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Thu, 7 Nov 2024 16:41:36 +1000
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<gmilford@milfordplanning.com.au>; "Monique Chalk"
<reception@milfordplanning.com.au>
Subject:
M2350-RAL-1 - Lodgement - Development Application - Reconfiguring a Lot 512
Hurney Road, Osborne
Attachments:
OM2350-RAL-1 - Development Application Package - 7-11-24.pdf

Good afternoon,
Please refer to the attached development application relating to the
abovementioned property for
your action.
We kindly ask that Council provide payment details to Milford Planning for the
Applicant's
action immediately upon receipt of this development application.
If you have any questions regarding this correspondence, please contact the
undersigned.
Thanks very much.
Kind regards,
Matteo Sandona | SENIOR TOWN PLANNER

(07) 4724 0095 | www.milfordplanning.com.au
283 Flinders Street, Townsville City Q 4810

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Document Set ID: 1846221
Version: 1, Version Date: 12/11/2024

MP ref: M2350-RAL-1
QA: hw.ms.mc

7 November 2024
Assessment Manager
Burdekin Shire Council
PO Box 974
AYR QLD 4807
Via:

planning@burdekin.qld.gov.au

Attention:

Planning and Development

Dear Sir/ Madam,
Re:

Development Application seeking a Development Permit for Reconfiguring a Lot
- Subdivision (One Lot into Two Lots) on land described as Lot 233 on SB107
and located at 512 Hurney Road, Osborne

On behalf of the Applicant, Milford Planning hereby make the enclosed
development application
seeking the abovementioned development approval on the abovementioned land in
accordance
with Section 51 of the Planning Act 2016.

Assessment Fee

The relevant assessment fee for the proposed development has been calculated
below in
accordance with Burdekin Shire Council's (Council) Schedule of Fees and Charges
2024/25.

Component

Calculation

Fee

Reconfiguring a Lot

\$480.00 per lot x 2 lots

\$960.00

TOTAL ASSESSMENT FEE:

\$960.00

We request that Council provide payment details to facilitate the payment of the
abovementioned
assessment fee following receipt of this application.

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Proceeding

We look forward to working with Council to progress the proposed development, and request the opportunity to discuss any queries or further information that may be required prior to the issue of any formal correspondence.

In the instance that Council requires no further information, we look forward to receipt of Council's

Confirmation Notice and confirmation that an Information Request is not required to enable public notification of the development application to proceed.

If you have any questions regarding this correspondence, please contact the undersigned on TEL:

(07) 4724 0095.

Yours sincerely,

MILFORD PLANNING

Matteo Sandona

SENIOR TOWN PLANNER

Encl:

Development application package

MILFORD PLANNING

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Applicant

Dino Codega

Reference

M2350-RAL-1

Date

November 2024

Development
Application
Proposed
Development

Reconfiguring a Lot -
Subdivision (One Lot into
Two Lots)
Lot 233 on SB107

Property
Details

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512 Hurney Road,
Osborne

DOCUMENT CONTROL

Applicant
Proposed
Development
Contact

Dino Codega
Reconfiguring a Lot – Subdivision (One Lot into Two Lots)
Matteo Sandona

Quality Assurance

Date 7.11.24
Version 1
Issue Final
Template DA-STN-1

Lachlan Pether
TOWN PLANNER

Matteo Sandona
SENIOR TOWN PLANNER

Author

Reviewer

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APPENDICES

Appendix 1

DA Form 1; and land owner's consent

Appendix 2

SmartMap; and site aerial plan of the subject site

Appendix 3

State Assessment Referral Agency mapping

Appendix 4

Proposed development plans prepared by Milford Planning

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1.0

INTRODUCTION

1.1

Purpose

The purpose of this development application is to seek approval for Reconfiguring a Lot – Subdivision (One Lot into Two Lots) (the proposed development) under the provisions of the Planning Act 2016 (the Act). The purpose of this report is to provide information about the site on which the subject development is proposed, detail of the proposed development, and an assessment against the relevant assessment benchmarks. The assessment detailed in this report has been undertaken in accordance with the provisions and subordinate planning controls under the Act.

1.2

Structure

This report provides the following information with respect to the assessment of the proposed development:

§

overview of the site and surrounding area;

§

description of the proposed development;

§

overview of the relevant assessment framework;

§

assessment of the proposed development against the relevant assessment benchmarks;

§

other relevant matters; and

§

conclusion and recommendation.

