

Our Ref: R9-22

5 July 2022

Chief Executive Officer
Mareeba Shire Council
65 Rankin Street
Mareeba, QLD, 4880

Attention: Planning Department

Dear Sir/Madam,

**DEVELOPMENT APPLICATION SEEKING A DEVELOPMENT PERMIT
RECONFIGURATION OF A LOT – BOUNDARY REALIGNMENT
LOCATED AT 647 BILWON ROAD, BIBOOHRA
FORMALLY DESCRIBED AS LOTS 17 & 18 ON SP184961**

We act on behalf of our clients, Lisandrino Arena in preparing and submitting the following development application which seeks a Development Permit to Reconfigure the subject allotments under the *Planning Act 2016* located at 647 Bilwon Road, Biboohra to facilitate the realignment of the boundaries.

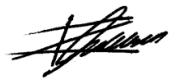
The proposed realignment of the boundaries seeks to include the useable area north of the gully which is currently part of lot 17, to be included into lot 18.

By way of this development application, the applicant is seeking specific approval to undertake the development as detailed within the attached planning report and approval of the plans. The report will include a complete assessment of the proposed development against the relevant assessment benchmarks within the Mareeba Shire Planning Scheme 2016.

In terms of application fees, the current fees and charges schedule stipulates that the application fee for a boundary realignment is **\$1,120.00**. Please contact our office on 0411 344 110 to process the payment over the phone.

Should there be any questions or queries in relation to the development application presented, we would appreciate if you could contact our office immediately. We also ask if possible that a copy of all correspondence be forwarded to our office via email.

Yours faithfully,



Ramon Samanes
Director, U&i Town Plan
Bachelor of Applied Science, Majoring in Environmental and Urban Planning

PLANNING REPORT

DEVELOPMENT APPLICATION FOR RECONFIGURATION OF A LOT – BOUNDARY REALIGNMENT

PROJECT LOCATION:

SITUATED AT 647 BILWON ROAD, BIBOOHRA
FORMALLY DESCRIBED AS LOT 17 & 18 ON SP184961

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Appendix 1: DA Form 1 – Development Application Details

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ASSESSMENT MANAGER:	MAREEBA SHIRE COUNCIL, PLANNING DEPARTMENT
DEVELOPMENT TYPE:	DEVELOPMENT PERMIT – RECONFIGURATION OF A LOT (CODE ASSESSABLE)
PROPOSED WORKS:	BOUNDARY REALIGNMENT
REAL PROPERTY DESCRIPTION:	LOTS 17 & 18 ON SP184961
LOCATION:	647 BILWON ROAD, BIBOOHRA
ZONE:	RURAL RESIDENTIAL ZONE
APPLICANT & OWNERS:	LISANDRINO ARENA C/- U&I TOWN PLAN
ASSESSMENT CRITERIA:	RECONFIGURATION OF A LOT (CODE ASSESSABLE)
REFERRAL AGENCIES:	CLEARING OF NATIVE VEGETATION (SCHEDULE 10, PART 3, DIVISION 4, TABLE 2 OF THE <i>PLANNING LEGISLATION 2017</i>)
STATE PLANNING:	THE PROPOSAL DOES TRIGGER ASSESSMENT AGAINST THE STATE DEVELOPMENT ASSESSMENT PROVISIONS.

IMPORTANT NOTE

Apart from fair dealing for the purposes of private study, research, criticism, or review as permitted under the Copyright Act, no part of this Report may be reproduced by any process without the written consent of R&A Samanes Pty Ltd ('U&i Town Plan').

This Report has been prepared for Lisandrino Arena for the sole purpose of making a Development Application seeking a Development Permit for Reconfiguration of a Lot on land at 647 Bilwon Road, Biboohra (over Lots 17 & 18 on SP174961) for the purpose of a boundary realignment. This report is strictly limited to the purpose, and facts and circumstances stated within. It is not to be utilised for any other purpose, use, matter or application.

U&i Town Plan has made certain assumptions in the preparation of this report, including:

- a) That all information and documents provided to us by the Client or as a result of a specific search or enquiry were complete, accurate and up to date;*
- b) That information obtained as a result of a search of a government register or database is complete and accurate.*

U&i Town Plan is not aware of any particular fact or circumstance, which would render these assumptions incorrect, as at the date of preparation of the Report.

While every effort has been made to ensure accuracy, U&i Town Plan does not accept any responsibility in relation to any financial or business decisions made by parties' other than those for whom the original report was prepared for and/or provided to. If a party other than the Client uses or relies upon facts, circumstances and/or content of this Report without consent of U&i Town Plan, U&i Town Plan disclaims all risk and the other party assumes such risk and releases and indemnifies and agrees to keep indemnified U&i Town Plan from any loss, damage, claim or liability arising directly or indirectly from the use of or reliance on this report.

1.0 EXECUTIVE SUMMARY

This development application is seeking a development permit to Reconfigure the allotments under the *Planning Act 2016* at 647 Bilwon Road, Bibboohra to facilitate the realignment of the boundaries of the two (2) properties. The proposed realignment of the boundaries seeks to include the useable area north of the gully which is currently part of lot 17, to be included into lot 18. By way of this development application, the applicant is seeking specific approval to undertake the development as detailed in this planning report and approval of the plans.

The conclusion of this report is that all the requirements set by the assessment criteria can be met and that the strategic level policy outcomes sought by the planning scheme and any applicable State planning instruments can be achieved. It is the opinion of the applicant that once all the policy requirements have been considered by assessing authorities and equitably balanced with the site constraints and benefits of the proposal; the assessment process established under the Planning Act will result in the approval of this development application and the issuing of a development permit subject to conditions. This opinion is based on the level of strategic and analytical justification provided in support of the proposal and the decision-making requirements imposed on regulatory authorities under the Planning Act.

2.0 SITE DESCRIPTION

The subject land is described as Lots 17 & 18 on SP184961, located at 647 Bilwon Road, Bibboohra. The site encompasses two (2) allotments with road frontages to Bilwon Road. Combined the two properties cover a total area of 6.80 hectares. Lot 17 is vacant while lot 18 contains an existing dwelling house and associated outbuildings. The existing boundary runs through a dam on the property and includes an area of useable land on the northern side of the drain that isn't accessible from lot 17. Hence the reason for this proposed boundary realignment to include the dam and this portion of useable land to be included in lot 18.



Figure 1: Aerial View of the Subject Land (© The State of Queensland, all rights reserved, 2019.)

