

DOUGLAS SHIRE COUNCIL  
 Ext 9773/2019  
 11 JAN 2019  
 1/10

## 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) (individual or company full name)	Steven John Pisot
Contact name (only applicable for companies)	Steven Pisot
Postal address (P.O. Box or street address)	PO Box 149
Suburb	Port Douglas
State	QLD
Postcode	4877
Country	Australia
Contact number	0419027557
Email address (non-mandatory)	mossmant tyres@gmail.com
Mobile number (non-mandatory)	0419027557
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?	
<input type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application <input checked="" 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
			Tresize Road and Spring Creek Road Mowbray	Mowbray
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	Lot 11	SP212654	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. 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:

<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>	
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

<b>6.1) Provide details about the first development aspect</b>			
a) What is the type of development? <i>(tick only one box)</i>			
<input type="checkbox"/> Material change of use	<input checked="" type="checkbox"/> Reconfiguring a lot	<input type="checkbox"/> Operational work	<input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>			
<input checked="" type="checkbox"/> Development permit	<input type="checkbox"/> Preliminary approval	<input type="checkbox"/> Preliminary approval that includes a variation approval	
c) What is the level of assessment?			
<input checked="" type="checkbox"/> Code assessment	<input type="checkbox"/> Impact assessment <i>(requires public notification)</i>		
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>			
Subdivision of a lot into two lots by virtue of the existence of a utility- road.			
e) Relevant plans			
<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"/> Relevant plans of the proposed development are attached to the development application			
<b>6.2) Provide details about the second development aspect</b>			
a) What is the type of development? <i>(tick only one box)</i>			
<input type="checkbox"/> Material change of use	<input type="checkbox"/> Reconfiguring a lot	<input type="checkbox"/> Operational work	<input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>			
<input type="checkbox"/> Development permit	<input type="checkbox"/> Preliminary approval	<input type="checkbox"/> Preliminary approval that includes a variation approval	
c) What is the level of assessment?			
<input type="checkbox"/> Code assessment	<input type="checkbox"/> Impact assessment <i>(requires public notification)</i>		
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>			
e) Relevant plans			
<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 type="checkbox"/> 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  
**X** Not required

**Section 2 – Further development details**

7) Does the proposed development application involve any of the following?

Material change of use	<input type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<b>X</b> 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 <sup>2</sup> ) (if applicable)
<b>Not Applicable</b>			

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

<input type="checkbox"/> Yes		
<input type="checkbox"/> No <b>Not Applicable</b>		

**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?

**One (1)**

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

<b>X</b> 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: Rural/Agriculture
Number of lots created				<b>TWO (2)</b>

10.2) Will the subdivision be staged?

☐ Yes – provide additional details below  
**X** 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	

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
EMT A RP897748	3 m	Approx. 99.5	Services –water supply	Lot 2 RP897748
EMT B RP897748	3 m	Approx. 78.5	Services –water supply	Lot 2 RP897748

### 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: <b>NIL survey only</b> |                                     |  |

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

☐ Yes – specify number of new lots:

X No

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

\$ N/A

## 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
- X 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 proscribed by the Planning Regulation 2017*

**X 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

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

<b>18) Has any referral agency provided a referral response for this development application?</b>		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application		
<b>X No It is understood referral is not required</b>		
<b>Referral requirement</b>	<b>Referral agency</b>	<b>Date of referral response</b>
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

<b>19) Information request under Part 3 of the DA Rules</b>
<b>X I agree to receive an information request if determined necessary for this development application</b>
<input type="checkbox"/> I do not agree to accept an information request for this development application
<b>Note:</b> By not agreeing to accept an information request I, the applicant, acknowledge:
<ul style="list-style-type: none"> <li>• 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</li> <li>• Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.</li> </ul>
Further advice about information requests is contained in the <u>DA Forms Guide</u> .

