

29 April 2019

The Chief Executive Officer
Douglas Shire Council
PO Box 723
MOSSMAN QLD 4873

Attention: Neil Beck
Team Leader – Planning

Delivery: enquiries@douglas.qld.gov.au

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Dear Mr. Beck,

DEVELOPMENT APPLICATION SEEKING A DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE (MULTIPLE DWELLING IN ADDITION TO EXISTING SHORT-TERM ACCOMMODATION USE RIGHTS) RELATING TO LAND LOCATED AT 'PARADISE LINKS RESORT' UNIT 24 / 24-70 NAUTILUS STREET, CRAIGLIE (LOT 24 ON SP144717)

We act on behalf of *B & S Richmond Pty Ltd A.C.N. 006 138 049* ('the Applicant').

On behalf of the Applicant, please accept this correspondence and the accompanying attachments as a properly made Development Application pursuant to Sections 50 and 51 of the *Planning Act 2016* (**the Planning Act**) seeking a Development Permit for Material Change of Use (Multiple Dwelling in addition to existing Short-Term Accommodation Use rights).

Please find **enclosed** the following documentation associated with this development application:

- (a) **Attachment A: Application Form** which includes:
 - DA Form 1 – Development Application details; and
 - Land Owners Consent.
- (b) **Attachment B: Site Searches**, which includes:
 - Certificate of Title; and
 - Existing Survey Plan.

The following sections of this correspondence discuss the relevant details of the Development Application, including the site, the proposed development and the applicable statutory town planning framework, and provides an assessment of the proposal against this framework.

We understand that the relevant application fee in this instance is **\$950.00**, confirmed via email correspondence dated 26 April 2019. The applicable fee will be paid by the Applicant following lodgement.

1. SUBJECT SITE

1.1. Context

This Development Application has regard to Unit 24 of 'Paradise Links Resort', a complex comprising two storey 2, 3 and 4 bedroom Villas located at 24-70 Nautilus Street, Craigie (**the site** – refer also to **Figure 1**), which incorporates residential and tourism land uses.

The site is more accurately described as Lot 24 on SP144717. The registered owner of the site is B & S Richmond Pty Ltd A.C.N. 006 138 049.

Unit 24, a three-bedroom villa, is benefitted by an approval for Short-Term Accommodation use (only).

Refer to **Attachment A** and **Attachment B** for further details.



Figure 1 – The Site

1.2. Existing Site Features

The site is improved by a two storey dwelling. The ground floor comprises indoor and outdoor living areas, kitchen, laundry, one bedroom, and a double lock up garage. Two bedrooms, including the master bedroom, are located on the upper floor.

The site is currently adequately serviced in terms of connection to existing urban infrastructure services as well as adequate access to private (exclusive use areas) and public (common property) recreational spaces. The subject site contains an existing double garage. This is located on the property title. It is considered that the subject site is afforded a level of services one would expect attributed to a Multiple Dwelling.

The property is professionally landscaped and maintained.

Common resort facilities and services are available for use within the common property of the complex, including for example, swimming pools, tennis court, BBQ areas, etc.

Review of the Community Management Scheme further confirms the By-laws do not regulate short term or permanent residential occupation of the site.

2. PROPOSED DEVELOPMENT

The proposed development relates to an existing freehold unit within the Paradise Links Resort Craiglie. The Applicant seeks a Development Permit for Multiple Dwelling and Short-Term Accommodation, to provide for 'dual' approved land uses at the site, allowing for either permanent residential occupation or short-term accommodation for a temporary period of time. The intent of this application is to allow greater flexibility in the occupation of the unit.

No internal or external building works are proposed.

Overall, the proposed development is consistent with the residential zoning of the site and complements the surrounding residential and tourist land uses. The proposed development is not considered to affect the privacy, amenity or access arrangements for any surrounding lots.

This application is made subsequent to development approvals granted for dual land use (Multiple Dwelling and Short-term Accommodation) within the complex (for example, Lot 22 and Lot 26).

3. DOUGLAS SHIRE PLANNING SCHEME 2018

3.1. Zoning Designation

The site is wholly located within the Medium Density Residential Zone under the *Douglas Shire Planning Scheme 2018 (the Planning Scheme)*.

3.2. Local Plan

The subject site is included within the Port Douglas Craiglie Local Plan. The Local Plan does not identify any Precincts applicable to the site.

3.3. Overlays

The site is subject to only one overlay – the Acid Sulfate Soils Overlay.

3.4. Level of Assessment

Material Change of Use development for Multiple Dwelling within the Medium Density Residential Zone is identified as Assessable Development, to which Code Assessment is applicable. The category of assessment of the proposed development is not otherwise altered by the Planning Scheme.

3.5. Assessment Criteria

Table 5.6.h of the Planning Scheme identifies that the following codes are applicable to the assessment of the proposed development:

Zone Code

- Medium Density Residential Zone Code

Local Plan Code

- Port Douglas / Craiglie Local Plan Code

Overlay Codes

- Acid Sulfate Soils Overlay Code

Development Codes

- Multiple Dwelling, Short Term Accommodation & Retirement Facility Code
- Access Parking and Servicing Code
- Filling and Excavation Code
- Infrastructure Works Code
- Landscaping Code

In consideration that the Material Change of Use is proposed within an existing building that is benefitted by an approval for Short-term Accommodation (i.e. also an 'Accommodation activity'), a detailed assessment of the proposed development against the relevant assessment benchmarks has not been undertaken in this instance. A summary of compliance regarding the applicable assessment criteria is however provided below.

4. ASSESSMENT OF COMPLIANCE

4.1 Medium Density Residential Zone Code

The purpose of the Medium Density Residential Zone Code is:

“...to provide for a range and mix of dwelling types including dwelling houses and multiple dwellings supported by community uses and small-scale services and facilities that cater for local residents.”

The proposed development for a single Multiple Dwelling (plus existing use rights) is considered to directly align with the purpose of the zone.

The Development Application complies with the applicable Acceptable Outcomes of the Medium Density Residential Zone Code. No Alternative Outcomes are proposed.

4.2 Port Douglas / Craiglie Local Plan Code

The proposed use complies with the applicable Acceptable Outcomes of the Port Douglas/Craiglie Local Plan Code. No Alternative Outcomes are proposed.

4.3 Acid Sulfate Soils Overlay Code

The proposed use complies with the Acid Sulfate Soils Overlay Code. No excavation or filling is proposed which would lead to the disturbance of Acid Sulfate Soils.

