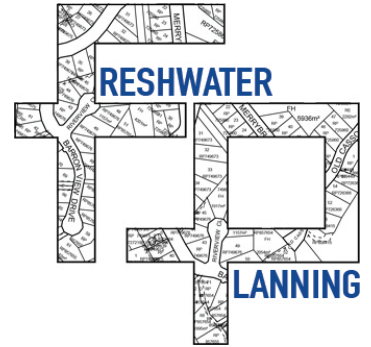


Your Ref:  
Our Ref: F26/04



07 May, 2026

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

**Attention: Planning and Building Department**

Dear Sir,

**RE: APPLICATION FOR RECONFIGURING A LOT – BOUNDARY REALIGNMENT  
LOTS 85 AND 86 ON SP227512, 106 RIVER ROAD, BIBOOHRA.**

This application is for a Reconfiguring a Lot – Boundary Realignment over land described as Lots 85 and 86 on SP227512, situated at 106 River Road, Biboohra.

The application comprises of Application Forms, SmartMaps, Highlighted SmartMap, Twine Surveys Sketch Plans, QLD Globe Cadastral Plan 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 Lots 85 and 86 on SP227512 and is situated at 106 River Road, Biboohra. The site is owned by W.G. Stewart, G.J. Stewart and A.J. Stewart who are also the applicants for the proposed Reconfiguration. The site is FreeHold, comprises of two allotments, is generally regular in shape, has an area of 24.0889 hectares, contains frontage to the River Road, abuts the Barron River, and encompasses associated structures and Rural Activities.

The site is accessed from River Road via existing crossovers with the proposed Reconfiguration not altering this arrangement. The site is provided with all available services, being reticulated Electricity and Telecommunications and can be provided with the necessary services of a domestic Water Supply and an effective Effluent Disposal System 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. The site is not located within 25 metres of a State Controlled Road, nor is located within 25 metres of a Railway Corridor.

### **Referral Agencies**

The site is Mapped as containing Remnant 'least concerns' Vegetation throughout the site. The proposed boundary will be realigned through the Mapped areas of Remnant 'least concern' Vegetation. No clearing of the Mapped Remnant Vegetation is proposed, however, the proposal could result in the provision of new exemptions. It is considered that the Development Application may require Referral to the Department of Department of State Development, Infrastructure, Local Government and Planning for Vegetation Purposes.

## The Proposed Development

The proposed development is for a Boundary Realignment between two (2) allotments in the Rural Zone within the Mareeba Shire Planning Scheme. The site is located at 106 River Road, Biboohra and is more particularly described as Lots 85 and 86 on SP227512. A Development Permit for a Boundary Realignment is sought to realign the common boundaries to more appropriately configure the existing Rural Activities over the site. This proposed configuration ensures that the existing Rural Areas are provided within an individual allotment. The proposed realigned allotments will ensure that Rural Activities are not provided over boundaries. No change to the existing Rural Activities provided over the site are envisaged, and the Reconfiguration is considered to result in a more appropriate layout while ensuring that the existing nature, character, and amenity of the immediate and surrounding environs is protected.

The existing areas of the allotments are:

Lot 85 on SP227512	16.0599 hectares
Lot 86 on SP227512	8.029 hectares.

The Boundary Realignment proposes new allotments, described as Lots 5 and 6. The proposed areas of these allotments are:

Proposed Lot 5	19.0689 hectares
Proposed Lot 6	5.0200 hectares.

The proposal does result in the slight reduction of the size of existing Lot 86 however, the Realignment does not reduce the existing Rural production over the site. The Boundary Realignment results in a more appropriate Agricultural Outcome for the site and ensure that the Rural Activities provided over the Rural Lands are protected now and for the future. The resultant Rural Allotments are of similar sizes to those within the immediate and surrounding vicinity ensuring no change to the existing nature, character and amenity of Rural Area of Biboohra. The attached Highlighted SmartMap demonstrates similar sized allotments to those proposed within the immediate vicinity.

