

Ref: 1142

20 September 2022

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

Attention: Environment & Planning

Dear Sir/Madam

**DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR DWELLING HOUSE
L62 GEORGE ROAD, FOREST CREEK – LOT 62 ON RP735857**

We refer to the above and advise that MD Land Surveys acts on behalf of the Applicant, Samantha Fenner in relation to this matter.

On behalf of the Applicant, we now submit to Council an application for a Material Change of Use for a Dwelling House, on land located at L62 George Road, Forest Creek, being properly described as Lot 62 on RP735857.

The following provides a review of the of the subject land, a detailed description of the proposed development, a review of the legislative provisions and an assessment of the proposed development against the relevant provisions the Douglas Shire Planning Scheme 2018.

THE SITE

The subject land is located at George Road, Forest Creek and is properly described as Lot 62 on RP735857. The site is a rectangular configuration, with a total land area of approximately two (2) hectares. The land has direct frontage to George Road of approximately 80 metres.

The site is currently void of any buildings or structures and is covered with vegetation, with the topography of the site sloping up from the George Road frontage.

The site is located to the north of the Daintree River and development in the locality comprises detached dwellings on large rural lifestyle lots and larger areas of conservation.

The Title Search confirming ownership of the subject land by Samantha Fenner is included in *Attachment B*. The Title Search also identifies that there are no easements, encumbrances or interests over the land. A copy of the Survey Plan (RP735857) is also included in *Attachment B*.

PROPOSAL

This Development Application seeks approval from Douglas Shire Council for a Material Change of Use for a Dwelling House. The plans detailing the proposed Dwelling House are included at *Attachment C*.

The proposed Dwelling House is located in the south-eastern corner of the subject land, approximately 21 metres from the George Road frontage and 19.5 metres from the eastern property boundary. Access will be provided by a single driveway from George Road.

As identified on the plans, the proposed Dwelling House has a rather small building footprint, having a total area of approximately 179m². The proposed Dwelling House comprises an open plan bedroom and living area, kitchen and bathroom. It is proposed to provide a large open deck on the western side of the dwelling and an open carport on the eastern side. The total height of the proposed Dwelling House is 4.5m metres.

PLANNING ACT 2016 CONSIDERATIONS

The table below provides an overview of the legislative context of the development application under the provisions of the *Planning Act 2016* and *Planning Regulation 2017*.

Assessable Development

Under the local categorising instrument, Douglas Shire Planning Scheme 2018 a Material Change of Use for a Dwelling House in the Environment Management Zone is assessable development. Accordingly, pursuant to section 44(3) of the *Planning Act 2016* a development approval is required.

Assessment Manager

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

Level of Assessment

The Table of Assessment for the Environment Management Zone under the Douglas Shire Planning Scheme 2018 identifies that an application for a Material Change of Use for a Dwelling House is Code Assessable.

Public Notification

As the Development Application is Code Assessable only, the application does not need to be publicly notified.

Referral Agencies

A review of the Development Assessment Mapping System (DAMS) and Schedule 10 of the *Planning Regulations 2017* has confirmed that the development does not trigger referral for any matters.

DOUGLAS SHIRE COUNCIL PLANNING SCHEME 2018

Douglas Shire Planning Scheme 2018 is the applicable Local Categorising Instrument for this development application. The following sections of this report provide an assessment of the proposed development against the relevant provisions of the Douglas Shire Planning Scheme 2018.

Zone	
Environmental Management Zone	
Overlays	
<i>Hillslopes</i>	Part of subject land affected by Hillslopes Overlay – however, not that part of the site where the Dwelling House is located
<i>Natural Areas</i>	Part of subject land affected by MSES – Regulated Vegetation (Of Concern Regional Ecosystem), MSES – Regulated Vegetation (Intersecting a Watercourse) and MSES – Wildlife Habitat. It appears that the proposed Dwelling House might be located within an area identified as containing MSES – Regulated Vegetation (Of Concern Regional Ecosystem)
<i>Potential Landslide Hazard</i>	Part of subject land affected by Landslide Hazard Overlay – however, not that part of the site where the Dwelling House is located
<i>Transport Network (Road Hierarchy)</i>	Subject land adjoins a Minor Rural Road

The Table of Assessment for the Environmental Management Zone identifies that a Material Change of Use for a Dwelling House requires assessment against the following planning scheme Codes:

- Environmental Management Zone
- Natural Areas Overlay Code
- Dwelling House Code
- Filling and Excavation Code
- Infrastructure Works Code
- Vegetation Management Code

An assessment of the proposed development against the relevant provisions of the applicable Codes is provided below and at Attachment D.