4.4 Multiple Dwelling, Short Term Accommodation & Retirement Facility Code

Under the Planning Scheme, both Short-term Accommodation (the existing land use) and Multiple Dwellings (the proposed additional land use) are addressed within the ‘Multiple Dwelling, Short Term Accommodation & Retirement Facility’ and use code. The code does not identify any differential requirements for Multiple Dwelling development.

The existing development is compatible with and complementary to surrounding development, and therefore does not conflict with the purpose and applicable outcomes of the Multiple Dwelling, Short Term Accommodation & Retirement Facility Code

4.5 Access Parking and Servicing Code

For Multiple Dwelling land use, where outside Precinct 1 :Port Douglas precinct in the Port Douglas Craiglie Local Plan, a minimum of 1.5 car spaces is required per dwelling unit. Further, 60% of the car parking area is to be covered.

A double lock up garage is provided on the title, therefore the development exceeds the minimum requirements.

The existing access and driveway, which services the resort complex, is understood to be of an acceptable Council standard.

4.6 Filling and Excavation Code

The proposed development does not involve filling or excavation. The Filling and Excavation Code is therefore not applicable to the proposed development.

4.7 Infrastructure Works Code

The site is connected to existing water, sewer, electricity and telecommunications infrastructure. No further servicing of the development is proposed nor required.

4.8 Landscaping Code

The subject site (and resort complex) is currently landscaped and maintained. No further landscaping of the development is proposed nor required.

5. CONCLUSION

This report forms part of an application in seeking a Development Permit for Material Change of Use (Multiple Dwelling in addition to existing Short-Term Accommodation Use rights) over land at 24 / 24-70 Nautilus Street, Craiglie (Lots 24 on SP144717).

Assessment of the proposed development against the applicable planning framework has been undertaken in order to assess the compliance of the proposal with the relevant assessment criteria.

The information provided in this report demonstrates that the proposed development achieves compliance with the applicable provisions of the relevant planning framework.

We therefore respectfully request that Council favourably consider the proposed development and approve the development application, subject to reasonable and relevant conditions.

If you have any queries, please contact me on 4034 0500 or via email at daniel.favier@cardno.com.au.

Yours faithfully,



Daniel Favier
Senior Planner
For Cardno

Attachment A

Application Form

DA Form 1 – Development application details

Approved form (version 1.1 effective 22 JUNE 2018) 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 building work.

For a development application involving **building work only**, use *DA Form 2 – Building work details*.

For a development application involving **building work associated with any other type of assessable development (i.e. material change of use, operational work or reconfiguring a lot)**, use this form (*DA Form 1*) and parts 4 to 6 of *DA Form 2 – Building work details*.

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994*, and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

Note: All terms used in this form have the meaning given under the Planning Act 2016, the Planning Regulation 2017, or the Development Assessment Rules (DA Rules).

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) <i>(individual or company full name)</i>	B & S RICHMOND PTY LTD A.C.N. 006 138 049
Contact name <i>(only applicable for companies)</i>	c/- Cardno (Qld) Pty Ltd
Postal address <i>(P.O. Box or street address)</i>	PO Box 1619
Suburb	Parramatta Park
State	QLD
Postcode	4870
Country	Australia
Contact number	07 4034 0503
Email address <i>(non-mandatory)</i>	daniel.favier@cardno.com.au
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	Q194068

2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input checked="" type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application	
<input type="checkbox"/> 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
	24	24-70	Nautilus Street	Craiglie
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
		24	SP144717	Douglas
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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. Only one set of coordinates is required for this part.

Coordinates of premises by longitude and latitude

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

Coordinates of premises by easting and northing

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

3.3) Additional premises

Additional premises are relevant to this development application and their details have been attached in a schedule to this 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):

On airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*

Name of airport:

Listed on the Environmental Management Register (EMR) under the *Environmental Protection Act 1994*

EMR site identification:	
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>	
CLR site identification:	

5) Are there any existing easements over the premises?

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

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

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

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

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

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

c) What is the level of assessment?

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

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

Multiple Dwelling in addition to existing Short Term Accommodation Use rights

e) Relevant plans

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

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

6.2) Provide details about the second development aspect

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

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

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

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

c) What is the level of assessment?

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

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

e) Relevant plans

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

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

6.3) Additional aspects of development

- Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application

Not required

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 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 (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
Right to permanent occupation of the site (in addition to holiday letting)	Multiple Dwelling (in addition to existing use rights)	1	

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

<input checked="" type="checkbox"/> Yes		
<input type="checkbox"/> No		

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)

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

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

10) Subdivision

10.1) For this development, how many lots are being created and what is the intended use of those lots:

Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				

10.2) Will the subdivision be staged?

- Yes – provide additional details below
 No

How many stages will the works include?	
What stage(s) will this development application apply to?	

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?

Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

12) Boundary realignment

12.1) What are the current and proposed areas for each lot comprising the premises?

Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot on plan description	Area (m ²)

12.2) What is the reason for the boundary realignment?

--

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)

Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement

Division 3 – Operational work

Note: This division is only required to be completed if any part of the development application involves operational work.

14.1) What is the nature of the operational work?

- | | | |
|---|-------------------------------------|--|
| <input type="checkbox"/> Road work | <input type="checkbox"/> Stormwater | <input type="checkbox"/> Water infrastructure |
| <input type="checkbox"/> Drainage work | <input type="checkbox"/> Earthworks | <input type="checkbox"/> Sewage infrastructure |
| <input type="checkbox"/> Landscaping | <input type="checkbox"/> Signage | <input type="checkbox"/> Clearing vegetation |
| <input type="checkbox"/> Other – please specify: <input style="width: 300px;" type="text"/> | | |

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

- | |
|---|
| <input type="checkbox"/> Yes – specify number of new lots: <input style="width: 150px;" type="text"/> |
| <input type="checkbox"/> No |

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

\$ <input style="width: 150px;" type="text"/>

PART 4 – ASSESSMENT MANAGER DETAILS

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

Douglas Shire Council

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

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

PART 5 – REFERRAL DETAILS

17) Do any aspects of the proposed development require referral for 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 Regulation 2017:**

- Clearing native vegetation
- Contaminated land (*unexploded ordnance*)
- Environmentally relevant activities (ERA) (*only if the ERA have not been devolved to a local government*)
- Fisheries – aquaculture
- Fisheries – declared fish habitat area
- Fisheries – marine plants
- Fisheries – waterway barrier works
- Hazardous chemical facilities
- Queensland heritage place (*on or near a Queensland heritage place*)
- Infrastructure – designated premises
- Infrastructure – state transport infrastructure
- Infrastructure – state transport corridors and future state transport corridors
- Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels
- Infrastructure – near a state-controlled road intersection
- On Brisbane core port land near a State transport corridor or future State transport corridor
- On Brisbane core port land – ERA
- On Brisbane core port land – tidal works or work in a coastal management district
- On Brisbane core port land – hazardous chemical facility
- On Brisbane core port land – taking or interfering with water
- On Brisbane core port land – referable dams
- On Brisbane core port land - fisheries
- Land within Port of Brisbane's port limits
- 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
- 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 – construction of new levees or modification of existing 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 have been devolved to local government*)
- Local heritage places

