

16 May 2025



Town Planning and Project Services

Chief Executive Officer
Douglas Shire Council
64-66 Front Street
MOSSMAN QLD 4873

Via email: enquiries@douglas.qld.gov.au

RE: DEVELOPMENT APPLICATION FOR PRELIMINARY APPROVAL INCLUDING A VARIATION REQUEST SEEKING USE RIGHTS CONSISTENT WITH THE LOW DENSITY RESIDENTIAL ZONE UNDER THE DOUGLAS SHIRE PLANNING SCHEME 2018 V1 OVER LAND AT 6 RIBBON AVENUE, PORT DOUGLAS, MORE FORMALLY DESCRIBED AS LOT 50 ON RP746145

Aspire Town Planning and Project Services act on behalf of Douglas Shire Council (the 'Applicant' and the 'Landowner') in relation to the above described Development Application.

On behalf of the Applicant, please accept this correspondence and the accompanying attachments as a properly made Development Application pursuant to Sections 50 and 51 of the *Planning Act 2016* seeking a Preliminary Approval including a Variation Request seeking use rights consistent with the Low Density Residential Zone under the Douglas Shire Planning Scheme 2018 v1.

Please find enclosed the following documentation associated with this Development Application:

- Duly completed DA Form 1 (Attachment 1);
- Town Planning Report (Attachment 2).

Noting that this Development Application is made on behalf of Douglas Shire Council and correspondence directly between Council's Town Planning and Property Team, we understand in this instance that the application fee has been agreed to be waived.

Thank you for your time in considering the attached Development Application.

Regards,

Daniel Favier
Senior Town Planner
ASPIRE Town Planning and Project Services

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ASPIRE

Town Planning and Project Services

Attachment I

Duly completed DA Form I

DA Form 1 – Development application details

Approved form (version 1.6 effective 2 August 2024) made under section 282 of the Planning Act 2016.

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

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

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

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Douglas Shire Council
Contact name (only applicable for companies)	c/- Daniel Favier T/A Aspire Town Planning and Project
Postal address (P.O. Box or street address)	PO Box 1040
Suburb	Mossman
State	Queensland
Postcode	4873
Country	Australia
Contact number	0418 826 560
Email address (non-mandatory)	admin@aspireqld.com
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	2025-03-18 - Douglas Shire Council - Variation Application

1.1) Home-based business

☐ Personal details to remain private in accordance with section 264(6) of *Planning Act 2016*

2) Owner's consent

2.1) Is written consent of the owner required for this development application?

- ☐ Yes – the written consent of the owner(s) is attached to this development application
☒ No – proceed to 3)

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		6	Ribbon Avenue	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	50	RP746145	Douglas Shire
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

Note: Place each set of coordinates in a separate row.

- ☐ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		<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 the details of these premises have been attached in a schedule to this development application
☒ Not required

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

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

Name of water body, watercourse or aquifer:

- ☐ On strategic port land under the *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)

<input type="checkbox"/> On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>
Name of airport: <input type="text"/>
<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification: <input type="text"/>
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>
CLR site identification: <input type="text"/>

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):

Preliminary Approval including a Variation Request seeking use rights consistent with the Low Density Residential Zone under the Douglas Shire Planning Scheme 2018 v1

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

6.4) Is the application for State facilitated development?

- ☐ Yes - Has a notice of declaration been given by the Minister?
- ☒ No

Section 2 – Further development details**7) Does the proposed development application involve any of the following?**

Material change of use	<input checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input 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 ²) (if applicable)
Change of use rights associated with the Open Space Zone to those consistent with the Low Density Residential Zone	NA	Nil	NA

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

- ☐ Yes
- ☒ No

8.3) Does the proposed development relate to temporary accepted development under the Planning Regulation?

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

Provide a general description of the temporary accepted development	Specify the stated period dates under the Planning Regulation

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?

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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 type="checkbox"/> Boundary realignment (complete 12)	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road (complete 13)

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				

10.2) Will the subdivision be staged?	
<input type="checkbox"/> Yes – provide additional details below <input type="checkbox"/> 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 ²)	Lot on plan description	Area (m ²)
12.2) What is the reason for the boundary realignment?			

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

Division 3 – Operational work

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

14.1) What is the nature of the operational work?		
<input type="checkbox"/> Road work <input type="checkbox"/> Drainage work <input type="checkbox"/> Landscaping <input type="checkbox"/> Other – please specify:	<input type="checkbox"/> Stormwater <input type="checkbox"/> Earthworks <input type="checkbox"/> Signage	<input type="checkbox"/> Water infrastructure <input type="checkbox"/> Sewage infrastructure <input type="checkbox"/> Clearing vegetation
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
- ☐ The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- ☒ No

PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements?

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

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

Matters requiring referral to the **Chief Executive of the Planning Act 2016**:

- ☐ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has not been devolved to a local government*)
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Heritage places – Queensland heritage place (*on or near a Queensland heritage place*)
- ☐ Infrastructure-related referrals – designated premises
- ☐ Infrastructure-related referrals – state transport infrastructure
- ☐ Infrastructure-related referrals – State transport corridor and future State transport corridor
- ☐ Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
- ☐ Infrastructure-related referrals – near a state-controlled road intersection
- ☐ Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
- ☐ Koala habitat in SEQ region – key resource areas
- ☐ Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
- ☐ Ports – Brisbane core port land – environmentally relevant activity (ERA)
- ☐ Ports – Brisbane core port land – tidal works or work in a coastal management district
- ☐ Ports – Brisbane core port land – hazardous chemical facility
- ☐ Ports – Brisbane core port land – taking or interfering with water
- ☐ Ports – Brisbane core port land – referable dams
- ☐ Ports – Brisbane core port land – fisheries
- ☐ Ports – Land within Port of Brisbane's port limits (*below high-water mark*)
- ☐ SEQ development area
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – community activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – combined use

<input type="checkbox"/> SEQ northern inter-urban break – tourist activity or sport and recreation activity <input type="checkbox"/> SEQ northern inter-urban break – community activity <input type="checkbox"/> SEQ northern inter-urban break – indoor recreation <input type="checkbox"/> SEQ northern inter-urban break – urban activity <input type="checkbox"/> SEQ northern inter-urban break – combined use <input type="checkbox"/> Tidal works or works in a coastal management district <input type="checkbox"/> Reconfiguring a lot in a coastal management district or for a canal <input type="checkbox"/> Erosion prone area 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 – levees <i>(category 3 levees only)</i> <input type="checkbox"/> Wetland protection area
Matters requiring referral to the local government: <input type="checkbox"/> Airport land <input type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA has been devolved to local government)</i> <input type="checkbox"/> Heritage places – Local heritage places
Matters requiring referral to the Chief Executive of the distribution entity or transmission entity: <input type="checkbox"/> Infrastructure-related referrals – Electricity infrastructure
Matters requiring referral to: <ul style="list-style-type: none"> • The Chief Executive of the holder of the licence, if not an individual • The holder of the licence, if the holder of the licence is an individual <input type="checkbox"/> Infrastructure-related referrals – Oil and gas infrastructure
Matters requiring referral to the Brisbane City Council: <input type="checkbox"/> Ports – Brisbane core port land
Matters requiring referral to the Minister responsible for administering the Transport Infrastructure Act 1994: <input type="checkbox"/> Ports – Brisbane core port land <i>(where inconsistent with the Brisbane port LUP for transport reasons)</i> <input type="checkbox"/> Ports – Strategic port land
Matters requiring referral to the relevant port operator, if applicant is not port operator: <input type="checkbox"/> Ports – Land within Port of Brisbane's port limits <i>(below high-water mark)</i>
Matters requiring referral to the Chief Executive of the relevant port authority: <input type="checkbox"/> Ports – Land within limits of another port <i>(below high-water mark)</i>
Matters requiring referral to the Gold Coast Waterways Authority: <input type="checkbox"/> Tidal works or work in a coastal management district <i>(in Gold Coast waters)</i>
Matters requiring referral to the Queensland Fire and Emergency Service: <input type="checkbox"/> Tidal works or work in a coastal management district <i>(involving a marina (more than six vessel berths))</i>

18) Has any referral agency provided a referral response for this development application?		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application <input checked="" type="checkbox"/> No		
Referral requirement	Referral agency	Date of referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and this development application, or include details in a schedule to this development application <i>(if applicable)</i> .		

PART 6 – INFORMATION REQUEST

19) Information request under 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 under Chapter 1 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules or
- Part 2 under Chapter 2 of the DA Rules will still apply if the application is for state facilitated development

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

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

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

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

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

☐ Yes – show cause or enforcement notice is attached

☒ No

23) Further legislative requirements

Environmentally relevant activities

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

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

☒ No

Note: Application for an environmental authority can be found by searching “ESR/2015/1791” as a search term at www.qld.gov.au. An ERA requires an environmental authority to operate. See 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 536: Notification of a facility exceeding 10% of schedule 15 threshold* is attached to this development application

☒ No

Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.

Clearing native vegetation

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

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

☒ No

Note: 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development.
2. See <https://www.qld.gov.au/environment/land/vegetation/applying> for further information on how to obtain a s22A determination.

Environmental offsets

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

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

☒ No

Note: The environmental offset section of the Queensland Government's website can be accessed at www.qld.gov.au for further information on environmental offsets.

Koala habitat in SEQ Region

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

☐ Yes – the development application involves premises in the koala habitat area in the koala priority area

☐ Yes – the development application involves premises in the koala habitat area outside the koala priority area

☒ No

Note: If a koala habitat area determination has been obtained for this premises and is current over the land, it should be provided as part of this development application. See koala habitat area guidance materials at www.desi.qld.gov.au for further information.

Water resources

23.6) Does this development application involve **taking or interfering with underground water through an artesian or subartesian bore, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water under the *Water Act 2000***?

☐ Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the *Water Act 2000* may be required prior to commencing development

☒ No

Note: Contact the Department of Resources at www.resources.qld.gov.au for further information.

DA templates are available from planning.statedevelopment.qld.gov.au. If the development application involves:

- Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1
- Taking or interfering with water in a watercourse, lake or spring: complete DA Form 1 Template 2
- Taking overland flow water: complete DA Form 1 Template 3.

Waterway barrier works

23.7) Does this application involve **waterway barrier works**?

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

☒ No

DA templates are available from planning.statedevelopment.qld.gov.au. For a development application involving waterway barrier works, complete DA Form 1 Template 4.

Marine activities

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

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

☒ No

Note: See guidance materials at www.daf.qld.gov.au 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 Resources at www.resources.qld.gov.au and www.business.qld.gov.au for further information.

Quarry materials from land under tidal waters

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

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

☒ No

Note: Contact the Department of Environment, Science and Innovation at www.desi.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.resources.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.desi.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.desi.qld.gov.au for information requirements regarding development of Queensland heritage places.

For a heritage place that has cultural heritage significance as a local heritage place and a Queensland heritage place, provisions are in place under the Planning Act 2016 that limit a local categorising instrument from including an assessment benchmark about the effect or impact of, development on the stated cultural heritage significance of that place. See guidance materials at www.planning.statedevelopment.qld.gov.au for information regarding assessment of Queensland heritage places.

Name of the heritage place:		Place ID:	
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Decision under section 62 of the Transport Infrastructure Act 1994

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

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

☒ No

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

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

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

☒ No

Note: See guidance materials at www.planning.statedevelopment.qld.gov.au for further information.

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

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

☒ Yes

Note: See the Planning Regulation 2017 for referral requirements

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

☐ Yes

☒ Not applicable

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

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

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

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

☐ Yes

☒ Not applicable



**Queensland
Government**

25) Applicant declaration

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

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

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

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

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

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

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

Date received: Reference number(s):

