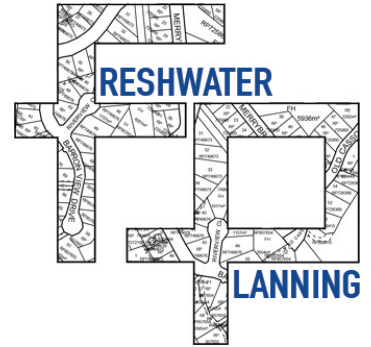


Your Ref:  
Our Ref: F21/29

19 November, 2021

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 – BOUNDARY REALIGNMENT AND ACCESS EASEMENT. LOTS 1 AND 2 ON RP745859, 1506 MAREEBA DIMBULAH ROAD, ARRIGA.**

This application is for a Reconfiguration of a Lot – Boundary Realignment and Access Easement over land described as Lots 1 and 2 on RP745859, situated at 1506 Mareeba Dimbulah Road, Arriga.

The application comprises of Application Forms, SmartMaps, Twine Surveys Sketch Plan and this Town Planning Submission. It is understood that the proponent will provide payment of the Application Fee with the Mareeba Shire Council.

### The Site

The subject land is described as Lot 1 and 2 on RP745859 and is situated at 1506 Mareeba Dimbulah Road, Arriga. The site is owned by Remo Giuseppe and Berniece Terranova who are also the applicants for the proposed Reconfiguration. The site is FreeHold, comprises of two allotments, is irregular in shape, has an area of 77.312 hectares, contains frontage to the Mareeba Dimbulah Road, and encompasses an existing dwelling and associated structures, Rural Activities and Extractive Industries.

The site is accessed from the Mareeba Dimbulah Road via an existing crossover with the proposed Reconfiguration providing an Access Easement. The site is provided with all available services, being reticulated Electricity and Telecommunications and is provided with the necessary services of a domestic Water Supply and an effective Effluent Disposal System with no changes to the existing infrastructure proposed. The site contains an existing easement, being Easement A on RP720523, which is understood to be for Irrigation/Water Infrastructure for SunWater. No change to the existing Easement is proposed with the Reconfiguration.

In relation to the current State Governmental Mapping the site is Mapped as containing Remnant Vegetation and is Not Mapped as containing a Referable Wetland. The site is additionally located within 25 metres of a State Controlled Road being, Mareeba Dimbulah Road and is not located within 25 metres of a Railway Corridor.

## Referral Agencies

The site is located within 25 metres of a State Controlled Road, being Mareeba Dimbulah Road. The proposal is for a Boundary Realignment and does not create any additional allotment nor any additional allotment fronting the Mareeba Dimbulah Road. However, the proposal provides for an Access Easement fronting Mareeba Dimbulah Road formalising the existing arrangement. The proposal may require Referral to the Department of State Development, Manufacturing, Infrastructure, Local Government and Planning for Transport and Main Roads concerns.

The site is Mapped as containing Remnant 'least concerns' Vegetation towards the rear section of the site. However, the site contains an Approval for Extractive Industries which is currently being acted upon which allows for the removal of the Mapped Remnant Vegetation for Extraction Purposes. The proposed boundary follows an existing Fenceline that is significantly cleared of Vegetation (generally greater than 40 metres) despite the Governmental Mapping. Images below demonstrate the existing Fenceline and lack of Remnant Vegetation. Given the existing and active Approval over the site and the existing significantly cleared Fenceline, the proposal does not result in the creation of any new exemptions as the proposed new boundaries do not affect the actual Remnant Vegetation and the proposed allotment that encompasses the balance of the Remnant Vegetation contains an existing Approval for Extractive Industries and existing exemptions. No clearing of the Mapped Remnant Vegetation is proposed and no additional or new exemptions are created with the proposed Reconfiguration, therefore it is considered that the Development Application **does not** require Referral to the Department of State Development, Manufacturing, Local Government, Infrastructure and Planning for Vegetation Purposes.



The proposed development is for a Boundary Realignment between two allotments in the Rural Zone within the Mareeba Shire Planning Scheme. The site is located at 1506 Mareeba Dimbulah Road, Arriga and is more particularly described as Lot 1 and 2 on RP745859. A Development Permit for a Boundary Realignment is sought to realign the common boundaries to separate the Rural Activities from the Extractive Industries Activities whilst removing an existing non-viable Rural Allotment. No change to the existing Rural Activities provided over the site are envisaged, and the Reconfiguration is considered to result in a more appropriate layout while ensuring that the existing nature, character and amenity of the immediate and surrounding environs is protected.

