

Our Ref: 57114-001-01
QA: es

15 May 2024
Assessment Manager
Burdekin Shire Council
145 Young Street
AYR QLD 4807
Attention:

Development Assessment

Dear Sir/Madam,
DEVELOPMENT APPLICATION

Development Permit for Material Change of Use for Rural Industry (Rice Milling Facility)

275 and 223 Comiskey Road, Horseshoe Lagoon

We act on behalf of the Applicant, A.P. & L.C. Milan, in relation to the abovementioned application.

Please find enclosed a Development Application seeking a Development Permit for Material Change of Use at 275 and 223 Comiskey Road, Horseshoe Lagoon on land formally described as Lot 63 and 64 on RP730506, respectively.

In accordance with Burdekin Shire Council's schedule of fees and charges 2023/2024, the development application fee is \$1,356.00.

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

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

Yours faithfully,

Emma Staines
Town Planner

Brazier Motti Pty Ltd
Encl.

Development Application

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DEVELOPMENT APPLICATION
DEVELOPMENT PERMIT FOR:

SEEKING A

Material Change of Use - Rural Industry (Rice
Milling Facility)

on behalf of

A.P. & L.C. MILAN

at

275 & 223 COMISKEY ROAD, HORSESHOE LAGOON

on

LOTS 63 & 64 on RP730506

Brazier Motti have prepared this report for the sole purposes of A.P. & L.C. Milan for the specific purpose of a Development Application seeking a Development Permit for Material Change of Use for Rural Industry (Rice Milling Facility) at 275 & 223 Comiskey Road, Horseshoe Lagoon. In preparing this report we have assumed that all information and documents provided to us by others, such as the client, other consultants acting on the client's behalf or government agencies, to be complete, accurate and current.
Signed on behalf of Brazier Motti Pty Ltd

EMMA STAINES
Town Planner
Brazier Motti Pty Ltd
Signed by reviewer

ANNE ZAREH
Senior Town Planner
Brazier Motti Pty Ltd

BRAZIER MOTTI
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Final: May 2024
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INTRODUCTION

This town planning report has been prepared on behalf of the Applicant, A.P. & L.C. Milan, in support of a Development Application seeking a Development Permit for Material Change of Use to establish a rice milling facility on land at 275 & 223 Comiskey Road, Horseshoe Lagoon, being formally described as Lots 63 & 64 on RP730506, respectively.

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

A.

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

In accordance with the Planning Scheme, the application is subject to code assessment and therefore public notification will not be required.

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

Section 2:-

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

Section 3:-

A detailed description of the development proposal.

Section 4:-

A review of the relevant legislation provisions.

Section 5:-

A review of the planning framework.

Section 6:-

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

Section 7:-

Conclusion and recommendation.

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2.0

THE SITE

The subject site is located at 275 & 223 Comiskey Road, Horseshoe Lagoon approximately 30 kilometres west of Ayr. It is formally described as Lots 63 & 64 on RP730506, respectively and has a combined area of 141ha. The Smart Map is included in Appendix B which confirms the site area, tenure and surrounding cadastre.

Figure 1 below shows an aerial image of the site and its immediate surrounds.

Figure 2 shows the development site, including existing built form.

Figure 1: Aerial image of the site and immediate surrounds

Inset A

Source: Queensland Globe, 2024

Figure 2: Inset A - Aerial image of the development site

Source: Queensland Globe, 2024

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The certificate of title confirming joint ownership of the site by Allan Patrick Milan, Lynette Christine Milan and Milan Farming Pty Ltd (A.C.N. 089 229 274) is included Appendix B.

The site is improved by an agricultural shed used for rural purposes and a temporary shipping container structure that is used for trailing the process of milling different rice product. The trail was carried out accepted development in accordance with the land use definition of Cropping, listed in Council's Planning Scheme.

The balance of the site contains rice crop and access tracks. Access to the site is afforded directly from Comiskey

Road via unsealed, gravel crossovers and driveways.

The site is not within Council's reticulated services area therefore is not connected to any water, sewer or stormwater infrastructure. The site has a bore that provides supply sufficient for the demand generated by the rural activities on site. It is also serviced by an existing overhead electricity supply located at the road frontage.

The land is wholly contained within the Rural Zone for the purposes of the Planning Scheme. Figure 3 below shows an extract of the Planning Scheme zone map.

Figure 3: Extract of Burdekin Shire Council Zone Map

Source: Burdekin Shire Council Planning Scheme, 2022

Overall, the pattern and zoning of the land, in the vicinity of the site comprises rural land. The North Coast railway line is to the north of the site.