The site gains access via existing crossovers with no change to the existing access proposed with the Reconfiguration. It is considered that the proposal retains/provides each allotment with the safe and practical access to the existing Road Network, being the River Road. The site contains associated structures and Rural Activities with the proposal not changing any of the improvements or Rural Activities over the site. The proposed Realignment of the common boundaries will ensure that no change to the existing Rural nature of the site and surrounding area is envisaged while providing a more appropriate configuration. 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 existing and proposed Rural Allotments do not meet the minimum allotment size within the Mareeba Shire Council's Planning Scheme's Reconfiguring a Lot Code for allotments in the Rural Zone. However, the proposed Boundary Realignment results in a more appropriate outcome for the existing Rural Activities. The Boundary Realignment will ensure that Rural or existing Activities can be provided over the site now and within the future. No additional fragmentation of the Rural Land is provided as no additional allotment is created, and it is not considered that the proposed Boundary Realignment will be detrimental to the adjacent sites or adversely impact on the surrounding area. It is considered that the Objectives and Performance Outcomes of the Rural Zone Code and the Reconfiguring a Lot Code can be met in this instance.

The site is located in the Rural Zone of the Mareeba Shire Council's Planning Scheme. Reconfiguring a Lot for a Boundary Realignment is a Code Assessable Use within this Zone. The application is Code Assessable.

## Far North Queensland Regional Plan 2009-2031

Lots 85 and 86 on SP227512 are 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 or 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.

The proposed Boundary Realignment does not reduce any cultivated area within the Regional Landscape and Rural Production Area, instead creates more viable Rural Allotments and a more appropriate outcomes ensuring better agricultural efficiency. The proposal does not fragment the existing Regional Landscape and Rural Production Area and provides for similar areas to those existing allotments and allotments within the immediate and surrounding vicinity.

This proposal results in the provision of a more practical resolution and is considered to result in a more appropriate layout while ensuring that the existing nature, character, and amenity of the immediate and surrounding environs is protected. The Realignment does not result in additional fragmentation of the Rural Production Area providing similar sizes to that of the immediate and surrounding vicinity while not affecting the Rural Activities or Environmental Outcomes of the site nor within the surrounding environs.

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 Regional Landscape and Rural Productions Area.

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 site is located within the Rural Zone of the Mareeba Shire Council's Planning Scheme. The proposal is for a Boundary Realignment and will not significantly affect the existing and Rural Activities over the site. The proposal is considered to result in a more appropriate layout while ensuring that the existing nature, character, and amenity of the immediate and surrounding environs is protected. This proposed configuration ensures that the existing cultivated lands are provided within an individual allotment. The proposed realigned allotments will ensure that Rural Activities are not provided over boundaries. No change to the existing Rural Activities is envisaged with the proposal and no change to the existing Rural nature, character or amenity is proposed.

It is considered that no change to the Rural nature of the area is envisaged from the proposed Realignment. The proposed Reconfiguration will maintain the existing Rural amenity, nature and functioning of the site and surrounds area and is acceptable. The proposal is not in conflict with the Purposes and Outcomes of the Rural Zone.

### *Bushfire Hazard Overlay Code*

The site is Mapped as containing areas of Potential Impact Buffer (100 metres) and Medium Bushfire Hazards over the site, in particularly along the adjoining Barron River. The proposal is for a Boundary Realignment and no additional allotment is proposed. No change to the existing associated structures is provided over the site which contain the Bushfire Overlay Mapping. No new buildings or structures are proposed with the Reconfiguration and the site already contains existing structures. Any future structures are able to 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 MSES Waterways and Waterways Buffer and Regulated Vegetation on the Environment Significance Map. The proposal will not significantly affect the areas of MSES Waterway and Waterway Buffers provided over the site. No buildings or structures are proposed with the Realignment. 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 Mapped Regulated Vegetation is considered to generally buffer the Mapped Watercourses and is not considered to appropriately reflect what is provided onsite. No clearing is proposed with the Reconfiguration. Each proposed Allotment contains significant area outside of the Mapped Regulated Vegetation, in addition to appropriate Watercourse Setbacks. 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 proposed Realignment achieves a more appropriate outcome without affecting the existing natural environment in accordance the Intent of the Environmental Significant Overlay Code. It is considered that the proposed development is not in conflict with the Purpose of the Environment Significance Overlay Code and is acceptable.

