

RAL/17/0002



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Our Ref: 34347-001-01
Your Ref:

Principals
s.r. motti | p.j. murphy | r.j. melick | g.l. allwood

13 July 2017

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



Attention: Mr Brian Millard

Dear Brian

**APPLICATION FOR RECONFIGURATION OF A LOT (1 LOT INTO 2 LOTS)
UNDER SUPERSEDED PLANNING SCHEME – MAREEBA SHIRE COUNCIL PLANNING SCHEME 2004
MCCORRY ROAD, KOAH – LOT 3 ON RP745187**

We act on behalf of Brayden Hooper and Rohana McPhee in relation to the abovementioned.

On behalf of the applicant we now submit to Council an application seeking a Development Permit for Reconfiguring a Lot (1 lot into 2 lots) on land at McCorry Road, Koah, properly described as Lot 3 on RP745187.

Please see enclosed a copy of the Development Application, including the planning report and supporting documentation. Also enclosed is a cheque in the amount of \$995.00, being payment of Council's application fee.

We trust that the enclosed documentation is sufficient to allow Council's assessment of the proposed development, however, should you have any further queries or wish to discuss please do not hesitate to contact this office.

Yours faithfully

ERIN BERTHELSEN
Senior Planner
Brazier Motti Pty Ltd

Our Ref: 34347-001-01
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MCCORRY ROAD, KOAH – LOT 3 ON RP745187**

We act on behalf of Brayden Hooper and Rohana McPhee in relation to the abovementioned. On behalf of the applicant we now submit to Council an application seeking a Development Permit for Reconfiguring a Lot (1 lot into 2 lots) on land at McCorry Road, Koah, properly described as Lot 3 on RP745187.

It is noted that Mareeba Shire Council have agreed to assess this Development Application for Reconfiguring a Lot (1 lot into 2 lots) under the provisions of the Superseded Planning Scheme, the Mareeba Shire Council Planning Scheme 2004 (Council Ref: PreEng/17/0021). The following has been prepared to assist with Council's assessment of the proposed Reconfiguration of a Lot (1 lot into 2 lots):

THE SITE

The subject land is located at McCorry Road, Koah and is properly described as Lot 3 on RP745187. It is noted that the subject land is quite vegetated and in parts is quite sloping, as identified in Figure 1 below:

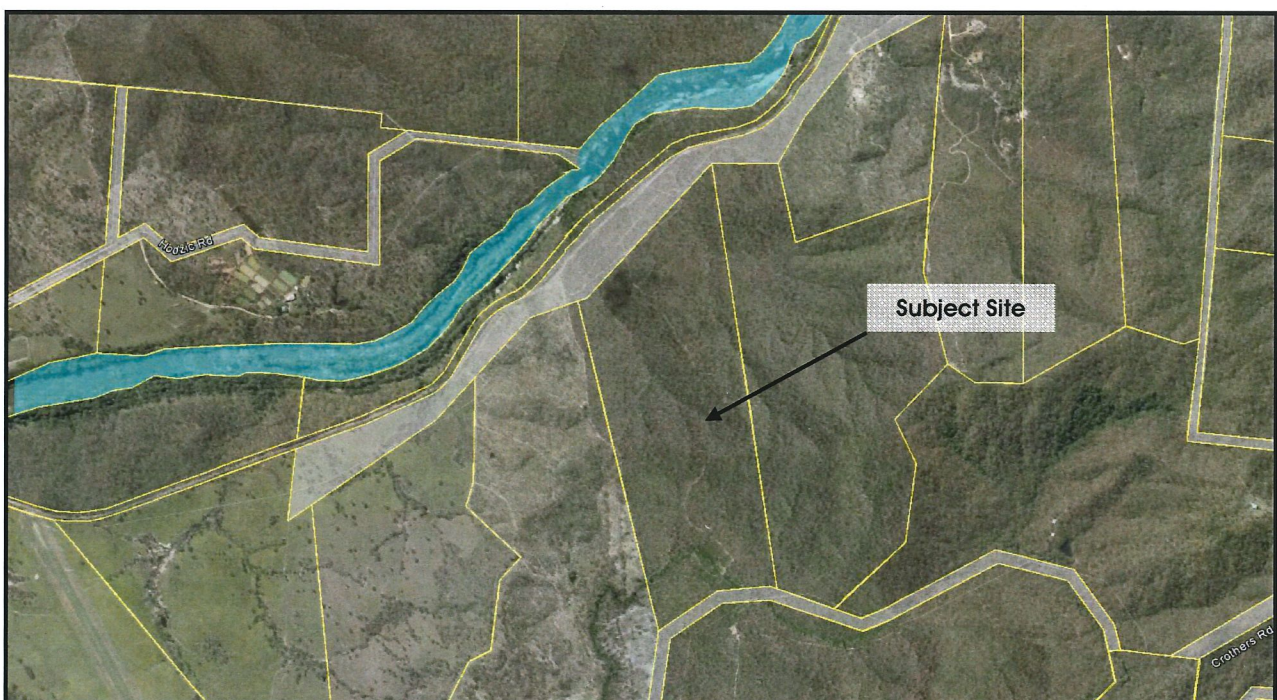


Figure 1: Satellite Imagery of the subject land (source Google Earth March 2017 – image date 04-08-2016)

The land contains a total area of 60.35 hectares and has frontage to McCorry Road and to Two Chain Road (off Fantin Road).

PROPOSAL

Approval of the Development Application will authorise a Development Permit for Reconfiguring a Lot (1 lot into 2 lots) at McCorry Road, Koah, properly described as Lot 3 on RP745187.

As identified on the enclosed plan of proposed reconfiguration (Brazier Motti Drawing No. 34347/001A) it is proposed subdivide the existing allotment to create two (2) lots, with areas of 30 hectares (Lot 30) and 30.35 hectares (Lot 31). Each of the proposed allotments will be vacant land. Access to proposed Lot 30 will be via McCorry Road and access to proposed Lot 31 will be via Two Chain Road.

Overall, it is considered that the proposed Reconfiguration of a Lot is generally consistent with the relevant requirements of the planning scheme.

MAREEBA SHIRE COUNCIL PLANNING SCHEME 2004

As previously mentioned, Mareeba Shire Council have agreed to assess this Development Application for Reconfiguring a Lot (1 lot into 2 lots) under the provisions of the Superseded Planning Scheme, the Mareeba Shire Council Planning Scheme 2004

Under the Mareeba Shire Council Planning Scheme 2004 the site is included in the Rural Zone. The Table of Assessment for the Rural Zone identifies that an application for Reconfiguring a Lot within this zone is Code Assessable.

The table below provides an overview of the planning scheme elements applicable to the subject land and the proposed development under the Mareeba Shire Council Planning Scheme 2004:

Zone	Rural Zone also within 'Preferred Area 3'
Overlays	Bushfire Overlay – medium bushfire hazard
Applicable Codes	Reconfiguring a Lot Code Rural Zone Code Natural Disaster-Bushfire Overlay Code

An assessment against the abovementioned planning scheme codes is as follows:

Reconfiguring a Lot Code

As previously detailed, the proposed subdivision will result in allotments that will have areas of 30 hectares (Lot 30) and 30.35 hectares. (Lot 31) The preferred minimum allotment size in the Rural Zone is 30 hectares. Accordingly, each of the proposed allotments are consistent with the preferred minimum lot size criteria.

The proposed subdivision layout is generally consistent with the existing pattern of development established within the surrounding area as well as generally accounting for existing site constraints – i.e. vegetation and topography. It is noted that each of the proposed allotments are of sufficient size and dimensions to allow for a suitable building envelope, that is appropriately setback from property boundaries and provides adequate area for a future dwelling house and associated infrastructure.

It is intended to utilise the existing road network to provide access to the proposed allotments. However, it is acknowledged that there may be a requirement to undertake upgrade works to the roads. It is also considered that each of the allotments are capable of being provided with an appropriate level of servicing.

Overall it is considered that the proposed development achieves consistency with the applicable elements of the Reconfiguring a Lot Code.

Rural Zone Code

The proposed reconfiguration creates two (2) allotments that are consistent with the intent of the Rural Zone. The subject land is located outside of the mapped Agricultural Land Quality Maps and therefore allotments with a minimum area of 30 hectares are permitted. Accordingly, the allotments as proposed are appropriate.

As previously mentioned each of the proposed allotments are of sufficient size and dimensions to allow for a suitable building envelope, that is appropriately setback from property boundaries and provides adequate area for a future dwelling house and associated infrastructure.