The existing areas of the allotments are:

Lot 1 on RP745859  
Lot 2 on RP745859

2.507 hectares  
74.805 hectares.

The Boundary Realignment proposes new allotments, described as Lots 11 and 12. The proposed areas of these allotments are:

Proposed Lot 11	31.87 hectares
Proposed Lot 12	45.44 hectares.

The site contains an existing dwelling, associated structures, Rural Activities and Extractive Industries with the proposal not changing any of the improvements, services or Activities over the site. The proposed Realignment of the common boundaries will ensure that no significant change to the existing Rural nature of the site and surrounding area is envisaged while providing a more appropriate configuration. The site gains access via the existing crossover with the proposal providing an Access Easement to formalise the existing arrangement. The site contains an existing easement, being Easement A on RP720523 which is understood to be for Irrigation/Water Infrastructure for SunWater. No change to the existing Easement is proposed with the Reconfiguration.

Existing Lot 1 and proposed Rural Allotments 11 and 12 do not meet the minimum allotment size within the Mareeba Shire Council's Planning Scheme's Reconfiguration of a Lot Code for allotments in the Rural Zone. However, the proposed Boundary Realignment results in the separates the existing Activities, removing a non-viable Rural Allotment without affecting any existing cultivated land. The Boundary Realignment will ensure that Rural or existing Activities can be provided over the site now and within the future. No additional fragmentation of the Rural Land is provided as no additional allotment is created and it is not considered that the proposed Boundary Realignment will be detrimental to the adjacent sites or adversely impact on the surrounding area. It is considered that the Objectives and Performance Outcomes of 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 Council's Planning Scheme. It is understood that the Boundary Realignment is an Impact Assessable Use within the Rural Zone. The Application is understood to be Impact Assessable.

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

Lot 1 and 2 on RP745859 are 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.*

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

The proposed Boundary Realignment does not reduce any cultivated area within the Regional Landscape and Rural Production Area, instead separates the existing Uses over the site while removing a smaller non-viable Rural Allotment. The proposal does not fragment the existing Regional Landscape and Rural Production Area and provides for similar areas to those existing allotments and allotments within the immediate and surrounding vicinity.

This proposal results in the provision of a more practical resolution to the owner's circumstances separating the existing Uses and ensuring no significant affects to the existing Activities. The Realignment does not result in additional fragmentation of the Rural Production Area providing similar sizes to that of the immediate and surrounding vicinity while not affecting the Rural Activities or Environmental Outcomes of the site nor within the surrounding environs.

It is additionally noted that a separate assessment against the Regional Plan is not required due to the fact that the Mareeba Shire Council 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.

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 site is located within the Rural Zone of the Mareeba Shire Council's Planning Scheme. The proposal is for a Boundary Realignment and Access Easement and will not significantly affect the existing and Rural Activities over the site. The proposal resolves the Land Tenure Issues by separating the existing Uses over the site and removing the small non-viable Rural Allotment. No change to the existing Rural Activities is envisaged with the proposal and no change to the existing Rural nature, character or amenity is proposed as the proposal formalises the existing Uses without removing any significantly productive lands from the existing Rural Activities.

It is considered that no change to the Rural nature of the area is envisaged from the proposed Realignment. The proposed Reconfiguration will maintain the existing Rural amenity, nature and functioning of the site and surrounds area and is acceptable. The proposal is not in conflict with the Purposes and Outcomes of the Rural Zone.

### *Airports Environs Overlay Code*

The site is located within of the 8km – 13km Bird and Bat Zone of the Bird and Bat Strike Zones and outside the 6km Light Intensity – Mareeba Overlay Mapping. The site is also just located within the 1.5 km Buffer Area of Interest for the Hahn Tableland. No new buildings or structures are proposed with the Reconfiguration nor is a waste disposal site proposed. The proposal is not considered to contribute to the potentially serious hazard from wildlife (bird or bat) strike and will ensure that potential food and waste sources are covered and collected so that they are not accessible to wildlife. It is considered that the Airports Environs Overlay Code is Not Applicable to the proposed Boundary Realignment as the proposed Realignment will not affect the Bird and Bat Strike Zone.

