

**ASSESSMENT REPORT FOR BOUNDARY REALIGNMENT OF TWO LOTS at
351 Rocky Gully Road Coominya**

1.00 Executive Summary

Prepared by:-

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1.02 Site Details:

- (i) **Address:-** 351 Rocky Gully Road, Coominya
- (ii) **RPD:** Lot 13 on SP270292 & Lot 14 on CA311223, Parish of England, County of Cavendish
- (iii) **Area of Site:** 235.3 Hectares
- (iv) **Existing Zone:** Rural
- (v) **Name of Owner:** QLD RURAL INVESTMENTS PTY LTD A.C.N. 163 131 039

1.03 Application Details

- (i) **Type of Application**
Application under the *Sustainable Planning Act 2009* (SPA) for a reconfiguration of a Lot
- (ii) **Description of Proposal**
Obtain Development Approval to permit a boundary realignment of two lots .
- (iii) The land will be subdivided into two regularly shaped lots, one of 2.32 Hectares fronting Pensacola Drive via an easement.and one of 233.1 hectares fronting Rocky Gully Road and Butterfield Road(unconstructed)
- (iv) **Applicant:** A & T Surveying,
- (v) **Contact Person:** Allan McLaughlin , Consulting Surveyor Phone & Fax 3714 9141
E-mail atsurvey@optusnet.com.au
My Reference: 13-14 Pensacola Revision B

2.0 Site History

- **Current Use:** The site is occupied by an existing chicken farm on the northern western end of the existing Lots.
- **Prelodgement Advise** We have received informal pre-lodgment advice from Council which indicated that the proposal was feasible for the site.
- **Existing Approvals.** No existing approvals for realignment of reconfiguration of the site are in evidence.
- **Need.** The need for the development is to better align the boundaries to give Lot 14 legal frontage to Rocky Gully Road as there is now a dedicated frontage of the proposed Lot 13 to the western end of Pensacola Parade via a 20 metre wide and 10 metre deep Access Easement.

3.0 Site Characteristics

- **Topography:** The topography is gently sloping to the south west
- The slope of the site is very gentle and does not hinder access to the site. Views are restricted to rural views views.
- **Road Frontage.** The site has numerous road frontages to both made and unmade roads
 - 559 Metres frontage to Rocky Gully Road
 - 20 metres frontage to Pensacola Parade
 - 1927 metres frontage to Butterfield Road (unconstructed)
 - 1234 metres frontage to Road #5121 (unconstructed)
 - 2045 metres frontage to Road # 5120 (unconstructed)
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- **Shape of Site.** The site is an original portion, regularly shaped lot in rural countryside unsurveyed since the 1890's
- **Existing Significant Vegetation:** Some significant vegetation exists on site and is covered by a Biodiversity and Scenic amenity overlay on the existing Town Plan. This proposal will not damage any vegetation as the new boundary will be along the eastern side of an existing power line easement.
- **Surrounding Land Use.** The surrounding land use on all sides is restricted to rural and rural residential uses
- **Existing Built form of the area.** The existing buildings on site are farming buildings and recent removal homes placed on the western side of the Lot 14 near the chicken farm complex , and one in Proposed Lot 13 near the Pensacola

Parade frontage. The existing Lots along Pensacola Parade all have detached housing and miscellaneous outbuildings

- **Anticipated Future development.** In the future my client envisages another subdivision of the eastern side of Lot 14.
One of these future Lots will be bounded to the west by the Electricity Easement and the western end of Pensacola Parade.
Another Proposed Lot will be bounded by the Electricity easement to the west and Butterfield Road to the north and east .
- This future subdivision will allow another two dwelling house to be erected on the eastern side of the proposed Lot 14. One of these proposed Lots will replace the Lot 15 on RP 151308 that was amalgamated into Lot 13 last year.

4.00 Public Notification Procedures

- This application will not need public notification procedures

5.00 Somerset Regional Council (Old Esk Shire Plan) Rural Zone

Level of Assessment

(i) Primary Codes

Rural Zone

(ii) Secondary Codes

Reconfiguration of a Lot Code

(iii) Reports

- Executive Summary
- Codes as listed

6.0 Preamble

- The land is occupied by a chicken raising facility and a recently erected relocated dwelling on the proposed Lot 14. The site area is 235.3 hectares
- The land is currently serviced by, electric power, and telephone with bitumen road, to the Rocky Gully Road and Pensacola Parade frontages.
- The other frontages to roads are unconstructed and not normally trafficable.

