

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>	Rod Minisini and Kim Hockings
Contact name <i>(only applicable for companies)</i>	Greg Skyring, Greg Skyring Design and Drafting Pty Ltd
Postal address <i>(P.O. Box or street address)</i>	11 Noli Close
Suburb	Mossman
State	Qld
Postcode	4873
Country	Australia
Contact number	0740982061
Email address <i>(non-mandatory)</i>	greg@skyringdesign.com.au
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	

2) Owner's consent

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

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



PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
			White Beech Road	Cow Bay
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	249	RP738173	Douglas Shire
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

Coordinates of premises by longitude and latitude

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

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: <input type="text"/>	

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):

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

<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification: <input type="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? <i>(tick only one box)</i>
<input checked="" 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 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>
Dwelling House and Domestic Outbuilding (Shed)
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 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 checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition <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>
House and Shed	Dwelling House		
	Domestic Outbuilding		

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

Yes

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 constructed road <i>(complete 13)</i>

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

10.2) Will the subdivision be staged?

Yes – provide additional details below

No

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

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

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

12) Boundary realignment

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

Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot on plan description	Area (m ²)

12.2) What is the reason for the boundary realignment?

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

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

Division 3 – Operational work

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

14.1) What is the nature of the operational work?

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

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

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

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

\$

PART 4 – ASSESSMENT MANAGER DETAILS

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

Douglas Shire Council

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

<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application
<input type="checkbox"/> The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
<input checked="" type="checkbox"/> 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
- 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*)

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

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

PART 6 – INFORMATION REQUEST

19) Information request under 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: <i>By not agreeing to accept an information request I, the applicant, acknowledge:</i>
<ul style="list-style-type: none"> • <i>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</i> • <i>Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.</i>
<i>Further advice about information requests is contained in the DA Forms Guide.</i>

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 checked="" type="checkbox"/> Yes – show cause or enforcement notice is attached <input type="checkbox"/> 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 <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.	
Hazardous chemical facilities	
23.2) Is this development application for a hazardous chemical facility ?	
<input type="checkbox"/> Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application <input checked="" type="checkbox"/> No <i>Note: See 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 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.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 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

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

Yes

Relevant plans of the development are attached to this development application

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

Yes

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

Yes

Not applicable

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			
<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			

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) (individual or company full name)	
Contact name (only applicable for companies)	
Postal address (PO Box or street address)	
Suburb	
State	
Postcode	
Country	
Contact number	
Email address (non-mandatory)	
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	

PART 2 – LOCATION DETAILS

2) Location of the premises (complete 2.1 and 2.2 if 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](#).

2.1) 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).



Unit No.	Street No.	Street Name and Type	Suburb
Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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
- 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)
\$		

10) 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

11) Identify any of the following further legislative requirements that apply to any aspect of this development application

- 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?

- Yes – the *Referral checklist for building work* is attached to this development application
- No – proceed to Part 5

13) 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 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 5 – BUILDING WORK DETAILS

14) Owner's details

- Tick if the applicant is also the owner and proceed to 15). Otherwise, provide the following information.

Name(s) (individual or company full name)	
Contact name (applicable for companies)	
Postal address (P.O. Box or street address)	
Suburb	
State	

Postcode	
Country	
Contact number	
Email address <i>(non-mandatory)</i>	
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	

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>	
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

What type of approval 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 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 dwelling house and domestic outbuilding (shed)

e) 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 checked="" type="checkbox"/> Timber	<input type="checkbox"/> Aluminium
	<input type="checkbox"/> Stone/concrete	<input type="checkbox"/> Fibre cement	<input type="checkbox"/> Other
Frame	<input checked="" type="checkbox"/> Timber	<input checked="" type="checkbox"/> Steel	<input type="checkbox"/> Aluminium
	<input type="checkbox"/> Other		
Floor	<input checked="" 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 checked="" type="checkbox"/> Steel	<input type="checkbox"/> Other

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

Class 1a, and 10a

g) New building use/classification? (if applicable)
Class 1a, and 10a
h) 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 works are attached to the development application

17) What is the monetary value of the proposed building work?
\$unknown

18) Has Queensland Home Warranty Scheme Insurance been paid?		
<input type="checkbox"/> Yes – provide details below		
<input checked="" 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> Not applicable
Relevant plans of the development are attached to this development application <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>	<input checked="" type="checkbox"/> Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 9)	<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>
<i>Note: It is unlawful to intentionally provide false or misleading information.</i>
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. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website. Personal information will not be disclosed for a purpose unrelated to the <i>Planning Act 2016</i> , <i>Planning Regulation 2017</i> and the <i>DA Rules</i> except where: <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. This information may be stored in relevant databases. The information collected will be retained as required by the <i>Public Records Act 2002</i> .

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

Name	QBCC Certification Licence number	QBCC Insurance receipt number

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	

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

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			

Additional building details required for the Australian Bureau of Statistics

Existing building use/classification? <i>(if applicable)</i>			
New building use/classification?			
Site area (m ²)		Floor area (m ²)	

19th October 2020

The Manager,
Planning Services,
Douglas Shire Council
P.O. Box 723
Mossman Q 4873

Attention: - Development Services

Dear Sir/Madam,

RE: APPLICATION FOR MATERIAL CHANGE OF USE OF PREMISES –
DWELLING HOUSE and DOMESTIC OUTBUILDING (SHED)
on L249 RP38173, White Beech Road,
COW BAY for R. Minisini and K. Hockings

Attached are DA Forms 1 and 2 duly completed, together with sketches of the proposed dwelling house and shed, and soil classification and wastewater management report. In addition to the building locations, the attached site plan shows the approximate extent of existing and proposed vegetation.

The following report provides supporting information to show compliance or otherwise with the DSC planning scheme and codes within.

1.0 General Details

Applicant	R. Minisini and K. Hockings
Contact	Greg Skyring, Greg Skyring Design and Drafting Pty Ltd 11 Noli Close, Mossman QLD 4873 Ph - 07 40982061 Email - greg@skyringdesign.com.au
Registered Owner of Land	R. Minisini and K. Hockings
Real Property Description	L249 RP738173
Location	White Beech Road, Cow Bay

1.0 – General Details continued

Tenure	Freehold
Land Area	10,004m ²
Present Use	Vacant
Easements and Encumbrances	None
Local Government Authority	Douglas Shire Council
Planning Scheme	2018 Douglas Shire Planning Scheme
Planning Area	Conservation Zone
Assessment Level	Code Assessable, Precinct 2
Applicable Codes	Refer Below

2.0 Assessment Against the Douglas Shire Planning Scheme Codes

Table 6.2.3.3.a - Conservation zone – assessable development

Performance Outcomes	Acceptable Outcomes	Comments
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.	A dwelling and domestic outbuilding are not inconsistent uses
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. Note - Height is inclusive of roof height.	Complies
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 (d) 10 metres from side and rear boundaries.	Complies

<p>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.</p>	<p>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.</p> <p>Note – The 700m² area of clearing does not include an access driveway.</p>	<p>The proposed dwelling and shed will be sited in an existing cleared area. Current area of clearing is approx 800m². Planting with endemic species will be possible between the land application area (LAA) and the existing gully, providing a cleared area of approx 700m² excluding the driveway. Consideration will also be required for effective solar panel operation. Refer also to plan set, Site Plan sheet, Site Notes</p>
<p>PO5 Development is consistent with the overall outcomes sought for the Conservation zone.</p>	<p>AO5 No acceptable outcomes are prescribed.</p>	<p>Complies</p>
<p>PO6 Development complements, and is subservient to the surrounding environment and is in keeping with the ecological, landscape and scenic values of the area</p>	<p>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.</p>	<p>Proposed dwelling and carport will be required to comply with medium to dark colour schemes. Refer to Elevations Sheet.</p>
<p>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.</p>	<p>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.</p>	<p>Complies, refer to Site Plan.</p>
<p>PO8 Development is complementary to the surrounding environment.</p>	<p>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: (a) minimise erosion, particularly in the wet season; (b) minimise cut and fill; (c) follow the natural contours of the site; (d) minimise vegetation clearing. AO8.3 Buildings and structures are erected on land not exceeding a maximum gradient of 1 in 6 (16.6%)</p>	<p>Complies, the proposed dwelling is to be constructed of renewable timber framing and finished in natural colours.</p> <p>Complies</p> <p>Complies Land is generally flat</p>

	<p>or On land steeper than 1 in 6 (16.6%) gradient:</p> <ul style="list-style-type: none"> (e) A split level building form is utilised; (f) A single plane concrete slab is not utilised; (g) Any voids between building and ground level, or between outdoor decks and ground level are screened from view using lattice/battens and/or landscaping. <p>and</p> <ul style="list-style-type: none"> (h) 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>A08.4 Buildings and structures are sited below any ridgelines and are sited to avoid protrusion above the surrounding tree-level canopy.</p>	Complies
<p>PO9 Development is located to:</p> <ul style="list-style-type: none"> (a) protect the ecological values of the site and surrounding land; (b) maintain the scenic values of the area; (c) maintain appropriate setbacks to waterways, watercourses, wetlands, tidal areas and overland flow paths; (d) avoid areas that are vulnerable to natural hazards; (e) minimise to the greatest extent possible on site excavation and filling; (f) provide buffers to cultural, historical or ecological features; (g) minimise visibility from external sites or public viewing points; <p>minimises to the greatest extent possible the loss of native vegetation and fauna habitat.</p>	<p>A09 No acceptable outcomes are prescribed.</p>	Complies. The development is consistent with adjacent properties and their use.
<p>PO10 Development does not result in adverse impacts on:</p> <ul style="list-style-type: none"> (a) ecological function or features; on-site or surrounding waterways and wetlands. 	<p>A010 No acceptable outcomes are prescribed.</p>	Complies.

