From:
Sent:
To:
Subject:
Attachments:

"BNC Planning Enquiries" <enquire@bncplanning.com.au>
Thu, 14 Nov 2024 09:40:53 +1000
"RES - Mailbox - Planning" <Planning@burdekin.qld.gov.au>
Lodgement of Development Application
DA120-24_CRAL_v1.0_131124.pdf

BNC Planning, acting on behalf of the applicant herby lodge the attached development

application in accordance with the provisions of Chapter 3, Part 2 of the Planning Act 2016

seeking a development permit for reconfiguring a lot. The subject premises is addressed as 34

School Road and 348 McDonald Road, Clare.

This development application is being made to the Burdekin Shire Council as the relevant

assessment manager under the Planning Regulation 2017 and has been made in the approved

form as required under s51 of the Planning Act 2016.

The relevant assessment manager application fee will be paid by or on behalf of the applicant

following confirmation of receipt of this email by council. I trust this information is sufficient for

acceptance of this development application as properly made subject to payment of the

application fee. Please contact the office should there be any issues or if you require any further

information.

Kind regards,

Office 7 / Ground Floor / 41 Denham Street TOWNSVILLE CITY QLD 4810 PO BOX 5493 TOWNSVILLE QLD 4810 T. (07) 4724 1763 M. 0438 789 612 E. enquire@bncplanning.com.au

©2024 This email is intended for the identified addressee only. The contents of this email may be confidential and subject to copyright. Unauthorised access, disclosure, use, forwarding or

copying is strictly prohibited and may be unlawful. If you have received this email in error, please notify the sender by return email immediately and then delete it.

Document Set ID: 1847113

BNC Ref. DA120-24 IMPACT:RAL

Date >> 14 November 2024 ASSESSMENT MANAGER BURDEKIN SHIRE COUNCIL PO BOX 974 AYR QLD 4807 Via: Email

Dear Assessment Manager,

RE:

LODGEMENT OF A DEVELOPMENT APPLICATION UNDER CHAPTER 3, PART 2 OF THE PLANNING ACT 2016

DEVELOPMENT PERMIT FOR AN IMPACT ASSESSABLE RECONFIGURING A LOT 342 SCHOOL ROAD AND 348 MCDONALD ROAD, CLARE QLD 4807 (RPD: LOTS 229 AND 103 ON GS811)

BNC Planning acting on behalf of the applicant submits the attached development application to the Burdekin Shire Council in

accordance Chapter 3, Part 2 of the Planning Act 2016. The development application is seeking a development permit for a

reconfiguring a lot to facilitate a two (2) lot into two (2) lot boundary realignment over the above reference premises.

This development application is being made to the Burdekin Shire Council as the relevant assessment manager under the

Planning Regulation 2017 and has been made in the approved form as required under s51 of the Planning Act 2016. The

common material making up the development application include:

#

Relevant development application forms and written consent of the landowner(s). A detailed planning report and the relevant site detail. Development plans and other relevant supporting information.

Please contact me to confirm receipt of this development application and to confirm the assessment manager application fee amount and payment options. I trust this information is sufficient for acceptance of the development application as properly made subject to payment of the application fee. Please contact me should there be any issues or if you require any further information. Kind regard,

Benjamin Collings Director

BNC Planning Pty Ltd

Office 7 / Ground Floor / 41 Denham Street TOWNSVILLE CITY QLD 4810 (PO Box 5493 Townsville QLD 4810)

T: +61 (07) 4724 1763 E: enquire@bncplanning.com.au www.bncplanning.com.au ABN 80 147 498 397

1|Page

Document Set ID: 1847113

DEVELOPMENT APPLICATION PLANNING ACT 2016 DEVELOPMENT PERMIT RECONFIGURING A LOT at

342 SCHOOL ROAD AND 348 MCDONALD ROAD CLARE QLD 4807

RPD: LOTS 229 AND 103 ON GS811

BNC PLANNING PTY LTD (ABN 80 147 498 397) PREPARED ON BEHALF OF C. MARINO & R. MARINO NOVEMBER 2024, DA120-24 v1.0

Document Set ID: 1847113

PLANNING REPORT
COMBINED DEVELOPMENT APPLICATION FOR A DEVELOPMENT PERMIT
PLANNING ACT 2016
IMPACT ASSESSABLE RECONFIGURATION OF A LOT
342 SCHOOL ROAD AND 348 MCDONALD ROAD, CLARE QLD 4807
being
LOTS 229 AND 103 ON GS811
for
TWO (2) INTO TWO (2) LOTS BOUNDARY REALIGNMENT

