

# DA Form 1 – Development application details

Approved form (version 1.3 effective 28 September 2020) 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)	Behind the Seens Paint and Restoration Pty Ltd
Contact name (only applicable for companies)	Jamie Sutherland
Postal address (P.O. Box or street address)	Shed 10 33-35 Owen St
Suburb	Craiglie
State	QLD
Postcode	4877
Country	Australia
Contact number	484250169
Email address (non-mandatory)	<a href="mailto:behindtheseens@gmail.com">behindtheseens@gmail.com</a>
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	

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
	10	33-25	Owen St	Craiglie
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	4	SP: 210322	Douglas Shire
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.

##### Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
256°39'45"	359°53'20"	WGS84 GDA94	Douglas Shire
		Other: <input type="text"/>	

##### Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
176°43'30"	89°53'30"	54 55 56	WGS84 GDA94	Douglas Shire
			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 <i>Transport Infrastructure Act 1994</i>	
Lot on plan description of strategic port land:	
Name of port authority for the lot:	
In a tidal area	
Name of local government for the tidal area <i>(if applicable)</i> :	
Name of port authority for tidal area <i>(if applicable)</i> :	
On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>	
Name of airport:	
Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>	
EMR site identification:	
Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>	
CLR site identification:	

**5) Are there any existing easements over the premises?**

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

Yes – All easement locations, types and dimensions are included in plans submitted with this development application

No

## PART 3 – DEVELOPMENT DETAILS

## Section 1 – Aspects of development

### 6.1) Provide details about the first development aspect

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

Material change of use	Y	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 Y
--------------------	----------------------	--

c) What is the level of assessment?

Code assessment	Y	Impact assessment <i>(requires public notification)</i>
-----------------	---	---

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):*

Installation of a Spray Booth into the shed.

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 <i>(requires public notification)</i>
-----------------	---

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	Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	Yes – complete division 2
Operational work	Yes – complete division 3
Building work	Yes – complete <i>DA Form 2 – Building work details</i>

### Division 1 – Material change of use

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

#### 8.1) Describe the proposed material change of use

Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m <sup>2</sup> ) (if applicable)
Site containing a Spray Booth	Medium Impact Industry	1	28m <sup>2</sup>

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

Yes Y
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?

--

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

Subdivision (complete 10))	Dividing land into parts by agreement (complete 11))
Boundary realignment (complete 12))	Creating or changing an easement giving access to a lot from a constructed road (complete 13))

### 10) Subdivision

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

Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
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 <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )
12.2) What is the reason for the boundary realignment?			

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

### Division 3 – Operational work

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

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

## PART 4 – ASSESSMENT MANAGER DETAILS

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

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  
 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 <b>Brisbane City Council</b> : Ports – Brisbane core port land
Matters requiring referral to the <b>Minister responsible for administering the <i>Transport Infrastructure Act 1994</i></b> : Ports – Brisbane core port land <i>(where inconsistent with the Brisbane port LUP for transport reasons)</i> Ports – Strategic port land
Matters requiring referral to the <b>relevant port operator</b> , if applicant is not port operator: Ports – Land within Port of Brisbane's port limits <i>(below high-water mark)</i>
Matters requiring referral to the <b>Chief Executive of the relevant port authority</b> : Ports – Land within limits of another port <i>(below high-water mark)</i>
Matters requiring referral to the <b>Gold Coast Waterways Authority</b> : Tidal works or work in a coastal management district <i>(in Gold Coast waters)</i>
Matters requiring referral to the <b>Queensland Fire and Emergency Service</b> : Tidal works or work in a coastal management district <i>(involving a marina (more than six vessel berths))</i>

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

Yes – referral response(s) received and listed below are attached to this development application

No

Referral requirement	Referral agency	Date of referral response

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

## PART 6 – INFORMATION REQUEST

#### 19) Information request under Part 3 of 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 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.

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

## PART 7 – FURTHER DETAILS

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

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

No

List of approval/development application references	Reference number	Date	Assessment manager
Approval Development application			
Approval Development application			

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

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

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

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

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

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

Yes – show cause or enforcement notice is attached

No

**23) Further legislative requirements**

**Environmentally relevant activities**

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

Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below

No

**Note:** Application for an environmental authority can be found by searching “ESR/2015/1791” as a search term at [www.qld.gov.au](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://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](http://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](http://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.des.qld.gov.au](http://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](http://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](http://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](http://www.dnrme.qld.gov.au) and [www.business.qld.gov.au](http://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](http://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](http://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](http://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](http://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

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

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

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

No

**Note:** See guidance materials at [www.planning.dsdmip.qld.gov.au](http://www.planning.dsdmip.qld.gov.au) for further information.

## PART 8 – CHECKLIST AND APPLICANT DECLARATION

**24) Development application checklist**

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

Yes

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

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

Yes

Not applicable

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

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

Yes

Relevant plans of the development are attached to this development application

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

Yes

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

Yes

Not applicable

**25) Applicant declaration**

By making this development application, I declare that all information in this development application is true and correct

Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001*

**Note:** It is unlawful to intentionally provide false or misleading information.

**Privacy** – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.

Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, Planning Regulation 2017 and the DA Rules except where:

- such disclosure is in accordance with the provisions about public access to documents contained in the *Planning Act 2016* and the Planning Regulation 2017, and the access rules made under the *Planning Act 2016* and Planning Regulation 2017; or
- required by other legislation (including the *Right to Information Act 2009*); or
- otherwise required by law.

This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.

## PART 9 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

---

Date received:

Reference number(s):

### Notification of engagement of alternative assessment manager

Prescribed assessment manager	
Name of chosen assessment manager	
Date chosen assessment manager engaged	
Contact number of chosen assessment manager	
Relevant licence number(s) of chosen assessment manager	

### QLeave notification and payment

*Note: For completion by assessment manager if applicable*

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

## Code considerations

The sheds 33-35 Owen St in Craiglie have been found to be complaint with the self-assessable outcomes for the Industry Zone code.

PO9 The establishment of uses is consistent with the outcomes sought for the Industry zone and protects the zone from the intrusion of inconsistent uses.

The proposed spray booth will be for the purposes of painting doors, windows and furniture primarily. Painting of steel work from fabricators, panel work from cabinet makers etc.

The presence of a spray booth with this focus in the vicinity can service other industries in the estate and the Douglas Shire. The shed is primarily a workshop where items are transported by ourselves to be worked upon. Once completed we organise transport to the end location.

AO9 The use of a spray booth is not included in the uses identified in Table 6.2.5.3.b which are not established in the Industry zone. Hence is an applicable trade source for the area.

PO10 Development does not lower the standards of amenity in terms of air, noise, odour, electrical interference and vibrations at any land use associated with the: (a) the Accommodation activity group, located outside the Industry zone; (b) the Sensitive land use activity group, located outside the Industry zone.

The Booth is free standing within the shed, not coming into contact with walls or fittings whereby eliminating vibrations and noise.

All MN Spraybooths' products are designed, manufactured and installed to comply with all current mandatory Australian standards and regulatory compliances:

- SAI Global AS/NZS 4114.1 & AS/NZS 4114.2 • Safe Work Australia
- Australian Spray Painting and Powder Coating Code of Practice.
- Environment Protection Agency
- Providing the most energy-efficient and environmentally friendly spray booths.

Under the Port Douglas and Craiglie Local plan, the land is included in Precinct 3 – Craiglie Commercial and Light Industry precinct.

