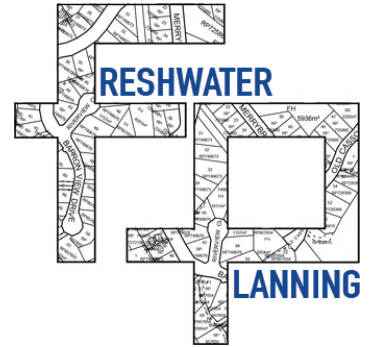


Your Ref:  
Our Ref: F20/17

20 August, 2020

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 41 ON SP188672, STANKOVICH ROAD, MUTCHILBA.**

This application is for a Reconfiguration of a Lot – 1 Lot into 4 Lot over land described as Lot 41 on SP188672, situated on Stankovich Road, Mutchilba is submitted on behalf of T, M B, K L & B STANKOVICH and S G & MV MUSUMECI.

The application comprises of Application Form, SmartMaps, Twine Surveys Pty Ltd Sketch Plan and Cadastral Overlay and this Town Planning Submission. It is understood that a Representative of the applicant will provide payment of the Application Fee over the counter.

### **The Site**

The subject land is described as Lot 41 on SP188672, Locality of Mutchilba and situated on Stankovich Road, Mutchilba. The site is owned by T, M B, K L & B STANKOVICH and S G & M V MUSUMECI who are also the applicants for the proposed Reconfiguration. The site is irregular in shape, has an area of 262 hectares, contains frontage to Stankovich Road, contains vacant vegetated land and abuts the Walsh River. The site is accessed from the existing Road Network, being Stankovich Road, and can be provided with all available and necessary services. The site is currently intersected by Easement A on SP188672 which is an Access Easement burdening the site in benefit of Lot 40 on SP188682. The site.

In relation to the current State Governmental Mapping the site is not Mapped as containing Essential Habitat, Regrowth Vegetation. The site is Mapped as containing Remnant 'least concern' Vegetation and contains and adjoins a Wetland of General Ecological Significance. 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 contains and adjoins a Mapped GES Wetland. It is understood that the proposal **does not** require Referral to the Department of Treasury as each allotment is 16.0 hectares or greater nor does the proposal provide for any Operational Works located within the Mapped GES Wetland.

The site is Mapped as containing Remnant Vegetation that is 'least concern' Regional Ecosystems. However, the proposed Reconfiguration does not result in any allotment created smaller than 25.0 hectares. It is understood that the proposal **does not** require Referral to the Department of Treasury for Vegetation Concerns.

## The Proposed Development

The proposed development is for a Reconfiguration of a Lot – 1 Lot into 4 Lots in the Rural Zone of the Mareeba Shire Planning Scheme. The site is located on Stankovich Road, Mutchilba and is more particularly described as Lot 41 on SP188672. The site is irregular in shape, has an area of 262hectares, contains frontage to Stankovich Road, contains vacant vegetated land and abuts the Walsh River. The site is accessed from the existing Road Network, being Stankovich Road, and has the ability to be provided with all available and necessary services. The site is currently intersected by Easement A on SP188672 which is an Access Easement burdening the site in benefit of Lot 40 on SP188682. No change to the nature of the existing Easement is proposed with the Reconfiguration.

A Development Permit for a Reconfiguration of 1 Lot into 4 Lots is sought to subdivide Lot 41 on SP188672 creating additional Rural Allotments within the Mutchilba surrounds. The proposed Reconfiguration will ensure that no change to the existing Rural nature and character of the site and surrounding area occurs. It is considered that the proposed development will ensure the protection of existing Uses and any future Rural Activities over the site.

The Reconfiguration of a Lot proposes four (4) Allotments described as proposed Lots 411 – 414. The proposed areas of the allotments are:

Proposed Lot 411	60.86 ha
Proposed Lot 412	67.60 ha
Proposed Lot 413	63.62 ha
Proposed Lot 414	70.14 ha.

The site gains access from the existing Road Network, being the termination of Stankovich Road. The Subdivision proposes to gain access to the existing Access Easement that intersects the site. The existing constructed road formation, within this Easement, that intersects the site is considered to be provided to an acceptable and appropriate standard for the minimal additional increase in traffic from the proposal. It is considered more appropriate to access each proposed allotment via the existing Access Easement to reduce any maintenance of this existing network for the Mareeba Shire. This considered appropriate formation will remain the responsibility of the landowners and reduce the demand on Council Maintenance Program for the minimal increase in traffic.

The site can be connected to all available and necessary services, if required. It is noted that there is limited Infrastructure located within the immediate vicinity of the site which allows for the ability for the provision of alternative servicing if any dwellings are delivered over the site. 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 Mutchilba District available as per existing or for Rural Activities now and within the future.

The site is designated within the Rural Zone of the Mareeba Shire Planning Scheme and no change to the Rural Zone is proposed with the Reconfiguration. The proposal will provide additional Allotments while maintaining the existing amenities and aesthetics of the site and surrounding Rural Allotments. The proposed allotments meet the minimum area requirements of the Mareeba Shire Planning Scheme's 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 Acceptable 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 Planning Scheme. The proposed Reconfiguration of a Lot is a Code Assessable Use within this Zone. The application is Code Assessable.

### **Far North Queensland Regional Plan 2009-2031**

Lot 41 on SP188672 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. The Repeal of the Regulatory Provisions has resulted in the Regional Plan being 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.

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 Planning Scheme nominates that a viable Rural Allotment is a minimum of 60.0 hectares for allotments within the Rural Zone. The proposed Development provides for additional Rural Allotments greater than 60.0 hectares in size and is considered acceptable and appropriate. 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.