Document Set ID: 1847113

Version: 1, Version Date: 18/11/2024

BNC Planning Pty Ltd ABN 80 147 498 397

FILE REF: DA120-24 v1.0 November 2024

```
Report Matrix
APPLICATION SUMMARY
Applicant:
C. Marino & R. Marino C/- BNC Planning
Application Type:
Development Application for a Development Permit
Development Type:
Reconfiguration of a Lot
Category of Development (Level of Assessment):
Impact Assessable
Development Description:
Two (2) into two (2) lots boundary realignment
Assessment Manager:
Burdekin Shire Council
Referral Agencies:
NA
CATEGORISING INSTRUMENTS
Planning Scheme:
Burdekin Shire Council Planning Scheme 2022
Planning Scheme Defined Uses/Works:
Boundary realignment
Zoning:
Rural Zone
Precincts/Sub-Precincts:
NA
Overlays:
Agricultural, and Flood hazard overlay
SITE DESCRIPTION
Property Address:
342 School Road and 348 McDonald Road, Clare QLD 4807
Real (Legal) Property Description:
```

Lots 229 and 103 on GS811

Site Area:

27ha

Tenure: Freehold Relevant Encumbrances: NA Local Government Area: Burdekin Shire Council Road Frontage: School Road and McDonald Road DOCUMENT CONTROL Prepared by Client Report BNC Planning C. Marino & R. Marino Report No. DA120-24-PR Version Date Author 1.0 November 2024 SSM: BNC © 2024 BNC Planning Pty Ltd, All Rights Reserved. Copyright in the whole and every part of this document belongs to BNC Planning and may not be used, sold, transferred, copied or reproduced in whole or in part in any manner or form or in or on any media to any person without the prior written consent of BNC Planning. DISCLAIMER: This Report has been prepared in good faith and with due care by BNC Planning Pty Ltd. By accepting this Report, recipients agree for themselves and their affiliates to the terms of this Disclaimer. This Report has been prepared solely for development application and assessment purposes and not as specific advice to any particular recipient or any other person. It is not to be construed as a recommendation by BNC Planning Pty Ltd that any recipient proceeds with any investigation or with any purchase and/or lease of a property or service. In all cases recipients should carry out their own independent investigation, assessment and analysis. This Report is provided to the recipient on a contract for service basis and is not to be resupplied or replicated to any other person without the prior written consent of BNC Planning

Pty Ltd. The recipient may, however, disclose the Report to any of its

employees, advisors (including lawyers and accountants) or agents to the extent

Landowner:

Venerando Carlo Marino

necessary to allow the recipient to evaluate the property/properties and to act on any opportunities.

PAGE >> 2 OF 12

Development Application for a Development Permit Document Set ID: 1847113

1.0
EXECUTIVE SUMMARY
2.0
SITE AND LOCALITY
3.0
PROPOSAL SUMMARY
4.0
ASSESSMENT
4.1
Assessment Benchmarks Pertaining to State Planning Instruments
4.2
Assessment Benchmarks Pertaining to Local Planning Instruments
4.2.1
Strategic Framework
4.2.2
Rural Zone Code
4.2.3
Development Codes9
4.2.3.1
Reconfiguring a Lot Code
4.2.3.2
Development Works

Code 10
4.2.4
Overlay Codes
4.2.4.1
Flood Hazard Overlay Code
4.3
PublicNotification
5.0
CONCLUSION
APPENDICIES Appendix 1:
Development Application Forms
Appendix 2:
Site Details
Appendix 3:
Plans of Development
PAGE >> 3 OF 12
Development Application for a Development Permit Document Set ID: 1847113 Version: 1, Version Date: 18/11/2024

EXECUTIVE SUMMARY

This development application is made in accordance with the provisions of Chapter 3, Part 2 of the Planning Act 2016 (the

Act) and is seeking a development permit for the reconfiguration of a lot to facilitate a two (2) into two (2) lots boundary

realignment. The subject premises is addressed as 342 School Road and 348 McDonald Road, Clare QLD 4807 more

particularly described as Lots 229 and 103 on GS811. The premises is within the Rural Zone under the Burdekin Shire Council

Planning Scheme 2022 (the planning scheme) and is currently used as a cane farm and for a dwelling house and ancillary structures.

For the purpose of this development application BNC Planning act on behalf of the applicant C. Marino & R. Marino.

