

# IDAS form 1—Application details

(Sustainable Planning Act 2009 version 4.3 effective 5 December 2016)

This form must be used for **ALL** development applications.

You **MUST** complete **ALL** questions that are stated to be a mandatory requirement unless otherwise identified on this form.

For all development applications, you must:

- complete this form (*IDAS form 1—Application details*)
- complete any other forms relevant to your application
- provide any mandatory supporting information identified on the forms as being required to accompany your application.

Attach extra pages if there is insufficient space on this form.

All terms used on this form have the meaning given in the *Sustainable Planning Act 2009* (SPA) or the Sustainable Planning Regulation 2009.

This form and any other IDAS form relevant to your application must be used for development applications 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*. Whenever a planning scheme is mentioned, take it to mean land use plan for the strategic port land, Brisbane core port land or airport land.

PLEASE NOTE: This form is not required to accompany requests for compliance assessment.

## Mandatory requirements

**Applicant details** (Note: the applicant is the person responsible for making the application and need not be the owner of the land. The applicant is responsible for ensuring the information provided on all IDAS application forms is correct. Any development permit or preliminary approval that may be issued as a consequence of this application will be issued to the applicant.)

Name/s (individual or company name in full)

Mr V G Scomazzon

For companies, contact name

Postal address

Lot 1

South Arm Drive

Suburb Wonga Beach

State Queensland

Postcode 4873

Country

Contact phone number

40987574

Mobile number (non-mandatory requirement)

Fax number (non-mandatory requirement)

40-2016-1845-1.  
N/N 179327.



Queensland  
Government

DOUGLAS SHIRE COUNCIL  
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Attention TAV ong ✓  
Information

Email address (non-mandatory requirement)

@

Applicant's reference number (non-mandatory requirement)

**1. What is the nature of the development proposed and what type of approval is being sought?****Table A—Aspect 1 of the application (If there are additional aspects to the application please list in Table B—Aspect 2.)**

a) What is the nature of the development? (Please only tick one box.)

☐ Material change of use☒ Reconfiguring a lot☐ Building work☐ Operational work

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

☐ Preliminary approval  
under s241 of SPA☐ Preliminary approval  
under s241 and s242  
of SPA☒ Development permitc) Provide a brief description of the proposal, including use definition and number of buildings or structures where applicable (e.g. six unit apartment building defined as a *multi-unit dwelling*, 30 lot residential subdivision etc.)**3 lot Rural Settlement subdivision**

d) What is the level of assessment? (Please only tick one box.)

☐ Impact assessment☒ Code assessment**Table B—Aspect 2 of the application (If there are additional aspects to the application please list in Table C—Additional aspects of the application.)**

a) What is the nature of development? (Please only tick one box.)

☐ Material change of use☒ Reconfiguring a lot☐ Building work☐ Operational work

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

☐ Preliminary approval  
under s241 of SPA☐ Preliminary approval  
under s241 and s242  
of SPA☒ Development permitc) Provide a brief description of the proposal, including use definition and number of buildings or structures where applicable (e.g. six unit apartment building defined as a *multi-unit dwelling*, 30 lot residential subdivision etc.)**3 lot Rural Settlement subdivision**

d) What is the level of assessment?

☐ Impact assessment☒ Code assessment**Table C—Additional aspects of the application (If there are additional aspects to the application please list in a separate table on an extra page and attach to this form.)**☐ Refer attached schedule☒ Not required

**2. Location of the premises (Complete Table D and/or Table E as applicable. Identify each lot in a separate row.)**

**Table D—Street address and lot on plan for the premises or street address and lot on plan for the land adjoining or adjacent to the premises (Note: this table is to be used for applications involving taking or interfering with water.) (Attach a separate schedule if there is insufficient space in this table.)**

☒ **Street address and lot on plan (All lots must be listed.)**

☐ **Street address and lot on plan for the land adjoining or adjacent to the premises (Appropriate for development in water but adjoining or adjacent to land, e.g. jetty, pontoon. All lots must be listed.)**

| Street address |          |            |   |           | Lot on plan description |                        | Local government area<br>(e.g. Logan, Cairns) |
|----------------|----------|------------|---|-----------|-------------------------|------------------------|---|
| Lot            | Unit no. | Street no. | Street name and official suburb/<br>locality name | Post-code | Lot no.                 | Plan type and plan no. |   |
| i)             |          | Lot 1      | South Arm Drive                                   | 4873      | Lot 1                   | SP188690               | Douglas Shire                                 |
| ii)            |          |            |   |           |                         |                        |   |
| iii)           |          |            |   |           |                         |                        |   |

**Planning scheme details (If the premises involves multiple zones, clearly identify the relevant zone/s for each lot in a separate row in the below table. Non-mandatory)**

| Lot  | Applicable zone / precinct | Applicable local plan / precinct                | Applicable overlay/s  |
|------|----------------------------|---|---|
| i)   | Rural Settlement and Rural | Rural Areas and Rural Settlement Areas Locality | Acid Sulfate Soils<br>Cultural Heritage and Valuable Sites<br>Natural Hazards |
| ii)  |                            |   |   |
| iii) |                            |   |   |

**Table E—Premises coordinates (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.) (Attach a separate schedule if there is insufficient space in this table.)**

| Coordinates<br>(Note: place each set of coordinates in a separate row) |          |          |           | Zone reference | Datum  | Local government area (if applicable) |
|--|----------|----------|-----------|----------------|--|---------------------------------------|
| Easting  | Northing | Latitude | Longitude |                |  |                                       |
|  |          |          |           |                | <input type="checkbox"/> GDA94<br><input type="checkbox"/> WGS84<br><input type="checkbox"/> other |                                       |

**3. Total area of land on which the development is proposed (indicate square metres)**

100.8 hectares

**4. Current use/s of the premises (e.g. vacant land, house, apartment building, cane farm etc.)**

Rural Settlement – House and Shed

5. Are there any current approvals (e.g. a preliminary approval) associated with this application? (Non-mandatory requirement)

X No ☐ Yes—provide details below

| List of approval reference/s | Date approved (dd/mm/yy) | Date approval lapses (dd/mm/yy) |
|------------------------------|--------------------------|---------------------------------|
|                              |                          |                                 |

6. Is owner's consent required for this application? (Refer to notes at the end of this form for more information.)

☐ No

☐ Yes—complete either Table F, Table G or Table H as applicable

**Table F**

Name of owner/s of the land V Scmazzon

I/We, the above-mentioned owner/s of the land, consent to the making of this application.

Signature of owner/s of the land

*V Scmazzon*

Date

**Table G**

Name of owner/s of the land

☐ The owner's written consent is attached or will be provided separately to the assessment manager.

**Table H**

Name of owner/s of the land

☐ By making this application, I, the applicant, declare that the owner has given written consent to the making of the application.

7. Identify if any of the following apply to the premises (Tick applicable box/es.)

- ☐ Adjacent to a water body, watercourse or aquifer (e.g. creek, river, lake, canal)—complete Table I
- ☐ On strategic port land under the *Transport Infrastructure Act 1994*—complete Table J
- ☐ In a tidal water area—complete Table K
- ☐ On Brisbane core port land under the *Transport Infrastructure Act 1994* (No table requires completion.)
- ☐ On airport land under the *Airport Assets (Restructuring and Disposal) Act 2008* (no table requires completion)
- ☐ Listed on either the Contaminated Land Register (CLR) or the Environmental Management Register (EMR) under the *Environmental Protection Act 1994* (no table requires completion)

**Table I**

Name of water body, watercourse or aquifer

Not Applicable

Table J

|   |                            |
|---|----------------------------|
| Lot on plan description for strategic port land | Port authority for the lot |
| Not Applicable                                  |                            |

Table K

|   |   |
|---|---|
| Name of local government for the tidal area (if applicable) | Port authority for the tidal area (if applicable) |
| Not Applicable  |   |

8. Are there any existing easements on the premises? (e.g. for vehicular access, electricity, overland flow, water etc)

X No ☐ Yes—ensure the type, location and dimension of each easement is included in the plans submitted

9. Does the proposal include new building work or operational work on the premises? (Including any services)

X No ☐ Yes—ensure the nature, location and dimension of proposed works are included in plans submitted

10. Is the payment of a portable long service leave levy applicable to this application? (Refer to notes at the end of this form for more information.)

X No—go to question 11 ☐ Yes

10a. Has the portable long service leave levy been paid? (Refer to notes at the end of this form for more information.)

☐ No

☐ Yes—complete Table L and submit with this application, the local government/private certifier's copy of the accepted QLeave form

Table L

| Amount paid | Date paid (dd/mm/yy) | QLeave project number (6 digit number starting with A, B, E, L, P or S) |
|-------------|----------------------|---|
|             |                      |   |

11. Has the local government agreed to apply a superseded planning scheme to this application under section 96 of the Sustainable Planning Act 2009?

X No

☐ Yes—please provide details below

| Name of local government | Date of written notice given by local government (dd/mm/yy) | Reference number of written notice given by local government (if applicable) |
|--------------------------|---|--|
|                          |   |  |

**12. List below all of the forms and supporting information that accompany this application (Include all IDAS forms, checklists, mandatory supporting information etc. that will be submitted as part of this application)**

| Description of attachment or title of attachment  | Method of lodgement to assessment manager |
|---|---|
| Form 1<br>Form 5<br>Form 7  | Hand Delivered                            |
| Proposed Plan Of Development<br>Local Drainage Report<br>Site Report On Site Sewage Facility Design<br>Copy Previous Development Approval | Hand Delivered                            |
|   |   |
|   |   |
|   |   |

**13. Applicant's declaration**

X By making this application, I declare that all information in this application is true and correct (Note: it is unlawful to provide false or misleading information)

**Notes for completing this form**

- Section 261 of the *Sustainable Planning Act 2009* prescribes when an application is a properly-made application. Note, the assessment manager has discretion to accept an application as properly made despite any non-compliance with the requirement to provide mandatory supporting information under section 260(1)(c) of the *Sustainable Planning Act 2009*

**Applicant details**

- Where the applicant is not a natural person, ensure the applicant entity is a real legal entity.

**Question 1**

- Schedule 3 of the *Sustainable Planning Regulation 2009* identifies assessable development and the type of assessment. Where schedule 3 identifies assessable development as "various aspects of development" the applicant must identify each aspect of the development on Tables A, B and C respectively and as required.

**Question 6**

- Section 263 of the *Sustainable Planning Act 2009* sets out when the consent of the owner of the land is required for an application. Section 260(1)(e) of the *Sustainable Planning Act 2009* provides that if the owner's consent is required under section 263, then an application must contain, or be accompanied by, the written consent of the owner, or include a declaration by the applicant that the owner has given written consent to the making of the application. If a development application relates to a state resource, the application is not required to be supported by evidence of an allocation or entitlement to a state resource. However, where the state is the owner of the subject land, the written consent of the state, as landowner, may be required. Allocation or entitlement to the state resource is a separate process and will need to be obtained before development commences.

**Question 7**

- If the premises is listed on either the Contaminated Land Register (CLR) or the Environmental Management Register (EMR) under the *Environmental Protection Act 1994* it may be necessary to seek compliance assessment. Schedule 18 of the *Sustainable Planning Regulation 2009* identifies where compliance assessment is required.

**Question 10**

- The *Building and Construction Industry (Portable Long Service Leave) Act 1991* prescribes when the portable long service leave levy is payable.
- The portable long service leave levy amount and other prescribed percentages and rates for calculating the levy are prescribed in the *Building and Construction Industry (Portable Long Service Leave) Regulation 2013*.

**Question 10a**

- The portable long service leave levy need not be paid when the application is made, but the *Building and Construction Industry (Portable Long Service Leave) Act 1991* requires the levy to be paid before a development permit is issued.
- Building and construction industry notification and payment forms can be completed on the QLeave website at [www.qleave.qld.gov.au](http://www.qleave.qld.gov.au). For further information contact QLeave on 1800 803 481.

**Privacy**—The information collected in this form will be used by the Department of Infrastructure, Local Government and Planning (DILGP), assessment manager, referral agency and/or building certifier in accordance with the processing and assessment of your application. Your personal details should not be disclosed for a purpose outside of the IDAS process or the provisions about public access to planning and development information in the *Sustainable Planning Act 2009*, except where required by legislation (including the *Right to Information Act 2009*) or as required by Parliament. This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.

**OFFICE USE ONLY**

Date received

Reference numbers

**NOTIFICATION OF ENGAGEMENT OF A PRIVATE CERTIFIER**

To

Council. I have been engaged as the private certifier for the building work referred to in this application

| Date of engagement | Name | BSA Certification license number | Building classification/s |
|--------------------|------|----------------------------------|---------------------------|
|                    |      |                                  |                           |

**QLEAVE NOTIFICATION AND PAYMENT (For completion by assessment manager or private certifier 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 |
|-------------------------|-----------------------|------------------|-----------|---|--------------------------------------|
|                         |                       |                  |           |   |                                      |

The *Sustainable Planning Act 2009* is administered by the Department of Infrastructure, Local Government and Planning. This form and all other required application materials should be sent to your assessment manager and any referral agency.



