

Development Permit for Reconfiguring a Lot – Subdivision (One Lot into Two Lots)

Black Jack Road, Black Jack QLD 4820
Lot 28 on RP894372

23 August 2023

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1.0 Summary

The following development application has been made in accordance with Section 51 of the *Planning Act 2016* (the Act). The mandatory supporting information including DA Form 1 (refer **Appendix 1**) have been included in this application. Additional information and site description are found below.

1.1 Development application details

Proposed development:	Subdivision – One Lot into Two Lots
Type of approval sought:	Development Permit for Reconfiguring a Lot
Site address:	Black Jack Road, Black Jack QLD 4820
Real property description:	Lot 28 on RP894372
Site area:	11.58 ha
Assessment manager:	Charters Towers Regional Council
Owner details:	Caroline Joyce King (refer Appendix 2)
Applicant details:	Charters Towers Regional Council

1.2 Planning instrument details

State Interests:	<ul style="list-style-type: none">• Water resource planning area boundaries;• Railway corridor; and• Area within 25 m of a railway corridor (refer Appendix 3).
Referral Agencies:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 1, Item 1 – Reconfiguring a lot near a State transport corridor.
Regional plan:	<i>North Queensland Regional Plan 2020</i>
Planning scheme:	<i>Charters Towers Regional Town Plan 2019</i>
Zone:	Industry Investigation Zone and Rural Residential Zone (Environs Precinct)
Level of assessment:	Impact Assessable
Applicable overlays:	<ul style="list-style-type: none">• Natural Environment Overlay – Regulated Vegetation (essential habitat) and Regulated Vegetation (category R)
Applicable codes:	<ul style="list-style-type: none">• Reconfiguring a Lot Code• Industry Investigation Zone Code• Rural residential Zone Code• Development Works Code• Natural Environment Overlay Code

1.3 Referral agencies

Referral requirement	Referral agency and role
Schedule 10, Part 9, Division 4, Subdivision 2, Table 1, Item 1 – Reconfiguring a lot near a State transport corridor.	Department of Transport and Main Roads – Concurrence Agency

2.0 Site details

2.1 Site description

The subject site is located south west of the town centre and comprises of three separate land parcels with a total land area of 11.58 ha. These land parcels are permanently divided by the Mount Isa Line Railway which separates the southern parcel from the two northern parcels (refer **Figure 1** below). Additionally, the two northern parcels are further divided by an unformed portion of Truscott Road. Given these divisions, the site overall features an irregular lot configuration.

In a wider site context, the southern parcel is within the Industry Investigation Zone and the adjoining properties to the south are also within the Industry, Industry Investigation and Special Purpose Zones. These adjoining properties comprise of large and irregular shaped allotments. To the north of the Railway Line, the two site parcels are within the Rural Residential Zone and are adjoining a larger rural residential catchment.

A further site description is provided in **Table 1** Below.



Figure 1: Aerial and site identification (Source: DA Mapping System).

Table 1: Site description

Site characteristic	Description
Existing land use	None of the three land parcels that create the subject site have any operational land uses.

Existing structures	From aerial imagery, the only structure that appears on site is a previous holding yard along the most northern boundary. It is likely that this was previously used for offloading/ loading cattle for transport purposes given it's proximity to Black Jack Road.
Frontage and access	<p>Each of the three parcels are currently adjoining road frontages . The most southern parcel adjoins two unformed portions of Knuth Road. The two northern parcels include frontage to Black Jack Road and unformed portions of Truscott Road.</p> <p>Despite these frontages, the southern parcel does not currently utilise any formal access arrangements given it remains vacant of any land uses. Similarly, the northern parcels do not have any formed access arrangements however access is most easily obtained via Black Jack Road.</p>
Topography and views	The site has a generally even topography with the exception of a minor downwards slope from east to west.
Existing vegetation	The subject site features sparse native trees and minor ground cover (grass and shrubs) across all three parcels.

3.0 Proposed development details

The proposed subdivision involves reconfiguring the site from one lot into two lots. Whilst the site is being subdivided into two separate allotments, the shape and configuration of each of the existing three parcels will be retained.

The purpose of the proposed development is to formalise the existing separation caused by the Mount Isa Railway Line and to facilitate the property sale of these two parts. Proposed Lot 29 will comprise of the two northern parcels, whilst Proposed Lot 28 will comprise of the single parcel to the south of the railway line.

Provided in **Appendix 4**, Dale Atkinson has prepared a Survey Plan that illustrates the proposed subdivision. It is noted that proposed Lot 29 includes a portion of road reserve intended to be closed. This area (1,223 m²) of road reserve is still subject to approval and an application for it's closure has been lodged with the State.

Further detail of the proposal is provided in Table 3 below:

Table 3: Summary of development aspects

Reconfiguring a lot	
Existing lots	The site consists of one lot which is currently separated into three parcels.
Reconfiguration	The proposed reconfiguration will maintain the parcel shapes and sizes of the existing configuration. The two parcels to the north of the railway line will be subdivided into one allotment (made up of two parcels) and the southern parcel will be made into one allotment.
Proposed number of lots (subdivision)	The proposed reconfiguration will result in two lots.
Dimensions (boundary realignment)	Proposed Lot 29 – 3.30 ha (not including the road closure) Proposed Lot 28 8.279 ha

4.0 Planning assessment

4.1 Key issues

The following key issues have been identified in relation to the proposed development:

4.1.1 Amenity

The existing property contains split zoning which conflicts with one another. The proposed subdivision will formalize the existing separation and allow for each portion to function in accordance with their respective zoning. In the event development is undertaken on either proposed lot, the amenity of the surrounding area will be maintained where separated by the railway and in accordance with existing development adjoining.

4.1.2 Minimum Lot Size

The proposed lots do not comply with the minimum lot sizes and dimensions specified for both zones in Table 8.3.3.3(b) – Minimum lot size and dimensions. Despite this, the proposed subdivision is formalizing existing boundaries that have been dissected by the Mount Isa Railway. The reconfiguration is considered to create lots that are of a sufficient size, shape and dimension in accordance with their respective zone.

In response to the above, assessment of the proposal has been undertaken from a 'bottom up' approach whereby if the proposal is considered to comply with the relevant Acceptable Outcome or Performance Outcome, then the proposal is considered to comply with the purpose of the benchmark. Furthermore, assessment has only been made where the proposal fails to comply with a particular assessment benchmark.

4.2 Planning Scheme

4.2.1 Strategic Framework

Given the proposed development is subject to impact assessment, the proposal requires assessment against the entire planning scheme, specifically against the Strategic Framework.

Within the planning scheme, the following five themes collectively represent the policy, intent of the scheme:

- *a New World for economic development and tourism;*
- *a New World for living, growing and aging in our communities;*
- *a New World of sustainable infrastructure and services for our communities;*
- *a New World protecting our heritage and natural resources; and*
- *a New World which is resilient to natural and other hazards.*

In particular, the proposed development is considered to specifically align with *a New World for economic development and tourism*. Ultimately the proposed subdivision will facilitate the development of each of the lots in accordance with their corresponding zoning. The proposed subdivision does not reduce or limit future development of the site and will expedite future development.

The property does not have the capacity to be amalgamated to function as a whole given there is established infrastructure (the railway corridor) dividing the land. Each portion will maintain the existing configuration, services, and will not jeopardise environmental values. The subdivision will

align with the Strategic Intent of both zones where providing large lifestyle lots in a rural residential setting and maintain extensive land identified in the industry investigation zone to accommodate the future industrial growth needs of the region.

4.2.2 Zoning

The property is impacted by split zoning where dissected by the existing Mount Isa Railway. The northern portion of the site is located within the Rural Residential Zone (RR1 – Environs Precinct) whilst the southern portion of the site is located within the Industry Investigation Zone (refer to **Figure 2**).

As a result, the proposed reconfiguration is assessable against both the Rural Residential Zone Code and Industry Investigation Zone.

