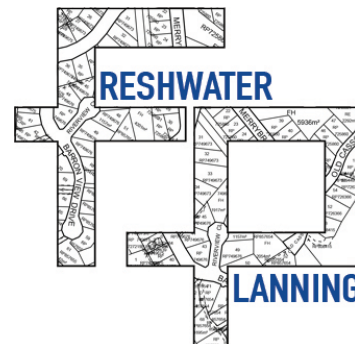


Your Ref:  
Our Ref: F25/04

07 July, 2025

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



**Attention: Regional Planning Group**

Dear Sir,

**RE: APPLICATION FOR RECONFIGURING A LOT – 1 LOT INTO 2 LOTS  
LOT 92 ON SP345989, MOUNT MULLIGAN ROAD, DIMBULAH.**

This application is for a Reconfiguring a Lot – 1 Lot into 2 Lots over land described as Lot 92 on SP345989, situated on Mount Mulligan Road, Dimbulah is submitted on behalf of L.M Mosch.

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

### **The Site**

The subject land is described as Lot 92 on SP345989 and is situated on Mount Mulligan Road, Dimbulah. The site is owned by L.M Mosch who is also the applicant for the proposed Reconfiguration. The site is FreeHold, comprises of a single allotment, is irregular in shape, has an area of 742.9 hectares, contains frontage to Mount Mulligan and encompasses Rural Activities. The property is vegetated and is intersected by Sawpit Creek and other Watercourses.

The site is accessed from the Mount Mulligan Road via existing crossovers with the proposed Reconfiguration not changing any of the existing. The site is vacant and can be provided with all available and necessary services when required.

In relation to the current State Governmental Mapping the site is Mapped as containing Remnant Vegetation and is Not Mapped as containing a Referable Wetland nor Essential Habitat. The site is not located within 25 metres of a State Controlled Road, nor is located within 25 metres of a Railway Corridor. It is considered that the proposal does not require Referral to any State Agencies.

## Referral Agencies

The site is Mapped as containing Remnant Vegetation that is 'least concern' Regional Ecosystems. However, the proposal does not result in the creation of any allotment less than 25.0 hectares in size. Therefore, it is considered that the Development Application **does not** require Referral to the Department of State Development, Infrastructure, Local Government and Planning for Vegetation Purposes.

### ROL Approval DA/16/0023

The Mareeba Shire Council, in late May of 2016 Approved a Subdivision of nine (9) Lots, DA/16/0023 over the originating parcel that encompasses the current site. The original parcel was then Lot 191 on SP284101 and was Approved to create eight (8) additional Rural Allotments. Under this Approval, Approved Lots 94 (489.1 Ha), Lot 95 (534.3 Ha), Lot 96 (700.2 Ha), Lot 97 (96.52 Ha), Lot 98 (80.35 Ha), and Lot 99 (93.57 Ha) have been created. Freshwater Planning Pty Ltd also understands that Approved Lots 91 (489.1 Ha), Lot 92 (742.9 Ha) and Lot 93 (2,236.125 Ha) has recently been titled. Attached to this Development Application is the current Title Registration (Queensland Titles) confirming the creation of Lot 92.

### The Proposed Development

The proposed development is for a Reconfiguring a Lot – 1 Lot into 2 Lots in the Rural Zone of the Mareeba Shire Planning Scheme. The site is located on Mount Mulligan Road, Dimbulah and is more particularly described as Lot 92 on SP345989. The site is irregular in shape, has an area of 742.9 hectares, contains frontage to Mount Mulligan Road, is vacant and contains Rural Activities. The site is accessed from the existing Road Network, being Mount Mulligan Road, and contains the ability to connect to all available and necessary services.

A Development Permit is sought to subdivide Lot 92 on SP345989 creating one (1) additional Rural Allotment within the existing Dimbulah/Mutchilba Rural Area. No change to the existing Rural nature or character of the Rural Zone is envisaged with the Reconfiguration. The proposal will provide for additional Rural Allotments while maintaining the existing amenities and aesthetics of the site.

The Reconfiguring a Lot proposes two (2) Rural Allotments described as proposed Lots 921 and 922. The proposed areas of the allotments are:

Proposed Lot 921	470.1 hectares
Proposed Lot 922	272.8 hectares.

The site is designated within the Rural Zone of the Mareeba Shire Planning Scheme and contains the Agricultural Land Overlay of Broadhectare Rural Area and Agricultural Land Class A. The proposal is to create an additional Rural Broadhectare Allotment within the existing and previous Broadhectare Allotment and Area. The original and existing Approval resulted in the provision of Rural Allotments ranging from 80.35 hectares (Lot 98) to 2,236.125 hectares (Lot 93). The proposal is for the Subdivision creating an additional Rural Allotment within the Broadhectare Rural Precinct resulting in two (2) Rural Allotments greater than 272 hectares in size (average size of greater than 371 hectares). Each proposed allotment is significantly larger than the existing Approved and recently created Los 97, 98 and 99. The proposal provides for similar or larger sized Rural Allotments than those recently Approved and created and within the immediate and surrounding Rural surrounds. The proposal creates an additional Broadhectare Rural Allotment resulting in a more appropriate outcome for the site, resulting in the provision of large Rural Holdings that are viable for Broadscale Grazing and Associated Activities. The proposed results in larger holding than those recently created and allotments within the immediate vicinity.