### *Flood Hazard Overlay Code*

The site is designated as containing areas of Extreme, High, Significant and Low Flood Hazard within the General Extent of Modelled Flood Levels as demonstrated on the Flood Hazard Overlay Mapping. The Flood Mapping demonstrates that the site is constrained by the Flood Hazard Overlay over the majority of the site. The proposal is for a Boundary Realignment with no additional Rural Allotment is created, no Buildings or Structures proposed, nor is any change the Flood Mapping for the newly realigned allotments. It is considered that the Flood Hazard Mapping does not affect the proposed Realignment with each proposed allotment provided with the same level of Flood Immunity as per existing.

### *Slope Overlay Code*

The site is Mapped as containing areas of Slope Hazard 15% or greater within the Slope Hazard Overlay Mapping. The proposal is for a Boundary Realignment 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. Each existing and proposed Rural Allotments contain significant areas located outside of any Hazard Mapping. It is considered that the Slope Overlay Code is Not Applicable to the proposed Reconfiguration.

### Reconfiguring a Lot Code

The proposed development is for a Boundary Realignment between two allotments in the Rural Zone of the Mareeba Shire Council’s Planning Scheme. A Development Permit for a Boundary Realignment is sought to realign the common boundaries to a more appropriately configure for the existing Rural Activities over the site. This proposed configuration ensures that the existing Rural Areas are located within an individual allotment. The proposed realigned allotments will ensure that Rural Activities are not provided over boundaries. No change to the existing Rural Activities provided over the site are envisaged, and the Reconfiguration is considered to result in a more appropriate layout while ensuring that the existing nature, character, and amenity of the immediate and surrounding environs is protected.

The minimum lot size in the Rural Zone is 60.0 hectares requiring a minimum frontage of 400 metres. Existing Lots 85 and 86 on SP227512 have an area of 24.0889 hectares. The existing and proposed Lots and areas are as follows:

The existing areas of the allotments are:

Lot 85 on SP227512	16.0599 hectares
Lot 86 on SP227512	8.029 hectares.

The Boundary Realignment proposes new allotments, described as Lots 5 and 6. The proposed areas of these allotments are:

Proposed Lot 5	19.0689 hectares
Proposed Lot 6	5.0200 hectares.

The site gains access via existing crossovers with no change to the existing access proposed with the Reconfiguration. It is considered that the proposal retains/provides each allotment with the safe and practical access to the existing Road Network, being the River Road. The site contains associated structures and Rural Activities with the proposal not changing any of the improvements or Rural Activities over the site. The proposed Realignment of the common boundaries will ensure that no change to the existing Rural nature of the site and surrounding area is envisaged while providing a more appropriate configuration. 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 existing and proposed Rural Allotments do not meet the minimum allotment size within the Mareeba Shire Council’s Planning Scheme’s Reconfiguring a Lot Code for allotments in the Rural Zone. However, the proposed Boundary Realignment results in a more appropriate outcome for the existing Rural Activities. The Boundary Realignment will ensure that Rural or existing Activities can be provided over the site now and within the future. No additional fragmentation of the Rural Land is provided as no additional allotment is created, and it is not considered that the proposed Boundary Realignment will be detrimental to the adjacent sites or adversely impact on the surrounding area.

The Boundary Realignment will ensure that the existing Rural Activities can be provided over the site now and within the future. No additional fragmentation of the Rural Land is provided as no additional allotment is created, and it is not considered that the proposed Boundary Realignment will be detrimental to the adjacent sites or adversely impact on the surrounding area. It is considered that the Objectives and 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 – Boundary Realignment 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 configured 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 River Road, with no change to the existing proposed. It is accepted that each realigned allotment will be provided with the safe provision of access to the existing Road Network, being River 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 – Boundary Realignment over land described as Lots 85 and 86 on SP227512 is appropriate. In particular, the proposed development:

- ✚ Can meet the Performance Outcomes relating to minimum allotment size and dimension as the proposal provides a more appropriate configuration without affecting the existing Rural Activities over the site;
- ✚ No change to the existing Rural nature or character of the area is envisaged, and the Realignment will ensure that the Realigned Allotments will remain to be used for Rural Uses or as Existing;
- ✚ Can meet the Performance Outcomes, Purposes and the Intent of the Reconfiguring a Lot Code for land included in the Rural Zone;
- ✚ Ensures that the existing Rural Activities are maintained without further fragmenting the site nor reducing the existing productive lands;
- ✚ Can meet the Intent and Objectives for the Rural Zone;
- ✚ 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
- ✚ Provides for a more appropriate configuration resulting in better Agricultural Efficiency and ensures 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,



