significance – Waterways Overlay (Waterway 100m buffer);
- Residential Dwelling – Alignment Amendment 2017 Overlay; and
- Reconfiguring a Lot Code.

Given the nature of this application, that is simply seeking a boundary realignment to enable the surrender of an existing access easement and the pre-lodgement advice received to date, it is considered that this proposal does not require detailed assessment of the applicable Codes.

A review of the applicable Codes has been undertaken and it has been determined that the proposal complies with the relevant 'Acceptable Solution' and/or 'Performance Criteria' and is able to be approved subject to reasonable and relevant conditions.

5.0 Conclusion and Recommendations

This submission supports a development application made on behalf of Luke Murray and Sarah Goldfinch to the Mareeba Shire Council for Reconfiguration of a Lot in respect of land formally described as Lots 39 and 40 on SP124051, Salisbury Drive, Julatten.

As is evident from this report, it has been determined that the proposal complies with the relevant 'Acceptable Solution' and/or 'Performance Criteria' and is able to be approved subject to reasonable and relevant conditions.

Yours sincerely,
for RPS Australia East Pty Ltd



Owen Caddick-King

Principal Planner

owen.caddick-king@rpsgroup.com.au

enc: **Attachment A:** Completed DA Form 1
 Attachment B: Owners Consent for Lot 39 on SP124051
 Attachment C: Proposal Plan, RPS Drawing No PR140636-1

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Attachment A

Completed DA Form 1

DA Form 1 – Development application details

Approved form (version 1.2 effective 7 February 2020) 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 only 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>	Luke Murray & Sarah Goldfinch c/o RPS Australia East Pty Ltd
Contact name <i>(only applicable for companies)</i>	Owen Caddick-King – 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 1027
Email address <i>(non-mandatory)</i>	owen.caddick-king@rpsgroup.com.au
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	PR147640

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
		93	Salisbury Drive	Julatten
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4871	39	SP124051	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
			Salisbury Drive	Julatten
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4871	40	SP124051	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.

- 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 the details of these premises have been attached in a schedule to this development application
 Not required

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- In a tidal area

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

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

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

Name of airport:

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

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

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

No

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect
a) What is the type of development? (<i>tick only one box</i>)
<input type="checkbox"/> Material change of use <input checked="" type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? (<i>tick only one box</i>)
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input checked="" type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment (<i>requires public notification</i>)
d) Provide a brief description of the proposal (<i>e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots</i>):
Reconfiguration of a Lot (Boundary Realignment and Surrender of Access Emt)
e) Relevant plans <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"/> Relevant plans of the proposed development are attached to the development application
6.2) Provide details about the second development aspect
a) What is the type of development? (<i>tick only one box</i>)
<input type="checkbox"/> Material change of use <input type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? (<i>tick only one box</i>)
<input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment (<i>requires public notification</i>)
d) Provide a brief description of the proposal (<i>e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots</i>):
e) Relevant plans <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 type="checkbox"/> Relevant plans of the proposed development are attached to the development application
6.3) Additional aspects of development
<input type="checkbox"/> 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
<input checked="" type="checkbox"/> 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 <i>(include each definition in a new row)</i>	Number of dwelling units <i>(if applicable)</i>	Gross floor area (m ²) <i>(if applicable)</i>

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

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)
Lot 39 on SP124051	33260	Lot 39	35720
Lot 40 on SP124051	32540	Lot 40	30080

12.2) What is the reason for the boundary realignment?

To allow cancellation of access easement.

