

24 November 2025



Town Planning and Project Services

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

Attn: Team Leader Planning

Via email: [enquiries@douglas.qld.gov.au](mailto:enquiries@douglas.qld.gov.au)

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**RE: DEVELOPMENT APPLICATION FOR OPERATIONAL WORKS (VEGETATION CLEARING) OVER LAND AT 71-85 PORT DOUGLAS ROAD, PORT DOUGLAS, MORE FORMALLY DESCRIBED AS LOT 1 ON SP150468**

Aspire Town Planning and Project Services have been engaged by Seymour Land Pty Ltd (the *Applicant*), who is currently under contract to purchase land located at 71–85 Port Douglas Road, Port Douglas, more formally described as Lot 1 on SP150468.

**1.0 Background**

Prelodgement discussions have been undertaken with Douglas Shire Council Planning Officers regarding the broader redevelopment intentions for the site. A multidisciplinary consultancy team has since been assembled, and design and technical investigations are well underway.

It is the Applicant's intention to lodge a comprehensive Development Application prior to the Council's Christmas closure period. In the interim, this Development Application for Operational Works (Vegetation Clearing) seeks approval to undertake preliminary site preparation and clean-up works ahead of the forthcoming wet season.

The purpose of the works is to enable safe access to the land, reduce potential safety risks associated with unmanaged vegetation, and prepare the site so that, should Council grant subsequent development approval, the Applicant is positioned to immediately commence civil and construction activities during the 2026 dry season.

In addition, the Applicant proposes to erect a security fence around the site to deter illegal dumping, vandalism and trespassing, which have become persistent issues. The fencing will also mitigate risk to the public and neighbouring properties, noting that a resident crocodile has reportedly been seen entering the site from the adjoining Mirage Golf Course.

**2.0 Justification for Vegetation Removal**

The proposed vegetation clearing is considered both reasonable and necessary for the responsible management and future use of the site.

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A review of the Douglas Shire Planning Scheme 2018 confirms that the land is not mapped within the Natural Areas Overlay, nor does it contain Regional Ecosystems or Essential Habitat under the *Vegetation Management Act 1999*. This confirms that the site has been previously disturbed and that the existing vegetation is predominantly regrowth of limited ecological or biodiversity significance.

Field observations and aerial imagery demonstrate that the vegetation primarily comprises dense secondary growth, invasive species, and non-endemic trees that have naturally regenerated in the absence of active management. The vegetation lacks structural maturity, ecological diversity, and understorey integrity typical of remnant vegetation of environmental significance.

The retention of unmanaged regrowth presents several practical and environmental concerns, including:

- Reduced site visibility and safety, limiting access for surveyors, engineers, and emergency services;
- Fire and fuel load hazards arising from unmanaged undergrowth and debris accumulation;
- The potential harbouring of vermin and pest species; and
- Increased likelihood of storm damage or falling branches affecting adjacent land and public areas.

From a visual and urban context perspective, while the vegetation contributes to the natural backdrop of Port Douglas, it does not serve as a meaningful visual or acoustic buffer. The site adjoins the Mirage Golf Course to the north, which provides a superior and aesthetically maintained landscape edge. Removal of the regrowth will not diminish the visual amenity of the locality, and will in fact enhance the presentation of this prominent site, particularly as it transitions toward redevelopment.

Importantly, no earthworks or changes to natural drainage patterns are proposed as part of this application. Works are strictly limited to vegetation clearing and removal, with all material to be chipped and disposed of responsibly in accordance with environmental standards.

The history of regrowth is illustrated within Images 1-3 below.

### **3.0 Ecological Assessment and Vegetation Management Plan**

Four Elements Consulting has been engaged by the Applicant to undertake a detailed environmental assessment of the site and prepare a comprehensive Vegetation Management Plan (VMP) to guide both the immediate clearing works and longer-term management of vegetation across the land. This assessment will provide an independent ecological appraisal of the existing vegetation, confirm the low ecological value of the regrowth identified during preliminary investigations, and outline appropriate mitigation and management measures to ensure that vegetation removal is undertaken responsibly and in accordance with best practice environmental standards.

At the time of lodging this Operational Works application, Four Elements was in the process of completing the field assessment, reporting, and preparation of the VMP. Due to consultant scheduling and the need to undertake on ground validation of vegetation extent and species composition, the final documentation was still being coordinated at the date of submission.

Once the ecological assessment and VMP have been finalised, the Applicant will provide the completed documentation to Council as additional supporting material to inform and assist Council's assessment of the vegetation clearing works. This supplementary reporting will further demonstrate that the proposed clearing is limited to non-significant regrowth vegetation, does not impact any ecological values, and will be managed in a manner that avoids off site impacts and maintains environmental integrity.



Image 1: Aerial Image July 2012 (Source: Google Earth, November 2025)



Image 2: Aerial Image June 2024 (Source: Google Earth, November 2025)



Image 3: Recent Aerial Image (Source: QLDGlobe, November 2025)

#### 4.0 Scope of Proposed Works

The scope of works the subject of this application includes:

- Removal of regrowth vegetation from the site as shown on the Proposal Plan (Attachment 2);
- On-site chipping and removal of vegetation material; and
- Installation of a perimeter security fence for site protection and public safety.

#### 5.0 Supporting Information

In support of the Development Application, please find attached the following documents:

- DA Form I – **Attachment 1**;
- Proposal Plan – **Attachment 2**; and
- Statement of Code Compliance – **Attachment 3**.

#### 6.0 Application Fee

We understand that Council's Schedule of Fees for the 2025/26 financial year applies, and that the relevant application fee for Operational Works is calculated as \$1,885.00, being for the removal of 11 trees or more. We kindly request that Council confirm the accuracy of this calculation and issue an invoice addressed to Seymour Land Pty Ltd to facilitate direct payment by the Applicant.



Thank you for your time in considering the attached Development Application. Should Council have any questions please contact the undersigned.

Regards,

A handwritten signature in black ink, appearing to read 'Daniel Favier', with a stylized flourish extending to the right.

