

DOUGLAS SHIRE COUNCIL	
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# Reconfiguration of Lot

## BUP70674

### 9 Spinnaway Close Port Douglas

October 2018

CKS Design Co.

Buildings and Interiors

Paul Christie  
and  
Claire Donnelly

cksdesign@bigpond.com  
Phone: 0419 842 392  
ABN: 63 072 868 912

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# 1 Outline of Application

My Ref: JE/PFC/70674

Date: 28th October 2018

Jenny Elphinstone - Senior Planning Officer

Douglas Shire Council  
PO Box 723  
MOSSMAN QLD 4873

Dear Jenny,

**RE: APPLICATION FOR A DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT (1 LOT INTO 2 LOTS) OVER LAND LOCATED AT 9 SPINNAWAY CLOSE, PORT DOUGLAS, DESCRIBED AS LOTS 1 AND 2 ON BUP70674**

Further to our meeting at Douglas Shire Council offices, I enclose the development application for the Reconfiguration of a Lot at the address above.

The land is currently within the Solander area of Port Douglas and as a result is within a Low-Medium Density Residential Zone. The lot is therefore suitable for sub-division and to provide freehold title to the newly created lots. This, in turn, prevents any future development outside of the Douglas Shire Council planning goals and objectives. At the same time, it ensures the protection of the unique character, identity and maturity of the area, now and into the future.

With that said, please find enclosed, the documentation in support of this application. Should I have been remiss and not supplied any relevant information required, please do not hesitate to contact me and I will endeavour to provide it forthwith.

Once again, thank you for your assistance in this matter.

Kind Regards,

A handwritten signature in black ink, appearing to read 'Paul Christie', with a stylized, cursive script.

Paul Christie

## 2 Site Information

# 1 Site Information

## 1.1 Site Details

Key details of the subject site include:

<b>Address:</b>	9 Spinnaway Close, Port Douglas QLD 4877
<b>Real Property Description:</b>	Lots 1 and 2 on BUP70674
<b>Site Area:</b>	882m <sup>2</sup>
<b>Easements:</b>	N/A
<b>Land Owner:</b>	Paul Christie and Claire Donnelly <i>Refer –Title Search</i>

## 1.2 Planning Context

The planning context of the site includes:

<b>Regional Plan designation:</b>	Urban Footprint.
<b>Planning Scheme Local Plan:</b>	Port Douglas – Craiglie.
<b>Planning Area:</b>	Low-Medium Residential.
<b>Planning Scheme Overlays:</b>	Flood and Storm Tide Inundation (Medium Hazard) Access Parking and Servicing

## 1.3 Site Characteristics

Key site characteristics include:

<b>Topography:</b>	Generally flat.
<b>Vegetation:</b>	No remnant vegetation, generally garden variety. Some large trees.
<b>Wetlands:</b>	None.
<b>Conservation:</b>	None.
<b>Services:</b>	The site is connected to, or has access to, all of the following urban infrastructures: <ul style="list-style-type: none"><li>▪ Reticulated water supply;</li></ul>

	<ul style="list-style-type: none"> <li>▪ Sewerage;</li> <li>▪ Telecommunications;</li> <li>▪ Electricity; and</li> <li>▪ Roads.</li> </ul>
<b>Waterways:</b>	None.
<b>Road frontages and length:</b>	Approximately 35m on Spinnaway Close and 25m on Sorrento Crescent.
<b>Existing use of site:</b>	Duplex.

#### **1.4 Surrounding Land Uses**

The subject site is located in an established residential area and is surrounded by large single detached dwellings.

## **2 Application Details**

<b>Aspects of Development Sought:</b>	Development Permit for Reconfiguration of a Lot (1 Lot into 2 Lots).
<b>Applicant:</b>	Paul Christie and Claire Donnelly PO Box 424 Port Douglas 4877
<b>Contact:</b>	As Above

### 3      Proposal

This application seeks a Development Permit for Reconfiguration of a Lot (1 lot into 2 lots) as per Proposed Reconfiguration Plan (enclosed)

The proposed subdivision will result in two (2) lots of 442m<sup>2</sup> and 440m<sup>2</sup> in area, both of which are regular in shape and have their own road frontage (either from Spinnaway Close or Sorrento Crescent)



## 4 Legislative Requirements

### 4.1 *Planning Act 2016*

This section provides an overview of the legislative context of the application under the provisions of the *Planning Act 2016*.

#### 4.1.1 *Assessable Development*

The proposed development is identified as 'assessable' under the *Planning Act 2018* due to the effect of the Douglas Shire Planning Scheme.

#### 4.1.2 *Assessment Manager*

The Assessment Manager for this development application is Douglas Shire Council as determined by Schedule 8 of the *Planning Regulation 2017*.

#### 4.1.3 *Level of Assessment*

The Level of Assessment of the proposal is outlined in the below table.

Planning Scheme Zone	Aspect of Development	Level of Assessment
Low Medium Residential	Reconfiguration of a Lot	Code Assessable

#### 4.1.4 *Referral Agencies*

A review of Schedule 10 of the *Planning Regulation 2009* indicates that the application will not require referral to state agencies.

#### 4.1.5 *Public Notification*

This application is subject to 'code-assessment' and therefore does not require Public Notification.

## **4.2 Statutory Planning Assessment**

This section assesses the application against all relevant statutory planning provisions.

### **4.2.1 State Planning Regulatory Provisions**

No State Planning Regulatory Provisions are relevant to this application.

### **4.2.2 State Planning Policy**

It is understood that all State Planning Policy provisions relevant to the proposal are adequately addressed in the Planning Scheme.

### **4.2.3 Regional Plan**

The Far North Queensland Regional Plan 2009-2031 identifies the subject site as being within the 'Urban Footprint'. The proposal is consistent with the intent of land within this designation.

### **4.2.4 State Development Assessment Provisions (SDAP)**

No State Development Assessment Provisions are identified as being applicable to the proposal.

## **4.3 Planning Scheme**

Under the Douglas Shire Planning Scheme 2018, the subject site is included within the Low-Medium Residential Zone. Within this designation, the proposed Reconfiguration of a Lot is identified as being 'code-assessable' development.

### **4.3.1 Applicable Codes**

The following codes are considered to be relevant to this development:

- Port Douglas – Craiglie Local Area Plan Code
- Low Medium Residential Zone Code;
- Landscape Code;
- Reconfiguring a Lot Code

A detailed assessment against the Douglas Shire Planning Scheme codes is included in this report. The proposal is considered generally compliant with the relevant 'Acceptable Outcomes' and/or 'Performance Outcomes' of the relevant codes. Where strict compliance with the 'Acceptable Outcomes' is not achieved, comments addressing the relevant 'Performance Outcomes' are provided.

## 5 Conclusions and Recommendations

This submission supports an application by Paul Christie and Claire Donnelly ('The Applicants') for a Development Permit for Reconfiguration of a Lot (1 Lot into 2 Lots) over land at 9 Spinnaway Close, Port Douglas, described as Lots 1 and 2 on BUP70674.

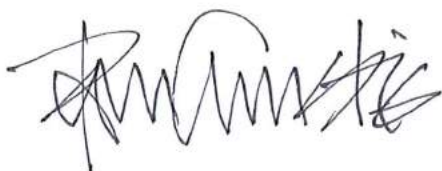
The submission has included an assessment of the proposal against the relevant statutory planning controls at both the local and state level and included supporting information intended to address the likely concerns of Council and assessing authorities.

In summary, I submit that the proposed development is unlikely to have any impacts on the infrastructure, environment or community of the surrounding area that is not adequately controlled through the use of reasonable and relevant conditions and are not currently met due to the current and approved use of the site.