It is additionally noted that a separate assessment against the Regional Plan is not required due to the fact that the Mareeba Shire Council's Planning Scheme appropriately advances the Far North Queensland Regional Plan 2009-2031, as it applies to the Planning Scheme area. However, the Objective of Rural Subdivisions within the FNQ Regional Plan is for '*the region's Rural Production Areas and Natural Resources are protected by limiting land fragmentation*'. The proposed development is not in conflict with this Objective as it does not further fragment the existing Regional Landscape and Rural Productions Area to unviable Rural Allotments.

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

### **Rural Zone Code**

The proposal for a Development Permit for a Reconfiguration of 1 Lot into 4 Lots is sought to subdivide Lot 41 on SP188672 creating additional Rural Allotments within the Mutchilba Environs. The proposal is envisaged not to affect the existing amenity of the immediate vicinity and surrounding environs. The proposed Reconfiguration 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. The proposal will provide additional Allotments while maintaining the existing amenities and aesthetics of the site.

Performance outcomes	Acceptable outcomes	Comments
<b>For self-assessable and assessable development</b>		
<b>Height</b>		
<b>PO1</b> Building height takes into consideration and respects the following: <ul style="list-style-type: none"> <li>(a) the height of existing buildings on adjoining premises;</li> <li>(b) the development potential, with respect to height, on adjoining premises;</li> <li>(c) the height of buildings in the vicinity of the site;</li> <li>(d) access to sunlight and daylight for the site and adjoining sites;</li> <li>(e) privacy and overlooking; and</li> <li>(f) site area and street frontage length.</li> </ul>	<b>AO1.1</b> Development, other than buildings used for rural activities, has a maximum building height of: <ul style="list-style-type: none"> <li>(a) 8.5 metres; and</li> <li>(b) 2 storeys above ground level.</li> </ul>	Not Applicable. No Buildings proposed with the development.
	<b>AO1.2</b> Buildings and structures associated with a rural activity including machinery, equipment, packing or storage buildings do not exceed 10 metres in height.	Not Applicable. No Buildings proposed with the development.
<b>Siting, where not involving a Dwelling house</b>		
Note—Where for Dwelling house, the setbacks of the Queensland Development Code apply.		
<b>PO2</b> Development is sited in a manner that considers and respects: <ul style="list-style-type: none"> <li>(a) the siting and use of adjoining premises;</li> <li>(b) access to sunlight and daylight for the site and adjoining sites;</li> <li>(c) privacy and overlooking;</li> <li>(d) air circulation and access to natural breezes;</li> <li>(e) appearance of building bulk; and</li> <li>(f) relationship with road corridors.</li> </ul>	<b>AO2.1</b> Buildings and structures include a minimum setback of: <ul style="list-style-type: none"> <li>(a) 40 metres from a frontage to a State-controlled road; and</li> <li>(b) 10 metres from a boundary to an adjoining lot.</li> </ul>	Not Applicable. No Buildings proposed with the development.
	<b>AO2.2</b> Buildings and structures, where for a Roadside stall, include a minimum setback of 0 metres from a frontage to a road that is not a State-controlled road.	Not Applicable. No Buildings proposed with the development.
	<b>AO2.3</b> Buildings and structures, except where a Roadside stall, include a minimum setback of: <ul style="list-style-type: none"> <li>(a) 10 metres from a frontage to a sealed road that is not a State-controlled road; and</li> <li>(b) 100 metres from a frontage to any other road that is not a State-controlled road;</li> </ul>	Not Applicable. No Buildings proposed with the development nor is a Roadside Stall proposed.

Performance outcomes	Acceptable outcomes	Comments
<b>Accommodation density</b>		
<p><b>PO3</b> The density of Accommodation activities:</p> <p>(a) respects the nature and density of surrounding land use;</p> <p>(b) is complementary and subordinate to the rural and natural landscape values of the area; and</p> <p>(c) is commensurate to the scale and frontage of the site.</p>	<p><b>AO3.1</b> Residential density does not exceed one dwelling house per lot.</p> <p><b>AO3.2</b> Residential density does not exceed two dwellings per lot and development is for:</p> <p>(a) a secondary dwelling; or</p> <p>(b) Caretaker's accommodation and includes building work or minor building work with a maximum gross floor area of 100m<sup>2</sup>; or</p> <p>(c) Rural worker's accommodation.</p>	<p>The proposal is for a Reconfiguration of 1 Rural Allotment into 4 Rural Allotments. The proposal will result in the ability for the provision of a future dwelling located over each allotment resulting in a density of one dwelling per allotment not exceeding two dwellings per lot.</p>
<b>For assessable development</b>		
<b>Site cover</b>		
<p><b>PO4</b> Buildings and structures occupy the site in a manner that:</p> <p>(a) makes efficient use of land;</p> <p>(b) is consistent with the bulk and scale of buildings in the surrounding area; and</p> <p>(c) appropriately balances built and natural features.</p>	<p><b>AO4</b> No acceptable outcome is provided.</p>	<p>Not Applicable. No Buildings proposed with the development.</p>
<p><b>PO5</b> Development complements and integrates with the established built character of the Rural zone, having regard to:</p> <p>(a) roof form and pitch;</p> <p>(b) eaves and awnings;</p> <p>(c) building materials, colours and textures; and</p> <p>(d) window and door size and location.</p>	<p><b>AO5</b> No acceptable outcome is provided.</p>	<p>Not Applicable. No Buildings proposed with the development.</p>
<b>Amenity</b>		
<p><b>PO6</b> Development must not detract from the amenity of the local area, having regard to:</p> <p>(a) noise;</p> <p>(b) hours of operation;</p> <p>(c) traffic;</p> <p>(d) advertising devices;</p> <p>(e) visual amenity;</p> <p>(f) privacy;</p> <p>(g) lighting;</p> <p>(h) odour; and</p> <p>(i) emissions.</p>	<p><b>AO6</b> No acceptable outcome is provided.</p>	<p>The proposal is not considered to detract from the existing amenity of the site nor the local amenity of the immediate and surrounding area. The proposal is for a Reconfiguration of 1 Rural Lot into 4 Rural Lots with the resulting additional allotments not considered to significantly detract from the local amenity in relation to noise, traffic, privacy and visual amenity. It is not considered that the proposal will detract from the amenity of the local area and is considered acceptable.</p>

