



Town Planning and Project Services

13 December 2024

Chief Executive Officer
Cook Shire Council
10 Furneaux Street
COOKTOWN QLD 4895

Via email: mail@cook.qld.gov.au

Attn: Ms. Heather Kelly (Chief Operating Officer – Growth and Liveability)

**RE: DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT (2 LOTS INTO 3 LOTS)
OVER LAND ON ISABELLA MCIVOR ROAD, HOPE VALE, MORE FORMALLY DESCRIBED AS
LOTS 124 AND 260 ON BK157119**

Aspire Town Planning and Project Services has been retained to represent Manuel Humberto Porrás-Perez (the 'Applicant' and 'Land Owner'). The proposed development aims to secure the approval for reconfiguring the land to enhance its management and utilisation.

The land holding comprises a number of part lots as a result of separation by road. The proposal aims to merge part lots on the north side of Isabella McIvor Road into one title, consolidating the existing farmland. On the south side, two separate titles are proposed. This development will enhance farming operations and land management.

On behalf of the Applicant, please accept this correspondence and the accompanying attachments as a properly made Development Application pursuant to Sections 50 and 51 of the *Planning Act 2016* seeking a Development Permit for Reconfiguring a Lot (2 Lots into 3 Lots).

As such please find enclosed the following documentation associated with this Development Application:

- Duly completed DA Form 1 (Attachment 1); and
- Town Planning Report (Attachment 2).

The relevant Application Fee is calculated to be \$1,227.00 under the Cook Shire Fees and Charges Schedule for Years 2024/2025. We respectfully request that Council provides either a payment link or invoice to facilitate payment of the application fee directly by the Applicant.

PO BOX 1040, MOSSMAN QLD 4873
M. 0418826560
E. admin@aspireqld.com
W. www.aspireqld.com
ABN. 79 851 193 691

Thank you for your time in considering the attached Development Application. If you have any further queries, please contact the undersigned.

Regards,

A handwritten signature in black ink, appearing to read 'Daniel Favier', with a large, stylized loop at the beginning and a long horizontal stroke extending to the right.

Daniel Favier

Senior Town Planner

ASPIRE Town Planning and Project Services



Town Planning and Project Services

Attachment I

Duly completed DA Form I

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) <i>(individual or company full name)</i>	Manuel Humberto Porras-Perez
Contact name <i>(only applicable for companies)</i>	c/- Daniel Favier T/A Aspire Town Planning and Project Services
Postal address <i>(P.O. Box or street address)</i>	PO Box 1040
Suburb	Mossman
State	QLD
Postcode	4873
Country	Australia
Contact number	0418 826 560
Email address <i>(non-mandatory)</i>	admin@aspireqld.com
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	2024-11-41 Porras-Perez - Isabella McIvor Road, Hope Vale

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
			Isabella Mclvor Road	Hope Vale
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4895	124	BK157119	Cook Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
		2279	Isabella Mclvor Road	Hope Vale
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4895	260	BK157119	Cook Shire Council

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

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

- Coordinates of premises by longitude and latitude

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

- Coordinates of premises by easting and northing

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

3.3) Additional premises

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

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

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

Name of water body, watercourse or aquifer: Mclvor River

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- In a tidal area

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

Name of port authority for tidal area (if applicable):

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

5) Are there any existing easements over the premises?

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

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

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

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

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

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

c) What is the level of assessment?

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

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

Reconfiguration of a Lot (2 Lots 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

6.2) 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 *DA Form 2 – Building work details*

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use

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

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

Yes

No

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

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

No

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

Division 2 – Reconfiguring a lot

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

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

2

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

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				3

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

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 Stormwater Water infrastructure
 Drainage work Earthworks Sewage infrastructure
 Landscaping Signage Clearing vegetation
 Other – please specify:

14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)

Yes – specify number of new lots:

No

14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)

\$

PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application

Cook 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

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

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

PART 6 – INFORMATION REQUEST

19) Information request under the DA Rules

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

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

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

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

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

PART 7 – FURTHER DETAILS

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

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

No

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

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

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

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

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

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

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

Yes – show cause or enforcement notice is attached

No

23) Further legislative requirements

Environmentally relevant activities

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

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

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

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

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

Hazardous chemical facilities

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

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

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

Clearing native vegetation

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

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

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

Environmental offsets

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

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

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

Koala habitat in SEQ Region

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

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

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



Water resources

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

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

No

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

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

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

Waterway barrier works

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

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

No

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

Marine activities

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

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

No

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

Quarry materials from a watercourse or lake

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

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

No

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

Quarry materials from land under tidal waters

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

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

No

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

Referable dams

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

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

No

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

Tidal work or development within a coastal management district

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

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

No

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

Queensland and local heritage places

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

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

No

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

Name of the heritage place:

Place ID:

Decision under section 62 of the Transport Infrastructure Act 1994

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

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

No

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

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

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

No

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

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

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

Yes

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

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

Yes

Not applicable

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

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

Yes

Relevant plans of the development are attached to this development application

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

Yes

The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)