Notification of engagement of alternative assessment manager

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

QLeave notification and payment

Note: For completion by assessment manager if applicable

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

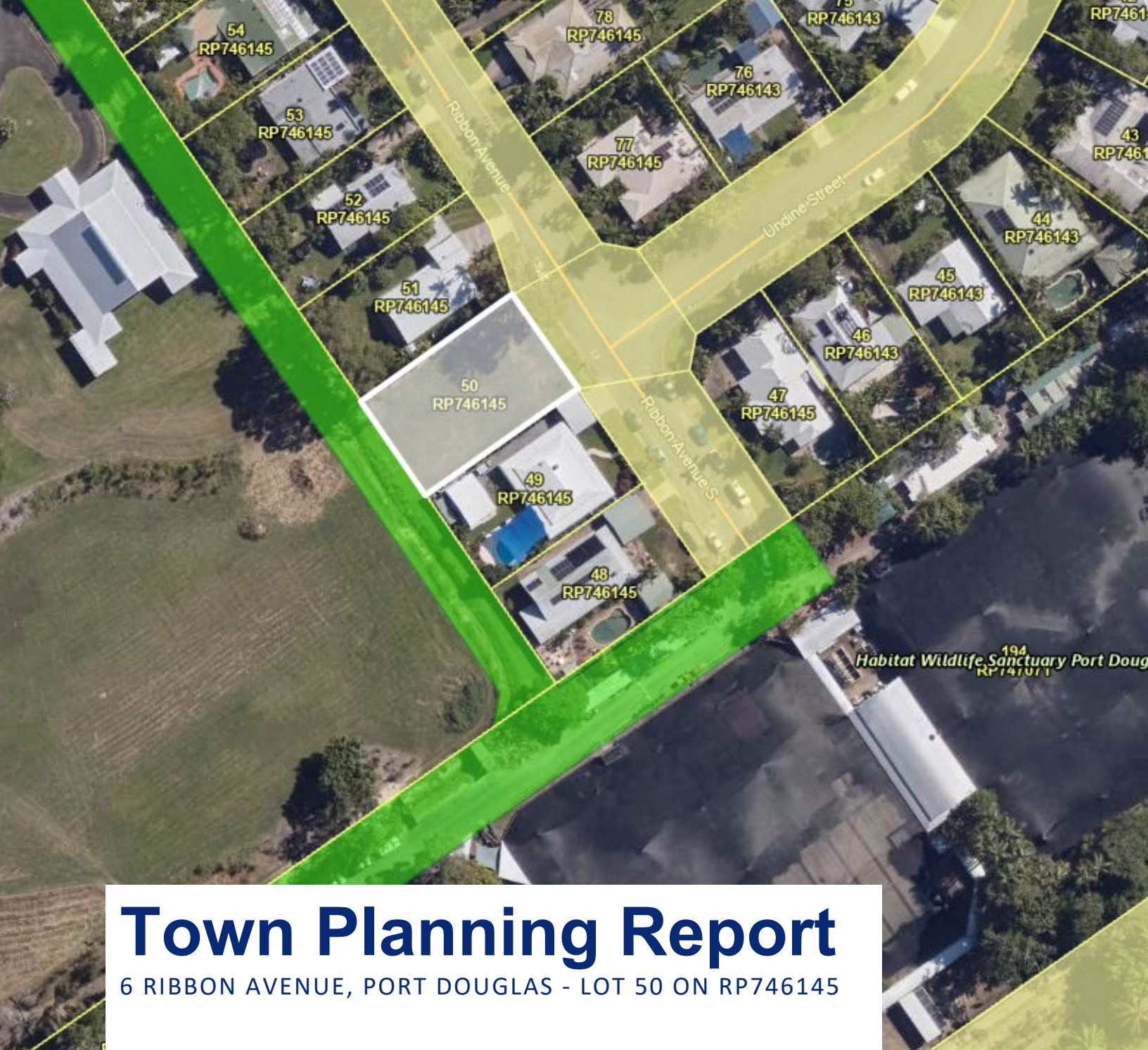


ASPIRE

Town Planning and Project Services

Attachment 2

Town Planning Report



Town Planning Report

6 RIBBON AVENUE, PORT DOUGLAS - LOT 50 ON RP746145

16 May 2025

Aspire Town Planning and Project Services

Author: Daniel Favier

Ref: 2025-03-18 - Douglas Shire Council - Variation Application

This Town Planning Report is intended for the exclusive use of our Client "Douglas Shire Council" and is provided for informational purposes only. The information contained herein has been prepared based on sources and data believed to be reliable and accurate at the time of preparation. However, Aspire Town Planning and Project Services does not warrant the accuracy, completeness, or currency of the information and disclaims any responsibility for any errors or omissions, or for any loss or damage incurred by any party as a result of reliance on this information.

The conclusions and recommendations contained in this report are based on our professional judgment and interpretation of the current planning policies and regulations. It is important to note that planning regulations and policies are subject to change, and this report should not be construed as a guarantee of any future planning outcomes.

This report is confidential and may not be disclosed, reproduced, or distributed to any third party without the prior written consent of Aspire Town Planning and Project Services. Unauthorised use or distribution of this report is strictly prohibited.

1.0 Introduction

This Town Planning Report has been prepared in support of a Development Application for a Variation Request over land located at 6 Ribbon Avenue, Port Douglas, formally described as Lot 50 on RP746145 (the “subject site”). The land is owned by Douglas Shire Council (the “Council”), who is also the Applicant for this Development Application.

The purpose of the application is to facilitate a varying of effect of the *Douglas Shire Planning Scheme 2018 v1* (the “Planning Scheme”) to allow future land use and development rights consistent with the *Low Density Residential Zone*. The subject site is currently included within the *Recreation and Open Space Zone* under the Planning Scheme.

The land is not presently used for recreation or open space purposes and has been identified by Council as surplus to its current and anticipated community infrastructure needs. The proposed Variation Application seeks to align the planning framework with the site's surrounding residential context and physical characteristics, enabling its more efficient and appropriate use consistent with the prevailing urban fabric.

It is noted that this Variation Application does not propose any immediate development, subdivision, or material change of use. Rather, it seeks to establish a planning framework for the subject site that facilitates future low density residential development through subsequent applications, in accordance with the intended zoning pattern of the area.

This Report provides a detailed assessment of the proposed variation against the applicable provisions of the *Planning Act 2016* and the Planning Scheme.

The Report is structured as follows:

- **Section 2** – Describes the subject site, including its existing characteristics and surrounding land use context;
- **Section 3** – Outlines the intent and planning rationale for the proposed variation; and
- **Section 4** – Evaluates the proposal against the relevant statutory planning framework.

The application is submitted in accordance with Section 50 of the *Planning Act 2016*, and is accompanied by a completed DA Form 1.

2.0 Site Details and Characteristics

2.1 Site Details

The site details are outlined in **Table 1** below.

Table 1 – Site Details	
Address	6 Ribbon Avenue, Port Douglas
Real Property Description	Lot 50 on RP746145
Applicant	Douglas Shire Council c/- Daniel Favier T/A Aspire Town Planning and Project Services
Registered Owners	Douglas Shire Council Refer to Attachment 1 – Certificate of Title
Easements	Nil An easement for drainage purposes extends along the rear, south western boundary, within the adjoining parcel
Contaminated Land	To the best of knowledge, the site is not listed on the Environmental Management Register or the Contaminated Land Register
Local Government	Douglas Shire Council
Existing Use	Vacant, unimproved and grassed lot
Site Area	800m ²
Road Frontages	Ribbon Avenue No secondary road frontage
Water Supply	Water supply is available within Ribbon Avenue. It is unknown if a connection currently exists to the site
Sewerage	A sewer main is located within and extends along the south western boundary. It is unknown if a connection currently exists to the site
Stormwater	Formal stormwater infrastructure exists to the rear of the site (constructed swale drain) and also within the Ribbon Avenue (concrete kerb and channel and pits and pipes). No new services proposed

Electricity	Underground electricity supply is available within Ribbon Avenue. A pillar box is located adjacent the corner boundary with 4 Ribbon Avenue
Telecommunications	A Telstra pit is located adjacent the corner boundary with 4 Ribbon Avenue. Site connection is available according to Telstra designs

2.2 Site Context and Surrounding Land Use

The subject site is situated within an established residential neighbourhood in the Port Douglas urban area. Ribbon Avenue is a collector road forming part of a conventional low density residential subdivision. The surrounding locality is predominantly characterised by detached Dwelling Houses and associated domestic-scale structures, consistent with the Low Density Residential Zone intent.

Immediately adjoining the site to the north, east and south are lots containing single detached dwellings. To the west is the St Mary’s Catholic Church and balance, undeveloped land. The site's location and context are clearly residential in nature and function, with no current or foreseeable demand for the site to perform an open space function.

Other key surrounding land uses to the site are detailed below.



Figure 1: Subject Site and Surrounds (Source: QLD Globe, 2025)

2.3 Site Characteristics

The site is rectangular in shape, with a frontage of approximately 22 metres to Ribbon Avenue and a depth of approximately 36 metres. The site is relatively flat, cleared of significant vegetation, with the exception of a mature melaleuca tree within the road verge adjacent the northern corner boundary. The site is otherwise vacant. There are no buildings, structures or improvements located on the land. A standard concrete kerb and channel arrangement is constructed along the site's frontage, consistent with surrounding allotments. Road signage, street lighting and a stormwater inlet pit is also located within the road verge adjacent the site.

The site benefits from direct access to all essential urban infrastructure, including reticulated water, sewerage, electricity, telecommunications, and stormwater drainage. No infrastructure constraints are identified that would impede future development of the site for low density residential purposes.

A Before You Dig Report has been requested and is included for reference under **Attachment 2 – Before You Dig Report**.



Photograph 1: View of site from Ribbon Avenue



Photograph 2: View of Site from Ribbon Avenue

2.4 Environmental and Hazard Overlays

Under the Planning Scheme, the subject site is not affected by any mapped environmental or hazard overlays, except for the Acid Sulfate Soils Overlay, which highlights potential risk. The land is not identified as being subject to bushfire, flooding, landslip, or ecological constraints. There are no watercourses or environmentally significant vegetation within or adjoining the site.

A copy of the Property Report for the subject site is included under **Attachment 3 – Property Report**.

A formal Council drain extends along the rear of the subject site, adjacent the western boundary, within the adjoining parcel.

2.5 Legal and Tenure Details

The land is freehold and under the ownership of Douglas Shire Council. The site is not affected by any easements, covenants or other encumbrances that would inhibit development in accordance with the proposed Variation Application.

3.0 Proposed Development

This Development Application seeks a Preliminary Approval pursuant to Section 51 of the *Planning Act 2016*, including a Variation Request to vary the effect of the Planning Scheme as it applies to land at 6 Ribbon Avenue, Port Douglas, more formally described as Lot 50 on RP746145.

The proposed Variation Approval seeks to facilitate the future development of the subject site for low density residential purposes by applying the use rights, levels of assessment, and applicable codes consistent with the Low Density Residential Zone. The subject site is currently included in the Recreation and Open Space Zone under the Planning Scheme, which does not facilitate residential land uses.



Figure 2 – Extract from the Douglas Shire Planning Scheme v1 Property Report (May, 2025)

3.1 Planning Rationale

The site is a regularly shaped allotment with an area of approximately 800m² and is situated within an established residential neighbourhood. The surrounding land is zoned Low Density Residential and is improved with detached dwellings on similarly sized lots, which reflects the prevailing land use character, pattern and planning intent for the locality.

The site is currently vacant and is not used for any open space or community purposes. Importantly, Douglas Shire Council—being both the landowner and the applicant—has undertaken a review of its land

assets and has resolved that the subject site is surplus to Council's current and foreseeable future needs for public open space. The site has not been designated as part of any local or district open space network and does not serve a recreational or ecological function warranting retention in public ownership under its current zoning.

In order for the land to be disposed of or made available for other productive use, it is necessary to first regularise the planning framework applicable to the site. The current Recreation and Open Space Zone designation does not facilitate residential development and is inconsistent with the strategic land use pattern surrounding the site. This application, therefore, seeks to change the zoning by establishing a planning framework that aligns with the site's physical context, infrastructure availability, and long-term land use intent.

3.2 Infrastructure and Servicing

The site is fully serviced by urban infrastructure, including reticulated water, sewerage, stormwater drainage, electricity, telecommunications, and road access via Ribbon Avenue. No infrastructure upgrades are anticipated to be required to facilitate future residential development of the site in accordance with the intended zoning. The site presents no known constraints or limitations that would prevent its future development for a single dwelling or other low density residential purposes, subject to compliance with future development approvals.

3.3 Nature and Effect of the Variation Approval

The proposed Variation Approval does not authorise any development at this stage, nor does it seek approval for a specific Material Change of Use or Reconfiguration of a Lot. Rather, the application seeks to vary the Planning Scheme to establish a planning framework whereby future development of the site may be assessed as if it were located within the Low Density Residential Zone. This includes:

- Applying the use table and assessment benchmarks of the Low Density Residential Zone;
- Removing the current Recreation and Open Space Zone provisions as they relate to Lot 50 on RP746145; and
- Enabling the site to be considered for future residential development consistent with the adjoining land.

This approach ensures that future development is subject to appropriate assessment while also creating the regulatory conditions necessary for the site to be made available for future residential use or disposal by Council.

3.4 Summary

The proposed Variation Application represents a logical and orderly refinement of the existing planning framework to reflect the site's location, context, and Council's strategic land asset management outcomes.

The variation will facilitate future residential use in keeping with the established urban pattern of the locality and ensure efficient use of existing infrastructure within the Port Douglas urban footprint.

4.0 Statutory Town Planning Framework

4.1 Planning Act 2016

The *Planning Act 2016* ('the Planning Act') is the statutory instrument for the State of Queensland under which, amongst other matters, development applications are assessed by local governments. The Planning Act is supported by the *Planning Regulation 2017* ('the Planning Regulation').

The following sections of this report discuss the parts of the Planning Act and Planning Regulation applicable to the assessment of a development application.

4.1.1 Approval and Development

Pursuant to Sections 49, 50 and 51 of the Planning Act, the Development Application seeks a Preliminary Approval including a Variation Request seeking use rights consistent with the Low Density Residential Zone under the Planning Scheme.

4.1.2 Application

The proposed development is:

- Development which is located completely in a single local government area; and
- Is development made assessable under a local categorising instrument.

In accordance with Section 48 of the Planning Act, the development application is required to be made to the applicable local government, in this instance being Douglas Shire Council ('Council').

4.1.3 Referral

Sections 54 and 55 of the Planning Act and Schedule 10 of the Planning Regulation, require and provide for the identification of referral agencies of which a development application requires referral and to which a copy of the development application must be provided.

No referral agencies are identified.

4.1.4 Public Notification

Section 53 of the Planning Act provides that an applicant must give notice of a development application where any part is subject to Impact Assessment or where it is an application which includes a variation request.

The Development Application includes a Variation Request and therefore Public Notification of the Development Application is required to be notified for a period of 30 business days.

4.1.5 Assessment Framework

Section 61 of the Planning Act states that:

“(2) When assessing the variation request, the assessment manager must consider—

- (a) the result of the assessment of that part of the development application that is not the variation request; and*
- (b) the consistency of the variations sought with the rest of the local planning instrument that is sought to be varied; and*
- (c) the effect the variations would have on submission rights for later development applications, particularly considering the amount and detail of information included in, attached to, or given with the application and available to submitters; and*
- (d) any other matter prescribed by regulation.*

(3) The assessment manager must decide—

- (a) to approve—*
 - (i) all or some of the variations sought; or*
 - (ii) different variations from those sought; or*
- (b) to refuse the variations sought.”*

Section 32 of the Planning Regulation provides matters for the purposes of Section 61(2)(d) of the Planning Act:

“an assessment manager must consider the following matters when assessing a variation request, to the extent the matter is relevant to the request—

- (a) the common material;*
- (b) the regional plan for a region;*
- (c) the State Planning Policy, to the extent the State Planning Policy is not identified in the planning scheme as being appropriately integrated in the planning scheme;*
- (d) any temporary State planning policy.”*

The following sections of this report discuss the applicable assessment benchmarks and applicable matters in further detail.

4.2 Far North Queensland Regional Plan 2009 – 2031

The subject site is located within the Urban Footprint under the *Far North Queensland Regional Plan 2009–2031*. The Urban Footprint is intended to accommodate the majority of the region's urban growth and development, including residential, commercial, industrial, and community uses, where they can be efficiently serviced by existing infrastructure and contribute to consolidated urban form.

