



18 October 2025

Our Ref: 57201-001-01  
QA: es

Assessment Manager  
Burdekin Shire Council  
145 Young Street  
AYR QLD 4807

Attention: Development Assessment

Dear Sir/Madam,

**DEVELOPMENT APPLICATION**

**Development Permit for Reconfiguring a Lot – Boundary Realignment (Two Lots into Two Lots) and Access Easement in Lot 6  
151 and 157 Burstall Road, Airdmillan**

We act on behalf of the Applicant, Kevin and Marjorie McDonnell, in relation to the abovementioned application.

Please find enclosed a Development Application seeking a Development Permit for Reconfiguring a Lot – Boundary Realignment (Two Lots into Two Lots) at 151 and 157 Burstall Road, Airdmillan on land formally described as Lot 6 on SP227222 and Lot 7 on SP205550. The proposal also includes an access easement in Lot 6, in favour of Lot 7.

In accordance with Burdekin Shire Council's schedule of fees and charges 2025/2026, the development application fee is **\$2,791.00**. This fee includes the additional \$1,811.00 fee associated where a reconfiguration application triggers impact assessment.

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

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

Yours faithfully,

**Emma Staines**

*Town Planner*

**Brazier Motti Pty Ltd**

Encl. Development Application

DEVELOPMENT APPLICATION SEEKING A  
DEVELOPMENT PERMIT FOR:

Reconfiguring a Lot – Boundary Realignment  
(Two Lots into Two Lots) and Access Easement  
in Lot 6

on behalf of  
KEVIN AND MARJORIE MCDONNELL

at  
151 & 157 BURSTALL ROAD, AIRDMILLAN

on  
LOT 6 ON SP227222 &  
LOT 7 ON SP205550





*Brazier Motti have prepared this report for the sole purposes of Kevin and Marjorie McDonnell for the specific purpose of a Development Application seeking a Development Permit for Reconfiguring a Lot – Boundary Realignment (Two Lots into Two Lots) and Easement in Lot 6, at 151 & 157 Burstall Road, Airdmillan*

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

*Signed on behalf of Brazier Motti Pty Ltd*

EMMA STAINES

Town Planner

Brazier Motti Pty Ltd



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Final: October 2025

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Job No: 57201-001-01



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Appendix A:	DA Form 1 – Development Application Details (Version 1.6) and Owner’s Consent
Appendix B:	Certificate of Title and Smart Map
Appendix C:	Proposed Reconfiguration Plan prepared by Brazier Motti



## 1.0 INTRODUCTION

This town planning report has been prepared on behalf of the Applicant, Kevin and Marjorie McDonnell, in support of a Development Application seeking a Development Permit for Reconfiguring a Lot – Boundary Realignment (Two Lots into Two Lots) and Access Easement in Lot 6 at 151 & 157 Burstall Road, Airdmillan on land formally described as Lot 6 on SP227222 & Lot 7 on SP205550.

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

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

In accordance with the Planning Scheme, the application is subject to impact assessment and therefore public notification will be required.

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

- Section 2:- A site description including the site characteristics and its immediate surrounds.
- Section 3:- A detailed description of the development proposal.
- Section 4:- A review of the relevant legislation provisions.
- Section 5:- A review of the planning framework.
- Section 6:- An assessment of the proposal against the Burdekin Shire Council Planning Scheme 2022.
- Section 7:- Conclusion and recommendation.



## 2.0 THE SITE

The subject site is located at 151 & 157 Burstall Road, Airdmillan and situated approximately 4.5 kilometres north of Ayr.

Land owner's consent to the application is include in **Appendix A** and the registered land owners are detailed in Table 1, and the certificates of title confirming ownership are included **Appendix B**.

**Table 1:** Ownership Details

Land Description	Registered Owners / Lessee
Lot 6 on SP227222	DEBRA GOSPER LINDA MITCHELSON ANDREA MCDONNELL RHONDA BOXALL KEVIN MCDONNELL
Lot 7 on SP205550	KEVIN MCDONNELL MARJORIE JEAN MCDONNELL

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

**Figure 1:** Aerial image of the site and immediate surrounds



Source: Queensland Globe, 2025

Lot Lot 6 on SP227222 is an irregular shaped lot, 113.326ha in area and bound by a creek to the north, agricultural land to the east and west and rural residential lots to the south. The Smart Map is included in **Appendix B** which confirms the site area, tenure and surrounding cadastre.

It is improved by agricultural sheds associated with the cropping activities carried out on the balance of the land. It is accessible via an access handle off Burstall Road situated between Lot 7 on SP205550 and Lot 1 on RP736618. The gravel road crosses a cane tramway used by the surrounding rural uses.

Lot 7 on SP205550 is an irregular shaped lot, 10,002m<sup>2</sup> in area and used for rural residential purposes. It is improved by a single detached dwelling, shed structures, and landscaped areas. The above-mentioned tramway also traverses this lot.



This lot has road frontage to Burstall Road where vehicle access is provided via a gravel crossover (including culvert) and driveway. The house is serviced by an on-site bore, an additional water tank for drinking water supply, a septic system to the rear of the dwelling and electricity infrastructure.

