

GMA Certification Group

BUILDING SURVEYORS

ACN 150 435 617

Leaders in Building Certification Services

CAIRNS

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15 October 2022

The Chief Executive Officer
Douglas Shire Council
PO Box 723
MOSSMAN QLD 4873

Attention: Development Assessment

Dear Sir/Madam,

Re: Application for Building Works Assessable Against a Planning Scheme & Concurrence Agency Referral for Amenities and Aesthetics.

GMA Certification Group has been engaged to assess an application for a pool and deck to be located at Penda Close, Cow Bay (Lot 274 on RP738996). The allotment is zoned Conservation Zone and is assessable against the following codes;

- Conservation Zone Code
- Cape Tribulation and Daintree Coast Local Plan Code

Further to the above, Part 1.7.4 of the Douglas Shire Planning Scheme provides amenity and aesthetics provisions for building work within hillslopes areas. Where development is located within the hillslopes areas a referral to Douglas Shire Council is required to assess the development against the following codes;

- Hillslopes Overlay Code

Accordingly, an application for Building Works Assessable Against a Planning Scheme and Amenities and Aesthetics Referral is enclosed for council's consideration which includes:

- Planning Report
- 1 x copy of plans
- DA Form 2
- DA Form 2 Referral Checklist for Building Work
- Confirmation Notice

Should you require any further information or wish to discuss the application, please contact me on 07 4098 5150 or by email adminpd@gmacert.com.au

Kind Regards

Rebekah Mulligan

www.gmacert.com.au

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DA Form 1 – Development application details

Approved form (version 1.3 effective 28 September 2020) 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) <i>(individual or company full name)</i>	Kate Agrums
Contact name <i>(only applicable for companies)</i>	Kate Agrums
Postal address <i>(P.O. Box or street address)</i>	C/- GMA Certification PO Box 2760
Suburb	Nerang
State	QLD
Postcode	4211
Country	
Contact number	C/- 4098 5150
Email address <i>(non-mandatory)</i>	
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	

2) Owner's consents	
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 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
			Penda Cl	COW BAY
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	274	RP 738996	Douglas Shire Council
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. Only one set of coordinates is required for this part.

- ☐ Coordinates of premises by longitude and latitude

Longitude(s)	Longitude(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

Longitude(s)	Longitude(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

<input type="checkbox"/>	In or adjacent to a water body or watercourse or in or above an aquifer	Name of water body, watercourse or aquifer:	
<input type="checkbox"/>	On strategic port land under the <i>Transport Infrastructure Act 1994</i>	Lot on plan description of strategic port land:	
		Name of port authority for the lot:	
<input type="checkbox"/>	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="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? <i>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.</i>	
<input type="checkbox"/> Yes – All easement locations, types and dimensions are included in plans submitted with this development application	
<input checked="" type="checkbox"/> 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? <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 checked="" 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>			
New Construction of Swimming Pool & New Construction of Deck			
e) Relevant plans <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms guide: Relevant plans.</i>			
<input checked="" type="checkbox"/> 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? <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 DA Forms guide: Relevant plans.</i>			
<input type="checkbox"/> Relevant plans of the proposed development are attached to the development application			
6.3) Additional aspects of development			
<input type="checkbox"/> 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			
<input checked="" type="checkbox"/> 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 type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input checked="" type="checkbox"/> Yes – complete DA Form 2 – <i>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 ²) (<i>if applicable</i>)

8.2) Does the proposed use involve the use of existing buildings on the premises?	
<input type="checkbox"/> Yes	
<input checked="" 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?				

9.2) What is the nature of the lot reconfiguration? (<i>tick all applicable boxes</i>)	
<input type="checkbox"/> Subdivision (<i>complete 10</i>)	<input type="checkbox"/> Dividing land into parts by agreement (<i>complete 11</i>)
<input 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?	
<input type="checkbox"/> Yes	
<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"/> 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	
GMA Certification	
16) Has the local government agreed to apply a superseded planning scheme for this development application?	
<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application	
<input type="checkbox"/> Local government is taken to have agreed to the superseded planning scheme request – relevant documents attached	
<input checked="" type="checkbox"/> No	

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 Act 2016:**

- ☐ 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
- ☐ 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 corridors and future State transport corridors
- ☐ 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
- ☐ 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 – 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*)
- ☐ 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 Part 3 of the DA Rules
<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
Note: By not agreeing to accept an information request I, the applicant, acknowledge: <ul style="list-style-type: none"> • that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties • Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules. Further advice about information requests is contained in the DA Forms Guide.

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)			
<input type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input checked="" type="checkbox"/> 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)		
<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 (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?	
<input type="checkbox"/> Yes – show cause or enforcement notice is attached <input checked="" type="checkbox"/> No	

23) Further legislative requirements	
<u>Environmentally relevant activities</u>	
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 <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 www.qld.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au 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.	
<u>Hazardous chemical facilities</u>	
23.2) Is this development application for a hazardous chemical facility?	
<input type="checkbox"/> Yes – <i>Form 69: Notification of a facility exceeding 10% of schedule 15 threshold</i> is attached to this development application <input checked="" type="checkbox"/> No	
<i>Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.</i>	

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 within an assessable development area 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.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 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 <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 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 and Science at 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 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 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 for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
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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

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

23.16) 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.dsdmip.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 ☒ Yes

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](#)

Relevant plans of the development are attached to this development application ☒ Yes

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

The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21) ☐ Yes
☒ Not applicable

25) Applicant declaration

- ☒ 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		

DA Form 2 – Building work details

Approved form (version 1.2 effective 7 February 2020) made under Section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving building work**.

For a development application involving **building work only**, use this form (DA Form 2) only. The DA Forms Guide provides advice about how to complete this form.

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

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>	Kate Agrums
Contact name <i>(only applicable for companies)</i>	Kate Agrums
Postal address <i>(PO Box or street address)</i>	282 Mowbray River Rd
Suburb	MOWBRAY
State	QLD
Postcode	4877
Country	
Contact number	na
Email address <i>(non-mandatory)</i>	info@daintreemagic.com.au
Mobile number <i>(non-mandatory)</i>	0409 634 890
Fax number <i>(non-mandatory)</i>	na
Applicant's reference number(s) <i>(if applicable)</i>	

PART 2 – LOCATION DETAILS

2) Location of the premises <i>(complete 2.1 and/or 2.2 if applicable)</i>	
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 .	
2.1) Street address and lot on plan	
<input checked="" type="checkbox"/> Street address AND lot on plan <i>(all lots must be listed)</i> , OR	
<input type="checkbox"/> Street address AND lot on plan for an adjoining or adjacent property of the premises <i>(appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon. All lots must be listed)</i> .	

Unit No.	Street No.	Street Name and Type	Suburb
		Penda CI	COW BAY
Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
4873	274	RP 738996	Douglas Shire Council

2.2) 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

3) 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 the [DA Forms Guide](#)

- ☐ Yes – All easement locations, types and dimensions are included in plans submitted with this development application
- ☐ No

PART 3 – FURTHER DETAILS

4) Is the application only for building work assessable against the building assessment provisions?

- ☐ Yes – (proceed to 8)
- ☐ No

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

6) 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

7) Information request under Part 3 of the DA Rules

- ☐ I agree to receive an information request if determined necessary for this development application
- ☐ I do not agree to accept an information request for this development application
- Note:** By not agreeing to accept an information request I, the applicant, acknowledge:
- that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties.
 - Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.
- Further advice about information requests is contained in the [DA Forms Guide](#).

8) Are there any associated development applications or current approvals?

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

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

9) Has the portable long service leave levy been paid?