Yes

Not applicable



Queensland
Government

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

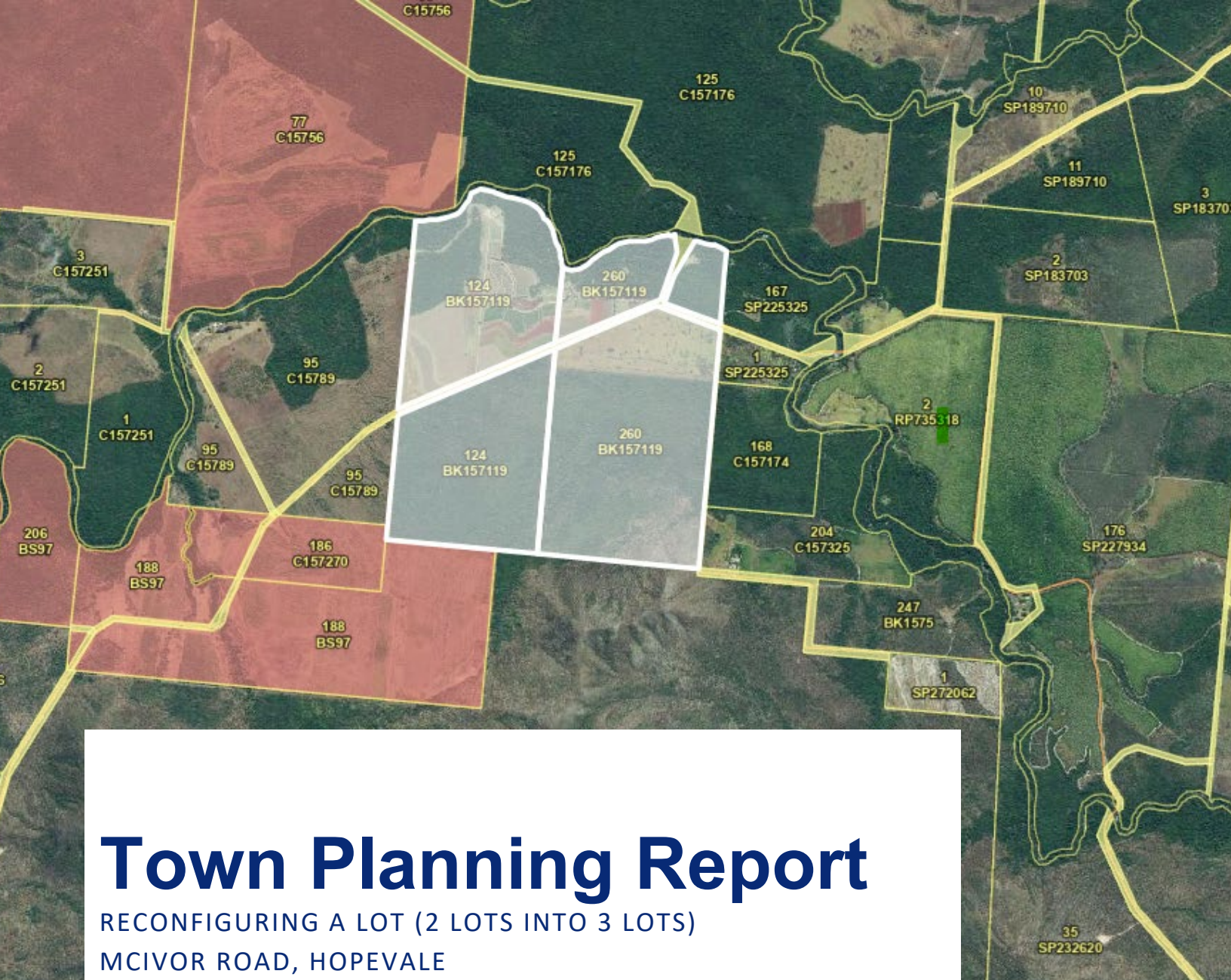
Description of the work	
QLeave project number	
Amount paid (\$)	Date paid (dd/mm/yy)
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	



Town Planning and Project Services

Attachment 2

Town Planning Report



Town Planning Report

RECONFIGURING A LOT (2 LOTS INTO 3 LOTS)
MCIVOR ROAD, HOPEVALE

13 December 2024

ASPIRE Town Planning and Project Services

Authored by: Daniel Favier

Ref: 2024-11-41 Porras-Perez - Isabella Mclvor Road, Hope Vale

This Town Planning Report is intended for the exclusive use of our Client "Manuel Humberto Porras-Perez" and is provided for informational purposes only. The information contained herein has been prepared based on sources and data believed to be reliable and accurate at the time of preparation. However, Aspire Town Planning and Project Services does not warrant the accuracy, completeness, or currency of the information and disclaims any responsibility for any errors or omissions, or for any loss or damage incurred by any party as a result of reliance on this information.

The conclusions and recommendations contained in this report are based on our professional judgment and interpretation of the current planning policies and regulations. It is important to note that planning regulations and policies are subject to change, and this report should not be construed as a guarantee of any future planning outcomes.

This report is confidential and may not be disclosed, reproduced, or distributed to any third party without the prior written consent of Aspire Town Planning and Project Services. Unauthorised use or distribution of this report is strictly prohibited.

Executive Summary

Aspire Town Planning and Project Services have been engaged and act on behalf of Manuel Humberto Porras-Perez, the ('Applicant' and the 'Land Owner'). This Development Application seeks approval for a Development Permit for Reconfiguring a Lot (2 Lots into 3 Lots) over land on Isabella Mclvor Road, Hope Vale, more formally described as Lots 124 and 260 on BK157119 (the 'subject sites'). The site is commonly known as the 'Boruca Farm'.

The proposal seeks to consolidate the existing farming land on the northern side of Isabella Mclvor Road which currently crosses two titles. The purpose is to enhance the current farm management and utilisation. The two proposed vacant lots on the southern side of Isabella Mclvor Road are of a suitable size given the land zoning and site constraints.

In accordance with the Cook Shire Council Planning Scheme 2017 v2.0 (the 'planning scheme'), the subject sites are situated within the Rural Zone, where a Development Application for Reconfiguring a Lot (2 Lots into 3 Lots) is Code Assessable.

This Town Planning Report provides a detailed assessment of the proposed development against the relevant Local Government Assessment Benchmarks, demonstrating that the proposal achieves compliance with the provisions of the planning scheme. All supporting documentation, including relevant plans, have been provided as attachments to this submission.

We respectfully request that the Cook Shire Council consider issuing 'without prejudice' draft conditions for review prior to the formal release of a Decision Notice, to facilitate an efficient approval process and ensure that all parties are aligned regarding the requirements for development.

1.0 Summary

Table 1: Application Summary.

Street Address	Isabella Mclvor Road, Hope Vale	2279 Isabella Mclvor Road, Hope Vale
Lot and Plan	Lot 124 on BK157119	Lot 260 on BK157119
Land Owner <i>See Attachment 1 – Certificate of Title</i>	Manuel Humberto Porrás-Perez	
Size	262.32ha or 2,623,200m ²	258.999ha or 2,589,990m ²
Road Frontages	Approximately 1,246m to Isabella Mclvor Road	Approximately 1,289m to Isabella Mclvor Road Approximately 505m to unnamed and unformed road
Easements	Nil	
Other Relevant Encumbrances	Nil	
Current Use	<p>The northern side of Isabella Mclvor Road comprises a mixed horticultural farm. The site contains a Dwelling House and other ancillary farm structures.</p> <p>The southern side of Isabella Mclvor Road is largely vegetated and not current used for any purpose.</p>	<p>The northern side of Isabella Mclvor Road contains mixed horticultural farming which extends across the common boundary. Site contains a Dwelling House and other ancillary farm structures.</p> <p>The southern side of Isabella Mclvor Road includes existing cleared land as well as naturally vegetated areas.</p>
Proposal	Reconfiguration of a Lot (2 Lots into 3 Lots) in order to enhance farm management and utilisation.	
Approvals Sought	Development Permit	
Level of Assessment	Code	
Planning Scheme Zone	Rural Zone	
Local Plan	Nil	
Regional Plan Designation	Nil	
State Planning Policy	Appropriately integrated within the Planning Scheme	
State Development Assessment Provisions	Not applicable	
Referral	Not applicable	

2.0 Site Description

The land, collectively known as *Boruca Farm*, is a mixed horticultural enterprise situated in a remote locality approximately 21 radial kilometres northwest of the Aboriginal community of Hope Vale and 42 radial kilometres northwest of the township of Cooktown (refer to Figure 1).