- The zoning is Rural Zone.
- The proposal is in a rural area of Coominya in a precinct with some similar sized lots to the proposal and some rural residential lots along Pensacola Parade.
- Site Access and Traffic. Access to the site will be via the existing road frontage to Rocky Gully Road for Lot 14 and Pensacola Parade for Lot 13.
- Refuse Disposal and Servicing. The refuse servicing will be via the existing Council services along the street frontage as per all other dwellings in the street.
- Amenity. The site is near to bitumen road transport and has extensive existing road systems present. The road frontage is serviced by bitumen road of sufficient size to handle any extra traffic flow generated by the realignment of the Lots.

Desired Environmental Outcomes

- Summary of Compliance. We believe that the proposed development will not cause any future problems and is a generally appropriate development for the area.
- Suitability. The size of the resulting Lot 14 , being over 100 hectares. will not affect the viability or value of the property for Rural uses.
- Lot 13 is proposed for Rural residential purposes and is consistent with the adjoining properties in Pensacola Parade and well removed from the chicken farm operation on Lot 14
- Compatibility. The development is compatible with the area and will blend in with the existing land use.
- Established Planning Principles. The development application shows substantial compliance with the Esk Shire Planning Scheme 2005 , the requirements of the locality and planning principles for the development as stated in the codes.

Subdivision Code

Generally

This document will consider the requirements of the rural code and indicate the development's compliance or otherwise with the Code.

Secondary Codes

Compliance with the Reconfiguring of a Lot code will form part of this application and will be discussed in following chapters of this report.

Planning Approach

Rural Code

This proposal satisfies the majority of the acceptable solutions required by the code, and where this is not possible, a realistic performance based solution is provided. The following is an extract from the code and our responses noted in **Bold Face**.

The overall outcomes sought for the Rural Zone are as follows:

- (a) good quality agricultural land is protected from fragmentation and the intrusion of incompatible uses;*
- (b) existing rural activities (including intensive animal industries) are protected from encroachment by incompatible uses;*
- (c) development is to maintain or enhance the rural amenity, character, environmental and landscape values of these areas;*
- (d) buildings and structures are designed and sited to be compatible with the rural character of the surrounding areas;*
- (e) where rural land adjoins areas designated for non-rural uses, appropriate buffer areas are to be provided within a development site;*
- (f) land is to be used sustainably, consistent with any environmental or physical constraints and within the land's productive capacity;*

(3) Overall outcomes for each of the precincts of the Rural Zone are:

(a) Arable Agricultural:- irrigated agriculture remains the dominant land use along with horticulture in the Patrick

Estate and Lower Lockyer;- land uses which are inconsistent with arable uses or irrigation and uses which value add to or service these industries are encouraged to locate on those lands within the precinct that are not suitable for irrigation;- amalgamation of land identified as Agricultural land Class A, B or C1 (as identified on MAP OM1A) occurs to achieve viable farm holdings.

(b) Rural Pursuits: beef cattle breeding and grass fattening (animal husbandry as defined in the scheme) on cleared lands occurs but with non-commercial rural uses dominating; amalgamation of land identified as Agricultural Land Class A, B or C1 (as identified on MAP OM1A) occurs to achieve viable farm holdings.

(c) Sub-catchment Valleys:

_ beef cattle breeding and grass fattening on cleared lands predominates.

(d) Catchment:

_ beef cattle breeding predominates with lower stocking rates on the steeper lands;

_ outdoor entertainment (adventure and eco-tourism) opportunities are realised.

We believe that this proposal complies with the overall outcomes of the Rural Zone being a boundary realignment and no densification of dwellings or lot areas will still cater for the rural uses of the Lots.

4.16 Specific outcomes, acceptable solutions and probable solutions for the Rural Zone

(1) The provisions of Part A apply only to self-assessable development in the Rural Zone, while both Parts A and B apply to code or impact assessable development in the Zone.

(2) Where assessable development is proposed, acceptable solutions are to be read and applied as if they are probable solutions only.

4.16(A): Additional Provisions applicable to self-assessable, code assessable and impact assessable development

Specific outcomes Acceptable solutions

Element (i): ANIMAL ENCLOSURES

SO1

Development of animal enclosures minimises impacts on amenity of surrounding land uses

AS1.1

Animal enclosures and associated structures which impede the movement of native wildlife are setback a minimum of: 50 metres from any existing or approved houses on adjoining properties; 15 metres from any house on the same allotment; and 15 metres from any boundary

AS1.2

Bee keeping facilities are set back a minimum of 25 metres from any public road and 200 metres from a residential area and the existence of hives is sign posted at the closest road frontages

The existing animal enclosures on the proposed Lot 14 are compliant and the boundary relocation will not affect the minimum clearances as stated above.

