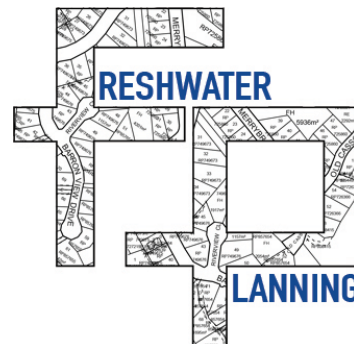


Your Ref: RAL/24/0008  
Our Ref: F24/14



18 February, 2025

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

**Attention: Brian Millard**  
**Regional Planning Group**

Dear Sir,

**RE: DEVELOPMENT APPLICATION RAL/24/0008  
REQUEST TO CHANGE DEVELOPMENT APPROVAL –  
APPLICATION FOR RECONFIGURING A LOT – SUBDIVISION (1 INTO 2 LOTS).  
LOT 1 ON RP748306, 303 KOAH ROAD, KOAH.**

This request for a Change to Development Approval RAL/24/0008 for a Reconfiguring a Lot – Subdivision (1 into 2 Lots) over land Lot 1 on RP748306, situated at 303 Koah Road, Koah is made on behalf of SURDHAM PTY LTD, the owners and original applicants of the site.

This Change to Development Approval is provided in response to recently obtained Conditioned Letter of Supply (Electricity) from Ergon Energy. Details of the requested to Change to the Approval and of the reasons for these are set out below in accordance with *Division 2 Changing Development Approvals – Subdivision 2 Changes after Appeal Period – Section 77 – 79 of the Planning Act 2016*.

## **The Approval**

The Mareeba Shire Council Approved a Development Permit for a Reconfiguring a Lot – Subdivision creating an additional Rural Residential Allotment over land described as then Lot 1 on RP748306, situated at 303 Koah Road, Koah on 03 July, 2024. Since this time, the proponent has started to undertake the requirements of the Approval.

## **Changing the Approval**

As noted above, arising from the progression of the Approval, the Applicant made Application to Ergon Energy to obtain the required Letter of Supply (Electricity) as per Condition 4.5 Electricity provision/supply. The received Letter of Supply has resulted in the request for an alternative Electricity Provision/Supply Condition.

The sought Change to the Development Approval is to provide for the ability for an alternative supply in addition to the current Condition. It is considered appropriate that the proposed Change to Approval to provide a more viable outcome for the proposed Reconfiguration, for the purposes outlined below, over the site is acceptable and appropriate.

Freshwater Planning Pty Ltd  
t/e The Freshwater Trust  
ACN 603 020 220 | ABN 31 187 983 959

P: 0402729004  
E: FreshwaterPlanning@outlook.com  
A: 17 Barron View Drive, FRESHWATER QLD 4870

The proponent in the latter part of last year, lodged an Application to Ergon Energy to obtain the provision of an appropriately level of Electricity Supply as per the requirements of Condition 4.5 – Electricity provision/supply. In mid-November, 2024, Ergon Energy provided the proponent with an official Offer for Network Connection Services for the proposed Subdivision at 303 Koah Road, Koah (Attached). This letter of the supply of Overhead Electricity Reticulation resulted in the Offer to provided connection to the Overhead Network for the cost of \$38,502.00. The Approval is for a two (2) allotment Rural Residential Subdivision within Koah (with an existing appropriate Supply), the proponent considers that cost for the provision of overhead supply to be onerous and unviable to proceed with the Approved Development.

Further the proponent wishes to question Condition 4.5, as they feel that it should be interpreted to include off grid solar energy systems, which in light of technological advances can legitimately be described as “an appropriate level of electricity supply”, from accredited retailers who can accurately be described as “an Electricity Service providers” as per the requirements of the Condition. The existing Condition refers to FNQROC Development Manual standards which do not explicitly state that reticulated grid fed electricity supply must be provided in this location.

In view of a carbon-neutral and more reliable electricity supply option being available, which also has significantly lower initial cost (about half) as well as no yearly electricity fees, the proponent considers the requirement for the provision of overhead supply to be unfair, unreasonable and excessively onerous, as well as being counterproductive to Australia's CO2-reduction commitments.