The property consists of two adjoining titles, encompassing a total area of 521.32 hectares. The site comprises several parts of lots, which are separated by road reserves (refer to Figure 2).

Site Improvements

The property features a range of structural improvements, including:

- A basic two-level timber residence with a detached modern bathroom and laundry facility.
- A steel-framed packing shed.
- Three modern machinery sheds.
- A steel-framed shed fitted with a one-bedroom fixed *donga*-style residential unit.
- A modern steel-framed storage shed.
- Additional ancillary structures, including pump sheds.

The site is supported by four bores and benefits from a 200-megalitre underground water licence within the Elderslie Water Licence Zone.

Horticultural and Agricultural Operations

The land is utilised for a variety of horticultural and agricultural purposes, including:

- **Mixed Irrigated Cultivation** (approximately 3ha): Tomatoes, rockmelons, watermelons, pumpkins, eggplant, and turmeric.
- **Arable Grazing Land**: Approximately 42ha.
- **Fallow Land**: Approximately 53.25ha.
- **Permanent Plantings**: (approximately 30.25ha): Avocados, citrus (lemon, lime, grapefruit), tropical fruits (pawpaw, coconuts, sapote, durian, and acai palm), and passionfruit.
- **Balance Area**: Approximately 392.82ha, comprising unusable or undeveloped forest lands.

Planning Context

The existing land uses align with the site's designation within the Rural Zone under the planning scheme.

Environmental and Locational Characteristics

The northern boundary of the property is defined by the Mclvor River. The surrounding area is predominantly agricultural and grazing land interspersed with natural vegetation.

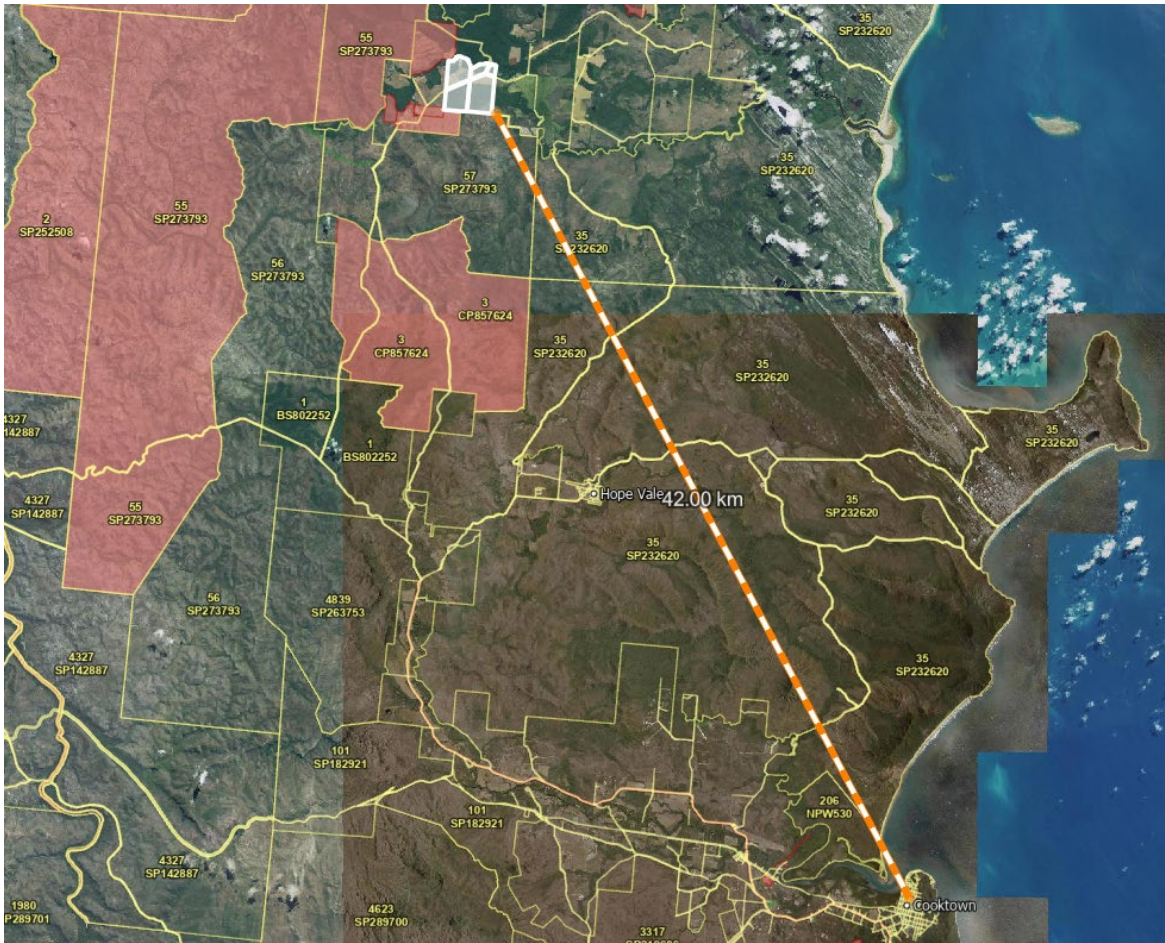


Figure 1: Subject Site – Wider Locality Context (source: QLD Globe, 2024)