## 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

**X 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

**X 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

**X 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

**X 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

**X 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)

**X 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

**X 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 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

**X No**

**Note:** See guidance materials at [www.dcs.qld.gov.au](http://www.dcs.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

**X 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

**X 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*

**X 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  
**X 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  
**X 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  
**X 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

**X 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  
**X 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*  
**X 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)  
**X 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

**X 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

**X Not applicable**

Supporting information addressing any applicable assessment benchmarks is with 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.*

**X 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.*

**X 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

**X Not applicable**

### 25) Applicant declaration

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

**X** 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 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	
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	

DOUGLAS SHIRE COUNCIL Received	
File Name	
Document No	
11 JAN 2019	
Attention	
Information	

## **Application - Planning Report**

### **Proposed Reconfiguration of Lot (Subdivision of Lot 11 SP 212654 Tresize Road and Spring Creek Road, Mowbray)**

**Applicant/Owner :- Steven John Pisot**

41.2019.2972.1

T964

T2 11/01/19

RN: 323470

**January 2019**

<b>Real Property Descriptions</b>	Lot 11 SP212654
<b>Area of Lot</b>	23.53ha
<b>Designation</b>	Rural Zone
<b>Current Use</b>	The Lot Contains a recently constructed telecommunications tower and a small worker's barracks/ caretaker's residence. The lower undulating and flat areas have been cleared for cane farming and the steeper hillslopes remain uncleared.
<b>Proposal</b>	To Reconfigure/Subdivide Lot 11 SP212654 which is bisected by a gazetted road to create two lots - one Lot of approximately 12.78 ha to the north of the gazetted road. The proposed northern lot is predominantly uncleared, with only a small area of cane land and a telecommunications tower in place. The second and southern lot of approximately 10.75 ha is completely cleared and contains the worker's barracks/ caretaker's residence. It is utilized for agricultural purposes/cane farming.
<b>Development Activity</b>	Reconfiguration of a lot – Code Assessable

## **Preamble**

This application seeks to formalise the separation and identity of two lots which are created by the bisection of Lot 11 SP212654 by a utility service, namely a road.

It is generally consistent with Council's Planning Scheme and the Regional Plan in this regard.

Further the character of this section of the Mowbray Valley has changed in recent years, with most properties fronting Mowbray River Road and Tresize Road being used predominantly for Rural Residential purposes.

The proposed northern lot is adjacent to, and surrounds a small lot on the southern side of Tresize Road, and two lots containing substantial "Queenslander" style homes on the northern side of the road. This gives the area a Rural Residential character and residents have an expectation, based on this perceived character, that the quiet enjoyment will not be affected by farming activities such as chemical spraying and fertilising.

For this reason the northern lot which is approximately 12.78 ha of which only 3.2 ha (about 25%) has been cleared for farming, cannot be farmed in conjunction with or at a similar intensity of the proposed southern lot. Also the balance hillside area, which is reasonably heavily forested, remains uncleared and would be expected to be essentially retained in this condition into the future.

Important characteristics of the proposal are:-

- While technically one new lot is created by the proposal the existence of the bisecting road means that there are already two separate lots.
- Both lots have existing access points. The proposed northern lot onto Tresize Road and the southern lot onto Spring Creek Road, which experiences a lower order of use than Tresize Road. It is intended access will continue to occur from Spring Creek Road and Tresize Road.
- The proposed lots have access to electricity and communications services and are in an area where bore water is plentiful and sewerage services can be readily provided.
- No vegetation will be cleared and no earthworks or any form of operational works will be required.
- The proposal involves the use of the existing lot boundaries and no new boundaries are created.
- The proposal consolidates agricultural use on the fully cleared lot, and allows for boutique style farming practices on the partially cleared lot.

## Consideration of Relevant Codes

### Rural Zone Code

Performance outcomes	Acceptable outcomes
<b>For self-assessable and assessable development</b>	
<b>PO1</b> The height of buildings is compatible with the rural character of the area and must not detrimentally impact on visual landscape amenity.	<b>AO1.1</b> Dwelling houses are not more than 8.5 metres in height.  Note – Height is inclusive of roof height.  <b>AO1.2</b> Rural farm sheds and other rural structures are not more than 10 metres in height.  <i>Existing Buildings Comply</i>