It is further noted that there is a precedent for alternative electricity supply in the negotiated decision notice approved by Council on 01-06-2016 for LOT 1 NR7238 - 1063 KOAH ROAD, KOAH - DA/16/0009. Additionally, it is further understood by the proponent that other previous developments within the Koah Rural Residential Area have been permitted to allow for an alternative Power Supply.

In addition to the representations provided above, Freshwater Planning Pty Ltd has been provided with the following from the proponent of the site.

*‘When the applicant purchased 303 Koah Road in or about 1989, he decided to not connect to the grid as to not be part of the problem, namely using coal-fired power which is creating global warming. The applicant initially purchased second hand solar panels and ex-telstra batteries, which worked fine for many years.*

*In 2009, the applicant purchased a 36kW battery bank together with 1.5kW of solar panels, including a tracker, regulator, all wires & fuses and installation for \$15,146.00. An additional 2kW of new solar panels were installed in December 2012 for \$3,017.00, replacing old BP solar panels. This system is producing 5-25kW /day depending on cloud cover. Prices since then have been falling significantly and today for the same money a much larger system can be installed, producing more than double that daily output.*

*The above \$18,000.00 stand-alone solar system has been more than sufficient to run the applicant's large shed and 3BR house with two fridges, a bore-pump, a pool pump, daily use of power tools, TVs, computers and lights with two to six people living at the address at any time. Only once did they have to use a generator after a bar heater was left on for several days.*

*Assuming a very low average of 10kW of electricity used per day and a very conservative average 700grams CO2 of carbon intensity per kW/hr for Ergon electricity over the last twenty years, the applicant has prevented over 40 tonnes of CO2 emissions and saved over \$30,000 in electricity bills during that time.*

*For council to require both lots to be connected to Ergon power at a cost which is about double of what a sufficiently large stand-alone solar system will cost today is considered unfair, unreasonable and restrictive, especially when considering that one lot already has a well-functioning stand-alone solar system.*

Page  
3

*Does council really want to require people to create more CO2 emissions, suffer black-outs and pay excessive power bills, rather than take advantage of Mareeba's 300 days of sunshine?*

*It is in our opinion incomprehensible and environmentally irresponsible that at a time of increasingly extreme climate events as a result of fossil fuel usage council would deny people to be part of the solution by choosing independent carbon neutral electricity supplies, unless they waste tens of thousands of dollars on infrastructure which will never be used.*

It is requested that Condition 4.5 Electricity provision/supply be amended to incorporate the provision of an alternative supply as follows:

#### 4.5 Electricity provision/supply

The applicant/developer must ensure that an appropriate level of electricity supply is provided to each allotment in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

An appropriate level of electricity supply to each allotment may be provided by:

- (a) Written advice from an Electricity Service Provider indicating to Council, that an agreement has been made for the provision of power reticulation to the lot, or that power reticulation is already available to the lot; or
- (b) The applicant providing an off-grid solar energy system servicing the allotment, prior to the occupation of the dwelling house on the allotment, which meets or exceeds the following minimum requirements:
  - (i) The off-grid solar energy system shall have a minimum capacity of 4kW, include battery storage and a backup generator; and
  - (ii) The off-grid solar energy system must be an accredited product through the Solar PV Accreditation scheme (Clean Energy Council) and must be installed by a supplier accredited under this same scheme; or
- (c) A combination of (a) and (b).

It is considered that the proposed Change to Development Approval results in a more appropriate outcome ensuring that an economically viable and eco-friendly development can occur. The proposal will continue to foster Rural Residential Growth within Koah and the Mareeba Township.

This completes this Request to Change the Development Approval. Please do not hesitate to contact me, in the first instance, should you require further information in relation to the matter.

Yours faithfully,

  
MATTHEW ANDREJIC  
FRESHWATER PLANNING PTY LTD

Tax Invoice/Receipt

Ergon Energy Corporation Limited  
ABN: 50 087 646 062

everything in our power



TO: Surdham Pty Ltd  
PO Box 51  
Kuranda QLD 4881

Invoice: CCG10416664  
Date Issued: 12 November 2024

Payment Due on or before: 9 December 2024

Item	Amount	GST	Amount + GST
Payment for Network Connection at: Lot 1 RP748306, 303 Koah Road, Koah QLD 4881 - Subdivision. Reference: 1952335			
Option 1: 100% Payment upfront	35,001.82	3,500.18	38,502.00
OR			
Option 2: 40% / 60% Instalment Option 40% Payment due now	14,000.91	1,400.09	15,401.00

As detailed in your Offer for Network Connection Services, please pay **one** of these payment options. **Your work will not commence until signed acceptance and payment is received.**

This document becomes a tax invoice/receipt once payment has been made.

