

DEVELOPMENT APPLICATION SEEKING A
DEVELOPMENT PERMIT FOR:

Development Permit for Material Change of Use
Relocatable Home Park (Land Lease Community)

HARRIS CROSSING

on behalf of
Ruby Developments Pty Ltd

at
99 Hogarth Drive, Bohle Plains

on
Lot 1002 on SP340654

Date: 6 September 2024

Ref: 43793-001-01





Brazier Motti have prepared this report for the sole purposes of Ruby Developments Pty Ltd for the specific purpose of a Development Application seeking a Development Permit for Material Change of Use (Relocatable Home Park) at 99 Hogarth Drive, Bohle Plains.

In preparing this report we have assumed that all information and documents provided to us by others, such as the client, other consultants acting on the client's behalf or government agencies, to be complete, accurate and current.

Signed on behalf of Brazier Motti Pty Ltd

ANNE ZAREH
Senior Town Planner
Brazier Motti Pty Ltd



CONTENTS

1.0 INTRODUCTION	3
2.0 THE SUBJECT SITE AND APPROVAL BACKGROUND.....	4
3.0 THE PROPOSAL.....	7
4.0 RELEVANT LEGISLATION	17
4.1 COMMONWEALTH LEGISLATION	
4.2 THE PLANNING ACT 2016	
4.3 STATE ASSESSMENT AND REFERRALS	
4.4 STATE PLANNING POLICY	
4.5 NORTH QUEENSLAND REGIONAL PLAN	
4.6 ASSESSMENT MANAGER AND PLANNING SCHEME	
4.7 PUBLIC NOTIFICATION	
5.0 THE PLANNING FRAMEWORK	19
5.1 LEVEL OF ASSESSMENT, ASSESSABLE BENCHMARKS & APPLICABLE CODES	
5.2 STRATEGIC FRAMEWORK	
5.3 ZONE CODE PROVISIONS	
5.4 DEVELOPMENT CODES	
5.5 OVERLAY CODES	
5.6 INFRASTRUCTURE CHARGES	
6.0 CONCLUSION	31

APPENDICES

Appendix A:	Development Application Form 1 and Owners Consent
Appendix B:	Certificates of Title, Smart Map, Survey Plan and SARA Mapping
Appendix C:	Urban Design Report prepared by Solis Estudio
Appendix D:	Development Concept Plans prepared by Solis Estudio
Appendix E:	Engineering Report prepared by Westera Partners
Appendix F:	Stormwater Management Report prepared by Westera Partners
Appendix G:	Internal Traffic Assessment prepared by Premise
Appendix H:	Statement of Landscape Intent prepared by Zone Landscape Architecture
Appendix I:	State Road Transport Noise Assessment prepared by MWA
Appendix J:	State Code 1 and 6



1.0 INTRODUCTION

This town planning report has been prepared on behalf of the Applicant, Ruby Developments Pty Ltd, in support of a development application seeking a Development Permit for a Material Change of Use for a Relocatable Home Park (Land Lease Community).

The proposal seeks to establish a land lease community by providing 292 residential sites and associated community facilities and infrastructure. The development will be delivered over six stages.

The applicant is an established developer of over 50s lifestyle estates and has a demonstrated record of delivery.

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

The site is located within the boundaries of the Townsville City Plan 2014 and the assessment manager for the site is Townsville City Council. Referral will be required given the development threshold and proximity to a State-Controlled Road (Ring Road). The application is subject to impact assessment and therefore public notification will be required.

The report reviews the characteristics of the site and reviews the town planning and legislative implications of the proposal pursuant to provisions of *the Act*.

To assist in Council's determination of this development application, this planning report provides greater detail on the nature of the proposal in covering the following matters:

- Section 2:- A subject site description
- Section 3:- A detailed description of the development proposal.
- Section 4:- A review of the relevant legislation provisions.
- Section 5:- Planning Framework and assessment of the proposal against the relevant code provisions of the Townsville City Plan 2014.
- Section 6:- Conclusion and recommendation.



2.0 THE SUBJECT SITE AND APPROVAL BACKGROUND

The subject site is located at 99 Hogarth Drive, Bohle Plains and formerly described as Lot 1002 on SP340654. *Figure 1* below shows the extent of the subject site which is prominently located along The Ring Road and Hogarth Drive. It encompasses a total area of 13.67ha.

The subject site is included within the Emerging Community zone for the purpose of the Scheme (refer *Figure 2*).

The Certificate of Title confirming ownership of the subject site by LG Resorts NO 4 Pty Ltd is included in **Appendix B**. There are no encumbrances (e.g. easements, covenants, etc.). Copies of the Smart Map and Survey Plan are also included in **Appendix B**.

Figure 1: Aerial image of the subject site



Source: Queensland Globe

Figure 2: Zoning Plan



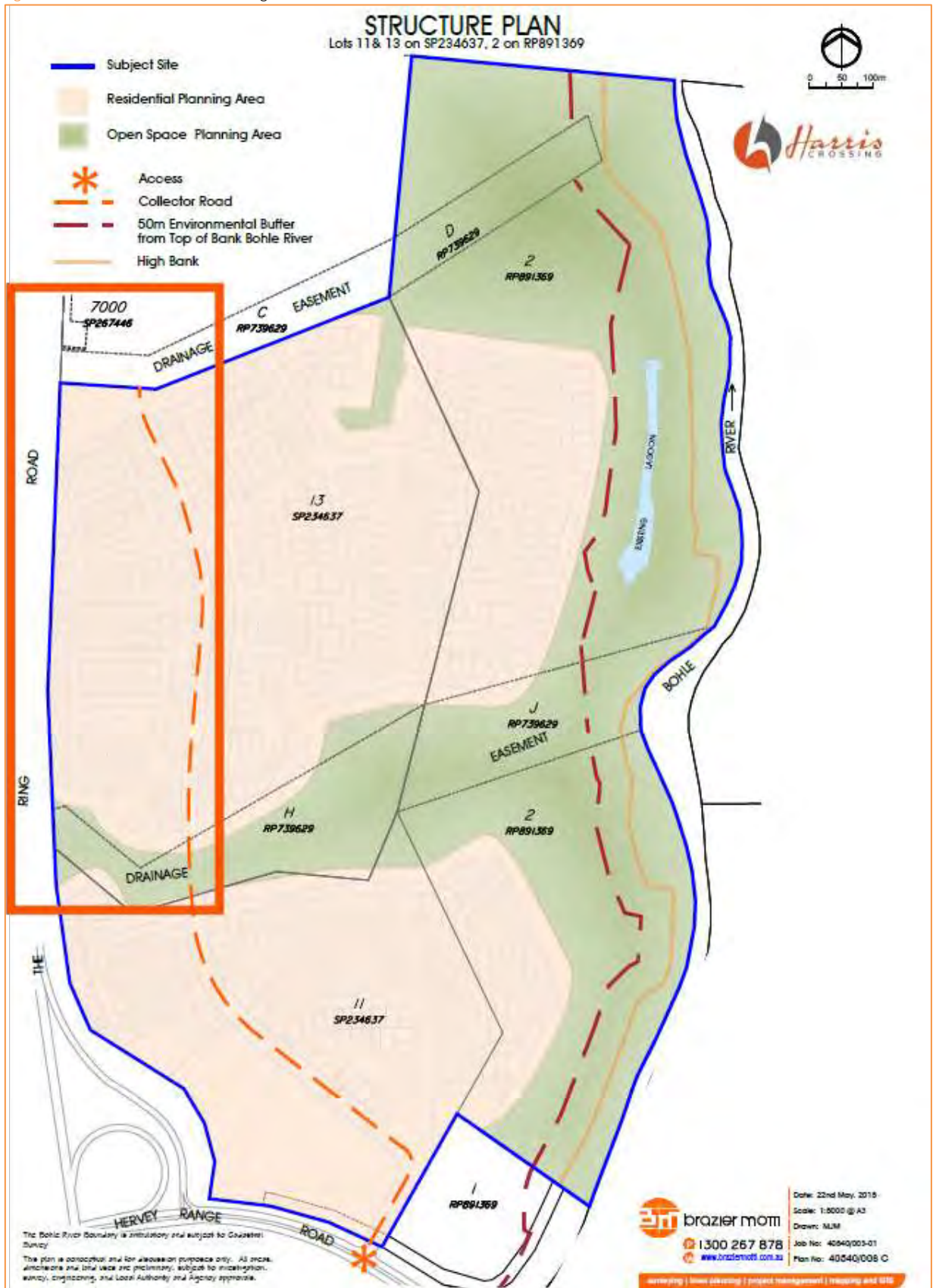
Background

The site is subject to a Preliminary Approval (Council Reference: M85/07) that was approved on 1 March 2010. The Preliminary Approval allows for development of Harris Crossing to occur in accordance with the Traditional Residential Area. Further, a change application was approved on 26 August 2015 which approved the structure plan shown in *Figure 3*. It is noted that the majority of Harris Crossing has been developed in accordance with relevant approvals.

As shown on *Figure 3*, the proposed relocatable home park site is located within the boundaries of the preliminary approval area for Harris Crossing (M85/07). The approved conceptual layout identified the use of the land at this location for residential purposes. The proposed development remains consistent with this intent and will further assist in providing diversity and choice in housing to meet emergent needs.



Figure 3: Structure Plan – Harris Crossing



Source: Brazier Motti



3.0 THE PROPOSAL

The development application seeks a Development Permit from Townsville City Council to facilitate the establishment of a relocatable home park by definition. The land use is such that offers residents the opportunity to own their home while leasing the land which means lower initial costs and potentially lower ongoing living expenses.

The development application seeks a Development Permit from Townsville City Council to facilitate the establishment of a relocatable home park (Land Lease Community).

The development is such that offers residents the opportunity to own their home while leasing the land which means lower initial costs and potentially lower ongoing living expenses. Hence, introducing this type of residential land use product into the Townsville market will result in further accessible and affordable housing where residents can enjoy a secure, low maintenance lifestyle with access to all that community living offers.

The planning scheme definition for the use is:

Relocatable Home Park - Premises used for relocatable dwellings (whether they are permanently located or not) that provides long-term residential accommodation.

The use may include a manager's residence and office, ancillary food and drink outlet, kiosk, amenity buildings and the provision of recreation facilities for the exclusive use of residents.

The proposed development will be operated under the *Manufactured Homes (Residential Parks) Act 2003*.

Under the Act, the owner of the premises obtains an interest in a site agreement prepared under the Act which establishes the framework for how the site is used. This allows for a purpose-built facility to be delivered that is targeted and controlled.

