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APPLICATION REF
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Town Planning Report

Development Application - Reconfiguring a Lot (Boundary
Realignment and Easements) and Variation Request

04-Dec-2024

Barnsdale Place, Greenslopes (former Ekibin Quarry)

Town Planning Report

Development Application - Reconfiguring a Lot (Boundary Realignment and Easements) and Variation Request

Client: Brisbane City Council

ABN: 72 002 765 795

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1.0 Introduction

AECOM Australia Pty Ltd (AECOM) has been engaged by Brisbane City Council (the Applicant) to seek a Development Permit for Reconfiguring a Lot for the purposes of a boundary realignment and access easements and a Preliminary Approval for a Variation Request under s61 of the Planning Act 2016 and s32 of the Planning Regulation 2017 to vary the effect of the planning scheme to ensure the level of assessment for Dwelling House and Utility Installation align with Emerging Community zone where located on the lot proposed for future urban development (i.e. proposed lot 170) (proposed development) over land at 114 Nicholson Street and 36A Barnsdale Place, Greenslopes QLD 4120, more formally described as Lot 16 on SP115673 and Lot 2 on RP180002.

1.1 Purpose of this report

This Town Planning Report has been prepared by AECOM on behalf of the Applicant. The purpose of this report is to document details of the proposed development and development application, and provide an assessment against the relevant assessment benchmarks. This Town Planning Report provides:

- an overview of the site and its surrounds
- a detailed description of the proposed development
- a review of the relevant State planning matters, and relevant sections of the Brisbane City Plan 2014 (City Plan)
- a discussion on the key issues of the proposed development.

1.2 Application Details

An overview of the proposed development is provided in Table 1 below. This development application is supported by a completed Development Application Form 1, which is provided in Appendix A.

Table 1 Summary of development application details

Applicant	Brisbane City Council c/- AECOM Australia Pty Ltd
Application Type	<ul style="list-style-type: none"> • Development Permit for Reconfiguring a Lot (Boundary Realignment – 2 into 2 lots) and Access Easements • Preliminary Approval for a Variation Request to vary the effect of the planning scheme for a Material Change of Use and Reconfiguring a lot
Site Address	<ul style="list-style-type: none"> • 114 Nicholson Street, Greenslopes QLD 4120 • 36A Barnsdale Place, Greenslopes QLD 4120
Real Property Description	<ul style="list-style-type: none"> • Lot 16 on SP115673 • Lot 2 on RP180002
Site Area	214,646 square metres (m ²) or 21.4646 hectares (ha)
Assessment Manager	Brisbane City Council (Council)
Planning Scheme	Brisbane City Plan 2014 – Version 30
Zoning	<ul style="list-style-type: none"> • OS1 Open space (Local) zone • CN Conservation zone • EC Emerging community zone
Neighbourhood Plan	<ul style="list-style-type: none"> • Coorparoo and districts neighbourhood plan • Stephens Mountain precinct - NPP-003 • Stephens Mountain reserve sub-precinct - NPP-003a • Stephens Mountain west sub-precinct - NPP-003b

Overlays	<ul style="list-style-type: none"> • Airport environs overlay • Bicycle network overlay • Biodiversity areas overlay • Bushfire overlay • Community purposes network overlay • Critical infrastructure and movement network overlay • Flood overlay • Potential and actual acid sulfate soils overlay • Road hierarchy overlay • Streetscape hierarchy overlay • Transport air quality corridor overlay • Transport noise corridor overlay • Waterway corridors overlay
Environmental Management Register / Contaminated Land Register	The site is included on the Environment Management Register for Landfill (disposing of waste – excluding inert construction and demolition waste). The site is not included on the Contaminated Land Register. Refer to the site provided at Appendix C.
Level of Assessment	Impact Assessable
Public Notification	Yes – 30 business days
Referral Agencies	State Assessment and Referral Agency
Applicant Reference	60692319

1.3 Supporting Documentation

This Town Planning Report relies on supporting plans and reports prepared by specialists assessing specific aspects of the proposed development and are an integral part of the development application material. Plans and reports accompanying this Town Planning Report are included in the appendices of this report and outlined:

- Appendix A – DA Form 1
- Appendix B – Consent
- Appendix C – Site Searches
- Appendix D – Pre-lodgement Meeting Advice
- Appendix E – Survey Plan
- Appendix F – Structure Plan
- Appendix G – Bushfire Hazard Assessment and Management Plan
- Appendix H – Ecological Assessment and Tree Survey
- Appendix I – Services Technical Memorandum
- Appendix J – Assessment against Planning Scheme Codes

1.4 Pre-lodgement Advice

A pre-lodgement meeting was held with Brisbane City Council on 15 July 2021, with the Council officers being supportive of the proposed development. The pre-lodgement advice has been used to formulate this development application and minutes from the meeting are provided at Appendix D.

2.0 Site Description

2.1 Location

The Site comprises of two (2) freehold lots, located at 114 Nicholson Street and 36A Barnsdale Place, Greenslopes QLD 4120, more formally described as Lot 16 on SP115673 and Lot 2 on RP180002. The Site is situated within the Brisbane LGA, approximately 4 kilometres (km) south-east of the Central Business District (CBD). Vehicular access to the Site is granted via Barnsdale Place and a number of other local streets.

Table 2 lists the land subject to this development application. Owners Consent is provided at Appendix B and Title Searches are provided at Appendix C.

Table 2 Land subject to this development application

Real Property Description	Address	Area (m ²)	Easement	Tenure
Lot 16 on SP115673	114 Nicholson Street, Greenslopes QLD 4120	213,800	N/A	Freehold
Lot 2 on RP180002	36A Barnsdale Place, Greenslopes QLD 4120	846	N/A	Freehold

2.2 Site Characteristics

Historically, the Site was one of Brisbane’s earliest quarries. For many decades, the quarry provided stone for building roads in the local area, as early as the mid 1880’s. Council acquired the land in 1922 and ceased quarry operations in the late 1960s, whereby some of the land was resumed in the 1970s for the construction of the South East Freeway and the disposal of spoil from the project.