Zone	APPLICABLE CODE	ASSESSMENT AGAINST CODE
	Environmental Management Zone	<p>Complies with relevant assessment benchmarks.</p> <p>As identified on the plans, the proposed Dwelling House has a total height of 4.1 metres.</p> <p>The Dwelling House is located in the south-eastern corner of the subject land, approximately 21 metres from the George Road frontage and 19.5 metres from the eastern property boundary, which complies with Acceptable Outcome AO2.</p> <p>The Dwelling House is not identified as an inconsistent use in Table 6.2.4.3.b.</p> <p>The proposed Dwelling House has a rather small building footprint, having a total area of approximately 179m². The dwelling and associated services will not have an adverse effect on the environmental or scenic values of the site.</p> <p>The siting of the Dwelling House has been selected to minimise earthworks and to ensure that vegetation clearing can be limited to that necessary to facilitate the development.</p> <p>The Dwelling House is located on flat usable land. Access to the Dwelling House will be constructed and maintained to minimise erosion, minimise cut and fill and follow the natural grade of the land.</p> <p>The exterior finishes of the Dwelling House will be non-reflective and will be consistent with the surrounding environment. It is also noted that given the setback from the road frontage, the Dwelling House will not be highly visible external to the site.</p> <p>Furthermore, once constructed landscaping will be provided ensure that the Dwelling House is complementary with the surrounding natural environment.</p> <p>The proposed Dwelling House is small scale and measures will be taken to ensure that affect the amenity of the zone and adjoining land uses in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.</p> <p>The development is only for one Dwelling House on the allotment.</p>
Overlays	Natural Areas Overlay Code	Compliance with the applicable Acceptable Outcomes cannot be achieved, as the proposed Dwelling House will result in the removal of a small area of vegetation.

		<p>However, it is considered that consistency with the corresponding Performance Outcomes is achieved as the proposed Dwelling House has been designed to have the least impact on the environmental values of the site and the surrounding environs.</p> <p>The siting of the Dwelling House has been selected to minimise earthworks and to ensure that vegetation clearing can be limited to that necessary to facilitate the development. All other vegetation would be retained to preserve the existing habitat and maintain ecological functions and processes.</p>
Development Codes	Dwelling House Code	<p>Complies with relevant assessment benchmarks.</p> <p>The proposed Dwelling House includes a covered carport, adjoining the house which provides for two (2) car parking spaces (in tandem).</p> <p>As identified on the plans, the proposed Dwelling House has a total height of 4.1 metres, which meets the Acceptable Outcome for building height in the Environmental Management Zone.</p>
	Access, Parking and Servicing Code	<p>Complies with relevant assessment benchmarks.</p> <p>The proposed Dwelling House includes a covered carport, adjoining the house which provides for two (2) car parking spaces (in tandem).</p> <p>Access will be provided by a single driveway from George Road and will be a gravel driveway, consistent with driveway surfaces in the area. The access is existing, however, has recently been upgraded. It is considered that the access point and driveway are such that all vehicle movements to and from the site are safe and efficient.</p>
	Filling and Excavation Code	<p>Complies with relevant assessment benchmarks.</p> <p>The proposed Dwelling House will be a slab on ground construction, accordingly, there will be minor earthworks to establish the building pad. There will be no significant filling or excavation that will adversely impact on the character or amenity of the site or create any land stability issues.</p>
	Infrastructure Code	<p>Complies with relevant assessment benchmarks.</p> <p>An on-site water storage tank will be provided on site in accordance with the Acceptable Outcome AO3.2. A condition of approval regarding the water storage tank is expected.</p> <p>In relation to the treatment and disposal of effluent the site will be provided with an on-site effluent disposal system, in accordance with the Queensland Plumbing and Wastewater Code. A condition regarding the provision of an on-site effluent disposal system is expected.</p>
	Vegetation Management Code	<p>Complies with relevant assessment benchmarks.</p> <p>Any vegetation damage would be undertaken to give effect to any development approval granted as a result of this application.</p>

CONCLUSION

This report supports the Development Application made by Samantha Fenner who is seeking approval from Douglas Shire Council for a Material Change of Use for a Dwelling House on land located at L31 George Road, Forest Creek.

This report has provided a review of the of the subject land, a description of the proposed development, identified the applicable legislative provisions and provided an assessment of the proposed development against the relevant provisions the Douglas Shire Planning Scheme 2018.