Further to your request for clarification where a party wall is on the boundary. Consultation with Peter Van Landeghem of Cardno, in Cairns, indicated that the standard/best practice in this case is a cross easement. It is hoped this solution will suit Councils needs, please be assured that I am certainly open to alternatives if it does not.

I trust this information is sufficient for your purposes; however should you require any further details or clarification, please do not hesitate to contact the undersigned on 0419842392

Yours Faithfully,

A handwritten signature in black ink, appearing to read 'Paul Christie', with a stylized, cursive script.

**Paul Christie**  
Director-  
CKS Design - Building  
and Interiors

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DA Form 1



# 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

**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)	Paul Christie and Claire Donnelly
Contact name (only applicable for companies)	Paul Christie
Postal address (P.O. Box or street address)	PO Box 424
Suburb	Port Douglas
State	Queensland
Postcode	4877
Country	Australia
Contact number	0419 842392
Email address (non-mandatory)	<a href="mailto:fattoast@bigpond.com">fattoast@bigpond.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)



Queensland  
Government

## 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
	1	9	Spinnaway Close	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	Lot 1	BUP70674	Douglas Shire
b)	Unit No.	Street No.	Street Name and Type	Suburb
	2	9	Spinnaway Close	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	Lot 2	BUP70674	Douglas Shire

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)

#### Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)

### 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 <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      ☒ Reconfiguring a lot      Operational work      Building work

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

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

c) What is the level of assessment?

☒ Code assessment      Impact assessment (requires public notification)

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

Sub division (1 lot into 2 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

6.2) 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)

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

Development permit	Preliminary approval	Preliminary approval that includes a variation approval
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c) What is the level of assessment?

Code assessment	Impact assessment <i>(requires public notification)</i>
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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	<input checked="" type="checkbox"/> Yes – complete division 2
Operational work	Yes – complete division 3
Building work	Yes – complete DA Form 2 – Building work details

### 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)

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

Yes		
<b>X</b> 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?

2

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

<b>X</b> 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 construction road (complete 13))

10) Subdivision

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

Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created	2			

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	
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

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 prescribed 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

Matters requiring referral to the **chief executive of the distribution entity or transmission entity:**

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

Oil and gas infrastructure

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

Brisbane core port land

Matters requiring referral to the **Minister under the Transport Infrastructure Act 1994:**

Brisbane core port land (inconsistent with Brisbane port LUP for transport reasons)

Strategic port land

Matters requiring referral to the **relevant port operator:**

Land within Port of Brisbane's port limits (below high-water mark)

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

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

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

Tidal works, or work in a coastal management district in Gold Coast waters

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

Tidal works marina *(more than six vessel berths)*

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

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

**X** No

Referral requirement	Referral agency	Date of referral response

Identify and describe any changes made to the proposed development application that was the subject of the referral response and the development application the subject of this form, or include details in a schedule to this development application *(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
\$		

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.			
<b>Hazardous chemical facilities</b>			
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			
<input checked="" type="checkbox"/> No			
Note: See <a href="http://www.business.qld.gov.au">www.business.qld.gov.au</a> for further information about hazardous chemical notifications.			
<b>Clearing native vegetation</b>			
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)			
<input checked="" type="checkbox"/> 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 <a href="https://www.qld.gov.au/environment/land/vegetation/applying">https://www.qld.gov.au/environment/land/vegetation/applying</a> for further information on how to obtain a s22A determination.			
<b>Environmental offsets</b>			
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			
<input checked="" type="checkbox"/> No			
Note: The environmental offset section of the Queensland Government's website can be accessed at <a href="http://www.qld.gov.au">www.qld.gov.au</a> for further information on environmental offsets.			
<b>Koala conservation</b>			
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			
<input checked="" type="checkbox"/> No			
Note: See guidance materials at <a href="http://www.des.qld.gov.au">www.des.qld.gov.au</a> for further information.			
<b>Water resources</b>			
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 <u>may be</u> required prior to commencing development			
<input checked="" type="checkbox"/> No			
Note: Contact the Department of Natural Resources, Mines and Energy at <a href="http://www.dnrme.qld.gov.au">www.dnrme.qld.gov.au</a> for further information. DA templates are available from <a href="https://planning.dsdmip.qld.gov.au/">https://planning.dsdmip.qld.gov.au/</a> . If the development application involves:			
<ul style="list-style-type: none"> <li>• Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1</li> <li>• Taking or interfering with water in a watercourse, lake or spring: complete DA Form 1 Template 2</li> <li>• Taking overland flow water: complete DA Form 1 Template 3.</li> </ul>			



#### 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.das.qld.gov.au](http://www.das.qld.gov.au) for information requirements regarding development of Queensland heritage places.

Name of the heritage place:

Place ID:

#### Brothels

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

Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*

☒ No

#### Decision under section 62 of the *Transport Infrastructure Act 1994*

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

Yes - this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)

☒ No

## PART 8 – CHECKLIST AND APPLICANT DECLARATION

### 24) Development application checklist

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

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 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



**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	

## 4 Site Plan, Title Etc.



Contours 1m (Wider Coverage from TMR 2008)  
Contours 1m (2008 TMR)  
major  
moderate

TP Property Boundaries (Oct 2017)

