

BNC Ref. DA025-24  
Your Ref.

**>> 23 September 2024**

ASSESSMENT MANAGER  
CHARTERS TOWERS REGIONAL COUNCIL  
PO BOX 189  
CHARTERS TOWERS QLD 4820  
*Via: Email*

Dear Assessment Manager,

**RE:        LODGEMENT OF A DEVELOPMENT APPLICATION UNDER CHAPTER 3, PART 2 OF THE *PLANNING ACT 2016*  
DEVELOPMENT PERMIT FOR CODE ASSESSABLE RECONFIGURATION OF A LOT  
87 MILNER ROAD, BREDDAN QLD 4820 (RPD: LOT 54 ON SP156571)**

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*BNC Planning* acting on behalf of applicants *P & A Thomasson* submit the attached development application to the Charters Towers Regional Council in accordance Chapter 3, Part 2 of the *Planning Act 2016*. The development application is seeking a development permit for reconfiguring a lot to facilitate a one into two lots subdivision. The subject premises is addressed as 87 Milner Road, Breddan more particularly described as Lot 54 on SP156571.

This development application is being made to the Charters Towers Regional Council as the relevant assessment manager under the *Planning Regulation 2017* and has been made in the *approved form* as required under s51 of the *Planning Act 2016*. The common material making up the development application include:

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

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

Kind regard,



**Benjamin Collings**  
Director



**BNC PLANNING**

*town planning & property development consultants*



# DEVELOPMENT APPLICATION

## *PLANNING ACT 2016*

### **DEVELOPMENT PERMIT**

RECONFIGURING A LOT

at

**87 MILNER ROAD**

**BREDDAN QLD 4820**

RPD: LOT 54 ON SP156571



**BNC PLANNING**  
*town planning & property development consultants*

## PLANNING REPORT

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DEVELOPMENT APPLICATION FOR A DEVELOPMENT PERMIT  
*PLANNING ACT 2016*

### **CODE ASSESSABLE RECONFIGURATION OF A LOT**

87 MILNER ROAD, BREDDAN QLD 4820  
being  
LOT 54 ON SP156571  
for  
ONE (1) LOT INTO TWO (2) LOT SUBDIVISION

## Report Matrix

APPLICATION SUMMARY	
<b>Applicant:</b>	Paul Thomasson & Allison Thomasson C/- BNC Planning
<b>Application Type:</b>	Development Application for a Development Permit
<b>Development Type:</b>	Reconfiguration of a Lot
<b>Category of Development (Level of Assessment):</b>	Code Assessable
<b>Development Description:</b>	One (1) Lot into Two (2) Lot Subdivision
<b>Assessment Manager:</b>	Charters Towers Regional Council
<b>Referral Agencies:</b>	SARA
CATEGORISING INSTRUMENTS	
<b>Planning Scheme:</b>	Charters Towers Regional Town Plan Version 2
<b>Planning Scheme Defined Uses/Works:</b>	NA
<b>Zoning:</b>	Rural Residential zone
<b>Precincts/Sub-Precincts:</b>	Environs Precinct (RR1)
<b>Overlays:</b>	Bushfire Hazard, Flood Hazard, and Natural Environment Overlay
SITE DESCRIPTION	
<b>Property Address:</b>	87 Milner Road, Breddan QLD 4820
<b>Real (Legal) Property Description:</b>	Lot 54 on SP156571
<b>Site Area:</b>	40.15ha
<b>Landowner:</b>	Paul Vincent Thomasson and Allison Irene Thomasson
<b>Tenure:</b>	Freehold
<b>Relevant Encumbrances:</b>	NA
<b>Local Government Area:</b>	Charters Towers Regional Council
<b>Road Frontage:</b>	Milner Road

## DOCUMENT CONTROL

Prepared by	Client	Report
BNC Planning	P & A Thomasson	Report No. DA025-24-PR

Version	Date	Author
1.0	September 2024	SSM:BNC

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Appendix 3:	Plans of Development
Appendix 4:	State Codes Assessment

## 1.0 EXECUTIVE SUMMARY

This development application is made in accordance with the provisions of Chapter 3, Part 2 of the *Planning Act 2016* (the Act) and is seeking a development permit for the reconfiguration of a lot to facilitate a one (1) lot into two (2) lot subdivision. The subject premises is addressed as 87 Milner Road, Breddan QLD 4820 more particularly described as Lot 54 on SP156571. The premises is within the Rural Residential zone under the Charters Towers Regional Town Plan Version 2 (the planning scheme) and currently consists of an existing dwelling and ancillary structures.

For the purpose of this development application *BNC Planning* act on behalf of the applicant *Paul Thomasson & Allison Thomasson*.

Following a detailed assessment of the proposal against the applicable local and state assessment benchmarks it has been determined that the development proposal is consistent with all applicable codes and policies. The development application is therefore required to be approved in accordance with rules of code assessment as established under Act, subject to the imposition of reasonable and relevant conditions and any referral agency responses.

A summary of the development application is provided below:

**Table 1.0: Development application summary**

APPLICATION SUMMARY	
<b>Applicant:</b>	Paul Thomasson & Allison Thomasson C/- BNC Planning
<b>Application Type:</b>	Development Application for a Development Permit
<b>Development Type:</b>	Reconfiguration of a Lot
<b>Category of Development (Level of Assessment):</b>	Assessable Development – Code Assessable
<b>Development Description:</b>	One (1) Lot into Two (2) Lot Subdivision
<b>Assessment Manager:</b>	Charters Towers Regional Council
<b>Referral Agencies:</b>	SARA
CATEGORISING INSTRUMENTS	
<b>Planning Scheme:</b>	Charters Towers Regional Town Plan Version 2
<b>Planning Scheme Defined Uses/Works:</b>	NA
<b>Zoning:</b>	Rural Residential zone
<b>Precincts/Sub-Precincts:</b>	Environs Precinct (RR1)
<b>Overlays:</b>	Bushfire Hazard, Flood Hazard, and Natural Environment Overlay
SITE DESCRIPTION	
<b>Property Address:</b>	87 Milner Road, Breddan QLD 4820
<b>Real (Legal) Property Description:</b>	Lot 54 on SP156571
<b>Site Area:</b>	40.15ha
<b>Landowner:</b>	Paul Vincent Thomasson and Allison Irene Thomasson
<b>Tenure:</b>	Freehold
<b>Relevant Encumbrances:</b>	NA
<b>Local Government Area:</b>	Charters Towers Regional Council

## 2.0 SITE AND LOCALITY

The subject premises is a standard freehold lot addressed at 87 Milner Road, Breddan more particularly described as Lot 54 on SP156571. The site is within the Rural Residential zone under the planning scheme, with the site containing a dwelling house and ancillary structures. The greater locality consists of rural residential land of lot sizes significantly smaller than what the applicants are proposing.

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

APPLICATION REF.	DECISION AND DATE	ASSESSMENT MANAGER
NA	NA	NA

The following table describes the key characteristics of the site:

**Table 2.0: Site characteristics**

SITE AND LOCALITY DESCRIPTION	
<b>Property Address:</b>	87 Milner Road, Breddan QLD 4820
<b>Real (Legal) Property Description:</b>	Lot 54 on SP156571
<b>Site Area:</b>	40.15ha
<b>Landowner:</b>	Paul Vincent Thomasson and Allison Irene Thomasson
<b>Tenure:</b>	Freehold
<b>Relevant Encumbrances:</b>	NA
<b>Local Government Area:</b>	Charters Towers Regional Council
<b>Zoning:</b>	Rural zone
<b>Precincts/Sub-Precincts:</b>	Environs Precinct
<b>Existing Use of Land:</b>	Rural residential living
<b>Road Frontage:</b>	Milner Road
<b>Significant Site Features:</b>	The site contains a dwelling house and ancillary structures.
<b>Topography:</b>	The site contains large areas of undeveloped land with native vegetation throughout.
<b>Surrounding Land Uses:</b>	Rural residential living

## 3.0 PROPOSAL SUMMARY

The applicant is seeking to better align the site with the existing subdivision layout of the local area by subdividing the site into two lots through reconfiguring the lot. The subdivision will provide appropriate rural residential lots with functional undeveloped cleared area and frontage to facilitate future development. The following table describes the key characteristics of the proposed development:

**Table 3.0: Proposal summary**

RECONFIGURATION OF A LOT	DEVELOPMENT PARAMETERS	
	EXISTING	PROPOSED
<b>Number of Lots:</b>	One (1)	Two (2)
<b>Lot Size:</b>	Lot 54: 40.15ha	Lot 54: 20.07ha Lot 55: 20.07ha

<b>Frontage/Access:</b>	Lot 54: Milner Road	Lot 54: 284.42m to Milner Road Lot 55: 315.58m to Milner Road
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#### 4.0 ASSESSMENT

The proposed one (1) lot into two (2) lot subdivision is identified as *code assessable* in the Reconfiguring a Lot tables of assessment for the Rural Residential zone. There are no other components of the planning scheme or *Planning Regulation 2016* which change the level of assessment for the proposal. The development application is therefore subject to a bound code assessment against the specific assessment benchmarks identified in the tables of assessment.

The development application does trigger referral agency assessment.

##### 4.1 Assessment Benchmarks Pertaining to State Planning Instruments

###### State Planning Policy

Charters Towers Regional Town Plan Version 2 confirms in section 2.1 *State planning policy* that it has ministerial approval as having adequately integrated the *State Planning Policy* into the planning scheme. There are no stand-alone components of the State planning policy which are relevant to the assessment of this development application.

###### Regional Plan

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

###### State Development Assessment Provisions

Under Schedule 10 of the *Planning Regulation 2017*, the development application triggers referral agency involvement and direct assessment against the SDAPs as follows:

Planning Regulation 2017 Trigger	Matters of Assessment
Schedule 10, Part 3, Division 4, Table 2, Item 1	<b><i>State Development Assessment Provisions – State Code 16: Native Vegetation Clearing</i></b>

##### 4.1.1 Referral Agency Assessment

Under Schedule 10 of the *Planning Regulation 2017*, the development application triggers referral agency involvement and direct assessment against the identified assessment benchmarks, as outlined in the table above. An assessment of the proposal against the relevant benchmark has been undertaken and provided in Appendix 4. While a direct assessment has been provided, the applicant also relies upon the assessment provided in section 4.2 below to adequately establish context and compliance with the State codes.