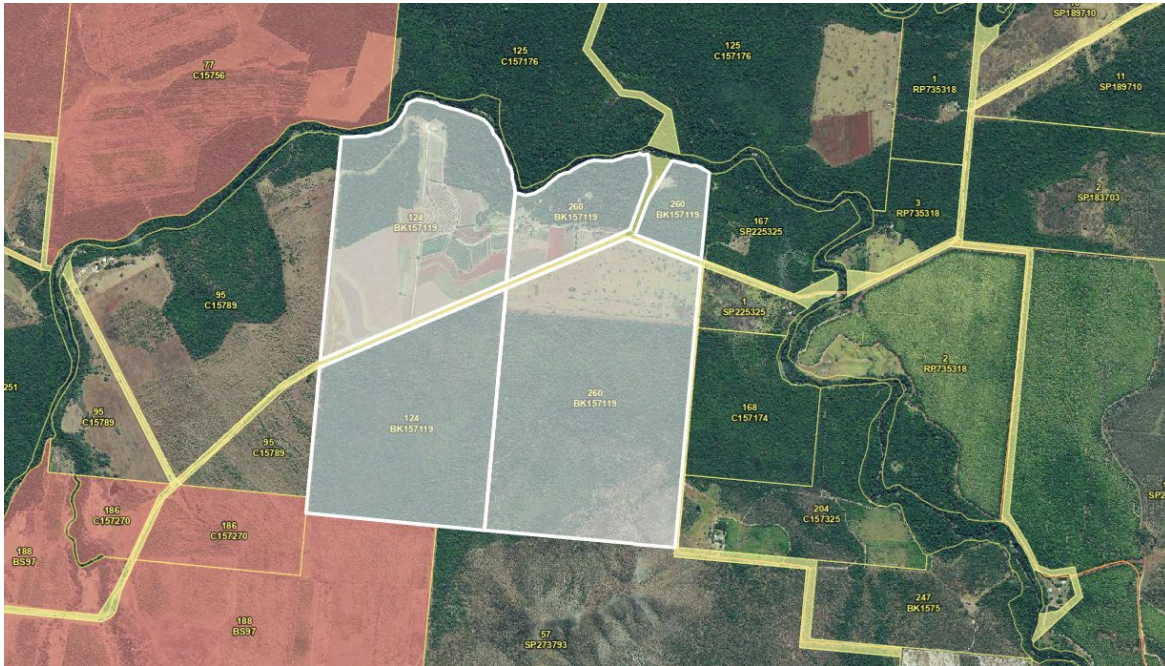


Figure 2: Subject Site Overview (source: QLD Globe, 2024)

3.0 Proposal

This proposal seeks a Development Permit for Reconfiguring a Lot (2 Lots into 3 Lots), refer to Figure 3. The proposed reconfiguration will result in:

- Proposed Lot 101 189ha – located on the northern side of Isabella Mclvor Road and containing the mixed horticultural enterprise. The proposal consolidates the high-quality agricultural land, creating a more cohesive parcel for farming. By eliminating irregular boundaries and optimising the layout, the reconfiguration enables more efficient farming operations.
- Proposed Lot 102: 130.49ha – located on the southern side of Isabella Mclvor Road and predominantly vegetated. The vegetation is largely classed Category X under the *Vegetation Management Act 1999*, and therefore future clearing is permitted.
- Proposed Lot 103: 201.83ha – located on the southern side of Isabella Mclvor Road, the proposed lot is partially cleared providing for rural use opportunities. The balance portion of the land is vegetated classed Category B Of-concern and Least Concern Remnant Vegetation under the *Vegetation Management Act 1999*.

The objective of the proposed development is to consolidate the existing farm land within a single title and confine to the northern side of Isabella Mclvor Road. Given the positioning of existing boundaries on the land on the southern side of Isabella Mclvor Road, these naturally form two separate lots.

No vegetation clearing is proposed.

No further buildings or infrastructure is proposed.

The proposed development aligns with the intent of the planning scheme to support and protect rural and agricultural lands while promoting sustainable and efficient land use practices. The design ensures the functionality, and caters to the needs of varying land types and uses.

Approval of this boundary realignment will result in an optimised layout for agricultural operations, enhanced land productivity, and improved land use outcomes. It represents a balanced and forward-looking approach to rural land management.

Further refer to ***Attachment 2 – Proposal Plan***.