In this instance, the premise is to be specifically built to provide an integrated facility for over-50s age group, allowing an alternate, affordable and independent retirement option to traditional retirement facilities in terms of accessibility and capitalisation of the dwelling unit.

This emerging product has been well regarded in the south given the affordable lifestyle option that it provides, and a number of examples now exist.

The proposal is developed on the subject site and internal common facilities, services and utilities are operated and maintained by the developer/owner.

Rules within the site agreement provide limitations on the minimum age of occupants, the number allowed to reside in a dwelling unit (no more than 2 people), and the frequency of visitor stays. It also establishes responsibilities for resort style amenities. In this instance, a common use community facility is to be located centrally to the site, with ancillary facilities introduced with relevant stages.

Figure 4 below shows the master planned relocatable home park. Full design details are included in ***Appendices C and D***.

Figure 4: Plan of Development



Source: Solis Estudio

The proposed development will provide 292 residential sites which will provide opportunities for a range of residential lifestyles on allotments between 280m² to 500m².

The design and layout of the proposed relocatable home park is shown on relevant proposal plans in **Appendix D**.

The proposed development will deliver seven lot types to ensure affordability and lifestyle choices.

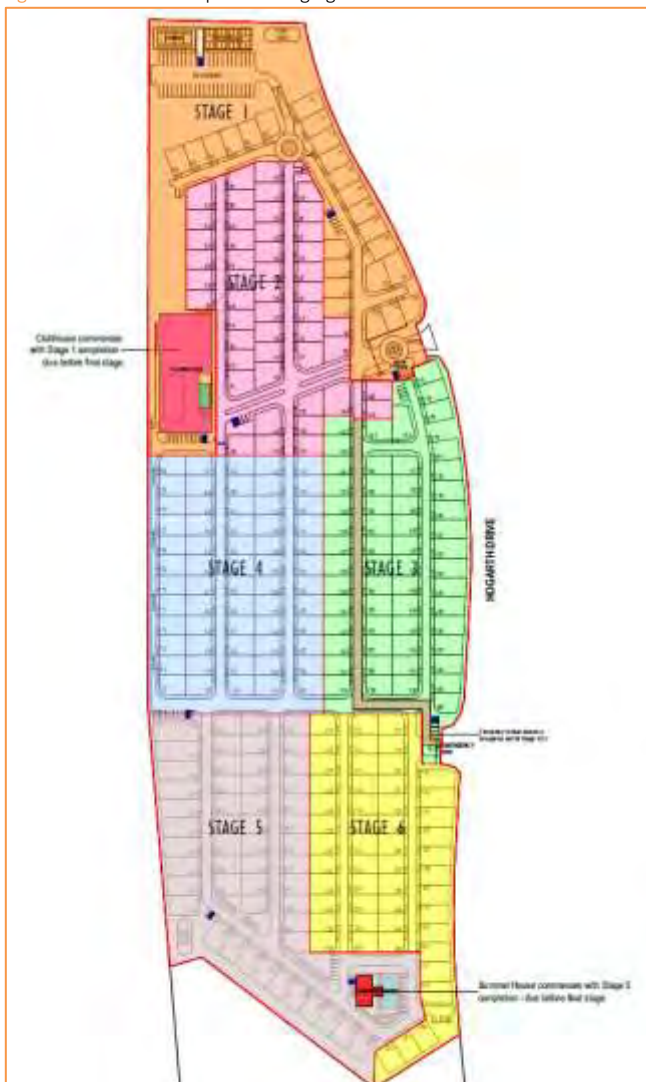
It is proposed to develop the relocatable home park in stages (refer *Figure 5*). The table below shows the staging characteristics.



Staging characteristics

Stage 1	<ul style="list-style-type: none"> • 24 residential sites • Community facilities (e.g. clubhouse, pool, lawn bowls, indoor bowling, tennis, pickle ball, etc.) • Main Entry (Gate House and Entry Statement) • RV Parking
Stage 2	<ul style="list-style-type: none"> • 48 residential sites
Stage 3	<ul style="list-style-type: none"> • 58 residential sites
Stage 4	<ul style="list-style-type: none"> • 60 residential sites
Stage 5	<ul style="list-style-type: none"> • 51 residential sites • Summer House
Stage 6	<ul style="list-style-type: none"> • 51 residential sites

Figure 5: Plan of Development- Staging



Source: Solis Estudio



The proposed residential design provides excellent privacy, recreation opportunity and liveability outcomes for future residents. The proposed layout considers both the natural features of the land as well as the surrounding established infrastructure networks.

There are several house types offering diversity and choice. Future residents can choose a home design that suit their needs. Examples are shown on *Figures 6 to 9* below. They are conceptual only and indicative, refer to **Appendix C**.

Figure 6:



Source: Solis Estudio

Figure 7:



Source: Solis Estudio

Figure 8:



Source: Solis Estudio

Figure 9:



Source: Solis Estudio



As per the staging table above, Stage 1 will include the construction of the community facilities, RV parking, outdoor sports fields, entry statement and gate house. The clubhouse will contain an area of approximately 3117m². Figure 10 below shows the indicative floor plan of the clubhouse and ancillary structures. Figures 11 and 12 show indicative clubhouse elevations.

Figure 10: Floor Plan- Clubhouse and ancillary structures



Source: Solis Estudio

Figure 11: Clubhouse Elevations (North and South)



Source: Solis Estudio

Figure 12: Clubhouse Elevations (East and West)



Source: Solis Estudio

Stage 5 will include the construction of the Summer House which will contain another swimming pool, workshop and ancillary structures. *Figure 13* shows the floor plan for the summer house. Elevations are shown on *Figures 14* and *15*.

Figure 13: Summer House Floor Plan

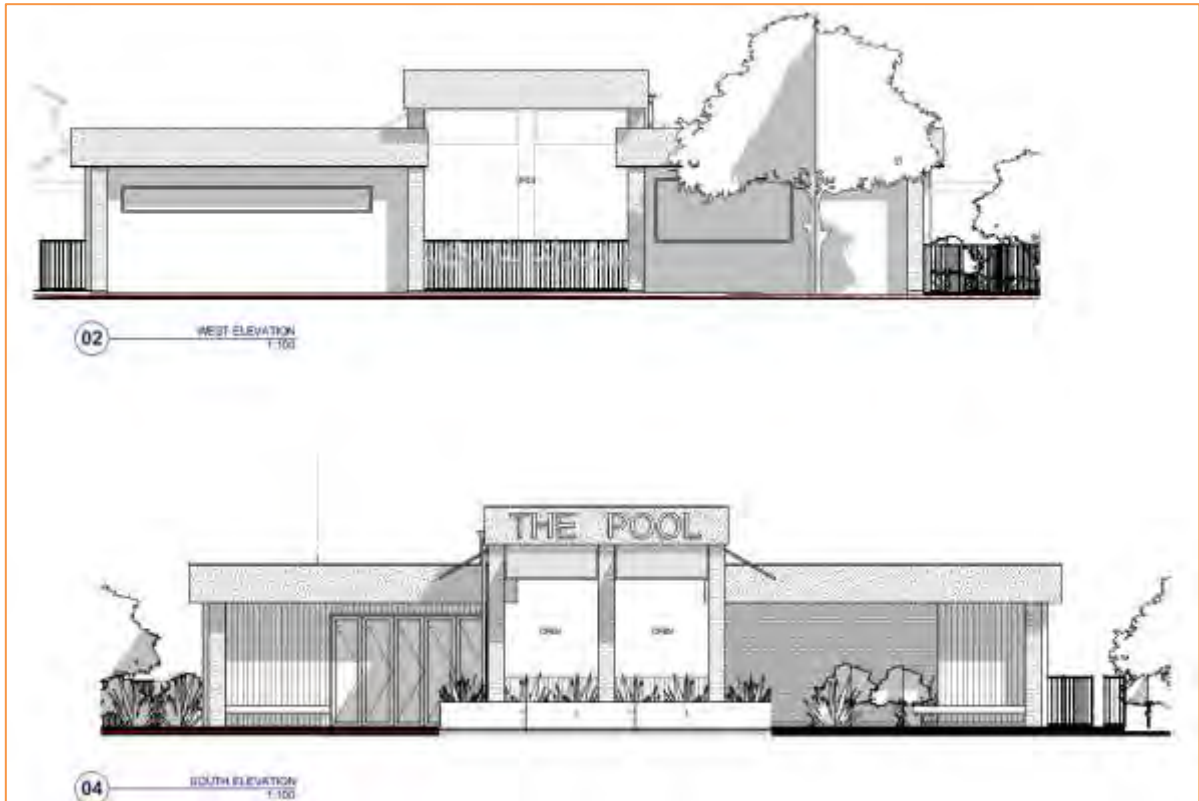


Figure 14: Summer House Elevations (North and South)



Source: Solis Estudio

Figure 15: Summer House Elevations (East and West)



Source: Solis Estudio



Engineering Assessment

An Engineering Report has been prepared by Westera Partners and is included in **Appendix E**. It provides the civil detail of how the proposed development is to be provided with appropriate infrastructure.

The Engineering Assessment identifies that the proposal can be accommodated.

Sewer and Water Reticulation

Sewer

A sewer reticulation main is located in the northern portion of the site and an extension of the sewer network installed into the proposed development site near the southern boundary. For the proposed development, two sewer connection points will be utilised to service the site. The southern portion of the site is to be serviced by a 150mm property connection connected to the sewer extension located toward the southern boundary, which then connects to existing sewer mains. For the northern portion of the site, a 150mm property connection will be installed from the existing sewer main which then connects to an existing 225mm sewer main.

Water

As-constructed data provided also indicated that there is an existing 300mm trunk main water located within the verge of Hogarth Drive, which then has a 150mm service extending towards the proposed development site and is then capped at the property boundary. For the proposed development, this existing water service will be utilised, with the development service size to be finalised at the detailed design phase of the project to suit the development's hydraulic demand.

Preliminary services plans are included in Appendix C of the engineering report. In summary, detailed internal reticulation will be designed at operational works stage.

Power and Communications

Negotiations with relevant utility service providers for the supply of electricity and telecommunications will be undertaken.

Earthworks

All sites for residential dwellings in the relocatable home park will be shaped to ensure positive drainage towards roadways and waterways.

Earthworks operations for the proposed development will involve earthworks over the entire development footprint to establish building sites for future homes, achieve necessary flood immunity and manage stormwater appropriately. An acid sulphate soil investigation is not considered necessary as excavation will not extend below 5.0m AHD. A preliminary earthworks plan is included in Appendix C of the engineering report.