A site summary is provided below:

Table 2.0: Site summary

Street address:	647 Bilwon Road, Biboohra
Real property description:	Lots 17 & 18 on SP184961
Local government area	Mareeba Shire Council
Tenure:	Freehold title
Site area:	6.80 hectares
Zone:	Rural Residential zone
Current use:	Lot 18: Rural Residential dwelling Lot 17: Vacant Lot
Road frontage:	Bilwon Road
Adjacent uses:	Rural Farm to the north, Barron River to the west, rural residential allotments to the east and south
Topography:	The site slopes towards the Barron River and internally via the gully that traverses the site.
Vegetation:	The riparian vegetation along the Barron River and part of the vegetation along the drainage gully is mapped as remnant vegetation. The remainder of the land is predominantly cleared and void of any significant vegetation.
Easements:	No easements over the property.
Existing infrastructure:	The site has access to Bilwon Road which is an existing sealed road. Power is located to the site along Bilwon Road. Existing access provided to both allotments.



Figure 2: Site Locality (© The State of Queensland, all rights reserved, 2019.)

3.0 DEVELOPMENT PROPOSAL

This development application is seeking a development permit to Reconfigure the allotments under the *Planning Act 2016* at 647 Bilwon Road, Bibohra to facilitate the realignment of the boundaries of the two (2) properties. As noted, the proposed realignment of the boundaries seeks to include the useable area north of the gully which is currently part of lot 17, to be included into lot 18. Additionally, the existing boundary runs through a dam on the property and the area of useable land on the northern side of the drain that isn't accessible from lot 17.



Figure 3: Extract from Development Plans (© The State of Queensland, all rights reserved, 2019.)

See Appendix 3: Development Plans for further detail.

3.1 Development Definition

The proposal is described as a “Reconfiguration of a Lot” under the Planning Act and planning scheme, more specifically described as rearranging the boundaries of the allotments. The proposal is defined under the Planning Act as follows:

- reconfiguring a lot means—**
- (a) creating lots by subdividing another lot; or
 - (b) amalgamating 2 or more lots; or
 - (c) rearranging the boundaries of a lot by registering a plan of subdivision under the Land Act or Land Title Act; or

- (d) *dividing land into parts by agreement rendering different parts of a lot immediately available for separate disposition or separate occupation, other than by an agreement that is—*
- (i) *a lease for a term, including renewal options, not exceeding 10 years; or*
 - (ii) *an agreement for the exclusive use of part of the common property for a community titles scheme under the Body Corporate and Community Management Act 1997 ; or*
- (e) *creating an easement giving access to a lot from a constructed road.*

3.2 Boundary Realignment

The proposed realignment of the boundaries seeks to include the useable area north of the gully which is currently part of lot 17, to be included into lot 18. Additionally, the existing boundary runs through a dam on the property and the area of useable land on the northern side of the drain that isn't accessible from lot 17. The existing areas of the allotments are listed as follows:

- Lot 18 – 4.07 hectares; and
- Lot 17 – 2.67 hectares.

The proposed boundary realignment will result in the following lot areas proposed:

- Proposed Lot 18 – 4.73 hectares; and
- Proposed Lot 17 – 2 hectares.

4.0 DEVELOPMENT APPLICATION DETAILS

This code assessable development application seeks a development permit to Reconfigure the Lots under the *Planning Act 2016* to facilitate a realignment of the boundaries. By way of this development application, the applicant is seeking specific approval of the following development permit to authorise the subdivision of the allotments as detailed in this planning report.

5.0 PLANNING JUSTIFICATION

This development application is made in accordance with the requirements of the *Planning Act 2016* and is for the Reconfiguration of two (2) allotments at 647 Bilwon Road, Biboohra to facilitate the realignment of the boundaries. The proposal is considered to satisfy the requirements set by the applicable assessment benchmarks from the planning scheme, specifically the Rural Residential Zone and Reconfiguring a Lot Code.

5.1 Mareeba Shire Planning Scheme 2016

Given that the application is code assessable, the application is required to be assessed against only the relevant codes within the planning scheme where applicable to the development. In particular, the following sections of the planning scheme are considered relevant to this development:

- Rural Residential Zone Code
- Reconfiguration of a Lot Code
- Landscape Code

- Parking and Access Code
- Works, Services and Infrastructure Code
- Airport Environs Overlay Code
- Bushfire Hazard Overlay Code
- Environmental Significance Overlay Code

Accordingly, an assessment of the proposed development against the above listed codes has been completed. Where the requirements of an Acceptable Outcome were impractical or inappropriate to address, the Performance Outcome was addressed and satisfied. By satisfying the requirements of the Performance Outcomes, the overall “Purpose” of the code was inherently satisfied, as was the Strategic Framework for the planning scheme. In terms of the assessment documented in this report, should any part of the development not comply with any sections of the codes, the relevant sections will be adequately referenced and addressed in further detail to ensure compliance has been achieved.

5.1.1 Rural Residential Zone Code

6.2.10.2 Purpose

- (1) The purpose of the Rural residential zone code is to provide for residential development on large lots where local government infrastructure and services may not be provided on the basis that the intensity of development is generally dispersed.
- (2) Mareeba Shire Council's purpose of the Rural residential zone code is to provide for residential development on a range of larger lots which take account of the history of rural residential development throughout the region. Limited agricultural and animal husbandry activities which contribute to a semi-rural setting may be appropriate on lots with areas in the upper range of lot sizes.
- (3) The Rural residential zone has been broken into three precincts to cater for the distinct lot sizes and levels of servicing that historically occurred in this zone:
 - (a) The 2 hectare precinct is characterised by significant clusters of larger rural residential lifestyle lots that have limited infrastructure and proximity to services. Lots within this precinct will not be reconfigured below 2 hectares in size;
 - (b) The 1 hectare precinct is characterised by significant clusters of rural residential lifestyle lots that have limited access to infrastructure and proximity to services. Lots within this precinct will not be reconfigured below 1 hectare in size; and
 - (c) The 4,000m² precinct is characterised by clusters of smaller rural residential lots in proximity to activity centres, where reticulated water supply and an urban standard of infrastructure (apart from sewerage) can be provided. Lots within this precinct will not be reconfigured below 4,000m².
- (4) The purpose of the code will be achieved through the following overall outcomes:
 - (a) The development of large rural residential lots with attendant provision of onsite infrastructure is facilitated;
 - (b) Development within the zone preserves the environmental and topographical features of the land by integrating an appropriate scale of rural residential activities;
 - (c) Development avoids areas of ecological significance;
 - (d) Low-impact activities such as small-scale eco-tourism and outdoor recreation uses are permitted within the zone where the impacts of such uses are acceptable;

- (e) Natural features such as creeks, gullies, waterways, wetlands and vegetation and bushland are retained, enhanced and buffered from the impacts of development, with unavoidable impacts minimised through location, design, operation and management requirements;
- (f) Other uses may be appropriate where meeting the day to day needs of the rural residential catchment or having a direct relationship to the land in which the particular use is proposed. Any such uses should not have any adverse effects on the residential amenity of the area through factors such as noise generation, traffic generation or other factors associated with the use;
- (g) Reconfiguring a lot will maintain the predominant lot size of the precinct or intended for the precinct; and
- (h) Reconfiguring a lot involving the creation of new lots is not undertaken external to a precinct in the Rural residential zone in consideration of the inherent environmental, and/or physical infrastructure and/or social infrastructure constraints of Rural residential zoned land outside of identified precincts.