This development application is made in accordance with Section 51 of the Act and contains the mandatory supporting information specified in the applicable DA Form. Appendix 1 comprises DA Form 1 and the accompanying land owner's consent.

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2.0

SUBJECT SITE

2.1

Site Parameters

The following parameters are applicable to the site of the proposed development (the subject site).

Property Owner

Dino Codega (refer Appendix 1)

Street Address

512 Hurney Road, Osborne

Formal Description

Site Area

Easements

Street Frontage

Lot 233 on SB107

49.263 ha (refer Appendix 2)

Easement A on RP908347.

Hurney Road

Topography

The site has generally even topography.

Existing Use

Dwelling House and agricultural (cropping) land.

The site is serviced by the following infrastructure:

Existing Infrastructure

§

§

Local Heritage Register

The site is not listed on the Local Heritage Register.

Contaminated Land

Relevant State Interests

The land is not known to be included on the State Environmental Management Register or Contaminated Land Register.

The following State interests are relevant to the proposed development as detailed in the State Assessment Referral Agency (SARA) mapping (refer Appendix 3):

§

§

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electricity (Ergon); and
telecommunications (NBN).

Queensland waterways for waterway barrier works.
Water resource planning area boundaries.

2.2

Surrounding Area

North

North of the site is agricultural land used for sugar cane cropping. Further north is Kirknie Road, the Inkerman Mill railway, and the Burdekin River.

East

East of the site is agricultural land used for sugar cane cropping and the Burdekin River.

South

Directly south of the site is Hurney Road. Further south is agricultural land used for sugar cane cropping.

West

West of the site is agricultural land used for sugar cane cropping.

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3.0

PROPOSED DEVELOPMENT

3.1

Description of Proposed Development

The proposed development involves Reconfiguring a Lot – Subdivision (One Lot into Two Lots).

Specific detail of the proposed development is provided below.

Purpose of Development

The purpose of the proposed development is to facilitate a one lot into two lot subdivision. The

subdivision is proposed to separate the existing residential dwelling and associated outbuildings

(as part of proposed Lot 512) from the balance of the land which is used for agricultural (sugar cane cropping) purposes (proposed Lot 513).

The Applicant occupies the existing residential

dwelling and wishes to retain a small portion of agricultural land for small scale agricultural

activity. The rationale for proposed Lot 513 will be to give the Applicant the opportunity to sell

this portion of land to a separate entity, whilst maintaining their current place of residence.

Design Overview

The proposed development plan has been prepared by Milford Planning and is provided in

Appendix 4. In summary:

§

proposed Lot 512 will be approximately 1.4 ha, and will retain the existing residential

dwelling, associated outbuildings, and a small cropping area of approximately 0.8 ha; and

§

proposed Lot 513 will retain the balance of the land, being approximately 47.86 ha, where

the intention is to retain the current agricultural (sugar cane cropping) use.

The layout configuration has been strategically designed whereby the proposal will not result in

the loss of any existing agricultural land.

Access and Parking

Access to each proposed allotment will remain per the current regime. Hurney Road will continue

to be the road frontage for each allotment with ample area provided within each lot to provide for

the likely parking demands.

Water and Sewer

The existing residential dwelling is serviced by on site water and sewage treatment infrastructure,

which will be retained under the proposed development. In particular, a bore is used to pump

water, which is circulated to a water storage tank as part of the distribution network. Additionally,

sewage is managed and treated on site utilising a septic system (refer to Appendix 4).

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Stormwater

Given the size of the site and noting that there will be no change to the built form, the proposal is not anticipated to interfere with the natural flows of stormwater in the locality in such a manner to cause ponding or concentration of stormwater on adjoining land or roads.

Electricity and Communications

The existing residential dwelling and associated outbuildings are currently serviced by both electricity (Ergon Energy) and communications (NBN fixed wireless) and will retain these connections post development.

Landscaping

Given the nature of the proposal, locality, and existing landscaping, no further landscaping works

are proposed nor considered necessary to maintain suitable amenity values.

Similar Subdivision Approvals under the Burdekin Shire Council Planning Scheme 2022

In accordance with the Burdekin Shire Council Planning Scheme 2022, it is understood that

proposed Lot 512 will not comply with the minimum lot size requirements. We refer to Table 1

below which identifies similar subdivision approvals that have been approved under the Burdekin

Shire Council Planning Scheme 2022, and that are consistent with this proposal.

