



**Cairns Office**  
135 Abbott Street, Cairns QLD 4870  
PO Box 1949, Cairns QLD 4870  
T +61 7 4031 1336

RPS Australia East Pty Ltd ABN 44 140 292 762  
A member of the RPS Group Plc

**Date:** 24 May 2018  
**Our Ref:** PR130172/OCK/IL/L77602  
**Via:** Email

Attn: Mr Daniel Lamond  
Chief Executive Officer  
Douglas Shire Council  
PO Box 723  
MOSSMAN QLD 4873

Dear Sir,

**RE: APPLICATION FOR DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT (BOUNDARY REALIGNMENT) OVER LAND LOCATED AT MOSSMAN-DAINTREE ROAD, WONGA, FORMALLY DESCRIBED AS LOT 2 ON SP285557 AND LOT 1 ON RP735306**

RPS Australia East Pty Ltd confirms that we act on behalf of John Reynolds (the 'applicant' and 'owner' of the land) in order to prepare and lodge the abovementioned Development Application with Douglas Shire Council.

This application seeks development approval for a Reconfiguration of a Lot to realign the boundary between Lot 2 on SP285557 and Lot 1 on RP735306.

In support of this application, please find attached the following:

- The completed Development Application Form, included as **Attachment 1**;
- Certificates of Title, included as **Attachment 2**;
- RPS Drawing PR130172-2, included as **Attachment 3**; and
- The following details to facilitate Council's assessment of the proposal.

Please forward Council's invoice for the development application fee of \$950.00 to the undersigned and address the invoice to John Reynolds as the payee and payment of the fee will be arranged.

## 1.0 Site Information

### 1.1 Site Details

Key details of the subject site include:

<b>Address:</b>	Mossman-Daintree Road, Wonga
<b>Real Property Description:</b>	Lot 2 on SP285557 and Lot 1 on RP735306
<b>Land Area:</b>	280.72 ha
<b>Land Owners:</b>	John Reynolds
<b>Easements / Encumbrances:</b>	Nil



## 1.2 Planning Context

The planning context relating to the site includes:

<b>Planning Scheme Zone:</b>	Rural Zone
<b>Relevant Overlays:</b>	Various Overlays relate to the land but are not considered relevant for the boundary re-alignment proposal

## 1.3 Site Characteristics

<b>Topography:</b>	Relatively flat land used for the growing of sugar cane.
<b>Vegetation:</b>	Apart for a couple of natural drainage lines that are vegetated, the land has been cleared for the growing of sugar cane.
<b>Waterways:</b>	A couple of natural drainage lines pass through the property.
<b>Road Frontage:</b>	The land has two separate frontages to Mossman – Daintree Road of 134.01m and 1,205.54m which the proposed boundary re-alignment retains.
<b>Existing Use:</b>	A house exists on Lot 2 SP285557 and the balance of the land is used for the growing of sugar cane.

## 1.4 Surrounding Land Uses

Land in the immediate surrounds appears to be either grazing land or forested hillsides.

## 2.0 Application Details

Key application details for the subject development are:

<b>Aspects of the Development Sought:</b>	Development Permit for Reconfiguration of a Lot (Boundary Realignment).
<b>Applicant:</b>	John Reynolds C/- RPS Australia East Pty Ltd
<b>Contact:</b>	Owen Caddick-King C/- RPS Australia East Pty Ltd Ph: 07 4031 1336 Email: owen.caddick-king@rpsgroup.com.au

## 3.0 Proposed Development

The development application seeks a development permit to permit the house that exists on Lot 2 SP285557 to be excised from the land used for the growing of sugar cane. The portion of Lot 2 SP285557 that is being used for the growing of sugar cane is proposed to be merged with the adjoining land which is also being used for the growing of sugar cane as shown on RPS Drawing No PR130172-2, the Boundary Re-alignment Proposal Plan, included for reference in **Attachment 3**.

The reconfiguration proposal re-arranges the boundaries of existing developed lots where the existing residence located on Proposed Lot 1 is separated from the land used for the growing of sugar cane by a vegetated stream that is located adjacent to Proposed Lot 1. The boundary re-alignment does not give rise to any additional development and the balance productive rural land currently included on Lot 2 on SP285557 is merged with the adjoining productive rural land to allow the land currently farmed as the one cane farming operation to be located on the one lot.

## 4.0 Legislative Requirements

### 4.1 Planning Act 2016

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

#### 4.1.1 Confirmation that development is not prohibited

The proposed development is not prohibited. This has been established by considering all relevant instruments which can provide prohibitions under the *Planning Act 2016*.

#### 4.1.2 Assessable Development

The development proposed by this application is "assessable development" pursuant to section 43 of the *Planning Act 2016*.