The proposed realignment of the boundaries seeks to include the useable area north of the gully which is currently part of lot 17, to be included into lot 18. Additionally, the existing boundary runs through a dam on the property and the area of useable land on the northern side of the drain that isn't accessible from lot 17. The existing areas of the allotments are listed as follows:

- Lot 18 – 4.07 hectares; and
- Lot 17 – 2.67 hectares.

The proposed boundary realignment will result in the following lot areas proposed:

- Proposed Lot 18 – 4.73 hectares; and
- Proposed Lot 17 – 2 hectares.

5.1.2 Reconfiguring a Lot Code

The purpose of the Reconfiguring a lot code is to ensure that land is:

- (a) *arranged in a manner which is consistent with the intended scale and intensity of development within the area;*
- (b) *provided with access to appropriate movement and open space networks; and*
- (c) *contributes to housing diversity and accommodates a range of land uses.*

The purpose of the code will be achieved through the following overall outcomes:

- (a) *Subdivision of land achieves the efficient use of land and the efficient provision of infrastructure and transport services;*
- (b) *Lots are of a suitable size and shape for the intended or potential use having regard to the purpose and overall outcomes of the relevant zone or precinct.*
- (c) *Subdivision of land creates lots with sufficient area and dimensions to accommodate the ultimate use, meet user requirements, protect environmental features and account for site constraints;*
- (d) *A range and mix of lot sizes is provided to facilitate a variety of industry and housing types;*
- (e) *Subdivision design incorporates a road network that provides connectivity and circulation for vehicles and provide safe and efficient access for pedestrians, cyclists and public transport;*
- (f) *Subdivision design provides opportunities for walking and cycling for recreation and as alternative methods of travel;*
- (g) *Subdivision of land provides and integrates a range of functional parkland, including local and district parks and open space links for the use and enjoyment of the residents of the locality and the shire;*

- (h) Subdivision of land contributes to an open space network that achieves connectivity along riparian corridors and between areas with conservation values;
- (i) Subdivision within the Rural zone maintains rural landholdings in viable parcels;
- (j) Land in historical townships is not reconfigured to be used for urban purposes; and
- (k) Residential subdivision and greenfield development is designed to consider and respect:
 - (i) topography;
 - (ii) climate responsive design and solar orientation;
 - (iii) efficient and sustainable infrastructure provision;
 - (iv) environmental values;
 - (v) water sensitive urban design;
 - (vi) good quality agricultural land; and
 - (vii) the character and scale of surrounding development.

ASSESSMENT BENCHMARKS

Performance Outcomes	Acceptable Outcomes	Proposal Justification
Area and frontage of Lots		
PO1	AO1.1	<p>In the rural residential zone, there is no minimum lot size for this property as it is not mapped within the relevant precincts.</p> <p>The minimum lot sizes and frontages are not necessarily applicable to this assessment as we are not creating any new allotments, instead are simply seeking to realign the existing boundaries. The boundary realignment will not change the frontages of the existing allotments and will only result in minor shuffles of the boundaries to reflect the existing drainage line to include the useable area north of the gully which is currently part of lot 17, to be included into lot 18. Additionally, the existing boundary runs through a dam on the property and the area of useable land on the northern side of the drain that isn't accessible from lot 17.</p> <p>Satisfied.</p>
Existing buildings and easements		
PO2	AO2.1	<p>No new lots are to be created.</p> <p>The proposed realignment of the boundaries and access easement are proposed to rectify the boundaries between the properties including the easements to allow each property to be serviced and sold separately. This will also improve current buffers from the existing dwelling on Lot 2 to reduce any potential dust impacts.</p> <p>Satisfied.</p>
	AO2.2	<p>The setbacks for the existing dwelling on lot 18 are not changing as a result of this development. The new dwelling on lot 17 will have to comply with the relevant setbacks as specified within the rural residential zone code. An indicative building envelope has been shown on lot to illustrate the location and size of the potential area where a dwelling can be positioned on-site</p>

		<p>outside of the gully area and away from the flood hazard towards the Barron River.</p> <p>Satisfied.</p>
PO3	A03	<p>No existing easements located nor required on-site</p> <p>Satisfied.</p>
Boundary Realignment		
PO4	N/A	<p>Will be complied with.</p> <p>The existing infrastructure connections to all two (2) existing allotment will remain unchanged.</p> <p>Satisfied.</p>
Access and road network		
PO5	N/A	<p>Complied. Existing accesses will remain unchanged and will not create any new impacts.</p> <p>Satisfied.</p>
PO6	A06	<p>Will be complied with.</p> <p>The existing infrastructure connections to Lots 17 & 18 will remain unchanged.</p> <p>Satisfied.</p>
PO7	N/A	<p>Not applicable.</p> <p>Site is in the rural residential zone.</p>
Rear Lots		
PO8	A08.1	<p>No rear lots created as part of this development.</p> <p>Satisfied.</p>
	A08.2	<p>No rear lots created as part of this development.</p> <p>Satisfied.</p>
	A08.3	<p>No rear lots created as part of this development.</p> <p>Satisfied.</p>
	A08.4	<p>No rear lots created as part of this development.</p> <p>Satisfied.</p>
	A08.5	<p>No rear lots created as part of this development.</p> <p>Satisfied.</p>
	A08.6	<p>Not applicable.</p> <p>Site is in the rural residential zone.</p>
Crime prevention and community safety		
PO9	N/A	<p>The development is for a boundary realignment, and is located in the Rural residential zone. This provision doesn't particularly apply to this type of development within this zone and is more associated with residential lot developments within town.</p>

		Satisfied.
Pedestrian and cycle movement network		
PO10	N/A	The development is for a boundary realignment, and is located in the Rural residential zone. This provision doesn't particularly apply to this type of development within this zone and is more associated with residential lot developments within town. Satisfied.
Public transport network		
PO11	N/A	The development is for a boundary realignment, and is located in the Rural residential zone. The Site does not include public transport corridor or future public transport. Satisfied.
Residential Subdivision		
PO12	N/A	The development is for a boundary realignment, and is located in the Rural residential zone. The development is not creating a residential subdivision. Satisfied.
Rural residential zone		
PO13	N/A	The development is for a boundary realignment and is located in the Rural residential zone. The development is not creating a rural residential subdivision. Satisfied.
Additional provisions for greenfield development only		
PO14	N/A	Not applicable
PO15	N/A	Not applicable
PO16	N/A	Not applicable
PO17	N/A	Not applicable
PO18	N/A	Not applicable
PO19	N/A	Not applicable
PO20	N/A	Not applicable

5.1.3 Landscaping Code

The proposal is for a Boundary Realignment within the Rural Residential Zone. As such this code is not considered applicable to this development.