The proposed Dwelling House is consistent with the applicable assessment benchmarks and is considered to be a suitable use and development of the site. The Dwelling House is consistent in terms of scale and intensity to other forms of development in the locality and proposed development can be established without adverse impact on the character and amenity of the area.

Overall, it is considered that the proposed development is an appropriate response to the site and subject to the imposition of reasonable and relevant conditions, Council can issue a Development Permit for a Material Change of Use for a Dwelling House.

SUPPORTING DOCUMENTS

Please see enclosed the following attachments to assist with Council's assessment of the application:

- Attachment A: DA Form 1;
- Attachment B: Title Search and Survey Plan; and
- Attachment C: Plans of Proposed Dwelling House – prepared by Bower Building.

We trust that the enclosed documentation is sufficient to allow Council's consideration, however, should you have any further queries or wish to discuss please do not hesitate to contact the undersigned on 0402 806 016 or erin@mdlandsurveys.com.au.

Yours Sincerely



Erin Berthelsen
Senior Planner

ATTACHMENT A

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)	Samantha Fenner
Contact name (only applicable for companies)	C/- MD Land Surveys (Erin Berthelsen)
Postal address (P.O. Box or street address)	25 Gouldian Street
Suburb	Bayview Heights
State	QLD
Postcode	4868
Country	Australia
Contact number	0402 806 016
Email address (non-mandatory)	erin@mdlandsurveys.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	1142

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

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		L62	George Road	Forest Creek
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	62	RP735857	Douglas
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- ☐ Coordinates of premises by longitude and latitude

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

- ☐ Coordinates of premises by easting and northing

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

3.3) Additional premises

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

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

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

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

- ☐ 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):*

Material Change of Use for Dwelling House

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 <i>DA Form 2 – Building work details</i>

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
Dwelling House	Dwelling House		179m ²
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 ²)	Lot on plan description	Area (m ²)
12.2) What is the reason for the boundary realignment?			

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

Division 3 – Operational work

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

14.1) What is the nature of the operational work?	
<input type="checkbox"/> Road work <input type="checkbox"/> Drainage work <input type="checkbox"/> Landscaping <input type="checkbox"/> Other – please specify:	<input type="checkbox"/> Stormwater <input type="checkbox"/> Earthworks <input type="checkbox"/> Signage <input type="checkbox"/> Water infrastructure <input type="checkbox"/> Sewage infrastructure <input type="checkbox"/> Clearing vegetation
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: By not agreeing to accept an information request I, the applicant, acknowledge: <ul style="list-style-type: none"> • that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties • Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules. Further advice about information requests is contained in the DA Forms Guide .

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)			
<input type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input checked="" type="checkbox"/> No			
List of approval/development application references	Reference number	Date	Assessment manager
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)		
<input type="checkbox"/> Yes – a copy of the receipted QLeave form is attached to this development application <input type="checkbox"/> No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid <input checked="" type="checkbox"/> Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)		
Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
\$		

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

23) Further legislative requirements			
<u>Environmentally relevant activities</u>			
23.1) Is this development application also taken to be an application for an environmental authority for an Environmentally Relevant Activity (ERA) under section 115 of the <i>Environmental Protection Act 1994</i>?			
<input type="checkbox"/> Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below <input checked="" type="checkbox"/> No <small>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.</small>			
Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			
<input type="checkbox"/> Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.			
<u>Hazardous chemical facilities</u>			
23.2) Is this development application for a hazardous chemical facility?			
<input type="checkbox"/> Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application <input checked="" type="checkbox"/> No <small>Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.</small>			

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:	
-----------------------------	--	-----------	--

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

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 B

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	21133241	Search Date:	20/09/2022 10:36
Date Title Created:	17/02/1981	Request No:	42316609
Previous Title:	21106064		

ESTATE AND LAND

Estate in Fee Simple

LOT 62 REGISTERED PLAN 735857
Local Government: DOUGLAS

REGISTERED OWNER

Dealing No: 721212884 29/10/2021

SAMANTHA JANE FENNER

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20103162 (POR 191)

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

** End of Current Title Search **

TRAVERSES, ETC.