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3.0

THE PROPOSAL

This report details an application seeking a Development Permit for Material Change of Use to establish a rice milling facility on the subject site described above. The use will be contained within the existing structures on site and does not involve any additional gross floor area (GFA).

3.1

DEFINITION OF PROPOSED USE

In accordance with Schedule 1.1 of the Planning Scheme, the proposed land use is defined as a Rural Industry as follows:

The use of premises for—

(a) storing, processing or packaging products from a rural use carried out on the premises or adjoining premises; or

(b) selling products from a rural use carried out on the premises or adjoining premises, if the use is ancillary to the use in paragraph (a).

3.2

PROPOSED DEVELOPMENT

The proposed rice milling facility is small in scale and is expected to produce up to 960 tonnes of final product per year. That is producing 4.8 tonnes of rice per day, over a five (5) day week and 40 weeks per year.

The site plan showing the location of the existing structures, access and on site carparking and farm land is included in Appendix C.

The existing agricultural shed and outdoor storage area will be retained and continue to be used in accordance with the existing rural activities on site.

Operation & Staff

The facility will operate from 7:00am to 5:00pm, Monday to Friday, by up to four (4) staff per day.

Water, Sewer & Stormwater

The subject site has a bore that provides water to the shed and can be used for fire-fighting purposes. A commercial hand wash sink will be provided inside the facility with a self-contained 10L water tank and 10L waste tank. This system provides 50 x 10sec hot water hand washes at 40-45 degrees Celsius. There will be no other water requirements inside the facility, as moisture near the rice processing is not recommended.

A 6mx3m amenities block will be provided on the concrete slab to the front the shed. The amenities block will require a holding tank to store waste that will be collected by a private collection company on request.

No changes to the current stormwater regime are required to facilitate the development.

Traffic, Access and Carparking

Six (6) on-site parking spaces are informally provided on site, along the eastern side of the shed. Additional undercover parking can be facilitated within the shed, if required.

The three (3) existing access locations to the site will be retained and maintained to the standard required for rural land. Trucks travelling to the site will come via the Bruce Highway and Trembath Road.

The largest truck required to access the site is a B-Double configuration. The

proposed milling capacity will require
up to four (4) truck movements to and from the site per month.

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Waste Management

A designated refuse storage area is provided on the concrete slab on site to accommodate a trade waste bin that is collected by a private waste collection company as required.

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4.0

RELEVANT LEGISLATION

4.1

COMMONWEALTH LEGISLATION

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

4.2

THE PLANNING ACT 2016

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

4.3

STATE ASSESSMENT AND REFERRALS

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

4.4

STATE PLANNING POLICY

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

4.5

NORTH QUEENSLAND REGIONAL PLAN

The subject land is located within a Priority Agricultural Area (PAA) as defined by the North Queensland Regional Plan ("NQRP"). The NQRP identifies that with increases in market demand expected to grow with global population growth, opportunities to expand agricultural production should be acted upon. The proposal aligns with the regional outcome and the regional policies for PAAs of the NQRP, as it supports the ongoing operation and production of an existing agricultural land use without compromising its current or future ability to operate. It does not alter or conflict with the objectives of the NQRP nor does it introduce any incompatible non-agricultural land uses. The proposed layout is consistent with the assessment benchmarks particularly noting that:

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

4.5

ASSESSMENT MANAGER AND PLANNING SCHEME

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

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4.6

PUBLIC NOTIFICATION

Under the provisions of the Planning Act 2016, the proposed development is not subject to Public Notification.

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5.0

THE PLANNING FRAMEWORK

The Planning Scheme seeks to achieve outcomes through the identification of a number of overall outcomes, performance outcomes and acceptable outcomes.

Land identified within the Planning Scheme is categorised by a number of zones and precincts to guide development across the region. The Planning Scheme further identifies a range of overlays that may impact the land, and these are governed by overlay codes.

5.1

LAND DESIGNATION

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

- Acid sulfate soils overlay map (5 – 20m contour);
- Priority agricultural land (Classes A & B); and
- Flood hazard overlay map (QRA Level 1 Floodplain Assessment Area).

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

5.2

LEVEL OF ASSESSMENT, ASSESSMENT BENCHMARKS AND APPLICABLE CODES

Table 3.5.1 of the Planning Scheme identifies material change of use as assessable development and is code assessable for the purposes of this development application.

The assessment table identifies that an application requires assessment against the following codes:

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

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A complete assessment of the proposed development against the relevant codes is provided below.