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
Emt A SP124051	Refer to	RPS Plan	Access Emt to be Surrendered	N/A

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: _____ | | |

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
- The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- No

PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have 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 Act 2016:**

- Clearing native vegetation
- Contaminated land (*unexploded ordnance*)
- Environmentally relevant activities (ERA) (*only if the ERA has not been devolved to a local government*)
- Fisheries – aquaculture
- Fisheries – declared fish habitat area
- Fisheries – marine plants
- Fisheries – waterway barrier works
- Hazardous chemical facilities
- Heritage places – Queensland heritage place (*on or near a Queensland heritage place*)
- Infrastructure-related referrals – designated premises
- Infrastructure-related referrals – state transport infrastructure
- Infrastructure-related referrals – State transport corridor and future State transport corridor
- Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
- Infrastructure-related referrals – near a state-controlled road intersection
- Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
- Koala habitat in SEQ region – key resource areas
- Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
- Ports – Brisbane core port land – environmentally relevant activity (ERA)
- Ports – Brisbane core port land – tidal works or work in a coastal management district
- Ports – Brisbane core port land – hazardous chemical facility
- Ports – Brisbane core port land – taking or interfering with water
- Ports – Brisbane core port land – referable dams
- Ports – Brisbane core port land – fisheries
- Ports – Land within Port of Brisbane’s port limits (*below high-water mark*)
- 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 – 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 has been devolved to local government*)

<input type="checkbox"/> Heritage places – Local heritage places
Matters requiring referral to the Chief Executive of the distribution entity or transmission entity: <input type="checkbox"/> Infrastructure-related referrals – 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"/> Infrastructure-related referrals – Oil and gas infrastructure
Matters requiring referral to the Brisbane City Council: <input type="checkbox"/> Ports – Brisbane core port land
Matters requiring referral to the Minister responsible for administering the Transport Infrastructure Act 1994: <input type="checkbox"/> Ports – Brisbane core port land (<i>where inconsistent with the Brisbane port LUP for transport reasons</i>) <input type="checkbox"/> Ports – Strategic port land
Matters requiring referral to the relevant port operator , if applicant is not port operator: <input type="checkbox"/> Ports – Land within Port of Brisbane’s port limits (<i>below high-water mark</i>)
Matters requiring referral to the Chief Executive of the relevant port authority: <input type="checkbox"/> Ports – Land within limits of another port (<i>below high-water mark</i>)
Matters requiring referral to the Gold Coast Waterways Authority: <input type="checkbox"/> Tidal works or work in a coastal management district (<i>in Gold Coast waters</i>)
Matters requiring referral to the Queensland Fire and Emergency Service: <input type="checkbox"/> Tidal works or work in a coastal management district (<i>involving a marina (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 this development application, 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: <i>By not agreeing to accept an information request I, the applicant, acknowledge:</i>
<ul style="list-style-type: none"> • <i>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</i> • <i>Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.</i>
<i>Further advice about information requests is contained in the DA Forms Guide.</i>

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)			
<input type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input checked="" type="checkbox"/> 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)		
<input type="checkbox"/> Yes – a copy of the receipted QLeave form is attached to this development application <input type="checkbox"/> 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 <input checked="" type="checkbox"/> 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 (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?
<input type="checkbox"/> Yes – show cause or enforcement notice is attached <input checked="" type="checkbox"/> No

23) Further legislative requirements			
<u>Environmentally relevant activities</u>			
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 <i>Environmental Protection Act 1994</i> ?			
<input type="checkbox"/> 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 <input checked="" type="checkbox"/> No <i>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.</i>			
Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			
<input type="checkbox"/> Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.			
<u>Hazardous chemical facilities</u>			
23.2) Is this development application for a hazardous chemical facility ?			
<input type="checkbox"/> Yes – <i>Form 69: Notification of a facility exceeding 10% of schedule 15 threshold</i> is attached to this development application <input checked="" type="checkbox"/> No <i>Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.</i>			

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 habitat in SEQ Region

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

- Yes – the development application involves premises in the koala habitat area in the koala priority area
 Yes – the development application involves premises in the koala habitat area outside the koala priority area
 No

Note: If a koala habitat area determination has been obtained for this premises and is current over the land, it should be provided as part of this development application. See koala habitat area guidance materials at www.des.qld.gov.au for further information.