Performance outcomes	Acceptable outcomes	Comments
<p><b>PO7</b> Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to:</p> <ul style="list-style-type: none"> <li>(a) noise;</li> <li>(b) hours of operation;</li> <li>(c) traffic;</li> <li>(d) advertising devices;</li> <li>(e) visual amenity;</li> <li>(f) privacy;</li> <li>(g) lighting;</li> <li>(h) odour; and</li> <li>(i) emissions.</li> </ul>	<p><b>AO7</b> No acceptable outcome is provided.</p>	<p>The proposal is considered to ameliorate against any existing negative environmental impacts as the proposal is for a Reconfiguration creating additional Rural Allotments. It is not considered that the proposal will have any significant adverse impacts nominated within the Performance Outcomes.</p>

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

#### *Bushfire Hazard Overlay Code*

The site is Mapped as containing areas of Potential Impact Buffer (100 metres) and Very High, High and Medium Potential Bushfire Intensity over the site. The proposal is for the Reconfiguration to subdivide Lot 41 on SP188672 creating additional Rural Allotments. Any future dwellings are able to be located within an area of lowest Bushfire Hazard located over that proposed allotment ensuring to be provided with appropriate setbacks and firebreaks. The proponents will ensure that maintenance and upkeep of the site will be maintained to ensure no build-up of hazardous materials and that existing or proposed firebreaks are maintained. It is not considered that the proposal will affect the Bushfire Hazard of the site as the site will ensure to remove any piling of fuel loads, contains existing firebreaks and is provided with appropriate water sources. Any appropriate water source will contain sufficient storage of water for Firefighting Supply and will be provided with the appropriate connections where required.

The proposal is for a Reconfiguration resulting in four (4) large Rural Allotments. No new buildings or structures are proposed with this Application. It is not considered that the proposed development will adversely be affected by the detrimental impacts of Bushfire on hazardous materials.

#### *Flood Hazard Overlay Code*

The site is Mapped as containing Potential Flood Hazard along the Walsh River boundary of the site as demonstrated on the Flood Hazard Overlay Mapping. The Flood Mapping is limited over the site and generally located south of the existing Access Easement. The Subdivision provides each proposed allotment with substantial areas located outside the Mapped Flood Hazard. It is considered that there is the ability for any future Dwelling House provided within each proposed allotment to be situated with appropriate Flood Immunity.

#### *Slope Overlay Code*

The site is Mapped as containing significant area of Slope in relation to the Slope Overlay Mapping. No new buildings or structures are proposed with the Reconfiguration nor is any clearing with this area is located within proposed parcels of the site. If any works are proposed over land greater than 15% a Geotechnical Report can be provided. Each proposed Rural Allotment will be provided with sufficient area outside of the Mapped Sloped Area and it is not considered in this instance that assessment against the Slope Overlay Code is applicable.

## Landscaping Code

The proposal is for a Reconfiguration of 1 Lot into 4 Lots in the Rural Zone of the Mareeba Shire Planning Scheme. It is not considered that the Landscaping Code is applicable.

## Parking and Access Code

The proposal is for a Reconfiguration of 1 Lot into 4 Lots in the Rural Zone of the Mareeba Shire Planning Scheme. It is not considered that the Parking and Access Code is applicable as no new dwellings are proposed with the development. Any future dwelling located on the proposed additional Rural Allotments can be provided with an appropriate access and parking at time of construction of that dwelling. The minimal increase of traffic is considered not to detrimentally affect the existing Road Network and Access Easement. Each proposed Rural Allotment can be provided with safe and appropriate access to the existing Access Easement that intersects the site.

## 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 Mareeba Shire Planning Scheme. The purpose of the application is sought to subdivide Lot 41 on SP188672 creating three (3) additional Rural Allotments allowing additional Rural Allotments available as per existing or for Rural Activities. No change to the Rural Zone is proposed with the Reconfiguration. The proposal will provide additional Allotments 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.

The Reconfiguration of a Lot proposes four (4) Allotments described as proposed Lots 411 – 414. The proposed areas of the allotments are:

<u>Proposed Allotments</u>	<u>Area (m<sup>2</sup>)</u>
Proposed Lot 411	60.86 ha
Proposed Lot 412	67.60 ha
Proposed Lot 413	63.62 ha
Proposed Lot 414	70.14 ha.

The minimum size within the Rural Zone is 60.0 hectares with the existing and proposed Rural Allotments containing areas greater than 60.0 hectares (the smallest being 60.86 hectares).

The site gains access from the existing Road Network, being the termination of Stankovich Road. The Subdivision proposes to gain access to the existing Access Easement that intersects the site. The existing constructed road formation, within this Easement, that intersects the site is considered to be provided to an acceptable and appropriate standard for the minimal additional increase in traffic from the proposal. It is considered more appropriate to access each proposed allotment via the existing Access Easement to reduce any maintenance of this existing network for the Mareeba Shire.