PO11 Rehabilitation of natural processes on disturbed sites is undertaken to improve the environmental integrity of the area.	AO11 No acceptable outcomes are prescribed	Complies
PO12 Fencing is designed to not impede the free movement of native fauna through the site.	AO12 No acceptable outcomes are prescribed.	Complies. No fencing is proposed.

Table 7.2.1.10a - Cape Tribulation and Daintree Coast local plan – assessable development

Performance Outcomes	Acceptable Outcomes	Comments
PO1 Development does not result in a demand which exceeds the capacity of: (a) the Daintree River ferry crossing; (b) Alexandra Range Road; (c) the local road network.	AO1 No acceptable outcomes are prescribed.	A dwelling and domestic outbuilding is acceptable development, so should fit within the expected traffic density for the region.
PO2 Development provides a suitable standard of self-sufficient service for: (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: (a) fitted with a 50mm ball valve and camlock fitting; (b) installed and connected prior to occupation; (c) sited so as to be visually unobtrusive. AO2.2 Water storage tanks are to be fitted with screening at their inlets to prevent the intrusion of leaves and insects. 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.	Water storage tanks with minimum 30,000L capacity will be provided for combined domestic use and fire fighting as set out in the acceptable outcomes. Solar panels and ancillary equipment will be installed to adequately service all buildings; the battery set and generator will be in a secured shed area depicted on the Site Plan
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	A waste water system, designed to the appropriate Australian Standard will provide minimum secondary level waste treatment. Refer to attached report.
PO4 The sustainability of the natural water resources of the area is protected for ecological and domestic consumption purposes	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	A bore is located at the front right hand side of the property as a top-up method for the proposed water storage tanks. Qld Globe shows no other registered

	<p>adjoining sites); not located within 100 metres of another bore. AO4.2 Surface water is to be used for domestic purposes only.</p>	<p>bore within 100m. Roof catchment will be directed to sufficiently service the storage tanks.</p>
<p>PO5 Development does not adversely impact on areas of sensitive natural vegetation, foreshore areas, watercourses and/or areas of tidal inundation.</p>	<p>AO5 No acceptable outcomes are prescribed.</p>	<p>Complies</p>
<p>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>	<p>AO6.1 The exterior finishes and colours of buildings are non-reflective and complement the colours of the surrounding vegetation and view shed. 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. 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>Complies, refer to included plan set, Elevations Sheet</p> <p>The generator is to be housed in the proposed shed and encased to ensure a complying level of sound transmission.</p> <p>Owner to be advised</p>
<p>PO7 Landscaping of the development ensures that the endemic character of the local area is dominant.</p>	<p>AO7.1 Landscaping complies with the requirements of Planning Scheme Policy 7 – Landscaping; 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>	<p>Complies, refer to notes on the Site Plan of the included plan set</p> <p>Complies</p>
<p>PO8 Site access driveways and roads within the local plan area are retained as safe, slow speed, scenic drives.</p>	<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; 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>	<p>A driveway access to comply with FNQROC standard drawing S1105E current edition will be installed.</p> <p>N/A</p>

<p>PO9 The on-site impacts on natural flow regimes and erosion and sedimentation are minimised.</p>	<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: (a) maintains natural flow regimes; (b) minimises impervious surfaces; 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>	<p>Maximum fall of the allotment is about 1%. A maximum of 150mm fill of similar material to existing (silty clay) will be provided to ensure no ponding of water will occur around the proposed dwelling.</p> <p>The proposed building location is clear of tree roots.</p> <p>All downpipes will be used for water harvesting. Otherwise will be directed to a 600 x 300 x300 deep rock filled trench to each outlet.</p>
<p>General requirements – Dwelling house</p>		
<p>PO10 Development minimises the loss of vegetation and habitat connectivity on site and is sited to protect the environmental values of the site.</p>	<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. Note – The 700m² of clearing does not include an access driveway.</p>	<p>The proposed dwelling is located within an existing cleared area.</p>
<p>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.</p>	<p>AO11 No acceptable solutions are prescribed.</p>	<p>Complies</p>
<p>PO12 Wildlife movement, fauna habitat and habitat corridors are protected and domestic impacts are minimised.</p>	<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</p>	<p>No fences will be provided.</p> <p>Owner to be advised by approval condition</p>

	vegetation should, in general, not be illuminated. Where appropriate, outdoor lights are controlled by movement detectors and/or timers.	
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.	AO13.1 Vehicle access is limited to one access per lot and sited in an approved location, clear of any watercourses. 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. AO13.3 Vehicular access is constructed prior to house construction.	Complies Refer to plan set Site Plan note. This would be a necessary requirement

Table 8.2.1.3.a – Acid sulfate soils overlay code – assessable development

Performance Outcomes	Acceptable Outcomes	Comments
PO1 The extent and location of potential or actual acid sulfate soils is accurately identified.	AO1.1 No excavation or filling occurs on the site. or AO1.2 An acid sulfate soils investigation is undertaken. Note - Planning scheme policy SC 6.12– Potential and actual acid sulfate soils provides guidance on preparing an acid sulfate soils investigation.	This allotment is within the 5-20m AHD zone and sits at about 10m AHD. Reference to Figure 8.2.1.3a for no excavation below 5m AHD indicates this code does not apply.

Table 8.2.2.3.a – Bushfire hazard overlay code – assessable development

Performance Outcomes	Acceptable Outcomes	Comments
Development design and separation from bushfire hazard – material change of use		
PO10 Development is located and designed to ensure proposed buildings or building envelopes achieve a radiant heat flux level at any point on the building or envelope respectively, of: (a) 10kW/m ² where involving a vulnerable use; or (b) 29kW/m ² otherwise. The radiant heat flux level is achieved by separation unless this is not practically achievable. Note - The radiant heat levels and separation distances are to be	AO10 Buildings or building envelopes are separated from hazardous vegetation by a distance that: (a) achieves a radiant heat flux level of at any point on the building or envelope respectively, of 10kW/m ² for a vulnerable use or 29kW/m ² otherwise; and (b) is contained wholly within the development site. Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation.	The proposed dwelling is in the medium potential bushfire intensity hazard level, bordering on the high potential area. This hazard level will be taken into consideration during the structural design of the dwelling, and material selection.

<p>established in accordance with method 2 set out in AS3959-2009.</p>	<p>For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages. Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.</p>	
<p>PO11 A formed, all weather fire trail is provided between the hazardous vegetation and the site boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p> <p>However, a fire trail will not be required where it would not serve a practical fire management purpose.</p> <p>Note - Fire trails are unlikely to be required where a development site involves less than 2.5ha</p>	<p>AO11 Development sites are separated from hazardous vegetation by a public road or fire trail which has:</p> <ul style="list-style-type: none"> (a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (f) a maximum gradient of 12.5%; (g) a cross fall of no greater than 10 degrees; (h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy; (i) vehicular access at each end which is connected to the public road network which is connected to the public road network at intervals of no more than 500m; (j) designated fire trail signage; (k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and (l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services. 	<p>Complies, allotment is less than 2.5ha. Furthermore, the Conservation code max cleared area of 700m² makes the acceptable outcomes separation distances impossible to achieve.</p>
<p>All development</p>		
<p>PO12 All premises are provided with vehicular access that enables safe evacuation for occupants and easy access by fire fighting appliances.</p>	<p>AO12 Private driveways:</p> <ul style="list-style-type: none"> (a) do not exceed a length of 60m from the street to the building; (b) do not exceed a gradient of 12.5%; (c) have a minimum width of 3.5m; (d) have a minimum of 4.8m vertical 	<p>The proposed buildings are set back within the property for privacy. The driveway will be approximately 55m in length from the front boundary, and will be level in grade.</p>