Matters requiring referral to the chief executive of the distribution entity or transmission entity: <input type="checkbox"/> Electricity infrastructure
Matters requiring referral to: <ul style="list-style-type: none"> • The Chief executive of the holder of the licence, if not an individual • The holder of the licence, if the holder of the licence is an individual <input type="checkbox"/> Oil and gas infrastructure
Matters requiring referral to the Brisbane City Council: <input type="checkbox"/> Brisbane core port land
Matters requiring referral to the Minister under the <i>Transport Infrastructure Act 1994</i>: <input type="checkbox"/> Brisbane core port land (inconsistent with Brisbane port LUP for transport reasons) <input type="checkbox"/> Strategic port land
Matters requiring referral to the relevant port operator: <input type="checkbox"/> Land within Port of Brisbane's port limits (below high-water mark)
Matters requiring referral to the Chief Executive of the relevant port authority: <input type="checkbox"/> Land within limits of another port (below high-water mark)
Matters requiring referral to the Gold Coast Waterways Authority: <input type="checkbox"/> Tidal works, or work in a coastal management district in Gold Coast waters
Matters requiring referral to the Queensland Fire and Emergency Service: <input type="checkbox"/> Tidal works marina (<i>more than six vessel berths</i>)

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

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application <input type="checkbox"/> I do not agree to accept an information request for this development application Note: <i>By not agreeing to accept an information request I, the applicant, acknowledge:</i> <ul style="list-style-type: none"> • <i>that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties</i> • <i>Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.</i> <i>Further advice about information requests is contained in the DA Forms Guide.</i>

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
\$		

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

- Yes – show cause or enforcement notice is attached
 No

23) Further legislative requirements

Environmentally relevant activities

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

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

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

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

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

Hazardous chemical facilities

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

- Yes – Form 69: 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 conservation

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

Yes

No

Note: See guidance materials at www.des.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 Natural Resources, Mines and Energy at www.dnrme.qld.gov.au for further information.

DA templates are available from <https://planning.dsdmip.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 <https://planning.dsdmip.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 Natural Resources, Mines and Energy at www.dnrme.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 and Science at www.des.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.dnrme.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.des.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.des.qld.gov.au for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
-----------------------------	--	-----------	--

Brothels

23.14) Does this development application involve a **material change of use for a brothel**?

- Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*
 No

Decision under section 62 of the Transport Infrastructure Act 1994

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

- Yes - this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)
 No

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 <i>DA Form 2 – Building work details</i> 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 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 (<i>see 21</i>)	<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. 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. <p>This information may be stored in relevant databases. The information collected will be retained as required by the <i>Public Records Act 2002</i>.</p>	

PART 9 – 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	
Date received form sighted by assessment manager	
Name of officer who sighted the form	

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

I, *Sharlene Joy Devereaux*

[Insert name in full.]

Sole Director/Secretary of the company mentioned below:

[Delete the above where company owner's consent must come from both director and director/secretary]

I,

[Insert name in full.]

Director of the company mentioned below.

and I,

[Insert name in full.]

[Insert position in full—i.e. another director, or a company secretary.]

Delete the above two boxes where there is a sole director/secretary for the company giving the owner's consent.

Of B & S Richmond Pty Ltd A.C.N. 006 138 049

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

Unit 24, 24-70 Nautilus Street, Craiglie (Lot 24 on SP144717)

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

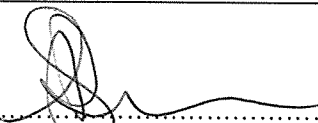
Cardno (Qld) Pty Ltd

on the premises described above for:

Development Permit for a Material Change of Use (Multiple Dwelling in addition to existing Short Term Accommodation Use Rights)

Company seal *[if used]*

Company Name and ACN: B & S RICHMOND PTY LTD A.C.N. 006 138 049


.....
Signature of Sole Director/Secretary

26/4/19
.....
Date

[Delete the above where company owner's consent must come from both director and director/secretary.]

Company Name and ACN: B & S RICHMOND PTY LTD A.C.N. 006 138 049

.....
Signature of Director

.....
Date

.....
Signature of Director/Secretary

.....
Date

[Delete the above where there is a sole director/secretary for the company giving the owner's consent.]

Attachment B

Site Searches

CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 31078001

Search Date: 24/04/2019 13:15

Title Reference: 50388146

Date Created: 04/04/2002

Previous Title: 50364426

REGISTERED OWNER

Dealing No: 707016460 24/09/2003

B & S RICHMOND PTY LTD A.C.N. 006 138 049

ESTATE AND LAND

Estate in Fee Simple

LOT 24 SURVEY PLAN 144717
Local Government: DOUGLAS
COMMUNITY MANAGEMENT STATEMENT 26894

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 21069096 (POR 20)

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - Yes 01/06/2005 708683404 Certificate No. 1

