

**Our ref: PR139521/OCK/SF/L78348**

135 Abbott Street  
Cairns QLD 4870  
T +61 7 4031 1336

Date: 22 March 2019

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

Dear Daniel,

**RE: APPLICATION FOR A DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT (BOUNDARY REALIGNMENT) OVER LAND LOCATED AT WYANBEEL ROAD, WHYANBEEL, FORMALLY DESCRIBED AS LOTS 4, 5 (PART) AND 6 ON RP851512 AND LOT 10 ON RP748614**

RPS Australia East Pty Ltd confirms that we act on behalf of Marc and Elizabeth Showniruk (the 'applicant' and 'owners' of the land) to prepare and lodge the above described Development Application for a Development Permit for Reconfiguration of a Lot with the Douglas Shire Council.

It is noted that this submission is generally consistent pre-lodgement discussions onsite on 4 July '18 and subsequent pre-lodgement discussions at the time the Superseded Planning Scheme Development Application to cancel the Local Government Act Agreement and reconfigure Lots 4, 5 and 6 on RP851512 into 2 lots was approved.

The Reconfiguration Development Application seeks Councils approval of a boundary re-alignment proposal, to transfer parts of Proposed Lot 1 (as per Development Approval SUP2941/2018) to Lot 10 RP748614 facilitating the creation of Proposed Lots 3 and 10 on RPS Dwg PR139521-5. The boundary re-alignment proposal is dependant on the development permitted in Development Approval SUP2941/2018 being undertaken prior to or concurrent with the subject boundary re-alignment proposal.

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

- The completed Development Application Form included as **Attachment A**;
- Certificates of Title included as **Attachment B**;
- RPS Drawing PR139521-5 included as **Attachment C**; and
- On-site Effluent Disposal Assessment, provided for reference in **Attachment D**.

To facilitate payment of Council's applicable fee of \$950.00, please forward Council's invoice for the fee to [owen.caddick-king@rpsgroup.com.au](mailto:owen.caddick-king@rpsgroup.com.au)

# 1. SITE INFORMATION

## 1.1 Site Details

Key details of the subject site include:

<b>Address:</b>	Whyanbeel Road, Whyanbeel
<b>Real Property Description:</b>	Lots 4, 5 (Part) and 6 on RP851512 and Lot 10 on RP748614
<b>Land Area:</b>	5.2 hectares
<b>Land Owners:</b>	Marc and Elizabeth Showniruk
<b>Easements / Encumbrances:</b>	Local Government Agreement which restricts the separate disposition of Lots 4, 5 and 6 on RP851512 (refer to Certificate of Title in <b>Attachment B</b> ) shall be cancelled as per Development Approval SUP2941/2018. Access Easement over part of Lot 10 on RP748614.

## 1.2 Planning Context

<b>Zoning:</b>	Rural Zone
<b>Relevant Overlays:</b>	Refer to details provided in Section 5.3 of this submission.

## 1.3 Site Characteristics

<b>Topography and Use:</b>	The higher northern and eastern elevated parts of the site comprise of forested hillslopes. A cleared section of the site and a cleared gently sloping area exists in the south-western portion of Lot 5 on RP851512 where a building envelope for the development of a house is permitted pursuant to Development Approval SUP2941/2018 and which comprises Proposed Lot 1. Lot 6 on RP851512 which is located adjacent to Whyanbeel Creek and the opposite side of Whyanbeel Road is relatively flat and understood to be subject to flooding during significant flood events. Lot 10 on RP748614 is partially cleared and used for farming and farm residence purposes.
<b>Vegetation:</b>	RPS Drawing PR139521-5 provided for reference in <b>Attachment C</b> shows the areas currently mapped as Category B Regulated Vegetation identified as Least Concern Regional Ecosystem.
<b>Waterways:</b>	Whyanbeel Creek is located adjacent to Lot 6 on RP851512 and Lot 10 on RP748614.
<b>Road Frontage:</b>	RPS Drawing PR139521-5 provided for reference in <b>Attachment C</b> shows the Whyanbeel Road and unnamed and unconstructed road frontages.