It is considered, in this instance, that the proposal results in large viable Rural Holdings for Broad Scale Grazing and Associated Activities and is considered appropriate and acceptable. The proposal results in the creation of Rural Allotments greater than those recently Approved and created within the Broadhectare Rural Agricultural Land Overlay.

It is noted that the Sketch Plan nominates that the Meets and Bounds and Areas and subject to final survey. The site gains access from the existing Road Network, being Mount Mulligan Road, with the proposed Reconfiguration not changing any of the existing crossovers. It is accepted that each allotment can be provided with the safe provision of access to the existing Road Network. The site is able to be connected to all available and necessary services with any proposed new Allotment able to be connected to the same level of serving, being all available and necessary services.

All proposed Rural Allotments are considered to appropriately meet the minimum area requirements nominated within the Mareeba Shire Planning Scheme's Reconfiguring a Lot Code for allotments in the Rural Zone. It is considered that the proposal is not in conflict with the Acceptable Solutions and where these cannot be met, the proposal can meet the Performance Criteria of the Reconfiguring a Lot Code for land in the Rural Zone and the Rural Zone Code.

The site is located in the Rural Zone of the Mareeba Shire Planning Scheme. The proposed Reconfiguration of a Lot is an Impact Assessable Use within this Zone, due to the Broadhectare Rural Area Overlay Mapping. The application is Impact Assessable.

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

Lot 92 on SP345989 is identified as being in the Regional Landscape and Rural Production Area designation of the FNQ Regional Plan Mapping.

*The Regional Plan introduces controls on subdivision of Rural Zoned land in the Regional Landscape and Rural Production Area. These controls serve two purposes – To maintain larger lots sizes to ensure the economic viability of rural land holdings and to protect important agricultural lands and areas of ecological significance from encroachment by urban and rural residential development.*

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

Section 2.6 Rural Subdivisions Land Use Policy 2.6.1 nominates that the further fragmentation of agricultural land in the Regional Landscape and Rural Production Area is avoided to maintain economically viable farming lots. The Mareeba Shire Council's Planning Scheme nominates that Rural Zoned Allotments contain an area of 60 hectares. The proposal provides for a Subdivision that is in accordance with the Mareeba Shire Council's Planning Scheme's Rural Zone and is considered acceptable.

It is additionally noted that a separate assessment against the Regional Plan is not required due to the fact that the Mareeba Shire Council Planning Scheme appropriately advances the Far North Queensland Regional Plan 2009-2031, as it applies to the Planning Scheme area. However, the Objective of Rural Subdivisions within the FNQ Regional Plan is for *'the region's Rural Production Areas and Natural Resources are protected by limiting land fragmentation'*. The proposed development is not in conflict with this Objective as it does not further fragment the existing Rural Productions Area as the proposal provides for two (2) viable Rural Allotments.

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

## Rural Zone Code

The Development Permit for a Reconfiguring of 1 Lot into 2 Lots is sought to subdivide Lot 92 on SP345989 creating an additional Rural Allotment ensuring that Rural Activities are continued over the site now and within the future. The proposal allows for the provision of new largescale Rural Ventures and the expansion of existing Rural Activities over the site and within the existing Dimbulah and Mutchilba Rural Areas. The site is designated within the Rural Zone of the Mareeba Shire Planning Scheme and no change to the Rural Zone is proposed with the Reconfiguration. The proposal will provide additional Rural Allotments while maintaining the existing amenities and aesthetics of the site.

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

Performance outcomes	Acceptable outcomes	Comments
	<b>A02.3</b> Buildings and structures, except where a Roadside stall, include a minimum setback of: <ul style="list-style-type: none"> <li>(a) 10 metres from a frontage to a sealed road that is not a State-controlled road; and</li> <li>(b) 100 metres from a frontage to any other road that is not a State-controlled road;</li> </ul>	Not Applicable. No Buildings proposed with the development nor is a Roadside Stall proposed.
<b>Accommodation density</b>		
<b>PO3</b> The density of Accommodation activities: <ul style="list-style-type: none"> <li>(a) respects the nature and density of surrounding land use;</li> <li>(b) is complementary and subordinate to the rural and natural landscape values of the area; and</li> <li>(c) is commensurate to the scale and frontage of the site.</li> </ul>	<b>A03.1</b> Residential density does not exceed one dwelling house per lot.  <b>A03.2</b> Residential density does not exceed two dwellings per lot and development is for: <ul style="list-style-type: none"> <li>(a) a secondary dwelling; or</li> <li>(b) Caretaker's accommodation and includes building work or minor building work with a maximum gross floor area of 100m<sup>2</sup>; or</li> <li>(c) Rural worker's accommodation.</li> </ul>	The proposal is for a Reconfiguration of 1 Rural Allotment into 2 Rural Allotments over vacant and vegetated land. The proposal will result in the ability for the provision of a future dwellings to be provided over each allotment. The proposal allows for the ability of a density of one dwelling per allotment not exceeding the Residential density of two dwellings per lot.
<b>For assessable development</b>		
<b>Site cover</b>		
<b>PO4</b> Buildings and structures occupy the site in a manner that: <ul style="list-style-type: none"> <li>(a) makes efficient use of land;</li> <li>(b) is consistent with the bulk and scale of buildings in the surrounding area; and</li> <li>(c) appropriately balances built and natural features.</li> </ul>	<b>A04</b> No acceptable outcome is provided.	Not Applicable. No Buildings proposed with the development.
<b>PO5</b> Development complements and integrates with the established built character of the Rural zone, having regard to: <ul style="list-style-type: none"> <li>(a) roof form and pitch;</li> <li>(b) eaves and awnings;</li> <li>(c) building materials, colours and textures; and</li> <li>(d) window and door size and location.</li> </ul>	<b>A05</b> No acceptable outcome is provided.	Not Applicable. No Buildings proposed with the development.
<b>Amenity</b>		
<b>PO6</b>	<b>A06</b> No acceptable outcome is provided.	The proposal is not considered to detract from the existing amenity of the site nor

