From:Natacha JonesSent:6 Feb 2018 16:03:02 +1000To:Planning (Shared)Subject:New Application for Operational Works Dam site - Leadingham Ck Rd, Dimbulah<br/>- OPW/18/0002Attachments:Statecode16Nativevegetationclearing-responsetemplate-completed.docx, DA<br/>Form 1 - Development application details-completed.docx,22A\_Decision\_approved\_Letter\_20170915\_signed.pdf, Damsite\_Design\_V1.3\_2017.pdf,<br/>RegulatedVegetationNarementMap-20170527134627695000.pdf

From: Edward Balzarolo [mailto:balzofarming@gmail.com]
Sent: Monday, 5 February 2018 4:03 PM
To: Carl Ewin <<u>CarlE@msc.qld.gov.au</u>>
Subject: Re: Dam site -Leadingham Ck Rd

Hi Carl

Please find attached all of the relevant documents for a development permit for the construction of a dam at my property.

If you require any further information please contact me.

Regards

Edward Balzarolo

M: 0429 935 474

On 28/Sep/2017, at 9:42 am, Carl Ewin <<u>CarlE@msc.qld.gov.au</u>> wrote:

Edward,

If you were to apply for and gain approval for operational works - earthworks (water storage dam), the approval would last for 2 years (i.e. 2 years to complete the works).

Worst case scenario, you could also apply to extend this period closer to the 2 year lapse date.

Regards,

Carl Ewin Planning Officer

<image001.png> Phone: 1300 308 461 | Direct: 07 4086 4656 | Fax: 07 4092 3323 Email: carle@msc.qld.gov.au | Website: www.msc.qld.gov.au 65 Rankin Street, Mareeba | PO Box 154, Mareeba, Queensland, Australia, 4880

From: Edward Balzarolo [mailto:balzofarming@gmail.com]
Sent: Wednesday, 27 September 2017 9:16 PM
To: Carl Ewin
Subject: Re: Dam site -Leadingham Ck Rd

Hi Carl,

I was wondering if I get approval for construction of a dam does the approval expire within a time limit? The original contractor I had lined up to do the job has other jobs that he has committed to and may not get to do mine till the end of the year. This may be a tricky time to begin construction especially if we start getting storm rains. Therefore we may have to wait until after the upcoming wet season which may mean delaying construction till April/May/June next year.

Reagards

Edward Balzarolo

On 20/Sep/2017, at 10:41 am, Carl Ewin <<u>CarlE@msc.qld.gov.au</u>> wrote:

Hi Edward,

Yes your dam will be code assessable operational works and MSC will be the assessment manager.

The dam is a referrable dam if an "failure impact assessment is required". A failure impact assessment is required in the following instances:

### 343 When dam must be failure impact assessed

(1) A person who proposes to construct a dam must have the dam failure impact assessed if the dam, after its construction, will be—

(a) more than 10m in height and have a storage capacity of more than 1,500ML; or

(b) more than 10m in height and have a storage capacity of more than 750ML and a catchment area that is more than 3 times its maximum surface area at full supply level.

Maximum penalty—1,665 penalty units.

So I doubt your dam will be referrable. We will need any documentation you get from SARA and DNRM as well.

With regards to the portable long service levy, this is not a Council concern and is something you will need to discuss with the construction contractor.

Regards,

Carl Ewin Planning Officer

<image001.png> Phone: 1300 308 461 | Direct: 07 4086 4656 | Fax: 07 4092 3323 <u>Email: carle@msc.qld.gov.au</u> | <u>Website: www.msc.qld.gov.au</u> 65 Rankin Street, Mareeba | PO Box 154, Mareeba, Queensland, Australia, 4880

<image002.png>

From: Edward Balzarolo [mailto:balzofarming@gmail.com] Sent: Sunday, 17 September 2017 7:31 AM To: Planning (Shared) Subject: Re: Dam site -Leadingham Ck Rd RE: Bryan

Morning Carl,

I have some questions with regards to form 1.

- Will my dam be an operational work development that is code assessed?
- I assume the MSC will be the assessment manger?
- In Part 5 i'm not sure if the dam is a referable dam. I will attached supporting documents from SARA and DNR&M that address issues with vegetation classified as Category B that will get inundated potentially by water.
- In Part 7 it asks if the portable long service levy has been paid. Does this apply to my development?

Thanks for your consideration

Regards

Edward Balzarolo

On 01/Sep/2017, at 9:45 am, Planning (Shared) <<u>planning@msc.qld.gov.au</u>> wrote:

Sorry Edward,

See attached Form 1.

Carl Ewin Planning Officer

<image001.png> Phone: 1300 308 461 | Direct: 07 4086 4656 | Fax: 07 4092 3323 Email: carle@msc.qld.gov.au | Website: www.msc.qld.gov.au 65 Rankin Street, Mareeba | PO Box 154, Mareeba, Queensland, Australia, 4880

Go green, keep it on screen - think before you print

From: Carl Ewin
Sent: Friday, 1 September 2017 8:56 AM
To: 'Edward Balzarolo'
Subject: RE: Dam site -Leadingham Ck Rd RE: Bryan

Hi Edward,

See attached Form 1 (there is no form 6 anymore).

I would probably wait until you get the determination and response from DNRM, if there isn't one included with the application material we will just ask for it in an information request and will have to wait for it anyway.

Once the application is lodged with Council it should only take a few days to assess.

Regards,

Carl Ewin Planning Officer

<image001.png> Phone: 1300 308 461 | Direct: 07 4086 4656 | Fax: 07 4092 3323 Email: carle@msc.qld.gov.au | Website: www.msc.qld.gov.au 65 Rankin Street, Mareeba | PO Box 154, Mareeba, Queensland, Australia, 4880

Go green, keep it on screen - think before you print

From: Edward Balzarolo [mailto:balzofarming@gmail.com] Sent: Friday, 1 September 2017 7:17 AM To: Carl Ewin Subject: Re: Dam site -Leadingham Ck Rd RE: Bryan

Hi Carl,

I am seeking further advice on how to proceed with planning approval for a proposed dam I want to construct on my property. To date the dam requires referral agency assessment as advised by SARA FNQ. I have completed a form which addresses the relevant assessment criteria. At present I am waiting for section 22a determination which is being assessed by Gus MacLaurin 4222 5435 from DNRM. The dam design has been modified and Jeff Benjamin has liaised with Allan MacPherson to have the design certified. I have spoken to Tim Gale from DNRM and he has advised that no authorisations are required under the Water Act 2000.

Where would source the IDAS forms 1, and 6? Can I submit these forms, once completed, with all the other documents while waiting for section 22a determination?

Regards,

Edward Balzarolo

From: Edward Balzarolo [mailto:balzofarming@gmail.com]
Sent: Tuesday, 6 February 2018 9:35 AM
To: Carl Ewin <<u>CarlE@msc.qld.gov.au</u>>
Subject: Fwd: Overland flow within Lot 88 on Plan HG88

Hi Carl

I forgot to add this email from Tim Gale which outlines the dam would not require any authorisations under the Water Act 2000.

Regards

Edward Balzarolo

Begin forwarded message:

From: GALE Tim <<u>Tim.Gale@dnrm.qld.gov.au</u>> Subject: Overland flow within Lot 88 on Plan HG88 Date: 29 May 2017 at 12:11:19 pm AEST To: "<u>balzofarming@gmail.com</u>" <<u>balzofarming@gmail.com</u>>

Hi Edward

In regards to your enquiry about requirements for constructing an overland flow dam on Lot 88 on Plan HG88. I can confirm that Overland Flow is not managed at this location and there is subsequently no authorisations required under the Water Act 2000 for the interfering with or taking of overland flow within Lot 88 on Plan HG88.

I have viewed Lot 88 on Plan HG88 on google earth and cannot see any feature within this property that would be considered a watercourse under the Water Act 2000. Note however that Lot 88 on Plan HG88 is located adjacent to Leadingham Creek. Any works should be located outside of the high banks of the Leadingham Creek. If any works are located within the banks of Leadingham Creek approvals may be required under the Water Act 2000.

As discussed this advice does not negate your requirements to obtain any other approvals needed under other legislation.

Regards



Tim Gale Senior Natural Resources Officer Water Services | North Region Department of Natural Resources and Mines

Queensland Government

P: 40170177 E: <u>tim.gale@dnrm.qld.gov.au</u> A: 28 Peters Street, Mareeba 4880 | PO Box 156 W: <u>www.dnrm.qld.gov.au</u>

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sender as quickly as possible and delete this message and any copies of this message from your computer and/or your computer system network.

