



08 February 2026

Our Ref: 57283-001-01
QA: es

Assessment Manager
Burdekin Shire Council
145 Young Street
AYR QLD 4807

Via email: planning@burdekin.qld.gov.au

Attention: Development Assessment

Dear Sir/Madam,

DEVELOPMENT APPLICATION

**Development Permit for Reconfiguring a Lot (One Lot into Two Lots) and Access Easement in Lot 2 on SP247149
42 and 66 Pelican Road, Mona Park QLD**

We act on behalf of the Applicant, Michael Roncato, in relation to the abovementioned application.

Please find enclosed a Development Application seeking a Development Permit for Reconfiguring a Lot (One Lot into Two Lots) at 42 Pelican Road, Mona Park on land more formally described as Lot 1 on SP247149. The proposal includes an access easement in the adjoining Lot 2 on SP247149.

The subject land is locked by two (2) parcels fronting Pelican Road, leased by Sunwater Limited who have confirmed that they will not consent to the creation of access easements in their land. In lieu, have provided consent to making this Development Application.

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 (One Lot into Two Lots) and Access Easement

on behalf of
MICHAEL RONCATO

at
42 & 66 PELICAN ROAD, MONA PARK QLD

on
LOTS 1 & 2 ON SP247149





Brazier Motti have prepared this report for the sole purposes of Michael Roncacto for the specific purpose of a Development Application seeking a Development Permit for Reconfiguring a Lot (One Lot into Two Lots) and Access Easement at 42 & 66 Pelican Road, Mona Park.

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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APPENDICES

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
Appendix D:	Matters of Interest Report
Appendix E:	Referral Advice



1.0 INTRODUCTION

This town planning report has been prepared on behalf of the Applicant, Michael Roncato, in support of a Development Application seeking a Development Permit for Reconfiguring a Lot (One Lot into Two Lots) and Access Easement at 42 and 66 Pelican Road, Mona Park on land formally described as Lots 1 and 2 on SP247149.

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 code assessment and therefore public notification is not 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.



Land owner's consent to the application is included in **Appendix A** and the certificate of title confirming ownership of the site Gisuee and Germana Roncato is included **Appendix B**.

Sunwater has confirmed a statewide approach and the only time they formalise an access easement within their land is when they need to open road over the lot for access to a larger scale subdivision. Therefore, in this case Sunwater's preference is to provide landowner's consent for the inclusion of Lot 21 on RP718252 and Lot 20 on RP748215 in the Development Application rather than grant an access easement over the parcels.

On that basis, a separate landowner's consent signed by Sunwater Limited A.C.N. 131 034 985 is also included in *Appendix A*.

[illegible]

Lot 1 on SP247149 is a L shaped Lot and is in two parts separated by an unnamed and unconstructed road reserve. The western most portion of the site adjoins Barratta Creek and contains dense vegetation along the bank of the waterway while the balance contains crop.

The eastern portion of the site is separated by another watercourse that traverses the lot and is covered by Easement D on SP211988. This section is also used for cropping, and its only improvements include an agricultural shed situated on the southern boundary set back approximately 520m from Pelican Road.

Lot 2 on SP247149 adjoins Lot 1 to the south east and is used for cropping. The Smart Map is included in **Appendix B** which confirms the site area, tenure and surrounding cadastre.



Lots 1 and 2 are accessible via two established farm crossings in the adjoining Sunwater land, from Pelican Road. These crossings are shown in Figures 2 and 3 below.

Figure 2: Aerial image of existing farm crossing in Lot 21 on RP718252



Source: Queensland Globe, 2025

Figure 3: Aerial image of existing farm crossing in Lot 20 on RP718251



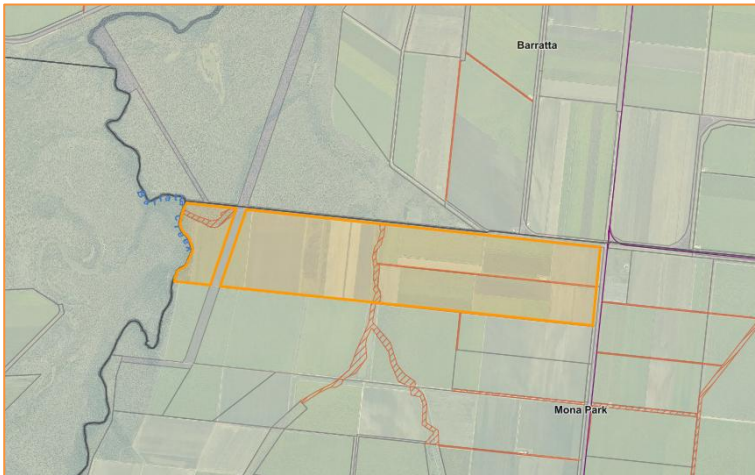
Source: Queensland Globe, 2025

The land is not included within Council's reticulated water or sewer network service areas, and no buildings or structures on site require an on-site sewerage disposal system. An 11kv overhead power line is located within Pelican Road and along the southern boundaries of Lots 1 and 2 on SP247149 providing electricity to the shed on Lot 1 and other on-site farm infrastructure (water pump).

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 (One Lot into Two Lots) and Access Easement on the subject site described above.

Specifically, the proposal seeks to subdivide Lot 1 on SP247149 by formally separating the L shape by establishing a new boundary at the traversing watercourse. The boundary would align with the existing edge of Easement D on SP211988. The shed will be retained on proposed Lot 3 and used for the ongoing farming activities on site.

The proposed reconfiguration is identified on the proposal plan included in **Appendix C** and is summarised in Table 1.

Table 1: Proposed Reconfiguration

	Council's Acceptable Solution	Proposed Lot 3	Proposed Lot 4
Lot Size	30ha	93.06ha	153.94ha
Road Frontage	200m	N/A	N/A

The proposal creates two (2) lots in the rural zone that meet the prescribed minimum lot size requirements. 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 both lots will remain untouched.

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 proposed in the adjoining Lot 2 on SP247149 to service proposed Lot 4 from the established farm crossing in Lot 20 on RP748251 to the east, from Pelican Road. The access track includes an existing culvert crossing over the watercourse that traverses the site.

Lot 3 will continue to be accessed via the existing farm crossing located in Lot 21 on RP718252 to the east, from Pelican Road.

An additional easement for water infrastructure is proposed, burdening new Lot 4 and benefitting existing Lot 2 on SP247149. This is shown as Emt D on the proposal plan in **Appendix C**.

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 referral to external agencies.

The site is included on the regulated vegetation management map as containing category B regulated vegetation. A copy of the Matters of Interest Report is included in **Appendix D** and advice from the State Assessment and Referral Agency, confirming the development does not trigger referral for exempt vegetation clearing, is included in **Appendix E**.

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 not** require Public Notification.



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 designated on the following overlay maps:

- Overlay map OM01 – Acid sulfate soils (5-20m contour);
- Overlay map OM02 – Agricultural land (Land classification (classes A and B) and priority agricultural area);
- Overlay map OM03 – Bushfire hazard (Medium and high hazard);
- Overlay map OM05 – Environmental Significance (Regulated vegetation – category B, category R and intersecting a watercourse); and
- Overlay map OM07a – QRA Floodplain assessment area.

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 code assessable for the purposes of this development application.

The assessment table identifies that an application requires assessment against the following codes:

- Rural zone code;
- Development works code;
- Reconfiguring a lot code; and
- Flood hazard overlay code.



6.0 BURDEKIN SHIRE COUNCIL PLANNING SCHEME 2022

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

6.1 ZONE CODE PROVISIONS

6.1.1 Rural Zone Code

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

The purpose of the Rural zone is to—

- a) *provide for rural uses and activities; and*
- b) *provide for other uses and activities that are compatible with:*
 - (i) *existing and future rural uses and activities; and*
 - (ii) *the character and environmental features of the zone; and*
- c) *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—

- (a) *rural land will be used sustainably to ensure the viability of the primary production base;*
- (b) *other than in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts, residential and accommodation uses in the rural zone include:*
 - (i) *dwelling houses generally limited to a single dwelling house on a lot;*
 - (ii) *caretaker's accommodation, small scale rural workers' accommodation and non-resident workforce accommodation where they directly support primary production activities in the locality; and*
 - (iii) *small scale tourist accommodation in the form of bed and breakfasts, farm stay, cabins and camping;*
- (c) *in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts, development is limited to a dwelling house on an existing lot;*
- (d) *land in the rural zone is not used or subdivided for urban residential or rural residential purposes;*
- (e) *other than as provided for under (f), reconfiguration does not result in the creation of:*
 - (i) *any new lots in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts; or*
 - (ii) *lots less than 30ha in priority agricultural areas or agricultural land classification class A and B areas shown on overlay map OM2; or*
 - (iii) *lots less than 100ha elsewhere;*
- (f) *reconfiguration to create a smaller lot than the minimum set out in (e)(ii) and (iii) may occur where:*
 - (i) *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*
 - (ii) *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;*
- (g) *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;*
- (h) *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 site 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 and there are no existing dwellings or establishments on site that require an on-site sewerage treatment and disposal system. Any future development must consider implementation of on-site infrastructure, as required.

Both lots will continue to be accessed via the existing farm crossings located in Lot 21 on RP718252 and Lot 20 on RP748251 to the east, from Pelican Road. An access easement is to be created, burdening Lot 2 on SP247149, to provide lawful access to proposed Lot 4.