# IDAS form 5—Material change of use assessable against a planning scheme

(Sustainable Planning Act 2009 version 3.1 effective 3 August 2015)

This form must be used for development applications for a material change of use assessable against a planning scheme.

You **MUST** complete **ALL** questions that are stated to be a mandatory requirement unless otherwise identified on this form.

For all development applications, you must:

- complete *IDAS form 1—Application details*
- complete any other forms relevant to your application
- provide any mandatory supporting information identified on the forms as being required to accompany your application.

Attach extra pages if there is insufficient space on this form.

All terms used on this form have the meaning given in the *Sustainable Planning Act 2009* (SPA) or the *Sustainable Planning Regulation 2009*.

This form must also be used for material change of use on 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* that requires assessment against the land use plan for that land. Whenever a planning scheme is mentioned, take it to mean land use plan for the strategic port land, Brisbane core port land or airport land.

## Mandatory requirements

1. **Describe the proposed use.** (Note: this is to provide additional detail to the information provided in question 1 of *IDAS form 1—Application details*. Attach a separate schedule if there is insufficient space in this table.)

| General explanation of the proposed use   | Planning scheme definition (include each definition in a new row) (non-mandatory) | No. of dwelling units (if applicable) or gross floor area (if applicable) | Days and hours of operation (if applicable) | No. of employees (if applicable) |
|---|---|---|---|----------------------------------|
| Creation of two new Rural Settlement Lots | Reconfiguration of a lot  | One existing  |   |                                  |
|   |   |   |   |                                  |
|   |   |   |   |                                  |
|   |   |   |   |                                  |

2. **Are there any current approvals associated with the proposed material change of use?** (e.g. a preliminary approval.)

X ☒ No ☐ Yes—provide details below

| List of approval reference/s | Date approved (dd/mm/yy) | Date approval lapses (dd/mm/yy) |
|------------------------------|--------------------------|---------------------------------|
|                              |                          |                                 |

**3. Does the proposed use involve the following? (Tick all applicable boxes.)**

|  |   |    |                          |     |
|--|---|----|--------------------------|-----|
| The reuse of existing buildings on the premises        | X | No | <input type="checkbox"/> | Yes |
| New building work on the premises                      | X | No | <input type="checkbox"/> | Yes |
| The reuse of existing operational work on the premises | X | No | <input type="checkbox"/> | Yes |
| New operational work on the premises                   | X | No | <input type="checkbox"/> | Yes |

**Mandatory supporting information****4. Confirm that the following mandatory supporting information accompanies this application**

| Mandatory supporting information   | Confirmation of lodgement                              | Method of lodgement |
|--|--|---------------------|
| <b>All applications</b>  |  |                     |
| <p>A site plan drawn to an appropriate scale (1:100, 1:200 or 1:500 are recommended scales) which shows the following:</p> <ul style="list-style-type: none"> <li>the location and site area of the land to which the application relates (<i>relevant land</i>)</li> <li>the north point</li> <li>the boundaries of the relevant land</li> <li>any road frontages of the relevant land, including the name of the road</li> <li>the location and use of any existing or proposed buildings or structures on the relevant land (note: where extensive demolition or new buildings are proposed, two separate plans [an existing site plan and proposed site plan] may be appropriate)</li> <li>any existing or proposed easements on the relevant land and their function</li> <li>the location and use of buildings on land adjoining the relevant land</li> <li>all vehicle access points and any existing or proposed car parking areas on the relevant land. Car parking spaces for persons with disabilities and any service vehicle access and parking should be clearly marked</li> <li>for any new building on the relevant land, the location of refuse storage</li> <li>the location of any proposed retaining walls on the relevant land and their height</li> <li>the location of any proposed landscaping on the relevant land</li> <li>the location of any stormwater detention on the relevant land.</li> </ul> | X Confirmed  |                     |
| A statement about how the proposed development addresses the local government's planning scheme and any other planning instruments or documents relevant to the application.   | X Confirmed  |                     |
| A statement about the intensity and scale of the proposed use (e.g. number of visitors, number of seats, capacity of storage area etc.).   | X Confirmed  |                     |
| <p>Information that states:</p> <ul style="list-style-type: none"> <li>the existing or proposed floor area, site cover, maximum number of storeys and maximum height above natural ground level for existing or new buildings (e.g. information regarding existing buildings but not being reused)</li> <li>the existing or proposed number of on-site car parking bays, type of vehicle cross-over (for non-residential uses) and vehicular servicing arrangement (for non-residential uses).</li> </ul>  | X Confirmed<br><input type="checkbox"/> Not applicable |                     |

|   |  |  |
|---|--|--|
| A statement addressing the relevant part(s) of the State Development Assessment Provisions (SDAP).  | <input type="checkbox"/> Confirmed<br><input checked="" type="checkbox"/> Not applicable |  |
| <b>When the application involves the reuse of existing buildings</b>  |  |  |
| Plans showing the size, location, existing floor area, existing site cover, existing maximum number of storeys and existing maximum height above natural ground level of the buildings to be reused.  | <input type="checkbox"/> Confirmed<br><input checked="" type="checkbox"/> Not applicable |  |
| <b>When the application involves new building work (including extensions)</b>   |  |  |
| Floor plans drawn to an appropriate scale (1:50, 1:100 or 1:200 are recommended scales) which show the following: <ul style="list-style-type: none"> <li>• the north point</li> <li>• the intended use of each area on the floor plan (for commercial, industrial or mixed use developments only)</li> <li>• the room layout (for residential development only) with all rooms clearly labelled</li> <li>• the existing and the proposed built form (for extensions only)</li> <li>• the gross floor area of each proposed floor area.</li> </ul> | <input type="checkbox"/> Confirmed   |  |
| Elevations drawn to an appropriate scale (1:100, 1:200 or 1:500 are recommended scales) which show plans of all building elevations and facades, clearly labelled to identify orientation (e.g. north elevation)  | <input type="checkbox"/> Confirmed   |  |
| Plans showing the size, location, proposed site cover, proposed maximum number of storeys, and proposed maximum height above natural ground level of the proposed new building work.  | <input type="checkbox"/> Confirmed<br><input type="checkbox"/> Not applicable            |  |
| <b>When the application involves reuse of other existing work</b>   |  |  |
| Plans showing the nature, location, number of on-site car parking bays, existing area of landscaping, existing type of vehicular cross-over (non-residential uses), and existing type of vehicular servicing arrangement (non-residential uses) of the work to be reused.   | <input type="checkbox"/> Confirmed<br><input checked="" type="checkbox"/> Not applicable |  |
| <b>When the application involves new operational work</b>   |  |  |
| Plans showing the nature, location, number of new on-site car parking bays, proposed area of new landscaping, proposed type of new vehicle cross-over (non-residential uses), proposed maximum new vehicular servicing arrangement (non-residential uses) of the proposed new operational work.   | <input type="checkbox"/> Confirmed<br><input checked="" type="checkbox"/> Not applicable |  |

**Privacy**—Please refer to your assessment manager, referral agency and/or building certifier for further details on the use of information recorded in this form.

#### OFFICE USE ONLY

Date received

Reference numbers

The *Sustainable Planning Act 2009* is administered by the Department of Infrastructure, Local Government and Planning. This form and all other required application materials should be sent to your assessment manager and any referral agency.

# IDAS form 7—Reconfiguring a lot

(Sustainable Planning Act 2009 version 3.2 effective 3 August 2015)

This form must be used for development applications or requests for compliance assessment for reconfiguring a lot.

You **MUST** complete **ALL** questions that are stated to be a mandatory requirement unless otherwise identified on this form.

For all development applications, you must:

- complete IDAS form 1—Application details
- complete any other forms relevant to your application
- provide any mandatory supporting information identified on the forms as being required to accompany your application.

For requests for compliance assessment, you must:

- complete IDAS form 32—Compliance assessment
- Provide any mandatory supporting information identified on the forms as being required to accompany your request

Attach extra pages if there is insufficient space on this form.

All terms used on this form have the meaning given in the *Sustainable Planning Act 2009* (SPA) or the Sustainable Planning Regulation 2009.

## Mandatory requirements

1. What is the total number of existing lots making up the premises? **One**

2. What is the nature of the lot reconfiguration? (Tick all applicable boxes.)

- ☒ subdivision—complete questions 3–6 and 11
- ☐ boundary realignment—complete questions 8, 9 and 11
- ☐ creating an easement giving access to a lot from a constructed road—complete questions 10 and 11
- ☐ dividing land into parts by agreement—please provide details below and complete questions 7 and 11

3. Within the subdivision, what is the number of additional lots being created and their intended final use?

| Intended final use of new lots    | Residential | Commercial | Industrial | Other—specify               |
|-----------------------------------|-------------|------------|------------|-----------------------------|
| Number of additional lots created |             |            |            | <b>Two Rural Settlement</b> |

4. What type of approval is being sought for the subdivision?

- ☒ Development permit
- ☐ Preliminary approval
- ☐ Compliance permit

**5. Are there any current approvals associated with this subdivision application or request?**  
(E.g. material change of use.)

X No ☐ Yes—provide details below

| List of approval reference/s | Date approved (dd/mm/yy) | Date approval lapses (dd/mm/yy) |
|------------------------------|--------------------------|---------------------------------|
|                              |                          |                                 |

**6. Does the proposal involve multiple stages?**

X No—complete Table A ☐ Yes—complete Table B

**Table A**

- a) What is the total length of any new road to be constructed? (metres)
- b) What is the total area of land to be contributed for community purposes? (square metres)
- c) Does the proposal involve the construction of a canal or artificial waterway?  
☐ No ☐ Yes
- d) Does the proposal involve operational work for the building of a retaining wall?  
☐ No ☐ Yes

|  |
|--|
|  |
|  |

**Table B—complete a new Table B for every stage if the application involves more than one stage**

- a) What is the proposed estate name? (if known and if applicable)
- b) What stage in the development does this table refer to?
- c) If a development permit is being sought for this stage, will the development permit result in additional residential lots?  
☐ No ☐ Yes—specify the total number
- d) What is the total area of land for this stage? (square metres)
- e) What is the total length of any new road to be constructed at this stage? (metres)
- f) What is the total area of land to be contributed for community purposes at this stage? (square metres)
- g) Does the proposal involve the construction of a canal or artificial waterway?  
☐ No ☐ Yes
- h) Does the proposal involve operational work for the building of a retaining wall?  
☐ No ☐ Yes

|  |
|--|
|  |
|  |
|  |
|  |
|  |
|  |

**7. Lease/agreement details—how many parts are being created and what is their intended final use?**

| Intended final use of new parts    | Residential | Commercial | Industrial | Other—specify |
|------------------------------------|-------------|------------|------------|---------------|
| Number of additional parts created |             |            |            |               |

**8. What are the current and proposed dimensions following the boundary realignment for each lot forming the premises?**

| Current lot          |                      |                         | Proposed lot |                      |                         |
|----------------------|----------------------|-------------------------|--------------|----------------------|-------------------------|
| Lot plan description | Area (square metres) | Length of road frontage | Lot number   | Area (square metres) | Length of road frontage |
|                      |                      |                         |              |                      |                         |

**9. What is the reason for the boundary realignment?**

**10. What are the dimensions and nature of the proposed easement? (If there are more than two easements proposed please list in a separate table on an extra page and attach to this form.)**

| Width (m) | Length (m) | Purpose of the easement (e.g. pedestrian access)? | What land is benefitted by the easement? |
|-----------|------------|---|--|
|           |            |   |  |
|           |            |   |  |

**Mandatory supporting information**

**11. Confirm that the following mandatory supporting information accompanies this application or request**

| Mandatory supporting information   | Confirmation of lodgement | Method of lodgement |
|--|---------------------------|---------------------|
| <b>All applications and requests for reconfiguring a lot</b>   |                           |                     |
| <p>Site plans drawn to an appropriate scale (1:100, 1:200 or 1:500 are the recommended scales) which show the following:</p> <ul style="list-style-type: none"> <li>the location and site area of the land to which the application or request relates (<b>relevant land</b>)</li> <li>the north point</li> <li>the boundaries of the relevant land</li> <li>any road frontages of the relevant land, including the name of the road</li> <li>the contours and natural ground levels of the relevant land</li> <li>the location of any existing buildings or structures on the relevant land</li> <li>the allotment layout showing existing lots, any proposed lots (including the dimensions of those lots), existing or proposed road reserves, building envelopes and existing or proposed open space (note: numbering is required for all lots)</li> <li>any drainage features over the relevant land, including any watercourse, creek, dam, waterhole or spring and any land subject to a flood with an annual exceedance probability of 1%</li> <li>any existing or proposed easements on the relevant land and their function</li> <li>all existing and proposed roads and access points on the relevant land</li> <li>any existing or proposed car parking areas on the relevant land</li> <li>the location of any proposed retaining walls on the relevant land and their height</li> <li>the location of any stormwater detention on the relevant land</li> <li>the location and dimension of any land dedicated for community</li> </ul> | X Confirmed               |                     |

|   |  |  |
|---|--|--|
| purposes<br>• the final intended use of any new lots.   |  |  |
| For a development application – A statement about how the proposed development addresses the local government's planning scheme and any other planning documents relevant to the application.<br>For a request for compliance assessment – A statement about how the proposed development addresses the matters or things against which the request must be assessed. | X Confirmed  |  |
| A statement addressing the relevant part(s) of the State Development Assessment Provisions (SDAP).  | <input type="checkbox"/> Confirmed<br><input checked="" type="checkbox"/> Not applicable |  |

**Notes for completing this form**

- For supporting information requirements for requests for compliance assessment, please refer to the relevant matters for which compliance assessment will be carried out against. To avoid an action notice, it is recommended that you provide as much of the mandatory information listed in this form as possible.