Retain this portion for your records

Date Paid

Cheque/Receipt Number

Amount Paid

Please return this portion of the invoice to: Accounts Receivable  
PO Box 308  
Rockhampton QLD 4700  
Email to: accountsreceivable@energyq.com.au

Payment Option Chosen (please tick one)

☐ Option 1: 100% Payment upfront

☐ Option 2: 40% / 60% Instalment Option

How to make your payment

☐ EFT Payment

Bank: Commonwealth Bank  
Account Name: Energy Queensland Ltd  
BSB Number: 064-710  
Account Number: 10635262  
Reference: CCG10416664

Customer Details - CCG 40/100 Payment

Surdham Pty Ltd  
PO Box 51  
Kuranda QLD 4881  
Work Request: 1952335  
Work Order: 10416664  
Opt 1: \$38,502.00 (Inc GST \$3,500.18)  
Opt 2: \$15,401.00 (Inc GST \$1,400.09)

☐ Credit Card

☐ Contact Ergon Energy on 1300 032 306 to make a payment by credit card (select option 2)\

OR

☐ Provide contact number below and Ergon Energy will contact you to arrange for payment by credit card. (please print clearly)

Contact number:

Contact name:

PLEASE DO NOT SEND CASH

# Change application form

**Planning Act Form 5 (version 1.2 effective 7 February 2020) made under Section 282 of the Planning Act 2016.**

This form is to be used for a change application made under section 78 of the *Planning Act 2016*. It is important when making a change application to be aware of whether the application is for a minor change that will be assessed under section 81 of the *Planning Act 2016* or for an other change that will be assessed under section 82 of the *Planning Act 2016*.

An applicant must complete all parts of this form, and provide any supporting information that the form identifies as being required to accompany the change application, unless stated otherwise. Additional pages may be attached if there is insufficient space on the form to complete any part.

**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) (individual or company full name)	SURDHAM PTY LTD
Contact name (only applicable for companies)	
Postal address (P.O. Box or street address)	C/ Freshwater Planning Pty Ltd 17 Barronview Drive
Suburb	Freshwater
State	QLD
Postcode	4870
Country	Australia
Email address (non-mandatory)	FreshwaterPlanning@outlook.com
Mobile number (non-mandatory)	0402729004
Applicant's reference number(s) (if applicable)	F24/14

2) Owner's consent - Is written consent of the owner required for this change application?	
<b>Note:</b> Section 79(1A) of the <i>Planning Act 2016</i> states the requirements in relation to owner's consent.	
<input type="checkbox"/> Yes – the written consent of the owner(s) is attached to this change application	
<input checked="" type="checkbox"/> No	

## PART 2 – LOCATION DETAILS

3) Location of the premises (complete 3.1) or 3.2), and 3.3) as applicable)				
3.1) Street address and lot on plan				
<input checked="" type="checkbox"/> Street address <b>AND</b> lot on plan (all lots must be listed), <b>or</b>				
<input type="checkbox"/> Street address <b>AND</b> 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
		303	Koah Road	Koah
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4881	1	RP748306	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb

	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
<b>3.2) Coordinates of premises</b> (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) <b>Note:</b> Place each set of coordinates in a separate row.				
<input type="checkbox"/> 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="checkbox"/> 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:	
<b>3.3) Additional premises</b>				
<input type="checkbox"/> Additional premises are relevant to the original development approval and the details of these premises have been attached in a schedule to this application <input checked="" type="checkbox"/> Not required				

## PART 3 – RESPONSIBLE ENTITY DETAILS

<b>4) Identify the responsible entity that will be assessing this change application</b> <b>Note:</b> see section 78(3) of the Planning Act 2016
Mareeba Shire Council