The sheds have been found to be complaint with the Local Plan Code, to the extent no advertising signs were nominated. Any advertising signs you seek need to address this code as well as the advertising devices code. The link to the Local plan is below:



Precinct 3 – Craiglie Commercial and Light Industry precinct (13) In addition to the overall outcomes, development in the Craiglie Commercial and Light Industry precinct facilitates the following overall outcomes: (a) development supports the tourism and marine industries in Port Douglas, along with the small-scale commercial and light industry land uses that support the local economy that would otherwise be better suited to a location outside the Port Douglas Centre Precinct unless they pose a safety issue; (b) development adjacent to the Captain Cook Highway presents an attractive appearance to the highway. The rain-trees, melaleucas and eucalyptus trees along the Captain Cook Highway are retained where possible, taking into account the Department of Transport and main Road's requirements; (c) retailing activities are generally restricted to those which are ancillary and necessarily associated with the primary service and light industry nature of the area; (d) adjacent residential areas are protected from industry nuisances; (e) lots fronting Downing Street, between Dickson Street and Beor Street, are provided with an appropriate

We intend on hanging a professionally fabricated sign on the Owen street side wall of the shed. This may be back lit. It won't exceed a 2.2m x 4.8m format. It will be consistent with our company branding and won't be over bearing.

9.4.3 Environmental performance code 9.4.3.1 Application (1) This code applies to assessing: (a) building work for outdoor lighting; (b) a material change of use or reconfiguring a lot if: (i) assessable development where the code is identified in the assessment criteria column of a table of assessment; or (ii) impact assessable development, to the extent relevant.

The back lit logo will act to create a silhouette for the letters not a direct light source. Therefore not creating an adverse impact on surrounding areas.

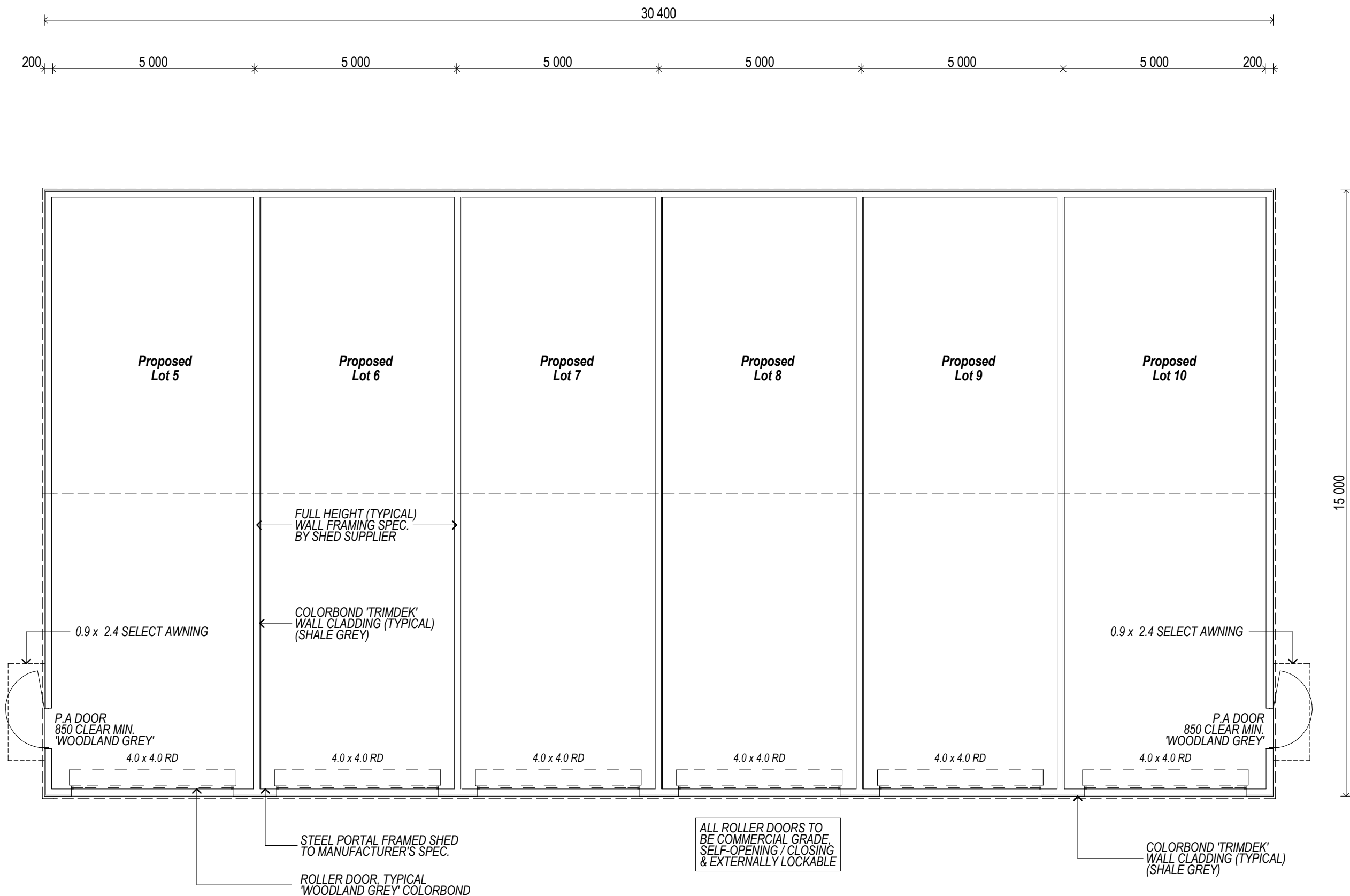
Noise from the booth is minimal as it is fully insulated and is essentially a large extraction fan. The use of glass fibre exhaust filters prevents any airborne particles escaping and an exhaust flue is used to further filter and disperse any odours. We have read and understood the Environmental performance code and will adhere to its parameters. Any waste will be disposed of regularly in the proper manner in sealed containers.

- (1) The purpose of the Environmental performance code is to ensure development is designed and operated to avoid or mitigate impacts on sensitive receiving environments.
- (2) The purpose of the code will be achieved through the following overall outcomes: (a) activities that have potential to cause an adverse impact on amenity of adjacent and surrounding land, or environmental harm is avoided through location, design and operation of the development; (b) sensitive land uses are protected from amenity related impacts of lighting, odour, airborne particles and noise, through design and operation of the development; (c) stormwater flowing over, captured or discharged from development sites is of a quality adequate to enter receiving waters and downstream environments; (d) development contributes to the removal and ongoing management of weed species. 9.4.3.3