Following a detailed assessment of the proposal against the applicable local and state assessment benchmarks it has been

determined that the development proposal is consistent with all applicable codes and policies. The development

application is therefore required to be approved in accordance with rules of code assessment as established under Act,

subject to the imposition of reasonable and relevant conditions and any referral agency responses. A summary of the

development application is provided below:

Table 1.0: Development application summary

APPLICATION SUMMARY

Applicant:

C. Marino & R. Marino C/- BNC Planning

Application Type:

Development Application for a Development Permit

Development Type:

Reconfiguration of a Lot

Category of Development (Level of Assessment):

Assessable Development - Impact Assessable

Development Description:

Two (2) into two (2) lots boundary realignment

Assessment Manager:

Burdekin Shire Council

Referral Agencies:

NA

CATEGORISING INSTRUMENTS Planning Scheme:

Burdekin Shire Council Planning Scheme 2022

Planning Scheme Defined Uses/Works:

Boundary realignment

```
Zoning:
Rural Zone
Precincts/Sub-Precincts:
NA
Overlays:
Agricultural, and Flood hazard overlay
SITE DESCRIPTION
Property Address:
342 School Road and 348 McDonald Road, Clare QLD 4807
Real (Legal) Property Description:
Lots 229 and 103 on GS811
Site Area:
27ha
Landowner:
Venerando Carlo Marino & Venerando Camillo Marino
Tenure:
Freehold
Relevant Encumbrances:
NA
Local Government Area:
Burdekin Shire Council
PAGE >> 4 OF 12
Development Application for a Development Permit
Document Set ID: 1847113
Version: 1, Version Date: 18/11/2024
```

SITE AND LOCALITY

The subject premises is a standard Freehold lot addressed as 342 School Road and 348 McDonald Road, Clare QLD 4807

more particularly described as Lots 229 and 103 on GS811. The premises is within the Rural Zone under the planning scheme $\,$

and is currently used for cane farm and a dwelling house. The site forms part of the Clare rural cane farming locality, has

frontage to the School Road and McDonald Road and is otherwise a standard farming and rural residential premises.

Any pertinent existing approvals which may affect the assessment of the proposal are identified in the table below: APPLICATION REF.

DECISION AND DATE

ASSESSMENT MANAGER

NA

NA

NA

The following table describes the key characteristics of the site: Table 2.0: Site characteristics SITE AND LOCALITY DESCRIPTION Property Address:

342 School Road and 348 McDonald Road, Clare QLD 4807

Real (Legal) Property Description:

Lots 229 and 103 on GS811

Site Area:

27ha

Landowner:

Venerando Carlo Marino & Venerando Camillo Marino

Tenure:

Freehold

Relevant Encumbrances:

NA

Local Government Area:

Burdekin Shire Council

Zoning:

Rural zone

Precincts/Sub-Precincts:

NA

Existing Use of Land:

Dwelling house and rural activities

Road Frontage:

School Road and McDonald Road

Significant Site Features:

Single storey dwelling and structures supporting rural activities

Topography:

The site gently slopes down to the eastern corner of the site, with fields dedicated to agricultural production throughout the larger lot.

Surrounding Land Uses:

Rural activities

3.0

PROPOSAL SUMMARY

The primary purpose of the proposal is to de-fragment the agricultural land on site by reconfiguring the site to contain all of the agricultural land within one lot. This will separate the two lots by their current use for rural-residential living and agricultural land to more efficiently achieve these activities. The applicant intends to exchange approximately 1,850m2 from Lot 229 to Lot 103, and approximately 1,330m2 from Lot 103 to Lot 229, for a net increase of approximately 520m2 to Lot 103, as per the plan of reconfiguration. The following table describes the key characteristics of the proposed development:

PAGE >> 5 OF 12

Development Application for a Development Permit

Document Set ID: 1847113

Table 3.0: Proposal summary RECONFIGURATION OF A LOT

Number of Lots:

Lot Size:

Frontage: Easements:

4.0

EXISTING

DEVELOPMENT PARAMETERS PROPOSED

Two (2)

Two (2)

Lot 229: 4,047m2 Lot 103: 26.5ha

Lot 229: 65m to McDonald Road

65m to School Road

Lot 103: 335m to McDonald Road

94m to School Road

Lot 229: 3,527m2 Lot 103: 26.6ha

Lot 229: 46m to McDonald Road

143m to School Road

Lot 103: 355m to McDonald Road

17m to School Road

NA

NA

ASSESSMENT

The proposed two (2) into two (2) lots boundary realignment is identified as impact assessable in the tables of assessment

for the Rural Zone. There are no other components of the planning scheme or Planning Regulation 2016 which change the

level of assessment for the proposal. The development application is therefore subject to an unbound assessment against

the planning scheme as a whole.

The development application does not trigger referral agency assessment.

Assessment Benchmarks Pertaining to State Planning Instruments

State Planning Policy

Burdekin Shire Council Planning Scheme 2022 confirms in section 2.1 State planning policy that it has ministerial approval

as having adequately integrated the State Planning Policy July 2017 into the planning scheme. There are no stand-alone

components of the State planning policy which are relevant to the assessment of this development application.

Regional Plan

There are no stand-alone components of the North Queensland Regional Plan which are relevant to the assessment of this

development application.