Performance outcomes	Acceptable outcomes	Comments
<p>Development must not detract from the amenity of the local area, having regard to:</p> <ul style="list-style-type: none"> <li>(a) noise;</li> <li>(b) hours of operation;</li> <li>(c) traffic;</li> <li>(d) advertising devices;</li> <li>(e) visual amenity;</li> <li>(f) privacy;</li> <li>(g) lighting;</li> <li>(h) odour; and</li> <li>(i) emissions.</li> </ul>		<p>the local amenity of the immediate and surrounding area. The proposal is for a Reconfiguration of 1 Rural Lot into 2 Rural Lots providing similar Rural Allotments to those recently Approved. Any new Rural Allotments are not considered to significantly detract from the local amenity in relation to noise, traffic, privacy, and visual amenity. It is not considered that the proposal will detract from the amenity of the local area and is considered acceptable.</p>
<p><b>PO7</b></p> <p>Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to:</p> <ul style="list-style-type: none"> <li>(a) noise;</li> <li>(b) hours of operation;</li> <li>(c) traffic;</li> <li>(d) advertising devices;</li> <li>(e) visual amenity;</li> <li>(f) privacy;</li> <li>(g) lighting;</li> <li>(h) odour; and</li> <li>(i) emissions.</li> </ul>	<p><b>A07</b></p> <p>No acceptable outcome is provided.</p>	<p>The proposal is considered to ameliorate against any existing negative environmental impacts as the proposal is for a Reconfiguration creating two (2) Rural Allotments all 60.0 hectares or greater in size (smallest 272.8 ha). It is not considered that the proposal will have any significant adverse impacts nominated within the Performance Outcomes.</p>
<b>Rural uses</b>		
<p><b>PO8</b></p> <p>Uses and other development include those that:</p> <ul style="list-style-type: none"> <li>(a) promote rural activities such as agriculture, rural enterprises and small scale industries that serve rural activities; or</li> <li>(b) promote low impact tourist activities based on the appreciation of the rural character, landscape and rural activities; or</li> <li>(c) are compatible with rural activities.</li> </ul>	<p><b>A08</b></p> <p>No acceptable outcome is provided.</p>	<p>The proposal provides for two large Rural Allotments of similar sizes and Uses to the recently Approved and other surrounding Rural Allotments. The proposed Reconfiguration will provide a more appropriate outcome over the site allowing for further Rural Activities, Ventures and Operations to be created. No change to the existing Rural nature or character of the Area is proposed or envisaged.</p>
<p><b>PO9</b></p> <p>Areas for use for primary production and rural activities are conserved and protected from fragmentation, alienation and degradation.</p>	<p><b>A09</b></p> <p>No acceptable outcome is provided.</p>	<p>The proposed Reconfiguration provides for the provision of an additional Rural Allotment of similar or greater sizes than those recently Approved or within the immediate vicinity. The smallest proposed Rural Allotment is 272.8 hectares ensuring that each allotment is protected from fragmentation, alienation and degradation. No change to the existing Rural nature or character of the Area is proposed or envisaged.</p>

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

The site is Mapped as containing areas of Rural (Broadhectare) Agricultural Land for the majority with an area of Agricultural Land Class A. The proposal provides for two large Rural Broadhectare Rural Allotment that are similar in size or larger to those recently Approved and within the immediate vicinity.

Performance outcomes	Acceptable outcomes	Comments
<b>For accepted development subject to requirements and assessable development</b>		
<b>PO1</b> The fragmentation or loss of productive capacity of land within the 'Class A' area or 'Class B' area identified on the <b>Agricultural land overlay maps (OM-001a-n)</b> is avoided unless: <ul style="list-style-type: none"> <li>(a) an overriding need exists for the development in terms of public benefit;</li> <li>(b) no suitable alternative site exists; and</li> <li>(c) loss or fragmentation is minimised to the extent possible.</li> </ul>	<b>AO1</b> Buildings and structures are not located on land within the 'Class A' area or 'Class B' area identified on the <b>Agricultural land overlay maps (OM-001a-n)</b> unless they are associated with: <ul style="list-style-type: none"> <li>(a) animal husbandry; or</li> <li>(b) animal keeping; or</li> <li>(c) cropping; or</li> <li>(d) dwelling house; or</li> <li>(e) home based business; or</li> <li>(f) intensive animal industry (only where for feedlotting); or</li> <li>(g) intensive horticulture; or</li> <li>(h) landing; or</li> <li>(i) roadside stalls; or</li> <li>(j) winery.</li> </ul>	Complies, No new building or structures are proposed with the Reconfiguration. The proposal results in the provision of the Mapped Agricultural Land Class A Precinct within a single allotment.
<b>For assessable development</b>		
<b>PO2</b> Sensitive land uses in the 'Class A' area, 'Class B' area or the 'Broadhectare rural' area identified on the <b>Agricultural land overlay maps (OM-001a-n)</b> are designed and located to: <ul style="list-style-type: none"> <li>(a) avoid land use conflict;</li> <li>(b) manage impacts from agricultural activities, including chemical spray drift, odour, noise, dust, smoke and ash;</li> <li>(c) avoid reducing primary production potential; and</li> <li>(d) not adversely affect public health, safety and amenity.</li> </ul>	<b>AO2</b> No acceptable outcome is provided.	The proposal is for a two (2) allotment Rural Subdivision with the smallest proposed allotment being 272.8 hectares. The site does not contain nor propose any sensitive land uses within the Broadhectare Rural or Class A Agricultural Land Overlay Areas. Any adjacent considered sensitive land use is greater than 250 metres from the site's frontage of Mount Mulligan Road. No changes to the existing Rural Lands are envisaged by any surrounding sensitive land uses.
<b>PO3</b> Development in the 'Class A' area or 'Class B' area identified on the <b>Agricultural land overlay maps (OM-001a-n)</b> : <ul style="list-style-type: none"> <li>(a) ensures that agricultural land is not permanently alienated;</li> <li>(b) ensures that agricultural land is preserved for agricultural purposes; and</li> <li>(c) does not constrain the viability or use of agricultural land.</li> </ul>	<b>AO3</b> No acceptable outcome is provided.	The proposal is for a Reconfiguration creating an additional Broadhectare Rural Allotment. No change to the existing Rural nature or character of the Area is envisaged with the Subdivision.