- (3) Environmental performance code lighting– assessable development Performance outcomes Acceptable outcomes Lighting PO1 Lighting incorporated within development does not cause an adverse impact on the amenity of adjacent uses and nearby sensitive land uses. AO1.1 Technical parameters, design, installation, operation and maintenance of outdoor lighting comply with the requirements of Australian standard AS4282-1997 Control of the obtrusive effects of outdoor lighting. AO1.2 Development that involves flood lighting is restricted to a type that gives no upward component of light where mounted horizontally. AO1.3 Access, car parking and manoeuvring areas are designed to shield nearby residential premises from impacts of vehicle headlights.
- (4) Noise PO2 Potential noise generated from the development is avoided through design, location and operation of the activity. Note – Planning Scheme Policy SC6.4 – Environmental AO2.1 Development does not involve activities that would cause noise related environmental harm or nuisance; or Douglas Shire Planning Scheme 2018 Version 1.0 Part 9: AO2.2 Development ensures noise does not emanate from the site through the use of materials, structures and architectural features to not cause an adverse noise impact on adjacent uses. AO2.3 The design and layout of development ensures car parking areas avoid noise impacting directly on adjacent sensitive land uses through one or more of the following: (a) car parking is located away from adjacent sensitive land uses; (b) car parking is enclosed within a building; (c) a noise ameliorating fence or structure is established adjacent to car parking areas where the fence or structure will not have a visual amenity impact on the adjoining premises; (d) buffered with dense landscaping. Editor's note - The Environmental Protection (Noise) Policy 2008, Schedule 1 provides guidance on acoustic quality objectives to ensure environmental harm (including nuisance) is avoided.
- (5) The spray booth is specifically designed to filter out odours and airborne particles, we also use water based paints the majority of the time.
- (1) Airborne particles and other emissions PO3 Potential airborne particles and emissions generated from the development are avoided through design, location and operation of the activity. Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code. AO3.1 Development does not involve activities that will result in airborne particles or emissions being generated; or AO3.2 The design, layout and operation of the development activity ensures that no airborne particles or emissions cause environmental harm or nuisance. Note - examples of activities which generally cause airborne particles include spray painting, abrasive blasting, manufacturing activities and car wash facilities. Examples of emissions include exhaust ventilation from basement or enclosed parking structures, air conditioning/refrigeration ventilation and exhaustion. The Environmental Protection (Air) Policy 2008, Schedule 1 provides guidance on air quality objectives to ensure environmental harm (including nuisance) is avoided. The use of glass fibre filters ensures against escape of airborne particles.
- (6) Odours PO4 Potential odour causing activities associated with the development are avoided through design, location and operation of the activity. The development does not involve activities that create odorous emissions; or AO4.2 The use does not result in odour that causes Douglas Shire Planning Scheme 2018 Version 1.0 Part 9:

- (7) Waste will regularly be removed from site. Waste and recyclable material storage PO5  
Waste and recyclable material storage facilities are located and maintained to not cause adverse impacts on adjacent uses. Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code. AO5.1 The use ensures that all putrescent waste is stored in a manner that prevents odour nuisance and is disposed of at regular intervals. AO5.2 Waste and recyclable material storage facilities are located, designed and maintained to not cause an adverse impact on users of the premises and adjacent uses through consideration of: (a) the location of the waste and recyclable material storage areas in relation to the noise and odour generated; (b) the number of receptacles provided in relation to the collection, maintenance and use of the receptacles; (c) the durability of the receptacles, sheltering and potential impacts of local climatic conditions; (d) the ability to mitigate spillage, seepage or leakage from receptacles into adjacent areas and sensitive receiving waters and environments.





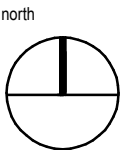
Floor plan - Lots 5 - 10

Wayne Humphreys  
Building Design & Drafting  
Ph: 07405 671 555 OBCC No: 10825171

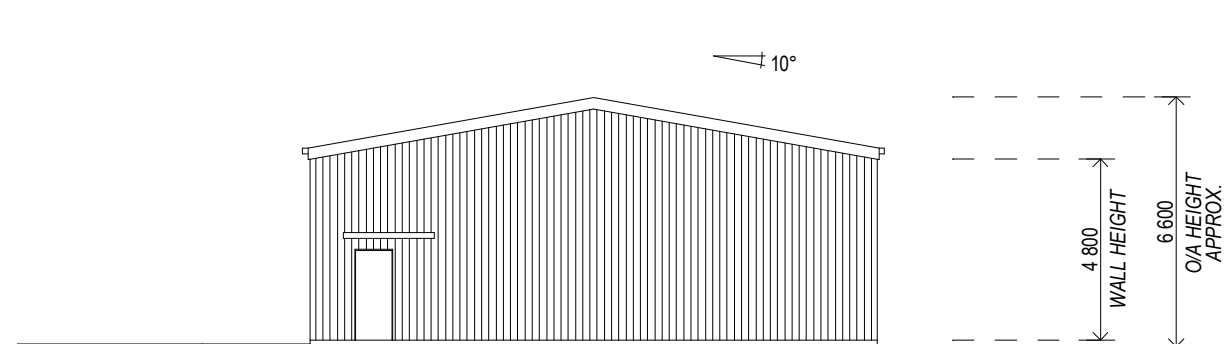
Issue	Amendment	Date
P	Preliminary Concept	10.07.22
A	Client Revisions	17.07.22
B	Client Revisions	18.07.22

Lot: 4  
SP: 210322  
Area: 2443 m<sup>2</sup>  
Local Authority: Douglas Shire Council  
Zone:

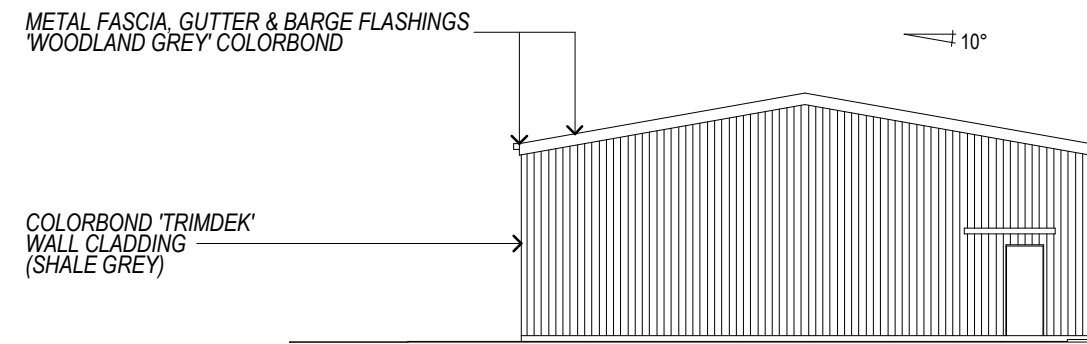
Proposed Commercial Premises  
33-35 (L4) Owen Street, Craiglie  
Teamsters Close Unit trust



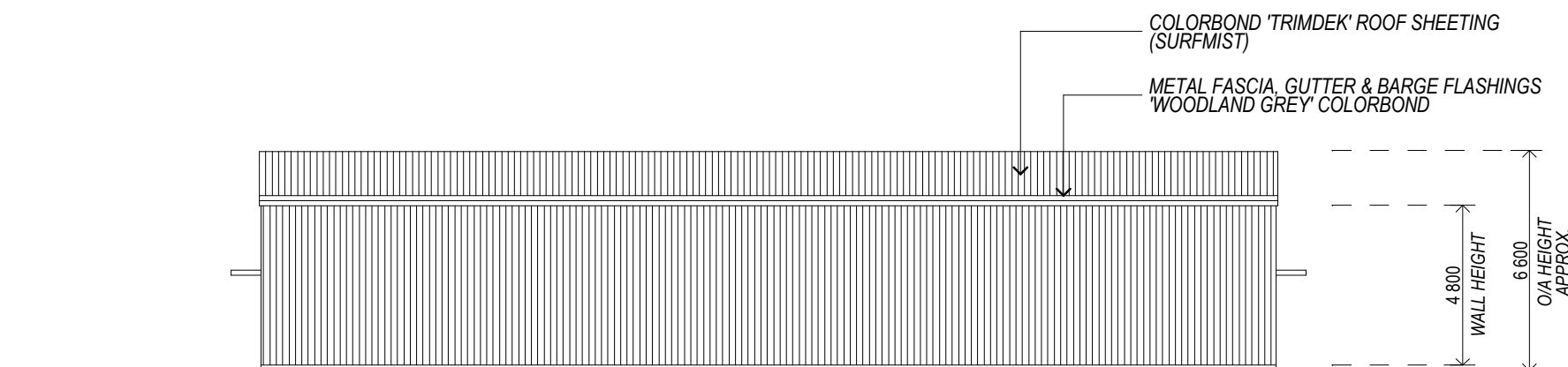
Date: 10/07/2022  
Scale: 1:200 on A3  
Issued: 18/07/2023  
Job no: 220315  
Drawing no: 220315-B-02