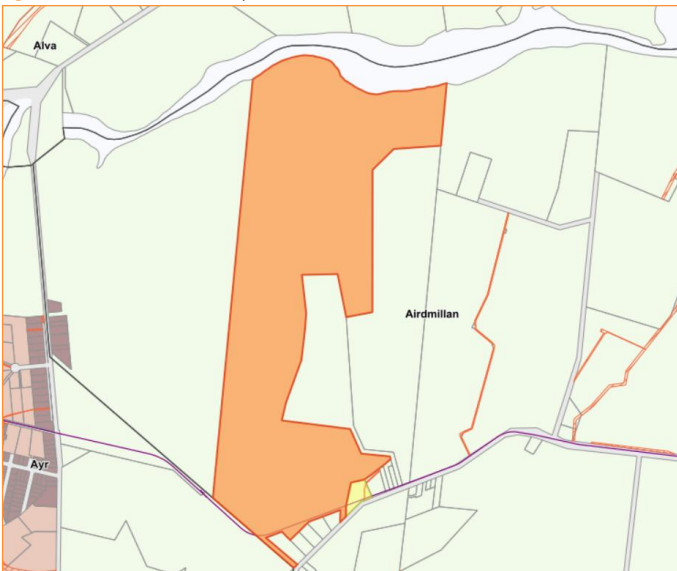
Figure 3: Aerial image of improvements on Lot 176 on RP855268



Source: Queensland Globe, 2025

The subject sites are included within the Rural zone for the purpose of the Planning Scheme (*Figure 4*). The pattern of development in the vicinity of the site comprises mainly agricultural land used for cropping, and dwelling houses on larger lots with very limited access to infrastructure.

Figure 4: Extract of Zone Map



Source: Burdekin Shire Council Planning Scheme, 2022



### 3.0 THE PROPOSAL

This report details an application seeking a Development Permit for Reconfiguring a Lot – Boundary Realignment (Two Lots into Two Lots) and Access Easement in Lot 6, on the subject site described above.

Specifically, the proposal seeks to increase the size of Lot 7 to include the line of landscaping and access point into the rear of the Lot, into the Lot. In addition, the proposal seeks to create an access easement over part of the existing track in Lot 6, in favour of Lot 7 to be able to access said portion of the rear of the lot.

The proposed reconfiguration is identified on the proposal plan included in **Appendix C** and is summarised in Table 2.

**Table 2:** Proposed Reconfiguration

Current Layout		Proposed Layout	
Lot on plan description	Area	Lot on plan description	Area
Lot 6 on SP227222	113.628ha	6	113.570ha
Lot 7 on SP205550	10,002m <sup>2</sup>	7	10,620m <sup>2</sup>

The current layout comprises one rural lot below the recommended size for rural land in the Planning Scheme and one above the recommended size. The proposed layout results in the same arrangement and simply increases the size of the smaller lot to rectify existing encroachments.

The farmed lot remains above 30ha (113.570ha) and the smaller lot contains a dwelling house that existed at the commencement of this planning scheme. There will be no change to the way the land is used, and the boundary realignment simply provides an improved tenure arrangement.

It does not result in a net loss of productive agricultural land as no clearing is required to facilitate the new boundary location. The extent of crop on Lot 6 will remain untouched.

In addition, the reconfiguration does not create any additional lot and is simply rearranging lot boundaries in a way that demonstrates an improvement in the use of the land. The resultant lots are of a size to support the existing land uses and ensures the character and density intended for in the rural zone remains.

An access easement is to be provided in Lot 6 to provide lawful access to the rear of Lot 7 in accordance with relevant code/s and policy direction. The easement documents will be submitted to Council for review to confirm compliance, at the time of lodgement of the Plan of Survey and registered in accordance with the *Land Title Act 1994*.

No physical works to the existing access and other servicing arrangements is required. Operational works are not required as a result of this application.





## 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 2.0 incorporates a referral process, established through the *Planning Regulation 2017*, enabling relevant State agencies to have input in the assessment process.

Consideration of the proposed development against Schedule 10 of the *Planning Regulation 2017* determined that the proposal does not trigger any referrals.

### 4.4 STATE PLANNING POLICY

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

### 4.5 NORTH QUEENSLAND REGIONAL PLAN

The subject land is located within a Priority Agricultural Area (PAA) as defined by the North Queensland Regional Plan ("NQRP").

The proposal aligns with the regional outcome and the regional policies for PAAs of the NQRP, as it supports the ongoing operation and production of an existing agricultural land use without compromising its current or future ability to operate. It does not alter or conflict with the objectives of the NQRP nor does it introduce any incompatible non-agricultural land uses. The resultant lot layout also supports the ongoing production of the adjoining agricultural land.

The proposed layout is consistent with the assessment benchmarks particularly noting that:

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

### 4.6 ASSESSMENT MANAGER AND PLANNING SCHEME

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



#### 4.7 PUBLIC NOTIFICATION

Under the provisions of the *Planning Act 2016*, the proposed development at this location **does** require Public Notification. Public notification will be undertaken for a period of 15 business days.



## 5.0 THE PLANNING FRAMEWORK

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

However, it should be noted that the Planning Scheme is performance based. That means that the acceptable outcomes are to be read as offering one way of achieving compliance with a code but do not prohibit alternate outcomes where the performance outcomes can be shown to be met.

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

### 5.1 LAND DESIGNATION

In accordance with the Planning Scheme, the site is included within the Rural zone and is designated on the following overlay maps:

- Acid sulfate soils overlay map OM01;
- Agricultural land overlay map OM02 - (Land classification (classes A and B) and priority agricultural area);
- Environmental significance overlay map - (Watercourses);
- Flood hazard overlay map OMO7a - (River flood hazard – Burdekin River (low-medium hazard)); and
- Flood hazard overlay map OMO7b - (Local rain events – Ayr North (low-extreme hazard)).

Per Section 3.3.2 (4) of the Planning Scheme, where development is proposed on premises partly affected by an overlay, the category of development or assessment for the overlay only relates to the part of the premises affected by the overlay. On that basis, assessment against the environmental significance overlay code and the flood hazard overlay code is not required.

### 5.2 LEVEL OF ASSESSMENT, ASSESSMENT BENCHMARKS AND APPLICABLE CODES

Table 3.5.1 of the Planning Scheme identifies reconfiguring a lot as assessable development and is impact assessable for the purposes of this development application.

The assessment table identifies that an application requires assessment against the Planning Scheme, hence the Strategic Framework and the following codes:

- Rural zone code;
- Development works code;
- Reconfiguring a lot code.



## 6.0 BURDEKIN SHIRE COUNCIL PLANNING SCHEME 2020

A complete assessment of the proposed development against the Planning Scheme is provided below.