- ☐ 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 (A, B or E)
\$		

10) 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
--

11) Identify any of the following further legislative requirements that apply to any aspect of this development application			
<input type="checkbox"/> The proposed development is on a place entered in the Queensland Heritage Register or in a local government's Local Heritage Register . See the guidance provided at www.des.qld.gov.au about the requirements in relation to the development of a Queensland heritage place			
Name of the heritage place:		Place ID:	

PART 4 – REFERRAL DETAILS

12) Does this development application include any building work aspects that have any referral requirements? <input type="checkbox"/> Yes – the Referral checklist for building work is attached to this development application <input type="checkbox"/> No – proceed to Part 5

13) 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 type="checkbox"/> No		
Referral requirement	Referral agency	Date referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and the development application the subject of this form, or include details in a schedule to this development application (if applicable)		

PART 5 – BUILDING WORK DETAILS

14) Owner's details <input type="checkbox"/> Tick if the applicant is also the owner and proceed to 15). Otherwise, provide the following information.	
Name(s) (individual or company full name)	Kate Agrums
Contact name (applicable for companies)	Kate Agrums
Postal address (P.O. Box or street address)	282 Mowbray River Rd
Suburb	MOWBRAY
State	QLD
Postcode	4877
Contact number	na
Email address (non-mandatory)	info@daintreemagic.com.au
Mobile number (non-mandatory)	0409 634 890
Fax number (non-mandatory)	na

15) Builder's details

☐ Tick if a builder has not yet been engaged to undertake the work and proceed to 16). Otherwise provide the following information.

Name(s) <i>(individual or company full name)</i>	Papillion Landscaping
Contact name <i>(applicable for companies)</i>	
QBCC licence or owner – builder number	
Postal address <i>(P.O. Box or street address)</i>	
Suburb	
State	
Postcode	
Contact number	
Email address <i>(non-mandatory)</i>	
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	

16) Provide details about the proposed building work

a) What type of approvals is being sought?

- ☒ Development permit
☐ Preliminary approval

b) What is the level of assessment?

- ☒ Code assessment
☐ Impact assessment *(requires public notification)*

c) Nature of the proposed building work (tick all applicable boxes)

- | | |
|---|---|
| <input checked="" type="checkbox"/> New building or structure | <input type="checkbox"/> Repairs, alterations or additions |
| <input type="checkbox"/> Change of building classification <i>(involving building work)</i> | <input checked="" type="checkbox"/> Swimming pool and/or pool fence |
| <input type="checkbox"/> Demolition | <input type="checkbox"/> Relocation or removal |

d) Provide a description of the work below or in an attached schedule.

New Construction of Swimming Pool & New Construction of Deck

e) Proposed construction materials

External walls	<input type="checkbox"/> Double brick <input type="checkbox"/> Brick veneer <input type="checkbox"/> Stone/concrete	<input type="checkbox"/> Steel <input type="checkbox"/> Timber <input type="checkbox"/> Fibre cement	<input type="checkbox"/> Curtain glass <input type="checkbox"/> Aluminium <input type="checkbox"/> Other
Frame	<input type="checkbox"/> Timber <input type="checkbox"/> Other	<input type="checkbox"/> Steel	<input type="checkbox"/> Aluminium
Floor	<input type="checkbox"/> Concrete	<input type="checkbox"/> Timber	<input type="checkbox"/> Other
Roof covering	<input type="checkbox"/> Slate/concrete <input type="checkbox"/> Aluminium	<input type="checkbox"/> Tiles <input type="checkbox"/> Steel	<input type="checkbox"/> Fibre cement <input type="checkbox"/> Other

f) Existing building use/classification? *(if applicable)*

g) New building use/classification? (if applicable)		
10b & 10b		
h) 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 .		
<input type="checkbox"/> Relevant plans of the proposed works are attached to the development application		
17) What is the monetary value of the proposed building work?		
15,000.00		
18) Has Queensland Home Warranty Scheme Insurance been paid?		
<input type="checkbox"/> Yes – provide details below		
<input type="checkbox"/> No		
Amount paid	Date paid (dd/mm/yy)	Reference number
\$		

PART 6 – CHECKLIST AND APPLICANT DECLARATION

19) Development application checklist	
The relevant parts of <i>Form 2 – Building work details</i> have been completed	<input checked="" type="checkbox"/> Yes
This development application includes a material change of use, reconfiguring a lot or operational work and is accompanied by a completed <i>Form 1 – Development application details</i>	<input type="checkbox"/> Yes <input type="checkbox"/> Not applicable
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	<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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
20) 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>	
Note: It is unlawful to intentionally provide false or misleading information.	
<p>Privacy – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any 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.</p> <p>All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.</p> <p>Personal information will not be disclosed for a purpose unrelated to the <i>Planning Act 2016</i>, <i>Planning Regulation 2017</i> and the DA Rules except where:</p> <ul style="list-style-type: none"> 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 required by other legislation (including the <i>Right to Information Act 2009</i>); or otherwise required by law. <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 7 –FOR COMPLETION BY THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

Date received: Reference numbers:

For completion by the building certifier		
Classification(s) of approved building work		
10b & 10b		
Name	QBCC Certification Licence number	QBCC Insurance receipt number
GMA Certification Group		

Notification of engagement of alternate chosen 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	

Additional information required by the local government				
Confirm proposed construction materials:				
External walls	<input type="checkbox"/> Double brick	<input type="checkbox"/> Steel	<input type="checkbox"/> Curtain glass	
	<input type="checkbox"/> Brick veneer	<input type="checkbox"/> Timber	<input type="checkbox"/> Aluminium	
	<input type="checkbox"/> Stone/concrete	<input type="checkbox"/> Fibre cement	<input type="checkbox"/> Other	
Frame	<input type="checkbox"/> Timber	<input type="checkbox"/> Steel	<input type="checkbox"/> Aluminium	
	<input type="checkbox"/> Other			
Floor	<input type="checkbox"/> Concrete	<input type="checkbox"/> Timber	<input type="checkbox"/> Other	
Roof covering	<input type="checkbox"/> Slate/concrete	<input type="checkbox"/> Tiles	<input type="checkbox"/> Fibre cement	
	<input type="checkbox"/> Aluminium	<input type="checkbox"/> Steel	<input type="checkbox"/> Other	

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 (dd/mm/yy)	
Date receipted form sighted by assessment manager			
Name of officer who sighted the form			

Additional building details required for the Australian Bureau of Statistics			
Existing building use/classification? (if applicable)			
New building use/classification?			
Site area (m ²)	11800	Floor area (m ²)	108

Referral checklist for building work

This referral checklist is required where any aspect of building work for a development application requires referral as identified in *DA Form 2 – Building work details*.

All relevant referral requirements for the development application are to be identified on this checklist. This checklist is to accompany *DA Form 2 – Building work details* for all development applications for building work that require referral.

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

1) Referral requirements relevant to any building work identified on *DA Form 2 – Building work details*

Note: The Planning Regulation 2017 will determine if referral is required for a development application.

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

- ☐ Premises seaward of coastal building line
- ☐ Declared fish habitat area
- ☐ State transport corridor
- ☐ Future State transport corridor
- ☐ Queensland heritage place
- ☐ Koala habitat in SEQ region

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

- ☒ Particular class 1 and 10 buildings and structures involving possible amenity and aesthetic impacts
- ☐ Particular buildings for residential purposes
- ☐ Design and siting
- ☐ Fire safety in particular budget accommodation buildings
- ☐ Higher risk personal appearance services
- ☐ Building work for residential services
- ☐ Building work for removal or rebuilding
- ☐ Building work for particular class 1 buildings relating to material change of use
- ☐ Temporary accommodation buildings
- ☐ Building work relating to end of trip facilities for Queensland Development Code, part 4.1
- ☐ Building work for class 1 building on premises with on-site wastewater management system
- ☐ Flood hazard area
- ☐ Local heritage place

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

- ☐ Fire safety systems – special fire services required or alternative solution proposed
- ☐ Fire safety systems – budget accommodation building
- ☐ Fire safety systems – residential care building
- ☐ Water-based fire safety installations
- ☐ Fire safety for farm buildings

Matters requiring referral to **Safe Food Production QLD**:

- ☐ Retail meat premises

Matters requiring referral to the **Chief Health Officer under the Hospital and Health Boards Act 2011**:

- ☐ Private health facilities

Matters requiring referral to the **Chief Executive of the Pastoral Workers' Accommodation Act 1980**:

- ☐ Pastoral workers' accommodation

Matters requiring referral to the **relevant service provider**:

- ☐ Building work over or near relevant infrastructure relating to Queensland Development Code, part 1.4



GMA Certification Group

BUILDING SURVEYORS

A.C.N 150 435 617

Leaders in Building Certification Services



Port Douglas Office

P: 07 4098 5150 **F:** 07 4098 5180 **E:** adminpd@gmcert.com.au

Unit 5, Owen Street

Craigie Business Park Craigie

PO Box 2760 Nerang QLD 4211

15 Oct 2022

Kate Agrums
282 Mowbray River Rd
MOWBRAY QLD 4877

Dear Kate

Confirmation notice

Re: GMA Certification Group Ref No. 20223908
Lot 274 on RP 738996
Penda CI COW BAY 4873
Development Permit for Building Works for Swimming Pool & Deck

The development application described above was properly made to the GMA Certification Group on 04 Oct 2022

Public notification details

Part 4 of the Development Assessment Rules is not applicable to this development application.