## 2. APPLICATION DETAILS

Key application details for the subject development are:

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

### 3. PROPOSED DEVELOPMENT

The Reconfiguration Development Application seeks Councils approval of a boundary re-alignment proposal, to transfer parts of Proposed Lot 1 (as per Development Approval SUP2941/2018) to Lot 10 RP748614 facilitating the creation of Proposed Lots 3 and 10 on RPS Dwg PR139521-5 (refer to copy in **Attachment C**). The boundary re-alignment proposal is consistent with and is dependant on the development permitted in Development Approval SUP2941/2018 being undertaken prior to or concurrent with the subject boundary re-alignment proposal.



## 4.0 LEGISLATIVE REQUIREMENTS

### 4.1 Planning Act 2016

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

#### 3.1.1 Confirmation that development is not prohibited

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

#### 3.1.2 Assessable Development

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

#### 3.1.3 Assessment Manager

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

#### 3.1.4 Level of Assessment

The table below summarises the level of assessment under the provisions of Superseded Planning Scheme:

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

#### 3.1.5 Referral Agencies

No referrals are triggered by the proposed development.

#### 3.1.6 Public Notification

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

## 4. STATUTORY PLANNING ASSESSMENT

### 4.1 Regional Plan

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

### 4.2 State Planning Policies

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

### 4.3 State Development Assessment Provisions

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

### 4.4 Planning Scheme

Under Douglas Shire Planning Scheme 2018, the subject site is included within the Rural Zone where reconfiguration development is code assessable and the boundary re-alignment proposal is consistent with Rural Zone Code provision given that no additional lots are created.

A review of the Planning Scheme Mapping and where relevant, Planning Scheme Codes has been completed and it is noted that a Planning Scheme Local Plan and the Acid Sulphate Soils Overlay, Coastal Environment Overlay and Places of Significance Overlay Maps do not relate to the land and the Vegetation Management Code does not apply to reconfiguration development. The following commentary is provided in respect of the other Codes identified as applicable in the Planning Scheme:

#### Bushfire Hazard Overlay Code

Proposed Lot 1 and the approved building envelope located on Proposed Lot 1 is not affected by the Overlay Map designations. Therefore, a further detailed review of the Overlay Code is not warranted.

#### Flood and Storm Tide Hazard Overlay Code

Proposed Lot 1 and the approved building envelope located on Proposed Lot 1 is included in the Floodplain Assessment Overlay. However, the recent record flooding in the locality provided the opportunity to determine the extent of flooding on the land and as indicated in the detail provided in **Attachment D**, Proposed Lot 1 and the approved building envelope was not impacted by flooding except for a minor southwestern corner of the lot.

Given the recent flood level information that was able to be provided, that the building envelope on Proposed Lot 1 is already approved pursuant to Development Approval SUP2941/2018 and a material change of use (MCU) for a Dwelling House on the land will be code assessable development, due to the Overlay Mapping, should any further detail be required to assess potential flood impacts and determine minimum floor levels, it is considered reasonable and appropriate to defer this requirement until the MCU application is lodged for the Dwelling House.

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#### Hillslopes Overlay Code

Part of Proposed Lot 1 and potentially part of the approved building envelope located on Proposed Lot 1 is included in the Overlay's 'Area Affected by Hillslopes.

Given that the exact portion of the site included in the Overlay's designation is not certain, the building envelope on Proposed Lot 1 is already approved pursuant to Development Approval SUP2941/2018 and a material change of use (MCU) for a Dwelling House on the land will be code assessable development, due to the Overlay Mapping, should any further detail be required to assess the Code's hillslope development requirements, it is considered reasonable and appropriate to defer this requirement until the MCU application is lodged for the Dwelling House.

#### Landscape Values Overlay Code, Natural Values Overlay Code and Potential Landslide Hazard Overlay Code

The Overlay Codes are applicable to the development, however, given that the building envelope on Proposed Lot 1 is already approved pursuant to Development Approval SUP2941/2018 and a material change of use (MCU) for a Dwelling House on the land will be code assessable development, due to the Overlay Mapping, should any further detail be required to determine compliance with the Code's requirements, it is considered reasonable and appropriate to defer this further detailed assessment until the MCU application is lodged for the Dwelling House.