Council Reference

Approval Date

Approved Lot Dimensions

Zone

RAL23/0016

16 February 2024

§

§

Lot 4: 3,237 m²

Lot 5: 25.6173 ha

Rural

RAL23/0009

27 October 2023

§

§

Lot 1: 3,770 m²

Lot 2: 40.092 ha

Rural

3.2

Development Plans

The proposed development is detailed in the plans provided at Appendix 4 and listed below.

Title

Number

Issue

Date

Proposed Lots 512 and 513, cancelling Lot 233
on SB107 (Sheet 1)

M2350-SK-01

A

12-9-24

Proposed Lots 512 and 513, cancelling Lot 233
on SB107 (Sheet 2)

M2350-SK-01

A

4-11-24

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3.3

Prelodgement Meeting

The proposed development was the subject of a prelodgement meeting between Burdekin Shire Council (Council) and the Applicant's representatives on 2 October 2024. Council were noted as being

generally

supportive

of

the

proposed

development

given

the

subdivision

facilitates development consolidating the balance of a farmed lot, exceeding 30 ha, and the single lot created includes a residential dwelling that existed prior to the commencement of the Burdekin Shire Council Planning Scheme 2022.

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4.0

ASSESSMENT FRAMEWORK

4.1

Planning Act 2016

The Planning Act 2016 (the Act) provides the framework for Queensland's planning system and coordinates local, regional, and State planning.

The Act allows for the establishment and is

supported by subordinate planning legislation and instruments such as planning schemes.

The

provisions of the Act are therefore applicable to the proposed development.

4.2

Planning Regulation 2017

The Planning Regulation 2017 (the Regulation) is established under the Act and provides support to the Act by detailing how it functions at a practical level.

The Regulation determines the

Assessment Manager and Referral Agencies relevant to assessable development, and relevant State interests through the State Planning Policy (SPP) and State Development Assessment Provisions (SDAP). The provisions of the Regulation are therefore applicable to the proposed development.

4.3

4.4

Approval Sought

Approval Type

Development Permit

Development Type

Reconfiguring a Lot

Definition or General
Description

Subdivision

Specific Description

One Lot into Two Lots

Assessment Manager Assessment Parameters

Assessment Manager

Burdekin Shire Council

Planning Instrument

Burdekin Shire Planning Scheme 2022 (the planning scheme)

Zone and Precinct

Rural Zone

Triggered Overlays

§

Category of Assessment

Table of Assessment

Reference

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Flood Hazard Overlay

Impact

Table 3.5.1

11

Assessment Manager
Assessment Benchmarks

4.5

§
§
§
§
§

Strategic Framework
Rural Zone Code
Reconfiguring a Lot Code
Development Works Code
Flood Hazard Overlay Code

Referral Agency Assessment Parameters

Referral Agencies
Planning Instrument
Referral Triggers
Referral Agency
Assessment Benchmarks

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No referral agencies are relevant to the proposed development.
Planning Regulation 2017 (the Regulation)
The proposed development does not trigger referral.
N/A

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5.0

ASSESSMENT MANAGER CONSIDERATIONS

5.1

State Planning Policy

The State Planning Policy (the SPP) is a State planning instrument established under the Act and is designed to ensure the State's interests in planning are protected and delivered as part of local government planning across Queensland. amending its planning scheme.

Local government use the SPP when making or

Local government will also assess aspects of development

applications using the SPP if their local planning scheme has not integrated certain State interests.

In accordance with Section 2.1 – State Planning Policy (SPP) of the planning scheme, the Minister has identified that all relevant State interests as outlined in the SPP dated July 2017 have been integrated into the planning scheme.

For the purpose of the proposed development, we consider that assessment against the provisions of the SPP is not required, and all relevant matters will be dealt with under the provisions of the planning scheme.

5.2

Regional Plan

Regional plans are State planning instruments established under the Act, and set the long term strategic direction for how regions grow and respond to change. Regional plans are designed to facilitate economic growth, development, liveable communities, and the protection of natural resources. Regional plans seek to balance the State interests identified by the SPP in the context of the particular region they apply to.