The site can be connected to all available and necessary services, if required. It is noted that there is limited Infrastructure located within the immediate vicinity of the site which allows for the ability for the provision of alternative servicing if any dwellings are delivered over the site. 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. No adverse impact to the safety, drainage, visual amenity, privacy of adjoining premises and service provisions are envisaged with the proposed Layout.

The proposed Rural Allotments meet the minimum area requirements of the 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 proposal is not in conflict with the Acceptable Solutions and where these cannot be met, the proposal can meet the Performance Outcomes of the Reconfiguration of a Lot for land in the Rural Zone. It is considered that the Performance Outcomes of the Reconfiguring a Lot Code can be met in this instance.

### **Works, Services and Infrastructure Code**

The proposal is for a Reconfiguration of 1 Lot into 4 Lots in the Rural Zone of the Mareeba Shire Planning Scheme. Each proposed allotment can be connected to all available and necessary services if required and will be delivered with an appropriate level of Stormwater disposal. Any Excavation and Filling will be limited to site preparation for any future dwelling located over that proposed Allotment or outlined within the Operational Works Permit for the proposed Reconfiguration, if required.

The site is currently intersected by Easement A on SP188672 which is an Access Easement burdening the site in benefit of Lot 40 on SP188682. No change to the nature of the existing Easement is proposed with the Reconfiguration.

It is considered that the proposed Reconfiguration complies with the Intent of the Works, Services and Infrastructure Code.

### **Conclusion**

It is considered that the proposed development being a Reconfiguration of one (1) Lot into four (4) Allotments over land described as Lot 41 on SP188672 is appropriate. In particular, the proposed development:

- Can meet the Acceptable Outcomes relating to minimum allotment size as the proposal provides for large Rural Allotments;
- Will encompass no change to the Rural nature and character of the area and the proposed Reconfiguration results in similar amenity to that within the immediate vicinity of the site and will ensure that the properties will remain to be used as per existing or for Rural Purposes;
- Can meet the Acceptable Outcomes and where the Outcomes cannot be met, meets the Performance 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 Performance Outcomes of the Code
- Is not in conflict with the applicable Overlays; and
- Meets the Objectives 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 Tabulating the Item on the Agenda or a Decision is provided. If you have any queries, please do not hesitate to contact Freshwater Planning Pty Ltd.