6.1

ZONE CODE PROVISIONS

6.1.1 Rural Zone Code

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

The purpose of the Rural zone is to—

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

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

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

production;

(h) other than for public infrastructure, non-agricultural development within priority agricultural areas does

not result in a net loss in agricultural production;

(i) intensive animal industries and aquaculture occur in the rural zone (other than in the Groper Creek,

Jarvisfield, Jerona or Wunjunga village precincts) where they are sufficiently separated from existing

sensitive land uses to ensure significant impacts are avoided;

(j) industries which may establish in the rural zone (other than in the Groper Creek, Jarvisfield, Jerona or

Wunjunga village precincts) include only:

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

Response

The proposed development is consistent with the purpose and overall outcomes of the Rural zone code, specifically noting that it is for a rural activity that will directly support the local and regional economy. The proposal is compatible with the character of the locality give there will be no changes to the existing built form and the use will not generate additional traffic movements or any other omissions that would otherwise impact on rural amenity. The development will not result in a net less in agricultural production as the current extent of the crop will remain unchanged.

The following performance outcomes of the zone code are considered relevant and have been addressed to demonstrate compliance of the proposed development.

PO1 – Complies

The processing facility is approximately 12.5m long and 5m wide and is set back 18.7m from the front boundary however is approximately 30m from the edge of Comiskey Road. The siting does not

adversely impact the amenity of adjoining land. The structure is small in scale with respect to the size of the subject site therefore it is not expected it will detract from the rural character of the locality. Furthermore, there are no structures or residential dwellings within approximately 2.4 kilometres of the development site.

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P02 - Complies

The use is not expected to operate at night that would require an amount of lighting that may cause undue nuisance.

Furthermore, there are no structures or residential dwellings within approximately 2.4 kilometres of the development site that would be impacted by the operation of the facility.

P03 - Complies

The subject site is not included in Council's water and sewer service area. No additional, permanent infrastructure will be implemented to service the development. A small water tank will be installed into the processing facility for hand washing. The amenities block will also have a separate holding tank for waste.

These arrangements are considered sufficient to service the four (4) staff will use the site in any one day.

The subject site has direct frontage to Comiskey Road and rural access is provided at three (3) locations.

P04 - P012 - Not applicable

P013 - Complies

Lot 64 on RP730506 adjoins a stock route network at the northern end of the site, however the development site is located at the southern end, more than 1 kilometre away therefore the proposed operations will not impact on the network.

P014 - Complies

In accordance with Geo Res Globe, the site is not in proximity to any mining claims, mineral development licences and mining leases.

P016 - Complies

The proposed development will not result in a net loss to agricultural production as the existing crop will be retained for harvesting to supply the facility. The purpose of the rice milling facility is to increase production on site.

P017 - Complies

The development does not comprise any additional GFA and is contained within the full extent of the existing structures on site. The existing crop on the balance of the subject site will remain as productive land.

P018 - Complies

All adjoining agricultural land will continue to operate and can intensify where required. The development will not prejudice the existing farming activities.

P019 - Complies

The structure is set back from the crop more than 30m in each direction to avoid nuisance from farming practices on site.

P020 - Complies

No tram lines are identified within the vicinity of the site.

P021 - Complies

Lot 64 on RP730506 adjoins a stock route network at the northern end of the site, however the development site is located at the southern end more than 1 kilometre away therefore the proposed operations will not impact on the network.

P022 - P024 - Not applicable

P025 - Complies

The proposal is for rural industry.

P026 - P038 - Not applicable

P039 - Complies

No additional built form is proposed as part of this development application and all existing vegetation will be retained. The existing improvements are compatible with the rural setting and do not impact on the visual amenity and landscape character of the locality.

P040 - Complies

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

P041 - Complies

The proposal is sympathetic of the natural environment and maintains habitat areas and corridors. It does not propose any changes to the site that would otherwise cause adverse impacts.

P042 - Complies

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

P043 - Not applicable

The site does not adjoin any residential or rural residential development.

P044 - Complies

Given the nature and scale of the proposal, it is not anticipated to generate any additional noise, odour, dust or volume of traffic generated than what is already anticipated by the existing rural activities on site.

P045 - Complies

The operation of the milling facility is small in scale and will not impact on public health and safety.

P046 - Complies

In accordance with Geo Res Globe, the site is not in proximity to any mining claims, mineral development licences and mining leases. Furthermore, the proposal is not for a sensitive land use that would create unnecessary risk.