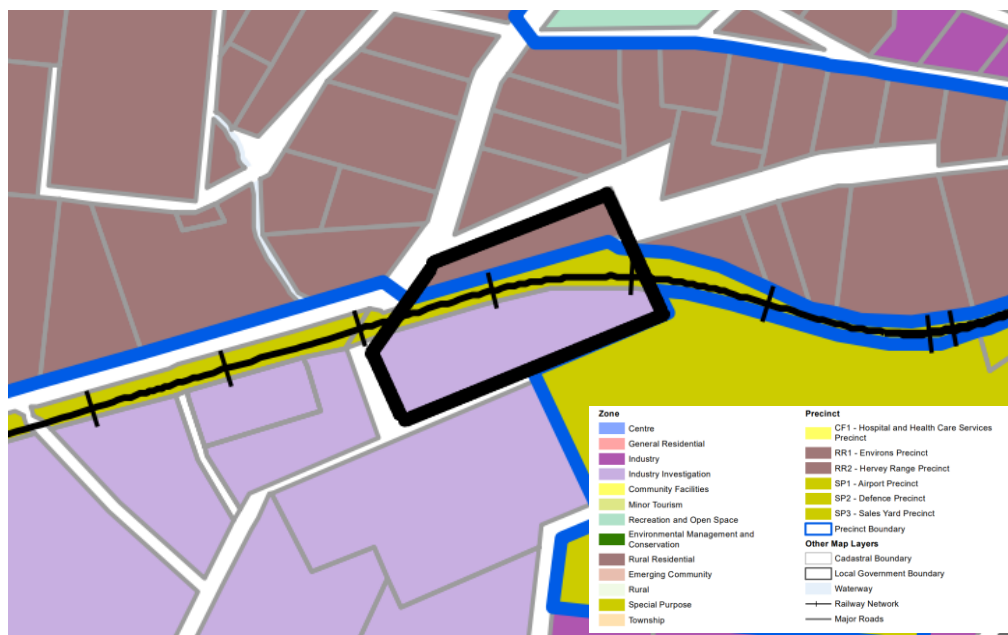


Figure 2: Zoning (Source: Planning Scheme).

Rural Residential Zone Code

Proposed Lot 29 is located within the Rural Residential Zone, totaling 3.426 hectares in size. Despite being less than the minimum lot size, the subject site is still able to accommodate the intended form of development, being residential uses and activities on large lots with limited infrastructure and services. The property maintains an appropriate buffer from the southern industry and saleyard precinct as a result of the existing railway (55 metres in width). Therefore, this buffer will mitigate any adverse impacts between uses.

The proposal is considered to meet the intent of the Rural Residential Zone Code, where maintaining amenity and appropriate buffers from surrounding land uses.

Industry Investigation Zone Code

Proposed Lot 28 is located within the Industry Investigation Zone, totalling 8.279 hectares in size. Despite being less than the minimum lot size, any future industrial development would be subject to further development applications to determine suitability of the site. The proposed boundaries are as per the existing established boundaries; therefore, the proposed subdivision does not impact the potential development of the site. The proposal is considered to meet the intent of the Industry Investigation Zone Code where maintaining amenity and appropriate buffers from surrounding land uses.

4.2.3 Reconfiguring a Lot Code

The development application involves reconfiguring a lot, subdivision to create two (2) new lots from one (1) existing lot. In accordance with Table 5.5.1 of the Town Plan, the subdivision is subject to impact assessment since proposed Lot 28 is within the Industry Investigation Zone and less than 50 hectares in size and proposed Lot 29 is within the Rural Residential Zone (Environs Precinct) and less than 8 hectares. An assessment has been undertaken against the Reconfiguring a Lot Code and the main issues pertaining to the subdivision are addressed below.

In accordance with Acceptable Outcome 1 (AO1), the proposed development does not comply with the minimum lot size and dimensions specified for each zone. As a result, the proposal has been considered against Performance Outcome 1 (PO1) and found to comply where the reconfiguration results in:

- (a) *lots that are of a sufficient size, shape and dimension consistent with the character of both zones; and*
- (b) *lots that do not compromise the future development potential of land in the Industry Investigation Zone.*

The proposed subdivision utilises existing boundaries which does not alter the capacity of each proposed lot for future development. The proposed subdivision allows for development to be undertaken in accordance with each lot's respective zoning whilst maintaining larger lot sizes in line with surrounding property sizes. The reconfiguration is considered to comply with the outcomes sought under the Reconfiguration a Lot Code.

4.2.4 Natural Environment Overlay Code

The subject site is burdened by Council's Natural Environment Overlay, specifically Regulated Vegetation (intersecting a watercourse; Category R) (refer to **Figure 3**) below.

An assessment has been undertaken against the Natural Environment Overlay Code with the proposed subdivision found to maintain environmental values where no new boundary lines are proposed. Additionally, any future development of each proposed allotment will be subject to further assessment and consideration of the land values. The proposed development is considered to meet the intent of the Natural Environment Overlay Code and no further considerations are required.

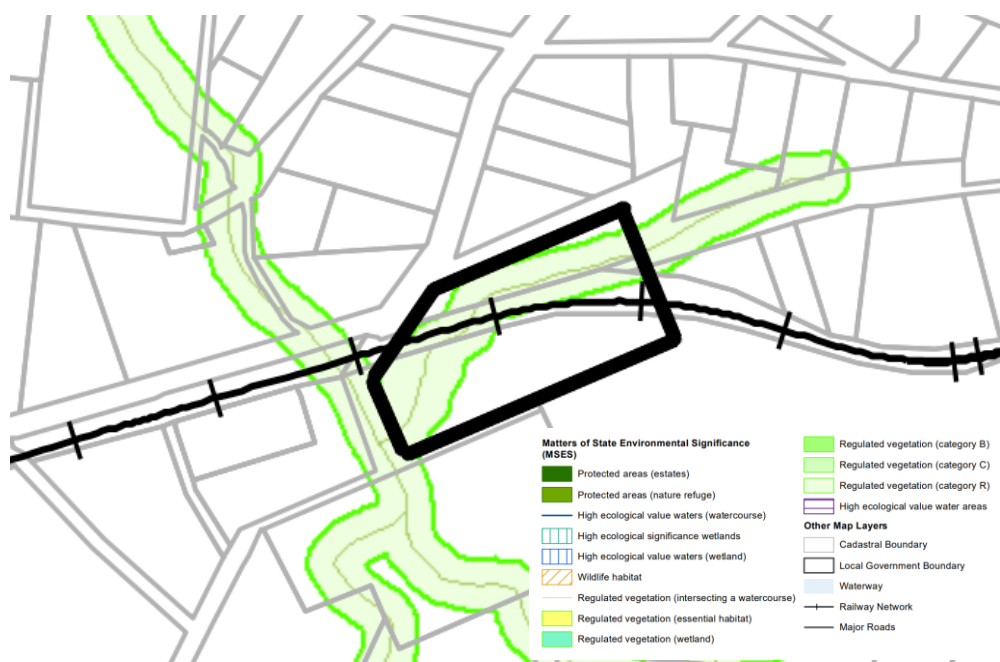


Figure 3: Natural Environment Overlay (Source: Planning Scheme)

5.0 State assessment and other matters

5.1 State interests

5.1.1 State Planning Policy

The State Planning Policy (SPP) includes assessment benchmarks that may be applicable where a local government planning scheme does not adequately reflect the SPP. Given the Charters Towers Regional Town Plan was adopted in February 2020, it is understood that all aspects of the SPP have been deemed (by the Minister) integrated into the planning scheme.

Therefore, a further assessment of the proposed development against the SPP is not considered necessary.

5.2 Assessment of referral requirements

5.2.1 State Code 2: Development in a Railway Environment

The subject site is dissected into three parcels by the existing Mount Isa Railway line. As indicated on the Queensland Government's State Assessment and Referral Agency (SARA) mapping system, the site is adjoining a Railway Corridor and is within 25 m of a Railway Corridor (refer **Appendix 3**).

Under *Schedule 10, Part 9, Division 4, Subdivision 2, Table 1, Item 1 – Reconfiguring a lot near a State transport corridor* of the Regulation, the development triggers assessment against State Code 2: Development in a Railway Environment.

Based on the nature of the proposal and relevant assessment benchmarks, it is considered that the proposed development complies with State Code 2.

A further detailed assessment is contained in **Appendix 5**.