##### 4.2 Assessment Benchmarks Pertaining to Local Planning Instruments

The applicable planning scheme for the application is the Charters Towers Regional Town Plan Version 2 and there are no other identified applicable local planning instruments.

###### Charters Towers Regional Town Plan Version 2

The Charters Towers Regional Town Plan Version 2 (the planning scheme) includes tables of assessment which nominate the categories of development and assessment (levels of assessment) and nominate the assessment benchmarks for

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

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

#### Assessment Benchmarks Summary

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

Local Planning Instruments	
<b>Planning scheme:</b>	Rural Residential zone code Development works code Reconfiguring a lot code Bushfire hazard overlay code Flood hazard overlay code Natural environment overlay code

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

- consistent with the purpose of the Rural residential zone and reconfiguring a lot code.
- compliant with all other applicable codes.
- reflective of the land use and development intent for the locality.

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

#### 4.2.1 Rural Residential Zone Code

##### Purpose

As a reconfiguration of a lot and not a use-based proposal involving building works, the majority of performance outcomes from the zone code are either not applicable or inherently satisfied. The proposed subdivision is consistent with the predominant settlement pattern of the zone and immediate locality, as the development maintains large lots that can facilitate a rural residential lifestyle for residents, and the site will continue to serve as a transition area to larger land parcels and rural activities in the Rural zone while in the Environ Precinct. In reference to the purpose of the Rural residential zone code, the proposed reconfiguration protects the environmental values of the site and minimises the impact of environmental hazards on new development and residents. This maintains the character and amenity of the local rural area.

##### Acceptable outcomes/Performance outcomes

The proposed development is able to objectively satisfy the outcomes and purpose of the zone code. This is evident from the plans of development provided in support of this development application. Given the extent to which the proposal objectively satisfies the code, a direct assessment against each of the outcomes is not considered necessary in order to demonstrate compliance.

## 4.2.2 Development Codes

### 4.2.2.1 Reconfiguring a Lot Code

#### Purpose

The proposed subdivision is consistent with the zone code and will facilitate the creation of an attractive, accessible and functional rural residential lots as well as furthering the extent to which the site is able to contribute to achieving a well-integrated, and consolidated sustainable transitional lot into the rural landscape. It will maintain the existing rural residential character and facilitate ancillary rural activities. Any outcomes which are pertinent to the assessment of the proposal have been extracted and discussed below:

Performance outcomes	Acceptable outcomes	Justification
<b>Lot design</b>		
<b>PO1</b> Reconfiguration creates lots that are of a sufficient size, shape and dimension: <ul style="list-style-type: none"> <li>(a) that are consistent with the character of the zone;</li> <li>(b) to accommodate development commensurate with the required building footprint, setbacks, private open space, vehicle access and parking and servicing areas for the zone;</li> <li>(c) that does not compromise the future development potential of land in the Emerging community zone and Industry investigation zone for urban purposes; and</li> <li>(d) are sufficient to protect areas with significant ecological values</li> </ul>	<b>AO1</b> Lots comply with the minimum lot size and dimensions specified for its zone in Table 8.3.3.3(b) – Minimum lot size and dimensions.	The reconfiguration produces two lots that comply with the minimum lot size and dimensions for the Rural residential zone – Environs precinct.  <b>Complies with AO1.</b>
<b>Infrastructure and services</b>		
<b>PO19</b> Each reconfigured lot is provided with infrastructure and services appropriate to its intended use and location in a manner that: <ul style="list-style-type: none"> <li>(a) is efficient;</li> <li>(b) is adaptable to allow for future infrastructure upgrades;</li> <li>(c) minimises risk of adverse environmental or amenity-related impacts;</li> <li>(d) promotes the efficient use of water resources; and</li> <li>(e) minimises whole of life cycle costs for that infrastructure.</li> </ul>	<b>AO19.1</b> Lots created within the Priority Infrastructure Area are designed and configured to connect to a reticulated water supply and a reticulated sewerage in accordance with the <i>Development works Town plan policy</i> .	<b>Not Applicable.</b>
	<b>AO19.2</b> Lots created outside the Priority Infrastructure Area are designed and configured to: <ul style="list-style-type: none"> <li>(a) connect to a potable on site water supply in accordance with the Development works Town plan policy; and</li> <li>(b) treat waste water on site in accordance with the Development works Town plan policy.</li> </ul>	All new lots are designed to connect to Council's reticulated water supply, and treat waste water on site in accordance with the Development works Town plan policy, which is typical of rural residential sites.  <b>Complies with AO19.2.</b>
	<b>AO19.3</b> Buildings and structures comply with the relevant boundary setbacks and zone or precinct requirements.	The existing buildings and structures contained in New Lot 54 are appropriately setback from any boundaries.  <b>Complies with AO19.3.</b>
	<b>AO19.4</b> Lots are connected to electricity and telecommunications infrastructure in accordance with the standards of the relevant regulatory	Lots will be connected to electricity and telecommunications infrastructure form the road frontage on Milner Road.

	authority prior to the commencement of any use of the site.	<b>Complies with AO19.4.</b>
<b>PO20</b> Where reconfiguration proposes individual on site waste water disposal, it must be demonstrated that: <ul style="list-style-type: none"> <li>(a) the soil type and permeability, slope, and hydrology of the land is capable of accommodating the proposed loads within the lot;</li> <li>(b) there is sufficient area within the lot for an alternative disposal area should it be required; and</li> <li>(c) individually and collectively, the impacts of the existing and proposed systems do not adversely impact on the groundwater quality of the locality.</li> </ul>	No acceptable outcome specified.	Individual on site waste water disposal systems are common in the local area as a Rural residential zoned lot. The new vacant lot can be provided with a suitable septic system service, sized and located in accordance with the relevant standards and approved through a council plumbing and drainage permit.  This is simply a matter of design and not a fundamental query on whether a system can or cannot be provided. There is no reasonable basis to conclude that provision of a suitable on-site sewerage supply cannot be achieved. As such, the requirement specifications and outcomes can be conditioned through the development approval.  <b>Complies with PO20.</b>

#### 4.2.3 Overlay Codes

##### 4.2.3.1 Bushfire Hazard Overlay Code

Bushfire hazard is a common and anticipated risk element within rural residential areas, specifically in Environs precinct. The development does not increase the extent or severity of the hazard, nor does it increase the risk to life, property, community or the environments for the following reasons:

- The development will be connected to a reticulated water supply of sufficient capacity (as per the Engineering Report);
- The development does not involve the manufacturing or storage of hazardous materials;
- There are no facilities which play a role in emergency management or are vulnerable community services;
- The subdivision layout does not involve areas that are inaccessible by emergency services;
- The site can be adequately cleared so as to separate residential lots from hazardous areas and avoid the need for fire access trails.

Specifically addressing PO10 and AO10, the site does contain areas of medium bushfire hazard and potential impact buffer. While bushfire hazard areas are prevalent through the Environs precinct, the frequency and extent of the hazard in the local area is significantly reduced by the development of rural residential lots. Additionally, the new lot provides areas that are already predominately cleared within the lowest bushfire hazard rating area – the potential impact buffer area. These areas can support residential development and it is common for dwellings to be positioned within potential impact buffer areas in the Environs precinct. Given the nature of the development and the extent to which the proposal objectively satisfies the code, a direct assessment against each of the outcomes is not considered necessary in order to demonstrate compliance.

#### 4.2.3.2 Flood Hazard Overlay Code

The outcomes from the overlay code are either not applicable or are objectively satisfied. The proposed subdivision is able to be undertaken such that it will not result in any unacceptable risk to people or property. As a subdivision, there is no proposed built form with the relevant provisions of the planning scheme able to adequately govern any future use-based development. The proposed development does not involve any physical changes to the site and will have no effect on the extent of flood hazard or its impacts on people or property. Ample space is provided within the site to facilitate future development outside of the flood hazard areas. The proposed development is able to objectively satisfy the outcomes and purpose of the flood hazard overlay code. Given the nature of the development and the extent to which the proposal objectively satisfies the code, a direct assessment against each of the outcomes is not considered necessary in order to demonstrate compliance.

#### 4.2.3.3 Natural Environment Overlay Code

The outcomes from the overlay code are either not applicable or are objectively satisfied. The overlay code is primarily drafted to protect areas of environmental significance, ecological processes and biodiversity values of ecosystems. The site contains areas of regulated vegetation and regulated vegetation intersecting a watercourse. New lot 54 contains an existing dwelling and ancillary structures and is not anticipated for development. New Lot 55 will be vacant, but areas at the front of the site can facilitate future development outside of the area of environmental significance. As the potential use of the vacant lot will be low in density, it is unlikely there will be any impact on areas of environmental significance. The reconfiguration of the lot would not contribute to the fragmentation of areas of environmental importance. Given the extent to which the proposal objectively satisfies the overlay code, a direct assessment against the outcomes is not considered necessary in order to demonstrate compliance. Formalisation of compliance with the codes can be ensured through the imposition of standard conditions of approval requiring development to occur in accordance with the plans of development.

### 4.3 Public Notification

The application is code assessable and will not be subject to public notification.

## 5.0 CONCLUSION

This development application is made in accordance with the provisions of Chapter 3, Part 2 of the *Planning Act 2016* (the Act) and is seeking a development permit for the reconfiguration of a lot to facilitate a one (1) lot into two (2) lot subdivision. The subject premises is addressed as 87 Milner Road, Breddan QLD 4820 more particularly described as Lot 54 on SP156571. The premises is within the Rural Residential zone under the Charters Towers Regional Town Plan Version 2 (the planning scheme).

An assessment of the proposal was undertaken against the applicable assessment benchmarks which confirms that it is consistent with the provisions of the applicable planning instruments, specifically the local government planning scheme. Council is therefore required to **approve** the development application pursuant to the rules of code assessment established under the Act, and issue a development permit subject to the imposition of reasonable and relevant conditions and any referral agency responses.



## STATEMENT OF REASONS

Sufficient justification has been provided and satisfactory grounds have been established to conclude that the proposed development is consistent with the assessment benchmarks. More specifically, the development is consistent with the strategic intent and overall outcomes of the planning scheme. In substantive terms, this conclusion is based on the following reasons:

- The development allows the site to better contribute to the achievement of the Strategic Framework.
- The proposed boundary realignment outcome directly aligns with the Purpose of the zone code and reconfiguring a lot code.
- The development outcome reflects community expectation for land use and development as established by the planning scheme and past development decisions.
- The development can be adequately serviced.
- The development will maintain the existing level and standard of servicing provided by the relevant infrastructure networks.
- The site is not identified as being susceptible to any unacceptable or unmanageable natural hazard or infrastructure constraints.
- development does not increase the susceptibility of people or property to natural hazards or other health risks.
- The proposal does not undermine the planning scheme.
- The proposal does not establish precedence that could result in the future undermining of the planning scheme.