### 6.1 STRATEGIC FRAMEWORK

The strategic framework, described in Part 2 of the Planning Scheme 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:

- (a) *Liveable communities and infrastructure*
- (b) *Economic growth*
- (c) *Safe and resilient communities*
- (d) *Natural resources, the environment and heritage*

The themes, on balance, seek to create opportunities for a diversity of lifestyle options in settings that are efficiently and affordably serviced, and that are respectful of environmental values.

The Framework establishes objectives to support the Shire's economy and community given its strong agricultural base, quality land and abundant water resources. It also recognises that large parts of the Burdekin are subject to some form of natural hazard and seeks to ensure new development is managed to reduce risk to life and property.

The subject site is not included within Council's water or sewer service areas, and the existing dwelling on Lot 7 is serviced by private on-site infrastructure. No changes are required to facilitate the boundary realignment (S 2.3.5 (1)).

The proposal does not create any new lots that would increase traffic to and from the site, nor does it propose any changes to established land uses that could otherwise impact the surrounding road network. It does not require any physical changes to current access locations and ensures the ongoing safety and efficiency of the network (S 2.3.5 (4)).

The purpose of the reconfiguration is to rationalise tenure arrangements only. It does not encourage non-rural or intensive rural activities (S 2.4.1 (4)).

The development is for the reconfiguration of a lot and is not expected to worsen the severity of, or exposure to, any hazard on-site or to other properties (S 2.5.1 (4)). The subject is identified in flood hazard areas however; the resultant layout does not create any new lots which would be subject to undue risk by exposure to flood and bushfire hazard.

Furthermore, no changes to the impermeable nature of the site are proposed as part of this reconfiguration which ensures flood flow conveyance paths and flood storage volumes of the floodplain are maintained. (S 2.5.2 (1 and 5)).

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 Planning Scheme.

The following planning grounds have been identified to support the application, despite the minor conflict with the Scheme:-

- The proposed development does not create any additional lots in the rural zone;



- The resultant layout provides an improve tenure arrangement for land in the rural zone by rectifying an encroachment;
- The proposed development will not impact on infrastructure networks;
- The resultant layout will not impact on the road network and provides access to constructed roads;
- The capacity of productive rural land will not be impacted upon;
- There will be no net decrease of cropping land as no improvements are proposed; and
- The proposal does not increase the exposure of risk to people and property to natural hazards.

## 6.2 ZONE CODE PROVISIONS

### 6.2.1 Rural Zone Code

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

The purpose of the Rural zone is to—

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

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

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



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

### Response

The proposed development is consistent with the purpose and overall outcomes of the Rural zone code, specifically noting that there will be no changes to the land use established on each lot. The current extent of the crop on Lot 6 will remain unchanged, and no new lots are being created. The following performance outcomes are considered relevant and have been addressed:

PO1 – Not applicable

No non-residential structures are proposed as part of the development.

PO3 – Complies

The subject site is not included within Council's water and sewer service areas. The dwelling on Lot is serviced by private infrastructure that is suitable to support the residential activities carried out on site. That infrastructure includes a septic system and soakage trench, a bore and electrical connection. No changes to this infrastructure are required as a result of the boundary realignment.



Lot 7 will continue to utilise the existing access crossover and driveway off Burstall Road. A portion of the track in Lot 6 services Lot 7 therefore an access easement will be established to formalise that arrangement. Lot 6 will continue to use the separate access crossover off Burstall. No new accesses are proposed as part of this application.

**PO13 – Complies**

The subject lots are not identified on a stock route network, nor do they adjoin one.

**PO16 – Complies**

The proposed development is for reconfiguring a lot only and does not comprise non-agricultural development that would otherwise result in a net loss to agricultural production. The proposed layout is considerate of the existing crop, and no clearing will be required to facilitate the realignment.

**PO18 – Complies**

The boundary realignment maintains the ongoing operation of the existing farming activities on Lot 6.

**PO19 – Complies**

The new boundary will not change existing buffers to adjoining residential uses.

**PO20 – Complies**

A cane tram line traverses the driveways on both Lots 6 and 7 however this proposed boundary realignment will not result in additional traffic to and from the site that would otherwise interfere with the tram line.

**PO21 – Complies**

The subject lots are not identified on a stock route network, nor do they adjoin one.

**PO22 – Not applicable**

The subject lots are not within the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts.

**PO23 – Complies**

The proposed development is for the realignment of existing boundaries only and it does not create any additional lots.

**PO24 – Complies**

The proposed reconfiguration retains a farm lot which is 113.570ha and the smaller lot contains a dwelling house that existed at the commencement of this planning scheme. It is 10,620m<sup>2</sup>. The proposal simply rearranges the lot boundaries to rectify an existing encroachment of a shed and landscaped areas.

It is the nature and purpose of this type of application to address tenure and ownership. The reconfiguration does not alter the Zone of the land, nor utility outcomes expected by it, and these controls remain in place and are required to be addressed in any subsequent use of the land.

**PO25 – PO38 – Not applicable**

The proposal is for reconfiguration and does not involve any land use assessable by PO25 – PO38 of the zone code.

**PO39 – Complies**

No improvements are proposed as part of this development application. It is not anticipated the reconfiguration will negatively impact on the visual amenity and landscape character of the locality.

**PO40 – Complies**

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



PO41 – Complies

The proposed layout is sympathetic of the natural environment and maintains habitat areas and corridors.

PO42 – Complies

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

PO44 – Complies

The proposed development is for the reconfiguration of land only. No changes to the existing land uses are proposed as part of this application.

PO45 – Complies

The change in tenure arrangements is reflective of the existing land uses and does not result in any alterations to the operations that would impact on public health and safety.

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

### 6.3 DEVELOPMENT CODES

#### 6.3.1 Development Works Code

The proposal is nominated for assessment against the development works code.