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 new boundary.

Should any future land owner wish to establish any new agricultural shed, farm infrastructure or a future dwelling on proposed Lot 4, that would result in a minor reduction of the current extent of crop on site. In this case, if approximately 4,000m² of crop was cleared to facilitate future built form, that equates to minor reduction of 0.259% to the crop on site which is not considered an adverse loss.

PO18 – Complies

The subdivision of the land enables the ongoing operation of the existing farming activities on each lot, separately. There is a genuine operational barrier, being the mapped waterway between proposed lot 3 and proposed Lot 4 that currently impacts the efficiencies of the activities carried out on site. The proposed tenure arrangement offers an improved function of the site, long term.

PO19 – Complies

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

PO20 – Complies

No cane tram lines are within the vicinity of the site.

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 result in two (2) lots above 30ha.

PO24 – Not applicable

Refer above response.

PO25 – PO38 – Not applicable

The proposal is for reconfiguration of land only 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. The existing culvert crossing over the mapped waterway ensures no impact on the flow of water.



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 currently undertaken on-site are proposed as part of this application.

PO45 – Complies

The change in tenure arrangement 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.

No physical changes to the access arrangements will be required to facilitate the proposed reconfiguration. Both lots will continue to be accessed via the existing farm crossings located in Lot 21 on RP718252 and Lot 20 on RP748251 to the east, from Pelican Road. An access easement is to be created over the length of the access track on the southern boundary of Lot 2 on SP247149, to provide lawful access to proposed Lot 4. The access track includes a culvert for crossing the watercourse traversing the site. Refer *Figures 5 and 6*.

Figure 5: Existing culvert crossing to proposed Lot 4





Figure 6: Existing culvert crossing from proposed Lot 4



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 below the recommended size for land in the Rural zone and retains all productive agricultural land present. 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 reconfiguration creates two lots that are above 30ha. They 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; and
- are capable of accommodating the existing farming practices without burden.

PO11 – Not applicable

The site is not located in the emerging community zone.



PO12 – Not applicable
Refer response to PO10.

PO13 – Not applicable
The proposal is not for the realignment of boundaries.

PO14 – Not applicable
The subject site is not located in the environmental management and conservation zone.

PO15 – Complies
Both lots will continue to be accessed via the existing farm crossings located in Lot 21 on RP718252 and Lot 20 on RP748251 to the east, from Pelican Road. An access easement is to be created, burdening Lot 2 on SP247149, to provide lawful access to proposed Lot 4. The easement is to be provided for the length of the access track situated along the southern boundary of Lot 2, including the culvert crossing shown in Figure 5 and 6.

PO16 – Not applicable
The subject land is not included in Council's water or sewer service areas. No new infrastructure is proposed as part of this application to create one additional rural lot. If any future development, including a dwelling house, is proposed consideration of on-site infrastructure will be required.

PO17 – Complies
Overhead electricity supply exists in Pelican Road and along the southern boundary of Lot 2 on SP247149. No changes to this arrangement are proposed.

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.

6.4 OVERLAY CODES

6.4.1 Bushfire Hazard Overlay Code

The proposal is nominated for assessment against the bushfire hazard overlay code.

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



- (a) development in areas at risk from bushfire is designed to reduce exposure and service disruption and ensure the safety of people;
- (b) unless necessary to meet a significant community need:
 - (i) new critical or vulnerable uses are not established in a bushfire prone area; and
 - (ii) any redevelopment of an existing use does not substantially increase the number of people accommodated or requiring evacuation from the site;
- (c) in the rural residential zone, reconfiguration does not result in additional lots within the medium, high or very high potential bushfire intensity areas or the potential impact buffer area;
- (d) development does not result in a material increase in the extent or severity of bushfire hazard;
- (e) bushfire risk mitigation treatments avoid or minimise impacts on the natural environment;
- (f) the cost to the public of measures to mitigate the risks of bushfire is minimised;
- (g) development involving the bulk storage or manufacture of hazardous materials does not increase the risk to public safety or the environment in a bushfire hazard event;
- (h) development contributes to effective and efficient disaster management response and recovery capabilities.

Response

The subject site contains bushfire hazard buffer areas as identified on the bushfire hazard overlay map, refer *Figure 5*. The hazard areas are concentrated along the mapped waterways traversing the site where vegetation is of a higher density shown in *Figure 7* below.

Figure 7: Extract of bushfire hazard overlay map



Source: Burdekin Shire Council Planning Scheme 2022

A complete assessment of the proposed development against the bushfire hazard overlay code is provided below.

PO1 – Complies

The new lot created contains ample area outside the mapped bushfire hazard area.

PO2 – Not applicable

The development does not involve critical or vulnerable uses.

PO3 – Not applicable

The development does not involve a critical use.

PO4 – Complies

The development does not involve the manufacture or storage of hazardous materials.



PO5 – PO7 – Not applicable

The development is for reconfiguring a lot only.

PO8 – Not applicable

The development proposes a 153.94ha lot and a 93.06ha lot.

PO9 – Complies

No building envelopes area proposed as part of this application given there is ample space on each resultant lot to establish a dwelling house outside hazardous areas, in the future, if required.

PO10 – Not applicable

The subject site is not within an urban zone.

PO11 – Complies

Access to vegetation can be achieved where necessary.

PO12 – Not applicable

The proposal creates 1 additional rural lot.

PO13 – Not applicable

No critical or potentially hazardous infrastructure is proposed.

PO14 – Complies

Both lots will continue to be accessed via the existing farm crossings located in Lot 21 on RP718252 and Lot 20 on RP748251 to the east, from Pelican Road. An access easement is to be created, burdening Lot 2 on SP247149, to provide lawful access to proposed Lot 4. The easement is to be provided for the length of the access track situated along the southern boundary of Lot 2, including the culvert crossing shown in Figure 5 and 6. This access arrangement is provided with full vertical clearance.

PO15 – Complies

No development is proposed on site that requires a dedicated static supply available solely for firefighting purposes.

PO16 – Complies

No additional landscaping is proposed as part of this application.

PO17 – Complies

No bushfire risk mitigation is proposed as part of this application.

Given the above, the proposed development is considered consistent with the purpose, overall outcomes and performance outcomes of the bushfire hazard overlay code.

6.4.2 Environmental Significance Overlay Code

The proposal is nominated for assessment against the environmental significance overlay code.

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

- a) *development avoids or minimises direct and indirect impacts on areas of environmental significance and their associated ecological functions and biophysical processes;*
- b) *development protects and complements the ecological function and integrity of the strategic environmental area (designated precinct);*
- c) *development maintains the functionality, connectivity, diversity and viability of areas of environmental significance;*



- d) *ecological corridors facilitate viable wildlife movement between habitat areas, habitat diversity and health;*
- e) *development does not impact on the physical and hydrological integrity, water quality or ecological functions and values of waterways and wetlands;*
- f) *development incorporates appropriate buffering and mitigation strategies to avoid or minimise potential damage to natural areas and other environmental assets.*
- g) *development does not impact on the environmental values or ecological functions of land in the zone.*

Response

The subject site is designated on the environmental significance overlay map which identifies a watercourse entering the site from the north, into the westernmost portion of the site. A second watercourse traverses the centre of the site which is covered by Easement D on SP211988. The watercourses are identified as stream order 1 and 2 watercourses/drainage features on Qld Globe.

The vegetation situated along the banks of these watercourses is mapped as Category B regulated vegetation on the vegetation management map. Refer *Figure 8*.

Figure 8: Extract of Environmental significance overlay map



Source: Queensland Globe, 2025

There is no change to the impermeable nature of the site or any clearing proposed as part of this reconfiguration that would otherwise impact on any matters of environmental significance. An existing culvert is provided across the stream providing access to proposed Lot 4. No change to this arrangement is required to facilitate the subdivision. Given the above, a detailed assessment against the code is not required.

6.4.3 Flood Hazard Overlay Code

The proposal is nominated for assessment against the flood hazard overlay code.

