

19 August 2022



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

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

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**RE: DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A LOW IMPACT INDUSTRY OVER LAND AT 14 THERESA DRIVE, MOSSMAN, MORE FORMALLY DESCRIBED AS LOT 7 ON RP895020**

Aspire Town Planning and Project Services act on behalf of on behalf of Bellerio's Electrical Services Pty Ltd (the 'Applicant') in relation to the above described Development Application.

On behalf of the Applicant, please accept this correspondence and the accompanying attachments as a properly made Development Application pursuant to Sections 50 and 51 of the *Planning Act 2016* seeking a Development Permit for a Material Change of Use (Low Impact Industry).

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

- Duly completed DA Form 1 (Attachment 1);
- Landowners Consent (Attachment 2);
- Certificate of Title (Attachment 3); and
- Plan of Proposed Development prepared by Greg Skyring Design and Drafting (Attachment 4).

The following sections discuss the relevant details of the Development Application, including the site, the proposed development, the applicable statutory town planning framework, and provides an assessment of the proposal against this framework.

The Application Fee is calculated to be \$3,312.00, which comprises a base fee and unit component per 100m<sup>2</sup>. It is respectfully requested that Council review and advise whether a reduced fee equivalent to the base rate of \$1,804.00, would be accepted? In support of this request it is noted that the proposed land use is ordinarily Self Assessable, but triggers a Code Assessment due to non-compliance with a limited number of Acceptable Outcome criteria. The proposed use is consistent with the form and scale of development within the existing

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industrial estate. Once the fee is confirmed it is respectfully requested that Council issue an Invoice, so the fee can be paid directly by the Applicant.

Thank you for your time in considering the attached Development Application. If you wish to inspect the property or have any further queries, please contact the undersigned.

Regards,

A handwritten signature in black ink, appearing to read 'Daniel Favier', with a large loop at the start and a horizontal line extending to the right.

Daniel Favier  
**Senior Town Planner**  
**ASPIRE Town Planning and Project Services**

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## **1.0 Executive Summary**

This Development Application is for a Material Change of Use for a Low Impact Industry over land at 14 Theresa Drive, Mossman and is more formally described as Lot 7 on RP895020. The Current Registered Landowner of the land is Bellerio's Electrical Service Pty Ltd, refer to the copy of the Land Owners Consent and Title of Certificate included under Attachment 2 and 3.

The following key characteristics are noted:

- The land is 1,001m<sup>2</sup> in area and has approximately 32.5m frontage to Theresa Drive.
- An easement for drainage runs along the rear of the land.
- A Council Sewer Line is also located along the rear of the land and encroaches between 2.1m and 2.8m within the rear boundary.
- The land is accessed via Theresa Drive which is an existing constructed and asphalt sealed, gazetted road.
- The site is generally level, however minor earthworks will be required to prepare the site for construction.
- The site is clear of any vegetation.

The proposed building has been sited centrally and set towards the rear of the land. Onsite parking and landscaping is provided at the front of the land. Appropriate setbacks are provided to adjacent shed and the sewer line which traverses the rear of the property.

The land is located within the Industry Zone and Precinct 8 of the Mossman Local Plan under the Douglas Shire Planning Scheme 2018 V1.0 (the 'Planning Scheme'). The proposed development triggers Code Assessment due to minor non-compliance with a number of the Self Assessable Acceptable Outcomes.

The following sections discuss the relevant details of the Development Application, including the site, the proposed development, the applicable statutory town planning framework, and provides an assessment of the proposal against this framework.

It is submitted that the proposed development is consistent with development intent for the land and generally achieves compliance with the applicable provisions of the relevant planning framework. Where non-compliance is identified an alternative solution is presented.

It would be appreciated if draft conditions could be provided for review prior to the issue of any Decision Notice.

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## 2.0 Site Characteristics and Surrounds

### 2.1 The Site

The subject site is located at 14 Theresa Drive, Mossman, is formally described as Lot 7 on RP895020 and has a total land area of 1,001 m<sup>2</sup>, see Figure 1 below. The site is one of only a few remaining vacant lots in an existing industrial estate, located on the southern fringe of the Mossman township. The adjoining lots, including those across the road have been developed. Agricultural land, used for cultivation of sugar cane, bounds the rear of the site.

Direct road access is afforded via Theresa Drive, an existing sealed gazetted road.



**Figure 1: Site location and aerial mapping (source: QLD Globe August 2022)**

### 2.2 Site Features, Built Form, Access and Services

The site generally level and vacant of any existing built structures. The site is clear of any vegetation.

Vehicle access is afforded via Theresa Drive an existing sealed gazetted road.

Other essential services are available to the site including water, electricity and telecommunications within Theresa Drive. A stormwater drain and easement is located at the rear of the property. Drainage also exists within

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Theresa Drive. A Council Sewer Main traverses the rear of the site and encroaches within the rear boundary between 2.1m and 2.8m.

### **2.3 Ownership and Encumbrances**

The site is in the registered ownership of Bellerio's Electrical Service Pty Ltd, refer to the Certificate of Title, included as Attachment 3.

The Certificate of Title confirms the site is burden by a drainage easement in favour of Douglas Shire Council. No other easement or encumbrances are identified.

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### **3.0 Description of Proposed Development**

The proposal seeks a Development Permit for a Material Change of Use for a Low Impact Industry over land at 14 Theresa Drive, Mossman, which is more formally described as Lot 7 on RP895020. The proposal includes establishment of a very typical industrial shed on the site, further refer to the Proposal Plan included at Attachment 4.

The proposed industrial shed is positioned in the centre of the site and towards the rear. The shed has a total area of 416m<sup>2</sup> and is divided into two tenancies. An internal, all abilities amenities cubical is provided within each tenancy. The design of the industrial shed is very typical and is virtually a mirror of the industrial shed to the south west of the site.

