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Attachments:

"Emma Staines" <Emma.Staines@braziermotti.com.au>  
Fri, 15 Nov 2024 11:50:13 +1000  
"RES - Mailbox - Planning" <Planning@burdekin.qld.gov.au>  
Development Application - 56968-001-01  
56968-001-01 - Development Application.pdf

Good morning,  
Please find attached Development Application seeking a Development Permit for  
Reconfiguring a Lot -  
Boundary Realignment (Two Lots into Two Lots) at 206 & 226 Airdmillan Road,  
Airdmillan.

If you require any further information, please do not hesitate to contact our  
office.

Kind regards,  
Emma Staines  
Town Planner  
P 07 4772 1144  
595 Flinders Street  
Townsville Q 4810  
braziermotti.com.au

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Document Set ID: 1847651  
Version: 1, Version Date: 21/11/2024

15 November 2024

Our Ref: 56968-001-01  
QA: es

Assessment Manager  
Burdekin Shire Council  
145 Young Street  
AYR QLD 4807  
Attention:

Development Assessment

Dear Sir/Madam,  
DEVELOPMENT APPLICATION  
Development Permit for Reconfiguring a Lot – Boundary Realignment (Two Lots into Two Lots)

206 & 226 Airdmillan Road, Airdmillan

We act on behalf of the Applicant, Geoffrey Tait, in relation to the abovementioned application.

Please find enclosed a Development Application seeking a Development Permit for Reconfiguring a Lot – Boundary Realignment (Two Lots into Two Lots) at 206 & 226 Airdmillan Road, Airdmillan, being formally described as Lot 18 on SP194093 and Lot 19 on RP702289, respectively.

In accordance with Burdekin Shire Council's schedule of fees and charges 2024/2025, the development application fee is \$2,720.00. This fee includes the additional \$1,760.00 fee associated where a reconfiguration application triggers impact assessment.

The fee will be paid directly to Council by the applicant upon receipt of Council's application reference number.

Thank you in advance and please do not hesitate in contacting the undersigned should you require further information.

Yours faithfully,

---

Emma Staines  
Town Planner

Brazier Motti Pty Ltd  
Encl.

Development Application

595 Flinders Street, Townsville Q 4810 P 07 4772 1144 E  
townsville@braziermotti.com.au W www.braziermotti.com.au  
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DEVELOPMENT APPLICATION  
DEVELOPMENT PERMIT FOR:

SEEKING A

Reconfiguring a Lot - Boundary Realignment  
(Two Lots into Two Lots)

on behalf of

PIRRONE BROTHERS

at

206 & 226 AIRDMILLAN ROAD, AIRDMILLAN

on

LOT 18 ON SP194093 &

LOT 19 ON RP702289

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Brazier Motti have prepared this report for the sole purposes of Pirrone Brothers for the specific purpose of a Development Application seeking a Development Permit for Reconfiguring a Lot - Boundary Realignment (Two Lots into Two Lots) at 206 & 226 Airdmillan Road, Airdmillan. In preparing this report we have assumed that all information and documents provided to us by others, such as the client, other consultants acting on the client's behalf or government agencies, to be complete, accurate and current.  
Signed on behalf of Brazier Motti Pty Ltd

EMMA STAINES  
Town Planner  
Brazier Motti Pty Ltd

BRAZIER MOTTI  
595 Flinders Street  
Townsville Q 4810  
Ph: 4772 1144  
Final: November 2024  
Prepared by: EJS  
QA: es  
Job No: 56968-001-01  
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DA Form 1 - Development Application Details (Version 1.6) and Owner's Consent

Appendix B:

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Proposed Reconfiguration Plan 56968/001 B prepared by Brazier Motti

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## INTRODUCTION

This town planning report has been prepared on behalf of the Applicant, Pirrone Brothers, in support of a Development Application seeking a Development Permit for Reconfiguring a Lot - Boundary Realignment (Two Lots into Two Lots) on land at 206 & 226 Airdmillan Road, Airdmillan, being formally described as Lot 18 on SP194093 and Lot 19 on RP702289, respectively.

The development application is made in accordance with section 51 of the Planning Act 2016 and contains the mandatory supporting information specified in the applicable development application form, included in Appendix

A.

The subject site is located within the Burdekin Shire Council local government area and the applicable planning scheme for use by the Assessment Manager is the Burdekin Shire Council Planning Scheme 2022 ("the Planning Scheme").

In accordance with the Planning Scheme, the application is subject to impact assessment and therefore public notification will be required.

To assist in Council's determination of this development application, this planning report covers the following matters:

Section 2:-

A site description including the site characteristics and its immediate surrounds.

Section 3:-

A detailed description of the development proposal.

Section 4:-

A review of the relevant legislation provisions.

Section 5:-

A review of the planning framework.

Section 6:-

An assessment of the proposal against the Burdekin Shire Council Planning Scheme 2022.

Section 7:-

Conclusion and recommendation.

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## 2.0

### THE SITE

The subject site is located at 206 & 226 Airdmillan Road, Airdmillan and situated to the north east of Ayr.

The certificates of title confirming ownership of the land are included Appendix B.

Figure 1 below shows an aerial of the site and its immediate surrounds. It comprises one regular shaped allotment and one irregular shaped allotment with a combined land area of 49.89ha. Lot 18 contains a small slither of an easement over the eastern boundary. The Smart Map is included in Appendix B which confirms the site area, tenure and surrounding cadastre.