5.1.4 Parking and Access Code

The proposal is for a Boundary Realignment within the Rural Residential Zone. As such, this code is not considered applicable to this development in terms of controlling parking demands and requirements as part of a reconfiguration of a lot. However, it is noted that the existing services and connections to Bilwon Road will be maintained and will not be altered as part of this development.

5.1.5 Works, Service and Infrastructure Code

The proposal is for a Boundary Realignment within the Rural Residential Zone, and as such limited services and infrastructure are required to be provided. As noted previously, access and power infrastructure already exist to both allotments and will remain unchanged as part of this development. Existing on-site sewerage treatment systems in place for the existing dwelling and structures are contained within proposed lot 18 and will remain unchanged.

In terms of on-site sewerage disposal, both lots 17 will have adequate area on-site to accommodate a suitably designed sewerage system to be submitted as part of the building application.

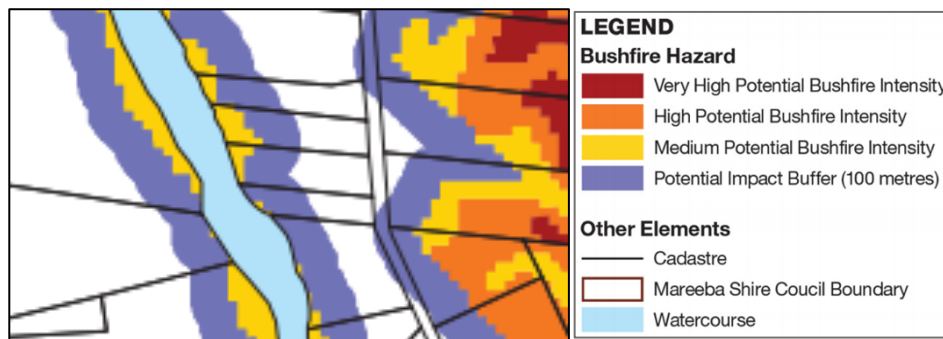
It is considered that the proposed Reconfiguration of a lot development achieves compliance with the outcomes sought to be achieved within Works, Services and Infrastructure Code.

5.1.6 Bushfire Hazard Overlay Code

The purpose of the Bushfire hazard overlay code is to minimise the threat of bushfire to people and property.

The purpose of the code will be achieved through the following overall outcomes:

- (a) *Development in a Bushfire hazard area is compatible with the nature of the hazard;*
- (b) *The number of people and properties subject to bushfire hazards are minimised through appropriate building design and location;*
- (c) *Development does not result in a material increase in the extent, duration or severity of bushfire hazard; and*
- (d) *Appropriate infrastructure is available to emergency services in the event of a bushfire.*



The site is mapped as containing areas of Potential Impact Buffer (100 metres) and Medium Bushfire Hazard along the river. It appears that the riparian areas along the Barron River are mapped as containing the hazard. The proposal is for the Boundary Realignment over the site with no change to the existing buildings or structures over the site. It is anticipated that future dwellings and structures will be constructed on proposed lot 17. Accordingly, it is considered there is adequate area on site for future dwellings to be constructed with appropriate setbacks and firebreaks from the potential mapped fire hazard area. Additionally, the future dwellings to be built on lot 17 has riparian access and/or allocation to water from the Barron River which can be used for fire-fighting purposes. The appropriate water source contains sufficient storage of water for Firefighting Supply and will be provided with the appropriate connections where required. Lastly, the properties will be maintained by the landowners to ensure no build-up of hazardous materials and that existing or proposed firebreaks are maintained. Accordingly, it is considered that this development achieves compliance with the outcomes sought under the Bushfire Hazard Overlay Code.

5.1.7 Environmental Significance Overlay Code

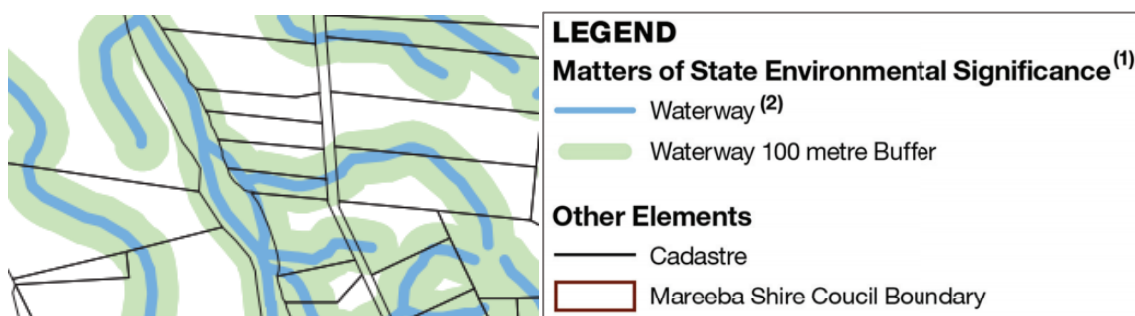
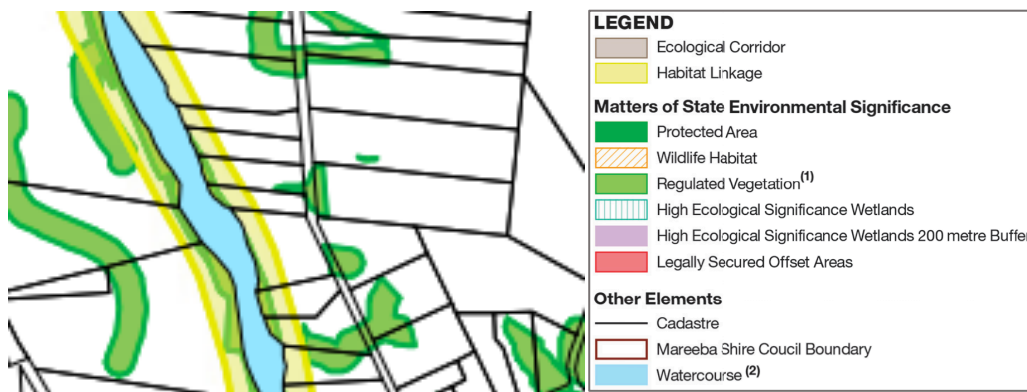
The purpose of the Environmental significance overlay code is to identify and protect matters of environmental significance, which include matters of state environmental significance (MSES) as defined under the state planning policy.