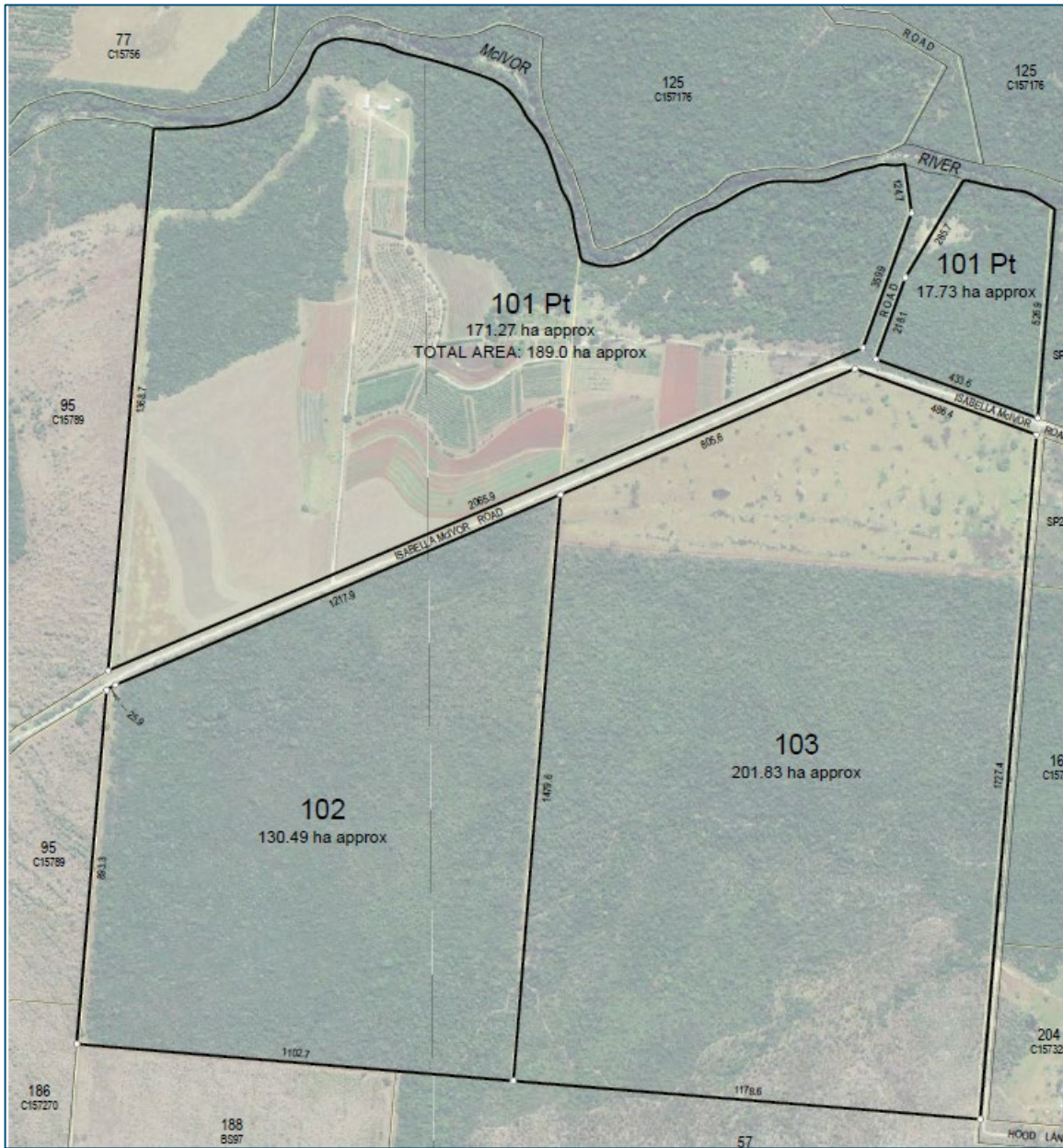


Figure 3: Proposal Plan Extract

4.0 Statutory Town Planning Framework

4.1 Planning Act 2016

The *Planning Act 2016* (the 'Planning Act') is the statutory instrument for the State of Queensland under which, amongst other matters, Development Applications are assessed by Local Governments. The Planning Act is supported by the *Planning Regulation 2017* (the 'Planning Regulation'). The following sections of this report discuss the parts of the Planning Act and Planning Regulation applicable to the assessment of a development application.

4.1.1 Approval and Development

Pursuant to Sections 49, 50 and 51 of the Planning Act, the Development Application seeks a Development Permit for Reconfiguring a Lot (2 Lots into 3 Lots).

4.1.2 Application

The proposed development is:

- development that is located completely in a single local government area;
- development made assessable under a local categorising instrument; and
- for Reconfiguring a Lot,

In accordance with Section 48 of the Planning Act and Schedule 8, Table 2, Item 1 of the Planning Regulation, the development application is required to be made to the applicable Local Government, in this instance being Cook Shire Council (the 'Council').

4.1.3 Referral

Section 54(2) of the Planning Act and Section 22 and Schedules 9 and 10 of the Planning Regulation provide for the identification of the jurisdiction of referral agencies, to which a copy of the development application must be provided. A review of the Planning Regulation confirms that there are no relevant referral agencies to the Development Application.

4.1.4 Public Notification

Section 53(1) of the Planning Act provides that an applicant must give notice of a Development Application where any part is subject to Impact Assessment or where it is an application, which includes a variation request.

The Development Application is subject to Code Assessment and therefore Public Notification of the Development Application is required.

4.1.5 Assessment Framework

The *Cook Shire Planning Scheme 2017 v2.0* (the 'Planning Scheme') identifies that the proposed development triggers Code Assessment, further refer to discussion under Section 4.4.3 of this Report.

Section 45(3) of the Planning Act provides that:

- “(3) A code assessment is an assessment that must be carried out only—*
- (a) against the assessment benchmarks in a categorising instrument for the development; and*
 - (b) having regard to any matters prescribed by regulation for this paragraph.”*

The Planning Scheme, as the applicable local categorising instrument, is discussed in greater detail in Section 4.4 of this Report.

Section 26 of the Planning Regulation provides the following assessment benchmarks for the purposes of Section 45(3)(a) of the Planning Act:

- “(1) For section 45(3)(a) of the Act, the code assessment must be carried out against the assessment benchmarks for the development stated in schedules 9 and 10.*
- (2) Also, if the prescribed assessment manager is the local government, the code assessment must be carried out against the following assessment benchmarks—*
- (a) the assessment benchmarks stated in—*
 - (i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - (ii) the State Planning Policy, part E, to the extent part E is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - (iii) any temporary State planning policy applying to the premises;*
 - (b) if the local government is an infrastructure provider—the local government’s LGIP.*
- (3) However, an assessment manager may, in assessing development requiring code assessment, consider an assessment benchmark only to the extent the assessment benchmark is relevant to the development.”*

Section 27 of the Planning Regulation provides matters for the purposes of Section 45(3)(b) of the Planning Act:

- “(1) For section 45(3)(b) of the Act, the code assessment must be carried out having regard to—*

- (a) the matters stated in schedules 9 and 10 for the development; and*
- ...
- (d) if the prescribed assessment manager is a person other than the chief executive—*
 - (i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - (ii) the State Planning Policy, to the extent the State Planning Policy is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - (iii) for designated premises—the designation for the premises; and*
- (e) any temporary State planning policy applying to the premises; and*
- (f) any development approval for, and any lawful use of, the premises or adjacent premises; and*
- (g) the common material.*
- (2) However—*
 - (a) an assessment manager may, in assessing development requiring code assessment, consider a matter mentioned in subsection (1) only to the extent the assessment manager considers the matter is relevant to the development; and*
 - (b) if an assessment manager is required to carry out code assessment against assessment benchmarks in an instrument stated in subsection (1), this section does not require the assessment manager to also have regard to the assessment benchmarks.”*

The following sections of this report discuss the applicable assessment benchmarks and applicable matters in further detail.

4.2 State Planning Policy

The State Planning Policy ('the SPP') was released on 2 December 2013 and replaced all previous State Planning Policies. The SPP has since been revised, with new versions released on 2 July 2014, 29 April 2016 and 3 July 2017. The April 2016 version of the SPP is identified in the Planning Scheme as being appropriately integrated. Whilst the SPP has been amended since April 2016 version, it is considered that the policy content and outcomes contained within the SPP, to the extent they are relevant and

applicable to the proposed development, have not been sufficiently amended to require the reconsideration of the SPP separately.

4.3 Temporary State Planning Policies

There are currently no temporary State Planning Policies in effect in Queensland.

4.4 Cook Shire Planning Scheme 2017 v2.0

The Cook Shire Planning Scheme 2017 v2.0 (the 'planning scheme') is the current version of the planning scheme.

The following sections include an assessment against the relevant sections of the Planning Scheme.

4.4.1 Zone

The subject sites are located within the Rural Zone. The purpose of land within this 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.