### *Bushfire Hazard Overlay Code*

The site is Mapped as containing areas of Potential Impact Buffer (100 metres) and Medium Bushfire Hazard over the site, in particularly in the vegetated areas along the rear of the site. The proposal is for a Boundary Realignment and no additional allotment is proposed. No change to the existing Dwelling Houses and structures are provided over the site which contain the Bushfire Overlay Mapping. No new buildings or structures are proposed with the Reconfiguration and the site already contains existing structures. Any future structures are able to be provided with appropriate setbacks and firebreaks if located within the Mapped Hazard. 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 property 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.

### *Extractive Resources Overlay Code*

The site is Mapped as containing areas of Extractive Resources Overlay over the site. It is understood that the site contains an Extractive Resources Industry for the removal of Sand. No change to the existing Extractive Uses or any future Extractive Resources Uses are envisaged with the Boundary Realignment and Access Easement. The proposal is for a Boundary Realignment that separates the existing Rural Activities from the Extractive Resources Activities. It is not considered that the proposed Realignment is in conflict with the Purposes and Intent of the Extractive Resources Overlay, instead ensures the protection of Extractive Industries over the site.

### **Reconfiguration of a Lot Code**

The proposed development is for a Boundary Realignment and Access Easement between two allotments in the Rural Zone of the Mareeba Shire Council's Planning Scheme. A Development Permit for a Boundary Realignment is sought to realign the common boundaries to separate the Rural Activities from the Extractive Industries Activities whilst removing an existing non-viable Rural Allotment. No change to the existing Rural Activities provided over the site are envisaged, and the Reconfiguration is considered to result in a more appropriate layout while ensuring that the existing nature, character and amenity of the immediate and surrounding environs is protected.

The minimum lot size in the Rural Zone is 60.0 hectares requiring a minimum frontage of 400 metres. Existing Lot 1 and 2 on RP745859 have an area of 77.312 hectares. The existing and proposed Lots, areas are as follows:

The existing areas of the allotments are:

Lot 1 on RP745859	2.507 hectares
Lot 2 on RP745859	74.805 hectares.

The Boundary Realignment proposes new allotments, described as Lots 11 and 12. The proposed areas of these allotments are:

Proposed Lot 11	31.87 hectares
Proposed Lot 12	45.44 hectares.

The site gains access via an existing crossover with no change to the existing access proposed with the Reconfiguration other than the formalisation of the existing arrangement by the provision of an Access Easement. The proposal provides for a battle-axe allotment with a width of 8.0 metres encompassing the proposed Access Easement. It is considered that the proposal provides each allotment with the safe and practical access to the existing Road Network, being the Mareeba Dimbulah Road. The site contains an existing dwelling, associated structures, Rural Activities and Extractive Industries with the proposal not changing any of the improvements or services over the site. The proposed Realignment of the common boundaries will ensure that no change to the existing Rural nature of the site and surrounding area is envisaged while formalising the existing.

Existing Lot 1 and proposed Rural Allotments 11 and 12 do not meet the minimum allotment size within the Mareeba Shire Council's Planning Scheme's Reconfiguration of a Lot Code for allotments in the Rural Zone. However, the proposed Boundary Realignment results in the separates the existing Activities, removing a non-viable Rural Allotment without affecting any existing cultivated land. The Boundary Realignment will ensure that the existing Rural Activities can be provided over the site now and within the future. No additional fragmentation of the Rural Land is provided as no additional allotment is created and it is not considered that the proposed Boundary Realignment will be detrimental to the adjacent sites or adversely impact on the surrounding area. It is considered that the Objectives and Performance Outcomes of the Reconfiguring a Lot Code can be met in this instance.

## Conclusion

It is considered that the proposed development being a Reconfiguration of a Lot – Boundary Realignment and Access Easement over land described as Lot 1 and 2 on RP745859 is appropriate. In particular, the proposed development:

- ✚ Can meet the Performance Outcomes relating to minimum allotment size and dimension as the proposal provides a more appropriate configuration separating the Rural Activities from the Extractive Industries Activities whilst removing an existing non-viable Rural Allotment;
- ✚ No change to the existing Rural nature or character of the area is envisaged, and the Realignment will ensure that the Realigned Allotments will remain to be used for Rural Uses or as Existing;
- ✚ Can meet the Performance Outcomes, Purposes and the Intent of the Reconfiguring a Lot Code for land included in the Rural Zone;
- ✚ Ensures that the existing Rural Activities are maintained without further fragmenting the site nor reducing the existing productive lands;
- ✚ Can meet the Intent and Objectives for the Rural Zone; and
- ✚ Meets the Objectives of the Land Use Policies and is not in conflict with the Intent in relation to Reconfiguration within the Regional Landscape and Rural Production Area Designation of the FNQ Regional Plan 2009-2031.