Performance outcomes	Acceptable outcomes	Comments
<b>If for Reconfiguring a lot</b>		
<b>PO4</b> The 'Broadhectare rural area' identified on the <b>Agricultural land overlay maps (OM-001a-n)</b> is retained in very large rural holdings viable for broad scale grazing and associated activities.	<b>AO4</b> Development does not involve the creation of a new lot within the 'Broadhectare rural' area identified on the <b>Agricultural land overlay maps (OM-001a-n)</b> .	<p>The proposal provides for an addition Broadhectare Rural Allotment over the site. The smallest allotment proposed is 272.8 hectares with the Reconfiguration having an average size of greater than 371 hectares. The proposal provides for similar or larger sized Rural Allotments than those recently Approved and created. The proposal creates an additional Broadhectare Rural Allotment resulting in a more appropriate outcome for the site while creating the ability for additional largescale Rural Ventures to be created. The proposal results in large Rural Holdings that are viable for Broadscale Grazing and Associated Activities. The proposed results in larger holdings than those recently created and within the immediate vicinity.</p> <p>It is considered, in this instance, that the proposal results in large viable Rural Holdings for Broad Scale Grazing and Associated Activities and is considered appropriate and acceptable. The proposal results in the creation of Rural Allotments greater than those recently Approved and created within the Broadhectare Rural Agricultural Land Overlay.</p>
<b>PO5</b> Reconfiguring a lot in the 'Class A' area, 'Class B' area or the 'Broadhectare rural' area identified on the <b>Agricultural land overlay maps (OM-001a-n)</b> that is severed by a gazetted road occurs only where it does not fragment land used for agricultural purposes.	<b>AO5</b> No acceptable outcome is provided.	Not Applicable. The site is not severed by a Gazetted Road.
<b>PO6</b> Any Reconfiguring a lot in the 'Class A' area, 'Class B' area or the 'Broadhectare rural' area identified on the <b>Agricultural land overlay maps (OM-001a-n)</b> , including boundary realignments, only occurs where it: <ul style="list-style-type: none"> <li>(a) improves agricultural efficiency;</li> <li>(b) facilitates agricultural activity; or</li> <li>(c) facilitates conservation outcomes; or</li> <li>(d) resolves boundary issues where a structure is built over the boundary line of two lots.</li> </ul>	<b>AO6</b> No acceptable outcome is provided.	Not Applicable. The proposal is not for a Boundary Realignment.



It is considered that the proposal is not in conflict with the Agricultural Land Overlay and results in the provision of appropriate and acceptable Broadhectare Rural Allotments while maintaining and protecting the existing Agricultural Lands.

#### *Bushfire Hazard Overlay Code*

The site is Mapped as containing areas of Medium and High Hazards in addition to the Potential Impact Buffer within the Bushfire Hazard Overlay Mapping over the site. The proposal is for a Reconfiguration creating an additional Rural Allotment. No new buildings or structures are proposed with the Reconfiguration. Any future structures or Dwellings are able to be situated in the lowest Hazard Area or be provided with appropriate setbacks and firebreaks if located within the Mapped Hazard. The proponents will ensure that maintenance and upkeep of the site will be maintained to ensure no build-up of hazardous materials, and that existing or proposed firebreaks are maintained. It is not considered that the proposal will affect the Bushfire Hazard of the property as the site will ensure to remove any piling of fuel loads, contains existing firebreaks, and is provided with appropriate water sources. Any appropriate water source will contain sufficient storage of water for Firefighting Supply and will be provided with the appropriate connections where required.

#### *Environment Significance Overlay Code*

The site is Mapped as containing a Waterway and Waterway Buffer on the Environment Significance Map. No buildings or structures are proposed with the Reconfiguration. Each proposed allotment will be provided with all available services including the dispersal of appropriate Stormwater to the legal point of discharge when any dwellings are provided on that allotment. The proposal will not affect the Mapped Watercourse with existing appropriate setbacks to the Watercourse able to be provided if required. It is not considered that the proposal will affect the areas of Environmental Significance over the site and can be conditioned to ensure its protection, if required. The proposal has been designed for the provision of large Rural Allotments providing more appropriate Environmental Outcomes for the site. It is considered that the proposed development is not in conflict with the Purpose of the Environment Significance Overlay Code and is acceptable.