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

6.3

DEVELOPMENT CODES

6.3.1 Development Works Code

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

Response

Given the nature and scale of the proposed development, no permanent infrastructure is required to utilise the facility. Its existing supplies are sufficient to accommodate the demand generated by the development. A complete assessment against the relevant benchmarks of the code is provided below:

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P01 - P011 - Not applicable

The proposal does not require filling or excavation.

P012 - Not applicable

P013 - Complies

No changes to the existing connections are proposed to facilitate the proposed development.

P014 - Complies

The bore on site is sufficient to rural activities currently operating on site and the 10L water tank is sufficient for the purpose of hand washing associated with the processing facility. The water tank provides 50 x 10sec hot water hand washes and will be refilled in town when required.

P015 - Complies

The amenities block will be connected to a holding tank to store waste that will be collected by a private pump out collection company on request.

P016 - Complies

No permanent on-site water, waste water or stormwater infrastructure is proposed.

P017 - Complies

The site is connected to the existing Ergon Energy overhead electricity supply located within Comiskey Road.

P018 - Complies

No changes to the existing built surface are proposed to facilitate the development. Stormwater regime will remain the same.

P019 - Complies

The proposed development utilises all the existing site features with no significant site modification or changes to the existing site levels.

P020 - Complies

No clearing or earthworks are required to facilitate the development and no adverse changes to the impervious surface is proposed.

P021 - Complies

No stormwater infrastructure services the site. Stormwater drains to the road by overland flow.

P022 - Complies

The proposed development does not involve major excavation or filling that would otherwise disturb acid sulfate soils.

P023 - Complies

Comiskey Road is a rural road that is accessed via Trembath Road from the Bruce Highway. The network currently services agricultural land in the locality and is appropriate for operation and traffic movement generated by the development. No upgrades to the road network will be required to facilitate the development.

P024 - Complies

The processing facility is set back approximately 30m from the edge of Comiskey Road which is not expected to obstruct sightlines for vehicles travelling to and from the site or entering and exiting the site. The design and siting of the existing structures is sympathetic to users of the road network and do not pose any safety hazard.

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P025 - Complies

Ample space is available on site to allow safe access and manoeuvring by all types of vehicles generated by the development.

P026 - Complies

As shown on the site plan, vehicles can enter and exit the site in a forward direction.

P027 - Complies

Six (6) informal car parking spaces are provided along the eastern side of the shed. Four (4) staff are expected to operate the facility on-site on any one day. Irregular visitors to the site are not expected. Therefore, the identified six (6) external spaces are considered sufficient to accommodate the demand generated by the use.

The carpark is unsealed gravel which is suitable for the nature of the site. No changes to this arrangement are proposed as part of the development.

P028 - Complies

Current parking arrangements are not defined by line marking as required by the Australian Standards however the carparking is safe and easily accessible by expected users of the site. No changes to this arrangement are proposed as part of the development.

P029 - Complies

The carparking area is gravel that allows stormwater infiltration.

P030 - Complies

Transport noise will not impact the development and there are no adjoining sensitive land uses that would be impacted by traffic noise associated with the development.

P031 - Not applicable

No acoustic walls are proposed as part of the development.

P032 - Complies

Lighting will be provided to the exterior of the structures for safety however the use is not expected to operate at night.

P033 - P034 Complies

Given the rural nature of the premises and locality, no additional landscaping is proposed. The amenity and environmental values of the site will not be impacted upon.

P034 - Not applicable

As above.

P035 - Complies

A designated refuse storage area is provided on the concrete slab on site to accommodate a trade waste bin that is collected by a private waste collection company (Cleanaway) as required.

P036 - Complies

The liquid waste produced by the development is the water from the 10L water tank which provides handwashing within the processing facility. This water will be disposed of on site and is not anticipated to cause environmental harm. Waste associated with the amenities block will be stored in a holding tank and collected by a private waste collection company and disposed of at an authorised facility.

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P037 - Complies

The development does not involve the handling of potential pollutants. All organic by products (rice bran & rice hulls) will be recycled to condition soil.

P038 - P040 - Not Applicable

The proposed development does not require access by common private title.

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

6.4

OVERLAY CODES

6.4.1 Flood Hazard Overlay Code

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

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

subject to high or extreme flood hazard;

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

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

level; and

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

hazard;

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

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

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

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

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

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

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

accommodated or requiring evacuation from the site;

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

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

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

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

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

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

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

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

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

Response

The subject site is identified in the QRA Level 1 Floodplain Assessment Area on the flood hazard overlay map.