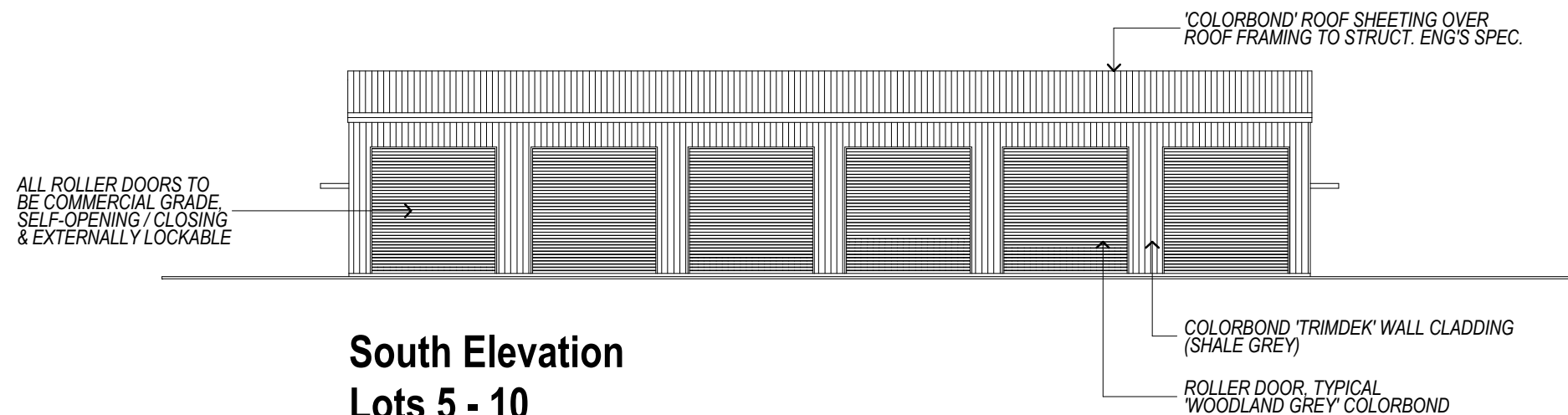
**Owen Street (East) Elevation  
Lots 5 - 10**



**West Elevation  
Lots 5 - 10**



**North Elevation  
Lots 5 - 10**



**South Elevation  
Lots 5 - 10**

**Wayne Humphreys**  
Building Design & Drafting  
Ph: 0705 671 555 OBCC No: 10825171

Issue	Amendment	Date
P	Preliminary Concept	10.07.22
A	Client Revisions	17.07.22

Lot: 4  
SP: 210322  
Area: 2443 m<sup>2</sup>  
Local Authority: Douglas Shire Council  
Zone:

**Proposed Commercial Premises**  
**33-35 (L4) Owen Street, Craiglie**  
**Teamsters Close Unit trust**

Date: 10/07/2022  
Scale: 1:200 on A3  
Issued: 18/07/2023  
Job no: 220315  
Drawing no: 220315-B-03



Quotation

Behind the Seens Painting and  
Restoration – PBSP002

29 February 2024



**MN Spraybooths & Industrial Spraying Pty Ltd**

(03) 9708 6069 | [www.mnspraybooths.com.au](http://www.mnspraybooths.com.au)

80 National Avenue  
PAKENHAM VIC 3810



## Product Specification

29 February 2024

### Customer Details

COMPANY	Behind The Seens Painting And Restoration	REFERENCE	PBSP002
CONTACT NAME	Jamie Sutherland		
ADDRESS	33-35 Owen Street, Craglie QLD		
TELEPHONE		MOBILE	0484 250 168
		EMAIL	behindtheseens@gmail.com

### Product

PRODUCT	Spray Booth	MODEL	MN EDNH	
TYPE	End Draft	NON Heated	On-concrete floor	Rear wall extraction

### Dimensions

INTERNAL	Width	4000mm	Height	2800mm	Length	7200mm
EXTERNAL	Width	4100mm	Height	3350mm	Length	7300mm
MAX HEIGHT			Height	4470mm		

### Construction

CABIN	50mm premium EPS panel – Surfmist
CEILING	50mm premium EPS panel – Surfmist
FASCIA	50mm premium EPS panel – Surfmist
MACHINERY	Roof mount

### Entry Points

FRONT DOORS	Double filtered doors 2400mm(w) x 2800mm(h) opening	
PA/ EMERGENCY EXIT	50mm premium EPS panel Surfmist – 840mm(w) x 2100mm(h)	X1
GLASS	6.38mm laminated single glazed to each door	

### Base

TYPE	Existing concrete floor
------	-------------------------

### Air Movement Unit

CONFIGURATION	Roof mount fans/motors. Rear wall extraction	
HEATING	NA	0

### Exhaust

AIR SUPPLY	Extraction only – supply air remote, roof mount	
EXHAUST PLENUM	50mm premium EPS panel – Surfmist	
AIR EXHAUST	Exhaust. 700mm Axial type, PAG Blade type material, 45° pitch impeller Optimized for airflow 12,000CFM max 3kw EXE rated 3 phase motor 4 pole 1440rpm	X1
EXHAUST FILTER FRAMES	Galvanized steel construction 750mm x 1500mm	X5

### Filter Media

EXHAUST FILTER MEDIA	3D Polycomb Paint Pocket exhaust filter	X full set
MANOMETER	Dwyer standard fluid type	NA



## Ducting

EXHAUST DUCTS	700mm square @ 1430mm lengths (x3)	X1 set
WEATHERHOOD	Butterfly type hinged, self-closing	
EXTRA DUCTS	Required for roof heights over 6000mm(h)	TBC
DUCT OFFSETS	TBC after site evaluation	TBC
ROOF PENETRATION/ FLASHINGS	Customer to supply roof plumber	

## Electrical

POWER	415 VOLTS 50HZ – 3 phase, 5 core 15 amps	
LIGHTING	Premium MN 45° corner integrated rear access light banks	X10
LIGHT TUBES	LED 6000K daylight light tubes	X50
ELECTRICAL CONTROL BOARD	AS/NZS 4114 compliant Semi Auto Analogue control board with integrated pre purge and post purge air proving timers	
MAINS ELECTRICAL SUPPLY	Customer to supply	

## Compressed Air

AIR REGULATOR	Wall mounted ½" adjustable type with gauge	X1
COMPRESSED AIR SUPPLY	Customer to supply	

## Gas Line

MODIFICATION & CONNECTION	NA	0
COMMISSIONING	NA	0
GAS SUPPLY	NA	

## Onsite Services

INSTALLATION	Included	
DELIVERY/FREIGHT	Included	
SKIP BIN	Customer to supply	
FORKLIFT TRUCK	Customer to supply	
SCISSOR LIFT	Customer to supply	
BOOM LIFT	TBC	

## Optional Extras

AIR REGULATOR	Wall mounted ½" adjustable type with gauge	0
AIR RESPIRATOR	SMC Breathe Air Regulator (air fed mask not included)	0
BOOTH GOOP	Protective booth coating 10L or 20L	0
WALL LIGHTS	Premium MN integrated flat rear access wall lights	0