**Privacy**—Please refer to your assessment manager, referral agency and/or building certifier for further details on the use of information recorded in this form.

**OFFICE USE ONLY**

Date received

Reference numbers

The *Sustainable Planning Act 2009* is administered by the Department of Infrastructure, Local Government and Planning. This form and all other required application materials should be sent to your assessment manager and any referral agency.

|                                   |  |
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| 14 DEC 2016                       |  |
| Attention                         |  |
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# Planning Report

**Proposed Reconfiguration of Lot 1 SP188690  
Wonga Beach – Corner Vixies Road and South  
Arma Drive into three lots.**

**V.G. Scomazzon**

**December 2016**



|                                  |   |
|----------------------------------|---|
| <b>Real Property Description</b> | Lot 1 SP188690  |
| <b>Area of Lot</b>               | 100.8 ha  |
| <b>Locality</b>                  | Rural Areas and Rural Settlement Areas  |
| <b>Designation</b>               | Rural Settlement and Rural  |
| <b>Current Use</b>               | The Rural Settlement Area is cleared and contains a house and a series of small farm dams. The balance area designated Rural is low lying and contains some areas of mangrove.  |
| <b>Proposal</b>                  | To Reconfigure/Subdivide Lot 1 SP188690 into three lots. One lot contains the existing house and the balance area of the lot designated as Rural. The two new lots being created at the intersection of Vixies Road and South Arm Drive. As detailed on the attached Plan 1 |
| <b>Development Activity</b>      | Reconfiguration of a lot – Code Assessable  |

## **Preamble**

The property is a large lot of 100.8ha the majority is low lying , however a cleared area at the corner of Vixies Road and South Arm Drive is relatively high and has been developed and designated as Rural Settlement in line with the other lots in South Arm Drive. This area is used as a Rural Settlement and contains a single dwelling house and small dams.

This is the area which is proposed to be reconfigured/subdivided with the "house lot" to include the low lying section of the larger property.

The application does not involve any further clearing or substantive earthworks and is identical to the Development Approval issued by Council on 29<sup>th</sup> April 2011. (copy attached)

The proposal does not involve any works other than a resurvey.

Electricity and Telstra services are readily available.

The existing house is serviced by an approved septic system for sewerage services and by a bore for water services.

Water is readily available to the new lots by bore as with other properties in the area and Zammataro Plumbing has prepared a an onsite sewage facility design confirming the new lots are able to be conveniently provided with sewage services.

The new application is submitted because the previous approval has expired. We confirm we would welcome the new application being approved generally in accordance with terms and conditions as the former approval. There have been no changes to the planning scheme which would prohibit this result.

***As the application is identical to that previously assessed by Council it is requested Council consider a 50% remission of the applicable fees.***

The concurrence agency the Department of Environment and Heritage Protection has been requested to confirm it previous requirements regarding the application.

The proposal is consistent with Regional Plan.

## **Consideration of Codes**

### **Rural Areas and Rural Settlements Locality Code**

#### **P1**

A1.1 The existing buildings on the lot comply with the acceptable solutions.

**P2**

A2.1 The land is serviced by the South Arm Drive and driveway accesses can be provided for each lot. Grid Mains power and Telstra services are available. Water supply in the area is provided by bores and the onsite sewerage report confirms systems can be viably provided on each new lot.

**P3**

A3.1 no clearing is proposed and landscaping is not required.

**P4**

A4.1 road access is via South Arm Drive and is pre-existing.

**P5**

A5.1 no industrial uses are proposed

**P6**

A6.1 and A6.2 no community facilities are proposed.

**P7 to P10**

A7.1 not applicable

A8.1 to A10.1 are not applicable.

**P11**

Complies – no sensitive areas are affected.

**P12**

A12.1 no ILUA relates to the land

**Rural Settlement Planning Area Code**

**P1**

A1.1 – complies – the proposal is consistent with the development of the area.

**P2 to P9**

Not applicable as the application does not relate to building work.

**P10**

A10.1 – complies – the proposal does not affect existing drainage flows.

## **P11 to P14**

Not applicable – the proposal does not involve building work.

## **Acid Sulfate Soils Code**

The Code is not applicable as no earthworks or any works are proposed as part of the reconfiguration/subdivision.

## **Cultural Heritage and Valuable Sites Code**

The Code is not applicable as no Cultural Heritage or Valuable sites have been identified or are known to exist on the site.

## **Natural Hazards Code**

### **P1 to P3**

The subject land is in a “low risk” area and the development sites for the two new lots are cleared and not likely to be affected by bushfires or flooding.

## **Natural Areas and Scenic Amenity Code**

The proposal does not trigger the Code, however the layout is such that it meets all of the intents of the Code.

## **Reconfiguring a Lot Code**

### **P1 and P2**

A1.1 The area is designated Rural Settlement and Rural. The area to be reconfigured is designated Rural Settlement and the Lot sizes are the new Lots are .818 ha, .427 ha and 99.55 ha. The proposed lots more than meet the requirement for a minimum size of .40ha and the accommodation of a square area with a minimum side of 50 metres.

The proposal is consistent with Regional Plan.

A2.1 Complies

A2.2 see A1.1

A2.3 the lots slope gently towards existing drains.

### **P3**

A3.1 to A3.7 - complies

**P4 to P8 not applicable**

**P9**

A9.1 to A9.5 complies The lots are currently serviced by South Arm Drive and Vixies Road which are part of the Local Government Road Network.

**P10 not applicable**

**P11 not applicable**

**P12**

A12.1 The lots are designated Rural Settlement and drain to natural drains along the road network. There is not change to drainage pathways.

**P13**

Lots in the area are serviced by bores.

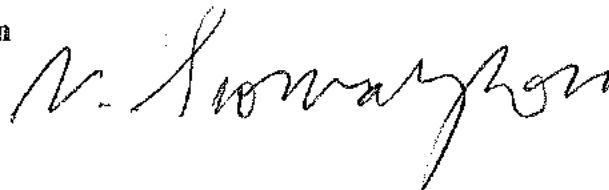
**P14**

An onsite sewage report has been provided.

**P15 to P23**

Not applicable

**V Scomazzon**

A handwritten signature in black ink, appearing to read 'V. Scomazzon', is written over the printed name.

**ZAMMATARO PLUMBING**

**PHONE 0740 982774**

**Fax 0740 981042**



**SITE REPORT**

**SOIL ASSESSMENT**

**LAND APPLICATION DESIGN OPTIONS**

**ON SITE SEWAGE FACILITY DESIGN**

**SOUTH ARM DRIVE : WONGA BEACH**

# **Zammataro Plumbing Pty Ltd**

PO Box 107, Mossman  
QLD 4873  
8 Therese Drive, Mossman  
QLD 4873  
Telephone: 0740 982774  
Fax: 07 4098 1042

## **Wastewater Design**

**September 22 – 2010**

**South Arm Drive, WONGA BEACH**

## **INTRODUCTION:**

Zammataro Plumbing was engaged to undertake a Site and Soil Evaluation for On Site Wastewater Treatment and Disposal at South Arm Drive, Wonga Beach.

The results of that inspection form the basis for the following design recommendations for Wastewater Treatment on the site.

### **Referenced Standards**

Queensland Plumbing and Wastewater Code

On-site Sewerage Code (DNRM July 2002)

AS/NZS — 1547 — 2000 On-site Domestic Wastewater Management

AS 3500 — 1998 Standard Sewerage Law Plumbing & Drainage Code

## **REPORT LIMITATIONS:**

Field samples are assumed to be representative of the site, however it is possible for significant changes to occur over short distances. If site works reveal soil qualities that are significantly different to those in this report, the evaluator must be notified, as changes to the design recommendations may be necessary.

Information supplied by the client is assumed to be correct and relevant. If this is not the case, design assumptions based on that information might be inappropriate.

## **DESIGN COPYRIGHT:**

All calculations, drawings, specifications and designs are deemed to be the property of the designer. On receipt of full payment for services rendered the client is authorised to use the material in this report for the associated works.

## **SIGHT AND SOIL EVALUATION:**

The evaluation process involved

- A comprehensive site assessment to determine topography, geology, setbacks and any limiting design factors.
- Detailed soil investigation to determine soil qualities and limitations and indicative permeability.
- A desktop study based on data (both researched and observed) in accordance with Australian Standards
- Collation of the results of the above investigations to determine a Design Irrigation Rate



**DESIGN DATA      Climate**Annual Rainfall: **2013 mm**Annual Potential Evapotranspiration: **2239 mm****Intended Water Supply Source:**

Town Water Supply

Rainwater (Roof Collection)

Dam

Bore/Well \*\*\*

**Available Clearances:** (Site Plan details attached)

Boundaries      Not within 2 metres (Refer to site plan)  
 Wells/ Bores:    Not within 10 metres of new disposal area  
 Embankments:    No  
 Stands of Trees:   Limited number within disposal area  
 Buildings:        More then 2 Meters Required

|                  | Soil Evaluation |
|------------------|-----------------|
| Texture          | Sandy Loam      |
| Colour           | Grey Brown      |
| Structure        | Weak            |
| Dispersion       | Not Dispersive  |
| Coarse Fragments | Minimal         |
| Determined Ksat  | 3.0             |

|                   | Site Evaluation                                  |
|-------------------|--|
| Slope             | < 5%   |
| Exposure          | Open   |
| Drainage          | Well drained                                     |
| Fill              | Minimal  |
| Water Table Depth | Assumed 0.5 M periodic minimum<br>Average >1.0 M |

## RESULTS

Determined Soil Category: 2

Giving a Design Irrigation Loading (D.I.R) of 35

## DESIGN CALCULATIONS

$$A = \frac{Q \times 7}{DIR}$$

Where

A = Area in M<sup>2</sup>

Q = design daily flow in L/day

DIR = Design Loading Rate in mm/d

### Standard Water Reduction Fixtures

Irrigated Area Calculation

(Assumes 4 Bedroom dwelling) 6 People X 145 lt. Per day

= 870 lt. Per Day

Irrigated Area Calculation

$$A = \frac{Q \times 7}{DIR}$$

Where

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DIR = Design Loading Rate in mm/d

$$A = \frac{870 \times 7}{35} = 174 \text{ M}^2$$

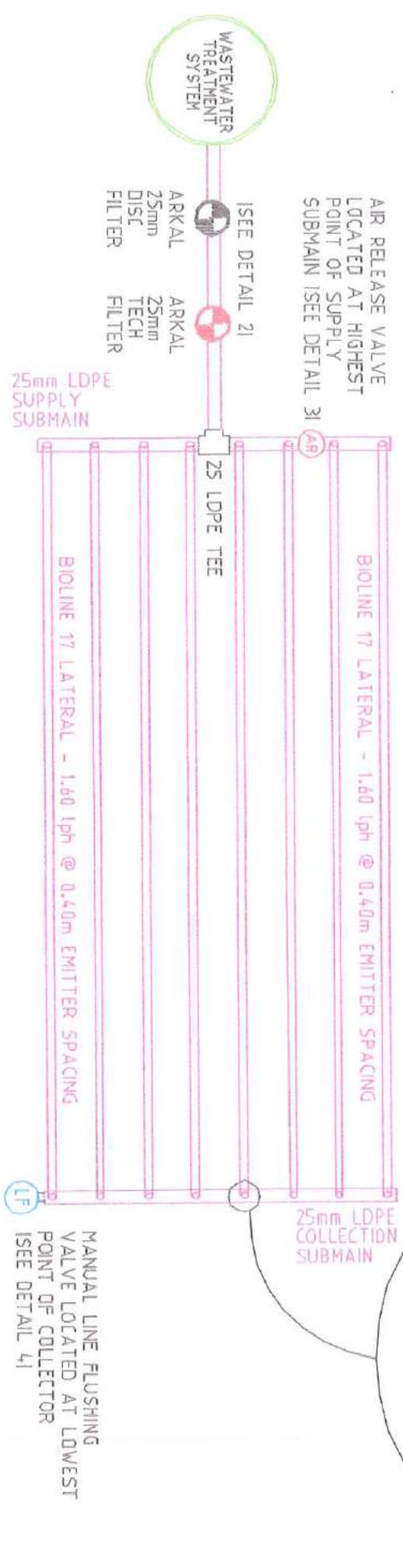
## CONCLUSION/RECOMMENDATION

Due to a number of limiting site features including a future potable water bore and a permanent waterhole nearby, Advanced Secondary Treatment and careful location of disposal area will be necessary. Pressure compensated drip irrigation of effluent into shallow trenches is recommended. The selected disposal site is a sandy silt/loam, typical of the Wonga Beach Area. Drippers located in the top 150 mm of soil should disperse into the upper horizon without impacting on the water table. Trenching will need to be located, taking into account necessary setbacks, when the final house position is established. Irrigation may need to be divided into a number of irrigation areas to meet site requirements, however adequate disposal area is readily available.