** End of Current Title Search **

COPYRIGHT THE STATE OF QUEENSLAND (NATURAL RESOURCES, MINES AND ENERGY) [2019]
Requested By: D-ENQ GLOBALX TERRAIN

Area of Base Parcel

7660 m²

REFERENCE MARKS

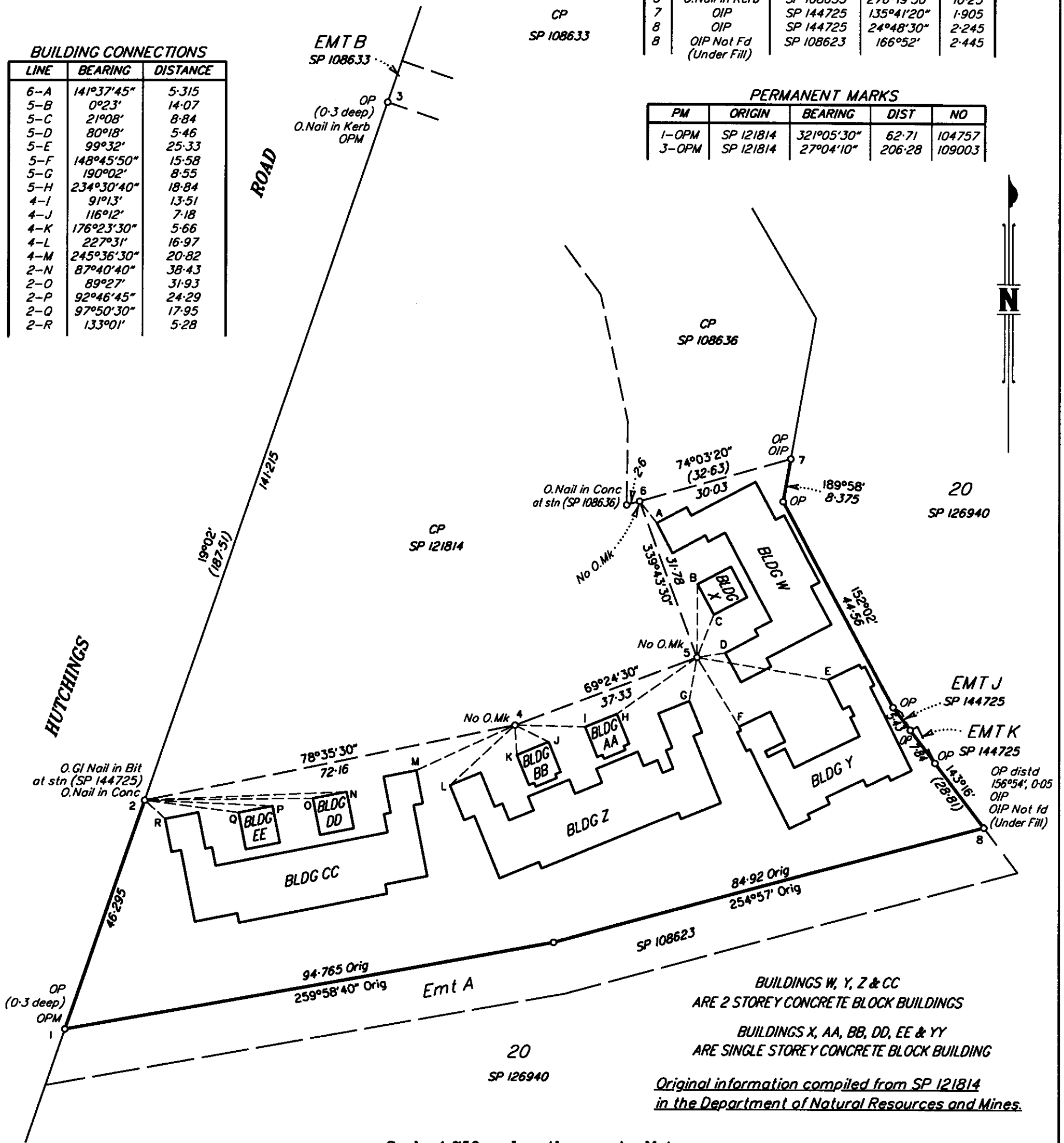
STN	TO	ORIGIN	BEARING	DIST
2	O.Nail in Conc	SP 121814	234°05'10"	7.48
3	O.Nail in Kerb	SP 108633	276°19'30"	10.25
7	OIP	SP 144725	135°41'20"	1.905
8	OIP	SP 144725	24°48'30"	2.245
8	OIP Not Fd (Under Fill)	SP 108623	166°52'	2.445

PERMANENT MARKS

PM	ORIGIN	BEARING	DIST	NO
1-OPM	SP 121814	321°05'30"	62.71	104757
3-OPM	SP 121814	27°04'10"	206.28	109003

BUILDING CONNECTIONS

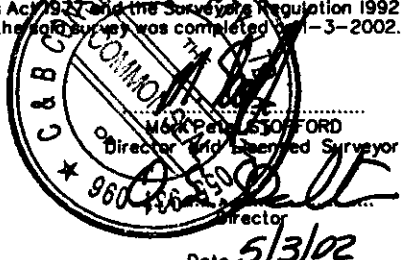
LINE	BEARING	DISTANCE
6-A	141°37'45"	5.315
5-B	0°23'	14.07
5-C	21°08'	8.84
5-D	80°18'	5.46
5-E	99°32'	25.33
5-F	148°45'50"	15.58
5-G	190°02'	8.55
5-H	234°30'40"	18.84
4-I	91°13'	13.51
4-J	116°12'	7.18
4-K	176°23'30"	5.66
4-L	227°31'	16.97
4-M	245°36'30"	20.82
2-N	87°40'40"	38.43
2-O	89°27'	31.93
2-P	92°46'45"	24.29
2-Q	97°50'30"	17.95
2-R	133°01'	5.28



Scale 1:750 - Lengths are in Metres.



C & B CONSULTANTS PTY LTD ACN 055 931 096 hereby certify that the Company has surveyed the land comprised in this plan by MARK PETER STOFFORD, Licensed Surveyor and Mark Gregory FERRERO, Surveying Associate, for whose work the company accepts responsibility, that the plan is accurate, that the said survey was performed in accordance with the Surveyors Act 1933 and the Surveyors Regulation 1992 and that the said survey was completed on 1-3-2002.



Plan of

Lots 21 - 38 & Common Property

Cancelling Lot 253 on SP 121814

PARISH: **SALISBURY** COUNTY: **Solander**

Meridian: **SP 108636** ADD 5°26'40" FOR AMG Zone 55 F/N's: **No**

Scale: **1:750**

Format: **BUILDING**

SP144717

Plan Status:

**WARNING : Folded or Mutilated Plans will not be accepted.
Plans may be rolled.
Information may not be placed in the outer margins.**

705489025

CS 400 NT

\$1223.80
21/03/2002 08:46

Registered

s. Lodged by

PORT DOUGLAS REEF RESORTS LTD
PO BOX 98
PORT DOUGLAS Q 4871
PH 4099 3677
(Include address, phone number, reference, and Lodger Code)

1. Certificate of Registered Owners or Lessees.

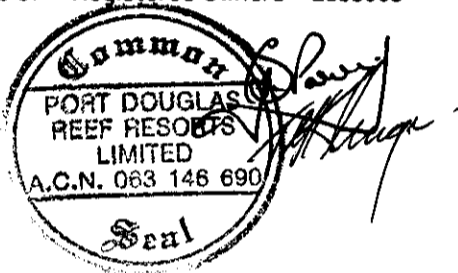
+/We PORT DOUGLAS REEF RESORTS LIMITED A.C.N. 063 146 690

(Names in full)

* as Registered Owners of this land agree to this plan and dedicate the Public Use Land as shown hereon in accordance with Section 50 of the Land Title Act 1994.

* as Lessees of this land agree to this plan.

Signature of *Registered Owners *Lessees-



**PORT DOUGLAS REEF RESORTS LIMITED
A.C.N. 063 146 690**

* Rule out whichever is inapplicable

2. Local Government Approval.

* DOUGLAS SHIRE COUNCIL

hereby approves this plan in accordance with the :

% Integrated Planning Act 1997

Dated this Twentieth day of March 2002.