## Inclusions

TECHNICAL MANUAL	Included	
OPERATOR TRAINING	Included	
WARRANTY	12 month / Optional 24 month extended warranty on maintenance plan	

## Travel/ Interstate Costs

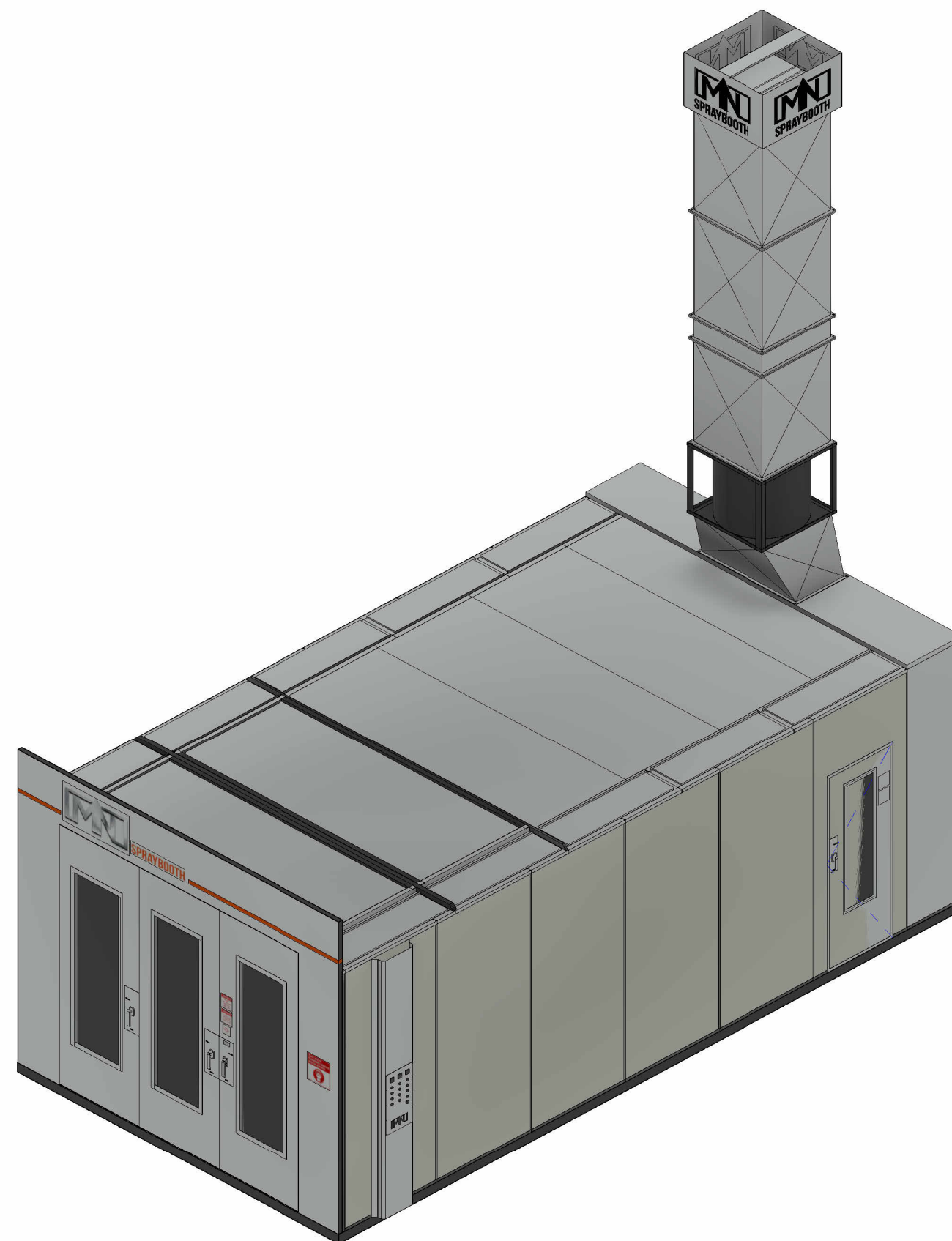
ACCOMODATION	\$230.00 per night	
MEAL EXPENSE	\$80.00 per day/per person	
RETURN TO BASE TRAVEL	\$0.85 per km	

Customer Site Requirements

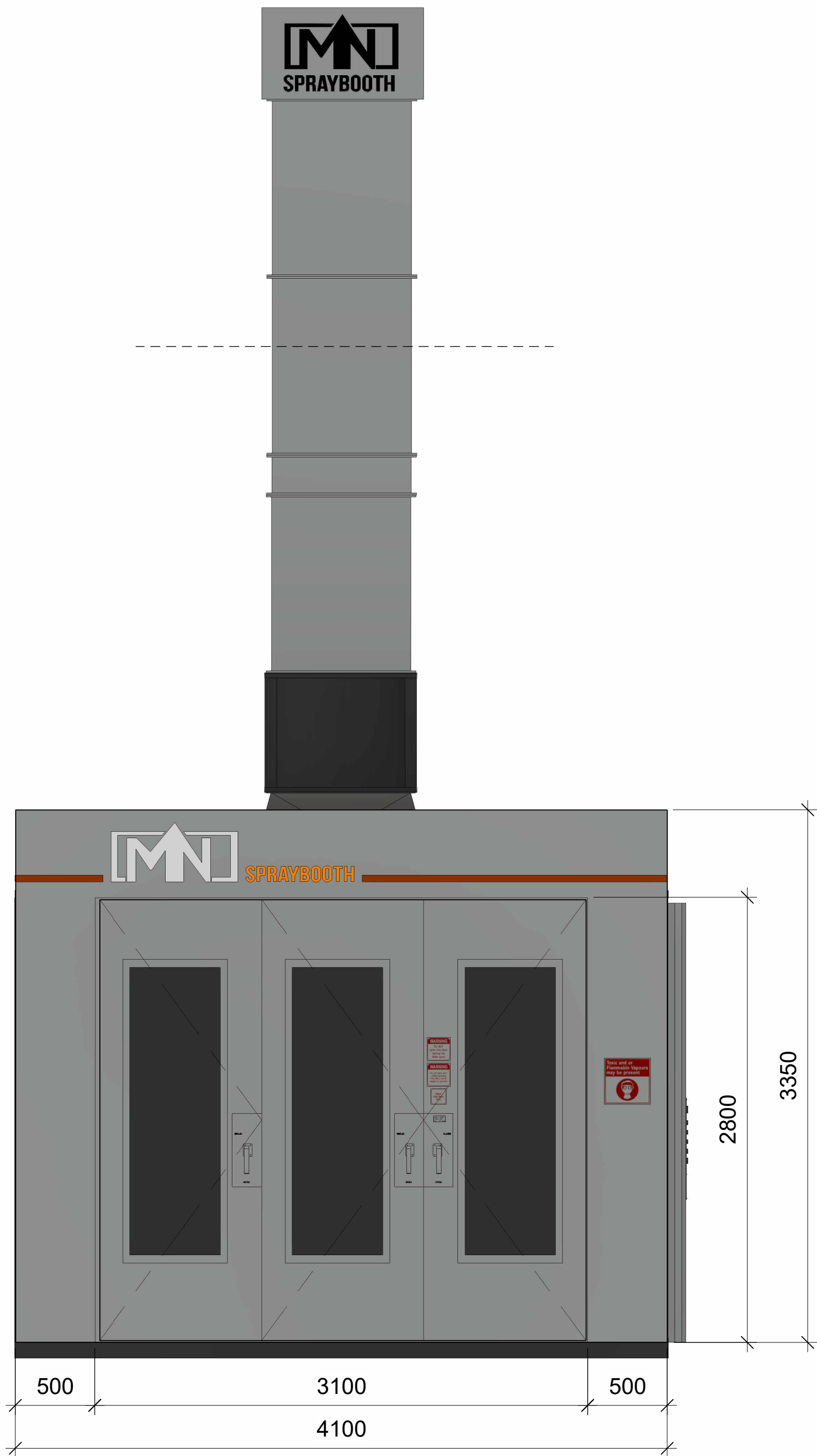
SITE PLAN/LAYOUT	Choose an item.	<input type="checkbox"/>
POSITIONING OF EQUIPMENT	Choose an item.	<input type="checkbox"/>
ROOF HEIGHT	Choose an item.	<input type="checkbox"/>
SITE PHOTOS	Choose an item.	<input type="checkbox"/>