## PART 4 – CHANGE DETAILS

<b>5) Provide details of the existing development approval subject to this change application</b>			
Approval type	Reference number	Date issued	Assessment manager/approval entity
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval	RAL/24/0008	01 July, 2024	Mareeba Shire Council
<input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval			
<b>6) Type of change proposed</b>			
<b>6.1) Provide a brief description of the changes proposed to the development approval (e.g. changing a development approval for a five unit apartment building to provide for a six unit apartment building):</b>			
Change of Development Approval to allow for Alternative Power Supply			
<b>6.2) What type of change does this application propose?</b>			
<input checked="" type="checkbox"/> Minor change application – proceed to Part 5 <input type="checkbox"/> Other change application – proceed to Part 6			

## PART 5 – MINOR CHANGE APPLICATION REQUIREMENTS

### 7) Are there any affected entities for this change application

☒ No – proceed to Part 7

☐ Yes – list all affected entities below and proceed to Part 7

**Note:** section 80(1) of the Planning Act 2016 states that the person making the change application must give notice of the proposal and the details of the change to each affected entity as identified in section 80(2) of the Planning Act 2016.

Affected entity	Pre-request response provided? (where a pre-request response notice for the application has been given, a copy of the notice must accompany this change application)	Date notice given (where no pre-request response provided)
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	

## PART 6 – OTHER CHANGE APPLICATION REQUIREMENTS

**Note:** To complete this part it will be necessary for you to complete parts of DA Form 1 – Development application details and in some instances parts of DA Form 2 – Building work details, as mentioned below. These forms are available at <https://planning.dsdmip.qld.gov.au>.

### 8) Location details - Are there any additional premises included in this change application that were not part of the original development approval?

☐ No

☐ Yes

### 9) Development details

#### 9.1) Is there any change to the type of development, approval type, or level of assessment in this change application?

☐ No

☐ Yes – the completed Sections 1 and 2 of Part 3 (Development details) of DA Form 1 – Development application details as these sections relate to the new or changed aspects of development are provided with this application.

#### 9.2) Does the change application involve building work?

☐ No

☐ Yes – the completed Part 5 (Building work details) of DA Form 2 – Building work details as it relates to the change application is provided with this application.

### 10) Referral details – Does the change application require referral for any referral requirements?

**Note:** The application must be referred to each referral agency triggered by the change application as if the change application was the original development application including the proposed change.

☐ No

☐ Yes – the completed Part 5 (Referral details) of DA Form 1 – Development application details as it relates to the change application is provided with this application. Where referral is required for matters relating to building work the [Referral checklist for building work](#) is also completed.

### 11) Information request under Part 3 of the DA Rules

☐ I agree to receive an information request if determined necessary for this change application

☐ I do not agree to accept an information request for this change application

**Note:** By not agreeing to accept an information request I, the applicant, acknowledge:



- that this change application will be assessed and decided based on the information provided when making this change application and the assessment manager and any referral agencies relevant to the change application are not obligated under the DA Rules to accept any additional information provided by the applicant for the change 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: Forms 1 and 2](#).

## 12) Further details

- ☐ Part 7 of *DA Form 1 – Development application details* is completed as if the change application was a development application and is provided with this application.

# PART 7 – CHECKLIST AND APPLICANT DECLARATION

## 13) Change application checklist

I have identified the:

- responsible entity in 4); and
- for a minor change, any affected entities; and ☒ Yes
- for an other change all relevant referral requirement(s) in 10)

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

For an other change application, the relevant sections of [DA Form 1 – Development application details](#) have been completed and is attached to this application ☐ Yes ☒ Not applicable

For an other change application, where building work is associated with the change application, the relevant sections of [DA Form 2 – Building work details](#) have been completed and is attached to this application ☐ Yes ☒ Not applicable

Supporting information addressing any applicable assessment benchmarks is attached to this application ☒ Yes

**Note:** This includes any templates provided under 23.6 and 23.7 of *DA Form 1 – Development application details* that are relevant as a result of the change application, a planning report and any technical reports required by the relevant categorising instrument(s) (e.g. the local government planning scheme, State Planning Policy, State Development Assessment Provisions). For further information, see [DA Forms Guide: Planning report template](#).

Relevant plans of the development are attached to this development application ☒ Yes

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

## 14) Applicant declaration

- ☒ By making this change application, I declare that all information in this change 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 responsible entity and any relevant affected entity or referral agency for the change 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 responsible entity and/or chosen assessment manager, any relevant affected entity or referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the change application.

All information relating to this change 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 8 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE  
USE ONLY

---

Date received:

Reference number(s):

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			