Sealed access from Teresa Drive and parking is provided at the front of the industrial shed. The proposal provides for a total of five onsite parking bays. The Proposal Plan illustrates a 6m wide crossover and sufficient area provided onsite for a Small Rigid Vehicle to enter and exist the site in forward gear. Landscaped garden beds of 1.5m and 2.5m are provided along the front boundary. One of the garden beds is slightly narrower to accommodate additional onsite parking.

The industrial shed is located clear of the Council Sewer Main, which traverses the rear of the site.

The land is generally level, only minor earthworks will be required to prepare the site for development.

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## **4.0 State Planning Framework**

### **4.1 State Planning Policies**

The minister has declared that the Douglas Shire Planning Scheme 2018 V1.0 appropriately incorporated the relevant State Planning Policies. No further assessment is required in this regard.

### **4.2 FNQ Regional Plan**

The site is included in the Urban Footprint Designation of the FNQ2009-2031 Regional Plan. The proposed development satisfies the intent of the Urban Footprint Designation and the requirements of the Regional Plan. No further assessment is required in this regard.

### **4.3 State Agency Referral**

Review of Schedule 10 of the *Planning Regulation 2017* confirms that the proposed Material Change of Use does not trigger referral to the State Assessment and Referral Agency, or any other agency.

### **4.4 State Assessment Development Provisions**

The State Assessment Development Provisions are not applicable to the proposed development.



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## 5.0 Local Government Planning Context

### 5.1 Douglas Shire Planning Scheme 2018 V1.0

The subject unit is located within the Industry Zone under the Douglas Shire Planning Scheme 2018 V1.0, see Figure 2 below.



**Figure 2: Site Zoning (source: 2018 Douglas Shire Council Planning Scheme Property Report)**

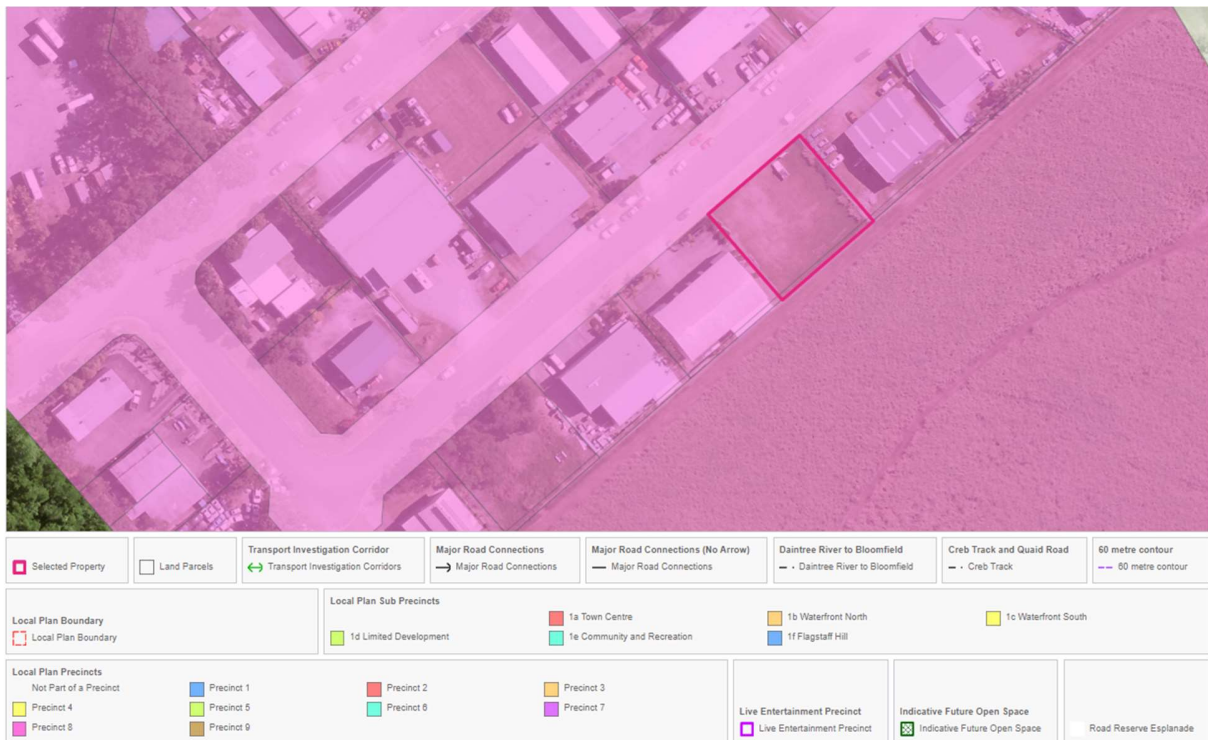
### 5.2 Local Plan

The subject site is included within the Mossman Local Plan Area – Precinct 8 Mossman South Industry Precinct, see Figure 3 below. The specific outcomes sought under the Planning Scheme for this precinct include:

- “(a) low impact industry uses are the predominant form of industry within the Mossman South industry precinct;*
- (b) no uses that compete with the commercial and retail primacy of the town centre are established;*
- (c) development protects the amenity of adjacent and nearby residential land uses.”*

It is submitted that the proposed development aligns with the specific outcomes sought for Precinct 8 Mossman South Industry Precinct.





**Figure 2: Site Zoning (source: 2018 Douglas Shire Council Planning Scheme Property Report)**

### 5.3 Planning Scheme Overlays

Review of the Douglas Shire Planning Scheme 2018 v1.0 confirms the following Overlays are applicable to the subject site:

- Natural Areas – MSES (Regulated Vegetation Intersecting a Watercourse)
- Transport Network (Road Hierarchy) – Industrial Road and Major Transport Corridor Buffer Area – State Controlled Road

There is no watercourse or vegetation on the property and as such it is suggested there is an anomaly in the Planning Scheme Mapping. No further assessment is provided with this Development Application against the Natural Areas Overlay Code.