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# APPENDIX 1

## *DEVELOPMENT APPLICATION FORMS*

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# DA Form 1 – Development application details

Approved form (version 1.6 effective 2 August 2024) made under section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving code assessment or impact assessment**, except when applying for development involving only building work.

For a development application involving **building work only**, use *DA Form 2 – Building work details*.

For a development application involving **building work associated with any other type of assessable development (i.e. material change of use, operational work or reconfiguring a lot)**, use this form (*DA Form 1*) and parts 4 to 6 of *DA Form 2 – Building work details*.

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994*, and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

**Note:** All terms used in this form have the meaning given under the Planning Act 2016, the Planning Regulation 2017, or the Development Assessment Rules (DA Rules).

## PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Paul Thomasson & Allison Thomasson
Contact name (only applicable for companies)	C/- Benjamin Collings, BNC Planning
Postal address (P.O. Box or street address)	PO Box 5493
Suburb	Townsville
State	QLD
Postcode	4810
Country	Australia
Contact number	(07) 4724 1763
Email address (non-mandatory)	<a href="mailto:enquire@bncplanning.com.au">enquire@bncplanning.com.au</a> & <a href="mailto:bnc@bncplanning.com.au">bnc@bncplanning.com.au</a>
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	DA025-24
1.1) Home-based business	
<input type="checkbox"/> Personal details to remain private in accordance with section 264(6) of <i>Planning Act 2016</i>	
2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application	
<input checked="" 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
		87	Milner Road	Breddan
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4820	54	SP156571	Charters Towers Regional
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: Unnamed

- ☐ 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):

<input type="checkbox"/> On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>
Name of airport: <input type="text"/>
<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):

Reconfiguring a lot – 1 into 2 lot Subdivision

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

**6.4) Is the application for State facilitated development?**

- ☐ Yes - Has a notice of declaration been given by the Minister?
- ☒ No

**Section 2 – Further development details****7) Does the proposed development application involve any of the following?**

Material change of use	<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 <sup>2</sup> ) (if applicable)

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

- ☐ Yes
- ☐ No

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

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

Provide a general description of the temporary accepted development	Specify the stated period dates under the Planning Regulation

**Division 2 – Reconfiguring a lot**

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

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

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	Two (2)			

**10.2) Will the subdivision be staged?**☐ Yes – provide additional details below☒ No

How many stages will the works include?

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

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

Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

**12) Boundary realignment****12.1) What are the current and proposed areas for each lot comprising the premises?**

Current lot		Proposed lot	
Lot on plan description	Area (m <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )

**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"/> Stormwater | <input type="checkbox"/> Water infrastructure  |
| <input type="checkbox"/> Drainage work                 | <input type="checkbox"/> Earthworks | <input type="checkbox"/> Sewage infrastructure |
| <input type="checkbox"/> Landscaping                   | <input type="checkbox"/> Signage    | <input type="checkbox"/> Clearing vegetation   |
| <input type="checkbox"/> 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

Charters Towers Regional Council

16) Has the local government agreed to apply a superseded planning scheme for this development application?

- ☐ Yes – a copy of the decision notice is attached to this development application
- ☐ The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- ☒ No

## PART 5 – REFERRAL DETAILS

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

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

- ☐ No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6

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

- ☒ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has not been devolved to a local government*)
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Heritage places – Queensland heritage place (*on or near a Queensland heritage place*)
- ☐ Infrastructure-related referrals – designated premises
- ☐ Infrastructure-related referrals – state transport infrastructure
- ☐ Infrastructure-related referrals – State transport corridor and future State transport corridor
- ☐ Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
- ☐ Infrastructure-related referrals – near a state-controlled road intersection
- ☐ Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
- ☐ Koala habitat in SEQ region – key resource areas
- ☐ Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
- ☐ Ports – Brisbane core port land – environmentally relevant activity (ERA)
- ☐ Ports – Brisbane core port land – tidal works or work in a coastal management district
- ☐ Ports – Brisbane core port land – hazardous chemical facility
- ☐ Ports – Brisbane core port land – taking or interfering with water
- ☐ Ports – Brisbane core port land – referable dams
- ☐ Ports – Brisbane core port land – fisheries
- ☐ Ports – Land within Port of Brisbane's port limits (*below high-water mark*)
- ☐ SEQ development area
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – community activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – combined use



Queensland  
Government



- ☐ SEQ northern inter-urban break – tourist activity or sport and recreation activity
- ☐ SEQ northern inter-urban break – community activity
- ☐ SEQ northern inter-urban break – indoor recreation
- ☐ SEQ northern inter-urban break – urban activity
- ☐ SEQ northern inter-urban break – combined use
- ☐ Tidal works or works in a coastal management district
- ☐ Reconfiguring a lot in a coastal management district or for a canal
- ☐ Erosion prone area in a coastal management district
- ☐ Urban design
- ☐ Water-related development – taking or interfering with water
- ☐ Water-related development – removing quarry material *(from a watercourse or lake)*
- ☐ Water-related development – referable dams
- ☐ Water-related development – levees *(category 3 levees only)*
- ☐ Wetland protection area

Matters requiring referral to the **local government**:

- ☐ Airport land
- ☐ Environmentally relevant activities (ERA) *(only if the ERA has been devolved to local government)*
- ☐ Heritage places – Local heritage places

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

- ☐ Infrastructure-related referrals – Electricity infrastructure

Matters requiring referral to:

- The **Chief Executive of the holder of the licence**, if not an individual
- The **holder of the licence**, if the holder of the licence is an individual
- ☐ Infrastructure-related referrals – Oil and gas infrastructure

Matters requiring referral to the **Brisbane City Council**:

- ☐ Ports – Brisbane core port land

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

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

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

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

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

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

Matters requiring referral to the **Gold Coast Waterways Authority**:

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

Matters requiring referral to the **Queensland Fire and Emergency Service**:

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

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

- ☐ Yes – referral response(s) received and listed below are attached to this development application
- ☒ No

Referral requirement	Referral agency	Date of referral response

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

PART 6 – INFORMATION REQUEST

19) Information request under the DA Rules

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

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

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

- that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties
- Part 3 under Chapter 1 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules or
- Part 2 under Chapter 2 of the DA Rules will still apply if the application is for state facilitated development

Further advice about information requests is contained in the [DA Forms Guide](#).

PART 7 – FURTHER DETAILS

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

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

☒ No

List of approval/development application references	Reference number	Date	Assessment manager
<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](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			

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

#### **Hazardous chemical facilities**

23.2) Is this development application for a **hazardous chemical facility**?

- ☐ Yes – *Form 536: Notification of a facility exceeding 10% of schedule 15 threshold* is attached to this development application
- ☒ No

**Note:** See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information about hazardous chemical notifications.

#### **Clearing native vegetation**

23.3) Does this development application involve **clearing native vegetation** that requires written confirmation that the chief executive of the *Vegetation Management Act 1999* is satisfied the clearing is for a relevant purpose under section 22A of the *Vegetation Management Act 1999*?

- ☐ Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)
- ☒ No

**Note:** 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development.  
2. See <https://www.qld.gov.au/environment/land/vegetation/applying> for further information on how to obtain a s22A determination.

#### **Environmental offsets**

23.4) Is this development application taken to be a prescribed activity that may have a significant residual impact on a **prescribed environmental matter** under the *Environmental Offsets Act 2014*?

- ☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter
- ☒ No

**Note:** The environmental offset section of the Queensland Government's website can be accessed at [www.qld.gov.au](http://www.qld.gov.au) for further information on environmental offsets.

#### **Koala habitat in SEQ Region**

23.5) Does this development application involve a material change of use, reconfiguring a lot or operational work which is assessable development under Schedule 10, Part 10 of the Planning Regulation 2017?

- ☐ Yes – the development application involves premises in the koala habitat area in the koala priority area
- ☐ Yes – the development application involves premises in the koala habitat area outside the koala priority area
- ☒ No

**Note:** If a koala habitat area determination has been obtained for this premises and is current over the land, it should be provided as part of this development application. See koala habitat area guidance materials at [www.desi.qld.gov.au](http://www.desi.qld.gov.au) for further information.

### **Water resources**

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

- ☐ Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the *Water Act 2000* may be required prior to commencing development
- ☒ No

**Note:** Contact the Department of Resources at [www.resources.qld.gov.au](http://www.resources.qld.gov.au) for further information.

DA templates are available from [planning.statedevelopment.qld.gov.au](http://planning.statedevelopment.qld.gov.au). If the development application involves:

- Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1
- Taking or interfering with water in a watercourse, lake or spring: complete DA Form 1 Template 2
- Taking overland flow water: complete DA Form 1 Template 3.

### **Waterway barrier works**

23.7) Does this application involve **waterway barrier works**?

- ☐ Yes – the relevant template is completed and attached to this development application
- ☒ No

DA templates are available from [planning.statedevelopment.qld.gov.au](http://planning.statedevelopment.qld.gov.au). For a development application involving waterway barrier works, complete DA Form 1 Template 4.

### **Marine activities**

23.8) Does this development application involve **aquaculture, works within a declared fish habitat area or removal, disturbance or destruction of marine plants**?

- ☐ Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*
- ☒ No

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

### **Quarry materials from a watercourse or lake**

23.9) Does this development application involve the **removal of quarry materials from a watercourse or lake under the *Water Act 2000***?

- ☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development
- ☒ No

**Note:** Contact the Department of Resources at [www.resources.qld.gov.au](http://www.resources.qld.gov.au) and [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

### **Quarry materials from land under tidal waters**

23.10) Does this development application involve the **removal of quarry materials from land under tidal water under the *Coastal Protection and Management Act 1995***?

- ☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development
- ☒ No

**Note:** Contact the Department of Environment, Science and Innovation at [www.desi.qld.gov.au](http://www.desi.qld.gov.au) for further information.

### **Referable dams**

23.11) Does this development application involve a **referable dam** required to be failure impact assessed under section 343 of the *Water Supply (Safety and Reliability) Act 2008* (the *Water Supply Act*)?