Property Boundaries

Bridges

Bridges

Road Network

Roads

Private

Local

State

Watercourses

Major Watercourse

8

7

6

5

4

3

Minor Watercourse

2

1

Boundaries

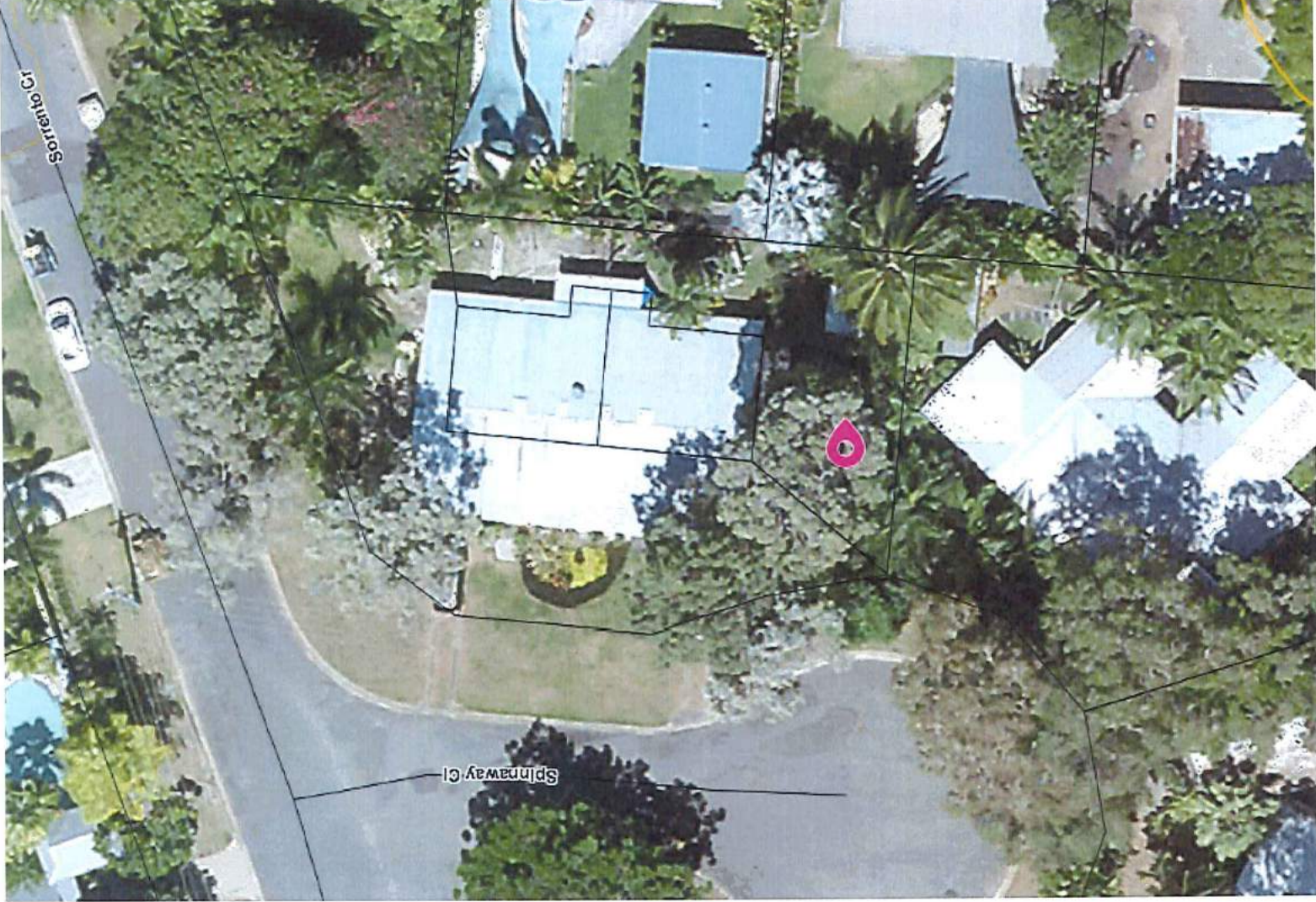
Locality Boundaries

Douglas Shire Council Boundary



Scale = 378

10 m



9 Spinaway Cl

©2018 Douglas Shire Council (DSC). Based on or contains data provided by DSC and the State of Queensland Department of Natural Resources & Mines (NR&M) [2018].  
In consideration of these agencies permitting use of this data you acknowledge and agree that these agencies give no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accept no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data. Data must not be used for direct marketing or be used in breach of the privacy laws.

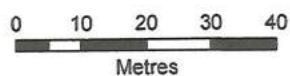


## DA Mapping System – Print Screen



Department of State  
Development, Manufacturing,  
Infrastructure and Planning

© The State of Queensland 2018



Date: 25/10/2018



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# CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 29862967  
Search Date: 26/10/2018 13:37

Title Reference: 21350144  
Date Created: 09/10/1987

Previous Title: 20985223

## REGISTERED OWNER

Dealing No: 715152032 20/06/2013

CLAIRE ELIZABETH DONNELLY  
PAUL FARQUHARSON CHRISTIE JOINT TENANTS

## ESTATE AND LAND

Estate in Fee Simple

LOT 1 BUILDING UNIT PLAN 70674  
Local Government: DOUGLAS  
COMMUNITY MANAGEMENT STATEMENT 954

## EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 10392192 (POR 26)
2. MORTGAGE No 716316762 16/02/2015 at 16:28  
WESTPAC BANKING CORPORATION A.B.N. 33 007 457 141

ADMINISTRATIVE ADVICES - NIL  
UNREGISTERED DEALINGS - NIL

## CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

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Requested By: D-ENQ PROPERTY & TITLE SEARCH

# CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 29862968

Search Date: 26/10/2018 13:37

Title Reference: 21350145

Date Created: 09/10/1987

Previous Title: 20985223

## REGISTERED OWNER

Dealing No: 715152032 20/06/2013

CLAIRE ELIZABETH DONNELLY

PAUL FARQUHARSON CHRISTIE JOINT TENANTS

## ESTATE AND LAND

Estate in Fee Simple

LOT 2 BUILDING UNIT PLAN 70674  
Local Government: DOUGLAS  
COMMUNITY MANAGEMENT STATEMENT 954

## EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 10392192 (POR 26)
2. MORTGAGE No 716316764 16/02/2015 at 16:28  
WESTPAC BANKING CORPORATION A.B.N. 33 007 457 141

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

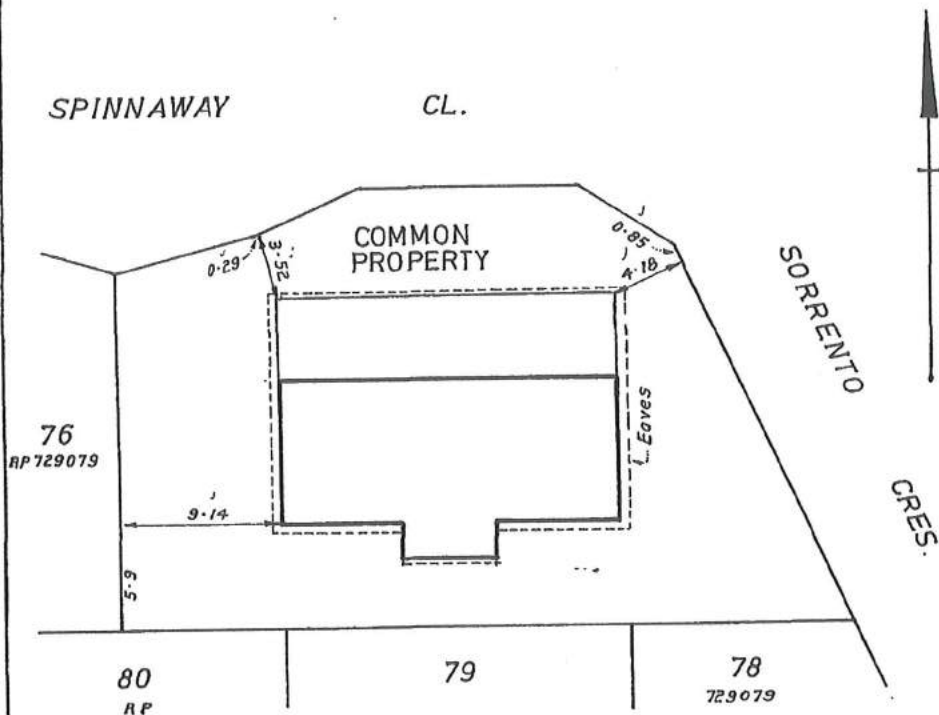
\*\* End of Current Title Search \*\*

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Requested By: D-ENQ PROPERTY & TITLE SEARCH

Building Units and Group Titles Act 1980  
BUILDING UNITS AND GROUP TITLES REGULATIONS 1980

Regulation 8(1)(b)(ii)  
Sheet No. 2 of 7 sheets

BUILDING UNITS PLAN No: 7067-1



Scale 1:300

Signature of Registered Proprietor :

X

✓



who certify that they are the proper  
officers of the company

Shire Clerk  
Council of the Shire of Douglas

Building Units and Group Titles Act 1980  
BUILDING UNITS AND GROUP TITLES REGULATIONS 1980

(Form 2)

Regulation 8(1)(b)(iii)

Sheet No. 3 of 7 sheets

BUILDING UNITS PLAN No: 70674

Charles O'Neill Pty. Ltd., of 25 Grafton Street, Cairns, licensed surveyor registered under the Surveyors Act 1977-1981 hereby certifies that the building shown on the building units plan to which this certificate is annexed is within the external surface boundaries of the parcel the subject of the said plan.