Daniel Favier

**Senior Town Planner**

**ASPIRE Town Planning and Project Services**



**ASPIRE**

Town Planning and Project Services

## **Attachment I**

**Duly completed DA Form I**

# DA Form 1 – Development application details

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

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

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

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

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

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

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

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

## PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Seymour Land Pty Ltd
Contact name (only applicable for companies)	c/- Daniel Favier T/A Aspire Town Planning and Project Services
Postal address (P.O. Box or street address)	PO Box 1040
Suburb	Mossman
State	QLD
Postcode	4873
Country	Australia
Contact number	0418826560
Email address (non-mandatory)	admin@aspireqld.com
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	2025-09-82 - Seymour Group - 71-85 Port Douglas Road, Port Douglas
1.1) Home-based business	
<input type="checkbox"/> Personal details to remain private in accordance with section 264(6) of <i>Planning Act 2016</i>	
2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application	
<input checked="" type="checkbox"/> No – proceed to 3)	

## PART 2 – LOCATION DETAILS

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

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

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

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		71-85	Port Douglas Road	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	1	SP150468	Douglas
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- ☐ Coordinates of premises by longitude and latitude

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

- ☐ Coordinates of premises by easting and northing

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

#### 3.3) Additional premises

- ☐ Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development application  
☒ Not required

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

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

Name of port authority for tidal area (if applicable)



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

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

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

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

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

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

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

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

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

- ☒ Development permit    ☐ Preliminary approval    ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

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

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

Vegetation Clearing

e) Relevant plans

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

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

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

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

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

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

- ☐ Development permit    ☐ Preliminary approval    ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

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

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

e) Relevant plans

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

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

**6.3) Additional aspects of development**

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

**6.4) Is the application for State facilitated development?**

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

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

Material change of use	<input 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 checked="" type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

**Division 1 – Material change of use**

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

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

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

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

- ☐ Yes
- ☐ No

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

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

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

**Division 2 – Reconfiguring a lot**

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

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

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

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

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

10.2) Will the subdivision be staged?	
<input type="checkbox"/> Yes – provide additional details below <input type="checkbox"/> No	
How many stages will the works include?	
What stage(s) will this development application apply to?	

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?				
Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )
12.2) What is the reason for the boundary realignment?			

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

### Division 3 – Operational work

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

14.1) What is the nature of the operational work?	
<input type="checkbox"/> Road work <input type="checkbox"/> Drainage work <input type="checkbox"/> Landscaping <input type="checkbox"/> Other – please specify:	<input type="checkbox"/> Stormwater <input type="checkbox"/> Earthworks <input type="checkbox"/> Signage <input type="checkbox"/> Water infrastructure <input type="checkbox"/> Sewage infrastructure <input checked="" type="checkbox"/> Clearing vegetation
14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)	
<input checked="" type="checkbox"/> Yes – specify number of new lots:	Future subdivision
<input type="checkbox"/> No	

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

NA

## PART 4 – ASSESSMENT MANAGER DETAILS

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

Douglas Shire Council

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

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

## PART 5 – REFERRAL DETAILS

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

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

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

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

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



Queensland  
Government

- ☐ SEQ northern inter-urban break – community activity
- ☐ SEQ northern inter-urban break – indoor recreation
- ☐ SEQ northern inter-urban break – urban activity
- ☐ SEQ northern inter-urban break – 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 has been devolved to local government)*
- ☐ Heritage places – Local heritage places

Matters requiring referral to the **Chief Executive of the distribution entity or transmission entity**:

- ☐ Infrastructure-related referrals – Electricity infrastructure

Matters requiring referral to:

- 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
- ☐ Infrastructure-related referrals – Oil and gas infrastructure

Matters requiring referral to the **Brisbane City Council**:

- ☐ Ports – Brisbane core port land

Matters requiring referral to the **Minister responsible for administering the Transport Infrastructure Act 1994**:

- ☐ Ports – Brisbane core port land *(where inconsistent with the Brisbane port LUP for transport reasons)*
- ☐ Ports – Strategic port land

Matters requiring referral to the **relevant port operator**, if applicant is not port operator:

- ☐ Ports – Land within Port of Brisbane's port limits *(below high-water mark)*

Matters requiring referral to the **Chief Executive of the relevant port authority**:

- ☐ Ports – Land within limits of another port *(below high-water mark)*

Matters requiring referral to the **Gold Coast Waterways Authority**:

- ☐ Tidal works or work in a coastal management district *(in Gold Coast waters)*

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

- ☐ Tidal works or work in a coastal management district *(involving a marina (more than six vessel berths))*

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

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

Referral requirement	Referral agency	Date of referral response

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

## PART 6 – INFORMATION REQUEST

### 19) Information request under the DA Rules

☒ I agree to receive an information request if determined necessary for this development application

☐ I do not agree to accept an information request for this development application

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

- that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties
- Part 3 under Chapter 1 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules or
- Part 2 under Chapter 2 of the DA Rules will still apply if the application is for state facilitated development

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

## PART 7 – FURTHER DETAILS

### 20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)

☐ Yes – provide details below or include details in a schedule to this development application

☒ No

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

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

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

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

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

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

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

☐ Yes – show cause or enforcement notice is attached

☒ No



### 23) Further legislative requirements

#### **Environmentally relevant activities**

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

- ☐ Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below
- ☒ No

**Note:** Application for an environmental authority can be found by searching "ESR/2015/1791" as a search term at [www.qld.gov.au](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			

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

#### **Hazardous chemical facilities**

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

- ☐ Yes – *Form 536: Notification of a facility exceeding 10% of schedule 15 threshold* is attached to this development application
- ☒ No

**Note:** See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information about hazardous chemical notifications.

#### **Clearing native vegetation**

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

- ☐ Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)
- ☒ No

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

#### **Environmental offsets**

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

- ☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter
- ☒ No

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

#### **Koala habitat in SEQ Region**

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

- ☐ Yes – the development application involves premises in the koala habitat area in the koala priority area
- ☐ Yes – the development application involves premises in the koala habitat area outside the koala priority area
- ☒ No

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

### **Water resources**

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

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

☒ No

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

DA templates are available from [planning.statedevelopment.qld.gov.au](http://planning.statedevelopment.qld.gov.au). If the development application involves:

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

### **Waterway barrier works**

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

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

☒ No

DA templates are available from [planning.statedevelopment.qld.gov.au](http://planning.statedevelopment.qld.gov.au). For a development application involving waterway barrier works, complete DA Form 1 Template 4.