- ☐ Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the *Water Supply Act* is attached to this development application
- ☒ No

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



### **Tidal work or development within a coastal management district**

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

- ☐ Yes – the following is included with this development application:
- ☐ Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)
  - ☐ A certificate of title
- ☒ No

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

### **Queensland and local heritage places**

23.13) Does this development application propose development on or adjoining a place entered in the **Queensland heritage register** or on a place entered in a local government's **Local Heritage Register**?

- ☐ Yes – details of the heritage place are provided in the table below
- ☒ No

**Note:** See guidance materials at [www.desi.qld.gov.au](http://www.desi.qld.gov.au) for information requirements regarding development of Queensland heritage places. For a heritage place that has cultural heritage significance as a local heritage place and a Queensland heritage place, provisions are in place under the Planning Act 2016 that limit a local categorising instrument from including an assessment benchmark about the effect or impact of, development on the stated cultural heritage significance of that place. See guidance materials at [www.planning.statedevelopment.qld.gov.au](http://www.planning.statedevelopment.qld.gov.au) for information regarding assessment of Queensland heritage places.

Name of the heritage place:		Place ID:	
-----------------------------	--	-----------	--

### **Decision under section 62 of the Transport Infrastructure Act 1994**

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

- ☐ Yes – this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)
- ☒ No

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

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

- ☐ Yes – Schedule 12A is applicable to the development application and the assessment benchmarks contained in schedule 12A have been considered
- ☒ No

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

## **PART 8 – CHECKLIST AND APPLICANT DECLARATION**

### **24) Development application checklist**

I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17	<input checked="" type="checkbox"/> Yes
<b>Note:</b> See the Planning Regulation 2017 for referral requirements	
If building work is associated with the proposed development, Parts 4 to 6 of <a href="#">DA Form 2 – Building work details</a> have been completed and attached to this development application	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
Supporting information addressing any applicable assessment benchmarks is with the development application	<input checked="" type="checkbox"/> Yes
<b>Note:</b> 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 <a href="#">DA Forms Guide: Planning Report Template</a> .	
Relevant plans of the development are attached to this development application	<input checked="" type="checkbox"/> Yes
<b>Note:</b> Relevant plans are required to be submitted for all aspects of this development application. For further information, see <a href="#">DA Forms Guide: Relevant plans</a> .	
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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

## *SITE DETAILS*

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# Aerial

87 Milner Road, Breddan QLD 4820

20°1'31"S 146°14'56"E

20°1'31"S 146°16'7"E



20°2'38"S 146°14'56"E

20°2'38"S 146°16'7"E

A product of

Legend located on next page



0 250 metres

Scale: 1:11123

Printed at: A4

Print date: 18/9/2024

Not suitable for accurate measurement.

Projection: Web Mercator EPSG 102100 (3857)

For more information, visit  
<https://qldglobe.information.qld.gov.au/help-info/Contact-us.html>

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Local government



Land parcel



Parcel

Land parcel - gt 1 ha



Parcel

Land parcel - gt 10 ha



Parcel

Easement parcel



Strata parcel



Volumetric parcel



Land parcel - gt 1000 ha



Parcel

Land parcel label

Land parcel label - gt 1 ha

Land parcel label - gt 10 ha

Land parcel label - gt 1000 ha

Places: Land parcel



54SP156571

Roads and tracks



Motorway



Highway



Secondary



Connector



Local



Restricted Access Road



Mall



Busway



Bikeway



Restricted Access

Bikeway



Walkway



Restricted Access

Walkway



Non-vehicular Track



Track



Restricted Access Track



Ferry



Proposed Thoroughfare

Green bridges



Bridges



Tunnels

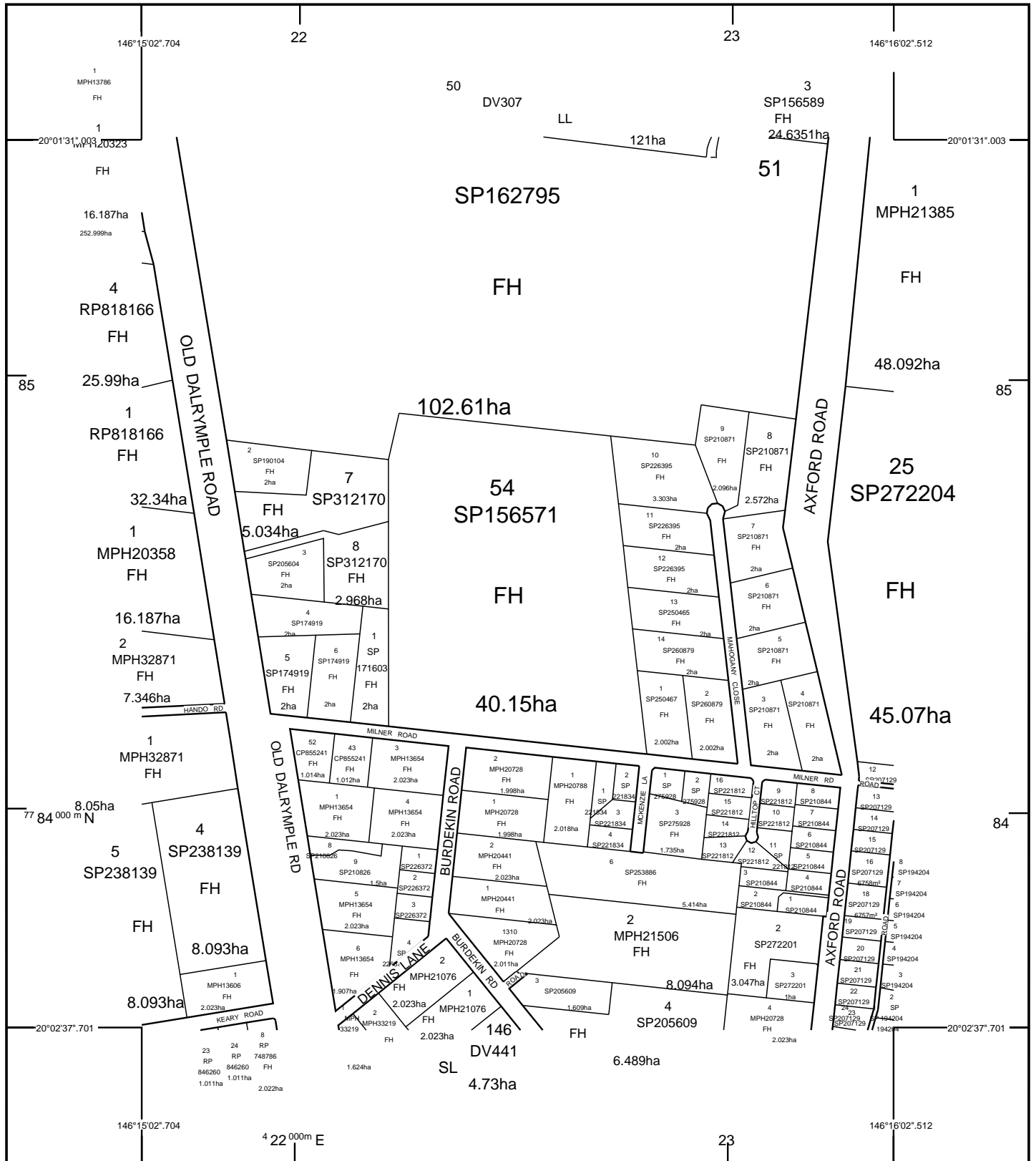


Railway stations



Railways

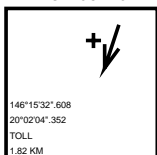




STANDARD MAP NUMBER  
8157-14434

0 250 500 750 1000 1250 m  
HORIZONTAL DATUM:GDA94 ZONE:55 SCALE 1 : 12500

MAP WINDOW POSITION &  
NEAREST LOCATION



#### SUBJECT PARCEL DESCRIPTION

DCDB  
Lot/Plan 54/SP156571  
Area/Volume 40.15ha  
Tenure FREEHOLD  
Local Government CHARTERS TOWERS REGIONAL COUNCIL  
Locality BREDDAN  
Segment/Parcel 46829/161

#### CLIENT SERVICE STANDARDS

PRINTED 18/09/2024

DCDB 17/09/2024 (Lots with an area less than 1500m² are not shown)

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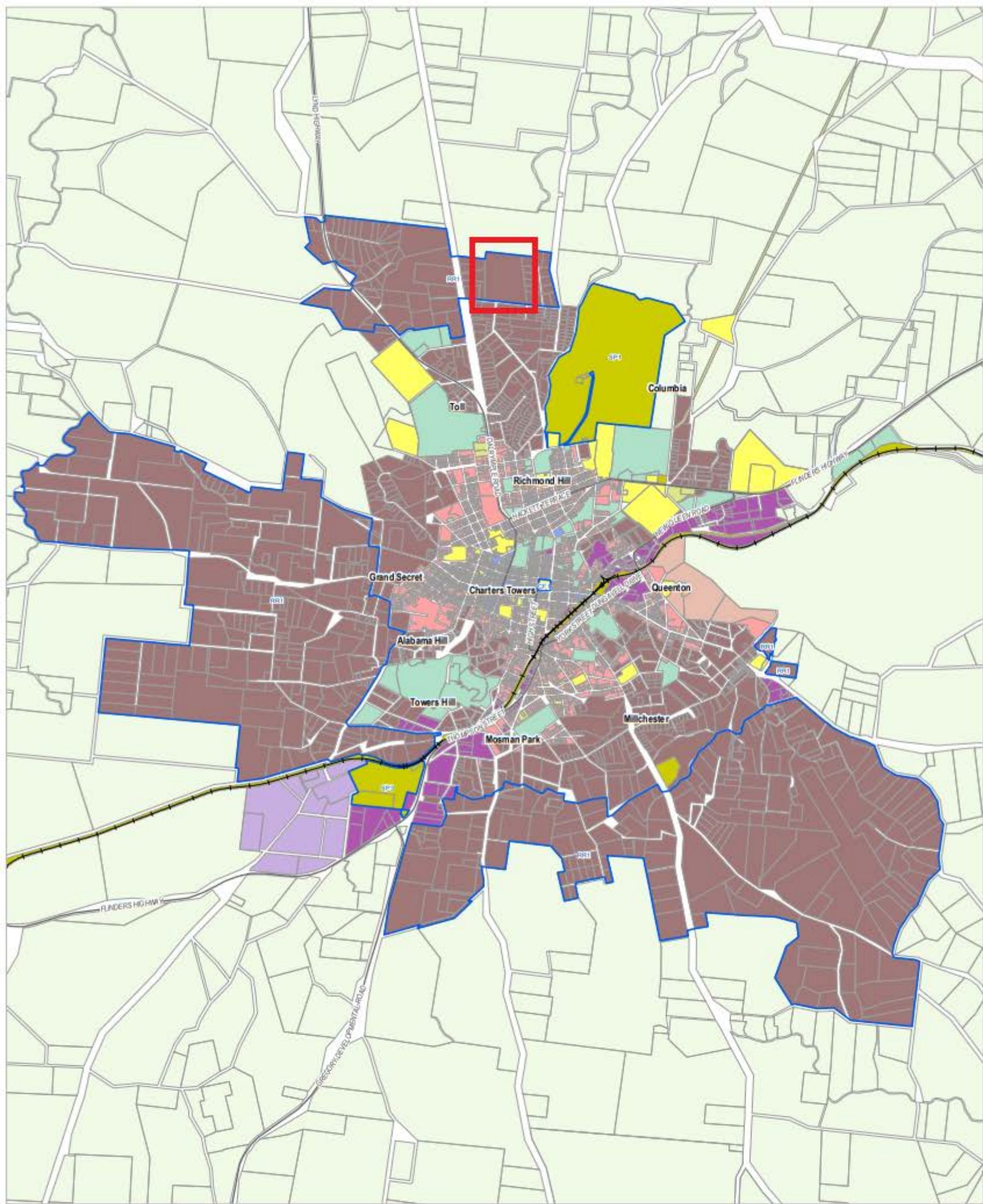
An External Product of  
SmartMap Information Services  
Based upon an extraction from the  
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# Charters Towers Regional Town Plan Zone Map