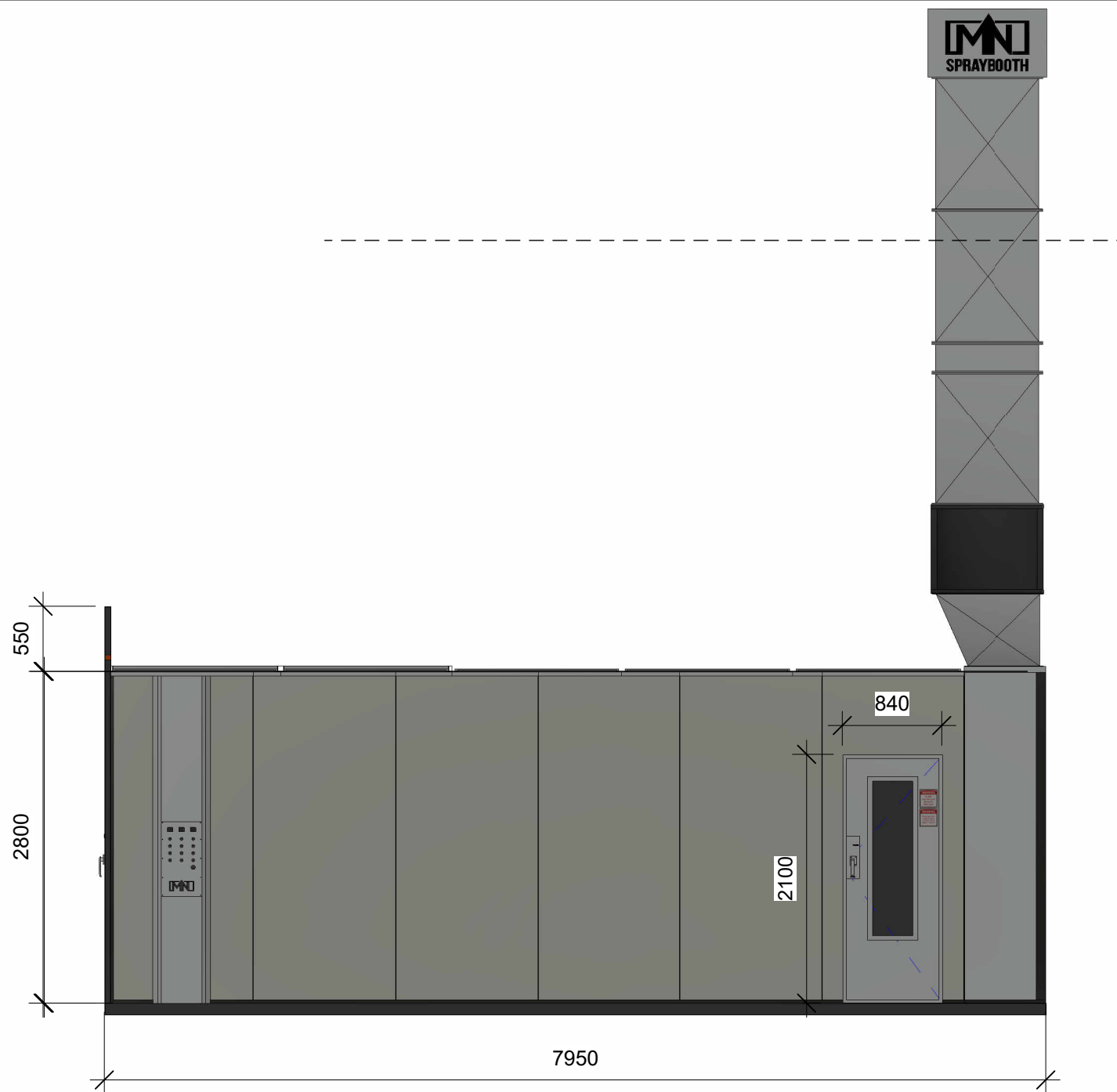





CUSTOMER:	DRAWING NAME: 3D View - Standard 4000 x 7200 End Draft Booth	A3	Factory 2, 96-98 Hallam South Road, Hallam VIC Australia 3803.  P 03 9708 6069 F 03 8786 3160	
DRAWING DATE:	DRAWING NUMBER:			