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# On 23/May/2017, at 9:37 am, Carl Ewin <<u>CarlE@msc.qld.gov.au</u>> wrote:

Hi Edward,

The proposed dam construction includes a significant retaining wall.

Please talk to Jeff about getting an Registered Professional Engineer of Queensland (RPEQ) on board to certify the plans and dam construction. He has recently used PDR Engineers on another dam near Dimbulah.

Once the plans have been certified by an RPEQ, an operational works application can be submitted to Council (IDAS Forms 1, 6 and plans)

The application fee will be 1.5% of the cost of works and a construction monitoring fee of 1.5% of the cost of works will also be payable as a technical officer will be monitoring construction.

Unless you have already done so, I advise you to check with the Department of Natural Resources and Mines regarding the damming of the watercourse, that they may have concerns with.

Regards,

Carl Ewin Planning Officer

<image001.png> Phone: 1300 308 461 | Direct: 07 4086 4656 | Fax: 07 4092 3323 Email: carle@msc.qld.gov.au | Website: www.msc.qld.gov.au 65 Rankin Street, Mareeba | PO Box 154, Mareeba, Queensland, Australia, 4880

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# State code 16: Native vegetation clearing

### Table 16.2.2: General

Performance outcomes	Acceptable outcomes	Response
Clearing avoids or minimises impacts		
<ul> <li>PO1 Clearing and adverse impacts of clearing do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been:</li> <li>1. reasonably avoided; or</li> <li>2. reasonably minimised where it cannot be reasonably avoided.</li> <li>Clearing on land in particular circumstances</li> </ul>	No acceptable outcome is prescribed.	Clearing will only occur within dam wall area as shown on map and to access suitable lining material. Vegetation and biodiversity loss will be minimal and confined to dam footprint. The dam will aid in minimising land degradation of gullied areas. If left in current condition the gullied areas would continue to erode. The dam footprint does not impede connectivity because it will not interupt the natural creek corridor. Any alterations to ecological processes will be minimal.
<b>PO2</b> Clearing is consistent with any notice equiring compliance on the land subject to the development application, unless a better environmental outcome can be achieved. Note: The discharge of the vegetation management equirements under the notice requiring compliance can only occur in conjunction with the better environmental outcome being legally secured. Further guidance on meeting the requirements of a better environmental outcome can be found in State code 16: Native vegetation clearing guidance material.	No acceptable outcome is prescribed	No notices requiring compliance have been issued.
PO3 Clearing is consistent with vegetation management requirements for particular regulated areas unless a better environmental outcome can be achieved. Note: The discharge of the vegetation management requirements under the notice requiring compliance can only occur in conjunction with the better environmental outcome being legally secured. Further guidance on meeting the requirements of a petter environmental outcome can be found in State	No acceptable outcome is prescribed	<ul> <li>Clearing will not occur in particular regulated areas that is:</li> <li>An exchange area</li> <li>An unlawfully cleared area</li> <li>A declared area</li> <li>An area on a PMAV shown to be category A area</li> <li>The dam footprint will cover Category B area of least concern and Categroy X.</li> <li>Cat. B – 2.22 ha + Cat. X – 1.28 ha = Total 3.5 ha approx.</li> </ul>

State Development Assessment Provisions – version 2.0 State code 16: Native vegetation clearing

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Performance outcomes code 16: Native vegetation clearing guidance material.	Acceptable outcomes	Response
<ul> <li>PO4 Clearing of a legally secured offset area:</li> <li>1. is consistent with the offset delivery plan; or agreement for the offset area on the land subject to the development application; or</li> <li>2. only occurs if an additional offset is provided that is consistent with the relevant policy in the Queensland Environmental Offsets Policy, Department of Environment and Heritage Protection, 2014.</li> <li>Note: Reference to 'agreement' above includes the 'agreed delivery arrangement' for the offset area as well as instruments associated with the legally secured offset area. Clearing should be consistent with any agreement however described.</li> </ul>	No acceptable outcome is prescribed	No offset area exists
Clearing of vegetation as a result of the material change	of use or reconfiguration of a	
<b>PO5</b> Clearing as a result of a material change of use, or clearing as a result of reconfiguring a lot does not occur.	No acceptable outcome is prescribed.	N/A
Clearing that could already be done under an exemption	1	
<b>PO6</b> Clearing does not occur unless it is clearing that could be done under an exemption for the purpose of the development (as prescribed under Schedule 21 of the Planning Regulation 2017) prior to the material change of use or	No acceptable outcome is prescribed.	N/A

Performance outcomes	Acceptable outcomes	Response
reconfiguring a lot application being approved.		

### Table 16.2.3: Specific

Performance outcomes	Acceptable outcomes	Response
Clearing associated with wetlands (public safety and infr agriculture clearing)	astructure, a coordinated project, extractive industry, high	value agriculture clearing, and irrigated high value
<ul> <li>PO7 Clearing maintains the current extent of vegetation associated with any natural wetland to protect:</li> <li>1. bank stability by protecting against bank erosion</li> <li>2. water quality by filtering sediments, nutrients and other pollutants</li> <li>3. aquatic habitat; and</li> <li>4. terrestrial habitat.</li> </ul>	<b>A07.1</b> Clearing does not occur in a natural wetland or within 100 metres of the defining bank of any natural wetland. OR	No wetland exists
	<ul> <li>A07.2 Clearing within 100 metres of any natural wetland:</li> <li>1. does not occur within 50 metres of the defining bank of any natural wetland; and</li> <li>2. does not exceed widths in table 16.3.1 in this code.</li> <li>OR</li> </ul>	N/A
	<b>A07.3</b> Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any acceptable significant residual impact from clearing of vegetation associated with a natural wetland (matter of state environmental significance).	N/A
	non-native plants or declared pests, encroachment, thinnin	
<ul> <li>PO8 Clearing maintains vegetation associated with a natural wetland to protect:</li> <li>1. bank stability by protecting against bank erosion</li> </ul>	Clearing necessary to control non-native plants or declared pests: AO8.1 Where clearing is necessary to control	N/A
<ol> <li>water quality by filtering sediments, nutrients and other pollutants</li> </ol>	non-native plants or declared pests, mechanical clearing does not occur within 5 metres of a natural wetland.	

State code 16: Native vegetation clearing

Performance outcomes	Acceptable outcomes	Response
4. terrestrial habitat.	AND	
	AO8.2 Clearing only occurs:	
	1. within a 1.5 metre radius from the base of the	
	stem of individual non-native or declared	
	plants; or	
	2. to the extent necessary to provide access for	
	the control of the non-native plants or	
	declared pests.	
	AND	
	<b>AO8.3</b> Clearing for access tracks running parallel	
	to a natural wetland is not to be located within 10	
	metres of the natural wetland.	
	AND	
	Clearing for thinning:	
	AO8.4 Where the clearing is for thinning,	
	mechanical clearing does not occur within 20	
	metres of a natural wetland.	
	AND	
	Clearing for encroachment:	
	<b>AO8.5</b> Where the clearing is for encroachment,	
	mechanical clearing:	
	1. does not occur within 20 metres of the	
	defining bank of a natural wetland; and	
	2. does not include the application of soil	
	applied broad spectrum herbicides within 50	
	metres of the defining bank of a natural	
	wetland or within the distance specified from	
	a wetland in the directions for use on the	
	label for the product, whichever is the	
	greater.	
	AND	
	Clearing for fodder harvesting:	
	<b>AO8.6</b> Mechanical clearing does not occur within	