	<p>clearance;</p> <p>(e) accommodate turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and</p> <p>serve no more than 3 dwellings or buildings.</p>	
<p>PO13</p> <p>Development outside reticulated water supply areas includes a dedicated static supply that is available solely for fire fighting purposes and can be accessed by fire fighting appliances.</p>	<p>AO13</p> <p>A water tank is provided within 10m of each building (other than a class 10 building) which:</p> <p>(a) is either below ground level or of non-flammable construction;</p> <p>(b) has a take off connection at a level that allows the following dedicated, static water supply to be left available for access by fire fighters:</p> <p>(i) 10,000l for residential buildings</p> <p>Note – A minimum of 7,500l is required in a tank and the extra 2,500l may be in the form of accessible swimming pools or dams.</p> <p>(ii) 45,000l for industrial buildings; and</p> <p>(iii) 20,000l for other buildings;</p> <p>(c) includes shielding of tanks and pumps in accordance with the relevant standards;</p> <p>(d) includes a hardstand area allowing medium rigid vehicle (15 tonne fire appliance) access within 6m of the tank;</p> <p>(e) is provided with fire brigade tank fittings – 50mm ball valve and male camlock coupling and, if underground, an access hole of 200mm (minimum) to accommodate suction lines; and</p> <p>is clearly identified by directional signage provided at the street frontage.</p>	<p>Complies. Refer to Site Plan</p>
<p>PO14</p> <p>Landscaping does not increase the potential bushfire risk.</p>	<p>AO14</p> <p>Landscaping uses species that are less likely to exacerbate a bushfire event, and does not increase fuel loads within separation areas.</p>	<p>Complies.</p>
<p>PO15</p> <p>The risk of bushfire and the need to mitigate that risk is balanced against other factors (such as but not limited to, biodiversity or scenic amenity).</p>	<p>AO15</p> <p>Bushfire risk mitigation treatments do not have a significant impact on the natural environment or landscape character of the locality where this has value.</p>	<p>Complies.</p>

Table 0.b – Natural areas overlay code – assessable development

Performance Outcomes	Acceptable Outcomes	Comments
For self-assessable and assessable development		
Protection of matters of environmental significance		
<p>PO1 Development protects matters of environmental significance.</p>	<p>AO1.1 Development avoids significant impact on the relevant environmental values. or AO1.2 A report is prepared by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, that the development site does not contain any matters of state and local environmental significance. or AO1.3 Development is located, designed and operated to mitigate significant impacts on environmental values. For example, a report certified by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, how the proposed development mitigates impacts, including on water quality, hydrology and biological processes.</p>	<p>Complies. Cleared area will be approx 700m², and no fences will be installed</p>
Management of impacts on matters of environmental significance		
<p>PO2 Development is located, designed and constructed to avoid significant impacts on matters of environmental significance.</p>	<p>AO2 The design and layout of development minimises adverse impacts on ecologically important areas by: (a) focusing development in cleared areas to protect existing habitat; (b) utilising design to consolidate density and preserve existing habitat and native vegetation; (c) aligning new property boundaries to maintain ecologically important areas; (d) ensuring that alterations to natural landforms, hydrology and drainage patterns on the development site do not negatively affect ecologically important areas; (e) ensuring that significant fauna habitats are protected in their environmental context; and (f) incorporating measures that allow for the safe movement of fauna through the site.</p>	<p>Complies. Development is restricted to an existing cleared area, which is 7% of the allotment area.</p>

<p>PO3 An adequate buffer to areas of state environmental significance is provided and maintained.</p>	<p>AO3.1 A buffer for an area of state environmental significance (Wetland protection area) has a minimum width of: (a) 100 metres where the area is located outside Urban areas; or (b) 50 metres where the area is located within a Urban areas. or AO3.2 A buffer for an area of state environmental significance is applied and maintained, the width of which is supported by an evaluation of environmental values, including the function and threats to matters of environmental significance.</p>	<p>N/A</p>
<p>PO4 Wetland and wetland buffer areas are maintained, protected and restored. Note – Wetland buffer areas are identified in AO3.1.</p>	<p>AO4.1 Native vegetation within wetlands and wetland buffer areas is retained. AO4.2 Degraded sections of wetlands and wetland buffer areas are revegetated with endemic native plants in patterns and densities which emulate the relevant regional ecosystem.</p>	<p>N/A</p>
<p>PO5 Development avoids the introduction of non-native pest species (plant or animal), that pose a risk to ecological integrity.</p>	<p>AO5.1 Development avoids the introduction of non-native pest species. AO5.2 The threat of existing pest species is controlled by adopting pest management practices for long-term ecological integrity.</p>	<p>Complies. Only endemic species are proposed for revegetation. No pets are proposed.</p>
<p>Ecological connectivity</p>		
<p>PO6 Development protects and enhances ecological connectivity and/or habitat extent.</p>	<p>AO6.1 Development retains native vegetation in areas large enough to maintain ecological values, functions and processes. and AO6.2 Development within an ecological corridor rehabilitates native vegetation. and AO6.3 Development within a conservation corridor mitigates adverse impacts on native fauna, feeding, nesting, breeding and roosting sites and native fauna movements.</p>	<p>Complies. Buildings will be located in an existing cleared area, and revegetated as required.</p>

PO7 Development minimises disturbance to matters of state environmental significance (including existing ecological corridors).	AO7.1 Development avoids shading of vegetation by setting back buildings by a distance equivalent to the height of the native vegetation. and AO7.2 Development does not encroach within 10 metres of existing riparian vegetation and watercourses.	Complies.
Waterways in a non-urban area		
PO9 Development is set back from waterways to protect and maintain: (c) water quality; (d) hydrological functions; (e) ecological processes; (f) biodiversity values; (g) riparian and in-stream habitat values and connectivity; (h) in-stream migration.	AO9 Development does not occur on that part of the site affected by a waterway corridor. Note – Waterway corridors are identified within Table 8.2.7.3.b.	Complies. A shallow drain along the northern boundary is in place, with the closest building being 20m clear.

Table 0.c — Widths of waterway corridors for waterways

Waterways classification	Waterway corridor width	Comments
Waterways in Urban areas	10 metres measured perpendicular from the top of the high bank.	Complies, refer to Site Plan

Table 9.3.8.3.a – Dwelling house code –assessable development

Performance Outcomes	Acceptable Outcomes	Comments
PO1 Secondary dwellings: (a) are subordinate, small-scaled dwellings; (b) contribute to a safe and pleasant living environment; (c) are established on appropriate sized lots; do not cause adverse impacts on adjoining properties.	AO1 The secondary dwelling: (a) has a total gross floor area of not more than 80m ² , excluding a single carport or garage; (b) is occupied by 1 or more members of the same household as the dwelling house.	N/A
PO2 Resident's vehicles are accommodated on- site.	AO2 Development provides a minimum number of on-site car parking spaces comprising: (a) 2 car parking spaces which may be in tandem for the dwelling house; (b) 1 car parking space for any secondary dwelling on the same site.	Complies.
PO3 Development is of a bulk and scale that: (a) is consistent with and complements the built form and front boundary setbacks prevailing in the street and local area; (b) does not create an overbearing	AO3 Development meets the acceptable outcome for building height in the applicable Zone code associated with the site.	Complies.

development for adjoining dwelling houses and their private open space; (c) does not impact on the amenity and privacy of residents in adjoining dwelling houses; ensures that garages do not dominate the appearance of the street.		
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Table 9.4.1.3.a – Access, parking and servicing code – assessable development

Performance Outcomes	Acceptable Outcomes	Comments
<p>PO1 Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected to be generated by the use or uses of the site, having particular regard to:</p> <p>(a) the desired character of the area; (b) the nature of the particular use and its specific characteristics and scale;</p> <p>(i) the number of employees and the likely number of visitors to the site; (j) the level of local accessibility; (k) the nature and frequency of any public transport serving the area; (l) whether or not the use involves the retention of an existing building and the previous requirements for car parking for the building (m) whether or not the use involves a heritage building or place of local significance; whether or not the proposed use involves the retention of significant vegetation.</p>	<p>AO1.1 The minimum number of on-site vehicle parking spaces is not less than the number prescribed in Table 9.4.1.3.b for that particular use or uses. Note - Where the number of spaces calculated from the table is not a whole number, the number of spaces provided is the next highest whole number.</p> <p>AO1.2 Car parking spaces are freely available for the parking of vehicles at all times and are not used for external storage purposes, the display of products or rented/sub-leased.</p> <p>AO1.3 Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking.</p> <p>AO1.4 For parking areas exceeding 50 spaces parking, is provided for recreational vehicles as a substitute for ordinary vehicle parking to a maximum of 5% of total ordinary vehicle parking rate.</p>	<p>Complies. 2 covered spaces are provided in the carport.</p> <p>Complies</p> <p>N/A</p> <p>N/A</p>
<p>PO2 Vehicle parking areas are designed and constructed in accordance with relevant standards.</p>	<p>AO2 Vehicle parking areas are designed and constructed in accordance with Australian Standard: (a) AS2890.1; (b) AS2890.3; (c) AS2890.6.</p>	<p>Car parking and maneuvering areas are far in excess than required by the AS's</p>
<p>PO3 Access points are designed and constructed:</p> <p>(d) to operate safely and efficiently; (e) to accommodate the anticipated type and volume of vehicles (f) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate; (g) so that they do not impede traffic</p>	<p>AO3.1 Access is limited to one access cross over per site and is an access point located, designed and constructed in accordance with: (l) Australian Standard AS2890.1; (m) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers.</p>	<p>Only 1 access will be provided. Refer also to Site Plan.</p>