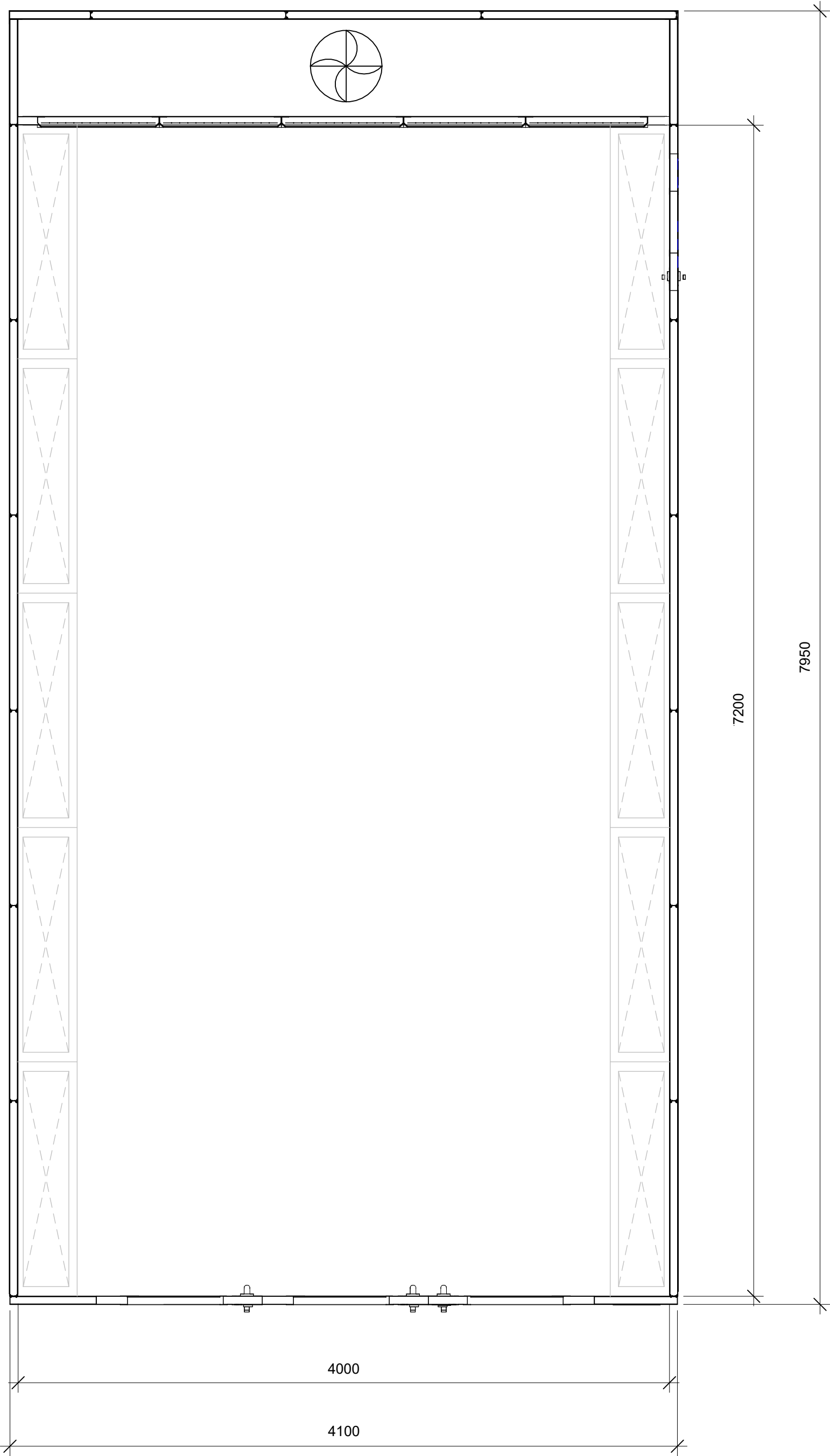


CUSTOMER:	DRAWING NAME: Front Elevation 4000 x 7200 End Draft Booth	A3 1 : 25	Factory 2, 96-98 Hallam South Road, Hallam VIC Australia 3803. P 03 9708 6069 F 03 8786 3160	
DRAWING DATE:	DRAWING NUMBER:			



CUSTOMER:	DRAWING NAME: Side 1 Elevation 4000 x 7200 End Draft Booth	A4 1 : 50	Factory 2, 96-98 Hallam South Road, Hallam VIC Australia 3803. P 03 9708 6069 F 03 8786 3160	 <b>MN SPRAYBOOTH</b>
DRAWING DATE:	DRAWING NUMBER:			







## Product Quotation

29 February 2024

Customer Reference		PBSP002	
SCOPE OF WORKS		QTY	AMOUNT
Supply and installation of Automotive Spray Booth – End Draft – NON Heated		1	\$ 36,200.00
Refer to Product Specifications			
Inclusions:		INC	
AS/NZS compliant Semi Auto Analogue control board/panel			
CUSTOMER TO SUPPLY:			
Refer to Product Specifications			
Additional Costs			
Duct offsets (if required) will incur an additional \$450.00 (ex gst) each		TBC	
Extra ducts (if required) will incur an additional \$250.00 (ex gst) each		TBC	
Optional Extras			
NA		NA	
NA		NA	
Travel Costs		-	\$ 5,910.00
Accommodation		3	
Meal allowance		4	
Interstate travel		3	
Return to base travel/ car hire		1	
Freight		1	\$ 4,200.00
Site/Delivery Address			
33-35 Owen Street Craiglie			
		EX GST	\$ 46,310.00
		GST	\$ 4,631.00
		TOTAL	\$ 50,941.00
NOTE: This quote is valid for 14 days. To accept this quote, please sign and return this quote and Terms and Conditions. This can be emailed to your MN Spraybooths representative. Upon receipt of the order a booking confirmation and project requirements form with deposit invoice and payment schedule will be emailed to you.			
Payment Terms		% PAYMENT	
CONFIRMATION DEPOSIT		40%	
DELIVERY PAYMENT		40%	
FINAL/INSTALLATION PAYMENT		20%	
		100%	

To accept this quote please sign below and return to our office together with the signed Terms & Conditions:

Signed

Date

Print Name



## TERMS AND CONDITIONS OF SALE

**1 Definitions**

**"Conditions"** means these Conditions of Sale (which are subject to change from time to time without notice to any customer);

**"Customer"** means a person, firm or corporation (and includes their agents and/or representatives), jointly and severally if there is more than one, acquiring goods from the Supplier;

**"Goods"** means goods supplied by the Supplier to the Customer;

**"GST"** means the goods and services tax as defined in *A New Tax System (Goods and Services Tax) Act 1999* as amended; and

**"Supplier"** means MN SPRAYBOOTH AND INDUSTRIAL SPRAYING PTY LTD ABN 84 938 626 313 situated at 80 National Avenue, Pakenham, Victoria 3810

**2 Basis of Contract**

**2.1** Unless otherwise agreed by the Supplier in writing, these Conditions apply exclusively to every contract for the sale of goods by the Supplier to the Customer and cannot be varied or supplanted by any other condition without the prior written consent of the Supplier.

**2.2** Any written quotation provided by the Supplier to the Customer concerning the proposed supply of goods is valid for 14 days and is an invitation only to the Customer to place an order based upon that quotation. The Conditions may include additional terms in the Supplier's quotation *provided* that such additional terms are not inconsistent with these Conditions.

**3 Payment**

**3.1** Payment for goods supplied by the Supplier must be made in accordance with the Supplier's Payment Terms.

**3.2** If credit terms are extended by the Supplier, payment for goods must be made within the terms indicated in the Supplier's invoice.

**3.3** If requested by the Supplier, the Customer must present the Supplier with a letter of credit at the time of order of the goods for the value of goods supplied.

**3.4** Credit terms may be revoked or amended at the sole discretion of the Supplier upon the giving of written notice to the Customer.

**3.5** Payment by the Customer will be subject to the Supplier providing a tax invoice for GST purposes.

**4 Payment Default**

**4.1** If the Customer defaults in payment by the due date of any amount payable to the Supplier, then all money which would become payable by the Customer to the Supplier at a later date on any account becomes immediately due and payable without the requirement of any notice to the Customer; and the Supplier may, without prejudice to any other remedy available to it:-

(a) charge the Customer interest on any sum due at the prevailing rate pursuant to the *Penalty Interest Rates Act 1983* plus 4 per cent for the period from the due date until the date of payment in full;

(b) charge the Customer for all expenses and costs (including legal costs on a solicitor/own client basis) incurred by it resulting from the default and in taking whatever action it deems appropriate to recover any sum due;

(c) cease or suspend for such period as the Supplier thinks fit, supply of any further goods to the Customer; and

(d) by notice in writing to the Customer, terminate any contract with the Customer so far as unperformed by the Supplier; without effect on the accrued rights of the Supplier under any contract.

**4.2** Clauses 4.1(c) and (d) may also be relied upon, at the option of the Supplier:

(a) where the Customer is an individual and becomes bankrupt or enters into any scheme of arrangement or any assignment or composition with or for the benefit of his or her creditors or any class of his or her creditors generally; or

(b) where the Customer is a corporation and, it enters into any scheme of arrangement or any assignment or composition with or for the benefit of its creditors or any class of its creditors generally, or has a liquidator, provisional liquidator, administrator, receiver or receiver and manager appointed, or any action is taken for, or with the view to, the liquidation (including provisional liquidation), winding up or dissolution without winding up of the Customer.