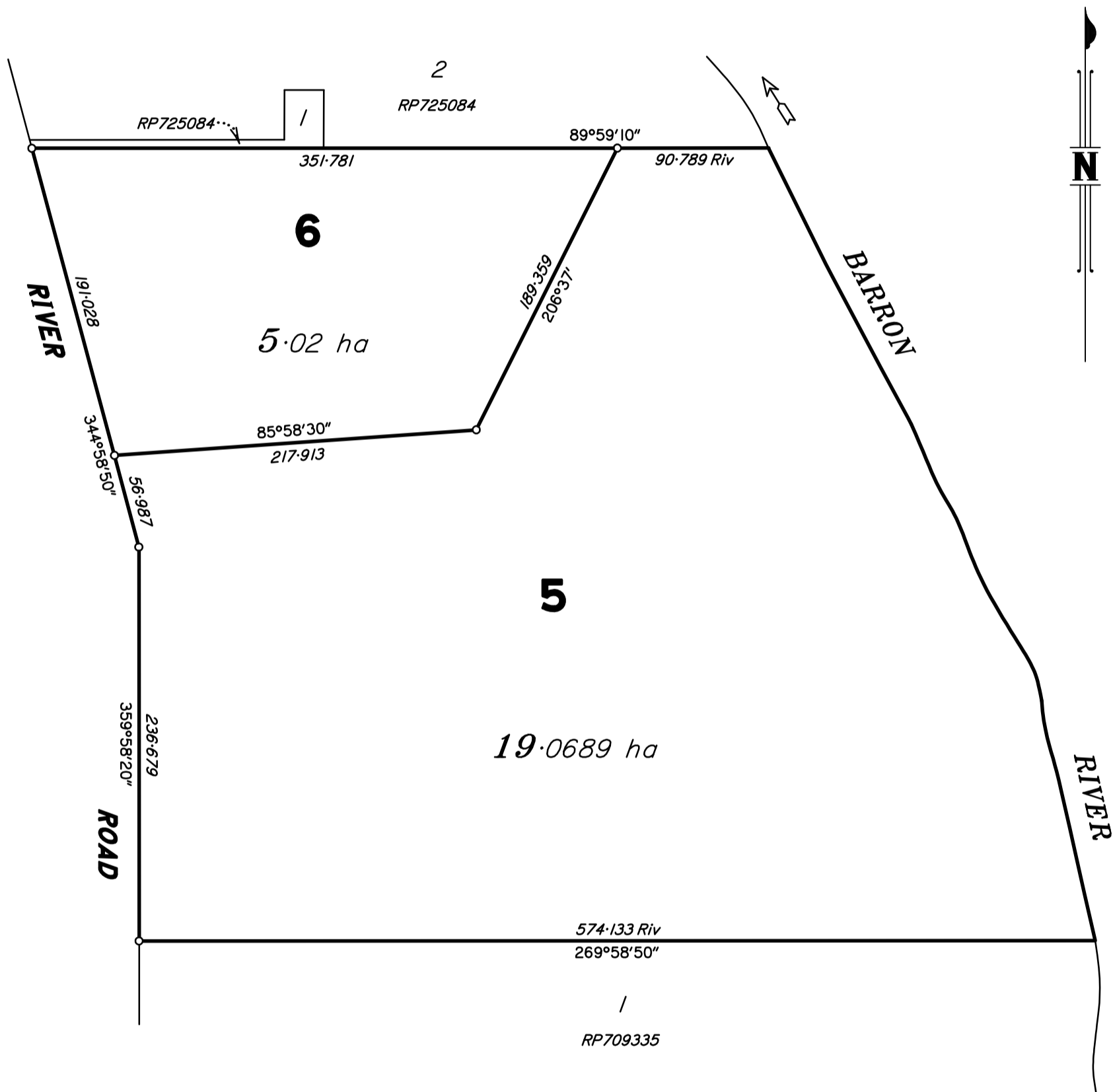
**MATTHEW ANDREJIC**

**FRESHWATER PLANNING PTY LTD**

P: 0402729004

E: FreshwaterPlanning@outlook.com

17 Barron View Drive, FRESHWATER QLD 4870



*Areas and metes and bounds are subject to final survey.*

0 150m 300m 450m

LOCAL GOVERNMENT: MSC  
 LOCALITY: Biboohra  
 Scale 1: 3000  
 Reference: 10004  
 Lot Layout – 28-04-2026