#### 4.1.3 Assessment Manager

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

#### 4.1.4 Level of Assessment

The table below summarises the level of assessment under the provisions of Douglas Shire Council Planning Scheme 2018:

Aspect of Development	Local Categorising Instrument that determines Level of Assessment	Level of Assessment
Reconfiguration of a Lot (Boundary Realignment)	Douglas Shire Planning Scheme 2018	Code Assessable

#### 4.1.5 Referral Agencies

No referrals are triggered by the proposed development.

#### 4.1.6 Public Notification

This application does not require public notification as it is subject to 'code' assessment.

## 5.0 Statutory Planning Assessment

### 5.1 Regional Plan

Section 2.2 of the Planning Scheme states that, “*The minister has identified that the planning scheme appropriately advances the Far North Queensland Regional Plan 2009-2031, as it applies in the planning scheme area*”. Therefore, assessment against the applicable Planning Scheme provisions will address any relevant Regional Plan matters.

### 5.2 State Planning Policies

As outlined in Part 2 of the Douglas Shire Planning Scheme, all relevant aspects of the State Planning Policy have been adequately reflected in Council’s current Planning Scheme. Accordingly, assessment against the applicable Planning Scheme provisions will address any relevant State Issues.

### 5.3 State Development Assessment Provisions

Given that no referrals are triggered by the proposed development, no State Development Assessment Provisions are applicable to the proposed boundary realignment.

### 5.4 Planning Scheme

Under Douglas Shire Planning Scheme 2018, the subject site is included within the Rural Zone and the Rural Zone Code provisions are the most relevant Planning Scheme provisions that apply to the development and it is noted that the Rural Zone Code provisions permit lots less than 40 hectares where the proposed development is a boundary re-alignment and no additional lots are created. In this instance the boundary realignment proposal re-arranges the boundaries of existing developed lots where the existing residence located on Proposed Lot 1 is separated from the land used for the growing of sugar cane by a vegetated drainage line that is to be located adjacent to Proposed Lot 1 and will provide an effective buffer between the existing dwelling and the cane farm. The boundary re-alignment does not give rise to any additional development and the balance productive rural land currently included on Lot 2 on SP285557 is merged with the adjoining productive rural land to allow the land currently farmed as the one cane farming operation to be located on the one lot.

While the boundary re-alignment proposal is subject to a number of assessment benchmarks (Planning Scheme Codes) other than the Rural Zone Code, the boundary re-alignment proposal is not considered to be a significant change that requires extensive assessment against these other Planning Scheme Codes. A review of the applicable Codes has been conducted and it has been determined that the proposal is generally compliant with the relevant ‘Acceptable Solution’ and/or ‘Performance Criteria’ of these Codes.

## 6.0 Conclusions and Recommendations

This submission has been prepared on behalf of John Reynolds to seek approval for Reconfiguration of a Lot (Boundary Realignment) over land located at Mossman – Daintree Road, Wonga, formally described as Lot 2 on SP285557 and Lot 1 on RP735306. The proposal seeks approval to re-arrange the boundaries of the existing developed rural land which is expected to maintain the existing rural amenity while providing for improved utility of the land for rural production, by way of allowing the land currently farmed as the one cane farming operation to be located on the one lot.



The proposal is consistent with the Planning Scheme as it relates to boundary re-alignment development in the Rural Zone and is recommended for approval.

We trust the information provided is sufficient for your purposes, however should you require any further details or clarification, please do not hesitate to contact the undersigned in the Cairns office.

Yours sincerely  
**RPS**

A handwritten signature in black ink, appearing to read 'Owen Caddick-King', written in a cursive style.

Owen Caddick-King  
Principal Planner

enc: **Attachment 1:** Application Form 1  
**Attachment 2:** Certificate of Titles  
**Attachment 3:** RPS Drawing PR130172-2



Attachment I

Development Application Form I

## DA Form 1 – Development application details

Approved form (version 1.0 effective 3 July 2017) made under section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving code assessment or impact assessment**, except when applying for development involving building work.

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

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

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

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

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

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

### PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) <i>(individual or company full name)</i>	John Reynolds C/- RPS Australia East Pty Ltd
Contact name <i>(only applicable for companies)</i>	Owen Caddick-King
Postal address <i>(P.O. Box or street address)</i>	PO Box 1949
Suburb	Cairns
State	Queensland
Postcode	4870
Country	Australia
Contact number	(07) 4031 1336
Email address <i>(non-mandatory)</i>	Owen.caddick-king@rpsgroup.com.au
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	PR130172

2) Owner's consent
2.1) Is written consent of the owner required for this development application?
<input type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application <input checked="" type="checkbox"/> No – proceed to 3)



## PART 2 – LOCATION DETAILS

## 3) Location of the premises (complete 3.1 or 3.2, and 3.3 as applicable)

**Note:** Provide details below and attach a site plan for any or all premises part of the development application. For further information, see [DA Forms Guide: Relevant plans](#).