LINE	BEARING	DIST.
125-135	305°50'50"	34.53
169-170	0°27'30"	107.3
171-172	329°43'40"	112.52

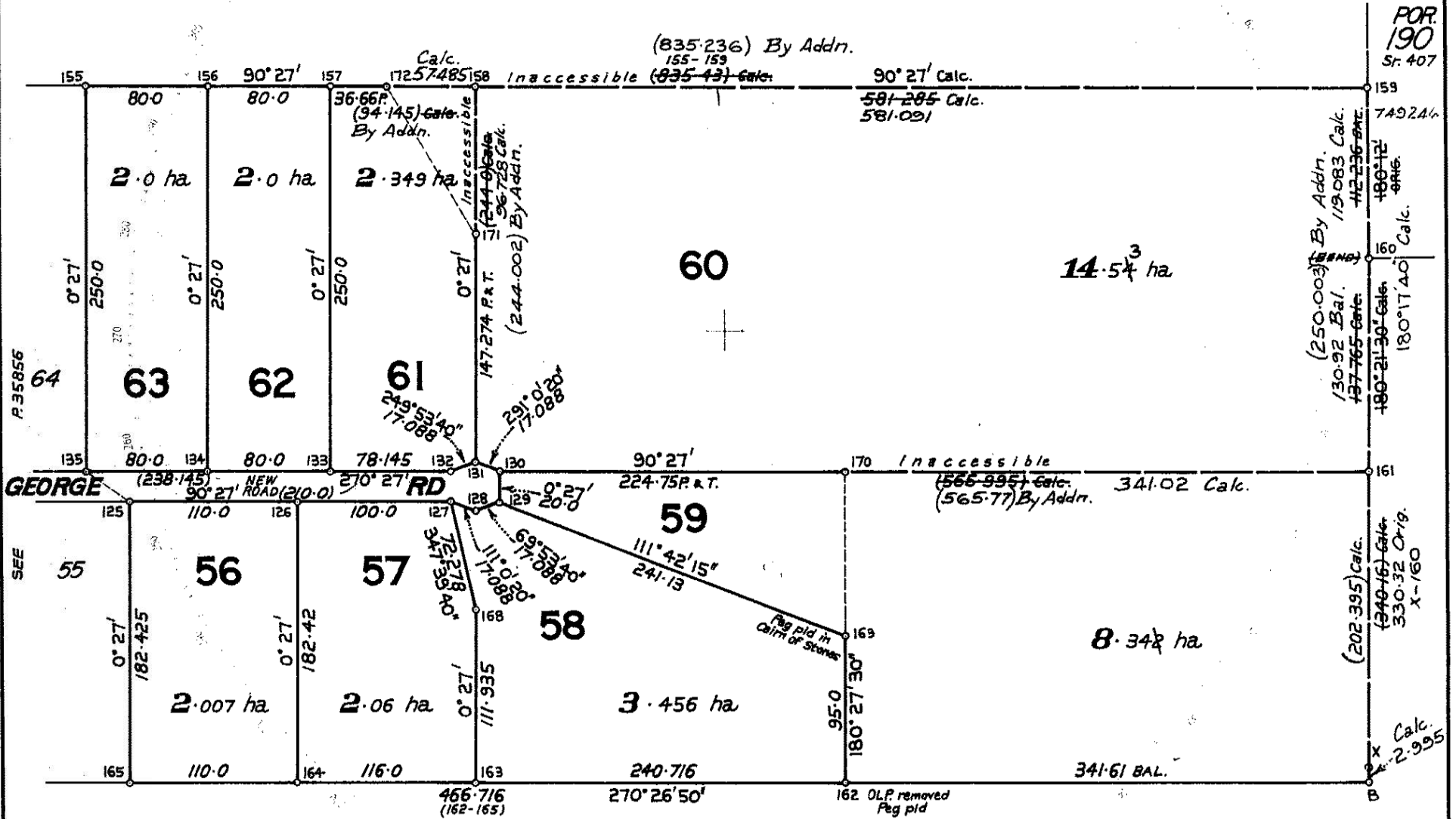
REFERENCE MARKS

STN	TO	BEARING	DIST.	BRAND
125	Pin	90°27'	1.0	✓
126	Pin	0°27'	0.996	
127	Pin	270°27'	1.0	
132	Pin	270°27'	1.0	
133	Pin	0°27'	5.265	
157	Pin	90°27'	1.26	
162	Pin	270°27'	1.78	
170	Pin	180°27'	1.57	
	Scrub.	314°39'	6.24	

PERMANENT MARKS

PM.	BEARING	DIST.	NUMBER
131-PM.	249°54'	1.0	71616

86
SEE R35858



POR. 83
Sr. 596

Area of New Road
(125-128-130-132-135-125) 5314 m²

Original information compiled from Sr. 407 & Sr. 596
in the Department of Mapping and Surveying,
& RP 35856 in The Titles Office, Townsville.