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

- (a) *in an urban zone or rural residential zone, reconfiguration of land does not result in additional lots on land subject to high or extreme flood hazard;*
- (b) *elsewhere, reconfiguration is designed to ensure each lot is provided with:*
 - (i) *a building envelope to accommodate a dwelling house with floor levels above the defined flood level; and*
 - (ii) *vehicular access from a public road to the building envelope that is free of high or extreme flood hazard;*
- (c) *in the rural, low density residential, township or emerging community zones, new dual occupancies or more intensive residential uses, or worker or tourist accommodation uses are not established on land subject to*

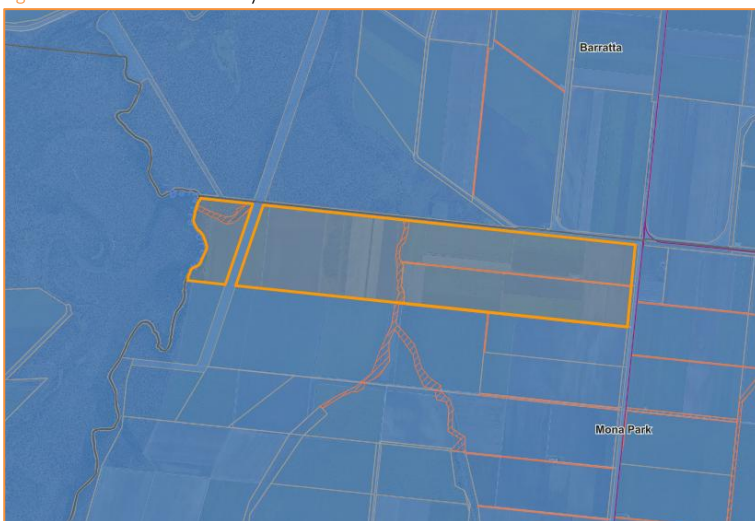


- medium, high or extreme flood hazard, and any redevelopment of an existing use does not substantially increase the number of people accommodated or requiring evacuation from the site;*
- (d) *unless necessary to meet a significant community need:*
- (i) new critical or vulnerable uses are not established in a flood hazard area; and*
 - (ii) any redevelopment of an existing use does not substantially increase the number of people accommodated or requiring evacuation from the site;*
- (e) *development in a flood hazard area otherwise occurs in the way intended in the relevant zone;*
- (f) *development in a flood hazard area is designed to ensure the safety of people, reduce vulnerability to the hazard and, for critical uses, minimise disruption to services;*
- (g) *development involving the bulk storage or manufacture of hazardous materials does not increase the risk to public safety or the environment in a flood hazard event;*
- (h) *development does not worsen the severity of, or exposure to, the hazard on other properties;*
- (i) *flood flow conveyance paths and flood storage volumes of the floodplain are maintained;*
- (j) *the cost to the public of measures to mitigate flood risks is minimised;*
- (k) *development supports effective and efficient disaster management capacity and capabilities.*

Response

The subject site is designated on Council's flood hazard overlay map within the QRA Floodplain assessment area. Refer Figure 9. The map does not identify any areas of low, medium, high or extreme hazard areas.

Figure 9: Flood hazard overlay



Source: Burdekin Shire Council Planning Scheme, 2022

A complete assessment of the proposed reconfiguration against the flood hazard overlay code is provided below.

PO1 – Not applicable

The subject site is not included in an urban or rural residential zone.

PO2 – Not applicable

The proposal does not involve critical or vulnerable uses.

PO3 – Not applicable

The proposal is not for a dual occupancy or a more intensive residential use.

PO4 – Not applicable

The proposal does not involve worker or tourist accommodation uses.



PO5 – Not applicable

The development does not involve an existing use mentioned in PO2, PO3 or PO4.

PO6 – Not applicable

The proposal does not involve critical or vulnerable uses.

PO7 – Not applicable

The development is for the reconfiguration of land only.

PO8 – Not applicable

The development does not involve the manufacture or storage of hazardous materials.

PO9 – Not applicable

The development is not for extractive industry, aquaculture, animal keeping or intensive animal husbandry.

PO10 – Complies

No new buildings are proposed as part of this development application.

PO11 – Not applicable

The development does not require new infrastructure that will become a public asset.

PO12 – Not applicable

The proposal does not involve critical or vulnerable uses.

PO13 – Not applicable

The proposal does not involve critical or vulnerable uses.

PO14 – Not applicable

No building envelopes are proposed as part of this application given ample area is available on each resultant lots for the establishment of a dwelling house if required, in the future. Based on the available contours on Queensland Globe, an area of approximate 4,000m² has been identified on proposed Lot 4, as the highest portion of the site which may be the most suitable location to accommodate a dwelling house with floor levels above the defined flood level. Refer *Figure 10*. This location ensures minimal clearing of crop given its proximity to the existing access track along the southern boundary.

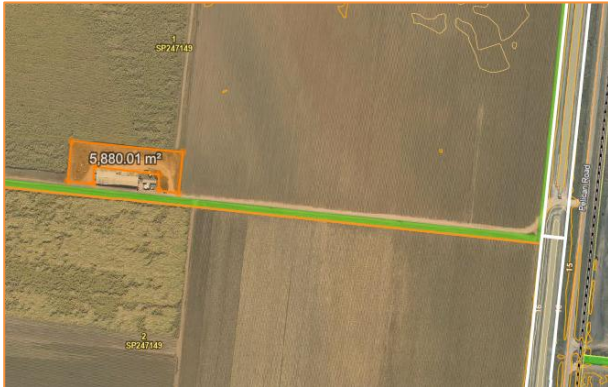
Figure 10: Potential dwelling house location on proposed Lot 4





For proposed Lot 3, area of approximate 5,500m² has been identified around the existing shed as the highest portion of the site which may be the most suitable location to accommodate a dwelling house with floor levels above the defined flood level. Refer *Figure 11*. This location also ensures minimal clearing of crop given its proximity to the existing access track along the southern boundary.

Figure 11: Potential dwelling house location on proposed Lot 3



PO15 – Not applicable

Both proposed Lots 3 and 4 are afforded existing access arrangements to Pelican Road that have been utilised without any flood impact.

PO16 – Complies

Given no earthworks, filling or excavation are proposed to facilitate the reconfiguration, there is no change in pre-development and post-development characteristics of the site and there will be no flow impacts associated with the development, that would:

- (a) result in loss of flood storage or loss of, or changes to, flow paths;
- (b) adversely change the depth or behaviour of the hazard; or
- (c) reduce warning times; or
- (d) increase the duration of the hazard.

PO17 – Not applicable

No mitigation structures or works are proposed as part of the development.

PO18 – Complies

The proposal incorporates adequate access arrangements to a local road to ensure safe evacuation in the event of a flood.

Given the above, the proposed development is considered consistent with the purpose and overall outcomes of the flood hazard overlay code.



7.0 CONCLUSION

This proposal details a development application to Burdekin Shire Council seeking a Development Permit for a Reconfiguring a Lot (One Lot into Two Lots) and Access Easement at 42 and 66 Pelican Road, Mona Park on land formally described as Lots 1 and 2 on SP247149.

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

In particular, the proposal 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 can accommodate 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 & Landowners 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)	Michael Roncato 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)	57283-001-01

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
		42	Pelican Road	Mona Park
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4807	1	SP247149	Burdekin Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
		66	Pelican Road	Mona Park
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4807	2	SP247149	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)
		☐ WGS84 ☐ GDA94 ☐ Other:	

- ☐ Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
		☐ 54 ☐ 55 ☐ 56	☐ WGS84 ☐ GDA94 ☐ 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 <i>Transport Infrastructure Act 1994</i>	
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 <i>Airport Assets (Restructuring and Disposal) Act 2008</i>	
Name of airport:	

☐ Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification:
☐ 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

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):*

Lot creation – 1 Lot into 2 lots and access easement in Lot 2 on SP247149

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	☐ Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	☒ Yes – complete division 2
Operational work	☐ Yes – complete division 3
Building work	☐ 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)

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?

1

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

☒ Subdivision (complete 10)	☐ Dividing land into parts by agreement (complete 11)
☐ Boundary realignment (complete 12)	☒ 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:
				Rural
Number of lots created				1

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 ²)	Lot on plan description	Area (m ²)
12.2) What is the reason for the boundary realignment?			

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

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

PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application
Burdekin Shire 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 <i>(from a watercourse or lake)</i> ☐ Water-related development – referable dams ☐ Water-related development – levees <i>(category 3 levees only)</i> ☐ Wetland protection area
Matters requiring referral to the local government: ☐ Airport land ☐ Environmentally relevant activities (ERA) <i>(only if the ERA has been devolved to local government)</i> ☐ 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 <i>(where inconsistent with the Brisbane port LUP for transport reasons)</i> ☐ 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 <i>(below high-water mark)</i>
Matters requiring referral to the Chief Executive of the relevant port authority: ☐ Ports – Land within limits of another port <i>(below high-water mark)</i>
Matters requiring referral to the Gold Coast Waterways Authority: ☐ Tidal works or work in a coastal management district <i>(in Gold Coast waters)</i>
Matters requiring referral to the Queensland Fire and Emergency Service: ☐ Tidal works or work in a coastal management district <i>(involving a marina (more than six vessel berths))</i>

18) Has any referral agency provided a referral response for this development application?		
☐ 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 <i>(if applicable)</i> .		

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: <i>By not agreeing to accept an information request I, the applicant, acknowledge:</i> • <i>that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties</i>

- 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
☐ Approval			
☐ Development application			
☐ Approval			
☐ 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.stateldevelopment.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			

Schedule A - Additional premises

Lot 20 on RP748251 – Pelican Road, Mona Park QLD 4807 – Burdekin Shire Council

Lot 21 on RP748252 – Pelican Road, Mona Park QLD 4807 – Burdekin Shire Council



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

We,

GISUEE SANTE RONCATO

And

GERMANA RONCATO

as owner of the premises identified as follows:

42 PELICAN ROAD, MONA PARK QLD (LOT 1 ON SP247149); AND
66 PELICAN ROAD, MONA PARK QLD (LOT 2 ON SP247149).

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 (1 LOT INTO 2 LOTS) AND ACCESS EASEMENT IN LOT 2 ON SP247149


.....
Signature of Gisuee Roncato

16/12/25
.....
Date


.....
Signature of Germana Roncato

16/12/25
.....
Date



Contact: Robyn Desrettes
Direct line: 07 3120 0087
Our ref:
Your ref:57283-001-01

3 February 2026

Brazier Motti
595 Flinders Street
Townsville QLD 4810

Dear Sir/Madam

Owner's Consent to Development Application – Michael Roncanto – Reconfiguration of a Lot

I **enclose** on behalf of Sunwater Limited a signed owner's consent to the proposed development application for Reconfiguration of a Lot, which is to be submitted to Burdekin Shire Council by you on behalf of Michael Roncanto.