Yours faithfully,



**MATTHEW ANDREJIC**

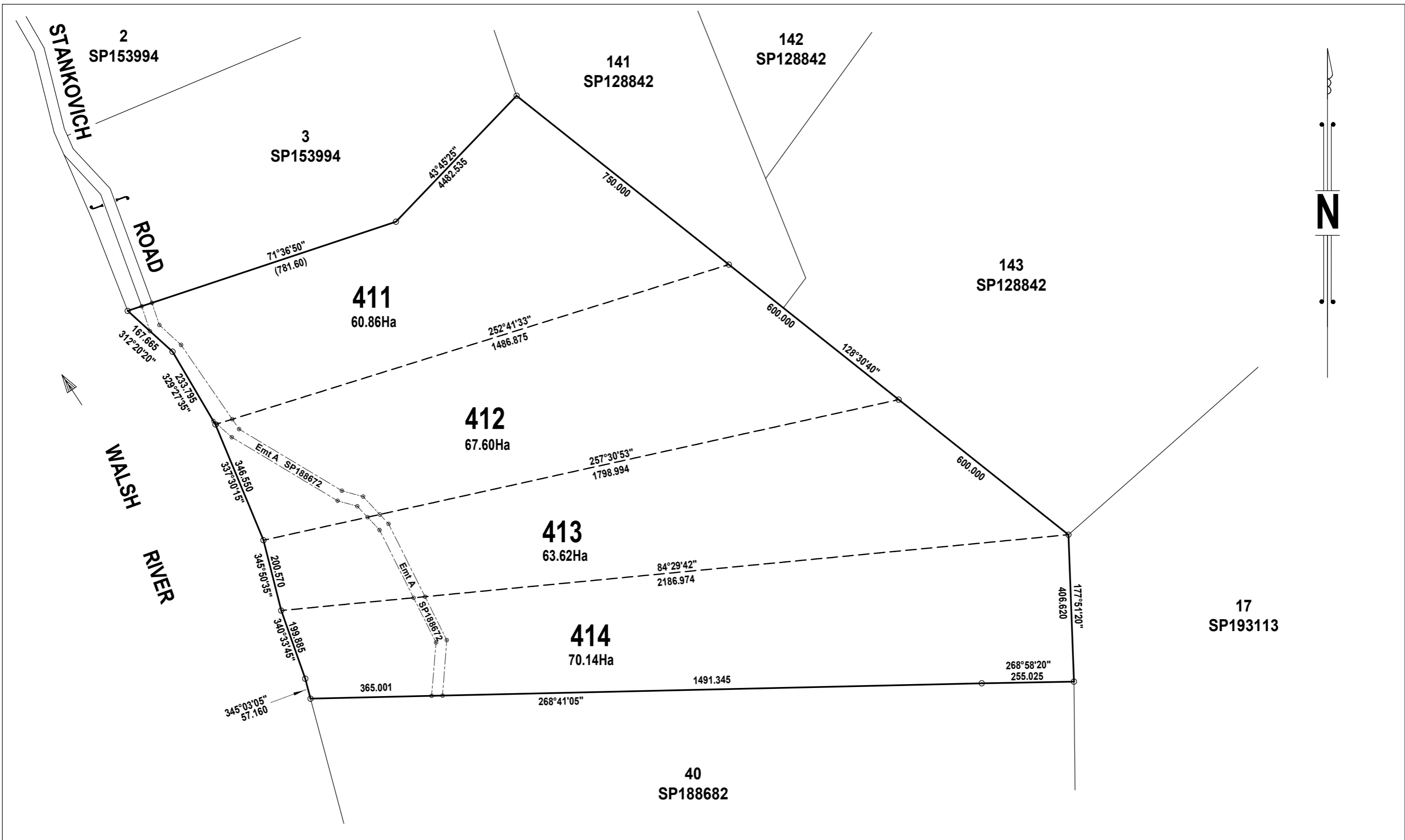
**FRESHWATER PLANNING PTY LTD**

P: 0402729004

E: FreshwaterPlanning@outlook.com

17 Barron View Drive, FRESHWATER QLD 4870





AMENDMENTS
A - ORIGINAL
B - AMEND OWNERS

**PROPERTY DESCRIPTION**  
 LOT 41 ON SP188672

**REGISTERED OWNERS**  
 B, T, M B & K L STANKOVICH  
 and S G & M V MUSUMECI


**LOCAL GOVERNMENT: MSC**  
**LOCALITY: MUTHCILBA**  
**SITUATED AT :**  
**STANKOVICH ROAD**

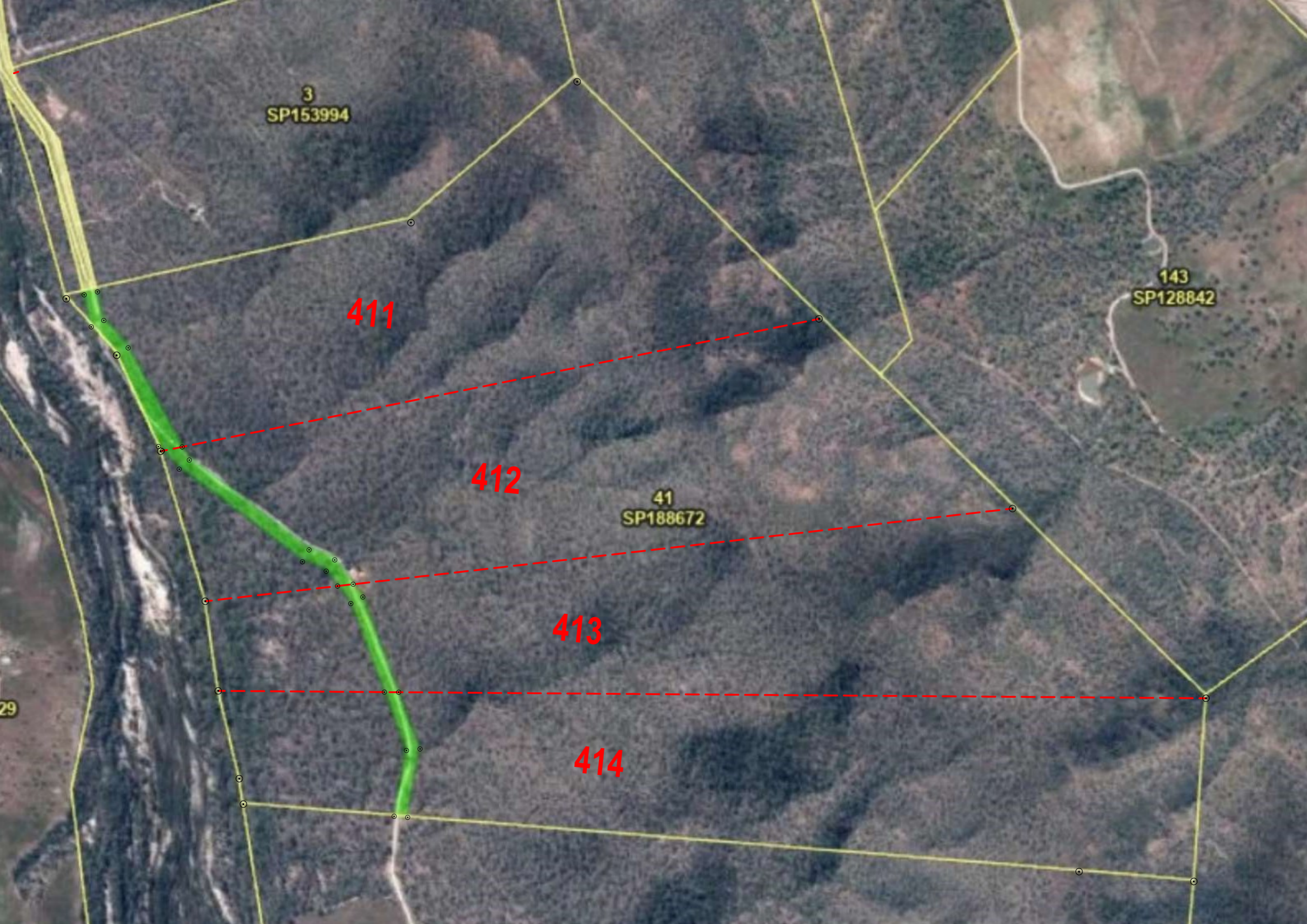
**PROPOSED RECONFIGURATION  
 OF A LOT (1 LOT INTO 4 LOTS)**