Performance outcomes	Acceptable outcomes
<b>Setbacks</b>	
<b>PO2</b> Buildings and structures are setback to maintain the rural character of the area and achieve separation from buildings on adjoining properties.	<b>AO2</b> Buildings are setback not less than: (a) 40 metres from the property boundary and a State-controlled road; (b) 25 metres from the property boundary adjoining Cape Tribulation Road; (c) 20 metres from the boundary with any other road; (d) 6 metres from side and rear property boundaries. <i>Existing Buildings comply</i>
<b>PO3</b> Buildings/structures are designed to maintain the rural character of the area.	<b>AO3</b> White and shining metallic finishes are avoided on external surfaces of buildings.  <i>Complies</i>
<b>For assessable development</b>	
<b>PO4</b> The establishment of uses is consistent with the outcomes sought for the Rural zone and protects the zone from the intrusion of inconsistent uses.	<b>AO4</b> Uses identified in Table 6.2.10.3.b are not established in the Rural zone.  <i>Complies</i>



<p><b>P05</b> Uses and other development include those that:</p> <ul style="list-style-type: none"> <li>(a) promote rural activities such as agriculture, rural enterprises and small scale industries that serve rural activities; or</li> <li>(b) promote low impact tourist activities based on the appreciation of the rural character, landscape and rural activities; or</li> <li>(c) are compatible with rural activities.</li> </ul>	<p><b>A05</b> No acceptable outcomes are prescribed.</p> <p><i>Uses are predominantly cane farming - Complies</i></p>
<p><b>P06</b> Existing native vegetation along watercourses and in, or adjacent to areas of environmental value, or areas of remnant vegetation of value is protected.</p>	<p><b>A06</b> No acceptable outcomes are prescribed.</p> <p><i>Complies- no clearing whatsoever of any areas is proposed</i></p>
<p><b>P07</b> The minimum lot size is 40 hectares, unless</p> <ul style="list-style-type: none"> <li>(a) the lot reconfiguration results in no additional lots (e.g. amalgamation, boundary realignments to resolve encroachments); or</li> <li>(b) the reconfiguration is limited to one additional lot to accommodate: <ul style="list-style-type: none"> <li>(i) Telecommunications facility;</li> <li>(ii) Utility installation.</li> </ul> </li> </ul>	<p><b>A07</b> No acceptable outcomes are prescribed.</p> <p><i>Complies – only one extra lot is technically created and the lot is effectively created by the existence of the utility installation – road.</i></p>

### ***Coastal Communities Local Plan Code***

*Not applicable*

### ***Mossman Local Plan Code***

*Not applicable*

### ***Port Douglas/Craigie Local Plan Code***

*Not applicable*

### ***Acid Sulphate Soils Overlay Code***

*Complies*

*While part of the proposed northern lot and all of the southern lot are mapped as in acid sulphate soil areas, no excavation or earthworks are proposed as part of this application ,or in the future and therefore it fully complies with the Code.*

### ***Bush Fire Hazard Overlay Code***

*Complies*

*Only a small part of the southern lot is affected and only as a buffer. The uncleared section of the northern lot is affected and the cleared part is in the buffer area. Nothing in the application, which does not involve a change in use, affects the current situation and in any case sufficient buffers have been identified by the overlay.*

### ***Coastal Environment Overlay Code***

***Not applicable***

### ***Flood and Storm Tide Overlay Code***

***Complies***

***Both proposed lots are included in the flood plain assessment overlay. The application does not involve a change of use and in any case both lots have flood immune areas available outside the assessment area. A review of the topography of the area, and discussion with local residents with over sixty years experience of living in the vicinity suggests that the assessment area on the proposed southern lot is significantly overstated.***

### ***Hill Slopes Overlay Code***

***Complies***

***The proposed northern lot is affected by the overlay to the extent of the uncleared area of the lot. The application does not involve a change in use and no clearing is proposed in any case.***

### ***Landscape Values Overlay Code***

***Complies***

***The proposed northern lot is affected by the overlay to the extent of the uncleared area of the lot. The application does not involve a change in use and no clearing is proposed in any case. There is little impact on the southern lot.***

