

DA Form 1 – Development application details

Approved form (version 1.4 effective 15 December 2023) made under section 282 of the Planning Act 2016.

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

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

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

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Colleen Cunliffe C/- JB Serisier Surveyors
Contact name (only applicable for companies)	Lauren McVicar
Postal address (P.O. Box or street address)	PO Box 540
Suburb	Pialba
State	QLD
Postcode	4655
Country	Australia
Contact number	(07) 4124 7054
Email address (non-mandatory)	surveying@cullenc.com.au / lauren@cullenc.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	S230887

2) Owner's consent

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

- Yes – the written consent of the owner(s) is attached to this development application
 No – proceed to 3)

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		44	Walsh Street	Biggenden
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4621	63	RP79469	North Burnett Regional Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
		1	Kent Street	Biggenden
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4621	1	RP166611	North Burnett Regional Council

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

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

- Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other: <input type="text"/>	

- 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: <input type="text"/>	

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? <i>(tick only one box)</i>
<input type="checkbox"/> Material change of use <input checked="" type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input checked="" type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>
Two (2) into two (2) lot boundary realignment
e) Relevant plans <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms guide: Relevant plans.</i>
<input checked="" type="checkbox"/> 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? <i>(tick only one box)</i>
<input type="checkbox"/> Material change of use <input type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>
<input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>
e) Relevant plans <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>
<input type="checkbox"/> Relevant plans of the proposed development are attached to the development application
6.3) Additional aspects of development
<input type="checkbox"/> 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
<input checked="" type="checkbox"/> 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 <i>(include each definition in a new row)</i>	Number of dwelling units <i>(if applicable)</i>	Gross floor area (m ²) <i>(if applicable)</i>

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?	
Two (2)	

9.2) What is the nature of the lot reconfiguration? <i>(tick all applicable boxes)</i>	
<input type="checkbox"/> Subdivision <i>(complete 10)</i>	<input type="checkbox"/> Dividing land into parts by agreement <i>(complete 11)</i>
<input checked="" type="checkbox"/> Boundary realignment <i>(complete 12)</i>	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road <i>(complete 13)</i>

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				

10.2) Will the subdivision be staged?	
<input type="checkbox"/> Yes – provide additional details below	
<input 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)
Lot 63 on RP79469	1,022m ²	Proposed Lot 63	2,730m ²
Lot 1 on RP166611	3,219m ²	Proposed Lot 1	1,513m ²

12.2) What is the reason for the boundary realignment?

The reason for this boundary realignment is to provide the existing motel (the Biggenden Motel) with additional land so that our clients can build a manager's residence for the motel. This will allow our clients to continue to live in their existing house (on current Lot 1 RP166611) when they sell the motel business.

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

North Burnett 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
- 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: <input type="checkbox"/> Airport land <input type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA has been devolved to local government)</i> <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 Transport Infrastructure Act 1994: <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: <i>By not agreeing to accept an information request I, the applicant, acknowledge:</i> <ul style="list-style-type: none"> • <i>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</i> • <i>Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.</i> <i>Further advice about information requests is contained in the DA Forms Guide.</i>	

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)			
<input type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input checked="" type="checkbox"/> 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)		
<input type="checkbox"/> Yes – a copy of the receipted QLeave form is attached to this development application <input type="checkbox"/> 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 <input checked="" type="checkbox"/> 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?
<input type="checkbox"/> Yes – show cause or enforcement notice is attached <input checked="" type="checkbox"/> 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 <i>Environmental Protection Act 1994</i> ?			
<input type="checkbox"/> 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 <input checked="" type="checkbox"/> No <i>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.</i>			
Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			
<input type="checkbox"/> 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 ?			
<input type="checkbox"/> Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application <input checked="" type="checkbox"/> No <i>Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.</i>			

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:	
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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			

Individual owner's consent for making a development application under the *Planning Act 2016*

I, James Richard Cunliffe & Colleen Dawn Cunliffe



as owner of the premises identified as follows:

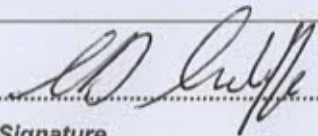
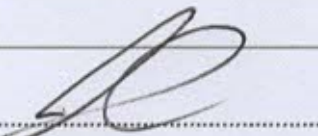
44 Walsh Street and 1 Kent Street, Biggenden QLD 4621 described as Lot 63 on RP79469 & Lot 1 on RP166611

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

JB Serisier Surveyors

on the premises described above for:

Development description – Reconfiguring a Lot for a Two (2) into two (2) lot boundary realignment

 Signature	10/01/2024 Date
 Signature	10/01/2024 Date



ABN
EMAIL
MOBILE

58 Lyons Street
Mundubbera QLD 4626
PO Box 540
Pialba QLD 4655
67 050 842 503
jbs.surv@bigpond.net.au
0427 424 787

Our Ref: S230887

15th February 2024

DIRECTORS

John Broe:

Environmental, Planning &
Development Consultant
Cadastral Surveyor
Managing Director

Ray Tabulo:

Spatial Scientist
Cadastral Surveyor

Scott Archbold:

Registered Surveyor

Assessment Manager
The Chief Executive Officer
North Burnett Regional Council
PO Box 390
GAYNDAH QLD 4625

ATTENTION: Development Assessment Team

Dear Sir/Madam,

Re: Lodgement of Development Application- Reconfiguring a Lot – Two (2) into two (2) lot boundary realignment at 44 Walsh Street & 1 Kent Street, Biggenden QLD 4621 (Lot 63 on RP79469 & Lot 1 on RP166611)

On behalf of our client, Colleen Cunliffe, we request assessment of the accompanying Development Application and provide the following supporting documentation: -

- Completed DA Form 1 and Owner's Consent;
- Town Planning Report and Associated Appendices; and
- Client will pay by EFT and will require an invoice

We trust the above information is sufficient for your purposes and request that you contact Lauren McVicar if you require any further details or clarification.

Yours faithfully

JB Serisier Surveyors

Lauren McVicar

Town Planner

[Enc] As Above

Cc – Colleen Cunliffe – biggendenmotel@bigpond.com



ABN
EMAIL
MOBILE

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DIRECTORS

John Broe:

Environmental, Planning &
Development Consultant
Managing Director

Ray Tabulo:

Spatial Scientist
Cadastral Surveyor

Scott Archbold:

Registered Surveyor

Town Planning Report

CODE ASSESSABLE APPLICATION

For

RECONFIGURING A LOT TWO (2) INTO TWO (2) LOT BOUNDARY REALIGNMENT

For

**44 Walsh Street & 1 Kent Street, Biggenden
QLD 4621**

Described as

Lot 63 on RP79469 & Lot 1 on RP166611

Prepared for

Colleen Cunliffe

By

JB Serisier Surveyors & Planners

Our Ref: S230887

February 2024

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ATTACHMENTS:

Appendix A – Plan of Proposed Lots 1 & 63, Cancelling Lot 1 on RP166611 & Lot 63 on RP79469, S230887-Pro1

Appendix B – Locality Plan

Appendix C – Registered Survey Plans – RP166611 & RP79469

Appendix D – Current Certificate of Title

Appendix E – Pre-lodgement Advice – North Burnett Regional Council

Appendix F – Pre-lodgement Advice – State Assessment and Referral Agency

Appendix G – Relevant Codes – North Burnett Regional Planning Scheme 2014

Appendix H – SDAP Code 1

- Reconfiguring a Lot (boundary realignment) and Associated Operational Work Code
- Infrastructure Overlay Code

1.0 EXECUTIVE SUMMARY

This report is for a code assessable development application seeking a Development Permit for a Reconfiguring a Lot – Two (2) into two (2) lot boundary realignment.

The development is considered consistent with the surrounding land use of the area and will not have any significant or detrimental impact on the character of the surrounding area. Furthermore, it will not impose any constraints on the facilitation of services and infrastructure for future potential development on the subject site. In addition, the boundary realignment allows for the existing uses on each lot to continue, and therefore it is considered that this realignment achieves a reasonable planning outcome.

2.0 PROPOSAL

This report has been prepared for Colleen Cunliffe to accompany an application to the North Burnett Regional Council for a Reconfiguring a Lot – Two (2) into two (2) lot boundary realignment. The purpose of this report is to obtain approval from Council for the proposed realignment as shown on the Proposal Plan. Refer to **Appendix A – Plan of Proposed Lots 1 & 63, Cancelling Lot 1 on RP166611 & Lot 63 on RP79469, S230887-Pro1**.

The subject site is located at 44 Walsh Street and 1 Kent Street, Biggenden, and is formally described as Lot 63 on RP79469 and Lot 1 on RP166611. The subject site is located in the General Residential zone, which has a minimum lot size of 800m² (if not a rear lot) and a minimum frontage width of 18m. This boundary realignment does not result in any additional lots being created and the lot sizes proposed by this realignment are compliant with the requirements outlined in Council's planning scheme.

This boundary realignment is being undertaken by our clients for the purpose of providing the motel (the Biggenden Motel) with additional land so that our clients can building a manager's residence for the motel. This will allow our clients to continue to live in their house (on current Lot 1 RP166611) when they sell the motel business. This boundary realignment will result in lot sizes of 1,513m² (proposed Lot 1) and 2,730m² (proposed Lot 2). This design ensures that the proposed lots comply with the minimum lot size requirements as determined by the planning scheme for the General Residential zone. In addition, the proposed realignment complies with the minimum frontage width requirements for land in the General Residential zone. This realignment will allow the existing uses on each lot to continue, and it is therefore considered that this boundary realignment will still maintain the character and overall purpose of the General Residential zone, and achieves a reasonable planning outcome.