Freshwater Planning Pty Ltd request that Council provide a copy of the Draft Conditions/Recommendation 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,



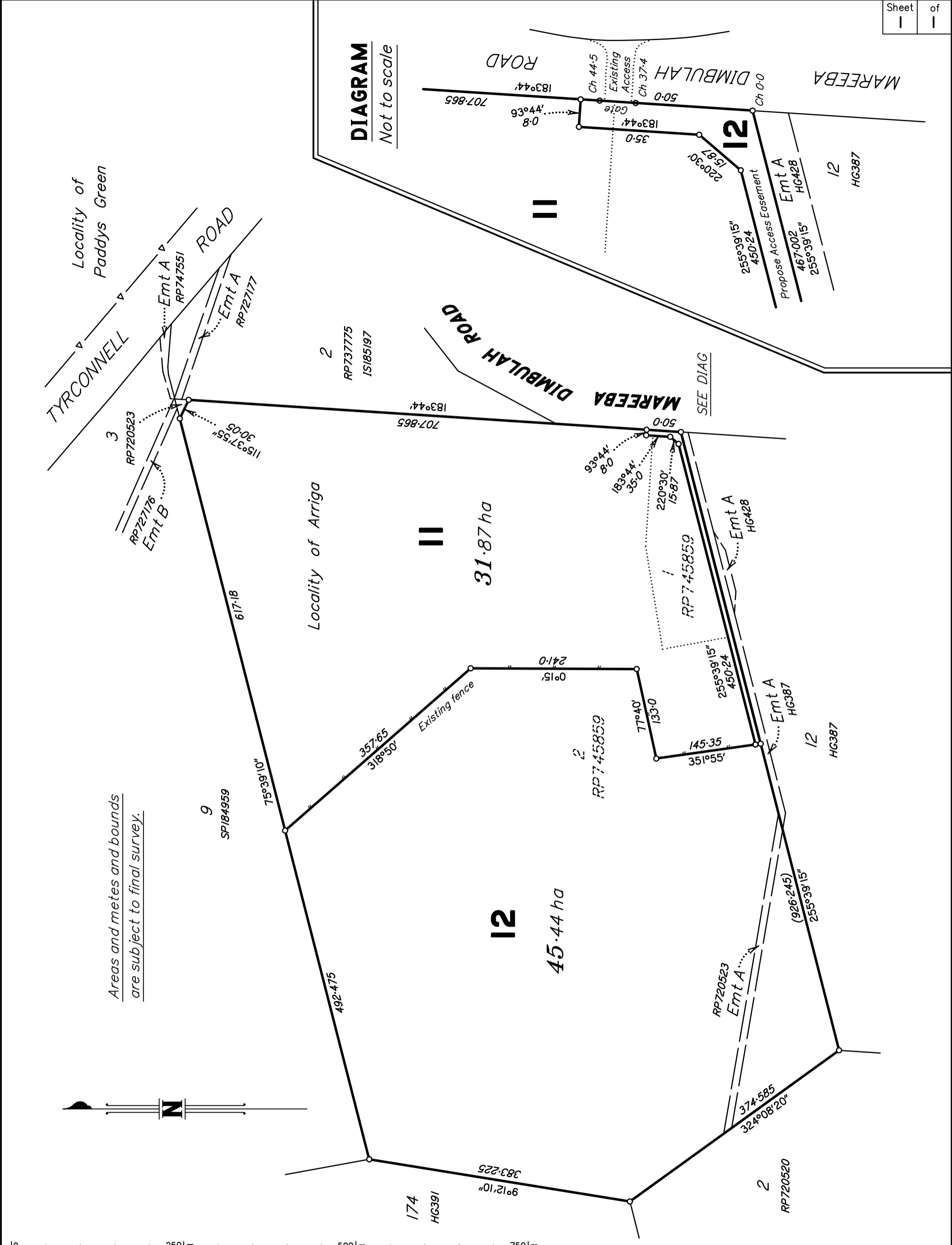
**MATTHEW ANDREJIC**

**FRESHWATER PLANNING PTY LTD**

P: 0402729004

E: [FreshwaterPlanning@outlook.com](mailto:FreshwaterPlanning@outlook.com)