Figure 1: Aerial image of the site and immediate surrounds

Figure 2: Extract of zone map

Source: Queensland Globe, 2024

Source: Burdekin Shire Council Planning Scheme, 2024

Lot 18 is a rear allotment located behind Lot 17 on SP194093 and accessed via a 6m wide access handle. It contains a dwelling house and large agricultural shed and is mainly used for cropping. Lot 19 has ample frontage to Airdmillan Road and adequate access arrangement. It does not contain any built form and is used for cropping.

The subject site is included within the Rural zone for the purpose of the Planning Scheme. The pattern of development in the vicinity of the site comprises agricultural land and dwelling houses on larger lots with limited access to infrastructure.

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### 3.0

#### THE PROPOSAL

This report details an application seeking a Development Permit for Reconfiguring a Lot – Boundary Realignment (Two Lots into Two Lots) on the subject site described above.

Specifically, the proposal seeks to increase the size of Lot 19 on RP702289 to improve the management of the farming activities currently being carried out over two parcels of land. This will improve utility of the site, long term.

The resultant lots are of a size to support the existing land uses and ensures the character and density intended for in the rural zone remains.

The proposed reconfiguration is identified on the proposal plan included in Appendix C and is summarised in Table 1 below.

Table 1: Proposed Reconfiguration  
Council's Acceptable Solution

Proposed Lot 18

Proposed Lot 19

Lot Size

30ha

1.048ha

49.322ha

Road Frontage

200m

6m wide access handle  
off Airdmillan Road

405.6 to Airdmillan Road

Proposed Lot 19 is consistent with the recommended lot size and frontage for rural land in the Planning Scheme.

Proposed Lot 18 is inconsistent with the recommended lot size for rural land, despite having been below the recommended lot size dimensions at the time of commencement of the Planning Scheme. However, for the purposes of this development application, the non-compliance is insignificant because the proposal does not create any new lots and is consolidating the balance of the farmed lots, which is a minimum of 30ha and the single lot created contains a dwelling house that existed at the commencement of this planning scheme. This will protect rural production and avoid further fragmentation.

Both lots have adequate access arrangements for the respective land uses which does not impact on the existing rural amenity.

It is understood that no physical works to the existing access and other servicing arrangements is required.

Operational works are not required as a result of this application.



## 4.0

### RELEVANT LEGISLATION

#### 4.1

##### COMMONWEALTH LEGISLATION

The application is not subject to assessment against Commonwealth legislation. It is not anticipated that development of this land will trigger assessment against the Environmental Protection and Biodiversity Conservation Act 1999 (EPBC), as it is not anticipated that the development will significantly impact upon a matter of national environmental significance.

#### 4.2

##### THE PLANNING ACT 2016

The Planning Act 2016 provides the framework for coordinating local, regional and state planning. Given the nature of the development, the application requires assessment against this legislation.

#### 4.3

##### STATE ASSESSMENT AND REFERRALS

The Development Assessment Rules 2.0 incorporates a referral process, established through the Planning Regulation 2017, enabling relevant State agencies to have input in the assessment process. Consideration of the proposed development against Schedule 10 of the Planning Regulation 2017 determined that the proposal does not trigger any referrals.

#### 4.4

##### STATE PLANNING POLICY

In accordance with section 1.2.1 – State planning policy of the Planning Scheme, the Planning Minister is satisfied that the State Planning Policy (SPP) July 2017 is appropriately integrated into the Burdekin Shire Council Planning Scheme in full. Hence, for the purposes of this development, we consider that assessment of the proposal against the provisions of the SPP is not required, and all relevant matters will be dealt with under the provisions of the Planning Scheme.

#### 4.5

##### NORTH QUEENSLAND REGIONAL PLAN

The subject land is located within a Priority Agricultural Area (PAA) as defined by the North Queensland Regional Plan ("NQRP").

The proposal aligns with the regional outcome and the regional policies for PAAs of the NQRP, as it supports the ongoing operation and production of an existing agricultural land use without compromising its current or future ability to operate. It does not alter or conflict with the objectives of the NQRP nor does it introduce any incompatible non-agricultural land uses. The resultant lot layout also supports the ongoing production of the adjoining agricultural land.

The proposed layout is consistent with the assessment benchmarks particularly

noting that:

- Development does not result in, or contribute to, a net loss to overall agricultural productivity within the PAA; and
- Development does not result in widespread or irreversible impacts to the future use of a PAA for agricultural activities.

4.6

#### ASSESSMENT MANAGER AND PLANNING SCHEME

Burdekin Shire Council is nominated as the Assessment Manager for the application. The applicable planning scheme is the Burdekin Shire Council Planning Scheme 2022.

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PUBLIC NOTIFICATION

Under the provisions of the Planning Act 2016, the proposed development at this location does require Public Notification. Public notification will be undertaken for a period of 15 business days.

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## 5.0

### THE PLANNING FRAMEWORK

The Planning Scheme seeks to achieve outcomes through the identification of a number of overall outcomes, performance outcomes and acceptable outcomes. However, it should be noted that the Planning Scheme is performance based. That means that the acceptable outcomes are to be read as offering one way of achieving compliance with a code but do not prohibit alternate outcomes where the performance outcomes can be shown to be met. The assessment benchmarks establish outcomes expected for a type of development, though there is a principal that each application is to be considered on its merits. Section 45 (5) (b) of the Planning Act 2016 identifies that, together with consideration of assessment benchmarks, assessment may also be carried out against, or having regard to, any other relevant matter. Land identified within the Planning Scheme is categorised by a number of zones and precincts to guide development across the region. The Planning Scheme further identifies a range of overlays that may impact the land, these are governed by overlay codes.