Dated this *Twenty-seventh* day of *October*, 1986



Director

Licensed Surveyor/Director

.....  
Shire Clerk  
Council of the Shire of Douglas



# State Assessment and Referral Agency

Date: 22/10/2018

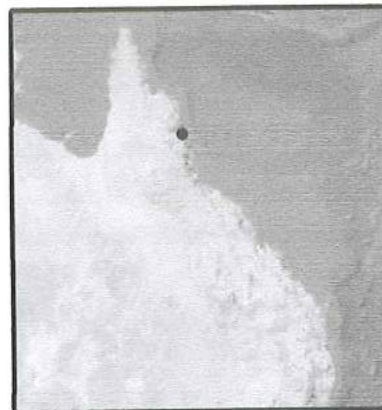


Department of State Development  
Manufacturing, Infrastructure  
and Planning

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## Matters of Interest for all selected Lot Plans

*Coastal area - medium storm tide inundation area*

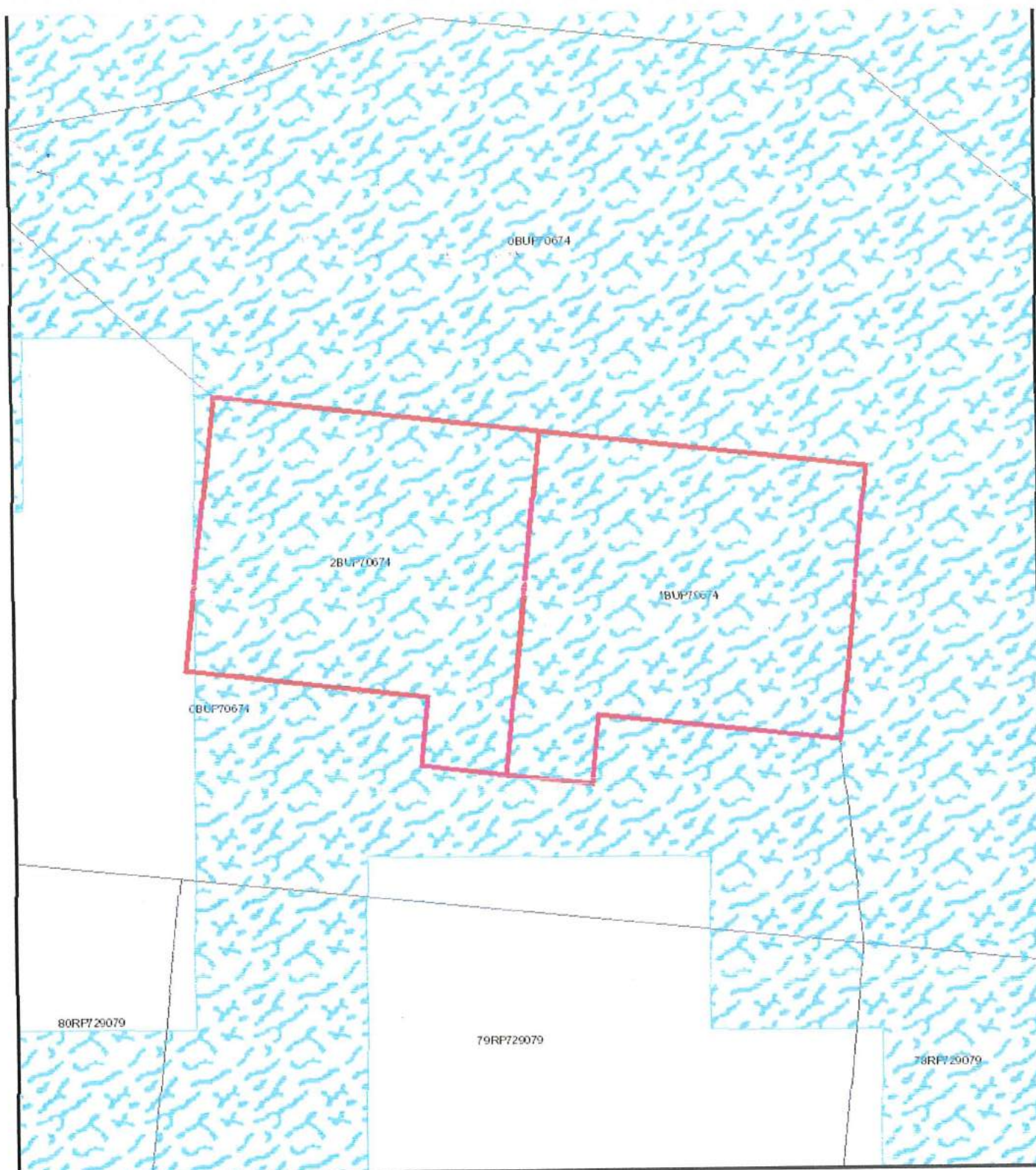
## Matters of Interest by Lot Plan

**Lot Plan: 2BUP70674 (Area: 87 m<sup>2</sup>)**

*Coastal area - medium storm tide inundation area*

**Lot Plan: 1BUP70674 (Area: 87 m<sup>2</sup>)**

*Coastal area - medium storm tide inundation area*



## State Assessment and Referral Agency

Date: 22/10/2018



Department of State Development  
Manufacturing, Infrastructure  
and Planning

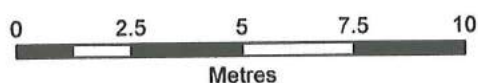
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### Legend

Coastal area - medium storm tide inundation area



Coastal area - medium storm tide inundation area



#### Disclaimer

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## 5 Douglas Shire Council Planning Advice.



On 26 Sep 2018, at 10:24, Jenny Elphinstone <Jenny.Elphinstone@douglas.qld.gov.au> wrote:

Good morning Claire,  
Council provides the following without prejudice advice regarding the proposed subdivision of the abovementioned land.

### **Development Permit**

Under the *2018 Douglas Shire Planning Scheme* the land is in a *Low Medium Density Residential Zone*. The scheme essentially supports a subdivision where the new lots:

- each have a minimum site area of 450m<sup>2</sup>;
- each have a minimum road frontage of 15m; and
- each new lot can contain a 20 metre x 15 metre rectangle.

Your land would appear to meet these requirements. Consideration is also given to overlays that effect the land.

*A Development Permit for a Reconfiguration of a Lot* is required to be achieved from Council.

In this instance the existing building unit plan would need to be collapsed/ amalgamated and all owners (including the body corporate) give consent to the application.

The application needs to include:

- The development application form 1 – from the Qld Department of State Development, Manufacturing, Infrastructure and Planning website;
- All land owners consents;
- A proposed plan of the new lots;
- A written report demonstrating how the application meets the respective Planning Scheme codes; and
- An application fee of \$1,365.00.

When the application is approved, infrastructure charges for Council's trunk infrastructure will apply for the new development.

As the reconfiguration can give rise to a the development of a House on each lot, and credit is given to the existing development the following contributions will become payable prior to the release of the subsequent survey plan.

	Charge	
New lot demand	2 x \$19,491.00	\$38,982.00
		0
Less Credit (existing units)	2 x \$15,718.00	\$31,436.00
		0
Contributions Payable		<u>\$7,546.00</u>

Separate water and sewer connections, individual electricity and telephone connections will be required to be provided for each new lot and these are charged at the time of connection.

When all required works have been undertaken and the infrastructure charges have been paid, there is Council a fee for the endorsement of the Survey Plan that has been prepared by your land surveyor of \$520.00.

## Other

It is recommended that you discuss the proposal with a land surveyor. Should you need assistance in the application process it is recommended that you engage a professional town planner.

Council's planning scheme is available on Council's website under the development tab.

Should you require further assistance please do not hesitate to call or email via the contacts below.