The subject site is located within Council's water service area and there is an existing sewerage connection for each lot. This realignment will make no changes to any existing connections, with any existing water and sewerage infrastructure connections to be retained.

With regards to electricity and telecommunications (Telstra) infrastructure, these networks are available for the subject site. There is an existing electricity and Telstra connection provided for each lot, and these existing connections will be retained for each lot.

The subject site has frontage and access to Kent Street and the Isis Highway. Kent Street has been identified as a local road, and the Isis Highway is a state-controlled road. Lot 1 has an existing access to Kent Street and this will be retained as a result of this boundary realignment. Lot 63 has an existing access to both Kent Street and the Isis Highway. It is noted that the existing Kent Street access for Lot 63 may be too close to the Isis Highway intersection, however this appears to be an historical matter. It is not anticipated that the realignment would require any changes to the existing vehicle accesses.

In relation to stormwater, there is kerb and channel along the Isis Highway frontage of the motel building and there is kerb and channel in Kent Street. Therefore, it is expected that the existing stormwater collection and discharge arrangements will be retained as a result of this realignment with all stormwater to continue to discharge to the existing kerb and channel.

It is acknowledged that there may be part of the motel building (possibly some car spaces and carports) that encroach into the highway road reserve. This encroachment will be addressed with the Department of Transport and Main Roads (DTMR) in due course. The full extent of the building encroachment can be identified when surveyors are on site carrying out the field survey work for this boundary realignment. Then, once the full extent of the building encroachment is known the relevant actions to remedy the situation can be initiated.

3.0 APPLICATION DETAILS

Application Type	Reconfiguring a Lot – Two (2) into two (2) lot boundary realignment
Level of Assessment	Code Assessment
Applicant	Colleen Cunliffe C/- JB Serisier Surveyors & Planners
Contact Person	Lauren McVicar C/- JB Serisier Surveyors & Planners Telephone: (07) 4124 7054 Email: surveying@cullenc.com.au / lauren@cullenc.com.au

4.0 SITE DETAILS

Street Address	44 Walsh Street and 1 Kent Street, Biggenden QLD 4621 Refer to Appendix B – Locality Plan
Real Property Description	Lot 63 on RP79469 & Lot 1 on RP166611 (refer to Appendix C – Registered Survey Plans RP79469 & RP166611)
Site Area	Existing lots: <ul style="list-style-type: none"> • Lot 63 – 1,022m² • Lot 1 – 3,219m² Proposed lots: <ul style="list-style-type: none"> • Lot 63 – 2,730m² • Lot 1 – 1,513m²
Land Use Zone	General Residential Zone
Registered Owners	Lot 63 on RP79469 – James Richard Cunliffe & Colleen Dawn Cunliffe Lot 1 on RP166611 – James Richard Cunliffe & Colleen Dawn Cunliffe
Road Frontage	Kent Street and Isis Highway
Existing Vegetation	There are some existing trees on the subject site, however none of this is mapped as significant vegetation.
Existing Use and Lot Configuration	Motel (Lot 63) and residential dwelling (Lot 1)
Topography	The subject site is relatively flat.
Surrounding Land Uses	Vacant residential land adjoins the subject site to the west, with Kent Street bordering the subject site to the north, and the Isis Highway bordering the site to the south and west.

5.0 STATUTORY ASSESSMENT

5.1 STATE INTEREST

5.1.1 STATE ASSESSMENT AND REFERRALS

It has been advised that the proposed development will trigger referral to the State Assessment and Referral Agency under the following provisions of the *Planning Regulation 2017*.

ISSUE	STATUTORY TRIGGER	REFERRAL TYPE
State transport corridor	<p>Schedule 10, Part 9, Division 4, Subdivision 2, Table 1, Item 1 (10.9.4.2.1.1):</p> <p>Development application for reconfiguring a lot that is assessable development under section 21, if—</p> <ul style="list-style-type: none"> (a) all or part of the premises are within 25m of a State transport corridor; and (b) 1 or more of the following apply— <ul style="list-style-type: none"> (i) the total number of lots is increased; (ii) the total number of lots adjacent to the State transport corridor is increased; (iii) there is a new or changed access between the premises and the State transport corridor; (iv) an easement is created adjacent to a railway as defined under the Transport Infrastructure Act, schedule 6; and (c) the reconfiguration does not relate to government supported transport infrastructure 	Concurrence

The above-mentioned referral triggers assessment against State Code 1: Development in a state-controlled road environment, of the State Development Assessment Provision (SDAP) version 3.0. Refer to **Appendix H**.

ISSUE	STATUTORY TRIGGER	REFERRAL TYPE
State transport corridor	<p>Schedule 10, Part 9, Division 4, Subdivision 2, Table 3, Item 1 (10.9.4.2.3.1):</p> <p>Development application for reconfiguring a lot that is assessable development under section 21, if—</p> <ul style="list-style-type: none"> (a) all or part of the premises are— <ul style="list-style-type: none"> (i) adjacent to a road (the relevant road) that intersects with a State-controlled road; and (ii) within 100m of the intersection; and (b) 1 or more of the following apply— <ul style="list-style-type: none"> (i) the total number of lots is increased; (ii) the total number of lots adjacent to the relevant road is increased; (iii) there is a new or changed access between the premises and the relevant road; (c) the reconfiguration does not relate to government supported transport infrastructure 	Concurrence

The above-mentioned referral triggers assessment against State Code 1: Development in a state-controlled road environment, of the State Development Assessment Provision (SDAP) version 3.0. Refer to **Appendix H**.

5.1.2. STATE PLANNING POLICY 2017

The current State Planning Policy (SPP) came into effect on 3 July 2017. The SPP contains interim development assessment requirements for certain state interests, with assessment only being required for state interest not appropriately addressed in the planning scheme. The development will be assessed under the *North Burnett Regional Planning Scheme 2014*, and therefore the development will be assessed against the assessment benchmarks in the SPP to the extent of any inconsistency.

The SPP Interactive Mapping System (IMS) indicates that the subject site is located within the following overlays:

- Safety and Resilience – Natural Hazards Risk and Resilience – Flood hazard area (Local government flood mapping area); and
- Infrastructure – Transport Infrastructure – State-controlled road.

For purposes of this development, we consider that a separate assessment of the proposal against the SPP is not required given that all relevant matters will be dealt with under the provisions of the planning scheme.

5.1.3. REGIONAL PLAN

The subject site sits within the Wide Bay Burnett Regional Plan area. The Wide Bay Burnett Regional Plan 2023 is now in effect and replaces the Wide Bay Burnett Regional Plan 2011. The Minister has identified that the *North Burnett Regional Planning Scheme 2014* has appropriately integrated the Wide Bay Burnett Regional Plan as it applies in the planning scheme area.

5.1.4. WALKABLE NEIGHBOURHOOD REGULATION

This application is not subject to assessment against the provisions of the Walkable Neighbourhood Regulation. It is not anticipated that development of this land will trigger an assessment.

5.2 LOCAL ASSESSMENT

The proposed development generally complies with the relevant codes as required when submitting this application. The subject site is located within the General Residential Zone. The proposed development will be low-key in nature and will not have any significant impact on the existing character, amenity and the land use of the surrounding residential area. Therefore, it is considered that the proposed application does not conflict with the applicable planning scheme provisions and is therefore generally consistent with the requirements as well as the intent of the zone.

The site meets the requirements for the relevant codes and will comply with provisions that the Council provides. For responses to the applicable codes, please refer to **Appendix G**.

- Reconfiguring a lot (boundary realignment) and associated operational work code – See **Appendix G**
- Infrastructure overlay code - See **Appendix F**

6.0 PRE-LODGEMENT ADVICE

Pre-lodgement advice was requested from North Burnett Regional Council and the State Assessment and Referral Agency (SARA) for this proposed development. A copy of Council's pre-lodgement advice is provided in **Appendix E** and a copy of SARA's pre-lodgement advice is provided in **Appendix F**.

7.0 CONCLUSION

The development is for a Reconfiguring a Lot involving a two (2) into two (2) lot boundary realignment, and does trigger referral under the *Planning Regulation 2017*.

The required level of Code Assessment has been undertaken and has demonstrated that the proposal is generally consistent with the Planning Scheme. Where there are minor inconsistencies alternative solutions have been put forward.

Therefore, based on the information presented within this report, it is submitted that the proposed development, as applied for, should be recommended for approval subject to reasonable and relevant conditions.

APPENDIX A
Plan of Proposed Lots 1 & 63, Cancelling Lot 1 on RP166611 & Lot 63 on RP79469,
S230887-Pro1



Scale 1: 500 – Lengths are in Metres.

0 50 |mm 100 |mm 150 |mm

DISCLAIMER

1. This plan was prepared for the purpose and exclusive use of J & C Cunliffe to accompany an application to the North Burnett Regional Council for approval to reconfigure the land described in the plan and is not to be used for any other purpose or by any other person or corporation. CULLEN & COUPER PTY LTD accept no responsibility for any loss or damage suffered howsoever arising to any person or corporation who may use or rely on this plan in contravention of the terms of this clause or clauses 2 or 3 hereof.
2. The dimensions, area, size and location of utilities, improvements, flood information (if shown) and number of lots shown on this plan are approx. only and may vary.
3. This plan may not be photocopied unless this note is included.

CUNLIFFE

ACN 050 842 503

**JB SERISIER
SURVEYORS & PLANNERS**

PH: 07 4165 4468 Email: jbs.surv@bigpond.net.au
58 Lyons Street, Mundubbera QLD 4626

**Plan of Proposed
Lots 1 & 63**

FORMAT Proposal

LOCALITY Biggenden.
LOCAL GOVERNMENT North Burnett RC.