State Development Assessment Provisions

Under Schedule 10 of the Planning Regulation 2017, the development application

does not trigger referral agency
involvement.
4.2

Assessment Benchmarks Pertaining to Local Planning Instruments

The applicable planning scheme for the application is the Burdekin Shire Council Planning Scheme 2022 and there are no

other identified applicable local planning instruments.

Burdekin Shire Council Planning Scheme 2022

The Burdekin Shire Council Planning Scheme 2022 (the planning scheme) includes tables of assessment which nominate

the categories of development and assessment (levels of assessment) and nominate the assessment benchmarks for

assessable development and the requirements for accepted development. The applicable tables of assessment for this development application are:

PAGE >> 6 OF 12

Development Application for a Development Permit

Document Set ID: 1847113

æ æ

Categories of development and assessment – Reconfiguring a lot; and Categories of development and assessment – Overlays.

Assessment Benchmarks Summary

A summary of the relevant local level assessment benchmarks is provided in the table below:

Local Planning Instruments
The Planning Scheme as a whole

Planning scheme:

The most relevant components being: Strategic Framework Rural Zone code Development Works code Reconfiguring a lot code Flood hazard overlay code

The development application has been assessed against each of the applicable local level assessment benchmarks and found to be:

æ æ

<u>a</u>

consistent with the strategic framework.

consistent with the purpose of the rural residential zone code and reconfiguring a lot code.

compliant with all other applicable codes.

reflective of the land use and development intent for the locality.

Any pertinent issues arising from the assessment against the local level assessment benchmarks are addressed below. For clarity, any codes or outcomes not specifically addressed below or in the proposal justification report are considered to be objectively satisfied.
4.2.1

Strategic Framework

The development furthers the strategic intent of the planning scheme in that it protects the productive capacity of

agricultural land. Concerning this development, Specific Outcomes 2 and 3 of the Economic Growth Element – Diverse rural

features outlines that:

- (2) Agricultural land classification class A and B and priority agricultural areas are protected from encroachment of
- uses that may impact on the opportunity to enable increased agricultural production.

 (3) All land in the rural zone is protected from fragmentation as a result of
- the creation of small lot sizes below the minimum size nominated in the zone code. Reconfiguration creating lots below these minimum sizes does not occur,

other than where:

- (a) 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
- (b) a result of 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.

The development will protect the productivity of agricultural land by rejoining the agricultural land of the site into one lot.

This fundamentally promotes the viability of agricultural productivity on site and improves the management of the land by

separating rural-residential living and agricultural production on separate sites. This also further protects agricultural land from encroachment of rural-residential living.

PAGE >> 7 OF 12

Development Application for a Development Permit

Document Set ID: 1847113

The site has been reconfigured in such a way to maintain similar lot sizes to the current lot arrangement so as to provide

sufficient area to maintain the existing use of the lots. In this way, the development will also maintain the environmental,

character and landscape values of the site and respond to the infrastructure and environmental constraints of the site and

avoid impacts on ecological values and natural resources. The reconfiguration will not result in an increase in the number

of lots and will maintain the existing lot layout character of the local area. The Strategic Intent, and the Strategic Framework (the Framework) as a whole is a set of high order strategic outcomes and

land use strategies which set the overarching policy intent for the lower order, more detailed components of the planning

scheme i.e. zones, codes and policies. The Framework is split into themes which cover the main aspects of land use planning

and development governance. Given the level the Framework operates at, it is sometimes difficult to provide a direct,

development specific assessment of a proposal against its many components.

However, a proposal that satisfies the lower

order components of the planning scheme, i.e. zone codes, development codes, overlay codes, planning scheme policies,

etc. inherently satisfies the intent of the Framework.

This planning report demonstrates how the proposal satisfies the most applicable lower order components of the planning

scheme. This justification demonstrates how the proposal is a good land use outcome for the site and how it has been

designed to adequately address any environmental, economic or social impacts.

Each Code has been satisfied by addressing

each acceptable outcome individually. Where the requirements of an acceptable outcome were impractical or

inappropriate to address, the performance outcome was addressed and satisfied. Where the requirements of \boldsymbol{a}

performance outcome were impractical or inappropriate to address, the overall outcomes were addressed and satisfied.

By satisfying the requirements of the overall outcomes, the purpose of the code was inherently satisfied, as is the Strategic

Framework for the planning scheme as a whole.