The North Queensland Regional Plan (the Regional Plan) applies to the local government areas of Townsville City, Hinchinbrook Shire, Burdekin Shire, Charters Towers Regional, and Palm Island Aboriginal Shire. The Regional Plan was implemented in March 2020, and seeks to capitalise on the growth, prosperity, and diversity of the region by supporting a vibrant economy, generating jobs, improving business investment, protecting our natural environment, and encouraging tourism and lifestyle opportunities over the next 25 years. The proposed development is considered to align with the goals outlined in the Regional Plan to the extent relevant.

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5.3

Planning Scheme Strategic Framework

The planning scheme incorporates a strategic framework, which sets the policy direction and basis for ensuring appropriate development occurs within the planning scheme area. The strategic framework is represented by the following four themes:

§

Liveable communities and infrastructure;

§

Economic growth;

§

Safe and resilient communities; and

§

Natural resources, the environment and heritage.

The strategic framework provides strategic outcomes for the above four themes. The proposed development furthers the outcomes sought by the above themes and the relevant outcomes, particularly when considering:

§

the proposed development will retain the exiting building footprint and will continue to be serviced by the existing onsite water and sewage treatment infrastructure;

§

the proposed subdivision allows the Applicant to continue to reside in a residential capacity without adversely affecting the agricultural values for the site and locality; and

§

the proposed subdivision will maintain all agricultural land post development, and will continue to use the land for this as its primary purpose.

5.4

Planning Scheme Purpose and Overall Outcomes

The proposed development is considered to further the purpose and overall outcomes sought by the relevant planning scheme codes by demonstrating compliance with the relevant performance and accepted outcomes.

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5.5

Planning Scheme Assessment Matrix

The assessment matrix below summarises the outcome of an assessment of the proposed development against the relevant performance and accepted outcomes of the applicable Assessment Manager assessment benchmarks.

The assessment matrix identifies the level of compliance of the proposed development in accordance with the legend below.

Criteria is clearly met and no further assessment is required.
Criteria is met and further explanation is provided for clarity.

Legend

Criteria is not met and further performance assessment is required.

P0

A0

P0

A0

P0

A0

Flood Hazard
Overlay Code

Development
Works Code

Reconfiguring
a Lot Code

Rural Zone
Code

Outcome
P0 or A0

Not applicable or no criteria prescribed.

P0

A0

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10

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A0

P0

A0

P0

A0

Flood Hazard
Overlay Code

Development
Works Code

Reconfiguring
a Lot Code

Rural Zone
Code

Outcome
P0 or A0

P0

P0

A0

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Criteria identified in the assessment matrix as requiring further explanation or further assessment is addressed in the following subsection.
5.6

Planning Scheme Detailed Assessment

Rural Zone Code

Does Not Comply with P023

The proposed subdivision results in the creation of a lot with an area of less than 30 ha in the Priority Agricultural Area, and therefore does not achieve the minimum lot size prescribed by

Performance Outcome 23 of the Rural Zone Code.

The proposed development does however meet the requirements of Performance Outcome 24 of the Rural Zone Code, prescribed by the planning scheme as an alternative to achieving

Performance Outcome 23, as further detailed below.

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Complies with P024

The proposed subdivision of the 49 ha site seeks to consolidate the balance of the farmed lot, where the proposed Lot 512 contains a residential dwelling that has existed at the commencement of this planning scheme (refer Attachment 4). The proposed development does not involve the rearrangement of lot boundaries.

Given the above, the proposed development achieves the intent and requirements of Performance Outcome 24 of the Rural Zone Code.

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Reconfiguring a Lot Code

Complies with P010

The proposed subdivision does not meet the minimum lot size prescribed by Acceptable Outcome

10, however, given its compliance with Performance Outcome 12 (refer below), it is considered

that the proposed subdivision is capable of accommodating uses intended in the zone in which

the land is located. The proposed development involves the subdivision of an existing residential dwelling from a farmed lot.

Given the above, the proposed development achieves the intent and requirements of Performance

Outcome 10 of the Reconfiguring a Lot Code.

Complies with P012

The proposed subdivision involves the consolidation of the balance of the farmed lot exceeding

30 ha, with the created lot to retain the existing residential dwelling that was established prior to the commencement of the planning scheme.

Given the above, the proposed development achieves the intent and requirements of Performance

Outcome 12 of the Reconfiguring a Lot Code.