Cancelling Lot 1 on RP166611 & Lot 63 on RP79469

MERIDIAN RP166611	DATE 23/01/2024	SCALE 1:500 @ A3	SURVEYORS REF S230887
----------------------	--------------------	---------------------	--------------------------

S230887 – Pro1

APPENDIX B
Locality Plan



(Source: QLD Globe, 2024)

APPENDIX C
Registered Survey Plan – RP166611

166611

166611

166611

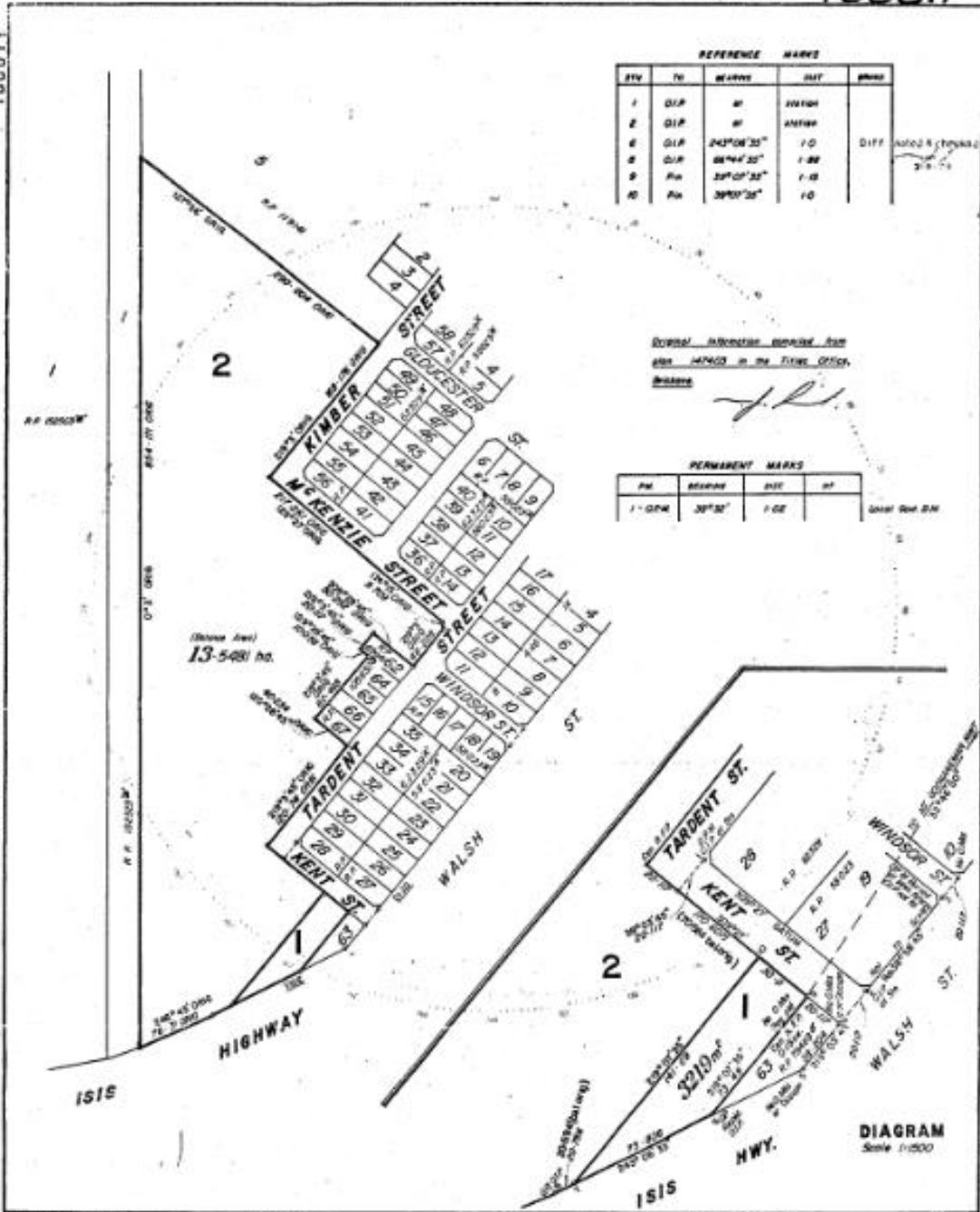
PLAN MUST BE DRAWN WITHIN BLUE LINES

PLAN MUST BE DRAWN WITHIN BLUE LINES

STV	To	BEARING	DIST	MARK
1	O.P.	at	20.00m	
2	O.P.	at	20.00m	
3	O.P.	242°04'25"	1.0	DIFF
4	O.P.	08°44'25"	1.00	
5	Pin	32°02'32"	1.0	
6	Pin	32°02'32"	1.0	

Original information provided from plan marked in the Title Office.

Pin	Bearing	Dist	at
1 - O.P.	32°02'	1.00	at



TO REGISTERED PLAN	ORIGINAL PORTION	PLAN OF	TOWN
	125	Lots 1 and 2	
	ORIGINAL GRANT	Canceling Lot 125 on RP147403	PARISH DEGILBO
	126725		COUNTY Cook
MAP REF.	PROCLAIMED SURVEY AREA	SURVEYED BY M.J. SMAG	REGISTERED PLAN 166611
166611		2 / 2 - 73	
		SCALE 1:500	

166611

NO 53711

166611

166611

CERTIFICATE

I, Atwell, James Snell hereby certify that I personally surveyed the land comprised in this plan

that the plan is accurate, that the said survey was performed in accordance with the "Surveyors Act 1917" and the "Surveyors Regulations 1978" and that the said survey was completed on 2-2-79.

[Signature]
Signature of Licensed Surveyor.

Date 5-3-79

FOR TITLES OFFICE USE ONLY

Previous Title
GC 200/5-20 Section 200 of GC 200/20

Council of the Shire of Clarendon certifies that all the requirements of this Council, the Local Government Acts of 1936 to 19 and all By-Laws have been complied with and approves this Plan of Subdivision.

Dated this 20th day of March 1979

[Signature] Mayor or Chairman
[Signature] Town or Shire Clerk

Ms. MABEL ALEXANDRA McKENNIE and JEAN INNES McKENNIE as proprietors of this land, agree to this Plan and dedicate the new roads shown hereon to public use.

Signatures of Proprietors
Mabel McKennie Jean McKennie

RECEIVED
11 OCT 1979
INITIALS _____
ANSWERED _____

Lodged by
BUTLER & KEE
SOLICITORS
7-0, BOX 96
CHILDERS, 4660

Fees Payable	
Postal fee and Postage	42
Lodg. Exam. Fees	42
Entd. on Deeds	2.50
New Title	3.60
Entd. on Deeds	5.00
Photo Fee	2.50
Total	\$ 26.50
Short Fees Paid	

Received Register of Titles
Journal No. **F79512**
Receipt No. **C4419**

Calc. Di. No. 30600
Examined 3/15/79
Passed 3/15/79
Charted 1/1
Map Ref. _____
[Signature]
20/11/79

Particulars entered in Register Book
Vol. 2615 Folio 29

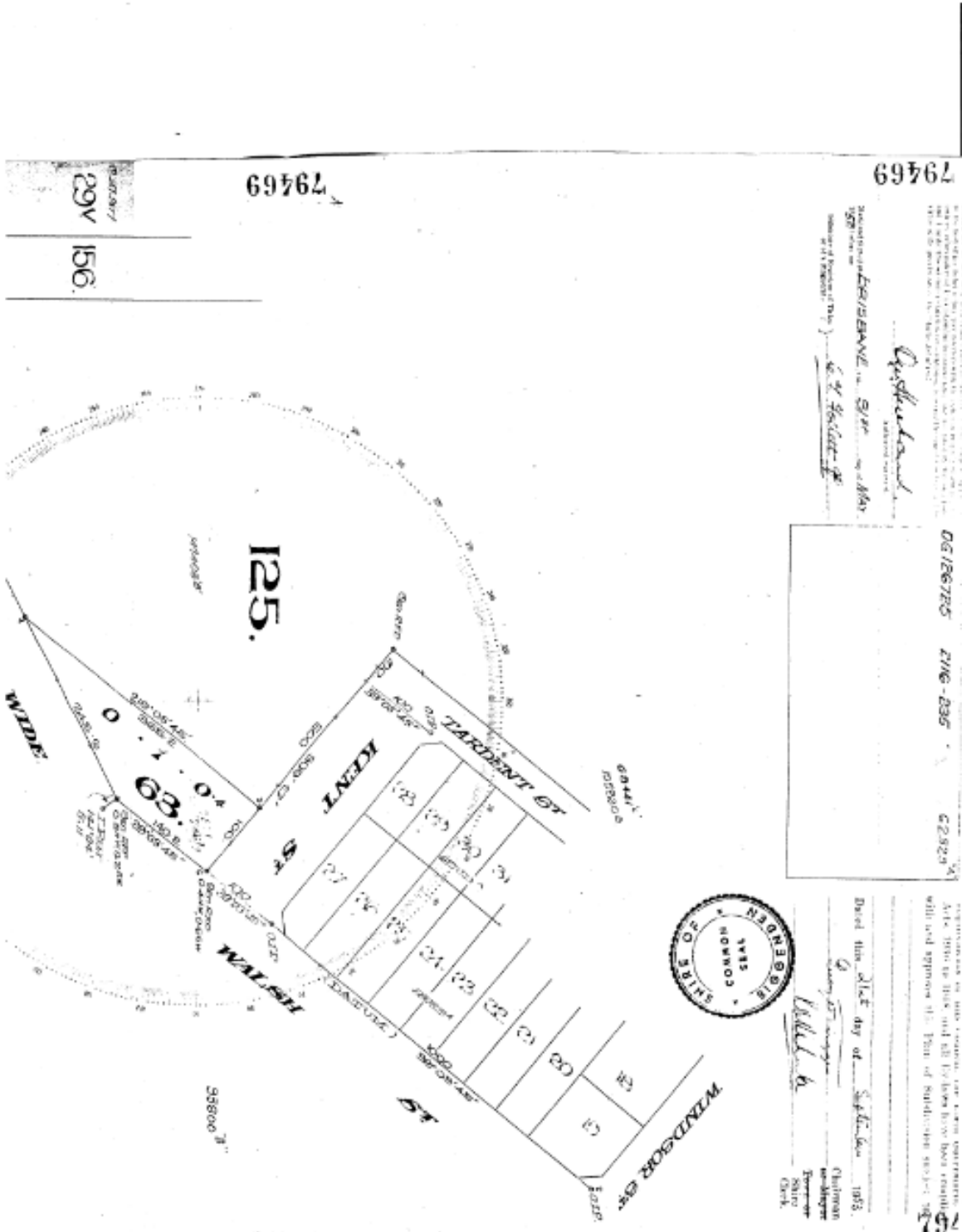
5 OCT 1979
[Signature]
REGISTRAR OF TITLES