## 3.1) Street address and lot on plan

Street address **AND** lot on plan (all lots must be listed), **or**

Street address **AND** lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon; all lots must be listed).

a)	Unit No.	Street No.	Street Name and Type	Suburb
			Mossman-Daintree Road	Wonga
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	2	SP285557	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
			Mossman-Daintree Road	Wonga
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	1	RP735306	Douglas Shire Council

## 3.2) Coordinates of premises (appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land e.g. channel dredging in Moreton Bay)

**Note:** Place each set of coordinates in a separate row. Only one set of coordinates is required for this part.

Coordinates of premises by longitude and latitude

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

Coordinates of premises by easting and northing

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

## 3.3) Additional premises

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

Not required

## 4) Identify any of the following that apply to the premises and provide any relevant details

In or adjacent to a water body or watercourse or in or above an aquifer

Name of water body, watercourse or aquifer:

On strategic port land under the *Transport Infrastructure Act 1994*

Lot on plan description of strategic port land:

Name of port authority for the lot:

In a tidal area

Name of local government for the tidal area (if applicable):

Name of port authority for tidal area (if applicable):

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

Name of airport:

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

EMR site identification:



Listed on the Contaminated Land Register (CLR) under the *Environmental Protection Act 1994*

CLR site identification:

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

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

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

No

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

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

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

Material change of use

Reconfiguring a lot

Operational work

Building work

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

Development permit

Preliminary approval

Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment

Impact assessment *(requires public notification)*

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

Reconfiguration of a Lot (Boundary realignment – 2 Lots into 2 Lots).

e) Relevant plans

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

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

#### 6.2) Provide details about the second development aspect

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

Material change of use

Reconfiguring a lot

Operational work

Building work

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

Development permit

Preliminary approval

Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment

Impact assessment *(requires public notification)*

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

e) Relevant plans

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

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

#### 6.3) Additional aspects of development

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

Not required

## Section 2 – Further development details

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

Material change of use	<input type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input checked="" type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

## Division 1 – Material change of use

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

## 8.1) Describe the proposed material change of use

Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m <sup>2</sup> ) (if applicable)

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

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

## Division 2 – Reconfiguring a lot

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

## 9.1) What is the total number of existing lots making up the premises?

2

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

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

## 10) Subdivision

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

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

## 10.2) Will the subdivision be staged?

- Yes – provide additional details below  
 No

How many stages will the works include?

What stage(s) will this development application apply to?

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

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

**12) Boundary realignment**  
**12.1) What are the current and proposed areas for each lot comprising the premises?**

Current lot		Proposed lot	
Lot on plan description	Area (m <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )
Lot 2 on SP285557	9.04 hectares	Proposed Lot 1	6396m <sup>2</sup>
Lot 1 on RP735306	267.46 hectares	Proposed Lot 2	279.75 ha

**12.2) What is the reason for the boundary realignment?**

To excise the existing dwelling from the land used for the growing of sugar cane, allowing the sugar can farming operation to be located on the one lot with a vegetated drainage line, an effective buffer, to be retained adjacent to Proposed Lot 1.

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

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

**Division 3 – Operational work**

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

**14.1) What is the nature of the operational work?**

<input type="checkbox"/> Road work	<input type="checkbox"/> Stormwater	<input type="checkbox"/> Water infrastructure
<input type="checkbox"/> Drainage work	<input type="checkbox"/> Earthworks	<input type="checkbox"/> Sewage infrastructure
<input type="checkbox"/> Landscaping	<input type="checkbox"/> Signage	<input type="checkbox"/> Clearing vegetation
<input type="checkbox"/> Other – please specify:		

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

<input type="checkbox"/> Yes – specify number of new lots:	
<input type="checkbox"/> No	

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

\$

**PART 4 – ASSESSMENT MANAGER DETAILS**

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

Douglas Shire Council

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

Yes – a copy of the decision notice is attached to this development application

Local government is taken to have agreed to the superseded planning scheme request – relevant documents attached

No

**PART 5 – REFERRAL DETAILS**

**17) Do any aspects of the proposed development require referral for any referral requirements?**

*Note: A development application will require referral if prescribed by the Planning Regulation 2017.*

No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6

Matters requiring referral to the **chief executive of the Planning Regulation 2017:**