<p>or pedestrian movement on the adjacent road area;</p> <p>(h) so that they do not adversely impact upon existing intersections or future road or intersection improvements;</p> <p>(i) so that they do not adversely impact current and future on-street parking arrangements;</p> <p>(j) so that they do not adversely impact on existing services within the road reserve adjacent to the site;</p> <p>(k) so that they do not involve ramping, cutting of the adjoining road reserve or any built structures (other than what may be necessary to cross over a stormwater channel).</p>	<p>AO3.2 Access, including driveways or access crossovers:</p> <p>(n) are not placed over an existing:</p> <ul style="list-style-type: none"> (iv) telecommunications pit; (v) stormwater kerb inlet; (vi) sewer utility hole; (vii) water valve or hydrant. <p>(o) are designed to accommodate any adjacent footpath;</p> <p>(p) adhere to minimum sight distance requirements in accordance with AS2980.1.</p> <p>AO3.3 Driveways are:</p> <p>(q) designed to follow as closely as possible to the existing contours, but are no steeper than the gradients outlined in Planning scheme policy SC6.5 – FNQROC Regional Development Manual;</p> <p>(r) constructed such that where there is a grade shift to 1 in 4 (25%), there is an area with a grade of no more than 1 in 6 (16.6%) prior to this area, for a distance of at least 5 metres;</p> <p>(s) on gradients greater than 1 in 6 (16.6%) driveways are constructed to ensure the cross-fall of the driveway is one way and directed into the hill, for vehicle safety and drainage purposes;</p> <p>(t) constructed such that the transitional change in grade from the road to the lot is fully contained within the lot and not within the road reserve;</p> <p>(u) designed to include all necessary associated drainage that intercepts and directs storm water runoff to the storm water drainage system.</p> <p>AO3.4 Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.</p>	<p>Complies</p> <p>Complies. Driveway follows existing contours, and are generally level.</p> <p>Driveway construction will consist of a minimum 75mm deep compacted sub-grade gravel layer.</p>
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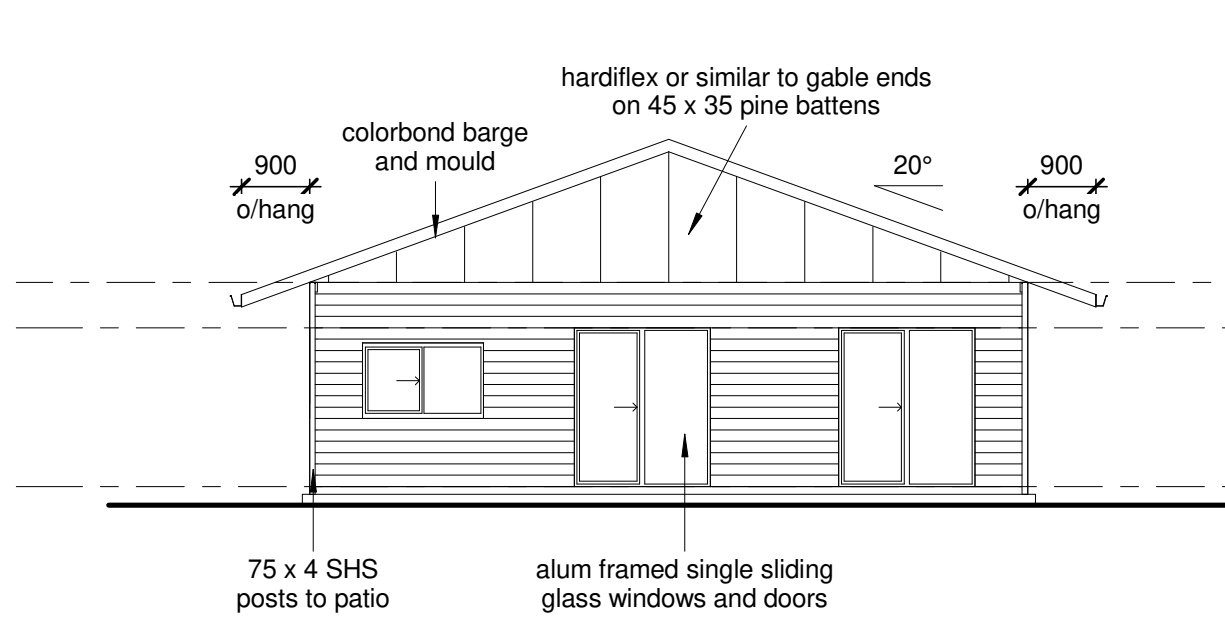
Table 9.4.4.3.a – Filling and excavation code – for self-assessable and assessable development

Performance Outcomes	Acceptable Outcomes	Comments
Filling and excavation - General		
<p>PO1 All filling and excavation work does not create a detrimental impact on the slope stability, erosion potential or visual amenity of the site or the surrounding area.</p>	<p>AO1.1 The height of cut and/or fill, whether retained or not, does not exceed 2 metres in height.</p>	<p>Cut/fill required for this development will be no more than 150mm. Crossfall to the allotment is no more than 1%.</p>

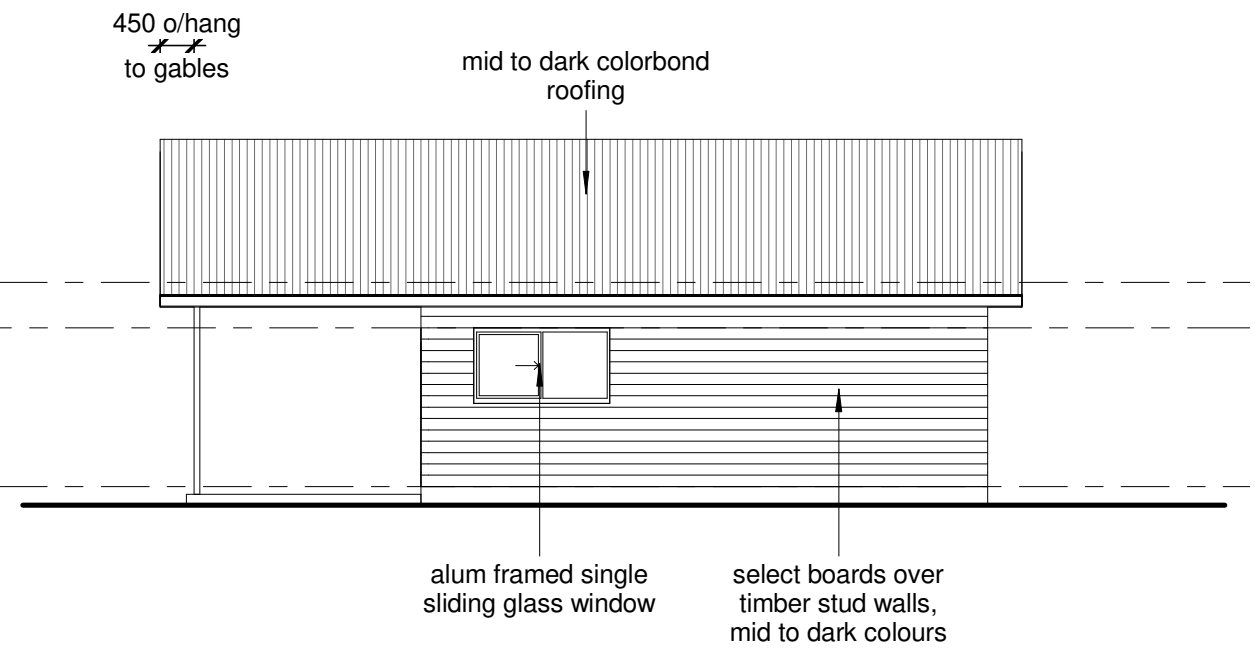
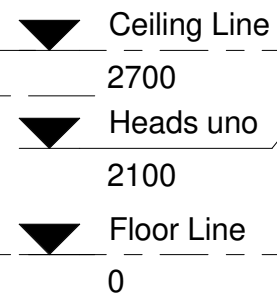
CONCLUSION

The development application seeks a Development Permit for Material Change of Use for the purpose of a dwelling house and domestic outbuilding (shed) on land described as L249 RP738173, White Beech Road, COW BAY. The report includes supporting information intended to address any concerns Council may have as the assessing authority.