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Performance outcomes	Acceptable outcomes	Response
	20 metres of any natural wetland. AND	
	<b>AO8.7</b> Strip harvesting or block harvesting does not occur within 100 metres of any natural wetland.	
Clearing associated with wetlands (necessary environme	ntal clearing – land restoration and natural disaster prepar	ation)
<b>PO9</b> Clearing maintains vegetation associated with any natural wetland or rehabilitates the cleared area to protect:	<b>AO9.1</b> Clearing does not occur in, or within 100 metres of, any natural wetland. OR	N/A
1. water quality by filtering sediments, nutrients and other pollutants	<b>AO9.2</b> Clearing within 100 metres of any natural wetland and:	
<ol> <li>aquatic habitat; and</li> <li>terrestrial habitat.</li> </ol>	<ol> <li>does not occur within 50 metres of the natural wetland; and</li> </ol>	
	2. does not exceed the widths in table 16.3.1 of this code.	
	OR	
	<b>AO9.3</b> Where clearing cannot be reasonably avoided, and clearing has been reasonably	
	minimised, the cleared area is rehabilitated.	
Clearing associated with wetlands (necessary environme	ntal clearing - natural channel diversion and contaminants	removal)
<ul> <li>PO10 Clearing maintains the current extent of vegetation associated with any natural wetland or rehabilitates the cleared area to protect:</li> <li>1. bank stability by protecting against bank</li> </ul>	<b>AO10.1</b> Clearing does not occur in, or within 100 metres of the defining bank of any natural wetland. OR	N/A
<ul><li>erosion</li><li>2. water quality by filtering sediments, nutrients and other pollutants</li></ul>	AO10.2 Clearing within 100 metres of any natural wetland and: 1. does not occur within 50 metres of the	
<ol> <li>aquatic habitat; and</li> <li>terrestrial habitat.</li> </ol>	<ul><li>defining bank of any natural wetland; and</li><li>does not exceed the widths in table 16.3.1 of this code.</li></ul>	
	OR	
	AO10.3 Where clearing cannot be reasonably	
	avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.	
	OR	

Performance outcomes	Acceptable outcomes	Response
	AO10.4 Where clearing is for natural channel	
	diversion or contaminants removal, and clearing	
	cannot be reasonably avoided, and:	
	1. clearing has been reasonably minimised; and	
	2. the cleared area cannot be reasonably	
	rehabilitated an offset is provided for any	
	acceptable significant residual impact from	
	clearing of vegetation associated with a	
	natural wetland (a matter of state	
	environmental significance).	
Clearing associated with watercourses and drainage feat	ures (public safety and relevant infrastructure activities, co	ordinated project, extractive industry, high value
agriculture clearing, irrigated high value agriculture clear	ing)	
PO11 Clearing maintains the current extent of	AO11.1 Clearing does not occur in any	Clearing will not occur within the watercourse or
vegetation associated with any watercourse or	watercourse or drainage feature, or within the	drainage feature.
drainage feature to protect:	relevant distance of the defining bank of any	
1. bank stability by protecting against bank	watercourse or drainage feature in table 16.3.2	
erosion	of this code.	
2. water quality by filtering sediments, nutrients	OR	
and other pollutants	AO11.2 Clearing within any watercourse or	
3. aquatic habitat; and	drainage feature, or within the relevant distance	
4. terrestrial habitat.	of the defining bank of any watercourse or	
	drainage feature in table 16.3.2 of this code:	
	1. does not exceed the widths in table 16.3.1 of	
	this code; and	
	2. does not occur within 5 metres of the defining	
	bank, unless clearing is required into or	
	across the watercourse or drainage feature.	
	OR	
	AO11.3 Where clearing cannot be reasonably	
	avoided, and clearing has been reasonably	
	minimised, an offset is provided for any	
	acceptable significant residual impact from	
	clearing of vegetation associated with any	
	watercourse or drainage feature (a matter of	
	state environmental significance).	

Performance outcomes	Acceptable outcomes	Response		
Clearing associated with watercourses and drainage features (necessary environmental clearing - land restoration and natural disaster preparation)				
<ul> <li>PO12 Clearing maintains vegetation associated with any watercourse or drainage feature or rehabilitates the cleared area to protect:</li> <li>1. bank stability by protecting against bank erosion</li> <li>2. water quality by filtering sediments, nutrients</li> </ul>	<b>AO12.1</b> Clearing does not occur within any watercourse or drainage feature or within the relevant distances from each defining bank of any watercourse or drainage feature in table 16.3.2 of this code. OR	N/A		
<ul><li>and other pollutants</li><li>aquatic habitat; and</li><li>terrestrial habitat.</li></ul>	<ul> <li>AO12.2 Clearing in any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code:</li> <li>1. does not exceed the widths in table 16.3.1 of this code; and</li> </ul>			
	<ul> <li>this code; and</li> <li>2. does not occur within 5 metres of the defining bank, unless clearing is required into or across the watercourse or drainage feature.</li> <li>OR</li> </ul>			
	<b>AO12.3</b> Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.			
Clearing associated with watercourses and drainage feat	ures (necessary environmental clearing – natural channel o	liversion, and contaminants removal)		
<ul> <li>PO13 Clearing maintains the current extent of vegetation associated with any watercourse or drainage feature or rehabilitates the cleared area to protect:</li> <li>1. bank stability by protecting against bank erosion</li> </ul>	<b>AO13.1</b> Clearing does not occur within any watercourse or drainage feature or within the relevant distances from each defining bank of any watercourse or drainage feature in table 16.3.2 of this code. OR	N/A		
<ol> <li>water quality by filtering sediments, nutrients and other pollutants</li> <li>aquatic habitat; and</li> <li>terrestrial habitat.</li> </ol>	<ul> <li>AO13.2 Clearing in any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code:</li> <li>1. does not exceed the widths in table 16.3.1 of this code; and</li> </ul>			

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Performance outcomes	Acceptable outcomes	Response
	2. does not occur within five metres of the	
	defining bank, unless clearing is required into	
	or across the watercourse or drainage	
	feature.	
	OR	
	AO13.3 Where clearing cannot be reasonably	
	avoided, and:	
	1. clearing has been reasonably minimised; and	
	2. the cleared area cannot be reasonably	
	rehabilitated, an offset is provided for any	
	acceptable significant residual impact from	
	clearing of vegetation associated with a	
	watercourse or drainage feature (a matter of	
	state environmental significance).	
Clearing appopriated with watercourses or drainage feature	res (necessary to control non-native plants or declared pes	te thinning foddor hanvosting)
Clearing associated with watercourses of dramage reating	tes (necessary to control non-native plants of declared pes	ts, tillining, louder harvesting)
PO14 Clearing maintains vegetation associated	Clearing necessary to control non-native plants	N/A
with any watercourse or drainage feature to	or declared pests:	
protect:		
1. bank stability by protecting against bank	AO14.1 Mechanical clearing does not occur	
erosion	within 20 metres of the defining bank of a	
2. water quality by filtering sediments, nutrients	watercourse or drainage feature.	
and other pollutants	AND	
3. aquatic habitats; and	AO14.2 Clearing only occurs:	
4. terrestrial habitats.	1. within a 1.5 metre radius from the base of the	
	stem of individual non-native or declared	
	plants; or	
	2. to the extent necessary to provide access for	
	the control of the non-native plant or declared	
	pest.	
	AND	
	A014.3 Clearing for access tracks running	
	parallel to a watercourse or drainage feature is	
	not to be located within 10 metres of the defining	
	bank of the watercourse or drainage feature.	
	Clearing is for thinning:	

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Performance outcomes	Acceptable outcomes	Response
<ul> <li>Clearing associated with watercourses or drainage feature</li> <li>PO15 Clearing of encroachment maintains: <ol> <li>bank stability by protecting against bank erosion</li> <li>water quality by filtering sediments, nutrients and other pollutants</li> <li>aquatic habitat; and</li> <li>terrestrial habitat.</li> </ol> </li> </ul>	<ul> <li>AO14.4 Mechanical clearing does not occur within 20 metres of the defining bank of a watercourse or drainage feature.</li> <li>Clearing for fodder harvesting:</li> <li>AO14.5 Mechanical clearing does not occur within 20 metres from the defining bank of any watercourse or drainage feature.</li> <li>AND</li> <li>AO14.6 Strip harvesting or block harvesting does not occur within 100 metres of the defining bank of any watercourse or drainage feature.</li> <li>AO14.6 Strip harvesting or block harvesting does not occur within 100 metres of the defining bank of any watercourse or drainage feature.</li> <li>AO15.1 Mechanical clearing:</li> <li>1. does not occur within 20 metres of the defining bank of a watercourse or drainage feature; and</li> <li>2. does not include the application of soil applied broad spectrum herbicides within 50 metres of the defining bank of a watercourse or drainage feature or within the distance</li> </ul>	
	specified from a wetland in the directions for use on the label for the product, whichever is the greater.	
Maintaining connectivity (public safety and relevant infra	structure activities, extractive industry, high value agricult	ure clearing, irrigated high value agriculture clearing)
<b>PO16</b> In consideration of vegetation on the land subject to the development application and on adjacent land, sufficient vegetation is retained to maintain ecological processes and remains in the landscape despite threatening processes.	<b>AO16.1</b> Clearing occurs in accordance with table 16.3.3 in this code.	Reduces RE: 9.5.9a & 9.3.3c by minimal amount (2.22 ha) and will not effect any ecological processes.
Connectivity areas (coordinated project)		
<b>PO17</b> In consideration of vegetation on the land subject to the development application and on adjacent land:	<b>AO17.1</b> Clearing occurs in accordance with table 16.3.3 of this code. OR	N/A