4.2.2

Rural Zone Code

The purpose of the rural zone is to provide for a wide range of rural uses, and non-rural uses that are compatible with

agriculture, the environment, and the landscape character of the rural area, and protect or manage significant natural

features, resources, and processes. Particularly concerning the proposed development, the purpose is achieved through

the following overall outcome:

- (a) rural land will be used sustainably to ensure the viability of the primary production base;
- (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; and
- (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;

The reconfiguration will not facilitate the future development of the site. The primary purpose of the proposal is to defragment the agricultural land on site by reconfiguring the site to contain all of the agricultural land within one lot. This

fundamentally promotes the viability of agricultural productivity on site and improves the management of the land by

separating rural-residential living and agricultural production on separate sites. This also further protects agricultural land from encroachment of rural-residential living.

PAGE >> 8 OF 12

Development Application for a Development Permit

Document Set ID: 1847113

The site has been reconfigured in such a way to not adversely impact the environmental, character and landscape values of the site. In this way, development responds to the infrastructure and environmental constraints of the site and avoids impacts on ecological values and natural resources. Ultimately, the reconfiguration will maintain the existing lot layout character of the local area.

The proposed development is able to objectively satisfy the outcomes and purpose of the zone code. This is evident from

the plans of development provided in support of this development application. Given the nature of the development and

extent to which the proposal objectively satisfies the code, the majority of outcomes within the zone code are either not

applicable or are objectively satisfied. Given the extent to which the proposal objectively satisfies the code, a direct

assessment against each of the outcomes is not considered necessary in order to demonstrate compliance.

Performance outcomes

Reconfiguration

P024

Reconfiguration creating lots less than required under PO23 occurs only where:

- (a) 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
- (b) 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.

Acceptable outcomes

Justification

No acceptable outcome is nominated.

The proposed boundary realignment will rearrange lot boundaries to de-fragment the agricultural land positioned over the overall site. The reconfiguration will result in all of the agricultural land of the site contained within a single lot, which will enable more effective agricultural practices.

Both lots are of appropriate size to facilitate the current use of the individual lots. The largest lot will retain a lot site greater than 26ha, which is sufficient to facilitate rural activities. The smaller lot is currently utilised for rural residential living, and will maintain space dedicated to for minor rural activities. Complies with PO24(b).

4.2.3

Development Codes

4.2.3.1 Reconfiguring a Lot Code
The proposed reconfiguration is cons

The proposed reconfiguration is consistent with the zone code and will facilitate the retention of agricultural land within

the overall site, while maintaining the existing functions of the two lots. Overall, it maintains the current lot layout of the

Overall, it maintains the current lot layout of the local area with minimal change to the lot size of both lots.

The proposed development is able to objectively satisfy the outcomes and purpose of the reconfiguring a lot code. This is

evident from the plans of development provided in support of this development application. Any outcomes which are

pertinent to the assessment of the proposal have been extracted and discussed below:

Performance outcomes Lot sizes and layout P010

Reconfiguration results in lots that are:
(a) of a size and dimension which complement
the intended character of the zone in which
the land is located;
(b) are capable of accommodating uses
intended in the zone in which the land is

Acceptable outcomes

Justification

located; and

A026
Minimum
frontage
and lot size occurs in
accordance with table
6.2.2.3(b),
unless
stated otherwise in a
zone code.

The proposed boundary realignment will exchange approximately 1,850m2 from Lot 229 to Lot 103, and approximately 1,330m2 from Lot 103 to Lot 229, for a net increase of approximately 520m2 to Lot 103. While the reconfiguration will result in a lot which is significantly below the minimum lot size for the Rural zone, both lots are already significantly undersized, and, as the total site area lot is approximately 26.6ha,

PAGE >> 9 OF 12

Development Application for a Development Permit

Document Set ID: 1847113

(c) (c) are sized and located to enable development to be primarily oriented to the street and accommodate all ancillary components of the use.

P013

Realignment of boundaries in the rural zone occurs only where this demonstrates a substantial improvement in the management of the land or the protection of its environmental values, without increasing the number of lots.

Services

P015

All lots are provided with legal access to a constructed road.

P016

Services, including water supply, stormwater management, sewage disposal, waste disposal, drainage, electricity and telecommunications, are provided in a manner that:

- (a) is efficient;
- (b) is adaptable to allow for future extensions and upgrades;
- (c) minimises the risk of adverse environmental or amenity related impacts; and
- (d) minimises whole-of-lifecycle costs for that infrastructure.

no form of boundary realignment between these two lots will result in two lots that meet the minimum lot size for the Rural zone.

Both lots are of appropriate size to facilitate the current use of the individual lots. The largest lot will retain a lot site of approximately 26ha, which is sufficient to facilitate rural activities. The smaller lot is currently utilised for rural residential living, and will maintain space dedicated to for minor rural activities.

No

acceptable outcome

is

nominated.

Complies with P010.

The proposed boundary realignment will rearrange lot boundaries to de-fragment the agricultural land positioned over the overall site. The reconfiguration will result in all of the agricultural land of the site contained within a single lot, which will enable more effective agricultural practices.