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Development Works Code

Complies with P014

The site is not connected to Council's reticulated water supply, and utilises an onsite water supply (refer Appendix 4). This existing water supply is considered sufficient for the demand generated on site.

Given the above, the proposed development achieves the intent and requirements of Performance

Outcome 14 of the Development Works Code.

Complies with P015

The site utilises an onsite sewage treatment and disposal system, specifically on proposed Lot

512 for which the existing residential dwelling is located, and is sufficient for the servicing the demand requirements.

Given the above, the proposed development achieves the intent and requirements of Performance

Outcome 15 of the Development Works Code.

Complies with P025

The proposed lots will retain the existing access regime, whereby both lots will gain access via

Hurney Road. The existing vehicle access is considered to be sufficient in accommodating the anticipated traffic demand.

Given the above, the proposed development achieves the intent of Performance

Outcome 25 of the Development Works Code.

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Flood Hazard Overlay Code

Complies with P014

Proposed Lot 512 already contains an existing residential dwelling with floor levels above the defined flood level. Proposed Lot 512 will retain its sugar cane cropping use, however, the lot is able to accommodate a building envelope of appropriate dimensions to contain the existing residential dwelling.

Given the above, the proposed development achieves the intent of Performance Outcome 14 of the Flood Hazard Overlay Code.

Complies with P015

The proposed lots are located within low, medium, and extreme flood hazard. The proposed development will retain the existing vehicular access to the proposed lots. The existing vehicular access is located outside the extreme flood hazard area.

Given the above, the proposed development achieves the intent of Performance Outcome 15 of the Flood Hazard Overlay Code.

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6.0

CONCLUSION

6.1

Assessment Summary

The assessment of the proposed development against the relevant assessment benchmarks detailed in this development application supports a recommendation for approval based on the following reasons:
§

the proposed development complies with the relevant assessment benchmarks; and
§

compliance with the relevant assessment benchmarks can be managed through reasonable and relevant conditions.

6.2

Recommended Conditions of Approval

Given the above facts and circumstances presented in this development application, we recommend that Council approve the proposed development subject to the following reasonable and relevant conditions that are considered specifically relevant to the proposed development.

Condition 1 – Approved Plans and Supporting Documentation

(a)

The development must generally comply with the plan(s) referenced in the table below and attached as stamped “Approved Subject to Conditions” which forms part of this approval, unless otherwise specified by any condition of this approval.
Title

Number

Issue

Date

Proposed Lots 512 and 513, cancelling Lot 233
on SB107 (Sheet 1)

M2350-SK-01

A

12-9-24

Proposed Lots 512 and 513, cancelling Lot 233
on SB107 (Sheet 2)

M2350-SK-01

A

4-11-24

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Appendix 1

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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)

Dino Codega c/- Milford Planning

Contact name (only applicable for companies)

Matteo Sandona

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

PO Box 5463

Suburb

Townsville City

State

Queensland

Postcode

4810

Country

Australia

Contact number

(07) 4724 0095

Email address (non-mandatory)

info@milfordplanning.com.au

Mobile number (non-mandatory)

Fax number (non-mandatory)

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

M2350-RAL-1

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

512

Hurney Road

Osborne

Postcode

Lot No.

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

Local Government Area(s)

4806

233

SB107

Burdekin Shire

Unit No.

Street No.

Street Name and Type

Suburb

Postcode

Lot No.

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

Local Government Area(s)

3.2) Coordinates of premises (appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land

e.g. channel dredging in Moreton Bay)

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

Coordinates of premises by longitude and latitude

Longitude(s)

Latitude(s)

Datum

Local Government Area(s) (if applicable)

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):

Subdivision (One Lot into Two 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 (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?
One

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:

Cropping

Number of lots created

One

One

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

Lot on plan description

Proposed lot

2

Area (m)

Lot on plan description

Area (m2)

12.2) What is the reason for the boundary realignment?

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

(attach schedule if there are more than two easements)

Existing or
proposed?

Width (m)

Length (m)

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

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

Division 3 – Operational work

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

14.1) What is the nature of the operational work?