Amendments in red by me on 9.1.1981.

Peter Stopford

Licensed Surveyor.

NO FIELD NOTES LODGED		LINES NOT SURVEYED	STNS	CORNERS NOT MARKED	STNS 158, 159, 160, 161
ORIGINAL PORTION 191		PLAN OF Lots 56 to 63			TOWN
ORIGINAL GRANT N3260		Cancelling part of Lot 80 on RP 33655			PARISH ALEXANDRA
MAP REF.		SURVEYED BY Peter Stopford ...10... 1980			COUNTY Solander
PROCLAIMED SURVEY AREA		MERIDIAN For Datum, see Line 1 to 2 on R35853			REGISTERED PLAN 35857
		SCALE 1:3000			

CERTIFICATE

I, Peter Stopford
 hereby certify that I have surveyed the land comprised in this plan
personally
 that the plan is accurate, that the said survey was performed in accordance with the 'Surveyors Act 1977' and the 'Surveyors Regulations 1978' and that the said survey was completed on 10.10.1980

Date 31.10.1980

Signature of Licensed Surveyor.

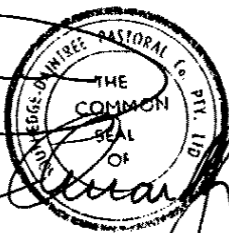
Council of the SHIRE of DOUGLAS certifies
 that all the requirements of this Council, the Local Government Acts of 1938 to 1979 and all By-Laws
 have been complied with and approves this Plan of Subdivision

Dated this 20th day of November 1980Mayor or
ChairmanTown or
Shire Clerk

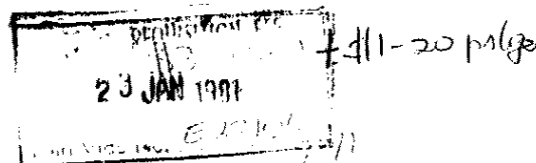
I/We SOUTLEDGE - DAINWRE PASTORAL CO Pty Ltd
 as proprietor/s
 (Names in full)
 of this land, agree to this Plan and dedicate the new roads shown hereon to public use.

Signature of
Proprietor/s

THE COMMON SEAL OF
 SOUTLEDGE-DAINWRE PASTORAL
 CO PTY LTD WAS HEREIN
 AFFIXED IN THE PRESENCE
 OF George Quaid Jnr.
a Hunter and one
Byington Robinson a
Hunter and with the
further presence of



For Additional Plan &
 Document Notings
 Refer to CISP



NEW TITLES
 Vol. Fol.

Lodged by

I. SCARCE
Solicitor
25 Grafton St
Cairns

Fees Payable

11-50 Postal fee and Postage
52-00 Lodgt, Exam. & Ass.
120-00 Entd. on Docs.
6-00 New Title
4-00 Entd. on Deeds
193-50 Photo Fee
193-50 Total

Short Fees Paid.....