In providing this consent, Sunwater advises that its consent:

- Only relates to the form of application as enclosed, and not any modification of it or future applications.
- Does not constitute endorsement or acceptance that the documentation forming part of the application satisfies Sunwater's technical and commercial requirements for access to its land.
- Does not affect or limit any terms that Sunwater may require in any agreement relating to the use of the affected land, or its requirements relating to management and implementation of the relevant works.
- Will not prevent Sunwater from imposing design, technical and commercial requirements upon the proposed works, including to refuse to agree for them to occur on the land if those requirements are not met (even if the application is approved by the Council) or to make Sunwater's approval subject to additional conditions and requirements.

Should you (or any person given this letter) have any questions regarding the above consent you are encouraged to contact Property Services Team on 131589.

Yours sincerely

A handwritten signature in black ink, appearing to read "Charis".

Charis Lunney
Property Services Manager

address: Green Square North, Level 9, 515 St Pauls Terrace,
Fortitude Valley, Queensland 4006
post: PO Box 15536, City East, Queensland 4002
ACN: 131 034 985

telephone: +617 3120 0000
email: property@sunwater.com.au
facsimile: +61 7 3036 6482
sunwater.com.au

**Owners consent for making a development application under the
*Planning Act 2016***

I, Charis Lunney, Property Services Manager of Sunwater Limited ACN 131 034 985

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

Lot 20 RP748251 & Lot 21 RP748252

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

Brazier Motti Pty Ltd

on the premises described above for:

Reconfiguration a Lot – (1 Lot in 2 Lots) and Access Easement in Lot 2 SP247149



Charis Lunney
Property Services Manager

APPENDIX B

Current Title Search and Smart Maps

brazier motti



Queensland Titles Registry Pty Ltd
 ABN 23 648 568 101

Title Reference:	50856309	Search Date:	18/11/2025 11:32
Date Title Created:	02/09/2011	Request No:	54135324
Previous Title:	50747111		

ESTATE AND LAND

Estate in Fee Simple

LOT 1 SURVEY PLAN 247149

Local Government: BURDEKIN

REGISTERED OWNER

Dealing No: 714035549 30/08/2011

GISUEE SANTE RONCATO

GERMANA RONCATO

JOINT TENANTS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 21141065 (POR 24)
2. EASEMENT IN GROSS No 601311272 (T50762) 25/06/1982
burdening the land
COUNCIL OF THE SHIRE OF AYR
over
EASEMENT A ON RP736875
3. MORTGAGE No 711563321 09/04/2008 at 11:30
NATIONAL AUSTRALIA BANK LIMITED A.B.N. 12 004 044 937
4. EASEMENT IN GROSS No 712053701 18/11/2008 at 12:35
burdening the land
COUNCIL OF THE SHIRE OF BURDEKIN
over
EASEMENTS D AND E ON SP211988
5. EASEMENT No 714035550 30/08/2011 at 12:53
burdening the land to
LOT 2 ON SP247149 OVER EASEMENT G ON SP247149

ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status
AN488X	NOTC INT RES ACQUISITION OF LAND ACT 1967	16/11/1988 00:00	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

Title Reference:	50856310	Search Date:	18/11/2025 11:33
Date Title Created:	02/09/2011	Request No:	54135349
Previous Title:	50747111		

ESTATE AND LAND

Estate in Fee Simple

LOT 2 SURVEY PLAN 247149

Local Government: BURDEKIN

REGISTERED OWNER

Dealing No: 714035549 30/08/2011

GISUEE SANTE RONCATO

GERMANA RONCATO

JOINT TENANTS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 21141065 (POR 24)
2. EASEMENT No 714035550 30/08/2011 at 12:53
benefiting the land over
EASEMENT G ON SP247149
3. MORTGAGE No 714068491 19/09/2011 at 14:26
RABOBANK AUSTRALIA LIMITED A.C.N. 001 621 129
4. LEASE No 722044925 18/10/2022 at 12:30
RONCATO FARMING PTY LTD A.C.N. 141 050 928 TRUSTEE
UNDER INSTRUMENT 722044925
OF THE WHOLE OF THE LAND
TERM: 01/01/2022 TO 31/12/2026 OPTION NIL

ADMINISTRATIVE ADVICES

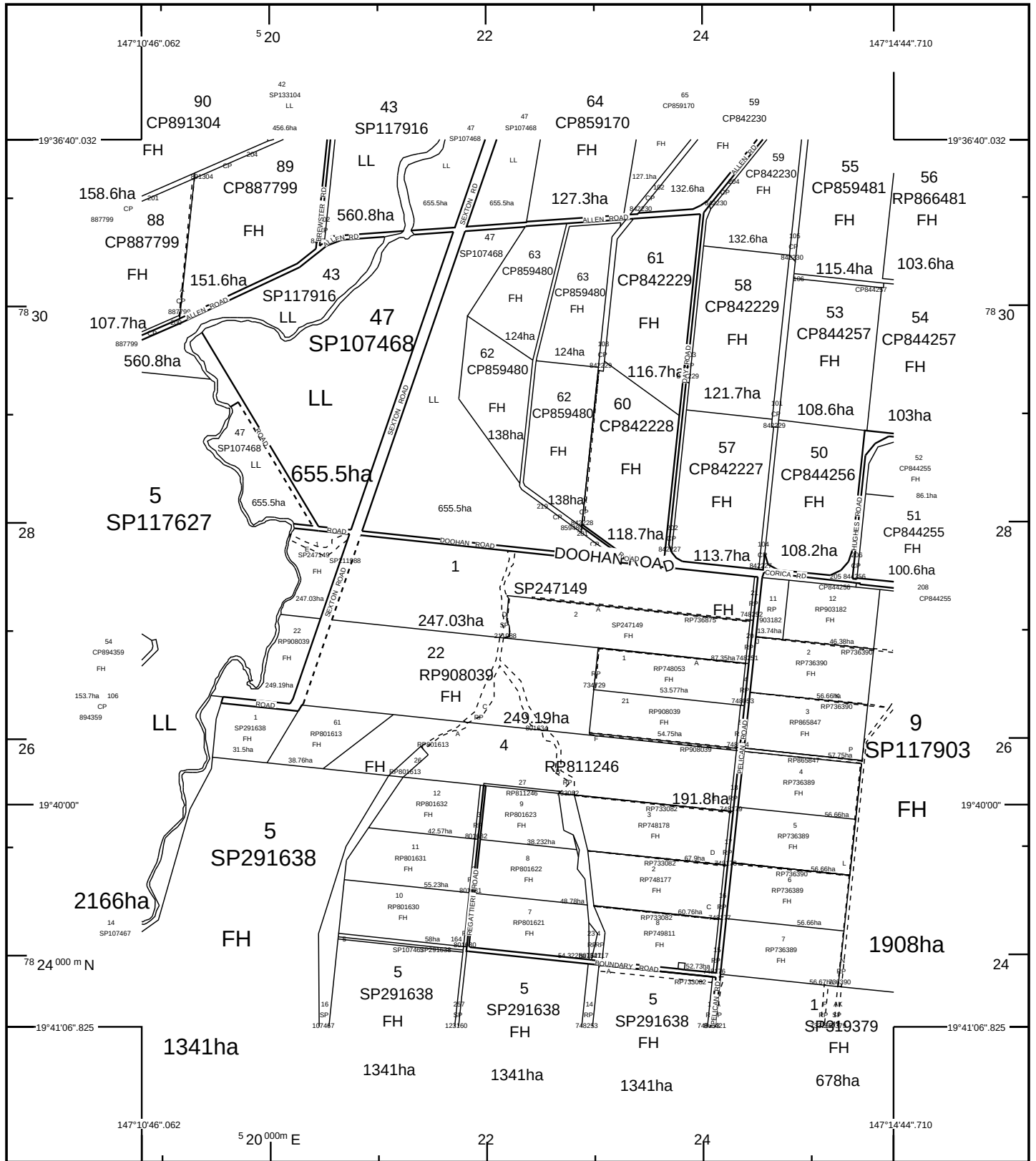
Dealing	Type	Lodgement Date	Status
AN488X	NOTC INT RES ACQUISITION OF LAND ACT 1967	16/11/1988 00:00	CURRENT

UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

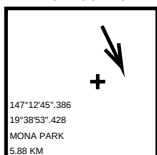
** End of Current Title Search **



STANDARD MAP NUMBER
8358-42142

0 1.0 2.0 3.0 4.0 5.0 km
HORIZONTAL DATUM:GDA94 ZONE:55 SCALE 1 : 50000

MAP WINDOW POSITION &
NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	1/SP247149
Area/Volume	247.03ha
Tenure	FREEHOLD
Local Government	BURDEKIN SHIRE
Locality	MONA PARK
Segment/Parcel	38202/185

CLIENT SERVICE STANDARDS

PRINTED 16/12/2025

DCDB 15/12/2025 (Lots with an area less than 1.000ha are not shown)

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<https://www.qld.gov.au/housing/buying-owning-home/property-land-valuations/smartmaps>