Stormwater Drainage

Stormwater drainage for the proposed development will ensure no adverse impact on upstream, downstream or adjoining properties. The proposed lawful points of discharge for the development shall be the existing mapped waterways. The southern catchment of the proposed development is to discharge to an existing mapped waterway located within the adjoining easement (EMT H RP739629) which then flows beneath Hogarth Drive via an existing culvert. The northern portion of the site and RV compound area are proposed to discharge to an existing mapped waterway which then connects to Three Mile Creek. New on-site stormwater infrastructure shall be constructed to direct stormwater to the lawful point of discharge to ensure no adverse impacts on adjacent properties.



An overland flow analysis has been prepared by Engeny to inform the Civil Engineering design and storm water management strategies (Appendix E and Appendix F) and it has identified no adverse impacts off site as a result of the increase in impervious area fraction from the development.

The proposed development is required to meet the Queensland Government's State Planning Policy (July 2017) and TCC requirements as the site exceeds the 2,500m² minimum site area. To ensure compliance stormwater treatment is proposed to be managed on-site through primary treatment from filter basket inserts into the field inlets on the road and tertiary treatment from ATLAN filter cartridges in the treatment tanks. MUSIC modelling has been undertaken to demonstrate runoff from the development site achieves the water quality pollution load reduction targets of the TCC & State Planning Policy.

For additional details, please refer to the detailed Stormwater Management Report (**Appendix F**) prepared by Westera Partners Pty Ltd.

Road Network

The proposed development will gain entry from Hogarth Drive. The main site entry will be from the northern round about (to be constructed) with a secondary emergency exit to the southern round about. Minimal external roadworks will be required, limited to what will be required to tie in with the existing road network to provide the site access points. It is further noted that an internal traffic assessment was prepared by Premise to demonstrate compliance of the proposed internal street network. Refer to **Appendix G**.



4.0 RELEVANT LEGISLATION

4.1 COMMONWEALTH LEGISLATION

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

4.2 THE PLANNING ACT 2016

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

4.3 STATE ASSESSMENT AND REFERRALS

The Development Assessment Rules (DA Rules) incorporate a referral process, established through the *Planning Regulation 2017*, enabling relevant State agencies to have input in the assessment process. Schedule 10 of the *Planning Regulation 2017* outlines the triggers for the referral of the development application to other agencies. The referral agencies for the development application are summarised in the table below.

State referral triggers

Issue	Statutory Trigger	Referral Type
State Transport Infrastructure	Schedule 10, Part 9, Division 4 Subdivision 1, Table 1: - LGA 1- exceeding 200 lots	Concurrence
State Transport Corridors and future State Transport Corridors	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4: Development application for a material change of use, other than an excluded material change of use, that is assessable development under a local categorising instrument, if all or part of the premises— (a) are within 25m of a State transport corridor; or (b) are a future State transport corridor; or (c) are— (i) adjacent to a road that intersects with a State-controlled road; and (ii) within 100m of the intersection	Concurrence

The above referral aspect triggers assessment against State Codes 1 and 6 refer to **Appendix J**.

The subject site contains some regulated vegetation classified as ‘category B’ on the Regulated Vegetation Management Map. Refer to the SARA mapping in **Appendix B**. For the purpose of addressing the statutory requirements, we note that any clearing over this site is considered to be ‘exempt clearing work’ in accordance with Schedule 21, Part 2 Item 2(g) as the vegetation is a least concern regional ecosystem in a category B area on a regulated vegetation management map and clearing is for ‘urban purpose in an urban area’. The subject site achieves the definition of ‘urban land’ as defined within the Planning Regulations 2017 as it is mapped in the current City Plan 2014 as being located in the Emerging Community zone. Hence, the application does not trigger referral for vegetation matters.



4.4 STATE PLANNING POLICY

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

4.5 NORTH QUEENSLAND REGIONAL PLAN

The subject site is located within an urban area identified in the NQ Regional Plan. The development is consistent with the outcomes of the NQ Regional Plan as it further strengthens the residential sector to support Townsville's growing community at a convenient location.

4.6 ASSESSMENT MANAGER AND PLANNING SCHEME

Townsville City Council is nominated as the assessment manager for the application. The applicable planning instrument for this application is the *Townsville City Plan 2014*.

4.7 PUBLIC NOTIFICATION

The proposed development on the subject site requires public notification under the provisions of the *Planning Act 2016*.



5.0 THE PLANNING FRAMEWORK

5.1 LEVEL OF ASSESSMENT, ASSESSABLE BENCHMARKS & APPLICABLE CODES

For the purpose of the City Plan 2014, the subject site is included in the Emerging Community Zone and Table 5.5.22 of the City Plan identifies that an application for relocatable home park is impact assessable and requires assessment against the planning scheme and hence the following Codes:

- Strategic Framework
- Emerging Community zone code;
- Healthy waters code;
- Landscape code;
- Transport impact, access and parking code;
- Works code;
- Airport environs overlay code;
- Flood hazard overlay code; and
- Natural Assets Environmental Importance.

A detailed assessment against the overall or specific outcomes of the relevant codes, insofar as they are considered to be relevant, are addressed below.

5.2 STRATEGIC FRAMEWORK

The Strategic Framework, described in Part 3 of *City Plan 2014*, provides sensible measures that are of assistance in determining the suitability of development to meet the needs of the community.

It establishes four themes that represent the policy intent of the Scheme. The themes are:

1. Shaping Townsville;
2. Strong, connected community;
3. Environmentally sustainable future; and
4. Sustainable economic growth.

The themes, on balance, seek to create a vibrant and liveable City that is efficiently served and respectful of its built and natural environment.

The proposed development provides a residential housing product that responds to the housing crisis and associated demographics. This type of development has been proven very successful in the southern States and is now becoming popular in Queensland's north. The development targets a certain demographic population group (over 50s) and will ensure accessible and affordable housing for that cohort.

In summary, the subject site is identified within the NQ Regional Plan as being within an Urban Area. On review of the four Themes, the proposal is considered not to conflict with the Strategic Frameworks of the Planning Scheme. The proposal is a logical progression of an approved residential master planned area (Harris Crossing) where a suitable site has been identified for a relocatable home park (land lease community).

The proposal responds to the housing need by providing a much needed self-managed/independent retirement lifestyle village to support the growing demographic cohort (over 50s).



The proposal further satisfies the lower order components of the planning scheme, i.e. zone codes, development codes, overlay codes and planning scheme policies. The assessment below demonstrates how the proposal satisfies the most applicable lower order components of the City Plan 2014.

5.3 ZONE CODE PROVISIONS

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

5.3.1 Emerging Community Zone Code

In accordance with the Townsville City Plan 2014 the subject site is contained within the Emerging Community zone, where Relocatable Home Park is considered Impact Assessable.

The purpose of the Emerging community zone code is to:

- a) *identify land that is suitable for urban purposes and conserve land that may be suitable for urban development in the future;*
- b) *manage the timely conversion of non-urban land to urban purposes; and*
- c) *prevent or discourage development that is likely to compromise appropriate longer term land use.*

The particular purpose of the code is:

- a) *to ensure that future development:*
 - i. *creates an integrated and compact urban form;*
 - ii. *establishes safe, attractive and walkable communities;*
 - iii. *provides for a wide choice of housing, employment and accessible community services; and*
 - iv. *avoids areas within the Emerging community zone that are unsuited to urban development because of their natural, scenic or cultural values; and*
- b) *to ensure that any development which occurs prior to urbanisation of an area maintains the suitability and capacity for future urban development.*

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

- a) *structure planning of areas within the zone is undertaken in advance of development of the land for urban purposes;*
- b) *land is developed in a logical pattern that facilitates the efficient provision of infrastructure;*
- c) *a high level of integration with existing and future urban development is achieved having regard to movement networks, open space and recreational facilities, centres and community infrastructure;*
- d) *development facilitates the establishment of new residential communities together with an appropriate level of supporting land uses such as centres, industry and community activities;*
- e) *residential development provides for a range of housing types and achieves a minimum dwelling yield of 15 dwellings per hectare net;*
- f) *movement networks are established to promote active transport (walking and cycling) and public transport;*
- g) *development retains and protects significant environmental, topographic, scenic and cultural features and values;*
- h) *development provides for sufficient buffering to existing or intended non-urban or incompatible uses in surrounding areas; and*
- i) *development which is, or has the potential to become, incompatible with future urban development of the area does not occur.*



Response

The proposed development promotes the timely conversion of land for residential purposes. The proposal is for a land lease community defined as relocatable home park, including 292 residential sites, and resort style community facilities. The development contains 6 development stages.

The subject site has been earmarked as residential land and this development provides for an over 50s residential community. The dwelling sites provide for a range of sizes ranging from 280m² to 500m² to meet the evolving needs of various retirement lifestyles.

The proposed internal road network facilitates functional and safe access, servicing each site with adequate road frontage.

It is considered that the proposed land use is consistent with the objectives sought by the Emerging Community Zone Code:-

- The development application seeks to establish 292 sites in order to deliver a connected and well supported residential layout that responds to its location and setting, providing an affordable and sustainable lifestyle that can be enjoyed by the over 50s.
- The proposed development will accommodate a high-quality residential community providing a range of dwelling choice.
- In particular, the proposal will also assist with the fulfilment of the established role of the surrounding area as a low density suburban residential community by offering additional residential housing stock for future over 50s residents.
- The proposed residential development is infill development within the appropriately zoned Emerging Community Zone. The subject site is located within the approved Harris Crossing Estate.
- The design layout including the areas and dimensions of the sites are sufficient to accommodate a suitable building, vehicle access points, sufficient space for private open space, setbacks and the ability for climate responsive design.

The proposed development is consistent with the Overall Outcomes for the Emerging Community Zone Code as it generally complies with the Performance Outcomes. A detailed assessment of compliance of the proposed development against the applicable sections of the Emerging Community Zone Code is demonstrated in *Table* below. PO1-PO3, PO6-PO7 and PO9 are not applicable to this development.