[Signature] #
A/MAYOR
[Signature] #
CHIEF EXECUTIVE OFFICER

* Insert the name of the Local Government. % Insert Integrated Planning Act 1997 or
Insert designation of signatory or delegation Local Government (Planning & Environment) Act 1990

3. Plans with Community Management Statement :

CMS Number : 26894
Name : THE LINKS-NORTH

4. References :

Dept File :
Local Govt :
Surveyor : 60980

6. Existing			Created		
Title Reference	Lot	Plan	Lots	Emts	Road
50364426	253	SP 121814	21-38 & CP		

POR 20 21-38 & CP
Orig Lots

7. Portion Allocation :

8. Map Reference :
7964-11113, 7964-11142

9. Locality :
CRAIGLIE

10. Local Government :
DOUGLAS S.C.

11. Passed & Endorsed :

By: C & B CONSULTANTS PTY LTD
Date: 5/3/02
Signed: [Signature]
Designation: Licensed Surveyor

12. Building Format Plans only.

I certify that :
* As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or road;
~~* Part of the building shown on this plan encroaches onto adjoining lots and road~~
[Signature] * 5/3/02
Licensed Surveyor/Director * Date
* delete words not required

13. Lodgement Fees :

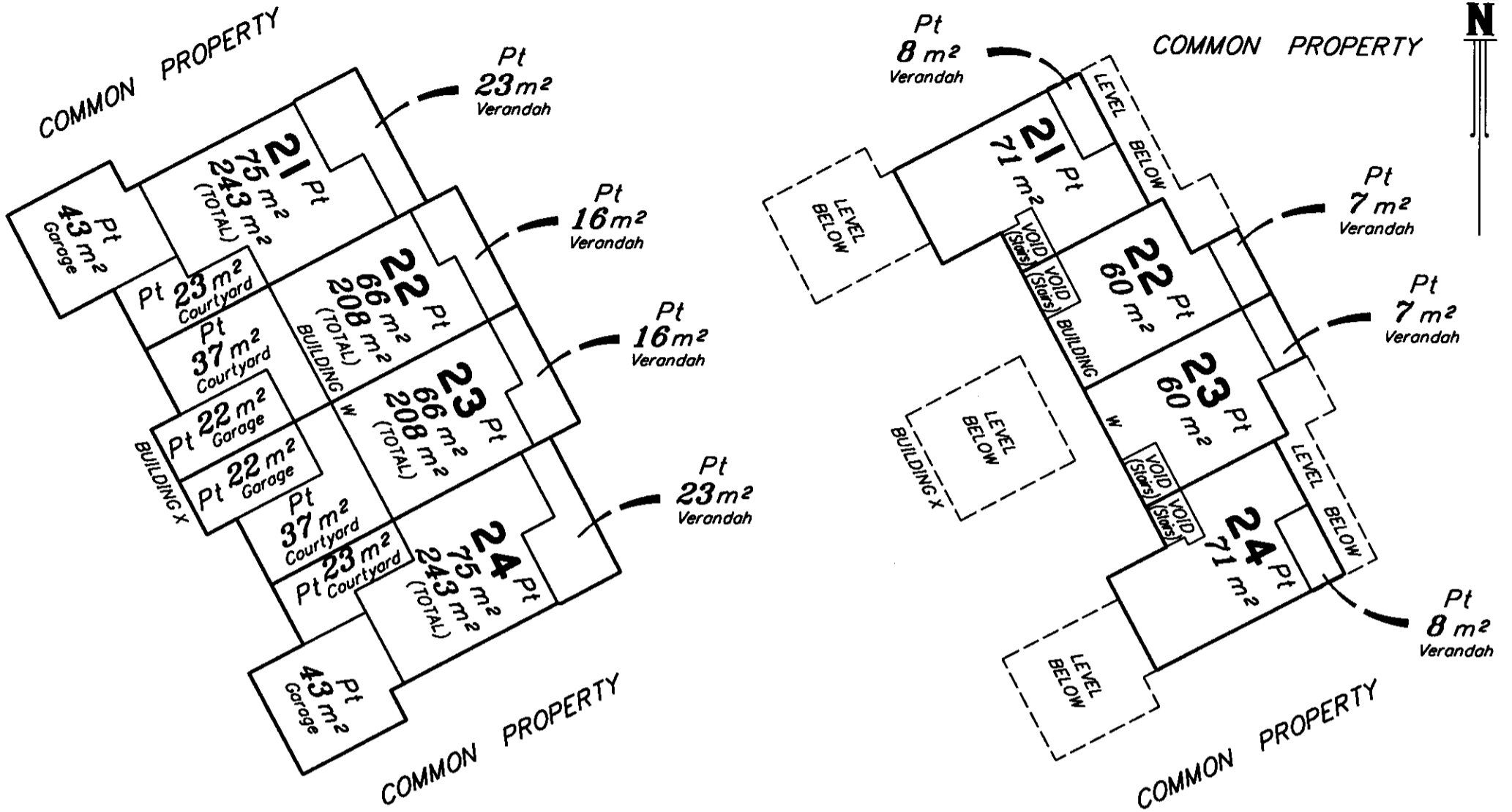
Survey Deposit \$
Lodgement \$
New Titles \$
Photocopy \$
Postage \$
TOTAL \$