Received

Registrar of Titles

Journal No N973227Receipt No 89850

DEC 4 2 06 PM '80
 RECEIVED
 TITLES

Calc. Bk. No. 123/151
 Examined 212181
 Passed 212181
 Charted 11
 Map Ref. 1/17

Particulars entered in Register Book
 Vol. N1106 Folio 18

5 FEB 1981

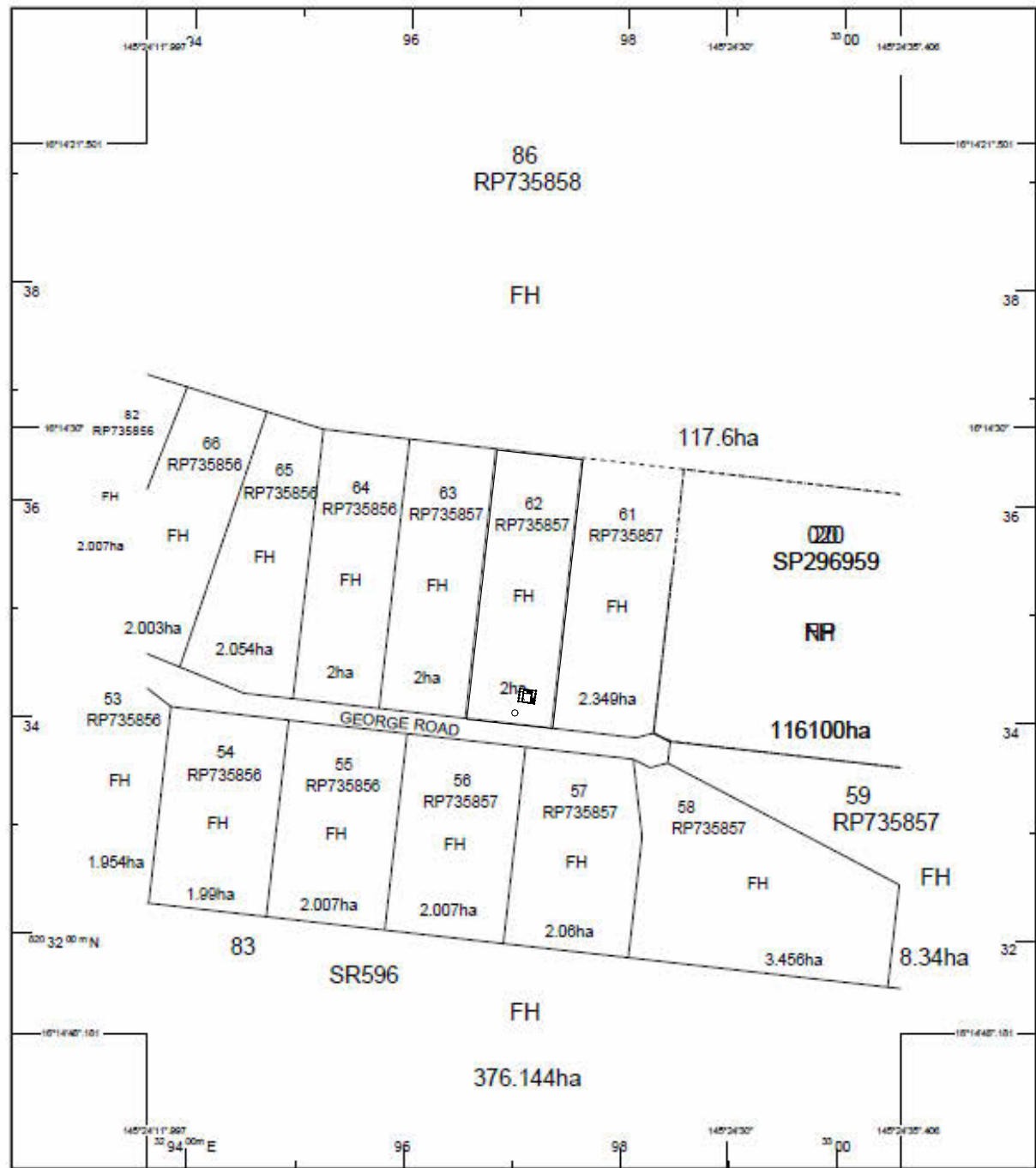
REGISTRAR OF TITLES
 (NORTHERN DISTRICT)

REGISTERED PLAN 35857

No 62385

A memo has been sent to the Surveyor
 The plan is returned herewith for his
 attention.

ATTACHMENT C



STANDARD MAP NUMBER
7965-12323

MAP WINDOW POSITION & NEAREST LOCATION

0 100 200 300 400 500 m

HORIZONTAL DATUM: GDA94 ZONE 55 SCALE 1 : 5000

SmartMap

An External Product of SmartMap Information Services Based upon an extraction from the Digital Cadastral Data Base


Queensland Government
(c) The State of Queensland, (Department of Resources) 2022

CLIENT SERVICE STANDARDS

PRINTED 23/09/2022

DCDB 19/09/2022

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For further information on SmartMap products visit: <https://www.qld.gov.au/housing/buying-owning-home/property-land-valuations/smartmap>

SUBJECT PARCEL DESCRIPTION

DCDB 02/09/2022

Lot/Plan 62/02

Area/Volume 2ha

Tenure FREEHOLD

Local Government DOUGLAS SHIRE


Locality FOREST CREEK

Segment/Parcel 20207455



2 site plan with qglobe
1 : 750

1 site plan
1 : 6000

Drawn	Ben Berthelsen	Date	PROJECT	Dwawing Title	Dwg. No.	Notes	Bower Building	SEAL
checked	Ben Berthelsen	Issue Date	lot 62 gerge rd	site	A103	1. All dimensions are in millimetres. 2. All dimensions are to be checked on site. 3. Any discrepancy between the architectural drawing and other drawings relevant for construction should be notified before commencement.	122 Ronald Road Forest Creek Queensland 4873 QBCC No: 15262744 TEL: 0437732286 email:ben@bowerbuilding.net	
Scale	As indicated							