\$3.00 Exam. Fee and
No. 671179

RECEIVED
REG. OF TITLES
MAY 17 1 01 PM '79

REGISTERED PLAN 166611

Registered Survey Plan – RP79469



Prepared by
 Registered Professional Engineer
 No. 4189
 Registered Professional Engineer
 No. 4189
 Registered Professional Engineer
 No. 4189

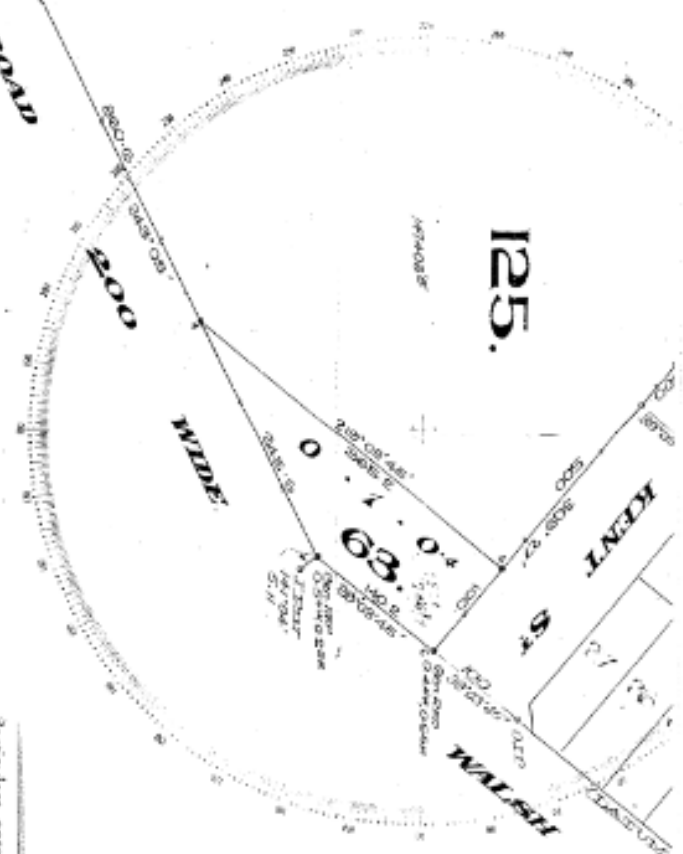
69562
 79469
 29V
 156



Proposed by
 Registered Professional Engineer
 No. 4189
 Registered Professional Engineer
 No. 4189
 Registered Professional Engineer
 No. 4189
 Date the Plan was approved by the Surveyor: 1983.
 Surveyed by
 William H.
 Registered Professional Engineer
 No. 4189

79469

29V 156



(OFFSETS & DIMENSIONS NOT TO SCALE)

SCALE 1" = 100' (AS SHOWN)

As shown on this plan, the line of subdivision is the line of subdivision as shown on the plan.

Approved	5	10	10
11/5/28	2	11	11
Examined	20	5	05/11/28
Approved	91	5	05/11/28
DESCRIPTION			

Particulars entered in Register Book.
 Vol. 206 Folio 215
 the 1 day of June
 1928 at 4.30 p.m.

REGISTER OF TITLES

[Signature]

REGISTER OF TITLES

SURVEY 63.

125.

79469

APPENDIX D
Current Certificate of Title

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	16127148	Search Date:	10/01/2024 13:11
Date Title Created:	01/06/1981	Request No:	46767382
Previous Title:	12834246, 12834247		

ESTATE AND LAND

Estate in Fee Simple

LOT 63 REGISTERED PLAN 79469

Local Government: NORTH BURNETT

REGISTERED OWNER

Dealing No: 713133438 23/03/2010

JAMES RICHARD CUNLIFFE

COLLEEN DAWN CUNLIFFE

JOINT TENANTS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by Deed of Grant No. 12116235 (POR 125)

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

** End of Current Title Search **

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference: 51180393	Search Date: 10/01/2024 13:11
Date Title Created: 17/04/2019	Request No: 46767382
Previous Title: 15825050, 18010139	

ESTATE AND LAND

Estate in Fee Simple

LOT 33 SURVEY PLAN 305905

Local Government: FRASER COAST

REGISTERED OWNER

Dealing No: 719358885 12/04/2019

ANDREW PAUL HAYNES

IRINA HAYNES

JOINT TENANTS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 10873217 (POR 1731)

ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status
718704406	OWNER BUILDR QUEENSLAND BUILDING AND CONSTRUCTION COMMISSION ACT 1991	20/04/2018 11:40	CURRENT

UNREGISTERED DEALINGS

NIL

** End of Current Title Search **

APPENDIX E
Pre-lodgement Advice – North Burnett Regional Council

RE: S230887 Cunliffe - request for pre-lodgement advice
Fri 20/10/2023 10:44 AM

Good Morning Lauren

Lyn at NBRC has requested us to respond to you on behalf of Council regarding pre-lodgement advice for a proposed Reconfiguring a Lot – 2 lots into 2 lots (boundary realignment) that you have enquired about (attached concept).

We and other Council officers have had an opportunity to review and generally concur with your general findings below regarding zoning, land area and overlays.

The subject site is located within 25m of a State-controlled road. Without further information regarding any changes to access arrangement, it's unable to be determined at this time whether the development may be referable to SARA under Schedule 10.9.4.2.1.1. We would recommend that pre-lodgement advice is sought from SARA to clarify any potential referral requirements and addressment of encroachment issues noted below.

Please refer blue comments below regarding your specific enquiry points raised—

- That the application will be code assessable. **Yes this development for boundary realignment would be code assessable per General residential zone of Table 5.6.1 of the planning scheme. The overlays applicable to the land do not elevate the assessment.**
- Applicable assessment benchmarks to be addressed as part of the application. **The assessment benchmarks for this development would be: Reconfiguring a lot (boundary realignment) and associated operational work code and Infrastructure overlay.**

Other comments for consideration/resolving—

- Boundary realignment purpose: At the time of this request, limited information is provided and thus it is not clear regarding the overall purpose of why the realignment is being proposed. The concept layout does not appear to necessarily indicate an improvement to the existing land scenario, such as remedying an encroachment, affording access to land that was not available or appropriately accessible, creation of more regular shaped land etc.
- Water and sewerage: No immediate servicing issues about water or sewer have been raised by Council officers. However, comments were noted that the applicant would not receive any extra connection points to water or sewer if they plan to develop the annexed area as part of the motel in future.
- Lot 63 access: Existing access is considered too close to existing intersection. However, this appears to be a legacy issue. No change or intensification to the existing access to Lot 63 would be supported.
- The existing Motel car spaces and carports appear to encroach on the highway road reserve—this is a State-controlled road. We would recommend discussing this issue further with SARA.
- The vehicular access to the shed at the back of the house on Lot 1 currently relies on Lot 63—is this to be removed or retained? If retained, would creation of an access easement be proposed?
- Location of water tanks for Lot 1—the concept proposed boundary conflicts with tank siting locations. Tanks may require removal/relocation or change of boundary position.
- Council fees: Development application fees for the FY23/24 would be \$2500.00.

Kind regards,

Cameron Sontter

Senior Town Planner

M 0478 748 572 | Dir 07 4100 9019

E cameron@insitesjc.com.au



Hervey Bay Office

56 Boat Harbour Drive, Pialba QLD 4655

PO Box 421, Hervey Bay QLD 4655

P 07 4124 6877

Bundaberg Office

67 Barolin Street, Bundaberg QLD 4670

PO Box 1073, Bundaberg QLD 4670

P 07 4151 6677

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From: Lauren McVicar <lauren@cullenc.com.au>
Sent: Wednesday, September 27, 2023 11:12 AM
To: North Burnett Regional Council <Admin@northburnett.qld.gov.au>
Cc: Dani Mares <dani@cullenc.com.au>; RMT <tamrayjorlucy@bigpond.com>
Subject: S230887 Cunliffe - request for pre-lodgement advice

Good morning,

We are acting on behalf of our client regarding Lot 63 RP79469 and Lot 1 RP166611, 44 Walsh Street and 1 Kent Street, Biggenden. Our clients are proposing to do a 2 into 2 lot boundary realignment, and the attached plan shows the preliminary layout that we are seeking advice on. There are existing vehicle accesses to Kent Street and Walsh Street/Isis Highway, and the proposed boundary realignment will retain all existing accesses with no changes required.