17 Barron View Drive, FRESHWATER QLD 4870

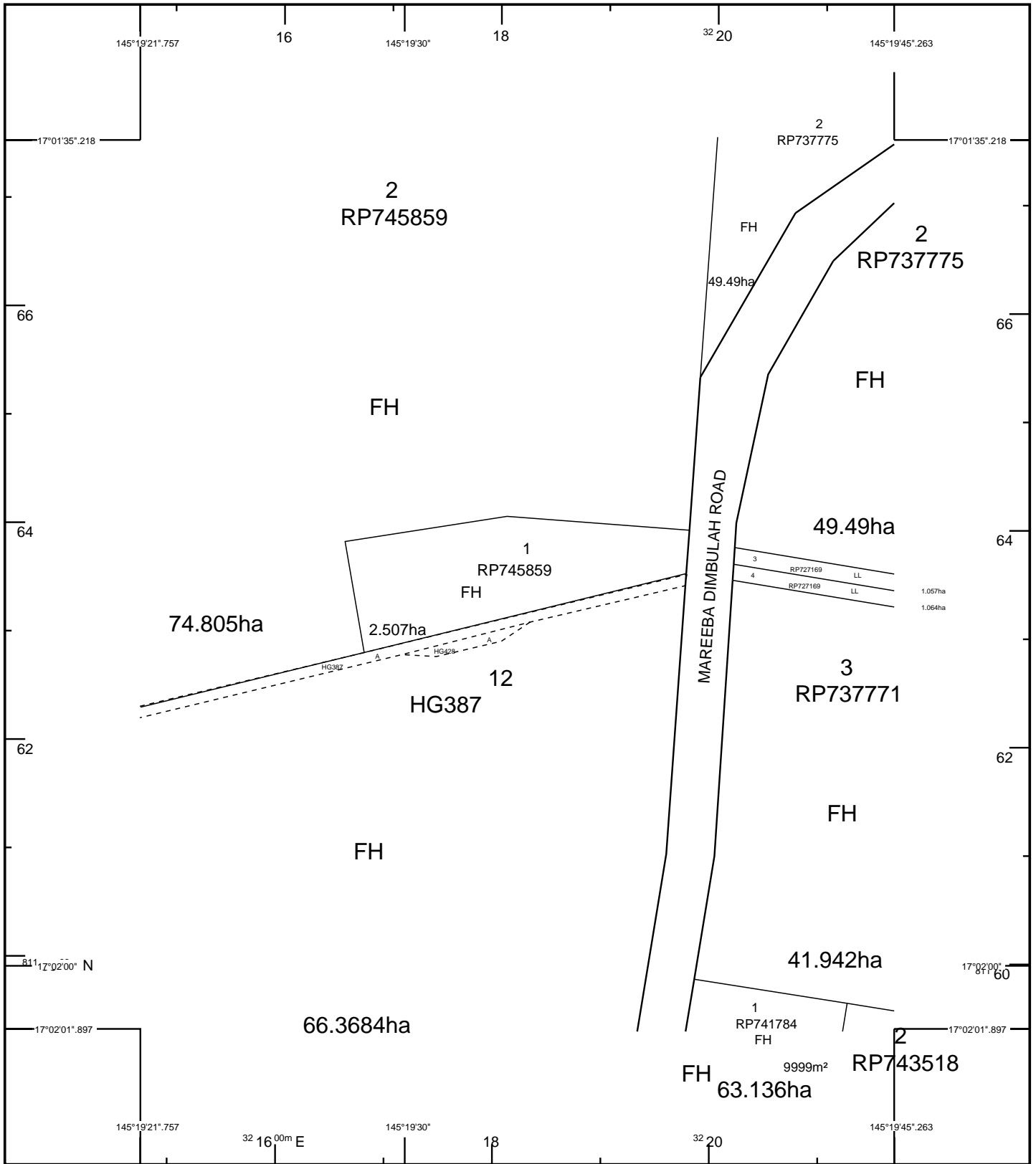


LOCAL GOVERNMENT: MSC  
 LOCALITY: Arriga  
 Scale 1: 5000 (A3)  
 Reference: 8555 Rev B  
 Lot Layout – 11.11.2021

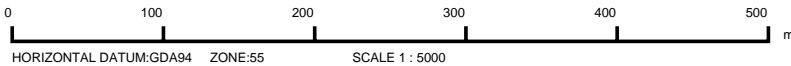
**DEVELOPMENT PLAN**  
 Plan of Lots 11 & 12  
 Cancelling Lot 1 & 2 on RP745859



TWINE SURVEYS PTY LTD  
 36 Mabel Street, Atherton QLD 4883  
 PO Box 146, Atherton QLD 4883  
 P: 07 4091 1303  
 E: info@twinesurveys.com.au