With regard to the Transport Network (Road Hierarchy) it is submitted that the Proposed Development is compatible with the intended role and function Theresa Drive, being an Industrial Road. The Proposed Development does not compromise the safety and efficiency of the transport network. The Major Transport Corridor Buffer Area encroaches halfway onto the site. This applies generally to development involving sensitive land uses within a major transport corridor buffer area, to ensure that development is designed and maintained to avoid or mitigate adverse impacts on amenity for the sensitive land use. It is noted that the Proposed Development is not for a sensitive land use. Further detailed assessment against the Road Hierarchy Code is therefore not provided with this Development Application.

## 5.4 Level of Assessment

In accordance with the Industry Zone Table of Assessment the proposed development normally triggers Self Assessment, however due to non-compliance with a number of Self Assessable, Acceptable Outcomes, the Development Application reverts to Code Assessment in accordance with s5.4 of the Planning Scheme.

## 5.5 Code Assessment

The following Code Assessment describes only those matters of non-compliance against the applicable codes and provides comment around the proposed Alternative Outcomes.

Assessment Benchmark	Matter of Non-compliance	Comment
<b>Industry Zone Code</b>		
<b>General discussion:</b> The following points of compliance are noted:		
<ul style="list-style-type: none"><li>- The proposed industrial shed is 4.6m to the top of the wall and has a 10° roof pitch. The overall height of the building is less than 10m.</li><li>- The building is setback 10.395m from the Theresa Road boundary, and within provides onsite parking, vehicle circulation areas and landscaping.</li><li>- The site shares common boundary with Industry Zoned land on three side. On two sides the building is setback 3.335m and the rear setback is 4.235m.</li><li>- The site coverage is approximately 41.5%.</li><li>- The PA door to each tenancy is located on the front of the building and provided with a 900mm x 900mm awning for weather protection.</li><li>- Formal landscaped garden beds are designed within the road boundary setback. Other grassed landscaped areas exist around the building. It is calculated on the plans that 300m<sup>2</sup> of landscaping areas is provided, approximately 30a% of the site area.</li><li>- The Proposal Plans illustrate onsite circulation of a Small Rigid Vehicle.</li><li>- Single, 6m wide sealed access is proposed from Theresa Drive.</li></ul>		
Overall the Proposed Development is consistent with the purpose of the Industry Zone and Acceptable Outcome, assessment benchmarks. There are no matters of non-compliance with respect to the Industry Zone Code.		
<b>Mossman Local Plan Code</b>		
<b>General discussion:</b> The following points of compliance are noted:		
<ul style="list-style-type: none"><li>- The proposed industrial shed is 4.6m to the top of the wall and has a 10° roof pitch. The overall height of the building is less than 10m.</li><li>- The subject site is located within an existing industrial estate, is cleared of vegetation and will not intrude on important views and vistas.</li><li>- The proposed Low Impact Industry Land Use is consistent with the purpose of the precinct.</li><li>- No office or retail land uses are proposed.</li><li>- The site is not adjoining a residential use.</li></ul>		
Overall the Proposed Development is consistent with the purpose of the Mossman Local Plan and Acceptable Outcome, assessment benchmarks. There are no matters of non-compliance with respect to the Mossman Local Plan Code.		
<b>Industry Activities Code</b>		
<b>General discussion:</b> The following points of compliance are noted:		
<ul style="list-style-type: none"><li>- The proposed building occupies only 41.5% site coverage.</li></ul>		

<ul style="list-style-type: none"> <li>- The building setbacks established under the Industry Zone Code prevail. Refer to above discussion and the Proposal Plan.</li> <li>- The landscaping species have not been selected at this stage. A condition on the approval requiring the site is landscaped in accordance with Planning Scheme Policy SC6.7 – Landscaping, would be acceptable.</li> <li>- The site will be provided with adequate infrastructure and services.</li> </ul>		
<b>Landscaping</b>	AO4.2	<b>Alternative solution:</b> a landscaped strip of 1.5m and 2.5m is provided within the road property boundary setback, either side of the access crossover. The proposed variation is required to facilitate onsite parking spaces and bollards required to protect the access doorways. To compensate a reduced width landscaping strip a wider strip is proposed on the other side of the access crossover.
<b>Access and Loading/Unloading of Goods</b>	AO6.2	<b>Alternative solution:</b> Given the depth and width of the site it is not possible to accommodate a Medium Rigid Vehicle circulation onsite. The Proposal Plan illustrates the turning circles for a Small Rigid Vehicle which can enter and exit in forward gear. This scenario is typical of other existing adjoining and surrounding premises within the industrial estate.
<b>Access Parking and Services Code</b> <b>General discussion:</b> The following points of compliance are noted: <ul style="list-style-type: none"> <li>- Vehicle parking and circulation complies with AS 2890.1.</li> <li>- The single 6m wide crossover, circulation and parking areas will be constructed from concrete.</li> </ul>		
<b>Parking</b>	AO1.1	<b>Alternative solution:</b> the proposed development complies with the required minimum number of onsite parking spaces, however given the width and depth of the site, the development is not able to accommodate the minimum AV design service vehicle. The Proposal Plan illustrates the turning circles for a Small Rigid Vehicle which can enter and exit in forward gear. This scenario is typical of other existing adjoining and surrounding premises within the industrial estate.
	AO9.3	<b>Alternative solution:</b> the proposal plan shows servicing of the site by a Small Rigid Vehicle. Although this size of vehicle can enter and exit the site in forward gear, it will impede access to parking and vehicle movement. Any deliveries to the site will be short turn around and any conflict will be managed by the land owner. This scenario is typical of other existing adjoining and surrounding premises within the industrial estate.
<b>Environmental Performance Code</b> <b>General discussion:</b> The following points of compliance are noted: <ul style="list-style-type: none"> <li>- No external lighting is illustrated on the Proposal Plans. Any concerns concerning design and mounting position of lighting may be reasonably conditioned.</li> <li>- The proposed use will not generate noise to an extent that will cause noise related environmental harm or nuisance.</li> <li>- The proposed use does not involve activities that will result in airborne particles or emissions being generated.</li> <li>- The proposed use does not involve activities that create odorous emissions.</li> <li>- Appropriate areas are available onsite for refuse and waste storage. The site will be serviced by normal 240L bins.</li> <li>- Stormwater from rooftop and other impervious surfaces will be directed to the existing drainage network at the rear of the site or alternatively Theresa Drive.</li> </ul>		