Clearing native vegetation

<input type="checkbox"/> Contaminated land ( <i>unexploded ordnance</i> ) <input type="checkbox"/> Environmentally relevant activities (ERA) ( <i>only if the ERA have not been devolved to a local government</i> ) <input type="checkbox"/> Fisheries – aquaculture <input type="checkbox"/> Fisheries – declared fish habitat area <input type="checkbox"/> Fisheries – marine plants <input type="checkbox"/> Fisheries – waterway barrier works <input type="checkbox"/> Hazardous chemical facilities <input type="checkbox"/> Queensland heritage place ( <i>on or near a Queensland heritage place</i> ) <input type="checkbox"/> Infrastructure – designated premises <input type="checkbox"/> Infrastructure – state transport infrastructure <input type="checkbox"/> Infrastructure – state transport corridors and future state transport corridors <input type="checkbox"/> Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels <input type="checkbox"/> Infrastructure – state-controlled roads <input type="checkbox"/> Land within Port of Brisbane’s port limits <input type="checkbox"/> SEQ development area <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – community activity <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – indoor recreation <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – residential development <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – urban activity <input type="checkbox"/> Tidal works or works in a coastal management district <input type="checkbox"/> Urban design <input type="checkbox"/> Water-related development – taking or interfering with water <input type="checkbox"/> Water-related development – removing quarry material ( <i>from a watercourse or lake</i> ) <input type="checkbox"/> Water-related development – referable dams <input type="checkbox"/> Water-related development – construction of new levees or modification of existing levees ( <i>category 2 or 3 levees only</i> ) <input type="checkbox"/> Wetland protection area
<b>Matters requiring referral to the local government:</b> <input type="checkbox"/> Airport land <input type="checkbox"/> Environmentally relevant activities (ERA) ( <i>only if the ERA have been devolved to local government</i> ) <input type="checkbox"/> Local heritage places
<b>Matters requiring referral to the chief executive of the distribution entity or transmission entity:</b> <input type="checkbox"/> Electricity infrastructure
<b>Matters requiring referral to:</b> <ul style="list-style-type: none"> <li>• The <b>chief executive of the holder of the licence</b>, if not an individual</li> <li>• The <b>holder of the licence</b>, if the holder of the licence is an individual</li> </ul> <input type="checkbox"/> Oil and gas infrastructure
<b>Matters requiring referral to the Brisbane City Council:</b> <input type="checkbox"/> Brisbane core port land
<b>Matters requiring referral to the Minister under the Transport Infrastructure Act 1994:</b> <input type="checkbox"/> Brisbane core port land <input type="checkbox"/> Strategic port land
<b>Matters requiring referral to the relevant port operator:</b> <input type="checkbox"/> Brisbane core port land (below high-water mark and within port limits)
<b>Matters requiring referral to the chief executive of the relevant port authority:</b> <input type="checkbox"/> Land within limits of another port
<b>Matters requiring referral to the Gold Coast Waterways Authority:</b> <input type="checkbox"/> Tidal works, or development in a coastal management district in Gold Coast waters
<b>Matters requiring referral to the Queensland Fire and Emergency Service:</b> <input type="checkbox"/> Tidal works, or development in a coastal management district

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

- Yes – referral response(s) received and listed below are attached to this development application  
 No

Referral requirement	Referral agency	Date of referral response

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

**PART 6 – INFORMATION REQUEST****19) Information request under Part 3 of the DA Rules**

- I agree to receive an information request if determined necessary for this development application  
 I do not agree to accept an information request for this development application

**Note:** By not agreeing to accept an information request I, the applicant, acknowledge:

- that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties
- Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.

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

**PART 7 – FURTHER DETAILS****20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)**

- Yes – provide details below or include details in a schedule to this development application  
 No

List of approval/development application references	Reference number	Date	Assessment manager
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

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

- Yes – the yellow local government/private certifier's copy of the receipted QLeave form is attached to this development application  
 No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid  
 Not applicable

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

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

- Yes – show cause or enforcement notice is attached  
 No

## 23) Further legislative requirements

**Environmentally relevant activities**

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

Yes – the required attachment (form EM941) for an application for an environmental authority accompanies this development application, and details are provided in the table below

No

**Note:** Application for an environmental authority can be found by searching “EM941” at [www.qld.gov.au](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

Proposed ERA number:

Proposed ERA threshold:

Proposed ERA name:

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

**Hazardous chemical facilities**

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

Yes – *Form 69: Notification of a facility exceeding 10% of schedule 15 threshold* is attached to this development application

No

**Note:** See [www.justice.qld.gov.au](http://www.justice.qld.gov.au) for further information.

**Clearing native vegetation**

23.3) Does this development application involve **clearing native vegetation** that requires written confirmation the chief executive of the *Vegetation Management Act 1999* is satisfied the clearing is for a relevant purpose under section 22A of the *Vegetation Management Act 1999*?