The development is not for a critical or vulnerable use and does not involve the manufacture or storage of hazardous materials.

Furthermore, no significant changes to the nature of the site are proposed to facilitate the development. All building and structures will be retained and no additional GFA is required. Given no earthworks, filling or excavation is

proposed, the development will not change inundation characteristics within or outside the subject site in ways that would:
(a) result in loss of flood storage or loss of, or changes to, flow paths;

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- (b) adversely change the depth or behaviour of the hazard; or
- (c) reduce warning times; or
- (d) increase the duration of the hazard.

The proposed development is consistent with the purpose and overall outcomes of the Flood hazard overlay code,
a detailed assessment against the code is not warranted.

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CONCLUSION

This proposal details a development application to Burdekin Shire Council seeking a Development Permit for Material Change of Use to establish a rice milling facility on land at 275 & 223 Comiskey Road, Horseshoe Lagoon, being formally described as Lots 63 & 64 on RP730506, respectively.

As the global population continues to grow, agricultural production must expand to meet the additional demand.

The proposal not only contributes to the Burdekin's strong agricultural economy, it also diversifies the activities associated with local rural production and provides opportunities to contribute to market demand at a larger scale.

The proposal directly aligns with the regional outcomes and policies nominated by the NQRP and complies with the relevant assessment benchmarks of the Planning Scheme. In particular, the proposed development, should be supported at this location given:

- the facility does not comprise any additional GFA and will not generate unreasonable traffic movements or any other omissions that would otherwise impact on rural amenity;
- the built form remains consistent with that established by the rural character of the locality;
- it will not result in a net less in agricultural production as the current extent of the crop will remain unchanged;
- the use benefits the local community by generating economic activity;
- access, car parking and manoeuvring areas are sufficiently accommodated; and
- it does not increase the exposure of risk to people and property to natural hazards (flood).

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

A.P. & L.C. Milan | 57114-001-01

APPENDIX A
Development Application Form 1 & Land Owners Consent

DA Form 1 – Development application details

Approved form (version 1.4 effective 15 December 2023) 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)

A.P. & L.C. Milan c/- Brazier Motti Pty Ltd

Contact name (only applicable for companies)

Emma Staines

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

595 Flinders Street

Suburb

Townsville City

State

Queensland

Postcode

4810

Country

Australia

Contact number

4772 1144

Email address (non-mandatory)

Emma.staines@braziermotti.com.au
0437 538 193

Mobile number (non-mandatory)

Fax number (non-mandatory)

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

57114-001-01

2) Owner's consent

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

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

No - proceed to 3)

PART 2 – LOCATION DETAILS

3) Location of the premises (complete 3.1) or 3.2), and 3.3) as applicable)

Note: Provide details below and attach a site plan for any or all premises part of the development application. For further information, see DA Forms Guide: Relevant plans.

3.1) Street address and lot on plan

Street address AND lot on plan (all lots must be listed), or

Street address AND lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon. All lots must be listed).

Unit No.

a)

b)

Street No.

Street Name and Type

Suburb

275

Comiskey Road

Horseshoe Lagoon

Postcode

Lot No.

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

Local Government Area(s)

4809

63

RP730506

Burdekin Shire Council

Unit No.

Street No.

Street Name and Type

Suburb

223

Comiskey Road

Horseshoe Lagoon

Postcode

Lot No.

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

Local Government Area(s)

4809

64

RP730506

Burdekin Shire Council

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

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

Coordinates of premises by longitude and latitude

Longitude(s)

Latitude(s)

Datum

Local Government Area(s) (if applicable)

WGS84

GDA94

Other:

Coordinates of premises by easting and northing

Easting(s)

Northing(s)

Zone Ref.

Datum

54

55

56

Local Government Area(s) (if applicable)

WGS84

GDA94

Other:

3.3) Additional premises

Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development application

Not required

4) Identify any of the following that apply to the premises and provide any relevant details

In or adjacent to a water body or watercourse or in or above an aquifer

Name of water body, watercourse or aquifer:

On strategic port land under the Transport Infrastructure Act 1994

Lot on plan description of strategic port land:

Name of port authority for the lot:

In a tidal area

Name of local government for the tidal area (if applicable):

Name of port authority for tidal area (if applicable):

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

Name of airport:

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DA Form 1 – Development application details

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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):

Rural industry (Rice milling facility)

e) Relevant plans

Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms guide:

Relevant plans.