Our brief town planning assessment of the property is below:

- The subject land is in the General Residential zone which has a minimum lot size of 800m².
- The current lot sizes are 1,022m² (current Lot 63) and 3,219m² (current Lot 1).
- Proposed lot sizes – proposed Lot 1 = 1,513m² and proposed Lot 63 = 2,730m²
- Planning scheme overlays – Priority Infrastructure overlay (inside the PIA), Infrastructure Overlay (adjacent to a significant local road)
- State Planning Policy Mapping – Agricultural land classification (Class A & B), Flood hazard area (local government flood mapping area), State-controlled road
- State referrals – Nil referrals identified

I have listed below the information that we would like clarified:

- That the application will be code assessable.
- Applicable assessment benchmarks to be addressed as part of the application.

Can you also please confirm Council's current application fee for this application, and if there is any other advice relevant to this proposal, that would be greatly appreciated.

Please contact our office if there is any further information that you require, or if you have any questions.

Kind regards,

Lauren McVicar
Town Planner

[Cullen & Couper Pty Ltd](#) and [D.J.Matheson Surveyors](#) and [JB Serisier Surveyors](#)
Solutions In: Town Planning, Surveying, Environmental Management, GIS'



[Cullen & Couper Pty Ltd](#)

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APPENDIX F
Pre-lodgement Advice – State Assessment and Referral Agency



SARA reference: 2311-37659 SPL

17 November 2023

Ms Colleen Cunliffe
c/- JB Serisier Surveyors
PO Box 540
PIALBA QLD 4655
lauren@cullenc.com.au

Attention: Lauren McVicar

Dear Ms McVicar

SARA Pre-lodgement advice—44 Walsh Street and 1 Kent Street, Biggenden

I refer to your pre-lodgement request received on 7 November 2023 in which you sought pre-lodgement advice from the State Assessment and Referral Agency (SARA) regarding the proposed development at the above address. This notice provides advice on aspects of the proposal that are of relevance to SARA.

SARA's understanding of the project

The proposed development involves reconfiguring a lot for boundary realignment (2 lots into 2 lots) at 44 Walsh Street and 1 Kent Street, Biggenden, formally described as Lot 1 on RP166611 and Lot 63 on RP79469. The proposed boundary realignment results in a rectangular 1,513m² lot containing the existing dwelling house, and an irregularly shaped 2,730m² lot containing the existing short-term accommodation and balance area.

Supporting information

The advice in this letter is based on the following documentation that was submitted with the pre-lodgement request.

Drawing/report title	Prepared by	Date	Reference	Revision
S230887_Option1	–	–	–	–
2023-10-20 [Insite][Lauren McVicar] RE S230887 Cunliffe - request for pre-lodgement advice	–	–	–	–

Pre-lodgement advice

The following advice outlines the aspects of the proposal that are of relevance to SARA.

SARA's jurisdiction and fees	
1.	<p>The application will require referral to SARA under the following provisions of the Planning Regulation 2017:</p> <ul style="list-style-type: none"> Schedule 10, Part 9, Division 4, Subdivision 2, Table 1, Item 1 – Reconfiguring a lot near a State transport corridor <p>This will require a fee of \$1,817 to be paid in accordance with Schedule 10, Part 9, Division 4, Subdivision 2, Table 1, Item 8(a).</p> <ul style="list-style-type: none"> Schedule 10, Part 9, Division 4, Subdivision 2, Table 3, Item 1 – Reconfiguring a lot near a State-controlled road intersection <p>This will require a fee of \$0 in accordance with Schedule 10, Part 9, Division 4, Subdivision 2, Table 3, Item 8(a).</p> <p>These referral triggers are subject to re-assessment when lodging a formal development application. When lodging a formal development application, the applicant is responsible for identifying the relevant referral triggers.</p>
2.	<p>The proposed development is referable development under the Planning Regulation 2017 for state-controlled road matters as the boundary realignment will result in a new or changed access for the land.</p> <p>The balance area for the proposed lot adjacent to the Isis Highway cannot be serviced by the existing approved access locations (these being via Kent Street and via the Permitted Road Access location detailed in the Department of Transport and Main Roads' Decision Notice – Permitted Road Access location dated 20 July 2020 (Ref: TMR20- 030332).</p> <p>The location where existing informal access to the rear portion of Lot 1 on RP166611 does not have approval under section 62 of the <i>Transport Infrastructure Act 1994</i> (TIA).</p> <p>A decision about access for a new or changed access arrangement is required for the proposed boundary realignment. Otherwise, lawful access to the balance area for the proposed lot adjacent to the Isis Highway would not be possible as the motel obstructs use of the permitted road access location. Please note the term road access location in the TIA refers to the location on a property boundary where access is permitted.</p>
Vehicular access to a state-controlled road	
3.	<p>Based on maximising road safety outcomes and compliance with the <i>Vehicular access to state-controlled roads policy 2023</i>, the Department of Transport and Main Roads (DTMR) have advised new access to the state-controlled road is not supported. The applicant may consider rationalising or relocating access so that both the motel and the rear vacant area use a single access junction with the Isis Highway.</p> <p>It is noted that a car parked in the designated parking spot for the westernmost motel unit will obstruct access to the vacant land using the existing road access junction on the Isis Highway arrangements. This will need to be addressed as part of the development</p>

	<p>application. Access arrangements will need to be modified to demonstrate that this movement can occur unobstructed and in conjunction with access to the motel and cafe.</p> <p>It is recommended this be clarified and further advice be sought from SARA prior to formally lodging the boundary realignment application.</p>
Encroachment within the State-controlled road corridor	
4.	<p>The Department of Transport and Main Roads (DTMR) have advised the extent of encroachment will need to be clearly identified by way of survey. To address the encroachment, there are three potential options:</p> <ol style="list-style-type: none"> 1. Remove the part of building from the state-controlled road such that all of the building and associated structures/improvements no longer encroaches into the state-controlled road corridor. <p>or</p> <ol style="list-style-type: none"> 2. Make an application to the Department of Resources (Resources) for a permanent road closure. The extent of closure will need to ensure all buildings, and encroachments are wholly contained within the land (including car park manoeuvring areas) and that access to the balance area west of the building can also be achieved via Kent Street. <p>or</p> <ol style="list-style-type: none"> 3. If it is only the veranda/car parking awning part of the building that encroaches the road reserve then an application to DTMR for a Road Corridor Permit under section 50 of the <i>Transport Infrastructure Act 1994</i> may be considered. This option only applies if it is the awning structure only that encroaches. If the main part of the motel building also encroaches the road reserve, then only options 1 and 2 will be available to formally resolve the issue. <p>If option 2 is pursued, Resources will seek comment from DTMR about whether the permanent road closure is supported. It is encouraged that before you make application to Resources, you first contact DTMR via email Bundaberg.Office@tmr.qld.gov.au to first discuss and reach in principle agreement about the area required for the permanent road closure. The process for applying for and finalising any permanent closure of road corridor is outside of the planning approval process.</p> <p>If option 3 can be pursued it is recommended the landowner contact DTMR to discuss a potential application and what is involved/required. For option 3 DTMR will require survey evidence to demonstrate what parts of the building are encroaching the road reserve. Further information about road corridor permits is available at https://www.tmr.qld.gov.au/community-and-environment/planning-and-development/other-matters-requiring-approval/road-corridor-permit</p>
Lodgement material	
5.	<p>It is recommended that the following information is submitted when referring the application to SARA:</p> <ul style="list-style-type: none"> • DA form 1.

	<ul style="list-style-type: none"> • A full response to the relevant sections of SDAP Code 1: Development in a state-controlled road environment. • Landowner's consent (if required). • Relevant plans as per the DA Forms guide, including scaled and sufficiently detailed plans and supporting documentation which clearly identify all aspects of the proposed development including how access to the new lots will be provided via the local road network. <p>This will include confirming the access arrangements for the subject land and where necessary, rationalise and reduce the number of accesses to the state-controlled road network.</p>
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This advice outlines aspects of the proposed development that are relevant from the jurisdiction of SARA. This advice is provided in good faith and is:

- based on the material and information provided to SARA
- current at the time of issue
- not applicable if the proposal is changed from that which formed the basis of this advice.

This advice does not constitute an approval or an endorsement that SARA supports the development proposal. Additional information may be required to allow SARA to properly assess the development proposal when a formal application has been lodged.

If you require further information please contact Lawson Costello, Planning Officer, on (07) 3452 7584 or via email WBBSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Peter Mulcahy
Principal Planning Officer

Development details	
Proposal:	Reconfiguring a lot – boundary realignment (2 lots into 2 lots)
Street address:	44 Walsh Street and 1 Kent Street, Biggenden
Real property description:	Lot 1 on RP166611; Lot 63 on RP79469
SARA role:	Referral agency
Assessment Manager:	North Burnett Regional Council
Assessment criteria:	State Development Assessment Provisions (SDAP): State code 1
Existing use:	Dwelling house, Short-term accommodation
Relevant site history:	2006-17435 SRA

APPENDIX G
Relevant Codes – *North Burnett Regional Planning Scheme 2014*

9.4.4 Reconfiguring a lot (boundary realignment) and associated operational work code

9.4.4.1 Application

This code applies to assessable development for reconfiguring a lot involving rearranging the boundaries of a lot, and the operational work associated with such reconfiguring to the extent identified in Part 5 Tables of assessment.

9.4.4.2 Purpose and overall outcomes

- (1) The purpose of the Reconfiguring a lot (boundary realignment) and associated operational work code is to ensure that reconfigured lots are appropriate to their intended or likely use and minimise adverse impacts on the environment.
- (2) The purpose of the Reconfiguring a lot (boundary realignment) and associated operational work code will be achieved through the following overall outcomes—
 - (a) lots are suitable for the intended use, or probable uses having regard to the zone in which the site is included;
 - (b) the reconfiguration avoids creating access to lots that is likely to create or exacerbate a traffic problem or adversely affect the function of a road;
 - (c) lots do not compromise the future development of adjoining premises;
 - (d) non-trunk infrastructure services the lots to a suitable level that meets the anticipated needs of users;
 - (e) the reconfiguration protects environmental values, including areas and sites of conservation significance, cultural heritage, and scenic amenity.