SmartMap

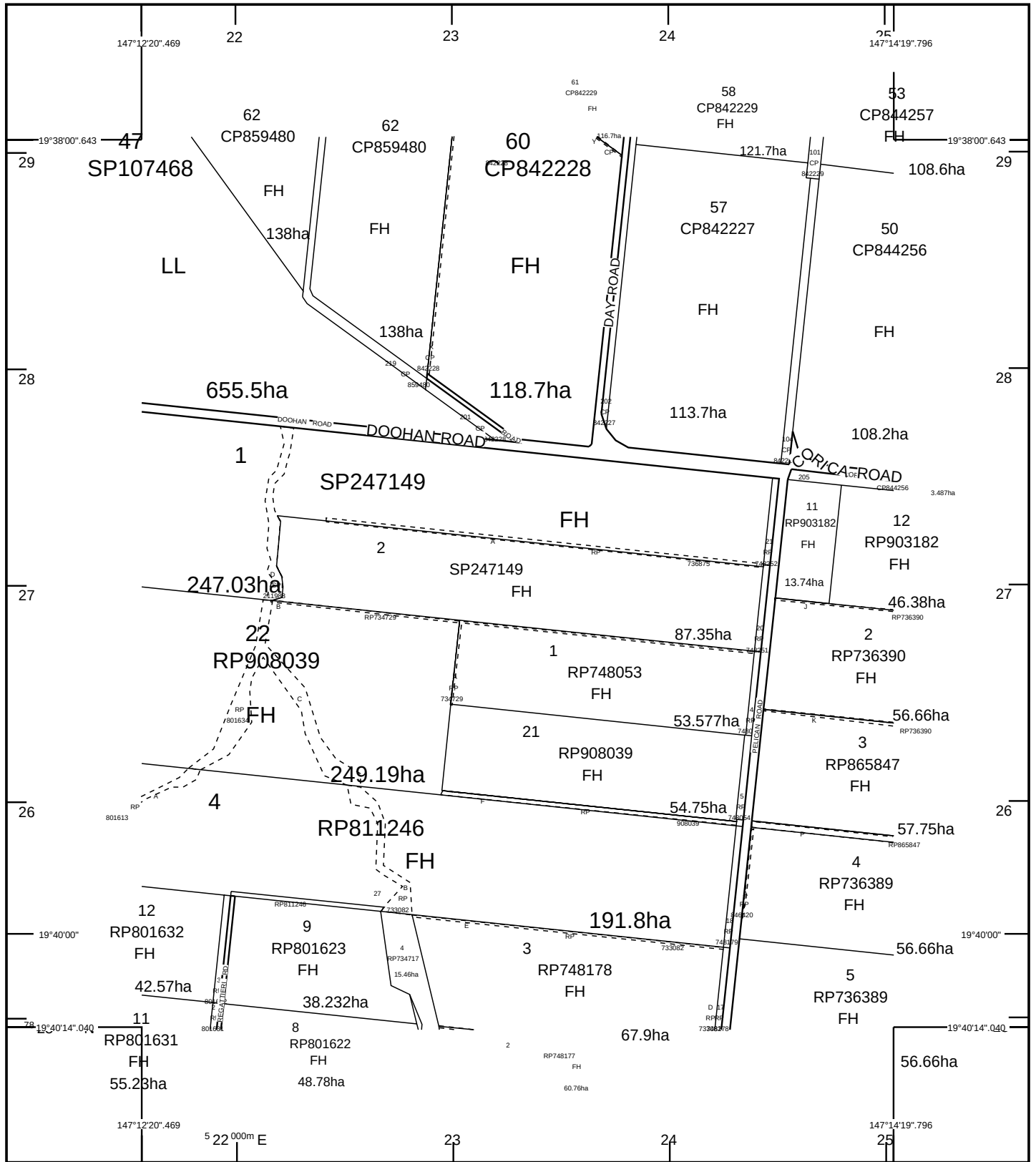
An External Product of
SmartMap Information Services

Based upon an extraction from the
Digital Cadastral Data Base



**Queensland
Government**

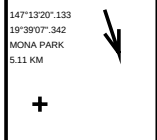
(c) The State of Queensland,
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STANDARD MAP NUMBER
8358-42113

0 500 1000 1500 2000 2500 m
HORIZONTAL DATUM: GDA94 ZONE: 55 SCALE 1 : 25000

MAP WINDOW POSITION &
NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	2/SP247149
Area/Volume	87.35ha
Tenure	FREEHOLD
Local Government	BURDEKIN SHIRE
Locality	MONA PARK
Segment/Parcel	38202/184

CLIENT SERVICE STANDARDS

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<https://www.qld.gov.au/housing/buying-owning-home/property-land-valuations/smartmaps>

SmartMap

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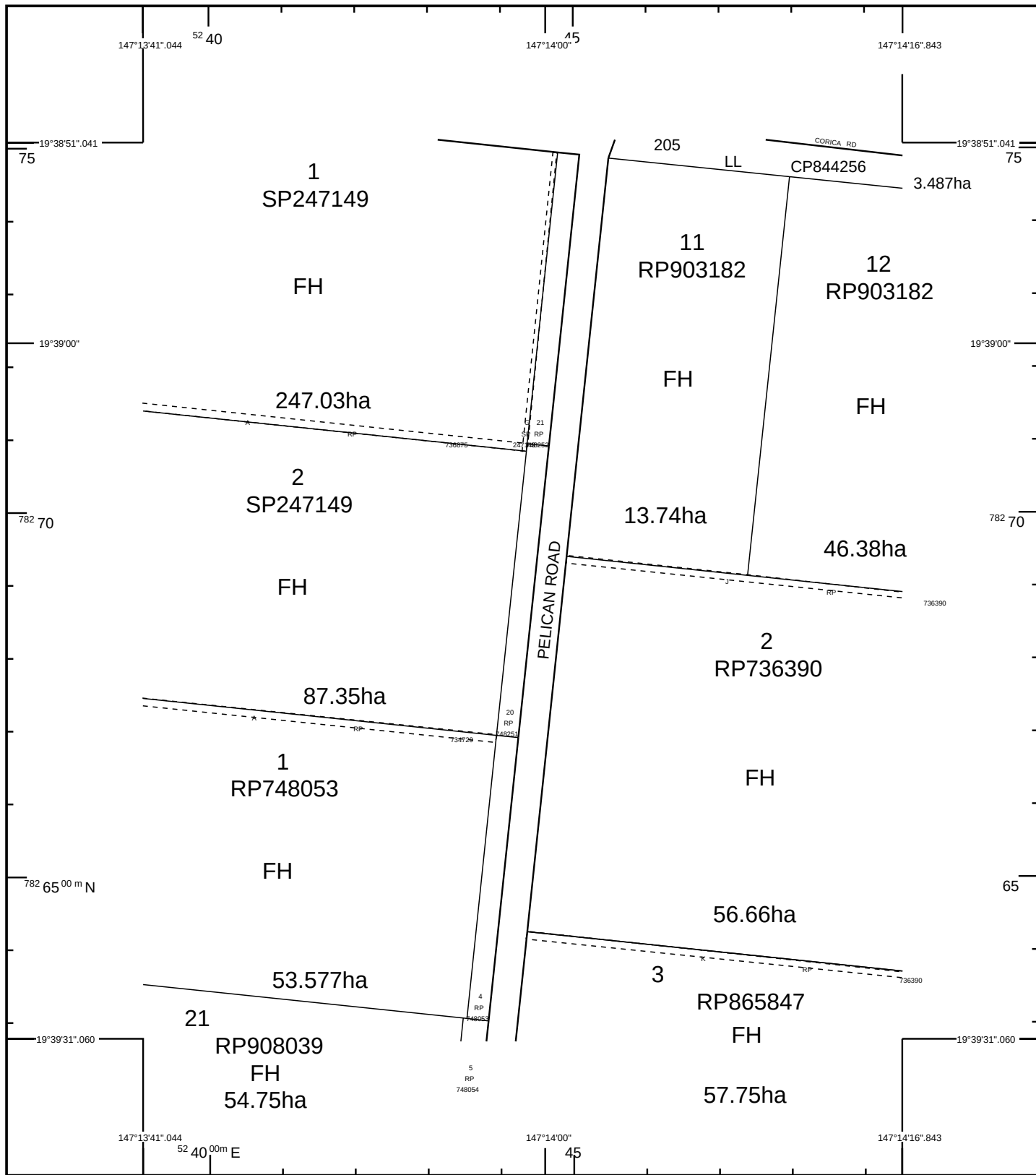
Based upon an extraction from the
Digital Cadastral Data Base



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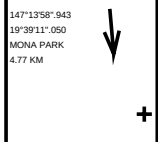




STANDARD MAP NUMBER
8358-42113

0 150 300 450 600 750 m
HORIZONTAL DATUM: GDA94 ZONE: 55 SCALE 1 : 7500

MAP WINDOW POSITION &
NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	20/RP748251
Area/Volume	1.207ha
Tenure	LANDS LEASE
Local Government	BURDEKIN SHIRE
Locality	MONA PARK
Segment/Parcel	38202/41