### **Marine activities**

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

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

☒ No

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

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

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

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

☒ No

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

### **Referable dams**

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

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

☒ No

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

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

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

- ☐ Yes – the following is included with this development application:
- ☐ Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)
  - ☐ A certificate of title

☒ No

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

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

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

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

☒ No

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

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

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

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

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

☒ No

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

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

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

☒ No

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

## **PART 8 – CHECKLIST AND APPLICANT DECLARATION**

### **24) Development application checklist**

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



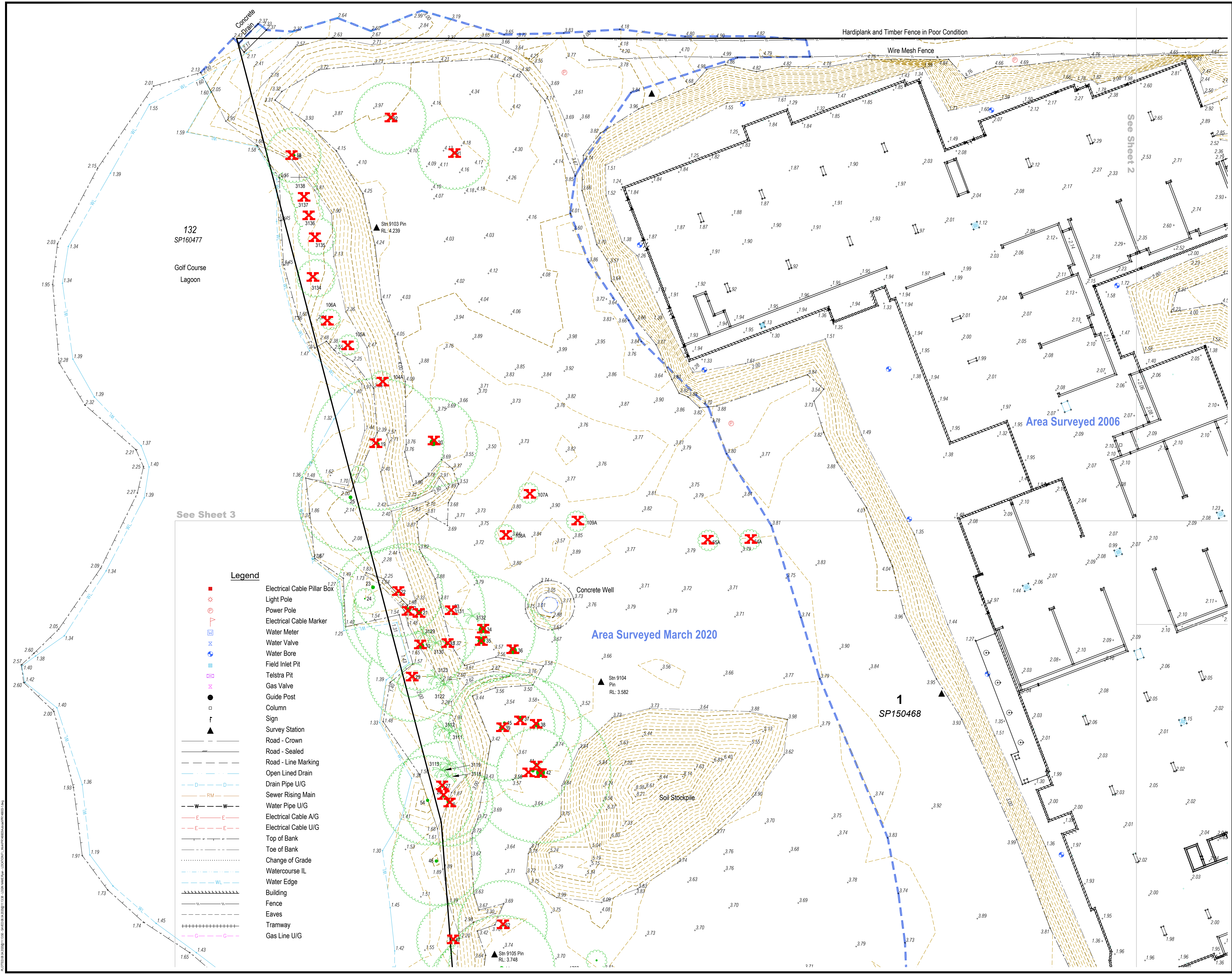
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Town Planning and Project Services

## **Attachment 2**

## **Proposal Plan**





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#### NOTES

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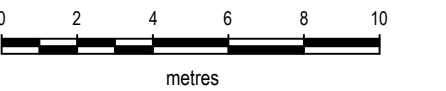
Origin of Levels: PM 40003  
RL 5.258  
vide C&B Plan 62674-1a

Meridian: vide C&B Plan 62674-1a

Origin of Coordinates: Stn 9009  
Iron Pin  
E 870.21  
N 5336.399

Contour Interval: 0.2m  
Index: 1.0m

Note:  
This plan is a combination of current survey data and previous data sets surveyed prior to 2006. (see plan 62674-1A).  
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F +61 7 4008 1814  
W rpsgroup.com.au