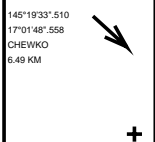
STANDARD MAP NUMBER  
7963-14143



**SmartMap**

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SmartMap Information Services  
Based upon an extraction from the  
Digital Cadastral Data Base

MAP WINDOW POSITION &  
NEAREST LOCATION



**SUBJECT PARCEL DESCRIPTION**

DCDB	
Lot/Plan	1/RP745859
Area/Volume	2.507ha
Tenure	FREEHOLD
Local Government	MAREEBA SHIRE
Locality	ARRIGA
Segment/Parcel	21387/32

**CLIENT SERVICE STANDARDS**

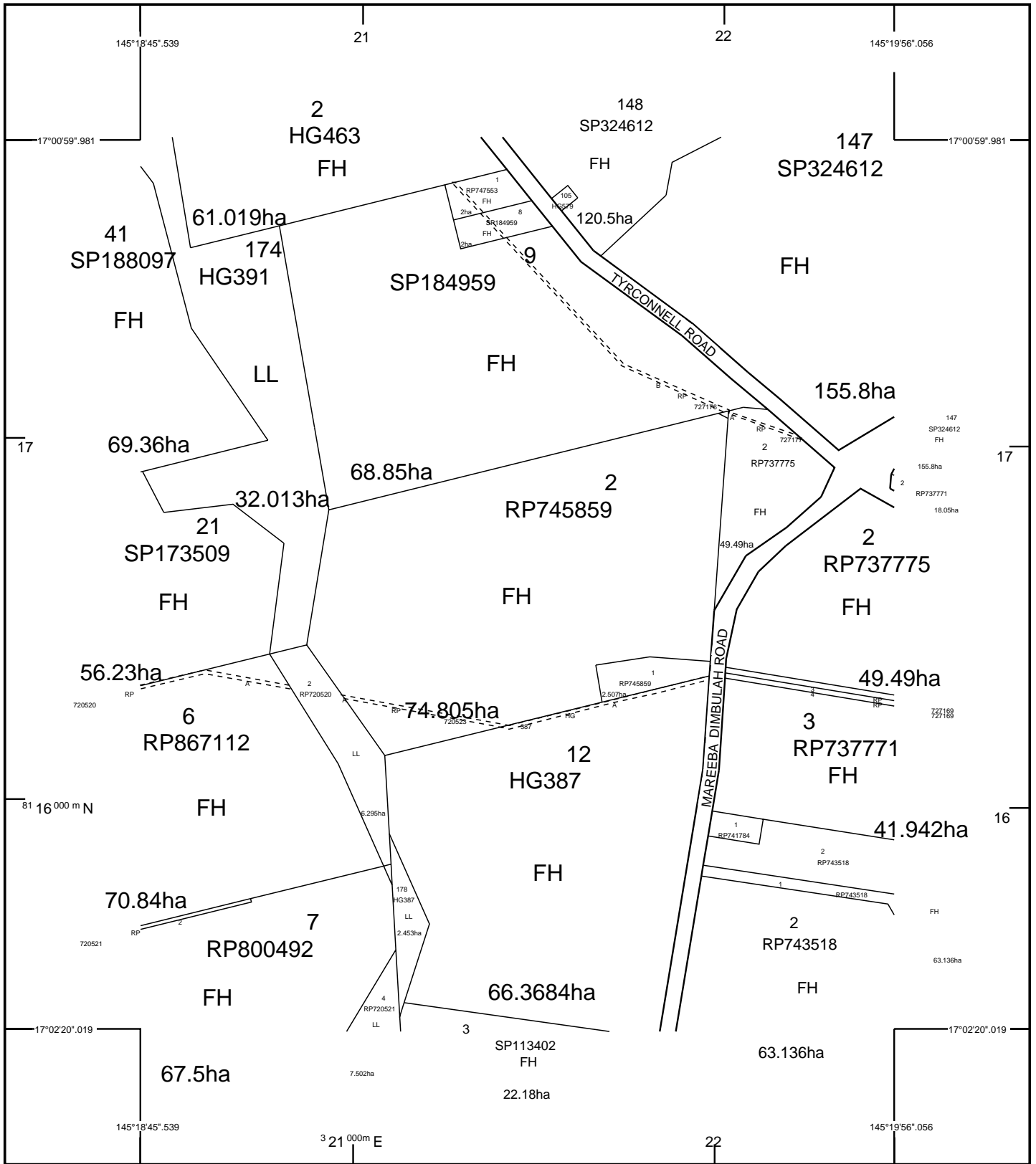
PRINTED 25/10/2021
DCDB 22/10/2021
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**Queensland Government**  
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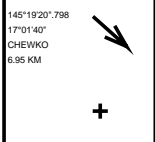
STANDARD MAP NUMBER  
7963-14143