- Zone**
- Centre
  - General Residential
  - Industry
  - Industry Investigation
  - Community Facilities
  - Minor Tourism
  - Recreation and Open Space
  - Environmental Management and Conservation
  - Rural Residential
  - Emerging Community
  - Rural
  - Special Purpose
  - Township

- Precinct**
- CF1 - Hospital and Health Care Services Precinct
  - RR1 - Environs Precinct
  - RR2 - Harvey Range Precinct
  - SP1 - Airport Precinct
  - SP2 - Defence Precinct
  - SP3 - Sales Yard Precinct
  - Predict Boundary
- Other Map Layers**
- Cadastral Boundary
  - Local Government Boundary
  - Waterway
  - Railway Network
  - Major Roads

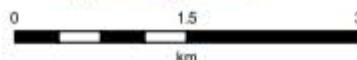
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Cadastral boundaries as at December 2019 sourced from Q Spatial.

Geospatial Data of Australia (GDNA)

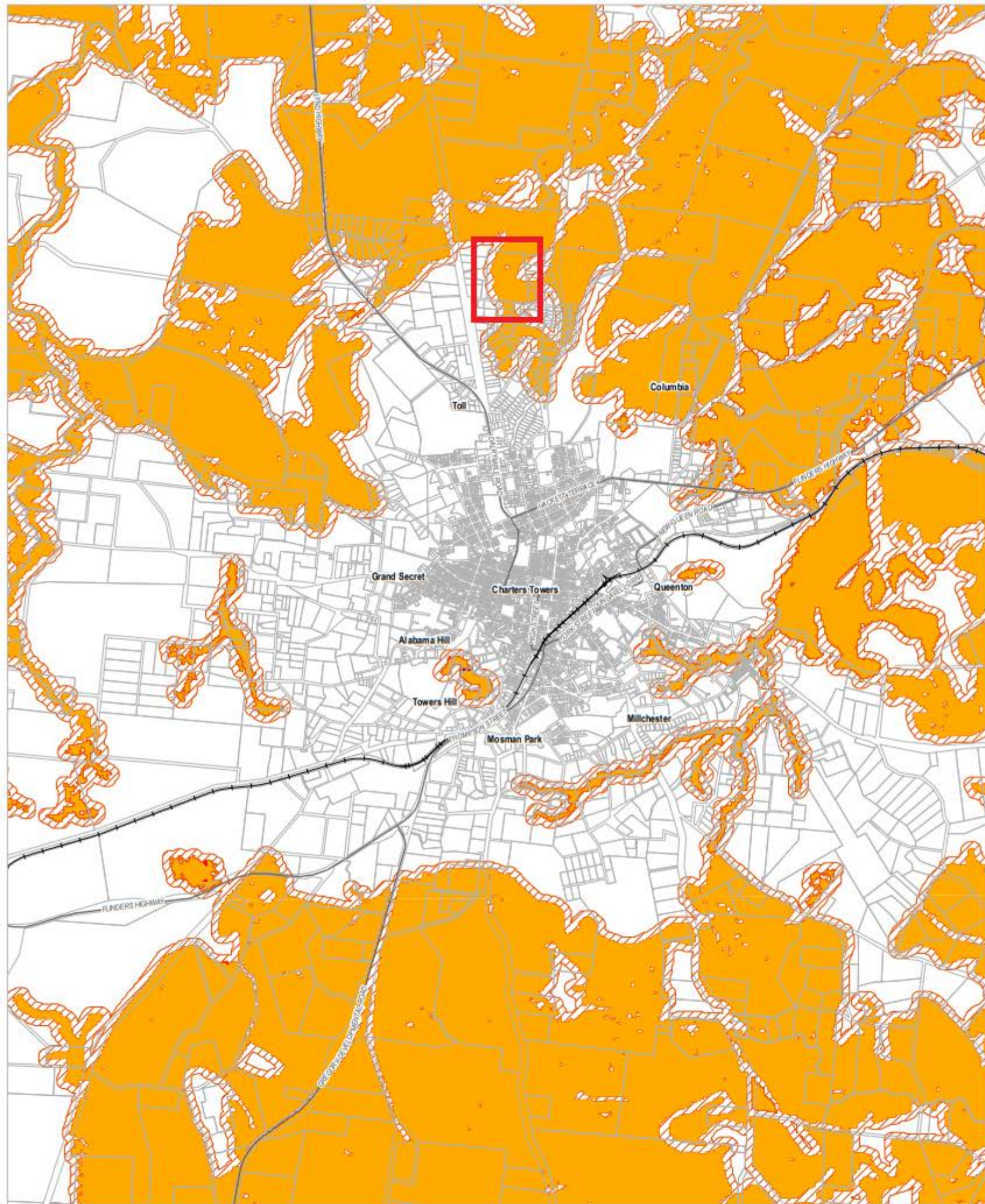
29/12/2019

Approx. Scale @ A3 1:55,000



**Zone - ZM1.1**  
**Charters Towers and Surrounds**





**Charters Towers  
Regional Town Plan  
Bushfire Hazard  
Overlay Map**

**Bushfire Prone Areas**

- Very High Potential Bushfire Intensity
- High Potential Bushfire Intensity
- Medium Potential Bushfire Intensity
- Potential Impact Buffer

**Other Map Layers**

- Cadastral Boundary
- Local Government Boundary
- Waterway
- Railway Network
- Major Roads

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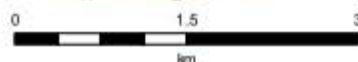
Cadastral boundaries as at December 2019 sourced from QSPdata.  
Bushfire Prone Areas as at September 2015, sourced from QSPdata.

Refer to State Government mapping for the latest version of the overlay if applicable.

Geocentric Datum of Australia (GDA2004)

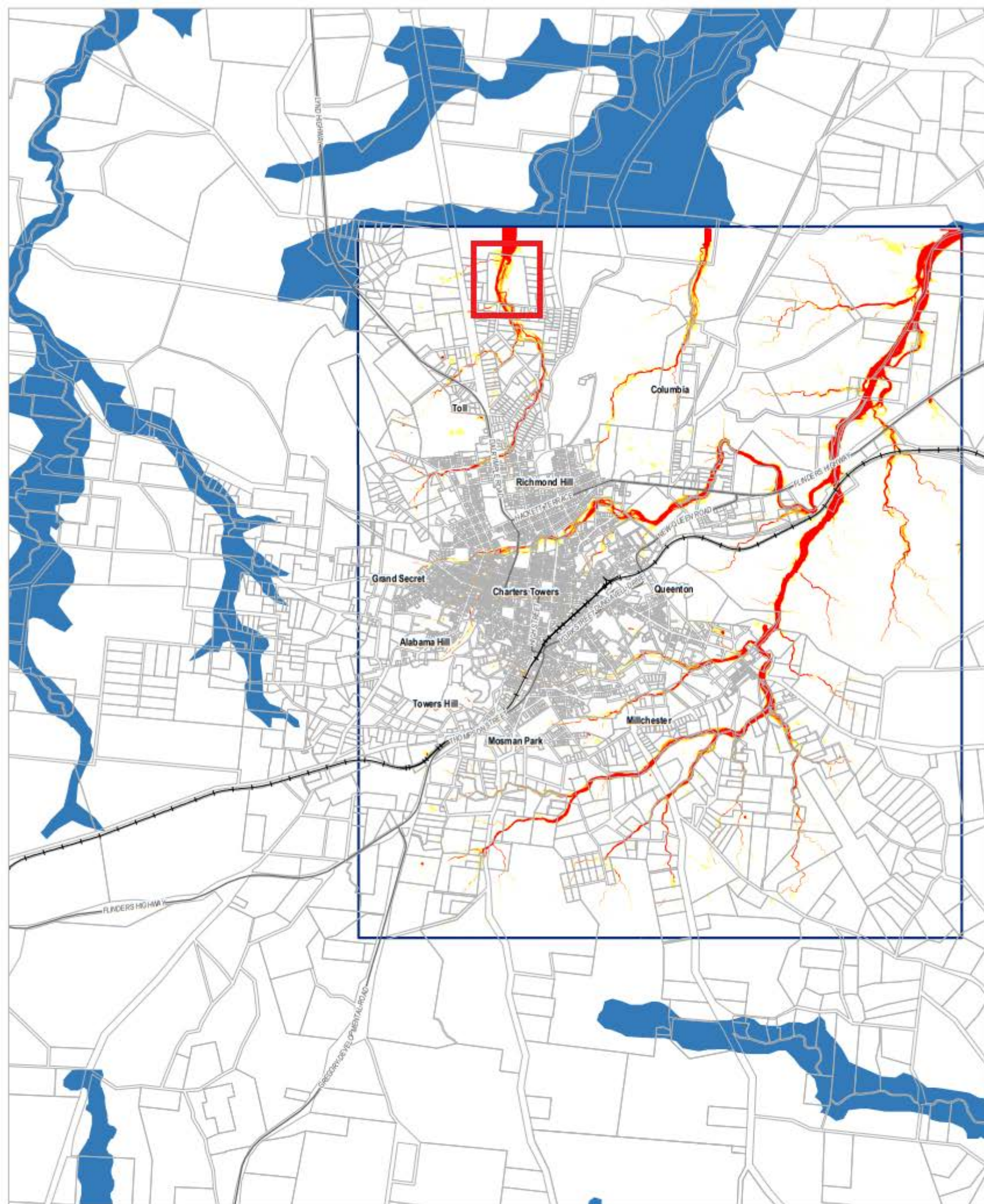
29/12/2019

Approx Scale @ A3 1:55,000



**Bushfire Hazard Overlay - OM2.1  
Charters Towers and Surrounds**





#### Flood Prone Areas

- Flood Hazard Area - CRA Level 1
- Significant Hazard Area - CRA Level 2 with 1% AEP
- High Hazard Area - CRA Level 2 with 1% AEP
- Extreme Hazard Area - CRA Level 2 with 1% AEP