As shown on Figure 1, the site is predominantly vacant, with a bikeway / pedestrian pathway along the southern boundary and telecommunications infrastructure. The Site is vegetated, particularly within the northern portion. Contextually, the Site adjoins residential properties to the north, Greenslopes Private Hospital to the east, the Southeast Busway and Pacific Motorway to the south and Energex to the west.



Figure 1 Site Context (Source: QLD Globe, 2024)

3.0 Development Proposal

3.1 Overview

The Applicant is seeking approval for a Development Permit for Reconfiguring a Lot (boundary realignment), involving two (2) lots into two (2) lots, plus an easement over the existing bikeway and a new access easement. Furthermore, approval is sought for a Preliminary Approval for a Variation Request to vary the effect of the planning scheme for a Material Change of Use and Reconfiguring a Lot. The purpose of the Variation Request is to ensure the level of assessment for Reconfiguring a Lot and Material Change of Use for Dwelling House and Utility Installation align with the Emerging Community Zone, where located on proposed lot 170, which is for future urban development.

The development application is made over land at 114 Nicholson Street and 36A Barnsdale Place, Greenslopes QLD 4120, more formally described as Lot 16 on SP115673 and Lot 2 on RP180002, located within the Brisbane local government area (LGA).

The purpose of the reconfiguration and material change of use is to identify the area of the former Ekibin Quarry that is proposed for future urban development in accordance with the Coorparoo and Districts Neighbourhood Plan and excludes the environmental values of Stephens Mountain Reserve and the former Ekibin Quarry Cliff Face.

3.2 Proposed Boundary Realignment & Easements

Details of the proposed boundary realignment are detailed below in Table 3. Reference should also be made to the Survey Plan prepared by Simpson Rayner Surveys at Appendix E and below in Figure 2, which illustrates the proposed boundary realignment.

As identified on the Survey Plan, a 6.0m wide easement benefiting Brisbane City Council is proposed over the existing combined walkway / bikeway to facilitate public access between Barnsdale Place and Nicholson Street, to the Greenslopes Hospital. This easement formalises the tenure and access rights in perpetuity if a change in ownership and development occurs. A 3.0m wide access easement is also proposed over the northern portion of proposed lot 170, benefiting Brisbane City Council, to facilitate maintenance access to Stephens Mountain Reserve and the former Ekibin quarry cliff face.

Further, the boundary arrangement will result in split zoning, with majority of the site being situated within the Emerging Community Zone and a small portion within the Conservation Zone. This is the result of ecological investigations that have occurred since the zoning and Neighbourhood Plan came into effect, refining the known land that is suitable for future urban development.

It is noted, the proposed reconfiguring a lot does not involve any associated operational works (including vegetation clearing) and does not propose to change the existing vehicular access arrangements or services. These works will be applied for and carried out as part of any future Material Change of Use and/or Reconfiguring a Lot Development Application.

Table 3 Detailed of Proposed Reconfiguring a Lot

Number of Existing Lots		2		
Number of Proposed Lots		2		
Current Lot		Proposed Lot		
Property Description	Area	Property Description	Area	Zoning
Lot 16 on SP115673	213,800m ²	Proposed Lot 160	9.52 ha	Emerging Community Conservation Open Space
Lot 2 on RP180002	846m ²	Proposed Lot 170	1.26 ha	Emerging Community Conservation