6.0 Conclusion

The proposed development is recommended for approval given:

- the reconfiguration simply formalises the existing separation between Rural Residential and Industrial zoned land on site;
- the proposed reconfiguration will separate already divided lot parcels and will not seek to create any additional boundaries or reduce the size of any lot parcels;
- the proposed reconfiguration will allow each resultant lot to better align and function in accordance with the strategic intent of its corresponding zoning;
- the land does not have the capacity to be amalgamated to function as a whole given there is established infrastructure (the railway corridor) dividing the land; and
- the proposal maintains the existing configuration of land, maintains existing services, and does not interfere with any environmental features.

Based on the information provided in this report and the nature of the proposal, it is considered that there are planning grounds to support an approval of the proposed development. It is recommended that the development be approved subject to reasonable and relevant conditions.

APPENDIX 1

DA Form 1 – Development application details

Approved form (version 1.3 effective 28 September 2020) 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)	Charters Towers Regional Council
Contact name (only applicable for companies)	C/- Planning Department
Postal address (P.O. Box or street address)	PO Box 189
Suburb	Charters Towers
State	QLD
Postcode	4820
Country	Australia
Contact number	(07) 4761 5300
Email address (non-mandatory)	development@charterstowers.qld.gov.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	

2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input checked="" type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application	
<input type="checkbox"/> No – proceed to 3)	

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
			Black Jack Road	Black Jack
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4820	28	RP894372	Charters Towers Regional Council
b)	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)
		<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

- ☐ Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> 54 <input type="checkbox"/> 55 <input type="checkbox"/> 56	<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

3.3) Additional premises

- ☐ Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development application
☒ Not required

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

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

Name of water body, watercourse or aquifer:

- ☐ 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:

<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification: <input type="text"/>
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>
CLR site identification: <input type="text"/>

5) Are there any existing easements over the premises?

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

- ☐ Yes – All easement locations, types and dimensions are included in plans submitted with this development application
- ☒ No

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

- ☐ Material change of use ☒ Reconfiguring a lot ☐ Operational work ☐ Building work

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

- ☒ Development permit ☐ Preliminary approval ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

- ☐ Code assessment ☒ Impact assessment *(requires public notification)*

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

Subdivision (One (1) Existing Lot into Two (2) New Lots)

e) Relevant plans

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

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

6.2) Provide details about the second development aspect

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

- ☐ Material change of use ☐ Reconfiguring a lot ☐ Operational work ☐ Building work

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

- ☐ Development permit ☐ Preliminary approval ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

- ☐ Code assessment ☐ Impact assessment *(requires public notification)*

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

e) Relevant plans

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

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

6.3) Additional aspects of development

- ☐ Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application

- ☒ Not required

Section 2 – Further development details

7) Does the proposed development application involve any of the following?	
Material change of use	<input type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input checked="" type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

Division 1 – Material change of use

Note: This division is only required to be completed if any part of the development application involves a material change of use assessable against a local planning instrument.

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input type="checkbox"/> Yes			
<input type="checkbox"/> 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?	
One (1)	
9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)	
<input checked="" type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input type="checkbox"/> Boundary realignment (complete 12))	<input type="checkbox"/> 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:
Number of lots created	One (1)		One (1)	
10.2) Will the subdivision be staged?				
<input type="checkbox"/> Yes – provide additional details below				
<input checked="" type="checkbox"/> No				
How many stages will the works include?				
What stage(s) will this development application apply to?				

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?				
Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot on plan description	Area (m ²)
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?	
<input type="checkbox"/> Road work <input type="checkbox"/> Drainage work <input type="checkbox"/> Landscaping <input type="checkbox"/> Other – please specify:	<input type="checkbox"/> Stormwater <input type="checkbox"/> Earthworks <input type="checkbox"/> Signage <input type="checkbox"/> Water infrastructure <input type="checkbox"/> Sewage infrastructure <input type="checkbox"/> Clearing vegetation
14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)	
<input type="checkbox"/> Yes – specify number of new lots:	
<input type="checkbox"/> 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
Charters Towers Regional Council C/- external representative
16) Has the local government agreed to apply a superseded planning scheme for this development application?
<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application <input type="checkbox"/> The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached <input checked="" type="checkbox"/> 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
- ☐ 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*)

<input type="checkbox"/> Heritage places – Local heritage places
Matters requiring referral to the Chief Executive of the distribution entity or transmission entity:
<input type="checkbox"/> Infrastructure-related referrals – Electricity infrastructure
Matters requiring referral to:
<ul style="list-style-type: none"> • 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
<input type="checkbox"/> Infrastructure-related referrals – Oil and gas infrastructure
Matters requiring referral to the Brisbane City Council:
<input type="checkbox"/> Ports – Brisbane core port land
Matters requiring referral to the Minister responsible for administering the <i>Transport Infrastructure Act 1994</i>:
<input type="checkbox"/> Ports – Brisbane core port land (<i>where inconsistent with the Brisbane port LUP for transport reasons</i>)
<input type="checkbox"/> Ports – Strategic port land
Matters requiring referral to the relevant port operator , if applicant is not port operator:
<input type="checkbox"/> Ports – Land within Port of Brisbane's port limits (<i>below high-water mark</i>)
Matters requiring referral to the Chief Executive of the relevant port authority:
<input type="checkbox"/> Ports – Land within limits of another port (<i>below high-water mark</i>)
Matters requiring referral to the Gold Coast Waterways Authority:
<input type="checkbox"/> Tidal works or work in a coastal management district (<i>in Gold Coast waters</i>)
Matters requiring referral to the Queensland Fire and Emergency Service:
<input type="checkbox"/> Tidal works or work in a coastal management district (<i>involving a marina (more than six vessel berths)</i>)

18) Has any referral agency provided a referral response for this development application?		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application		
<input checked="" type="checkbox"/> 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 (<i>if applicable</i>).		

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application
<input type="checkbox"/> 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: <ul style="list-style-type: none"> • 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 .

PART 7 – FURTHER DETAILS

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

- ☐ Yes – provide details below or include details in a schedule to this development application
☒ No

List of approval/development application references	Reference number	Date	Assessment manager
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

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

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

Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
\$		

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

- ☐ Yes – show cause or enforcement notice is attached
☒ No

23) Further legislative requirements

Environmentally relevant activities

23.1) Is this development application also taken to be an application for an environmental authority for an **Environmentally Relevant Activity (ERA)** under section 115 of the *Environmental Protection Act 1994*?

- ☐ Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below
☒ No

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

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 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 <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

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?

☐ 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*.

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

Date received: Reference number(s):

Notification of engagement of alternative assessment manager

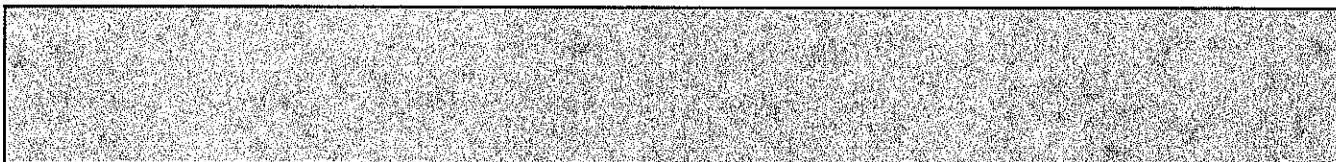
Prescribed assessment manager	
Name of chosen assessment manager	
Date chosen assessment manager engaged	
Contact number of chosen assessment manager	
Relevant licence number(s) of chosen assessment manager	

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	

APPENDIX 2



I,

Caroline Joyce King

as owner of the premises identified as follows:

Black Jack Road, Black Jack QLD 4820 (Lot 28 on RP894372)

consent to the making of a development application under the *Planning Act 2016* by:

Charters Towers Regional Council
C/- Planning & Development

on the premises described above for:

Development Permit for Reconfiguring a Lot – Subdivision to Create Two (2) New Lots from One (1) Existing Lot