Referral details

Part 2 of the Development Assessment Rules is applicable. GMA, as the assessment manager intent to make an information request (where applicable) and the applicant has not indicated that they do not wish to receive an information request.

The development application must be referred to all relevant referral agency(s) within 10 business days starting the day after receiving this notice, or a further period agreed with the assessment manager; otherwise the application will lapse under section 31 of the Development Assessment Rules.

Yours sincerely

Rebekah Mulligan
GMA Certification Group

Planning Report

Application for Building Works Assessable Against the Planning Scheme and Amenities and Aesthetics Referral for the purpose of a Pool and Deck on land described as Lot 274 Penda Close, Cow Bay (Lot 274 on RP738996)

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1.0 Application Details

Table 1. Summary of relevant details of the application.

Applicant	Kate Agrums
Registered Owner of Land	Kate Agrums
Contact	Rebekah Mulligan GMA Certification Group Pty Ltd PO Box 831 PORT DOUGLAS Q 4877 Ph 07 4098 5150
Real Property Description	Lot 274 on SP738996
Location	Penda Close, Cow Bay
Tenure	Free Hold
Total Area	11,800m ²
Present Use	Existing Dwelling House
Contaminated Lands or Environmental Management Registers	Nil
Easements and Encumbrances	None
Proposal	Development Permit for a Pool and Deck
Local Government Authority	Douglas Shire Council
Planning Scheme	Douglas Shire Planning Scheme 2018 Version 1.0
Planning Area	Conservation Zone Cape Tribulation/Daintree Coast Local Plan Precinct 1
Overlays	Hillslopes Landscape Values – High Landscape Values Natural Areas – MSES Regulated Vegetation (intersecting a watercourse and Wildlife Habitat) Transport Road Hierarchy – Access Road

2.0 Proposed Development

The application seeks a Development Permit a pool and deck to be used in conjunction with the existing dwelling on the subject allotment.

The attached plans illustrate:

- Site plan, indicating the location of the proposed pool and deck; and,
- Details floor layout

3.0 Level of Assessment

The proposed development is ‘assessable development’ under the Douglas Shire Planning Scheme and as defined in the Planning Act 2016.

Under the provisions of the Planning Act and the Douglas Shire Planning Scheme, the following level of assessment is applicable, in accordance with the IDAS process:

- ‘Code Assessable’ – Building Works for the purpose of a pool and deck within the Conservation Zone

4.0 Planning Considerations

The Planning Act 2016, provides a legislative framework within Queensland for local and state authorities to assess development applications. Relevant matters within the Planning Act with respect to the application are considered below.

4.1 Douglas Shire Planning Scheme Code Assessment

4.1.1 Assessment under Douglas Shire Council – Conservation Zone Code

The purpose of the Conservation Zone Code is to provide for the protection, restoration and management of areas identified as supporting significant biological diversity and ecological integrity.


The purpose of the code will be achieved through the following overall outcomes:

- Biological diversity, ecological integrity and scenic amenity are protected;
- Any recreational or other uses of areas that are in the control of the Crown, or the Council, such as reserves, national parks and the Wet Tropics World Heritage Area or areas adjacent to these areas, are consistent with the management plans of the controlling authority so that conservation and scenic values of these areas are not adversely affected;
- Any use of land in private ownership does not affect the environmental, habitat, conservation or scenic values of that land or surrounding area;
- Any low intensity facilities based on the appreciation of the natural environment or nature based recreation only establish where there is a demonstrated need and provided they have a minimal impact on the environmental and scenic amenity values of the site or surrounding area.
- The provisions of the Return to Country Local Plan facilitate economic and social opportunities on traditional Indigenous lands;
- Further lot reconfigurations other than amalgamations, boundary realignments to resolve encroachments, or for the practical needs of essential community infrastructure, or to facilitate Return to Country outcomes do not occur

The following table represents an assessment of the proposal with respect to the Douglas Shire Council Conservation Zone Code with consideration to the purpose of the Code.

Table 2. Assessment against the Douglas Shire Council Conservation Zone Code

Performance Criteria	Acceptable Solutions	Compliance
PO1 The establishment of uses is consistent with the outcomes sought for the Conservation zone and protects the zone from the intrusion of inconsistent uses.	AO1 Uses identified in Table 6.2.3.3.b are not established in the Conservation zone.	Existing use is an approved Dwelling House which is permitted to be established within the Conservation Zone. No changes to the use is proposed.
PO2 The height of buildings is compatible with the character of the area and does not adversely affect the amenity of the area.	AO2 Buildings and structures are not more than 8.5 metres in height and two storeys.	The maximum height of the deck is 1.3m plus balustrade/pool fencing height of a maximum of 1.2m.
PO3 Development is setback from site boundaries so they are screened from view from the boundaries of adjoining properties and adjoining roads to maintain the scenic values of the area.	AO3 Buildings and structures are setback not less than: (a) 40 metres from the frontage of a State controlled road, existing or proposed arterial road, existing or proposed sub-arterial road, as identified on the Transport network overlay maps contained in Schedule 2; (b) 25 metres from Cape Tribulation Road frontage; (c) 20 metres from any other road frontage	The deck and pool are proposed to be; (a) 10m from the Western boundary (b) Est 37m from the Southern boundary (c) Est 112m from the Northern Kauri Close boundary (d) Est 40m from the North Eastern Penda Close boundary The location proposed has been chosen as it is an existing cleared area and is shielded from view

Performance Criteria	Acceptable Solutions	Compliance
	1. (d) 10 metres from side and rear boundaries.	from the streets and neighbouring residences by the existing vegetation.
PO4 The site coverage of all buildings and structures does not have an adverse effect on the conservation or scenic amenity values of the site and surrounding area and buildings are subservient to the natural environment.	AO4 Development is sited in an existing cleared area or an area approved for clearing, but which is not yet cleared until a development permit to carry out Building Works is issued. Any clearing is limited to a maximum area of 700m2 and is sited clear of the high bank of any watercourse.	The pool and deck are proposed to be constructed in an existing cleared area as shown below and in Appendix B of this report. 
PO5 Development is consistent with the overall outcomes sought for the Conservation zone.	AO5 No acceptable outcomes are prescribed.	As shown by this report, the pool and deck are consistent with the overall outcomes sought for the Conservation zone.
PO6 Development complements, and is subservient to the surrounding environment and is in keeping with the ecological, landscape and scenic values of the area.	AO6 The exterior finishes and colours of all development are non-reflective and consist of colours that blend easily with surrounding native vegetation and view-shed.	
PO7 Development is screened from view from adjoining roads and properties with a dense screen of endemic/native landscape which: (a) is informal in character and complementary to the existing natural environment; (b) provides screening; (c) enhances the visual appearance of the development.	AO7.1 For any development, the balance area of the site not built upon, including all setback areas must be landscaped/revegetated with dense three tier, endemic planting which is maintained to ensure successful screening is achieved. AO7.2 Endemic palm species, where used, are planted as informal accent features and not as avenues and not in a regular pattern.	The natural vegetation surrounding the development site is proposed to be retained ensuring the existing level of screening is maintained. The vegetation on the site is a thick tropical rainforest environment.
P08 Development is complementary to the surrounding environment.	AO8.1 Development harmonises with the surrounding environment, for example, through suspended, light-weight construction on sloping sites, which requires minimal excavation or fill. AO8.2 A driveway or parking areas are constructed and maintained to:	The deck and pool are proposed to be constructed with minimal changes to the natural landfalls. The land on which the development is proposed was developed and levelled as part of the original dwelling approval and construction.