It is also noted that, while it is intended to utilise the existing road network to provide access to the proposed allotments, there may be a requirement to undertake upgrade works to the roads

Overall it is considered that the proposed development achieves consistency with the elements of the Reconfiguring a Lot Code. It is also noted that the proposed subdivision does not impact upon future activities or the strategic intent of the immediate locality.

Natural Disaster-Bushfire Overlay Code

While the proposed allotments are located within the medium potential bushfire hazard area, appropriate measures can be implemented to ensure that the safety of people and property is maintained.

The proposed allotments are of sufficient area and dimensions to allow for the provision of building envelopes that are able to comply with setback and safety standards. It is also considered that each of the allotments are provided with adequate vehicle access to allow for access to the site for firefighting purposes.

A condition of approval is expected requiring that any new dwelling on the allotments achieves appropriate setbacks from any hazardous vegetation and are provided with on-site water storage for firefighting purposes. The provision of a Bushfire Management Plan is also expected.

Overall it is considered that the proposed development achieves consistency with the applicable elements of the Natural Disaster-Bushfire Overlay Code.

PLANNING ACT 2016 CONSIDERATIONS

The *Planning Act 2016* is the statutory instrument for the State of Queensland under which, governs the planning framework in Queensland.

The table below provides an overview of the legislative context of the development application under the provisions of the *Planning Act 2016* and the *Planning Regulation 2016*.

Assessable Development	In accordance with Schedule 10 of the <i>Planning Regulation 2016</i> the development proposed by this application is "assessable development", accordingly a development permit is necessary.
Assessment Manager	Pursuant to Schedule 8 of the <i>Planning Regulation 2016</i> the Assessment Manager for this development application is Mareeba Shire Council.
Level of Assessment	The Mareeba Shire Council Planning Scheme 2004 identifies that the proposed development is Code Assessable development.
Public Notification	The application is Code Assessable, therefore, in accordance with section 53 of the <i>Planning Act 2016</i> public notification is not required.
Referrals	The application does not trigger referral to any referral agencies.

CONCLUSION

It is considered that the abovementioned has demonstrated that the proposed Reconfiguration of a Lot (1 lot into 2 lots) is consistent with the applicable provision of the Mareeba Shire Council Planning Scheme 2004.

The proposed Reconfiguration of a Lot (1 lot into 2 lots) is of a scale and nature that contributes to the proper and orderly development of the locality and is unlikely to have any significant impacts on the environment, community or strategic intent of the surrounding area.

It is considered that the proposal is consistent with the purpose of the zone and provides allotments which are of sufficient size and dimensions to allow for an adequate building envelope for a future dwelling house and associated infrastructure.

Accordingly, it is considered that the proposed development complies with the relevant assessment benchmarks and therefore, subject to the imposition of reasonable and relevant conditions, we request that Council a Development Permit for Reconfiguration of a Lot (1 lot into 2 lots).

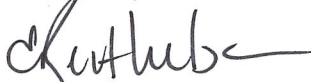
SUPPORTING DOCUMENTS

Please see enclosed the following documents to assist with Council's assessment of the application:

Attachment A:	DA Form 1 and Land Owners Consent;
Attachment B:	Title Search, Survey Plan and Smart Map;
Attachment C:	Plan of Proposed Reconfiguration (Brazier Motti Drawing No. 34347/001A).

We trust that the enclosed documentation is sufficient to allow Council's assessment of the proposed development, however, should you have any further queries or wish to discuss please do not hesitate to contact this office.

Yours faithfully



ERIN BERTHELSEN
Senior Planner
Brazier Motti Pty Ltd

Attachment A

DA Form 1 – Development application details

Approved form (version 1.0 effective 3 July 2017) 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**, 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>	Brayden Hooper and Rohana McPhee
Contact name <i>(only applicable for companies)</i>	
Postal address <i>(P.O. Box or street address)</i>	C/- Brazier Motti Pty Ltd PO Box 1185
Suburb	Cairns
State	Queensland
Postcode	4870
Country	Australia
Contact number	4033 2377
Email address <i>(non-mandatory)</i>	erin.berthelsen@braziermotti.com.au
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	34347-001-01

2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application	
<input checked="" type="checkbox"/> No – proceed to 3) – <i>but provided</i>	



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
			McCorry Road	Koah
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4881	3	RP745187	Mareeba
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

Note: Place each set of coordinates in a separate row. 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):*

Reconfiguration of a Lot (1 lot into 2 lots)

e) Relevant plans

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

Relevant plans of the proposed development are attached to the development application

6.2) Provide details about the second development aspect

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

Material change of use

Reconfiguring a lot

Operational work

Building work

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

Development permit

Preliminary approval

Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment

Impact assessment *(requires public notification)*

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

e) Relevant plans

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

Relevant plans of the proposed development are attached to the development application

6.3) Additional aspects of development

Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application

Not required

Section 2 – Further development details

7) Does the proposed development application involve any of the following?	
Material change of use	<input type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input checked="" type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete DA Form 2 – <i>Building work details</i>

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (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?	
1	
9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)	
<input checked="" type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input 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				2 Rural
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)

12.2) What is the reason for the boundary realignment?