Yes – this development application is accompanied by written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)

No

**Note:** See [www.qld.gov.au](http://www.qld.gov.au) for further information.

**Environmental offsets**

23.4) Is this development application taken to be a prescribed activity that may have a significant residual impact on a **prescribed environmental matter** under the *Environmental Offsets Act 2014*?

Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter

No

**Note:** The environmental offset section of the Queensland Government's website can be accessed at [www.qld.gov.au](http://www.qld.gov.au) for further information on environmental offsets.

**Koala conservation**

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

Yes

No

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

**Water resources**

23.6) Does this development application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, taking overland flow water or waterway barrier works**?

Yes – the relevant template is completed and attached to this development application

No

**Note:** DA templates are available from [www.dilgp.qld.gov.au](http://www.dilgp.qld.gov.au).

23.7) Does this application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water** under the *Water Act 2000*?

Yes – I acknowledge that a relevant water authorisation under the *Water Act 2000* may be required prior to commencing development

No

**Note:** Contact the Department of Natural Resources and Mines at [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au) for further information.

### **Marine activities**

23.8) Does this development application involve **aquaculture, works within a declared fish habitat area or removal, disturbance or destruction of marine plants?**

Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*

No

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

### **Quarry materials from a watercourse or lake**

23.9) Does this development application involve the **removal of quarry materials from a watercourse or lake** under the *Water Act 2000*?

Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

No

**Note:** Contact the Department of Natural Resources and Mines at [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au) for further information.

### **Quarry materials from land under tidal waters**

23.10) Does this development application involve the **removal of quarry materials from land under tidal water** under the *Coastal Protection and Management Act 1995*?

Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

No

**Note:** Contact the Department of Environment and Heritage Protection at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au) for further information.

### **Referable dams**

23.11) Does this development application involve a **referable dam** required to be failure impact assessed under section 343 of the *Water Supply (Safety and Reliability) Act 2008* (the *Water Supply Act*)?

Yes – the ‘Notice Accepting a Failure Impact Assessment’ from the chief executive administering the *Water Supply Act* is attached to this development application

No

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

### **Tidal work or development within a coastal management district**

23.12) Does this development application involve **tidal work or development in a coastal management district?**

Yes – the following is included with this development application:

Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)

A certificate of title

No

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

### **Queensland and local heritage places**

23.13) Does this development application propose development on or adjoining a place entered in the **Queensland heritage register** or on a place entered in a local government’s **Local Heritage Register**?

Yes – details of the heritage place are provided in the table below

No

**Note:** See guidance materials at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au) for information requirements regarding development of Queensland heritage places.

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

### **Brothels**

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

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

<input checked="" type="checkbox"/> No
<b>Decision under section 62 of the <i>Transport Infrastructure Act 1994</i></b>
23.15) Does this development application involve new or changed access to a state-controlled road?
<input type="checkbox"/> Yes - this application will be taken to be an application for a decision under section 62 of the <i>Transport Infrastructure Act 1994</i> (subject to the conditions in section 75 of the <i>Transport Infrastructure Act 1994</i> being satisfied)
<input checked="" type="checkbox"/> No

## PART 8 – CHECKLIST AND APPLICANT DECLARATION

<b>24) Development application checklist</b>	
I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17 <i>Note: See the Planning Regulation 2017 for referral requirements</i>	<input checked="" type="checkbox"/> Yes
If building work is associated with the proposed development, Parts 4 to 6 of <i>Form 2 – Building work details</i> have been completed and attached to this development application	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
Supporting information addressing any applicable assessment benchmarks is with development application <i>Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see DA Forms Guide: Planning Report Template.</i>	<input checked="" type="checkbox"/> Yes
Relevant plans of the development are attached to this development application <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>	<input checked="" type="checkbox"/> Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued ( <i>see 21</i> )	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable

<b>25) Applicant declaration</b>	
<input checked="" type="checkbox"/> By making this development application, I declare that all information in this development application is true and correct	
<input checked="" type="checkbox"/> Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the <i>Electronic Transactions Act 2001</i> <i>Note: It is unlawful to intentionally provide false or misleading information.</i>	
<p><b>Privacy</b> – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.</p> <p>Personal information will not be disclosed for a purpose unrelated to the <i>Planning Act 2016</i>, <i>Planning Regulation 2017</i> and the DA Rules except where:</p> <ul style="list-style-type: none"> <li>such disclosure is in accordance with the provisions about public access to documents contained in the <i>Planning Act 2016</i> and the <i>Planning Regulation 2017</i>, and the access rules made under the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i>; or</li> <li>required by other legislation (including the <i>Right to Information Act 2009</i>); or</li> <li>otherwise required by law.</li> </ul> <p>This information may be stored in relevant databases. The information collected will be retained as required by the <i>Public Records Act 2002</i>.</p>	



**PART 9 – FOR OFFICE USE ONLY**

Date received:  Reference number(s):

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

QLeave notification and payment	
<i>Note: For completion by assessment manager if applicable</i>	
Description of the work	
QLeave project number	
Amount paid (\$)	
Date paid	
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	

The *Planning Act 2016*, the *Planning Regulation 2017* and the *DA Rules* are administered by the Department of Infrastructure, Local Government and Planning. This form and all other required development application materials should be sent to the assessment manager.