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

#### Response

No excavation or filling is proposed to facilitate the boundary realignment. The proposed development is for the reconfiguration of land only and will not result in any change to the impermeable nature of the site which would otherwise impact on stormwater management. The environmental values, flooding and drainage of the site and surrounding locality will not be impacted upon as a result of the proposed development.

The subject site is not connected to Council's reticulated infrastructure network. The existing dwelling on Lot 7 is serviced by private infrastructure that allows for the efficient functioning of the established residential land use on site. No changes are required to facilitate the realignment.

No additional carparking nor any physical changes to the access arrangements will be required to facilitate the proposed reconfiguration. Lot 7 will be accessed off Burstall Road via the existing crossover and driveway and a new access easement in Lot 6. Lot 6 will retain its individual access off Burstall Road.

No additional landscaping is proposed as part of this development application. The amenity and environmental values of the site will not be impacted upon.

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

#### 6.3.2 Reconfiguring a Lot Code

The proposal is nominated for assessment against the reconfiguring a lot code.





The purpose of this code is to *facilitate the development of attractive, accessible, safe and functional neighbourhoods, centres and industrial areas, and to protect Burdekin's natural resources and environmental and landscape values.*

#### Response

The proposal is consistent with the purpose and overall outcomes of the Reconfiguring a lot code given it does not create any new lots in the Rural zone, and it retains all existing agricultural land which is on a lot 113.570ha in area. The smaller lot contains a dwelling house that existed at the commencement of this planning scheme, which is 5,609m<sup>2</sup> in area and will continue to be used as a residential purpose only.

A detailed assessment against the code is provided below.

PO1 – PO8 – Not applicable

The development is not creating a new neighbourhood.

PO9 – Not applicable

The land is not sited on a slope greater than 15%.

PO10 – Complies

The realignment maintains two existing lots that are:

- of a size and dimension which complement the rural character of the zone and is reflective of the settlement pattern within the vicinity of the site;
- are capable of accommodating the existing farming practices.

PO11 – Not applicable

The site is not located in the emerging community zone.

PO12 – Not applicable

The proposed development does not create any new lots in the rural zone.

PO13 – Not applicable

The current layout comprises one rural lot below the recommended size for rural land in the Planning Scheme and one above the recommended size, of which is in two parts. The proposed layout results in the same arrangement and simply increases the size of the smaller lot to rectify existing encroachments.

The farmed lot remains above 30ha (113.570ha) and the smaller lot contains a dwelling house that existed at the commencement of this planning scheme. There will be no change to the way the land is used, and the boundary realignment simply provides an improved tenure arrangement.

PO14 – Not applicable

The subject site is not located in the environmental management and conservation zone.

PO15 – Complies

Lot 7 will be accessed off Burstall Road via the existing crossover and driveway and a new access easement in Lot 6. Lot 6 will retain its individual access off Burstall Road. No new accesses are proposed as part of this application.

PO16 – Complies

The dwelling house on Lot 7 is adequately serviced. The infrastructure includes a septic system and soakage trench and bore.



PO17 – Complies

The dwelling house on Lot 7 is serviced by an existing overhead electricity supply which will be retained following the boundary realignment.

PO18 – PO23 – Not applicable

No new roads are proposed as part of the development.

PO24 – Not applicable

No change to the impermeable nature of the site is proposed as part of this realignment. The proposed development will not alter the regimes external to the site.

PO25 – Not applicable

The development does not comprise any built form or significant earthworks that would otherwise require stormwater quality assessment.

PO26 – Not applicable

No vegetation clearing or significant earthworks are required to facilitate the reconfiguration that would otherwise require a soil erosion and sediment control plan.

PO27 – Not applicable

No change to the existing stormwater drainage arrangement is required to facilitate the realignment.

Given the above, the proposed development is consistent with the purpose and overall outcomes of the reconfiguring a lot code.



## 7.0 CONCLUSION

This proposal details a development application to Burdekin Shire Council seeking a Development Permit for a Reconfiguring a Lot – Boundary Realignment (Two Lots into Two Lots) and Access Easement in Lot 6 at 151 & 157 Burstall Road, Airdmillan on land formally described as Lot 6 on SP227222 & Lot 7 on SP205550.

The proposed layout results in one lot above the recommended size for land in the Rural zone and one below the recommended size. It retains one larger farmed lot, and the single smaller lot contains a dwelling house that existed at the commencement of this planning scheme. The realignment rectifies an existing encroachment resulting in an improved tenure arrangement in comparison to the existing arrangement.

The proposal aligns with the provisions prescribed by the Planning Scheme and the objectives of the NQRP given the changed boundary ensures the rural land will be maintained for agricultural activities to continue to support the economy.

In particular, the realignment which results in one lot below the minimum recommended lot size and one lot above the minimum recommended lot size can be supported in this circumstance given:

- The development does not create any additional lots in the rural zone;
- The smaller lot contains a house that existed prior to commencement of the planning scheme;
- The development is capable of accommodating required services without burden and it offers an improved function of the site;
- The resultant layout will not impact on the road network and retains access to the road network;
- The proposal does not increase the exposure of risk to people and property to natural hazards; and
- The proposal aligns with the stated outcomes of the North Queensland Regional Plan, as it does not alter or conflict with the objectives of the Plan, nor does it introduce any incompatible non-agricultural land uses.