#### Transport Network Overlay Code

Whyanbeel Road is identified as a Major Rural Road. Given that Proposed Lot 1 is consistent with the Part Lot and approved building envelope located on Proposed Lot 1, it is anticipated that any road related requirements have already been included in Development Approval SUP2941/2018.

#### Access, Parking and Servicing Code

The building envelope that is approved on Proposed Lot 1, pursuant to Development Approval SUP2941/2018, provides ample area for vehicle parking and is appropriately located for access.

#### Environmental Performance Code, Filling and Excavation Code, Landscaping Code

While these Codes are identified as an applicable Codes, they are not considered relevant to the boundary re-alignment development. They will be applicable for future MCU, Building Works and Operational Works Development Applications for the development of a Dwelling House on Proposed Lot 1.

#### Infrastructure Works Code

A number of the Code's provisions are applicable for future MCU and Operational Works Development Applications for the development of a Dwelling House on Proposed Lot 1. Where the Code's provisions are applicable to the reconfiguration development, a condition can be imposed on an approval to ensure compliance with the Code's requirement.

#### Reconfiguring a Lot Code

The Code's 'General Lot Design Standards' apply to the boundary re-alignment proposal and where applicable, the proposal complies with the lot design standards.

## 5. CONCLUSIONS AND RECOMMENDATIONS

This submission has been prepared on behalf of Marc and Elizabeth Showniruk (the 'applicant' and 'owner' of the land) seeking Council's approval of a boundary re-alignment proposal, to transfer parts of Proposed Lot 1 (as per Development Approval SUP2941/2018) to Lot 10 RP748614 facilitating the creation of Proposed Lots 3 and 10 on RPS Dwg PR139521-5. The boundary re-alignment proposal is dependant on the development permitted in Development Approval SUP2941/2018 being undertaken prior to or concurrent with the subject boundary re-alignment proposal.

The proposal is consistent with the Planning Scheme's provisions and is recommended for approval subject to reasonable and relevant conditions.

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

Yours sincerely

**RPS**



Owen Caddick-King

Principal Planner

enc: **Attachment A:** Development Application Form  
**Attachment B:** Certificates of Title and Local Government Agreement  
**Attachment C:** RPS Drawing PR139521-5  
**Attachment D:** Detail of Recent Flood Event

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# ATTACHMENT A

## Development Application Form

# DA Form 1 – Development application details

**Approved form (version 1.1 effective 22 JUNE 2018) made under section 282 of the Planning Act 2016.**

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

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

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

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

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

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

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

## PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) <i>(individual or company full name)</i>	Marc and Elizabeth Showniruk C/- RPS Australia East Pty Ltd
Contact name <i>(only applicable for companies)</i>	Owen Caddick-King
Postal address <i>(P.O. Box or street address)</i>	PO Box 1949
Suburb	Cairns
State	Queensland
Postcode	4870
Country	Australia
Contact number	(07) 4031 1336
Email address <i>(non-mandatory)</i>	Owen.caddick-king@rpsgroup.com.au
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	PR139521

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

## PART 2 – LOCATION DETAILS

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

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

#### 3.1) Street address and lot on plan

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

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
			Whyanbeel Road	Whyanbeel
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	10	RP748614	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
			Whyanbeel Road	Whyanbeel
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	Lots 4, 5(Pt) & 6	RP851512	Douglas Shire Council

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

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

Coordinates of premises by longitude and latitude

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

Coordinates of premises by easting and northing

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

#### 3.3) Additional premises

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

Not required

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

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

Name of water body, watercourse or aquifer:

Whyanbeel Creek

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

In a tidal area

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

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

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

Name of airport:

<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>	
EMR site identification:	
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>	
CLR site identification:	