### ***Natural Areas Overlay Code***

***Complies***

***The proposed northern lot is affected by the overlay to the extent of the uncleared area of the lot. The application does not involve a change in use and no clearing is proposed in any case. There is little impact on the southern lot.***

### ***Places of Significance Overlay Code***

***Not Applicable***

### ***Potential Landslide Hazard Overlay Code***

#### ***Complies***

*The proposed northern lot is slightly affected by possible landslip as identified in the overly. However this is no change of use proposed and in any case much of the Lot is not identified as being subject to possible land slip.*

### ***Transport Network Overlay Code***

#### ***Complies***

*The proposal does not impact on any future pedestrian or cycle way on Spring Creek Road – the use does not change.*

*In terms of road hierarchy the proposed northern lot already has access to Tresize Road and the southern lot to Spring Creek Road. No change of use is proposed or any change to intensity of use.*

*There are no Transport noise issues identified by the overlay.*

### ***Access, Parking and Servicing Code***

#### ***Complies***

*Access driveways to the lots have existed for many years and function safely and effectively. There is no change of use proposed and each of the proposed lots has an ease of access to services.*

### ***Environmental Performance Code***

#### ***Complies***

*There is no change of use proposed by the application. However the proposed separation of the northern Lot for more sensitive farming practices protects the high environmental quality of the lot and the amenity for residents.*

### ***Filling and Excavation Code***

#### ***Complies***

*No filling or excavation will be required as part of this application.*

## ***Infrastructure Works Code***

### ***Complies***

***No change of use is proposed. However both lots have full access to all necessary infrastructure.***

## ***Landscaping Code***

### ***Complies***

***There is no change of use proposed by the application.***

## ***Reconfiguring a Lot Code***

### ***Complies***

***The provisions in the Code relating to urban or rural residential type development are not applicable to the arrangements proposed by the subdivision of the Rural Land.***

***The proposed/existing lots have full access to all necessary services.***

## ***Vegetation Management Code***

### ***Complies/ Not Applicable***

***There is no change of use proposed by the application. No clearing is proposed in any case.***

This application, as mentioned previously, involves the formalisation of a two lot situation created by the presence of a gazetted road which bisects Lot 11.

A plan of the proposal overlaid on an aerial photograph is attached along with a smart map and detailed survey plan. Easements A and B RP897748 will be unaffected by the proposal.

Further, the proposal creates an arrangement which can be more sympathetic to the Environment and Amenity of the area by concentrating intense farming on the southern lot and allowing the northern lot to be quarantined for more empathic farming practises.