Performance Criteria	Acceptable Solutions	Compliance
	<p>(a) minimise erosion, particularly in the wet season;</p> <p>(b) minimise cut and fill;</p> <p>(c) follow the natural contours of the site;</p> <p>(d) minimise vegetation clearing.</p> <p>(e) AO8.3 Buildings and structures are erected on land not exceeding a maximum gradient of 1 in 6 (16.6%)</p> <p>or</p> <p>On land steeper than 1 in 6 (16.6%) gradient:</p> <p>(a) A split level building form is utilised;</p> <p>(b) A single plane concrete slab is not utilised;</p> <p>(c) Any voids between building and ground level, or between outdoor decks and ground level are screened from view using lattice/battens and/or landscaping and</p> <p>(d) is accompanied by a Geotechnical Report prepared by a qualified engineer at development application stage which includes certification that the site can be stabilised, followed by a certificate upon completion of works.</p> <p>AO8.4 Buildings and structures are sited below any ridgelines and are sited to avoid protrusion above the surrounding tree-level canopy.</p>	
<p>PO9 Development is located to:</p> <p>(a) protect the ecological values of the site and surrounding land;</p> <p>(b) maintain the scenic values of the area;</p> <p>(c) maintain appropriate setbacks to waterways, watercourses, wetlands, tidal areas and overland flow paths;</p> <p>(d) avoid areas that are vulnerable to natural hazards;</p> <p>(e) minimise to the greatest extent possible on site excavation and filling;</p>	<p>AO9 No acceptable outcomes are prescribed.</p>	<p>The pool and deck are proposed to be constructed in an existing cleared area to ensure the ecological value of the land is maintained. The development is shielded from view from roads and neighbouring residences due to the existing natural vegetation. The development site is not proposed near any waterways, watercourses, wetlands or tidal areas.</p>

Performance Criteria	Acceptable Solutions	Compliance
<p>(f) provide buffers to cultural, historical or ecological features;</p> <p>(g) minimise visibility from external sites or public viewing points;</p> <p>2. (h) minimises to the greatest extent possible the loss of native vegetation and fauna habitat.</p>		
<p>PO10 Development does not result in adverse impacts on:</p> <p>a) ecological function or features;</p> <p>b) on-site or surrounding waterways and wetlands</p>	<p>AO10 No acceptable outcomes are prescribed.</p>	<p>The pool and deck are proposed to be constructed in an existing cleared area to ensure the ecological value of the land is maintained. The development is shielded from view from roads and neighbouring residences due to the existing natural vegetation. The development site is not proposed near any waterways, watercourses, wetlands or tidal areas.</p> <p>The development will not cause an adverse affect on the natural environment of the site or surrounding natural environments.</p>
<p>PO11 Rehabilitation of natural processes on disturbed sites is undertaken to improve the environmental integrity of the area.</p>	<p>AO11 No acceptable outcomes are prescribed</p>	<p>The pool and deck are proposed on an existing cleared area. No additional clearing or disturbance is proposed.</p>
<p>PO12 Fencing is designed to not impede the free movement of native fauna through the site.</p>	<p>AO12 No acceptable outcomes are prescribed.</p>	<p>Pool fencing is proposed to be within the existing cleared area and kept to a minimum. No other fencing is proposed as part of this application and will not impede the movement of native fauna.</p>
<p>PO13 New lots contain a minimum lot size of 200 hectares, unless:</p> <p>(a) the lot reconfiguration results in no additional lots (e.g. amalgamation, boundary realignments);</p> <p>(b) the reconfiguration is limited to one additional lot to accommodate an existing or approved:</p> <p>(i) Telecommunications facility;</p> <p>(ii) Utility installation;</p> <p>a) (c) the lot reconfiguration facilitates and outcome consistent with the Return to Country local plan.</p>	<p>AO13 No acceptable outcomes are prescribed.</p>	<p>No reconfiguration of a lot is proposed.</p>

4.1.2 Assessment under Douglas Shire Council Cape Tribulation & Daintree Coast Local Plan Code

The purpose of the Code is to retain the attraction of the area as a very low-key, largely undeveloped nature-based recreation environment, based on the exploration and appreciation of the natural environment and to ensure that any development that does occur is appropriate and does not place additional pressures on the values of area.

The purpose of the code will be achieved through the following overall outcomes:

- a) areas within the local plan are appropriately managed to protect biological diversity, water catchment quality, ecological functioning, beach protection and coastal management, scenic amenity, and historical and cultural values;
- b) the natural character of the locality is protected, and where degraded, restored or enhanced;
- c) new development does not occur, with the exception of development located within, and consistent with the respective precinct intents for the conservation precinct.
- d) where development occurs it is:
 - a. very low scale and remains within the limits imposed by the vehicular capacity of the Daintree River ferry crossing, the Alexandra Range road crossing and the local road network;
 - b. sensitive and sympathetic to its remote location in an area of unique biodiversity, ecological, conservation and scenic amenity value;
 - c. self-contained through the use of appropriate on-site or nearby rain water collection and storage, sewerage treatment and electricity generation;
- e) adequate services and facilities for settlement areas and an appropriate level of economic opportunity for local residents are provided

The purpose of Precinct 1 as detailed on the Local Plan maps contained in Schedule 2 is to provide for the protection, restoration and management of areas identified as supporting significant biological diversity and ecological integrity.

The overall outcomes sought for Precinct 1 are to:

- a) ensure the conservation, protection and restoration of biological diversity and ecological integrity values of land, and to maintain scenic amenity values;
- b) ensure that further incompatible development, including houses, does not occur;
- c) ensure that where development does occur, it does not adversely affect environmental and scenic amenity values and is in keeping with the natural characteristics of the land.

The following table represents an assessment of the proposal with respect to the Cape Tribulation and Daintree Coast Local Plan Code with consideration of the purpose of the code.

Table 3. Assessment against the Douglas Shire Council Cape Tribulation and Daintree Coast Local Plan Code

Performance Outcome	Acceptable Solutions	Compliance
PO1 Development does not result in a demand which exceeds the capacity of: <ol style="list-style-type: none"> (a) the Daintree River ferry crossing; (b) Alexandra Range Road; (c) the local road network. 	AO1 No acceptable outcomes are prescribed.	No increase in use of the land is proposed. No increases in the demand of the Daintree River ferry crossing or roads is proposed.
PO2 Development provides a suitable standard of self-sufficient service for: <ol style="list-style-type: none"> (a) potable water; (b) water for fire fighting purposes; (c) electricity supply. 	AO2.1 Water storage is provided in tank/s with a minimum capacity to service the proposed use, including fire fighting capacity, and access to the tank/s for fire trucks. Tank/s are to be: <ol style="list-style-type: none"> (a) fitted with a 50mm ball valve and camlock fitting; (b) installed and connected prior to occupation; 	The existing residence is an approved structure with an existing water tank provided to service the dwelling including any outbuildings, decks and pools. Further to this, the pool water may be used by QFES in the event of a fire is required.

Performance Outcome	Acceptable Solutions	Compliance
	<p>(c) sited so as to be visually unobtrusive.</p> <p>AO2.2 Water storage tanks are to be fitted with screening at their inlets to prevent the intrusion of leaves and insects.</p> <p>AO2.3 An environmentally acceptable and energy efficient power supply is constructed, installed and connected prior to occupation and sited so as to be screened from the road.</p>	
PO3 On-site waste water does not adversely impact on the environmental quality of the water and soil resources or amenity of residents, through the implementation of best environmental practice.	AO3 No acceptable outcomes are prescribed.	No changes to the existing waste water system is proposed
PO4 The sustainability of the natural water resources of the area is protected for ecological and domestic consumption purposes.	<p>AO4.1 If groundwater is to be used, development is limited to one bore per site and the bore is: not located within 100 metres of a septic disposal trench (on the site or adjoining sites); not located within 100 metres of another bore.</p> <p>AO4.2 Surface water is to be used for domestic purposes only.</p>	No changes to the water source servicing the dwelling and outbuildings are proposed.
PO5 Development does not adversely impact on areas of sensitive natural vegetation, foreshore areas, watercourses and/or areas of tidal inundation.	AO5 No acceptable outcomes are prescribed.	The development will not impact on the existing natural vegetation due to the construction being proposed within an existing cleared area. No impact to any watercourses or tidal waters will be caused by the development.
PO6 Development is subservient to the surrounding natural environment in scale and intensity and is designed to be functional in a humid tropical rainforest environment.	<p>AO6.1 The exterior finishes and colours of buildings are non-reflective and complement the colours of the surrounding vegetation and view shed.</p> <p>AO6.2 The noise of generators is controlled by design, or the generator is enclosed within a sound insulated building with a residential approved muffler. The noise level generated is less than 65 dBA when measured from a distance of 7 metres.</p> <p>AO6.3 Any fuel storage associated with an on-site generator, with storage of 20 litres or more of fuel, is enclosed with a building and provided with a bund.</p>	<p>The proposed exterior finishes and colours are;</p> <p>Pool – Exposed concrete with the possibility of painting a colorbond berch to match the existing dwelling.</p> <p>Deck – Natural timbers</p> <p>Balustrade/Pool Fencing – Black Aluminium</p> <p>No generators are proposed.</p> <p>No fuel storage is proposed.</p>