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SmartMap

An External Product of
SmartMap Information Services

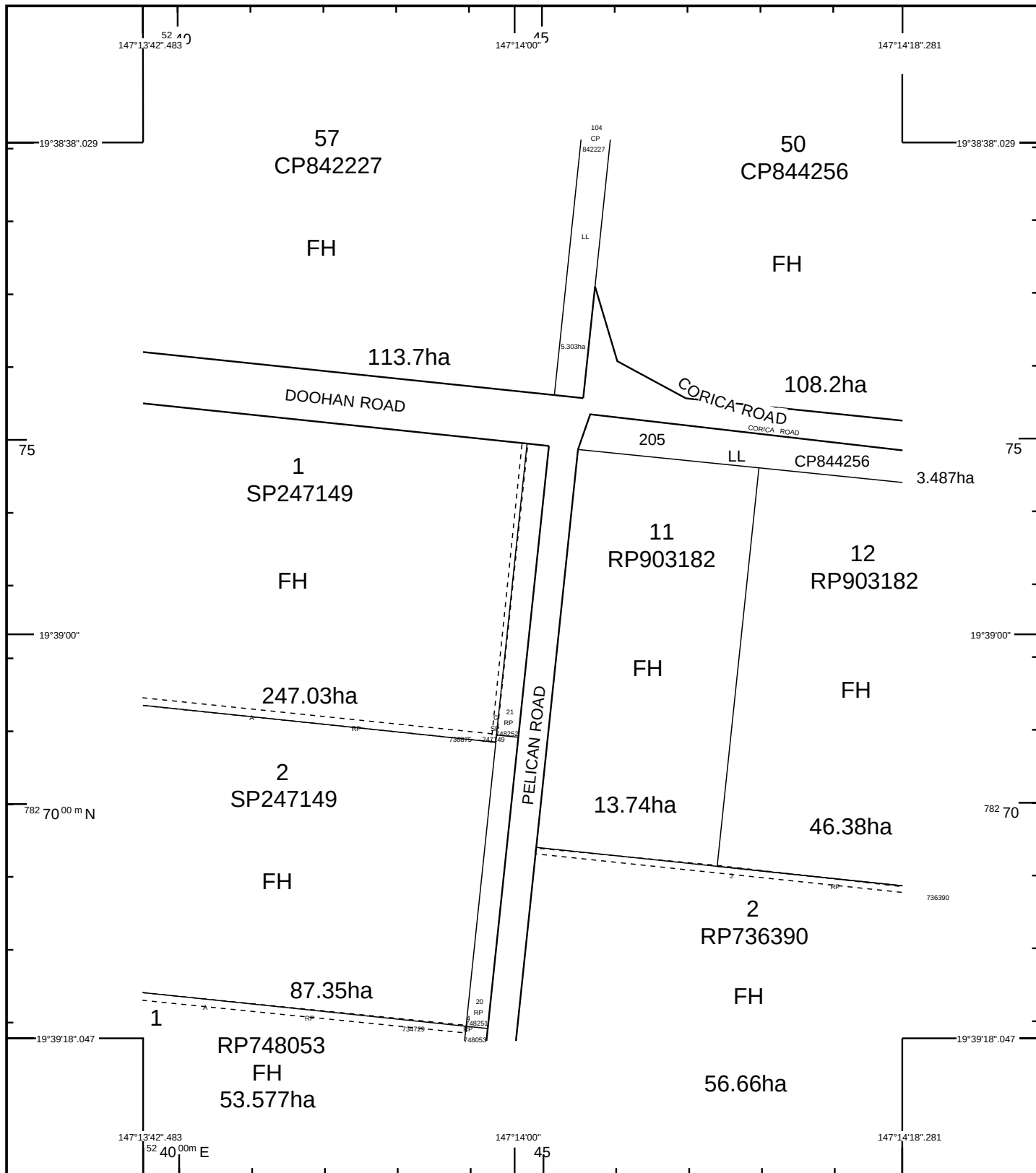
Based upon an extraction from the
Digital Cadastral Data Base



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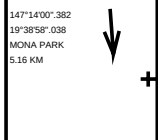




STANDARD MAP NUMBER
8358-42113

0 150 300 450 600 750 m
HORIZONTAL DATUM:GDA94 ZONE:55 SCALE 1 : 7500

MAP WINDOW POSITION &
NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	
Lot/Plan	21/RP748252
Area/Volume	1.207ha
Tenure	LANDS LEASE
Local Government	BURDEKIN SHIRE
Locality	MONA PARK
Segment/Parcel	38202/42

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PRINTED 16/12/2025

DCDB 15/12/2025

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<https://www.qld.gov.au/housing/buying-owning-home/property-land-valuations/smartmaps>

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APPENDIX C

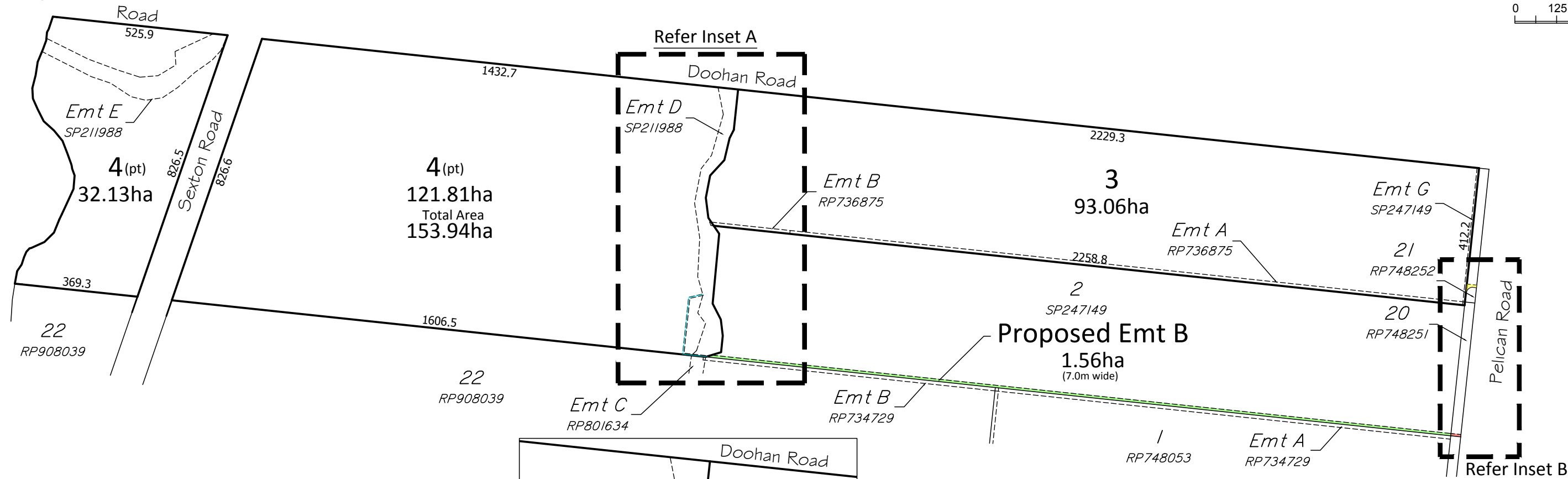
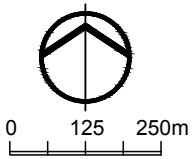
Proposed Reconfiguration Plan prepared by Brazier Motti