## Attachment 2

### Certificate of Titles

# CURRENT TITLE SEARCH

## NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 28666186

Search Date: 21/05/2018 14:32

Title Reference: 21139058

Date Created: 13/04/1981

Previous Title: 21128024

### REGISTERED OWNER

JOHN KEITH REYNOLDS

### ESTATE AND LAND

Estate in Fee Simple

LOT 1 REGISTERED PLAN 735306  
Local Government: DOUGLAS

For exclusions / reservations for public purposes refer to  
Plan RP 735306

### EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 21128024 (POR 141)
2. MORTGAGE No 601510945 (T10177) 18/09/1981  
TO THE NATIONAL BANK OF AUSTRALASIA LIMITED
3. LEASE No 601510946 (T56740) 11/08/1982  
OF PART OF THE LAND  
TO KEITH MILTON REYNOLDS  
FOR 15 YEARS  
COMMENCING 22 APR 1981
4. MORTGAGE No 601510947 (T58460) 25/08/1982  
TO COMMONWEALTH DEVELOPMENT BANK OF AUSTRALIA  
OVER LEASE NO T56740
5. MORTGAGE No 601510948 (T64399) 13/10/1982  
TO THE NATIONAL BANK SAVINGS BANK LIMITED

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

### CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

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

COPYRIGHT THE STATE OF QUEENSLAND (NATURAL RESOURCES, MINES AND ENERGY) [2018]