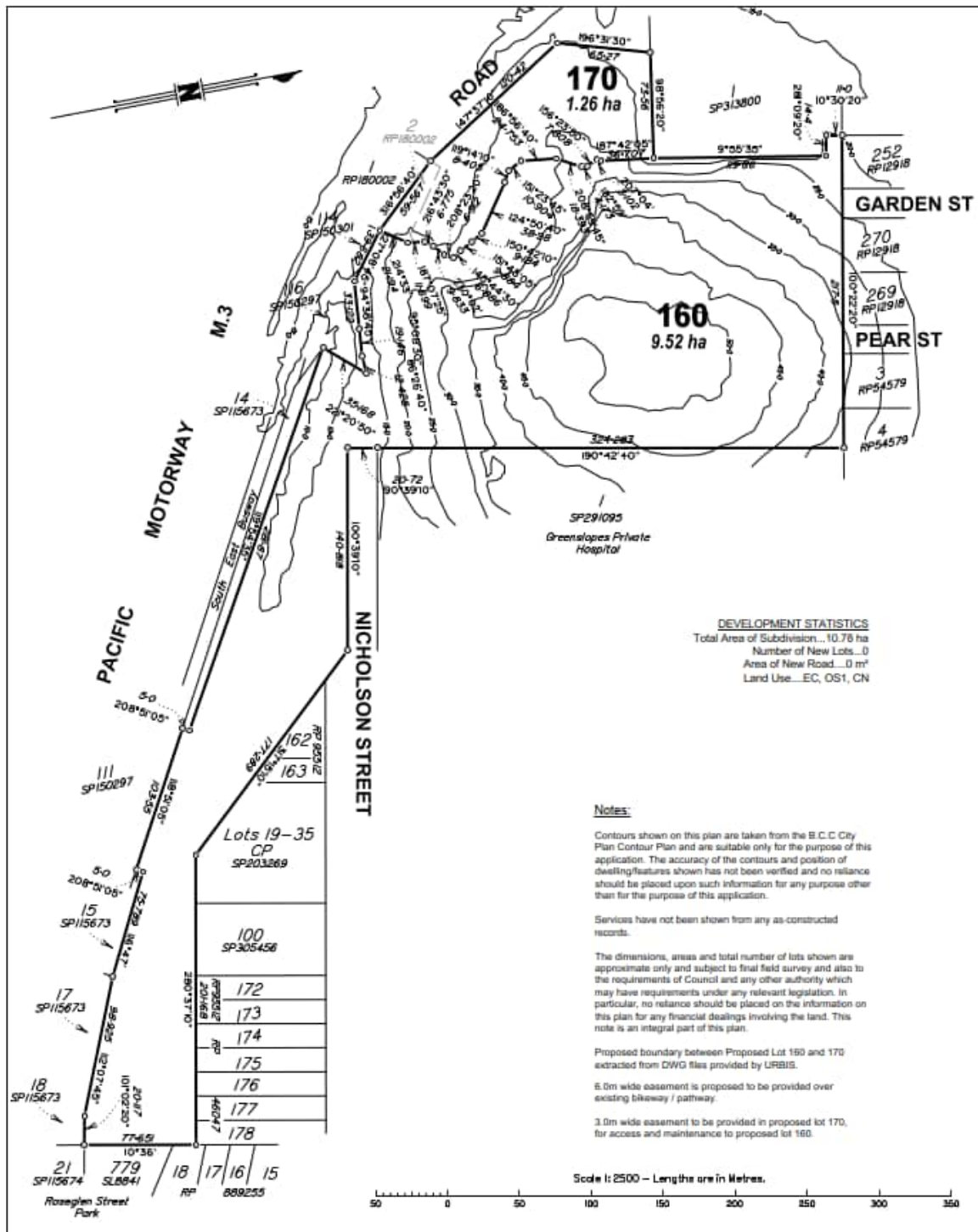


Figure 2 Proposed Subdivision Layout

3.3 Structure Plan

In accordance with the requirements of the City Plan and advice provided in the pre-lodgement meeting minutes, the applicant has prepared an indicative Structure Plan, which is provided at **Appendix F**. The pre-lodgement meeting advice outlined that the structure plan should consider the following aspects:

- important view corridors and the visual values of Stephens Mountain;

- any internal road connection (including maintained access routes to the conservation zone);
- topography and natural hazards including bushfire and flooding;
- flora/fauna of ecological values;
- infrastructure provision (including indicative service connection);
- active transport connections including retaining the link between Greenslopes Private Hospital and Greenslopes Busway station.

In response to these requirements, an indicative structure plan has been developed, which is shown below in Figure 3.

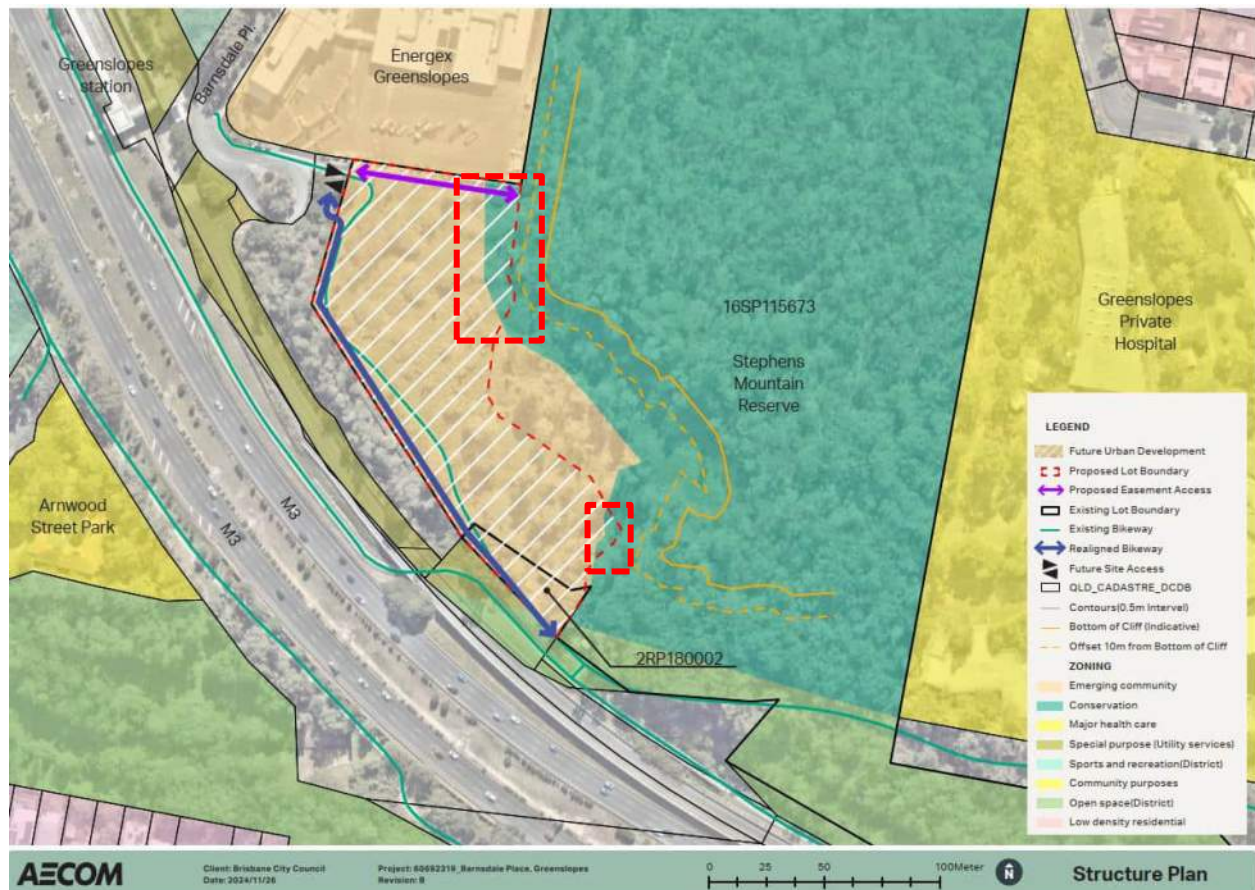


Figure 3 Indicative Structure Plan (highlighting areas of Conservation Zone that the Emerging Community Zone will apply)

The Structure Plan:

- illustrates the existing lot boundaries (and real property description), proposed lot boundaries and current zoning under the planning scheme
- protects the visual values of Stephens Mountain and respects the ecological values of the Site, which have been identified through field survey. This is achieved through the retention of Stephens Mountain on proposed lot 160, which is primarily contained within the Conservation zone
- illustrates a hatched area for future urban development to inform the variation request
- shows the bottom of the cliff, along with a 10m offset
- illustrates the existing bikeway, and includes a realigned bikeway along the southern boundary, which will include a 6.0m wide easement for public access. The bikeway continues to provide active transport connections between the Greenslopes Busway Station and the Greenslopes Private Hospital

- provides indicative locations for future vehicular access and associated easements to enable access between the road and the proposed lots.

Overall, the proposed structure plan is considered to reflect the intentions for development in the area as communicated by the Coorparoo and districts neighbourhood plan, representing a reasonable solution for structuring development in the area.