## 5.1

### LAND DESIGNATION

In accordance with the Planning Scheme, the site is included within the Rural zone and is identified as affected by the following overlays:

- Acid sulfate soils overlay map;
- Agricultural land overlay map - land classification (classes A and B) and priority agricultural area;
- Environmental significance overlay map; and
- Flood hazard overlay map.

As stated in Section 3.3.2 (4) Where development is proposed on premises partly affected by an overlay, the category of development or assessment for the overlay only relates to the part of the premises affected by the overlay. For the purposes of this development application, assessment is required against the flood hazard overlay code only.

## 5.2

### LEVEL OF ASSESSMENT, ASSESSMENT BENCHMARKS AND APPLICABLE CODES

Table 3.5.1 of the Planning Scheme identifies reconfiguring a lot as assessable development and is impact assessable for the purposes of this development application.

The assessment table identifies that an application requires assessment against the Planning Scheme, hence the Strategic Framework and the following codes:

- Rural zone code;
- Development works code;
- Reconfiguring a lot code; and
- Flood hazard overlay code.

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## BURDEKIN SHIRE COUNCIL PLANNING SCHEME 2020

A complete assessment of the proposed development against the Planning Scheme is provided below.

## 6.1

## STRATEGIC FRAMEWORK

The strategic framework, described in Part 2 of the Planning Scheme provides sensible measures that are of assistance in determining the suitability of development to meet the needs of the community.

It establishes four themes that represent the policy intent of the Scheme. The themes are:

- (a) Liveable communities and infrastructure
- (b) Economic growth
- (c) Safe and resilient communities
- (d) Natural resources, the environment and heritage

The themes, on balance, seek to create opportunities for a diversity of lifestyle options in settings that are efficiently and affordably serviced, and that are respectful of environmental values.

The Framework establishes objectives to support the Shire's economy and community given its strong agricultural base, quality land and abundant water resources. It also recognises that large parts of the Burdekin are subject to some form of natural hazard and seeks to ensure new development is managed to reduce risk to life and property.

The subject site is not included within Council's water or sewer service areas therefore no changes to existing infrastructure arrangements are required to facilitate the development ensuring cost-effective provision and operation of existing infrastructure networks will be maintained as a result of the proposed realignment (S 2.3.5

(1)). The proposal is also of a scale commensurate with the capacity of the road network, as no changes to the existing land uses are proposed as part of this application. This ensures the ongoing safety and efficiency of the network including users of Airdmillan Road (S 2.3.5 (4)).

The purpose of the reconfiguration is to rationalise tenure arrangements to improve the utility of the existing land uses, long term. It does not encourage non-rural or intensive rural activities (S 2.4.1 (4)).

The development is for the reconfiguration of a lot only, and does not worsen the severity of, or exposure to, the hazard on-site or to other properties (S 2.5.1 (4)). The subject is identified in a flood hazard area, however the resultant layout mitigates the risk to a more than acceptable level. The realignment of boundaries and does not

create any additional allotments that will be exposed to flood hazard. No changes to the impermeable nature of the site are proposed as part of this application to ensure flood flow conveyance paths and flood storage volumes of the floodplain are maintained. (S 2.5.2 (1 and 5)).

The proposal further satisfies the lower order components of the Planning Scheme, i.e. zone codes, development codes, overlay codes and planning scheme policies. The assessment below demonstrates how the proposal satisfies

the most applicable lower order components of the Planning Scheme.

The following planning grounds have been identified to support the application, despite the minor conflict with the

Scheme:• The proposed development does not create any additional lots in the rural zone;



- The proposed development will not impact existing infrastructure networks;
- The resultant layout will not impact on the road network and retains access to constructed roads;
- The capacity of productive rural land will not be impacted upon;
- There will be no net decrease of cropping land as no improvements are proposed; and
- The proposal does not increase the exposure of risk to people and property to natural hazards.

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## 6.2

### ZONE CODE PROVISIONS

#### 6.2.1 Rural Zone Code

The proposed development is nominated for assessment against the Rural zone code.

The purpose of the Rural zone is to—

- a) provide for rural uses and activities; and
- b) provide for other uses and activities that are compatible with:
  - (i) existing and future rural uses and activities; and
  - (ii) the character and environmental features of the zone; and
- c) maintain the capacity of land for rural uses and activities by protecting and managing significant natural resources and processes.