Requested By: D-ENQ URBIS PRO

# CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 28666162

Search Date: 21/05/2018 14:31

Title Reference: 51114538

Date Created: 25/09/2017

Previous Title: 21004065

21120013

## REGISTERED OWNER

Dealing No: 718406936 20/11/2017

JOHN KEITH REYNOLDS

## ESTATE AND LAND

Estate in Fee Simple

LOT 2 SURVEY PLAN 285557

Local Government: DOUGLAS

## EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 21004065 (POR 353)  
Deed of Grant No. 21120013 (POR 357)

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

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

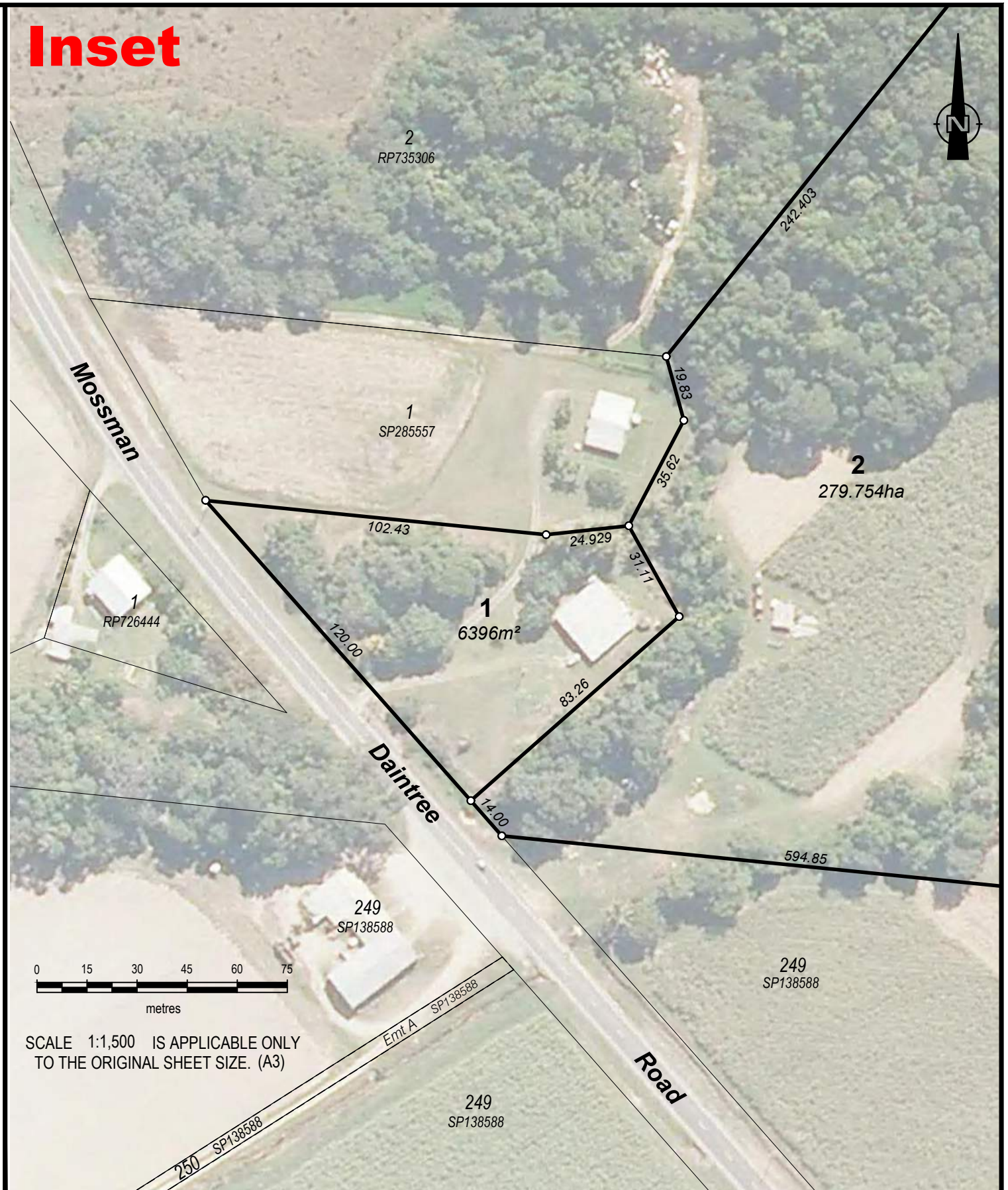
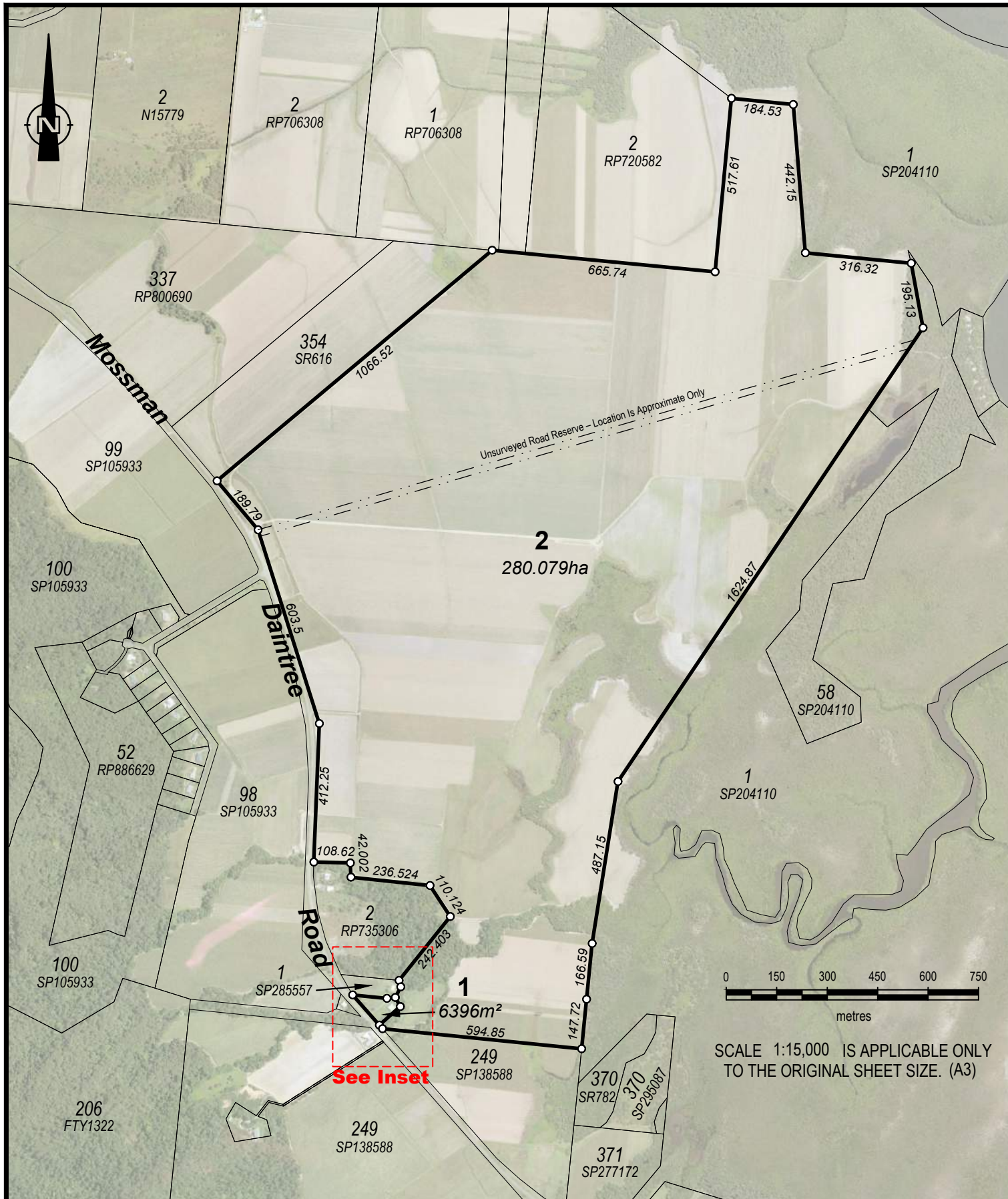
COPYRIGHT THE STATE OF QUEENSLAND (NATURAL RESOURCES, MINES AND ENERGY) [2018]