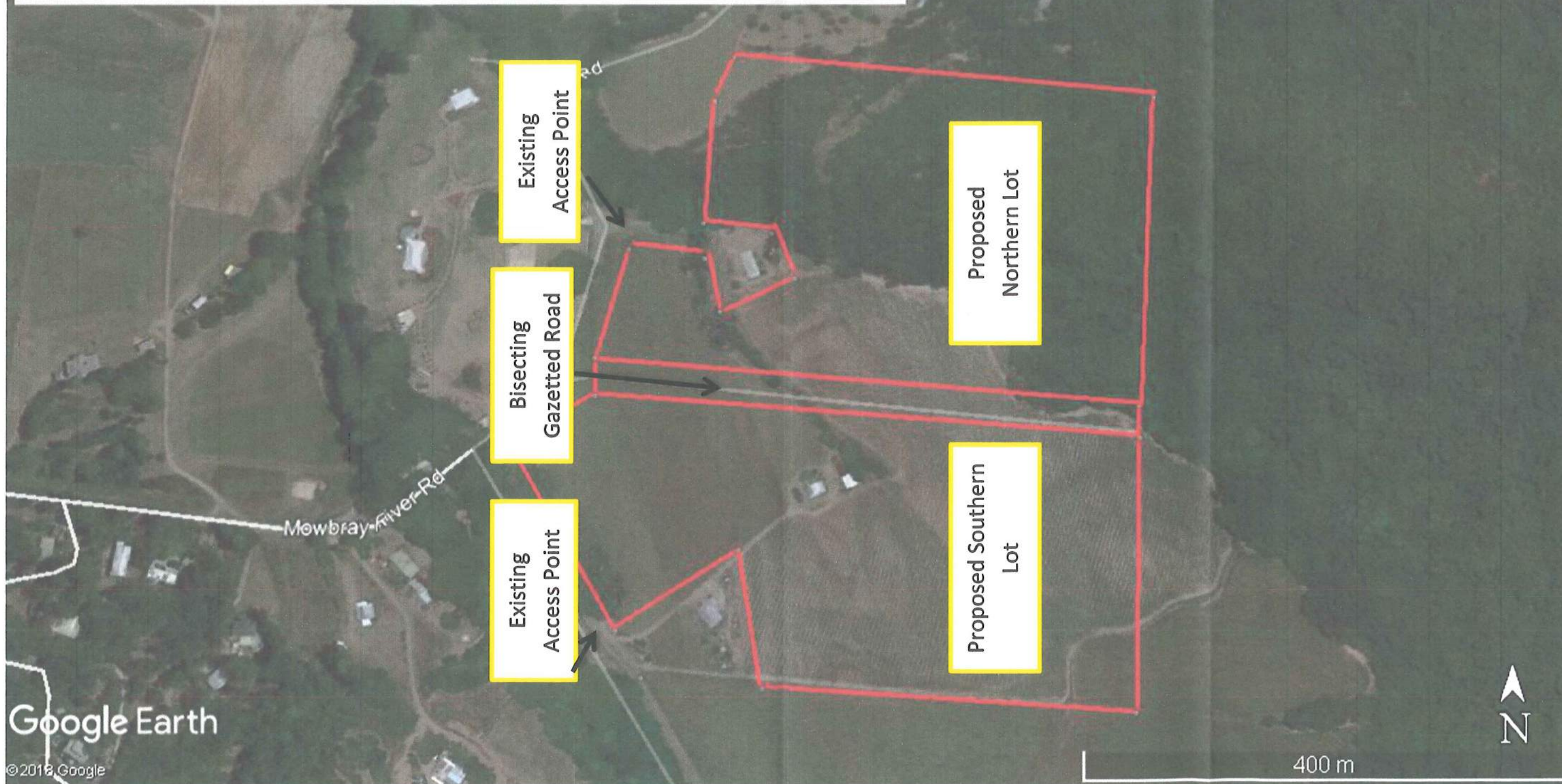
Please do not hesitate to contact me if further information is required.

*S. Pisot 10-1-19*

Steven Pisot



# Pisot - Proposed Reconfiguration of Lot 11 SP212654



62824-1/SE

Land Title Act 1994: Land Act 1994  
Form 21 Version 2

**SURVEY PLAN**

Sheet 1 of 1

**TRAVERSES ETC**

LINE	BEARING	DISTANCE
4-4b	50°45'	4.0
4a-4	32°54'	4.0



**ROAD**

**TREZISE**

**ROAD**

**CREEK**

**SPRING**

**ROAD**

*Req. placed at all new corners, unless otherwise stated.*

*Original information compiled from SP126927 in the Department of Natural Resources and Water.*

**PERMANENT MARKS**

PM	ORIGIN	BEARING	DIST	NO	TYPE
4-CPM	SP126927	226°28'40"	146.38	53566	
5-CPM	SP126927	283°14'	34.18	117993	

**REFERENCE MARKS**

STN	TO	ORIGIN	BEARING	DIST
1	QIP Not Searched	RP 742305	274°15'40"	22.14
1	O Nail in Conc	SP126927	139°28'20"	23.92
2	QIP	RP 742305	320°30'	1.0
2	Nail in Conc	RP 742305	257°22'	7.99
4	QIP at stn	RP 742305	at Station	
	Not Searched			
	(under Conc)			
4	Nail in Conc	RP 897748	300°06'35"	23.72
5	QIP	SP126927	285°40'	1.025
7	QIP gone		232°06'	1.06
8	Pin		180°0'	1.04
9	Pin		149°32'30"	13.754
9	Pin		80°26'45"	27.181

Conks (Carns) Pty Ltd (ACN 055 931 086) hereby certify that the land comprised in this plan was surveyed by the corporation, by Ross John WOODWARD, surveying associate, for whose work the corporation accepts responsibility, under the supervision of Laurence Ration GREEN, coastal surveyor, and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 18/08/2008.