Complies with PO27.

No acceptable outcome is nominated. No acceptable outcome is nominated.

Both lots will maintain legal access to the constructed

roads School Road and McDonald Road. Complies with P015. The proposed reconfiguration will result in no changes to the access to services by each lot. Complies with P016.

4.2.3.2 Development Works Code

The boundary realignment involves the exchange of a smaller area of land between each lot, with both lots maintains a

similar lots size to their current size. The reconfiguration is not for the future development of the site, and there will be no

change to the availability of infrastructure and services to each lot. All lots will maintain their existing standard of road

access, sewerage, water supply, electricity and telecommunications currently provided to each lot. As the size of the land

being transferred is minimal, the stormwater drainage and flood characteristics of the site will not be adversely impacted.

The proposed development is able to objectively satisfy the outcomes and purpose of the development codes or

compliance can be achieved through the imposition of standard conditions of approval. This is evident from the plans of

development provided in support of this development application and the additional technical supporting information.

Given the extent to which the proposal objectively satisfies the code, a direct assessment against each of the outcomes is

not considered necessary in order to demonstrate compliance.

PAGE >> 10 OF 12

Development Application for a Development Permit

Document Set ID: 1847113

Overlay Codes

4.2.4.1 Flood Hazard Overlay Code

The proposed boundary realignment is able to achieve the purpose of the code as it does not increase the extent or the

severity of flood hazard, nor increase the risk to life, property, community and the environment. The proposed

reconfiguration is not for the future development of the site. It will not lead to an increase in the number of people on the

site, and will not increase the extent or the severity of flood hazard. All lots maintain their existing level of access to a road,

and the amount of land transferred is not of an extent which can adversely impact stormwater or flood characteristics of

the site. The proposed development is able to objectively satisfy the outcomes and purpose of the flood hazard overlay

code. Given the nature of the development and the extent to which the proposal objectively satisfies the code, a direct

assessment against each of the outcomes is not considered necessary in order to demonstrate compliance.

4.3

Public Notification

The application is impact assessable and will be subject to public notification. 5.0

CONCLUSION

This development application is made in accordance with the provisions of Chapter 3, Part 2 of the Planning Act 2016 (the

Act) and is seeking a development permit for the reconfiguration of a lot to facilitate a two (2) into two (2) lots boundary

realignment. The subject premises is addressed as 342 School Road and 348 McDonald Road, Clare QLD 4807 more

particularly described as Lots 229 and 103 on GS811. The premises is within the Rural Zone under the Burdekin Shire Council

Planning Scheme 2022 (the planning scheme) and is currently used for a cane farm and dwelling house and ancillary structures.

An assessment of the proposal was undertaken against the applicable assessment benchmarks which confirms that it is

consistent with the provisions of the applicable planning instruments, specifically the local government planning scheme.

Council is therefore required to approve the development application pursuant to the rules of impact assessment

established under the Act and issue a development permit subject to the imposition of reasonable and relevant conditions $\frac{1}{2} \int_{\mathbb{R}^n} \frac{1}{2} \left(\frac{1}{2} \int_{\mathbb{R}^n} \frac{1}{2} \left(\frac{$

and any referral agency responses.

STATEMENT OF REASONS

Sufficient justification has been provided and satisfactory grounds have been established to conclude that the proposed

development is consistent with the assessment benchmarks. More specifically, the development is consistent with the

strategic intent and overall outcomes of the planning scheme. In substantive terms, this conclusion is based on the following reasons:

- $\overline{}$ The development allows the site to better contribute to the achievement of the Strategic Framework.
- The proposed reconfiguration outcome directly aligns with the purpose of the zone code and reconfiguring a lot code.
- $\begin{tabular}{ll} \blacksquare \\ \hline \end{array}$ The development outcome reflects community expectation for land use and development as established by the

planning scheme and past development decisions. The development can be adequately serviced.

PAGE >> 11 OF 12

Development Application for a Development Permit Document Set ID: 1847113 Version: 1, Version Date: 18/11/2024

- The development will maintain the existing level and standard of servicing provided by the relevant infrastructure networks.
- The site is not identified as being susceptible to any unacceptable or unmanageable natural hazard or infrastructure constraints.
- $\overline{}$ The development does not increase the susceptibility of people or property to natural hazards or other health risks.
- The proposal addressed an established planning need for the development.
- The proposal does not undermine the planning scheme.
- The proposal does not establish precedence that could result in the future undermining of the planning scheme.