Relevant plans of the proposed development are attached to the development application

6.2) Provide details about the second development aspect

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

Material change of use

Reconfiguring a lot

Operational work

Building work

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

Development permit

Preliminary approval

Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment

Impact assessment (requires public notification)

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

e) Relevant plans

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

Relevant plans of the proposed development are attached to the development application

6.3) Additional aspects of development

Additional aspects of development are relevant to this development application and the details for these aspects

that would be required under Part 3 Section 1 of this form have been attached to this development application

Not required

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DA Form 1 – Development application details

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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

Number of dwelling
units (if applicable)

(include each definition in a new row)

Gross floor
area (m²)
(if applicable)

Rural Industry

62.5m²

The use of premises for–

(a) storing, processing or packaging
products from a rural use carried
out on the premises or adjoining
premises; or

(b) selling products from a rural use
carried out on the premises or
adjoining premises, if the use is ancillary
to the use in paragraph
(a).

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

Yes

No

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?

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))

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:

Rural Residential

Number of lots created

10.2) Will the subdivision be staged?

Yes - provide additional details below

No

How many stages will the works include?

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

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DA Form 1 - Development application details

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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

Area (m²)

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

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

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DA Form 1 – Development application details

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PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements?

Note: A development application will require referral if prescribed by the Planning Regulation 2017.

No, there are no referral requirements relevant to any development aspects identified in this development

application – proceed to Part 6

Matters requiring referral to the Chief Executive of the Planning Act 2016:

Clearing native vegetation

Contaminated land (unexploded ordnance)

Environmentally relevant activities (ERA) (only if the ERA has not been devolved to a local government)

Fisheries – aquaculture

Fisheries – declared fish habitat area

Fisheries – marine plants

Fisheries – waterway barrier works

Hazardous chemical facilities

Heritage places – Queensland heritage place (on or near a Queensland heritage place)

Infrastructure-related referrals – designated premises

Infrastructure-related referrals – state transport infrastructure

Infrastructure-related referrals – State transport corridor and future State transport corridor

Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels

Infrastructure-related referrals – near a state-controlled road intersection

Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas

Koala habitat in SEQ region – key resource areas

Ports – Brisbane core port land – near a State transport corridor or future State transport corridor

Ports – Brisbane core port land – environmentally relevant activity (ERA)

Ports – Brisbane core port land – tidal works or work in a coastal management district

Ports – Brisbane core port land – hazardous chemical facility

Ports – Brisbane core port land – taking or interfering with water

Ports – Brisbane core port land – referable dams

Ports – Brisbane core port land – fisheries

Ports – Land within Port of Brisbane's port limits (below high-water mark) SEQ development area

SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity

SEQ regional landscape and rural production area or SEQ rural living area – community activity

SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation

SEQ regional landscape and rural production area or SEQ rural living area – urban activity

SEQ regional landscape and rural production area or SEQ rural living area – combined use

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

SEQ northern inter-urban break – community activity

SEQ northern inter-urban break – indoor recreation

SEQ northern inter-urban break – urban activity

SEQ northern inter-urban break – combined use

Tidal works or works in a coastal management district

Reconfiguring a lot in a coastal management district or for a canal

Erosion prone area in a coastal management district

Urban design

Water-related development – taking or interfering with water

Water-related development - removing quarry material (from a watercourse or lake)
Water-related development - referable dams
Water-related development - levees (category 3 levees only)
Wetland protection area

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Matters requiring referral to the local government:

Airport land

Environmentally relevant activities (ERA) (only if the ERA has been devolved to local government)

Heritage places – Local heritage places

Matters requiring referral to the Chief Executive of the distribution entity or transmission entity:

Infrastructure-related referrals – Electricity infrastructure

Matters requiring referral to:

- The Chief Executive of the holder of the licence, if not an individual
- The holder of the licence, if the holder of the licence is an individual

Infrastructure-related referrals – Oil and gas infrastructure

Matters requiring referral to the Brisbane City Council:

Ports – Brisbane core port land

Matters requiring referral to the Minister responsible for administering the Transport Infrastructure Act 1994:

Ports – Brisbane core port land (where inconsistent with the Brisbane port LUP for transport reasons)

Ports – Strategic port land

Matters requiring referral to the relevant port operator, if applicant is not port operator:

Ports – Land within Port of Brisbane's port limits (below high-water mark)

Matters requiring referral to the Chief Executive of the relevant port authority:

Ports – Land within limits of another port (below high-water mark)

Matters requiring referral to the Gold Coast Waterways Authority:

Tidal works or work in a coastal management district (in Gold Coast waters)

Matters requiring referral to the Queensland Fire and Emergency Service:

Tidal works or work in a coastal management district (involving a marina (more than six vessel berths))

18) Has any referral agency provided a referral response for this development application?