Element (ii): SALE OF PRODUCE

SO2

The display and sale of agricultural produce maintains the amenity, character and safety of rural areas

AS2.1

Any structure used for the sale of produce is: limited to 20m² floor area, and setback a minimum of 15 metres from any allotment boundary

AS2.2

Access to the structure is via the primary property access point

AS2.3

Provision is made for the informal parking of 3 vehicles on the allotment. The car parking area may be unsealed but is to be clearly designated for car parking purposes.

There will be no sale of produce on the Lots.

Element (iii): ANCILLARY STRUCTURES

SO3

Development maintains local character, amenity and public health

AS3

Any ancillary structures (class 10 buildings) are for non-habitable/domestic use only

All ancillary buildings will be used for non-habitable use only

Element (iv): INFRASTRUCTURE

SO4

An adequate, safe and reliable supply of potable and general use water, including (where available) connection to an approved reticulated system

AS4.1

Where in a Council water supply area, the development is connected to the Council's reticulated water supply system

OR

AS4.2

Where not in a Council water supply area, the development is to have a potable water supply designed and constructed to standards stated in

The existing potable water supply and infrastructure on site will remain unchanged.

SO5

Provision is made for the treatment and disposal of sewerage and other waste water so that acceptable public health and environmental standards (to maintain potable water quality values) are maintained

AS5.2

Where not in a sewerage area an on-site effluent disposal system is designed and constructed to standards stated in Schedule 3

The existing sewerage disposal on site will remain unchanged and suitable for the future use of the land

SO6

Alterations or repairs to public utility mains, services or installations and drainage works are undertaken where involved in or caused by a development

AS6

Alterations or repairs to public utility mains, services or installations and drainage works as required as a result of the construction work

No public utility services or installations will be affected by this proposal.

SO7

Electrical infrastructure is protected to ensure its efficient and safe operation

AS7.1

No development is to occur within a registered electricity easement

AS7.2

No development is to occur within 4.6m of an electricity line

No development will occur within the existing electrical transmission easement or near the existing electricity lines.

Element (v): WASTE DISPOSAL

SO7

On-site waste is disposed of in a manner that minimises impacts on surface water/groundwater

PS8.1

All concentrated use areas (e.g. cattle yards, stock feeding areas) are provided with site drainage to ensure all run off is directed to filtration or treatment areas

PS8.2

Waste disposal areas are situated where there is no risk of contaminating groundwater or surface water resources, and of size and design to provide for the amount of waste generated on the site

PS8.3

Carcasses are disposed of by burial or composting in locations that avoid contaminating water resources or impacting on the amenity of adjoining uses

The existing waste disposal on site will remain unchanged and suitable for the future use of the land.

Element (vi): RESOURCE MANAGEMENT

SO9

Development is carried out in a manner that: prevent salinisation; maintain water quality; and minimises other adverse ecological and environmental impacts on the site or the surrounding area

The proposed development will not create adverse environmental impacts

Element (vii): CHARACTER/LANDSCAPE/AMENITY

SO10

Development in rural areas is compatible with the desired character and amenity of the area, and with the scenic and landscape values of the area

PS10.1

Premises are located so that material and product haulage routes do not pass through residential areas.

PS10.2

On-site landscaping is established and maintained so as to: retain existing native vegetation; and effectively screen all non-residential buildings, structures and outdoor use areas from view from

surrounding roads and dwellings

PS10.3

Important views to or across the site are maintained

PS10.4

Disruption to the natural profile of the land and visual scarring from development is minimised

PS10.5

Development is designed and located to protect air, water and soil quality

There will be no disturbance to any vegetation on the site by this boundary relocation as the proposed boundary follows an existing electricity transmission easement that has been cleared and maintained for at least 30 years in the current location.

Element (viii): CULTURAL HERITAGE

SO11

The significance of known places of indigenous cultural heritage value is retained

There will be no disturbance to any known cultural heritage in the area by this proposal

Element (ix): LAND STABILITY

SO12

Land stability is maintained, having regard to: geological and topographic conditions of the land (including steep slopes); extent of earthworks; location and design of roads and access

PS12

Vehicular access is safe, with a slope not greater than 20%, and is not likely to cause erosion driveways; location and design of buildings and other structures; and ∞ change to natural drainage patterns

The slope of the land is very gentle and stable and there are no proposed earthworks with this proposal.