<b>Infrastructure Works Code</b> <b>General discussion:</b> The following points of compliance are noted: <ul style="list-style-type: none"> <li>- The proposed vehicle crossover is designed in accordance with the FNCROC Development Manual. A condition on the Development Approval would be acceptable to ensure the crossover is constructed in accordance with the FNQROC Development Manual.</li> <li>- The development will be connected to Council's reticulated water supply.</li> <li>- The development will be connected to Council's sewer network.</li> <li>- Stormwater from rooftop and other impervious surfaces will be directed to the existing drainage network at the rear of the site or alternatively Theresa Drive.</li> <li>- The development will be connected to electrical and telecommunication supply.</li> </ul>		
<b>Stormwater Quality</b>	AO5.3	<b>Alternative solution:</b> a Stormwater Quality Management Plan is not supplied with the Development Application. The proposed design and scale of development will not generate adverse impacts on stormwater quality. Catchment areas are limited to rooftop and concrete vehicle access, circulation and parking areas. Appropriate erosion control measures will be adopted during construction.
<b>Landscaping Code</b> <b>General discussion:</b> The following points of compliance are noted: <ul style="list-style-type: none"> <li>- The proposal provides for landscaping as discussed above in this assessment.</li> <li>- Landscaping species have not been selected at this stage. A condition in relation to landscaping and compliance with Planning Scheme Policy SC6.7 – Landscaping would be acceptable.</li> </ul>		

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## **6.0 Conclusion**

This Development Application is for a Material Change of Use for a Low Impact Industry over land at 14 Theresa Drive, Mossman, and is more formally described as Lot 7 on RP895020.

This Development Application demonstrates that the proposed development is:

- Consistent with the purpose of the Industry Zone under the Douglas Shire Planning Scheme 2018 V1.0;
- Consistent with the purpose of the Mossman Local Plan Area – Precinct 8 Mossman South Industry Precinct under the Douglas Shire Planning Scheme 2018 V1.0;
- Consistent with the scale and nature of other existing development within the industrial estate; and
- Generally complies with the relevant codes. Where a non-compliance exists an appropriate alternative solution is recommended.

The proposed development is submitted to Council for Approval. As a matter of courtesy, it would be greatly appreciated if the Council could provide the applicant with draft conditions prior to the determination of the Development.

Attachment I:

Duly Completed DA Form I

# 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) (individual or company full name)	Bellero's Electrical Service Pty Ltd
Contact name (only applicable for companies)	c/- Daniel Favier (Aspire Town Planning and Project Services)
Postal address (P.O. Box or street address)	PO Box 1040
Suburb	Mossman
State	QLD
Postcode	4873
Country	Australia
Contact number	0418 826 560
Email address (non-mandatory)	admin@aspireqld.com
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	2022-08-12 – Bellero – 14 Theresa Drive, Mossman

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



## PART 2 – LOCATION DETAILS

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

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

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

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		14	Theresa Drive	Mossman
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	7	RP895020	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? *(tick only one box)*

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

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

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

c) What is the level of assessment?

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

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

Development Application for a Material Change of Use for a Low Impact Industry

e) Relevant plans

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

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

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

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

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

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

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

c) What is the level of assessment?

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

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

e) Relevant plans

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

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

#### 6.3) Additional aspects of development

- ☐ Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application

- ☒ Not required

## 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 DA Form 2 – Building work details

### Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m <sup>2</sup> ) (if applicable)
Construction of an Industrial Shed, vehicle crossover and onsite parking on existing vacant land	Low Impact Industry	1	416sqm
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input type="checkbox"/> Yes			
<input checked="" type="checkbox"/> No			

### Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?	
9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)	
<input type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input type="checkbox"/> Boundary realignment (complete 12))	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road (complete 13))

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				
10.2) Will the subdivision be staged?				
<input type="checkbox"/> Yes – provide additional details below				
<input type="checkbox"/> No				
How many stages will the works include?				
What stage(s) will this development application apply to?				

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

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

**12) Boundary realignment**

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

Current lot		Proposed lot	
Lot on plan description	Area (m <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )

**12.2) What is the reason for the boundary realignment?**

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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 checked="" type="checkbox"/> Clearing vegetation |
| <input type="checkbox"/> Other – please specify: <table border="1" style="display: inline-table; width: 400px; height: 20px;"></table> |                                     |   |

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

☐ Yes – specify number of new lots:

☐ No

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

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**PART 4 – ASSESSMENT MANAGER DETAILS**