DWG NO. 8633 - LL1    20.8.2020    REV B

**TWINE SURVEYS PTY LTD**

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





3  
SP153994

143  
SP128842

41  
SP188672

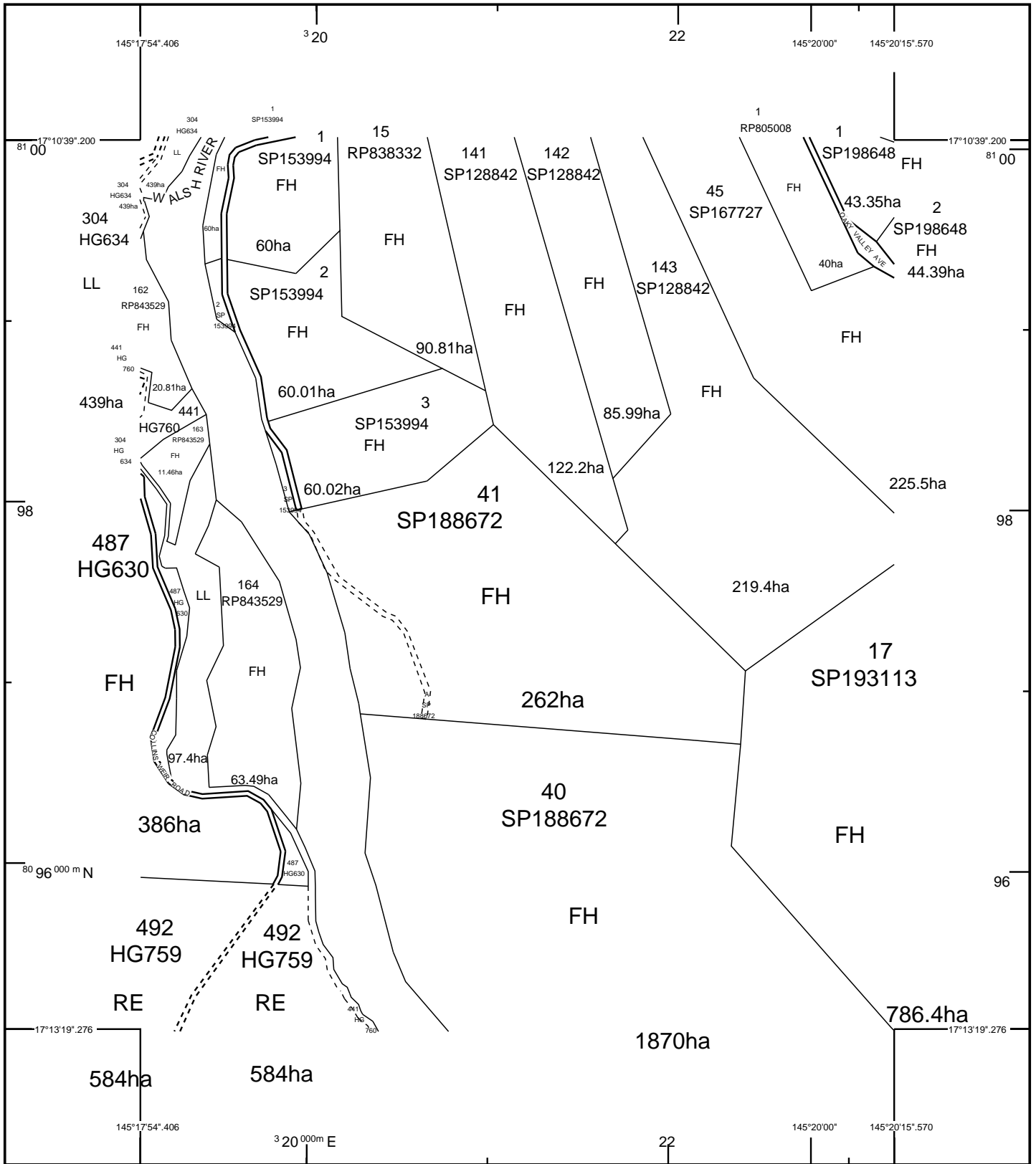
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411

412

413

414



STANDARD MAP NUMBER  
7963-13244

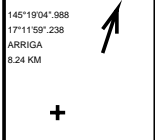


**SmartMap**

An External Product of  
SmartMap Information Services

Based upon an extraction from the  
Digital Cadastral Data Base

MAP WINDOW POSITION &  
NEAREST LOCATION



**SUBJECT PARCEL DESCRIPTION**

DCDB	
Lot/Plan	41/SP188672
Area/Volume	262ha
Tenure	FREEHOLD
Local Government	MAREEBA SHIRE
Locality	MUTCHILBA
Segment/Parcel	21367/196

**CLIENT SERVICE STANDARDS**

PRINTED (dd/mm/yyyy) 18/08/2020

DCDB 17/08/2020 (Lots with an area less than 1.000ha are not shown)