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

SEQ northern inter-urban break - tourist activity or sport and recreation
activity

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SEQ northern inter-urban break – community activity
SEQ northern inter-urban break – indoor recreation
SEQ northern inter-urban break – urban activity
SEQ northern inter-urban break – combined use
Tidal works or works in a coastal management district
Reconfiguring a lot in a coastal management district or for a canal
Erosion prone area in a coastal management district
Urban design
Water-related development – taking or interfering with water
Water-related development – removing quarry material (from a watercourse or lake)
Water-related development – referable dams
Water-related development – levees (category 3 levees only)
Wetland protection area
Matters requiring referral to the local government:
Airport land
Environmentally relevant activities (ERA) (only if the ERA has been devolved to local government)
Heritage places – Local heritage places
Matters requiring referral to the Chief Executive of the distribution entity or transmission entity:
Infrastructure-related referrals – Electricity infrastructure
Matters requiring referral to:
• The Chief Executive of the holder of the licence, if not an individual
• The holder of the licence, if the holder of the licence is an individual
Infrastructure-related referrals – Oil and gas infrastructure
Matters requiring referral to the Brisbane City Council:
Ports – Brisbane core port land
Matters requiring referral to the Minister responsible for administering the Transport Infrastructure Act 1994:
Ports – Brisbane core port land (where inconsistent with the Brisbane port LUP for transport reasons)
Ports – Strategic port land
Matters requiring referral to the relevant port operator, if applicant is not port operator:
Ports – Land within Port of Brisbane's port limits (below high-water mark)
Matters requiring referral to the Chief Executive of the relevant port authority:
Ports – Land within limits of another port (below high-water mark)
Matters requiring referral to the Gold Coast Waterways Authority:
Tidal works or work in a coastal management district (in Gold Coast waters)
Matters requiring referral to the Queensland Fire and Emergency Service:
Tidal works or work in a coastal management district (involving a marina (more than six vessel berths))
18) Has any referral agency provided a referral response for this development application?
Yes – referral response(s) received and listed below are attached to this development application
No
Referral requirement

Referral agency

Date of referral response

Identify and describe any changes made to the proposed development application that was the subject of the referral response and this development application, or include details in a schedule to this development application (if applicable).

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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

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)

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

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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. 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

No

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, 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

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 for further information.

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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 Form 1 Template 2

Taking overland flow water: complete DA Form 1 Template 3.

Waterway barrier works

23.7) Does this application involve waterway barrier works?

Yes – the relevant template is completed and attached to this development application

No

DA templates are available from planning.statedevelopment.qld.gov.au. 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

No

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

No

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.

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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 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.qld.gov.au for information regarding assessment of Queensland heritage places.

Name of the heritage place:

Place ID:

Decision under section 62 of the Transport Infrastructure Act 1994

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

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

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

No

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

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

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

No

Note: See guidance materials at www.planning.statedevelopment.qld.gov.au 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.

Relevant plans of the development are attached to this development application

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

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25) Applicant declaration

By making this development application, I declare that all information in this development application is true and correct

Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications

from the assessment manager and any referral agency for the development application where written information

is required or permitted pursuant to sections 11 and 12 of the Electronic Transactions Act 2001

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

Privacy – Personal information collected in this form will be used by the assessment manager and/or chosen

assessment manager, any relevant referral agency and/or building certifier (including any professional advisers

which may be engaged by those entities) while processing, assessing and deciding the development application.

All information relating to this development application may be available for inspection and purchase, and/or

published on the assessment manager's and/or referral agency's website.

Personal information will not be disclosed for a purpose unrelated to the Planning Act 2016, Planning

Regulation 2017 and the DA Rules except where:

- such disclosure is in accordance with the provisions about public access to documents contained in the Planning

Act 2016 and the Planning Regulation 2017, and the access rules made under the Planning Act 2016 and

Planning Regulation 2017; or

- required by other legislation (including the Right to Information Act 2009); or

- otherwise required by law.

This information may be stored in relevant databases. The information collected will be retained as required by the

Public Records Act 2002.