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

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

No

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

<b>6.1) Provide details about the first development aspect</b>
a) What is the type of development? ( <i>tick only one box</i> )
<input type="checkbox"/> Material change of use <input checked="" type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? ( <i>tick only one box</i> )
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input checked="" type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment ( <i>requires public notification</i> )
d) Provide a brief description of the proposal ( <i>e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots</i> ):
Reconfiguration of a Lot – Boundary Re-alignment, transferring parts of Proposed Lot 1 (as per Development Approval SUP2941/2018) to Lot 10 RP748614 facilitating the creation of Proposed Lots 3 and 10 on RPS Dwg PR139521-5.
e) Relevant plans
<i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see <a href="#">DA Forms guide: Relevant plans</a>.</i>
<input checked="" type="checkbox"/> Relevant plans of the proposed development are attached to the development application
<b>6.2) Provide details about the second development aspect</b>
a) What is the type of development? ( <i>tick only one box</i> )
<input type="checkbox"/> Material change of use <input type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? ( <i>tick only one box</i> )
<input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment ( <i>requires public notification</i> )
d) Provide a brief description of the proposal ( <i>e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots</i> ):
e) Relevant plans
<i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see <a href="#">DA Forms Guide: Relevant plans</a>.</i>
<input type="checkbox"/> Relevant plans of the proposed development are attached to the development application



**6.3) Additional aspects of development**

- Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application
- Not required

**Section 2 – Further development details**

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

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

**Division 1 – Material change of use**

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

**8.1) Describe the proposed material change of use**

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

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

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

**Division 2 – Reconfiguring a lot**

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

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

4 lots

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

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

**10) Subdivision**

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

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

**10.2) Will the subdivision be staged?**

- Yes – provide additional details below
- No

How many stages will the works include?	
What stage(s) will this development application apply to?	

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

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

12) Boundary realignment

12.1) What are the current and proposed areas for each lot comprising the premises?

Current lot		Proposed lot	
Lot on plan description	Area (m <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )
Lot 10 on RP748614	9.9687ha	Proposed Lot 10	13.7539
Lots 4, 5(Pt) & 6 on RP851512	4.7436ha	Proposed Lot 1	4276m2

12.2) What is the reason for the boundary realignment?

Transferring parts of Proposed Lot 1 (as per Development Approval SUP2941/2018) to Lot 10 RP748614 facilitating the creation of Proposed Lots 3 and 10 on RPS Dwg PR139521-5

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

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

### Division 3 – Operational work

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

14.1) What is the nature of the operational work?

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

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

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

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

\$ \_\_\_\_\_

## PART 4 – ASSESSMENT MANAGER DETAILS

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

Douglas Shire Council

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

- Yes – a copy of the decision notice is attached to this development application
- Local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- No

## PART 5 – REFERRAL DETAILS

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

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

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

### Matters requiring referral to the **Chief Executive of the Planning Regulation 2017:**

- Clearing native vegetation
- Contaminated land (*unexploded ordnance*)
- Environmentally relevant activities (ERA) (*only if the ERA have not been devolved to a local government*)
- Fisheries – aquaculture
- Fisheries – declared fish habitat area
- Fisheries – marine plants
- Fisheries – waterway barrier works
- Hazardous chemical facilities
- Queensland heritage place (*on or near a Queensland heritage place*)
- Infrastructure – designated premises
- Infrastructure – state transport infrastructure
- Infrastructure – state transport corridors and future state transport corridors
- Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels
- Infrastructure – near a state-controlled road intersection
- On Brisbane core port land near a State transport corridor or future State transport corridor
- On Brisbane core port land – ERA
- On Brisbane core port land – tidal works or work in a coastal management district
- On Brisbane core port land – hazardous chemical facility
- On Brisbane core port land – taking or interfering with water
- On Brisbane core port land – referable dams
- On Brisbane core port land - fisheries
- Land within Port of Brisbane's port limits
- SEQ development area
- SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- SEQ regional landscape and rural production area or SEQ rural living area – community activity
- SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- SEQ regional landscape and rural production area or SEQ rural living area – combined use
- Tidal works or works in a coastal management district
- Reconfiguring a lot in a coastal management district or for a canal
- Erosion prone area in a coastal management district
- Urban design
- Water-related development – taking or interfering with water
- Water-related development – removing quarry material (*from a watercourse or lake*)
- Water-related development – referable dams
- Water-related development – construction of new levees or modification of existing levees (*category 3 levees only*)
- Wetland protection area