**DEVELOPMENT PLAN**

*Lots 5 and 6*

Cancelling Lots 85 & 86 on SP227512



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

# Boundary Realignment

Lots 85 and 86 on SP227512 - 106 River Road, Bibbohra

16°53'40"S 145°25'7"E

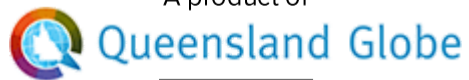
16°53'40"S 145°25'30"E



16°54'3"S 145°25'7"E

16°54'3"S 145°25'30"E

A product of



0 50 metres

Scale: 1:2500

Printed at: A3

Print date: 5/5/2026

Not suitable for accurate measurement.  
Projection: Web Mercator EPSG 102100 (3857)

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

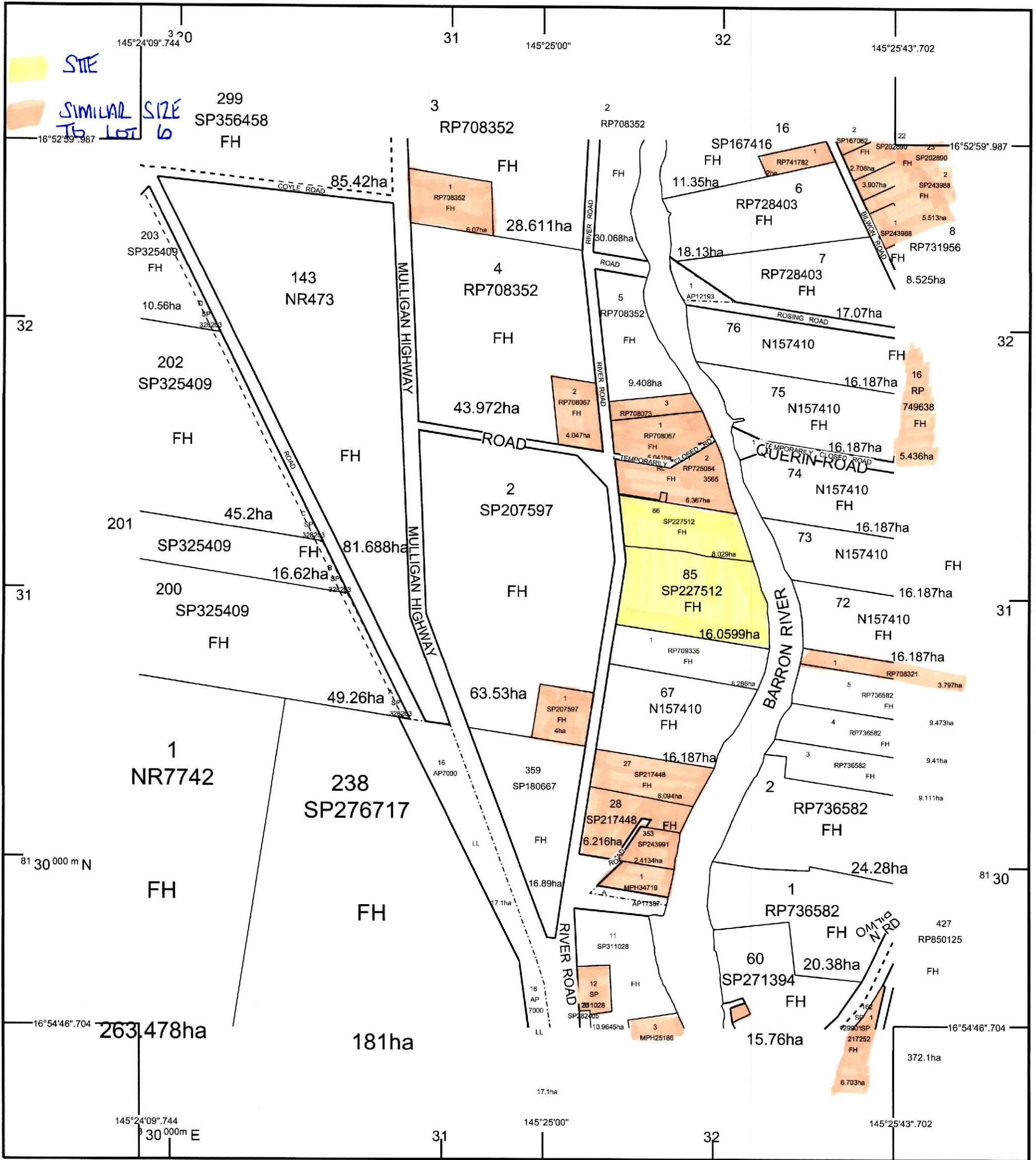
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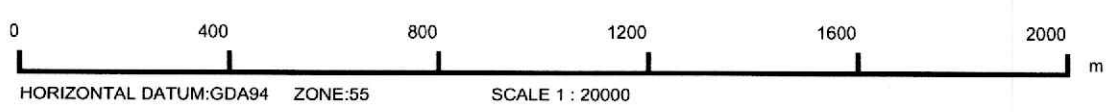