14. Insert Plan Number **SP144717**

BUILDING W & X

LEVEL A

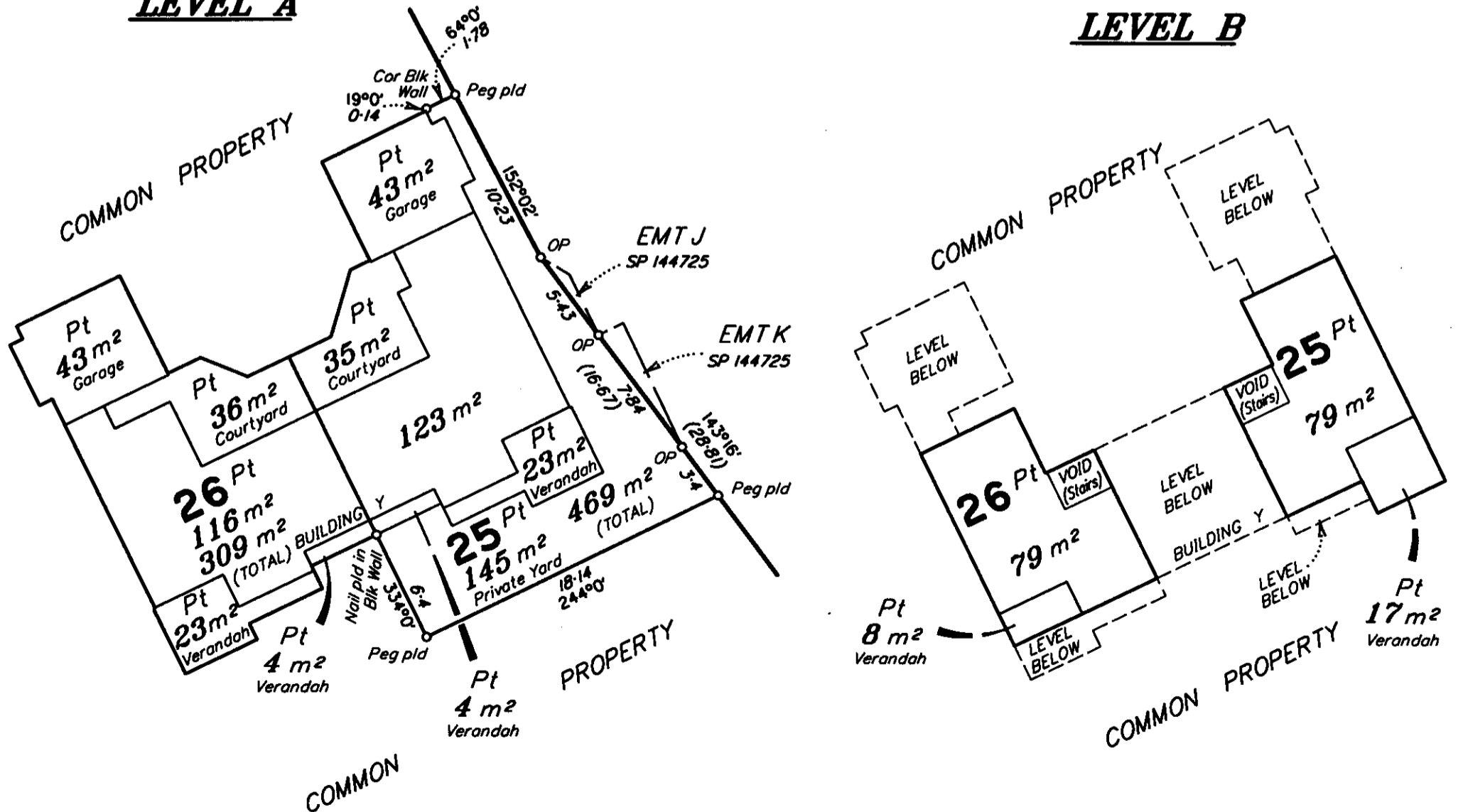
LEVEL B



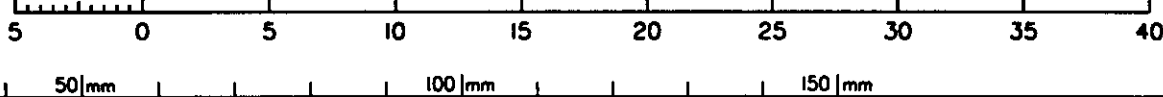
BUILDING Y

LEVEL A

LEVEL B



Scale 1:300 - Lengths are in Metres.