### Matters requiring referral to the **local government:**

- Airport land
- Environmentally relevant activities (ERA) (*only if the ERA have been devolved to local government*)

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

<b>18) Has any referral agency provided a referral response for this development application?</b>		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application		
<input 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 the development application the subject of this form, or include details in a schedule to this development application ( <i>if applicable</i> ).		

## PART 6 – INFORMATION REQUEST

<b>19) Information request under Part 3 of the DA Rules</b>
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application
<input type="checkbox"/> I do not agree to accept an information request for this development application
<b>Note:</b> <i>By not agreeing to accept an information request I, the applicant, acknowledge:</i>
<ul style="list-style-type: none"> <li>• that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties</li> <li>• Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.</li> </ul>
<i>Further advice about information requests is contained in the <a href="#">DA Forms Guide</a>.</i>

## PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)			
<input checked="" type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input type="checkbox"/> No			
List of approval/development application references	Reference number	Date	Assessment manager
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Development application	SUP2941/2018	29 January 2019	Douglas Shire Council
<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)		
<input type="checkbox"/> Yes – a copy of the receipted QLeave form is attached to this development application <input type="checkbox"/> 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 <input checked="" type="checkbox"/> Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)		
Amount paid	Date paid (dd/mm/yy)	QLeave levy number
\$		

22) Is this development application in response to a show cause notice or required as a result of an enforcement notice?
<input type="checkbox"/> Yes – show cause or enforcement notice is attached <input checked="" type="checkbox"/> No

23) Further legislative requirements	
<b><u>Environmentally relevant activities</u></b>	
23.1) Is this development application also taken to be an application for an environmental authority for an <b>Environmentally Relevant Activity (ERA)</b> under section 115 of the <i>Environmental Protection Act 1994</i> ?	
<input type="checkbox"/> 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 <input checked="" type="checkbox"/> No	
<i>Note: Application for an environmental authority can be found by searching "ESR/2015/1791" as a search term at <a href="http://www.qld.gov.au">www.qld.gov.au</a>. An ERA requires an environmental authority to operate. See <a href="http://www.business.qld.gov.au">www.business.qld.gov.au</a> for further information.</i>	
Proposed ERA number:	Proposed ERA threshold:
Proposed ERA name:	
<input type="checkbox"/> Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.	
<b><u>Hazardous chemical facilities</u></b>	
23.2) Is this development application for a <b>hazardous chemical facility</b> ?	
<input type="checkbox"/> Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application <input checked="" type="checkbox"/> No	
<i>Note: See <a href="http://www.business.qld.gov.au">www.business.qld.gov.au</a> for further information about hazardous chemical notifications.</i>	
<b><u>Clearing native vegetation</u></b>	

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

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

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](http://www.qld.gov.au) for further information on environmental offsets.

### **Koala conservation**

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

Yes

No

**Note:** See guidance materials at [www.des.qld.gov.au](http://www.des.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 Natural Resources, Mines and Energy at [www.dnrme.qld.gov.au](http://www.dnrme.qld.gov.au) for further information.

DA templates are available from <https://planning.dsdmip.qld.gov.au/>. If the development application involves:

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

### **Waterway barrier works**

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

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

No

DA templates are available from <https://planning.dsdmip.qld.gov.au/>. For a development application involving waterway barrier works, complete DA Form 1 Template 4.