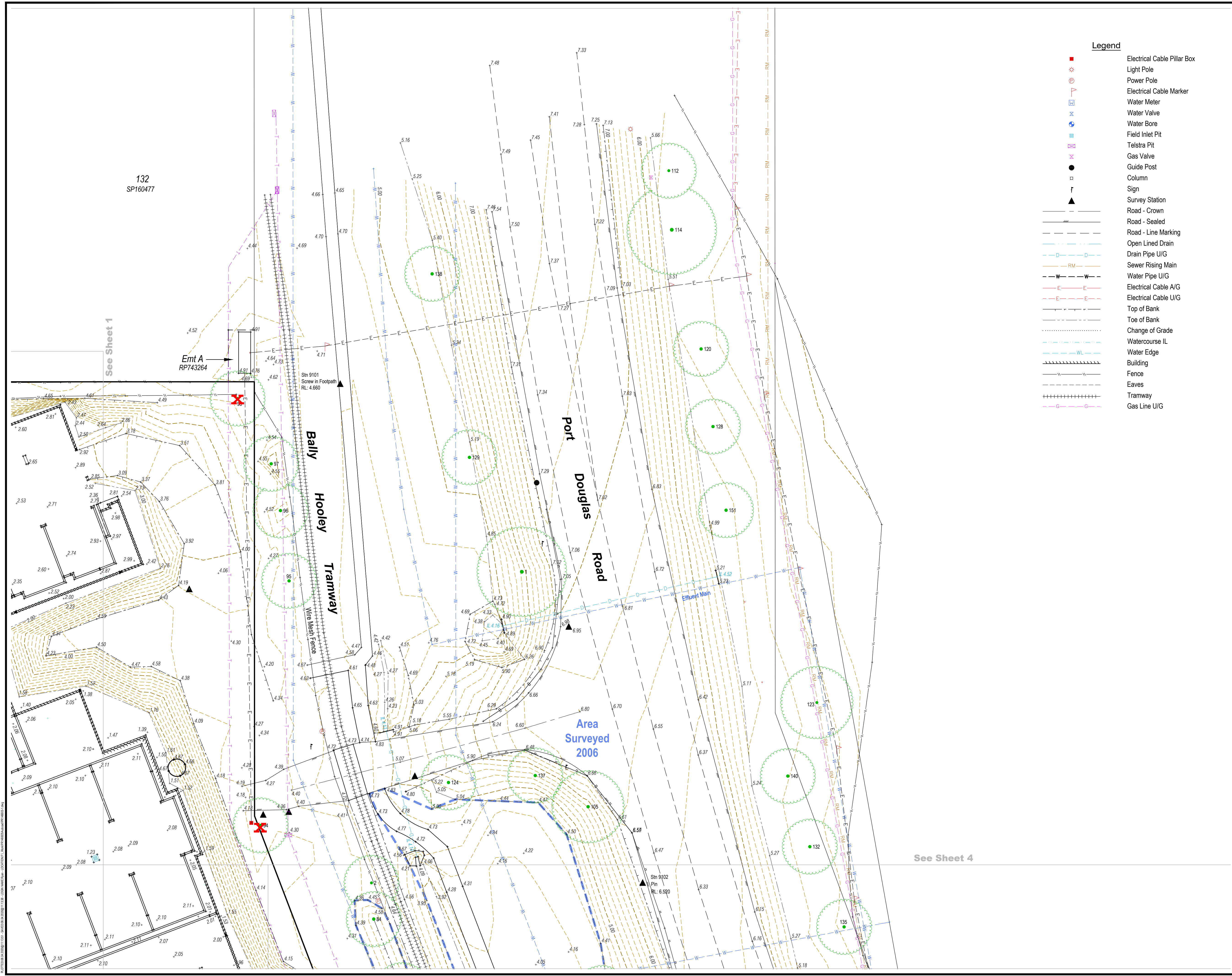


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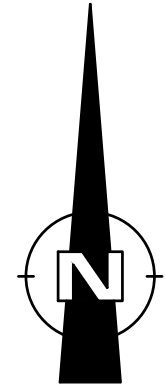
### Contour & Detail Survey 71-85 Port Douglas Road Port Douglas

SCALE 1:200	DATE 6/4/2020	DRAWING NO. PR146603-1	ISSUE
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Legend	
	Electrical Cable Pillar Box
	Light Pole
	Power Pole
	Electrical Cable Marker
	Water Meter
	Water Valve
	Water Bore
	Field Inlet Pit
	Telstra Pit
	Gas Valve
	Guide Post
	Column
	Sign
	Survey Station
	Road - Crown
	Road - Sealed
	Road - Line Marking
	Open Lined Drain
	Drain Pipe U/G
	Sewer Rising Main
	Water Pipe U/G
	Electrical Cable A/G
	Electrical Cable U/G
	Top of Bank
	Toe of Bank
	Change of Grade
	Watercourse IL
	Water Edge
	Building
	Fence
	Eaves
	Tramway
	Gas Line U/G

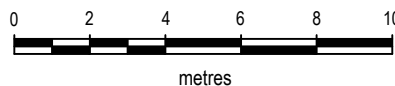


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Level Datum: AHD  
Origin of Levels: PM 40003  
RL 5.258  
vide C&B Plan 62674-1a  
Meridian: vide C&B Plan 62674-1a  
Origin of Coordinates: Stn 9009  
Iron Pin  
E 870.21  
N 5336.399  
Contour Interval: 0.2m  
Index: 1.0m

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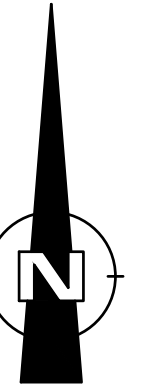
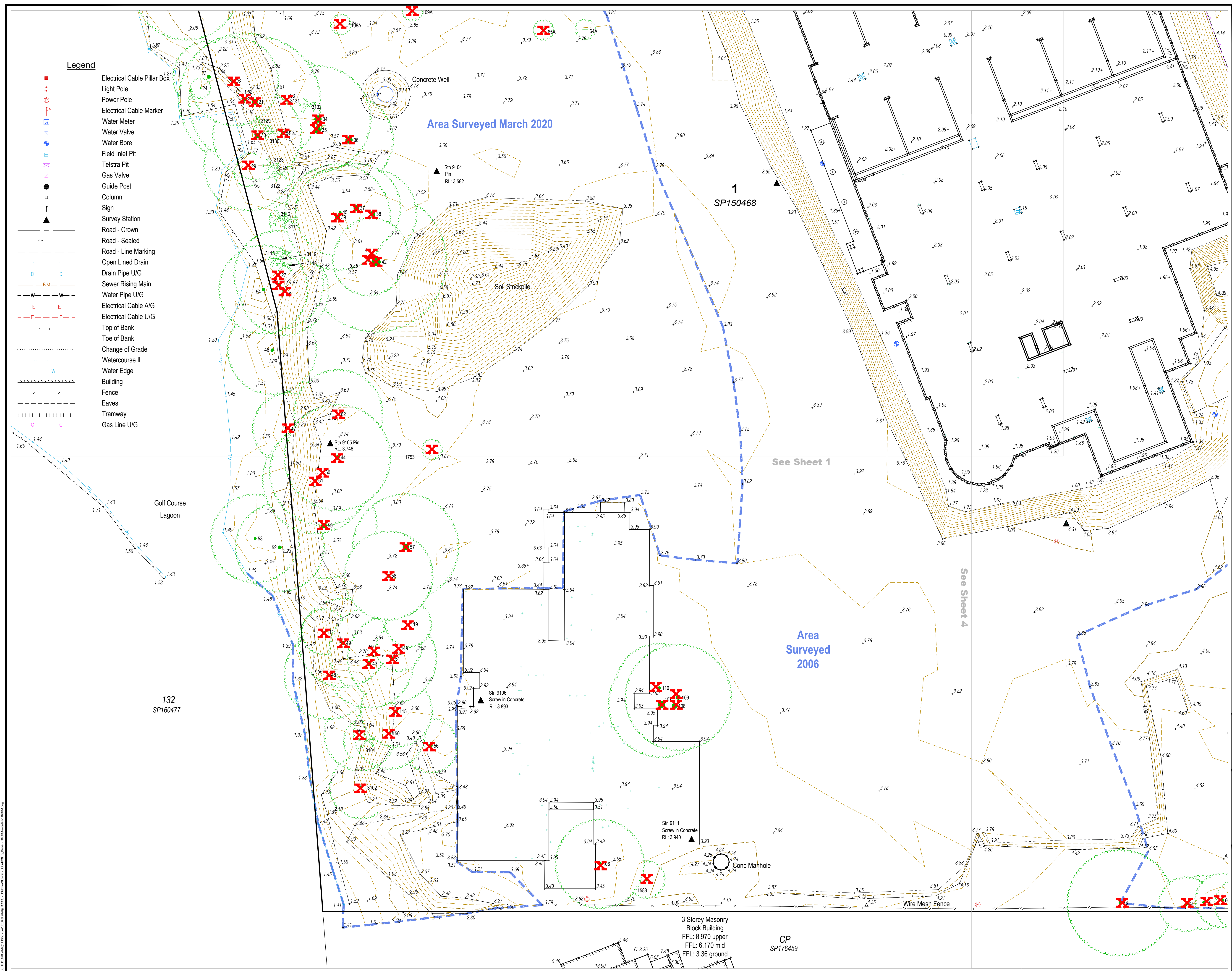