Emerging Community Code Assessment

Performance outcomes	Acceptable outcomes	Assessment
Creating new communities		
<p>PO4 New development of an urban nature:</p> <ol style="list-style-type: none"> 1. contributes to a logical pattern and sequence of development; 2. facilitates efficient use of land and infrastructure; 3. facilitates integration with existing and future urban development, having regard to movement networks, open space networks and accessibility to community infrastructure; 4. provides accessibility for all modes of transport including pedestrian, cyclist, public transport and private car; 5. creates clear, direct pedestrian and cycle access to centres, local parks and public transport stops; 6. achieves an average net residential density of at least 15 dwellings per hectare; 7. locates higher density residential development in and around centres, along connector streets and close to transit nodes; 8. locates community facilities requiring high levels of accessibility within or adjoining centres; 9. responds to constraints and natural values on the site and avoids or minimises any impacts on areas of environmental significance; 10. facilitates integrated water cycle management; 11. orients major streets and vistas to landmarks; 12. provides a road network with a capacity adequate for current and future demand; 13. does not increase hazard or risk to existing or future residents; and 14. provides an open space network suitable for current and future needs. 	<p>No acceptable outcome is nominated.</p>	<p>Complies</p> <p>The proposed development is a logical extension to the existing Harris Crossing Estate. Specifically, the proposed development will provide infill development as part of the overall master planned residential development.</p> <p>The proposed development will facilitate the provision of a much-needed self-managed residential product to support the growing community of Townsville, and in particular the over 50s demographic group.</p> <p>Traffic has been considered as part of this application and can be managed appropriately (refer to the Traffic Impact Assessment). Further, the development can be adequately serviced by existing infrastructure.</p> <p>The main community facilities will be located in stage 1.</p> <p>Hazard has been assessed and can be managed appropriately as demonstrated elsewhere in this report.</p>



<p>PO5 Emerging communities are provided with the range of supporting services and uses, including those that provide local employment opportunities, that:</p> <ol style="list-style-type: none"> 1. are commensurate to the size of the relevant emerging community; 2. do not detract from planning scheme intentions for other parts of the city; and 3. are planned as an integrated and compatible component of the emerging community they serve. 	<p>No acceptable outcome is nominated.</p>	<p>Complies The overall layout includes centralised community facilities that will support the proposed development.</p> <p>The relocatable home park definition contemplates community support uses (e.g. clubhouse, food and drink, gym, etc.).</p> <p>The proposed development integrates well into the existing and proposed residential setting.</p>
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Crime prevention through environmental design

<p>PO8 Development facilitates the security of people and property having regard to:</p> <ol style="list-style-type: none"> 1. opportunities for casual surveillance and sight lines; 2. exterior building design that promotes safety; 3. adequate lighting; 4. appropriate signage and wayfinding; 5. minimisation of entrapment locations; and 6. building entrances, loading and storage areas that are well lit and lockable after hours. 	<p>No acceptable outcome is nominated.</p>	<p>Complies The development design allows for passive surveillance to occur within all stages. Appropriate lighting and signage will be provided throughout the development.</p> <p>It is further noted that the development is a gated community. Entry will be via security gate. Number plate recognition will allow controlled entry into the land lease site.</p>
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5.4 DEVELOPMENT CODES

5.4.1 Healthy Waters Code

The proposed development is nominated for assessment against the Healthy Waters Code.

The purpose of this code is to *ensure development manages stormwater and wastewater as part of the integrated total water cycle and in ways that help protect the environmental values specified in the Environmental Protection (Water) Policy 2009.*

Response

Stormwater Drainage

Stormwater drainage for the proposed development will ensure no adverse impact on upstream, downstream or adjoining properties. The proposed lawful points of discharge for the development shall be the existing mapped waterways. The southern catchment of the proposed development is to discharge to an existing mapped waterway located within the adjoining easement (EMT H RP739629) which then flows beneath Hogarth Drive via an existing culvert. The northern portion of the site and RV compound area are proposed to discharge to an existing mapped waterway which then connects to Three Mile Creek. New on-site stormwater infrastructure shall be constructed to direct stormwater to the lawful point of discharge to ensure no adverse impacts on adjacent properties.

An overland flow analysis has been prepared by Engeny to inform the Civil Engineering design and storm water management strategies (**Appendix E** and **Appendix F**) and it has identified no adverse impacts off site as a result of the increase in impervious area fraction from the development.

The proposed development is required to meet the Queensland Government's State Planning Policy (July 2017) and TCC requirements as the site exceeds the 2,500m² minimum site area. To ensure compliance stormwater treatment is proposed to be managed on-site through primary treatment from filter basket inserts into the field inlets on the road and tertiary treatment from ATLAN filter cartridges in the treatment tanks. MUSIC modelling has been undertaken to demonstrate runoff from the development site achieves the water quality pollution load reduction targets of the TCC & State Planning Policy.

For additional details, please refer to the detailed Stormwater Management Report (**Appendix F**) prepared by Westera Partners Pty Ltd.

The stormwater strategy is demonstrated in detail within the relevant engineering reports prepared by Westera Partners Pty Ltd and shows compliance with the Healthy Waters Code. Detailed design will be provided at operational works stage. Standard stormwater conditions are expected to safeguard this development aspect. Hence, a detailed assessment against this code is not warranted.

5.4.2 Landscape Code

The proposed development is nominated for assessment against the Landscape Code.

The purpose of this code is to *ensure landscaping in both the private and public domains is designed and constructed to a high standard, provides a strong contribution to the city image, is responsive to the local character, site and climatic conditions and remains fit for purpose over the long-term.*

Response

Proposed landscaping is shown in detail as part of the Statement of Landscape Intent in **Appendix H**.



Given the nature of the development, it is considered that the development can be approved subject to conditions requiring detailed landscape design to be submitted as part of a subsequent operational works application. A detailed assessment against this code is not warranted.

5.4.3 Transport Impact, Access and Parking Code

The proposed development is nominated for assessment against the Transport Impact, Access and Parking Code.

The purpose of this code is to *ensure appropriate provision for transport and end of trip facilities, and to facilitate, as far as practicable, an environmentally sustainable transport network.*

Response

Car parking

The proposed development requires 1.5 car parking spaces per site. Covered car parking will be accommodated within the house design. The indicative dwelling house design plans allow for a double garage per dwelling.

Additional car and RV parking spaces will be provided throughout the development as shown on the master plan. An RV parking area will be established as part of Stage 1. In total, 41 RV parking spaces will be provided and a further 83 visitor spaces (located along the internal on-street road network throughout certain stages). Vehicle turn paths analysis has been undertaken as part of the Traffic Impact Assessment in **Appendix G**.

Road Network and Internal Traffic Assessment

The proposed development will gain entry from Hogarth Drive. The main site entry will be from the northern round about (to be constructed) with a secondary emergency exit to the southern round about. Minimal external roadworks will be required, limited to what will be required to tie in with the existing road network to provide the site access points. It is further noted that an internal traffic assessment was prepared by Premise to demonstrate compliance of the proposed internal street network. Refer to **Appendix G**.

Their assessment also considers investigations with respect to the changes undertaken for Harris Crossing estate:-

*The Harris Crossing Residential Estate is a master planned subdivision located off Hervey Range Road in Bohle Plains, Townsville, which is developing along Hogarth Drive. Originally vacant land, approval was gained through a combined Material Change of Use (MCU) and Reconfiguring a Lot (ROL) development application in a process involving the legacy Queensland Government Department of Main Roads and Townsville City Council (TCC). This process commenced in 2009, and Maidment Group has progressively planned and developed the site through staged releases of residential lots. Premise, under legacy company UDP, delivered the "Harris and Hogarth Land Traffic Operation Assessment" (PLD0200/R01revA) in 2015 as part of initial master planning for Harris Crossing Residential Estate. **Construction of some residential lots in addition to the Eden Academy childcare centre in the site's south has been completed. "Harris Crossing Development: Traffic Impact Assessment" (P000463/R01revA) dated 8 March 2024 by Premise for Maidment Group was prepared to address changes in the Harris Crossing Residential Estate yield and internal layout associated with the proposed Harris Crossing Land Lease Community (LLC). P000463/R01revA adopted 592 low-density residential lots, a childcare centre of 130 children, and 280 residential dwellings in the LLC for analysis. The conclusions of P000463/R01revA are summarised as follows:***



- *The traffic generated by the proposed development in its design year 2040 was assessed utilising SIDRA Intersection Software (SIDRA) for the Hervey Range Road / Hogarth Drive intersection. It was found that the network performed adequately in terms of degree of saturation, level of service and lane blockage probability. Therefore, no additional connections to the state-controlled road network, or upgrades to the existing signalised intersection, are required.*
- *A road safety risk assessment was also completed, considering the crashes in the study area for the last 16 years. Introducing the development traffic resulted in an increase in the risk of intersection crashes at signalised intersections. Full control of right turns at Hervey Range Road signalised intersections mitigates the risk.*
- *A road environment safety assessment found that a road safety audit was not required for any of the studied roads or the proposed internal road network. However, a road safety assessment is required, and can be conducted by an accredited road safety auditor or a registered professional engineer of Queensland (RPEQ). This requirement would be satisfied by safety reports prepared in accordance with Section 295 of the Work Health and Safety Regulation 2011 as part of the design process.*

Waste Management

The applicant is prepared to accept conditions of approval that a Waste Management Plan is to be provided at future compliance stage when relevant detail is known.

It is considered that information provided in the Engineering Report and Traffic Impact Assessment demonstrate compliance with the Transport Impact, Access and Parking Code and therefore a detailed assessment against this code is not warranted.

5.4.4 Works Code

The proposed development is nominated for assessment against the Works Code.

The purpose of this code is to *ensure development is provided with a level of infrastructure which maintains or enhances community health, safety and amenity and which avoids or minimises impacts on the natural environment.*

Response

An Engineering Report has been prepared by Westera Partners and is included in **Appendix E**. It provides the civil detail of how the proposed development is to be provided with appropriate infrastructure.

The Engineering Assessment identifies that the proposal can be accommodated.

Sewer and Water Reticulation

Sewer

A sewer reticulation main is located in the northern portion of the site and an extension of the sewer network installed into the proposed development site near the southern boundary. For the proposed development, two sewer connection points will be utilised to service the site. The southern portion of the site is to be serviced by a 150mm property connection connected to the sewer extension located toward the southern boundary, which then connects to existing sewer mains. For the northern portion of the site, a 150mm property connection will be installed from the existing sewer main which then connects to an existing 225mm sewer main.



Water

As-constructed data provided also indicated that there is an existing 300mm trunk main water located within the verge of Hogarth Drive, which then has a 150mm service extending towards the proposed development site and is then capped at the property boundary. For the proposed development, this existing water service will be utilised, with the development service size to be finalised at the detailed design phase of the project to suit the development's hydraulic demand.

Preliminary services plans are included in Appendix C of the engineering report. In summary, detailed internal reticulation will be designed at operational works stage.

Power and Communications

Negotiations with relevant utility service providers for the supply of electricity and telecommunications will be undertaken.

Earthworks

All sites for residential dwellings in the relocatable home park will be shaped to ensure positive drainage towards roadways and waterways.

Earthworks operations for the proposed development will involve earthworks over the entire development footprint to establish building sites for future homes, achieve necessary flood immunity and manage stormwater appropriately. An acid sulphate soil investigation is not considered necessary as excavation will not extend below 5.0m AHD. A preliminary earthworks plan is included in Appendix C of the engineering report.