Assessment Comment:

It is submitted that the proposed development aligns with the purpose of the zone in that it seeks to consolidate the high-quality agricultural land, creating a more cohesive parcel for farming. The development reduces fragmentation of good quality agricultural land through this consolidation of farming land which is currently separated by road reserve. Also, by eliminating irregular boundaries and optimising the layout, the reconfiguration enables more efficient farming operations.

A full assessment of the proposed development against the Rural Zone Code is included within **Attachment 3 – Code Assessment**.

4.4.2 Overlays

Table 2: identifies the applicable Overlays to the site generally.

Overlay	Sub-category	Applicability
---------	--------------	---------------

Biodiversity Overlay	MSES - Regulated vegetation (category B)	The subject site contains Category B Regulated Vegetation mapped as of-concern and least concern vegetation. No clearing works are proposed under the Development Application and furthermore the proposed development does not create any clearing exemptions. Therefore, it is submitted that the Biodiversity Overlay Code is not applicable to the assessment of the Development Application.
Bushfire Hazard Overlay	Medium Potential Bushfire Hazard Potential Impact Buffer	The subject site is mapped within the Bushfire Hazard Overlay. However, the proposed development does not exacerbate existing risk to people and property in any way. Future development of Proposed Lots 102 and 103 will need to further consider compliance. Therefore, it is submitted that the Bushfire Hazard Overlay Code is not applicable to the assessment of the Development Application.
Flood and Other Coastal Hazards Overlay	Potential Flood Hazard Area	The area of the site adjacent to the Mclvor River is included in the hazard mapping area. No changes to the land, other than consolidation of lots to create Lot 101 are proposed. The proposed development will not exacerbate current risk to people or property and therefore it is submitted that the Flood and other Coastal Hazards Overlay Code is not applicable to the assessment of the Development Application.

4.4.3 Category of Assessment

Pursuant to Part 5 of the Planning Scheme, a Development Application for Reconfiguration of a Lot 2 Lots into 3 Lots) within the Rural Zone is identified as Code Assessable.

The identified Overlays pertaining to the land do not vary the level of assessment.

4.4.4 Assessment Criteria

As determined by Table 5.6.1 under the Planning Scheme, and subsequent to discussion under s4.4.2 of this report, the following Planning Scheme Codes are applicable in the assessment of the Development Application:

Zone Code

- Rural Zone Code

Local Area Plan Code

- Nil

Overlay Codes

- Refer to discussion under s4.5.3 of this report.

Development Codes

- Reconfiguring a Lot Code
- Works, Services and Infrastructure Code

A detailed assessment against the other relevant assessment criteria is provided in ***Attachment 3 – Code Assessment***.

4.4.5 Strategic Framework

The proposed development is Code Assessable and does not require further assessment against the Strategic Framework

5.0 Conclusion

Aspire Town Planning and Project Services has been engaged and acts on behalf of Manuel Humberto Porras-Perez, the Applicant and Land Owner. This Development Application seeks approval for a Development Permit for Reconfiguring a Lot (2 Lots into 3 Lots) over land on Isabella McIvor Road, Hope Vale, more formally described as Lots 124 and 260 on BK157119 (the subject sites), commonly referred to as *Boruca Farm*.

The proposal aims to consolidate the existing farming land on the northern side of Isabella McIvor Road, which currently spans two titles. This consolidation will enhance farm management and improve the utilisation of the agricultural land. On the southern side of Isabella McIvor Road, two proposed vacant lots will be created. These lots are appropriately sized to reflect the land's zoning and respond to the site's constraints, allowing for potential future uses consistent with the Rural Zone.

Under the Cook Shire Council Planning Scheme 2017 v2.0 (the planning scheme), the subject sites are situated within the Rural Zone. The proposed development of Reconfiguring a Lot (2 Lots into 3 Lots) is Code Assessable, ensuring it aligns with the intent and requirements of the planning scheme.

This Town Planning Report demonstrates compliance with the relevant Local Government Assessment Benchmarks and provides a detailed assessment of the proposed development. All supporting documentation, including detailed plans, has been included as part of this submission.

We respectfully request that Cook Shire Council consider issuing without prejudice draft conditions for review prior to releasing the formal Decision Notice. This approach will assist in streamlining the approval process and ensuring alignment between all parties regarding the development requirements.

Attachment 1

Certificate of Title

CURRENT TITLE SEARCH
QUEENSLAND TITLES REGISTRY PTY LTD

Request No: 48055017

Search Date: 20/05/2024 09:06

Title Reference: 21057110

Date Created: 11/11/1977

Previous Title: 20872126

20872127

20872128

REGISTERED OWNER

Dealing No: 704247221 14/08/2000

MANUEL HUMBERTO PORRAS-PEREZ

ESTATE AND LAND

Estate in Fee Simple

LOT 124 CROWN PLAN BK157119
Local Government: COOK

For exclusions / reservations for public purposes refer to
Plan CP BK157119

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20587161 (POR 124)
2. MORTGAGE No 704247225 14/08/2000 at 09:11
AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED A.C.N. 005
357 522

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

Caution - Charges do not necessarily appear in order of priority

^^ End of Current Title Search ^^

COPYRIGHT QUEENSLAND TITLES REGISTRY PTY LTD [2024]

Requested By: D-ENQ EQUIFAX

CURRENT TITLE SEARCH
QUEENSLAND TITLES REGISTRY PTY LTD

Request No: 47749888

Search Date: 18/04/2024 12:48

Title Reference: 20871155

Date Created: 04/09/1972

REGISTERED OWNER

Dealing No: 700998708 13/11/1995

MANUEL HUMBERTO PORRAS-PEREZ

ESTATE AND LAND

Estate in Fee Simple

LOT 260 CROWN PLAN BK157119
Local Government: COOK

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20871155 (POR 124A)
2. MORTGAGE No 702261850 09/10/1997 at 08:11
AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED A.C.N. 005
357 522

ADMINISTRATIVE ADVICES - NIL
UNREGISTERED DEALINGS - NIL

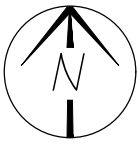
Caution - Charges do not necessarily appear in order of priority