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

Douglas Shire Council

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

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

## PART 5 – REFERRAL DETAILS

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

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

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

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

- ☐ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has not been devolved to a local government*)
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Heritage places – Queensland heritage place (*on or near a Queensland heritage place*)
- ☐ Infrastructure-related referrals – designated premises
- ☐ Infrastructure-related referrals – state transport infrastructure
- ☐ Infrastructure-related referrals – State transport corridor and future State transport corridor
- ☐ Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
- ☐ Infrastructure-related referrals – near a state-controlled road intersection
- ☐ Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
- ☐ Koala habitat in SEQ region – key resource areas
- ☐ Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
- ☐ Ports – Brisbane core port land – environmentally relevant activity (ERA)
- ☐ Ports – Brisbane core port land – tidal works or work in a coastal management district
- ☐ Ports – Brisbane core port land – hazardous chemical facility
- ☐ Ports – Brisbane core port land – taking or interfering with water
- ☐ Ports – Brisbane core port land – referable dams
- ☐ Ports – Brisbane core port land – fisheries
- ☐ Ports – Land within Port of Brisbane's port limits (*below high-water mark*)
- ☐ SEQ development area
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – community activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – combined use
- ☐ 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 <b>Chief Executive of the distribution entity or transmission entity:</b>
<input type="checkbox"/> Infrastructure-related referrals – Electricity infrastructure
Matters requiring referral to:
<ul style="list-style-type: none"> <li>• The <b>Chief Executive of the holder of the licence</b>, if not an individual</li> <li>• The <b>holder of the licence</b>, if the holder of the licence is an individual</li> </ul>
<input type="checkbox"/> Infrastructure-related referrals – Oil and gas infrastructure
Matters requiring referral to the <b>Brisbane City Council:</b>
<input type="checkbox"/> Ports – Brisbane core port land
Matters requiring referral to the <b>Minister responsible for administering the <i>Transport Infrastructure Act 1994</i>:</b>
<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 <b>relevant port operator</b> , 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 <b>Chief Executive of the relevant port authority:</b>
<input type="checkbox"/> Ports – Land within limits of another port ( <i>below high-water mark</i> )
Matters requiring referral to the <b>Gold Coast Waterways Authority:</b>
<input type="checkbox"/> Tidal works or work in a coastal management district ( <i>in Gold Coast waters</i> )
Matters requiring referral to the <b>Queensland Fire and Emergency Service:</b>
<input type="checkbox"/> Tidal works or work in a coastal management district ( <i>involving a marina (more than six vessel berths)</i> )

<b>18) Has any referral agency provided a referral response for this development application?</b>		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application		
<input 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

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

## PART 7 – FURTHER DETAILS

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

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

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

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

- ☐ Yes – a copy of the receipted QLeave form is attached to this development application  
☐ No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid  
☒ Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)

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

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

- ☐ Yes – show cause or enforcement notice is attached  
☒ No

### 23) Further legislative requirements

#### **Environmentally relevant activities**

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

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

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

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

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

#### **Hazardous chemical facilities**

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

- ☐ Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application  
☒ No

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



### **Clearing native vegetation**

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

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

☒ No

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

### **Environmental offsets**

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

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

☒ No

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

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

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

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

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

☒ No

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

### **Water resources**

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

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

☒ No

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

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

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

### **Waterway barrier works**

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

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

☒ No

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

### **Marine activities**

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

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

☒ No

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

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

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

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

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

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

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

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

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

### **Referable dams**

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

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

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

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

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

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

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

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

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

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

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

Name of the heritage place:		Place ID:	
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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](http://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

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Date received:  Reference number(s):

### Notification of engagement of alternative assessment manager

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

### QLeave notification and payment

*Note: For completion by assessment manager if applicable*

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

Attachment 2:

Land Owners Consent

**Company owner's consent to the making of a development application  
under the *Planning Act 2016***

I,

**Kevin Bellerio**

Director of the company mentioned below.

and I,

**Danielle Bellerio**

Secretary of the company mentioned below

Of

**Bellerio's Electrical Service Pty Ltd A.C.N. 070 101 825**

the company being the owner of the premises identified as follows:

**14 Theresa Drive, Mossman and more formally described as Lot 7 on RP895020**

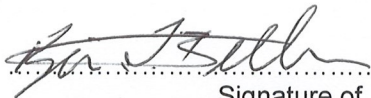
consent to the making of a development application under the *Planning Act 2016* by:

**Aspire Town Planning and Project Services**

On the premises described above for:

**Material Change of Use (Low Impact Industry)**

Company Name and ACN: **Bellerio's Electrical Service Pty Ltd A.C.N. 070 101 825**



Signature of Director

16-8-22

Date



Signature of Director/Secretary

16-8-22

Date

Attachment 3:

Certificate of Title



Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>50108836</b>	<b>Search Date:</b>	13/08/2022 11:34
<b>Date Title Created:</b>	15/01/1996	<b>Request No:</b>	41965077
<b>Previous Title:</b>	21464177		

**ESTATE AND LAND**

Estate in Fee Simple

LOT 7 REGISTERED PLAN 895020

Local Government: DOUGLAS

**REGISTERED OWNER**

Dealing No: 717334696 22/06/2016

BELLERO'S ELECTRICAL SERVICE PTY LTD A.C.N. 070 101 825

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20122206 (POR 135)  
Deed of Grant No. 20122207 (POR 135)
2. EASEMENT IN GROSS No 701075045 20/12/1995 at 15:02  
burdening the land to  
DOUGLAS SHIRE COUNCIL  
over  
EASEMENT E ON RP 895020