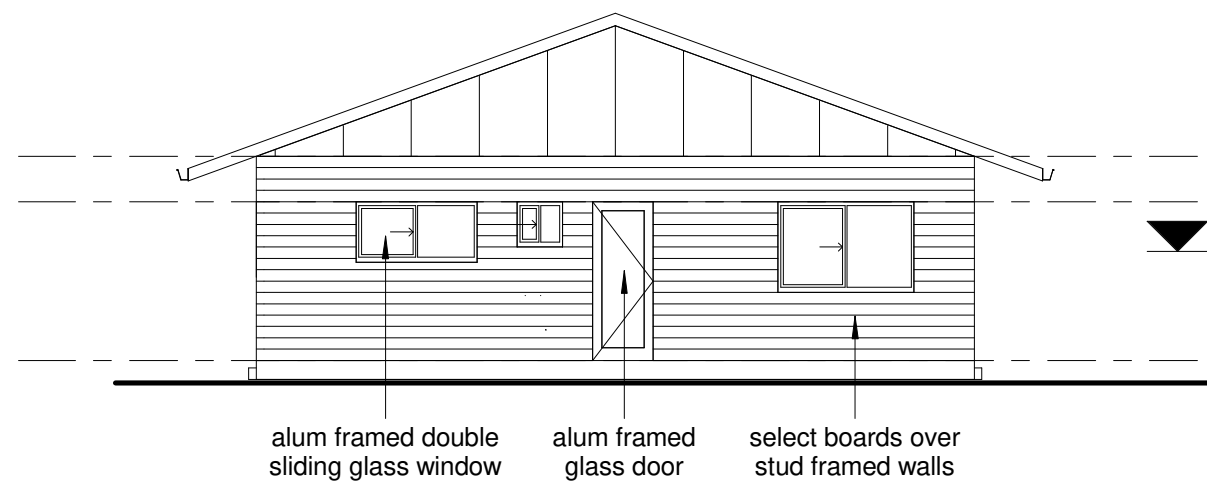
The proposed development is considered generally consistent with the relevant Planning Scheme Codes and overlays.



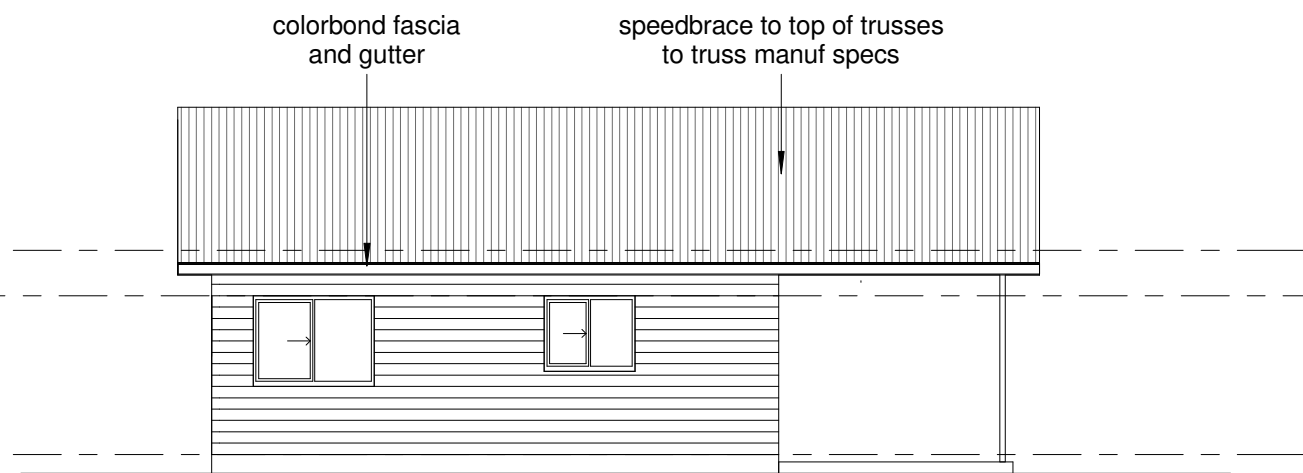
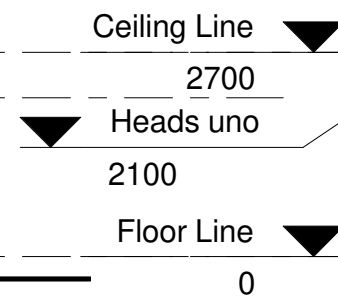
1 Front Elevation
1 : 100