Kind Regards

**Jenny Elphinstone** | Senior Planning Officer

**Development Assessment & Coordination | Sustainable Communities | Douglas Shire Council**

**P:** 07 4099 9482 | **F:** 07 4098 2902

**E:** [jenny.elphinstone@douglas.qld.gov.au](mailto:jenny.elphinstone@douglas.qld.gov.au) | **W:** [douglas.qld.gov.au](http://douglas.qld.gov.au)

**Mail:** PO Box 723, Mossman Q 4873 | **Office:** 64-66 Front St, Mossman Q 4873

## 6 Planning Scheme - Code Assessment.



### 6.2.7.3 Criteria for assessment

**Table 6.2.7.3.a – Low-medium density residential zone code – assessable**

Performane Outcomes	Acceptable Outcomes	Applicant Response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> The height of all buildings and structures must be in keeping with the residential character of the area.	<b>AO1</b> Buildings and structures are not more than 8.5 metres and two storeys in height. Note – Height is inclusive of roof height.	Proposal Complies
<b>Setbacks (other than for a dwelling house)</b>		
<b>PO2</b> Buildings are setback to (a) maintain the character of residential neighbourhoods; (b) achieve separation from neighbouring buildings and from road frontages; (c) maintain a cohesive streetscape; (d) provide daylight access, privacy and appropriate landscaping.	<b>AO2</b> Buildings are setback: (a) a minimum of 6 metres from the main street frontage; (b) a minimum of 4 metres from any secondary street frontage; (c) 4.5 metres from a rear boundary; (d) 2 metres from a side or an average of half of the height of the building at the side setback, whichever is the greater.	Proposal Complies
<b>Site coverage</b>		
<b>PO3</b> The site coverage of all buildings does not result in a built form that is bulky or visually obtrusive.	<b>AO3</b> The site coverage of any building is limited to 50%.	Proposal Complies
<b>For assessable development</b>		
<b>PO4</b> The establishment of uses is consistent with the outcomes sought for the Low-medium density residential zone and protects the zone from the intrusion of inconsistent uses.	<b>AO4</b> Uses identified in Table 6.2.7.3.b are not established in the Low-medium density residential zone.	Proposal Complies

<b>6.2.7.3 Criteria for assessment</b>		
<b>Table 6.2.7.3.a – Low-medium density residential zone code – assessable</b>		
<b>Performane Outcomes</b>	<b>Acceptable Outcomes</b>	<b>Applicant Response</b>
<b>For assessable development</b>		
<b>PO5</b> Development is located, designed, operated and managed to respond to the natural characteristics, features and constraints of the site and surrounds.  Note – Planning scheme policy – Site assessments provides guidance on identifying the characteristics and features and constraints of a site and its surrounds.	<b>AO5</b> No acceptable outcomes are prescribed.	N/A
<b>PO6</b> Development does not adversely affect the residential character and amenity of the area in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.	<b>AO6</b> No acceptable outcomes are prescribed.	Proposal Complies
<b>PO7</b> New lots contain a minimum area of 450m2	<b>AO7</b> No acceptable outcomes are prescribed	Proposal Complies see enclosed site plan
<b>PO8</b> New lots have a minimum road frontage of 15 metres.	<b>AO8</b> No acceptable outcomes are prescribed.	Proposal Complies
<b>PO9</b> New lots contain a 20 metre x 15 metre rectangle.	<b>AO9</b> No acceptable outcomes are prescribed.	Proposal Complies



9.4.7.3 Criteria for assessment		
Table 9.4.7.3.a – Reconfiguring a lot code – assessable development	<b>General lot design standards</b>	
<b>Performane Outcomes</b>	<b>Acceptable Outcomes</b>	<b>Applicant Response</b>
<b>For self-assessable and assessable development</b>		
<b>PO1</b> Lots comply with the lot reconfiguration outcomes of the applicable Zone code in Part 5.	<b>AO1</b> No acceptable outcomes are prescribed	Proposal Complies
<b>PO2</b> New lots are generally rectangular in shape with functional areas for land uses intended by the zone.	<b>AO2</b> Boundary angles are not less than 45 degrees	Proposal Complies
<b>PO3</b> Lots have legal and practical access to a public road.	<b>AO3</b> Each lot is provided with: (a) direct access to a gazetted road reserve; or (b) access to a gazetted road via a formal access arrangement registered on the title.	Proposal Complies, it is a corner site, at Spinnaway Close and Sorrento Crescent.
<b>PO4</b> Development responds appropriately to its local context, natural systems and site features	<b>AO4</b> Existing site features such as: (a) significant vegetation and trees; (b) waterways and drainage paths; (c) vistas and vantage points are retained and/or are incorporated into open space, road reserves, near to lot boundaries or as common property.	Proposal Complies
<b>PO5</b> New lots which have the capability of being further reconfigured into smaller lots at a later date are designed to not compromise ultimate development outcomes permitted in the relevant zone.	<b>AO5</b> The ability to further reconfigure land at a later date is demonstrated by submitting a concept plan that meets the planning scheme requirements for the applicable Zone.	N/A

9.4.7.3 Criteria for assessment

Table 9.4.7.3.a – Reconfiguring a lot code – assessable development

Performane Outcomes	Acceptable Outcomes	Applicant Response
<p><b>PO6</b> Where existing buildings or structures are to be retained, development results in:</p> <ul style="list-style-type: none"> <li>(a) boundaries that offer regular lot shapes and usable spaces;</li> <li>(b) existing improvements complying with current building and amenity standards in relation to boundary setbacks.</li> </ul> <p>Note - This may require buildings or structures to be modified, relocated or demolished to meet setback standards, resolve encroachments and the like.</p>	<p><b>AO6</b> Development ensures setbacks between existing buildings or structures and proposed boundaries satisfy relevant building standards or zone code requirements, whichever is the greater</p>	<p>Proposal Complies or is capable of complying</p>
<p><b>PO7</b> Where rear lots are proposed, development:</p> <ul style="list-style-type: none"> <li>(a) provides a high standard of amenity for residents and other users of the site and adjoining properties;</li> <li>(b) positively contributes to the character of adjoining properties and the area;</li> <li>(c) does not adversely affect the safety and efficiency of the road from which access is gained.</li> </ul>	<p><b>AO7.1</b> Where rear lots are to be established:</p> <ul style="list-style-type: none"> <li>(a) the rear lot is generally rectangular in shape, avoiding contrived sharp boundary angles;</li> <li>(b) no more than 6 lots directly adjoin the rear lot;</li> <li>(c) no more than one rear lot occurs behind the road frontage lot;</li> <li>(d) no more than two access strips to rear lots directly adjoin each other;</li> <li>(e) access strips are located only on one side of the road frontage lot.</li> </ul> <p><b>AO7.2</b> Access strips to the rear lot have a minimum width dimension of: Note - Rear lots a generally not appropriate in non-Residential or non-Rural zones.</p> <p><b>AO7.3</b> Access strips are provided with a sealed pavement of sufficient width to cater for the intended traffic, but no less than:</p>	<p>N/A</p>
<p><b>PO8 to PO14</b></p>	<p><b>AO8 - AO14</b></p>	<p>N/A to this development</p>



## 9.4.6 Landscaping code

### 9.4.6.1 Application

Performance Outcomes	Acceptable Outcomes	Applicant Response
----------------------	---------------------	--------------------

#### PO1

Development provides landscaping that contributes to and creates a high quality landscape character for the site, street and local areas of the Shire by:

- (a) promoting the Shire's character as a tropical environment;
- (b) softening the built form of development;
- (c) enhancing the appearance of the development from within and outside the development and makes a positive contribution to the streetscape;
- (d) screening the view of buildings, structures, open storage areas, service equipment, machinery plant and the like from public places, residences and other sensitive development;
- (e) where necessary, ensuring the privacy of habitable rooms and private outdoor recreation areas;
- (f) contributing to a comfortable living environment and improved energy efficiency, by providing shade to reduce glare and heat absorption and re-radiation from buildings, parking areas and other hard surfaces;
- (g) ensuring private outdoor recreation space is useable;
- (h) providing long term soil erosion protection;
- (i) providing a safe environment;
- (j) integrating existing vegetation and other natural features of the premises into the development;
- (k) not adversely affecting vehicular and pedestrian sight lines and road safety.