The Environmental significance overlay code ensures that:

- (a) waterways and high ecological significance wetlands are protected and enhanced to maintain ecosystem services and hydrological processes and provide aquatic habitat for flora and fauna; and
- (b) the environmental values of regulated vegetation, wildlife habitat, protected areas and legally secured offset areas are protected and managed.

The purpose of the code will be achieved through the following overall outcomes:

- (a) the biodiversity values, ecosystem services and climate change resilience of areas of environmental significance are protected, managed, enhanced and rehabilitated;
- (b) the biodiversity values of protected areas and legally secured offset areas are protected from development unless overriding community need is demonstrated;
- (c) development is located, designed and managed to minimise the edge effects of development on areas of regulated vegetation and wildlife habitat;
- (d) areas of regulated vegetation and wildlife habitat are managed to minimise biodiversity losses;
- (e) development maintains, protects and enhances a regional network of vegetated corridors that assist in wildlife movement and contribute to the maintenance of habitat and biological diversity;
- (f) development is appropriately setback from waterways and high ecological significance wetlands to minimise direct and indirect impacts on water quality and biodiversity; and
- (g) riparian vegetation and vegetation associated with high ecological significance wetlands is protected and enhanced to improve water quality and natural ecosystem function.



The site is Mapped as containing small patches of Regulated Vegetation, a Waterway and a Waterway Buffer along the internal gully / drainage line within the relevant Environmental Significance Overlay Mapping. The areas of significance have been avoided, and the boundary line demonstrates that these areas where possible have been considered, and a building envelope located outside of the gully. Accordingly, the outcomes sought within this code will be assessed and considered as part of the referral agencies assessment, therefore we consider that no further assessment of this development is required against the Environmental Significance Overlay Code.

5.1.8 Flood Hazard Overlay Code

The purpose of the Flood hazard overlay code is to manage development outcomes in flood hazard areas identified on the Flood hazard overlay maps (OM-006ao) so that risk to life, property, community and the environment during flood events is minimised, and to ensure that development does not increase the potential for flood damage on site or to other property.

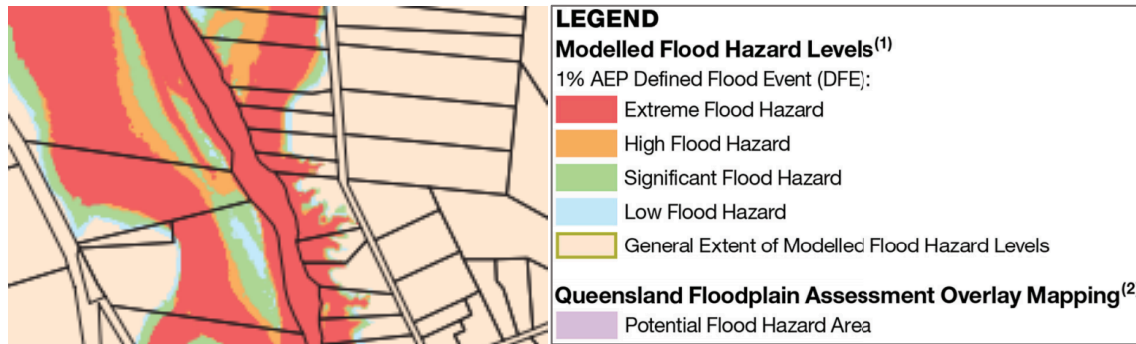
The purpose of the code will be achieved through the following overall outcomes:

- (a) *Development in the 'Extreme flood hazard area':*
 - i. *maintains and enhances the hydrological function of the land;*
 - ii. *does not involve filling (earthworks) or changes to existing landform or drainage lines that results in a loss of the flood conveyance and flood storage capacity of the land;*
 - iii. *is limited to:*
 - A. *flood proofed Sport and recreation activities;*
 - B. *Rural activities where for Animal husbandry, Cropping or Permanent plantation;*
 - C. *flood proofed Utility installations, Substations or Major electricity infrastructure;*
 - D. *conservation and natural area management; and*
 - E. *replacement of existing lawful development, including Accommodation activities where habitable rooms are elevated above the defined flood level and include freeboard;*

Where there is no increase to the number of persons at risk of flood and where development reduces existing or potential risks to life and property.

- (b) *Development in the 'High flood hazard area':*
 - i. *maintains the hydrological function of the land;*
 - ii. *does not involve filling (earthworks) or changes to the existing landform or drainage lines that results in a loss of the flood conveyance and flood storage capacity of the land;*
 - iii. *is limited to:*
 - A. *flood proofed Sport and recreation activities and Club uses;*
 - B. *Non-resident workforce accommodation, Relocatable home park, Resort complex, Rooming accommodation, Short term accommodation and Tourist park uses where these uses comprise permanent on-site management and a flood evacuation management plan ensures the health and safety of persons during a flood event;*
 - C. *a Dwelling house only where the lot existed or had a lawful reconfiguring a lot approval at the commencement of the planning scheme and the land is included in a Residential zone or the Centre zone or where for minor intensification of existing Dwelling houses;*
 - D. *Rural activities where for Animal husbandry, Cropping or Permanent plantation;*
 - E. *Industrial activities and Commercial activities where it is accepted development that flood damage is incurred as an operational cost and where flood sensitive elements of the development or use are elevated above the defined flood level, including freeboard;*
 - F. *flood proofed Utility installations, Substations or Major electricity infrastructure;*
 - G. *conservation and natural area management; and*