Performance Outcome	Acceptable Solutions	Compliance
PO7 Landscaping of the development ensures that the endemic character of the local area is dominant.	<p>AO7.1 Landscaping complies with the requirements of Planning Scheme Policy 7 – Landscaping;</p> <p>AO7.2 All of the existing landscaping to be retained and all of the proposed landscaping is 100% endemic or native species and the details are provided on a landscape plan.</p>	No changes to the existing landscaping is proposed. The deck and pool is proposed to be constructed wholly within the existing clear area on the premises.
PO8 Site access driveways and roads within the local plan area are retained as safe, slow speed, scenic drives.	<p>AO8.1 Site access driveways and existing or proposed roads comply with the relevant requirements of Planning Scheme Policy 5 – FNQROC Development Manual and are maintained as low speed gravel roads to maintain the scenic drive experience and to discourage the use of roads by through-traffic;</p> <p>AO8.2 Where existing roads/tracks are 4-wheel drive only, upgrading to facilitate conventional vehicles and an increase in through traffic does not occur.</p>	No changes to the existing driveways or roads/tracks are proposed.
PO9 The on-site impacts on natural flow regimes and erosion and sedimentation are minimised.	<p>AO9.1 Filling and excavation is kept to a minimum and involves not more than 5% of the cleared area of the lot.</p> <p>AO9.2 All exposed surfaces must incorporate erosion and sediment controls during construction and must be maintained until revegetation, or other permanent stabilisation, has occurred.</p> <p>AO9.3 This is no disturbance to tree roots and trenching does not involve any damage to tree roots.</p> <p>AO9.4 On-site drainage and stormwater management:</p> <ul style="list-style-type: none"> (a) maintains natural flow regimes; (b) minimises impervious surfaces; (c) avoids concentration of flows, but where there is any form of concentration of flow, energy dissipation measures are installed at the outlet to avoid erosion (e.g. rock rip rap, gravel beds, diffusers etc.) 	<p>No additional fill or excavation is proposed as the land where the pool and deck is to be constructed is an existing level pad created as part of the development of the dwelling.</p> <p>Any areas of cuts/fills are proposed to be revegetation and maintained. No cut/fills require retaining walls.</p> <p>No disturbance to vegetation is proposed. The development will be contained within the existing cleared areas.</p> <p>The development is largely open construction allowing for the natural flows of water to be maintained. The areas of the enclosed pool is minimum in nature and will not drastically impact on the natural flows.</p>

Performance Outcome	Acceptable Solutions	Compliance
PO10 Development minimises the loss of vegetation and habitat connectivity on site and is sited to protect the environmental values of the site.	<p>AO10.1 The elements of development and access to the site are included in a Designated Development Area (DDA).</p> <p>AO10.2 Development is sited in an existing cleared area or in an area approved for vegetation clearing.</p> <p>AO10.3 Any new clearing is limited to a maximum area of 700m² and is sited to be clear of the high bank of any watercourse.</p>	The development will be contained wholly within the existing cleared area. No additional clearing is proposed.
PO11 All existing native vegetation on a house site, other than that required and approved to be cleared for the construction of a house and access thereto, is protected to ensure the environmental integrity of the local plan area.	AO11 No acceptable solutions are prescribed.	The development will be contained wholly within the existing cleared area. No additional clearing is proposed.
PO12 Wildlife movement, fauna habitat and habitat corridors are protected and domestic impacts are minimised.	<p>AO12.1 Fences are limited in extent to the confines of the cleared area around the house and any associated gates are self-closing.</p> <p>AO12.2 External lighting is to be kept to the minimum necessary for orientation, safety and security. Flood lights must not point up, and areas of retained vegetation should, in general, not be illuminated. Where appropriate, outdoor lights are controlled by movement detectors and/or timers.</p>	<p>Pool fencing is proposed to be within the existing cleared area and kept to a minimum. The proposed fencing is black aluminium fencing allowing small animals through the vertical bars. No other fencing is proposed as part of this application. All construction is to be contained wholly within the existing cleared area. Pool fencing gates are required to be self-closing.</p> <p>No outdoor lighting is proposed</p>
PO13 House sites have efficient and safe vehicle access and manoeuvring areas on site, and to the site, to an acceptable standard for the local plan area.	<p>AO13.1 Vehicle access is limited to one access per lot and sited in an approved location, clear of any watercourses.</p> <p>AO13.2 Vehicular access is a maximum width of 4 metres, avoids large tree specimens and/or significant vegetation and habitat corridors and is constructed and maintained to a minimum gravel standard of 75mm of road base on a compacted soil surface.</p> <p>AO13.3 Vehicular access is constructed prior to house construction.</p>	Vehicular access is existing and is not proposed to be altered.
PO18 The biodiversity value of the area and the habitat of endemic species is protected on land included in the Rainforest Conservation precinct.	AO18 No new development occurs whether on undeveloped or developed land except for:	The land on which the pool and deck are proposed was developed as part of the construction of the existing dwelling. The pool and

Performance Outcome	Acceptable Solutions	Compliance
	<p>Undeveloped land that meets one or more of the following criteria:</p> <p>Land which has been previously been lawfully cleared and currently remains cleared;</p> <p>(a) Land which is the subject of a current Clearing Permit, but has yet to be cleared;</p> <p>(b) Land which is subject of a current Operational Works Permit, can be developed for a house subject to compliance with all relevant codes.</p> <p>In addition, minor extensions can be undertaken to an existing development, provided:</p> <p>(a) The extensions are limited to 30% of the existing gross floor area of the house at the commencement date of the planning scheme.</p> <p>or</p> <p>(b) The extent of extensions are determined on a site specific/use specific basis for other land uses, and</p> <p>(c) No further clearing is required to accommodate the extensions for either a house or any other land use development.</p>	<p>deck is to be contained wholly within the existing cleared area.</p> <p>The pool and deck represent 20% of the existing dwelling.</p> <p>The pool and deck will be used on conjunction with the existing land use.</p>

4.2 Douglas Shire Council Amenities and Aesthetics Referral Assessment

4.2.1 Assessment under Douglas Shire Council Hillslope Overlay Code

The purpose of the Hillslopes overlay code is to:

- a) implement the policy direction in the Strategic Framework, in particular:
 - a. Theme 1 - Settlement pattern: Element 3.4.7 Mitigation of hazards;
 - b. Theme 2 – Environment and landscape values: Element 3.5.5 Scenic amenity.
- b) enable an assessment of whether development is suitable on land within the Hillslopes sub-categories.

The purpose of the code will be achieved through the following overall outcomes:

- a) development on hillslopes is safe, serviceable and accessible;
- b) the ecological values, landscape character and visual quality of the hillslopes are protected from development so as to retain the scenic backdrop to the region;
- c) Development on hillslopes is appropriate, having regard to the topographic constraints and environmental characteristics of the land;
- d) Development responds to the constraints of the site including gradient and slope stability;
- e) Works do not involve complex engineering solutions.

The following table represents an assessment of the proposal with respect to the Hillslope Overlay Code with consideration to the purpose of the Code.