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

NIL

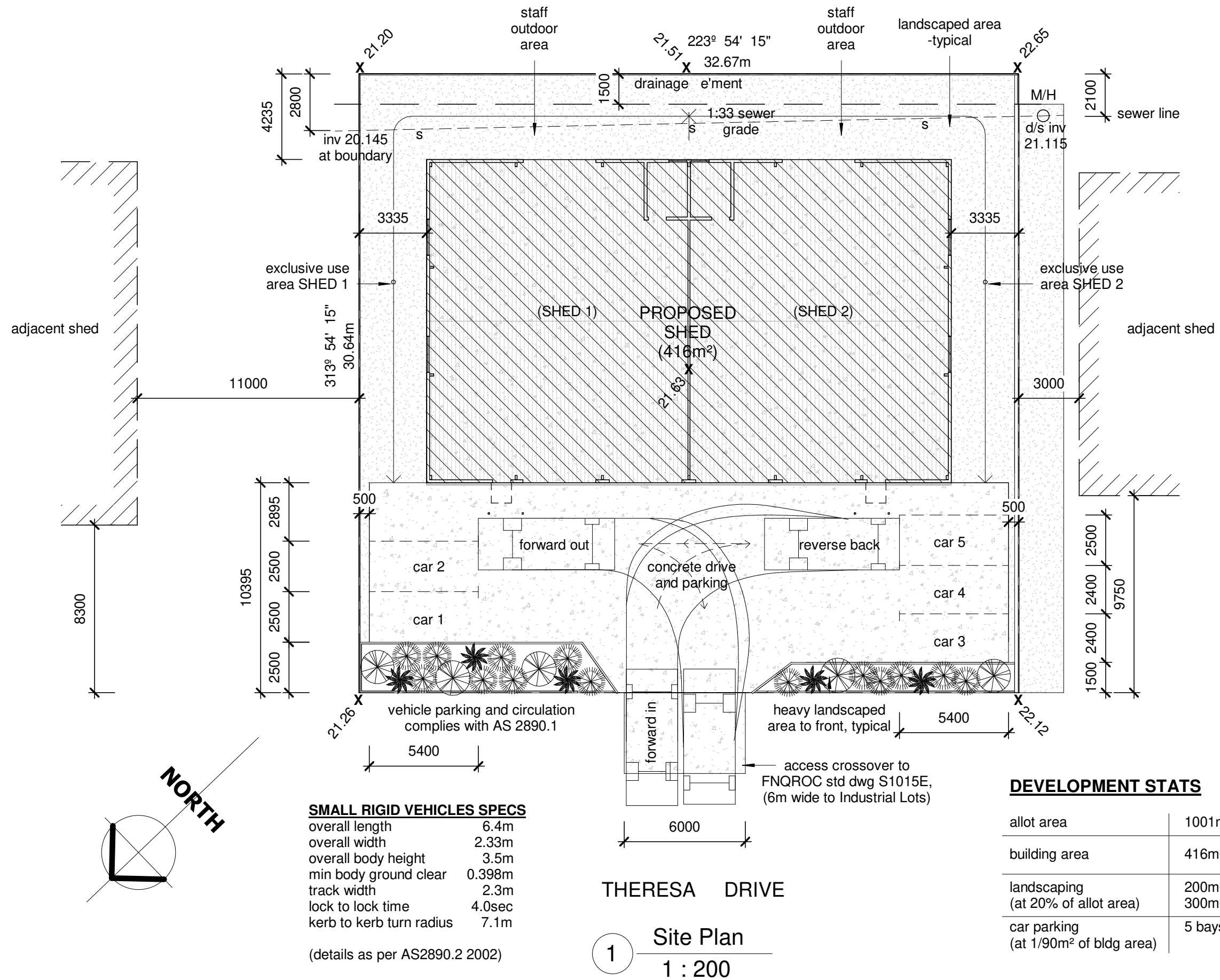
Caution - Charges do not necessarily appear in order of priority