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

# APPENDIX A

Development Application 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)	Kevin and Marjorie McDonnell c/- Brazier Motti Pty Ltd
Contact name (only applicable for companies)	Emma Staines
Postal address (P.O. Box or street address)	595 Flinders Street
Suburb	Townsville City
State	QLD
Postcode	4810
Country	Australia
Contact number	4772 1144
Email address (non-mandatory)	Emma.staines@braziermotti.com.au
Mobile number (non-mandatory)	0429 516 011
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	57201-001-01
1.1) Home-based business	
<input type="checkbox"/> Personal details to remain private in accordance with section 264(6) of <i>Planning Act 2016</i>	

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

## PART 2 – LOCATION DETAILS

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

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

#### 3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		151	Burstall Road	Airdmillan
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4807	6	SP227222	Burdekin Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
		157	Burstall Road	Airdmillan
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4807	7	RP855268	Burdekin Shire Council

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

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

- ☐ Coordinates of premises by longitude and latitude

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

- ☐ Coordinates of premises by easting and northing

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

#### 3.3) Additional premises

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

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

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

Name of water body, watercourse or aquifer:

- ☐ On strategic port land under the *Transport Infrastructure Act 1994*

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

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

Name of port authority for tidal area (if applicable)

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

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

**5) Are there any existing easements over the premises?**

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

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

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

<b>6.1) Provide details about the first development aspect</b>
a) What is the type of development? <i>(tick only one box)</i>
<input type="checkbox"/> Material change of use <input checked="" type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input type="checkbox"/> Code assessment <input checked="" type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>
Boundary realignment of 2 lots into 2 lots and access easement in Lot 6
e) Relevant plans
<i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see <a href="#">DA Forms guide: Relevant plans</a>.</i>
<input checked="" type="checkbox"/> Relevant plans of the proposed development are attached to the development application
<b>6.2) Provide details about the second development aspect</b>
a) What is the type of development? <i>(tick only one box)</i>
<input type="checkbox"/> Material change of use <input type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>
<input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>
e) Relevant plans
<i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see <a href="#">DA Forms Guide: Relevant plans</a>.</i>
<input type="checkbox"/> Relevant plans of the proposed development are attached to the development application
<b>6.3) Additional aspects of development</b>
<input type="checkbox"/> Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application
<input checked="" type="checkbox"/> Not required

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

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

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

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

**Division 1 – Material change of use**

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

**8.1) Describe the proposed material change of use**

Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m <sup>2</sup> ) (if applicable)

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

- ☐ Yes
- ☐ No

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

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

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

**Division 2 – Reconfiguring a lot**

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

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

2

**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 checked="" type="checkbox"/> Boundary realignment (complete 12) | <input type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road (complete 13) |

**10) Subdivision****10.1) For this development, how many lots are being created and what is the intended use of those lots:**

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

**10.2) Will the subdivision be staged?**

- ☐ Yes – provide additional details below
- ☐ No



How many stages will the works include?	
What stage(s) will this development application apply to?	

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

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )
Lot 6 on SP227222	113.6284ha	6	113.570ha
Lot 7 on SP205550	10,002m <sup>2</sup>	7	10,620m <sup>2</sup>
12.2) What is the reason for the boundary realignment?			
To increase the size of 7 to fully contain the house, driveway, shed and lines of trees to the north of the house, on one title.			

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)				
Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement
Proposed	4m	103.9m	Vehicle and pedestrian access	7

### Division 3 – Operational work

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

14.1) What is the nature of the operational work?	
<input type="checkbox"/> Road work <input type="checkbox"/> Drainage work <input type="checkbox"/> Landscaping <input type="checkbox"/> Other – please specify:	<input type="checkbox"/> Stormwater <input type="checkbox"/> Earthworks <input type="checkbox"/> Signage <input type="checkbox"/> Water infrastructure <input type="checkbox"/> Sewage infrastructure <input type="checkbox"/> Clearing vegetation
14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)	
<input type="checkbox"/> Yes – specify number of new lots:	
<input type="checkbox"/> No	
14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)	
\$	

## PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application
Burdekin Shire Council
16) Has the local government agreed to apply a superseded planning scheme for this development application?
<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application

- ☐ 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

<input type="checkbox"/> Water-related development – removing quarry material <i>(from a watercourse or lake)</i> <input type="checkbox"/> Water-related development – referable dams <input type="checkbox"/> Water-related development – levees <i>(category 3 levees only)</i> <input type="checkbox"/> Wetland protection area
<b>Matters requiring referral to the local government:</b> <input type="checkbox"/> Airport land <input type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA has been devolved to local government)</i> <input type="checkbox"/> Heritage places – Local heritage places
<b>Matters requiring referral to the Chief Executive of the distribution entity or transmission entity:</b> <input type="checkbox"/> Infrastructure-related referrals – Electricity infrastructure
<b>Matters requiring referral to:</b> <ul style="list-style-type: none"> <li>• The <b>Chief Executive of the holder of the licence</b>, if not an individual</li> <li>• The <b>holder of the licence</b>, if the holder of the licence is an individual</li> </ul> <input type="checkbox"/> Infrastructure-related referrals – Oil and gas infrastructure
<b>Matters requiring referral to the Brisbane City Council:</b> <input type="checkbox"/> Ports – Brisbane core port land
<b>Matters requiring referral to the Minister responsible for administering the Transport Infrastructure Act 1994:</b> <input type="checkbox"/> Ports – Brisbane core port land <i>(where inconsistent with the Brisbane port LUP for transport reasons)</i> <input type="checkbox"/> Ports – Strategic port land
<b>Matters requiring referral to the relevant port operator, if applicant is not port operator:</b> <input type="checkbox"/> Ports – Land within Port of Brisbane's port limits <i>(below high-water mark)</i>
<b>Matters requiring referral to the Chief Executive of the relevant port authority:</b> <input type="checkbox"/> Ports – Land within limits of another port <i>(below high-water mark)</i>
<b>Matters requiring referral to the Gold Coast Waterways Authority:</b> <input type="checkbox"/> Tidal works or work in a coastal management district <i>(in Gold Coast waters)</i>
<b>Matters requiring referral to the Queensland Fire and Emergency Service:</b> <input type="checkbox"/> Tidal works or work in a coastal management district <i>(involving a marina (more than six vessel berths))</i>

<b>18) Has any referral agency provided a referral response for this development application?</b>		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application <input type="checkbox"/> No		
Referral requirement	Referral agency	Date of referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and this development application, or include details in a schedule to this development application <i>(if applicable)</i> .		