Signature: Cg King

Owner: Caroline King

Date: 21/7/2023

APPENDIX 3

State Assessment and Referral Agency

Date: 08/08/2023

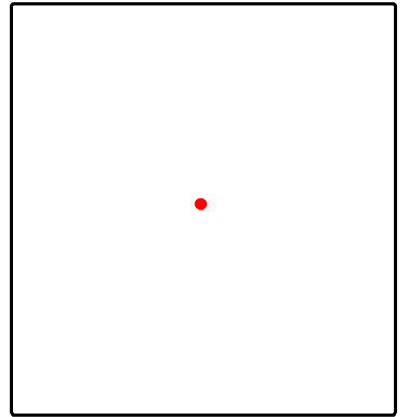


Queensland Government

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Disclaimer:

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Matters of Interest for all selected Lot Plans

Water resource planning area boundaries

Railway corridor

Area within 25m of a railway corridor

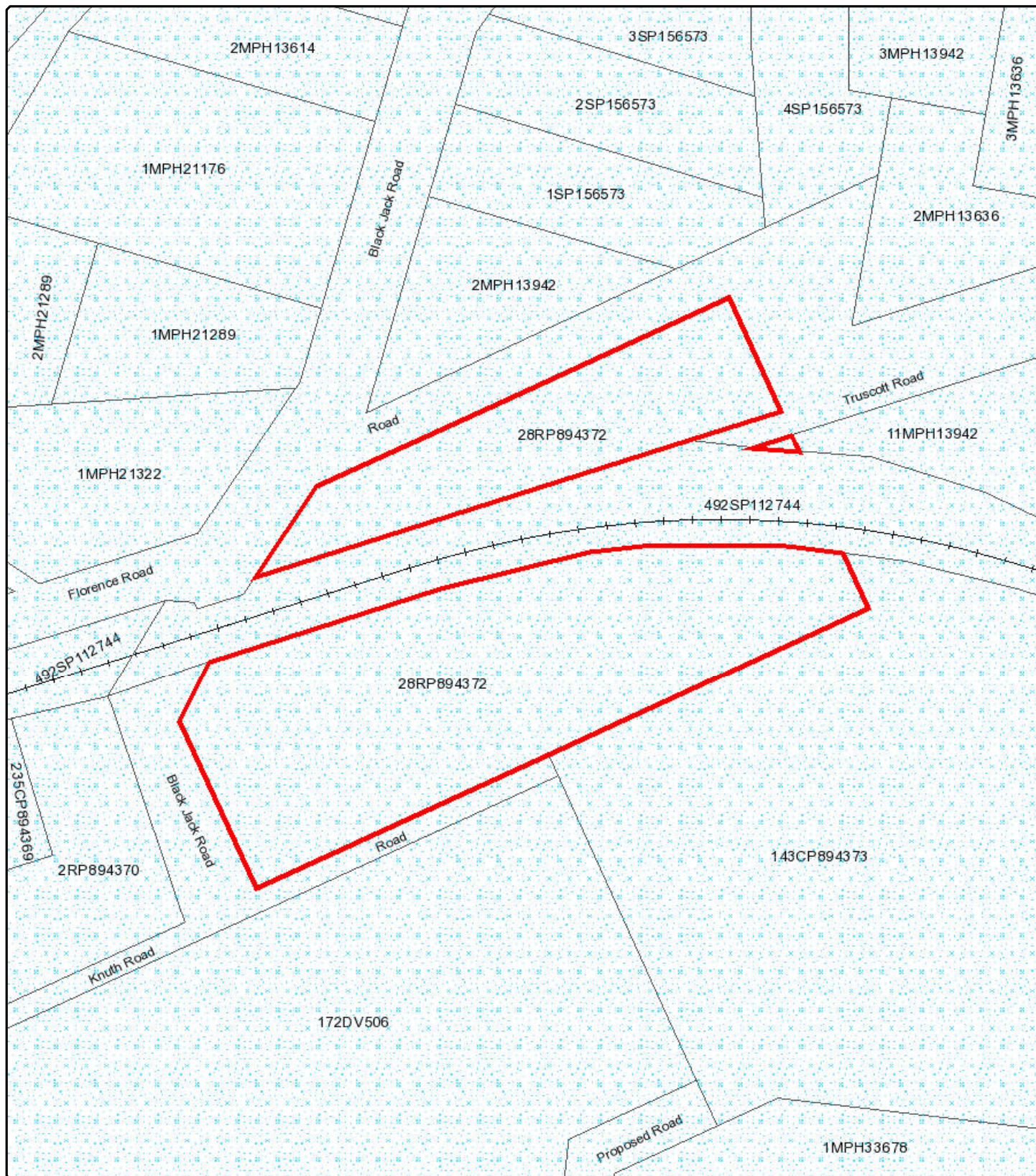
Matters of Interest by Lot Plan

Lot Plan: 28RP894372 (Area: 115800 m²)

Water resource planning area boundaries

Railway corridor

Area within 25m of a railway corridor



State Assessment and Referral Agency

Date: 08/08/2023



Queensland Government

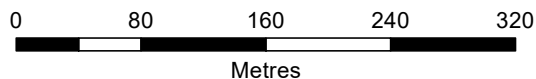
© The State of Queensland 2023.

Legend

Water resource planning area boundaries

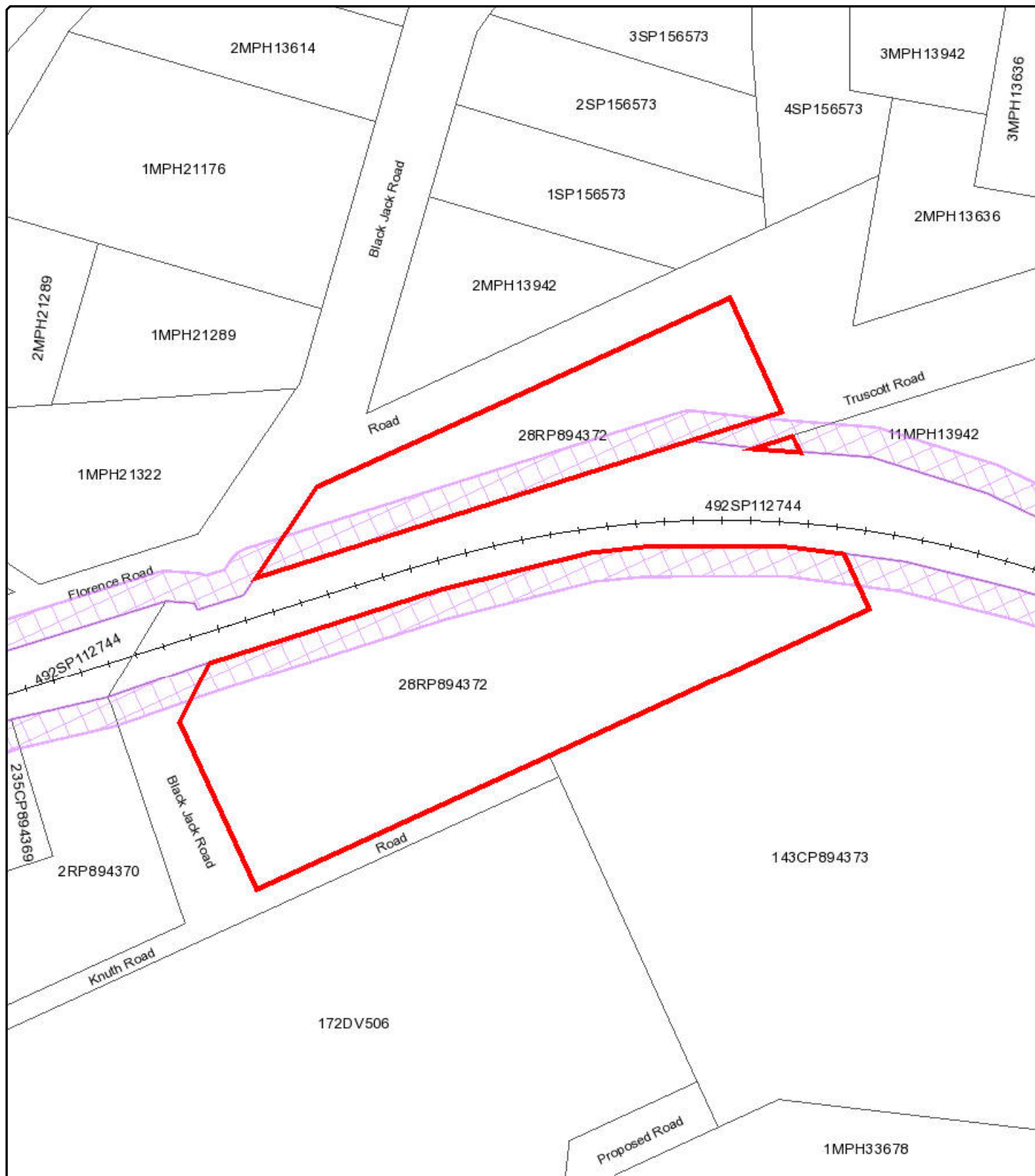


Water resource planning area boundaries



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State Assessment and Referral Agency

Date: 08/08/2023



Queensland Government

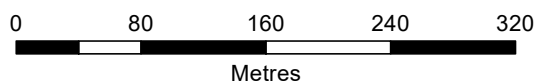
© The State of Queensland 2023.