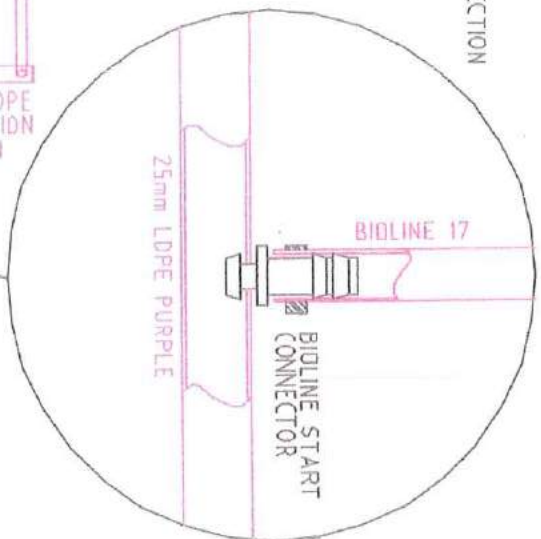
There is adequate spare area for a replacement disposal area if that should ever be required.

This design assumes a four-bedroom dwelling. If a larger premise is anticipated then the designed disposal area may require recalculation for the additional hydraulic loading, however there is adequate area for this if necessary.

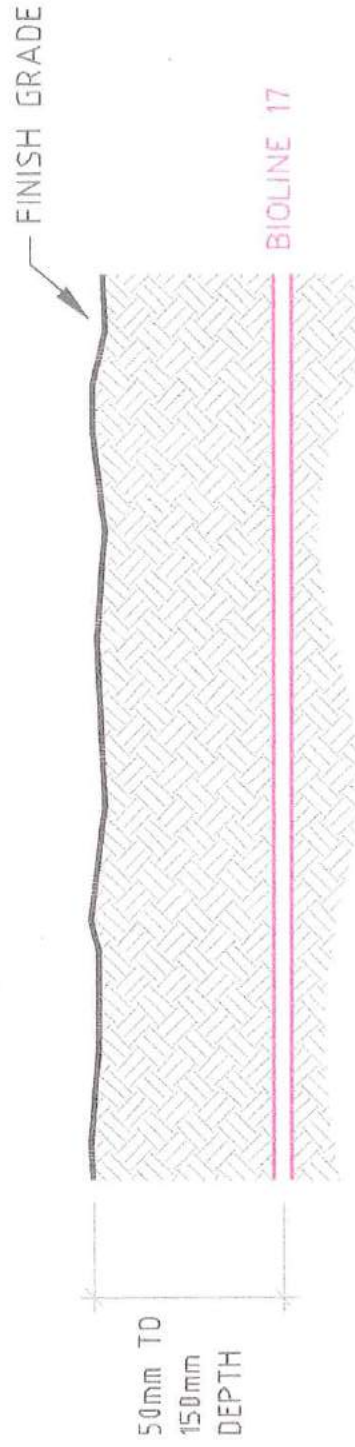
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| DRAWING TITLE:<br>SYSTEM LAYOUT & LATERAL CONNECTION DETAIL |  | JOB NUMBER:  |  | DRAWING No:<br>DETAIL 1 |  | REVISION No:      |  |
|   |  |  |  |                         |  | SHEET :<br>1 OF 7 |  |



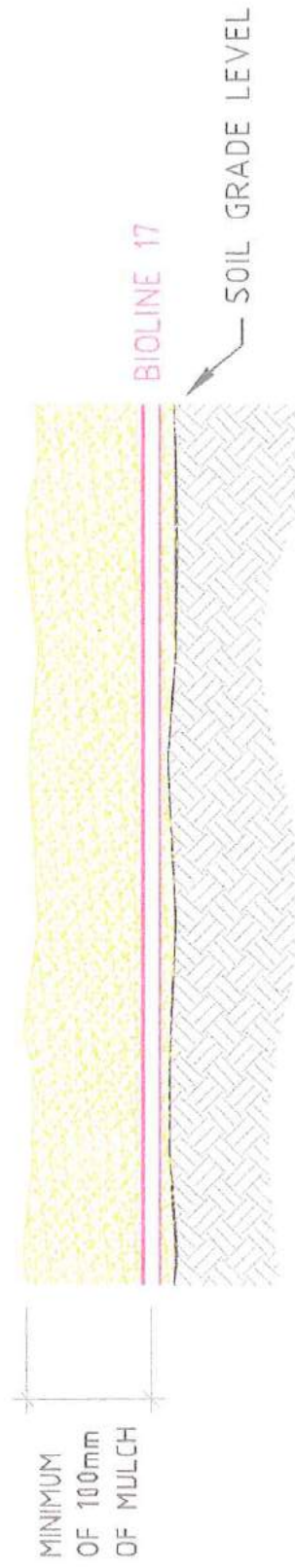
DETAIL:  
TAKE OFF CONNECTION  
TO 25mm LDPE




## EXAMPLE ONE: BIOLINE 17 SUB-SURFACE INSTALLATION



## EXAMPLE TWO: BIOLINE 17 SURFACE (UNDER MULCH) INSTALLATION



|  |  |   |   |   |
|--|--|---|---|---|
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|--|--|---|---|---|

# Site Layout for Effluent Disposal

South Arm Drive    Wonga Beach





**ZAMMATARO PLUMBING**

**PHONE 0740 982774**

**Fax 0740 981042**



**SITE REPORT**

**SOIL ASSESSMENT**

**LAND APPLICATION DESIGN OPTIONS**

**ON SITE SEWAGE FACILITY DESIGN**

**CORNER VIXIES ROAD & SOUTH ARM DRIVE : WONGA BEACH**

# **Zammataro Plumbing Pty Ltd**

PO Box 107, Mossman  
QLD 4873  
8 Therese Drive, Mossman  
QLD 4873  
**Telephone:** 0740 982774  
**Fax:** 07 4098 1042

## **Wastewater Design**

**September 22 – 2010**

**Lot 2**  
**South Arm Drive, WONGA BEACH**



## **INTRODUCTION:**

Zammataro Plumbing was engaged to undertake a Site and Soil Evaluation for On Site Wastewater Treatment and Disposal at Lot 2 South Arm Drive, Wonga Beach.

The results of that inspection form the basis for the following design recommendations for Wastewater Treatment on the site.

### **Referenced Standards**

Queensland Plumbing and Wastewater Code

On-site Sewerage Code (DNRM July 2002)

AS/NZS — 1547 — 2000 On-site Domestic Wastewater Management

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The evaluation process involved

- A comprehensive site assessment to determine topography, geology, setbacks and any limiting design factors.
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- Collation of the results of the above investigations to determine a Design Irrigation Rate

**DESIGN DATA      Climate**

Annual Rainfall: **2013** mm

Annual Potential Evapotranspiration: **2239** mm

**Intended Water Supply Source:**

Town Water Supply

Rainwater (Roof Collection)

Dam

Bore/Well \*\*\*\*

**Available Clearances:** (Site Plan details attached)

Boundaries            Not within 2 metres (Refer to site plan)  
 Wells/ Bores:        Not within 10 metres of new disposal area  
 Embankments:        No  
 Stands of Trees:     Limited number within disposal area  
 Buildings:            More then 2 Meters Required

| Soil Evaluation  |                |
|------------------|----------------|
| Texture          | Sandy Loam     |
| Colour           | Grey Brown     |
| Structure        | Weak           |
| Dispersion       | Not Dispersive |
| Coarse Fragments | Minimal        |
| Determined Ksat  | 3.0            |

| Site Evaluation   |  |
|-------------------|--|
| Slope             | < 5%   |
| Exposure          | Open   |
| Drainage          | Well drained                                     |
| Fill              | Minimal  |
| Water Table Depth | Assumed 0.5 M periodic minimum<br>Average >1.0 M |

## RESULTS

Determined Soil Category: 2

Giving a Design Irrigation Loading (D.I.R) of 35

## DESIGN CALCULATIONS

$$A = \frac{Q \times 7}{DIR}$$

Where

A = Area in M2

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Irrigated Area Calculation

(Assumes 4 Bedroom dwelling) 6 People X 145 lt. Per day

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A = Area in M2

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DIR = Design Loading Rate in mm/d

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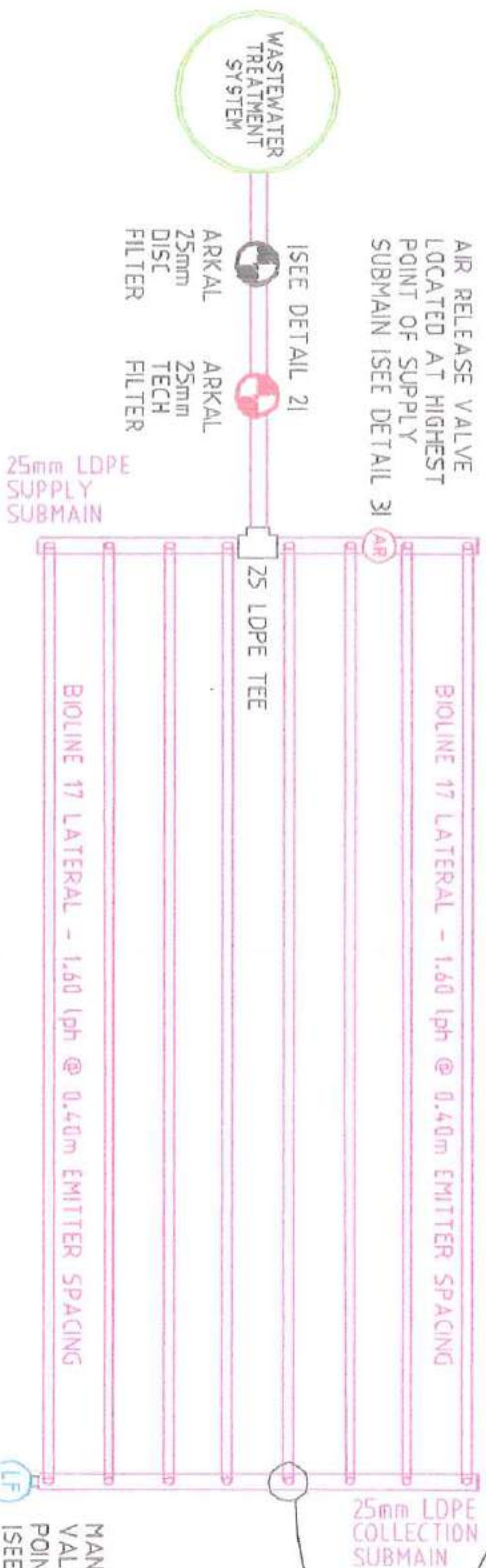
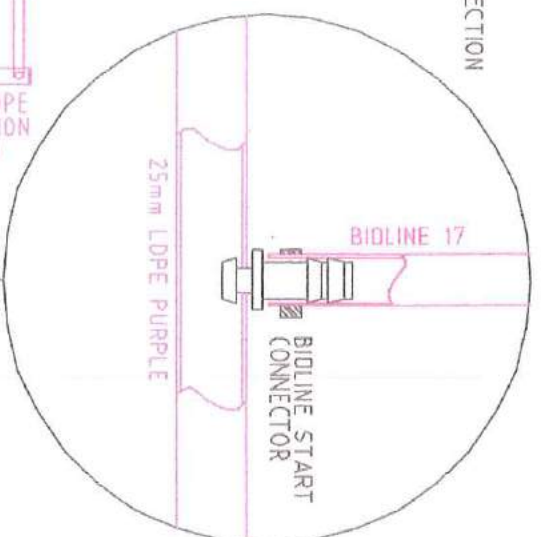
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This design assumes a four-bedroom dwelling. If a larger premise is anticipated then the designed disposal area may require recalculation for the additional hydraulic loading, however there is adequate area for this if necessary.

DETAIL:  
TAKE OFF CONNECTION  
TO 25mm LDPE



MANUAL LINE FLUSHING  
VALVE LOCATED AT LOWEST  
POINT OF COLLECTOR  
ISEE DETAIL 4I

PROJECT NAME:  
WASTEWATER DISPOSAL SYSTEM

CLIENT:

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HBH

DESIGNED BY:

GH

SCALE:

N.T.S.