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Performance outcomes	Acceptable outcomes	Response
<ol> <li>sufficient vegetation is retained to maintain ecological processes and remains in the landscape despite threatening processes; or</li> <li>where this not reasonably possible, the applicant provides an offset.</li> </ol>	<b>AO17.2</b> Where clearing cannot be reasonably avoided; and clearing has been reasonably minimised; an offset is provided for any acceptable significant residual impact from clearing on vegetation that forms a connectivity area (a matter of state environmental significance).	
Maintaining connectivity (necessary environmental clear	ng - land restoration and natural disaster preparation)	
<b>PO18</b> In consideration of vegetation on the land subject to the development application and on adjacent land, sufficient vegetation is retained to	<b>AO18.1</b> Clearing occurs in accordance with table 16.3.3 of this code. OR	N/A
maintain ecological processes and remains in the landscape despite threatening processes, or where this is not reasonably possible, the cleared area is rehabilitated.	<b>AO18.2</b> Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.	
Connectivity areas (necessary environmental clearing - n	atural channel diversion and contaminants removal)	
<b>PO19</b> In consideration of vegetation on the land subject to the development application and on adjacent land:	<b>AO19.1</b> Clearing occurs in accordance with table 16.3.3 of this code. OR	N/A
<ol> <li>sufficient vegetation is retained to maintain ecological processes and remains in the landscape despite threatening processes; or</li> </ol>	<b>AO19.2</b> Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated. OR	
<ol><li>where this is not reasonably possible, the applicant rehabilitates the cleared area; or</li></ol>	<b>AO19.3</b> Where clearing cannot be reasonably avoided, and	
<ol> <li>where this not reasonably possible, the applicant provides an offset.</li> </ol>	<ol> <li>clearing has been reasonably minimised; and</li> <li>the cleared area cannot be reasonably rehabilitated</li> </ol>	
	<ol> <li>an offset is provided for any acceptable significant residual impact from clearing of vegetation that forms a connectivity area (a matter of state environmental</li> </ol>	

Performance outcomes	Acceptable outcomes significance).	Response
Soil erosion (public safety and relevant infrastructure act environmental clearing)	tivities, coordinated project, high value agriculture clearing	, irrigated high value agriculture clearing, necessary
<ol> <li>PO20 Clearing does not result in:</li> <li>accelerated soil erosion including, but not limited to – mass movement, gully erosion, rill erosion, sheet erosion, tunnel erosion, stream bank erosion, wind erosion, or scalding; and</li> <li>any associated loss of chemical, physical or biological fertility – including, but not limited to water holding capacity, soil structure, organic matter, soil biology, and nutrients,</li> </ol>	<ul> <li>AO20.1 Clearing is undertaken in accordance with a sediment and erosion control plan, which includes measures to ensure the rates of soil loss and sediment movement are the same or less than those prior to the proposed development. OR</li> <li>AO20.2 The local government is the assessment manager for the development application.</li> <li>Note: For guidance on developing a sediment and erosion control plan, please refer to the Best</li> </ul>	Proposed storage facility will reduce sediment run-offf from actively eroding gullied area.
within or outside the land the subject of the development application.	Practice Erosion and Sediment Control Document, IECA, 2008.	
	eclared pests, thinning, encroachment, fodder harvesting)	
<ul> <li>PO21 Clearing does not result in:</li> <li>1. accelerated soil erosion – including, but not limited to - mass movement, gully erosion, rill erosion, sheet erosion, tunnel erosion, stream bank erosion, wind erosion, or scalding; and</li> </ul>	Clearing necessary to control non-native plants or declared pests: <b>AO21.1</b> Mechanical clearing retains 50 percent of the ground cover (dead or alive) in each 50 by 50 metre (0.25 hectare) area. AND	N/A
<ol> <li>any associated loss of chemical, physical or biological fertility – including, but not limited to water holding capacity, soil structure, organic matter, soil biology and nutrients, within or outside the land subject of the development application.</li> </ol>	AO21.2 New access tracks to gain access to a weed infestation do not exceed 5 metres in width or de-stabilise the banks of any watercourse or drainage feature as a result of crossing, construction or use. AND Clearing for thinning:	
	AO21.3 Mechanical clearing must:	

Performance outcomes	Acceptable outcomes	Response
	<ol> <li>retain 50 percent of the ground cover (dead or alive) in each 50 by 50 metre (0.25 hectare) area; and</li> <li>not occur on slopes in excess of 10 percent.</li> </ol>	
	AND	
	Clearing for encroachment:	
	AO21.4 Mechanical clearing:	
	1. is limited to slopes less than 5 percent; and	
	2. retains 50 percent of the ground cover (dead	
	or alive) in each 50 by 50 metre (0.25	
	hectare) area.	
	AND	
	Clearing for fodder harvesting:	
	<b>AO21.5</b> Strip harvesting or block harvesting does not occur on a slope that exceeds 5 percent, and is aligned across the slope. OR	
	<b>AO21.6</b> Harvesting occurs using selective harvesting or breaker harvesting methods.	
Salinity (public safety and relevant infrastructure activitie necessary environmental clearing, fodder harvesting)	es, coordinated project, extractive industry, high value agric	culture clearing, irrigated high value agriculture clearing,
<b>PO22</b> Clearing does not contribute to or accelerate land degradation through waterlogging, or through the salinisation of groundwater, surface water or soil.	No acceptable outcome is prescribed.	No waterlogging is expected outside of the dam as Leadingham Ck immediately to the south is deeply incised and will receive any seepage.
Conserving endangered and of concern regional ecosyst agriculture clearing, irrigated high value agriculture clear	ems (public safety and relevant infrastructure activities, co ring)	ordinated project, extractive industry, high value
PO23 Clearing maintains the current extent of	AO23.1 Clearing does not occur in an	No "of concern" or "endangered regional
endangered regional ecosystems and of concern regional ecosystems.	endangered regional ecosystem or an of concern regional ecosystem.	ecosystems"

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Performance outcomes	Acceptable outcomes	Response
	OR	
	AO23.2 Clearing in an endangered regional	
	ecosystem or in an of concern regional	
	ecosystem does not exceed the width or area	
	prescribed in table 16.3.1 of this code.	
	OR	
	AO23.3 Where clearing cannot be reasonably	
	avoided, and clearing has been reasonably	
	minimised, an offset is provided for any	
	acceptable significant residual impact from	
	clearing of endangered regional ecosystems and	
	of concern regional ecosystems (a matter of	
-	state environmental significance).	
Essential habitat (public safety and relevant infrastructur agriculture clearing, fodder harvesting)	e activities, coordinated project, extractive industry, high v	alue agriculture clearing and irrigated high value
PO24 Clearing maintains the current extent of	AO24.1 Clearing does not occur in essential	No "esssential habitat"
essential habitat.	habitat.	
	OR	
	AO24.2 Clearing in essential habitat does not	
	exceed the widths or areas prescribed in table	
	16.3.1 of this code.	
	OR	
	AO24.3 Where clearing cannot be reasonably	
	avoided, and clearing has been reasonably	
	minimised, an offset is provided for any	
	acceptable significant residual impact from	
	clearing of essential habitat (a matter of state	
Essential habitat (necessary environmental clearing – lar	environmental significance).	
<b>PO25</b> Clearing does not occur in essential habitat, or where this is not reasonably possible,	AO25.1 Clearing does not occur in essential habitat.	
the applicant rehabilitates the cleared area.	OR	
	AO25.2 Clearing in essential habitat does not	
	exceed the widths or areas prescribed in table	
	16.3.1 of this code.	