The proposed Variation Request is consistent with the strategic intent of the Regional Plan, as it facilitates the future development of the land for residential purposes within an established urban neighbourhood. The proposal supports the efficient use of land and infrastructure, aligns with the principles of compact urban development, and does not encroach into areas designated for environmental protection, rural activities, or future conservation.

Furthermore, the Minister for State Development, Infrastructure, Local Government and Planning has confirmed that the Planning Scheme, particularly its strategic framework, appropriately advances the outcomes sought by the Regional Plan within the local planning context. As such, this application does not conflict with State planning interests and is considered to be aligned with the broader regional planning objectives for the Port Douglas locality.

4.3 State Planning Policy

The *State Planning Policy* (the 'SPP') was initially released on 2 December 2013 and has since been revised, with subsequent versions released on 2 July 2014, 29 April 2016, and 3 July 2017. The Planning Scheme identifies the April 2016 version of the SPP as being appropriately integrated into the local planning framework. While further updates to the SPP have occurred since that time, the policy content and strategic outcomes remain largely consistent with the earlier version, particularly in relation to urban land use and zoning intent.

This application seeks a Preliminary Approval for a Variation Request to establish planning provisions over the subject site that are consistent with the Low Density Residential Zone. To the extent that the SPP is relevant to the assessment of a Variation Application, it is considered that the proposed variation does not conflict with the policy intent of the SPP. The Variation supports efficient land use, is not affected by mapped hazards, makes use of existing infrastructure, and contributes to consolidated urban development—all of which align with the applicable State interests. As such, separate reconsideration of the current SPP provisions is not required in the context of this application.

4.4 Temporary State Planning Policies

There are currently no temporary State Planning Policies in effect relating to the subject site.

4.5 Schedule 12A Planning Regulation

Schedule 12A of the Planning Regulation does not apply.

4.6 Douglas Shire Council Planning Scheme 2018 v1

The Planning Scheme came into effect on 2 January 2018 and is the applicable Planning Scheme to the Douglas Local Government Area. It is noted that the Planning Scheme was drafted under the *Sustainable Planning Act 2009* ('the SPA'). The interpretation of the Planning Scheme with respect to the proposed development is therefore based on the transitional provisions of the Planning Act.

Table 2 below details the proposed variations.

Table 2 – Proposed Variations relating to 6 Ribbon Avenue, Port Douglas	
Douglas Shire Planning Scheme 2018 v1	Variations Proposed
Part 1 – About the Planning Scheme	No variation
Part 2 – State Planning Provisions	No variation
Part 3 – Strategic Framework	No variation
Part 4 – Local Government Infrastructure Plan	No variation
Part 5 – Tables of Assessment	Table 5.6.f – Low Density Residential Zone applies to the entire of the subject site
Part 6 – Zones	6.2.6 – Low Density Residential Zone Code applies to the entire of the subject site
Part 7 – Local Plan	No variation
Part 8 – Overlays	No variation
Part 9 – Development Codes	The Development Codes apply to the assessment of Development as prescribed within Table 5.6.f – Low Density Residential Zone

4.6.1 Strategic Framework

The proposed Variation Request is consistent with the strategic intent and thematic outcomes outlined in Part 3: Strategic Framework of the Planning Scheme.

Strategic Intent

The Strategic Framework emphasises the importance of managing growth to enhance the quality of life for residents, support economic opportunities, and ensure sustainable development. The proposed variation supports these objectives by facilitating the efficient use of underutilised urban land within the existing urban footprint, thereby promoting sustainable and orderly development.

Theme 1 – Settlement Pattern

The Strategic Framework's settlement pattern theme aims to concentrate urban development within defined urban areas to prevent urban sprawl and protect environmental and rural areas. The subject site is situated within an established low-density residential neighborhood and is surrounded by similar residential uses. Affording the site use rights in accordance with the Low Density Residential Zone aligns with this theme by reinforcing the existing settlement pattern and utilising existing infrastructure efficiently.

Theme 2 – Environment and Landscape Values

The Planning Scheme seeks to protect and enhance the region's significant environmental and landscape values, including biodiversity, ecological processes, scenic amenity, and natural hazards. The proposed Variation Application is consistent with this theme as the subject site:

- Is located within the established urban footprint and does not contain any mapped matters of environmental significance, including remnant vegetation, watercourses, or areas of ecological importance;
- Is not affected by any overlay mapping related to bushfire hazard, flooding, landslide, coastal protection, or biodiversity;
- Does not contribute to any important landscape vista or scenic gateway and is visually contained within a developed residential streetscape;
- Will not result in the clearing of native vegetation or disturbance to natural features; and
- Promotes efficient land use within the urban footprint, thereby reducing the need to expand development into environmentally sensitive or rural areas.

By facilitating residential development on land that is already serviced, cleared, and located within an established neighbourhood, the proposal avoids encroachment into areas of environmental or landscape significance. Accordingly, the proposed Variation Application supports the intent of Theme 2 by directing growth away from sensitive environmental areas and reinforcing the Shire's long-term environmental stewardship objectives.

Theme 4 – Strong Communities and Identity

The Strategic Framework encourages the development of cohesive communities with a strong sense of place. By enabling residential development that is consistent with the surrounding neighborhood's character, the proposed Variation Application contributes to community cohesion and supports the identity of the Port Douglas area.

Theme 6 – Infrastructure and Transport

This theme focuses on the provision and efficient use of infrastructure to support sustainable development. The subject site is fully serviced by existing urban infrastructure, including water, sewerage, electricity, and road networks. The proposal leverages these services, minimising the need for additional infrastructure investment and supporting the efficient use of existing resources.

Summary

The proposed Variation Application is consistent with the strategic intent and thematic outcomes of the Planning Scheme. It promotes sustainable development within the urban footprint, utilizes existing infrastructure efficiently, and supports the established settlement pattern and community identity of Port Douglas.

4.6.2 Zone

This application seeks approval for a Variation Request over Lot 50 on RP746145, located at 6 Ribbon Avenue, Port Douglas, seeking use rights consistent with the Low Density Residential Zone under the Planning Scheme.

The proposed variation reflects the logical extension of the existing residential zoning pattern that dominates the surrounding area. The subject site is situated within an established low density residential neighbourhood, where detached dwellings are the prevailing built form and land use. The site is of

comparable size and configuration to adjoining residential lots and integrates seamlessly with the local street network and surrounding development pattern.

The site is fully serviced by reticulated water, sewerage, electricity, telecommunications, and stormwater infrastructure, and is readily capable of supporting future residential development without the need for additional infrastructure investment. There are no mapped environmental values or hazard overlays affecting the land, and the site is not subject to flooding, bushfire risk, or ecological constraints.

Importantly, Douglas Shire Council has undertaken a strategic review of its public land holdings and has confirmed that the site is surplus to Council's current and foreseeable future needs for open space or community infrastructure. The land does not form part of any planned or functional open space network and does not contribute to local recreational, conservation, or landscape outcomes.

The Variation Application ensures that the site can be appropriately utilised in a manner consistent with its physical context, servicing capacity, and surrounding residential character. The proposal supports the efficient use of underutilised urban land and promotes orderly and sustainable development consistent with both the local planning scheme and broader regional planning objectives.

4.6.2 Local Plan

The site is located within the Port Douglas Craiglie Local Plan Area. The site however is not identified within a particular precinct. No variation is proposed.

4.6.3 Overlays

The following Overlays are applicable to the subject site:

- Acid Sulfate Soils (<5m; and 5m-20m AHD).

No variation is proposed.

4.6.4 Level of Assessment

The proposed Variation Request seeks to apply the provisions of Table 5.6.f – Low Density Residential Zone of the Planning Scheme the subject site. Specifically, the Variation would adopt the use rights, levels of assessment, and relevant assessment benchmarks of the Low Density Residential Zone in place of those currently applicable under the Recreation and Open Space Zone.

Under the existing Recreation and Open Space Zone, the development of a Dwelling House is identified as an Impact Assessable and Inconsistent Use, reflecting the zone's intent to preserve land for

recreational, conservation or community purposes. As a result, even low-impact, residential development on the subject site is presently discouraged and subject to a high level of assessment.

By contrast, under the Low Density Residential Zone, a Dwelling House is identified as either Accepted Development or Code Assessable, depending on compliance with the relevant assessment benchmarks. The application of Table 5.6.f through this Variation would therefore substantially reduce the level of assessment for a future dwelling on the site, bringing it into alignment with the surrounding residential context and removing an unnecessary regulatory barrier to development.

The proposed Variation Application reflects the site's established urban character, access to essential infrastructure, and the absence of any environmental or recreational constraints. It also formalises the site's intended residential use in accordance with surrounding zoning and the long-term land use intent for the Port Douglas urban area.

4.6.5 *Applicable Codes*

The proposed Variation Request seeks to adopt the provisions of Table 5.6.f – Low Density Residential Zone of the Planning to the subject site. Therefore, if approved by Council the applicable assessment framework under Table 5.6.f would apply to future development of the subject site.

Given the location the subject site, characteristics including lack of constraints and existing development pattern adjacent and surrounding the subject site, it is considered that the Table 5.6.f provides an appropriate development framework for Council to regulate future development of the subject site.

5.0 Conclusion

This Development Application seeks a Preliminary Approval for a Variation Request under Section 51 of the *Planning Act 2016* to vary the effect of the Planning Scheme as it applies to Lot 50 on RP746145, located at 6 Ribbon Avenue, Port Douglas. The variation seeks to apply the land use intent, levels of assessment, and applicable assessment benchmarks of the Low Density Residential Zone, in place of the current Recreation and Open Space Zone designation.

The subject site is situated within an established low density residential neighbourhood and is consistent in size, shape, and configuration with surrounding residential lots. It is fully serviced by all necessary urban infrastructure, is not affected by any environmental or hazard overlays, and does not form part of any functional open space network. Douglas Shire Council, as both the landowner and applicant, has confirmed that the land is surplus to its current and foreseeable future needs for public open space or community infrastructure.

The proposal facilitates the efficient use of underutilised urban land and supports future low density residential development that is entirely compatible with the surrounding area.

The application is consistent with the strategic intent of the Planning Scheme, advances the outcomes of the *Far North Queensland Regional Plan 2009–2031*, and does not conflict with any applicable State Planning Policy. The proposed variation will also reduce the level of assessment for a Dwelling House from Impact Assessable (Inconsistent) to Code Assessable or Accepted Development, thereby removing unnecessary regulatory barriers to development and supporting streamlined and efficient planning outcomes.

The Variation Application will be subject to a period of 30 days Public Notification, where concerned third parties may make a submission to Council on the application.

It is our position that the proposed Variation Application represents a logical, orderly, and justified planning outcome. It is therefore respectfully requested that Douglas Shire Council support the application and approve the proposed Variation.

Attachment 1

Certificate of Title

INTERNAL CURRENT TITLE SEARCH
QUEENSLAND TITLES REGISTRY PTY LTD

Search Date: 16/04/2025 08:25

Title Reference: 21347228

Date Created: 28/08/1987

Previous Title: 21329152

REGISTERED OWNER

Dealing No: 716386009 24/03/2015

DOUGLAS SHIRE COUNCIL

ESTATE AND LAND

Estate in Fee Simple

LOT 50 REGISTERED PLAN 746145
Local Government: DOUGLAS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20977007 (POR 93)

ADMINISTRATIVE ADVICES - NIL
UNREGISTERED DEALINGS - NIL

** End of Current Title Search **

Attachment 2

Before You Dig Report

[Review responses online](#) ↗




Received 5 of 5 responses
All responses received

6 Ribbon Av, Port Douglas QLD 4877

Job dates
10/05/2025 → 12/05/2025

These plans expire on
5 Jun 2025

Lodged by
Daniel Favier

Authority	Status	Page
 BYDA Confirmation		2
 APA Group Gas Networks (70714)	Received	4
 Douglas Shire Council	Received	56
 Ergon QLD	Received	61
 NBN Co Qld	Received	99
 Telstra QLD Regional	Received	110

Contact Details

Contact	Contact number	Company	Enquirer ID
Daniel Favier	0418 826 560	Aspire Town Planning and Project Services	3356388
Email		Address	
admin@aspireqlld.com		PO Box 1040 Mossman QLD 4873	

Job Site and Enquiry Details

WARNING: The map below only displays the location of the proposed job site and does not display any asset owners' pipe or cables. The area highlighted has been used only to identify the participating asset owners, who will send information to you directly.

Enquiry date	Start date	End date	On behalf of	Job purpose	Locations	Onsite activities
09/05/2025	10/05/2025	12/05/2025	Private	Design	Both Road, Nature Strip, Footpath	Planning & Design



Check that the location of the job site is correct. If not, you must submit a new enquiry.

If the scope of works change or plan validity dates expire, you must submit a new enquiry.

Do NOT dig without plans. Safe excavation is your responsibility. If you don't understand the plans or how to proceed safely, please contact the relevant asset owners.

User Reference	Address	Notes/description
DSC	6 Ribbon Av Port Douglas QLD 4877	-

Your Responsibility and Duty of Care

- Lodging an enquiry does not authorise project commencement.** Before starting work, you must obtain all necessary information from all affected asset owners.
- If you don't receive plans within 2 business days, contact the asset owner & quote their sequence number.
- Always follow the 5Ps of Safe Excavation (page 2), and locate assets before commencing work.
- Ensure you comply with State legislative requirements for Duty of Care and safe digging.
- If you damage an underground asset, you MUST advise the asset owner immediately.
- By using the BYDA service, you agree to the [Privacy Policy](#) and [Term of Use](#).
- For more information on safe digging practices, visit www.byda.com.au

Asset Owner Details

Below is a list of asset owners with underground infrastructure in and around your job site. It is your responsibility to identify the presence of these assets. Plans issued by Members are indicative only unless specified otherwise. Note: not all asset owners are registered with BYDA. You must contact asset owners not listed here directly.