Notwithstanding, the structure plan does not address the siting and design of future development and important view corridors as these would form part of a subsequent applications for material change of use or reconfiguring a lot. Accordingly, the structure plan is indicative only, and any future development may vary where following the overall intent of this structure plan.

3.4 Preliminary Approval

A variation request is proposed in order to establish planning framework for future Material Change of Use and Reconfiguring a Lot applications over the site, under the provisions of the *Planning Act 2016* (Planning Act). This variation request will vary the effect of any local planning instrument, being the *Brisbane City Plan 2014*, as provided for under section 43 of the Planning Act.

The variation request is intended to vary the current Conservation Zone, which applies to small sections of proposed lot 170. In particular, the variation request seeks to apply the table of assessments for the Emerging Community Zone to the small sections of Conservation zone within proposed lot 170 (refer to Figure 3 above). This variation request does not authorise development to occur onsite, however the approval of this application will allow for a Dwelling house and Utility installation to be established in the future as accepted or code assessment, rather than impact assessment (refer to Table 4).

The variation request seeks to apply a Table of Assessment and relevant Assessment Benchmarks typically intended for development within the Emerging Community Zone, to ensure consistency across the entire proposed lot 170. As the preliminary approval requires further material change of use and reconfiguring a lot applications with increased detail to be lodged and approved by Council, it is proposed that within the identified relevant period of ten (10) years subsequent development applications under the preliminary approval should be subject to the following levels of assessment:

Table 4 Proposed MCU Table of Assessment - Proposed Lot 170

Use	Categories of development and assessment	Assessment Benchmarks
Dwelling House	Accepted development, subject to compliance with identified requirements	
	If not on a small lot, where complying with all acceptable outcomes in the Dwelling house code	Not Applicable
	If on a small lot, where complying with all acceptable outcomes in the Dwelling house (small lot) code	Not Applicable
	Assessable development—Code assessment	
	If not on a small lot, where not complying with all acceptable outcomes in the Dwelling house code	Dwelling house code
	If on a small lot, where not complying with all acceptable outcomes in the Dwelling house (small lot) code	Dwelling house (small lot) code
Utility Installation where sewage pump station or water pump station	Accepted development, subject to compliance with identified requirements	
	If complying with all acceptable outcomes in section A of the Special purpose code	Not Applicable
	Assessable development—Code assessment	

Use	Categories of development and assessment	Assessment Benchmarks
	If not complying with all acceptable outcomes in section A of the Special purpose code	Special purpose code— purpose, overall outcomes and section A outcomes only

Table 5 Proposed ROL Table of Assessment - Proposed Lot 170

Zone	Categories of development and assessment	Assessment Benchmarks
Emerging community zone	Assessable development – impact assessment	
	If a ROL is less than 10ha with no associated assessable MCU	The planning scheme including: Subdivision code Emerging community zone code Prescribed secondary code
	If ROL is a volumetric subdivision, where not associated with an existing or approved building	The planning scheme including: Subdivision code Emerging community zone code Prescribed secondary code
Assessable development – Code assessment		
	Any other reconfiguring a lot not listed in this table.	Subdivision code Prescribed secondary code The applicable zone code

Note: The above tables are based on Council's level of assessment tables and should be extracted into any relevant conditions.

It is important to note that the proposed boundary line does not simply follow the mapped zoning, but is instead derived from the biodiversity and environmental values and koala habitat areas over the site, as analysed within the supporting Ecological Assessment Report prepared by AECOM. The Environmental Assessment confirmed that that habitat within proposed lot 170 was highly disturbed due to the high level of exotic weeds and other threatening processes. Furthermore, all remnant and high-value regrowth vegetation has been avoided.

Given that the proposed boundary line results in split zoning over both proposed allotments, it is considered that the zoning map has been incorrectly drafted and the overall net Conservation area is maintained. The intention of the boundary realignment is to create a future development lot (being proposed lot 170), whilst maintaining Stephens Mountain as a Conservation lot (being proposed lot 160).

In light of the above, the use of the small portion of the Conservation zoned land within proposed lot 170 will not have a detrimental impact on the management, protection and restoration of Stephens Mountain, which will be wholly retained within proposed lot 160. The development seeks to conserve and maintain the integrity of the city's wildlife, habitats and other significant ecological assets and processes over time, across public and private lands.

In summary, the technical assessments support the variation request to correct the incorrect zoning boundary and allow a consistent application of the Emerging community zone intent across the proposed lot 170.

4.0 Technical Reporting

4.1 Bushfire Hazard Assessment and Management Plan

Green Tape Solutions has prepared a Bushfire Hazard Assessment and Management Plan, which is provided at Appendix G. Whilst the site is identified as being impacted by bushfire hazard, this can be appropriately managed and mitigated.

The key findings of the report are:

- The bushfire assessment has been undertaken in accordance with a contemporary methodology i.e. the methodology outlined in the QFES BRC Technical Reference Guide (QFES, 2019) and utilises QFES-published inputs (FFDI and fuel loads) for hazardous vegetation classified in accordance with the QFES vegetation hazard classification system
- The results of the assessment determine that vegetation on top of the ridgelines surrounding the proposed development to the north, east and south has a potential bushfire hazard class of 'high' and 'very high' respectively. All other vegetation within 150 m of the development site is not classified as bushfire-prone and therefore, calculation of radiant heat flux/bushfire attack level (BAL) is not applicable
- An assessment against the Bushfire Overlay Code within the *Brisbane City Plan 2014* has been undertaken. Performance Outcome PO1 of the Bushfire Overlay Code specifies that building envelopes are to be separated from this vegetation, such that they achieve a maximum radiant heat flux of 29 kW/m² (BAL-29). To achieve this outcome, an Asset Protection Zone will be required between the hazardous vegetation and the development area.

4.2 Ecological Assessment and Tree Survey

AECOM has prepared an Ecological Assessment Report, which is provided at Appendix H. The key findings of the assessment are identified below.