Requested By: D-ENQ URBIS PRO



Attachment 3

RPS Drawing PRI30172-2



**IMPORTANT NOTE**

- This plan was prepared for the sole purposes of the client for the specific purpose of accompanying an application to the Douglas Shire Council for a reconfiguration of a lot described on this plan. This plan is strictly limited to the Purpose and does not apply directly or indirectly and will not be used for any other application, purpose, use or matter. The plan is presented without the assumption of a duty of care to any other person (other than the Client ("Third Party")) and may not be relied on by Third Party.
- RPS Australia East Pty Ltd will not be liable (in negligence or otherwise) for any direct or indirect loss, damage, liability or claim arising out of or incidental to:
  - Third Party publishing, using or relying on the plan;
  - RPS Australia East Pty Ltd relying on information provided to it by the Client or a Third Party where the information is incorrect, incomplete, inaccurate, out-of-date or unreasonable;
  - any inaccuracies or other faults with information or data sourced from a Third Party;
  - RPS Australia East Pty Ltd relying on surface indicators that are incorrect or inaccurate;
  - the Client or any Third Party not verifying information in this plan where recommended by RPS Australia East Pty Ltd;
  - lodgement of this plan with any local authority against the recommendation of RPS Australia East Pty Ltd;
  - the accuracy, reliability, suitability or completeness of any approximations or estimates made or referred to by RPS Australia East Pty Ltd in this plan.
- Without limiting paragraph 1 or 2 above, this plan may not be copied, distributed, or reproduced by any process unless this note is clearly displayed on the plan.
- Scale shown is correct for the original plan and any copies of this plan should be verified by checking against the bar scale.
- The dimensions, area, size and location of improvements, flood information (if shown) and number of lots shown on this plan are approximate only and may vary.
- Cadastral boundaries are obtained by title dimensions and DCDB. These boundaries have not been verified and are approximate only.

**DNRM DCDB. DNRM AERIAL PHOTOGRAPHY.**  
 Based on or contains data provided by the State of Queensland (Department of Natural Resource & Mines) [2018]. In consideration of the State permitting use of this data you acknowledge and agree that the State gives no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data. Data must not be used for direct marketing or be used in breach of the privacy laws.  
 The aerial photography used in this plan has not been rectified. The image has been overlaid as a best fit on the boundaries shown and position is approximate only.  
 Imagery Date: 18/02/17  
 © State of Queensland (Department of Natural Resource & Mines) [2017]

AMENDMENTS	PROJECT MANAGER	
	O. Caddick-King	
	SURVEYED	
	COMPILED	
	RMS	
CAD REF PR130172-2.DWG	SHEET 1 OF SHEETS 1	SHEET SIZE <b>A3</b>

**John Reynolds**

**Proposed Boundary Re-Alignment**  
**Cancelling Lot 2 on SP285557**  
**& Lot 1 on RP735306**  
**Mossman Daintree Road**  
**Lower Daintree**

**RPS**

RPS Australia East Pty Ltd  
 ACN 140 292 762  
 135 Abbott St  
 PO Box 1949  
 CAIRNS QLD 4870

© COPYRIGHT PROTECTS THIS PLAN  
 Unauthorised reproduction or amendment  
 not permitted. Please contact the author.

T +61 7 4031 1336  
 F +61 7 4031 2942  
 W rpsgroup.com.au

SCALE See above	DATE 21/05/2018	DRAWING NO. PR130172-2	ISSUE
--------------------	--------------------	---------------------------	-------