Referral ID (Seq. no)	Authority Name	Phone	Status
254754408	APA Group Gas Networks (70714)	1800 085 628	NOTIFIED
254754405	Douglas Shire Council	(07) 4099 9444	NOTIFIED
254754406	Ergon QLD	13 10 46	NOTIFIED
254754404	NBN Co Qld	1800 687 626	NOTIFIED
254754407	Telstra QLD Regional	1800 653 935	NOTIFIED

END OF UTILITIES LIST



Plan

Plan your job. Use the BYDA service at least one day before your job is due to begin, and ensure you have the correct plans and information required to carry out a safe project.



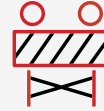
Prepare

Prepare by communicating with asset owners if you need assistance. Look for clues onsite. Engage a skilled Locator.



Pothole

Potholing is physically sighting the asset by hand digging or hydro vacuum extraction.



Protect

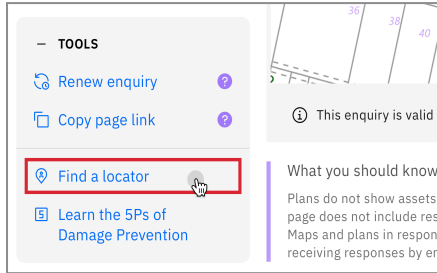
Protecting and supporting the exposed infrastructure is the responsibility of the excavator. Always erect safety barriers in areas of risk and enforce exclusion zones.



Proceed

Only proceed with your excavation work after planning, preparing, potholing (unless prohibited), and having protective measures in place.

Engage a skilled Locator



When you lodge an enquiry you will see skilled Locators to contact

Visit the Certified Locator website directly and search for a locator near you

certloc.com.au/locators

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2. We send the request to trusted local contractors.
3. The local contractors will contact you directly with quotes

GET QUOTE

Use isseekplant to find trusted contractors near you today, visit:
blog.isseekplant.com.au/byda-isp-get-quotes

Book a FREE BYDA Session



BYDA offers free training sessions to suit you and your organisation's needs covering safe work practices when working near essential infrastructure assets. The free sessions are offered in two different formats - online and face-to-face.

To book a session, visit:
byda.com.au/contact/education-awareness-enquiry-form

BOOK NOW

APA Group Gas Networks (70714)

Referral
254754408

Member Phone
1800 085 628

Responses from this member

Response received Fri 9 May 2025 8.51am

File name	Page
Response Body	5
254754408.pdf	6
400-STD-AM-0001_2 Guidelines for Works Near Existing Gas Assets.pdf	15

PLEASE NOTE: This is an automated response. Please **DO NOT REPLY to this email.** If you require further information in relation to this Before You Dig response, please contact
BYDA_APA@apa.com.au

Enquiry Details:

Impact	not affected
Sequence Number	254754408
Enquirer Id	3356388
Activity	Planning and Design
Job Number	50138910
User Reference	DSC
Message	

Site Details:

Address	6 Ribbon Av Port Douglas QLD 4877
---------	---

Enquirers Details:

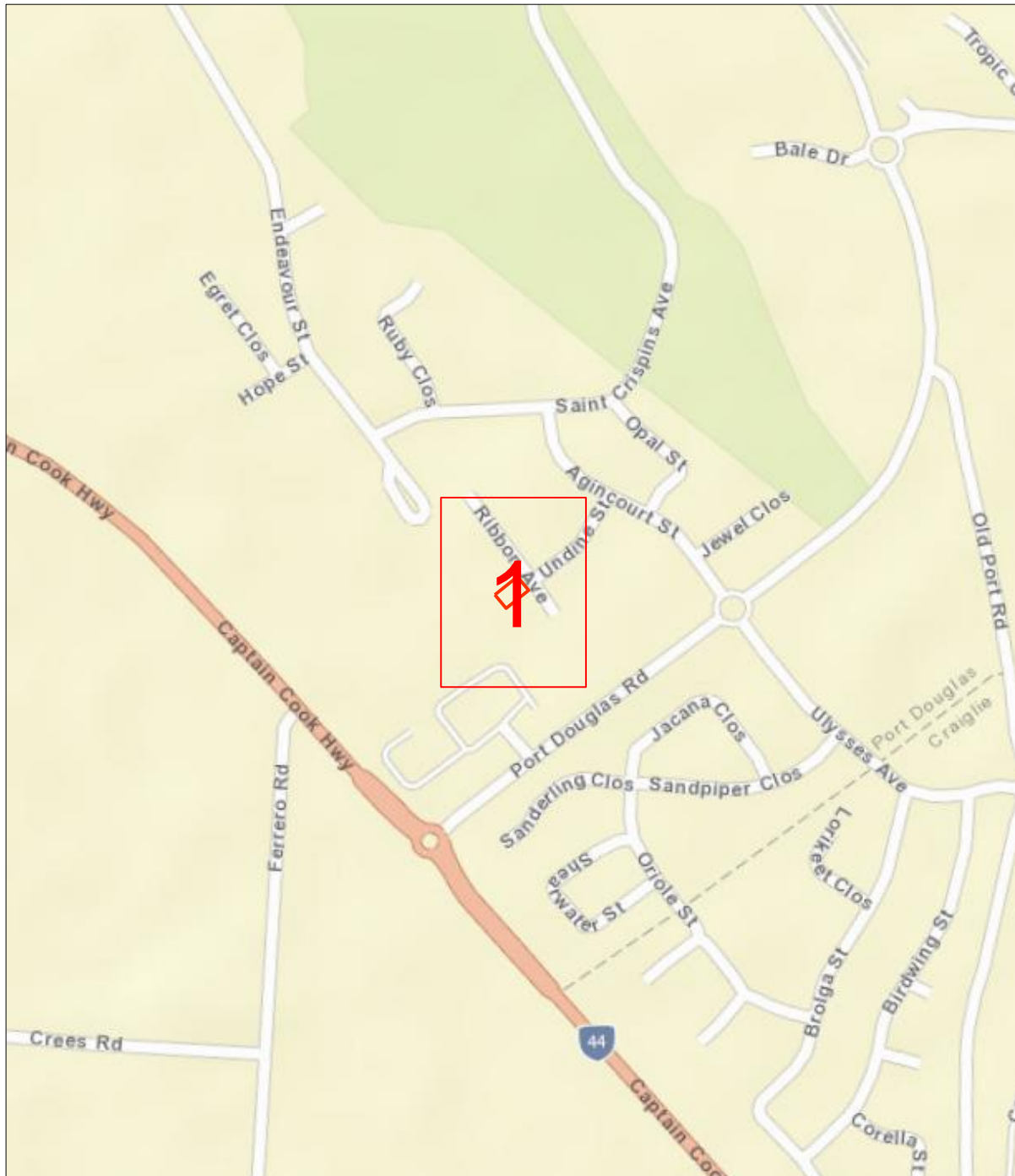
Contact	Daniel Favier
Company	Aspire Town Planning and Project Services
Email	admin@aspireqld.com
Phone	+61418826560
Address	PO Box 1040 Mossman QLD 4873

APA Group

Site Address 6 Ribbon Av
Port Douglas
QLD

<Worksite>

Sequence Number: 254754408



Scale 1: 6000

Map Sources: Esri, Garmin, HERE, FAO, NOAA, USGS,
© OpenStreetMap contributors, and the GIS User Community



Enquiry Area

Map Key Area





Map Symbolology

Pipe

Low pressure	
Medium pressure	
High pressure	
Transmission pressure	
Critical main (behind pipe)	
Proposed (pressure by colour)	
LPG (pressure by colour)	
Abandoned	
Idle/inactive	
Sleeve	
Casing (behind pipe)	

Area

BYDA area of interest	
-----------------------	--

Pipe code and material

C* (for example, C2)	Cast iron
CU	Copper
N2	Nylon
P*	Polyethylene (PE)
P6, P7, P9-P12	Medium density PE
P2, P4, P8	High density PE
S*	Steel
W2	Wrought galv iron
W3	PE coat wrought galv iron

Object

Valve	
Buried valve	
Regulator	
Gas supplied = yes	
CP rectifier terminal	
CP test station	
CP anode	
CP bond wire	
Syphon	
Trace wire point	

Abbreviation

BoK	Back of kerb	FoK	Front of kerb
C	Depth of cover	Galv	Galvanized
CP	Cathodic protection	NTI	Not tied in

Example

Pipe	
40P6 in 80C2	40 mm high pressure medium density poly in an 80 mm cast iron casing
63S8	63 mm medium pressure steel

Pipe code
Pipe diameter in millimetres is shown before pipe code.
40P6 = 40 mm nominal diameter

This map was created in colour and should be printed in colour

Referral
254754405

Member Phone
(07) 4099 9444

Responses from this member

Response received Fri 9 May 2025 2.54am

File name	Page
Response Body	57
Asset Guide to reading Douglas Shire Council BYDA Plans.pdf	59
254754405 - Douglas Shire Council Plan.pdf	60



Douglas Shire Council

ABN: 71 241 237 800

PO Box 723,

64-66 Front St,

Mossman Q 4873

Date: 09 May 2025

To: Daniel Favier

Please DO NOT SEND A REPLY to this email as it has been automatically generated and replies are not monitored.

Thank you for your BYDA enquiry (referenced below)—according to our records your enquiry impacts our infrastructure.

Please ensure that you read the attached documentation, as it contains important information including essential steps that must be undertaken prior to commencing your intended activities.

SEQUENCE NO.:	254754405
JOB NO.:	50138910
LOCATION:	6 Ribbon Av Port Douglas QLD 4877

WARNING: When working in the vicinity of Douglas Shire Council's assets you have a legal Duty of Care that must be observed.

If you require further information, please contact Douglas Shire Council by emailing enquiries@douglas.qld.gov.au or by calling [07 4099 9444](tel:0740999444)

To best manage the risk of damage and liability, we recommend that you engage the services of a BYDA Certified Locator

Important Notice




























































This enquiry response, including any associated documentation, has been assessed and compiled from the information detailed within the BYDA enquiry outlined above. **Please ensure that the BYDA enquiry details and this response accurately reflect your proposed works.**

This response is intended for use only by the addressee. If you have received the enquiry response in error, please let us know by telephone and delete all copies; you are advised that copying, distributing, disclosing or otherwise acting in reliance on the response is expressly prohibited.

Disclaimer: While every effort is taken to ensure the information in this report is accurate and up to date, Douglas Shire Council and PelicanCorp disclaim all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs that may occur as a result of the report being inaccurate or incomplete in any way or for any reason. The data is provided by Douglas Shire Council and the State of Queensland Department of Resources. In consideration of these agencies permitting use of this data you acknowledge and agree that these agencies makes no representations or warranties about its accuracy, reliability, completeness, currency or suitability. The data must not be used for direct marketing or be used in breach of the privacy laws.

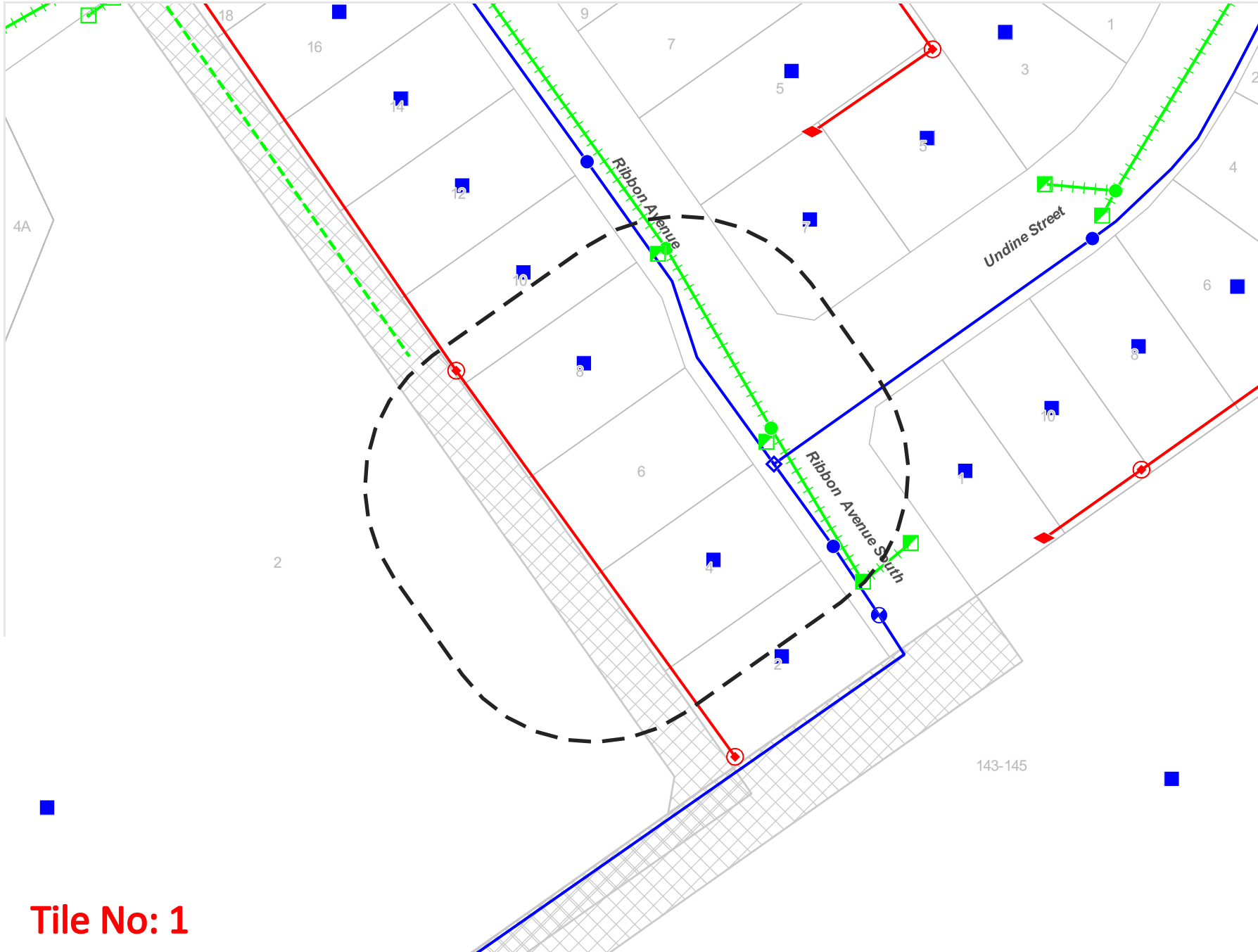
If you are unable to launch any of the files for viewing and printing, you may need to download and install free viewing and printing software such as [Adobe Acrobat Reader \(for PDF files\)](#).