- A total of 56 trees comprising a total of 14 species were recorded within the Site as part of the tree survey. No recorded trees are considered Significant Landscape Trees as per Schedule 2 of the *Natural Asset Local Law (NALL)*.
- Habitat features within the Site were generally limited due to the high level of disturbance resulting from exotic weeds, historical clearing and anthropogenic activity. The highest habitat value is provided by the modified regrowth Eucalyptus and Corymbia woodland, which contained dense ground cover, occasional woody debris and occasional to common koala habitat trees.
- Although the anticipated built form and land use of the Site has not yet been confirmed, an impact assessment was completed based on full clearing of the site. Indirect and direct impacts from the proposed development have been identified, including vegetation clearing, loss of potential habitat, habitat fragmentation, edge effects and weed spread. The assessment also provided details on how to avoid, minimise, mitigate and manage these impacts. Broadly, the outcome of the assessment was that impacts to ecological values are minimal given the highly disturbed nature of the Site, and the limited ecological value it contains.
- The Site boundary excludes areas mapped as Koala Habitat Areas (KHA). Therefore, the Project will not involve interfering with koala habitat in KHA and is not assessable development in accordance with Schedule 10, Part 1, Division 3, Subdivision 1, Section 16B of the *Planning Regulation 2017*.
- An assessment against the Biodiversity areas overlay code has been undertaken with the report, which demonstrates compliance with the relevant acceptable outcomes and correspondence performance outcomes, where applicable.

4.3 Services Technical Memorandum

To identify service alignments and points of connection for the proposed development, GHD prepared a services technical memorandum (refer to Appendix I). The technical memorandum demonstrated that both allotments can be connected to urban infrastructure, including water, sewer and stormwater.

5.0 Legislative Requirements

This section provides an overview of the legislative requirements and includes an assessment of the Project against the relevant assessment benchmarks.

5.1 State Legislation

5.1.1 Type of Development – Reconfiguring a Lot

The definition for Reconfiguring a lot is provided in the Planning Act, which states:

- (a) *creating lots by subdividing another lot; or*
- (b) *amalgamating 2 or more lots; or*
- (c) *rearranging the boundaries of a lot by registering a plan of subdivision under the Land Act or Land Title Act; or*
- (d) *dividing land into parts by agreement rendering different parts of a lot immediately available for separate disposition or separate occupation, other than by an agreement that is—*
 - (i) *a lease for a term, including renewal options, not exceeding 10 years; or*
 - (ii) *an agreement for the exclusive use of part of the common property for a community titles scheme under the Body Corporate and Community Management Act 1997; or*
- (e) *creating an easement giving access to a lot from a constructed road.*

The proposed development aligns with the definition for Reconfiguring a Lot and involves the rearrangement of the boundaries – 2 into 2 lots. Furthermore, the proposed development provides an easement over the existing pathway, providing public access to the roadway.

5.1.2 Category of Assessment

An assessment must be carried out in accordance with Section 45 of the Planning Act. As discussed in Section 5.2.6 of this report, the development application triggers impact assessment. Section 45(5) of the Planning Act states:

- (5) *An impact assessment is an assessment that—*
 - (a) *must be carried out –*
 - (i) *against the assessment benchmarks in a categorising instrument for the development; and*
 - (ii) *having regard to any matters prescribed by regulation for this subparagraph; and*
 - (b) *may be carried out against, or having regard to, any other relevant matter, other than a person's personal circumstances, financial or otherwise.*

Examples of another relevant matter—

- *a planning need*
- *the current relevance of the assessment benchmarks in the light of changed circumstances*
- *whether assessment benchmarks or other prescribed matters were based on material errors*

This Town Planning Report has been prepared in accordance with these requirements.

Given the development application triggers impact assessment and includes a variation request, public notification is required in accordance with section 53 of the Planning Act.

5.1.3 Assessment Manager

Pursuant to section 48 of the Planning Act and Schedule 8, Table 2, Item 1(b)(i) of the Planning Regulation 2017 (Planning Regulation), Brisbane City Council are the assessment manager for this development application.

5.1.4 State Planning Policy

The subject site is mapped as being affected by the following interests under the State Planning Policy (SPP):

- Biodiversity
 - MSES - Wildlife habitat (endangered or vulnerable)
 - MSES - Wildlife habitat (special least concern animal)
 - MSES - Wildlife habitat (koala habitat areas - core)
 - MSES - Regulated vegetation (category C)
 - MSES - Regulated vegetation (essential habitat)
 - MSES - Regulated vegetation (intersecting a watercourse)
- Natural Hazards Risk and Resilience
 - Flood hazard area - Local Government flood mapping area*
 - Bushfire prone area
- Transport Infrastructure
 - State-controlled road
 - Active transport corridor
- Strategic Airports And Aviation Facilities
 - Obstacle limitation surface area
 - Wildlife hazard buffer zone

As identified at Section 2.1 of the City Plan, all of the above-mentioned interests under the SPP are appropriately integrated into the City Plan, with the exception of the bushfire prone area. The supporting Bushfire Hazard Assessment and Management Plan provided at Appendix G addresses the requirements of the SPP. No further assessment is required on the other mapped interests, given they have been adequately integrated into the City Plan.

5.1.5 Regional Plan

The subject site is located within the Urban Footprint of the *South East Queensland Regional Plan 2017* (ShapingSEQ). As identified at Section 2.2 of the City Plan, the ShapingSEQ is appropriately integrated into the planning scheme and, therefore, a detailed assessment is not required.

5.1.6 Referrals and State Development Assessment Provisions

Under the Development Assessment Mapping System (DAMS), the Site is located within the following mapping:

- SEQ Regional Plan Triggers
 - SEQ Regional Plan land use categories SEQ Regional Plan land use categories
- Fish Habitat Areas
 - Moderate (amber) – Glindermann Creek
- Water Resources
 - Water resource planning area boundaries Water resource planning area boundaries
- Native Vegetation Clearing
 - Regulated vegetation management map (Category A and B extract)
- Koala Habitat Area
 - Core koala habitat area

- State Transport Corridor
 - State-controlled road State-controlled road
- Areas within 25m of a State Transport Corridor
 - Area within 25m of a State-controlled road Area within 25m of a State-controlled road
 - Area within 25m of a busway corridor Area within 25m of a busway corridor

Following a review of the Planning Regulation, the proposed development requires referral to the State Assessment and Referral Agency (SARA), pursuant to Schedule 10, Part 9, Division 4, Subdivision 2, Table 4.

Given that the Project does not involve any changes to the access to the state-controlled road and does not impact the busway corridor, a full assessment against State Code 1 and State Code 3 is not considered necessary.