#### Other Map Layers

- Cadastral Boundary
- Local Government Boundary
- Waterway
- Railway Network
- Major Roads

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Cadastral boundaries as at December 2010 sourced from Q Spatial Floodplain Assessment Overlay, Queensland Reconstruction Authority (QRA) as at 1/1/2013, sourced from Q Spatial, Localised Flood Hazard 1% AEP CRA Level 2 for Charters Towers, Pentland and St Albans supplied by QRA August and November 2016. Localised Flood Hazard Study Areas are indicative only.

Refer to State Government mapping for the latest version of the overlay if applicable.  
Geocentric Datum of Australia (GDA94)

29/12/2019

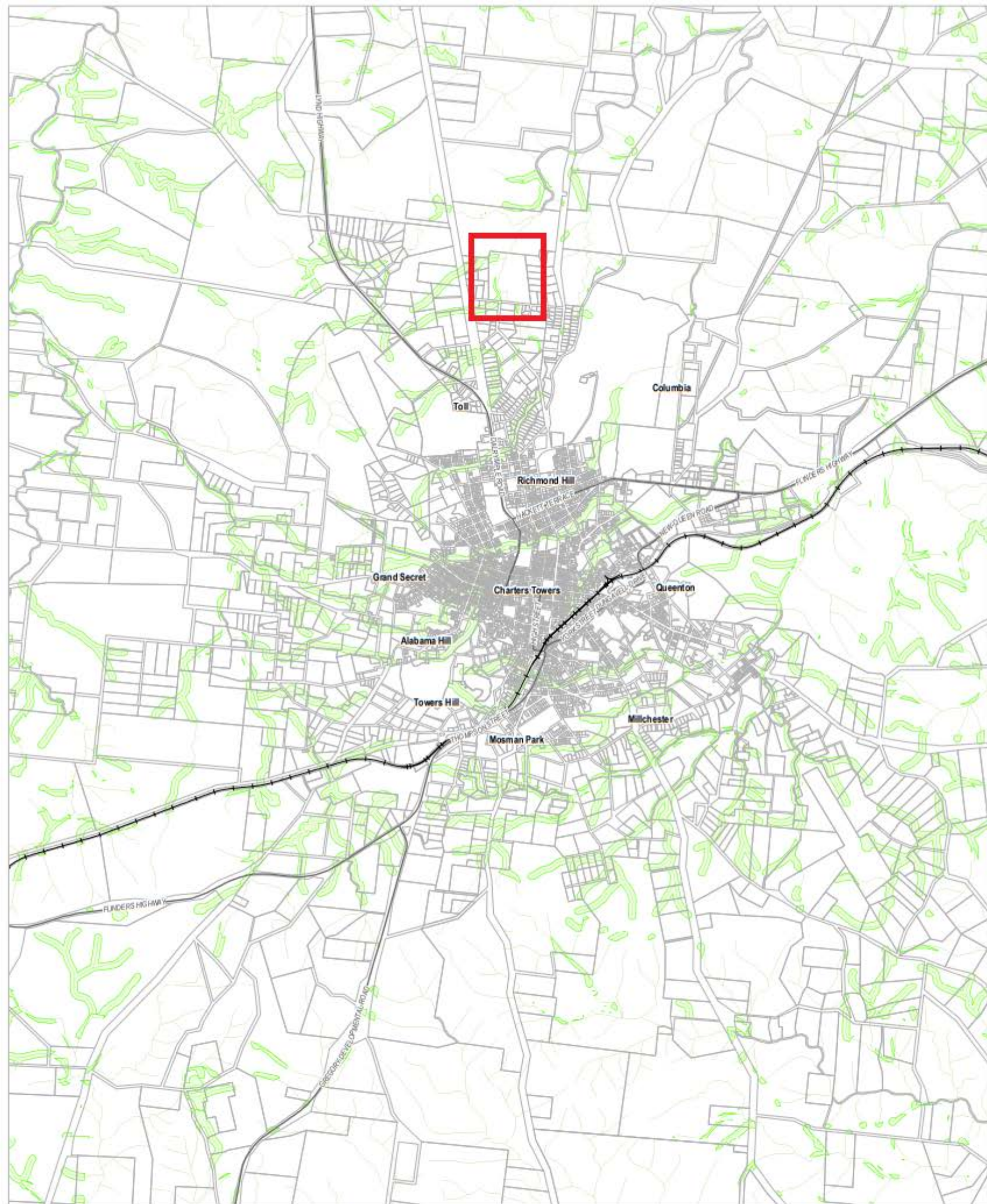
Approx Scale @ A3 1:55,000



**Charters Towers  
Regional Town Plan  
Flood Hazard  
Overlay Map**

**Flood Hazard Overlay - OM3.1  
Charters Towers and Surrounds**





**Charters Towers  
Regional Town Plan  
Natural Environment  
Overlay Map**

**Matters of State Environmental Significance (MSES)**

- Protected areas (estates)
- Protected areas (nature refuge)
- High ecological value waters (watercourse)
- High ecological significance wetlands
- High ecological value waters (wetland)
- Wildlife habitat
- Regulated vegetation (intersecting a watercourse)
- Regulated vegetation (essential habitat)
- Regulated vegetation (wetland)

- Regulated vegetation (category B)
- Regulated vegetation (category C)
- Regulated vegetation (category R)
- High ecological value water areas

**Other Map Layers**

- Cadastral Boundary
- Local Government Boundary
- Waterway
- Railway Network
- Major Roads

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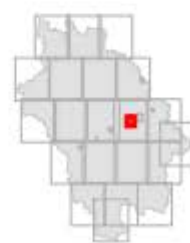
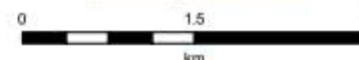
Cadastral boundaries as at December 2019 sourced from Q Spatial Matters of Environmental Significance (MSES) as at 30/06/2017-2017/2018 sourced from QSP data.

Refer to State Government mapping for the latest version of the overlay, if applicable. May contain overlap between layers.

Geocentric Datum of Australia (GDA2004)

29/12/2019

Approx Scale @ A3 1:55,000



**Natural Environmental Overlay - OM5.1  
Charters Towers and Surrounds**

# State Assessment and Referral Agency

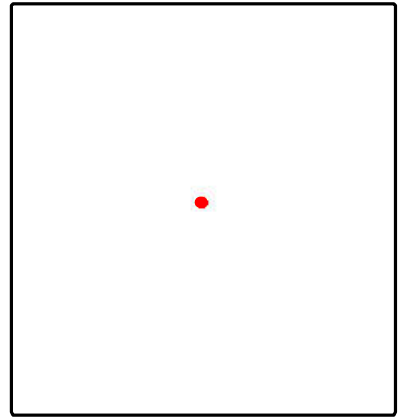
Date: 18/09/2024



Queensland Government

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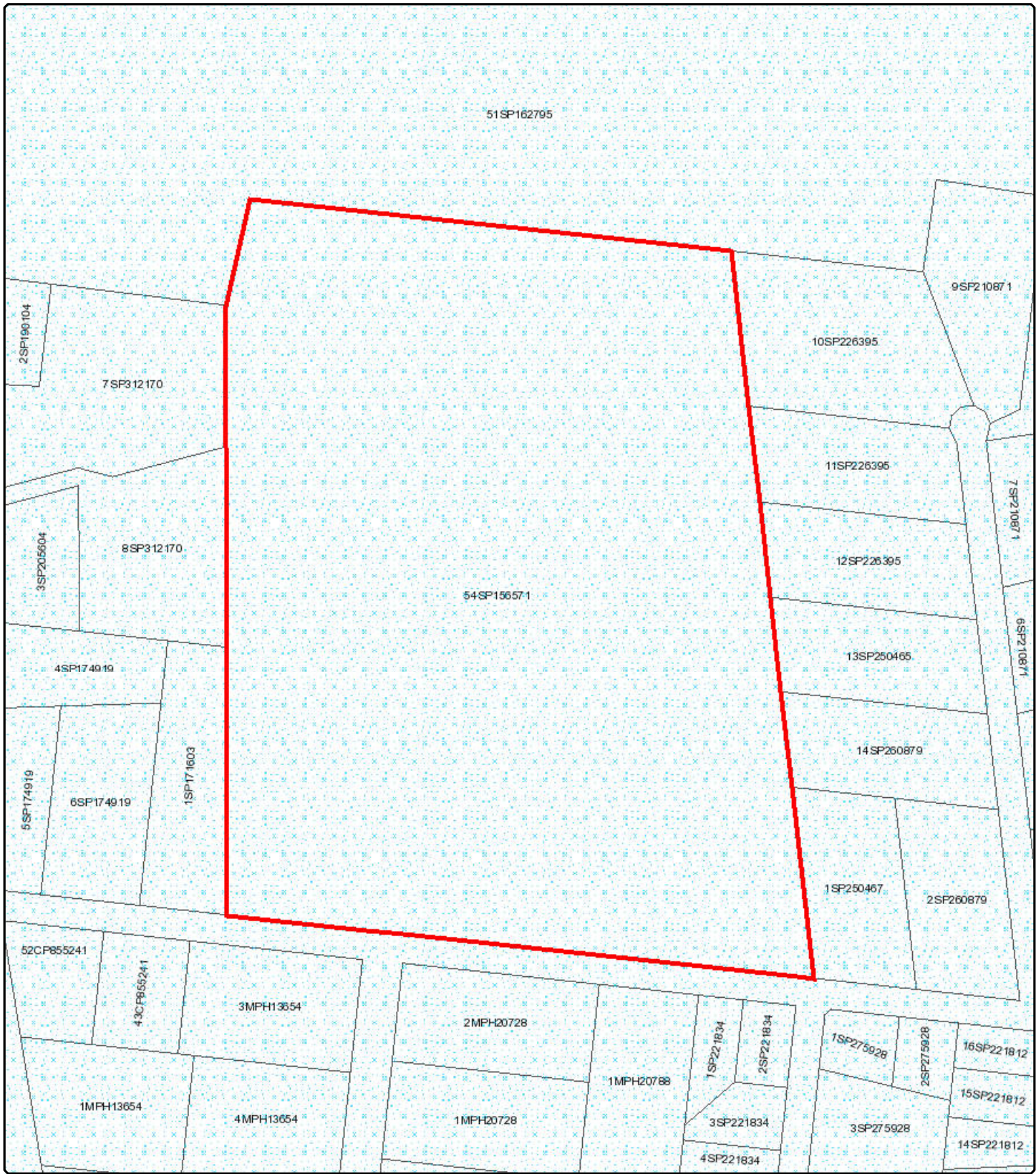
## Matters of Interest for all selected Lot Plans