Asset Guide to reading Douglas Shire Council BYDA Plans

Water	Sewer	Drainage	Background Information
 Hydrant  Reservoir  Valve  Bend  Borehole  End Cap  Ferrule Cock  Intake  Junction  Pump  Reducer  Stop Cock  Tower  WTP  Unknown  Meter	 Valve  End Cap  Flow Meter  Junction  Manhole  Scour Manhole  Meter Point  Reducer  Overflow  Reservoir  Valve Pit  Vent Stack  Pump Station  Treatment Plant	 Gross Pollutant Trap  Drain Manhole  Field Inlet Pit / PT  Headwall  I.O.  Kerb Inlet Pit  Manhole  Pipe Culvert  Pipe Flood Valve  Wingwall	 Easements  Freehold Property  Leasehold / Park / Reserve  Localities  Boundary  Great Barrier Reef  Wet Tropics of Queensland  Ocean
Water Mains (Ranges by Pipe Diameter)  0 to 50  50 to 150  150 to 300  300 to 1000	Sewer Mains  Gravity Main  Recycled Water  Rising Main	Drainage Mains  Box Culvert  Pipe  Major Open Drain  Minor Open Drain	

If you have any questions regarding this Legend and its use, please contact Douglas Shire Council on 07 4099 9444.

Disclaimer: This map is a schematic representation of data produced by a Geographical Information System (GIS) exclusively for employees of Douglas Shire Council but may also be used by clients/customers to assist with the identification and provision of services. No responsibility is accepted for the accuracy, reliability, completeness or suitability of the map or the data that it contains. The data must not be used for direct marketing or be used in breach of the privacy laws.



Please refer to the attached
“Asset Guide to reading
Douglas Shire Council BYDA
Plans” document to assist
with reading this Plan

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Scale: 1:1000
Expires: 06 Jun 2025

DISCLAIMER: While every effort is taken to ensure the information in this report is accurate and up to date, Douglas Shire Council and PelicanCorp disclaim all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs that may occur as a result of the report being inaccurate or incomplete in any way or for any reason. The data is provided by Douglas Shire Council and the State of Queensland Department of Resources. In consideration of these agencies permitting use of this data you acknowledge and agree that these agencies make no representations or warranties about its accuracy, reliability, completeness, currency or suitability. The data must not be used for direct marketing or be used in breach of the privacy laws.

Tile No: 1

Referral

254754406

Member Phone

13 10 46

Responses from this member

Response received Fri 9 May 2025 2.54am

File name	Page
Response Body	62
Ergon Energy BYDA Terms and Conditions.pdf	65
Working Near Overhead and Underground Electric Lines.pdf	70
254754406 - Ergon Energy Plan.pdf	98

Assets found

Before You Dig Australia (BYDA) Request

Please DO NOT SEND A REPLY to this email as it has been automatically generated and replies are not monitored.

The attached Plan details ERGON ENERGY NETWORK Assets in relation to Your nominated search area.

Ensure You read and understand the important notes outlined below.

You:	BYDA Enquiry No:
Daniel Favier	254754406
Company:	Date of Response:
Aspire Town Planning and Project Services	09 May 2025
Search Location:	Period of Plan Validity:
6 Ribbon Av Port Douglas, QLD 4877	4 Weeks
External Comments (if any):	

WARNING: When working in the vicinity of ERGON ENERGY NETWORK's Assets You have a legal *Duty of Care* that must be observed.

It is important that You note:

1. Immediately report life threatening emergencies to Emergency Services on **000** or to ERGON ENERGY NETWORK on **13 16 70**.
2. Please read and understand all the information and disclaimers provided - including the Terms and Conditions on the attached pages.
3. We have only searched the area which has been nominated in the request. If this nominated area is not what You require, please resubmit another enquiry with BYDA.
4. Plans provided by ERGON ENERGY NETWORK are only an indication of the presence of underground Assets within the nominated area. Locations provided are approximate and the plans are not suitable for scaling purposes, as exact ground cover and alignments cannot be provided. You must confirm the exact location of Assets by use of an electronic cable locator followed by careful, non-mechanical excavation (i.e. potholing).
5. Plans provided by ERGON ENERGY NETWORK do not encompass ERGON ENERGY NETWORK's overhead Assets.
6. ERGON ENERGY NETWORK, its servants or agents shall not be liable for any loss or damage caused or occasioned by the use of plans and details supplied pursuant to the BYDA Request and You agree to indemnify ERGON ENERGY NETWORK against any claim or demand for any such loss or damage to You, Your servants or Your agents.

7. You are responsible for any damage to Assets caused by works pursuant to or in any way connected with this BYDA Request.
8. In addition to underground cables marked on attached plan, there could be underground earth conductors, underground substation earth conductors, Multiple Earthed Networks(MEN) conductors, Single Wire Earth Return(SWER) Substation Earth Conductors, Air Break Switch (ABS) Earth Mats or Consumer Mains in the vicinity or private underground cables (inc. consumers' mains that may run from ERGON ENERGY NETWORK mains onto private property) in the vicinity of the nominated work area(s) that are not marked on the plans.
9. Independent underground cable locators can be found via the [Certified Locator website](#) with LV Cable (up to 1kV), HV Cable (1kV-<33kV) & HV cable (33kV and over) displayed.
10. The ERGON ENERGY NETWORK Before You Dig Australia (BYDA) information map(s) provide the vicinity of underground cable and will not be adequate for conveyancing purposes. A Request for Search (Property Search) can be arranged through ERGON ENERGY NETWORK.
11. The attached plans are only valid for a period of four weeks from receipt. If excavation does not commence within four weeks, a new plan should be obtained.
12. The ERGON ENERGY NETWORK BYDA map (named maps.pdf) may contain shaded area(s), indicating the location of planned work(s). Should You find planned works that You believe may affect Your planned work(s), please contact the ERGON ENERGY NETWORK BYDA team on the details listed below.
13. ERGON ENERGY NETWORK may contact You to discuss Your proposed excavation in the vicinity of feeders identified on the attached plan(s).
14. Do not access any Assets, for example conduits, cables, pits or cabinets.
15. Your work will need to comply with:
 - [Working near overhead and underground electric lines - Electrical safety code of practice 2020](#)
 - [Managing Electrical Risk in Workplace Electrical Safety Code of Practice \(2013\)](#)
 - [Excavation Work Code of Practice \(2021\)](#)

NOTE: Where Your proposed work location contains ERGON ENERGY NETWORK Underground cables please access the [ERGON ENERGY NETWORK BYDA Website](#) for more information.

General enquiries (7:00am - 5:30pm Mon to Fri) **13 74 66**
Life threatening emergencies only triple zero (000) or **13 16 70**

To re-submit or change the nominated search area please visit BYDA.com.au

E: byda@energyq.com.au

ABN: 40 078 849 055



Disclaimer: While reasonable measures have been taken to ensure the accuracy of the information contained in this plan response, neither ERGON ENERGY NETWORK nor PelicanCorp shall have any liability whatsoever in relation to any loss, damage, cost or expense arising from the use of this plan response or the information contained in it or the completeness or accuracy of such information. Use of such information is subject to and constitutes acceptance of these terms.

If you are unable to launch any of the files for viewing and printing, you may need to download and install free viewing and printing software such as [Adobe Acrobat Reader \(for PDF files\)](#)



Responsibilities – (When Working in the Vicinity of Ergon Energy Network Asset)

Extreme care must be taken during non-mechanical or mechanical excavation as damage to Ergon Energy Network underground Asset can lead to injury or death of workers or members of the public. Assets includes underground cables, conduits and other associated underground Asset used for controlling, generating, supplying, transforming or transmitting electricity.

A Person Conducting a Business or Undertaking (PCBU) must ensure the person's business or undertaking is conducted in a way that is electrically safe. This includes:

- a) ensuring that all Assets used in the conduct of the person's business or undertaking is electrically safe;
- b) if the person's business or undertaking includes the performance of electrical work, ensuring the electrical safety of all persons and property likely to be affected by the electrical work; and
- c) if the person's business or undertaking includes the performance of work, whether or not electrical work, involving contact with, or being near to, exposed parts, ensuring persons performing the work are electrically safe.

In addition, a PCBU at a workplace must ensure, so far as is reasonably practicable, that no person, Asset or thing at the workplace comes within an unsafe distance of an underground electric line.

Workers and other persons must also take reasonable care for their own and other person's electrical safety. This includes complying, so far as is reasonably able, with any reasonable instructions given by Ergon Energy Network to ensure compliance with the [Electrical Safety Act 2002](#)

General enquiries (7:00am - 5:30pm Mon to Fri) 13 74 66
Life threatening emergencies 000 or [13 16 70](tel:131670)

E: safetyadvice@ergon.com.au

E: byda@energyq.com.au

ABN: 40 078 849 055

To re-submit or change the nominated search area please visit BYDA.com.au





BYDA

Sequence: 254754406
Date: 09/05/2025

Scale: 1:500
Tile No: 1

LEGEND

- Substation
- Cable Marker
- Pit
- Pole
- Pillar
- LV Cable (up to 1kV)
- HV Cable (1kV - <33kV)
- HV Cable (33kV and over)
- Pit Boundary
- Planned Work Area

AS5488 Category "D" Plan



DISCLAIMER: While reasonable measures have been taken to ensure the accuracy of the information contained in this plan response, neither Ergon Energy Network nor Pelican Corp shall have any liability whatsoever in relation to any loss, damage, cost or expense arising from the use of this plan response or the information contained in it or the completeness or accuracy of such information. Use of such information is subject to and constitutes acceptance of these terms.

Referral

254754404

Member Phone

1800 687 626

Responses from this member

Response received Fri 9 May 2025 2.55am

File name	Page
Response Body	100
4678_NBN_Dial_Before_You_Dig_Poster_20170517.pdf	101
Disclaimer_254754404_20250508_165438308680.pdf	103
254754404_20250508_165438308680_1.pdf	107

Hi Daniel Favier,

Please find attached the response to your DBYD referral for the address mentioned in the subject line. The location shown in our DBYD response is assumed based off the information you have provided. If the location shown is different to the location of the excavation then this response will consequently be rendered invalid.

Take the time to read the response carefully and note that this information is only valid for 28 days after the date of issue.

If you have any further enquiries, please do not hesitate to contact us.


Regards,
Network Services and Operations
NBN Co Limited
P: 1800626329
E: dbyd@nbnco.com.au
www.nbnco.com.au

Confidentiality and Privilege Notice

This e-mail is intended only to be read or used by the addressee. It is confidential and may contain legally privileged information. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or deliver this message to anyone, and you should destroy this message and kindly notify the sender by reply e-mail. Confidentiality and legal privilege are not waived or lost by reason of mistaken delivery to you. Any views expressed in this message are those of the individual sender, except where the sender specifically states them to be the views of NBN Co Limited

Please Do Not Reply To This Mail

To: Daniel Favier
Phone: Not Supplied
Fax: Not Supplied
Email: admin@aspireqld.com

Before You Dig Australia Job #:	50138910	
Sequence #	254754404	
Issue Date:	08/05/2025	
Location:	6 Ribbon Av , Port Douglas , QLD , 4877	

Information

The area of interest requested by you contains one or more assets.

nbn™ Assets	Search Results
Communications	Asset identified
Electricity	No assets

In this notice **nbn™ Facilities** means *underground fibre optic, telecommunications and/or power facilities, including but not limited to cables, owned and controlled by nbn™*

Location of nbn™ Underground Assets

We thank you for your enquiry. In relation to your enquiry at the above address:

- **nbn's** records indicate that there **ARE nbn™** Facilities in the vicinity of the location identified above ("Location").
- **nbn** indicative plan/s are attached with this notice ("Indicative Plans").
- The Indicative Plan/s show general depth and alignment information only and are not an exact, scale or accurate depiction of the location, depth and alignment of **nbn™** Facilities shown on the Plan/s.
- In particular, the fact that the Indicative Plans show that a facility is installed in a straight line, or at uniform depth along its length cannot be relied upon as evidence that the facility is, in fact, installed in a straight line or at uniform depth.
- You should read the Indicative Plans in conjunction with this notice and in particular, the notes below.
- You should note that, at the present time, the Indicative Plans are likely to be more accurate in showing location of fibre optics and telecommunications cables than power cables. There may be a variation between the line depicted on the Indicative Plans and the location of any power cables. As such, consistent with the notes below, particular care must be taken by you to make your own enquiries and investigations to precisely locate any power cables and manage the risk arising from such cables accordingly.
- The information contained in the Indicative Plan/s is valid for 28 days from the date of issue set out above. You are expected to make your own inquiries and perform your own investigations (including engaging appropriately qualified plant locators, e.g BYDA Certified Locators, at your cost to locate **nbn™** Facilities during any activities you carry out on site).

We thank you for your enquiry and appreciate your continued use of the Before You Dig Australia Service. For any enquiries related to moving assets or Planning and Design activities, please visit the **nbn Commercial Works** website to complete the online application form. If you are planning to excavate and require further information, please email dbyd@nbnco.com.au or call 1800 626 329.

Notes:

1. You are now aware that there are **nbn™** Facilities in the vicinity of the above property that could be damaged as a result activities carried out (or proposed to be carried out) by you in the vicinity of the Location.
2. You should have regard to section 474.6 and 474.7 of the *Criminal Code Act 1995* (CoA) which deals with the consequences of interfering or tampering with a telecommunications facility. Only persons authorised by **nbn** can interact with **nbn's** network facilities.
3. Any information provided is valid only for **28 days** from the date of issue set out above.

Referral Conditions

The following are conditions on which **nbn** provides you with the Indicative Plans. By accepting the plans, you are agreeing to these conditions. These conditions are in addition, and not in replacement of, any duties and obligations you have under applicable law.