Table 4. Assessment against the Douglas Shire Council Hillslope Overlay Code

Performance Criteria	Acceptable Solutions	Compliance
PO1 The landscape character and visual amenity quality of hillslopes areas is retained to protect the scenic backdrop to the region.	AO1.1 Development is located on parts of the site that are not within the Hillslopes constraint subcategory as shown on the Hillslopes overlay Maps contained in schedule 2.	The pool and deck are proposed to be within the Hillslopes area, however, the proposal can be shown to be consistent with the overall outcomes of the Overlay Code.
PO2 The landscape character and visual amenity quality of hillslopes areas is retained to protect the scenic backdrop to the region.	<p>AO2.1 Development does not occur on land with a gradient in excess of 1 in 6 (16.6%) or</p> <p>AO2.2 Where development on land steeper than 1 in 6 (16.6%) cannot be avoided, development follows the natural contours of the site.</p> <p>AO2.3 Access ways and driveways are:</p> <ul style="list-style-type: none"> (a) constructed with surface materials that blend with the surrounding environment; (b) landscaped with dense planting to minimise the visual impact of the construction; (c) provided with erosion control measures immediately after construction. <p>AO2.4 The clearing or disturbance of vegetation is limited to clearing and disturbance that:</p> <ul style="list-style-type: none"> (a) is necessary for the construction of driveways; (b) is necessary to contain the proposed development; (c) minimises canopy clearing or disturbance; (d) minimises riparian clearing or disturbance. 	<p>The development is largely open construction allowing for the natural flows of water to be maintained. The areas of the concrete pool is minimal in nature and will not drastically impact on the natural flows.</p> <p>No changes to the existing driveways are proposed.</p> <p>The development will be contained wholly within the existing cleared area. No additional clearing is proposed.</p> <p>The height of the pool and deck is not greater than the dwelling and will not alter the sky line.</p> <p>The proposed exterior finished and colours are;</p> <p>Pool – Exposed concrete with the possibility of painting the external a colorbond berch to match the existing house.</p> <p>Fencing – Black aluminium</p> <p>Deck – Natural timbers</p> <p>The land on which the pool and deck will be constructed is level.</p> <p>The area of est 1.1-1.2m under 1 side of the raised deck will not be shielded with slats, however, the construction is shielded from view by surrounding vegetation of dense rainforest.</p>

Performance Criteria	Acceptable Solutions	Compliance
	<p>AO2.5 On land with slopes greater than 1 in 6 (16.6%) or greater, alternative construction methods to concrete slab on ground are utilised (i.e. split level or post and beam constructed buildings that minimise modification to the natural terrain of the land).</p> <p>AO2.6 Development does not alter the sky line.</p> <p>AO2.7 Buildings and structures:</p> <ul style="list-style-type: none"> (a) are finished predominantly in the following exterior colours or surfaces: moderately dark to darker shades of olive green, brown, green, blue, or charcoal; or moderately dark to darker wood stains that blend with the colour and hues of the surrounding vegetation and landscape; (b) are not finished in the following exterior colours or surfaces: pastel or terracotta colours, reds, yellows, shades of white or beige, or other bright colours that do not blend with the surrounding vegetation and landscape or reflective surfaces. <p>AO2.8 Exterior colour schemes limit the use of white or other light colours to exterior trim and highlighting of architectural features</p> <p>AO2.9 Areas between the first floor (including outdoor deck areas) and ground level are screened from view.</p>	

Performance Criteria	Acceptable Solutions	Compliance
	AO2.10 Recreational or ornamental features (including tennis courts, ponds or swimming pools) do not occur on land: <ul style="list-style-type: none"> (a) with a gradient of 1 in 6 (16.6%) or more; (b) are designed to be sited and respond to the natural constraints of the land and require minimal earthworks. 	
PO3 Excavation or filling does not have an adverse impact on the amenity, safety, stability or function of the site or adjoining premises through: <ul style="list-style-type: none"> (a) loss of privacy; (b) loss of access to sunlight; (c) intrusion of visual or overbearing impacts; (a) (d) complex engineering solutions. 	AO3 Excavation or fill: <ul style="list-style-type: none"> (a) is not more than 1.2 metres in height for each batter or retaining wall; (b) is setback a minimum of 2 metres from property boundaries; (c) is stepped with a minimum 2 metre wide berm to incorporate landscaping in accordance with Planning scheme policy SC6.7 – Landscaping; (a) (d) does not exceed a maximum of 3 batters and 3 berms (i.e. not greater than 3.6 metres in height) on any one lot. 	No excavation of fill is proposed. The land is an existing levels area.

5.0 Conclusion

The development application seeks a Development Permit for Building Works Assessable Against the Planning Scheme and Amenities and Aesthetics Referral for the purpose of a deck and pool on land describes as Lot 274 on RP738996, Penda Close, Cow Bay.

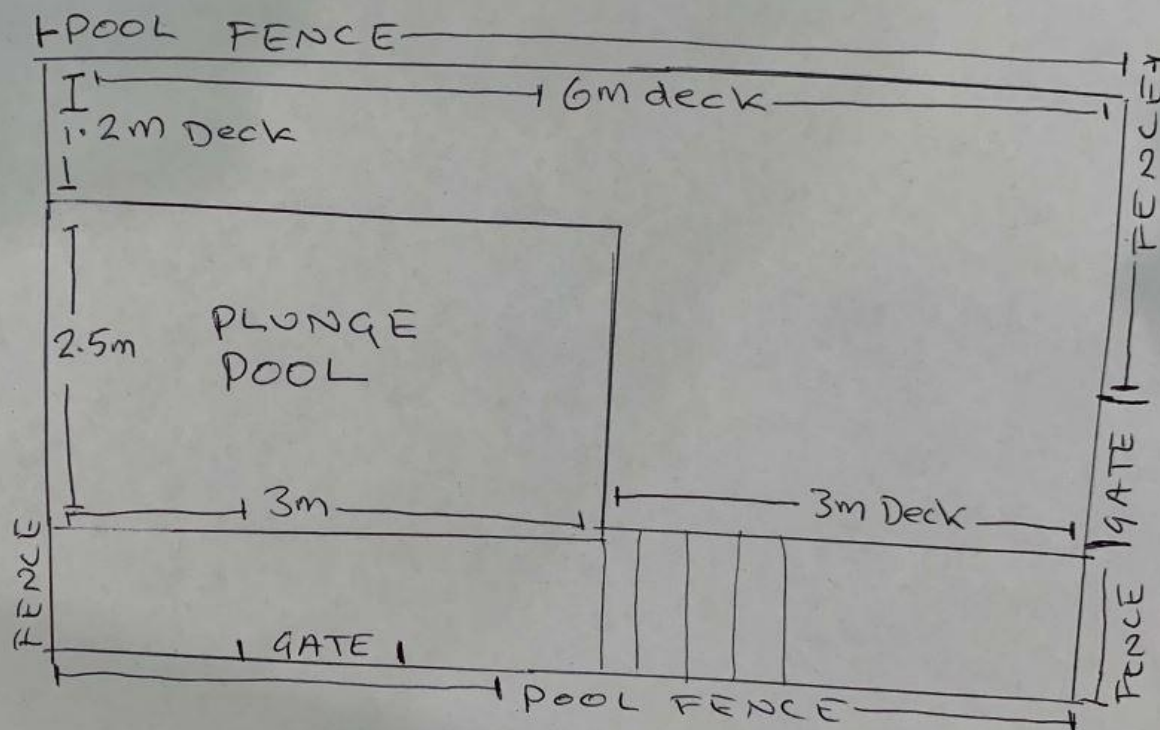
The proposed development is considered consistent with the relevant Planning Scheme Codes and the surrounding locality.