*** End of Current Title Search ***

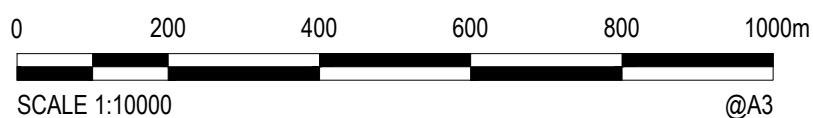
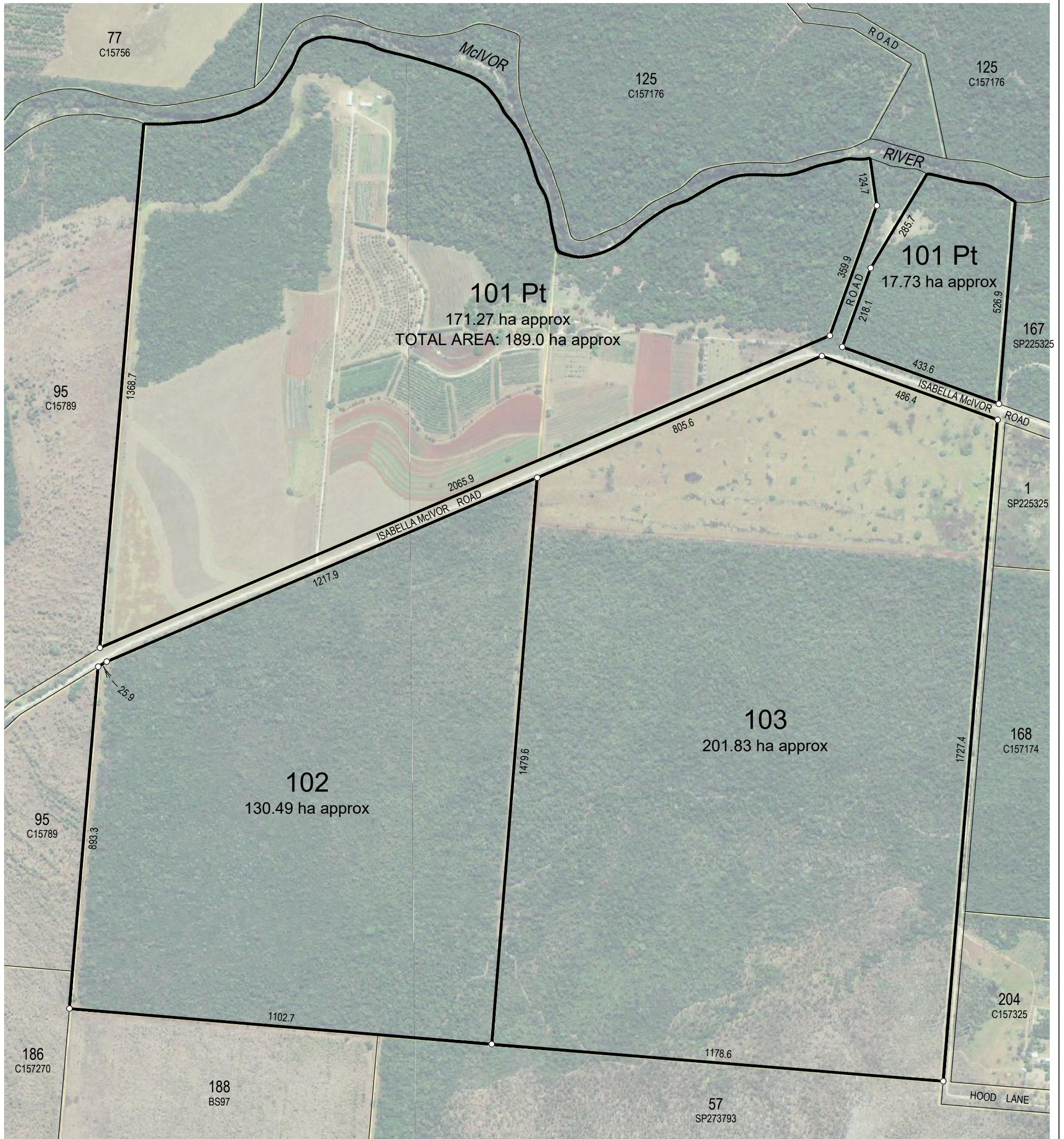
COPYRIGHT QUEENSLAND TITLES REGISTRY PTY LTD [2024]
Requested By: D-ENQ EQUIFAX

Attachment 2

Proposal Plan



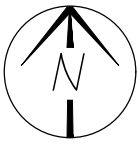
ASPIRE TOWN PLANNING
PROPOSED RECONFIGURATION OF A LOT (2 INTO 3)
LOTS 101-103
CANCELLING LOTS 124 AND 260 ON BK157119
ISABELLA McIVOR ROAD, HOPE VALE