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 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 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)

<input type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA have not been devolved to a local government)</i> <input type="checkbox"/> Fisheries – aquaculture <input type="checkbox"/> Fisheries – declared fish habitat area <input type="checkbox"/> Fisheries – marine plants <input type="checkbox"/> Fisheries – waterway barrier works <input type="checkbox"/> Hazardous chemical facilities <input type="checkbox"/> Queensland heritage place <i>(on or near a Queensland heritage place)</i> <input type="checkbox"/> Infrastructure – designated premises <input type="checkbox"/> Infrastructure – state transport infrastructure <input type="checkbox"/> Infrastructure – state transport corridors and future state transport corridors <input type="checkbox"/> Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels <input type="checkbox"/> Infrastructure – state-controlled roads <input type="checkbox"/> Land within Port of Brisbane’s port limits <input type="checkbox"/> SEQ development area <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – community activity <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – indoor recreation <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – residential development <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – urban activity <input type="checkbox"/> Tidal works or works in a coastal management district <input type="checkbox"/> Urban design <input type="checkbox"/> Water-related development – taking or interfering with water <input type="checkbox"/> Water-related development – removing quarry material <i>(from a watercourse or lake)</i> <input type="checkbox"/> Water-related development – referable dams <input type="checkbox"/> Water-related development – construction of new levees or modification of existing levees <i>(category 2 or 3 levees only)</i> <input type="checkbox"/> 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 <input type="checkbox"/> Strategic port land
Matters requiring referral to the relevant port operator: <input type="checkbox"/> Brisbane core port land <i>(below high-water mark and within port limits)</i>
Matters requiring referral to the chief executive of the relevant port authority: <input type="checkbox"/> Land within limits of another port
Matters requiring referral to the Gold Coast Waterways Authority: <input type="checkbox"/> Tidal works, or development in a coastal management district in Gold Coast waters
Matters requiring referral to the Queensland Fire and Emergency Service: <input type="checkbox"/> Tidal works, or development in a coastal management district

18) Has any referral agency provided a referral response for this development application?

Yes – referral response(s) received and listed below are attached to this development application
 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 (if applicable).

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules

I agree to receive an information request if determined necessary for this development application
 I do not agree to accept an information request for this development application

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

- 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 – the yellow local government/private certifier’s 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

Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
\$		

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

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 EM941) 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 "EM941" 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.justice.qld.gov.au for further information.

Clearing native vegetation

23.3) Does this development application involve **clearing native vegetation** that requires written confirmation 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 is accompanied by written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)

No

Note: See www.qld.gov.au for further information.

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.ehp.qld.gov.au for further information.

Water resources

23.6) Does this development application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, taking overland flow water or waterway barrier works**?

Yes – the relevant template is completed and attached to this development application

No

Note: DA templates are available from www.dilgp.qld.gov.au.

23.7) Does this application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water** under the *Water Act 2000*?

Yes – I acknowledge that a relevant water authorisation under the *Water Act 2000* may be required prior to commencing development

No

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

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 and Mines at www.dnrm.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 Heritage Protection at www.ehp.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.dews.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.ehp.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.ehp.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

 Yes*Note: See the Planning Regulation 2017 for referral requirements*If building work is associated with the proposed development, Parts 4 to 6 of *Form 2 – Building work details* have been completed and attached to this development application Yes Not applicable

Supporting information addressing any applicable assessment benchmarks is with development application

Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see [DA Forms Guide: Planning Report Template](#). Yes

Relevant plans of the development are attached to this development application

Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms Guide: Relevant plans](#). YesThe portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (*see 21*) Yes Not applicable**25) Applicant declaration** By making this development application, I declare that all information in this development application is true and correct Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001**Note: It is unlawful to intentionally provide false or misleading information.***Privacy** – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, *Planning Regulation 2017* and the *DA Rules* except where:

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

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

PART 9 – FOR 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	

The *Planning Act 2016*, the *Planning Regulation 2017* and the *DA Rules* are administered by the Department of Infrastructure, Local Government and Planning. This form and all other required development application materials should be sent to the assessment manager.