9.4.4.3 Performance and acceptable outcomes

Table 9.4.8—Reconfiguring a lot (boundary realignment) and associated operational work code: Assessable development POs and AOs

Performance outcomes (PO)	Acceptable outcomes (AO)	Comments
PO1 The reconfiguring results in functional and practical lots having regard to their likely use and the purpose of the zone in which the land is situated.	AO1.1 New boundaries do not increase any non-compliance with the building envelope requirements in— <ol style="list-style-type: none"> (a) Table 6.3.1—Building envelope criteria (for buildings other than Class 1 or 10): All zones; or (b) the Dwelling house code or Dual occupancy code (for Class 1 or 10 buildings). 	Noted.

	<p>AO1.2 If in the Rural zone, no proposed lot is less than 1.0 hectares in area.</p> <p>AO1.3 The reconfiguring would not result in more than one rear lot behind a standard lot.</p> <p>AO1.4 The reconfiguration ensures that any existing buildings and structures are setback to any new property boundary in accordance with—</p> <ul style="list-style-type: none"> (a) Table 6.3.1—Building envelope criteria (for buildings other than Class 1 or 10): All zones; or (b) the Dwelling house code or Dual occupancy code (for Class 1 or 10 buildings). <p>AO1.5 The configuration of lots enables—</p> <ul style="list-style-type: none"> (a) proposed buildings and structures to avoid easements, such as easements for trunk sewer lines; (b) the construction of buildings and structures where they avoid existing or planned infrastructure. <p>AO1.6 No new boundary is created where the existing slope of the land is 15 per cent or greater.</p>	<p>Not applicable.</p> <p>Complies.</p> <p>Will comply.</p> <p>Complies.</p> <p>Complies.</p>
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Infrastructure		
<p>PO2 Lots have appropriate non-trunk infrastructure.</p>	<p>AO2.1 Either—</p> <ul style="list-style-type: none"> (a) for premises within a water supply area, each lot has a connection to the reticulated water supply system; or (b) for premises outside a water supply area, each lot is provided with an alternate potable water supply source (e.g. rainwater, bore water), with a minimum storage capacity in accordance with the following— <ul style="list-style-type: none"> (i) residential premises – 45,000 litres; and (ii) other premises – 25,000 litres <p>AO2.2 Either—</p> <ul style="list-style-type: none"> (a) for premises within a sewerage area, each lot has a connection to the sewerage service; or (b) for premises outside a sewerage area, each lot provides for an effluent treatment and disposal system in compliance with the <i>Plumbing and Drainage Act 2002</i>. <p>AO2.3 Either—</p> <ul style="list-style-type: none"> (a) in all zones other than the Rural zone and the Recreation and open space zone, each lot has a connection to an electricity supply network; or (b) each lot in the Rural zone or Recreation and open space zone has on-site electricity generating infrastructure. 	<p>Complies. The subject site is located within Council’s water service area. This realignment will make no changes to any existing water connections, with any existing water infrastructure connections to be retained.</p> <p>Complies. There is an existing sewerage connection for each lot. This realignment will make no changes to any existing connections, with any existing sewerage infrastructure connections to be retained.</p> <p>Complies. Electricity infrastructure is available for the subject site. There is an existing electricity connection provided for each lot, and these existing connections will be retained for each lot.</p>

	<p>AO2.4 Each lot has access to a telecommunications network.</p>	<p>Complies. Telecommunication infrastructure is available for the subject site. There is an existing Telstra connection provided for each lot, and these existing connections will be retained for each lot.</p>
<p>Access</p>		
<p>PO3 Lots incorporate suitable vehicular and pedestrian access having regard to the zone and the context of the land.</p>	<p>AO3.1 Each lot has lawful, safe and practical access to the existing road network via—</p> <ul style="list-style-type: none"> (a) direct road frontage; or (b) an access strip (for a rear lot); or (c) an access easement. <p>AO3.2 Where access to a lot is proposed via an access strip or easement, the access strip or easement—</p> <ul style="list-style-type: none"> (a) has a minimum width of— <ul style="list-style-type: none"> (i) six metres in all zones except the Industry zone; or (ii) eight metres in the Industry zone; and (b) is designed and constructed in accordance with the— <ul style="list-style-type: none"> (i) Infrastructure and operational work code; and (ii) SC6.2 Design and construction standards for development works policy. <p>AO3.3 The maximum length of an access strip or easement is 50 metres.</p>	<p>Complies. The subject site has frontage and access to Kent Street and the Isis Highway. Lot 1 has an existing access to Kent Street and this will be retained. Lot 63 has an existing access to both Kent Street and the Isis Highway, which will be retained.</p> <p>Not applicable.</p> <p>Not applicable.</p>

	<p>AO3.4 The gradient of an access strip or easement does not exceed any maximum grade stated in SC6.2 Design and construction standards for development works policy.</p> <p>AO3.5 A driveway crossover to each lot is designed and constructed in accordance with the—</p> <ul style="list-style-type: none"> (a) Infrastructure and operational work code; and (b) SC6.2 Design and construction standards for development works policy. 	<p>Not applicable.</p> <p>Noted. Existing crossovers will be retained.</p>
Stormwater		
<p>PO4 Reconfiguring appropriately accommodates stormwater, having regard to the zone and the context of the land.</p>	<p>AO4.1 For land intended to be used for urban purposes—an erosion and sediment control plan prepared by a suitably qualified person and implemented on-site guides design, installation, construction, operation, monitoring and maintenance of erosion and sediment control practices in accordance with the <i>Urban Stormwater Quality Planning Guidelines 2010</i>.</p> <p>AO4.2 Filling or excavation on the premises does not exceed a maximum of one-metre vertical change in natural ground level at any point.</p>	<p>Noted. There is kerb and channel along the highway frontage of the motel building and there is kerb and channel in Kent Street. Therefore, it is expected that the existing stormwater collection and discharge arrangements will be retained, with all stormwater to continue to discharge to the existing kerb and channel.</p> <p>Not applicable.</p>

	<p>AO4.3 Following filling or excavation—</p> <ul style="list-style-type: none">(a) the site is self-draining and has a crossfall of 1 in 100; and(b) surface water flow is directed away from neighbouring properties or discharged to a lawful point of discharge.	Not applicable.
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8.2.4 Infrastructure overlay code

8.2.4.1 Application

- (1) This code applies to development that is accepted subject to requirements or assessable, involving a material change of use, building work, operational work and reconfiguring a lot where the development is in proximity to identified infrastructure to the extent identified in Part 5 Tables of assessment.

8.2.4.2 Purpose and overall outcomes

- (1) The purpose of the Infrastructure overlay code is to protect the function of existing significant infrastructure and future infrastructure areas and minimise community impacts.
- (2) The purpose of the code will be achieved through the following overall outcomes—
- (a) high standards of health and safety for people and property;
 - (b) maintained or enhanced function of the identified infrastructure; and
 - (c) an appropriate level of amenity for development nearby the identified infrastructure.

8.2.4.3 Performance and acceptable outcomes

Table 8.2.3—Infrastructure overlay code: Assessable development POs and AOs

Performance outcomes (PO)	Acceptable outcomes (AO)	Comments
Road corridors		
PO1 Adequate separation distances and buffers along identified road corridors mitigate the potential adverse impacts to premises caused by the road corridor, including traffic noise, headlights and streetlights.	AO1.1 Development fronting a road corridor identified on Overlay maps OM-INFR-001 to OMINFR-008 incorporates— <ul style="list-style-type: none"> (a) a minimum frontage setback of 15 metres from any boundary adjacent to the corridor; and (b) a landscaped buffer along the frontage of the site— <ul style="list-style-type: none"> (i) a minimum width of five metres; (ii) consisting of three-tiered planting (groundcovers, shrubs, trees); 	Noted. All buildings and development on the subject site fronting the identified road corridor are existing. This boundary realignment will make no changes to the existing buildings, therefore all existing setbacks will be retained. Furthermore, this realignment will make no changes to any existing landscaping on site.

	<ul style="list-style-type: none"> (iii) trees with an expected minimum mature height of three metres; and (iv) are consistent with the landscaping policy. 	
Stock Routes		
<p>PO2 The stock route network is protected from development (both on the stock route and adjacent) that would compromise the network's primary use or capacity for stock movement and other values including conservation and recreational.</p>	<p>AO2.1 Where possible, avoid locating development that may compromise the use of the stock route by travelling stock, particularly if the stock route has a record of frequent use.</p> <p>OR</p> <p>AO2.2 Where development or land use impacts on a stock route cannot be avoided—</p> <ul style="list-style-type: none"> (a) provide alternate watered stock route access; (b) ensure grade separation where railways, haul roads or other transport infrastructure, crosses the stock route; and (c) consider revocation of the stock route declaration if a suitable alternative stock route exists. 	<p>Not applicable.</p> <p>Not applicable.</p>
Aerodromes		
<p>PO3 Uses near aerodromes do not attract flying vertebrates or release emissions that may affect pilot visibility or interfere with flight communication.</p>	no acceptable outcome identified	Not applicable.