*Queensland waterways for waterway barrier works*  
*Water resource planning area boundaries*  
*Regulated vegetation management map (Category A and B extract)*

## Matters of Interest by Lot Plan

**Lot Plan: 54SP156571 (Area: 401500 m<sup>2</sup>)**  
*Queensland waterways for waterway barrier works*  
*Water resource planning area boundaries*  
*Regulated vegetation management map (Category A and B extract)*





# State Assessment and Referral Agency

Date: 18/09/2024



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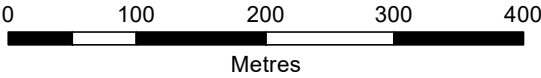
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## Legend

Water resource planning area boundaries



Water resource planning area boundaries



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### Legend

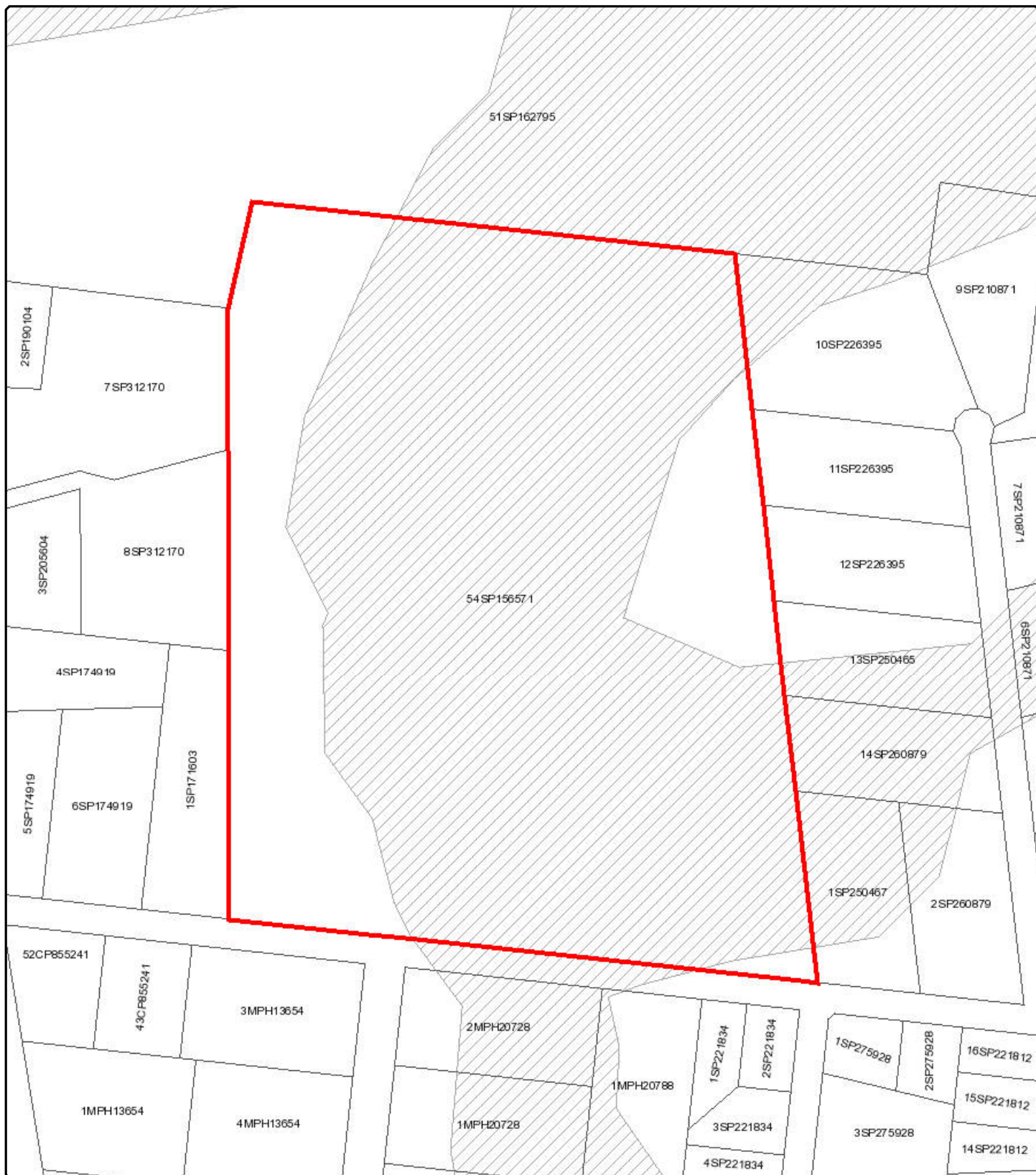
Queensland waterways for waterway barrier works

- Low
- Moderate
- High
- Major
- Major (tidal)

0 100 200 300 400  
Metres

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### Legend

Regulated vegetation management map  
(Category A and B extract)

-  Category A on the regulated vegetation management map
-  Category B on the regulated vegetation management map

0 100 200 300 400  
Metres

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# APPENDIX 3

## *PLANS OF DEVELOPMENT*







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# APPENDIX 4

## *STATE CODES ASSESSMENT*

# State code 16: Native vegetation clearing

State Development Assessment Provisions guideline - State Code 16: Clearing native vegetation. This guideline provides direction on how to address State Code 16 below.

**Please note:** It is only necessary to provide a response to the performance outcomes relevant to the clearing purpose(s). Table 16.1 below specifies which tables of performance outcomes are relevant for each clearing purpose. Tables that are not relevant to your clearing purpose can be left blank or deleted.

As an example, only Table 16.2 and Table 16.15 are relevant for a development application for operational works that involves managing thickened vegetation. The remaining tables may be deleted.

**Table 16.1: Relevant code provisions for each type of development**

Clearing purpose	Relevant provisions
<b>Material change of use and / or reconfiguring a lot and / or operational work</b>	
<b>Public safety, relevant infrastructure activities and / or consequential development of IPA approval</b>	Table 16.2 and Table 16.3
<b>Extractive industry</b>	Table 16.2 and Table 16.4
<b>Coordinated project (agriculture)</b>	Table 16.2 and Table 16.5
<b>Coordinated project (extractive industry)</b>	Table 16.2 and Table 16.6
<b>Coordinated project (all other purposes)</b>	Table 16.2 and Table 16.7
Material change of use and / or reconfiguring a lot for all other purposes	Table 16.2 and Table 16.8 – <b>APPLIES TO THIS DEVELOPMENT</b>
Material change of use and / or reconfiguring a lot for which there will be no <b>clearing as a result of the material change of use or reconfiguring a lot</b>	Table 16.9
Material change of use and / or reconfiguring a lot for which <b>clearing</b> is limited to <b>clearing</b> that could be done as <b>exempt clearing work</b> for the purpose of the development prior to the material change of use or reconfiguring a lot application being approved	Table 16.2 and Table 16.10
<b>Operational work</b>	
<b>Necessary environmental clearing</b>	Table 16.2 and Table 16.11
Control non-native plants or <b>declared pests</b>	Table 16.2 and Table 16.12
<b>Encroachment</b>	Table 16.2 and Table 16.13
<b>Fodder harvesting</b>	Table 16.2 and Table 16.14
<b>Managing thickened vegetation</b>	Table 16.2 and Table 16.15

**Table 16.2: General**

Performance outcomes	Acceptable outcomes	Response
<b>PO1 Clearing of vegetation</b> is consistent with any <b>notice requiring compliance</b> on the land subject to the development application, unless a <b>better environmental outcome</b> can be achieved.	No acceptable outcome is prescribed.	A notice requiring compliance was not issued.  <b>Not Applicable.</b>
<b>PO2 Clearing of vegetation</b> is consistent with <b>vegetation management requirements</b> for <b>particular regulated areas</b> unless a <b>better environmental outcome</b> can be achieved.	No acceptable outcome is prescribed.	The site does not contain particular regulated areas.  <b>Not Applicable.</b>
<b>PO3 Clearing of vegetation</b> in a <b>legally secured offset area</b> : 1. is consistent with the <b>offset</b> delivery plan; or 2. is consistent with an <b>agreement</b> for the <b>offset area</b> on the land subject to the development application; or 3. only occurs if an additional <b>offset</b> is provided.	No acceptable outcome is prescribed.	The site does not contain a legally secured offset area.  <b>Not Applicable.</b>

**Table 16.8: Material change of use and / or reconfiguring a lot for all other purposes**

Performance outcomes	Acceptable outcomes	Response
<b>Clearing avoids and minimises impacts</b>		
<b>PO80 Clearing of vegetation and adverse impacts of clearing vegetation</b> do not occur unless the application has demonstrated that the <b>clearing</b> and the <b>adverse impacts of clearing</b> have been: 1. reasonably avoided; or 2. reasonably minimised where it cannot be reasonably avoided.	No acceptable outcome is prescribed.	The site is zoned for rural residential development and is Category B vegetation that is of least concern regional ecosystem.  While the State mapping system does identify a Low and medium level waterways through the centre of the site, it is evident that there is no discernible waterway present, and the site identified waterways are predominately drainage channels.  Clearing will only occur to the extent required to facilitate infrastructure, a built form footprint within the new vacant lot and to mitigate bushfire risk. It is acknowledged that additional exempt clearing will be able to occur as a result of the RAL, however, this is likely to only ever be required for fencing. Controls can be put in place as part of this