The purpose of the zone will be achieved through the following overall outcomes—

- (a) rural land will be used sustainably to ensure the viability of the primary production base;
- (b) other than in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts, residential and accommodation uses in the rural zone include:
  - (i) dwelling houses generally limited to a single dwelling house on a lot;
  - (ii) caretaker's accommodation, small scale rural workers' accommodation and non-resident workforce accommodation where they directly support primary production activities in the locality;
- and
- (iii) small scale tourist accommodation in the form of bed and breakfasts, farm stay, cabins and camping;
- (c) in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts, development is limited to a dwelling house on an existing lot;
- (d) land in the rural zone is not used or subdivided for urban residential or rural residential purposes;
- (e) other than as provided for under (f), reconfiguration does not result in the creation of:
  - (i) any new lots in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts; or
  - (ii) lots less than 30ha in priority agricultural areas or agricultural land classification class A and B areas shown on overlay map OM2; or
  - (iii) lots less than 100ha elsewhere;
- (f) reconfiguration to create a smaller lot than the minimum set out in (e)(ii) and (iii) may occur where:
  - (i) consolidating the balance of the farmed lot, which is a minimum of 30ha and the single lot created contains a dwelling house that existed at the commencement of this planning scheme; or
  - (ii) rearranging lot boundaries in a way that demonstrates a substantial improvement in the management of the land or the protection of its environmental values, without increasing the number of lots;
- (g) agricultural land classification class A and B and priority agricultural areas shown on overlay map OM2 are protected from encroachment of uses that may impact on the opportunity to enable increased agricultural production;
- (h) other than for public infrastructure, non-agricultural development within priority agricultural areas does not result in a net loss in agricultural production;
- (i) intensive animal industries and aquaculture occur in the rural zone (other than in the Groper Creek,

Jarvisfield, Jerona or Wunjunga village precincts) where they are sufficiently separated from existing sensitive land uses to ensure significant impacts are avoided;

(j) industries which may establish in the rural zone (other than in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts) include only:

- (i) rural industries;
- (ii) industries processing agricultural products which require a rural location:
  - A. for proximity to the produce being processed; or
  - B. to ensure a clean environment separate from general industrial activities; or

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C. to secure a lot size larger than lots available within industrial zoned land;

- (iii) industries associated with the use or processing of commodities grown in the region, such as sugar cane and grain, or their biproducts;
- (iv) extractive industries and other industries that require separation from urban or rural residential areas; and
- (v) renewable energy facilities;
- (k) other than within the KRA shown on overlay map OM6, any expansion of an existing extractive industry is limited to development that will not increase impacts to the priority agricultural area or nearby sensitive land uses, the visual amenity of the locality or matters of environmental significance;
- (l) development for small scale tourism and recreational activities, such as nature- based tourism, outdoor sport and recreation, environment facilities or similar cultural attractions occur where they have a limited building footprint and do not involve significant modification of the natural landform;
- (m) home based businesses occur at a scale consistent with the amenity and character of the surrounding area;
- (n) development does not prejudice or detract from existing and intended rural activities in the surrounding area, or on the functionality of the stock route network shown on overlay map OM2;
- (o) development does not significantly impact on:
  - (i) water and soil quality;
  - (ii) the amenity of nearby sensitive land uses;
  - (iii) the landscape and natural values of the locality; and
  - (iv) the capacity of the road network on which it relies;
- (p) development minimises impacts on the natural environment and maintains habitat areas and corridors;
- (q) development is sited, designed and managed to avoid or reduce any risk of landslide to an acceptable or tolerable level;
- (r) sensitive land uses and other forms of inappropriate development do not occur in proximity to former mining activities and related hazards (e.g. abandoned mines, tunnels and shafts), which may cause risk to people and property.

#### Response

The proposed development is consistent with the purpose and overall outcomes of the Rural zone code, specifically noting that there will be no changes to the land use established on each lot. The current extent of the crop will remain unchanged, and no new lots are being created. The following performance outcomes are considered relevant and have been addressed:

#### P01 – Complies

The existing non-residential building / structure on proposed Lot 19 is setback more than 10m from the proposed boundary, however, is situated approximately 35m from the existing dwelling on proposed Lot 18. Given both structures are existing, the setback of 100m cannot be achieved. There will be no changes to the existing setbacks associated with the non-residential buildings on Lot 17 on SP194093.

#### P03 – Complies

The subject site is not included within Council's water and sewer service areas. The site is provided with a level of infrastructure that allows for the efficient functioning of the established land uses. No changes to these arrangements are required as a result of the boundary realignment. Both result

lots have access to constructed roads.

P016 – Complies

The proposed development is for reconfiguring a lot only and does not comprise non-agricultural development that would otherwise result in a net loss to agricultural production. The proposed layout is considerate of the existing crop and no clearing will be required to facilitate the new boundary.

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P018 - Complies

The boundary realignment maintains the ongoing operation of the existing farming activities.

P019 - Complies

The new boundary will not change existing buffers to adjoining residential uses.

P020 - Complies

A cane tram line run adjacent the property road frontage. Given no changes to the existing access arrangements are proposed, it is not anticipated that the reconfiguration will interfere with the line.

P023 - Complies

The proposed development is for the realignment of existing boundaries only, it does not create any additional lots.

P024 - Complies

The reconfiguration results in a lot below the minimum size requirement however, the reconfiguration consolidates the balance of the farmed lot, which is a minimum of 30ha and the smaller lot created contains a dwelling house that existed at the commencement of this planning scheme and is rearranging lot boundaries in a way that demonstrates a substantial improvement in the management of the land use values without increasing the number of lots.

P039 - Complies

No improvements are proposed as part of this development application. It is not anticipated the reconfiguration will negatively impact on the visual amenity and landscape character of the locality.

P040 - Complies

No vegetation clearing, or earthworks are proposed as part of this development application.

P041 - Complies

The proposed layout is sympathetic of the natural environment and maintains habitat areas and corridors.

P042 - Complies

No additional landscaping is proposed as part of this development application. All existing vegetation will be retained.

P044 - Complies

The proposed development is for the reconfiguration of land only. No changes to the existing land uses are proposed as part of this application.