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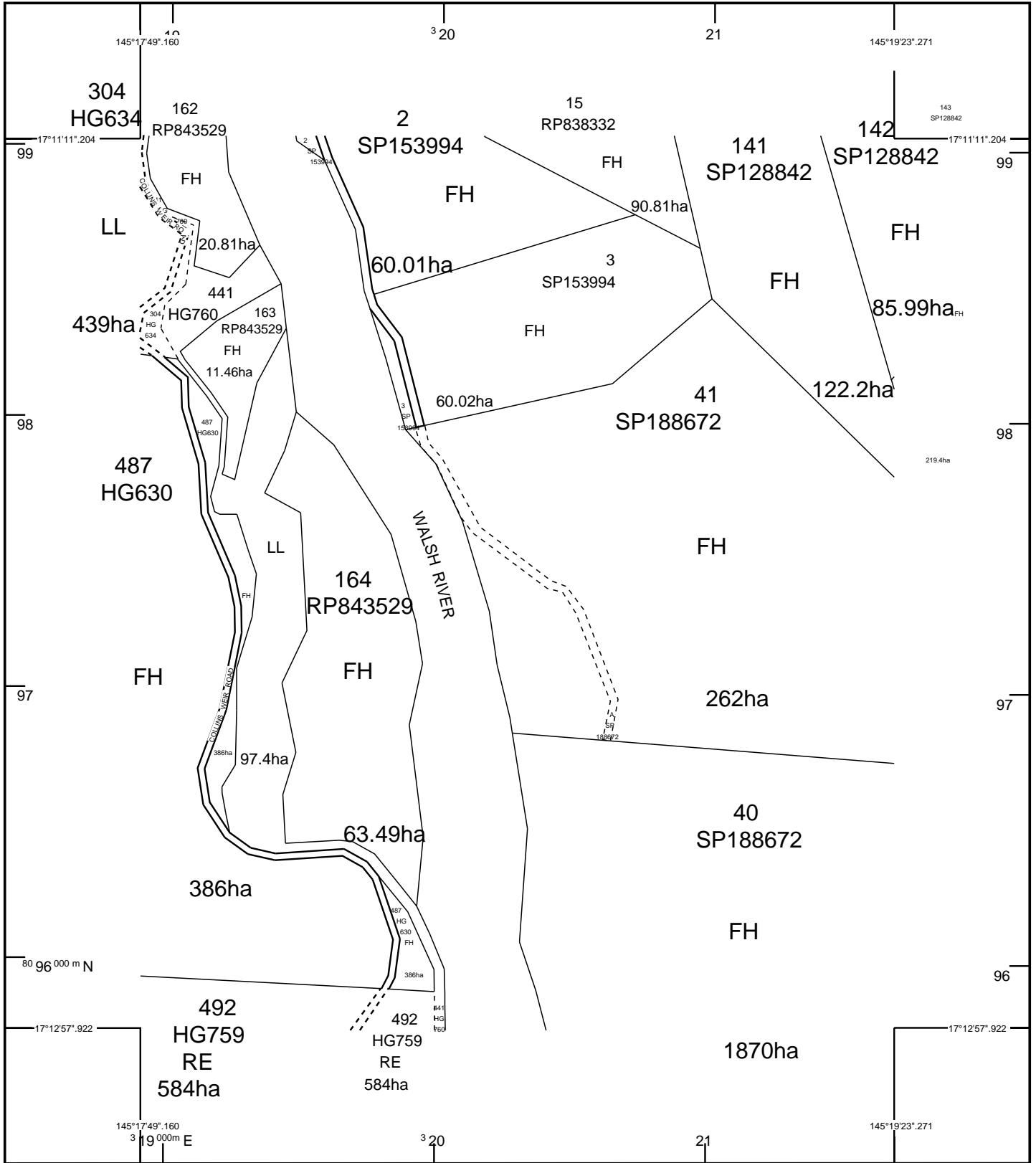
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**Queensland Government**  
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Natural Resources,  
Mines and Energy) 2020.

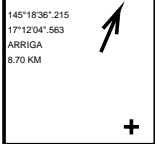




STANDARD MAP NUMBER  
7963-13311



MAP WINDOW POSITION & NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	A/SP188672
Lot/Plan	4.495ha
Area/Volume	EASEMENT
Tenure	MAREEBA SHIRE
Local Government	MUTCHILBA
Locality	21367/197
Segment/Parcel	

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 18/08/2020

DCDB 17/08/2020 (Lots with an area less than 3000m<sup>2</sup> are not shown)

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**SmartMap**

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



Queensland Government  
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# CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 34734742

Search Date: 20/08/2020 16:29

Title Reference: 50620597

Date Created: 07/08/2006

Previous Title: 50530582

## REGISTERED OWNER

Interest

Dealing No: 715637587 06/03/2014

BORIS STANKOVICH

TONKA STANKOVICH

JOINT TENANTS INTER SE

1/3

MIRKO BORIS STANKOVICH

KAREN LORRAINE STANKOVICH

JOINT TENANTS INTER SE

1/3

SALVATORE GERARD MUSUMECI

MARYJANE VANJA MUSUMECI

JOINT TENANTS INTER SE

1/3

AS TENANTS IN COMMON

## ESTATE AND LAND

Estate in Fee Simple

LOT 41

SURVEY PLAN 188672

Local Government: MAREEBA

## EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 21424030 (Lot 35 on CP HG737)
2. EASEMENT No 709769387 13/07/2006 at 13:04  
burdening the land to  
LOT 40 ON SP188672 OVER  
EASEMENT A ON SP188672
3. MORTGAGE No 717384649 14/07/2016 at 10:18  
NATIONAL AUSTRALIA BANK LIMITED A.B.N. 12 004 044 937

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

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Requested By: D-ENQ CITEC CONFIRM

19 August, 2020

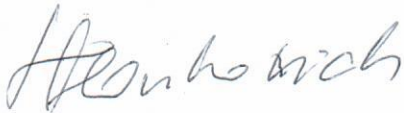
Chief Executive Officer  
Mareeba Shire Council  
PO Box 154  
**MAREEEBA QLD 4880**

Dear Sir,

**RE: APPLICATION FOR A RECONFIGURATION OF A LOT – 1 LOT INTO 4 LOTS  
LOT 41 ON SP188672, STANKOVICH ROAD, MUTCHILBA.**

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

We, TONKA STANKOVICH, MIRKO BORIS STANKOVICH, KAREN LORRAINE STANKOVICH, BORIS STANKOVICH, SALVATORE GERARD MUSUMECI and MARYJANE VANJA MUSUMECI as the registered owners of Stankovich Road, Mutchilba and more particularly described as Lot 41 on SP188672, authorise Freshwater Planning Pty Ltd to lodge a Town Planning Application on our behalf.