A condition requiring the submission of a detailed design for any proposed civil works is expected to form part of the Development Permit.

It is considered that information provided in the Engineering Report demonstrates compliance with the Works Code and therefore a detailed assessment against this code is not warranted.

5.5 OVERLAY CODES

5.5.1 Airport Environs Overlay

The proposed development is nominated for assessment against the Airport Environs Overlay Code.

The purpose of this code is to *ensure development does not negatively impact on the operations of the Townsville Airport, RAAF base or any other aviation facilities. Any development is to ensure that safety is maintained throughout the airport's operational airspace by reducing the effect of aircraft noise on people and minimising risk to public safety near airport runways.*

Response

The subject site is identified in Operational Airspace more than 90m above ground level and located 8km from the airport runway.

The development is considered consistent with the overall outcomes, performance outcomes and acceptable outcomes of the code. In particular, the proposed development is merely a land lease community which creates 292 residential sites within a residential planning area. A detailed assessment against the code is not warranted.

5.5.2 Flood Hazard Overlay

The proposed development is nominated for assessment against the Flood Hazard Overlay Code.

The purpose of this code is to *manage development outcomes in flood hazard areas so that risk to life, property, community, economic activity and the environment during future flood events is minimised, and to ensure that development does not increase the potential for flood damage on-site or to other property.*

Response

The subject site is identified in low, medium and high hazard flood areas, refer to *Figure 16* below.

Figure 16: Council's Flood overlay



Flood Impact Assessment

A Flood Impact Assessment has been prepared by Engeny and informed the Civil Engineering Report included in **Appendix E**. The assessment demonstrates compliance and shows that the proposed development increases the risk to life, property, community, economic activity or increase the potential for flood damage on-site or to adjacent and downstream properties.



5.5.3 Natural Assets Environmental Importance Overlay

The proposed development is nominated for assessment against the Natural Assets Environmental Importance Overlay Code.

The purpose of the Natural assets overlay code is to:

1. protect areas of environmental significance, and the ecological processes and biodiversity values of terrestrial and aquatic ecosystems;
2. maintain ecosystem services and other functions performed by Townsville's natural areas; and
3. protect water quality, ecosystem health and the natural hydrological functioning of waterways, wetlands and their riparian areas.

Response

The subject site contains areas of environmental importance, refer to *Figure 17* below. The mapping is consistent with the State's vegetation mapping and clearing for urban purposes is exempt. Notwithstanding that, it is proposed to retain as much vegetation on site as practicable, especially along the perimeter of the site. Refer to landscaping intent in *Appendix H*.

Figure 17: Natural Assts Overlay- TCC





5.6 INFRASTRUCTURE CHARGES

Current Council charges for a relocatable home park are not reflective of actual demand.

The nature of the relocatable home park use is one where:

- site agreement rules target over 50s only;
- site agreement rules limit occupancy and that occupancy is typically found to further reduce over time as the estate matures;
- site agreement rules limited period for any visitors to the premises;
- there is limited private open space requiring maintenance; and
- the facility is developed on a single lot and internal common facilities, services and utilities are operated and maintained by the developer and premises owners.

As has been found elsewhere across the State, the use aligns to that of a retirement facility where a typical EP of between 1.4-1.6 persons per dwelling suite.

A first principles assessment is expected to respect actual demand. Payment of the infrastructure charges will be tied to final certificates for building.



6.0 CONCLUSION

This proposal details a development application to Townsville City Council seeking a Development Permit for a Material Change of Use for Relocatable Home Park (Land Lease Community) at 99 Hogarth Drive, Bohle Plains.

In summary, the proposed development is recommended for approval based on the following reasons:

- The proposal complies with the codes nominated by the planning scheme as being relevant to the assessment of a proposal of this nature.
- The proposed development provides a residential housing product that response to the housing crisis and associated demographics. The development targets a certain demographic population group (over 50s) and will ensure accessible and affordable housing for that cohort.
- The subject site is identified within the NQ Regional Plan as being within an Urban Area, and the proposed development is consistent with the outcomes of the Regional Plan.
- The resultant residential sites are in character with the planned locality, ensuring amenity within the existing Low Density Residential setting is maintained.
- The proposed development is located in an area appropriate for the nature of the use and traffic generated by it.
- The proposed residential development site is highly integrated into the surrounding urban form, utilising the existing street network, open space network and infrastructure.
- The proposed residential development will be serviced with resort style community facilities.
- The proposal provides for a variety of residential sites that will significantly contribute to the mix of lifestyle choices within the overall Sanctum estate and will result in the creation of a cohesive, liveable, sustainable, accessible, affordable and identifiable community that meets the evolving needs of the over 50s cohort.
- Includes the provision of infrastructure that shall meet the current needs of the community and allow for the future growth of the locality.

On the basis of the foregoing, it is our submission that, subject to reasonable and relevant conditions, the relocatable home park is able to be approved by Council.

APPENDIX A

DA Form 1 & Owners Consent

brazier motti



DA Form 1 – Development application details

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

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

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

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

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details

Applicant name(s) (individual or company full name)	Ruby Developments Pty Ltd C/- Brazier Motti
Contact name (only applicable for companies)	Anne Zareh
Postal address (P.O. Box or street address)	595 Flinders Street
Suburb	Townsville City
State	Queensland
Postcode	4810
Country	Australia
Contact number	07 4772 1144
Email address (non-mandatory)	anne.zareh@braziermotti.com.au
Mobile number (non-mandatory)	0416 486 309
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	43793-001-1

1.1) Home-based business

Personal details to remain private in accordance with section 264(6) of *Planning Act 2016*

2) Owner's consent

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

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

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
		99	Hogarth Drive	Bohle Plains
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
		1002	SP340654	Townsville City Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- Coordinates of premises by longitude and latitude

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

<input type="checkbox"/> On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>
Name of airport: <input type="text"/>
<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification: <input type="text"/>
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>
CLR site identification: <input type="text"/>

5) Are there any existing easements over the premises?

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

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

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

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

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

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

c) What is the level of assessment?

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

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

Relocatable Home Park (Land Lease Community) – 292 Residential Sites

e) Relevant plans

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

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

6.2) Provide details about the second development aspect

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

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

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

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

c) What is the level of assessment?

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

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

e) Relevant plans

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

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

6.3) Additional aspects of development

- Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application
- Not required

6.4) Is the application for State facilitated development?

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

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

Material change of use	<input checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use

Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
Land Lease Community	Relocatable Home Park	292	

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

- Yes
- No

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

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

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

Division 2 – Reconfiguring a lot

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

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

--

9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)

<input type="checkbox"/> Subdivision (complete 10)	<input type="checkbox"/> Dividing land into parts by agreement (complete 11)
<input type="checkbox"/> Boundary realignment (complete 12)	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road (complete 13)

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

Townsville City 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:

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

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

- Infrastructure-related referrals – Electricity infrastructure

Matters requiring referral to:

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

Matters requiring referral to the Brisbane City Council:

- Ports – Brisbane core port land

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

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

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

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

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

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

Matters requiring referral to the Gold Coast Waterways Authority:

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

Matters requiring referral to the Queensland Fire and Emergency Service:

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

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

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

Referral requirement	Referral agency	Date of referral response

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

PART 6 – INFORMATION REQUEST

19) Information request under the DA Rules

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

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

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

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

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

PART 7 – FURTHER DETAILS

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

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

No

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

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

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

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

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

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

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

Yes – show cause or enforcement notice is attached

No

23) Further legislative requirements

Environmentally relevant activities

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

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

Note: Application for an environmental authority can be found by searching “ESR/2015/1791” as a search term at www.qld.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.

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

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

Hazardous chemical facilities

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

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

Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.

Clearing native vegetation

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

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

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

Environmental offsets

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

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

Note: The environmental offset section of the Queensland Government’s website can be accessed at www.qld.gov.au for further information on environmental offsets.

Koala habitat in SEQ Region

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

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

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

Water resources

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

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

No

Note: Contact the Department of Resources at www.resources.qld.gov.au for further information.

DA templates are available from planning.statedevelopment.qld.gov.au. If the development application involves:

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

Waterway barrier works

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

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

No

DA templates are available from planning.statedevelopment.qld.gov.au. For a development application involving waterway barrier works, complete DA Form 1 Template 4.

Marine activities

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

Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*

No

Note: See guidance materials at www.daf.qld.gov.au for further information.

Quarry materials from a watercourse or lake

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

Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

No

Note: Contact the Department of Resources at www.resources.qld.gov.au and www.business.qld.gov.au for further information.

Quarry materials from land under tidal waters

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

Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

No

Note: Contact the Department of Environment, Science and Innovation at www.desi.qld.gov.au for further information.

Referable dams

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

Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the *Water Supply Act* is attached to this development application

No

Note: See guidance materials at www.resources.qld.gov.au for further information.

Tidal work or development within a coastal management district

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

- Yes – the following is included with this development application:
- Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)
 - A certificate of title

No

Note: See guidance materials at www.desi.qld.gov.au for further information.

Queensland and local heritage places

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

Yes – details of the heritage place are provided in the table below

No

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

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

Name of the heritage place:

Place ID:

Decision under section 62 of the Transport Infrastructure Act 1994

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

Yes – this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)

No

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

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

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

No

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

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

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

Yes

Note: See the *Planning Regulation 2017* for referral requirements

If building work is associated with the proposed development, Parts 4 to 6 of [DA Form 2 – Building work details](#) have been completed and attached to this development application

Yes

Not applicable

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

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

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

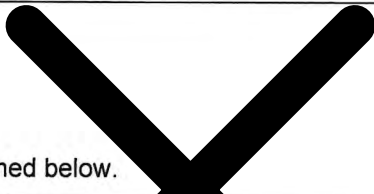
Note: For completion by assessment manager if applicable

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	

Company owner's consent to the making of a development application under the *Planning Act 2016*

I, **Peter Puljich** *[Insert name in full.]*
Sole Director/Secretary of the company mentioned below.

[Delete the above where company owner's consent must come from both director and director/secretary]

I,  *[Insert name in full.]*
Director of the company mentioned below.

and I,  *[Insert name in full.]*
[Insert position in full—i.e. another director, or a company secretary.]

Delete the above two boxes where there is a sole director/secretary for the company giving the owner's consent.

Of
LG RESORTS NO 4 PTY LTD A.C.N. 662 327 559

the company being the owner of the premises identified as follows:

99 Hogarth Drive, Bohle Plans
(Lot 1002 on SP340654)

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

Ruby Developments Pty Ltd C/- Brazier Motti Pty Ltd

on the premises described above for:

**Development Application for Development Permit
Material Change of Use for Relocatable Home Park**

Company seal *[if used]*

Company Name and ACN:



.....
Signature of Sole Director/Secretary

5 September 2024

.....
Date

[Delete the above where company owner's consent must come from both director and director/secretary.]