5.2 Local Legislation

5.2.1 Brisbane City Plan 2014

The Brisbane City Plan 2014 is the local planning instrument applicable to development on the site. The current version of the City Plan is v30.0/2024 which came into effect on 13 September 2024. The proposed development has been assessed against this planning scheme.

5.2.2 Strategic Framework

The Strategic Framework as set out in part 4 of the City Plan outlines the policy direction and forms the basis for ensuring appropriate development occurs in the relevant planning scheme area. Council's vision for Brisbane and their strategic intent is outlined in five themes which set the policy direction in this framework, name its:

- Globally Competitive Economy
- Outstanding Lifestyle
- Clean and Green leading Environmental Performance
- Highly Effective Transport and Infrastructure
- CityShape

With reference to the Conservation Zone and Emerging Community Zone, it is noted that the overall outcomes outline development within these zones supports the implementation of the policy direction set out in the following components of the Strategic Framework:

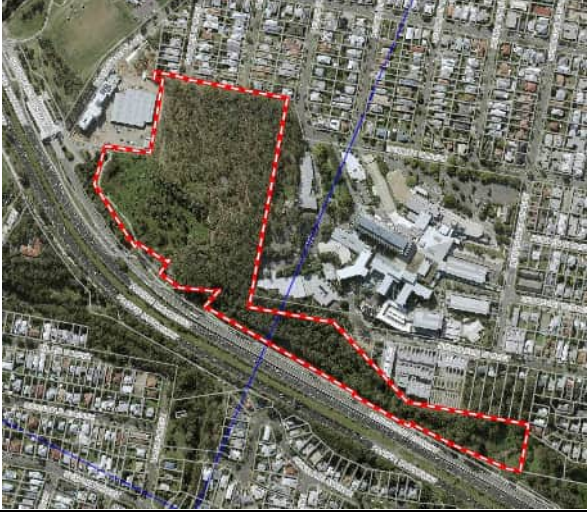


- Theme 2: Brisbane's outstanding lifestyle
 - Element 2.2 – Brisbane's housing and accommodation choices
- Theme 3: Brisbane's clean and green leading environmental performance
 - Element 3.1 – Brisbane's environmental values;
- Theme 5: Brisbane's CityShape
 - Element 5.5 – Brisbane's Suburban Living Areas
 - Element 5.6 – Brisbane's Greenspace System
 - Element 5.7 – Brisbane's Future Suburban Living Areas



These components of the Strategic Framework have been addressed at Appendix J.




5.2.3 Overlays




The Planning Scheme's overlay mapping has been reviewed to identify the overlays applicable to the proposed development. Table 6 provides an overview of the relevant Planning Scheme overlay mapping.


Table 6 Planning Scheme Overlays

Overlay Mapping	Applicability
<p>Airport environs overlay</p> 	<p>The Site is mapped within the following sub-categories under the Airport environs overlay:</p> <ul style="list-style-type: none"> • OLS - Approach and departure limitation surface boundary • Procedures for air navigation surfaces (PANS) • BBS zone - Distance from airport 3-8km <p>Under Table 5.10.2 of the City Plan, Reconfiguring a Lot does not trigger further assessment against the Airport environs overlay code.</p>
<p>Bicycle network overlay</p> 	<p>The Site is mapped as containing a secondary cycle route under the Bicycle network overlay. The existing bicycle pathway will be retained as part of this development application. Further assessment against the Bicycle network overlay code has been provided at Appendix J.</p>
<p>Biodiversity areas overlay</p> 	<p>Under the Biodiversity areas overlay, the Site is mapped within the following sub-categories:</p> <ul style="list-style-type: none"> • High ecological significance sub-category • High ecological significance strategic sub-category • Matters of state environmental significance (MSES) sub-category • Matters of state environmental significance (MSES) sub-category <p>Further assessment against the Biodiversity areas overlay code has been provided at Appendix J.</p>

Overlay Mapping	Applicability
<p data-bbox="188 371 384 400">Bushfire overlay</p> 	<p data-bbox="799 371 1388 555">The Site is mapped within the Medium hazard area sub-category and Medium hazard buffer area sub-category of the Bushfire overlay. The Bushfire overlay code has been addressed in the supporting Bushfire Hazard Assessment and Management Plan provided at Appendix G.</p>
<p data-bbox="188 920 639 949">Community purposes network overlay</p> 	<p data-bbox="799 920 1385 1133">The eastern portion of the site is mapped as an existing trunk park under the Community purposes network overlay. The proposed boundary realignment will not impact the existing mapped park. Further assessment against the Community purposes network overlay code has been provided at Appendix J.</p>
<p data-bbox="188 1480 724 1536">Critical infrastructure and movement network overlay</p> 	<p data-bbox="799 1480 1385 1599">The site is mapped within the Critical infrastructure and movement network overlay, however no further assessment against the code is required under Table 5.10.8 of the City Plan.</p>

Overlay Mapping	Applicability
<p data-bbox="185 371 352 405">Flood overlay</p> 	<p data-bbox="799 371 1394 584">Under the Flood overlay, the Site is mapped within Creek / waterway flood planning area 1 to 5 sub-categories. The mapped flooding occurs within the eastern portion of the site, which is not impacted by the proposed boundary realignment. On this basis, no further assessment against the Flood overlay code is considered necessary.</p>
<p data-bbox="185 898 724 931">Potential and actual acid sulfate soils overlay</p> 	<p data-bbox="799 898 1331 987">The Site is mapped within the following sub-category under the Potential and actual acid sulfate soils overlay:</p> <ul data-bbox="799 1021 1362 1088" style="list-style-type: none"> • Land above 5m AHD and below 20m AHD sub-category <p data-bbox="799 1111 1355 1178">The proposed reconfiguration of a lot is not triggered under Table 5.10.15 of the City Plan.</p>
<p data-bbox="185 1458 464 1491">Road hierarchy overlay</p> 	<p data-bbox="799 1458 1382 1615">Barnsdale Place and Nicholson Street are both mapped as 'neighbourhood roads' under the Road hierarchy overlay. Assessment against the Road hierarchy overlay code has been provided at Appendix J.</p>