brazier motti



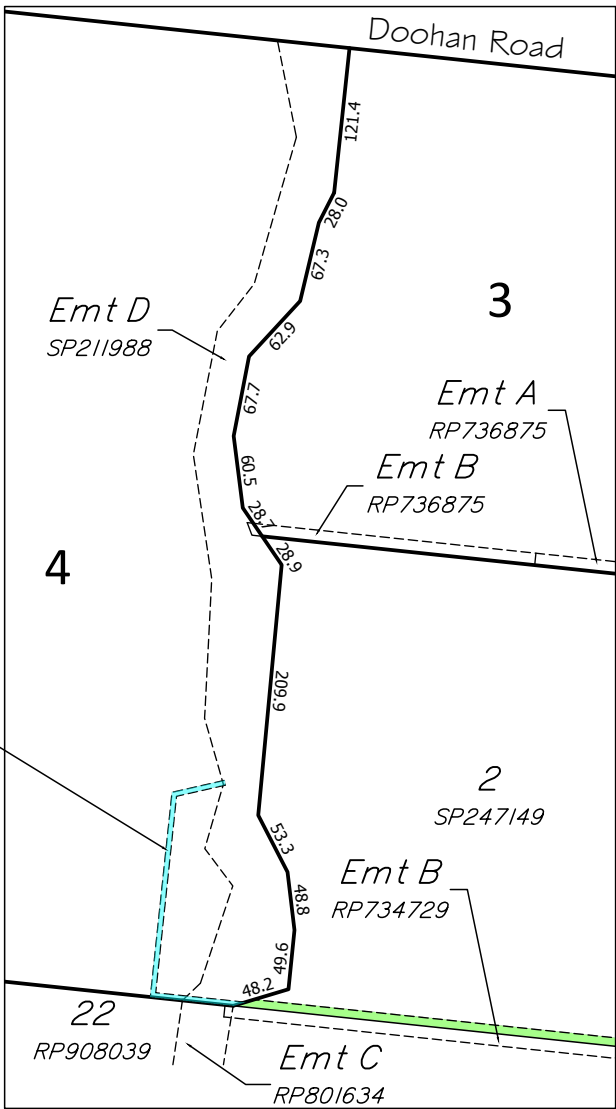
PROPOSED
RECONFIGURATION

Lots 3 and 4 and Emt B in Lot 2 on SP247149
Cancelling Lot 1 on SP247149

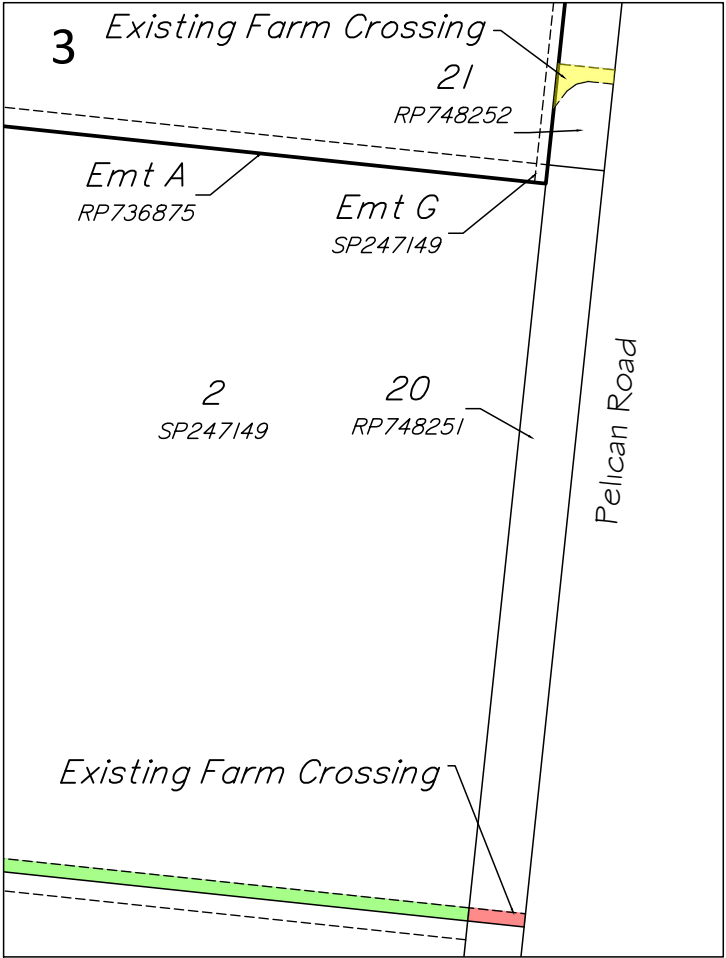


- Legend**
- Existing Farm Crossing in Lot 20 on RP748251
 - Proposed Emt B in Lot 2 on SP247149 - 7m Wide
 - Existing Farm Crossing in Lot 21 on RP748252
 - Proposed Emt D in new Lot 4

Proposed Emt D
1135m²
(4.0m wide)



INSET A - 1:5000



INSET B - 1:4000

Date: 16th December, 2025	
Scale: 1:12500	A3
Drawn: MJM	
Job No: 57283/001-01	
Plan No:	57283/001 B

braziermotti.com.au

SURVEYING
TOWNPLANNING
PROJECTMANAGEMENT
MAPPING&GIS



brazier motti

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.

APPENDIX D

Matters of Interest Report

brazier motti



Matters of Interest for all selected Lot Plans

Queensland waterways for waterway barrier works

Water resource planning area boundaries

Regulated vegetation management map (Category A and B extract)

Matters of Interest by Lot Plan

Lot Plan: 1SP247149 (Area: 2470300 m²)

Queensland waterways for waterway barrier works

Water resource planning area boundaries

Regulated vegetation management map (Category A and B extract)

Lot Plan: 1SP247149 (Area: 2470300 m²)

Queensland waterways for waterway barrier works

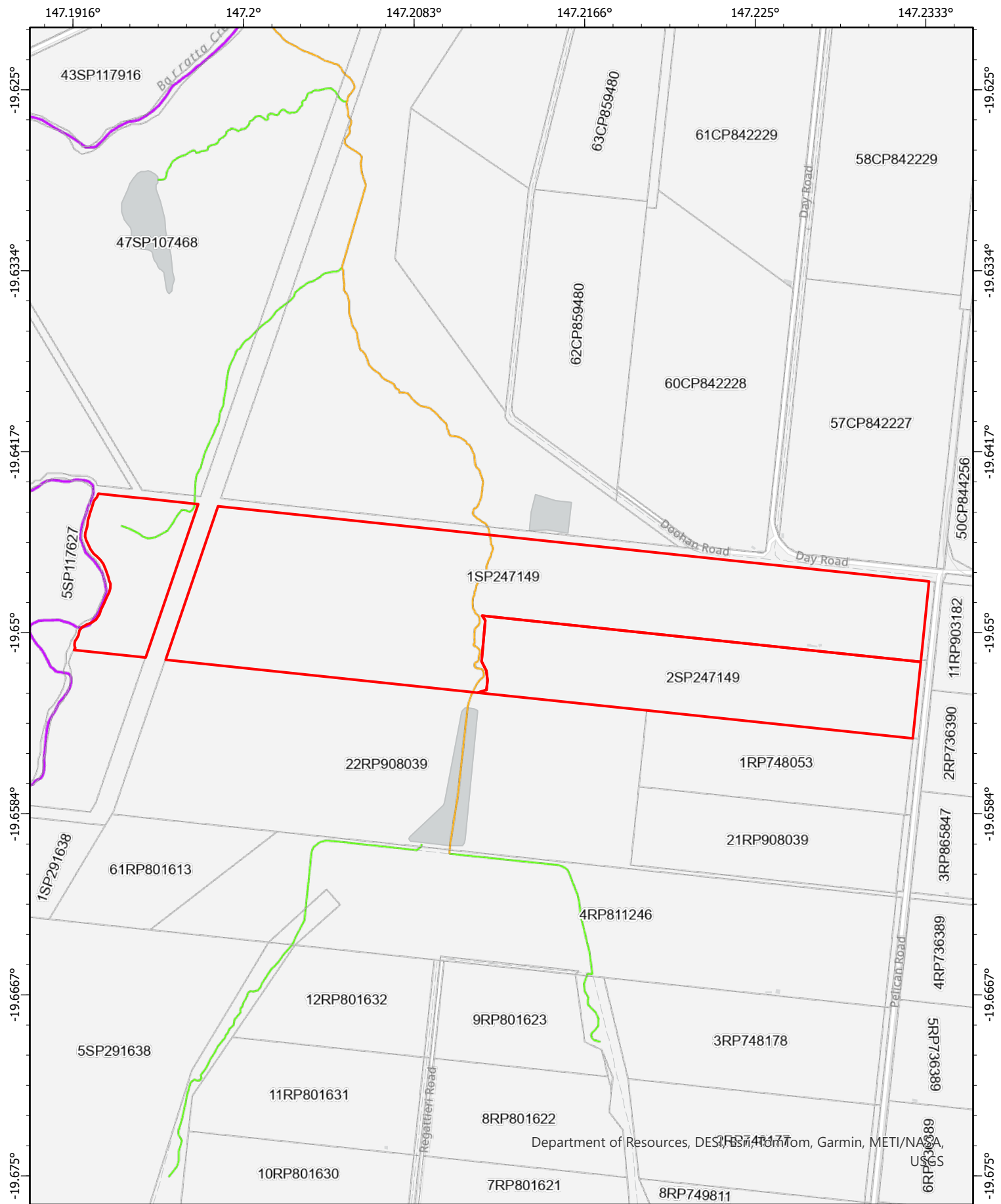
Water resource planning area boundaries

Regulated vegetation management map (Category A and B extract)

Lot Plan: 2SP247149 (Area: 873500 m²)

Water resource planning area boundaries

Regulated vegetation management map (Category A and B extract)



Queensland waterways for waterway barrier works

Risk of impact

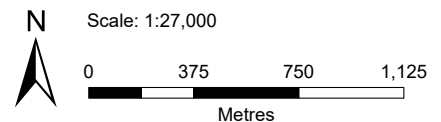
- Low
- Moderate
- Major

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Document ID: 1920414. This map is subject to the full terms and conditions available on the department's website.