We, Brayden James Hooper and Rohana Alyshia McPhee

as owner of the premises identified as follows:

McCorry Road, Koah – Lot 3 on RP745187

consent to the making of a development application under the *Planning Act 2016* by:

Brayden James Hooper and Rohana Alyshia McPhee
C/- Brazier Motti Pty Ltd

on the premises described above for:

Reconfiguration of a Lot (1 lot into 2 lots)

B. Hooper - Brayden Hooper 9/7/17
M - Rohana McPhee 9/7/17 [signature of owner and date signed]

Attachment B

CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 26349446
Search Date: 05/07/2017 09:39

Title Reference: 21353176
Date Created: 26/11/1987

Previous Title: 21096241

REGISTERED OWNER

Dealing No: 717021069 20/01/2016

BRAYDEN JAMES HOOPER
ROHANA ALYSHIA MCPHEE JOINT TENANTS

ESTATE AND LAND

Estate in Fee Simple

LOT 3 REGISTERED PLAN 745187
Local Government: MAREEBA

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 21060093 (POR 172)
Deed of Grant No. 21060094 (POR 172)
2. MORTGAGE No 717021070 20/01/2016 at 12:04
NATIONAL AUSTRALIA BANK LIMITED A.B.N. 12 004 044 937

ADMINISTRATIVE ADVICES - NIL
UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

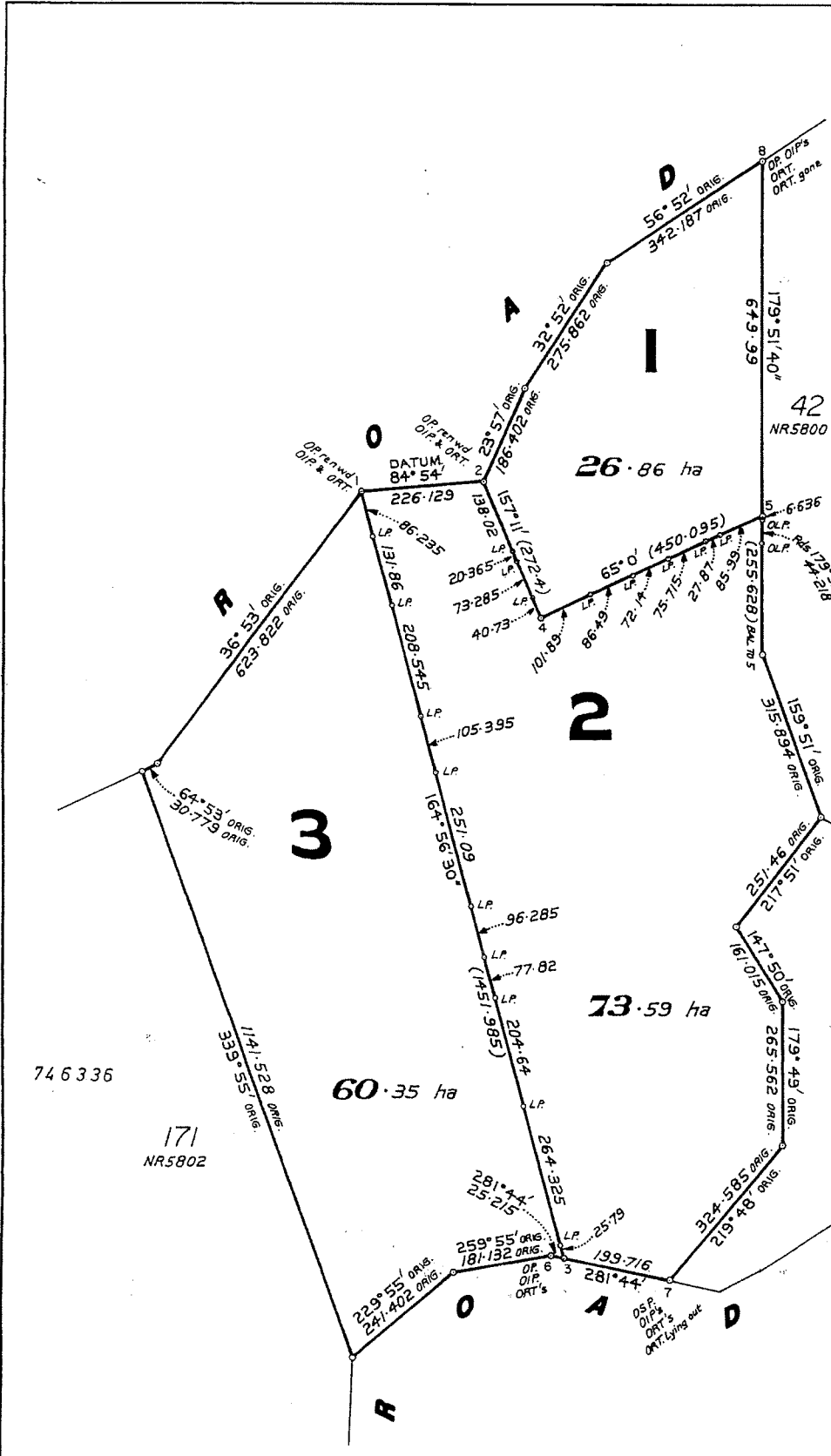
COPYRIGHT THE STATE OF QUEENSLAND (DEPT OF NATURAL RESOURCES AND MINES) [2017]
Requested By: D-ENQ GLOBAL X