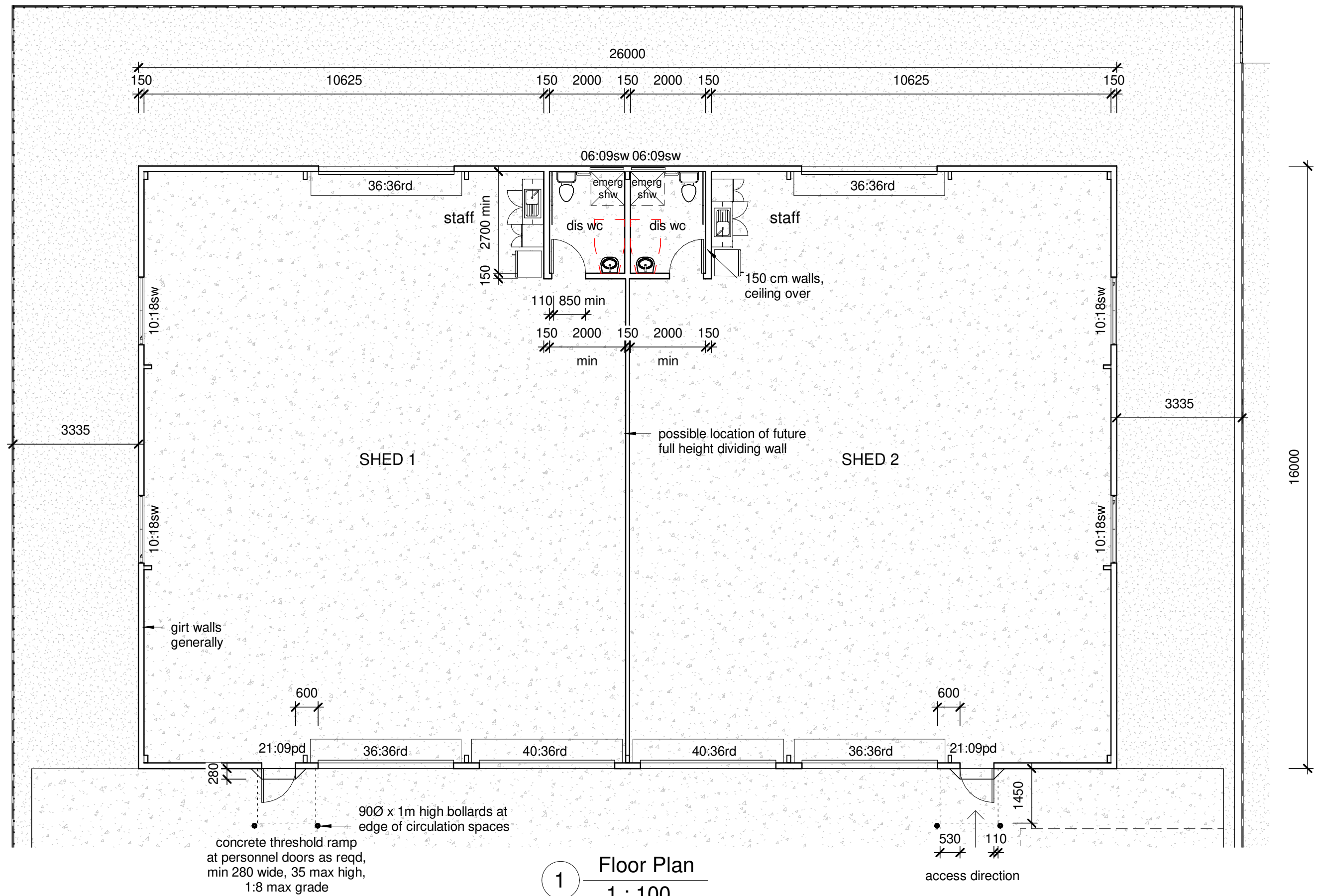
\*\* End of Current Title Search \*\*

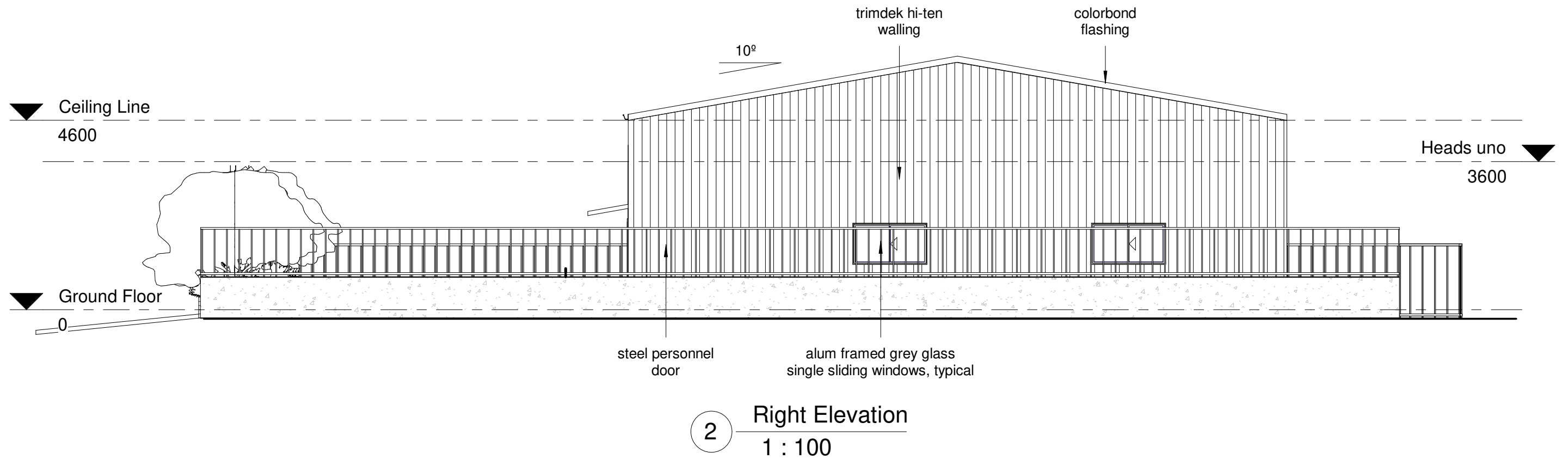
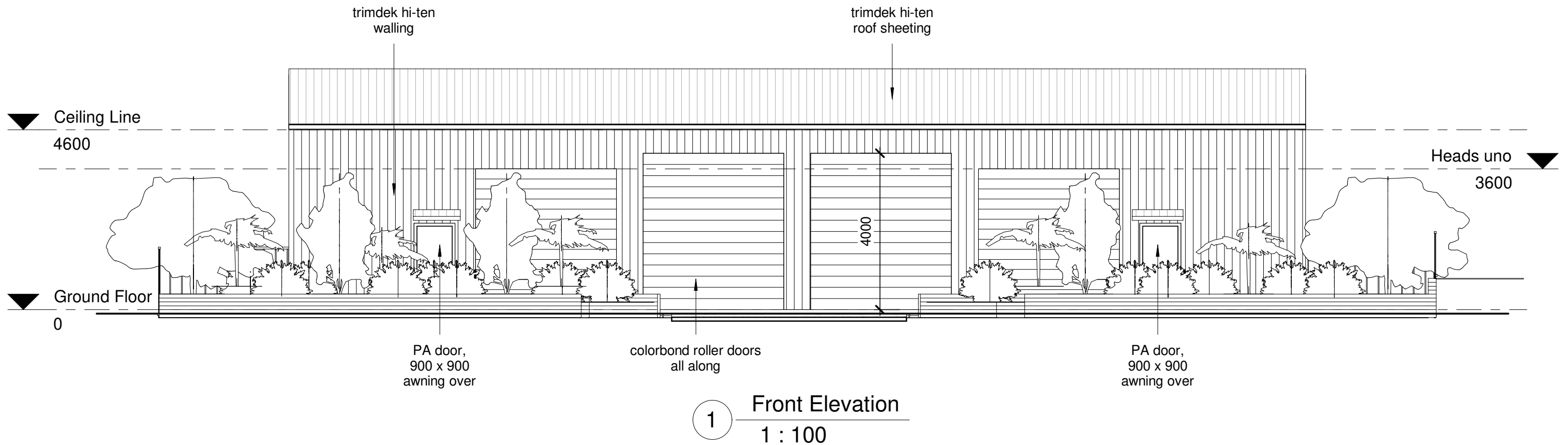
Attachment 4:

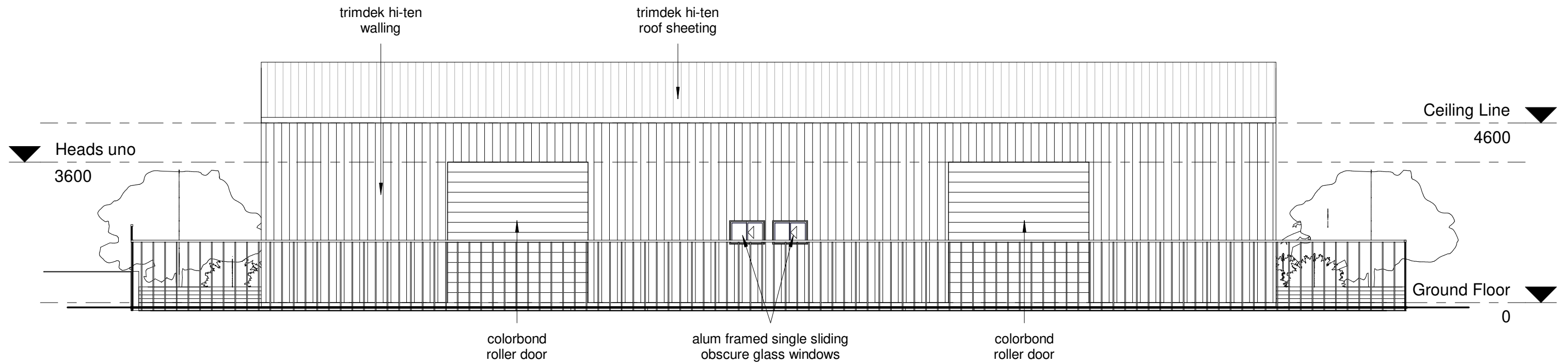
Plan of Proposed Development

Prepared by Greg Skyring Design and Drafting

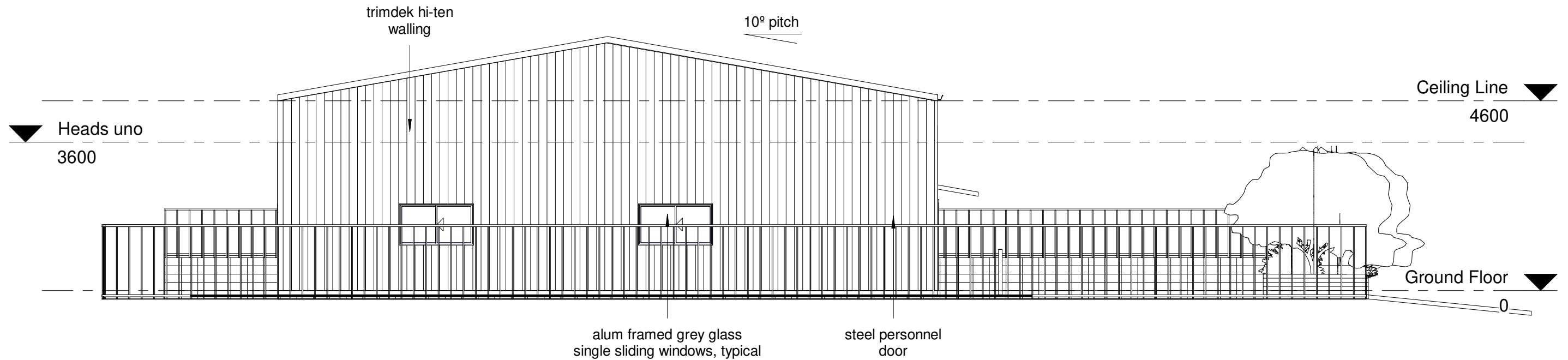








1 Rear Elevation  
1 : 100

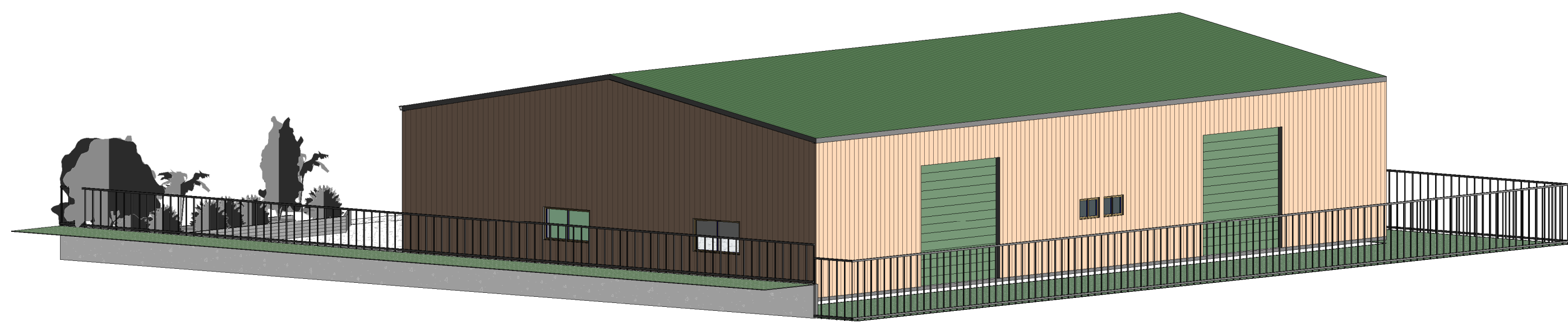


2 Left Elevation  
1 : 100





1 Front Left



2 Rear Left