#### AO1

Development provides landscaping:

- (a) in accordance with the minimum area, dimensions and other requirements of applicable development codes;
  - (b) that is designed and planned in a way that meets the guidelines for landscaping outlined in Planning Scheme Policy SC6.7 –Landscaping;
  - (c) that is carried out and maintained in accordance with a landscaping plan that meets the guidelines for landscaping outlined in Planning Scheme Policy SC6.7 –Landscaping.
- Note - Planning scheme policy SC6.7 – Landscaping provides guidance on meeting the outcomes of this code. A landscape plan submitted for approval in accordance with the Planning policy is one way to achieve this outcome.

Site Complies



<b>9.4.6 Landscaping code</b>		
<b>9.4.6.1 Application</b>		
<b>Performance Outcomes</b>	<b>Acceptable Outcomes</b>	<b>Applicant Response</b>
<b>For assessable development</b>		
<b>PO2</b> Landscaping contributes to a sense of place, is functional to the surroundings and enhances the streetscape and visual appearance of the development.	<b>AO2.1</b> No acceptable outcomes are specified. Note - Landscaping is in accordance with the requirements specified in Planning scheme policy SC6.7 – Landscaping. <b>AO2.2</b> Tropical urbanism is incorporated into building design. Note – ‘Tropical urbanism’ includes many things such as green walls, green roofs, podium planting and vegetation incorporated into the design of a building.	Site Complies
<b>PO3</b> Development provides landscaping that is , as far as practical, consistent with the existing desirable landscape character of the area and protects trees, vegetation and other features of ecological, recreational, aesthetic and cultural value.	<b>AO3.1</b> Existing vegetation on site is retained and incorporated into the site design, wherever possible, utilising the methodologies and principles outline in AS4970-2009 Protection of Trees on Development Sites. <b>AO3.2</b> Mature vegetation on the site that is removed or damaged during development is replaced with advanced species. <b>AO3.3</b> Where there is an existing landscape character in a street or locality which results from existing vegetation, similar species are incorporated into new development. <b>AO3.4</b> Street trees are species which enhance the landscape character of the streetscape, with species chosen from the Planning scheme policy SC6.7 – Landscaping.	Site Complies
<b>PO4</b> Plant species are selected with consideration to the scale and form of development, screening, buffering, streetscape, shading and the locality of the area.	<b>AO4</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	Site Complies

<b>9.4.6 Landscaping code</b>		
<b>9.4.6.1 Application</b>		
<b>Performance Outcomes</b>	<b>Acceptable Outcomes</b>	<b>Applicant Response</b>
<b>PO5</b> Shade planting is provided in car parking areas where uncovered or open, and adjacent to driveways and internal roadways.	<b>AO5</b> Species are selected in accordance with Planning scheme policy SC6.7 – Landscaping.	Site Complies
<b>PO6</b> Landscaped areas are designed in order to allow for efficient maintenance.	<b>AO6.1</b> A maintenance program is undertaken in accordance with Planning scheme policy SC6.7 – Landscaping. <b>AO6.2</b> Tree maintenance is to have regard to the 'Safe Useful Life Expectancy of Trees (SULE). Note – It may be more appropriate to replace trees with a SULE of less than 20 years (as an example), and replant with younger healthy species.	N/A
<b>PO7 - PO10</b>	<b>AO7 - AO10</b>	N/A



9.4.1.3 Criteria for assessment		
Table 9.4.1.3.a – Access parking and servicing code – assessable development		
Performance Outcomes	Acceptable Outcomes	Applicant Response
<b>PO1</b> Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected to be generated by the use or uses of the site, having particular regard to: <ul style="list-style-type: none"> <li>(a) the desired character of the area;</li> <li>(b) the nature of the particular use and its specific characteristics and scale;</li> <li>(c) the number of employees and the likely number of visitors to the site;</li> <li>(d) the level of local accessibility;</li> <li>(e) the nature and frequency of any public transport serving the area;</li> <li>(f) whether or not the use involves the retention of an existing building and the previous requirements for car parking for the building</li> <li>(g) whether or not the use involves a heritage building or place of local significance;</li> <li>(h) whether or not the proposed use involves the retention of significant vegetation.</li> </ul>	<b>AO1.1</b> The minimum number of on-site vehicle parking spaces is not less than the number prescribed in Table 9.4.1.3.b for that particular use or uses. Note - Where the number of spaces calculated from the table is not a whole number, the number of spaces provided is the next highest whole number. <b>AO1.2</b> Car parking spaces are freely available for the parking of vehicles at all times and are not used for external storage purposes, the display of products or rented/sub-leased. <b>AO1.3</b> Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking. <b>AO1.4</b> For parking areas exceeding 50 spaces parking, is provided for recreational vehicles as a substitute for ordinary vehicle parking to a maximum of 5% of total ordinary vehicle parking rate.	The Development is existing and therefore complies under its current use
<b>PO2</b> Vehicle parking areas are designed and constructed in accordance with relevant standards.	<b>AO2</b> Vehicle parking areas are designed and constructed in accordance with Australian Standard: <ul style="list-style-type: none"> <li>(a) AS2890.1;</li> <li>(b) AS2890.3;</li> <li>(c) AS2890.6.</li> </ul>	The Development is existing and therefore complies under its current use
<b>PO3</b> <b>PO4</b> <b>PO5</b> <b>PO6</b> <b>PO7</b> <b>PO8</b> <b>PO9</b> <b>PO10</b>	<b>AO3</b> <b>AO4</b> <b>AO5</b> <b>AO6</b> <b>AO7</b> <b>AO8</b> <b>AO9</b> <b>AO10</b>	N/A



## 8.2.4 Flood and storm tide hazard overlay code

(see Section 4 of this application for assessment plan)

### Performance Outcome 3

Development siting and layout responds to flooding potential and maintains personal safety

*For Reconfiguring a lot*

### Acceptable Outcomes 3.4

Additional lots:

(a) are not located in the hazard overlay area;

or

(b) are demonstrated to be above the flood level

identified for the site.

Note - If part of the site is outside the Hazard Overlay area, this is the preferred location for all lots (excluding park or other open space and recreation lots).

**Note – Buildings subsequently developed on the lots will need to comply with the relevant building assessment provisions under the *Building Act 1975*.**