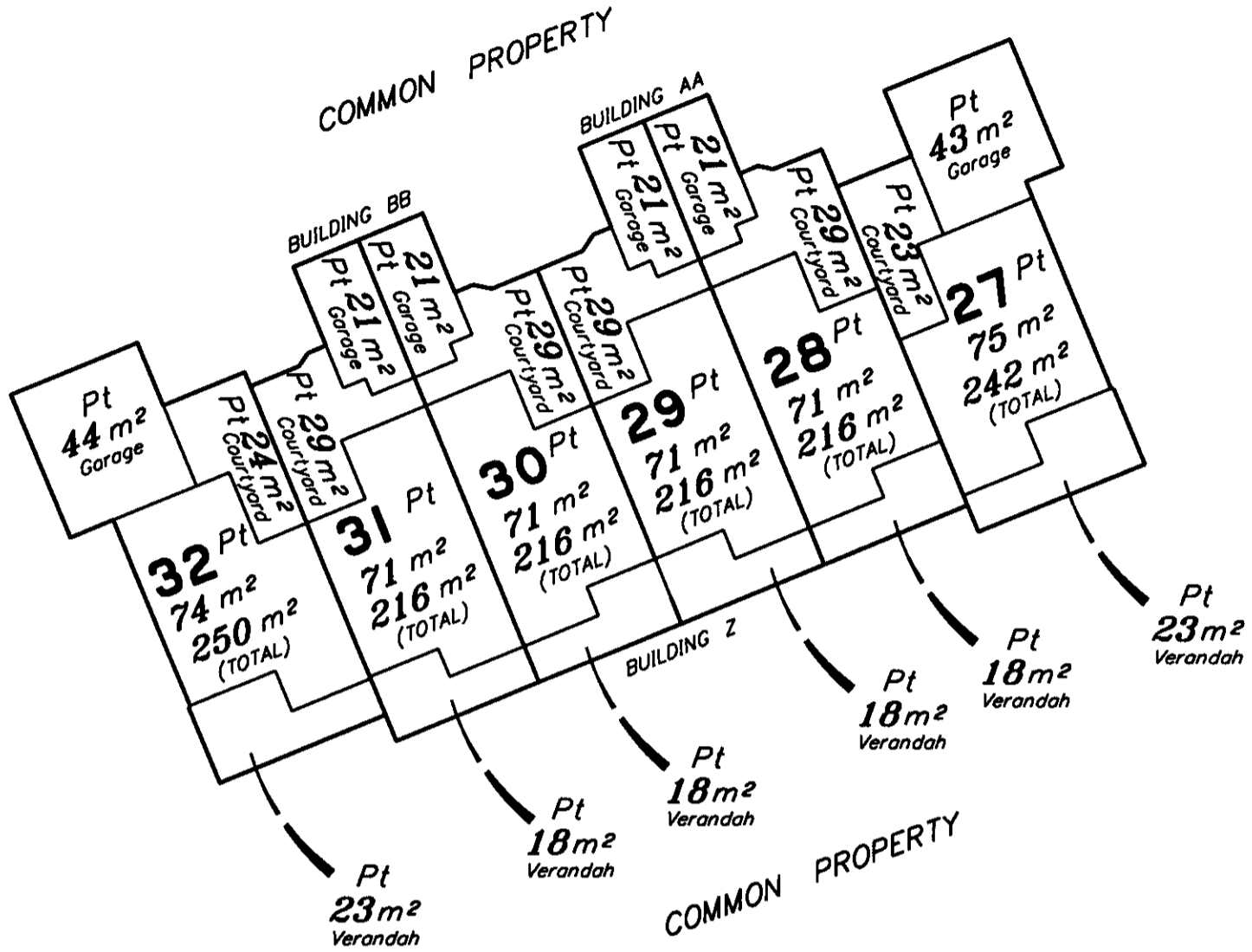


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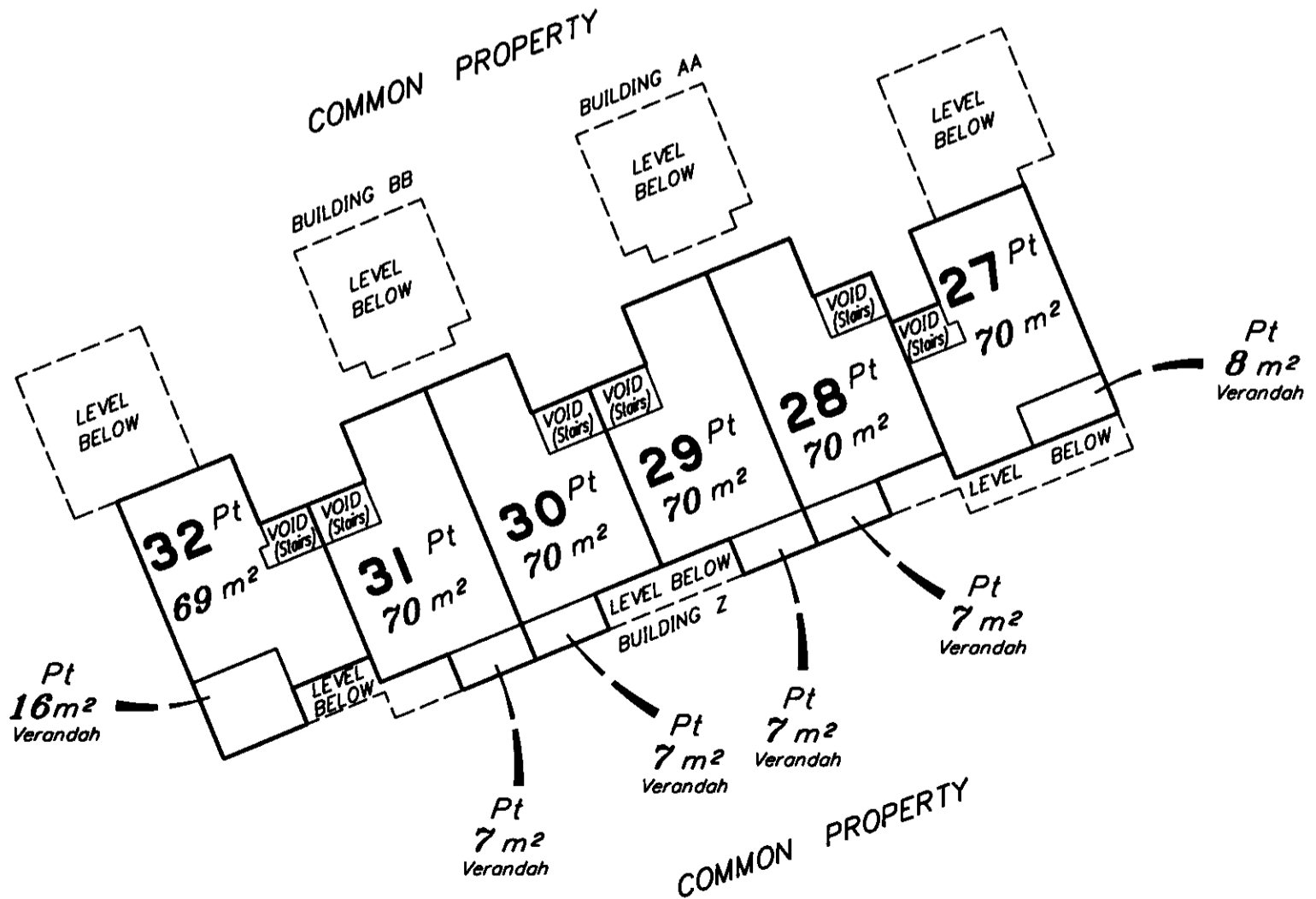
Insert Plan Number **SP144717**

BUILDING Z, AA & BB

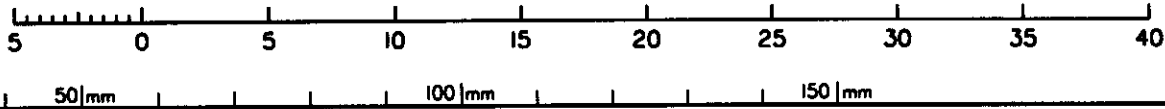
LEVEL A



LEVEL B



Scale 1:300 - Lengths are in Metres.