P045 - Complies

The change in tenure arrangements is reflective of the existing land uses and does not result in any alterations to the operations that would impact on public health and safety.

Given the above, the proposed development is considered consistent with the purpose, overall outcomes and performance outcomes of the Rural zone code.

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## 6.3

### DEVELOPMENT CODES

#### 6.3.1 Development Works Code

The proposal is nominated for assessment against the development works code. The purpose of this code is to ensure that development provides services to a standard which is efficient, effective and reflects community expectations, enhances the lifestyle of the community, and minimises impacts on neighbours, the streetscape and the environment.

##### Response

No excavation or filling is proposed to facilitate the boundary realignment. The proposed development is for the reconfiguration of land only and will not result in any change to the impermeable nature of the site which would otherwise impact on stormwater management. The character and amenity, environmental values and flooding and drainage of the site and surrounding locality will not be impacted upon as a result of the proposed development. The subject site is not connected to Council's reticulated infrastructure network.

No additional landscaping is proposed as part of this development application. The amenity and environmental values of the site will not be impacted upon.

No additional carparking nor any physical changes to the access arrangements will be required as a result of the proposed reconfiguration.

The proposed development is consistent with the purpose and overall outcomes of the development works code.

#### 6.3.2 Reconfiguring a Lot Code

The proposal is nominated for assessment against the reconfiguring a lot code. The purpose of this code is to facilitate the development of attractive, accessible, safe and functional neighbourhoods, centres and industrial areas, and to protect Burdekin's natural resources and environmental and landscape values.

##### Response

The proposal is consistent with the purpose and overall outcomes of the Reconfiguring a lot code, as it consolidates the balance of the farmed lot, which is a minimum of 30ha and the smaller lot created contains a dwelling house that existed at the commencement of this planning scheme and is rearranging lot boundaries in a way that demonstrates a substantial improvement in the management of the land use values without increasing the number of lots. A detailed assessment against the code is provided below.

P01 – P08 – Not applicable

The development is not creating a new neighbourhood.

P09 – Not applicable

The land is not sited on a slope greater than 15%.

P010 – Complies

The realignment maintains two existing lots that are:

- of a size and dimension which complement the rural character of the zone and is reflective of the settlement pattern within the vicinity of the site; and
- are capable of accommodating the existing farming practices on an individual title.





P011 – Not applicable

The site is not located in the emerging community zone.

P012 – Not applicable

The proposed development does not create any new lots in the rural zone.

P013 – Not applicable

The proposed realignment of the common boundary is to allow integration of an established farm, that is currently

being carried out over two titles, to be carried out on one. The second title contains a dwelling house that existed

at commencement of the planning scheme.

P014 – Not applicable

The subject site is not located in the environmental management and conservation zone.

P015 – Complies

Both lots are provided adequate road frontage to a constructed road as noted in Table 1 of this report.

P016 – Complies

The site is not located within Council's sewerage or water service area therefore no changes will be required to facilitate the realignment.

P017 – Complies

Each lot is serviced by an existing overhead electricity supply. Any changes to this arrangement will be confirmed

prior to the signing of the survey plan.

P018 – P023 – Not applicable

No new roads are proposed as part of the development.

P024 – Not applicable

No change to the impermeable nature of the site is proposed as part of this realignment. The proposed

development will not alter the regimes external to the site.

P025 – Not applicable

The development does not comprise any built form or significant earthworks that would otherwise require stormwater quality assessment.

P026 – Not applicable

No vegetation clearing or significant earthworks are required to facilitate the reconfiguration that would otherwise

require a soil erosion and sediment control plan.

P027 – Not applicable

No change to the existing stormwater drainage arrangement is required to facilitate the realignment.

Given the above, the proposed development is consistent with the purpose and overall outcomes of the reconfiguring a lot code.

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## 6.4

### OVERLAY CODES

#### 6.4.1 Flood Hazard Overlay Code

The proposal is nominated for assessment against the flood hazard overlay code. The purpose of the code will be achieved through the following overall outcomes:

(a) in an urban zone or rural residential zone, reconfiguration of land does not result in additional lots on land

subject to high or extreme flood hazard;

(b) elsewhere, reconfiguration is designed to ensure each lot is provided with:

(i) a building envelope to accommodate a dwelling house with floor levels above the defined flood

level; and

(ii) vehicular access from a public road to the building envelope that is free of high or extreme flood

hazard;

(c) in the rural, low density residential, township or emerging community zones, new dual occupancies or more

intensive residential uses, or worker or tourist accommodation uses are not established on land subject to

medium, high or extreme flood hazard, and any redevelopment of an existing use does not substantially

increase the number of people accommodated or requiring evacuation from the site;

(d) unless necessary to meet a significant community need:

(i) new critical or vulnerable uses are not established in a flood hazard area; and

(ii) any redevelopment of an existing use does not substantially increase the number of people

accommodated or requiring evacuation from the site;

(e) development in a flood hazard area otherwise occurs in the way intended in the relevant zone;

(f) development in a flood hazard area is designed to ensure the safety of people, reduce vulnerability to the

hazard and, for critical uses, minimise disruption to services;

(g) development involving the bulk storage or manufacture of hazardous materials does not increase the risk

to public safety or the environment in a flood hazard event;

(h) development does not worsen the severity of, or exposure to, the hazard on other properties;

(i) flood flow conveyance paths and flood storage volumes of the floodplain are maintained;

(j) the cost to the public of measures to mitigate flood risks is minimised;

(k) development supports effective and efficient disaster management capacity and capabilities.