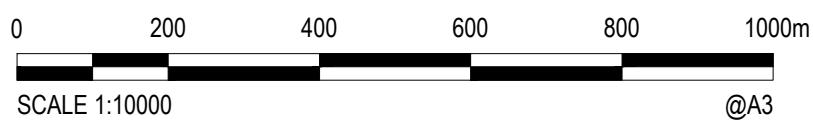
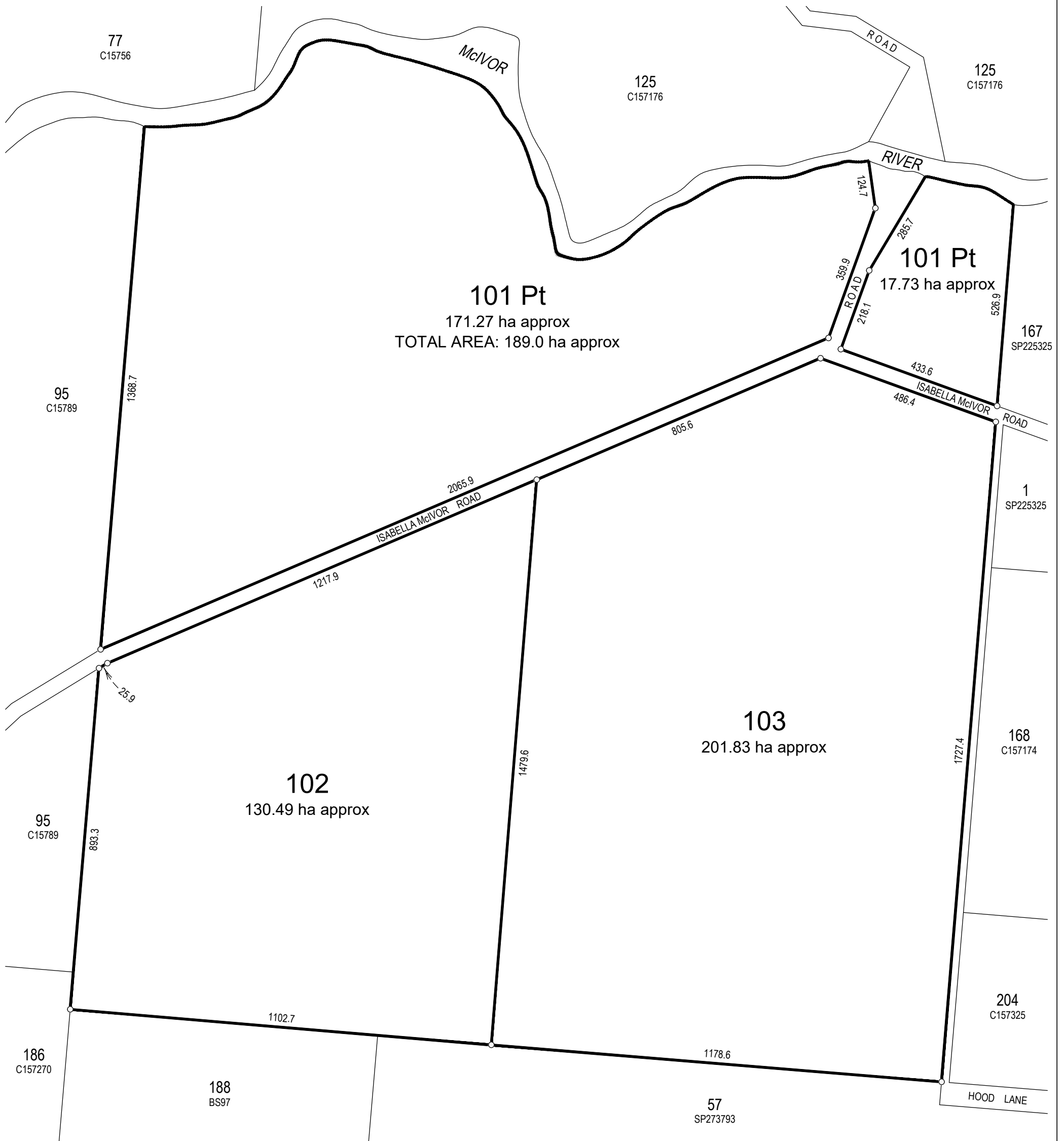
Tel: (07) 4034 0500

Date: 5th December 2024
Scale: 1 : 10,000 @ A3
Drawn: MC
Job No.: 304701709-123
Plan No.: 304701709-123-PP02 A

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.



ASPIRE TOWN PLANNING
PROPOSED RECONFIGURATION OF A LOT (2 INTO 3)
LOTS 101-103
CANCELLING LOTS 124 AND 260 ON BK157119
ISABELLA McIVOR ROAD, HOPE VALE



Tel: (07) 4034 0500

Date: 4th December 2024
Scale: 1 : 10,000 @ A3
Drawn: MC
Job No.: 304701709-123
Plan No.: 304701709-123-PP01 A

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.

Attachment 3

Code Assessment

Rural Zone Code	Compliance Assessment
PO1	Complies with PO1. Proposed Lot 101 The site contains an existing two storey Dwelling House and a single bedroom Secondary Dwelling, among other farm shed structures. No new buildings are proposed. Proposed Lots 102 and 103 are vacant and generally unimproved.
PO2	Complies with AO2.1 The proposed alignment of boundaries maintains compliance with the minimum building to boundary setback requirements.
PO3	Not Applicable.
PO4	Complies with PO4 The proposal seeks to consolidate the existing farming land on the northern side of Isabella Mclvor Road which currently crosses two titles. The purpose is to enhance the current farm management and utilisation. The two proposed vacant lots on the southern side of Isabella Mclvor Road are of a suitable size given the land zoning and site constraints.
PO5	Complies with PO5 The proposed alignment of boundaries maintains compliance with the minimum building to boundary setback requirements.
PO6	Not Applicable.
PO7	Not Applicable.
PO8	Not Applicable.
PO9	Complies with PO9. The proposed development will have no impact on visual amenity. No changes are proposed to the existing landscape.

Reconfiguring a Lot Code	Compliance Assessment
PO1	Complies with AO1.1. All of the proposed lots are greater than 100ha.
PO2	Complies with PO2. Each lot has practical and legal road frontage to Isabella Mclvor Road.
PO3	Not Applicable.
PO4	Not Applicable.
PO5	Not Applicable.
PO6	Not Applicable.
PO7	Not Applicable.
PO8	Not Applicable.
PO9	Not Applicable.
PO10	Not Applicable.
PO11	Complies with AO11.1 and AO11.2. The proposal seeks to consolidate the existing farming land on the northern side of Isabella Mclvor Road which currently crosses two titles. The purpose is to enhance the current farm

	<p>management and utilisation. The two proposed vacant lots on the southern side of Isabella Mclvor Road are of a suitable size given the land zoning and site constraints.</p> <p>Each of the proposed lots has practical and legal frontage to Isabella Mclvor Road and also achieve the minimum lot size.</p>
PO12	Not Applicable.
PO13	Not Applicable.
PO14	Complies.

Works, Services and Infrastructure Code	Compliance Assessment
PO1	Complies with PO1. Proposed Lot 101 has existing bore water supply. Proposed Lots 102 and 103 are currently unimproved, however sufficient area exists to provide a bore if required.
PO2	Complies with PO2. Proposed Lot 101 has existing onsite wastewater treatment. Proposed Lots 102 and 103 are currently unimproved, however sufficient area exists to provide onsite wastewater treatment if required.
PO3	Complies with PO3. No changes are proposed to the existing drainage regime.
PO4	Complies with PO4. No change is proposed to electrical supply to proposed Lot 101 has existing bore water supply. Proposed Lots 102 and 103 are currently unimproved, however sufficient area exists to provide a bore if required. Dial-before-you-dig search confirms there are no public electricity assets within vicinity of the site.
PO5	Complies with PO5. All lots have constructed road frontage to Isabella Mclvor Road.
PO6	Not Applicable.
PO7	Not Applicable.
PO8	Not Applicable.
PO9	Not Applicable.
PO10	Not Applicable.
PO11	Not Applicable.
PO12	Not Applicable.
PO13	Not Applicable.
PO14	Not Applicable.
PO15	Not Applicable.
PO16	Not Applicable.