Yes – referral response(s) received and listed below are attached to this development application

No

Referral requirement

Referral agency

Date of referral response

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

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules

I agree to receive an information request if determined necessary for this development application

I do not agree to accept an information request for this development application

Note: By not agreeing to accept an information request I, the applicant, acknowledge:

- that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties

Part 3 of the DA Rules will still apply if the application is an application

listed under section 11.3 of the DA Rules.
Further advice about information requests is contained in the DA Forms Guide.

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DA Form 1 – Development application details

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PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals?
(e.g. a preliminary approval)

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

No

List of approval/development application references

Reference number

Assessment manager

Date

Approval

Development application

Approval

Development application

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

Yes – a copy of the receipted QLeave form is attached to this development application

No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid

Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)

Amount paid

Date paid (dd/mm/yy)

QLeave levy number (A, B or E)

\$

22) Is this development application in response to a show cause notice or required as a result of an enforcement notice?

Yes – show cause or enforcement notice is attached

No

23) Further legislative requirements

Environmentally relevant activities

23.1) Is this development application also taken to be an application for an environmental authority for an

Environmentally Relevant Activity (ERA) under section 115 of the Environmental Protection Act 1994?

Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below

No

Note: Application for an environmental authority can be found by searching “ESR/2015/1791” as a search term at www.qld.gov.au. 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 69: 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

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DA Form 1 – Development application details

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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.des.qld.gov.au for further information.

Water resources

23.6) Does this development application involve taking or interfering with underground water through an artesian or subartesian bore, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water under the Water Act 2000?

Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the Water Act 2000 may be required prior to commencing development

No

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au for further information.

DA templates are available from <https://planning.dsdmip.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 <https://planning.dsdmip.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

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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 Natural Resources, Mines and Energy at www.dnrme.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 and Science at www.des.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.dnrme.qld.gov.au for further information.

Tidal work or development within a coastal management district

23.12) Does this development application involve tidal work or development in a coastal management district?

Yes – the following is included with this development application:

Evidence the proposal meets the code for assessable development that is prescribed tidal work (only required if application involves prescribed tidal work)

A certificate of title

No

Note: See guidance materials at www.des.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.des.qld.gov.au for information requirements regarding development of Queensland heritage places.

Name of the heritage place:

Place ID:

Brothels

23.14) Does this development application involve a material change of use for a brothel?

Yes – this development application demonstrates how the proposal meets the code for a development

application for a brothel under Schedule 3 of the Prostitution Regulation 2014

No

Decision under section 62 of the Transport Infrastructure Act 1994

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

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

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

No

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

23.16) 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?

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DA Form 1 – Development application details

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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.dsdmip.qld.gov.au for further information.

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17

Yes

Note: See the Planning Regulation 2017 for referral requirements

If building work is associated with the proposed development, Parts 4 to 6 of DA Form 2 –

Building work details have been completed and attached to this development application

Yes

Not applicable

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

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

Yes

Relevant plans of the development are attached to this development application

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

Yes

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

Yes

Not applicable

25) Applicant declaration

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

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

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

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

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

Privacy – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application.

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

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

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

Regulation 2017 and the DA Rules except where:

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

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

Planning Regulation 2017; or

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

- otherwise required by law.

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

Public Records Act 2002.

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DA Form 1 – Development application details

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

Date received:

Reference number(s):

Notification of engagement of alternative assessment manager

Prescribed assessment manager

Name of chosen assessment manager

Date chosen assessment manager engaged

Contact number of chosen assessment manager

Relevant licence number(s) of chosen assessment
manager

QLeave notification and payment

Note: For completion by assessment manager if applicable

Description of the work

QLeave project number

Amount paid (\$)

Date paid (dd/mm/yy)

Date receipted form sighted by assessment manager

Name of officer who sighted the form

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DA Form 1 – Development application details

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APPENDIX B
Current Title Search and Smart Map

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

21169104

Search Date:

26/03/2024 09:16

Date Title Created:

27/05/1982

Request No:

47516116

Previous Title:

20994197

ESTATE AND LAND
Estate in Fee Simple
LOT 63

REGISTERED PLAN 730506
Local Government: BURDEKIN

REGISTERED OWNER
Dealing No: 714044925

INTEREST
05/09/2011

ALLAN PATRICK MILAN
LYNETTE CHRISTINE MILAN
MILAN FARMING PTY LTD A.C.N. 089 229 274

1/4

1/4

1/2

AS TENANTS IN COMMON

EASEMENTS, ENCUMBRANCES AND INTERESTS

1.