**Queensland  
Government**

Department of Natural Resources and Mines, Manufacturing, and Regional and Rural Development



STANDARD MAP NUMBER  
7964-22413



**SmartMap**

MAP WINDOW POSITION & NEAREST LOCATION



**SUBJECT PARCEL DESCRIPTION**

DCDB	
Lot/Plan	2/SP207597
Area/Volume	63.53ha
Tenure	FREEHOLD
Local Government	MAREEBA SHIRE
Locality	BIBOOHRA
Segment/Parcel	9238/722

**CLIENT SERVICE STANDARDS**

PRINTED 05/05/2026

DCDB 30/04/2026 (Lots with an area less than 3000m<sup>2</sup> are not shown)

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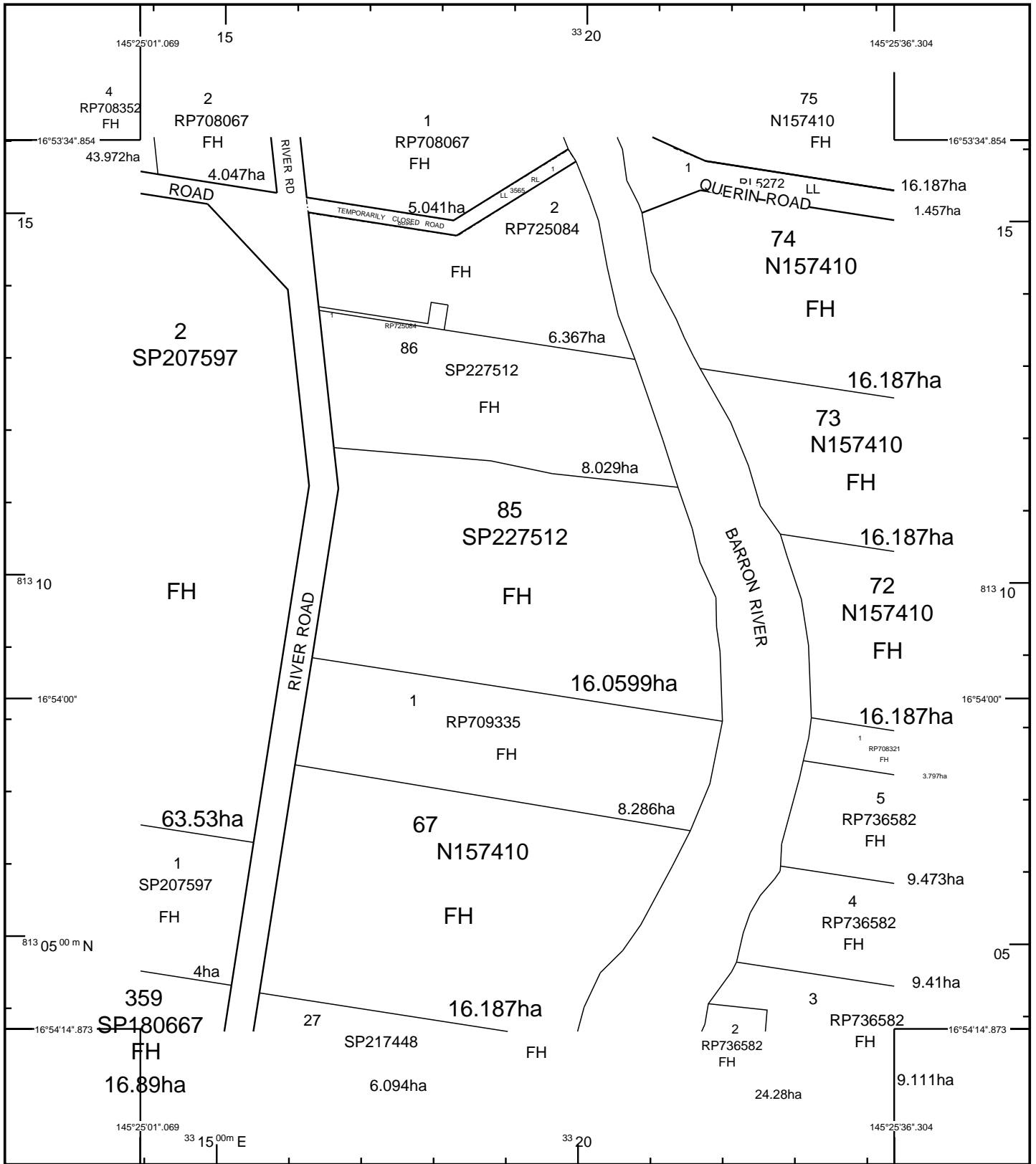
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Digital Cadastral Data Base