- H. *replacement of existing lawful development; Where there is no increase to the number of persons at risk of flood and where development reduces existing or potential risks to life and property.*
 - iv. *protects surrounding land and land uses from increased flood hazard impacts;*
 - v. *elevates habitable rooms for all accommodation activities (including where for minor building work) above the defined flood level, including freeboard.*
- (c) *Development in the 'Significant flood hazard area':*
- i. *minimises risk to life and property from flood events;*
 - ii. *involves changes to the existing landform and drainage lines in this area only where detrimental impacts to the flood hazard risk of surrounding areas is avoided;*
 - iii. *is limited to:*
 - A. *Sport and recreation activities;*
 - B. *Industrial activities and Commercial activities where it is accepted development that flood damage is incurred as an operational cost and where flood sensitive elements of the development or use are elevated above the defined flood level, including freeboard;*
 - C. *Rural activities;*
 - D. *Accommodation activities, excluding Residential care facility and Retirement facility;*
 - E. *flood proofed Community activities, excluding Child care centre, Hospital and Community use where a flood emergency evacuation plan ensures the safety of people during a flood event;*
 - F. *flood proofed Utility installations, Substations or Major electricity infrastructure;*
 - G. *conservation and natural area management;*
 - iv. *locates habitable rooms for all accommodation activities above the defined flood level, including freeboard; and*
 - v. *locates the minimum floor level for all buildings other than accommodation activities, industrial activities and business activities above the defined flood level.*
- (d) *Development in the 'Low flood hazard area':*
- i. *minimises risk to life and property from flood events;*
 - ii. *locates habitable rooms for all Accommodation activities above the defined flood level, including freeboard; and*
 - iii. *locates the minimum floor level for all buildings other than Accommodation activities above the defined flood level, including freeboard.*
- (e) *Development in the 'Potential flood hazard area':*
- i. *maintains the safety of people on the development site from flood events and minimises the potential damage from flooding to property;*
 - ii. *does not result in adverse impacts on people's safety, the environment or the capacity to use land within the floodplain;*
 - iii. *locates habitable rooms for all Accommodation activities above a 1% Annual Exceedance Probability (AEP), including freeboard; and*
 - iv. *locates the minimum floor level for all building work other than Accommodation activities above the 1% AEP flood level, including freeboard.*



The site is mapped within the Extreme Flood Hazard Area, although the mapping is somewhat extreme in terms of its projections and the site on lot 18 contains an existing dwelling. There is an area outside the flood hazard area on lot 17 that a dwelling can be developed on-site. It is considered that the proposed Boundary Realignment is complies with the Flood Hazard Overlay Code requirements.

5.2 State Development Assessment Provisions

The State Development Assessment Provisions (SDAP) set out the matters of interest to the state for development assessment. The SDAP identifies the matters of interest – where relevant they have been addressed by heading in this section. Where the State is a referral agency for a development application under the provisions, the state code does not apply as the lots are less than 5ha in area.

5.3 Far North Regional Plan 2009-2031

The site is located within the 'Regional Landscape and Rural Production Area Regional Land Use Category of the Far North Queensland 2009-2031 (see also Attachment 3). The Minister has identified that the planning scheme, specifically the Strategic Framework, appropriately advances the FNQRP 2009- 2031. Hence, compliance with the FNQRP is demonstrated through the compliance with the Planning Scheme (refer to this report and attachments for demonstration of this compliance).

6.0 CONCLUSION

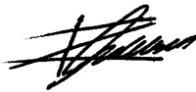
It is considered that the proposed development being a Reconfiguration of a Lot – Boundary Realignment over land described as Lots 17 & 18 on SP184961 is appropriately designed to comply with the planning scheme requirements. In particular, the proposed development:

- Achieves compliance with the Performance Outcomes relating to minimum allotment size and dimensions;
- Achieves compliance with the Performance Outcomes, Purposes and the Intent of the Reconfiguring a Lot Code for land included in the Rural Residential Zone;
- Satisfies compliance with the relevant applicable mapped Overlays;
- Does not conflict with the Far North Queensland Regional Plan 2009 – 2031, in particular the Rural Production Area Regional Land Use Category.

The applicant strongly believes that an assessment of the common material forming part of this development application in accordance with the decision-making rules established under the Planning Act will result in the approval of the development application and the issuing of a development permit subject to conditions.

The proposal is consistent with the “Purpose” of the Rural Residential Zone & Reconfiguring a Lot Code and the applicable State level policy. The proposal constitutes works and a use of the site in a manner that meets the strategic outcomes sought by the planning instruments and the expectations of the community. The conclusion of this report is that all the requirements set by the assessment benchmarks can be met and that the strategic level policy outcomes sought by the planning scheme for the site and locality can be achieved. The common material provided as part of this development application contains sufficient justification to establish compliance with the assessment benchmarks. It is the applicant’s opinion that the development application contains sufficient justification to warrant approval subject to reasonable and relevant conditions.

We request that Council provide a copy of the Draft Conditions with sufficient time for review prior to issuing a Decision Notice for the development. If you have any queries please do not hesitate to contact our office on 0411 344 110.



Ramon Samanes
Director, U&i Town Plan
Bachelor of Applied Science, Majoring in Environmental and Urban Planning

APPENDIX 1: DA FORM 1 – DEVELOPMENT APPLICATION DETAILS

DA Form 1 – Development application details

Approved form (version 1.1 effective 22 JUNE 2018) made under section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving code assessment or impact assessment**, except when applying for development involving building work.

For a development application involving **building work only**, use *DA Form 2 – Building work details*.

For a development application involving **building work associated with any other type of assessable development (i.e. material change of use, operational work or reconfiguring a lot)**, use this form (*DA Form 1*) and parts 4 to 6 of *DA Form 2 – Building work details*.

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994*, and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

Note: All terms used in this form have the meaning given under the *Planning Act 2016*, the *Planning Regulation 2017*, or the *Development Assessment Rules (DA Rules)*.

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) <i>(individual or company full name)</i>	Lisandrino Arena c/- U&i Town Plan
Contact name <i>(only applicable for companies)</i>	Ramon Samanes, Director
Postal address <i>(P.O. Box or street address)</i>	PO Box 426
Suburb	Cooktown
State	QLD
Postcode	4895
Country	Australia
Contact number	0411344110
Email address <i>(non-mandatory)</i>	ramon@uitownplan.com.au
Mobile number <i>(non-mandatory)</i>	0411344110
Fax number <i>(non-mandatory)</i>	n/a
Applicant's reference number(s) <i>(if applicable)</i>	R9-22

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
		647	Bilwon	Biboohra
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	17 & 18	SP184961	Mareeba Shire Council

3.2) Coordinates of premises (appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land e.g. channel dredging in Moreton Bay)

Note: Place each set of coordinates in a separate row. Only one set of coordinates is required for this part.

Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> 54 <input type="checkbox"/> 55 <input type="checkbox"/> 56	<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

3.3) Additional premises

- Additional premises are relevant to this development application and their details have been attached in a schedule to this application
 Not required

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- In a tidal area

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

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

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

Name of airport:

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

EMR site identification:

Listed on the Contaminated Land Register (CLR) under the *Environmental Protection Act 1994*

CLR site identification:

5) Are there any existing easements over the premises?

Note: Easement uses vary throughout Queensland and are to be identified correctly and accurately. For further information on easements and how they may affect the proposed development, see [DA Forms Guide](#).