Performance outcomes	Acceptable outcomes	Response
	OR	
	AO25.3 Where clearing cannot be reasonably	
	avoided, and clearing has been reasonably	
	minimised, the cleared area is rehabilitated.	
Essential habitat (necessary environmental clearing – nate	ural channel diversion and contaminants removal)	
PO26 Clearing does not occur in essential	AO26.1 Clearing does not occur in essential	
habitat, or where this is not reasonably possible,	habitat.	
the applicant rehabilitates the cleared area, or	OR	
maintains the current extent of essential habitat.	AO26.2 Clearing in essential habitat does not	
	exceed the widths or areas prescribed in table	
	16.3.1 of this code.	
	OR	
	AO26.3 Where clearing cannot be reasonably	
	avoided, and clearing has been reasonably	
	minimised, the cleared area is rehabilitated.	
	OR	
	AO26.4 Where clearing cannot be reasonably	
	avoided, and:	
	1. clearing has been reasonably minimised; and	
	2. the cleared area cannot be reasonably	
	rehabilitated	
	3. an offset is provided for any acceptable	
	significant residual impact from clearing of	
	•	
	essential habitat (a matter of state	
	environmental significance).	
Acid sulfate soils (public safety and relevant infrastructur	e activities, coordinated project, extractive industry, high v	value agriculture clearing, irrigated high value agriculture
	control non-native plants or declared pests, thinning, enci	
<b>PO27</b> Clearing does not result in, or accelerate,	AO27.1 Clearing does not occur in land zone 1,	No acid sulphate soils exist on the property.
disturbance of acid sulfate soils or changes to	land zone 2 or land zone 3.	
the hydrology of the location that will result in	OR	
either of the following:	AO27.2 Clearing in land zone 1, land zone 2 or	
1. aeration of horizons containing iron	land zone 3 in areas below the 5 metre	
	Australian Height Datum only occurs where:	

Performance outcomes	Acceptable outcomes	Response
sulphides; or 2. mobilisation of acid or metals.	<ol> <li>it does not involve mechanical clearing; and</li> <li>acid sulfate soils are managed consistent with the State Planning Policy, Department of State Development, Infrastructure and Planning, 2014, Department of State Development, Infrastructure and Planning, 2014 and with the Soil Management Guidelines in the Queensland Acid Sulfate Soil Technical Manual, Department of Science Information Technology Innovation and the Arts, 2014.</li> <li>OR</li> <li>A027.3 The local government is the assessment manager for the development application.</li> </ol>	
Clearing is staged (extractive industry)		-
PO28 Clearing:	No acceptable outcome is prescribed.	
<ol> <li>is staged in line with operational needs that restrict clearing to the current operational area</li> <li>only occurs in the area from which material will be extracted, and any reasonably associated infrastructure, within the term of the development approval; and</li> <li>does not occur without required permits.</li> </ol>		
Clearing for agriculture (coordinated project, high value	⊿ agriculture clearing, irrigated high value agriculture clearing	g)
<b>PO29</b> Clearing only occurs where the land is suitable for agriculture having regard to topography, climate and soil attributes.	No acceptable outcome is prescribed.	
Note: Guidance for determining land suitability is		
State Development Assessment Provisions – versi	on 2.0	

Performance outcomes	Acceptable outcomes	Response
provided in the Guidelines for meeting the land		
suitability and economic viability requirements for		
high value and irrigated high value agriculture		
applications, Department of Natural Resources		
and Mines, 2015.		
PO30 Clearing only occurs where there is no	No acceptable outcome is prescribed.	
alternative area on the land subject to the		
development application for the clearing.		
<b>PO31</b> For applications for irrigated high value	No acceptable outcome is prescribed.	
agriculture clearing, the owner of the land is an eligible owner who has, or may have, access to		
enough water for establishing, cultivating and		
harvesting the crops to which the clearing		
relates.		
Clearing for necessary environmental clearing - land res	toration and natural disaster preparation	
PO32 Clearing does not occur, or where this is	AO32.1 Clearing does not occur.	
not reasonably possible, the applicant	OR	
rehabilitates the cleared area.	AO32.2 Clearing maintains the natural floristic	
	composition and range of sizes across the	
	application area.	
	OR	
	AO32.3 Clearing does not exceed the widths or	
	areas prescribed in table 16.3.1 of this code.	
	AO32.4 Where clearing cannot be reasonably	
	avoided, and clearing has been reasonably	
	minimised, the cleared area is rehabilitated.	
Clearing for necessary environmental clearing - natural c		
PO33 Clearing does not occur, or where this is	AO33.1 Clearing does not occur.	
not reasonably possible, the applicant	OR	
rehabilitates the cleared area or maintains the	AO33.2 Clearing maintains the natural floristic	
current extent of vegetation.	composition and range of sizes across the	
	application area.	
	OR	
	AO33.3 Clearing does not exceed the widths or	

Performance outcomes	Acceptable outcomes	Response
	areas prescribed in table 16.3.1 of this code. OR	
	<b>AO33.4</b> Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the endangered regional ecosystems and of concern regional ecosystems are rehabilitated. OR	
	<b>AO33.5</b> Where clearing an endangered regional ecosystem or of concern regional ecosystem cannot be reasonably avoided, minimised or rehabilitated, an offset is provided for any acceptable significant residual impact from clearing of an endangered regional ecosystem or of concern regional ecosystem (a matter of state environmental significance).	
Conserving vegetation (thinning)		
PO36 Clearing activities:	AO36.1 Thinning retains mature trees and	
<ol> <li>maintain the natural floristic composition and range of sizes of each species of the regional ecosystem evenly spaced across the application area; and</li> <li>retain habitat trees.</li> </ol>	habitat trees. AND	
	<ol> <li>AO36.2 Thinning retains immature trees to:</li> <li>return the immature tree density to a more typical level</li> <li>retain representatives of all the species that occur in the regional ecosystem in about the proportion to what would normally exist</li> <li>retain the range of tree sizes that would normally occur; and</li> <li>space immature trees as evenly as possible across the thinned area.</li> </ol>	
	AND AO36.3 Thinning is not undertaken by ground	
	application of soil applied broad spectrum	

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Performance outcomes	Acceptable outcomes	Response
	herbicides, or aerial application of any	
	herbicides.	
	Note: The Department of Science, Information	
	Technology and Innovation publishes technical	
	descriptions	
	(http://www.qld.gov.au/environment/plants- animals/plants/ecosystems/technical-descriptions/	
	which provide a detailed description of the normal	
	range in structure and floristic composition of remnant	
	regional ecosystems and their component vegetation	
	communities. They should be used in conjunction with	
	the fields from the Regional Ecosystem Description	
	Database (REDD)	
	(http://www.qld.gov.au/environment/plants-	
	animals/plants/ecosystems/download) for a normal description of the regional ecosystem.	
Clearing limited to specific regional ecosystems (thinning		
<b>PO37</b> Clearing does not occur in the regional	No acceptable outcome is prescribed.	
ecosystems listed in Table 16.3.6 of this code,		
except where clearing is solely for removing		
native plants not naturally occurring within the		
regional ecosystem.		
Retained vegetation density (thinning)	I	
<b>PO38</b> Clearing does not occur unless the density	AO38.1 The vegetation density is consistent with	
of vegetation that is retained is consistent with	a representative reference site of the same	
the natural floristic composition of the regional	regional ecosystem.	
ecosystem.	OR	
	AO38.2 The vegetation density is consistent with	
	the natural floristic composition of the regional	
	ecosystem as demonstrated by BioCondition	
	benchmarks for regional ecosystem condition	
	description database.	
	Note: DSITI publishes Technical descriptions	
	benchmarks for regional ecosystem condition assessment, and the Regional ecosystem description database. Note: DSITI publishes Technical descriptions (http://www.qld.gov.au/environment/plants-	

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Performance outcomes	Acceptable outcomes	Response
	animals/plants/ecosystems/technical-	
	descriptions) which provide a detailed description	
	of the normal range in structure and floristic	
	composition of remnant regional ecosystems and	
	their component vegetation communities. They	
	should be used in conjunction with the fields from	
	the Regional Ecosystem Description Database	
	(REDD)	
	(http://www.qld.gov.au/environment/plants-	
	animals/plants/ecosystems/download) for a	
Clearing is limited to enceific regional accounteme (ence	normal description of the regional ecosystem.	
Clearing is limited to specific regional ecosystems (encre		
<b>PO39</b> Clearing of encroachment does not occur, other than in the regional ecosystems listed in	No acceptable outcome is prescribed.	
table 16.3.7 of this code.		
Retained trees (encroachment)		
PO40 Clearing of encroachment:	No acceptable outcome is prescribed.	
C C		
1. results in the restoration of the regional		
ecosystem		
2. retains mature trees and habitat trees		
3. retains all woody vegetation within a grove;		
and		
4. retains representatives of all immature, non-		
encroaching species in a natural pattern.		
Limits to clearing for fodder harvesting (fodder harvestin		
PO41 Clearing occurs only in the following	No acceptable outcome is prescribed.	
areas:		
1. Balonne Shire Council		
2. Barcaldine Shire Council		
3. Barcoo Shire Council		
4. Blackall Tambo Regional Council		
5. Bulloo Shire Council		