PO4 Works maintain the safe operation of aerodromes and there are no bright lights, patterns of light, reflective materials or protrusions into operational airspace that could confuse, distract, or interfere with a pilot's vision.	no acceptable outcome identified	Not applicable.
PO5 Works do not adversely affect operational airspace.	AO5.1 Works do not intrude into operational airspace.	Not applicable.
Petroleum and natural gas pipelines		
PO6 Adequate separation distances from petroleum and natural gas pipelines minimises risk to the safety of people, property and the infrastructure	AO6.1 If involving development that increases the number of people who live, work or congregate on the premises, or involves the storage of flammable, explosive or other hazardous materials – no buildings or structures locate within 200 metres of the petroleum and natural gas pipeline infrastructure identified on Overlay maps OMINFR-001 to OM-INFR-008.	Not applicable.
Electricity infrastructure		
If involving a material change of use, building work or operational work		
PO7 Adequate separation distances from electricity easements and substations— (a) protect to an acceptable level the safety and amenity of occupants or users of premises; and (b) do not constrain the existing or future operation or function of the easement or facility.	AO7.1 No buildings or structures locate within— (a) 20 metres of any part of a tower or structure foundation; or (b) 5 metres of the area between the outside conductors of a transmission line when at rest, vertically projected to ground level.	Not applicable.

	<p>AO7.2 The minimum separation distance between any buildings (other than Class 10) associated with a sensitive land use and the closest boundary of any substation or easement for major electricity infrastructure is 20 metres.</p> <p>AO7.3 Machinery or equipment used within the electricity easement does not infringe the exclusion zones prescribed in Schedule 2 of the Electrical Safety Regulation 2002.</p> <p>AO7.4 Blasting within 500 metres of an easement complies with AS2187-1998 Explosives Storage Transport and Use.</p> <p>AO7.5 Changes in ground-level maintain the statutory ground to conductor clearance distances prescribed by the <i>Electrical Safety Act 2002</i> and the Electrical Safety Regulation 2002.</p>	<p>Not applicable.</p> <p>Not applicable.</p> <p>Not applicable.</p> <p>Not applicable.</p>
If reconfiguring a lot		
<p>PO8 Reconfigured lots adjoining a substation or easement for major electricity infrastructure protect the safety of users and visual amenity with adequate vegetation buffers and separation distances.</p>	<p>AO8.1 All lots retain all existing endemic vegetation of mature height within 20 metres of the boundary of the substation or easement for major electricity infrastructure, outside a complying building envelope.</p>	<p>Not applicable.</p>

	AO8.2 A minimum 3 metre wide densely planted landscaped buffer is provided along the boundary adjoining the electricity infrastructure, including advanced trees and shrubs that will grow to a minimum height of 10 metres.	Not applicable.
Railway		
PO9 Development results in noise levels appropriate to the wellbeing of site users, including their ability to sleep, work or otherwise undertake quiet enjoyment without unreasonable interference from rail noise.	AO9.1 Development of a sensitive land use within 100 metres of the identified rail infrastructure on Overlay maps OM-INFR-001 to OM-INFR-008 achieves an indoor design criteria average Lmax (10:00 pm – 6:00 am) not greater than 45dB(A).	Not applicable.
PO10 Adequate separation distances prevent constraints on the existing or future operation or function of important rail corridors.	AO10.1 Works not associated with the rail corridor provide a separation of 20 metres from the rail corridors identified on Overlay maps OM-INFR-001 to OM-INFR-008.	Not applicable.

APPENDIX H
SDAP Code 1

State code 1: Development in a state-controlled road environment

State Development Assessment Provisions guideline - State Code 1: Development in a state-controlled road environment. This guideline provides direction on how to address State Code 1.

Table 1.1 Development in general

Performance outcomes	Acceptable outcomes	Response
Buildings, structures, infrastructure, services and utilities		
PO1 The location of the development does not create a safety hazard for users of the state-controlled road .	AO1.1 Development is not located in a state-controlled road . AND AO1.2 Development can be maintained without requiring access to a state-controlled road .	The subject site is adjacent to the Isis Highway, which is a state-controlled road. There is an existing access to the highway for the existing motel.
PO2 The design and construction of the development does not adversely impact the structural integrity or physical condition of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Noted.
PO3 The location of the development does not obstruct road transport infrastructure or adversely impact the operating performance of the state-controlled road .	No acceptable outcome is prescribed.	Noted.
PO4 The location, placement, design and operation of advertising devices, visible from the state-controlled road , do not create a safety hazard for users of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable.

Performance outcomes	Acceptable outcomes	Response
<p>PO5 The design and construction of buildings and structures does not create a safety hazard by distracting users of the state-controlled road.</p>	<p>AO5.1 Facades of buildings and structures fronting the state-controlled road are made of non-reflective materials.</p> <p>AND</p> <p>AO5.2 Facades of buildings and structures do not direct or reflect point light sources into the face of oncoming traffic on the state-controlled road.</p> <p>AND</p> <p>AO5.3 External lighting of buildings and structures is not directed into the face of oncoming traffic on the state-controlled road.</p> <p>AND</p> <p>AO5.4 External lighting of buildings and structures does not involve flashing or laser lights.</p>	<p>Noted. This realignment will make no changes to the facades of the existing buildings.</p> <p>Noted. This realignment will make no changes to the facades of the existing buildings.</p> <p>Noted. This realignment will make no changes to the existing external lighting of the existing buildings.</p> <p>Noted. This realignment will make no changes to the existing external lighting of the existing buildings.</p>
<p>PO6 Road, pedestrian and bikeway bridges over a state-controlled road are designed and constructed to prevent projectiles from being thrown onto the state-controlled road.</p>	<p>AO6.1 Road, pedestrian and bikeway bridges over the state-controlled road include throw protection screens in accordance with section 4.11 of the Design Criteria for Bridges and Other Structures Manual, Department of Transport and Main Roads, 2020.</p>	<p>Not applicable.</p>
<p>Landscaping</p>		
<p>PO7 The location of landscaping does not create a safety hazard for users of the state-controlled road.</p>	<p>AO7.1 Landscaping is not located in a state-controlled road.</p> <p>AND</p> <p>AO7.2 Landscaping can be maintained without requiring access to a state-controlled road.</p>	<p>This realignment will make no changes to the existing landscaping on site.</p> <p>This realignment will make no changes to the existing landscaping on site.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AND</p> <p>AO7.3 Landscaping does not block or obscure the sight lines for vehicular access to a state-controlled road.</p>	<p>This realignment will make no changes to the existing landscaping on site.</p>
Stormwater and overland flow		
PO8 Stormwater run-off or overland flow from the development site does not create or exacerbate a safety hazard for users of the state-controlled road .	No acceptable outcome is prescribed.	Noted. Stormwater can continue to discharge to the existing kerb and channel in the adjacent road reserves.
PO9 Stormwater run-off or overland flow from the development site does not result in a material worsening of the operating performance of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Noted. Stormwater can continue to discharge to the existing kerb and channel in the adjacent road reserves.
PO10 Stormwater run-off or overland flow from the development site does not adversely impact the structural integrity or physical condition of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Noted. Stormwater can continue to discharge to the existing kerb and channel in the adjacent road reserves.
PO11 Development ensures that stormwater is lawfully discharged.	<p>AO11.1 Development does not create any new points of discharge to a state-controlled road.</p> <p>AND</p> <p>AO11.2 Development does not concentrate flows to a state-controlled road.</p> <p>AND</p> <p>AO11.3 Stormwater run-off is discharged to a lawful point of discharge.</p> <p>AND</p>	<p>Noted. Stormwater can continue to discharge to the existing kerb and channel in the adjacent road reserves.</p> <p>Noted. Stormwater can continue to discharge to the existing kerb and channel in the adjacent road reserves.</p> <p>Noted. Stormwater can continue to discharge to the existing kerb and channel in the adjacent road reserves.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AO11.4 Development does not worsen the condition of an existing lawful point of discharge to the state-controlled road.</p>	<p>Noted. Stormwater can continue to discharge to the existing kerb and channel in the adjacent road reserves.</p>
Flooding		
<p>PO12 Development does not result in a material worsening of flooding impacts within a state-controlled road.</p>	<p>AO12.1 For all flood events up to 1% annual exceedance probability, development results in negligible impacts (within +/- 10mm) to existing flood levels within a state-controlled road.</p> <p>AND</p> <p>AO12.2 For all flood events up to 1% annual exceedance probability, development results in negligible impacts (up to a 10% increase) to existing peak velocities within a state-controlled road.</p> <p>AND</p> <p>AO12.3 For all flood events up to 1% annual exceedance probability, development results in negligible impacts (up to a 10% increase) to existing time of submergence of a state-controlled road.</p>	<p>Not applicable.</p> <p>Not applicable.</p> <p>Not applicable.</p>
Drainage Infrastructure		
<p>PO13 Drainage infrastructure does not create a safety hazard for users in the state-controlled road.</p>	<p>AO13.1 Drainage infrastructure is wholly contained within the development site, except at the lawful point of discharge.</p> <p>AND</p>	<p>Noted. Stormwater can continue to discharge to the existing kerb and channel in the adjacent road reserves.</p>

Performance outcomes	Acceptable outcomes	Response
	AO13.2 Drainage infrastructure can be maintained without requiring access to a state-controlled road .	Noted. Stormwater can continue to discharge to the existing kerb and channel in the adjacent road reserves.
PO14 Drainage infrastructure associated with, or within, a state-controlled road is constructed, and designed to ensure the structural integrity and physical condition of existing drainage infrastructure and the surrounding drainage network.	No acceptable outcome is prescribed.	Noted. Stormwater can continue to discharge to the existing kerb and channel in the adjacent road reserves.