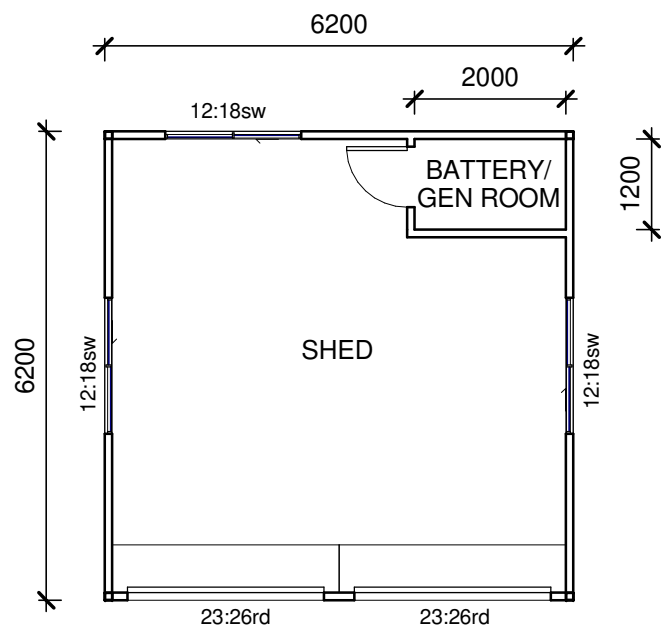
2 Right Elevation
1 : 100



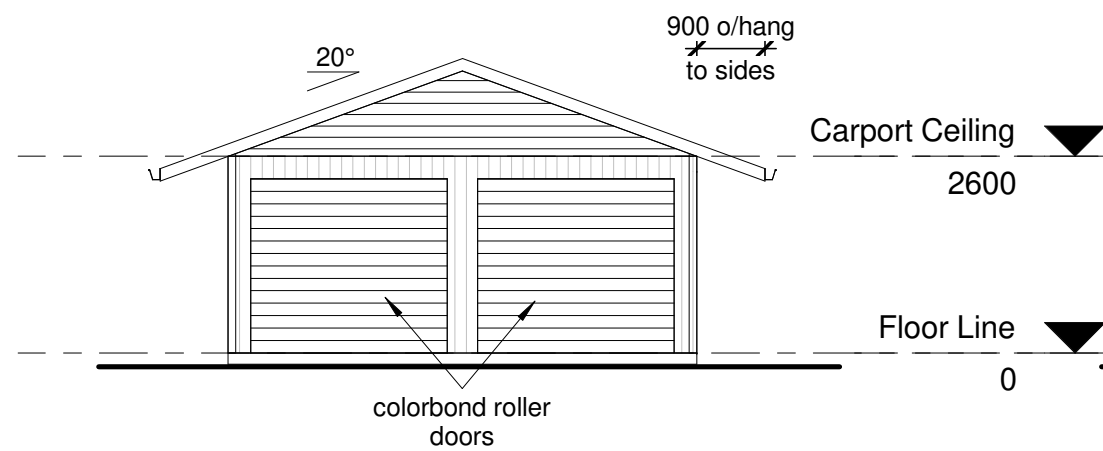
3 Rear Elevation
1 : 100



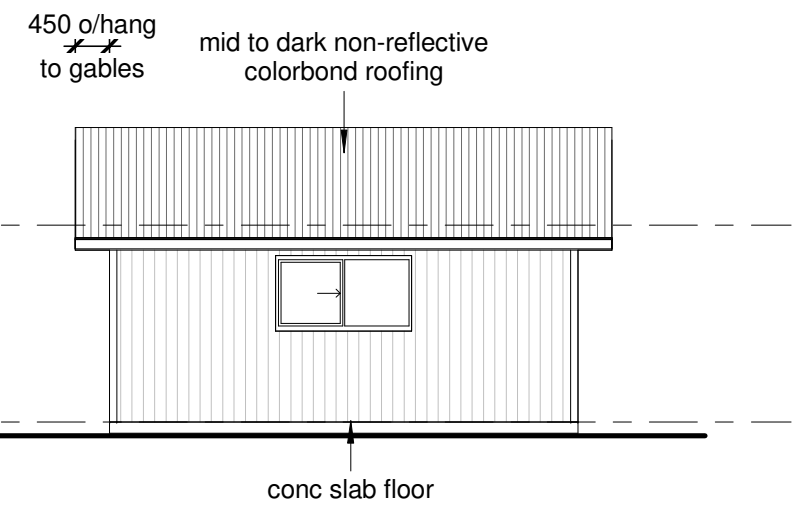
4 Left Elevation
1 : 100



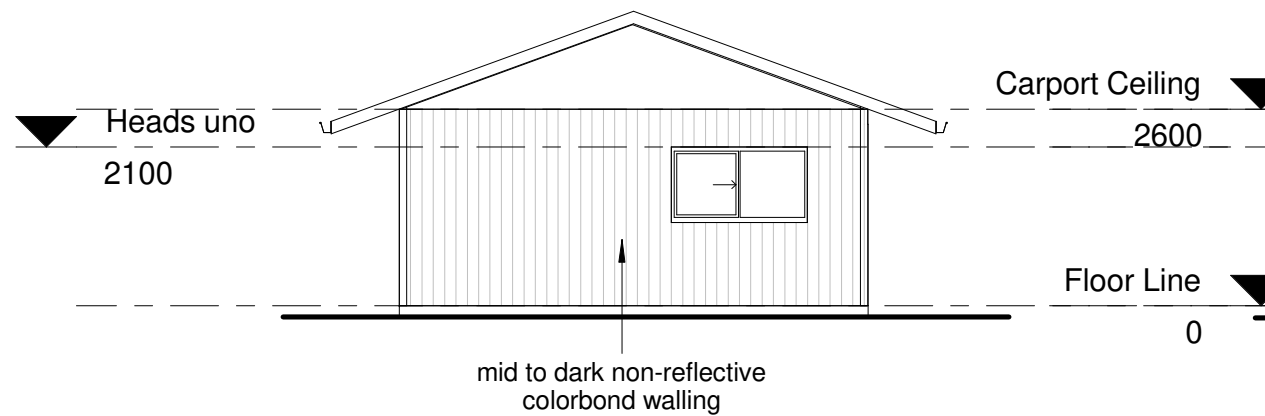
1 Floor Plan - Shed
1 : 100



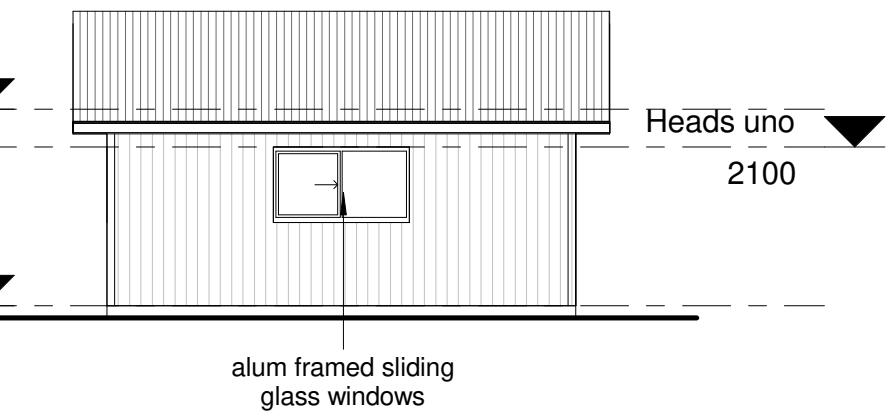
2 Front Elevation - Shed
1 : 100



3 Right Elevation - Shed
1 : 100



4 Rear Elevation - Shed
1 : 100



5 Left Elevation - Shed
1 : 100

OUR REF: Doc ID 960449

13 August 2020

Rod Minisini and Kim Hockings
342 Robinson Road
BORROLOOLA
NT 0854

Dear Owner

RE: SHOW CAUSE FOR AN UNAPPROVED CLASS 10A STRUCTURE (SHED) AND UNLAWFUL VEGETATION DAMAGE CONSTITUTING OPERATIONAL WORKS AT LOT 249 WHITE BEECH ROAD, COW BAY, FORMALLY DESCRIBED AS, LOT 249 ON RP 738173.

As the Owner of Lot 249 White Beech Road, Cow Bay, also described as Lot 249 on RP 738173, please find enclosed a Show Cause Notice regarding the unapproved Class 10a structure (shed) at the Premise.

Council officers attended your property on 27 June 2020, as a result of a complaint. The officers observed and documented a permanent Class 10a structure (shed) and vegetation damage at Lot 249 White Beech Road, Cow Bay also described as Lot 249 on RP 738173.

Council has no record of development approvals being issued for the construction of a Class 10a structure or operational works (vegetation damage) at the Premises. Under the *2018 Douglas Shire Planning Scheme* (the Planning Scheme) within the Conservation zone, Class 10a structures are Code Assessable and therefore require a development approval. Under the Planning Scheme, operational works (vegetation damage) is also code assessable development requiring development approval from Council for the works you have undertaken.

You are invited to show cause as to why an Enforcement Notice should not be issued to you pursuant to section 163 of the Planning Act 2016.

SHIRE
COUNCIL

DOUGLAS

Any representations about the show cause are to be provided in writing. If you have any questions please do not hesitate to contact Rebecca Taranto Development and Environmental Compliance Officer on 4099 9531.

Yours faithfully

A handwritten signature in black ink, appearing to read 'P. Hoyer', with a small dot at the end.

For
Paul Hoyer
Manager Environment & Planning

Show Cause Notice

1. Authorising legislation	<p>Planning Act 2016</p> <p>Section 167</p>
2. Recipient Name and address	<p>Rod Minisini and Kim Hockings Lot 249 White Beech Road Cow Bay QLD 4873</p>
3. Date	<p>13 August 2020</p>
4. Premises	<p>Lot 249 White Beech Road, Cow Bay described as Lot 249 on RP738173</p>
5. Authorising power/ description of offence	<p>This Show Cause Notice is given to you pursuant to section 167 of the <i>Planning Act 2016 (Act)</i>. You are invited to show cause why an Enforcement Notice under section 168 of the Act should not be given to you.</p> <p>Douglas Shire Council (Council) reasonably believes that you have committed a development offence by contravening section 163 of the Act.</p> <p>Section 163 of the Act states as follows:</p> <p>"163 Carrying out assessable development without permit</p> <p>(1) <i>A person must not carry out assessable development, unless all necessary development permits are in effect for the development.</i></p> <p style="text-align: center;"><i>Maximum penalty-</i></p> <p>(a) <i>If the assessable development is on a Queensland heritage place or local heritage place – 17,000 penalty units; or</i></p> <p>(b) <i>Otherwise - 4500 penalty unit (\$600,525)".</i></p> <p>(2) <i>However, subsection (1) does not apply to development carried out-</i></p> <p>(a) <i>under section 29(10)(a); or</i></p> <p>(b) <i>in accordance with an exemption certificate under section 46; or</i></p> <p>(c) <i>under section 88(3).</i></p>
6. Fact and circumstances	<p>The facts and circumstances that form the basis of the Council's belief that an Enforcement Notice should be given to you are set out below:</p> <ol style="list-style-type: none"> 1. You are the owner of Lot 249 White Beech Road, Cow Bay, being described as Lot 249 on RP 738138 (Premises). 2. The Premises has an area of 10037.731 Square Metres and frontage to White Beech Road, Cow Bay. 3. The Premises is within the Conservation zone and Precinct 2 under the Cape Tribulation and Daintree Coast Local Plan from within the 2018 Douglas Shire Planning Scheme Version 1.0 (The Planning Scheme). 4. Council has the following planning considerations on record: <ol style="list-style-type: none"> a) Not accepted-Application 044/04 – permit to damage protected vegetation. b) 25/08/2004- Compliance notice served- illegal clearing of vegetation. c) 20/09/2005-Approval for Material Change of Use- Dwelling House- MCU 3D 055/04 d) 20/09/2005- Approval to damage protected vegetation- 041/05 e) 20/09/2007- Approval to damage protected vegetation- 025/07

	<ol style="list-style-type: none"> 5. Council received complaints in relation to concerns generated from tree felling at the Premises. 6. Council was informed that an unapproved Class 10a structure had been erected at the Premises. 7. In particular, on 27 June 2020, it was observed and with video evidence recorded that a Class 10a structure has been developed on the Premises. 8. In particular, on 27th June 2020, an area of recently cleared vegetation approximately 30m x 25m was observed on the Premises. 9. In particular, it was observed that, timber felled on the premises had been used in the construction of the Class 10a structure. 10. Under the 2018 Douglas Shire Planning Scheme, a Class 10a structure developed on land within the Conservation zone constitutes a material change of use when developed on vacant land. 11. Council records indicate that no existing development approvals have been issued that permit the construction of a Class 10a structure at the Premises. 12. Under the <i>2018 Douglas Shire Planning Scheme</i>, operational works (vegetation damage) is Code Assessable development within the Conservation zone where not complying with the accepted development outcomes. 13. Council records indicate that no existing development approvals have been issued to permit vegetation damage at the Premises. 14. The vegetation damage work undertaken at the Premises is not accepted development under the Planning Scheme therefore requiring a development approval. 15. On this basis, Council reasonably believes you have committed a number of development offences contrary to the <i>Planning Act 2016</i> section 163, which states that a person must not carry out assessable development, unless all necessary development permits are in effect for the development. 16. The maximum penalty for contravening section 163 of the <i>Planning Act 2016</i> is 4,500 penalty units (\$600,525). 17. For these reasons, Council believes that an Enforcement Notice should be given to you.
<p>6. Representations may be made</p>	<p>You may make representations to the Council about this Show Cause Notice.</p> <p>If you choose to make representations, they must be in writing and posted to the following address:</p> <p>Chief Executive Officer Douglas Shire Council PO Box 723 MOSSMAN QLD 4873</p> <p>Representations must be received by Council by no later than 5pm on 25 September 2020. Council is not obliged to consider any representations received after this time.</p> <p>An Enforcement Notice under section 168 of the Act may be given to you if you do not show cause within the time required under this notice, or if Council believes that an Enforcement Notice is still appropriate after consideration of all representations made by you within the required timeframe.</p> <p>Failure to comply with an Enforcement Notice is an offence under section 168(5) of the Act. The maximum penalty for contravening an Enforcement Notice is 4,500 penalty units (\$600,525).</p>

7. Signatory

Yours faithfully

A handwritten signature in black ink, appearing to be 'P. Hoyer', with a small dot at the end.