Company Name and ACN:

.....
Signature of Director

.....
Signature of Director/Secretary

.....
Date

[Delete the above where there is a sole director/secretary for the company giving the owner's consent.]

APPENDIX B

Certificates of Title, Survey Plan, Smart Map and SARA Mapping



Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference: 51314256	Search Date: 20/08/2024 12:03
Date Title Created: 28/04/2023	Request No: 49048324
Previous Title: 51303878	

ESTATE AND LAND

Estate in Fee Simple

LOT 1002 SURVEY PLAN 340654
Local Government: TOWNSVILLE

REGISTERED OWNER

Dealing No: 723053937 07/02/2024

LG RESORTS NO 4 PTY LTD A.C.N. 662 327 559

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by Deed of Grant No. 10482187 (POR 194)
2. MORTGAGE No 723053938 07/02/2024 at 14:48
ANZ FIDUCIARY SERVICES PTY LIMITED A.C.N. 100 709 493

ADMINISTRATIVE ADVICES

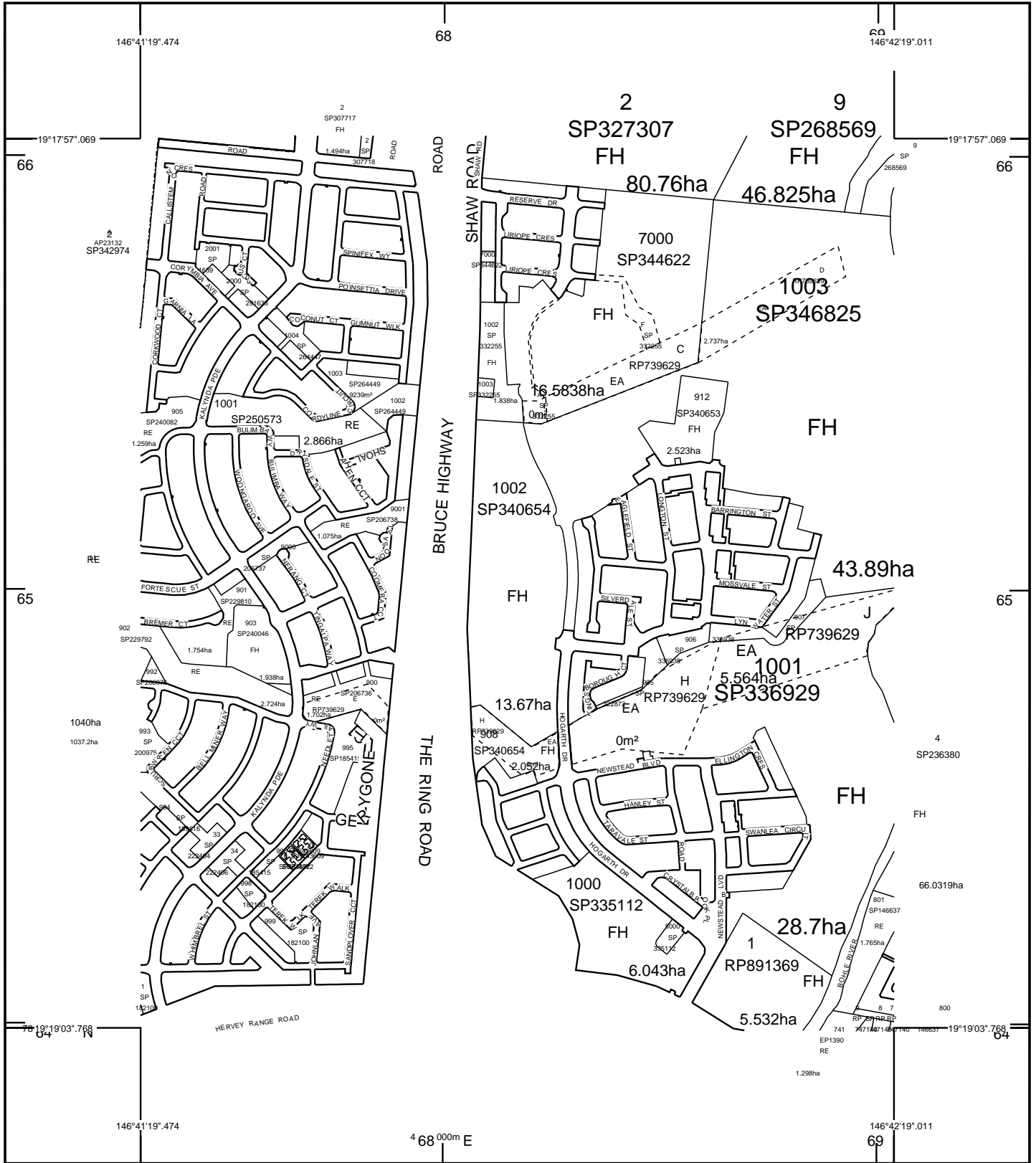
NIL

UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

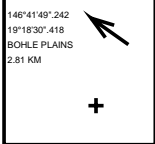
** End of Current Title Search **



STANDARD MAP NUMBER
8259-31133



MAP WINDOW POSITION & NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	1002/SP340654
Lot/Plan	1002/SP340654
Area/Volume	13.67ha
Tenure	FREEHOLD
Local Government	TOWNSVILLE CITY
Locality	BOHLE PLAINS
Segment/Parcel	62779/308

CLIENT SERVICE STANDARDS

PRINTED 20/08/2024

DCDB 19/08/2024 (Lots with an area less than 1500m² are not shown)

Users of the information recorded in this document (the Information) accept all responsibility and risk associated with the use of the Information and should seek independent professional advice in relation to dealings with property.

Despite Department of Resources best efforts, RESOURCES makes no representations or warranties in relation to the Information, and, to the extent permitted by law, exclude or limit all warranties relating to correctness, accuracy, reliability, completeness or currency and all liability for any direct, indirect and consequential costs, losses, damages and expenses incurred in any way (including but not limited to that arising from negligence) in connection with any use of or reliance on the Information

For further information on SmartMap products visit <https://www.qld.gov.au/housing/buying-owning-home/property-land-valuations/smartmaps>

SmartMap

An External Product of
SmartMap Information Services
Based upon an extraction from the
Digital Cadastral Data Base



Queensland Government
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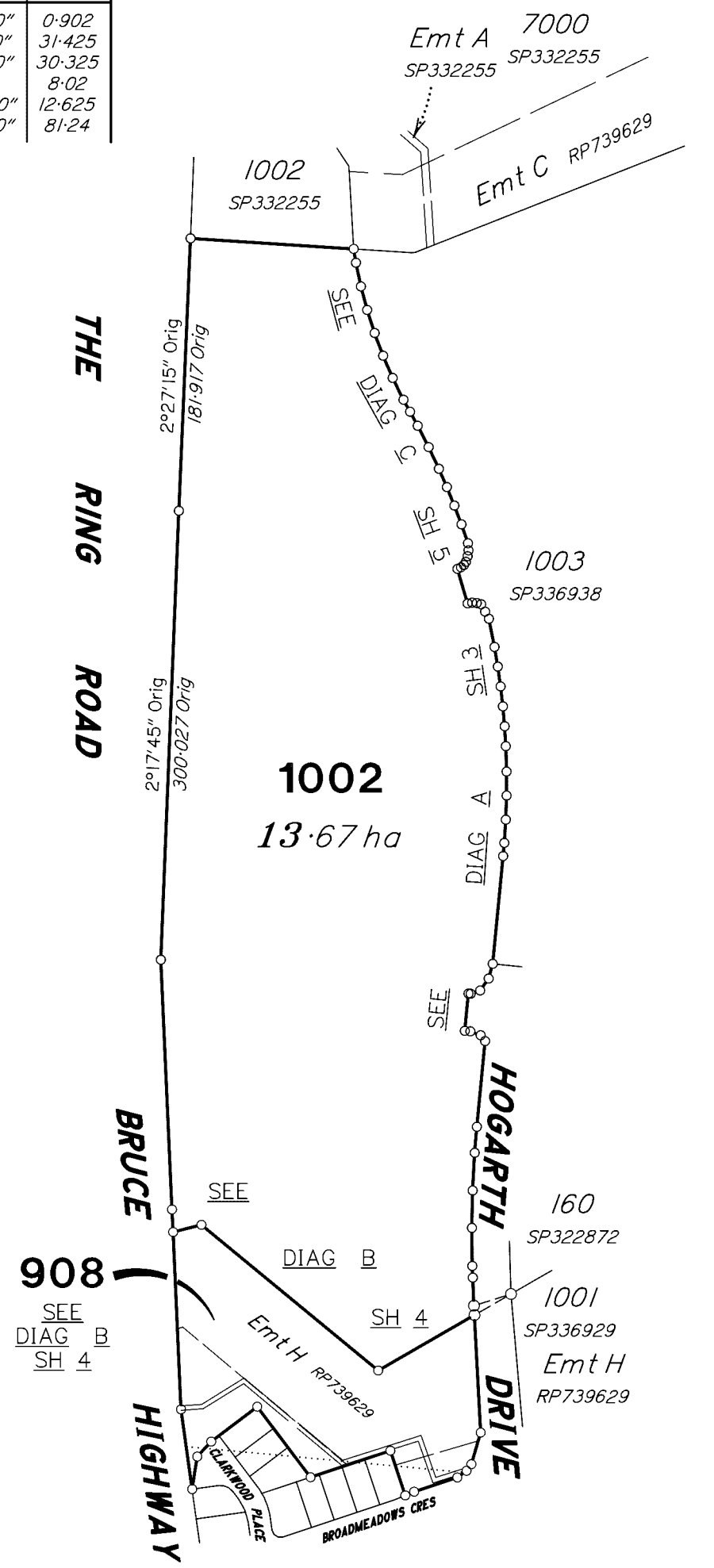
PERMANENT MARKS

PM	ORIGIN	BEARING	DIST	NO	TYPE
2-OPM Rmns	SP278255	191°01'25"	50.989	200647	Mini Mk

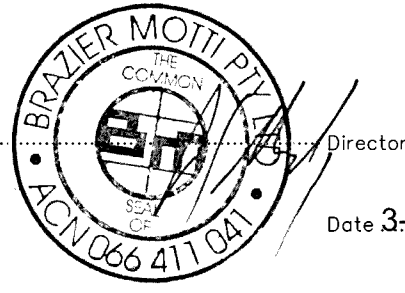
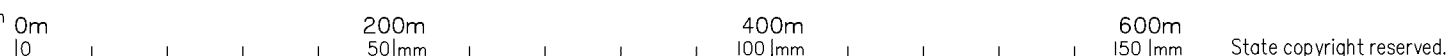
REFERENCE MARKS

STN	TO	ORIGIN	BEARING	DIST
1	OIP	3/SP191768	172°03'40"	0.902
2	GINail	2/SP278255	190°19'30"	31.425
14	OScrew in Conc	14/SP322872	167°58'50"	30.325
38	OScrew in Conc	38/DP313064	133°38'	8.02
40	GINail fd in Bit		334°59'50"	12.625
40	Spike in Bit		353°59'10"	81.24

Original information compiled from SP336929 & SP278255 in the Department of Resources.