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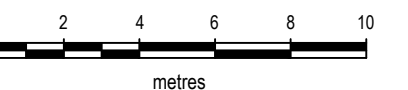
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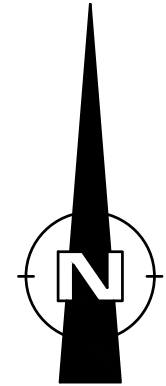
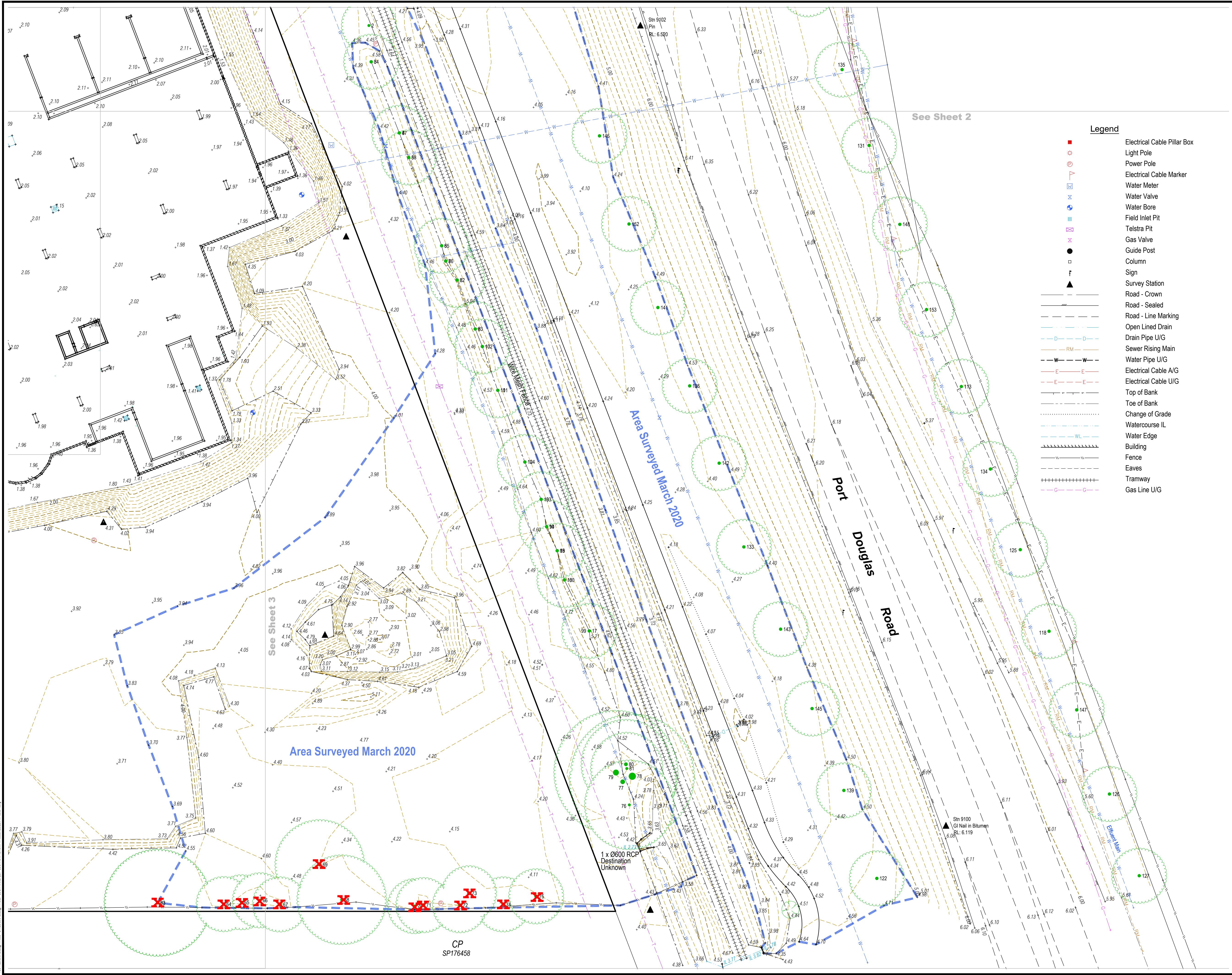


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SHEET SIZE <b>A1</b>	SHEET 3 OF SHEETS 5	



**Contour & Detail Survey**  
**71-85 Port Douglas Road**  
**Port Douglas**





Legend

- Electrical Cable Pillar Box
- Light Pole
- Power Pole
- Electrical Cable Marker
- Water Meter
- Water Valve
- Water Bore
- Field Inlet Pit
- Telstra Pit
- Gas Valve
- Guide Post
- Column
- Sign
- Survey Station
- Road - Crown
- Road - Sealed
- Road - Line Marking
- Open Lined Drain
- Drain Pipe U/G
- Sewer Rising Main
- Water Pipe U/G
- Electrical Cable A/G
- Electrical Cable U/G
- Top of Bank
- Toe of Bank
- Change of Grade
- Watercourse IL
- Water Edge
- Building
- Fence
- Eaves
- Tramway
- Gas Line U/G

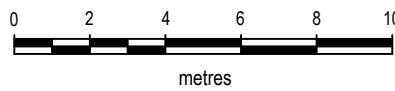
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NOTES

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RL 5.258  
vide C&B Plan 62674-1a  
Meridian: vide C&B Plan 62674-1a  
Origin of Coordinates: Stn 9009  
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Contour Interval: 0.2m  
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RMS		PR146603-1.DWG	
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## 2 Trunks

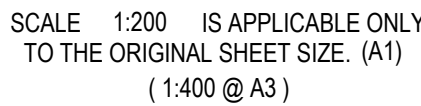
TREE TABLE (additional Trees)



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**Contour & Detail Survey**  
**71-85 Port Douglas Road**  
**Port Douglas**

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Town Planning and Project Services

## **Attachment 3**

# **Statement of Code Compliance**

### 6.2.13 Tourism zone code

#### 6.2.13.1 Application

- (1) This code applies to assessing development in the Tourism zone.
- (2) When using this code, reference should be made to Part 5.