WARNING - FOLDING OR MUTILATING WILL LEAD TO REJECTION - PLAN MAY BE ROLLED

D.M.S. Search 6-11-87

444 909 F.15

REFERENCE MARKS				
STN	TO	BEARING	DIST.	REMARKS
1	O.I.P.	84° 54'	1.006	
	ORT.	239° 37'	4.225	
2	O.I.P.	23° 57'	1.006	
	ORT.	120° 18'	3.098	
3	Pin	344° 56' 30"	1.0	
4	Pin	157° 11'	1.091	
5	Pin	65° 0'	1.382	
6	O.I.P.	101° 44'	1.006	
	ORT.	270° 05'	5.753	Bench Eastern
	ORT.	135° 56'	9.203	New Conn.
7	O.I.P.	39° 48'	1.006	
	O.I.P.	281° 44'	"	
	ORT.	316° 25'	2.394	
	ORT.	286° 02'	12.915	
	ORT.	52° 59'	13.659	
8	ORT. Lying out	128° 48'	6.88	
	O.I.P.	56° 52'	1.006	
8	O.I.P.	179° 52'	"	
	ORT.	140° 30'	19.312	Bench Eastern
	ORT. gone.	147° 35'	11.829	out



Original information compiled from NR5802 in the Department of Mapping and Surveying

NO. FIELD NOTES LODGED		PLAN OF Lots 1 to 3		ORIG. PORTION <u>172</u>	
ORIGINAL GRANT		Cancelling Lot 172 on plan NR5802		TOWN	
Vol 1060 fo 193 & 94				PARISH FORMARTINE	
MAP REF. P.M.		SURVEYED BY C.R. HUNTER ..25.12.1987		COUNTY <u>Nares</u>	
PROCLAIMED SURVEY AREA		MERIDIAN		SCALE 1:8000	
				REGISTERED PLAN 745187	