Legend

Area within 25m of a railway corridor

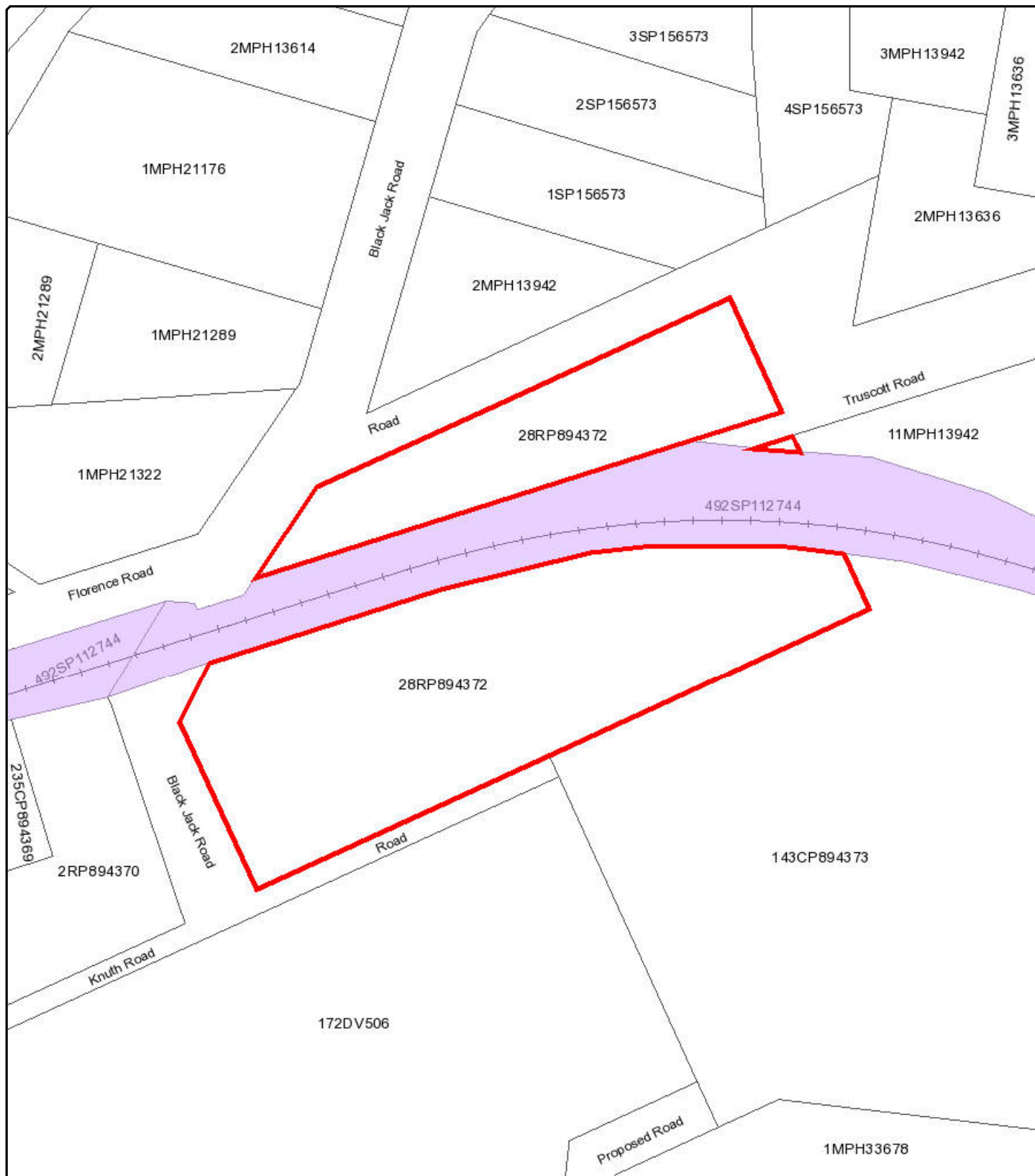


Area within 25m of a railway corridor



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State Assessment and Referral Agency

Date: 08/08/2023




Queensland Government

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Legend

Railway corridor

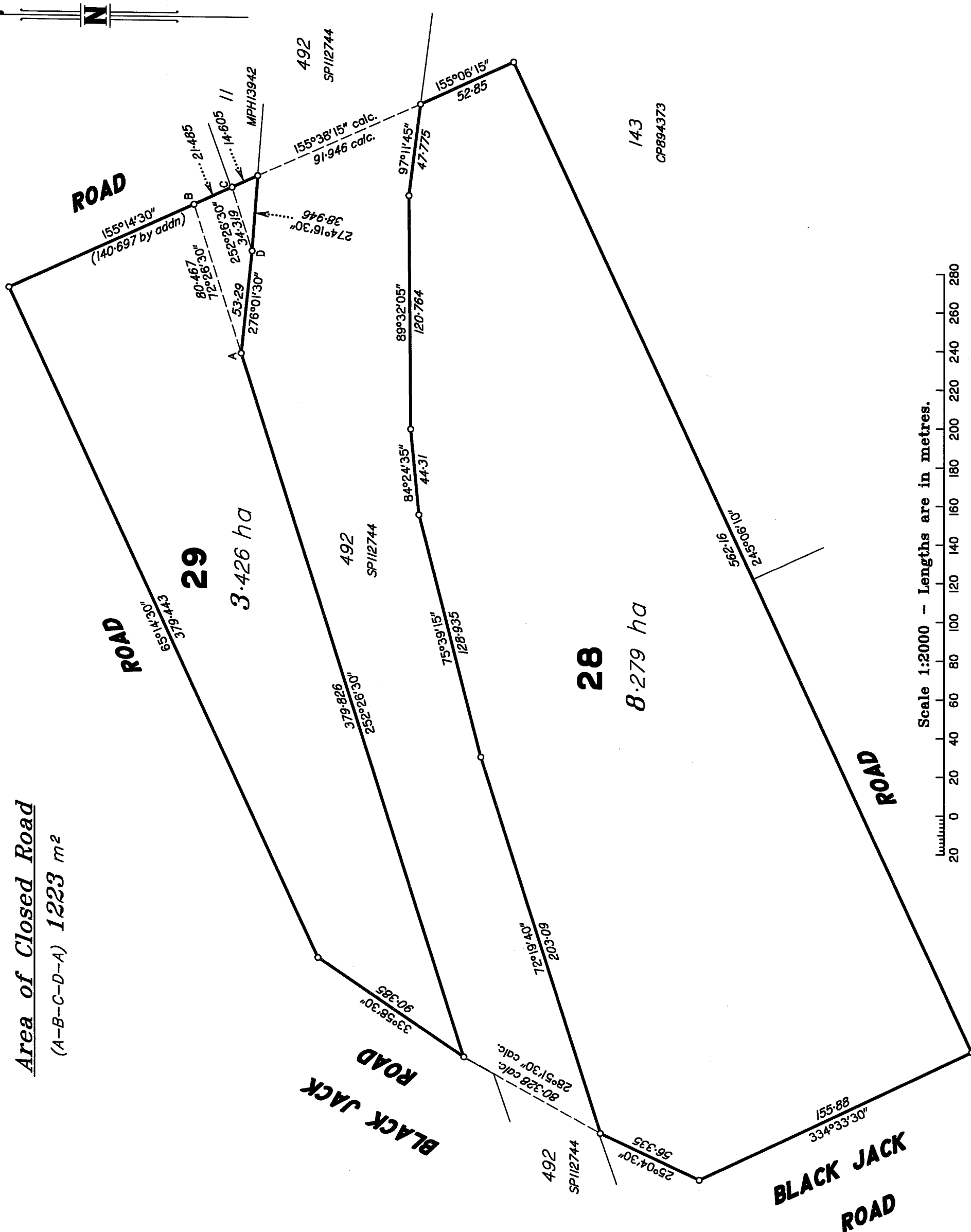
 Railway corridor

0 80 160 240 320
Metres

Disclaimer:

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APPENDIX 4



Dee Allison

Date 11/07/2023

Survey Records:	No
--------------------	----

1000

SP343181

Land Title Act 1994 ; Land Act 1994 Form 2IB Version 2		<div>WARNING : Folded or Mutilated Plans will not be accepted. Plans may be rolled. Information may not be placed in the outer margins.</div> <div>4. Lodged by</div> <div>(Include address, phone number, email, reference, and Lodger Code)</div>			Sheet 2	of 2
(Dealing No.)						
I. Existing		Created				
Title Reference	Description	New Lots	Road	Secondary Interests		
50130309 USL	Lot 28 on RP894372 Closed Road	28 & 29 29				
28 and 29		Lot 28 on CP860298				
Lots		Orig				
2. Orig Grant Allocation :		5. Passed & Endorsed :				
3. References :		6. Building Format Plans only.				
Dept File : TBA		I certify that :				
Local Govt :		* As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or road;				
Surveyor : 23_I90		* Part of the building shown on this plan encroaches onto adjoining * lots and road				
		Cadastral Surveyor/Director * Date				
		* delete words not required				
		7. Lodgement Fees :				
		Survey Deposit \$				
		Lodgement \$				
	New Titles \$				
		Photocopy \$				
		Postage \$				
		TOTAL \$				
		8. Insert Plan Number				
		SP343181				

APPENDIX 5

State code 2: Development in a railway environment

Guide to Development in a Transport Environment: Rail which provides direction on how to address this code.

Table 2.1 Development in general

Performance outcomes	Acceptable outcomes	Response
Building, structures, infrastructure, services and utilities		
PO1 Development does not create a safety hazard within the railway corridor .	No acceptable outcome is prescribed.	Complies with PO1 The proposed subdivision seeks to formalise the existing separations between parcels (caused by the railway corridor) and therefore does not create any additional hazard within the railway corridor. It is noted that the proposed subdivision will not change the shape, lot sizes, access arrangements or proximity to the railway corridor, ensuring that safety is maintained.
PO2 Development does not cause damage to the railway corridor, rail transport infrastructure or other rail infrastructure .	No acceptable outcome is prescribed.	Complies with PO2 The proposed subdivision seeks to formalise the existing separations between parcels (caused by the railway corridor) and therefore does not propose any changes to lot sizes or shapes that could cause damage to the railway corridor, transport infrastructure or other rail infrastructure.
PO3 Development does not interfere with, or obstruct, the rail transport infrastructure or other rail infrastructure .	No acceptable outcome is prescribed.	Complies with PO3 The proposed subdivision seeks to formalise the existing separations between parcels (caused by the railway corridor) and therefore does not propose any changes to lot sizes or shapes that could interfere with or obstruct the rail infrastructure.
PO4 Development does not adversely impact the structural integrity or physical condition of the railway, other rail infrastructure or the railway corridor by adding or removing loading .	No acceptable outcome is prescribed.	Complies with PO4 The proposed subdivision seeks to formalise the existing separations between parcels (caused by the railway corridor) and therefore does not propose any

Performance outcomes	Acceptable outcomes	Response
		changes to lot sizes or shapes that could impact the structural integrity or condition of the railway.
PO5 Development above a railway is designed to enable natural ventilation and smoke dispersion in the event of a fire emergency.	No acceptable outcome is prescribed.	Not Applicable The proposed reconfiguration does not involve any interference with the railway, nor is it located above the railway.
PO6 Development does not adversely impact the operating performance of the railway corridor .	No acceptable outcome is prescribed.	Complies with PO6 The proposed reconfiguration does not interfere with the performance of the railway corridor given the subdivision seeks to formalise the existing separations on site.
PO7 Buildings and structures in a railway corridor are designed and constructed to protect persons in the event of a derailed train.	No acceptable outcome is prescribed.	Not Applicable The proposed reconfiguration does not involve any buildings or structures.
PO8 Buildings and structures in high risk locations and where also located within 10 metres of the centreline of the nearest railway track are design and constructed to protect persons in the event of a derailed train.	AO8.1 Buildings and structures , in a railway corridor , including foundations, retaining and other support elements, are designed and constructed in accordance with Civil Engineering Technical Requirement CIVIL-SR-012 Collision protection of supporting elements adjacent to railways , Queensland Rail, 2011, AS5100 Bridge design, and AS1170 Structural design actions.	Not Applicable The proposed reconfiguration does not involve any buildings or structures.
PO9 Buildings and structures are designed and constructed to protect people from electrocution.	AO9.1 The outermost projection of development is set back horizontally a minimum of 3 metres from the outermost projection of overhead line equipment .	Not Applicable The proposed reconfiguration does not involve any buildings or structures.
PO10 Development in the railway corridor is designed and constructed to prevent projectiles being thrown onto the railway .	No acceptable outcome is prescribed.	Complies with PO10 The proposed reconfiguration does not involve any construction activities where projectiles could come into contact with the railway.
PO11 Buildings, and structures with publicly accessible or communal areas within 20 metres from the centreline of the nearest railway track are designed and constructed to prevent projectiles from being thrown onto a railway .	AO11.1 Publicly accessible areas located within 20 metre from the centreline of the nearest railway do not overlook a railway . OR	Not Applicable The proposed reconfiguration does not involve any buildings or structures.

Performance outcomes	Acceptable outcomes	Response
	AO11.2 Buildings and structures are designed to ensure publicly accessible areas located within 20 metres from the centreline of the nearest railway track and that overlook the railway may include throw protection screens in accordance with the relevant provisions of the Civil Engineering Technical Requirement – CIVIL-SR005 Design of buildings over or near railways , Queensland Rail, 2011, and the Civil Engineering Technical Requirement – CIVIL-SR008 Protection screens, Queensland Rail.	
Stormwater and overland flow		
PO12 Stormwater run-off or overland flow from the development site does not create or exacerbate a safety hazard in a railway corridor .	No acceptable outcome is prescribed.	Complies with PO12 The proposed development seeks to formalise the existing parcel boundaries on site and does not propose any change to the existing stormwater regime.
PO13 Stormwater run-off or overland flow from the development site does not result in a material worsening of operating performance of the railway corridor , rail transport infrastructure or other rail infrastructure .	No acceptable outcome is prescribed.	Complies with PO13 The proposed development seeks to formalise the existing parcel boundaries on site and does not propose any change to the existing stormwater regime.
PO14 Stormwater run-off or overland flow from the development site does not interfere with the structural integrity or physical condition of the railway corridor , rail transport infrastructure or other rail infrastructure .	No acceptable outcome is prescribed.	Complies with PO14 The proposed development seeks to formalise the existing parcel boundaries on site and does not propose any change to the existing stormwater regime.
Flooding		
PO15 Development does not result in a material worsening of flooding impacts within a railway corridor .	No acceptable outcome is prescribed.	Complies with PO15 The proposed development seeks to formalise the existing parcel boundaries on site and does not involve any material worsening of flood impacts.
Drainage Infrastructure		
PO16 Drainage infrastructure does not create a safety hazard in a railway corridor .	AO16.1 Drainage infrastructure is wholly contained within the development site.	Complies with PO16 The proposed development does not involve creating any drainage infrastructure.