**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	2/RP745859
Area/Volume	74.805ha
Tenure	FREEHOLD
Local Government	MAREEBA SHIRE
Locality	ARRIGA
Segment/Parcel	21387/33

**CLIENT SERVICE STANDARDS**

PRINTED 25/10/2021

DCDB 22/10/2021 (Lots with an area less than 1500m<sup>2</sup> are not shown)

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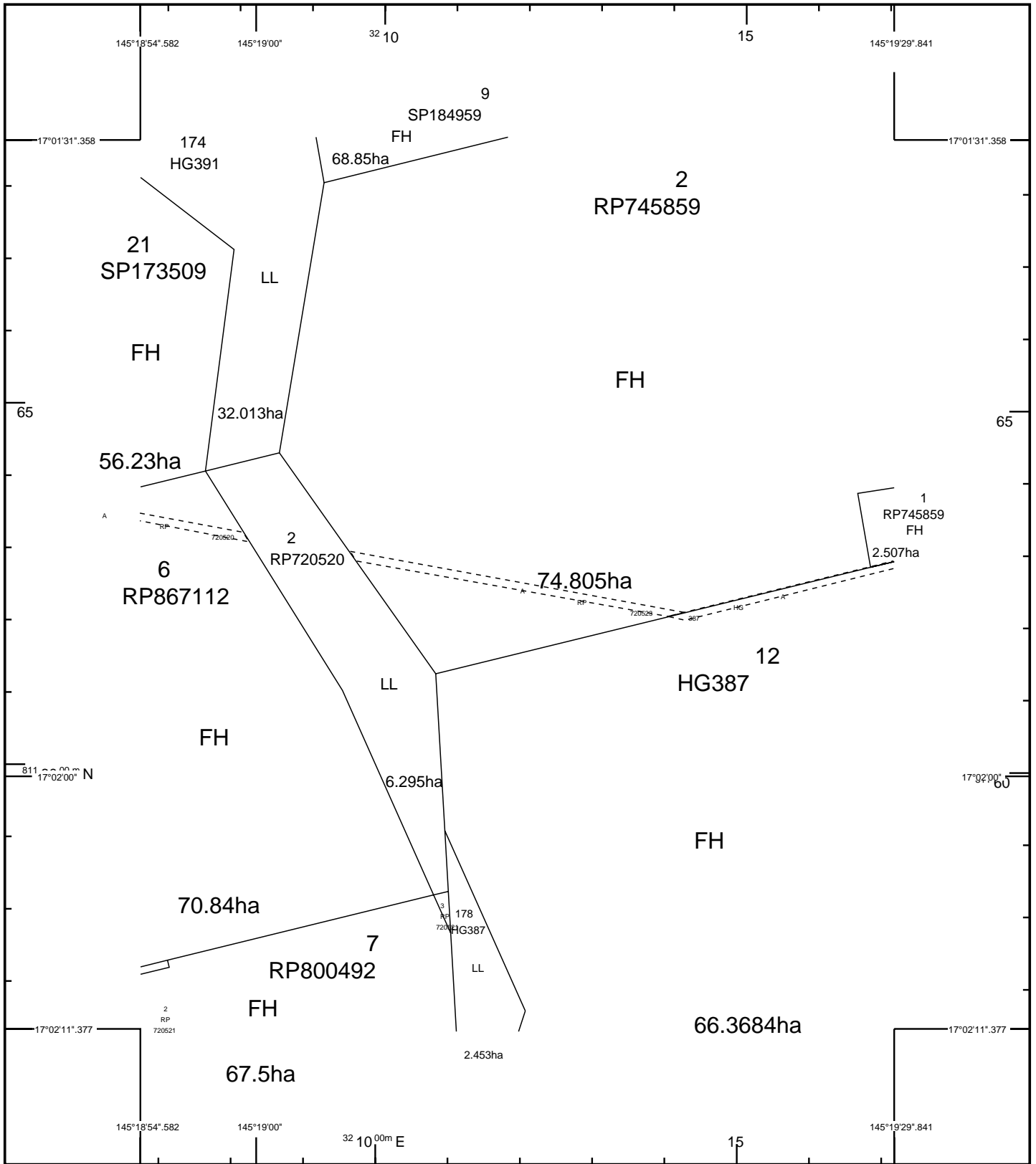
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<https://www.qld.gov.au/housing/buying-owning-home/property-land-valuations/smartmaps>



