



BNC Ref. DA005-26
BSC Ref. RAL26/0004

>> 29 May 2026

ASSESSMENT MANAGER
BURDEKIN SHIRE COUNCIL
PO BOX 974
AYR QLD 4807
Via: Email

RE: APPLICANT RESPONSE TO ASSESSMENT MANAGER INFORMATION REQUEST NOTICE - DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT (2 INTO 2 LOTS BOUNDARY REALIGNMENT) AT 43 TUFFIN ROAD AND 189 BAPTY ROAD, FREDERICKSFIELD QLD 4806 (RPD: LOT 1 ON RP716715 AND LOT 4 ON SP330992)

BNC Planning acting on behalf of the applicant submits this response to the *information request* notice issued by the Burdekin Shire Council as assessment manager under section 13 of the Development Assessment Rules. The information request is dated 26 April 2026, and is associated with a reconfiguring a lot development application (RAL26/0004) seeking to facilitate a two lot into two lots boundary realignment of the premises described above.

The applicant has responded by providing all of the information requested or has provided a suitable alternative outcome. A detailed response to each item from the notice is provided below.

ASSESSMENT MANAGER – BURDEKIN SHIRE COUNCIL – INFORMATION REQUEST

Request Item 1: Priority Agricultural Areas

Please identify the priority agricultural land uses intended for proposed lot 1.

Applicant's response

While the assessment benchmarks for Priority Agricultural Areas (PAAs) within the North Queensland Regional Plan (NQRP) do not formally apply to this application, it is acknowledged that they may provide guidance for informing development solutions. For this reason, the following response has been provided with the aim to achieve a high standard for development solutions aligning with the NQRP PAA framework.

As stated in the NQRP, PAAs are intended for priority agricultural land uses (PALU). Non-agricultural uses or resource activities seeking to operate in these areas will not be supported unless they can co-exist with the PALUs for mutual benefit and without compromising the PALUs current or future ability to operate. The development demonstrates that not only does

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it co-exist with the PALUs for mutual benefit without compromise to existing and future PALUs, but the development can facilitate PALUs on Proposed Lot 1 despite its significantly smaller lot size.

PALU on Proposed Lot 1

The NQRP identifies specific examples of PALUs as the following:

- Planation forestry;
- Cropping;
- Perennial horticulture;
- Seasonal horticulture;
- Production from irrigated agriculture and plantations;
- Intensive horticulture; and
- Intensive animal husbandry.

Proposed Lot 1, being approximately 1.1ha in lot size, can accommodate for some of these uses at a small scale, continuing the utility of the land for agricultural purposes. Ultimately, the application is for a boundary realignment and does not constitute a material change of use. Proposed Lot 1 will retain the existing use rights of the parent lot, which are consistent with PALUs. In addition to these uses, the development achieves co-existence with surrounding PALUs for mutual benefit without compromise to existing and future PALUs, as detailed below. It is also important to acknowledge that, as a boundary realignment, there is a no-net-negative outcome occurring. While one lot is getting smaller, the other is getting equally larger. The utility of that land is transferred to the larger lot. There is no net loss of utility/productivity given the existing lots have the right to establish a dwelling at any given time.

Co-Existence With Surrounding Existing and Future PALUs

Proposed Lot 1 is intended to accommodate a farm homestead, and other ancillary buildings, which will directly support the existing PALUs on Proposed Lot 4. While farm homesteads are not directly acknowledged as a PALU under the NQRP, they are undeniably a necessary component to PALUs. The relationship between Proposed Lot 1 and 4 as farm homestead and agricultural land is inherently mutually beneficial, co-existing with no compromise to surrounding PALUs.

Furthermore, in the circumstance that each of the new lots do not share a common owner, the existence of an independent home farmstead with small scale agricultural activities will not compromise the surrounding PALUs. The low scale nature and similarity in use of the home farmstead demonstrates compatibility. A material change of use of the site for a non-agricultural use that does compromise existing or future PALUs would constitute a new development application, which can be assessed on its own merits. This scenario is reflected across the rural landscape of the region.