Performance outcomes	Acceptable outcomes	Response
	<p>AND</p> <p>AO16.2 Drainage infrastructure can be maintained without requiring access to a railway corridor.</p>	
Construction Impacts		
PO17 Construction activities do not cause ground movement or vibration impacts in a railway corridor .	No acceptable outcome is prescribed.	<p>Complies with PO17</p> <p>The proposed reconfiguration does not involve any construction activities that would cause ground movement or vibration impacts in the railway corridor.</p>
Access		
PO18 Development prevents unauthorised access to the railway corridor .	<p>AO18.1 Development abutting the railway corridor incorporates fencing along the property boundary with the railway corridor in accordance with the railway manager's standards.</p> <p>AND</p> <p>AO18.2 A road barrier designed in accordance with Queensland Rail Civil Engineering Technical Requirement CIVIL-SR-007 – Design Criteria for Road Rail Barriers.</p> <p>AND</p> <p>AO18.3 Vehicle manoeuvring areas, driveways, loading areas and carparks abutting the railway corridor incorporate rail interface barriers along the boundary to the railway corridor.</p>	<p>Complies with PO18</p> <p>The proposed reconfiguration does not involve access to the railway corridor. All allotments have frontage to the relevant road frontages and do not rely on access through the railway line.</p>
PO19 Development maintains existing maintenance and authorised access to the railway corridor .	AO19.1 Development does not obstruct existing authorised access points and access routes for maintenance and emergency works to the railway corridor at all times.	<p>Complies with PO19</p> <p>The proposed reconfiguration does not propose any changes to existing authorised access points to the railway corridor.</p>
PO20 Development does not impede the maintenance of a railway bridge or authorised access to a railway bridge .	<p>AO20.1 Buildings and other structures are set back horizontally a minimum of 3 metres from a railway bridge.</p> <p>AND</p>	<p>Not Applicable</p> <p>The proposed development does not involve any railway bridges.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AO20.2 Permanent structures are not located below or abutting a railway bridge.</p> <p>AND</p> <p>AO20.3 Temporary activities below or abutting a railway bridge do not impede access to a railway corridor.</p>	
Public passenger transport and active transport		
PO21 Development does not compromise the safety of public passenger transport infrastructure and active transport infrastructure .	No acceptable outcome is prescribed.	<p>Not Applicable</p> <p>The proposed development does not involve public passenger transport or active transport infrastructure.</p>
PO22 Development maintains pedestrian and cycle access to a railway station or other public passenger transport infrastructure and active transport infrastructure associated with the railway .	No acceptable outcome is prescribed.	<p>Not Applicable</p> <p>The proposed development does not involve public passenger transport or active transport infrastructure.</p>
PO23 Development does not adversely impact the structural integrity or physical condition of public passenger transport infrastructure and active transport infrastructure .	No acceptable outcome is prescribed.	<p>Not Applicable</p> <p>The proposed development does not involve public passenger transport or active transport infrastructure.</p>
PO24 Development does not adversely impact the operating performance of public passenger transport infrastructure , public passenger services and active transport infrastructure .	No acceptable outcome is prescribed.	<p>Not Applicable</p> <p>The proposed development does not involve public passenger transport or active transport infrastructure.</p>
Planned upgrades		
PO25 Development does not impede delivery of planned upgrades of rail transport infrastructure .	No acceptable outcome is prescribed.	<p>Complies with PO25</p> <p>The proposed development seeks to formalise the existing lot boundaries and is not anticipated to impeded any delivery of future railway upgrades.</p>
Network safety		

Performance outcomes	Acceptable outcomes	Response
PO26 Development involving dangerous goods does not adversely impact on the safety or operations of the railway and rail transport infrastructure .	AO26.1 Development does not involve handling or storage of hazardous chemicals above the threshold quantities listed in table 5.2 of the Model Planning Scheme Development Code for Hazardous Industries and Chemicals, Office of Industrial Relations, Department of Justice and Attorney-General, 2016.	Not Applicable The proposed development does not involve any dangerous goods.

Table 2.2 Filling, excavation, building foundations and retaining structures

Performance outcomes	Acceptable outcomes	Response
PO27 Development does not create a safety hazard for users of the railway or other rail infrastructure .	No acceptable outcome is prescribed.	Not Applicable The proposed development does not involve any filling, excavation, building foundations or retaining structures.
PO28 Development does not adversely impact on the operating performance of the railway or other rail infrastructure within the railway corridor .	No acceptable outcome is prescribed.	Not Applicable The proposed development does not involve any filling, excavation, building foundations or retaining structures.
PO29 Development does not undermine, damage, or cause subsidence of, the railway corridor .	No acceptable outcome is prescribed.	Not Applicable The proposed development does not involve any filling, excavation, building foundations or retaining structures.
PO30 Development does not adversely impact the structural integrity or physical condition of the railway , other rail infrastructure or the railway corridor by adding or removing loading .	No acceptable outcome is prescribed.	Not Applicable The proposed development does not involve any filling, excavation, building foundations or retaining structures.
PO31 Development does not cause ground water disturbance in the railway corridor .	No acceptable outcome is prescribed.	Not Applicable The proposed development does not involve any filling, excavation, building foundations or retaining structures.
PO32 Development does not adversely impact the railway or other rail infrastructure within the railway corridor .	No acceptable outcome is prescribed.	Not Applicable The proposed development does not involve any filling, excavation, building foundations or retaining structures.

PO33 Excavation, boring, piling, blasting, drilling, fill compaction or similar activities does not adversely impact the operating performance of the railway or other rail infrastructure within the railway corridor .	No acceptable outcome is prescribed.	Not Applicable The proposed development does not involve any filling, excavation, building foundations or retaining structures.
PO34 Filling and excavation material does not cause an obstruction or nuisance in the railway corridor .	AO34.1 Fill, spoil or any other material is not stored in, or adjacent to, the railway corridor .	Not Applicable The proposed development does not involve any filling, excavation, building foundations or retaining structures.

Table 2.3 Railway crossings

Performance outcomes	Acceptable outcomes	Response
PO35 Development does not require a new level railway crossing .	No acceptable outcome is prescribed.	Not Applicable The proposed development does not involve any railway crossings
PO36 Development does not adversely impact on the operating performance of an existing railway crossing .	No acceptable outcome is prescribed.	Not Applicable The proposed development does not involve any railway crossings
PO37 Development does not adversely impact on the safety of an existing railway crossing .	No acceptable outcome is prescribed.	Not Applicable The proposed development does not involve any railway crossings
PO38 Development is designed and constructed to allow for on-site circulation to ensure vehicles do not queue in a railway crossing .	No acceptable outcome is prescribed.	Not Applicable The proposed development does not involve any railway crossings

Table 2.4 Environmental emissions

Statutory note: Where development is adjacent to a **railway** with 15 or fewer passing trains per day, compliance with table 2.4 is not required.

Performance outcomes	Acceptable outcomes	Response
Reconfiguring a Lot		
Involving the creation of 5 or fewer new residential lots adjacent to a railway or type 2 multi-modal corridor		
PO39 Development minimises free field noise intrusion from a railway .	AO39.1 Development provides a noise barrier or earth mound which is designed, sited and constructed:	Alternative Outcome for PO39 The proposed development does not involve the creation of any new residential lots. The two parcels to the north which are currently zoned for residential

	<ol style="list-style-type: none"> 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.1); 2. in accordance with: <ol style="list-style-type: none"> a. Civil Engineering Standard Specification QR-CTS-Part 41 – Part 41, Design and Construction of Noise Fences/Barriers, Queensland Rail, 2018; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. <p>OR</p> <p>AO39.2 Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p> <p>OR</p> <p>AO39.3 Development provides a solid gap-free fence or other solid gap-free structure along the full extent of the boundary closest to a railway.</p>	<p>purposes, will be maintained, whilst the southern allotment will be intended for industrial activities, in accordance with it's zoning.</p> <p>Ultimately, given the configuration and footprint of the existing residential parcels, it is not considered necessary to implement additional acoustic barriers since the proposal is not creating any additional exposure to noise impacts.</p>
Involving the creation of 6 or more new residential lots adjacent to a railway or type 2 multi-modal corridor		
PO40 Reconfiguring a lot minimises free field noise intrusion from a railway .	<p>AO40.1 Development provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.1); 2. in accordance with: <ol style="list-style-type: none"> a. Civil Engineering Standard Specification QR-CTS-Part 41 – Part 41, Design and Construction of Noise Fences/Barriers; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. 	<p>Not Applicable</p> <p>The proposed development does not involve the creation of 6 or more new residential lots.</p>