CROWN COPYRIGHT RESERVED, REGISTRAR OF TITLES, QUEENSLAND



745187

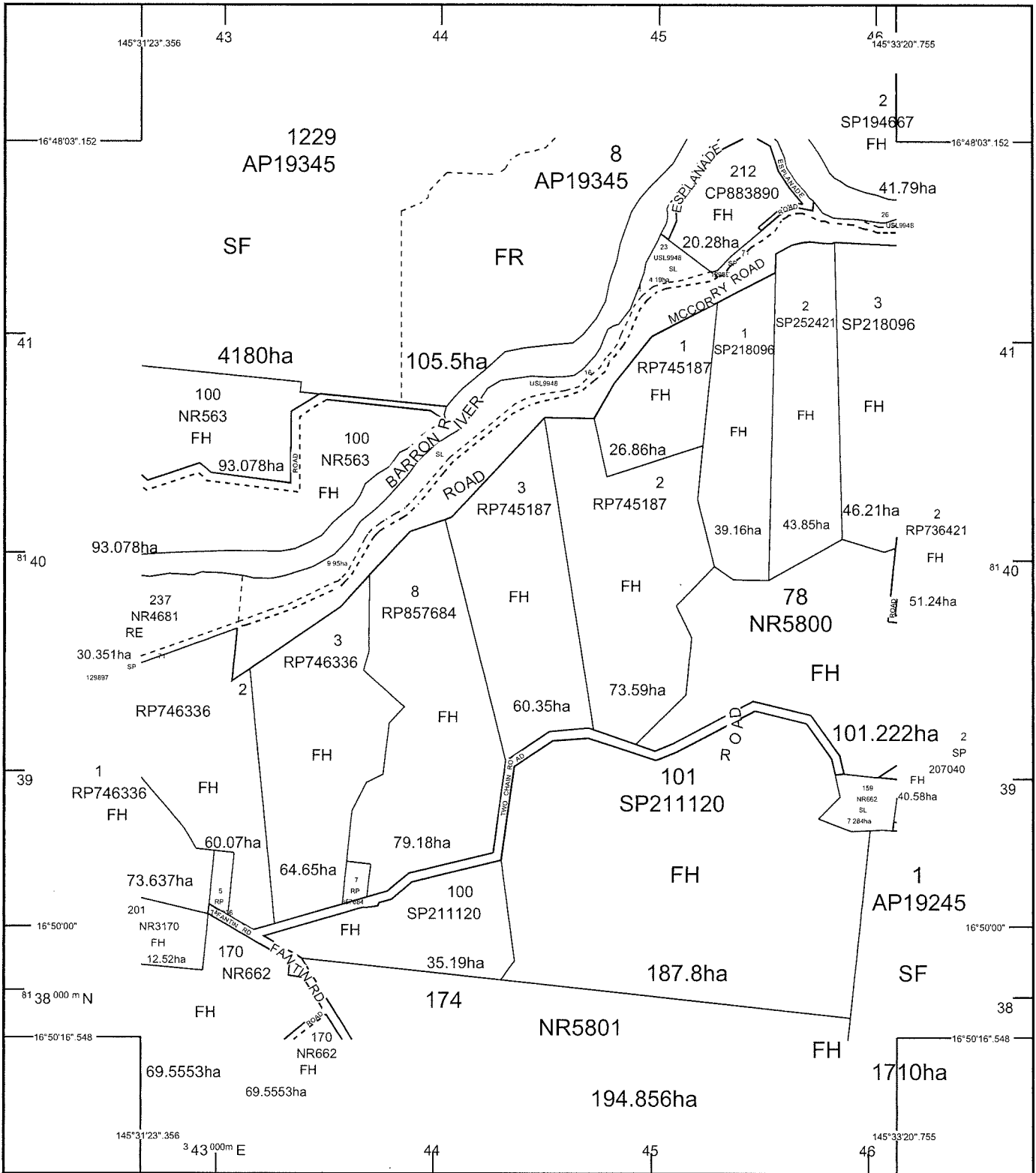
PLAN MUST BE DRAWN WITHIN BLUE LINES

745187

745187

PLAN MUST BE DRAWN WITHIN BLUE LINES

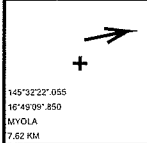
745187



STANDARD MAP NUMBER
8064-34314



MAP WINDOW POSITION & NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	3/RP745187
Area/Volume	60.35ha
Tenure	FREEHOLD
Local Government	MAREEBA SHIRE
Locality	KOAH
Segment/Parcel	9948/29

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 14/07/2017

DCDB 13/07/2017 (Lots with an area less than 3000m² are not shown)

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For further information on SmartMap products visit <http://nrw.qld.gov.au/property/mapping/blinmap>

SmartMap

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



Queensland Government
(c) The State of Queensland, (Department of Natural Resources and Mines) 2017.

Attachment C

PROPOSED RECONFIGURATION

Lots 30 & 31
Cancelling Lot 3 on RP745187

Parish of Formartine
County of Nares
Mareeba Shire Council



Note: Image provided by Google Earth
Imagery date - August 3rd, 2015
© State of Queensland 2017. Includes material © Airbus DC2013-17

This plan is conceptual and for discussion purposes only. All areas, dimensions and land uses are preliminary, subject to investigation, survey, engineering, and Local Authority and Agency approvals.



brazier mott

P 1300 267 878
W www.braziermott.com.au

Date: 14th June 2017
Scale: 1 : 5000 @ A3
Drawn: MLC
Job No: 34347/1-1
Plan No: 34347_001 A