Performance outcomes	Acceptable outcomes	Response
6. Diamantina Shire Council		
7. Goondiwindi Regional Council		
8. Longreach Regional Council		
9. Maranoa Regional Council		
10. Murweh Shire Council		
11. Paroo Shire Council		
12. Quilpie Shire Council		
13. Western Downs Regional Council		
14. Winton Shire Council.		
<b>PO42</b> Clearing is limited to the extent necessary to provide fodder for stock.	No acceptable outcome is prescribed.	
<b>PO43</b> Clearing only occurs in regional ecosystems listed in table 16.3.8 or table 16.3.9	No acceptable outcome is prescribed.	
of this code.		
PO44 Clearing consists predominantly of fodder	No acceptable outcome is prescribed.	
species.		
Conserving vegetation (fodder harvesting)		
PO45 Clearing retains at least:	AO45.1 Selective harvesting does not:	
1. 50 percent of the predominant canopy	1. harvest more than 5 in 10 individual fodder	
cover of the vegetation over each 300	trees in any given area	
metre by 300 metre (9 hectare) area	2. remove non-fodder species beyond that	
when selective harvesting or narrow	needed to provide access for harvesting; and	
strip harvesting; and	3. involve mechanical clearing within 50 metres	
2. 55 percent of the predominant canopy	of a scarp or an area of instability, in the	
cover of the vegetation over each 300	following regional ecosystems 6.7.1, 6.7.6,	
metre by 300 metre (9 hectare) area	6.7.14, 6.7.15, 6.7.16, 11.7.1, 11.7.2 and	
when block harvesting or wide strip	11.7.5.	
harvesting maintains the range of	AND	
species of the regional ecosystem at	AO45.2 Block harvesting:	
the locality.	<ol> <li>is limited to the harvesting area and width of</li> </ol>	
	retained vegetation listed in table 16.3.10	
	Totalited vegetation listed in table 10.5.10	

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Performance outcomes	Acceptable outcomes	Response
Penormance outcomes	<ol> <li>retains non-fodder species with height of four metres or more within the harvested area</li> <li>does not occur in fodder regional ecosystems that are less than 10 hectares in area or 500 metres in width</li> <li>ensures tracks between blocks are limited to a width of 10 metres; and</li> <li>only occurs in regional ecosystems listed in</li> </ol>	Kesponse
	table 16.3.8 of this code.	
	AND AQ45 3 Wide strip hanvesting:	
	<ol> <li>AO45.3 Wide strip harvesting:</li> <li>occurs where the harvested strip is 70 metres – 135 metres in width</li> <li>retains a minimum of 165 metres wide strip of retained vegetation on either side of the cleared strip</li> <li>only occurs for an 800 metre length with the retention of a 200 metre wide patch of vegetation at the end of each length</li> <li>does not occur in fodder regional ecosystems that are less than 10 hectares in area or 500 metres in width; and</li> <li>only occurs in regional ecosystems listed in table 16.3.8 of this code.</li> </ol>	
	AND	
	AO45.4 Narrow strip harvesting:	
	<ol> <li>occurs where the harvested strip is 20 to 50 metres in width</li> <li>retains vegetation on either side of the strip a width at least equal to the width of the</li> </ol>	

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Performance outcomes	Acceptable outcomes	Response
	harvested strip	
	3. does not occur in fodder regional ecosystems	
	listed in table 16.3.8 and table 16.3.9 of this	
	code that are less than 10 hectares in area or	
	500 metres in width; and	
	4. only occurs in regional ecosystems listed in	
	table 16.3.8 of this code.	
Conserving endangered regional ecosystems and of con	cern regional ecosystems (fodder harvesting)	
PO46 Clearing:	No acceptable outcome is prescribed.	
1. does not occur in vegetation that contains		
endangered regional ecosystems; and		
2. is limited to vegetation that contains of		
concern regional ecosystems 6.5.3, 11.5.13,		
6.5.5 and 4.7.3, and by selective harvesting		
where it does not remove more than three in		
10 fodder trees.		
Cleared vegetation (fodder harvesting)		
PO47 Cleared vegetation is not moved from	No acceptable outcome is prescribed.	
where it falls.		
Conserving the fodder resource (fodder harvesting)		
<b>PO48</b> Clearing does not reduce the total extent	AO48.1 Clearing is limited to the regional	
of the fodder species in the regional ecosystem listed in table 16.3.8 and table 16.3.9 of this code	ecosystems and harvesting methods listed in table 16.3.8 and table 16.3.9 of this code.	
on a lot to below 50 percent of its current extent	AND	
within any 10 year period.	<b>AO48.2</b> Clearing is limited to areas that have not	
	been harvested in the past 10 years.	
	AND	
	AO48.3 Retained vegetation is not harvested	
	within 10 years of the harvesting of an adjacent	
	area which has been subject to either strip	
	harvesting or block harvesting.	

## 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) (individual or company full name)	Edward Balzarolo
Contact name (only applicable for companies)	
Postal address (P.O. Box or street address)	PO Box 222
Suburb	Dimbulah
State	Qld
Postcode	4872
Country	Australia
Contact number	4093 5474
Email address (non-mandatory)	balzofarming@gmail.com
Mobile number (non-mandatory)	0429 935 474
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	

### 2) Owner's consent

2.1) Is written consent of the owner required for this development application?

Yes – the written consent of the owner(s) is attached to this development application

 $\boxtimes$  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 <u>DA Forms</u> <u>Guide: Relevant plans</u>.

#### 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).

		Unit No.	Street No.	Street Name and Type	Suburb
	2)		327	Leadingham Creek Road	Dimbulah
	a)	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
		4872	88	HG88	Mareeba
		Unit No.	Street No.	Street Name and Type	Suburb
	<b>L</b> )				
	b)	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)	
145° 8' 20" E		17° 6' 50"		WGS84	Mareeba Shire Council
				🖾 GDA94	
				Other:	
Coordinates of pr	remise	s by easting	and northing		
Easting(s)	Easting(s) Northing(s) Zone Ref.		Zone Ref.	Datum	Local Government Area(s) (if applicable)
			54	WGS84	
		55	GDA94		
			56	Other:	
3.3) Additional prem	ises				

# 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

$\boxtimes$ In or adjacent to a water body or watercourse or in or above an aquifer	
Name of water body, watercourse or aquifer:	Leadingham Creek
On strategic port land under the <i>Transport Infrastructure Act</i> 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 Envir	ronmental Protection Act 1994
EMR site identification:	

#### Department of Infrastructure, Local Government and Planning

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 <u>DA Forms Guide</u> .					
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	Development permit Preliminary approval						
		a variation approval					
c) What is the level of assessmen	t?						
Code assessment	Impact assessment (require	es public notification)					
d) Provide a brief description of the lots):	e proposal (e.g. 6 unit apartment bu	uilding defined as multi-unit dwelling, re	configuration of 1 lot into 3				
Construction of a dam in the botto	om southwest corner of Lot 88.						
e) Relevant plans		na she an line ting. Ta she dha she informa tin					
<b>Note</b> : Relevant plans are required to be su <u>Relevant plans.</u>	ubmitted for all aspects of this develop	ment application. For further informatio	n, see <u>DA Forms guide:</u>				
Relevant plans of the proposed	d development are attached to	the development application					
6.2) Provide details about the sec	ond development aspect						
a) What is the type of developmer	nt? (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 i approval	ncludes a variation				
c) What is the level of assessmen	t?						
Code assessment	Impact assessment (require	es public notification)					
d) Provide a brief description of th	e proposal (e.g. 6 unit apartment bi	uilding defined as multi-unit dwelling, re	configuration of 1 lot into 3 lots)				
e) Relevant plans							
<b>Note</b> : Relevant plans are required to be su Relevant plans.	Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see <u>DA Forms Guide:</u> Relevant plans						
Relevant plans of the proposed development are attached to the development application							
6.3) Additional aspects of develop	oment						
		pment application and the deta					
that would be required under Part	3 Section 1 of this form have b	been attached to this development	ent application				
Not required							