**5 Passing of Property**

Until full payment in cleared funds is received by the Supplier for all goods supplied by it to the Customer, as well as all other amounts owing to the Supplier by the Customer:

(a) title and property in all goods remain vested in the Supplier and do not pass to the Customer;

(b) the Customer must hold the goods as fiduciary bailee and agent for the Supplier;

(c) the Customer must keep the goods separate from its goods and maintain the labelling and packaging of the Supplier;

(d) the Customer is required to hold the proceeds of any sale of the goods to a third party ("Purchaser") on trust for the Supplier and in the event that the Purchaser uses the goods in some manufacturing or construction process of its own or some other third party, the Purchaser shall hold such part of the proceeds of such manufacturing or construction process as relates to the goods in trust for the Supplier; and

(e) the Supplier may without notice, enter any premises where it suspects the goods may be and remove them, and for this purpose the Customer irrevocably licences the Supplier to enter such premises and also indemnifies the Supplier from and against all costs, claims, demands or actions by any party arising from such action.

**6 Pricing**

**6.1** Prices quoted for the supply of goods exclude:

(a) GST; and

(b) the cost of freight, insurance and other charges arising from the point of dispatch of the goods to the Customer to the point of delivery.

**6.2** Unless otherwise agreed between the Supplier and the Customer, in addition to the price for goods, the customer must pay to the Supplier any amounts specified in clauses 6.1(a) and (b).

**6.3** Prices quoted for the supply of goods are subject to change without notice.

**7 Risk and Insurance**

The risk in the goods and all insurance responsibility for theft, damage or otherwise in respect of the goods will pass to the Customer immediately upon delivery of the goods to the premises nominated by the Customer.

**8 Performance of contract**

**8.1** Any period or date for delivery of goods or provision of services stated by the Supplier is intended as an estimate only and is not a contractual commitment. The Supplier will use its best reasonable endeavours to meet any estimated dates for delivery of the goods or completion of the services.

**8.2** The Supplier will not be liable for failure to deliver within the time estimated

**8.3** A completed driver's delivery docket whether signed by the driver or by the Customer or its employee or agent will be proof of delivery of goods invoiced.

**8.4** Where goods are collected by the Customer from the Supplier's premises, the Supplier's delivery docket signed by the Customer or its employee or agent will be proof of delivery of goods invoiced.

**9 Warranties**

**9.1** The Supplier warrants that the goods are of merchantable quality.

**9.2** The Supplier does not warrant the goods when the goods are manufactured according to a Customer's design, specifications or drawings over which the Supplier has no control nor involvement.

**9.3** The parties agree that this warranty will be invalidated if the Customer fails to comply with any instructions regarding handling or installation provided by the Supplier.

- 9.4 The Supplier’s liability under the warranty is limited to either the replacement of the goods or supply of an equivalent good, the repair of the goods or the payment of the costs of repairing the goods.
- 9.5 This warranty does not extend to the costs of removal, transportation and replacement of the goods pursuant to any claim under warranty. The Customer is responsible for the payment of all removal, transportation and replacement costs.
- 9.6 All claims under this warranty must be made in writing and received by the Supplier at its business premises.
- 9.7 Subject to clause 9.4, the Supplier is not liable for any direct, indirect or consequential losses or expenses suffered by the Customer or any third party, howsoever caused, including but not limited to loss of turnover, profits, business or goodwill or any liability to any other party.
- 9.8 The Supplier will not be liable for any loss or damage suffered by the Customer where the Supplier has failed to meet any delivery date or cancels or suspends the supply of goods.
- 9.9 Nothing in the Conditions is to be interpreted as excluding, restricting or modifying or having the effect of excluding, restricting or modifying the application of any State or Federal legislation applicable to the sale of goods which cannot be excluded, restricted or modified.
- 10 **Cancellation**
- 10.1 If, through circumstances beyond the control of the Supplier, the Supplier is unable to effect delivery of or provide the goods, then the Supplier may cancel the Customer’s order (even if it has already been accepted) by notice in writing to the Customer.
- 10.2 No purported cancellation or suspension of an order or any part thereof by the Customer is binding on the Supplier after that order has been accepted by the Supplier.
- 11 **Guarantee and Indemnity**
- 11.1 If the Customer is a corporation then the corporation will procure the directors of the Customer at the time of entering this agreement, to agree and to undertake to act as guarantors (“guarantors”) to ensure the performance of the Customer under this agreement. By signing this agreement, the directors of the Customer accept the terms of this agreement and guarantee.
- 11.2 The guarantors named in the contract unconditionally and irrevocably jointly and severally guarantee to the Supplier the performance by the Customer of its obligations under these Conditions.
- 11.3 The guarantors jointly and severally indemnify the Supplier against all liabilities which may be incurred by the Supplier caused by the Customer’s failure to perform any of its obligations under these Conditions.
- 11.4 The guarantee and indemnity will be a continuing guarantee and indemnity and will not be discharged and the liability of the guarantors will not be affected by any time, waiver or indulgence or admission granted by the Supplier to the Customer.
- 12 **Indemnity**
- The Customer indemnifies and will keep indemnified the Supplier from any liability, loss, expense or demand arising from any act or omissions by the Supplier including but not limited to false, misleading, deceptive or misdescriptive representation or statement made by the Supplier regarding the goods to any person.
- 13 **No Set Off**
- The Customer is not entitled to set off against the price payable under these Conditions any amount which is owed or the Customer believes is owed to it by the Supplier.
- 14 **Security**
- If the Supplier deems necessary and prudent, it shall be entitled to obtain security for payment of moneys owed to it by the Customer or a Purchaser from the Customer. By signing below, the Customer consents to and acknowledges and agrees that such security is reasonable. Such security may include but is not limited to, lodging a caveat over real property owned by the Customer and/or its guarantor, registering a mortgage over such property, and registering any relevant and applicable interests including the Supplier’s in the Personal Property Securities Register established pursuant to and administered by the Personal Property Securities Act 2009 (Cth) or to register the debt/non-payment with Veda or similar credit reporting agency.
- 15 **Privacy**
- We hold personal information both electronically and in hard copy form only for the purposes of providing the goods and services requested by you. At no time will the Supplier sell or provide your personal information to a third party without your express consent. We implement a range of measures in respect to protecting the security of your information and take measures in respect of destroying or de-identifying personal information that is no longer needed for any lawful purpose.
- 16 **Jurisdiction**
- The law of Victoria from time to time governs the Conditions and the parties agree to the non-exclusive jurisdiction of the courts of Victoria and of courts entitled to hear appeals from those Courts.

I APPROVE, PLEASE PROCEED WITH THIS QUOTATION: QUOTATION – REFERENCE: PBSP003

I, Jamie Sutherland for and on behalf of Behind The Seens Painting And Restoration agree to the terms and conditions set out above by signing below.

If a Corporation:

Signed \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_  
Director or Authorised representative sign and print name

If an Individual:

Signed \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_  
Authorised representative sign and print name

In signing the Terms and Conditions you are providing your approval to proceed with this quotation and agree to pay all detailed costs as per the terms listed. It also states that you have read and agree to our Terms & Conditions of Sale listed within this quotation.

21 February 2024

PO Box 662  
Port Douglas Qld 4877

Chief Executive Officer  
Douglas Shire Council  
Front St  
Mossman Qld 4873

Dear Madam

**CONSENT AS LANDOWNERS FOR LODGEMENT OF PLANNING APPLICATION  
WITH DSC**

We, Trevor James Woodward & Simon Lawrence Keirle, as trustees of the Teamsters Close Unit Trust, being the owner of 33-35 Owen St, Craiglie (Lot 4 on SP210322), hereby give our consent for Jamie & Jo Sutherland, or any other entity associated with them, to lodge a Planning Application with DSC in relation to proposed Lot 10 on SP345561 on the subject land.

Please call Simon Keirle on 0438077708 should you have any queries in relation to this matter.

Yours faithfully



Trevor Woodward



Simon Keirle