Table 1.2 Vehicular access, road layout and local roads

Performance outcomes	Acceptable outcomes	Response
Vehicular access to a state-controlled road or within 100 metres of a state-controlled road intersection		
PO15 The location, design and operation of a new or changed access to a state-controlled road does not compromise the safety of users of the state-controlled road .	No acceptable outcome is prescribed.	Noted, will comply.
PO16 The location, design and operation of a new or changed access does not adversely impact the functional requirements of the state-controlled road .	No acceptable outcome is prescribed.	Noted, will comply.
PO17 The location, design and operation of a new or changed access is consistent with the future intent of the state-controlled road .	No acceptable outcome is prescribed.	Noted, will comply.
PO18 New or changed access is consistent with the access for the relevant limited access road policy : 1. LAR 1 where direct access is prohibited; or 2. LAR 2 where access may be permitted, subject to assessment.	No acceptable outcome is prescribed.	Noted.
PO19 New or changed access to a local road within 100 metres of an intersection with a state-controlled road does not compromise the safety of users of the state-controlled road .	No acceptable outcome is prescribed.	Noted, will comply.

Performance outcomes	Acceptable outcomes	Response
PO20 New or changed access to a local road within 100 metres of an intersection with a state-controlled road does not adversely impact on the operating performance of the intersection.	No acceptable outcome is prescribed.	Noted, will comply.
Public passenger transport and active transport		
PO21 Development does not compromise the safety of users of public passenger transport infrastructure, public passenger services and active transport infrastructure .	No acceptable outcome is prescribed.	Not applicable.
PO22 Development maintains the ability for people to access public passenger transport infrastructure, public passenger services and active transport infrastructure .	No acceptable outcome is prescribed.	Not applicable.
PO23 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.	Not applicable.
PO24 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.	Not applicable.

Table 1.3 Network impacts

Performance outcomes	Acceptable outcomes	Response
PO25 Development does not compromise the safety of users of the state-controlled road network.	No acceptable outcome is prescribed.	Noted, will comply.
PO26 Development ensures no net worsening of the operating performance of the state-controlled road network.	No acceptable outcome is prescribed.	Noted, will comply.
PO27 Traffic movements are not directed onto a state-controlled road where they can be accommodated on the local road network.	No acceptable outcome is prescribed.	There is an existing access to the highway for the existing motel.

Performance outcomes	Acceptable outcomes	Response
PO28 Development involving haulage exceeding 10,000 tonnes per year does not adversely impact the pavement of a state-controlled road .	No acceptable outcome is prescribed.	Not applicable.
PO29 Development does not impede delivery of planned upgrades of state-controlled roads .	No acceptable outcome is prescribed.	Noted.
PO30 Development does not impede delivery of corridor improvements located entirely within the state-controlled road corridor .	No acceptable outcome is prescribed.	Noted.

Table 1.4 Filling, excavation, building foundations and retaining structures

Performance outcomes	Acceptable outcomes	Response
PO31 Development does not create a safety hazard for users of the state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Not applicable.
PO32 Development does not adversely impact the operating performance of the state-controlled road .	No acceptable outcome is prescribed.	Not applicable.
PO33 Development does not undermine, damage or cause subsidence of a state-controlled road .	No acceptable outcome is prescribed.	Not applicable.
PO34 Development does not cause ground water disturbance in a state-controlled road .	No acceptable outcome is prescribed.	Not applicable.
PO35 Excavation, boring, piling, blasting and fill compaction do not adversely impact the physical condition or structural integrity of a state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Not applicable.
PO36 Filling and excavation associated with the construction of new or changed access do not compromise the operation or capacity of existing drainage infrastructure for a state-controlled road .	No acceptable outcome is prescribed.	Not applicable.

Table 1.5 Environmental emissions

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Performance outcomes	Acceptable outcomes	Response
<p>PO38 Reconfiguring a lot minimises free field noise intrusion from a state-controlled road.</p>	<p>AO38.1 Development provides 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. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; 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>AO38.2 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>Not applicable.</p> <p>Not applicable.</p>
<p>Material change of use (accommodation activity)</p>		
<p>Ground floor level requirements adjacent to a state-controlled road or type 1 multi-modal corridor</p>		
<p>PO39 Development minimises noise intrusion from a state-controlled road in private open space.</p>	<p>AO39.1 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: 	<p>Not applicable.</p>

Performance outcomes	Acceptable outcomes	Response
	<ul style="list-style-type: none"> a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; 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 level in reference table 2 (item 2.2) for private open space by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p>	Not applicable.
<p>PO40 Development (excluding a relevant residential building or relocated building) minimises noise intrusion from a state-controlled road in habitable rooms at the facade.</p>	<p>AO40.1 Development (excluding a relevant residential building or relocated building) provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ul style="list-style-type: none"> 1. to achieve the maximum building façade acoustic level in reference table 1 (item 1.1) for habitable rooms; 2. in accordance with: <ul style="list-style-type: none"> a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; 	Not applicable.

Performance outcomes	Acceptable outcomes	Response
	<p>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020.</p> <p>OR</p> <p>AO40.2 Development (excluding a relevant residential building or relocated building) achieves the maximum building façade acoustic level in reference table 1 (item 1.1) for habitable rooms by alternative noise attenuation measures where it is not practical to provide a noise barrier or earth mound.</p>	Not applicable.
PO41 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 provided.	Not applicable.
Above ground floor level requirements (accommodation activity) adjacent to a state-controlled road or type 1 multi-modal corridor		
PO42 Balconies, podiums, and roof decks include: 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 provided.	Not applicable.
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 reference table 3 (item 3.1).	No acceptable outcome is provided.	Not applicable.
Material change of use (other uses)		
Ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor		
PO44 Development:	No acceptable outcome is provided.	Not applicable.

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Performance outcomes	Acceptable outcomes	Response
<ol style="list-style-type: none"> 1. provides a noise barrier or earth mound that is designed, sited and constructed: <ol style="list-style-type: none"> a. to achieve the maximum free field acoustic level in reference table 2 (item 2.3) for all outdoor education areas and outdoor play areas; b. in accordance with: <ol style="list-style-type: none"> i. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013; ii. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019; iii. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or 2. achieves the maximum free field acoustic level in reference table 2 (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. 		
<p>PO45 Development involving a childcare centre or educational establishment:</p> <ol style="list-style-type: none"> 1. provides a noise barrier or earth mound that is designed, sited and constructed: 2. to achieve the maximum building facade acoustic level in reference table 1 (item 1.2); 3. in accordance with: <ol style="list-style-type: none"> a. Chapter 7 integrated noise barrier design of the Transport Noise Management 	No acceptable outcome is provided.	Not applicable.

Performance outcomes	Acceptable outcomes	Response
<p>Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;</p> <p>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</p> <p>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or</p> <p>4. 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>PO46 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 achieves the maximum internal acoustic level in reference table 3 (items 3.2-3.4).</p>	No acceptable outcome is provided.	Not applicable.
<p>Above ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor</p>		
<p>PO47 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 a state-controlled road 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);</p>	No acceptable outcome is provided.	Not applicable.

Performance outcomes	Acceptable outcomes	Response
PO50 Patient care areas within hospitals are protected from vibration impacts from a state-controlled road or type 1 multi-modal corridor .	<p>AO50.1 Hospitals are designed and constructed to ensure vibration in the patient treatment area does not exceed a vibration dose value of 0.1m/s^{1.75}.</p> <p>AND</p> <p>AO50.2 Hospitals are designed and constructed to ensure vibration in the ward of a patient care area does not exceed a vibration dose value of 0.4m/s^{1.75}.</p>	<p>Not applicable.</p> <p>Not applicable.</p>
<p>PO51 Development is designed and sited to ensure light from infrastructure within, and from users of, a state-controlled road or type 1 multi-modal corridor, does not:</p> <ol style="list-style-type: none"> intrude into buildings during night hours (10pm to 6am); create unreasonable disturbance during evening hours (6pm to 10pm). 	No acceptable outcomes are prescribed.	Not applicable.

Table 1.6: Development in a future state-controlled road environment

Performance outcomes	Acceptable outcomes	Response
PO52 Development does not impede delivery of a future state-controlled road .	<p>AO52.1 Development is not located in a future state-controlled road.</p> <p>OR ALL OF THE FOLLOWING APPLY:</p> <p>AO52.2 Development does not involve filling and excavation of, or material changes to, a future state-controlled road.</p> <p>AND</p>	<p>Not applicable.</p> <p>Not applicable.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AO52.3 The intensification of lots does not occur within a future state-controlled road.</p> <p>AND</p> <p>AO52.4 Development does not result in the landlocking of parcels once a future state-controlled road is delivered.</p>	<p>Not applicable.</p> <p>Not applicable.</p>
PO53 The location and design of new or changed access does not create a safety hazard for users of a future state-controlled road .	AO53.1 Development does not include new or changed access to a future state-controlled road .	Not applicable.
PO54 Filling, excavation, building foundations and retaining structures do not undermine, damage or cause subsidence of a future state-controlled road .	No acceptable outcome is prescribed.	Not applicable.
PO55 Development does not result in a material worsening of stormwater, flooding, overland flow or drainage impacts in a future state-controlled road or road transport infrastructure .	No acceptable outcome is prescribed.	Not applicable.
PO56 Development ensures that stormwater is lawfully discharged.	<p>AO56.1 Development does not create any new points of discharge to a future state-controlled road.</p> <p>AND</p> <p>AO56.2 Development does not concentrate flows to a future state-controlled road.</p> <p>AND</p> <p>AO56.3 Stormwater run-off is discharged to a lawful point of discharge.</p> <p>AND</p>	<p>Not applicable.</p> <p>Not applicable.</p> <p>Not applicable.</p>

Performance outcomes	Acceptable outcomes	Response
	AO56.4 Development does not worsen the condition of an existing lawful point of discharge to the future state-controlled road .	Not applicable.