## PART 6 – INFORMATION REQUEST

<b>19) Information request under the DA Rules</b>
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application <input type="checkbox"/> I do not agree to accept an information request for this development application <b>Note:</b> <i>By not agreeing to accept an information request I, the applicant, acknowledge:</i> <ul style="list-style-type: none"> <li>• 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</li> </ul>

- Part 3 under Chapter 1 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules or
  - Part 2 under Chapter 2 of the DA Rules will still apply if the application is for state facilitated development
- Further advice about information requests is contained in the [DA Forms Guide](#).

## PART 7 – FURTHER DETAILS

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

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

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

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

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

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

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

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

23) Further legislative requirements

### Environmentally relevant activities

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

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

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

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

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

### Hazardous chemical facilities

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

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

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

### **Clearing native vegetation**

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

☐ Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)

☒ No

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

### **Environmental offsets**

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

☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter

☒ No

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

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

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

☐ Yes – the development application involves premises in the koala habitat area in the koala priority area

☐ Yes – the development application involves premises in the koala habitat area outside the koala priority area

☒ No

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

### **Water resources**

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

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

☒ No

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

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

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

### **Waterway barrier works**

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

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

☒ No

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

### **Marine activities**

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

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

☒ No

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

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

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

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

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

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

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

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

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

### **Referable dams**

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

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

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

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

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

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

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

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

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

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

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

Name of the heritage place:		Place ID:	
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### **Decision under section 62 of the *Transport Infrastructure Act 1994***

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

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

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

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

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

☒ No

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

## PART 8 – CHECKLIST AND APPLICANT DECLARATION

### 24) Development application checklist

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

☒ 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			





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

We,

DEBRA GOSPER

LINDA MITCHELSON

ANDREA MCDONNELL

RHONDA BOXALL

KEVIN MCDONNELL

as owner of the premises identified as follows:

LOT 6 ON SP227222

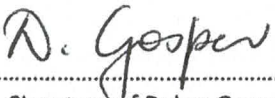
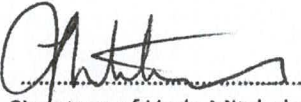

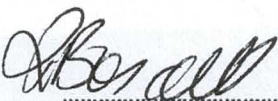
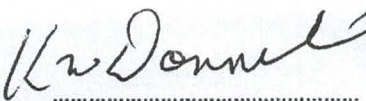
151 BURSTALL ROAD AIRDMILLAN QLD 4807

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

BRAZIER MOTTI PTY LTD

on the premises described above for:

RECONFIGURING A LOT – BOUNDARY REALIGNMENT (TWO LOTS INTO TWO LOTS) AND ACCESS EASEMENT

 Signature of Debra Gosper 9-10-25 Date	 Signature of Linda Mitchelson 9-10-25 Date	 Signature of Andrea McDonnell 9-10-25 Date
	 Signature of Rhonda Boxall 9-10-25 Date	 Signature of Kevin McDonnell 9-10-25 Date



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

We,

MARJORIE JEAN MCDONNELL

KEVIN MCDONNELL

as owner of the premises identified as follows:

LOT 7 ON SP205550

157 BURSTALL ROAD AIRDMILLAN QLD 4807

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

BRAZIER MOTTI PTY LTD

on the premises described above for:

RECONFIGURING A LOT – BOUNDARY REALIGNMENT (TWO LOTS INTO TWO LOTS) AND ACCESS EASEMENT

  
Signature of Marjorie McDonnell

9-10-25  
Date

  
Signature of Kevin McDonnell

9-10-25  
Date

# APPENDIX B

Current Title Search and Smart Map

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Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>50758927</b>	<b>Search Date:</b>	03/10/2025 08:22
<b>Date Title Created:</b>	26/02/2009	<b>Request No:</b>	53589602
<b>Previous Title:</b>	21485169, 50101573		

**ESTATE AND LAND**

Estate in Fee Simple

LOT 7 SURVEY PLAN 205550

Local Government: BURDEKIN

**REGISTERED OWNER**

Dealing No: 712144486 06/01/2009

KEVIN MCDONNELL

MARJORIE JEAN MCDONNELL

JOINT TENANTS

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20133189 (POR 296)
2. EASEMENT IN GROSS No 712240897 25/02/2009 at 08:05  
burdening the land  
COUNCIL OF THE SHIRE OF BURDEKIN  
over  
EASEMENT A ON SP205550

**ADMINISTRATIVE ADVICES**

Dealing	Type	Lodgement Date	Status
709645479	ACCESS RIGHT SUGAR INDUSTRY ACT 1999	01/06/2006 10:43	CURRENT
709645480	ACCESS RIGHT SUGAR INDUSTRY ACT 1999	01/06/2006 10:44	CURRENT

**UNREGISTERED DEALINGS**

NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

Queensland Titles Registry Pty Ltd  
 ABN 23 648 568 101

<b>Title Reference:</b>	<b>51020793</b>	<b>Search Date:</b>	03/10/2025 08:27
<b>Date Title Created:</b>	05/01/2016	<b>Request No:</b>	53589658
<b>Previous Title:</b>	50758926		