BRAZIER MOTTI PTY LTD (ACN 066 411 041) hereby certify that the land comprised in this plan was surveyed by the corporation, by Vaughn Peter GOLDING, Surveying Graduate, for whose work the corporation accepts responsibility, under the supervision of Geoffrey Edwin OSBALDISTON, Cadastral Surveyor, and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 24th March, 2023.



Date 3.04.23..

Plan of Lots 908 & 1002
Cancelling Lot 1002 on SP336929

LOCAL GOVERNMENT: **TOWNSVILLE CITY COUNCIL** LOCALITY: **BOHLE PLAINS**

Meridian: **MGA (Zone 55) vide SP336929** Survey Records: *No*

Scale: **1:4000**
Format: **STANDARD**



722430156

EL 400 \$638.14
24/04/2023 11:16:18

(Dealing No.)

WARNING : Folded or Mutilated Plans will not be accepted.
Plans may be rolled.
Information may not be placed in the outer margins.

4. Lodged by

Maidment Land Pty Ltd
PO Box 5485 Townsville QLD 4810
(07) 4721 2822
settlements@maidment.com.au

Lodger Code BE3504

(Include address, phone number, email, reference, and Lodger Code)

I. Existing		Created		
Title Reference	Description	New Lots	Road	Secondary Interests
51303878	Lot 1002 on SP336929	908 & 1002	_____	_____

MORTGAGE ALLOCATIONS

Mortgage	Lots Fully Encumbered	Lots Partially Encumbered
717330126	908 & 1002	_____

ENCUMBRANCE EASEMENT ALLOCATIONS

Easement	Lots to be Encumbered
601408580 (Emt H on RP739629)	908
718846361 (Emt A on SP300764)	908

SURVEY REPORT:

The Hogarth Drive boundary 14-38 was reinstated using original marks at Stns 14, 14b & 38, with Stn 3 reinstated using the calculated distance from Stn 14 shown on SP278255.

The Ring Road boundary 1-2 was reinstated using original marks at Stns 1 & 2, with Stn 40 reinstated using the calculated distance from Stn 1 shown on SP191768.

The northern boundary of Lot 908 follows that of Emt H on RP739629 and was reinstated by deed angles at Stns 3, 41 & 42 and deed distance 41-41. This agrees with Stn 40 as reinstated above.

The remains of OPM200647 was found at Stn 2 (top was gone).

There is a 50" difference from deed between the bearings of the Hogarth Drive and Ring Road boundaries.

This plan follows the meridian of SP336929 from the Hogarth Drive boundaries.

1002	Por 194
908	Por 162 & Por 194
Lots	Orig

2. Orig Grant Allocation :

3. References :

Dept File :
Local Govt :
Surveyor : 40540/179-02 - 40540_302A.dwg - SLR - 03/23 - V0

5. Passed & Endorsed :

By: BRAZIER MOTTI PTY LTD
Date: 3-04-23
Signed: 
Designation: Liaison Officer

6. Building Format Plans only.

I certify that:
* As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or road;
* Part of the building shown on this plan encroaches onto adjoining * lots and road

.....
Cadastral Surveyor/Director* Date

*delete words not required

7. Lodgement Fees :

Survey Deposit \$
Lodgement \$
.....New Titles \$
Photocopy \$
Postage \$
TOTAL \$

8. Insert Plan Number

SP340654

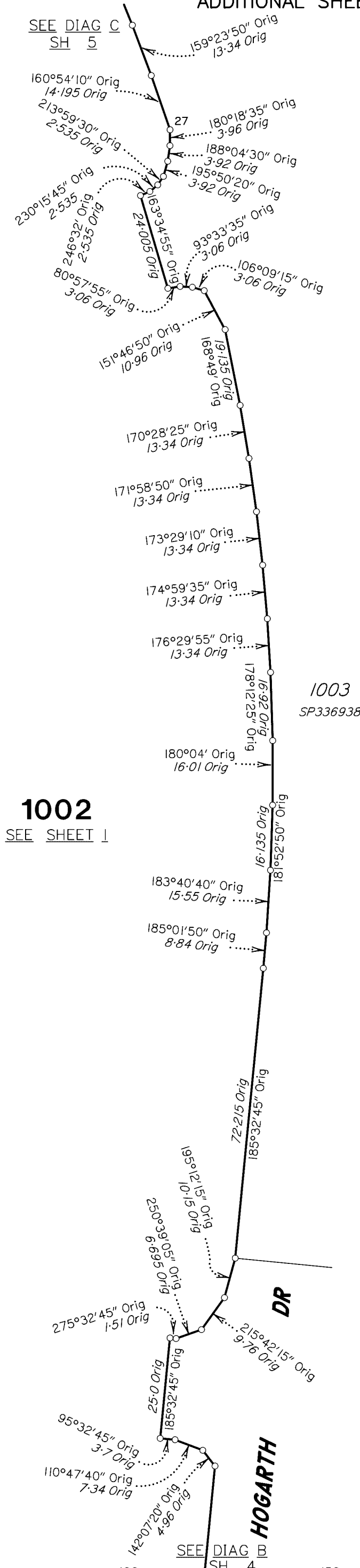


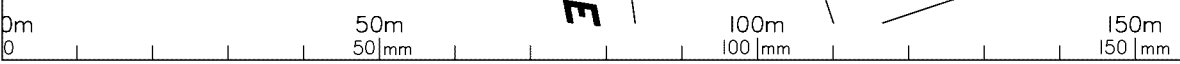
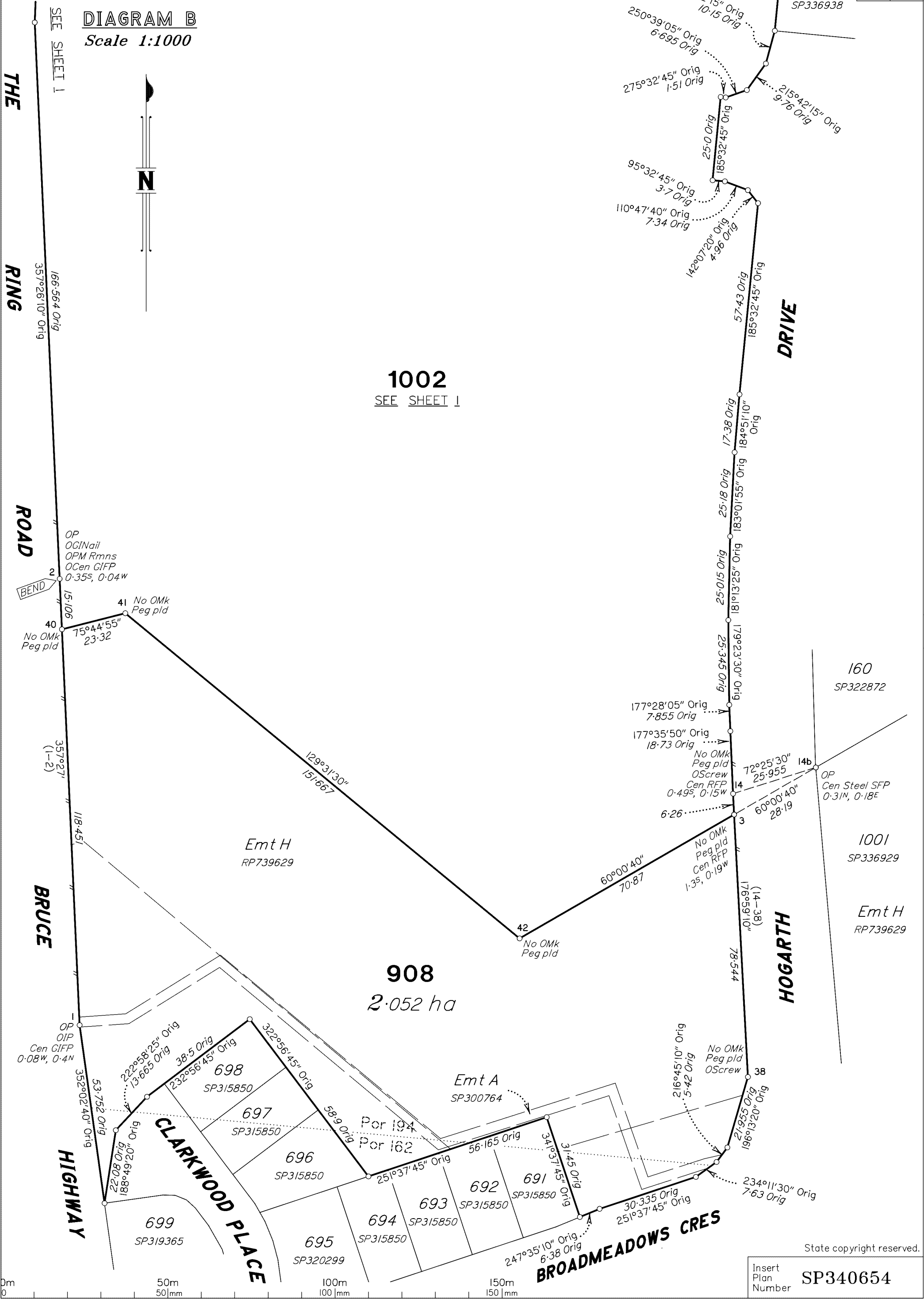
DIAGRAM A
Scale 1:1000



State copyright reserved.

Insert Plan Number **SP340654**

DIAGRAM B
Scale 1:1000



State copyright reserved.