### **Marine activities**

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

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

No

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

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

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

- Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development  
 No

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

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

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

- Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development  
 No

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

#### **Referable dams**

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

- Yes – the ‘Notice Accepting a Failure Impact Assessment’ from the chief executive administering the Water Supply Act is attached to this development application  
 No

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

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

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

- Yes – the following is included with this development application:
- Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)
  - A certificate of title
- No

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

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

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

- Yes – details of the heritage place are provided in the table below  
 No

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

Name of the heritage place:

Place ID:

#### **Brothels**

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

- Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*  
 No

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

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

- Yes - this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)  
 No

## PART 8 – CHECKLIST AND APPLICANT DECLARATION

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

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

## PART 9 – FOR OFFICE USE ONLY

Date received:  Reference number(s):

Notification of engagement of alternative assessment manager	
Prescribed assessment manager	
Name of chosen assessment manager	
Date chosen assessment manager engaged	
Contact number of chosen assessment manager	



Relevant licence number(s) of chosen assessment manager	
---	--

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

**ATTACHMENT B**  
Certificates of Title and Local Government Agreement

# CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 27527885

Search Date: 08/12/2017 10:39

Title Reference: 21553032

Date Created: 07/10/1993

Previous Title: 20785112

## REGISTERED OWNER

Dealing No: 717509194 13/09/2016

MARC ANTOINE SHOWNIRUK

ELIZABETH FRANCIS SHOWNIRUK JOINT TENANTS

## ESTATE AND LAND

Estate in Fee Simple

LOT 4 REGISTERED PLAN 851512  
Local Government: DOUGLAS

## EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20449063 (POR 188)  
Deed of Grant No. 20449064 (POR 188)
2. LOCAL GOVERNMENT AGREEMENT No 601479919 (T700444R) 01/09/1993  
OVER LOTS 4, 5 AND 6 ON RP851512  
UNDER SECTION 5.8 OF THE LOCAL GOVERNMENT (PLANNING AND  
ENVIRONMENT) ACT 1990

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

## CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

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

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Requested By: D-ENQ URBIS PRO

# CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 30835056

Search Date: 20/03/2019 07:24

Title Reference: 21491042

Date Created: 10/04/1992

Previous Title: 21306071

21485104

## REGISTERED OWNER

Dealing No: 707419787 28/01/2004

MARC ANTOINE SHOWNIRUK

## ESTATE AND LAND

Estate in Fee Simple

LOT 10 REGISTERED PLAN 748614  
Local Government: DOUGLAS

## EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20635051 (POR 192)  
Deed of Grant No. 20635052 (POR 192)
2. EASEMENT No 601455547 (T684648N) 23/06/1993  
BURDENING THE LAND  
TO LOT 11 ON RP742838  
OVER EASEMENT A ON RP846955
3. EASEMENT No 601461773 (T684646H) 23/06/1993  
BURDENING THE LAND  
TO LOT 12 ON RP742838  
OVER EASEMENT A ON RP846955
4. MORTGAGE No 707419792 28/01/2004 at 10:19  
WESTPAC BANKING CORPORATION A.B.N. 33 007 457 141

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

## CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

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

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Requested By: D-ENQ GLOBALX TERRAIN

# CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 27527908

Search Date: 08/12/2017 10:40

Title Reference: 21553034

Date Created: 07/10/1993

Previous Title: 21306069

## REGISTERED OWNER

Dealing No: 717509194 13/09/2016

MARC ANTOINE SHOWNIRUK

ELIZABETH FRANCIS SHOWNIRUK JOINT TENANTS

## ESTATE AND LAND

Estate in Fee Simple

LOT 6 REGISTERED PLAN 851512  
Local Government: DOUGLAS

## EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20449063 (POR 188)  
Deed of Grant No. 20449064 (POR 188)
2. LOCAL GOVERNMENT AGREEMENT No 601479919 (T700444R) 01/09/1993  
OVER LOTS 4, 5 AND 6 ON RP851512  
UNDER SECTION 5.8 OF THE LOCAL GOVERNMENT (PLANNING AND  
ENVIRONMENT) ACT 1990

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

## CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

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

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Requested By: D-ENQ URBIS PRO

# CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 27527863

Search Date: 08/12/2017 10:38

Title Reference: 21553033

Date Created: 07/10/1993

Previous Title: 21306070

## REGISTERED OWNER

Dealing No: 717509194 13/09/2016

MARC ANTOINE SHOWNIRUK

ELIZABETH FRANCIS SHOWNIRUK JOINT TENANTS

## ESTATE AND LAND

Estate in Fee Simple

LOT 5 REGISTERED PLAN 851512  
Local Government: DOUGLAS

## EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20449063 (POR 188)  
Deed of Grant No. 20449064 (POR 188)
2. LOCAL GOVERNMENT AGREEMENT No 601479919 (T700444R) 01/09/1993  
OVER LOTS 4, 5 AND 6 ON RP851512  
UNDER SECTION 5.8 OF THE LOCAL GOVERNMENT (PLANNING AND  
ENVIRONMENT) ACT 1990

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

## CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

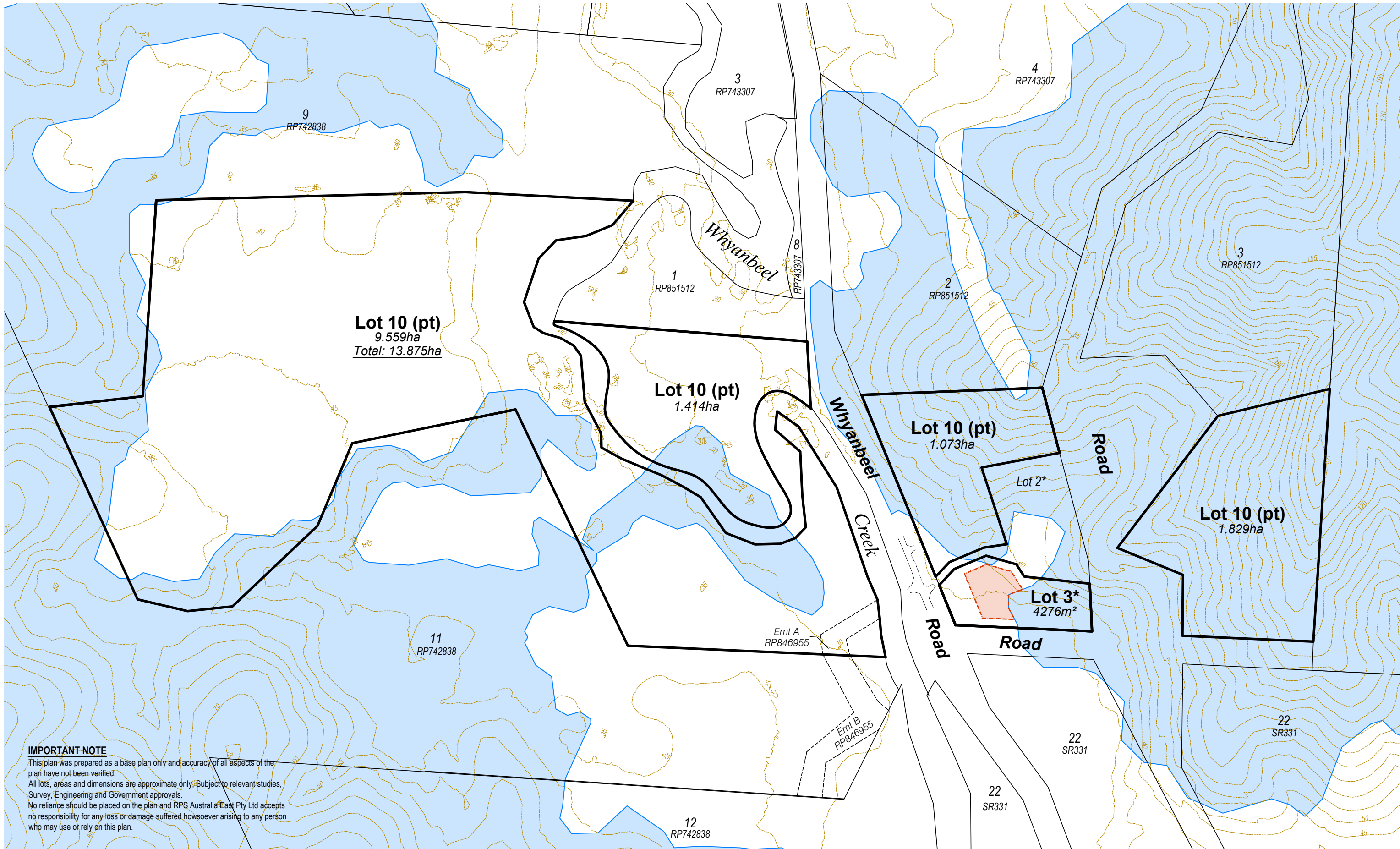
\*\* End of Current Title Search \*\*

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Requested By: D-ENQ URBIS PRO

Our ref: PR139521/OCK/SF/L78348

**ATTACHMENT C**  
RPS Drawing PR139521-5



**IMPORTANT NOTE**  
 This plan was prepared as a base plan only and accuracy of all aspects of the plan have not been verified.  
 All lots, areas and dimensions are approximate only. Subject to relevant studies, Survey, Engineering and Government approvals.  
 No reliance should be placed on the plan and RPS Australia East Pty Ltd accepts no responsibility for any loss or damage suffered howsoever arising to any person who may use or rely on this plan.



**Marc Showniruk**  
 Proposed Reconfiguration  
 Proposed Lots 3 & 10 cancelling Lot 1  
 on RPS Drawing PR139521-3 & Lot 10 on RP748614

0 25 50 75 100 125 250

**Legend**

- RVM Category B - Remnant
- Approved Building Envelope

DNRM LiDAR Contours  
 Index 5.0m

**\*NOTE:**

Proposed Lots 2 and 3 boundaries and building envelope are approved pursuant to Development Approval SUP2941/2018.

DNRM DCDB boundaries have been shifted as a best fit to the DNRM LiDAR data. Boundary & contour locations are approximate only.



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# ATTACHMENT D

## Detail of Recent Flood Event

## Owen Caddick-King

---