#### *Slope Overlay Code*

The site is Mapped as containing minor areas of Slope Hazard 15% or greater within the Slope Hazard Overlay Mapping. The proposal is for a Reconfiguration resulting in an additional large Rural Allotment with no new buildings or structures proposed. No clearing is proposed and if any works are proposed over land greater than 15%, a Geotechnical Report can be provided. It is considered that the Slope Overlay Code is Not Applicable to the proposed Reconfiguration.

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

The proposal is for a Reconfiguring a Lot – 1 Lot into 2 Lots in the Rural Zone of the Mareeba Shire Council's Planning Scheme. The proposal is sought to create an additional Rural Allotment within the Mutchilba/Dimbulah Rural Area. No change to the Rural Zone is proposed with the Reconfiguration and the proposal will result in additional Allotments while maintaining the existing aesthetics of the site. The proposed Subdivision is to preserve the existing nature of the site and the immediate and surrounding amenity in accordance with the Mareeba Shire Council's Planning Scheme.

A Development Permit for a two (2) allotment Rural Subdivision is sought to create an additional Rural Allotment without affecting the existing Rural nature or character of the Zone. No change to the existing Rural Activities provided over the site are envisaged, and the Reconfiguration will ensure that Rural Activities will be provided over the site now and within the future.

The Reconfiguring a Lot proposes two (2) Rural Allotments described as proposed Lots 921 and 922. The proposed areas of the allotments are:

Proposed Lot 921	470.1 hectares
Proposed Lot 922	272.8 hectares.

The minimum size within the Rural Zone is 60.0 hectares with the existing and proposed Rural Allotments 60.0 hectares or greater. It is noted that the Sketch Plan nominates that the Meets and Bounds and Areas and subject to final survey. The site gains access from the existing Road Network, being Mount Mulligan Road, with no change to the existing proposed. It is accepted that each allotment will be provided with the safe provision of access to the existing Road Network, being Mount Mulligan Road. No adverse impact to the safety, drainage, visual amenity, privacy of adjoining premises and service provisions are envisaged with the proposed Layout. The site is able to be connected to all available and necessary services with the proposed new Allotments also able to be connected to all available and necessary services at the time of construction of any future dwelling.

All proposed Rural Allotments are considered to appropriately meet the minimum area requirements nominated within the Mareeba Shire Planning Scheme's Reconfiguring a Lot Code. It is considered that the proposal is not in conflict with the Acceptable Solutions and where these cannot be met, the proposal can meet the Performance Criteria of the Reconfiguration of a Lot for land in the Rural Zone. It is considered that the Performance Outcomes of the Reconfiguring a Lot Code can be met in this instance.

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

The proposal is for a Reconfiguring a Lot – 1 Lot into 2 Lots in the Rural Zone within the Mareeba Shire Council's Planning Scheme. The site is able to be connected to all available and can be provided with the necessary services. No change to the existing services is proposed with the Reconfiguration and any further development of any of the newly created Allotments can be provided with all available and necessary services, being a domestic water supply, an effective effluent disposal system, in addition to an appropriate level of Stormwater disposal at the time of construction of any dwelling associated with that Rural Allotment.

The site gains access from the existing Road Network, being Mount Mulligan Road, with no change to the existing proposed. It is accepted that each allotment will be provided with the safe provision of access to the existing Road Network, being Mount Mulligan Road. It is accepted that each allotment will be provided with the safe provision of access to the existing Road Network, being Mount Mulligan Road.

No Excavation or Filling is proposed with the Reconfiguration however, if any significant Excavation or Filling associated with the proposed Reconfiguration is required than any resultant earthworks will be provided as part of an Operational Works Application.

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

## Conclusion

It is considered that the proposed development being a Reconfiguring a Lot – 1 Lot into 2 Rural Allotments over land described as Lot 92 on SP345989 is appropriate. In particular, the proposed development:

- ✚ Can meet the Acceptable Outcomes and Performance Outcomes relating to minimum allotment size and dimension;
- ✚ No change to the existing Rural nature or character of the area is envisaged, and the Subdivision will ensure that the new allotments will remain to be used as existing or for Rural Uses;
- ✚ Can meet the Performance Outcomes, Purposes and the Intent of the Reconfiguring a Lot Code for land included in the Rural Zone;
- ✚ Can meet the Intent and Objectives for the Rural Zone Code;
- ✚ Is not in conflict with the Mapped Overlays, in particular the Agricultural Land Overlay;
- ✚ Meets the Objectives of the Land Use Policies and is not in conflict with the Intent in relation to Reconfiguration within the Regional Landscape and Rural Production Area Designation of the FNQ Regional Plan 2009-2031; and
- ✚ Creates an additional Rural Allotment located within the Mutchilba/Dimbulah Rural Area, ensuring that Rural Activities and maintained over the site now and within the future.

Freshwater Planning Pty Ltd request that Council provide a copy of the Draft Conditions with sufficient time for review prior to issuing a Decision over the site. If you have any queries, please do not hesitate to contact Freshwater Planning Pty Ltd.