DATE:

28/05/03

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APPROVED BY:

JOB NUMBER:

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SHEET :

DRAWING TITLE:  
SYSTEM LAYOUT & LATERAL CONNECTION DETAIL

DETAIL 1

1 OF 7

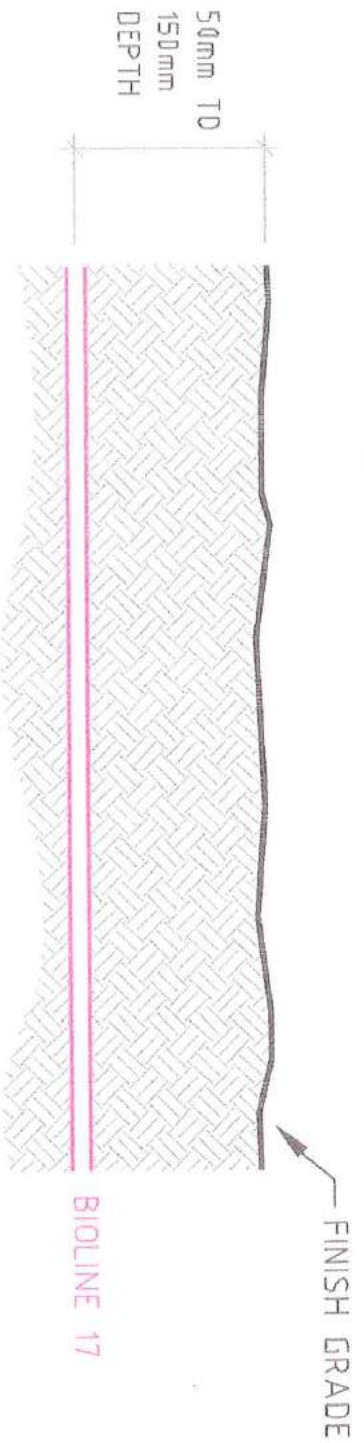


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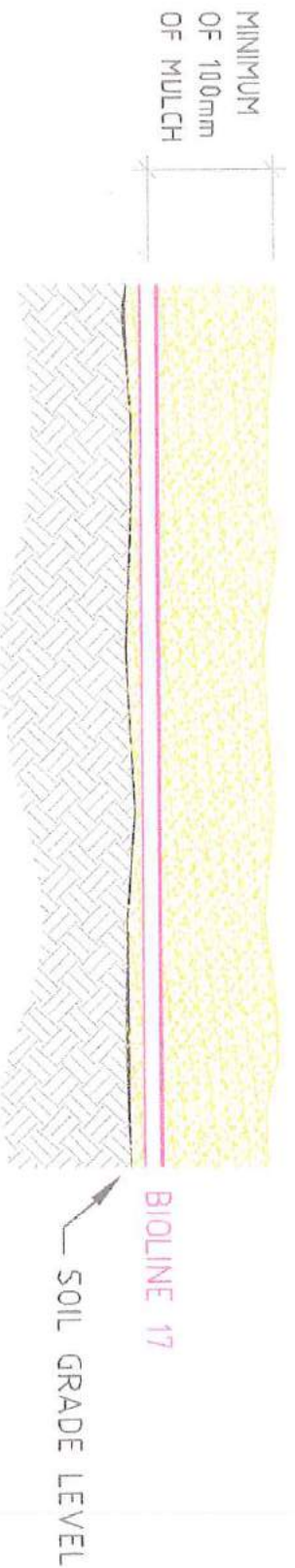
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# EXAMPLE ONE: BIOLINE 17 SUB-SURFACE INSTALLATION

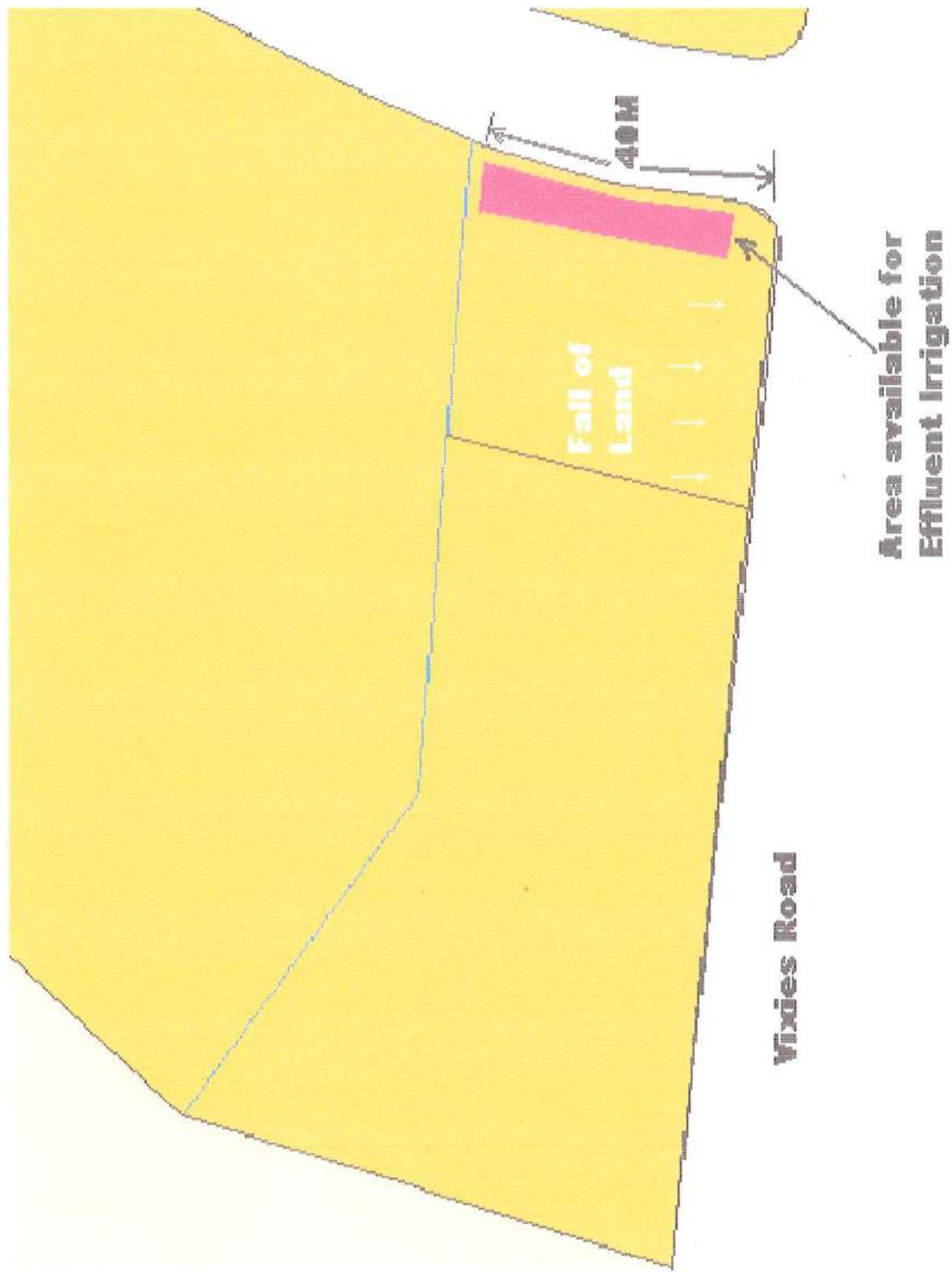


# EXAMPLE TWO: BIOLINE 17 SURFACE (UNDER MULCH) INSTALLATION



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| DRAWING TITLE:<br>BIOLINE 17 INSTALLATION DEPTH | JOB NUMBER:  | DRAWING No:<br>DETAIL 5 | REVISION No: | SHEET :<br>5 OF 7 |                   |

**Site Layout for Effluent Disposal  
Corner South Arm Drive and Vixies Road**

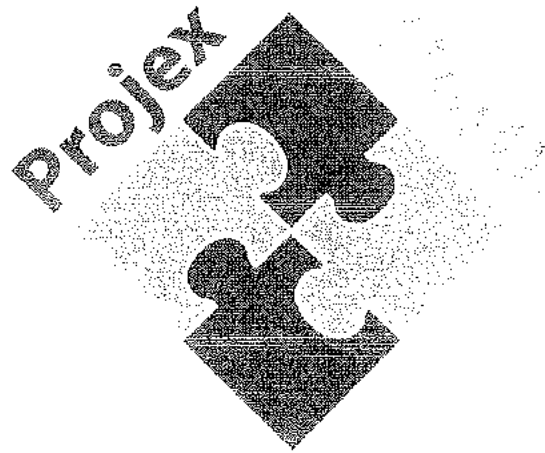




**Projex North Pty Ltd**

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Level 2, 8 Innovation Parkway Kawana Waters Qld 4575  
P 07 5493 3649 F 07 5493 3638



**Mr Vixie Scomazzon**

**LOCAL DRAINAGE REPORT  
LOT 1 SP188690  
SOUTH ARM DRIVE WONGA  
BEACH**

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## DOCUMENT ISSUE RECORD

| Revision Code | Date Revised | Revision Details   | Author | Checked | Approved |
|---------------|--------------|--------------------|--------|---------|----------|
| A             | 10/01/11     | For Council Review | JDM    | PR      | JDM      |

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**Appendix A – Catchment/Locality Plan**

**Appendix B - System Flow Calculations**



## 1. BACKGROUND

Projex North Pty Ltd has been commissioned by Mr Vixie Scomozzon to complete a drainage assessment for the proposed development in Wonga Beach on the site defined as Lot 1 on SP188690, South Arm Drive, Wonga Beach.

The development will create additional allotments with roof (concentrated) drainage directed to the road reserve. There will be no requirement for underground drainage.

A Catchment Plan (sketch 10-021-SK04) for the development is provided in Appendix A.

This report provides information in relation to the following issues:

- Catchment areas.
- Overall flood assessment.
- Local runoff contribution.



## 2. LOCAL SYSTEM

The existing local drainage generally falls to the west into a large mangrove swamp that forms part of the Daintree River system. South Arm Drive has been constructed at the ridge of the dune system defining the catchment boundary. South Arm drive also transports runoff south to Vixie Road where it turns west via a large open drain to the Daintree River mangrove swamp.

The Daintree River Catchment covers an area of approximately 212500 ha. The mangrove swamp covers an area of approximately 1600 ha and will not be impacted by the proposed development.

South Arm Drive and Vixie Road is the legal point for discharge and all roof water shall discharge to the street via downpipes.

Calculations for the critical flood event is detailed as follows:

|                             | Q10   | Q100  |
|-----------------------------|-------|-------|
| Catchment Area (ha)         | 0.05  | 0.05  |
| Time of Concentration (min) | 15    | 15    |
| Intensity (mm/hr)           | 145.5 | 239.8 |
| Coefficient of Runoff       | 1     | 1     |
| Flow (m <sup>3</sup> /s)    | 0.02  | 0.03  |

The increase in flow in South Arm Drive will be only 0.03 m<sup>3</sup>/s in a Q100 event.

The total additional flow down the Vixie Road open drain is 0.067 m<sup>3</sup>/s which will have a minimal impact on the existing system. Minor improvements to the drain will easily account for these additional flows.



### 3. COUNCIL RFI

- a) The catchment areas are shown on the Catchment Plan (sketch 10-021-SK04) in Appendix A.
- b) The Q100 flood level for the Daintree River (flood dated 1996) has been marked on site. The floor level for each residential dwelling shall be set to 300mm above the Q100 level. During the detailed design phase of the project this drainage report shall be extended to confirm exact flood levels and building pad levels.
- c) Primary and secondary flow paths for Q5 and Q100 shall be in South Arm Drive and Vixie Road as shown on the Catchment plan in Appendix A. The balance of the site shall fall to the west as overland sheet flow as it currently does.
- d) There is no requirement for drainage easements as all concentrated flows will be directed to a lawful point of discharge. The existing open drain in Vixie Road shall be cleaned and formalised to provide any additional capacity requirement associated with the increased flow. If deemed necessary, a concrete invert drain can be constructed in the base of the drain to improve capacity and reduce maintenance.
- e) There will be no requirement for flood detention as the development will collect all concentrated flows and discharge to the street. Stormwater runoff to the west will be reduced.
- f) The existing drainage system has been checked and is considered adequate for its purpose. The additional flows from the building areas (via downpipes) will not impact on downstream lots.
- g) The Lawful Point of Discharge for Lot 1 shall be Vixie Road and South Arm Drive for Lot 2. It is noted that the development will create a minimum lot size of about 0.5 ha where natural, overland flows will continue to discharge to the west. Only those areas that increase runoff flows (roof and hard stand areas) will be required to discharge to the street.

Following development of the site, runoff to the west will be reduced.



#### 4. CONCLUSION AND RECOMMENDATION

Investigations completed as part of this report have found that the proposed development will increase the volume of stormwater runoff exiting the site marginally due to the additional impervious areas.

The proposed design will ensure "no worsening" to downstream properties as concentrated roof flows shall be directed into the street (lawful point of discharge) and transported via the existing road drainage system to the Daintree River wetland.

The floor level of any future residential dwellings shall be set at 300 mm above the Q100 flood level as required.

The construction of retarding basins is not required and no easements are necessary.

Detailed calculations are to be complete as part of the operational works assessment to confirm drainage capacities and flood levels/floor heights.