	<p>OR</p> <p>AO40.2 Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p>	
Material change of use (accommodation activity)		
Ground floor level requirements adjacent to a railway or type 2 multi-modal corridor		
PO41 Development minimises noise intrusion from a railway in private open space at the ground floor.	<p>AO41.1 Development provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.2) for private open space at the ground floor level; 2. in accordance with: <ol style="list-style-type: none"> a. Civil Engineering Standard Specification QR-CTS-Part 41 – Part 41, Design and Construction of Noise Fences/Barriers, Queensland Rail, 2018; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. <p>OR</p> <p>AO41.2 Development achieves the maximum free field acoustic level in reference table 2 (item 2.2) for private open space at the ground floor level by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p>	<p>Not Applicable</p> <p>The proposed development does not involve a Material Change of Use.</p>
PO42 Development (excluding a relevant residential building or relocated building) minimises noise intrusion from the railway in habitable rooms at the facade of the ground floor level.	AO42.1 Development (excluding a relevant residential building or relocated building) provides a noise barrier or earth mound which is designed, sited and constructed:	<p>Not Applicable</p> <p>The proposed development does not involve a Material Change of Use.</p>

	<ol style="list-style-type: none"> 1. to achieve the maximum building facade acoustic level in reference table 1 (item 1.1) for habitable rooms at the ground floor level; 2. in accordance with: <ol style="list-style-type: none"> a. Civil Engineering Standard Specification QR-CTS-Part 41 – Part 41, Design and Construction of Noise Fences/Barriers, Queensland Rail, 2018; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;. c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020. <p>OR</p> <p>AO42.2 Development (excluding a relevant residential building or relocated building) achieves the maximum building facade acoustic level in reference table 1 (item 1.1) for habitable rooms at the ground floor level by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p>	
PO43 Habitable rooms (excluding a relevant residential building or relocated building) are designed and constructed using materials to achieve the maximum internal acoustic level in Table 3 (item 3.1).	No acceptable outcome is prescribed.	<p>Not Applicable</p> <p>The proposed development does not involve a Material Change of Use.</p>
Above ground floor level requirements (accommodation activity) adjacent to a railway or type 2 multi-modal corridor		
PO44 Balconies, podiums and roof decks include: <ol style="list-style-type: none"> 1. a continuous solid gap-free structure or balustrade (excluding gaps required for drainage purposes to comply with the Building Code of Australia); 2. highly acoustically absorbent material treatment for the total area of the soffit above balconies, podiums and roof decks 	No acceptable outcome is prescribed.	<p>Not Applicable</p> <p>The proposed development does not involve a Material Change of Use.</p>

PO45 Habitable rooms (excluding a relevant residential building or relocated building) are designed and constructed using materials to achieve the maximum internal acoustic level in reference table 3 (item 3.1).	No acceptable outcome is prescribed.	Not Applicable The proposed development does not involve a Material Change of Use.
Material change of use (other uses)		
Ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a railway or type 2 multi-modal corridor		
PO46 Development: <ol style="list-style-type: none"> provides a noise barrier or earth mound that is designed, sited and constructed: <ol style="list-style-type: none"> to achieve the maximum free field acoustic level in reference table 2 (item 2.3) for all outdoor education areas and outdoor play areas; in accordance with: <ol style="list-style-type: none"> Civil Engineering Standard Specification QR-CTS-Part 41 – Part 41, Design and Construction of Noise Fences/Barriers, Queensland Rail, 2018; Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or achieves the maximum free field acoustic level in reference table (item 2.3) for all outdoor education areas and outdoor play areas by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound. 	No acceptable outcome is prescribed.	Not Applicable The proposed development does not involve a Material Change of Use.
PO47 Development involving a childcare centre or educational establishment : <ol style="list-style-type: none"> provides a noise barrier or earth mound that is designed, sited and constructed: <ol style="list-style-type: none"> to achieve the maximum building facade acoustic level in reference table 1 (item 1.2); in accordance with: 	No acceptable outcome is prescribed.	Not Applicable The proposed development does not involve a Material Change of Use.

<p>i. Civil Engineering Standard Specification QR-CTS-Part 41 – Part 41, Design and Construction of Noise Fences/Barriers, Queensland Rail, 2018; or</p> <p>2. achieves the maximum building facade acoustic level in reference table 1 (item 1.2) by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p>		
<p>PO48 Development involving:</p> <p>1. indoor education areas and indoor play areas; or</p> <p>2. sleeping rooms in a childcare centre; or</p> <p>3. patient care areas in a hospital;</p> <p>achieves the maximum internal acoustic level in reference table 3 (items 3.2, 3.3 and 3.4).</p>	No acceptable outcome is prescribed.	<p>Not Applicable</p> <p>The proposed development does not involve a Material Change of Use.</p>
<p>Above ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a railway or type 2 multi-modal corridor</p>		
<p>PO49 Development involving a childcare centre; or educational establishment which have balconies, podiums or elevated outdoor play areas predicted to exceed the maximum free field acoustic level in reference table 2 (item 2.3) due to noise from the railway are provided with:</p> <p>1. a continuous solid gap-free structure or balustrade (excluding gaps required for drainage purposes to comply with the Building Code of Australia); and</p> <p>2. highly acoustically absorbent material treatment for the total area of the soffit above balconies, podiums and elevated outdoor play areas.</p>	No acceptable outcome is prescribed.	<p>Not Applicable</p> <p>The proposed development does not involve a Material Change of Use.</p>

PO50 Development including: 1. indoor education areas and indoor play areas in a childcare centre or educational establishment ; or 2. sleeping rooms in a childcare centre ; or 3. patient care areas in a hospital located above ground level, is designed and constructed to achieve the maximum internal acoustic level in reference table 3 (items 3.2-3.4).	No acceptable outcome is prescribed.	Not Applicable The proposed development does not involve a Material Change of Use.
Air, light and vibration		
PO51 Private open space, outdoor education areas and outdoor play areas are protected from air quality impacts from a railway .	AO51.1 Each dwelling or unit has access to a private open space which is shielded from a railway by a building, noise barrier, solid gap-free fence , or other solid gap-free structure . OR AO51.2 Each outdoor education area and outdoor play area is shielded from a railway by a building, noise barrier, solid gap-free fence , or other solid gap-free structure .	Not Applicable The proposed development does not involve a Material Change of Use.
PO52 Patient care areas within hospitals are protected from vibration impacts from a railway .	AO52.1 Hospitals are designed and constructed to ensure vibration in the patient treatment area does not exceed a vibration dose value of $0.1\text{m/s}^{1.75}$. AND AO52.2 Hospitals are designed and constructed to ensure vibration in the ward of a patient care area does not exceed a vibration dose value of $0.4\text{m/s}^{1.75}$.	
PO53 Development is designed and sited to ensure light from infrastructure within, and use of, a railway does not: 1. intrude into buildings during night hours (10pm to 6am); and 2. create unreasonable disturbance during evening hours (6pm to 10pm).	No acceptable outcomes are prescribed.	Not Applicable The proposed development does not involve a Material Change of Use.

Table 2.5 Development in a future railway corridor

Performance outcomes	Acceptable outcomes	Response
PO54 Development does not impede the planning, design and delivery of rail transport infrastructure in a future railway corridor .	<p>AO54.1 Development is not located in a future railway corridor.</p> <p>OR both of the following acceptable outcomes apply:</p> <p>AO54.2 The intensification of lots does not occur within a future railway corridor.</p> <p>AND</p> <p>AO54.3 Development does not result in the landlocking of parcels once a future railway corridor is delivered.</p>	<p>Not Applicable</p> <p>The subject site is not in or adjoining a future railway corridor.</p>
PO55 Development, including filling, excavation, building foundations and retaining structures do not undermine or cause subsidence of a future railway corridor .	No acceptable outcome is prescribed.	<p>Not Applicable</p> <p>The subject site is not in or adjoining a future railway corridor.</p>
PO56 Development does not result in a material worsening of stormwater, flooding, overland flow or drainage impacts in a future railway corridor .	No acceptable outcome is prescribed.	<p>Not Applicable</p> <p>The subject site is not in or adjoining a future railway corridor.</p>