The Reconfiguration Directly Benefits PALUs on the Site

The creation of New Lot 4 to form an approximately 46ha size lot is immensely beneficial to the continued use of the site for PALUs compared to it remaining in its current form and size. This demonstrates direct support to the ongoing function of PALUs in the local area, and the purpose of the Goal 1 of the NQRP to support the agricultural industry in regional Australia. This is further detailed in the response to other matters below.

Request Item 2: Minimum Lot Size

Please demonstrate that the development results in a substantial improvement in the management of the land for the purposes intended for the priority agricultural area and class A and B agricultural land. Have regard to the management of both proposed lots.

Applicant's response

The result of the reconfiguration arrangement demonstrates a substantial improvement in the management of the land AND the protection of its environmental values, with no increase to the number of lots on site. This has been discussed in the initial planning report lodgement with the application. There are significant benefits to the management of the site in consolidating the agricultural land. This is evident in:

1. The existing boundary bisects active cropping land separating the two lots;
 - With the productive agricultural land split between two separate titles, there is potential for the lots to be sold as independent titles, with physical fencing erected to mark the separation of the lots. Each which would involve boundary offsets as well as new dwellings and ancillary structures.
 - This risks the fragmentation of agricultural land as smaller cropping leads to a smaller crop yield and therefore a weaker agricultural product, as well as the loss of agricultural land as land is dedicated to fencing and agricultural setbacks from the boundary for vehicular manoeuvring and separation from conflicting cropping.
2. The realignment creates a consolidated agricultural parcel;
 - A consolidated lot facilitates larger cropping and therefore larger agricultural product yield. While the site is currently functioning in such a way under one owner, the reconfiguration secures the arrangement into the future.
 - A larger agricultural parcel supports more efficient operations, utilising larger scale irrigation infrastructure, machinery movement, crop planning, and finance/security arrangements.

It is acknowledged that the development forms Proposed Lot 1 as a substantially undersized lot, but the outcome of the development nevertheless results in a substantial improvement in the management of the land, as detailed above i.e. a no-net-negative outcomes. The risk for the land to be fragmented under separate titles is substantial, and by preventing this fragmentation it is inherently a significant improvement to the management of the land. In this way, it is evident that the development complies with strategic framework item 2.4.1 3) b).

Request Item 3: Rural Residential Use

Please demonstrate that proposed Lot 1 is not intended to be used for residential purposes by demonstrating how the lot will accommodate viable agricultural activity or a use in keeping with the intent of the rural zone.

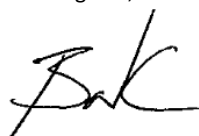
Applicant's response

It is acknowledged that the development will result in the creation of a 1.1ha size lot, similar in size to typical rural residential lots in the region. However, these styled lots are commonplace within the rural environment, and particularly in the local area. It is evident that the local area presents small lots under 4ha adjoining to larger parcels of agriculturally productive land. These smaller lots directly support these agricultural areas with farm homesteads and ancillary structures. The development aims to achieve this arrangement, which is key to the rural character of Fredericksfield. In this way, the development maintains the rural character landscape for low density living and the agricultural-focused intent of the zone. It is understood that Proposed Lot 1 can be perceived as a rural residential lot, independent of agricultural activities. However, the with common character of the rural zone defined by the separation of home farmsteads from the agricultural land, it is evident that the smaller lots maintain a fundamental service both in the continued operation of PALUs and for the character of the rural zone. This is inherently different to an urban or rural residential subdivision of a rural lot, as there is clear intention to maintain the established rural character of the local area and relationship between the farm homestead lot and the large agricultural parcel. Therefore, it is considered that despite the Proposed Lot 1 being of typical size of a rural residential lot, the function and positioning of the lot significantly varies the lot from that of a rural residential subdivision. This fulfills the intention of the zone and provides for rural uses and activities.

Summary

I trust the additional common material included in this response provides sufficient information to allow the assessment of the development application to proceed. Should there be any issues, or should additional information be required, please contact me.

Kind regards,



Benjamin Collings, Director
BNC Planning Pty Ltd