## APPENDIX A

*Catchment/Locality Plan*



## APPENDIX B

*System Flow Calculations*





© Projects 2019-2023: Science for Kids Shows Q100, Super droids

# Projects 2018-0-02: Scamazan/Earier K&Q Rows Q5 - Super drag



ENQUIRIES: Michelle Henderson  
PHONE: (07) 4099 9457  
FAX: (07) 4044 3836  
YOUR REF:  
OUR REF: 8/13/1460 (3148528)

29 April 2011

V G Scomazzon  
Lot 1 South Arm Dr  
WONGA QLD 4873

Dear Sir/Madam

**AMENDED DECISION NOTICE UNDER S335 SUSTAINABLE PLANNING ACT  
2009: DEVELOPMENT APPLICATION FOR 2-28 SOUTH ARM DRIVE WONGA**

With reference to the abovementioned Development Application, please find attached the relevant Amended Decision Notice, which was determined under Instrument of Delegation on 17 March 2011. Due to a clerical error the wrong plans were referenced on page 3 of the document in error. This Amended Decision Notice corrects the error.

The notice includes extracts from the Act with respect to making representations about conditions, negotiated decisions, suspension of the appeal period, and lodging an Appeal.

Should you have any enquires in relation to this Decision Notice, please contact Michelle Henderson of Council's Development Assessment Team on telephone number (07) 4099 9457.

Yours faithfully

Kelly Reaston  
**Manager Development Assessment**

Att.

40.2009.3222  
1/25



**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**

**APPLICANT DETAILS**

V G Scomazzon  
Lot 1 South Arm Dr  
WONGA QLD 4873

**ADDRESS**

2-28 South Arm Drive Wonga

**REAL PROPERTY DESCRIPTION**

Lot 1 on SP188690

**PROPOSAL**

(1 lot into 3 lots)

**DECISION**

Approved subject to conditions (refer to approval package below).

**DECISION DATE**

17 March 2011

**TYPE**

Reconfiguring a Lot (Development Permit)

**REFERRAL AGENCIES**

Development Application Lodgement  
Department of Environment & Resource Management  
GPO Box 2454  
BRISBANE QLD 4001

**SUBMISSIONS**

There were no submissions for this application.

**FURTHER DEVELOPMENT PERMITS REQUIRED**

Development Permit for Operational Works

**CODES TO COMPLY WITH FOR SELF-ASSESSABLE DEVELOPMENT**

None

40.2009.3222  
2/25

For all correspondence:  
✉ PO Box 359 Cairns Q 4870  
[www.cairns.qld.gov.au](http://www.cairns.qld.gov.au)  
[council@cairns.qld.gov.au](mailto:council@cairns.qld.gov.au)

**Council Chambers**  
119-145 Spence Street, Cairns Q 4870  
P: 07 4044 3044 | F: 07 4044 3022

**Mossman Administration Centre**  
64-66 Front Street, Mossman Q 4873  
P: 07 4099 9444 | F: 07 4098 2902

**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**

**DOES THE ASSESSMENT MANAGER CONSIDER THE APPLICATION TO BE IN CONFLICT WITH APPLICABLE CODES, PLANNING SCHEME, STATE PLANNING POLICIES OR PRIORITY INFRASTRUCTURE PLAN (IF YES, INCLUDE STATEMENT OF REASONS)**

Not in conflict

**APPROVED DRAWING(S) AND/OR DOCUMENT(S)**

The term 'approved drawing(s) and/or document(s)' or other similar expression means:

| Drawing or Document  | Reference   | Date                                  |
|--|---|---------------------------------------|
| Plan of Reconfiguration (General Layout Plan & General Overlay Plan) | Drawing 10-021-SK02 Rev. A<br>Prepared by Projex North Pty Ltd (Council Ref No 3065586) | Submitted to Council 17 February 2011 |

**ASSESSMENT MANAGER CONDITIONS**

1. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:-
  - a. The specifications, facts and circumstances as set out in the application submitted to Council;
  - b. The following conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual.

Except where modified by these conditions of approval.

**Timing of Effect**

2. The conditions of the Development Permit must be effected prior to approval and dating of the Plan of Survey, except where specified otherwise in these conditions of approval.

**On-site Effluent Disposal**

3. The method of on-site effluent disposal must be in accordance with the Queensland Plumbing & Wastewater Code. Details of the wastewater treatment system to be installed must be in accordance with reports prepared by Zammataro Plumbing, dated 22 September 2010, Council Ref No #3065422 and #3065423. Advanced Secondary Treatment systems are to be installed in accordance with the above reports.

**Filling of the Site**

4. The site is to be filled generally in accordance with the concepts provided on Projex North General Layout Plan 10-021-SK02.

**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**

The filling level must take into account required immunity from both a 1 in 100 year ARI rainfall event and from a 1 in 100 year storm tide event. Note that these are to be assessed as separate events.

The filling is to be undertaken for the building pads to provide a minimum of 300mm freeboard to the 1 in 100 year ARI flood event or to the requirements for freeboard per Queensland Urban Drainage Manual, whichever is the greater. Note: Council has drainage modelling for the Wonga Beach Area (undertaken for Council in 2001 by DHI International) and the applicant is to have regard to the outcomes of this study in relation to flood levels in the vicinity of this site.

The application for a Development Permit for Operational Work must include details on filling of building pads to achieve the 1 in 100 year ARI storm tide immunity. The applicant must provide supporting information to substantiate the storm tide level proposed including freeboard. The applicant must have regard to the State Coastal Management Plan, Coastal Hazards Policy 2.4.4 in this regard and must substantiate any departures from the recommended default storm tide level.

All works must be carried out to the satisfaction of the Chief Executive Officer prior to the issue of a Compliance Certificate for the Plan of Survey.

**General External Works**

5. Undertake the following external works:-

- a. Provide an access crossover to each lot in accordance with FNQROC Standard drawings. The applicant is to provide supporting information to verify that the crossovers do not impact on stormwater flows in the minor and major flow events.
- b. Upgrade the Vixies Road drainage as nominated by Projex North with the upgrade to include reshaping of the roadside table drain. Details on the resulting profile, invert levels and discharge controls are to be provided in the submission.

Three (3) copies of a plan of the works must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works. All works must be carried out in accordance with the approved plan prior to the issue of a Compliance Certificate for the Plan of Survey. All works must be carried out to the satisfaction of the Chief Executive Officer prior to the issue of a Compliance Certificate for the Plan of Survey.

### **Geotechnical Report**

6. A geotechnical assessment must be carried out by a qualified and experienced geotechnical consultant for each lot to confirm stability of the banks of the ponds and any fill areas and building fill for Lots 1 and 2 and any setbacks or treatments required. The preliminary geotechnical reports are to be lodged with the application for a Development Permit for Operational Works, with a final geotechnical report endorsed by the Chief Executive Officer prior to the issue of a Compliance Certificate for the Plan of Survey.

### **Building Areas**

7. Buildings on Lots 1 and 2 are to be located in the Building Areas indicated on the approved Plan of Reconfiguration, Ref. No. 10-021-SK02A.

### **Acid Sulfate Soil Investigation**

8. Undertake an Acid Sulfate Soil investigation in the area to be affected by this development. Soil sampling and analysis must be undertaken in accordance with procedures specified in '*Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils in Queensland*' (1998) or updated version of document produced by Department of Environment and Resource Management, (Previously DNRW – QASSIT), and State Planning Policy 2/02 – '*Planning and Managing Development involving Acid Sulfate Soils*'. The results of this investigation must be submitted to Council for approval prior to the issue of a Development Permit for Operational Works.

Identification of soils with a pyrite content in excess of the action levels nominated in the latest version of DNRW – QASSIT: '*Guidelines for Sampling and Analysis of Lowland Acid Sulfate Soils in Queensland*' (1998) will trigger the requirement for preparation of an Acid Sulfate Soil Environmental Management Plan in accordance with the most recent requirements of the DNRW: '*Queensland Acid Sulfate Soil Technical Manual*' (2002), including Soil Management Guidelines (updated Feb 2003), which must be prepared to the satisfaction of the Chief Executive Officer.

### **Drainage Study of Site**

9. Update the local drainage study on the subject land with reference to the 2001 DHI International Report undertaken for Council to determine drainage impacts on downstream properties and the mitigation measures required to minimise such impacts. In particular, the post-development discharge of stormwater from the subject site must have no-worsening effect on the drainage of upstream or downstream properties. The study must also identify the need and location of any drainage easements to convey stormwater to the lawful point of discharge for each lot.

In this regard the study must identify the overflow paths for the ponds in the flooding scenario and verify that the proposed building pads and treatment areas are not in the overflow path.

The drainage study must be endorsed by the Chief Executive Officer prior to the issue of a Development Permit for Operational Works.

### **Stockpiling and Transportation of Fill Material**

10. Soil used for filling or spoil from the excavation is not to be stockpiled in locations that can be viewed from adjoining premises or a road frontage for any longer than one (1) month from the commencement of works.

Transportation of fill or spoil to and from the site must not occur within:

- a. peak traffic times; or
  - b. before 7:00 am or after 6:00 pm Monday to Friday; or
  - c. before 7:00 am or after 1:00 pm Saturdays; or
  - d. on Sundays or Public Holidays.
11. Dust emissions or other air pollutants must not extend beyond the boundary of the site and cause a nuisance to surrounding properties.

### **Drainage Easements**

12. A Drainage Easement is to be provided over the ponds and the overflow paths from these ponds to the lawful point of discharge from the site and must be granted in favour of Council and lots that benefit. A copy of the easement documents must be submitted to Council for the approval of Council's solicitors at no cost to Council. The approved easement documents must be submitted at the same time as seeking approval and dating of the Plan of Survey and must be lodged and registered with the Department of Environment & Resource Management in conjunction with the Plan of Survey.

### **Existing Creek and Drainage Systems**

13. All existing creek systems and drainage areas must be left in their current state, including no channel alterations and no removal of vegetation unless consented to in writing by the Chief Executive Officer.

The applicant / owner must obtain any necessary approvals from the Department of Environment & Resource Management for carrying out works in a watercourse.



### **Lawful Point of Discharge**

14. All stormwater from the property must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development to the requirements and satisfaction of the Chief Executive Officer.

### **Sediment and Erosion Control**

15. A sediment and erosion control plan must be submitted prior the issue of a Development Permit for Operational Works. Such plans must be installed / implemented prior to discharge of water from the site, such that no external stormwater flow from the site adversely affects surrounding or downstream properties (in accordance with the requirements of the *Environmental Protection Act 1994*, and the FNQROC Development Manual).

### **Existing Services**

16. Written confirmation of the location of existing services for the land must be provided. In any instance where existing services are contained within another lot, the following applies, either:
  - a. Relocate the services to comply with this requirement; or
  - b. Arrange registration of necessary easements over services located within another lot prior to, or in conjunction with, the lodgement of a Compliance Certificate for the Plan of Survey creating the lot.

### **Electricity Supply**

17. Written evidence from Ergon Energy advising if distribution substation/s are required within the development must be provided. If required, details regarding the location of these facilities must be submitted to the Chief Executive Officer accompanied by written confirmation from Ergon Energy. Details regarding electricity supply must be provided prior to the issue of a Development Permit for Operational Works.

### **Electricity and Telecommunications**

18. Written evidence of negotiations with Ergon Energy and the telecommunication authority must be submitted to Council stating that both an underground electricity supply and telecommunications service will be provided to the development prior to the issue of a Compliance Certificate for the Plan of Survey.

### **Vegetation Clearing**

19. Existing vegetation on the subject land must be retained in all areas except those affected by the construction of access driveways, the installation of services as detailed on the approved plans. Any further clearing requires a Permit to Damage Protected Vegetation under *Amendment 1 of 2006 Of Local Law No. 56 Vegetation Management*.

### **Parkland Contribution**

20. Pay a monetary contribution equivalent to 10% of the Unimproved Capital Value of the created allotments 1 and 2 only in accordance with the Planning Scheme Policy.

At the time of seeking approval and dating of the Plan of Survey, a security equivalent to the amount payable must be submitted to Council. This security can take the form of a cash bond or bank guarantee. The amount payable must be determined by an appropriately qualified property valuer and must be submitted to Council as supporting information when seeking endorsement of the Survey Plan. The contribution payable must be made within three (3) months of the registration of the allotment/s.

### **CONCURRENCE AGENCY CONDITIONS & REQUIREMENTS**

| <b>Concurrency Agency</b>          | <b>Concurrency Agency Reference</b> | <b>Date</b> | <b>Council Electronic Reference</b> |
|------------------------------------|-------------------------------------|-------------|-------------------------------------|
| Dept of Env. & Resource Management | IC709CNS0005                        | 19 Oct 2010 | 2766021                             |

Refer to Appendix 2: Concurrence Agency Requirements. (Please note that these conditions / requirements may be superseded by subsequent negotiations with the relevant referral agencies).