PAGE >> 12 OF 12

Development Application for a Development Permit

Document Set ID: 1847113

APPENDIX 1
DEVELOPMENT APPLICATION FORMS

Document Set ID: 1847113

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)

C. Marino & R. Marino C/- BNC Planning

Contact name (only applicable for companies)

Benjamin Collings

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

PO Box 5493

Suburb

Townsville

State

0LD

Postcode

4810

Country

Australia

Contact number

(07) 4724 1763 or 0438 789 612

Email address (non-mandatory)

enquire@bncplanning.com.au

Mobile number (non-mandatory)
Fax number (non-mandatory)
Applicant's reference number(s) (if applicable)

DA120-24

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)

Document Set ID: 1847113

```
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
342
School Road
Clare
Postcode
Lot No.
Plan Type and Number (e.g. RP, SP)
Local Government Area(s)
4807
229
GS811
Burdekin Shire
Unit No.
Street No.
Street Name and Type
Suburb
348
```

McDonald Road

Clare

Postcode

Lot No.

```
Plan Type and Number (e.g. RP, SP)
Local Government Area(s)
4807
103
GS811
Burdekin Shire
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 aguifer
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)
```

Page 2 DA Form 1 - Development application details Version 1.6— 2 August 2024

Document Set ID: 1847113 Version: 1, Version Date: 18/11/2024

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

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):
- 2 into 2 lot boundary realignment
- 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)

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

Document Set ID: 1847113

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?

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 (m2) (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? Two (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)

Document Set ID: 1847113

```
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
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
Intended use of parts created
Residential
Commercial
Industrial
Other, please specify:
Number of parts created
12) Boundary realignment
12.1) What are the current and proposed areas for each lot comprising the
premises?
Current lot
Proposed lot
Lot on plan description
Area (m )
Lot on plan description
Area (m2)
Lot 229 on GS811
4047 m2
Lot 229 on GS811
3,527m2
Lot 103 on GS811
265320 m2
Lot 103 on GS811
```

265840m2

12.2) What is the reason for the boundary realignment? Formalise the current use of the land between the two lots. 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: Document Set ID: 1847113

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

Townsville City 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

Nο

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

Document Set ID: 1847113

```
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
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
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).
```

Page 7

DA Form 1 - Development application details

Version 1.6- 2 August 2024

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 2under 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

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)

 \mbox{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 $\ensuremath{\mathsf{No}}$

Page 8

DA Form 1 - Development application details

Version 1.6- 2 August 2024

Document Set ID: 1847113

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

Nο

Note: Application for an environmental authority can be found by searching "ESR/2015/1791" as a search term at www.qld.gov.au. An ERA

requires an environmental authority to operate. See www.business.qld.gov.au for further information.

Proposed ERA number:

Proposed ERA threshold:

Proposed ERA name:

Multiple ERAs are applicable to this development application and the details have been attached in a schedule to

this development application.

Hazardous chemical facilities

23.2) Is this development application for a hazardous chemical facility? Yes – Form 536: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application

Nο

Note: See 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, $\frac{1}{2}$

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 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

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 for further information.

Document Set ID: 1847113

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 for further information.

DA templates are available from 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

No

DA templates are available from 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 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

Note: Contact the Department of Resources at www.resources.qld.gov.au and 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

Note: Contact the Department of Environment, Science and Innovation at 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 for further information.

Document Set ID: 1847113

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 $% \left(1\right) =\left(1\right) +\left(1\right$

if application involves prescribed tidal work)

No

A certificate of title

Note: See guidance materials at 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 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 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

Nο

Note: See guidance materials at 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

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.

Relevant plans of the development are attached to this development application

Yes

Not applicable

Yes

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

Document Set ID: 1847113

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

Date paid (dd/mm/yy)

Amount paid (\$)

Date receipted form sighted by assessment manager Name of officer who sighted the form

Page 12 DA Form 1 – Development application details Version 1.6— 2 August 2024

APPENDIX 2 SITE DETAILS

Document Set ID: 1847113

Aerial

342 School Road and 348 McDonald Road, Clare QLD 4807 $19^{\circ}45'25"S$ $147^{\circ}12'3"E$

19°46'5"S 147°12'3"E

A product of

19°45'25"S 147°12'45"E

19°46'5"S 147°12'45"E Legend located on next page

0

100 metres

Scale: 1:6607 Printed at: A4

Print date: 28/10/2024

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

Includes material © State of Queensland 2024. You are responsible for ensuring that the map is suitable for your purposes. The State of Queensland makes no representation or warranties in relation to the map contents and disclaims all liability.