### Section 2 – Further development details

7) Does the proposed development application involve any of the following?					
Material change of use	Yes – complete division 1 if assessable against a local planning instrument				
Reconfiguring a lot	Yes – complete division 2				
Operational work	$\boxtimes$ Yes – complete division 3				
Building work	Yes – complete DA Form 2 – Building work details				

#### Division 1 – Material change of use

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

8.1) Describe the proposed material change of use							
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m <sup>2</sup> ) ( <i>if applicable</i> )				
8.2) Does the proposed use involve the use of existing buildings on the premises?							
☐ Yes							

### 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	or existing lots	making up the	premises?	
Г							

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

Subdivision (complete 10))

Boundary realignment (complete 12))

Dividing land into parts by agreement (complete 11))

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							
10.2) Will the subdivision be stag	ged?						
Yes – provide additional deta No	Yes – provide additional details below No						
How many stages will the works include?							
What stage(s) will this developm apply to?	ent application						

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							

### Department of Infrastructure, Local Government and Planning

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	Width (m)	Length (m)	Purpose of the easement? (e.g.	Identify the land/lot(s)			

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 o	perational work?				
Road work	Stormwater	Water infrastructure			
Drainage work	🛛 Earthworks	Sewage infrastructure			
Landscaping	🗌 Signage	Clearing vegetation			
☐ Other – please specify: Construction of a dam.					
14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)					
Yes – specify number of new	lots:				
🖾 No					
14.3) What is the monetary value	e of the proposed operational w	Ork? (include GST, materials and labour)			
\$ 90 000					

### 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:

 $\boxtimes$  Clearing native vegetation

Contaminated land (unexploded ordnance)

Environmentally relevant activities (ERA) (only if the ERA have not been devolved to a local government)
<ul> <li>Fisheries – aquaculture</li> <li>Fisheries – declared fish habitat area</li> </ul>
Fisheries – declared fish habitat area
Fisheries – waterway barrier works
Hazardous chemical facilities
Queensland heritage place (on or near a Queensland heritage place)
Infrastructure – designated premises
Infrastructure – state transport infrastructure
Infrastructure – state transport corridors and future state transport corridors
Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels
Infrastructure – state-controlled roads
Land within Port of Brisbane's port limits
SEQ development area
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 – residential development
SEQ regional landscape and rural production area or SEQ Rural living area – urban activity
Tidal works or works in a coastal management district
Urban design
Water-related development – taking or interfering with water
Water-related development – removing quarry material (from a watercourse or lake)
Water-related development – referable dams
Water-related development – construction of new levees or modification of existing levees (category 2 or 3 levees only)
Wetland protection area
Matters requiring referral to the local government:
Airport land
Airport land Environmentally relevant activities (ERA) (only if the ERA have been devolved to local government)
Airport land
Airport land Environmentally relevant activities (ERA) (only if the ERA have been devolved to local government)
<ul> <li>Airport land</li> <li>Environmentally relevant activities (ERA) (only if the ERA have been devolved to local government)</li> <li>Local heritage places</li> </ul>
<ul> <li>Airport land</li> <li>Environmentally relevant activities (ERA) (only if the ERA have been devolved to local government)</li> <li>Local heritage places</li> <li>Matters requiring referral to the chief executive of the distribution entity or transmission entity:</li> </ul>
<ul> <li>Airport land</li> <li>Environmentally relevant activities (ERA) (only if the ERA have been devolved to local government)</li> <li>Local heritage places</li> <li>Matters requiring referral to the chief executive of the distribution entity or transmission entity:</li> <li>Electricity infrastructure</li> </ul>
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<ul> <li>Airport land</li> <li>Environmentally relevant activities (ERA) (only if the ERA have been devolved to local government)</li> <li>Local heritage places</li> <li>Matters requiring referral to the chief executive of the distribution entity or transmission entity:</li> <li>Electricity infrastructure</li> <li>Matters requiring referral to:</li> <li>The chief executive of the holder of the licence, if not an individual</li> <li>The holder of the licence, if the holder of the licence is an individual</li> <li>Oil and gas infrastructure</li> <li>Matters requiring referral to the Brisbane City Council:</li> <li>Brisbane core port land</li> <li>Matters requiring referral to the Minister under the Transport Infrastructure Act 1994:</li> <li>Brisbane core port land</li> <li>Matters requiring referral to the relevant port operator:</li> <li>Brisbane core port land</li> <li>Matters requiring referral to the chief executive of the relevant port authority:</li> <li>Land within limits of another port</li> <li>Matters requiring referral to the chief executive of the relevant port authority:</li> <li>Land within limits of another port</li> </ul>
#### Department of Infrastructure, Local Government and Planning

## 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
Relevant purpose requirements of section 22A	DNR&M	15/09/2017
Addressing assessment requirements of State Code 16	SARA	25/07/2017
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)				
<ul> <li>☐ Yes – provide details below or include details in a schedule to this development application</li> <li>☑ No</li> </ul>				
List of approval/development application references	Reference number	Date		Assessment manager
<ul> <li>Approval</li> <li>Development application</li> </ul>				
<ul> <li>Approval</li> <li>Development application</li> </ul>				
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)	QLeav	ve levy number (A,	, B or E)
\$				
		L		
22) Is this development application in response to a show cause notice or required as a result of an enforcement notice?				
Ves show cause or enforcement notice is attached				

☐ Y es – snow cause or enforcement notice is attached
 ☑ No

23) Further legislative requirement	hts
Environmentally relevant activ	
23.1) Is this development applica	tion also taken to be an application for an environmental authority for an
	vity (ERA) under section 115 of the Environmental Protection Act 1994?
development application, and det No Note: Application for an environmental au	t (form EM941) for an application for an environmental authority accompanies this tails are provided in the table below <i>uthority can be found by searching "EM941" at <u>www.qld.gov.au</u>. An ERA requires an environmental authority</i>
to operate. See <u>www.business.qld.gov.al</u> Proposed ERA number:	for further information.  Proposed ERA threshold:
Proposed ERA name:	
•	able to this development application and the details have been attached in a schedule cation.
Hazardous chemical facilities	
23.2) Is this development applica	tion for a hazardous chemical facility?
<ul> <li>☐ Yes – Form 69: Notification of application</li> <li>☑ No</li> <li>Note: See <u>www.justice.qld.gov.au</u> for furt</li> </ul>	a facility exceeding 10% of schedule 15 threshold is attached to this development
Clearing native vegetation	
	lication involve <b>clearing native vegetation</b> that requires written confirmation the chief agement Act 1999 is satisfied the clearing is for a relevant purpose under section 22A ct 1999?
Vegetation Management Act 199	
Note: See <u>www.qld.gov.au</u> for further info	rmation.
	tion taken to be a prescribed activity that may have a significant residual impact on a <b>er</b> under the <i>Environmental Offsets Act 2014</i> ?
☐ Yes – I acknowledge that an e significant residual impact on a p ⋈ No	environmental offset must be provided for any prescribed activity assessed as having a rescribed environmental matter
	f the Queensland Government's website can be accessed at <u>www.qld.gov.au</u> for further information on
Koala conservation	
	lication involve a material change of use, reconfiguring a lot or operational work within under Schedule 10, Part 10 of the Planning Regulation 2017?
<ul> <li>☐ Yes</li> <li>☑ No</li> <li><i>Note</i>: See guidance materials at <u>www.eh</u></li> </ul>	p.qld.gov.au for further information.
Water resources	
23.6) Does this development app	lication involve <b>taking or interfering with artesian or sub artesian water, taking or</b> rcourse, lake or spring, taking overland flow water or waterway barrier works?
☐ Yes – the relevant template is ⊠ No	completed and attached to this development application
Note: DA templates are available from w	
23.7) Does this application involv	e taking or interfering with artesian or sub artesian water, taking or interfering