### ESTATE AND LAND

Estate in Fee Simple

LOT 6 SURVEY PLAN 227222

Local Government: BURDEKIN

### REGISTERED OWNER

### INTEREST

Dealing No: 723877570 20/02/2025

DEBRA GOSPER

29/168

LINDA MITCHELSON

29/168

ANDREA MCDONNELL

29/168

RHONDA BOXALL

29/168

KEVIN MCDONNELL

13/42

AS TENANTS IN COMMON

### EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
 Deed of Grant No. 20133189 (POR 296)

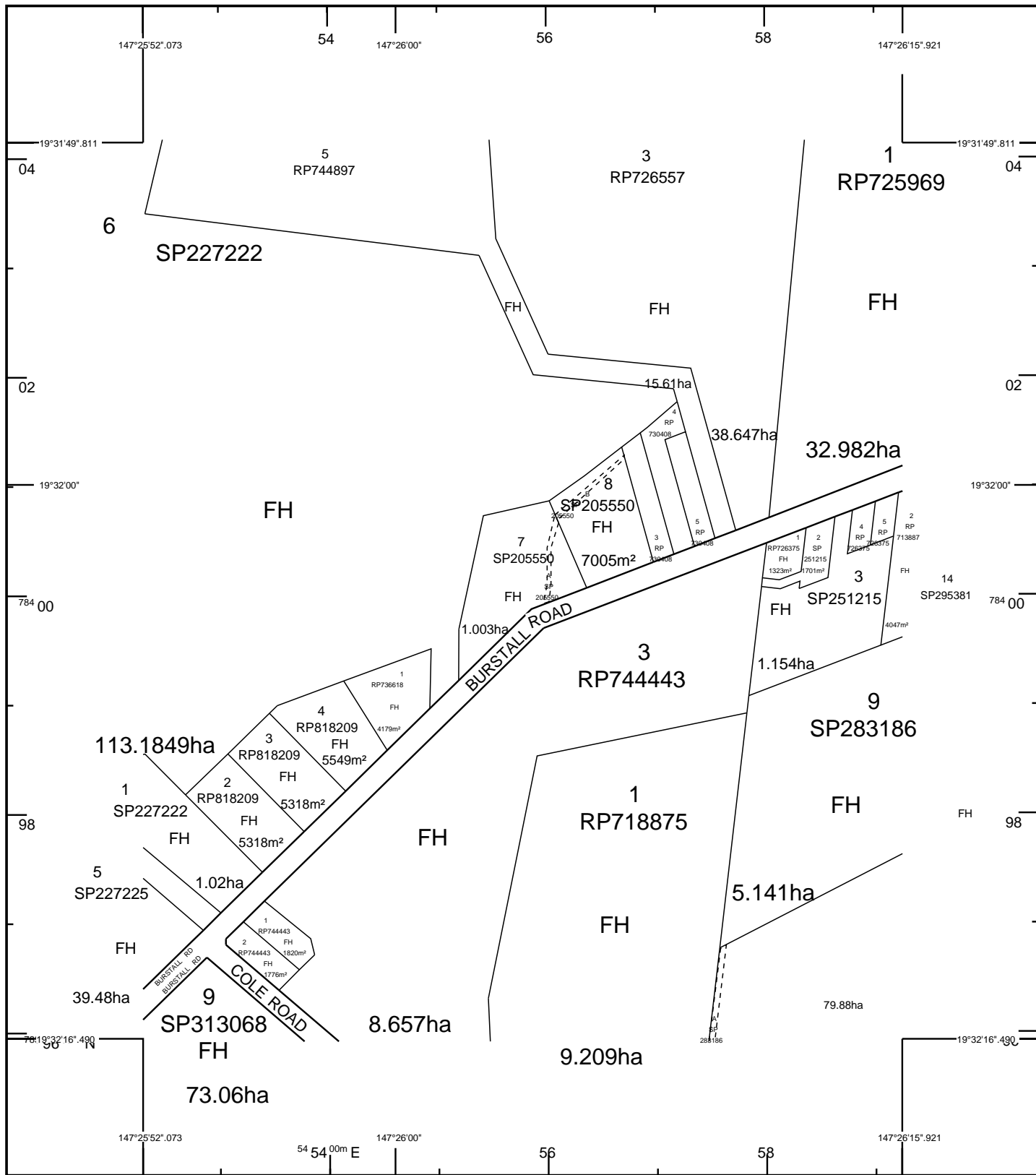
### ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status
709645480	ACCESS RIGHT SUGAR INDUSTRY ACT 1999	01/06/2006 10:44	CURRENT

### UNREGISTERED DEALINGS

NIL

\*\* End of Current Title Search \*\*



STANDARD MAP NUMBER  
8358-11421

0 100 200 300 400 500 m  
HORIZONTAL DATUM:GDA94 ZONE:55 SCALE 1 : 5000

MAP WINDOW POSITION &  
NEAREST LOCATION



#### SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	7/SP205550
Area/Volume	1.003ha
Tenure	FREEHOLD
Local Government	BURDEKIN SHIRE
Locality	AIRDMILLAN
Segment/Parcel	37043/171

#### CLIENT SERVICE STANDARDS

PRINTED 15/10/2025

DCDB 14/10/2025

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.

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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**

(c) The State of Queensland,  
(Department of Resources) 2025.