### **FURTHER ADVICE**

1. This approval, granted under the provisions of the *Sustainable Planning Act 2009*, shall lapse four (4) years from the day the approval takes effect in accordance with the provisions of Section 802 of the *Sustainable Planning Act 2009*.
2. All building site managers must take all action necessary to ensure building materials and / or machinery on construction sites are secured immediately following the first cyclone watch and that relevant emergency telephone contacts are provided to Council Officers, prior to commencement of works.

**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**

3. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.
4. Please note that headworks contributions must be paid at the rates applicable at the time of payment. Updated calculations must be requested prior to payment.
5. For information relating to the *Sustainable Planning Act 2009* log on to [www.dip.qld.gov.au](http://www.dip.qld.gov.au). To access the FNQROC Development Manual, Local Laws and other applicable Policies log on to [www.cairns.qld.gov.au](http://www.cairns.qld.gov.au).

**Unique Notations Lots 1 and 2**

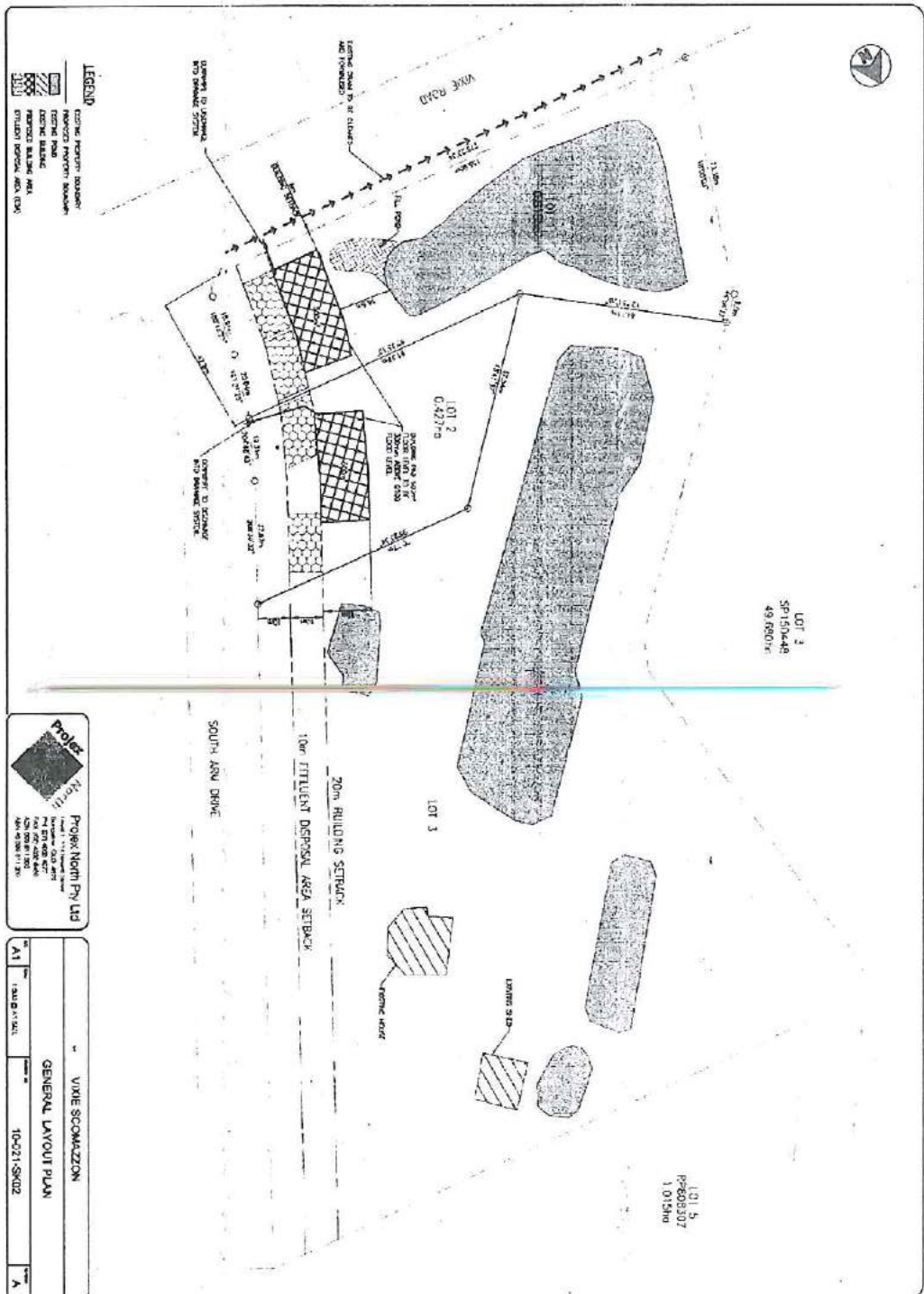
1. The method of on-site effluent disposal must be in accordance with the Queensland Plumbing and Wastewater Code. Reports by Zammataro Plumbing, dated 22 September 2010, Council Ref No #3065422 and #3065423 previously approved prior to signing of the survey plan are available from Council.
2. A geotechnical assessment must be carried out by a qualified and experienced geotechnical consultant for each lot to confirm stability of the banks of the ponds and any fill areas and building fill for Lots 1 and 2 and any setbacks or treatments required. Preliminary geotechnical reports are to be lodged with the application for a Development Permit for Operational Works, with a final geotechnical report endorsed by the Chief Executive Officer prior to the issue of a Compliance Certificate for the Plan of Survey.

**RIGHTS OF APPEAL**

Attached

---

**End of Decision Notice**



WINE SCUMAZZON  
GENERAL OVERVIEW PLAN  
21  
10/27/2002

FROM  
TO

00

**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**

**Appendix 2 Concurrence Agency Conditions & Requirements**



Department of  
Environment and Resource  
Management

Tracklog Reference No: CO2009CN50005  
Feedback Project No: 318013  
Contact: Andrew Hamden  
Directorate: Unit  
Phone: 07 4222 5443  
Regional Planning & Coordination



15 October 2010

Vittorio Scamazzon  
Lot 1 South Arm Drive  
WONGA QLD 4873

Attention: Vittorio Scamazzon

Dear Vittorio

**APPLICATION FOR RECONFIGURATION OF A LOT - LOT 1 ON SP188690,  
SITUATED AT 2-28 SOUTH ARM DRIVE, WONGA - REFERRAL AGENCY  
RESPONSE**

The Department of Environment and Resource Management (Concurrence and Advice Agency for the application) advises as follows:

The Referral Agency Response for the application, prepared pursuant to section 287 of the *Sustainable Planning Act 2009*, is enclosed. I look forward to receiving a copy of the decision notice for the application in due course.

Should you have any questions about this advice, please contact me on 4222 5443.

Yours sincerely

Andrew Hamden  
Development Assessment Coordinator  
Regional Planning & Coordination  
North Region

CC  
The Chief Executive Officer  
Cairns Regional Council  
PO Box 359  
CAIRNS QLD 4870  
Attention: Michelle Henderson  
Ref: 8713/1460 (2152000)

Department of Environment and Resource  
Management  
Level 4, 55 Sheddah Street  
PO Box 927  
Cairns Queensland 4870 Australia  
Telephone + 617 4222 5443  
Facsimile + 617 4222 5433  
Website [www.derm.qld.gov.au](http://www.derm.qld.gov.au)

**Attachment 1**

**Department of Environment and Resource  
Management— Referral agency response**

Given under Section 3.3.16(1) of the *Integrated Planning Act 1997*  
*Concurrence agency response for Vegetation Management Act 1999*

---

**1. Application details**

- |                                   |  |
|-----------------------------------|--|
| 1.1. Applicant's name             | Vittorio Scomazzon   |
| 1.2. Property description         | Lot 1 SP188690   |
| 1.3. Development type             | Reconfiguring a Lot (RaL)  |
| 1.4. Assessment manager           | Cairns Regional Council  |
| 1.5. Assessment manager reference | 8/13/1460 (2152000)  |
| 1.6. Referral date                | 06/07/09   |
| 1.7. Our references               | eL.VAS – 2009/006550<br>RecFind – MBA/000739<br>TrackJob – IC0709CNS0005 |

**2. Concurrence agency response**

The chief executive of the Department of Environment and Resource Management (DERM) directs the assessment manager to include the following conditions in any development approval given for the above mentioned application—

- 2.1. Clearing as a result of the reconfiguration of Lot 1 on SP188690 must be limited to clearing that could be done as per the *Vegetation Management (Regrowth Clearing Moratorium) Act 2009*, Modified Schedule 8, 1A (d)—prior to the Reconfiguring a Lot application being approved; and
- 2.2. The reconfiguration of lot 1 SP188690 from one lot into three lots— including establishment of infrastructure and allotment boundaries— must be done in a way that is generally consistent with Areas A.1 and A.2 on Referral Agency Response Plan 2009/006550 and this plan forms part of the referral agency response.
- 2.3. This referral agency response to the reconfiguration of Lot 1 on SP188690 does not authorise the clearing of any remnant vegetation on lot 1 SP188690.
- 2.4. Any future clearing of remnant vegetation will require a development approval, unless the clearing of remnant vegetation is exempt under Schedule B of the *Integrated Planning Act 1997*

**3. Reasons for the concurrence agency response**

DERM has assessed the application against the *Concurrence Agency Policy for Reconfiguring a Lot (RaL) 23 August 2007* (RaL Policy) and has determined that the application meets the requirements of Criteria Table C, because clearing as a result of the RaL will be limited to clearing that could be done under an exemption for the purpose of the development— *Vegetation Management (Regrowth Clearing Moratorium) Act 2009*, Modified Schedule 8, 1A (d)—without the RaL application being approved.



DERM - Referral agency response 2009/006550

The chief executive of DERM has directed the assessment manager to include conditions in any development approval given for the above mentioned application to ensure that---

- Clearing as a result of the RaL is limited to clearing that could be done as per Schedule 8 of the IPA, prior to the RaL application being approved; and
- The application remains consistent with the RaL Policy.

**Submitted plan**

- |                |   |
|----------------|---|
| 3.1. Title     | Referral Agency Response Plan 2009/006550 |
| 3.2. Date      | 4 September 2009                          |
| 3.3. Author    | Jason Allen                               |
| 3.4. Reference | MBA/000739                                |

Note: This plan is not to scale and is indicative of the original only.

**4. Aboriginal cultural heritage advice**

Under Section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure that the activity does not harm Aboriginal cultural heritage (the 'cultural heritage duty of care'). Maximum penalties for breaching the cultural heritage duty of care are \$750 000 for a corporation and \$75 000 for an individual.

Applicants will comply with the cultural heritage duty of care in relation to Aboriginal cultural heritage if they are acting in compliance with the cultural heritage duty of care guidelines gazetted under the *Aboriginal Cultural Heritage Act 2003*, available on the DERM website, or in accordance with an agreement with the Aboriginal party for the area or a cultural heritage management plan approved under Part 7 of the *Aboriginal Cultural Heritage Act 2003*.

Applicants should also undertake a search of the Aboriginal Cultural Heritage Database and the Aboriginal Cultural Heritage Register, administered by the Cultural Heritage Coordination Unit, DERM. Application forms to undertake a free search of the Aboriginal Cultural Heritage Database and the Aboriginal Cultural Heritage Register may be obtained by contacting the Cultural Heritage Coordination Unit on (07) 3238 3838 or on the DERM website---  
[www.nrw.qld.gov.au/cultural\\_heritage](http://www.nrw.qld.gov.au/cultural_heritage)

**5. Delegated officer signature**



Mr Daniel Gillinder  
Senior Vegetation Management Officer  
North Region, DERM

4/9/2009

**Attachment 2**

**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**

Department of Environment  
and Resource Management

*Sustainable Planning Act 2009*

**DERM Permit<sup>1</sup> number: IPCC01586009**

|                                |  |
|--------------------------------|--|
| Assessment manager reference : | B/13/1460 (2152000)  |
| Date application received:     | 27-JUL-2009  |
| Permit type:                   | Concurrence agency response  |
| Date of decision:              | 15-OCT-2010  |
| Decision:                      | Conditions that must attach to any development approval                    |
| Relevant laws and policies:    | Coastal Protection and Management Act 1995 and any subordinate legislation |
| Jurisdiction(s):               | Sustainable Planning Regulation 2009<br>Schedule 7, table 2, item 14       |

**Development Description(s)**

| Property/Location      |                | Development  |
|------------------------|----------------|--|
| South arm Drive, Wonga | Lot 1 SP188690 | Reconfiguration completely or partly within a coastal management district. |

**Reason(s) for inclusion of conditions**

In accordance with section 289 of the *Sustainable Planning Act 2009*, the reason(s) for inclusion of conditions stated in this permit required by the concurrence agency response for the application are as follows:

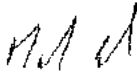
*The Department of Environment and Resource Management is a concurrence agency under the Integrated Planning Regulation 1998 for coastal management under the Coastal Protection and Management Act 1995 excluding amenity or aesthetic significance or value.*

<sup>1</sup> Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalents insofar as required by legislation administered by the Department of Environment and Resource Management.