1. **nbn** does not accept any responsibility for any inaccuracies of its plans including the Indicative Plans. You are expected to make your own inquiries and perform your own investigations (including engaging appropriately qualified plant locators, e.g BYDA Certified Locators, at your cost to locate **nbn™** Facilities during any activities you carry out on site).
2. You acknowledge that **nbn** has specifically notified you above that the Indicative Plans are likely to be more accurate in showing location of fibre optics and telecommunications cables than power cables. There may be a variation between the line depicted on the Indicative Plans and the location of any power cables.
3. You should not assume that **nbn™** Facilities follow straight lines or are installed at uniform depths

along their lengths, even if they are indicated on plans provided to you. Careful onsite investigations are essential to locate the exact position of cables.

4. In carrying out any works in the vicinity of **nbn**™ Facilities, you must maintain the following minimum clearances:
 - 300mm when laying assets inline, horizontally or vertically.
 - 500mm when operating vibrating equipment, for example: jackhammers or vibrating plates.
 - 1000mm when operating mechanical excavators.
 - Adherence to clearances as directed by other asset owner's instructions and take into account any uncertainty for power cables.
5. You are aware that there are inherent risks and dangers associated with carrying out work in the vicinity of underground facilities (such as **nbn**™ fibre optic, copper and coaxial cables, and power cable feed to **nbn**™ assets). Damage to underground electric cables may result in:
 - Injury from electric shock or severe burns, with the possibility of death.
 - Interruption of the electricity supply to wide areas of the city.
 - Damage to your excavating plant.
 - Responsibility for the cost of repairs.
6. You must take all reasonable precautions to avoid damaging **nbn**™ Facilities. These precautions may include but not limited to the following:
 - All excavation sites should be examined for underground cables by careful hand excavation. Cable cover slabs if present must not be disturbed. Hand excavation needs to be undertaken with extreme care to minimise the likelihood of damage to the cable, for example: the blades of hand equipment should be aligned parallel to the line of the cable rather than digging across the cable.
 - If any undisclosed underground cables are located, notify **nbn** immediately.
 - All personnel must be properly briefed, particularly those associated with the use of earth-moving equipment, trenching, boring and pneumatic equipment.
 - The safety of the public and other workers must be ensured.
 - All excavations must be undertaken in accordance with all relevant legislation and regulations.
7. You will be responsible for all damage to **nbn**™ Facilities that are connected whether directly, or indirectly with work you carry out (or work that is carried out for you or on your behalf) at the Location. This will include, without limitation, all losses expenses incurred by **nbn** as a result of any such damage.
8. You must immediately report any damage to the **nbn**™ network that you are/become aware of. Notification may be by telephone - 1800 626 329.
9. Except to the extent that liability may not be capable of lawful exclusion, **nbn** and its servants and agents and the related bodies corporate of **nbn** and their servants and agents shall be under no liability whatsoever to any person for any loss or damage (including indirect or consequential loss or damage) however caused (including, without limitation, breach of contract negligence and/or breach of statute) which may be suffered or incurred from or in connection with this information sheet or any plans (including Indicative Plans) attached hereto. Except as expressly provided to the contrary in this information sheet or the attached plans (including Indicative Plans), all terms, conditions, warranties, undertakings or representations (whether expressed or implied) are excluded to the fullest extent permitted by law.

All works undertaken shall be in accordance with all relevant legislations, acts and regulations applicable to the particular state or territory of the Location. The following table lists all relevant documents that shall be considered and adhered to.

State/Territory	Documents
National	Work Health and Safety Act 2011
	Work Health and Safety Regulations 2011
	Safe Work Australia - Working in the Vicinity of Overhead and Underground Electric Lines (Draft)

	Occupational Health and Safety Act 1991
NSW	Electricity Supply Act 1995
	Work Cover NSW - Work Near Underground Assets Guide
	Work Cover NSW - Excavation Work: Code of Practice
VIC	Electricity Safety Act 1998
	Electricity Safety (Network Asset) Regulations 1999
QLD	Electrical Safety Act 2002
	Code of Practice for Working Near Exposed Live Parts
SA	Electricity Act 1996
TAS	Tasmanian Electricity Supply Industry Act 1995
WA	Electricity Act 1945
	Electricity Regulations 1947
NT	Electricity Reform Act 2005
	Electricity Reform (Safety and Technical) Regulations 2005
ACT	Electricity Act 1971

Thank You,


nbn BYDA

Date: 08/05/2025

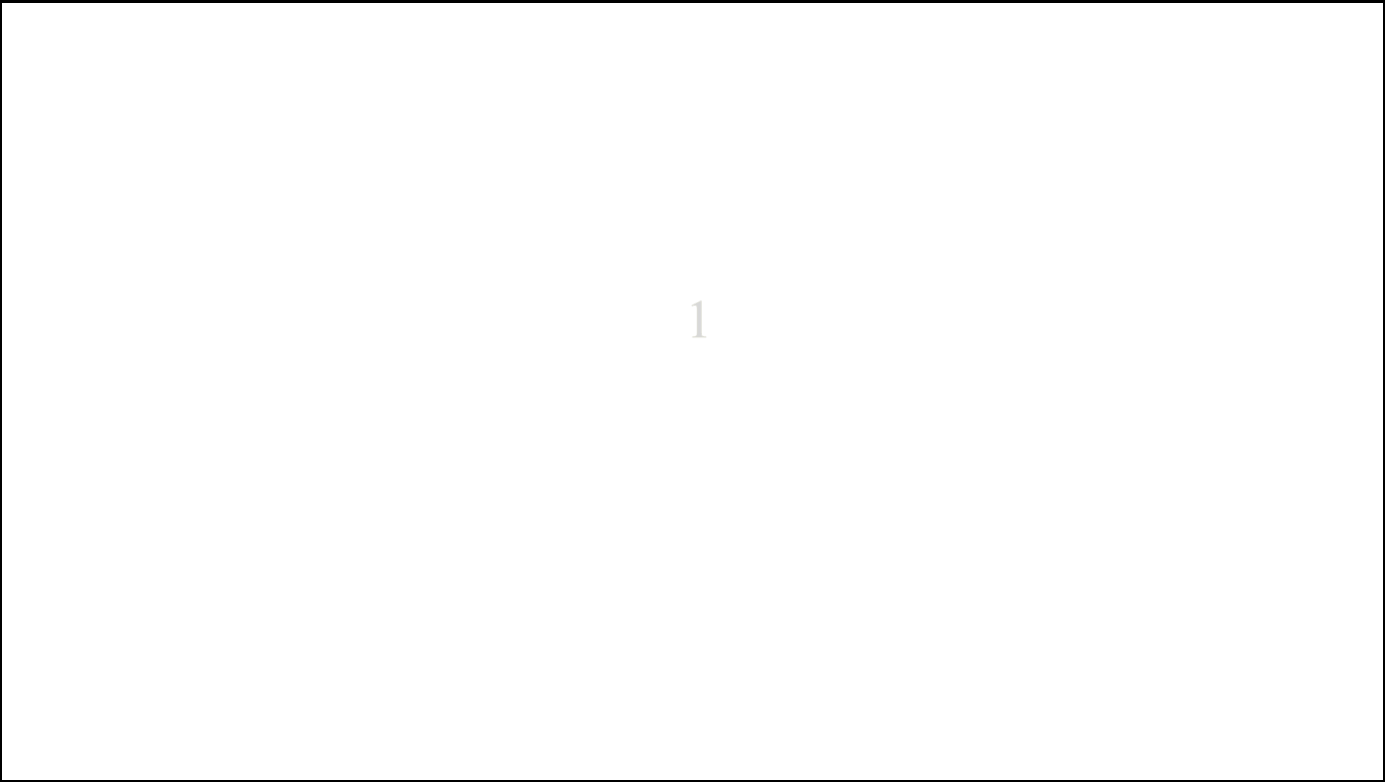
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To: Daniel Favier
Phone: Not Supplied
Fax: Not Supplied
Email: admin@aspireqld.com

Dial before you dig Job #:	50138910	
Sequence #	254754404	
Issue Date:	08/05/2025	
Location:	6 Ribbon Av , Port Douglas , QLD , 4877	

Indicative Plans are tiled below to demonstrate how to layout and read nbn asset plans

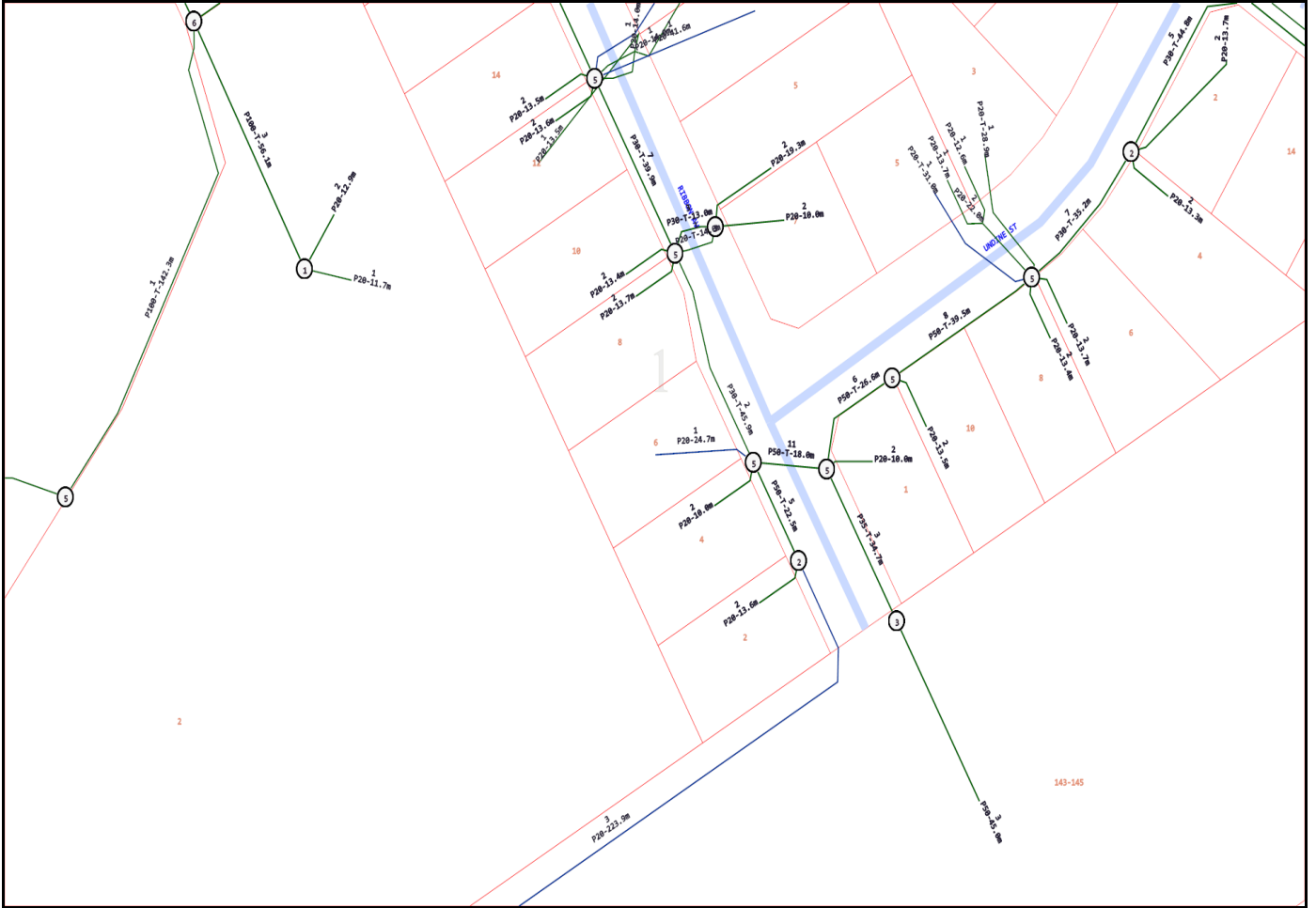




LEGEND



	Parcel and the location
	Pit with size "5"
	Power Pit with size "2E". Valid PIT Size: e.g. 2E, 5E, 6E, 8E, 9E, E, null.
	Manhole
	Pillar
	Cable count of trench is 2. One "Other size" PVC conduit (PO) owned by Telstra (-T-), between pits of sizes, "5" and "9" are 25.0m apart. One 40mm PVC conduit (P40) owned by NBN, between pits of sizes, "5" and "9" are 20.0m apart.
	2 Direct buried cables between pits of sizes, "5" and "9" are 10.0m apart.
	Trench containing any INSERVICE/CONSTRUCTED (Copper/RF/Fibre) cables.
	Trench containing only DESIGNED/PLANNED (Copper/RF/Fibre/Power) cables.
	Trench containing any INSERVICE/CONSTRUCTED (Power) cables.
	Road and the street name "Broadway ST"
Scale	0 20 40 60 Meters 1:2000 1 cm equals 20 m



Emergency Contacts

You must immediately report any damage to the **nbn™** network that you are/become aware of. Notification may be by telephone - 1800 626 329.

Referral

254754407

Member Phone

1800 653 935

Responses from this member

Response received Fri 9 May 2025 7.05am

File name	Page
Response Body	111
AccreditedPlantLocators 2025-01-08a.pdf	113
254754407.pdf	114
Telstra Duty of Care v32.0c.pdf	116
Telstra Map Legend 4.0b.pdf	118

Attention: Daniel Favier

Site Location: 6 Ribbon Av, Port Douglas, QLD 4877

Your Job Reference: DSC

Please do not reply to this email, this is an automated message -

Thank you for requesting Telstra information via Before You Dig Australia (BYDA).

This response contains Telstra information relating to your recent BYDA request.

Please refer to all enclosed attachments for more information.

Information for opening Telstra Asset Plans as well as some other useful contact information is noted in the attached documents.

Report Damage to Telstra Equipment: [Report damages to Telstra equipment - Telstra](#)

Please note:

When working in the vicinity of telecommunications plant you have a 'Duty of Care' that must be observed.