#### Response

Low - medium flood hazard (local rain events) is mapped over the subject site as shown in green and yellow in

Figure 2 below.

Figure 3: Flood hazard overlay (Local rain events)

Source: Burdekin Shire Council Planning Scheme, 2022

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The location of the new boundary is out of any flood hazard area, ensuring the existing dwelling is not

P01 - Not applicable

The subject site is not included in an urban or rural residential zone.

P02 - Not applicable

The proposal does not involve critical or vulnerable uses.

P03 - Not applicable

The proposal is not for a dual occupancy or a more intensive residential use.

P04 - Not applicable

The proposal does not involve worker or tourist accommodation uses.

P05 - Not applicable

The development does not involve an existing use mentioned in P02, P03 or P04.

P06 - Not applicable

The proposal does not involve critical or vulnerable uses.

P07 - Not applicable

The development is for the reconfiguration of boundaries only.

P08 - Not applicable

The development does not involve the manufacture or storage of hazardous materials.

P09 - Not applicable

The development is not for extractive industry, aquaculture, animal keeping or intensive animal husbandry.

P010 - Complies

No new buildings are proposed as part of this development application.

P011 - Not applicable

The development does not require new infrastructure that will become a public asset.

P012 - Not applicable

The proposal does not involve critical or vulnerable uses.

P013 - Not applicable

The proposal does not involve critical or vulnerable uses.

P014 - Not applicable

The proposal does not create any new lots. The resultant Lot 18 is outside the hazard area.

P015 - Not applicable

The proposal does not create any new lots. Each existing lot will retain flood free access to a constructed road.

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P016 - Complies

Given no earthworks, filling or excavation are proposed to facilitate the reconfiguration, there is no change in predevelopment and post-development characteristics of the site and there will be no flow impacts associated with the development, that would:

- (a) result in loss of flood storage or loss of, or changes to, flow paths;
- (b) adversely change the depth or behaviour of the hazard; or
- (c) reduce warning times; or
- (d) increase the duration of the hazard.

P017 - Not applicable

No mitigation structures or works are proposed as part of the development.

P018 - Complies

The proposal incorporates adequate access arrangements to a local road to ensure safe evacuation in the event of a flood.

Given the above, the proposed development is considered consistent with the purpose and overall outcomes of the flood hazard overlay code.

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## CONCLUSION

This proposal details a development application to Burdekin Shire Council seeking a Development Permit for a Reconfiguring a Lot – Boundary Realignment (Two Lots into Two Lots), on land located at 206 & 226 Airdmillan Road, Airdmillan, being formally described as Lot 18 on SP194093 and Lot 19 on RP702289, respectively.

The proposal aligns with the provisions prescribed by the Planning Scheme and the objectives of the NQRP given the changed boundary ensures the rural land will be maintained for agricultural activities to continue to support the economy.

In particular, the realignment which results in one lot below the minimum recommended lot size and one lot above the minimum recommended lot size can be supported in this circumstance given:

- The development does not create any additional lots in the rural zone;
- The smaller lot contains a house that existed prior to commencement of the planning scheme;
- The development is capable of accommodating required services without burden and it offers an improved function of the site;
- The resultant layout will not impact on the road network and retains access to the road network;
- The proposal does not increase the exposure of risk to people and property to natural hazards; and
- The proposal aligns with the stated outcomes of the North Queensland Regional Plan, as it does not alter or conflict with the objectives of the Plan, nor does it introduce any incompatible nonagricultural land uses.

Given the above facts and circumstances the proposal can be favourably considered and we recommend that Council approve the development subject to reasonable and relevant conditions.

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APPENDIX A  
Development Application Form 1 & Owners Consent

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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)

Pirrone Brothers c/- Brazier Motti Pty Ltd

Contact name (only applicable for companies)

Emma Staines

Postal address (P.O. Box or street address)

595 Flinders Street

Suburb

Townsville City

State

QLD

Postcode

4810

Country

Australia

Contact number

4772 1144

Email address (non-mandatory)

Emma.staines@braziermotti.com.au

Mobile number (non-mandatory)

Fax number (non-mandatory)

Applicant's reference number(s) (if applicable)

56968-001-01

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)

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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).

Unit No.

a)

b)

Street No.

Street Name and Type

Suburb

206

Airdmillan Road

Airdmillan

Postcode

Lot No.

Plan Type and Number (e.g. RP, SP)

Local Government Area(s)

4807

18

SP194093

Burdekin Shire Council

Unit No.

Street No.

Street Name and Type

Suburb

226

Airdmillan Road

Airdmillan

Postcode

Lot No.

Plan Type and Number (e.g. RP, SP)

Local Government Area(s)

4807

19

RP702289

Burdekin 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)

WGS84

GDA94

Other:

Coordinates of premises by easting and northing

Easting(s)

Northing(s)

Zone Ref.

Datum

54

55

56

Local Government Area(s) (if applicable)

WGS84

GDA94

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:

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)

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On airport land under the Airport Assets (Restructuring and Disposal) Act 2008

Name of airport:

Listed on the Environmental Management Register (EMR) under the Environmental Protection Act 1994

EMR site identification:

Listed on the Contaminated Land Register (CLR) under the Environmental Protection Act 1994

CLR site identification:

5) Are there any existing easements over the premises?