*S. Redgum*  
Director

9.1.09  
Date

**Plan of Lots 10 & 11**

*Cancelling Lots 1 & 3 on SP126927*

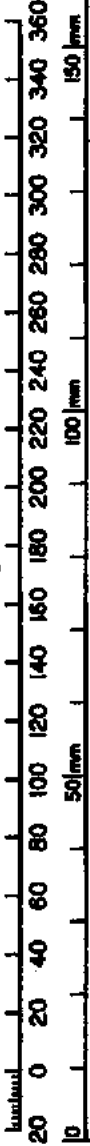
PARISH: **MOWERAY** COUNTY: **Solander**

Meridian: SP126927

F/N: No

Plan Status:

Scale 1:2500 - Lengths are in Metres.



Scale: 1:2500

Format: STANDARD



SP212654



WITHDRAWN & RE-ENTERED  
12-05-09

742272938

712401942

\$393.20

\$393.20  
12/05/2009 14:29

CS 400 NT

1. Certificate of Registered Owners or Lessees.

1A- STEVEN JOHN PISOT

*Steven John Pisot*

(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 \*Lessee-

\* Rule out whichever is inapplicable

2. Local Government Approval.

\* CAIRNS REGIONAL COUNCIL

hereby approves this plan in accordance with the:

% INTEGRATED PLANNING ACT 1997

DATE OF APPLICATION: 3 FEBRUARY 2009

Dated this FOURTH day of MARCH 2009

\*SIMON CLARKE

MANAGER DEVELOPMENT ASSESSMENT

\* 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:

Name:

4. References:

Dept File:

Local Govt:

Surveyor: 62824\_01

WARNING : Folded or Mutilated Plans will not be accepted.  
Plans may be rolled.

Information may not be placed in the outer margins.

Registered

5. Lodged by

*Steven John Pisot*  
P.O. Box 149  
PORT DOUGLAS QLD 4877  
0740 985104

(Include address, phone number, reference, and Lodger Code)

6. Existing

Created

Title Reference	Description	New Lots	Road	Emts	Cov.	Profit or Prendre
50332400	Lot 1 on SP126927	10 & 11				
50332401	Lot 3 on SP126927	10				

### MORTGAGE ALLOCATIONS

Mortgage	Lots Fully Encumbered	Lots Partially Encumbered
702331998	10 & 11	

### ENCUMBRANCE EASEMENT ALLOCATIONS

Easement	Lots to be Encumbered
701712195	11

### EXISTING COVENANT ALLOCATIONS

Covenant	Lots Encumbered
707364312	11
709276154	11

### 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 roads
- \* Part of the building shown on this plan encroaches onto adjoining lots and road

Cadastral Surveyor/Director \* Date  
\*delete words not required

### 13. Lodgement Fees:

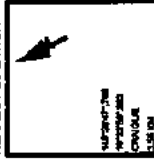
Survey Deposit	\$
Lodgement	\$
New Titles	\$
Photocopy	\$
Postage	\$
TOTAL	\$

14. Insert Plan Number

SP212854

STANDARD MAP NUMBER  
7964-11214

MAP NUMBER POSITION &  
NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DC08  
Leaflet  
Area/Volume  
Tenure  
Local Government  
Locality  
Segment/Parcel

1/16SP212654  
23.53ha  
FREEHOLD  
DOUGLAS SHIRE  
MOWBRAY  
9805727

CLIENT SERVICE STANDARDS

PRINTED (ddmmyyyy) 10/01/2019

DC08 08/11/2019

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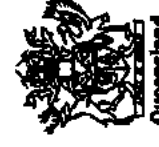
For further information on SmartMap products visit <http://www.qld.gov.au/property/smartmap>



SmartMap

An External Product of  
Smartmap Information Services

Based upon an extraction from the  
Digital Cadastral Data Base



Queensland  
Government  
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Natural Resources,  
Mines and Energy) 2019.