**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**

---

DERM Permit number: IPCC01566009



**Delegate**

Mark Cavicchiolo  
Delegate, Chief Executive administering the *Coastal Protection  
and Management Act 1995*  
Department of Environment and Resource Management  
15-OCT-2010

DERM Permit number: IPCC01566009

## **CONDITIONS**

- 1) Prior to lodgement of the plan of the reconfigured lots or the undertaking of any development activity, the holder of this permit must
  - (a) Determine the erosion prone area in accordance with erosion prone area plan (Douglas Shire SC33966) within Lot 1 SP188690
  - (b) amend the reconfiguration plan to illustrate the declared erosion prone area, required to be kept free of development
  - (c) provide a copy of the final plan to the Regional Manager, Environmental Services section (Far Northern Region) of the Department of Environment and Resource Management. That plan must reflect any changes to the design of the development resulting from conditions imposed on any approval by DERM or the assessment manager.
- 2) No development (including operational works), clearing of native vegetation, excavation or filling of land within the erosion prone area is to be undertaken.

**END OF CONDITIONS**

DERM Permit number: IPCC01566009

#### **DEFINITIONS**

Words and phrases used throughout this permit<sup>1</sup> are defined below. Where a definition for a term used in this permit<sup>1</sup> is sought and the term is not defined within this permit<sup>1</sup> the definitions provided in the relevant legislation shall be used.

**"administering authority"** means the Department of Environment and Resource Management or its successor.

**"approval"** means 'notice of development application decision' or 'notice of concurrence agency response' under the *Integrated Planning Act 1997*.

**"approved plans"** means the plans and documents listed in the approved plans section in the notice attached to this development approval.

**"artificial waterway"** means an artificial channel, lake or other body of water. Artificial waterway includes –

- an artificial channel that is formed because the land has been reclaimed from tidal water and is intended to allow boating access to allotments on subdivided land;
- other artificial channels subject to the ebb and flow of the tide; and
- any additions or alterations to an artificial waterway

**"authorised place"** means the place authorised under this development approval for the carrying out of the specified environmentally relevant activities.

**"coastal dune"** means a ridge or hillock of sand or other material on the coast and built up by the wind

**"commercial place"** means a place used as an office or for business or commercial purposes

**"dwelling"** means any of the following structures or vehicles that is principally used as a residence –

- a house, unit, motel, nursing home or other building or part of a building,
- a caravan, mobile home or other vehicle or structure on land,
- a water craft in a marina

**"Department of Environment and Resource Management"** means the department or agency (whichever called) administering the *Coastal Protection and Management Act 1995* or the *Environmental Protection Act 1994*

**"erosion prone area"** means an area declared to be an erosion prone area under section 70(1) of the *Coastal Protection and Management Act 1995*.

**"high water mark"** means the ordinary high water mark at spring tides.

**"noxious"** means harmful or injurious to health or physical well being.

**"site"** means land or tidal waters on or in which it is proposed to carry out the development approved under this development approval

**"tidal water"** means the sea and any part of a harbour or watercourse ordinarily within the ebb and flow of the tide at spring tides.

**"watercourse"** means a river, creek or stream in which water flows permanently or intermittently –

- in a natural channel, whether artificially improved or not, or
- in an artificial channel that has changed the course of the watercourse

**"waters"** includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined water natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and groundwater and any part thereof.

**"works" or "operation"** means the development approved under this development approval

**"you"** means the holder of this development approval or owner / occupier of the land which is the subject of this development approval.

#### **END OF CONDITIONS**

Attachment 3

Department of Environment  
and Resource Management

## Notice

### **Advice Agency Response – Wetlands & Conservation Estate**

*This notice is issued by the Department of Environment and Resource Management acting as an advice agency under the Integrated Planning Act 1997 (the Act)*

Our reference: 338913

**1 Application Details**

Assessment Manager ref: 8/13/1460 (2152000) Attention: Michelle Henderson

Date application referred to DERM:

27-JUL-2010

Development approval applied for:

Development Permit

Aspect of development:

Reconfiguring a Lot - Wetlands  
*Integrated Planning Regulation 1998* - Schedule 2, Table 2, Item  
38

Development description:

Reconfiguring a Lot ~ 1 Lot into 3 Lots

Property/Location description:

Lot 1 on SP 180690 2-28 South Arm Drive, WONGA QLD 4873

2. The Chief Executive, Department of Environment and Resource Management (DERM) concurrence agency response - amended concurrence agency response for the concurrence agency referral jurisdiction for the aspect of development involved with the application the subject of this Notice is to tell the assessment manager as follows

Not Applicable



**Notice**  
**Advice Agency Response**

- 3 The Chief Executive, Department of Environment and Resource Management (DERM) advice agency response for the advice agency referral jurisdiction for the aspect of development involved with the application the subject of this Notice is to recommend to the assessment manager as follows:

The application is to allow the reconfiguration of Lot 1 on SP188690 into three Lots. The majority of the parcel is undeveloped and mapped as a Wetland Management Area (WMA). A small southern extension of the Lot is outside of the WMA and contains an existing house and shed as well as a number of constructed ponds. The Wet Tropics World Heritage Area is located to the north of the Lot.

The reconfiguration appears to be relatively minor in scope and is unlikely to significantly impact on the values of wetland areas. It is sufficiently distant from the World Heritage Area to impact on the conservation estate. As such no further conditions of approval beyond those imposed by Cairns Regional Council are advised.

- 4 **Approved plans / specifications**

Nil

- 5 **General advice to assessment manager**

Pursuant to sections 334 and 363 of the Act, a copy of a decision notice or negotiated decision notice issued by the assessment manager must be forwarded to DERM as a referral agency for the relevant application at Department of Environment and Natural Resources, PO Box 937, Cairns QLD 4870 and an electronic copy to [ecp.access@derm.qld.gov.au](mailto:ecp.access@derm.qld.gov.au)

The State's Native Title Work Procedures provide that responsibility for assessment of native title issues for an IDAS application rests with the assessment manager. Therefore, DERM as a referral agency for the relevant application has not provided notification to native title parties.

- 6 **Additional comments or advice about the application**

Nil

- 7 **Additional information for applicants**

**Notifiable Activities under the Environmental Protection Act 1994**

It is a requirement of Section 371 of the *Environmental Protection Act 1994* that if the owner or occupier of this site becomes aware that a Notifiable Activity (as defined under Schedule 3 of the *Environmental Protection Act 1994*) is being carried out on this land or that the land has been affected by a hazardous contaminant they must, within thirty (30) days after becoming aware the activity is being carried out, give notice to the Department of Environment and Resource Management. A list of Notifiable Activities is provided within Schedule 3 of the *Environmental Protection Act 1994*. Failure to give the required notice, except where notice has already been given, may give rise to an offence.

**Aboriginal Cultural Heritage**

**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**

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**Notice**  
**Advice Agency Response**

Under section 23 of the *Aboriginal Cultural Heritage Act 2003* a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are \$750 000 for a corporation and \$75 000 for an individual.

Applicants will comply with the duty of care in relation to Aboriginal cultural heritage if they are acting in accordance with cultural heritage duty of care guidelines gazetted under the *Aboriginal Cultural Heritage Act 2003*, available on the DERM website, or in accordance with an agreement with the Aboriginal party for the area or a cultural heritage management plan approved under part 7 of the *Aboriginal Cultural Heritage Act 2003*.

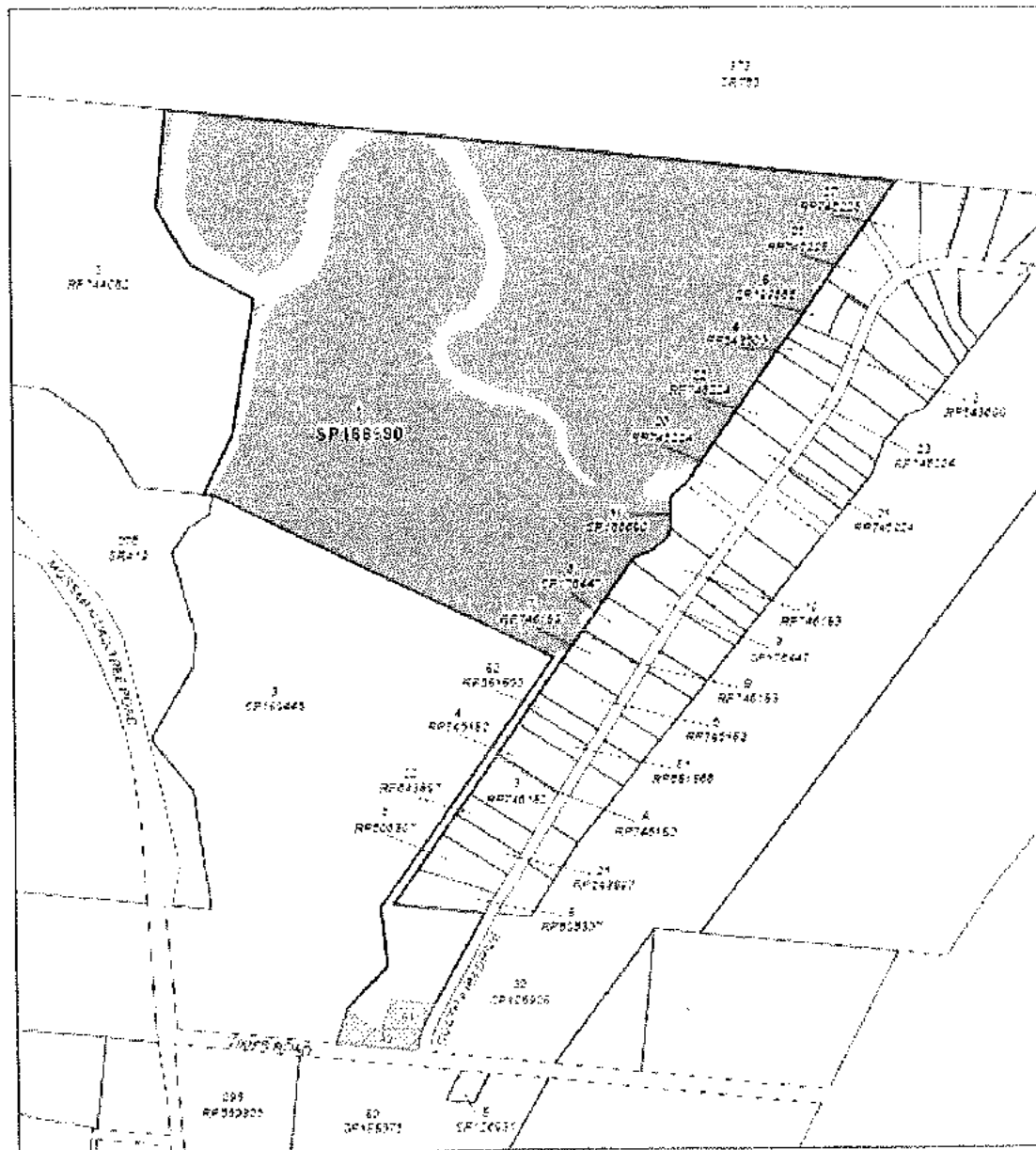
Application forms to undertake a free search of the Cultural Heritage Register and the Database may be obtained by contacting the Cultural Heritage Coordination Unit on (07) 3238 3838 or on the DERM website [www.derm.qld.gov.au/cultural\\_heritage](http://www.derm.qld.gov.au/cultural_heritage).



**Delegate**  
Mike Trererry  
Far Northern Region  
Department of Environment and Resource  
Management  
07/09/2010

**Enquiries**  
• Matt Cogart  
Department of Environment and Resource  
Management  
PO Box 937  
Cairns Q 4870  
Phone: (07) 4222 5462  
Fax: (07) 4222 5493  
Email: [matt.cogart@derm.qld.gov.au](mailto:matt.cogart@derm.qld.gov.au)

**DECISION NOTICE DETAILS**  
**SUSTAINABLE PLANNING ACT 2009**



1:7500 @ A2 size  
 0 50 100 150 200 250 300 350 400 450 500 550 600 650 700 750 800 850 900 950 1000  
 Projection: UTM (MGA Zone 55) Datum: GDA94

Note: Responsibility for correct boundaries  
 of the Referal Agency is on the  
 Referal Agency and not the  
 Department of Environment and  
 Heritage. All other details are  
 for information only and do not  
 constitute a guarantee of accuracy.

The proposed boundaries shown on this plan are  
 APPROXIMATE ONLY. They are NOT an accurate  
 representation of the legal boundaries.

Note: This plan must be read in conjunction  
 with Referral Agency Response 2009/006550

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|--|---|---|
| <b>LEGEND</b><br>Subject Lots<br>Areas A1 and A2<br>Remnant Vegetation | <b>Referral Agency Response (Vegetation) Plan</b><br>Plan of Areas A1 and A2 in Lot 1 on SP188690<br><br>CENTRE: MAREEBA<br>LOCALITY OF MAREEBA<br>REGION: NORTH<br>LOCAL GOVT: SARINZ<br>Registration No: 2009/006550<br>Date of Issue: 10/01/2009 | <br><b>RARP</b><br><b>2009/006550</b><br>Sheet 1 of 1 |
|--|---|---|