Ensure you read all documents (attached) - they contain important information.

Please also refer to the **Before you Dig Australia - BEST PRACTISE GUIDES and The five Ps of safe excavation**

<https://www.byda.com.au/before-you-dig/best-practice-guides/>, The essential steps that must be undertaken prior to commencing construction activities.

WARNING - MAJOR CABLES and/or OPTIC FIBRE IN THE AREA.

Phone 1800 653 935 for further assistance.

Note: In some areas Telstra fibre routes may be marked as "Amcom", as Telstra has purchased much of this infrastructure. If in doubt, please contact Telstra Plan services on the number above. Telstra plans and information are only valid for 60 days from the date of issue.

WARNING:

Telstra plans and location information conform to Quality Level 'D' of the Australian Standard AS 5488 - Classification of Subsurface Utility Information. As such, Telstra supplied location information is indicative only. Spatial accuracy is not applicable to Quality Level D. Refer to AS 5488 for further details. The exact position of Telstra assets can only be validated by physically exposing them. Telstra does not warrant or hold out that its plans are accurate and accepts no responsibility for any inaccuracy. Further on site investigation is required to validate the exact location of Telstra assets prior to commencing work. A Certified Locating Organisation is an essential part of the process to validate the exact location of Telstra assets and to ensure the assets are protected during construction works. See the **Before You Dig Australia - BEST PRACTISE GUIDES and The five Ps of safe excavation** <https://www.byda.com.au/before-you-dig/best-practice-guides/>.

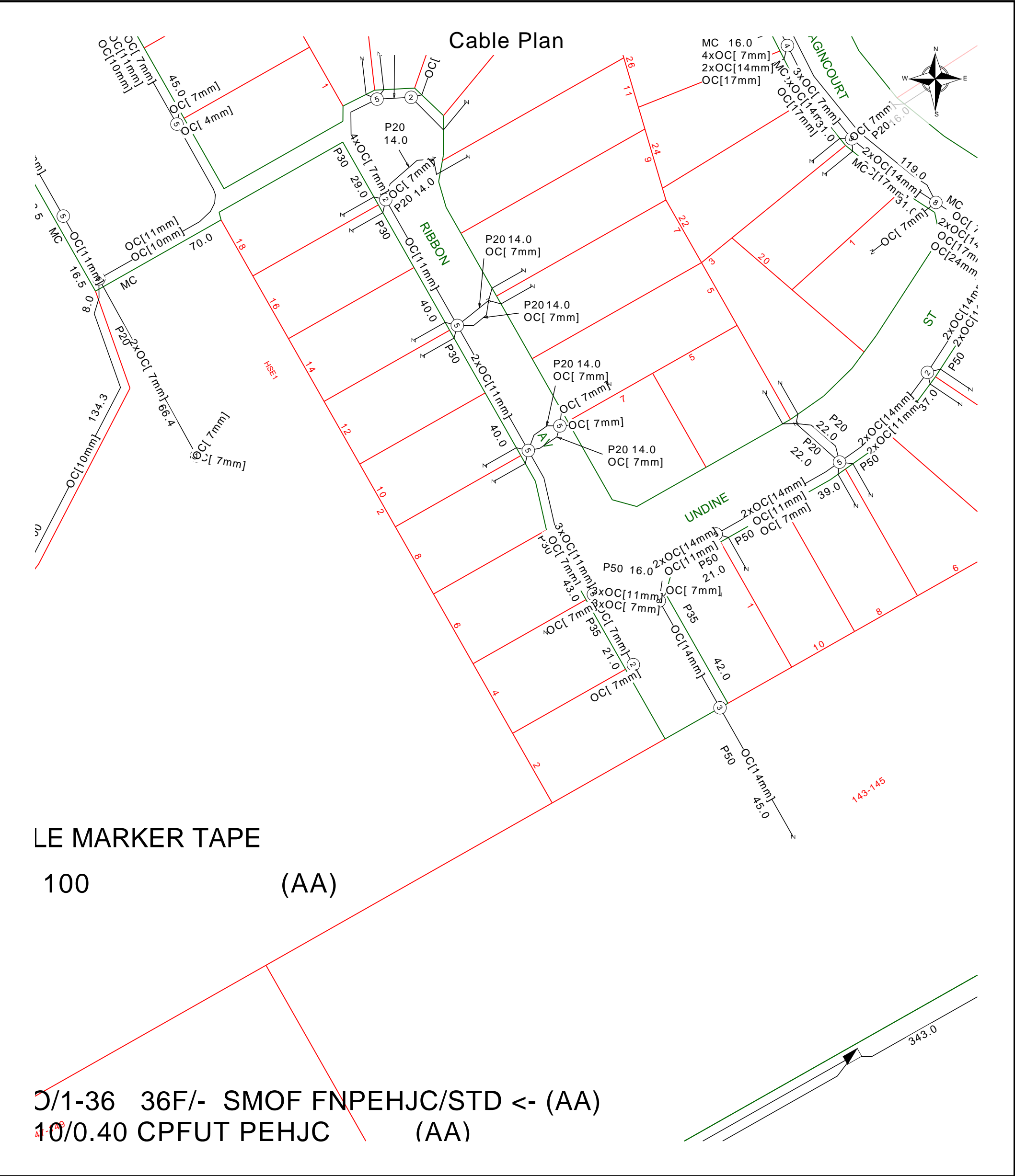
Please note that:


- it is a criminal offence under the *Criminal Code Act 1995* (Cth) to tamper or interfere with telecommunications infrastructure.
- Telstra will take action to recover compensation for damage caused to property and assets, and for interference with the operation of Telstra's networks and customers' services.

Telstra's plans contain Telstra's confidential information and are provided on the basis that they are used solely for identifying the location or vicinity of Telstra's infrastructure to avoid damage to this infrastructure occurring as part of any digging or other excavation activity. You must not use Telstra's plans for any other purpose or in a way that will cause Telstra loss or damage and you must comply with any other terms of access to the data that have been provided to you by Telstra (including Conditions of Use or Access).

(See attached file: *Telstra Duty of Care v32.0c.pdf*)

(See attached file: *Telstra Map Legend 4.0b.pdf*)

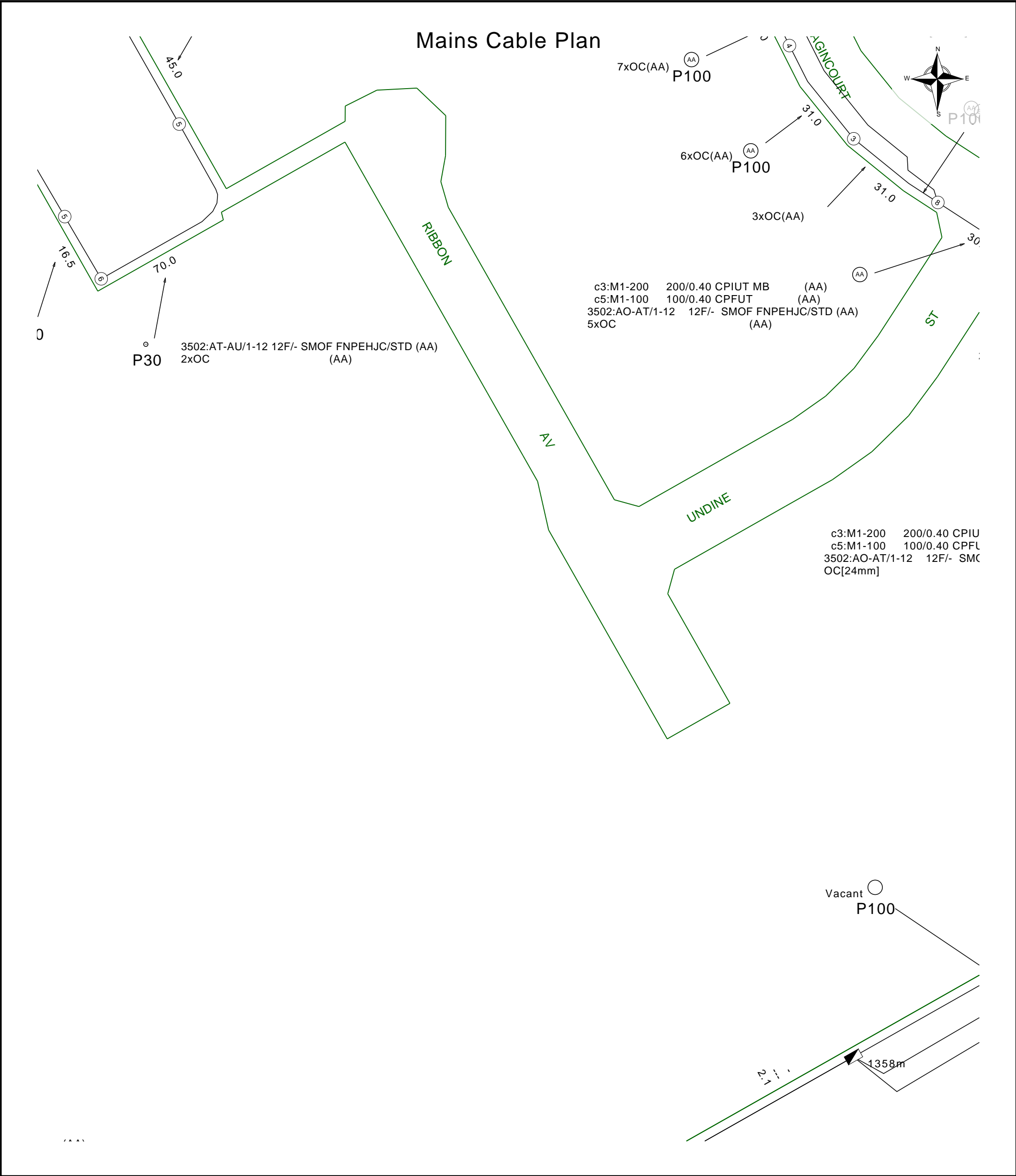



	<p>Report Damage:https://service.telstra.com.au/customer/general/forms/report-damage-to-telstra Ph - 13 22 03 Email - Telstra.Plans@team.telstra.com Planned Services - ph 1800 653 935 (AEST bus hrs only) General Enquiries</p>	<p>Sequence Number: 254754407</p>
<p>TELSTRA LIMITED A.C.N. 086 174 781 Generated On 09/05/2025 06:48:45</p>		<p>CAUTION: Fibre optic and/ or major network present in plot area. Please read the Duty of Care and contact Telstra Plan Services should you require any assistance.</p>

The above plan must be viewed in conjunction with the Mains Cable Plan on the following page

WARNING
Telstra plans and location information conform to Quality Level "D" of the Australian Standard AS 5488-Classification of Subsurface Utility Information. As such, Telstra supplied location information is indicative only. Spatial accuracy is not applicable to Quality Level D. Refer to AS 5488 for further details. The exact position of Telstra assets can only be validated by physically exposing it. Telstra does not warrant or hold out that its plans are accurate and accepts no responsibility for any inaccuracy. Further on site investigation is required to validate the exact location of Telstra plant prior to commencing construction work. A Certified Locating Organisation is an essential part of the process to validate the exact location of Telstra assets and to ensure the asset is protected during construction works.

See the Steps- Telstra Duty of Care that was provided in the email response.



	Report Damage: https://service.telstra.com.au/customer/general/forms/report-damage-to-telstra/ Ph - 13 22 03 Email - Telstra.Plans@team.telstra.com Planned Services - ph 1800 653 935 (AEST bus hrs only) General Enquiries	Sequence Number: 254754407
Generated On 09/05/2025 06:48:46		CAUTION: Fibre optic and/ or major network present in plot area. Please read the Duty of Care and contact Telstra Plan Services should you require any assistance.

The above plan must be viewed in conjunction with the Mains Cable Plan on the following page

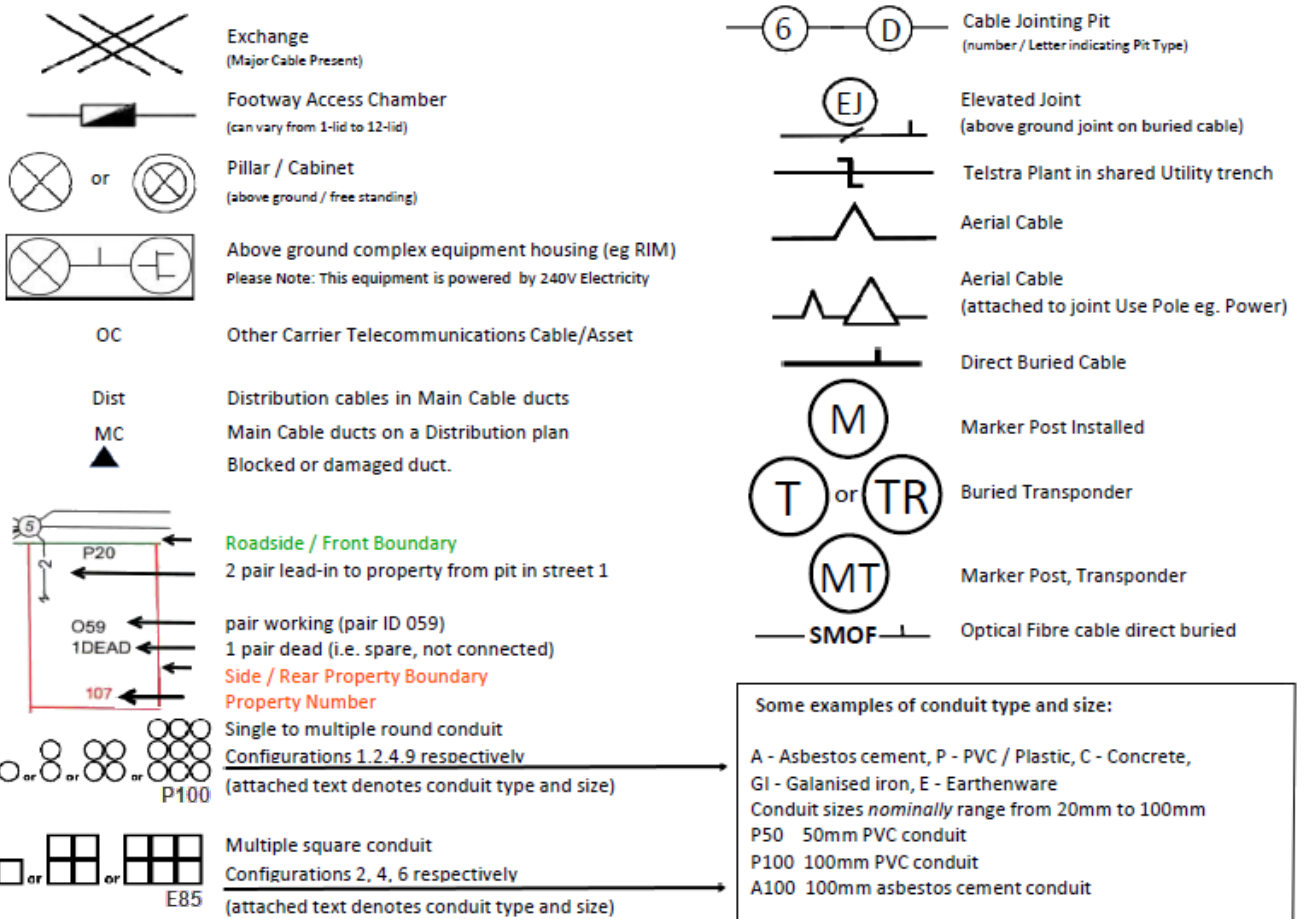
WARNING

Telstra plans and location information conform to Quality Level "D" of the Australian Standard AS 5488-Classification of Subsurface Utility Information. As such, Telstra supplied location information is indicative only. Spatial accuracy is not applicable to Quality Level D. Refer to AS 5488 for further details. The exact position of Telstra assets can only be validated by physically exposing it. Telstra does not warrant or hold out that its plans are accurate and accepts no responsibility for any inaccuracy. Further on site investigation is required to validate the exact location of Telstra plant prior to commencing construction work. A Certified Locating Organisation is an essential part of the process to validate the exact location of Telstra assets and to ensure the asset is protected during construction works.