# APPENDIX C

Proposed Reconfiguration Plan prepared by Brazier Motti

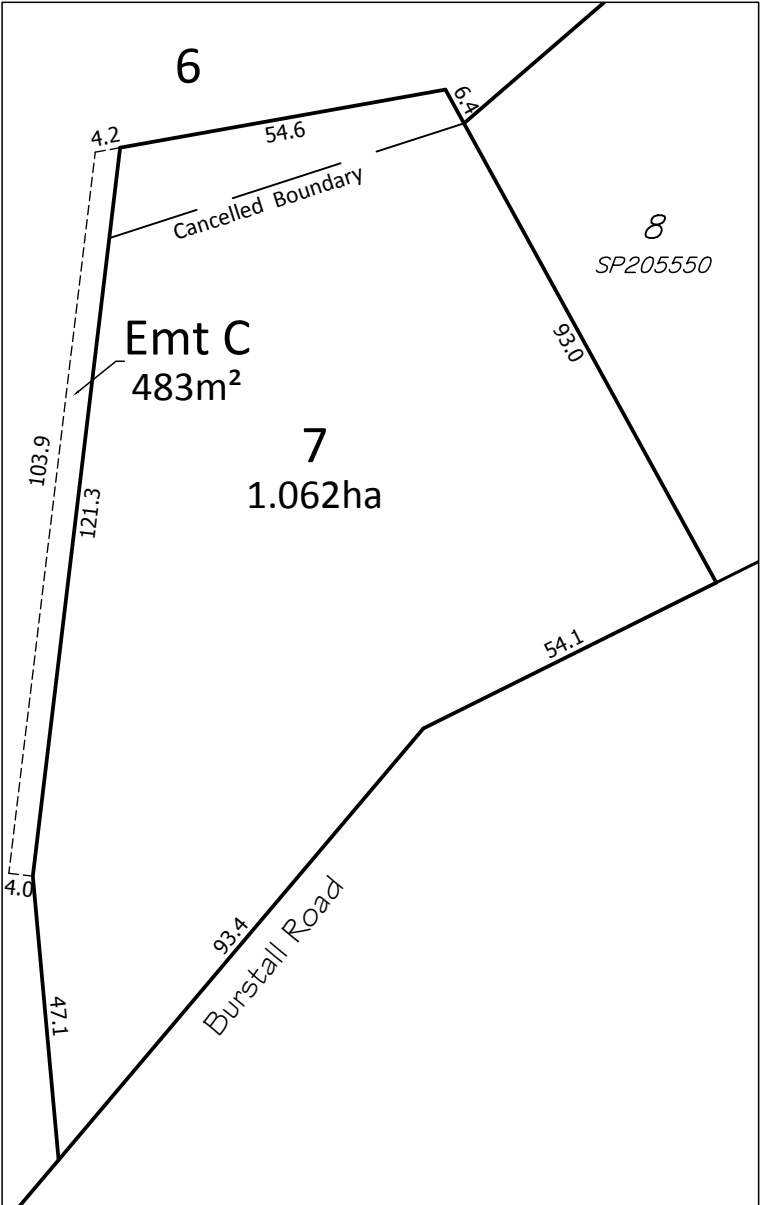
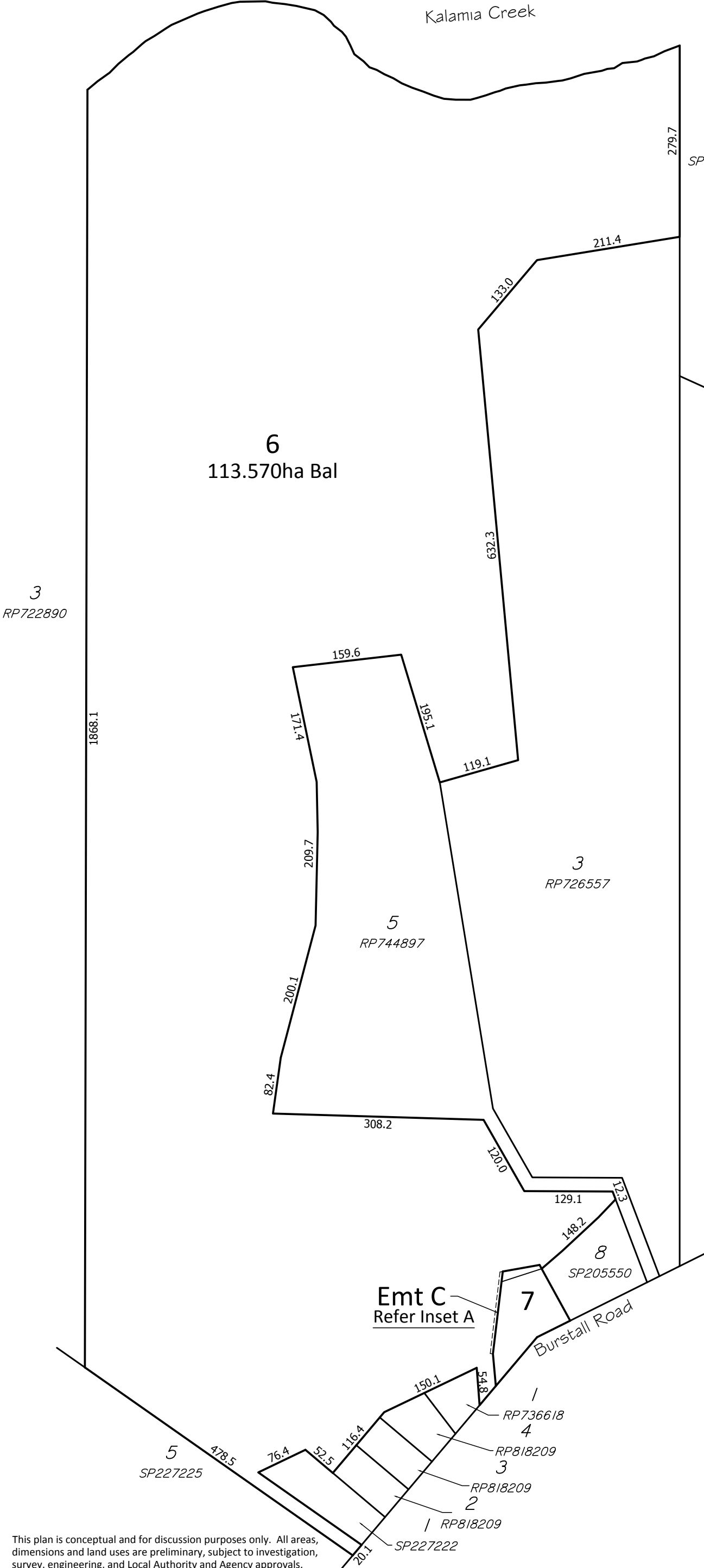
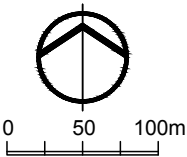
brazier motti





PROPOSED  
RECONFIGURATION

Lots 6 and 7 and Easement in Lot 6  
Cancelling Lot 6 on SP227222 and Lot 7 on SP205550



Inset A - 1:1250

Date: 14th October, 2025	
Scale: 1:5000	A3
Drawn: MJM	
Job No: 57201/001-01	
Plan No:	57201/001 A

braziermotti.com.au

SURVEYING  
TOWNPLANNING  
PROJECTMANAGEMENT  
MAPPING&GIS



braziermotti

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