Insert Plan Number **SP340654**

DIAGRAM C
Scale 1:1000

THE RING ROAD BRUCE HIGHWAY

SEE SHEET 1

2°17'45" Orig
300.027 Orig

2°27'15" Orig
181.917 Orig

1002
SP332255

93°41'25" Orig
109.36 Orig

176°19'20" Orig
5.09 Orig

167°58'20" Orig
20.35 Orig

165°08'25" Orig
16.19 Orig

162°18'35" Orig
16.19 Orig

159°28'40" Orig
16.19 Orig

156°38'45" Orig
16.19 Orig

153°48'55" Orig
16.19 Orig

150°58'25" Orig
9.09 Orig

151°24'45" Orig
10.69 Orig

152°55'10" Orig
16.01 Orig

154°43'40" Orig
16.01 Orig

156°23'05" Orig
13.34 Orig

157°53'25" Orig
13.34 Orig

159°23'50" Orig
13.34 Orig

160°54'10" Orig
14.195 Orig

1003
SP336938

1002
SEE SHEET 1

7000
SP332255

Emt C
RP739629

Emt A
SP332255



State copyright reserved.

Insert Plan Number **SP340654**

SEE DIAG A
SH 3

27

State Assessment and Referral Agency

Date: 02/09/2024

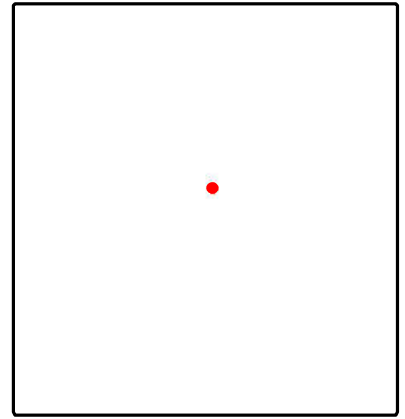


Queensland Government

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Matters of Interest for all selected Lot Plans

Queensland waterways for waterway barrier works
Regulated vegetation management map (Category A and B extract)
State-controlled road
Area within 25m of a State-controlled road

Matters of Interest by Lot Plan

Lot Plan: 1002SP340654 (Area: 136700 m²)
Queensland waterways for waterway barrier works
Regulated vegetation management map (Category A and B extract)
State-controlled road
Area within 25m of a State-controlled road



State Assessment and Referral Agency

Date: 02/09/2024



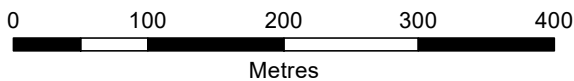
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Legend

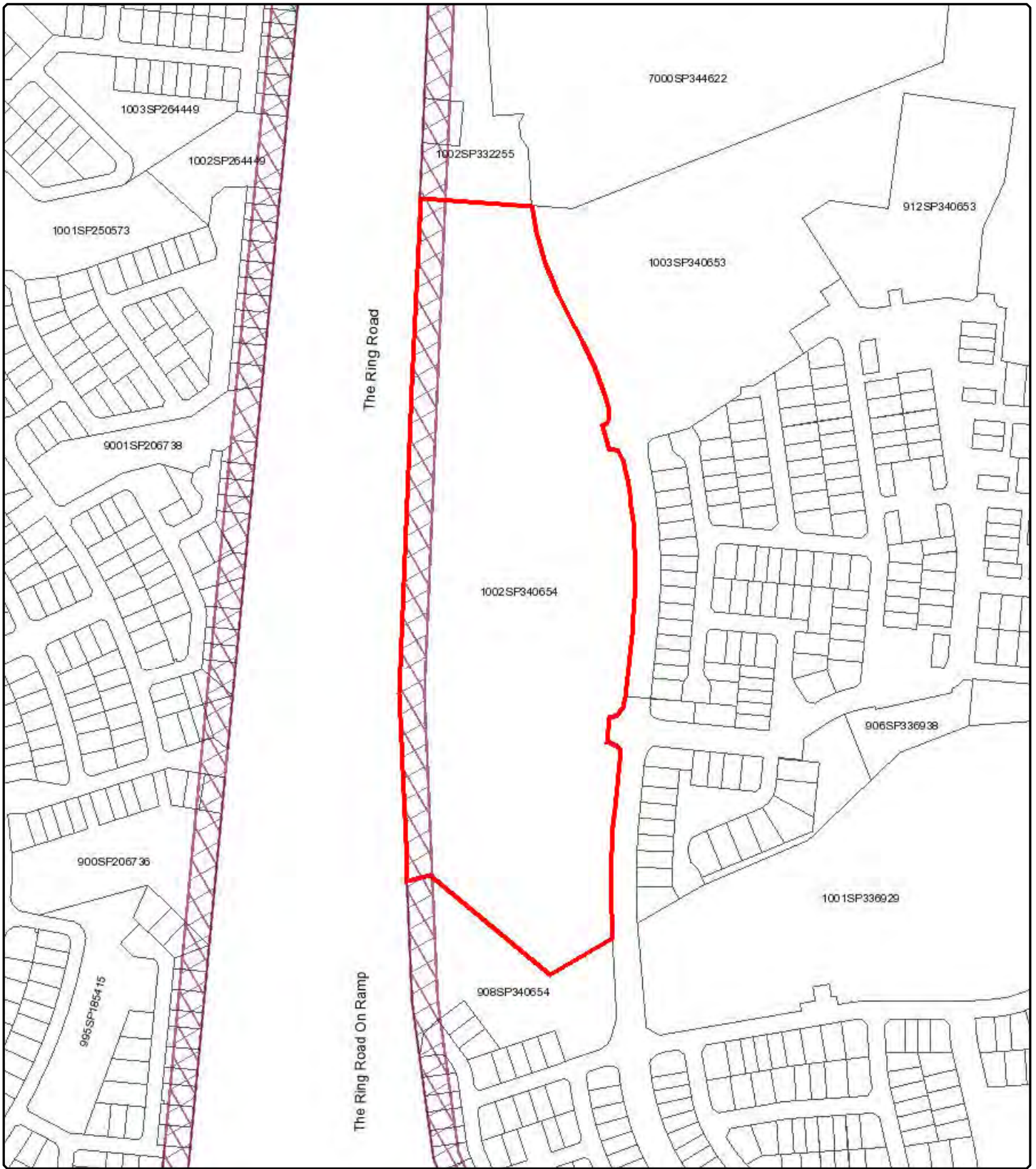
Queensland waterways for waterway barrier works

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



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State Assessment and Referral Agency


Date: 02/09/2024

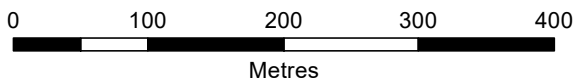


Queensland Government

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Legend

- Area within 25m of a State-controlled road
-  Area within 25m of a State-controlled road



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State Assessment and Referral Agency

Date: 02/09/2024





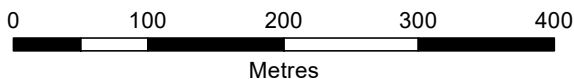
Queensland Government

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Legend

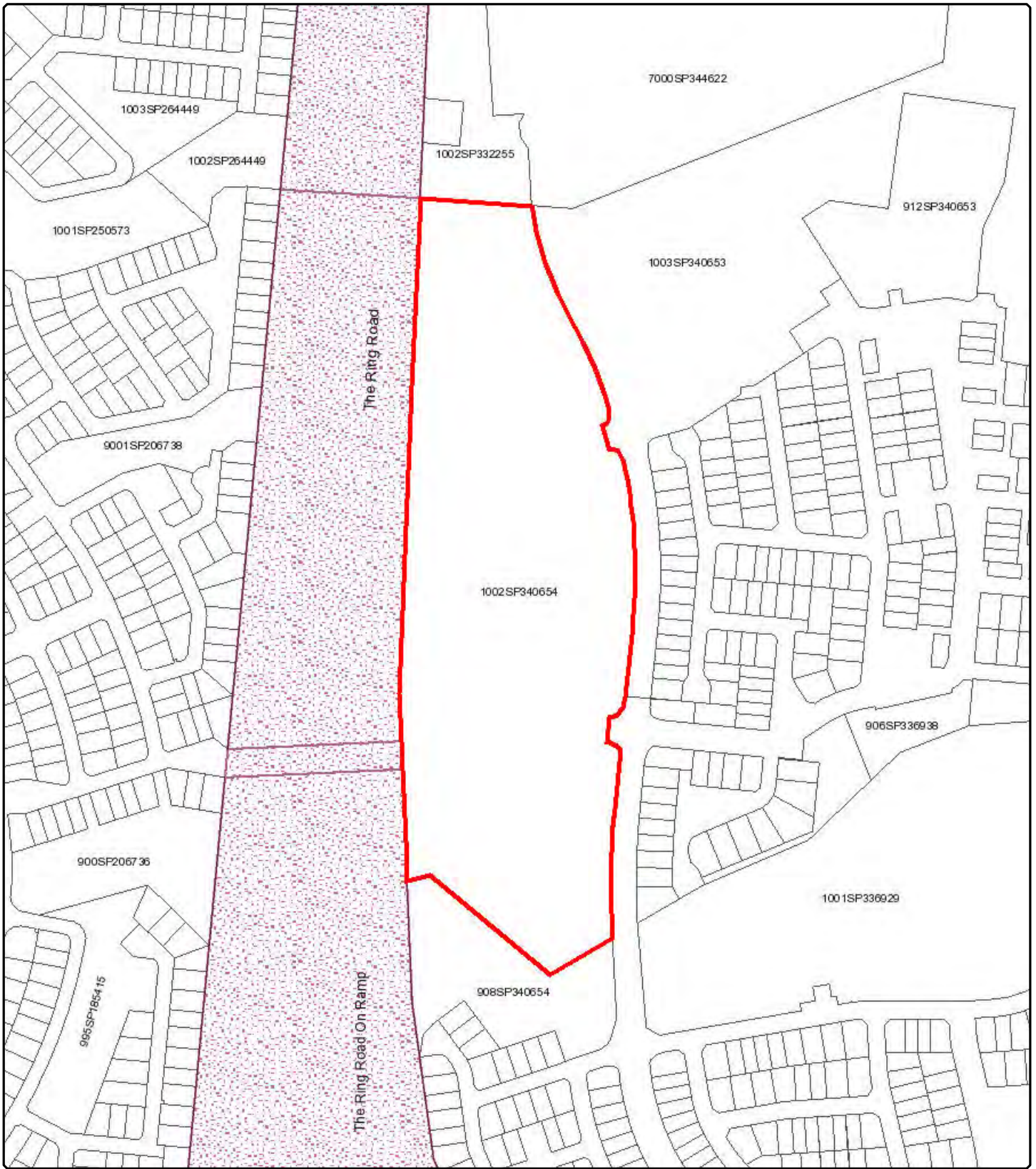
Regulated vegetation management map
(Category A and B extract)

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



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State Assessment and Referral Agency

Date: 02/09/2024



Queensland Government

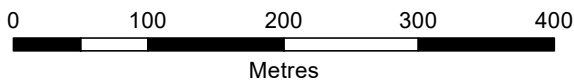
© The State of Queensland 2024.

Legend

State-controlled road



State-controlled road



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