Department of Infrastructure, Local Government and Planning

with water in a watercourse, lake of	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		
	purces and Mines at <u>www.dnrm.qld.gov.au</u> for further information.	
Marine activities		
23.8) Does this development applica disturbance or destruction of mar	tion involve <b>aquaculture, works within a declared fish habitat area or removal,</b> ne plants?	
☐ Yes – an associated resource all <i>Fisheries Act 1994</i> ⊠ No	cation authority is attached to this development application, if required under the	
<b>Note</b> : See guidance materials at <u>www.daf.qld</u>	gov.au for further information.	
Quarry materials from a watercour	se or lake	
23.9) Does this development applicative <i>Water Act 2000?</i>	tion involve the <b>removal of quarry materials from a watercourse or lake</b> under	
☐ Yes – I acknowledge that a quarr ⊠ No	/ material allocation notice must be obtained prior to commencing development	
Note: Contact the Department of Natural Res	purces and Mines at <u>www.dnrm.qld.gov.au</u> for further information.	
Quarry materials from land under	tidal waters	
23.10) Does this development applic the Coastal Protection and Manager	ation involve the <b>removal of quarry materials from land under tidal water</b> under <i>nent Act 1995?</i>	
$\Box$ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development $igtimes$ No		
Note: Contact the Department of Environmen	and Heritage Protection at www.ehp.qld.gov.au for further information.	
Referable dams		
	ation involve a <b>referable dam</b> required to be failure impact assessed under <i>fety and Reliability) Act 2008</i> (the Water Supply Act)?	
<ul> <li>Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the Water Supply Act is attached to this development application</li> <li>No</li> <li>Note: See guidance materials at www.dews.gld.gov.au for further information.</li> </ul>		
Tidal work or development within a coastal management district		
	ation involve tidal work or development in a coastal management district?	
<ul> <li>Yes – the following is included with this development application:</li> <li>Evidence the proposal meets the code for assessable development that is prescribed tidal work (only required if application involves prescribed tidal work)</li> <li>A certificate of title</li> </ul>		
No Note: See guidance materials at <u>www.ehp.qld.gov.au</u> for further information.		
Queensland and local heritage places		
23.13) Does this development applic	ation propose development on or adjoining a place entered in the <b>Queensland</b> red in a local government's <b>Local Heritage Register</b> ?	
☐ Yes – details of the heritage place		
<b>Note</b> : See guidance materials at <u>www.ehp.qld.gov.au</u> for information requirements regarding development of Queensland heritage places.		
Name of the heritage place:	Place ID:	
<u>Brothels</u>		
23.14) Does this development applic	ation involve a material change of use for a brothel?	

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

## Decision under section 62 of the Transport Infrastructure Act 1994

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

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

## PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist	
I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17 <i>Note</i> : See the Planning Regulation 2017 for referral requirements	🛛 Yes
If building work is associated with the proposed development, Parts 4 to 6 of <i>Form 2</i> – <i>Building work details</i> 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 <u>DA</u> Forms Guide: Planning Report Template.	🛛 Yes
Relevant plans of the development are attached to this development application <b>Note</b> : Relevant plans are required to be submitted for all aspects of this development application. For further information, see <u>DA Forms Guide: Relevant plans.</u>	🛛 Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued <i>(see 21))</i>	☐ 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 numb	er(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.

File ref: 2017/003839



Department of Natural Resources and Mines

15 September 2017

Edward Balzarolo PO Box 222 Dimbulah Qld 4872

Dear Sir

# RE: Proposal to undertake vegetation clearing for the relevant purpose of relevant infrastructure clearing, 88 on Plan HG88, 327 Leadingham Creek Road, Dimbulah - Mareeba Shire Council.

I refer to your request received by the Department of Natural Resources and Mines (the department) on 3 August 2017 to determine if proposed vegetation clearing on Lot 88 on Plan HG88 is for a relevant purpose under section 22A of the *Vegetation Management Act 1999* (VMA).

The department has considered the application and is satisfied that the proposed clearing for the purpose of relevant infrastructure activities (constructing necessary infrastructure) meets the relevant purpose requirements of section 22A of the VMA. <u>Please note that this</u> determination is not a development approval to carry out vegetation clearing.

It is strongly advised that, prior to lodging a development application, you arrange a prelodgement meeting through the State Assessment and Referral Agency (SARA) to identify all relevant State legislation, approvals and application requirements. Other legislation, such as those listed in Attachment 1, may be relevant to the proposed vegetation clearing. Should you require any additional information please contact your local SARA office as below:

Far North Queensland Regional Office Ground Floor, Cairns Port Authority Building, Cnr Grafton and Hartley Streets, Cairns PO Box 2358, Cairns QLD 4870 (07) 4037 3209 e-mail: <u>CairnsSARA@dilgp.qld.gov.au</u>

On accepting your application, SARA will request relevant technical advice from the department. That advice will be prepared in consideration of the State Development Assessment Provisions (SDAP) Code 16 - Native vegetation clearing. A copy of SDAP Code 16 is available on the internet at <a href="http://www.dilgp.qld.gov.au/planning/development-assessment/state-development-assessment-provisions.html">http://www.dilgp.qld.gov.au/planning/development-assessment/state-development-assessment-provisions.html</a>. The information you provide to support your application should address these assessment provisions where they relate to the proposal.

DNRM Townsville Verde Tower, Level 9 445 Flinders Street PO Box 5318 Townsville QLD 4810

Telephone: (07) 4447 9150 Facsimile: (07) 4447 9200 Website: www.dnrm.qld.gov.au ABN: 59 020 847 551 Should you have any further enquiries, please do not hesitate to contact Gus Maclaurin, Natural Resource Management Officer, North Region of the department on telephone (07) 4222 5435.

Yours sincerely

Lisa Gale Senior Natural resource management Officer North Region

## Attachment 1 - Legislation and Acts

Act(s)	Agency
<ul><li>Water Act 2000</li><li>Soil Conservation Act 1986</li></ul>	Department of Natural Resources and Mines
<ul> <li>Aboriginal Cultural Heritage Act 2003</li> <li>Torres Strait Islander Cultural Heritage Act 2003</li> </ul>	Department of Aboriginal and Torres Strait Islander Partnership
<ul> <li>Nature Conservation Act 1992</li> <li>Environmental Protection Act 1994</li> <li>Coastal Protection and Management Act 1995</li> <li>Queensland Heritage Act 1992</li> </ul>	Department of Environment and Heritage Protection
• Fisheries Act 1994	Department of Agriculture and Fisheries
Environment Protection and Biodiversity Conservation Act 1999	Australian Government - Department of the Environment
<ul> <li>Wet Tropics World Heritage Protection and Management Act 1993</li> <li>Wet Tropics Management Plan 1998</li> </ul>	Wet Tropics Management Authority
<ul> <li>Local Government Act 2009</li> <li>Regional Planning Interests Act 2014</li> <li>Sustainable Planning Act 2009</li> </ul>	Department of Infrastructure Local Government and Planning







#### Vegetation Management Act 1999 - Extract from the essential habitat database

Essential habitat is required for assessment under the:

• State Development Assessment Provisions - Module 8: Native vegetation clearing which sets out the matters of interest to the state for development assessment under the Sustainable Planning Act 2009; and

• Self-assessable vegetation clearing codes made under the Vegetation Management Act 1999

Essential habitat for one or more of the following species is found on and within 1.1 km of the identified subject lot/s or on and within 2.2 km of an identified coordinate on the accompanying essential habitat map.

This report identifies essential habitat in Category A, B and Category C areas.

The numeric labels on the essential habitat map can be cross referenced with the database below to determine which essential habitat factors might exist for a particular species.

Essential habitat is compiled from a combination of species habitat models and buffered species records.

The Department of Natural Resources and Mines website (<u>http://www.dnrm.gld.gov.au</u>) has more information on how the layer is applied under the State Development Assessment Provisions - Module 8: Native vegetation clearing and the Vegetation Management Act 1999.

Regional ecosystem is a mandatory essential habitat factor, unless otherwise stated.

Essential habitat, for protected wildlife, means a category A area, a category B area or category C area shown on the regulated vegetation management map-

1) (a) that has at least 3 essential habitat factors for the protected wildlife that must include any essential habitat factors that are stated as mandatory for the protected wildlife in the essential habitat database; or

2) (b) in which the protected wildlife, at any stage of its life cycle, is located.

Essential habitat identifies endangered or vulnerable native wildlife prescribed under the Nature Conservation Act 1994.

Essential habitat in Category A and B (Remnant vegetation species record) areas:1100m Species Information

(no results)

Essential habitat in Category A and B (Remnant vegetation species record) areas:1100m Regional Ecosystems Information

(no results)

Essential habitat in Category A and B (Remnant vegetation) areas:1100m Species Information

(no results)

Essential habitat in Category A and B (Remnant vegetation) areas:1100m Regional Ecosystems Information

(no results)

Essential habitat in Category C (High value regrowth vegetation) areas:1100m Species Information

(no results)

Essential habitat in Category C (High value regrowth vegetation) areas:1100m Regional Ecosystems Information

(no results)