#### 6.2.13.2 Purpose

- (1) The purpose of the Tourism zone code is to provide for tourist facilities located in urban, rural or environmental or coastal areas.
- (2) The local government purpose of the code is to:
  - (a) implement the policy direction set in the Strategic Framework, in particular:
    - (i) Theme 5 – Economy, Element 3.8.2 – Economic growth and diversification, Element 3.8.3 – Tourism
  - (b) recognise significant tourism land use activities within the shire.
- (3) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Development provides for the continued operation of existing tourist attractions and a range of other activities that are ancillary to and support tourist attractions.
  - (b) Accommodation activities are provided at an appropriate scale and integrate with and enhance existing tourist attractions.
  - (c) Development recognises that tourist attractions are based on an appreciation of the natural qualities of the Shire and are not general theme park land uses of a type that can be found in any tourist activity area elsewhere in Queensland.
  - (d) Development enhances and protects the unique local, scenic, cultural and historic character of the locality.
  - (e) Development provides a high level of amenity, incorporating tropical architectural elements and building design features.
  - (f) Development reflects and responds to the natural features, environmental values and constraints of the land.
  - (g) Development minimises impacts such as traffic, noise, dust, odour, and lighting, particularly on residential areas.



**Criteria for assessment****Table 6.2.13.3.a – Tourism zone code – assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
<b>For assessable development</b>		
<b>PO1</b> The height of buildings and structures is compatible with the character and amenity of the area.	<b>AO1</b> No acceptable outcomes are prescribed.	<b>Not Applicable.</b> The application relates to Vegetation Clearing.
<b>PO2</b> Development is consistent with the overall outcomes sought for the Tourism zone and protects the zone from the intrusion of inconsistent uses.	<b>AO2</b> Inconsistent uses as identified in Table 6.2.13.3.b are not established in the Tourism zone.	<b>Complies with PO2.</b>  Although this application seeks approval only for vegetation clearing, the works represent an early and essential stage in preparing the land for its future redevelopment. The clearing forms part of responsible and necessary site preparation that enables detailed survey, engineering assessments, architectural design, and safe physical access, each of which is critical to bringing forward a well planned development outcome. Importantly, the works do not in themselves authorise any future use or built form; rather, they establish a safe and workable development platform so that a comprehensive application can be lodged and assessed by Council in due course.  Site preparation through controlled vegetation removal is therefore a foundational and enabling step that supports the delivery of future development. It does not prejudice Council's ability to assess or condition the forthcoming development proposal. Instead, it ensures the site can be properly evaluated,



Performance outcomes	Acceptable outcomes	Applicant response
		<p>designed and ultimately developed in a manner that contributes meaningfully to the Shire. The timely clearing of unmanaged regrowth allows the site to transition from its current underutilised, overgrown condition to a state where high-quality development can be realised.</p> <p>The vegetation proposed to be removed is not mapped as natural habitat, remnant vegetation, essential habitat, or any other protected ecological feature under the Douglas Shire Planning Scheme or the Vegetation Management Act. The site is a previously disturbed parcel containing opportunistic regrowth, invasive species and non-endemic vegetation of low ecological significance. As such, the clearing does not result in the loss of natural features, ecological values, or environmental constraints that the planning scheme seeks to preserve.</p> <p>Furthermore:</p> <ul style="list-style-type: none"> <li>• No drainage lines or watercourses will be altered, ensuring natural hydrological patterns remain undisturbed;</li> <li>• No earthworks, excavation or reshaping of the land is proposed, meaning soil structure and natural ground levels are retained;</li> <li>• The flat topography of the site ensures no risk of erosion, instability or sediment movement, even following the removal of</li> </ul>



Performance outcomes	Acceptable outcomes	Applicant response
		<p>regrowth vegetation.</p> <p>Taken together, these factors confirm that the proposal appropriately responds to the natural features and constraints of the land. The clearing is low-impact, environmentally responsible and contained entirely within an already degraded footprint. The works avoid any negative environmental impact and ensure the land remains in a stable condition while preparing it for orderly and compliant future development.</p>
<p><b>PO3</b> Buildings and structures are set back to:</p> <ul style="list-style-type: none"> <li>(a) establish a high standard of amenity;</li> <li>(b) achieve separation from adjoining premises.</li> </ul>	<p><b>AO3</b> No acceptable outcomes are prescribed.</p>	<p><b>Not Applicable.</b> The application relates to Vegetation Clearing.</p>
<p><b>PO4</b> Development is located, designed, operated and managed to respond to the characteristics, features and constraints of the site and its surrounds.</p> <p>Note - Planning scheme policy SC 6.13 – Site assessments provides guidance on identifying the characteristics, features and constraints of a site and its surrounds.</p>	<p><b>AO4</b> No acceptable outcomes are prescribed.</p>	<p><b>Complies with PO4.</b> The land is a previously disturbed parcel containing regrowth vegetation of low ecological value, and importantly, is not mapped for remnant vegetation, essential habitat, waterways, wetlands or any ecological overlays. As such, the location and scale of clearing avoids any areas of environmental sensitivity.</p> <p>The works have been confined to the existing vegetation footprint and do not extend into</p>



Performance outcomes	Acceptable outcomes	Applicant response
		<p>adjoining land, drainage features, or the managed golf course interface. No earthworks, excavation or modification of natural ground levels are proposed, meaning the landform, drainage patterns and soil structure remain intact. This approach ensures the development is compatible with the site's flat topography, avoids erosion risks and prevents off-site impacts.</p> <p>Operationally, the clearing will be undertaken using standard, low-impact methods that minimise noise and disturbance to nearby properties. Material will be chipped or removed responsibly, ensuring that the site is left in a stable, safe condition following completion of works. The timing and methodology of clearing also reflect the characteristics of the locality, with activities to occur during normal construction hours and in a manner that protects the amenity of surrounding residents and tourist accommodation.</p> <p>By restricting the clearing to non-significant regrowth and avoiding any disturbance to natural features, waterways, or environmental values, the proposal demonstrates that the development is appropriate and suitable in direct response to the characteristics and constraints of the site and its broader setting.</p>



Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO5</b> Development does not adversely affect the character and amenity of the area and adjoining areas in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.</p>	<p><b>AO5</b> No acceptable outcomes are prescribed.</p>	<p><b>Complies with PO5.</b></p> <p>The proposed vegetation clearing is a low-impact operational works activity that will not generate adverse effects on the character or amenity of the surrounding area. The works are limited in scope to the removal of regrowth vegetation and do not involve excavation, filling, machinery-intensive earthworks, or any long-term construction activity. As such, potential amenity impacts are inherently minimal and temporary.</p> <p>Traffic movements associated with the works will be limited to intermittent access by small plant and contractor vehicles, well within the capacity of Port Douglas Road and with no impact on the functioning of the surrounding road network. Noise associated with vegetation removal will be short term, occur during standard construction hours, and will be significantly less than that normally generated during typical development or civil works projects.</p> <p>Dust and odour impacts are not expected, as the clearing does not involve soil disturbance, mass grubbing, or stockpiling of exposed material. All vegetation will be chipped or removed responsibly, preventing decomposition odours and minimising airborne particulates. No lighting, night-time operations, or other forms of nuisance are</p>



Performance outcomes	Acceptable outcomes	Applicant response
		<p>proposed.</p> <p>The character of the locality will not be compromised, noting that the vegetation to be removed comprises unmanaged regrowth of limited visual or ecological value. The clearing will, in fact, improve presentation of the site by removing overgrown vegetation that currently contributes to an unkempt appearance.</p> <p>Accordingly, the proposed vegetation clearing will not result in adverse traffic, noise, dust, odour, lighting, or environmental impacts and will maintain the existing amenity and character of both the site and adjoining areas.</p>





Table 6.2.13.3.b - Inconsistent uses within Tourism zone

Inconsistent uses		
<ul style="list-style-type: none"> <li>• Adult store</li> <li>• Agricultural supplies store</li> <li>• Air services</li> <li>• Animal husbandry</li> <li>• Aquaculture</li> <li>• Brothel</li> <li>• Bulk landscape supplies</li> <li>• Car wash</li> <li>• Cemetery</li> <li>• Child care centre</li> <li>• Club</li> <li>• Community care centre</li> <li>• Community residence</li> <li>• Community use</li> <li>• Crematorium</li> <li>• Cropping</li> <li>• Detention facility</li> <li>• Dual occupancy</li> <li>• Dwelling house</li> <li>• Dwelling unit</li> <li>• Educational establishment</li> <li>• Emergency services</li> <li>• Extractive industry</li> <li>• Funeral parlour</li> <li>• Garden centre</li> <li>• Hardware and trade supplies</li> </ul>	<ul style="list-style-type: none"> <li>• Health care services</li> <li>• High impact industry</li> <li>• Home based business</li> <li>• Hospital</li> <li>• Hostel</li> <li>• Hotel</li> <li>• Intensive animal industry</li> <li>• Intensive horticulture</li> <li>• Landing</li> <li>• Low impact industry</li> <li>• Major electricity</li> <li>• Infrastructure</li> <li>• Major sport, recreation and entertainment facility</li> <li>• Marine industry</li> <li>• Medium impact industry</li> <li>• Motor sport facility</li> <li>• Multiple dwelling</li> <li>• Nightclub entertainment facility</li> <li>• Non-resident workforce accommodation</li> <li>• Office</li> <li>• Outdoor sales</li> <li>• Parking station</li> <li>• Permanent plantation</li> <li>• Place of worship</li> </ul>	<ul style="list-style-type: none"> <li>• Port services</li> <li>• Relocatable home park</li> <li>• Renewable energy facility, being a wind farm</li> <li>• Research and technology industry</li> <li>• Residential care facility</li> <li>• Retirement facility</li> <li>• Roadside stall</li> <li>• Rural industry</li> <li>• Rural workers' accommodation</li> <li>• Sales office</li> <li>• Service industry</li> <li>• Service station</li> <li>• Shop</li> <li>• Shopping centre</li> <li>• Showroom</li> <li>• Special industry</li> <li>• Substation</li> <li>• Theatre</li> <li>• Transport depot</li> <li>• Utility installation</li> <li>• Veterinary services</li> <li>• Warehouse</li> <li>• Wholesale nursery</li> </ul>

Note - This table does not imply that all other uses not listed in the table are automatically consistent uses within the zone. Assessable development must still demonstrate consistency through the assessment process.

## **9.4.9 Vegetation management code**

### **9.4.9.1 Application**

- (1) This code applies to assessing operational works for vegetation damage if:
  - (a) assessable development where the code is an applicable code identified in the assessment criteria column of a table of assessment;
  - (b) impact assessable development, to the extent relevant.
- (2) When using this code, reference should be made to Part 5.

### **9.4.9.2 Purpose**

- (1) The purpose of the Vegetation management code is achieved through the overall outcomes.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) vegetation is protected from inappropriate damage;
  - (b) where vegetation damage does occur it is undertaken in a sustainable manner;
  - (c) significant trees are maintained and protected;
  - (d) biodiversity and ecological values are protected and maintained;
  - (e) habitats for rare, threatened and endemic species of flora and fauna are protected and maintained;
  - (f) landscape character and scenic amenity is protected and maintained;
  - (g) heritage values are protected and maintained.

### 9.4.9.3 Criteria for assessment

**Table 9.4.9.3.a – Vegetation management –assessable development**

Note – All vegetation damage is to have regard to the provisions of AS4373-2009 Pruning of Amenity Trees