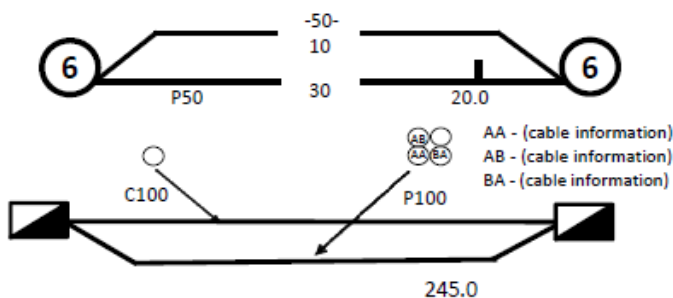
See the Steps- Telstra Duty of Care that was provided in the email response.

Page 2 of 2

LEGEND



Some Examples of how to read Telstra Plans



One 50mm PVC conduit (P50) containing a 50-pair and a 10-pair cable between two 6-pits, approximately 20.0m apart, with a direct buried 30-pair cable along the same route

Two separate conduit runs between two footway access chambers (manholes) approximately 245m apart. A nest of four 100mm PVC conduits (P100) containing assorted cables in three ducts (one being empty) and one empty 100mm concrete duct (C100) along

Protect our Network:

by maintaining the following distances from our assets:

- 1.0m Mechanical Excavators, Farm Ploughing, Tree Removal
- 500mm Vibrating Plate or Wacker Packer Compactor
- 600mm Heavy Vehicle Traffic (over 3 tonnes) not to be driven across Telstra ducts or plant.
- 1.0m Jackhammers/Pneumatic Breakers
- 2.0m Boring Equipment (in-line, horizontal and vertical)

For more info contact a [CERTLOC Certified Locating Organisation \(CLO\)](#) or Telstra Location Intelligence Team 1800 653 935

Attachment 3

Property Report

2018 Douglas Shire Council Planning Scheme Property Report

The following report has been automatically generated to provide a general indication of development related information applying to the premise.


For more information and to determine if the mapping layers are applicable, refer to the [2018 Douglas Shire Council Planning Scheme](#). This report is not intended to replace the need for carrying out a detailed assessment of Council and State controls or the need to seek your own professional advice on any town planning instrument, local law or other controls that may impact on the existing or intended use of the premise mentioned in this report. For further information please contact Council by phone: [07 4099 9444](tel:0740999444) or [1800 026 318](tel:1800026318) or email enquiries@douglas.qld.gov.au.

Visit Council's website to apply for an [official property search or certificate](#), or contact the [Department of Natural Resources, Mines and Energy](#) to undertake a title search to ascertain how easements may affect a premise.

Property Information


Property Address

[6 Ribbon Avenue PORT DOUGLAS](#)



Lot Plan

[50RP746145](#) (Freehold - 800m²)



☒ Selected Property

☐ Easements

☐ Property

Douglas Shire Planning Scheme 2018 version 1.0

The table below provides a summary of the Zones and Overlays that apply to the selected property.

Douglas Shire Planning Scheme 2018 version 1.0

The table below provides a summary of the Zones and Overlays that apply to the selected property.

[Zoning](#)

Applicable Zones

Low Density Residential
Recreation and Open Space

More Information

- [View Section 6.2.6 Low Density Residential Zone Code](#)
- [View Section 6.2.6 Low Density Residential Zone Compliance table](#)
- [View Section 6.2.6 Low Density Residential Zone Assessment table](#)
- [View Section 6.2.9 Recreation and Open Spaces Zone Code](#)
- [View Section 6.2.9 Recreation and Open Spaces Zone Compliance table](#)
- [View Section 6.2.9 Recreation and Open Spaces Zone Assessment table](#)

[Local Plans](#)

Applicable Precinct or Area

Port Douglas - Craiglie

More Information

- [View Section 7.2.4 Port Douglas/Craiglie Local Plan Code](#)
- [View Section 7.2.4 Port Douglas/Craiglie Local Plan Compliance table](#)

[Acid Sulfate Soils](#)

Applicable Precinct or Area

Acid Sulfate Soils (< 5m AHD)
Acid Sulfate Soils (5-20m AHD)

More Information

- [View Section 8.2.1 Acid Sulfate Soils Overlay Code](#)
- [View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table](#)

[Transport Road Hierarchy](#)

Applicable Precinct or Area

Access Road
Collector Road

More Information

- [View Section 8.2.10 Transport Network Overlay Code](#)
- [View Section 8.2.10 Transport Network Overlay Compliance table](#)

Zoning

Applicable Zones

Low Density Residential
Recreation and Open Space

More Information

- [View Section 6.2.6 Low Density Residential Zone Code](#)
- [View Section 6.2.6 Low Density Residential Zone Compliance table](#)
- [View Section 6.2.6 Low Density Residential Zone Assessment table](#)
- [View Section 6.2.9 Recreation and Open Spaces Zone Code](#)
- [View Section 6.2.9 Recreation and Open Spaces Zone Compliance table](#)
- [View Section 6.2.9 Recreation and Open Spaces Zone Assessment table](#)



☒ Selected Property

☐ Property

Zoning

<input checked="" type="checkbox"/> Centre	<input type="checkbox"/> Community Facilities	<input type="checkbox"/> Conservation	<input type="checkbox"/> Environmental Management
<input type="checkbox"/> Industry	<input type="checkbox"/> Low Density Residential	<input type="checkbox"/> Low-medium Density Residential	<input type="checkbox"/> Medium Density Residential
<input type="checkbox"/> Recreation and Open Space	<input type="checkbox"/> Rural	<input type="checkbox"/> Rural Residential	<input type="checkbox"/> Special Purpose
<input type="checkbox"/> Tourism	<input type="checkbox"/> Tourist Accommodation		

Local Plans

Applicable Precinct or Area

Port Douglas - Craiglie

More Information

- [View Section 7.2.4 Port Douglas/Craiglie Local Plan Code](#)
- [View Section 7.2.4 Port Douglas/Craiglie Local Plan Compliance table](#)



 Selected Property

 Property

Transport Investigation Corridor

 Transport Investigation Corridors

Major Road Connections

 Major Road Connections

Major Road Connections (No Arrow)

 Major Road Connections

Daintree River to Bloomfield

 Daintree River to Bloomfield

Creb Track and Quaid Road

 Creb Track







60 metre contour

 60 metre contour

Local Plan Boundary

 Local Plan Boundary

Local Plan Sub Precincts

- | | | |
|---|---|---|
|  1a Town Centre |  1b Waterfront North |  1c Waterfront South |
|  1d Limited Development |  1e Community and Recreation |  1f Flagstaff Hill |

Local Plan Precincts

- | | | | |
|---|--|--|--|
| Not Part of a Precinct |  Precinct 1 |  Precinct 2 |  Precinct 3 |
|  Precinct 4 |  Precinct 5 |  Precinct 6 |  Precinct 7 |
|  Precinct 8 |  Precinct 9 | | |

Live Entertainment Precinct

 Live Entertainment Precinct

Indicative Future Open Space

 Indicative Future Open Space

 Road Reserve Esplanade

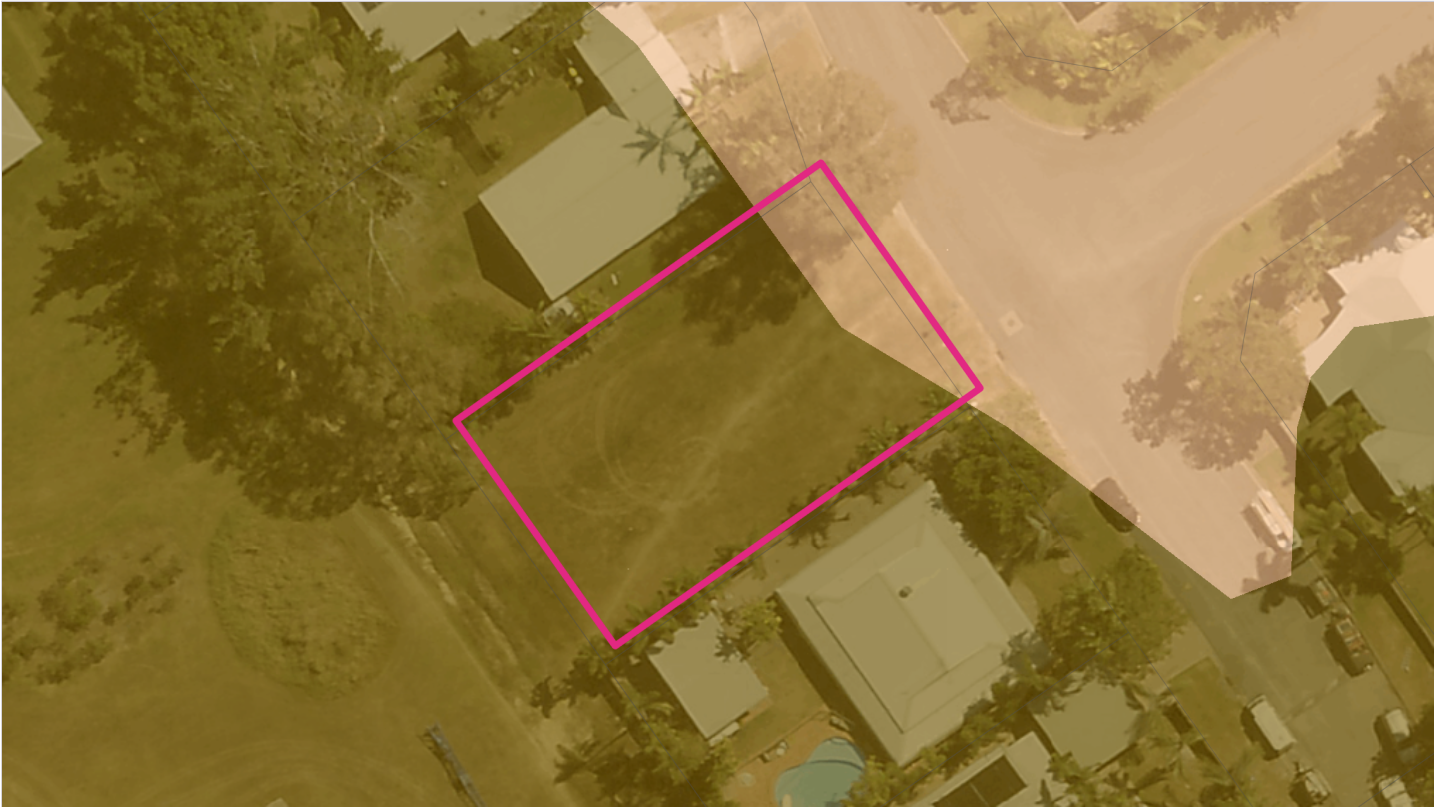
Acid Sulfate Soils

Applicable Precinct or Area

Acid Sulfate Soils (< 5m AHD)
Acid Sulfate Soils (5-20m AHD)

More Information

- [View Section 8.2.1 Acid Sulfate Soils Overlay Code](#)
- [View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table](#)



☒ Selected Property

☐ Property

Acid Sulfate Soils

☐ Acid Sulfate Soils (< 5m AHD)

☐ Acid Sulfate Soils (5-20m AHD)

☐ all others

Transport Road Hierarchy

Applicable Precinct or Area

Access Road
Collector Road

More Information

- [View Section 8.2.10 Transport Network Overlay Code](#)
- [View Section 8.2.10 Transport Network Overlay Compliance table](#)



☒ Selected Property

☐ Property

Road Hierarchy

Access Road	Arterial Road	Collector Road	Industrial Road
Major Rural Road	Minor Rural Road	Sub Arterial Road	Unformed Road
all others			

☐ Major Transport Corridor Buffer Area

Disclaimer

This report is not a substitute for a Planning and Development Certificate and should not be relied upon where the reliance may result in loss, damage or injury. While every effort is taken to ensure the information in this report is accurate and up to date, Douglas Shire Council makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs that may occur as a result of the report being inaccurate or incomplete in any way or for any reason.