Overlay Mapping	Applicability
<p data-bbox="188 371 544 405">Streetscape hierarchy overlay</p> 	<p data-bbox="799 371 1369 524">Barnsdale Place and Nicholson Street are both mapped as 'Neighbourhood street major' under the Streetscape hierarchy overlay. Assessment against the Streetscape hierarchy overlay code has been provided at Appendix J.</p>
<p data-bbox="188 938 619 972">Transport air quality corridor overlay</p> 	<p data-bbox="799 938 1385 1061">The Site is mapped within the Transport air quality corridor overlay, however under Table 5.10.22 of the City Plan, reconfiguring a lot does not trigger assessment against this overlay code.</p>
<p data-bbox="188 1491 568 1525">Transport noise corridor overlay</p> 	<p data-bbox="799 1491 1366 1644">Similar to the above, the Site is mapped within the Transport noise corridor overlay, however under Table 5.10.23 of the City Plan, reconfiguring a lot does not trigger assessment against this overlay code.</p>

Overlay Mapping	Applicability
<p>Waterway corridors overlay</p> 	<p>Under the Waterway corridors overlay, the Site is mapped within the Citywide waterway corridor sub-category. The mapped waterway is situated within the eastern portion of the site, which is not impacted by the proposed boundary realignment. On this basis, no further assessment against the Waterway corridors overlay code is considered necessary.</p>

5.2.4 Neighbourhood Plan

Under Council's online mapping system, the Site is located within the Coorparoo and districts neighbourhood plan and is within the following precincts:

- Stephens Mountain precinct - NPP-003
- Stephens Mountain reserve sub-precinct - NPP-003a
- Stephens Mountain west sub-precinct - NPP-003b

The overall outcomes of the Stephens Mountain Precinct are:

- a. *Development is designed to retain the landscape, habitat and ecological values of Stephens Mountain.*
- b. *Development is sensitive to the natural topography and complements the natural values of Stephens Mountain.*
- c. *Stephens Mountain reserve sub-precinct (Coorparoo and districts neighbourhood plan/NPP-003a) overall outcomes are:*
 - i. *development is designed to complement the scenic landscape and contributes to passive recreation values.*
- d. *Stephens Mountain west sub-precinct (Coorparoo and districts neighbourhood plan/NPP-003b) overall outcomes are:*
 - i. *any future development must be in accordance with an approved structure plan which considers the entire area zoned Emerging community;*
 - ii. *development located on the area zoned Emerging community, has consideration of the development constraints and does not adversely affect the character or environmental value of the land;*
 - iii. *development provides for land uses that provide an active frontage to the Greenslopes Busway station and plaza.*

A comprehensive assessment of the neighbourhood plan criteria has been undertaken at **Appendix J**. It is noted that the proposed development complies with all the relevant acceptable outcomes under the neighbourhood plan code.

5.2.5 Zone

As identified in Figure 4 below, the Site is located within the Emerging Community Zone, Conservation Zone and Open Space (Local) Zone. A comprehensive assessment of the zone codes have been undertaken at Appendix J. It is noted that the proposed development complies with the purpose and overall outcomes of the zone codes.



Figure 4 Zone Mapping (Source: Brisbane City Council, 2024)

5.2.6 Categories of Development and Assessment, and Assessment Benchmarks

Pursuant to Table 5.6.1 in the City Plan, a Reconfiguration of a Lot within the Conservation Zone and Emerging Community Zone is impact assessable. In particular, if a Reconfiguring a Lot is less than 10ha in the Emerging Community Zone with no associated assessable Material Change of Use, the application triggers impact assessment. In this instance, the proposed development will result in a lot less than 10ha. It is noted, the sites inclusion in the abovementioned overlays does not alter the category of development and assessment for the proposed development.

Part 5 of the Planning Scheme identifies the following assessment benchmarks are relevant to the assessment of the proposed development:

- Emerging Community Zone
- Conservation Zone
- Coorparoo and districts neighbourhood plan code
- Reconfiguring a Lot code
- Bicycle network overlay code

- Biodiversity areas overlay code
- Bushfire hazard overlay code
- Community purposes network overlay
- Road hierarchy overlay code
- Streetscape hierarchy overlay code

A detailed assessment of the proposed development against the above assessment benchmarks is provided at Appendix J.

Importantly, the proposed development is for boundary realignment and variation request. The proposed development does not involve a development permit for any associated built form or operational works. On this basis, a response to the secondary codes identified within the City Plan is not considered necessary.

6.0 Conclusion

This Town Planning Report has been prepared by AECOM on behalf of the Applicant. The purpose of this report is to document details of the proposed development and provide an assessment of the against the relevant assessment benchmarks.

The Applicant is seeking approval for a development permit for reconfiguring a lot, involving a two (2) into (2) lot boundary realignment plus access easements. Further, the application includes a Preliminary Approval for a Variation Request under s61 of the Planning Act 2016 and s32 of the Planning Regulation 2017 to vary the effect of the planning scheme for a Material Change of Use and Reconfiguring a Lot. The development application is made over land at 114 Nicholson Street and 36A Barnsdale Place, Greenslopes QLD 4120, more formally described as Lot 16 on SP115673 and Lot 2 on RP180002.

The purpose of the reconfiguration of the former Ekibin Quarry and Stephens Mountain Reserve to create a future development site, which excludes the environmental values of Stephens Mountain Reserve and a rockfall exclusion area below the former Ekibin Quarry Cliff Face. The technical assessments support the variation request to correct the incorrect zoning boundary and allow a consistent application of the Emerging community zone intent across the proposed lot 170.

The proposed development triggers impact assessment and requires public notification for a minimum of 30 business days. The development application will require referral to the Department of State Development, Infrastructure and Planning (DSDIP) as represented by SARA for infrastructure related matters. The proposed development complies with the relevant assessment benchmarks and is therefore recommended for approval at Council's earliest convenience.