Element (x): INFRASTRUCTURE

SO13

The safe and efficient operation of roads is maintained having regard to: the nature of vehicles using the road; the location of uses that may be adversely affected by noise or dust generated from the use of the road; the location and design of access points; and the design of stormwater drainage

PS13

Vehicular access is designed and constructed to standards stated in Planning Scheme Policy No. 8

The existing infrastructure will be unaffected by this boundary realignment

SO14

The street or road network linking a development site to an arterial road must be designed and constructed to function safely and efficiently and have the capacity to accommodate projected traffic Movements.

For a use which generates high volumes of traffic or significant heavy vehicle traffic, paved road access is provided between the site and a suitable part of the existing road network

This proposal will not affect the current access or traffic volume to the site, it is merely changing an internal boundary.

SO15

Water supply, sewerage and roads are provided to:

- (i) meet appropriate standards at the least whole of life cost, including avoiding unnecessary duplications;
- (ii) be robust and fit for the purpose and intended period of operation;
- (iii) be easily maintained without unnecessarily requiring specialist experts or equipment;
- (iv) be comprised of components and materials that are readily accessible and available from numerous local sources; and
- (v) be readily integrated with existing systems and facilitate the orderly provision of future systems

PS15.1

Roads, water supply and sewerage works are designed and constructed to standards stated in Schedule 3 and Planning Scheme Policy No. 8

PS15.2

Where connection is made to Council's reticulated water supply and sewerage systems headworks contributions are paid to Council in accordance with Planning Scheme Policy No. 5

There will be no change to the water supply, sewerage and roads are provided to the site.

SO16

On-site parking accommodates the number and nature of vehicles required to service use on the site

PS16

On-site car parking is provided in accordance with the standards stated in Planning Scheme Policy No.3

SO17

Driveways, turning areas, parking and vehicle standing areas are designed, constructed and maintained:

- (i) at a gradient suitable for vehicle parking;
- (ii) such that it is effectively drained and sealed;
- (iii) such that spaces are clearly marked and signed as appropriate; and
- (iv) such that conflicts are minimised and public safety maximised
- (v) such that vehicles enter and exit the site in a forward gear

There will be no change to access and on site infrastructure and vehicle manoeuvring and parking areas by this proposal.

Reconfiguring a Lot Code

Overall outcomes for the Reconfiguring a Lot Code

(1) The overall outcome is the purpose of the Reconfiguring a Lot Code.

(2) The overall outcome of the Reconfiguring a Lot Code is to ensure:

- *allotment design and size is suited to its intended use;*
- *rural lot sizes support viable rural production and do not limit the carrying out of rural pursuits;*
- *areas of environmental significance are protected or avoided;*
- *a range of allotment sizes are available to meet the needs of the community;*
- *infrastructure and services are supplied in an efficient manner;*
- *sustainable on-site sewerage disposal and on site water supply in areas where reticulated services are not available;*
- *maintenance of the productive capacity of good quality agricultural land and other rural land;*
- *urban design outcomes promote energy efficiency;*
- *urban design promotes walking, cycling and public transport as alternative forms of transport to the private car.*

(3) The provisions of this code will be used in assessing a proposal to reconfigure a lot which is code or impact assessable in any zone.

Provisions applicable to reconfiguration of lots in the Rural Zone

SO1

Lots must be of an appropriate size and configuration to sustain the utility and productive capacity of the land for rural purposes, and to reduce potential for impacts on the natural environment by facilitating opportunities for the implementation of improved land management practices and through provision of safe and adequate water supply and sewage disposal

Development involving a realignment of boundaries does not result in:

- fragmentation of rural lands and loss of land to rural production
- conflict between farming and residential uses;
- loss of farming flexibility
- ribbon development along rural roads
- detrimental impacts on areas of ecological and scenic values;
- loss of practical access to extractive and mineral resources; or
- a net increase in the number of lots within the Rural zone

This proposal complies with the area requirements with resulting area of Lot 14 greater than 100 hectares, keeping the sizing of the land suited to future viability of the land for commercial production.

No change in the flexibility of use of the land and no detrimental effects on the ecological or scenic values of the property is envisaged.

No clearing or change of land use is envisaged on the site.

SO2

Lots created for 'utilities – public' purposes, must be of an appropriate size to contain the utility without unnecessary alienation of rural land

There are no public uses to be dedicated on this proposal

I, Allan David McLaughlin, Licensed Surveyor, hereby certify that this report has been correctly compiled, and the proposal complies with the acceptable solutions where stated, and where acceptable solutions are not met, the proposal complies with the relevant performance criteria.



2-6-2015