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

Yes - All easement locations, types and dimensions are included in plans submitted with this development application

No

### PART 3 - DEVELOPMENT DETAILS

#### Section 1 - Aspects of development

6.1) Provide details about the first development aspect

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

Material change of use

Reconfiguring a lot

Operational work

Building work

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

Development permit

Preliminary approval

Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment

Impact assessment (requires public notification)

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

Boundary realignment of 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

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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

Yes - complete division 1 if assessable against a local planning instrument

Reconfiguring a lot

Yes - complete division 2

Operational work

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>)  
(if applicable)

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

Yes

No

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

Yes - provide details below or include details in a schedule to this development application

No

Provide a general description of the temporary accepted development

Specify the stated period dates  
under the Planning Regulation

Division 2 - Reconfiguring a lot

Note: This division is only required to be completed if any part of the development application involves reconfiguring a lot.

9.1) What is the total number of existing lots making up the premises?

2

9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)  
Subdivision (complete 10)

Dividing land into parts by agreement (complete 11)

Boundary realignment (complete 12)

Creating or changing an easement giving access to a lot  
from a constructed road (complete 13)

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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 staged?

Yes - provide additional details below

No

How many stages will the works include?

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

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

Intended use of parts created

Residential

Commercial

Industrial

Other, please specify:

Number of parts created

12) Boundary realignment

12.1) What are the current and proposed areas for each lot comprising the premises?

Current lot

Proposed lot

2

Lot on plan description

Area (m )

Lot on plan description

Area (m2)

Lot 18 on SP194093

20.64ha

18

1.048ha

Lot 19 on RP702289

29.21ha

19



49.322ha

12.2) What is the reason for the boundary realignment?

To contain the existing farm onto 1 lot.

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement?

(attach schedule if there are more than two easements)

Existing or  
proposed?

Width (m)

Length (m)

Purpose of the easement? (e.g.  
pedestrian access)

Identify the land/lot(s)  
benefitted by the easement

Division 3 – Operational work

Note: This division is only required to be completed if any part of the development application involves operational work.

14.1) What is the nature of the operational work?

Road work

Drainage work

Landscaping

Stormwater

Earthworks

Signage

Water infrastructure

Sewage infrastructure

Clearing vegetation

Other – please specify:

14.2) Is the operational work necessary to facilitate the creation of new lots?  
(e.g. subdivision)

Yes – specify number of new lots:

No

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14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)  
\$

#### PART 4 – ASSESSMENT MANAGER DETAILS

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

Burdekin 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

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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).

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## 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

Assessment manager

Date

Approval

Development application

Approval

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:

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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 Form1 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

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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.qldgov.au](http://www.planning.statedevelopment.qldgov.au) for information regarding assessment of Queensland heritage places.

Name of the heritage place:

Place ID:

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Decision under section 62 of the Transport Infrastructure Act 1994

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

Yes – this application will be taken to be an application for a decision under section 62 of the Transport

Infrastructure Act 1994 (subject to the conditions in section 75 of the Transport Infrastructure Act 1994 being satisfied)

No

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

23.15) Does this development application involve reconfiguring a lot into 2 or more lots in certain residential zones

(except rural residential zones), where at least one road is created or extended?

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

No

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

#### PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

I have identified the assessment manager in question 15 and all relevant referral

requirement(s) in question 17

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.

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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

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Version: 1, Version Date: 21/11/2024



## APPENDIX B

Current Title Search and Smart Map

Document Set ID: 1847651

Version: 1, Version Date: 21/11/2024

Current Title Search  
Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101  
Title Reference:

50673526

Search Date:

07/11/2024 13:14

Date Title Created:

16/07/2007

Request No:

49931496

Previous Title:

50673500

ESTATE AND LAND  
Estate in Fee Simple  
LOT 18

SURVEY PLAN 194093  
Local Government: BURDEKIN

REGISTERED OWNER  
Dealing No: 710914638

20/08/2007

LAURENCE MICHAEL PLOZZA  
EASEMENTS, ENCUMBRANCES AND INTERESTS  
1.

Rights and interests reserved to the Crown by  
Deed of Grant No. 20134134 (POR 281)

2.

EASEMENT No 710750847 26/06/2007 at 12:57  
benefiting the land over  
OVER EASEMENT A ON SP194093

3.

MORTGAGE No 710914645 20/08/2007 at 12:57  
RABOBANK AUSTRALIA LIMITED A.C.N. 001 621 129

ADMINISTRATIVE ADVICES  
NIL  
UNREGISTERED DEALINGS  
NIL

Caution - Charges do not necessarily appear in order of priority  
\*\* End of Current Title Search \*\*

COPYRIGHT QUEENSLAND TITLES REGISTRY PTY LTD [2024]  
Requested by: D-ENQ GLOBALX  
Document Set ID: 1847651  
Version: 1, Version Date: 21/11/2024



Current Title Search  
Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101  
Title Reference:

50673501

Search Date:

07/11/2024 13:15

Date Title Created:

16/07/2007

Request No:

49931521

Previous Title:

20892085

ESTATE AND LAND  
Estate in Fee Simple  
LOT 19

REGISTERED PLAN 702289  
Local Government: BURDEKIN

REGISTERED OWNER  
Dealing No: 720424826

INTEREST  
27/11/2020

JOSHUA ANTONINO PIRRONE  
CHRISTOPHER JOHN PIRRONE  
ROSS SHANE PIRRONE

1/3  
1/3  
1/3  
AS TENANTS IN COMMON

EASEMENTS, ENCUMBRANCES AND INTERESTS  
1.