**From:** Owen Caddick-King  
**Sent:** Sunday, 3 February 2019 4:38 PM  
**To:** 'Daniel Lamond'  
**Subject:** Whyanbeel Creek Flooding adjacent to Lot 5 on RP851512  
**Attachments:** 16.JPG; 10\_Moment(2).jpg; 11.JPG; 12.JPG; 13\_Moment.jpg; 14\_Moment.jpg

Hello Daniel

It is expected that the flooding in Whyanbeel Creek was of a similar scale as compared to the Daintree River and it is understood that the Daintree River set a new peak flood height, higher than a 1 in 100 year event.

I have arranged for my client, the owner of Lot 5 on RP851512, to place some markers of the location of where the Whyanbeel Creek flood water reached in relation to Lot 5 on RP851512 (as indicated by flood debris or where the flood flow had bent the grass over) and to photograph the markers once placed.

As is evident from the photos, the high water mark is where the grass verge of the road rises away from the gravel formation. The flood water did not extend into the proposed lot where the building envelope has been approved. The only place the flood water broke out beyond the road verge was further south towards the cattle fence, about 10 metres passed the existing/proposed lot boundary with the unconstructed road.

As indicated last week, it would be appreciated if you could confirm that the evidence provided is adequate to address the potential issue of flooding in respect of the proposed lot where the building envelope has been approved and that the Boundary Re-alignment Application to be lodged and assessed under the current Planning Scheme will be able to rely on the evidence provided to address the Flood Overlay's assessment requirement.

Should you seek to discuss prior to responding, do not hesitate to contact me in the Cairns office.

Regards

**Owen Caddick-King**

Principal - Planning  
RPS | Australia Asia Pacific  
135 Abbott Street  
Cairns QLD 4870, Australia  
**T** +61 7 4031 1336  
**D** 07 40 311 336  
**E** [owen.caddick-king@rpsgroup.com.au](mailto:owen.caddick-king@rpsgroup.com.au)  
[rpsgroup.com](http://rpsgroup.com)



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Making complex easy. It's what we do.**