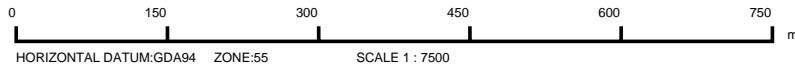
**Queensland  
Government**

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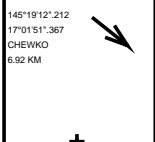




STANDARD MAP NUMBER  
7963-14143



MAP WINDOW POSITION & NEAREST LOCATION



**SUBJECT PARCEL DESCRIPTION**

DCDB	
Lot/Plan	A/RP720523
Area/Volume	4578m <sup>2</sup>
Tenure	EASEMENT
Local Government	MAREEBA SHIRE
Locality	ARRIGA
Segment/Parcel	21387/71

**CLIENT SERVICE STANDARDS**

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DCDB 22/10/2021

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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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12<sup>th</sup> October 2021

Chief Executive Officer  
Mareeba Shire Council  
Town Planning Department  
Rankin Street  
MAREEBA QLD 4880

Dear Sir

**Proposed Boundary Realignment of  
Lots 1 and 2 on RP745859  
Mareeba Dimbulah Road – Arriga**

Under Sections 260 and 263 of the *Sustainable Planning Act 2009* it is mandatory for the owners of the land to which a Development Application relates to consent to the making of an application. We Remo Giuseppe Terranova and Berniece Terranova the registered owners of Lots 1 and 2 on RP745859, Mareeba Dimbulah Road, Arriga in the Shire of Mareeba, authorise Freshwater Planning to lodge a Town Planning Application on our behalf.



.....  
Remo Giuseppe Terranova



.....  
Berniece Terranova

# DA Form 1 – Development application details

Approved form (version 1.3 effective 28 September 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>	Remo Giuseppe and Berniece Terranova
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>	F21/29

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
		1506	Mareeba Dimbulah Road	Arriga
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	1	RP745859	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
		1506	Mareeba Dimbulah Road	Arriga
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	2	RP745859	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: <input type="text"/>	

- 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: <input type="text"/>	

#### 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

<input checked="" type="checkbox"/> In or adjacent to a water body or watercourse or in or above an aquifer	
Name of water body, watercourse or aquifer:	Unnamed Creek
<input type="checkbox"/> On strategic port land under the <i>Transport Infrastructure Act 1994</i>	
Lot on plan description of strategic port land:	
Name of port authority for the lot:	
<input type="checkbox"/> In a tidal area	
Name of local government for the tidal area (if applicable):	
Name of port authority for tidal area (if applicable):	
<input type="checkbox"/> On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>	
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):*

Boundary Realignment and Access Easement

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?	
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 <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )
Lot 1 on RP745859	2.507 Ha	Proposed Lot 11	31.87 Ha
Lot 2 on RP745859	74.805 Ha	Proposed Lot 12	45.44 Ha

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

The proposal results in a more appropriate configuration separating existing Uses

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

Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement
Proposed	SEE ATTACHED	SKETCH PLAN	Access	Proposed Lot 11

**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 <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

### Walkable neighbourhoods assessment benchmarks under Schedule 12A of the Planning Regulation

23.16) Does this development application involve reconfiguring a lot into 2 or more lots in certain residential zones (except rural residential zones), where at least one road is created or extended?

- Yes – Schedule 12A is applicable to the development application and the assessment benchmarks contained in schedule 12A have been considered
- No

**Note:** See guidance materials at [www.planning.dsdmip.qld.gov.au](http://www.planning.dsdmip.qld.gov.au) for further information.

## 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

Yes

**Note:** See the *Planning Regulation 2017* for referral requirements

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

Yes

Not applicable

Supporting information addressing any applicable assessment benchmarks is with the development application

**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](#).

Yes

Relevant plans of the development are attached to this development application

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

Yes

The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)

Yes

Not applicable

### 25) Applicant declaration

By making this development application, I declare that all information in this development application is true and correct

Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001*

**Note:** It is unlawful to intentionally provide false or misleading information.

**Privacy** – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.

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

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

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

**PART 9 – FOR 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			