Performance outcomes	Acceptable outcomes	Response
		<p>RAL approval to limit clearing to the appropriate scale.</p> <p>The site areas of low vegetation that can support residential development with minimal clearing within regulated vegetation areas.</p> <p><b>Complies with PO80.</b></p>
<b>Clearing associated with wetlands</b>		
<p><b>PO81 Clearing of vegetation</b> within a natural <b>wetland</b> and/or within 100 metres of the <b>defining bank</b> of a natural <b>wetland</b> maintains the composition, structure and function of any <b>regional ecosystem</b> associated with any natural <b>wetland</b> to protect all of the following:</p> <ol style="list-style-type: none"> <li>1. bank stability by protecting against bank erosion;</li> <li>2. water quality by filtering sediments, nutrients and other pollutants;</li> <li>3. aquatic habitat;</li> <li>4. terrestrial habitat.</li> </ol>	<p><b>AO81.1 Clearing</b> does not occur in a natural <b>wetland</b> or within 100 metres of the <b>defining bank</b> of any natural <b>wetland</b>.</p> <p>OR</p> <p><b>AO81.2 Clearing</b> within 100 metres of the <b>defining bank</b> of any natural <b>wetland</b>:</p> <ol style="list-style-type: none"> <li>1. does not occur within 10 metres of the <b>defining bank</b> of any natural <b>wetland</b>; and</li> <li>2. does not exceed widths in reference table 1 in this code.</li> </ol>	<p>The development does not involve the clearing of vegetation within a natural wetland.</p> <p><b>Not Applicable.</b></p>
<p><b>PO82</b> Where <b>clearing of vegetation</b> in a <b>regional ecosystem</b> associated with a natural <b>wetland</b> does not maintain the composition, structure and function of the <b>regional ecosystem</b>, and cannot be avoided and has been mitigated, an <b>offset</b> is provided for any acceptable <b>significant residual impact</b>.</p>	<p>No acceptable outcome is prescribed.</p>	<p>The development does not involve the clearing of vegetation within a natural wetland.</p> <p><b>Not Applicable.</b></p>
<b>Clearing associated with watercourses and drainage features</b>		
<p><b>PO83 Clearing of vegetation</b> within a <b>watercourse</b> and /or <b>drainage feature</b> and/or within the relevant distance (listed in reference table 2) of a <b>watercourse</b> and/or <b>drainage feature</b>, maintains the composition, structure and function of the <b>regional ecosystem</b> associated with the <b>watercourse</b> and/or <b>drainage feature</b> to protect all of the following:</p> <ol style="list-style-type: none"> <li>1. bank stability by protecting against bank erosion;</li> <li>2. water quality by filtering sediments, nutrients and other pollutants;</li> </ol>	<p><b>AO83.1 Clearing</b> does not occur in any of the following areas:</p> <ol style="list-style-type: none"> <li>1. inside the <b>defining bank</b> of a <b>watercourse</b> or <b>drainage feature</b>; and</li> <li>2. within the relevant distance of the <b>defining bank</b> of any <b>watercourse</b> or <b>drainage feature</b> in reference table 2 of this code.</li> </ol> <p>OR</p>	<p>It is acknowledged that additional exempt clearing will be able to occur as a result of the RAL, however, this is likely to only ever be required for fencing. This clearing can be conditioned to comply with AO83.2.</p> <p><b>Complies with AO83.2.</b></p>



Performance outcomes	Acceptable outcomes	Response
3. aquatic habitat; 4. terrestrial habitat.	<b>AO83.2 Clearing</b> within any <b>watercourse</b> or <b>drainage feature</b> , or within the relevant distance of the <b>defining bank</b> of any <b>watercourse</b> or <b>drainage feature</b> in reference table 2 of this code: <ol style="list-style-type: none"> <li>1. does not exceed the widths in table reference table 1 of this code; and</li> <li>2. does not occur within 10 metres of the <b>defining bank</b>, unless <b>clearing</b> is required into or across the <b>watercourse</b> or <b>drainage feature</b>.</li> </ol>	
<b>PO84</b> Where <b>clearing</b> of <b>vegetation</b> in a <b>regional ecosystem</b> associated with a <b>watercourse</b> and/or <b>drainage feature</b> does not maintain the composition, structure and function of the <b>regional ecosystem</b> , and cannot be avoided and has been mitigated, an <b>offset</b> is provided for any acceptable <b>significant residual impact</b> .	No acceptable outcome is prescribed.	It is acknowledged that additional exempt clearing will be able to occur as a result of the RAL, however, this is likely to only ever be required for fencing. This clearing can be conditioned to comply with AO83.2.  <b>Complies with AO83.2.</b>
<b>Connectivity</b>		
<b>PO85 Regional ecosystems</b> on the subject land and any adjacent land, retain sufficient <b>vegetation</b> to maintain: <ol style="list-style-type: none"> <li>1. <b>ecological processes</b>; and</li> <li>2. ensure the <b>regional ecosystem</b> remains in the landscape despite <b>threatening processes</b>.</li> </ol>	<b>AO85.1 Clearing</b> occurs in accordance with reference table 3 in this code.	The extent of clearing required to facilitate the development will not be of an extent that will result in adverse connectivity impacts, noting that the surrounding area provides already cleared land that can support rural residential living.  <b>Complies with PO85.</b>
<b>Soil erosion if the local government is not the assessment manager for the development application</b>		
<b>PO86 Clearing</b> does not result in <b>accelerated soil erosion</b> within or outside the land the subject of the development application.	<b>AO86.1 Clearing</b> only occurs if an <b>erosion and sediment control plan</b> is developed and implemented to prevent <b>soil erosion and instability</b> resulting from the <b>clearing</b> .	Local government is the assessment manager for the development application.  <b>Not Applicable.</b>
<b>Salinity</b>		
<b>PO87 Clearing</b> within 100 metres of a <b>salinity expression area</b> does not contribute to or accelerate <b>land degradation</b> through either of the following: <ol style="list-style-type: none"> <li>1. <b>waterlogging</b>;</li> <li>2. the <b>salinisation</b> of <b>groundwater</b>, surface water or soil.</li> </ol>	<b>AO87.1 Clearing</b> does not occur within 100 metres of a <b>salinity expression area</b> .	The site does not contain a salinity expression area.  <b>Complies with AO87.1.</b>
<b>Conserving endangered and of concern regional ecosystems</b>		

Performance outcomes	Acceptable outcomes	Response
<b>PO88 Clearing of vegetation</b> maintains the composition, structure and function of <b>endangered regional ecosystems</b> and/or <b>of concern regional ecosystems</b> .	<b>AO88.1 Clearing</b> does not occur in an <b>endangered regional ecosystem</b> or an <b>of concern regional ecosystem</b> .  OR  <b>AO88.2</b> Total <b>clearing of endangered regional ecosystems</b> and <b>of concern regional ecosystems</b> combined does not exceed the widths prescribed in reference table 1 of this code.  OR  <b>AO88.3</b> Total <b>clearing of endangered regional ecosystems</b> and <b>of concern regional ecosystems</b> combined does not exceed areas prescribed in reference table 1 of this code.	The site does not contain areas of endangered or concern regional ecosystems.  <b>Not Applicable.</b>
<b>PO89</b> Where <b>clearing of vegetation</b> in an <b>endangered regional ecosystem</b> or an <b>of concern regional ecosystems</b> does not maintain the composition, structure and function of the <b>regional ecosystem</b> , and cannot be avoided and has been mitigated, the cleared area: <ol style="list-style-type: none"> <li>1. is <b>rehabilitated</b>; or</li> <li>2. where the cleared area cannot be <b>rehabilitated</b>, an <b>offset</b> is provided for any acceptable <b>significant residual impact</b>.</li> </ol>	No acceptable outcome is prescribed.	The site does not contain areas of endangered or concern regional ecosystems.  <b>Not Applicable.</b>
<b>Essential habitat excluding essential habitat for <i>Phascolarctos cinereus</i> (koalas) if development is assessable under Schedule 10, Part 10 of the Planning Regulation 2017</b>		
<b>PO90 Clearing of vegetation</b> in a <b>regional ecosystem</b> that is an area of <b>essential habitat</b> maintains the composition, structure and function of the <b>regional ecosystem</b> for each <b>protected wildlife</b> species individually.	<b>AO90.1 Clearing</b> does not occur in <b>essential habitat</b> .  OR  <b>AO90.2 Clearing in essential habitat</b> does not exceed the widths prescribed in reference table 1 of this code.  OR	<b>Not Applicable.</b>

Performance outcomes	Acceptable outcomes	Response
	<b>AO90.3 Clearing in essential habitat</b> does not exceed the areas prescribed in reference table 1 of this code.	
<b>PO91</b> Where <b>clearing of vegetation</b> in a <b>regional ecosystem</b> that is an area of <b>essential habitat</b> does not maintain the composition, structure and function of the <b>regional ecosystem</b> , and cannot be avoided and has been mitigated, an <b>offset</b> is provided for any acceptable <b>significant residual impact</b> for each <b>protected wildlife</b> species individually.	No acceptable outcome is prescribed.	<b>Not Applicable.</b>
<b>Acid sulfate soils if the local government is not the assessment manager for the development application</b>		
<b>PO92 Clearing</b> does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following: 1. aeration of horizons containing iron sulphides; 2. mobilisation of acid or metals.	<b>AO92.1 Clearing</b> does not occur in <b>land zone 1</b> , <b>land zone 2</b> or <b>land zone 3</b> .  OR  <b>AO92.2 Clearing in land zone 1, land zone 2 or land zone 3</b> in areas below the five metre Australian Height Datum only occurs where: 1. <b>mechanical clearing</b> does not disturb the soil to a depth greater than 30 centimetres; and 2. acid sulfate soils are managed consistent with the Queensland Acid Sulfate Soil Technical Manual.	Local government is the assessment manager for the development application.  <b>Not Applicable.</b>