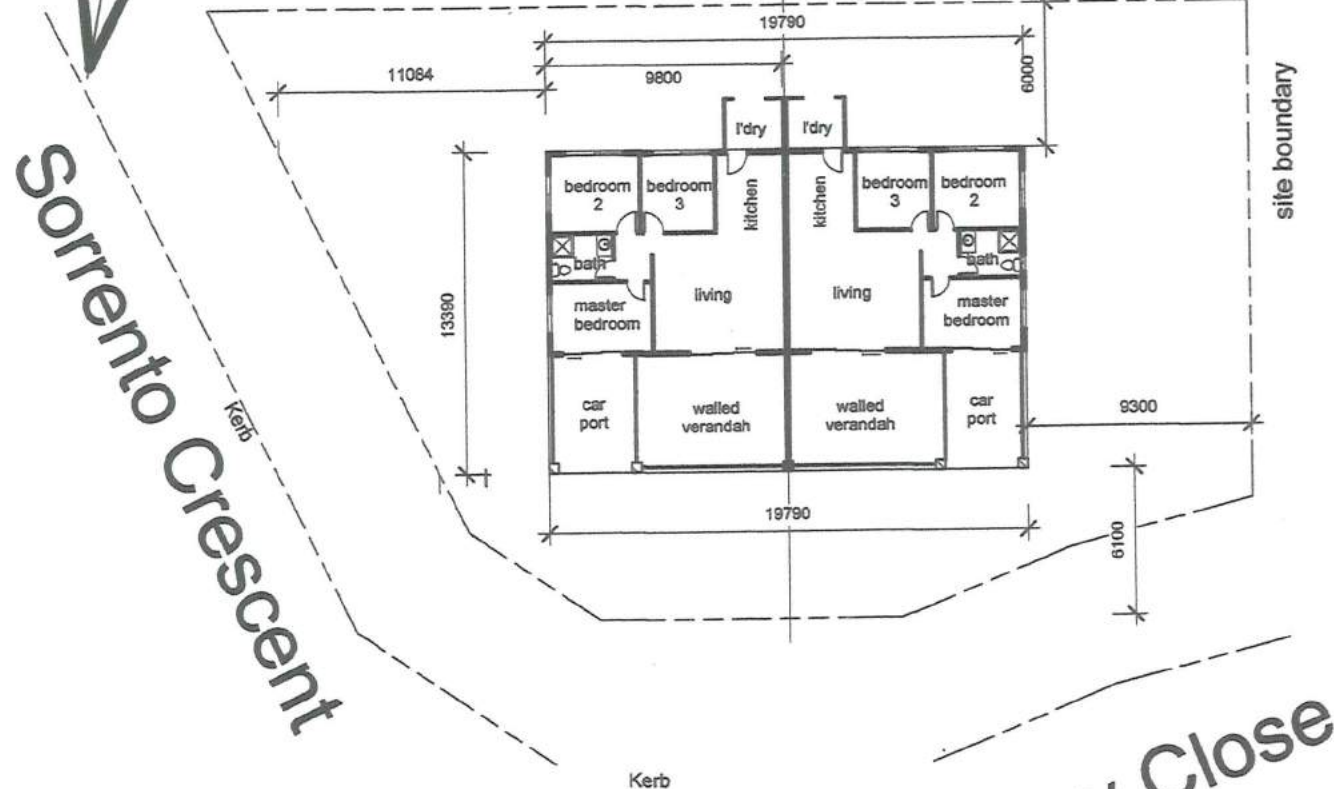
***Please note that all other considerations within the flood and storm tide hazard overlay code are Not Applicable to this particular Development Application.***

## 7 Drawings



**Lot 1** Area 442m<sup>2</sup>

**Lot 2** Area 440m<sup>2</sup>



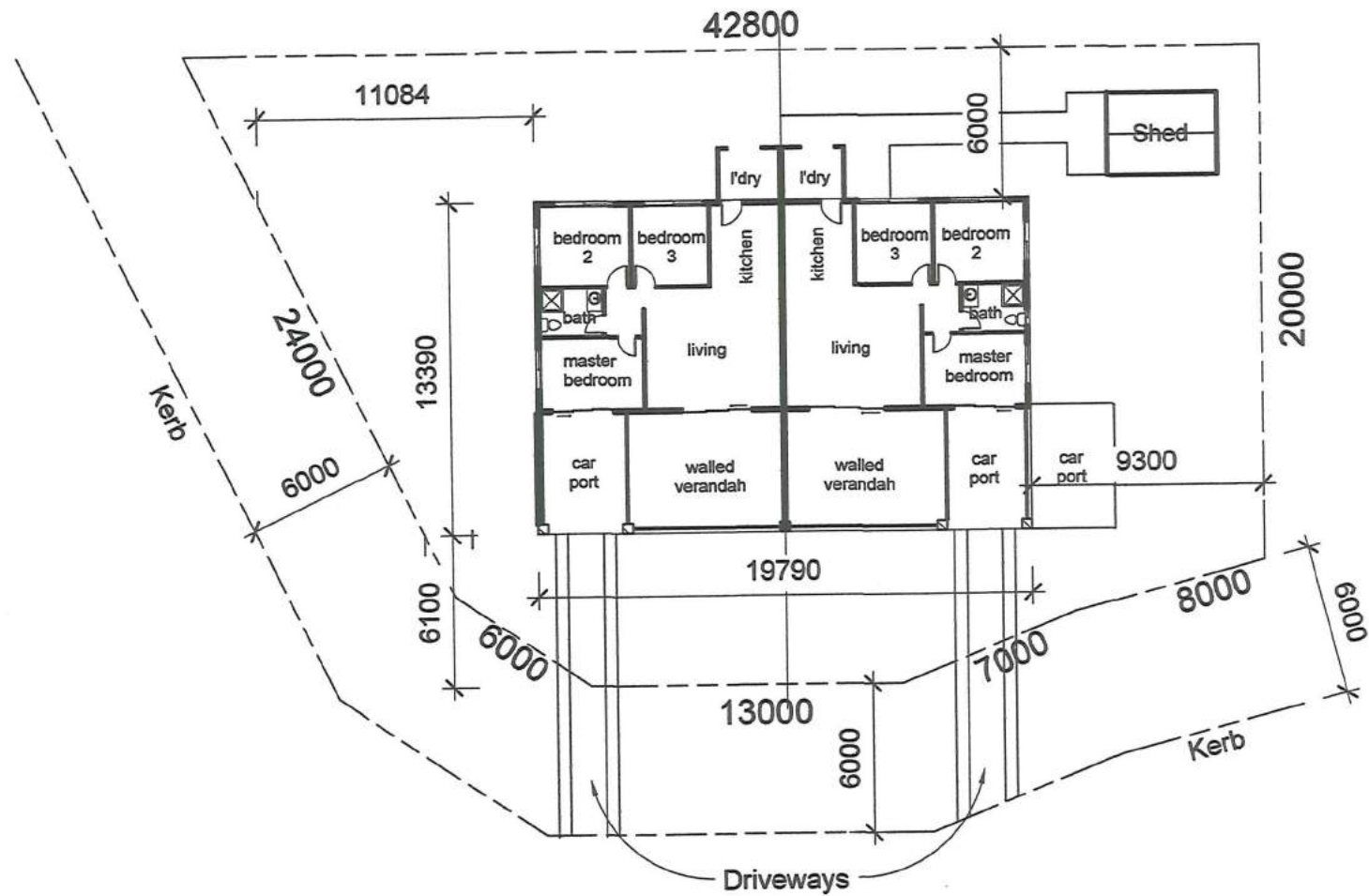
Site Area = 882m<sup>2</sup>

Floor Area of each  
unit = 120m<sup>2</sup>  
(including verandah)