Performance outcomes	Acceptable outcomes	Applicant Response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> Vegetation is protected to ensure that: (a) the character and amenity of the local area is maintained; (b) vegetation damage does not result in fragmentation of habitats; (c) vegetation damage is undertaken in a sustainable manner; (d) the Shire's biodiversity and ecological values are maintained and protected; (e) vegetation of historical, cultural and / or visual significance is retained; (f) vegetation is retained for erosion prevention and slope stabilisation.	<b>AO1.1</b> Vegetation damage is undertaken by a statutory authority on land other than freehold land that the statutory authority has control over;  or  <b>AO1.2</b> Vegetation damage is undertaken by or on behalf of the local government on land controlled, owned or operated by the local government;  or  <b>AO1.3</b> Vegetation damage, other than referenced in AO1.1 or AO1.2 is the damage of: (a) vegetation declared as a pest pursuant to the <i>Land Protection (Pest and Stock Route Management) Act 2002</i> ; or (b) vegetation identified within the local government's register of declared plants pursuant to the local government's local laws; or (c) vegetation is located within a Rural zone and the trunk is located within ten metres of an existing building; or (d) vegetation is located within the Conservation zone or Environmental management zone	<b>Complies with PO1.</b> <b>(a) The character and amenity of the local area is maintained</b> The proposed vegetation clearing will not adversely affect the established character or amenity of the locality. As demonstrated in the Development Application for Operational Works (Vegetation Clearing), the vegetation present on the site comprises dense regrowth, invasive species and unmanaged secondary growth, rather than established or mature native vegetation of landscape significance.  The site adjoins the Mirage Golf Course to the north, which provides an existing high-quality landscaped interface. The removal of unmanaged regrowth, much of which is screened internally and not visible from Port Douglas Road, will not diminish the natural backdrop or visual amenity of the locality. Instead, the clearing will improve the presentation of this prominent site as it transitions toward redevelopment and will reduce the untidy appearance caused by unmanaged vegetation.  Accordingly, the proposal maintains and, in some respects, enhances the visual character of the local area.  <b>(b) Vegetation damage does not result in fragmentation of habitats</b> The land is not mapped within the Natural Areas



		<p>Overlay, nor does it contain <i>Regional Ecosystems</i> or <i>Essential Habitat</i> under the <i>Vegetation Management Act 1999</i>.</p> <p>The site is physically separated from significant habitat areas by the golf course and other urban development.</p> <p>The vegetation to be removed does not form part of a continuous or connected habitat corridor, nor does it contribute to broader ecological networks. Field observations confirm that the vegetation is structurally young, highly disturbed, and lacking in understorey complexity or fauna habitat value.</p> <p>As such, the proposed clearing will not fragment any ecological corridors or habitat areas, and therefore fully complies with this criterion.</p> <p><b>(c) Vegetation damage is undertaken in a sustainable manner</b></p> <p>The clearing works are limited in scope and have been designed to ensure that all vegetation removal is undertaken in a controlled, environmentally responsible and sustainable manner.</p> <p>The application confirms that:</p> <ul style="list-style-type: none"> <li>• No earthworks are proposed;</li> <li>• No alteration to natural drainage patterns will occur; and</li> <li>• All cleared vegetation will be mulched or chipped on site and removed responsibly in accordance with environmental standards.</li> </ul> <p>These measures ensure that vegetation damage is minimised, managed appropriately.</p> <p><b>(d) The Shire's biodiversity and ecological values</b></p>
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**are maintained and protected**

Given the absence of mapped ecological values, significant vegetation, or areas of environmental sensitivity on the site, the proposal will not adversely impact the Shire's biodiversity.

The vegetation is largely regrowth and non-endemic species of negligible ecological significance. The surrounding landscape, particularly the Mirage Golf Course, already provides a managed and well-vegetated ecological buffer. The removal of disturbed regrowth will not reduce ecological function, nor will it affect fauna movement, habitat availability, or vegetation communities of conservation value.

The proposal therefore maintains and protects biodiversity values consistent with the intent of this criterion.

**(e) Vegetation of historical, cultural and / or visual significance is retained**

No vegetation of historical or cultural significance has been identified on the site. The site has been previously disturbed, and aerial imagery over time confirms that the vegetation is the result of opportunistic regrowth over many years rather than any established or significant stand of vegetation.

The application does not seek the removal of any protected, iconic, or visually defining trees. Vegetation removal is limited to regrowth that does not contribute meaningfully to the cultural, historical, or scenic values of Port Douglas.

Accordingly, the criterion is fully satisfied.

**(f) Vegetation is retained for erosion prevention and slope stabilisation**



The site is generally flat and low-lying. Slopes across the subject land are minimal, and it is submitted that no areas are susceptible to erosion, land instability, or bank failure.

Importantly:

- No earthworks, excavation, or changes to ground levels are proposed;
- Clearing is limited to surface vegetation and does not disturb soil structure; and
- Existing drainage lines and levels will remain completely untouched.

Given the generally level topography and absence of erosion-prone conditions, the removal of regrowth vegetation will not compromise slope stability, nor is the vegetation required for erosion control.



and the trunk is located within three metres of an existing or approved structure, not including a boundary fence;.

or

**AO1.4**

Vegetation damage that is reasonably necessary for carrying out work that is:

- (a) authorised or required under legislation or a local law;
- (b) specified in a notice served by the local government or another regulatory authority;

or

**AO1.5**

Vegetation damage for development where the damage is on land the subject of a valid development approval and is necessary to give effect to the development approval;

or

**AO1.6**

Vegetation damage is in accordance with an approved Property Map of Assessable Vegetation issued under the *Vegetation Management Act 1999*;

or

**AO1.7**

Vegetation damage is essential to the maintenance of an existing fire break;

or

**AO1.8**

Vegetation damage is essential to prevent interference to overhead service cabling;



	<p>or</p> <p><b>AO1.9</b> Vegetation damage is for an approved Forest practice, where the lot is subject to a scheme approved under the <i>Vegetation Management Act 1999</i>;</p> <p>or</p> <p><b>AO1.10</b> Vegetation damage is undertaken in accordance with section 584 of the <i>Sustainable Planning Act 2009</i>.</p> <p><b>AO1.11</b> Vegetation damage where it is necessary to remove one tree in order to protect an adjacent more significant tree (where they are growing close to one another).</p> <p><b>AO1.12</b> Private property owners may only remove dead, dying, structurally unsound vegetation following receipt of written advice from, at minimum, a fully qualified Certificate V Arborist. A copy of the written advice is to be submitted to Council for its records, a minimum of seven business days prior to the vegetation damage work commencing.</p>	
<p><b>PO2</b> Vegetation damaged on a lot does not result in a nuisance</p>	<p><b>AO2.1</b> Damaged vegetation is removed and disposed of at an approved site;</p> <p>or</p> <p><b>AO2.2</b> Damaged vegetation is mulched or chipped if used onsite.</p>	<p><b>May comply with either AO2.1 or AO2.2</b> It is anticipated that vegetation will be chipped onsite and disposed offsite.</p>
<b>For assessable development</b>		



**PO3**

Vegetation damage identified on the Places of significance overlay lot does not result in a negative impact on the site's heritage values.

**AO3**

No acceptable outcomes are prescribed.

**Not Applicable.**