In summary the report concludes:

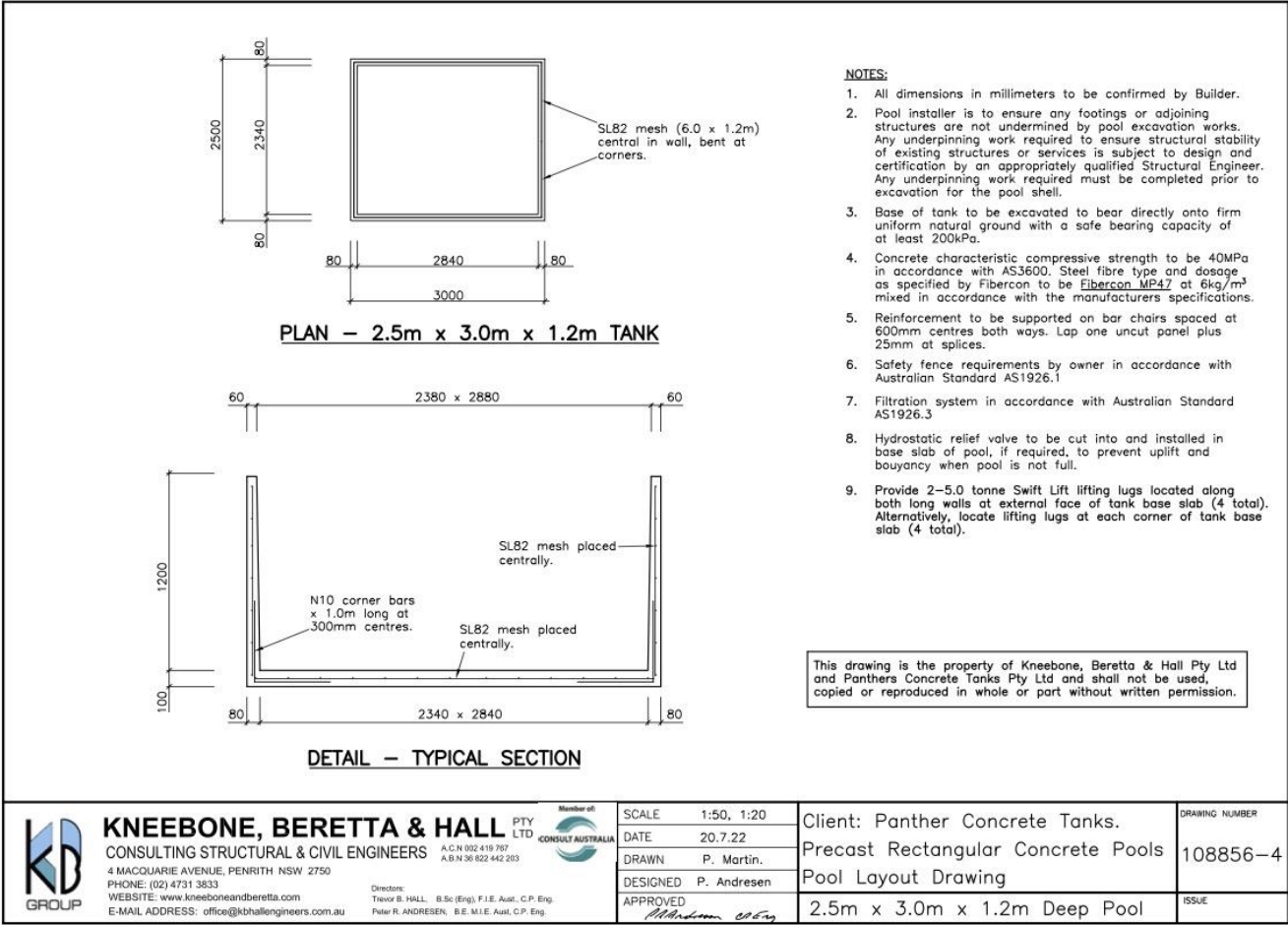
- The proposal complies with the requirements for making a Development Application under the Planning Act 2016; &
- The proposal is consistent with the existing and future use of the property.



DETAILED POOL AND DECK PLAN



Elevation plan



APPENDIX B – Aerial View



AAA. 81-132

TRAVERSES, ETC.		
LINE	BEARING	DIST.
2-2a	270° 0'	20.004
9-10	181° 34'	17.0
10-10a	260° 49'	20.357
10-11	160° 03' 45"	17.0
13-13a	262° 02'	20.445
13a-41	340° 03' 45"	6.0
13a-42	184° 0' 30"	"
15-15a	287° 33'	20.571
15a-43	4° 0' 30"	6.0
15a-44	211° 05'	"
16-17	"	20.65
17-17a	288° 10'	20.519
17-18	185° 15'	20.65
19-19a	275° 15'	20.0
27-27a	0° 0'	10.0
27-27b	216° 46' 40"	"
55-57	101° 16' 10"	20.513
57-58	0° 0'	20.0
71-72	90° 0'	20.117
148-148a	"	"

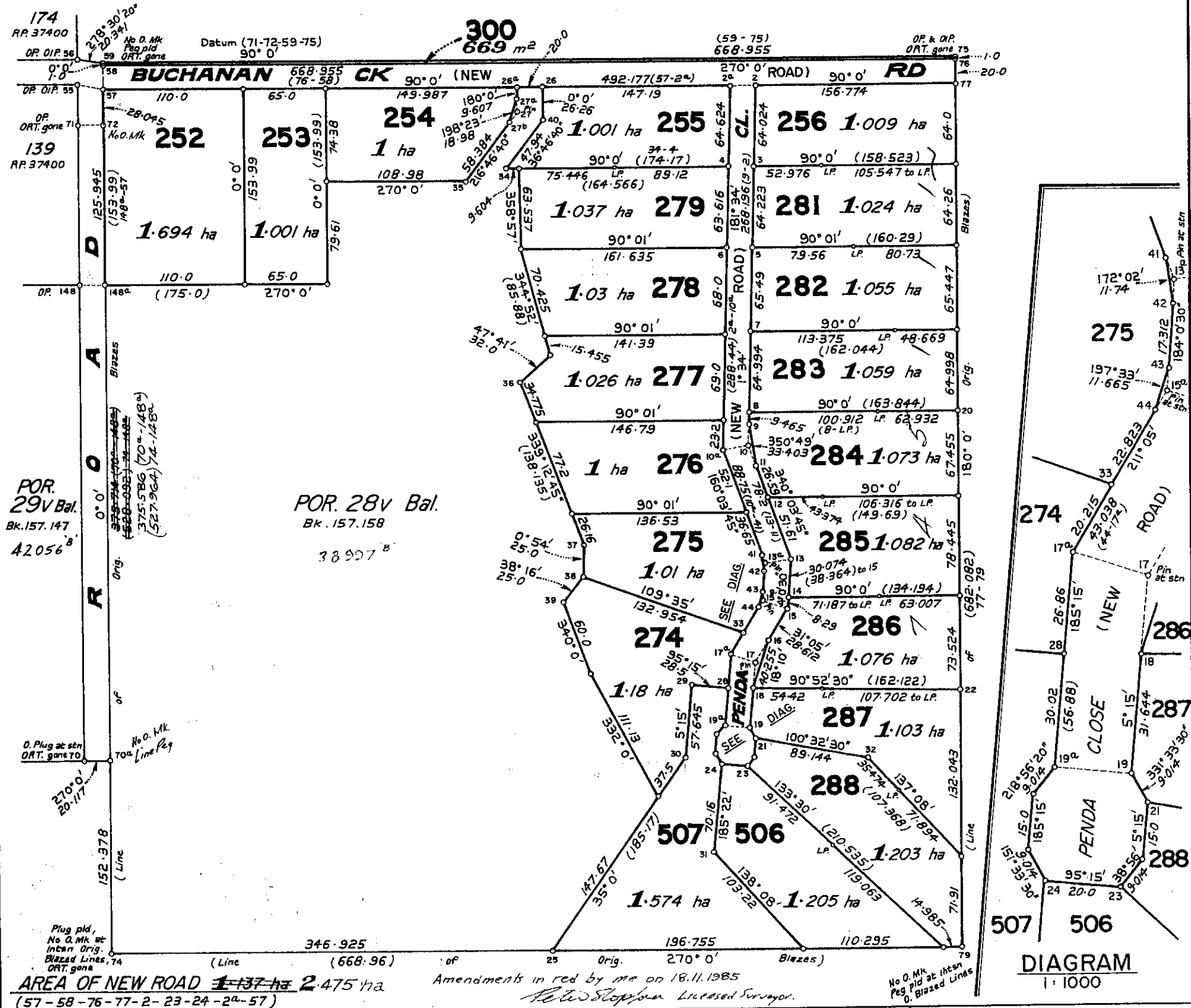
REFERENCE MARKS			
STN	TO	BEARING	DIST.
2	Pin	270° 0'	1.0
2a	Pin	90° 0'	1.0
3	Pin	270° 0'	1.364
4	Pin	90° 0'	1.007
5	Pin	270° 0'	1.0
6	Pin	90° 0'	1.007
7	Pin	270° 0'	1.0
8	Pin	181° 34'	1.0
9	Pin	181° 34'	1.0
10a	Pin	80° 49'	1.018
11	Pin	350° 49'	1.0
12	Pin	340° 03' 45"	1.283
13	Pin	82° 02'	1.022
13a	Pin	At station	
15	Pin	287° 32' 40"	1.029
15a	Pin	At station	
16	Pin	31° 05'	1.12
17	Pin	At station	
17a	Pin	108° 10'	1.026
18	Pin	5° 15'	0.986