① Ground Floor - Original  
1:200 @ 13

9 Spinnaway Close Port Douglas  
Queensland





1 Existing with Dimensions  
1 : 200 @ A3

NORTH

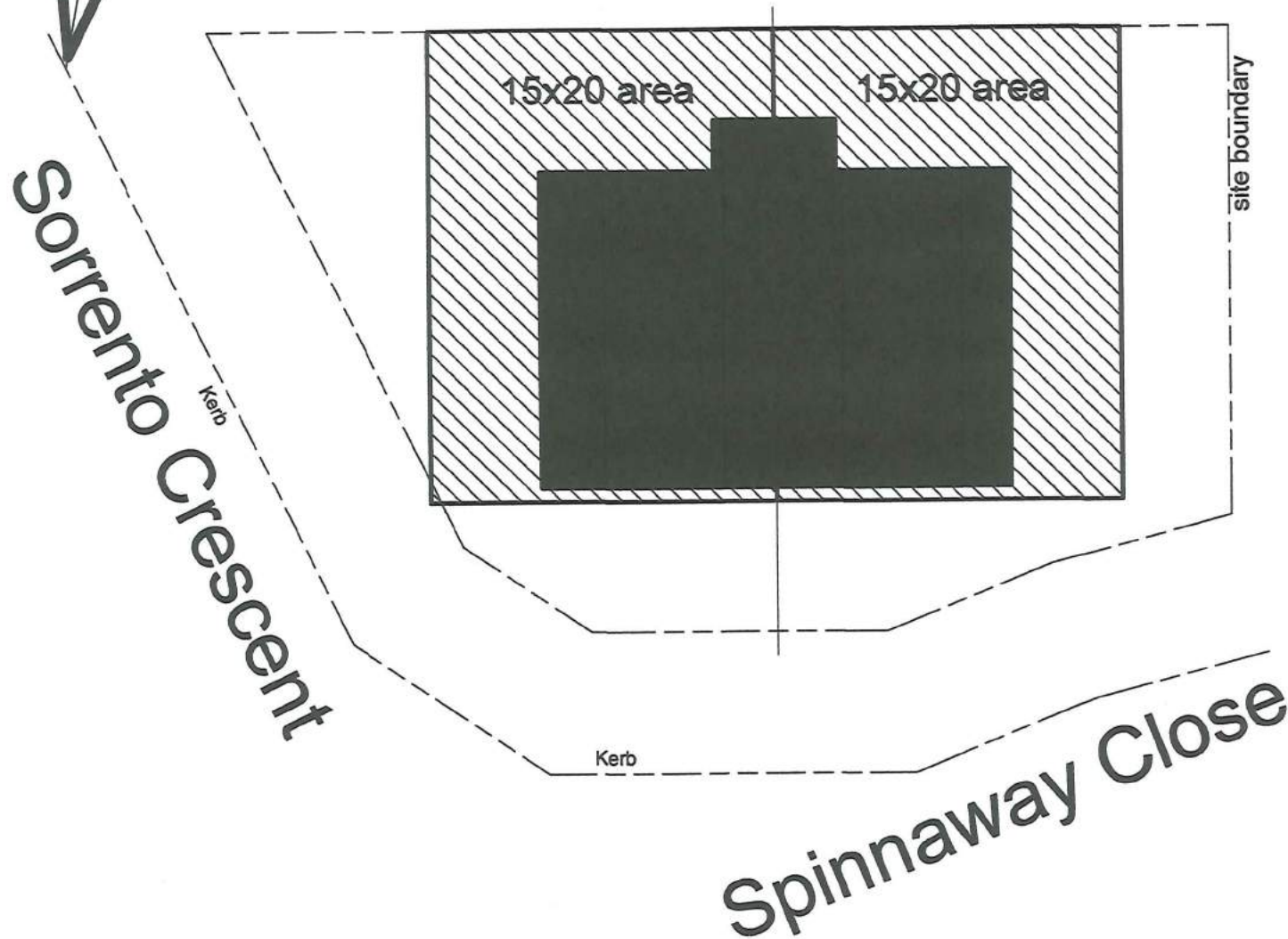
BUP70674

Lot 1 Area 442m<sup>2</sup>

Lot 2 Area 440m<sup>2</sup>

Site Area = 882m<sup>2</sup>

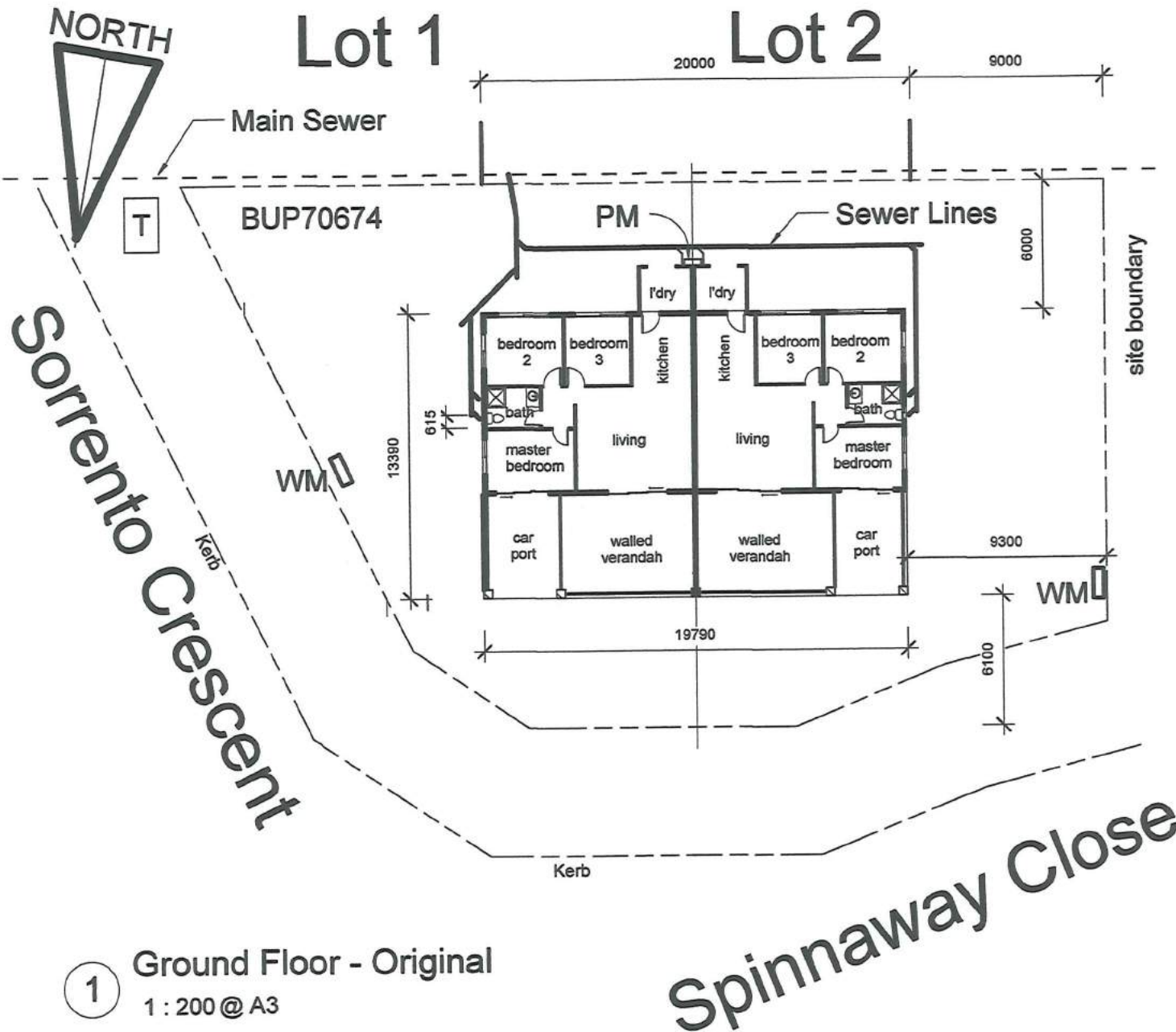
Floor Area of each  
unit = 120m<sup>2</sup>  
(including verandah)



1

Ground Floor - 15x20 areas

1 : 200 @ A3



Site Area = 882m<sup>2</sup>

Floor Area of each  
unit = 120m<sup>2</sup>  
(including verandah)

PM - Power Meters

WM - Water Meters

T - Telstra

① Ground Floor - Original  
1 : 200 @ A3





17 - 843037  
P - 12483

**DOUGLAS SHIRE COUNCIL**  
**MOSSMAN SEWERAGE SCHEME AS CONSTRUCTED**

Name of Owner: CARROT NOMINEES	Property No:
Address: 9 SPINNAWAY CLOSE, PORT DOUGLAS	
Type of Building: DUPLEX	BY:
Name of Contractor: J MILLS	Licence No - Plumber: 3995 Drainer: 3668
Application No: 4359	Lot 77 RP 729079

NOW BUP 70674