Water resources

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

- Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the *Water Act 2000* may be required prior to commencing development
 No

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

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

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

Waterway barrier works

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

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

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

Marine activities

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

- Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*
 No

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

Quarry materials from a watercourse or lake

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

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

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

Quarry materials from land under tidal waters

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

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

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

Referable dams

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

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

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

Tidal work or development within a coastal management district

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

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

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

Queensland and local heritage places

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

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

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

Name of the heritage place:		Place ID:	
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Brothels

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

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

Decision under section 62 of the Transport Infrastructure Act 1994

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

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

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist	
I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17 <i>Note: See the Planning Regulation 2017 for referral requirements</i>	<input checked="" type="checkbox"/> Yes
If building work is associated with the proposed development, Parts 4 to 6 of DA Form 2 – Building work details 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 the 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 (see 21)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable

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

PART 9 – FOR COMPLETION OF THE ASSESSMENT MANAGER – 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 (dd/mm/yy)	
Date receipted form sighted by assessment manager			
Name of officer who sighted the form			

Our ref: PR147640/OCK/SD/L79583

Attachment B

Owners Consent for Lot 39 on SP124051

Individual owner's consent for making a development application under the *Planning Act 2016*

We, Andrew Clark Lennox and Jane Carol Bloomfield

as owners of the premises identified as follows:

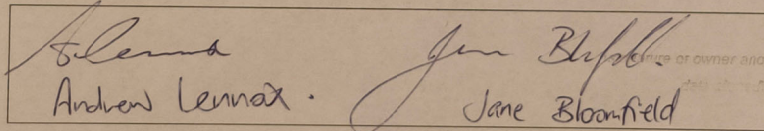
Lot 39 on SP124051

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)


Andrew Lennox · Jane Bloomfield

Our ref: PR147640/OCK/SD/L79583

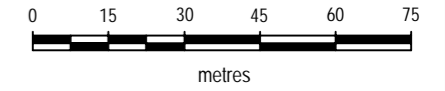
Attachment C

Proposal Plan RPS Drawing No. PR140363-1

AERIAL IMAGERY.
The aerial photography used in this plan has not been rectified. The image has been overlaid as a best fit on the boundaries shown and position is approximate only.

Date of Capture: May 2018 / August 2019

© State of Queensland



SCALE 1:1500 IS APPLICABLE ONLY TO THE ORIGINAL SHEET SIZE. (A3)

IMPORTANT NOTE

1. This plan was prepared for the sole purposes of the client for the specific purpose of accompanying an application to the Mareeba Shire Council for a reconfiguration of a lot described on this plan. This plan is strictly limited to the Purpose and does not apply directly or indirectly and will not be used for any other application, purpose, use or matter. The plan is presented without the assumption of a duty of care to any other person (other than the Client) ("Third Party") and may not be relied on by Third Party.
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 - D. RPS Australia East Pty Ltd relying on surface indicators that are incorrect or inaccurate;
 - E. the Client or any Third Party not verifying information in this plan where recommended by RPS Australia East Pty Ltd;
 - F. lodgement of this plan with any local authority against the recommendation of RPS Australia East Pty Ltd;
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5. The dimensions, area, size and location of improvements, flood information (if shown) and number of lots shown on this plan are approximate only and may vary.
6. Cadastral boundaries are obtained by title dimensions and/or digitising from existing cadastral maps. These boundaries have not been verified and are approximate only.

AMENDMENTS	PROJECT MANAGER	
	D Pinkham	
	SURVEYED	
	COMPILED	
	KJB	18/06/20
CAD REF	SHEET 1	SHEET SIZE
PR140636-1.DWG	OF	A3
	SHEETS 1	

LUKE MURRAY & SARAH GOLDFINCH
RECONFIGURATION OF A LOT
Plan of Lots 39 & 40
Cancelling Lots 39 & 40 on SP124051
Salisbury Drive, Julatten
Mareeba Shire Council

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SCALE	DATE	DRAWING NO.	ISSUE
1:1500	18/06/2020	PR140636-1	