19	Pin	5° 15'	0.948
"	"	185° 15'	15.0
19a	Pin	5° 15'	1.16
20	Pin	70° 58'	1.764
21	Pin	280° 0'	0.63
22	Pin	90° 52' 30"	3.411
23	Pin	5° 15'	1.065
24	Pin	5° 15'	1.062
25	Pin	225° 58'	4.42
26	Pin	270° 0'	1.038
26a	Pin	180° 0'	1.163
27	Pin	At station	
27b	Pin	36° 46' 40"	1.055
28	Pin	5° 15'	1.055
29	Pin	185° 15'	1.674
30	Pin	215° 0'	0.862
31	Pin	138° 08'	0.7
32	Pin	280° 32' 30"	0.8
33	Pin	31° 05'	0.887
35	Pin	90° 0'	0.83
36	Pin	227° 41'	1.0

37	Pin	250° 41'	1.556
38	Pin	289° 35'	1.0
39	Pin	289° 35'	1.0
40	Pin	288° 23'	1.054
55	OIP	90° 20'	1.0
56	OIP	90° 20'	0.806
57	Pin	0° 0'	1.0
59	ORT. gone	100° 05'	6.638
70	ORT. gone	196° 30'	2.877
71	ORT. gone	254° 30'	5.09
74	Pin	202° 31'	4.85
ORT. gone		62° 35'	3.923
75	OIP	50° 30'	1.18
ORT. gone		230° 10'	4.426
77	Pin	256° 34'	7.33
79	Pin	113° 09'	1.947

PERMANENT MARKS

PM	BEARING	DIST.	N°
2 - PM.	75° 09'	7.304	74792
58 - PM.	11° 42' 45"	3.969	74791



No. FIELD NOTES LODGED		LINES NOT SURVEYED	STNS	CORNERS NOT MARKED	STNS
ORIGINAL PORTION 28v		PLAN OF Lots 252 to 256, 274 to 279, 281 to 288, 300, 506 & 507			TOWN
ORIGINAL GRANT N10005		Cancelling Part of Portion 28v on Bk.157.158			PARISH ALEXANDRA
MAP REF. P.M.		SURVEYED BY Peter STOPFORD			COUNTY Solander
PROCLAIMED SURVEY AREA		MERIDIAN			REGISTERED PLAN 738996
		19. 10. 1984			
		SCALE 1:3000			

N^o 766670

CERTIFICATE

I, Peter STOPFORD
 hereby certify that I have surveyed the land comprised in this plan
personally
 that the plan is accurate, that the said survey was performed in accordance with the 'Surveyors Act 1977' and the 'Surveyors Regulations 1978' and that the said survey was completed on 19.10.1984

Date 27-11-1984

Signature of Licensed Surveyor.

Council of the Shire of Douglas certifies
 that all the requirements of this Council, the Local Government Acts of 1936 to 1984 and all By-Laws
 have been complied with and approves this Plan of Subdivision subject to the
 Transfer to Council of Lot 300 as Trustee for Town Planning Purposes.

Dated this 21st day of February 1985Mayor or
ChairmanTown or
Shire Clerk

I/We SOUTHDGE - DAINREE Pastoral Co Pty Ltd
 as proprietor/s
 of this land, agree to this Plan and dedicate the new roads shown hereon to public use.

Signature of
Proprietor/s

George Quaid
 SIGNED BY GEORGE QUAID
 (JUNIOR) AS JULY AUTHORIZED
 ATTORNEY OF SOUTHDGE-DAINREE
 PASTORAL CO PTY LTD

Council of the Shire of Douglas certifies that
 all the requirements of this Council, the
 Local Government Acts of 1936 to 1984 and all
 By-Laws have been complied with and approves
 this Plan of Subdivision subject to the
 Transfer to Council of Lot 300 as Trustee for
 Town Planning Purposes.

Dated this 8th day of October, 1985

A. J. Twomey
 Mr. A. J. Twomey,
 SHIRE CLERK.

Cr. A. Mijo
 Cr. A. Mijo,
 CHAIRMAN.

Calc. Bk. No. 152/122
 Examined 16/11/86
 Passed 16/11/86
 Charted 11
 Map Ref.

Particulars entered in Register Book
 Vol. 198 Folio 109

at 9.22am

20 JAN 1986

REGISTRAR OF TITLES
 (NORTHERN DISTRICT)

FOR TITLES OFFICE USE ONLY

Previous Title D.G.N.128-109 P.R. 28V B.K. 157.158
Lots 256, 274, 275, 276 cancelled see Plan 745.111

Law C.T. Ref.

(Re) Sub.	Vol.	Fol.
252	N/307	106
253		106
254		106
255		106
256		106
274		110
275		111
276		111
277	N/309	113
278		113
279		113
281		113
282		113
283		113
284		113
285		113
286		113
287	N/309	113
288		113
289		113
290	N/310	117

SHORT FEE
 REQUISITION FEE
 13 JAN 1986
 Paid Vide No. F43646

A. C. FOX & ASSOCIATES

TOWNSVILLE

Lodged by

I. SCIACCA

SOLICITOR

CHAIRNS

Fees Payable

Postal fee and Postage 2.15
 Lodgt, Exam. & Ass. 205
 Entd. on Docs. 506
 New Title 10
 Entd. on Deeds 6
 Photo Fee 6
 Total 873.7
 Short Fees Paid

Received

Registrar of Titles

WITHDRAWN
 AND
 RE-ENTERED
 Receipt No. 14607

14607

Dep. Reg. of Titles

CO. 231.11567

REGISTERED PLAN

738996

Queensland Titles Registry Pty Ltd
 ABN 23 648 568 101

Title Reference:	21309110	Search Date:	17/10/2022 08:28
Date Title Created:	23/01/1986	Request No:	42545024
Previous Title:	20198109		

ESTATE AND LAND

Estate in Fee Simple

LOT 274 REGISTERED PLAN 738996
 Local Government: DOUGLAS

REGISTERED OWNER

INTEREST

Dealing No: 717385462 14/07/2016

KATHERINE JEAN AGRUMS
 PETERIS LUCAS AGRUMS
 KATHERINE JEAN AGRUMS

JOINT TENANTS INTER SE 1/2
 TENANTS IN COMMON 1/2
 AS TENANTS IN COMMON

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
 Deed of Grant No. 20198109 (POR 28V)
2. MORTGAGE No 717385463 14/07/2016 at 12:26
 AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED A.B.N. 11
 005 357 522

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

GMA Certification Group

BUILDING SURVEYORS

A.C.N 150 435 617

Leaders in Building Certification Services



Port Douglas Office

P: 07 4098 5150 **F:** 07 4098 5180 **E:** adminpd@gmcert.com.au

Unit 5, Owen Street

Craigie Business Park Craigie

PO Box 2760 Nerang QLD 4211

15 Oct 2022

Kate Agrums
282 Mowbray River Rd
MOWBRAY QLD 4877

Dear Kate

Confirmation notice

Re: GMA Certification Group Ref No. 20223908
Lot 274 on RP 738996
Penda CI COW BAY 4873
Development Permit for Building Works for Swimming Pool & Deck

The development application described above was properly made to the GMA Certification Group on 04 Oct 2022

Public notification details

Part 4 of the Development Assessment Rules is not applicable to this development application.

Referral details

Part 2 of the Development Assessment Rules is applicable. GMA, as the assessment manager intent to make an information request (where applicable) and the applicant has not indicated that they do not wish to receive an information request.

The development application must be referred to all relevant referral agency(s) within 10 business days starting the day after receiving this notice, or a further period agreed with the assessment manager; otherwise the application will lapse under section 31 of the Development Assessment Rules.

Yours sincerely

Rebekah Mulligan
GMA Certification Group