Rights and interests reserved to the Crown by
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2.

MORTGAGE No 714044926 05/09/2011 at 10:32
SUNCORP-METWAY LTD A.B.N. 66 010 831 722

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

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26/03/2024 09:17

Date Title Created:

27/05/1982

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47516134

Previous Title:

20994197

ESTATE AND LAND
Estate in Fee Simple
LOT 64

REGISTERED PLAN 730506
Local Government: BURDEKIN

REGISTERED OWNER
Dealing No: 714044925

INTEREST
05/09/2011

ALLAN PATRICK MILAN
LYNETTE CHRISTINE MILAN
MILAN FARMING PTY LTD A.C.N. 089 229 274

1/4

1/4

1/2

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Page 1/1

17

147°09'09".854

18

147°10'00"

19

4

GS565

19°30'33".438

147°11'09".089

19°30'33".438

4346

SP275840

LL

19

555.437ha

FH

83.93ha

GS808320

42

22

LL

42

161

SP

GS576

116383

5330ha

RE

117ha

66

RP730506

161

SP

64

RP730506

65

RP730506

116383

63

RP730506

62
RP730506

61
RP730506

41

FH
FH

FH

FH

41

4346
SP275840

FH
FH

LL
70.85ha

A
RP

61.99ha

A

730506

74.64ha

SP

66.36ha

121139

70.15ha

40

55
RP867354

56
RP867355

FH

58.43ha
78

5330ha

RP
730506

39 000 m N

2

FH

FH

51.01ha

55.21ha

112.04ha

3

RP867355

1

2

1

RP730661 RP730661 RP739692

FH

FH

48.658ha

59

RP867356

FH

FH

112.04ha

6

53.09ha

67

94.61ha

6

SP313077

FH

39

58.34ha

F

RP867359

RP

3

859503

3

SP195127

RP859504

FH

FH

67.78ha

60

RP867356

FH

7

147°09'09".854

4

RP867356

4

RP859505

FH

58.33ha

RP

730506

5 103

RP867356

CP

195.3ha 19°32'46".834

888633

7

RP859508

FH

55.16ha

59.65ha

147°10'00"

5

STANDARD MAP NUMBER

8358-41413

57

SP216733

RP867358

2

RP731183

0

147°11'09".089

17 000m E

18

500

1000

1500

19

2000

2500
m

HORIZONTAL DATUM:GDA94

ZONE:55

SCALE 1 : 25000

SUBJECT PARCEL DESCRIPTION

CLIENT SERVICE STANDARDS

147°10'09".472
19°31'40".136
5.15 KM

GDA

SmartMap
An External Product of
SmartMap Information Services

MAP WINDOW POSITION &
NEAREST LOCATION

HORSESHOE LAGOON

40

SP275840

FH

58.33ha

D

730506
RP867354

19°32'46".834

57
SP216733

FH

RP

78

4347

PLOZZA RO
ROAD
AD

78

68.13ha

G

COMISKEY
ROAD

PRINTED 02/05/2024

DCDB
Lot/Plan

63/RP730506

Area/Volume

66.36ha

Tenure

FREEHOLD

Local Government

BURDEKIN SHIRE

Locality

HORSESHOE LAGOON

Segment/Parcel

38197/46

DCDB

Based upon an extraction from the
Digital Cadastral Data Base

01/05/2024 (Lots with an area less than 3000m² are not shown)

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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.

APPENDIX C

Site Plan 57114/001 B prepared by Brazier Motti

SITE PLAN
Lots 63 & 64 on RP730506
0

North C

5

oast Lin

Switch Box

e

de Storage

Parking

Concrete

Existing Outsi

Storage/Wor
kshop

Storage/Amen

ities

Portable Field
Bin

Processing Fa
cility

Comiskey Ro

Concrete Slab

ad

Refer Inset A
Locality Plan - 1:10,000

Access

Date: 14th May, 2024
A3

Scale: 1:500

Power Connec
tio

n

Access

Drawn: MJM

Comiskey Ro
ad

Inset A - Development Site - 1:200

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

Access

Job No: 57114/001-01

Plan No:

57114/001 B

braziermotti.com.au

S U R V E Y I N G

TOWNPLANNING

P R O J E C T M A N A G E M E N T

MAPPING&GIS

10m