PART 9 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE

USE ONLY

Date received:

Reference number(s):

Notification of engagement of alternative assessment manager

Prescribed assessment manager

Name of chosen assessment manager

Date chosen assessment manager engaged

Contact number of chosen assessment manager

Relevant licence number(s) of chosen assessment manager

QLeave notification and payment

Note: For completion by assessment manager if applicable

Description of the work

QLeave project number

Amount paid (\$)

Date paid (dd/mm/yy)

Date receipted form sighted by assessment manager

Name of officer who sighted the form

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5

39

147°21'46".901

40

147°23'22".386

195

1

SP328730

SP328730

197

SB107

19°40'38".362

FH

33.17ha

184

SB100

FH

1

19°40'38".362

RP744772

53.58ha

FH

198

SB107

24

196

SB107

FH

FH

FH

37.922ha

8

24

SP299140

45.191ha

D

19.19ha

A

FH

R0

E

230
SP146560

NI
RK

40.152ha HILL KI

2
RP734411

2

E

M

SP

H0

146560

FH

229
SB107

37.572ha

FH

FH

1
RP

2
RP726905

734411

228
SB107

34.323ha

41.16ha

FH

23

C

E

RP

RP

800625

227

RP843457

FH

44.637ha

233

SB107

5

SP149513

136.5ha

F

23

RP800625

FH

8006253.764ha

FH

2

16

RP897701

FH

53.49ha

RP731244

A

47.08ha

RP

908347

FH

FH

44.649ha

D

3

RP905693

226

44.11ha

RP886324 D

RP

SP

FH

911492

306181

6

HURNEY ROAD

1

SP347640

M

4

FH

AD 49.22ha

2.918ha

RP893186

3

RP

2

FH

727659

RP727659

10.3ha

FH

F

26.143ha

323820

5.195ha

RP722896

7

29

RP725264 RP

30

A

SP

SP314338

111352

FH

25.52ha

21 000 m N

PLAIN

FH

66.68ha

2

SP102298

FH

FH

3

RP749774

FH

37.56ha

22.276ha

43.51ha

2

RP807976

FH

19°42'25".079

46.736ha

25

FH

1

4

SP

RP740570

5

D

102298

R RP740570

6

EY 1

N

15

RP740570

R

RP807976

HU

RP899323

55.74ha

FH

0

39 000m E

400

5

800

77.942ha

1200

40

1600

2000

m

HORIZONTAL DATUM:GDA94

ZONE:55

SCALE 1 : 20000

SmartMap
An External Product of
SmartMap Information Services

SUBJECT PARCEL DESCRIPTION
Lot/Plan

233/SB107

Area/Volume

49.263ha

19°41'31".720

Tenure

FREEHOLD

OSBORNE

Local Government

BURDEKIN SHIRE

Locality

OSBORNE

Segment/Parcel

42085/120

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CLIENT SERVICE STANDARDS
PRINTED 04/11/2024

DCDB

GDA

21
19°42'25".079

MAP WINDOW POSITION &
NEAREST LOCATION

2.05 KM

725264
RP725264

147°23'22".386
5

147°22'34".643

60.02ha

31

32

RP725264

147°21'46".901

STANDARD MAP NUMBER

8358-12344

22

FH

RP

891958

FH

6

SP328738

24.63ha

8

RP891958

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ROAD

236

SB109

5

4

RP713813

27.627ha 28.09ha

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SP328738

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53.52ha

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58.161ha

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Based upon an extraction from the
Digital Cadastral Data Base

02/11/2024 (Lots with an area less than 3000m² are not shown)

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Appendix 3

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State Assessment and Referral Agency
Date: 04/11/2024

Queensland
and Government
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Disclaimer:
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Matters of Interest for all selected Lot Plans
Queensland waterways for waterway barrier works
Water resource planning area boundaries

Matters of Interest by Lot Plan
Lot Plan: 233SB107 (Area: 492630 m²)
Queensland waterways for waterway barrier works
Water resource planning area boundaries

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State Assessment and Referral Agency

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State Assessment and Referral Agency

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Legend
Queensland waterways for waterway barrier works
Low
Moderate
High
Major or
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Appendix 4

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Version: 1, Version Date: 12/11/2024

Drawing
Proposed Lots 512 and 513,
cancelling Lot 233 on SB107
Property
512 Hurney Road, Osborne
Lot 233 on SB107
Drawing Number
Issue
Sheet
M2350-SK-01
A
1/2
Date
Author
Reviewer
12.9.24
HW
LP

Legend
Lot Layout
Subject Site
Cadastre

LOT 513
47.86 ha

SHEET 2

LOT 512
1.4 ha
Scale (A3 Original)

Sources
Milford Planning GIS (2024)
DCDB extract – State of Queensland (2024)
Aerial imagery – Queensland Globe (2024)

Disclaimer
Areas and dimensions are approximate only
and are subject to site survey.

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