Yours faithfully,



**MATTHEW ANDREJIC**

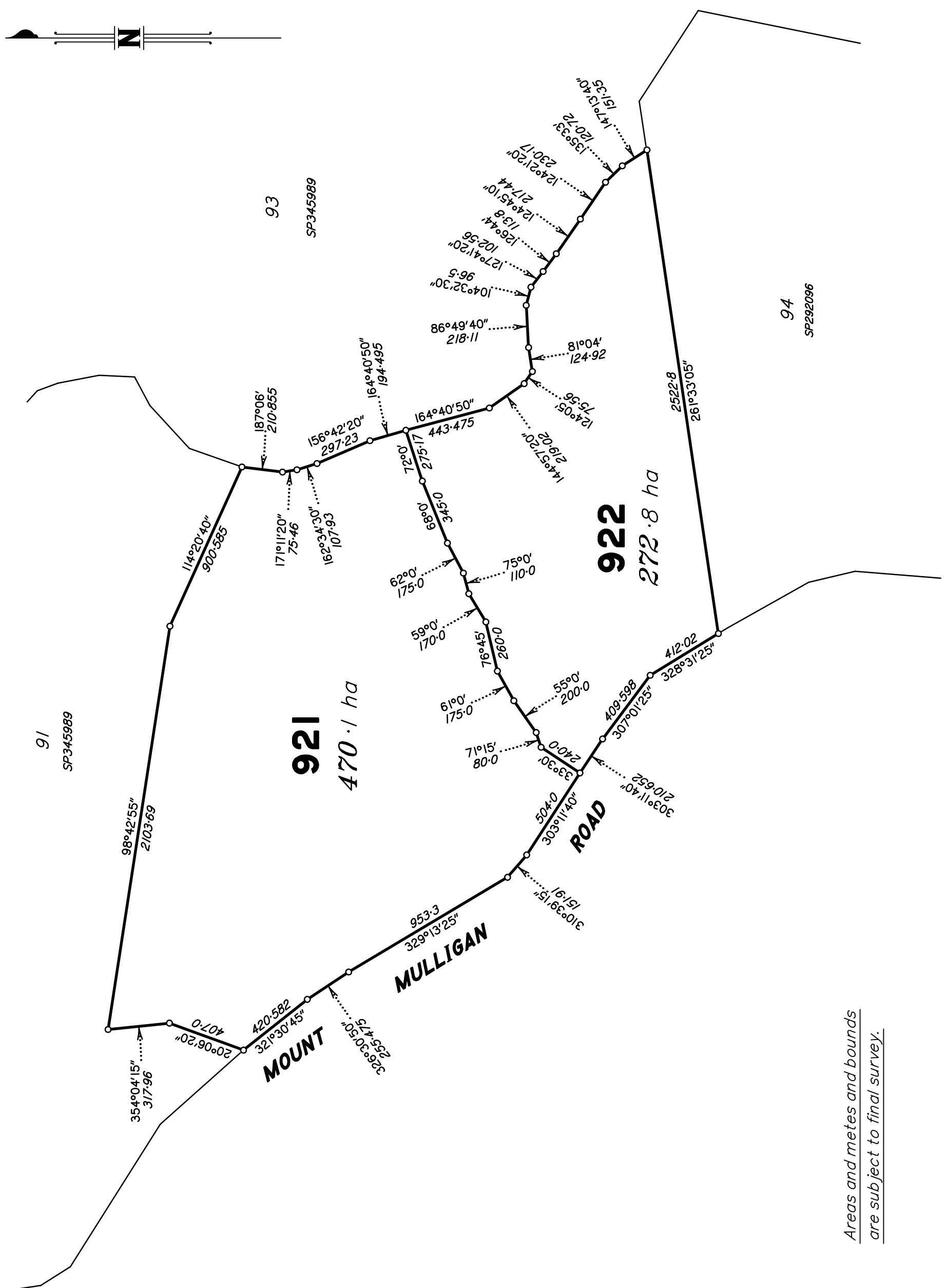
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CVT



Areas and metes and bounds  
are subject to final survey.

0 1.0 km 2.0 km 3.0 km

LOCAL GOVERNMENT: MSC  
LOCALITY: Dimbulah  
Scale 1: 20 000  
Reference: 7666 LLI Rev E  
Lot Layout – 3-07-2025

**DEVELOPMENT PLAN**  
*Plan of Lots 921 & 922*  
*Cancelling Lot 92 on SP345989*



TWINE SURVEYS PTY LTD  
15 Herberton Road, Atherton QLD  
PO Box 146, Atherton QLD 4883  
P: 07 4091 1303  
E: info@twinesurveys.com.au

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

Lodger Code: BE 3204

DAVID ANTHONY SOLICITORS  
PO BOX 53  
MAREEBA  
QLD 4880

<b>Title Reference:</b>	<b>51383374</b>
<b>Lodgement No:</b>	6654629
<b>Office:</b>	BRISBANE

*This is the current status of the title as at 08:00 on 23/05/2025*

#### ESTATE AND LAND

Estate in Fee Simple

LOT 92 SURVEY PLAN 345989

Local Government: MAREEBA

#### REGISTERED OWNER

Dealing No: 724012745 24/04/2025

LESLIE MAURICE MOSCH

#### EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 40071733 (Lot 191 on SP 284101)
2. EASEMENT No 717390650 18/07/2016 at 13:19  
benefiting the land over  
EASEMENT A ON HG806702

#### ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status
713284641	VEG NOTICE VEGETATION MANAGEMENT ACT 1999	10/06/2010 10:44	CURRENT

#### UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Registration Confirmation Statement \*\*

Registrar of Titles and Registrar of Water Allocations

# DA Form 1 – Development application details

Approved form (version 1.6 effective 2 August 2024) made under section 282 of the Planning Act 2016.