Appendix A

DA Form 1

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)	Brisbane City Council
Contact name (only applicable for companies)	C/- AECOM Australia Pty Ltd Laura Heckel
Postal address (P.O. Box or street address)	PO Box 1307
Suburb	Fortitude Valley
State	QLD
Postcode	4006
Country	Australia
Contact number	0427 648 637
Email address (non-mandatory)	Laura.heckel@aecom.com
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	60692319

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
		114	Nicholson Street	Greenslopes
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4120	16	SP115673	Brisbane City Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
		36A	Barnsdale Place	Greenslopes
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4120	2	RP180002	Brisbane City 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: <input type="text"/>	

- Coordinates of premises by easting and northing

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

3.3) Additional premises

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

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- In a tidal area

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

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

<input type="checkbox"/> On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>
Name of airport: <input type="text"/>
<input checked="" type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification: <input type="text" value="26171"/>
<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):*

Reconfiguring a Lot (Boundary Realignment – 2 into 2 lots) plus easements

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):*

Preliminary Approval that includes a variation request to override the planning scheme for Material Change of Use and Reconfiguring a Lot (to apply the level of assessment for the Emerging Community Zone to proposed lot 170)

e) Relevant plans

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

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

6.3) Additional aspects of development

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

6.4) Is the application for State facilitated development?

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

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

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

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use

Provide a general description of the proposed use	Provide the planning scheme definition <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>
Dwelling House	Dwelling House	N/A	N/A
Utility Installation	Utility Installation	N/A	N/A

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?

Two (2) lots

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

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

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

Brisbane City Council

16) Has the local government agreed to apply a superseded planning scheme for this development application?

- Yes – a copy of the decision notice is attached to this development application
- The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- No

PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements?

Note: A development application will require referral if prescribed by the Planning Regulation 2017.

- No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6

Matters requiring referral to the **Chief Executive of the Planning Act 2016:**

- Clearing native vegetation
- Contaminated land (*unexploded ordnance*)
- Environmentally relevant activities (ERA) (*only if the ERA has not been devolved to a local government*)
- Fisheries – aquaculture
- Fisheries – declared fish habitat area
- Fisheries – marine plants
- Fisheries – waterway barrier works
- Hazardous chemical facilities
- Heritage places – Queensland heritage place (*on or near a Queensland heritage place*)
- Infrastructure-related referrals – designated premises
- Infrastructure-related referrals – state transport infrastructure
- Infrastructure-related referrals – State transport corridor and future State transport corridor
- Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
- Infrastructure-related referrals – near a state-controlled road intersection
- Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
- Koala habitat in SEQ region – key resource areas
- Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
- Ports – Brisbane core port land – environmentally relevant activity (ERA)
- Ports – Brisbane core port land – tidal works or work in a coastal management district
- Ports – Brisbane core port land – hazardous chemical facility
- Ports – Brisbane core port land – taking or interfering with water
- Ports – Brisbane core port land – referable dams
- Ports – Brisbane core port land – fisheries
- Ports – Land within Port of Brisbane's port limits (*below high-water mark*)
- SEQ development area
- SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- SEQ regional landscape and rural production area or SEQ rural living area – community activity
- SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- SEQ regional landscape and rural production area or SEQ rural living area – combined use

- SEQ northern inter-urban break – tourist activity or sport and recreation activity
- SEQ northern inter-urban break – community activity
- SEQ northern inter-urban break – indoor recreation
- SEQ northern inter-urban break – urban activity
- SEQ northern inter-urban break – combined use
- Tidal works or works in a coastal management district
- Reconfiguring a lot in a coastal management district or for a canal
- Erosion prone area in a coastal management district
- Urban design
- Water-related development – taking or interfering with water
- Water-related development – removing quarry material *(from a watercourse or lake)*
- Water-related development – referable dams
- Water-related development –levees *(category 3 levees only)*
- Wetland protection area

Matters requiring referral to the **local government:**

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

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

- Infrastructure-related referrals – Electricity infrastructure

Matters requiring referral to:

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

Matters requiring referral to the **Brisbane City Council:**

- Ports – Brisbane core port land

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

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

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

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

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

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

Matters requiring referral to the **Gold Coast Waterways Authority:**

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

Matters requiring referral to the **Queensland Fire and Emergency Service:**

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

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

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

Referral requirement	Referral agency	Date of referral response

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

PART 6 – INFORMATION REQUEST

19) Information request under the DA Rules

- I agree to receive an information request if determined necessary for this development application
 I do not agree to accept an information request for this development application

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

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

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

PART 7 – FURTHER DETAILS

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

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

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

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

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

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

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

- Yes – show cause or enforcement notice is attached
 No

23) Further legislative requirements

Environmentally relevant activities

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

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

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

Proposed ERA number:		Proposed ERA threshold:	
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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 <i>Transport Infrastructure Act 1994</i>	
23.14) Does this development application involve new or changed access to a state-controlled road?	
<input type="checkbox"/> Yes – this application will be taken to be an application for a decision under section 62 of the <i>Transport Infrastructure Act 1994</i> (subject to the conditions in section 75 of the <i>Transport Infrastructure Act 1994</i> being satisfied) <input checked="" type="checkbox"/> 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?	
<input type="checkbox"/> Yes – Schedule 12A is applicable to the development application and the assessment benchmarks contained in schedule 12A have been considered <input checked="" type="checkbox"/> No	
<i>Note: See guidance materials at www.planning.statedevelopment.qld.gov.au for further information.</i>	

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 <i>Note: See the Planning Regulation 2017 for referral requirements</i>	<input checked="" type="checkbox"/> Yes
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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
Supporting information addressing any applicable assessment benchmarks is with the development application <i>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.</i>	<input checked="" type="checkbox"/> Yes
Relevant plans of the development are attached to this development application <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>	<input checked="" type="checkbox"/> Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
25) Applicant declaration	
<input checked="" type="checkbox"/> By making this development application, I declare that all information in this development application is true and correct <input checked="" type="checkbox"/> 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 <i>Electronic Transactions Act 2001</i> <i>Note: It is unlawful to intentionally provide false or misleading information.</i>	
<p>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.</p> <p>Personal information will not be disclosed for a purpose unrelated to the <i>Planning Act 2016</i>, <i>Planning Regulation 2017</i> and the <i>DA Rules</i> except where:</p> <ul style="list-style-type: none"> such disclosure is in accordance with the provisions about public access to documents contained in the <i>Planning Act 2016</i> and the <i>Planning Regulation 2017</i>, and the access rules made under the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i>; or required by other legislation (including the <i>Right to Information Act 2009</i>); 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	
<i>Note: For completion by assessment manager if applicable</i>	
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	