Rights and interests reserved to the Crown by  
Deed of Grant No. 20134134 (POR 281)

2.

MORTGAGE No 720664511 19/03/2021 at 11:18  
BENDIGO AND ADELAIDE BANK LIMITED A.C.N. 068 049 178

ADMINISTRATIVE ADVICES  
NIL  
UNREGISTERED DEALINGS  
NIL

Caution - Charges do not necessarily appear in order of priority  
\*\* End of Current Title Search \*\*

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Requested by: D-ENQ GLOBALX  
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[www.titlesqld.com.au](http://www.titlesqld.com.au)

Page 1/1

45

147°25'13".884

147°26'13".515

A

RP730426

2.485ha

2

SP315866

19°33'21".073

32

RP702289

4

SP250544

AD

RO

FH

FH

N

LA

IL 1

FH

3.4ha

AN

31.39ha

FH

37

FH

307179

26.087ha

26

27

SP

SP

232895

5

SP330991

AD

SP

240088

3

SP291669

SP

R0

12

AD

15

SP253651

SP

240088

RD

R0

3.456ha

G

AI

232895

27.119ha 3

RP735052

FH

19

RP702289

AI

RD

19.29ha

ER

RK

PA

EA

MI

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B

DO

ROAD

N ADON

D ON

ADON ROAD

FH

19°33'21".073

20

SP232895

M

7

SP201172

RP730426

17.393ha

37

2.39ha

FH

FH

RO

AD

ST

3

AC 33.01ha

E

RO

AD

RP730402

LL

MI

RD

RP

RP

3

7.059ha

5

4

5

6

7

6

903168

737757

RP

737757

RP

20.64ha

RP 737757

737757

RP



177308

4

1

SP

1

2

0

N

RD

RO

SP

SP

107830

332234 332234

AN

US

ILL

FH

SP257296

3

SP332234

1.231ha

FE

RG

US

0

T

15

RP U

AD

RP

10

725954

RP

894275 SP283205

725954

FH

N

RO

8478m<sup>2</sup>

28

26

SP

7826m<sup>2</sup>

23

270760

7

V

5

1

SP

SP

177309

R0

SP322876

AD

6

6

7

300777 SP

SP270760

322876

156.23ha

SP

SP 236374

216752

O

N

FH

FH

RP

RP

725955

846449

SP

1

177309

SP

71.2704ha

FH

A  
SP

2

257296

SP

19°34'27".771

3.209ha

156.23ha

296512

147°25'13".884

147°26'13".515  
5

STANDARD MAP NUMBER  
8358-11311

0

250

500

45 000m E

750

1000

1250  
m

HORIZONTAL DATUM:GDA94

ZONE:55

SCALE 1 : 12500

SUBJECT PARCEL DESCRIPTION  
Lot/Plan

18/SP194093

Area/Volume

20.64ha

19°33'54".422

Tenure

FREEHOLD

AYR

Local Government

BURDEKIN SHIRE

Locality

AYR

Segment/Parcel

62489/109

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CLIENT SERVICE STANDARDS

PRINTED 15/11/2024

DCDB

GDA

SmartMap

An External Product of

SmartMap Information Services

MAP WINDOW POSITION &

NEAREST LOCATION

2.55 KM

36

FH

US

SP156154

36 000 m N

147°25'43".699

SP

216752

FE

R

4

20

296512

25

G

DM  
AIR

19°34'27".771

27  
SP236374

737757

AD

SP

RP

4

71.2704ha

RP 737757

714865

8.328ha

FH

3  
SP332234

FE  
RG

SP177308  
FH  
2.45ha

725954

RP

2

74.37ha

FH

S

AI

9

FH

27  
SP236374

29.213ha

6.163ha

AN

1.805ha

18

SP194093

FH

RP710761

FH

FH

17

SP194093

12

78

2

RP707868

DCDB

Based upon an extraction from the  
Digital Cadastral Data Base

14/11/2024 (Lots with an area less than 1500m<sup>2</sup> are not shown)

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Despite Department of Resources best efforts, RESOURCES makes no representations or warranties in relation to the Information, and, to the extent permitted by law, exclude or limit all warranties relating to correctness, accuracy, reliability, completeness or

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For further information on SmartMap products visit

<https://www.qld.gov.au/housing/buying-owning-home/property-land-valuations/smartmaps>

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(Department of Resources) 2024.

APPENDIX C

Proposed Reconfiguration Plan 56968/001 B prepared by Brazier Motti

Document Set ID: 1847651

Version: 1, Version Date: 21/11/2024

PROPOSED  
RECONFIGURATION  
Lots 18 and 19

0

40

80m

Cancelling Lot 18 on SP194093 and Lot 19 on RP702289

.4

32

1.2

84

Air  
dm

illa

nR

oa  
d

75

4.

0

6.

0

20

6.

7

19

49.322ha

9

4.

19

0

37.2

1.048ha

68.5

18

145.0

2.

26



60.0

80

6.

1

91.7

40

5.

8

Date: 27th September, 2024  
A3

Scale: 1:4000  
Drawn: MJM  
Job No: 56968/001-01

Plan No:

56968/001 B

braziermotti.com.au

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

Document Set ID: 1847651  
Version: 1, Version Date: 21/11/2024

S U R V E Y I N G  
TOWNPLANNING  
P R O J E C T M A N A G E M E N T  
MAPPING&GIS