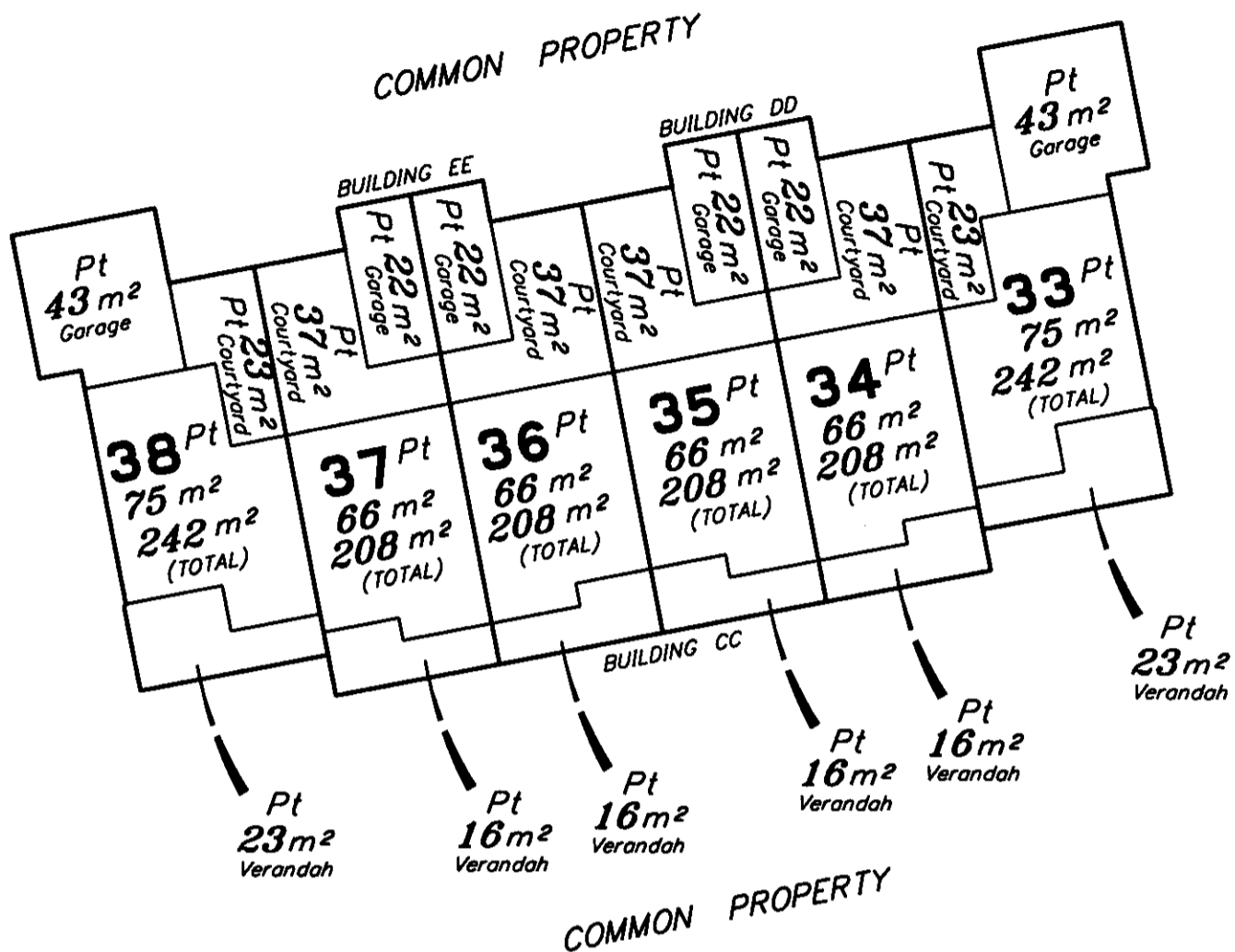


State copyright reserved.

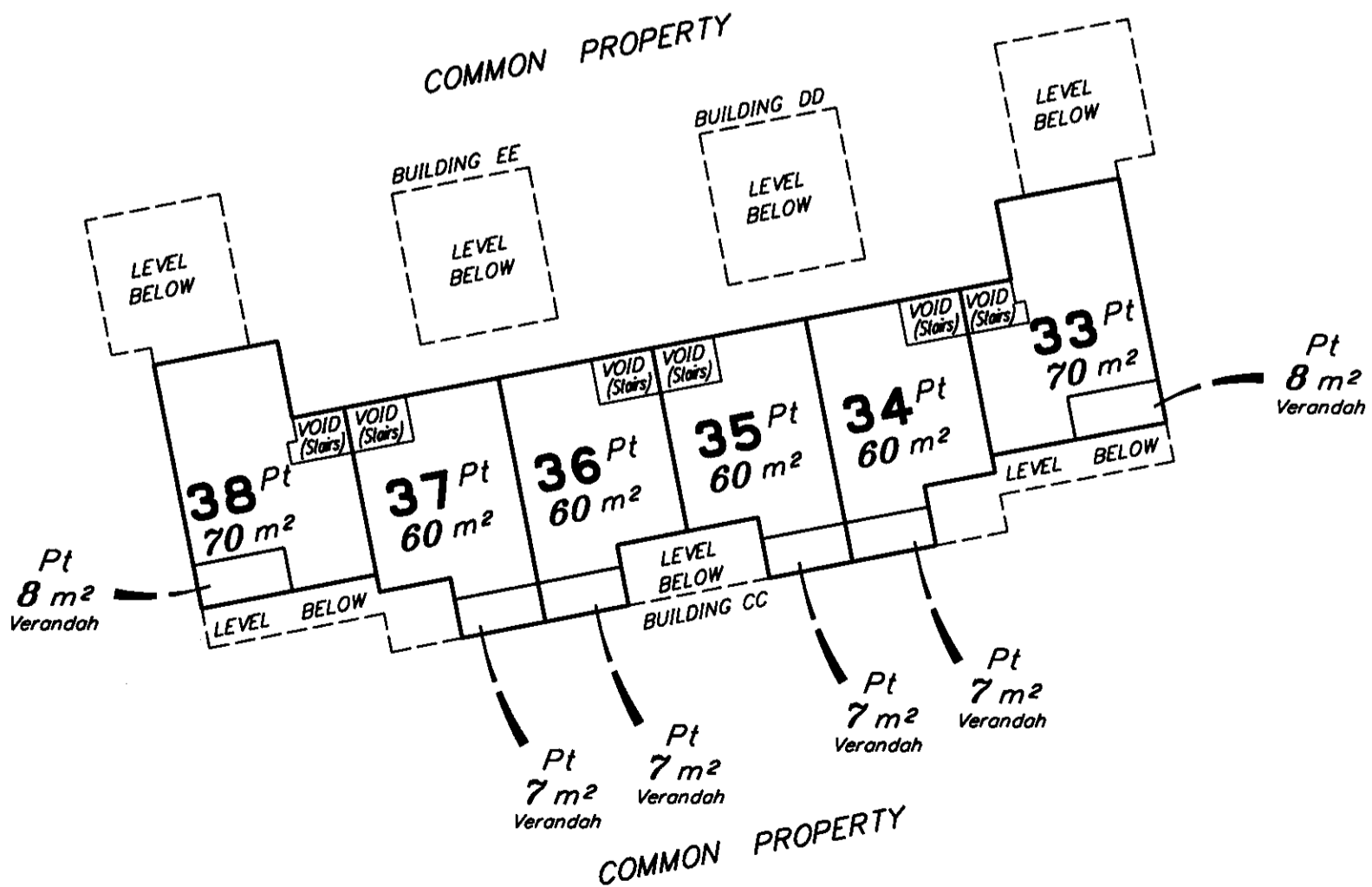
Insert Plan Number **SP144717**

BUILDING CC, DD & EE

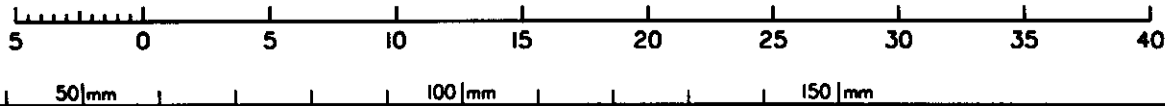
LEVEL A



LEVEL B



Scale 1:300 - Lengths are in Metres.



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Insert Plan Number **SP144717**