Version: 1, Version Date: 19/02/2026

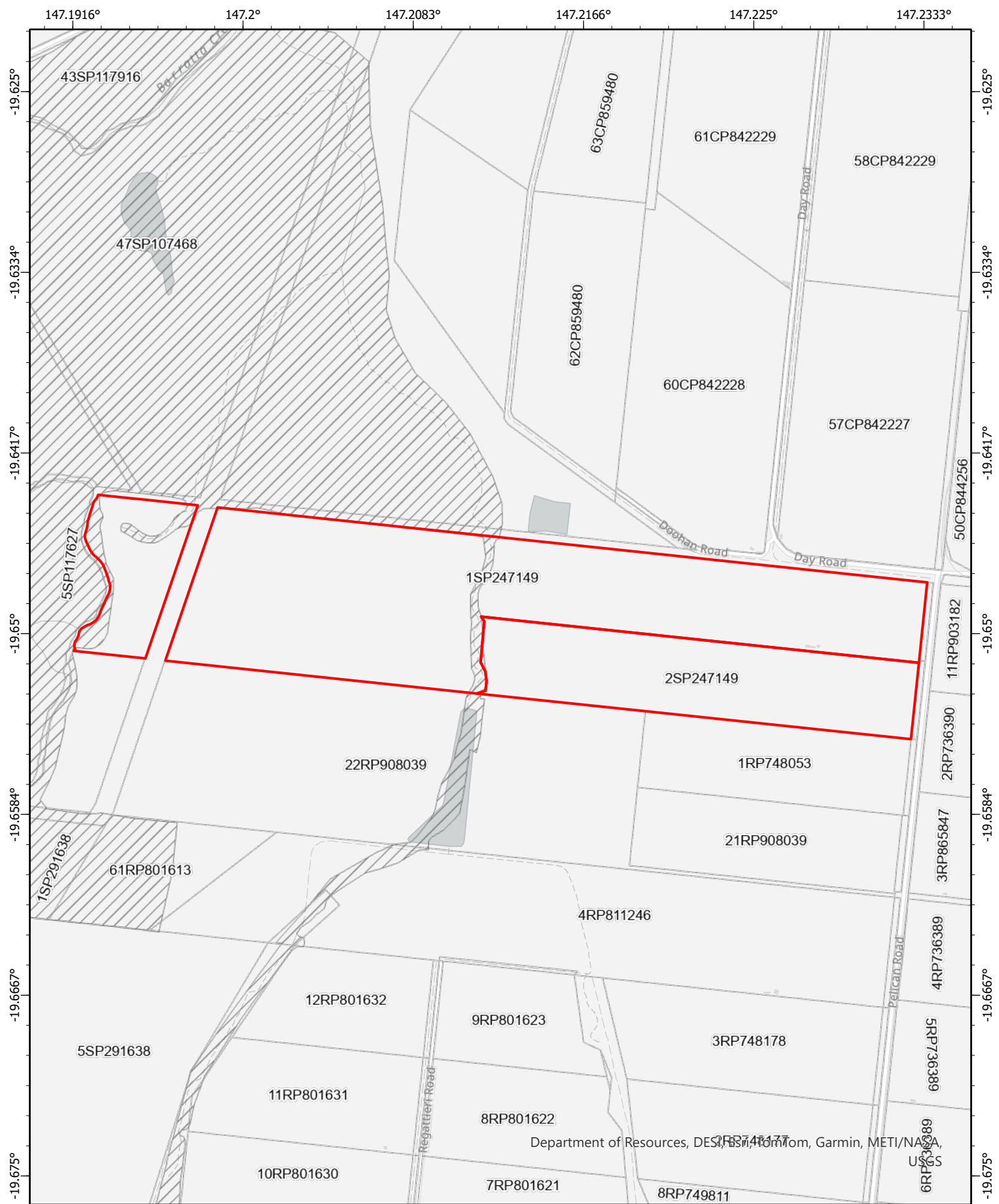
Date: 16/12/2025



Queensland
Government



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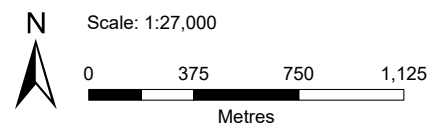
Regulated vegetation
management map (Category A
and B extract)

 Category B on the
regulated vegetation
management map

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Document ID: 1920414

Version: 1, Version Date: 19/02/2026



Queensland
Government



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APPENDIX E

Referral Advice

brazier motti



Emma Staines

From: Emma.Staines@braziermotti.com.au
Subject: FW: Request for referral advice - native vegetation clearing - 57283-001-01

Good morning Emma,

Please see below the advice from the Technical Agency.

The understanding is that as the easement being created is not a separate lot, the size of the easement wouldn't trigger for the RAL.

*Under the Land Title Act 1994 an easement is identified as an instrument that is registered on a lot that burdens one lot to the benefit of another lot but is not considered to be a separate lot in itself. Advice received is that all three 'limbs' of the RAL trigger need to be met being (a), (b) and (c). As the easement is not considered a separate lot, all of the lots associated with the RAL are above 5ha meeting item (a), however the lots created are all above 25ha which would mean the RAL wouldn't trigger as it does not meet item (b). Also, the clearing of native vegetation associated with the easement is exempt due to the existing boundary and the new alignment is along easement D which is for stormwater drainage and is likely to be exempt as well, therefore also not meeting item (c). **Therefore, the proposed development does not meet two of the items in the trigger and the assessment of native vegetation clearing is not required.***

I trust this provides clarity on the matter.

Kaitlyn O'Malley
Senior Planning Officer, North and North-West Queensland
Planning Services, Planning Group
Department of State Development, Infrastructure and Planning
P 07 4758 3429
Level 11, 445 Flinders Street, Townsville QLD 4810
PO Box 1732, Townsville QLD 4810



From: Emma Staines <Emma.Staines@braziermotti.com.au>
Sent: Tuesday, 19 August 2025 6:03 AM
To: NQSARA <NQSARA@dsdilgp.qld.gov.au>
Subject: FW: Request for referral advice - native vegetation clearing - 57283-001-01

Good morning,

I am following up on the below email. Can an assessment officer please provide a response when able?

Thank you.

Kind regards,



Emma Staines
Town Planner

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From: Emma Staines
Sent: Wednesday, 6 August 2025 7:13 AM
To: NQSARA <nqsara@dsdilgp.qld.gov.au>
Subject: Request for referral advice - native vegetation clearing - 57283-001-01

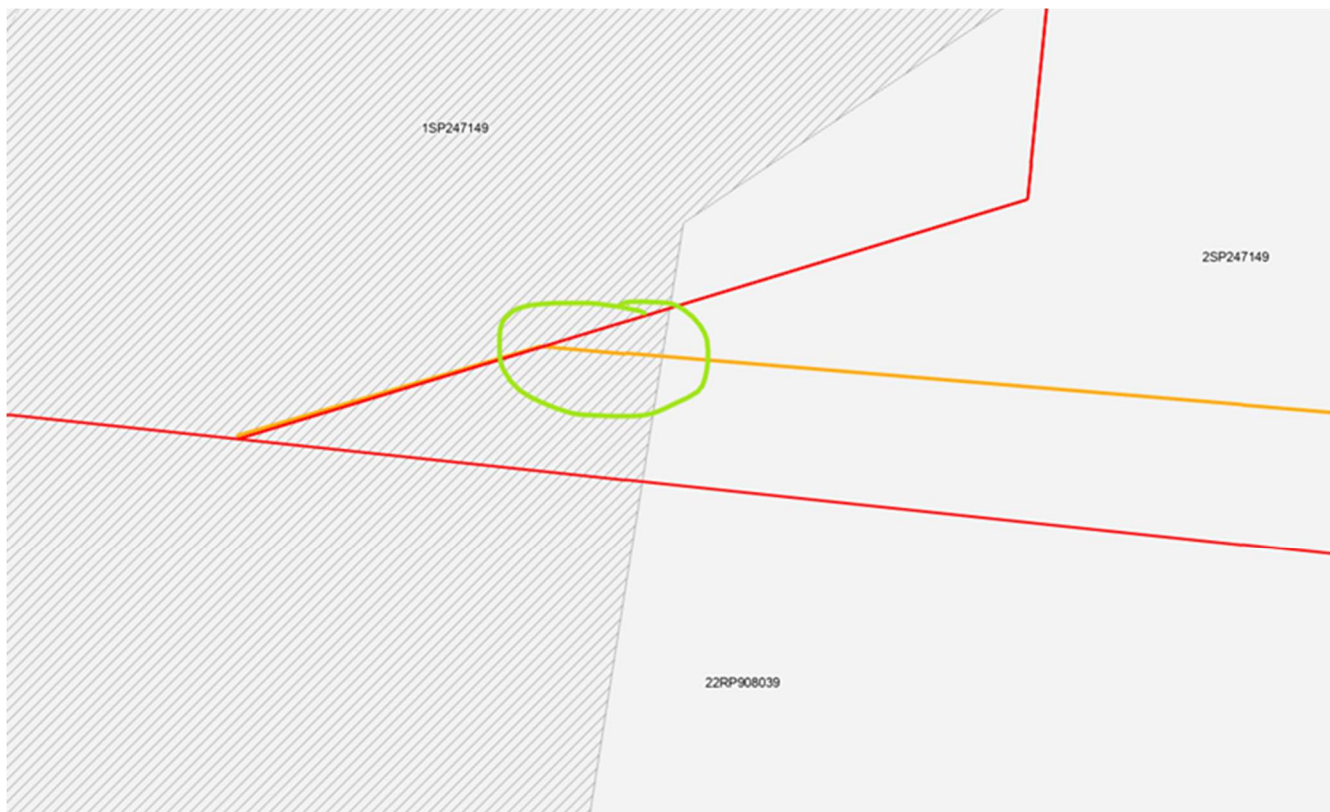
Good morning,

I am seeking confirmation from SARA on whether referral is required for a proposed development application seeking a Development Permit for Reconfiguring a Lot – Lot Creation (1 Lot into 2 Lots) and Access Easements at **42 and 66 Pelican Road, Mona Park.**

The site contains some regulated vegetation (category B) shown on the attached matters of interest report. My interpretation of the Planning Regulation is that because both lots being created are above 25ha, referral is not triggered.

Furthermore, the new boundary separating proposed Lots 3 and 4 will follow the existing eastern boundary extent of Easement D on SP211988 therefore, no field survey to create the lots is required. Existing survey information will be complied to create the survey plan.

Proposed Emt B in Lot 2 on SP247149 will intersect regulated vegetation, refer rough concept below. Despite this, I do not believe the creation of an easement triggers referral. Can you please review and confirm?



Kind regards,



Emma Staines
Town Planner

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