For
Paul Hoyer
Manager Environment & Planning

Contact Officer: *Rebecca Taranto*

Phone No: 07 4099 9531



Site Classification

And

Wastewater Management System

For

Greg Skyring Design & Drafting

At

Lot 249 White Beech Road

Cow Bay

INTRODUCTION:

Earth Test has been engaged by Greg Skyring Design & Drafting to assess, design and report on Site Classification and a Domestic Wastewater Management System at Lot 249 White Beech Road, Cow Bay.

Real Property Description:-

Lot 249, on RP 738173

Local Authority: Douglas Shire Council.

It is understood the intention is to construct a new dwelling at the site.

A site and soil evaluation was carried out in August 2020.

SITE FACTORS:

The site was identified by its site address, a photo was taken to confirm the sites identity.

The Lot is predominantly covered rainforest and the proposed site is cleared.

The water supply to the site is from a bore located at the front of the property.

Two Dynamic Cone Penetrometer tests were performed at locations DCP1 and DCP2, one borehole BH1 and one constant head soil permeability test P1 as shown on the site plan.

Atterberg Limits tests were performed on a disturbed sample from Borehole1.



BH1 being sampled at Lot 249 White Beech Road, Cow Bay



SITE INVESTIGATION REPORT

BOREHOLE LOG

CLIENT: Greg Skyring Design & Drafting.		DATE SAMPLED: 11/08/2020
PROJECT: Lot 249 White Beech Road, Cow Bay.		Sampled by: G. Negri
REPORT DATE: 15/08/20		
BOREHOLE No: BH1		
DEPTH (m)	DESCRIPTION	COMMENTS
0.0-0.2	Brown Silty-Clay	Disturbed sample 0.6- 0.9m.
0.2-1.4	Red-Brown Silty-Clay	Watertable not encountered



ATTERBERG LIMITS TEST REPORT

CLIENT: Greg Skyring Design & Drafting

SAMPLE No: SI 444-20

PROJECT: Lot 249 White Beech Road, Cow Bay

DATE SAMPLED: 11/08/2020

SAMPLE DETAILS: BH1 0.6-0.9m

Sampled by: G. Negri

REPORT DATE: 15/08/20

Tested By: P. Weigand

TEST METHOD	RESULT
Liquid Limit: AS 1289.3.9.2	50%
Plastic Limit: AS 1289.3.2.1	29%
Plasticity Index: AS 1289.3.3.1	21%
Linear Shrinkage: AS 1289.3.4.1	12.0%
Length Of Mould:	250.1mm
Cracking, Crumbling, Curling, Number Of Breaks:	Two Breaks
Sample History:	Air Dried
Preparation Method:	Dry Sieved
Insitu Moisture Content:	24.7%
% Passing 0.075mm:	



DYNAMIC CONE PENETROMETER REPORT
AS 1289.6.3.2

CLIENT: Greg Skyring Design & Drafting

SAMPLE No: SI 444-20

PROJECT: Lot 249 White Beech Road, Cow Bay.

DATE SAMPLED: 11/08/2020

SAMPLE DETAILS: Sites “DCP1 & DCP2” as per site plan.

Tested By: G. Negri

REPORT DATE: 15/08/20

DEPTH (Metres)	Site: DCP1	Site: DCP2
	No Blows	No Blows
0.0 – 0.1	2	3
0.1 – 0.2	2	3
0.2 – 0.3	3	2
0.3 – 0.4	3	3
0.4 – 0.5	3	3
0.5 – 0.6	2	4
0.6 – 0.7	3	4
0.7 – 0.8	3	5
0.8 – 0.9	4	4
0.9 – 1.0	4	4
1.0 – 1.1	3	4
1.1 – 1.2	4	3
1.2 – 1.3	4	4
1.3 – 1.4	4	4
1.4 – 1.5		
1.5 – 1.6		
1.6 – 1.7		
1.7 – 1.8		
1.8 – 1.9		
1.9 – 2.0		



SITE CLASSIFICATION

Lot 249 White Beech Road, Cow Bay.

The Dynamic Cone Penetrometer test results indicate adequate allowable bearing pressure to 1.5m.

The Atterberg Limits test results indicate a moderately reactive soil.

The characteristic surface movement (y_s) is estimated to be in the $20 < y_s \leq 40$ mm range. According to TABLE 2.3 of AS 2870-2011 the site must be classified **CLASS-"M"**.

To comply with the "Building Services Board Subsidence Policy" advice should be sought from a Registered Professional Engineer for footing design.

All site works must be carried out in accordance with AS 3798-2007 "Guidelines on earthworks for commercial and residential developments"

If the depth of any cut exceeds 0.5m or uncontrolled fill exceeds 0.4m the classification shall be reconsidered.

Because this investigation is limited in scope and extent, it is possible that areas may exist which differ from those shown on the test hole records and used in the site classification. Should any variation from the reported conditions be encountered during excavation work, this office must be notified immediately so that reappraisal of the classification can be made.

Gavin Negri
Earth Test



SITE AND SOIL EVALUATION

Lot 249 White Beech Road, Cow Bay.

The site and soil evaluation carried out on 11/08/2020 provided the following results.

Site Assessment

<u>Site Factor</u>	<u>Result</u>
Slope	1 degree
Shape	Linear-Planar
Aspect	North North-East
Exposure	Limited – Clearing in the Rainforest
Erosion/land slip	Not noted.
Boulders/rock outcrop	Nil
Vegetation	Clearing in the rainforest
Watercourse/Bores	As shown on site plan.
Water table	Not encountered
Fill	Not likely.
Flooding	Not likely.
Channelled run-off	Not found
Soil surface conditions	Firm, Moist
Other site specific factors	Nil

Soil Assessment

<u>Soil Property</u>	<u>Result</u>
Colour	Red-Brown
Texture	Clay-Loam
Structure	Moderate
Coarse Fragments	Nil
Measured Permeability Ksat (m/d)	P1= 0.58
Dispersion	Slakes
Soil Category	4
Resultant Design Load Rate, DLR (mm/day)	20



WASTEWATER MANAGEMENT SYSTEM

An “All-Waste” septic tank discharging into an “Advanced Enviro-Septic” bed is considered suitable for this site.

This system has been designed to conform to the requirements of the following codes, acts, regulations and standards. All work to be carried out in accordance with the following codes.

- AS/NZ 1547:2012 On-site domestic-wastewater management.
- Queensland PLUMBING AND DRAINAGE ACT 2018.
- Queensland STANDARD PLUMBING AND DRAINAGE REGULATION 2019.
- Queensland PLUMBING AND WASTEWATER CODE.

SYSTEM SIZING FACTORS.

A population equivalent of three (3) persons has been chosen for the proposed one bedroom and office dwelling.

The residence is connected to a bore water supply system.

Standard water-reduction fixtures must be used to ensure the integrity of the system.

They shall include:-

- Dual flush 6/3 Litre water closets.
- Shower-flow restrictors.
- Aerator faucets (taps).
- Water-conserving automatic washing machines.

Note: - Garbage grinders are not permitted.

As per AS/NZ 1547:2012 Appendix H, Table H1 the “Typical wastewater design flow” for a “Reticulated water supply” gives a flow allowance of 150 L/Person/day.

The daily flow for the dwelling (3 persons @ 150 L/person/day) will be 450 L/day.

From AS/NZ 1547:2012 Table J1 the minimum capacity of the All-Waste septic tank required is 3000 L.

The tank must NOT be fitted with an outlet filter.



LAND-APPLICATION SYSTEM

DISPOSAL AREA SIZING

From AS/NZ 1547:2012 APPENDIX L, L4 DESIGN AREA SIZING, L4.2 Sizing

$$L = Q / (DLR \times W)$$

Where:

L = length in m

Q = design daily flow in L/day

DLR = Design Loading Rate in mm/d

W = Width in m

$$L = 450 / (20 \times 2.34) \\ = 9.6m.$$

Use one 9.6m long by 2.34m wide Advanced Enviro-Septic bed.