TONKA STANKOVICH



MIRKO BORIS STANKOVICH



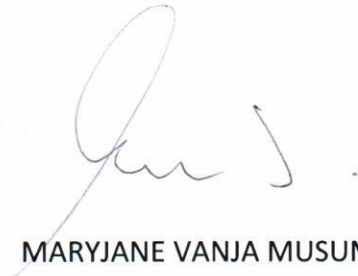
KAREN LORRAINE STANKOVICH



BORIS STANKOVICH



SALVATORE GERARD MUSUMECI



MARYJANE VANJA MUSUMECI

# 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>	T, M B, K L & B STANKOVICH and S G & MV MUSUMECI
Contact name <i>(only applicable for companies)</i>	
Postal address <i>(P.O. Box or street address)</i>	C/ Freshwater Planning Pty Ltd 17 Barronview Drive
Suburb	Freshwater
State	QLD
Postcode	4870
Country	Australia
Contact number	0402729004
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>	F20/17

### 2) Owner's consent

2.1) Is written consent of the owner required for this development application?

- Yes – the written consent of the owner(s) is attached to this development application  
 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
			Stankovich Road	Mutchilba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4872	41	SP188672	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.

- 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: Walsh River

- 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? *(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 <i>(include each definition in a new row)</i>	Number of dwelling units <i>(if applicable)</i>	Gross floor area (m <sup>2</sup> ) <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?	
1	

9.2) What is the nature of the lot reconfiguration? <i>(tick all applicable boxes)</i>	
<input checked="" type="checkbox"/> Subdivision <i>(complete 10)</i>	<input type="checkbox"/> Dividing land into parts by agreement <i>(complete 11)</i>
<input type="checkbox"/> Boundary realignment <i>(complete 12)</i>	<input 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:
				Rural
Number of lots created				4

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 <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )

**12.2) What is the reason for the boundary realignment?**

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

Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement

**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)**

<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? (include GST, materials and labour)**

\$
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**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 type="checkbox"/> Yes – a copy of the decision notice is attached to this development application
<input type="checkbox"/> The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
<input checked="" type="checkbox"/> 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 <b>Chief Executive of the distribution entity or transmission entity:</b> <input type="checkbox"/> Infrastructure-related referrals – Electricity infrastructure
Matters requiring referral to: <ul style="list-style-type: none"> <li>• The <b>Chief Executive of the holder of the licence</b>, if not an individual</li> <li>• The <b>holder of the licence</b>, if the holder of the licence is an individual</li> </ul> <input type="checkbox"/> Infrastructure-related referrals – Oil and gas infrastructure
Matters requiring referral to the <b>Brisbane City Council:</b> <input type="checkbox"/> Ports – Brisbane core port land
Matters requiring referral to the <b>Minister responsible for administering the Transport Infrastructure Act 1994:</b> <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 <b>relevant port operator</b> , 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 <b>Chief Executive of the relevant port authority:</b> <input type="checkbox"/> Ports – Land within limits of another port ( <i>below high-water mark</i> )
Matters requiring referral to the <b>Gold Coast Waterways Authority:</b> <input type="checkbox"/> Tidal works or work in a coastal management district ( <i>in Gold Coast waters</i> )
Matters requiring referral to the <b>Queensland Fire and Emergency Service:</b> <input type="checkbox"/> Tidal works or work in a coastal management district ( <i>involving a marina (more than six vessel berths)</i> )

<b>18) Has any referral agency provided a referral response for this development application?</b>		
<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

<b>19) Information request under Part 3 of the DA Rules</b>
<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
<b>Note:</b> <i>By not agreeing to accept an information request I, the applicant, acknowledge:</i>
<ul style="list-style-type: none"> <li>• <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></li> <li>• <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></li> </ul>
<i>Further advice about information requests is contained in the <a href="#">DA Forms Guide</a>.</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			
<b>Environmentally relevant activities</b>			
23.1) Is this development application also taken to be an application for an environmental authority for an <b>Environmentally Relevant Activity (ERA)</b> 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 <a href="http://www.qld.gov.au">www.qld.gov.au</a>. An ERA requires an environmental authority to operate. See <a href="http://www.business.qld.gov.au">www.business.qld.gov.au</a> 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.			
<b>Hazardous chemical facilities</b>			
23.2) Is this development application for a <b>hazardous chemical facility</b> ?			
<input type="checkbox"/> Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application <input checked="" type="checkbox"/> No <i>Note: See <a href="http://www.business.qld.gov.au">www.business.qld.gov.au</a> 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](http://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](http://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](http://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](http://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](http://www.dnrme.qld.gov.au) and [www.business.qld.gov.au](http://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](http://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](http://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](http://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](http://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 <a href="#">DA Form 2 – Building work details</a> 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 <a href="#">DA Forms Guide: Planning Report Template</a>.</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 <a href="#">DA Forms Guide: Relevant plans</a>.</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><b>Privacy</b> – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.</p> <p>Personal information will not be disclosed for a purpose unrelated to the <i>Planning Act 2016</i>, <i>Planning Regulation 2017</i> and the <i>DA Rules</i> except where:</p> <ul style="list-style-type: none"> <li>• such disclosure is in accordance with the provisions about public access to documents contained in the <i>Planning Act 2016</i> and the <i>Planning Regulation 2017</i>, and the access rules made under the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i>; or</li> <li>• required by other legislation (including the <i>Right to Information Act 2009</i>); or</li> <li>• otherwise required by law.</li> </ul> <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**

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Date received:  Reference number(s):

Notification of engagement of alternative assessment manager	
Prescribed assessment manager	
Name of chosen assessment manager	
Date chosen assessment manager engaged	
Contact number of chosen assessment manager	
Relevant licence number(s) of chosen assessment manager	

QLeave notification and payment			
<i>Note: For completion by assessment manager if applicable</i>			
Description of the work			
QLeave project number			
Amount paid (\$)		Date paid (dd/mm/yy)	
Date receipted form sighted by assessment manager			
Name of officer who sighted the form			