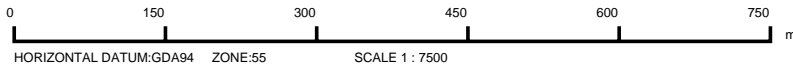
**Queensland Government**

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STANDARD MAP NUMBER  
7964-22413

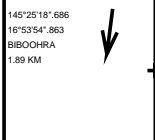


**SmartMap**

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SmartMap Information Services

Based upon an extraction from the  
Digital Cadastral Data Base

MAP WINDOW POSITION &  
NEAREST LOCATION



**SUBJECT PARCEL DESCRIPTION**

DCDB	
Lot/Plan	85/SP227512
Area/Volume	16.0599ha
Tenure	FREEHOLD
Local Government	MAREEBA SHIRE
Locality	BIBOOHRA
Segment/Parcel	9238/719

**CLIENT SERVICE STANDARDS**

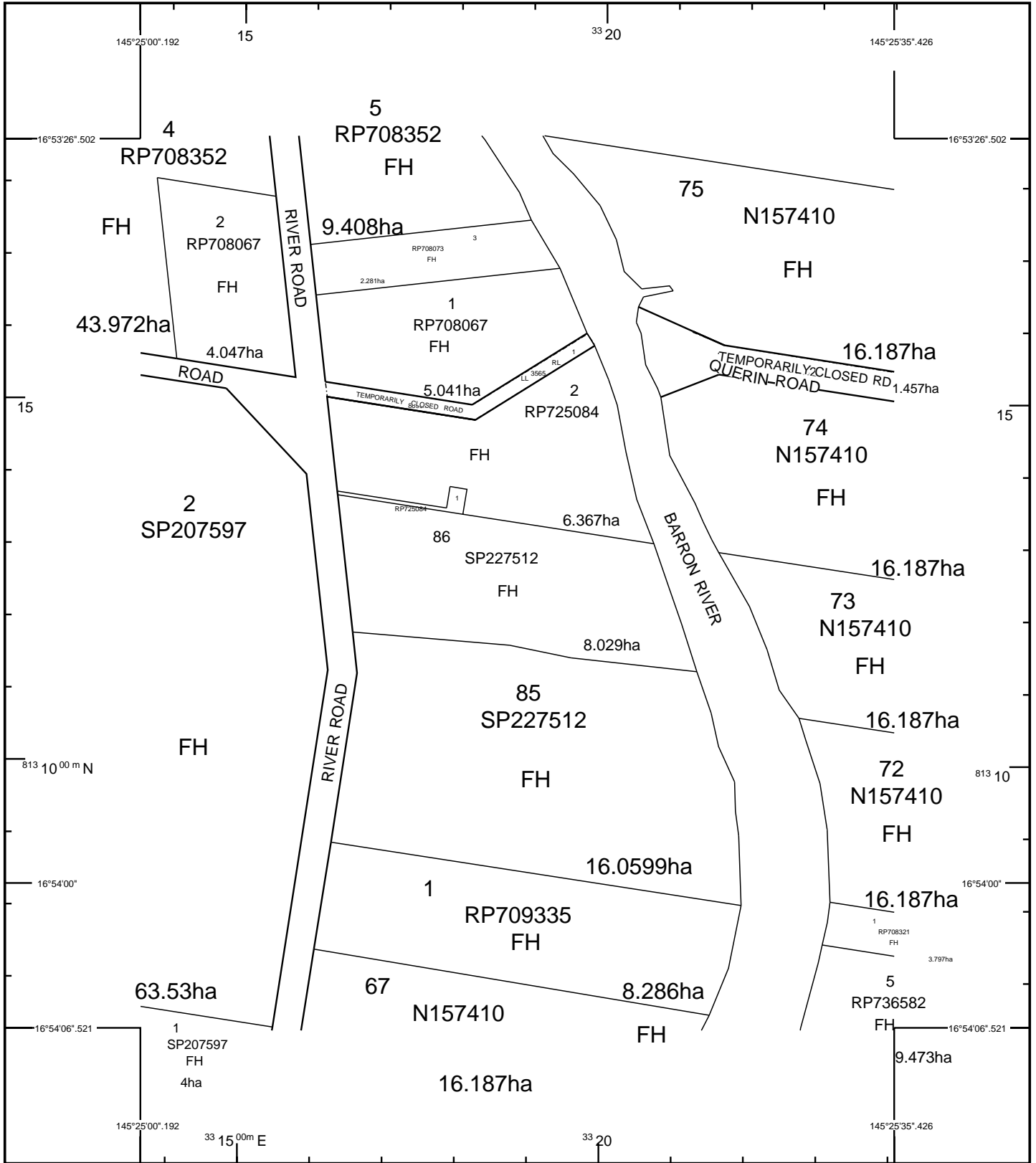
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DCDB	22/01/2026
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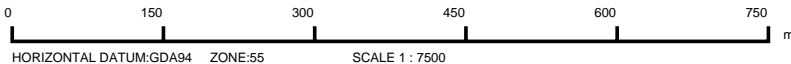
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(Department of Resources) 2026.

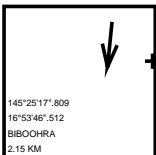




STANDARD MAP NUMBER  
7964-22413



MAP WINDOW POSITION & NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	86/SP227512
Area/Volume	8.029ha
Tenure	FREEHOLD
Local Government	MAREEBA SHIRE
Locality	BIBOOHRA
Segment/Parcel	9238/720

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**Queensland  
Government**

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# 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)	W.G. Stewart, G.J. Stewart and A.J. Stewart
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)	F26/04

### 1.1) Home-based business

Personal details to remain private in accordance with section 264(6) of *Planning Act 2016*

### 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  
 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
		106	River Road	Biboohra
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	85	SP227512	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
		106	River Road	Biboohra
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	86	SP227512	Mareeba Shire Council

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

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

- 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: Barron River

- 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 – Boundary Realignment (2 Lots 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 <i>(include each definition in a new row)</i>	Number of dwelling units <i>(if applicable)</i>	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
- 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?**

2

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

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



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



- 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 type="checkbox"/> Approval <input type="checkbox"/> Development application			
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

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

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

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

### **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

Yes

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

If building work is associated with the proposed development, Parts 4 to 6 of [DA Form 2 – Building work details](#) have been completed and attached to this development application

Yes

Not applicable

Supporting information addressing any applicable assessment benchmarks is with the development application

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

Yes

Relevant plans of the development are attached to this development application

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

Yes

The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)

Yes

Not applicable



**25) Applicant declaration**

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

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

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

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

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

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

**PART 9 – FOR 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	