If imagery is displayed, imagery includes material © CNES reproduced under license from Airbus DS, all rights reserved © 21AT © Earth-i, all rights reserved, © Planet Labs PBC, 2023

Document Set ID: 1847113

Version: 1, Version Date: 18/11/2024

For more information, visit

https://qldglobe.information.qld.gov.au/help-info/Contactus.html

Department of Resources

```
Aerial
```

342 School Road and 348 McDonald Road, Clare QLD 4807 Legend

Attribution

Local government

Places: Land parcel

103GS811

Land parcel

Railway stations

Parcel

Land parcel - gt 1 ha

Railways

Parcel

Land parcel - gt 10 ha Parcel

Easement parcel

Roads and tracks Motorway Highway Secondary

Strata parcel Volumetric parcel Land parcel - gt 1000 ha Parcel

Land parcel label - gt 1 ha

Connector
Local
Restricted Access Road
Mall
Busway
Bikeway
Restricted Access
Bikeway
Walkway
Restricted Access
Walkway

Land parcel label - gt 10 ha Land parcel label - gt 1000 ha Places: Search Results 229GS811

Non-vehicular Track Track Restricted Access Track Ferry Proposed Thoroughfare

Green bridges Bridges Tunnels

Document Set ID: 1847113

Version: 1, Version Date: 18/11/2024

Maxar
Includes material © State of
Queensland (Department of
Resources); © Commonwealth of
Australia (Geoscience Australia); ©
21AT, © Earth-i, all rights reserved,
2024.
© State of Queensland (Department of
Resources) 2023
© State of Queensland (Department of
Resources) 2024
This data were created by Geoscience
Australia and are subject to

Commonwealth of Australia Copyright.

147°11'57".76521

127 GS749

149

19°45'10".956

GS751

128 GS751

302 GS751

FΗ

147°12'57".469

202 GS749

126 GS749

205

19°45'10".956

GS749 206

204 GS749

GS749

FΗ

9.1ha

FΗ

FΗ

FΗ

FΗ

9.446ha

101 GS269

125

203

GS749 GS749

FΗ

FΗ

FΗ

8.998ha

8.906ha

16

8.719ha

LL

8.899ha

GS 360

1

RP742809

298

8.898ha

8.787ha

8.87ha

GS

FΗ

749

FΗ

12.32ha

207

GS750

37.38ha

102

GS269

3.075ha

5

SP226283

7.459ha

29.5ha

FΗ

FΗ

FΗ

392

GS

100

GS704

15

103

GS811

269

15

17.12ha

25.723ha

FΗ

LL

00

L

99

GS709

200

R0

ΑD

GS704

704

SP

350

226283

GS

GS

750

266

113

GS266

AD

R0

S US

RA

22.28ha

SC

Н

104

GS270

32.047ha

Α

4

291

FΗ

ST

 AD

0

R

L

366NA

0

GS CD

M 229

31.875ha

D

FΗ

26.532ha

GS811

105

GS270

391

2

GS

360

GS

811

FΗ

365

GS

811

98

GS278

14.179ha

AD

R0

50.18ha

221 364

GS

19°46'17".654

GS774

97

360

```
GS774
15.596ha
22.738ha
FΗ
FΗ
6
GS
19°46'17".654
270
FΗ
26.711ha
48.0817ha
26.711ha
147°11'57".765
000m
21
147°12'57".469
Ε
STANDARD MAP NUMBER
8358-31141
22
0
250
500
750
1000
1250
m
HORIZONTAL DATUM:GDA94
ZONE:55
SCALE 1 : 12500
SUBJECT PARCEL DESCRIPTION
CLIENT SERVICE STANDARDS
147°12'27".617
19°45'44".305
```

```
3.23 KM
GDA
SmartMap
An External Product of
SmartMap Information Services
MAP WINDOW POSITION &
NEAREST LOCATION
CLARE
14
```

L

FΗ

107 GS270

0

N

97 GS774

FΗ

НО

14

000 m

22.2071ha

FΗ

SC

78

106 GS270

FΗ

31.44ha

134 GS278

PRINTED 28/10/2024

DCDB Lot/Plan

103/GS811

Area/Volume

26.532ha

Tenure

LANDS LEASE

Local Government

BURDEKIN SHIRE

Locality

CLARE

Segment/Parcel

42075/22

Document Set ID: 1847113

Version: 1, Version Date: 18/11/2024

DCDB

Based upon an extraction from the Digital Cadastral Data Base

27/10/2024 (Lots with an area less than 1500m² are not shown)

Users of the information recorded in this document (the Information) accept all responsibility and

risk associated with the use of the Information and should seek independent professional advice in

relation to dealings with property.

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

currency and all liability for any direct, indirect and consequential costs, losses, damages and

expenses incurred in any way (including but not limited to that arising from negligence) in

connection with any use of or reliance on the Information

For further information on SmartMap products visit

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

(c) The State of Queensland, (Department of Resources) 2024.

ZONE

AGRICULTURAL OVERLAY

FLOOD HAZARD OVERLAY

APPENDIX 3 PLANS OF DEVELOPMENT

Document Set ID: 1847113

Scale 1:600