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

No

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

a) What is the type of development? (*tick only one box*)

Material change of use

Reconfiguring a lot

Operational work

Building work

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

Development permit

Preliminary approval

Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment

Impact assessment (*requires public notification*)

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

Boundary Realignment

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 DA Form 2 – Building work details

Division 1 – Material change of use

Note: This division is only required to be completed if any part of the development application involves a material change of use assessable against a local planning instrument.

8.1) Describe the proposed material change of use

Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)

8.2) Does the proposed use involve the use of existing buildings on the premises?

<input type="checkbox"/> Yes		
<input type="checkbox"/> No		

Division 2 – Reconfiguring a lot

Note: This division is only required to be completed if any part of the development application involves reconfiguring a lot.

9.1) What is the total number of existing lots making up the premises?

Three (3) Allotments

9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)

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

10) Subdivision

10.1) For this development, how many lots are being created and what is the intended use of those lots:

Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				0

10.2) Will the subdivision be staged?

<input type="checkbox"/> Yes – provide additional details below	
<input checked="" type="checkbox"/> No	
How many stages will the works include?	
What stage(s) will this development application apply to?	

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?

Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

12) Boundary realignment

12.1) What are the current and proposed areas for each lot comprising the premises?

Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot on plan description	Area (m ²)
Lot 17 on SP184961	2.67ha	Proposed lot 17	4.73ha
Lot 17 on SP184961	4.07ha	Proposed lot 18	2.0ha

To rectify the boundaries between the properties including the easements to allow each property to be serviced and sold separately. This will also improve current buffers from the existing dwelling on Lot 2 to reduce and potential dust impacts.

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

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

Division 3 – Operational work

Note: This division is only required to be completed if any part of the development application involves operational work.

14.1) What is the nature of the operational work?

- | | | |
|---|-------------------------------------|--|
| <input type="checkbox"/> Road work | <input type="checkbox"/> Stormwater | <input type="checkbox"/> Water infrastructure |
| <input type="checkbox"/> Drainage work | <input type="checkbox"/> Earthworks | <input type="checkbox"/> Sewage infrastructure |
| <input type="checkbox"/> Landscaping | <input type="checkbox"/> Signage | <input type="checkbox"/> Clearing vegetation |
| <input type="checkbox"/> Other – please specify: <input style="width: 300px;" type="text"/> | | |

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 style="width: 150px;" type="text"/> |
| <input type="checkbox"/> No | |

14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)

\$

PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application

Mareeba Shire Council

16) Has the local government agreed to apply a superseded planning scheme for this development application?

- Yes – a copy of the decision notice is attached to this development application
- Local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- No

PART 5 – REFERRAL DETAILS

17) Do any aspects of the proposed development require referral for any referral requirements?

Note: A development application will require referral if prescribed by the Planning Regulation 2017.

No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6

Matters requiring referral to the **Chief Executive of the Planning Regulation 2017:**

- Clearing native vegetation
- Contaminated land (*unexploded ordnance*)
- Environmentally relevant activities (ERA) (*only if the ERA have not been devolved to a local government*)
- Fisheries – aquaculture
- Fisheries – declared fish habitat area
- Fisheries – marine plants
- Fisheries – waterway barrier works
- Hazardous chemical facilities
- Queensland heritage place (*on or near a Queensland heritage place*)
- Infrastructure – designated premises
- Infrastructure – state transport infrastructure
- Infrastructure – state transport corridors and future state transport corridors
- Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels
- Infrastructure – near a state-controlled road intersection
- On Brisbane core port land near a State transport corridor or future State transport corridor
- On Brisbane core port land – ERA
- On Brisbane core port land – tidal works or work in a coastal management district
- On Brisbane core port land – hazardous chemical facility
- On Brisbane core port land – taking or interfering with water
- On Brisbane core port land – referable dams
- On Brisbane core port land - fisheries
- Land within Port of Brisbane's port limits
- SEQ development area
- SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- SEQ regional landscape and rural production area or SEQ rural living area – community activity
- SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- SEQ regional landscape and rural production area or SEQ rural living area – combined use
- Tidal works or works in a coastal management district
- Reconfiguring a lot in a coastal management district or for a canal
- Erosion prone area in a coastal management district
- Urban design
- Water-related development – taking or interfering with water
- Water-related development – removing quarry material (*from a watercourse or lake*)
- Water-related development – referable dams
- Water-related development – construction of new levees or modification of existing levees (*category 3 levees only*)
- Wetland protection area

Matters requiring referral to the local government: <input type="checkbox"/> Airport land <input type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA have been devolved to local government)</i> <input type="checkbox"/> Local heritage places
Matters requiring referral to the chief executive of the distribution entity or transmission entity: <input type="checkbox"/> Electricity infrastructure
Matters requiring referral to: <ul style="list-style-type: none"> • The Chief executive of the holder of the licence, if not an individual • The holder of the licence, if the holder of the licence is an individual <input type="checkbox"/> Oil and gas infrastructure
Matters requiring referral to the Brisbane City Council: <input type="checkbox"/> Brisbane core port land
Matters requiring referral to the Minister under the Transport Infrastructure Act 1994: <input type="checkbox"/> Brisbane core port land (inconsistent with Brisbane port LUP for transport reasons) <input type="checkbox"/> Strategic port land
Matters requiring referral to the relevant port operator: <input type="checkbox"/> Land within Port of Brisbane's port limits (below high-water mark)
Matters requiring referral to the Chief Executive of the relevant port authority: <input type="checkbox"/> Land within limits of another port (below high-water mark)
Matters requiring referral to the Gold Coast Waterways Authority: <input type="checkbox"/> Tidal works, or work in a coastal management district in Gold Coast waters
Matters requiring referral to the Queensland Fire and Emergency Service: <input type="checkbox"/> Tidal works marina <i>(more than six vessel berths)</i>

18) Has any referral agency provided a referral response for this development application?		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application <input checked="" type="checkbox"/> No		
Referral requirement	Referral agency	Date of referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and the development application the subject of this form, or include details in a schedule to this development application <i>(if applicable)</i> .		

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application <input type="checkbox"/> I do not agree to accept an information request for this development application
Note: <i>By not agreeing to accept an information request I, the applicant, acknowledge:</i> <ul style="list-style-type: none"> • that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties • Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules. Further advice about information requests is contained in the DA Forms Guide .

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)

- Yes – provide details below or include details in a schedule to this development application
 No

List of approval/development application references	Reference number	Date	Assessment manager
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)

- Yes – a copy of the receipted QLeave form is attached to this development application
 No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid
 Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)

Amount paid	Date paid (dd/mm/yy)	QLeave levy number
\$		

22) Is this development application in response to a show cause notice or required as a result of an enforcement notice?