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

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

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

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

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

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

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

## PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	L.M Mosch
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
Contact number	0402729004
Email address (non-mandatory)	FreshwaterPlanning@outlook.com
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	F25/04
1.1) Home-based business	
<input type="checkbox"/> Personal details to remain private in accordance with section 264(6) of <i>Planning Act 2016</i>	
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)	

## 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
			Mount Mulligan Road	Dimbulah
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4872	92	SP345989	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- ☐ Coordinates of premises by longitude and latitude

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

- ☐ Coordinates of premises by easting and northing

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

#### 3.3) Additional premises

- ☐ Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development application  
☒ Not required

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

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

Name of water body, watercourse or aquifer: Sawpit Creek and Unnamed Creeks

- ☐ 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):



<input type="checkbox"/> On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>
Name of airport: <input type="text"/>
<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification: <input type="text"/>
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>
CLR site identification: <input type="text"/>

#### 5) Are there any existing easements over the premises?

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

- ☐ Yes – All easement locations, types and dimensions are included in plans submitted with this development application
- ☒ No

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

#### 6.1) Provide details about the first development aspect

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

- ☐ Material change of use    ☒ Reconfiguring a lot    ☐ Operational work    ☐ Building work

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

- ☒ Development permit    ☐ Preliminary approval    ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

- ☐ Code assessment    ☒ Impact assessment *(requires public notification)*

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

Reconfiguring 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

**6.4) Is the application for State facilitated development?**

- ☐ Yes - Has a notice of declaration been given by the Minister?
- ☒ No

**Section 2 – Further development details****7) Does the proposed development application involve any of the following?**

Material change of use	<input type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input checked="" type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

**Division 1 – Material change of use**

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

**8.1) Describe the proposed material change of use**

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

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

- ☐ Yes
- ☐ No

**8.3) Does the proposed development relate to temporary accepted development under the Planning Regulation?**

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

Provide a general description of the temporary accepted development	Specify the stated period dates under the Planning Regulation

**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 constructed road (complete 13)



**Queensland  
Government**

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

Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
				Rural (Broadhectare)
Number of lots created				2

**10.2) Will the subdivision be staged?**☐ Yes – provide additional details below☒ No

How many stages will the works include?

What stage(s) will this development application apply to?

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

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

**12) Boundary realignment****12.1) What are the current and proposed areas for each lot comprising the premises?**

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

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

--

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

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

**Division 3 – Operational work****Note:** This division is only required to be completed if any part of the development application involves operational work.**14.1) What is the nature of the operational work?**

- |  |                                     |  |
|--|-------------------------------------|--|
| <input type="checkbox"/> Road work                     | <input type="checkbox"/> Stormwater | <input type="checkbox"/> Water infrastructure  |
| <input type="checkbox"/> Drainage work                 | <input type="checkbox"/> Earthworks | <input type="checkbox"/> Sewage infrastructure |
| <input type="checkbox"/> Landscaping                   | <input type="checkbox"/> Signage    | <input type="checkbox"/> Clearing vegetation   |
| <input type="checkbox"/> Other – please specify: _____ |                                     |  |

**14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)**☐ Yes – specify number of new lots: \_\_\_\_\_☐ No
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14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)

\$

## PART 4 – ASSESSMENT MANAGER DETAILS

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

Mareeba Shire Council

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

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

## PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements?

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

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

Matters requiring referral to the **Chief Executive of the Planning Act 2016:**

- ☐ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has not been devolved to a local government*)
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Heritage places – Queensland heritage place (*on or near a Queensland heritage place*)
- ☐ Infrastructure-related referrals – designated premises
- ☐ Infrastructure-related referrals – state transport infrastructure
- ☐ Infrastructure-related referrals – State transport corridor and future State transport corridor
- ☐ Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
- ☐ Infrastructure-related referrals – near a state-controlled road intersection
- ☐ Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
- ☐ Koala habitat in SEQ region – key resource areas
- ☐ Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
- ☐ Ports – Brisbane core port land – environmentally relevant activity (ERA)
- ☐ Ports – Brisbane core port land – tidal works or work in a coastal management district
- ☐ Ports – Brisbane core port land – hazardous chemical facility
- ☐ Ports – Brisbane core port land – taking or interfering with water
- ☐ Ports – Brisbane core port land – referable dams
- ☐ Ports – Brisbane core port land – fisheries
- ☐ Ports – Land within Port of Brisbane's port limits (*below high-water mark*)
- ☐ SEQ development area
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – community activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – combined use
- ☐ SEQ northern inter-urban break – tourist activity or sport and recreation activity



Queensland  
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- ☐ SEQ northern inter-urban break – community activity
- ☐ SEQ northern inter-urban break – indoor recreation
- ☐ SEQ northern inter-urban break – urban activity
- ☐ SEQ northern inter-urban break – combined use
- ☐ Tidal works or works in a coastal management district
- ☐ Reconfiguring a lot in a coastal management district or for a canal
- ☐ Erosion prone area in a coastal management district
- ☐ Urban design
- ☐ Water-related development – taking or interfering with water
- ☐ Water-related development – removing quarry material *(from a watercourse or lake)*
- ☐ Water-related development – referable dams
- ☐ Water-related development – levees *(category 3 levees only)*
- ☐ Wetland protection area