See site plan and detail cross-section.

Its recommended that 1kg gypsum per m² be applied to the scarified base before laying the sand

SYSTEM SAND

All configurations of Advanced Enviro-Septic® require a minimum of 150mm of system sand surrounding the circumference of the pipe. This sand, typically gravelly coarse sand, must adhere to the following percentage and quality restrictions.

AS Sieve Size (mm)	Percent Passing %
9.50	100
4.75	95-100
2.36	80-100
1.18	50-85
0.600	25-60
0.300	5-30
0.150	0-10
0.075	0-2

If there is any doubt if the sand media will pass requirements please contact Earth Test for further advice.



SYSTEM INSTALLATION

Avoid compaction by keeping people and machinery off the finished trench or bed floor.
The system shall be installed by a licensed plumber in accordance with the manufacturer's recommendations and the relevant Australian Standards.

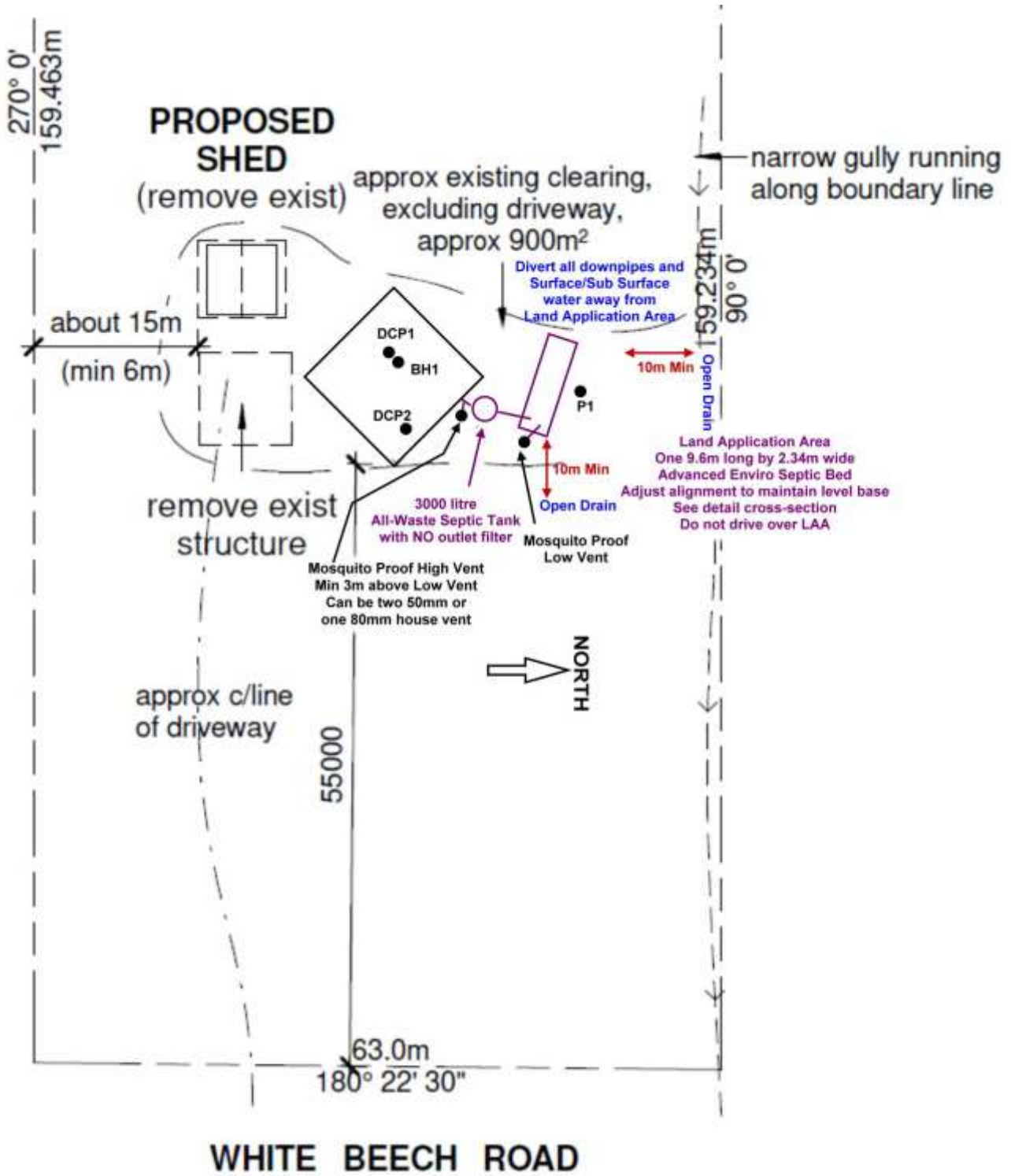
Operation and Maintenance

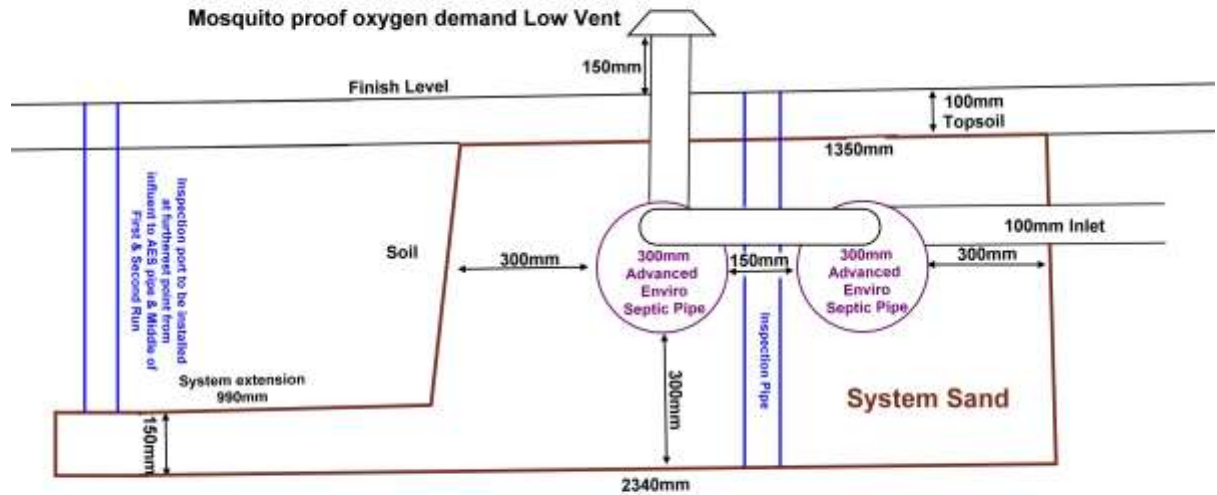
Homeowners should be fully informed of the proper operation and maintenance requirements of the on-site wastewater system.

Gavin Negri
Earth Test



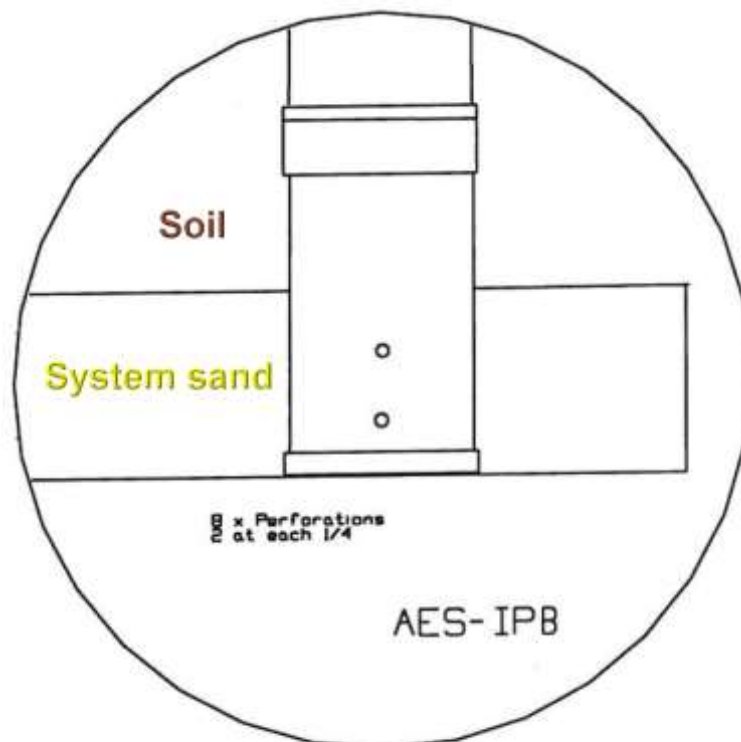
SITE PLAN
Lot 249 White Beech Road, Cow Bay.
NOT TO SCALE





Base must be scarrified 200mm deep. Parallel to AES Pipes

**2340mm Wide Two Pipe
Advanced Enviro-Septic Cross-Section**



AES Inspection point detail