- Yes – show cause or enforcement notice is attached
 No

23) Further legislative requirements

Environmentally relevant activities

23.1) Is this development application also taken to be an application for an environmental authority for an **Environmentally Relevant Activity (ERA)** under section 115 of the *Environmental Protection Act 1994*?

- Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below
 No

Note: Application for an environmental authority can be found by searching "ESR/2015/1791" as a search term at www.qld.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.

Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			

- Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.

Hazardous chemical facilities

23.2) Is this development application for a **hazardous chemical facility**?

- Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application
 No

Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.

Clearing native vegetation

23.3) Does this development application involve **clearing native vegetation** that requires written confirmation that the chief executive of the *Vegetation Management Act 1999* is satisfied the clearing is for a relevant purpose under section 22A of the *Vegetation Management Act 1999*?

- Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)
 No

Note: 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development.
2. See <https://www.qld.gov.au/environment/land/vegetation/applying> for further information on how to obtain a s22A determination.

Environmental offsets

23.4) Is this development application taken to be a prescribed activity that may have a significant residual impact on a **prescribed environmental matter** under the *Environmental Offsets Act 2014*?

- Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter
 No

Note: The environmental offset section of the Queensland Government's website can be accessed at www.qld.gov.au for further information on environmental offsets.

Koala conservation

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

- Yes
 No

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

Water resources

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

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

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

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

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

Waterway barrier works

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

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

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

Marine activities

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

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

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

Quarry materials from a watercourse or lake

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

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

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

Quarry materials from land under tidal waters

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

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

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

Referable dams

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

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

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

Tidal work or development within a coastal management district

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

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

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

Queensland and local heritage places

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

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

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

Name of the heritage place:		Place ID:	
-----------------------------	--	-----------	--

Brothels

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

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

Decision under section 62 of the Transport Infrastructure Act 1994

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

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

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist	
I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17 <i>Note: See the Planning Regulation 2017 for referral requirements</i>	<input checked="" type="checkbox"/> Yes
If building work is associated with the proposed development, Parts 4 to 6 of <i>DA Form 2 – Building work details</i> have been completed and attached to this development application	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
Supporting information addressing any applicable assessment benchmarks is with development application <i>Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see DA Forms Guide: Planning Report Template.</i>	<input checked="" type="checkbox"/> Yes
Relevant plans of the development are attached to this development application <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>	<input checked="" type="checkbox"/> Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (<i>see 21</i>)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
25) Applicant declaration	
<input checked="" type="checkbox"/> By making this development application, I declare that all information in this development application is true and correct <input checked="" type="checkbox"/> Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the <i>Electronic Transactions Act 2001</i> <i>Note: It is unlawful to intentionally provide false or misleading information.</i>	
<p>Privacy – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager’s and/or referral agency’s website.</p> <p>Personal information will not be disclosed for a purpose unrelated to the <i>Planning Act 2016</i>, <i>Planning Regulation 2017</i> and the <i>DA Rules</i> except where:</p> <ul style="list-style-type: none"> • such disclosure is in accordance with the provisions about public access to documents contained in the <i>Planning Act 2016</i> and the <i>Planning Regulation 2017</i>, and the access rules made under the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i>; or • required by other legislation (including the <i>Right to Information Act 2009</i>); or • otherwise required by law. <p>This information may be stored in relevant databases. The information collected will be retained as required by the <i>Public Records Act 2002</i>.</p>	

PART 9 – FOR OFFICE USE ONLY

Date received:

Reference number(s):

Notification of engagement of alternative assessment manager

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

QLeave notification and payment

Note: For completion by assessment manager if applicable

Description of the work	
QLeave project number	
Amount paid (\$)	
Date paid	
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	

APPENDIX 2: OWNER'S CONSENT FORM

CLIENT ACCEPTANCE FORM / OWNER'S CONSENT

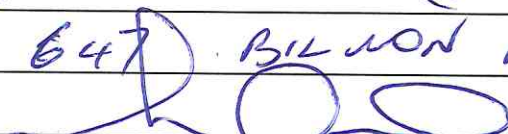
(TO BE COMPLETED AND RETURNED)

PROJECT:	Reconfiguration of a Lot – Boundary Realignment
PROJECT ADDRESS:	647 Bilwon Road, Bibohra (lot 17 & 18 on SP184961)

Client Details

Client:	LISANDRINO (Alex) ARENA (enter client name) (primary contact)
Invoice Address:	P.O Box 859 MANDRA (enter invoice address)
Phone:	0419 948 629 (enter client phone)
Email:	Alex@casalis.com.au (enter client email)
Accounts Contact:	GRACE ARENA (enter accounts email & phone)

Landowner Details

Landowner Name/s:	LISANDRINO (Alex) ARENA (enter landowner name/s) As shown on rates notice
Address:	647 BILWON Rd BILWON (enter address)
All Owners Signatures:	 (signatures from all landowners & Dated)

I / we, the party named below (the Client), confirm the commission of R&A Samanes Pty Ltd t/a U&i Town Plan (the Consultant), in relation to the project referenced above and accept all terms and conditions of the Quote and in particular confirm responsibility for payment of fees generated by this commission and payable to the Consultant strictly prior to lodgement of the Application and in other cases within 7 days of the date of invoice.

Signed:

Name:

Date:

Please complete, sign and return to: ramon@uitownplan.com.au. Along with a copy of the receipt of payment of selected fees.

APPENDIX 3: DEVELOPMENT PLANS

Site Plan - Boundary Realignment

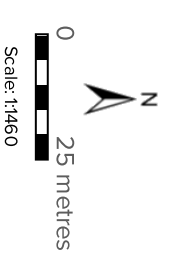
647 Bilwon Road, Bibboohra

16°52'16"S 145°25'4"E

16°52'16"S 145°25'20"E



Legend located on next page



Printed at: A3

Print date: 5/7/2022

Projection: Web Mercator EPSG:102100 (3857)

For more information, visit <https://qldglobe.information.qld.gov.au/help-info/Contact-us.html>


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16°52'28"S 145°25'4"E

16°52'28"S 145°25'20"E

Site Plan - Boundary Realignment

647 Bilwon Road, Bibboohra

 Legend

 Attribution

Local government

Land parcel label - gt 1000 ha



Address

Road Crossing

— Bridge

— Tunnel

Land parcel

Road



Land parcel - gt 1 ha

— Highway



Parcel

— Main

— Local

Land parcel - gt 10 ha

— Private



Railway

Property



Cities and Towns



Land parcel - gt 1000 ha



Parcel

Land parcel label

Land parcel label - gt 1 ha

Land parcel label - gt 10 ha

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