Matters requiring referral to the **local government**:

- ☐ Airport land
- ☐ Environmentally relevant activities (ERA) *(only if the ERA has been devolved to local government)*
- ☐ Heritage places – Local heritage places

Matters requiring referral to the **Chief Executive of the distribution entity or transmission entity**:

- ☐ Infrastructure-related referrals – Electricity infrastructure

Matters requiring referral to:

- 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
- ☐ Infrastructure-related referrals – Oil and gas infrastructure

Matters requiring referral to the **Brisbane City Council**:

- ☐ Ports – Brisbane core port land

Matters requiring referral to the **Minister responsible for administering the *Transport Infrastructure Act 1994***:

- ☐ Ports – Brisbane core port land *(where inconsistent with the Brisbane port LUP for transport reasons)*
- ☐ Ports – Strategic port land

Matters requiring referral to the **relevant port operator**, if applicant is not port operator:

- ☐ Ports – Land within Port of Brisbane's port limits *(below high-water mark)*

Matters requiring referral to the **Chief Executive of the relevant port authority**:

- ☐ Ports – Land within limits of another port *(below high-water mark)*

Matters requiring referral to the **Gold Coast Waterways Authority**:

- ☐ Tidal works or work in a coastal management district *(in Gold Coast waters)*

Matters requiring referral to the **Queensland Fire and Emergency Service**:

- ☐ Tidal works or work in a coastal management district *(involving a marina (more than six vessel berths))*

**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 this development application, or include details in a schedule to this development application *(if applicable)*.

## PART 6 – INFORMATION REQUEST

### 19) Information request under 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 under Chapter 1 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules or
- Part 2 under Chapter 2 of the DA Rules will still apply if the application is for state facilitated development

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 checked="" type="checkbox"/> Approval <input type="checkbox"/> Development application	DA/16/0023	23 May, 2016	Mareeba Shire Council
<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 (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 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](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://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 536: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application
- ☒ No

**Note:** See [www.business.qld.gov.au](http://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](http://www.qld.gov.au) for further information on environmental offsets.

#### **Koala habitat in SEQ Region**

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

- ☐ Yes – the development application involves premises in the koala habitat area in the koala priority area
- ☐ Yes – the development application involves premises in the koala habitat area outside the koala priority area
- ☒ No

**Note:** If a koala habitat area determination has been obtained for this premises and is current over the land, it should be provided as part of this development application. See koala habitat area guidance materials at [www.desi.qld.gov.au](http://www.desi.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 Resources at [www.resources.qld.gov.au](http://www.resources.qld.gov.au) for further information.

DA templates are available from [planning.statedevelopment.qld.gov.au](http://planning.statedevelopment.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 [planning.statedevelopment.qld.gov.au](http://planning.statedevelopment.qld.gov.au). For a development application involving waterway barrier works, complete DA Form 1 Template 4.

### **Marine activities**

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

☐ Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*

☒ No

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

### **Quarry materials from a watercourse or lake**

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

☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

☒ No

**Note:** Contact the Department of Resources at [www.resources.qld.gov.au](http://www.resources.qld.gov.au) and [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

### **Quarry materials from land under tidal waters**

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

☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

☒ No

**Note:** Contact the Department of Environment, Science and Innovation at [www.desi.qld.gov.au](http://www.desi.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.resources.qld.gov.au](http://www.resources.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.desi.qld.gov.au](http://www.desi.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.desi.qld.gov.au](http://www.desi.qld.gov.au) for information requirements regarding development of Queensland heritage places. For a heritage place that has cultural heritage significance as a local heritage place and a Queensland heritage place, provisions are in place under the Planning Act 2016 that limit a local categorising instrument from including an assessment benchmark about the effect or impact of, development on the stated cultural heritage significance of that place. See guidance materials at [www.planning.statedevelopment.qld.gov.au](http://www.planning.statedevelopment.qld.gov.au) for information regarding assessment of Queensland heritage places.

Name of the heritage place:		Place ID:	
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### **Decision under section 62 of the Transport Infrastructure Act 1994**

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

- ☐ Yes – this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)

☒ No

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

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

- ☐ Yes – Schedule 12A is applicable to the development application and the assessment benchmarks contained in schedule 12A have been considered

☒ No

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

## **PART 8 – CHECKLIST AND APPLICANT DECLARATION**

### **24) Development application checklist**

I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17	<input checked="" type="checkbox"/> Yes
<b>Note:</b> See the Planning Regulation 2017 for referral requirements	
If building work is associated with the proposed development, Parts 4 to 6 of <a href="#">DA Form 2 – Building work details</a> have been completed and attached to this development application	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
Supporting information addressing any applicable assessment benchmarks is with the development application	<input checked="" type="checkbox"/> Yes
<b>Note:</b> This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see <a href="#">DA Forms Guide: Planning Report Template</a> .	
Relevant plans of the development are attached to this development application	<input checked="" type="checkbox"/> Yes
<b>Note:</b> Relevant plans are required to be submitted for all aspects of this development application. For further information, see <a href="#">DA Forms Guide: Relevant plans</a> .	
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable

## 25) Applicant declaration

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

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

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

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

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

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

## PART 9 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

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 (dd/mm/yy)
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	