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)	Jesse Hore and Elizabeth Hore
Contact name (only applicable for companies)	
Postal address (P.O. Box or street address)	P.O box 1286
Suburb	Massman
State	QLD
Postcode	4873
Country	Australia
Contact number	0407 179 091
Email address (non-mandatory)	
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	

2) Owner's consent

P3861 A875419

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

LAD

 the written consent of the owner(s) is attached to this development applicatio proceed to 3)
DOUGLAS SHIRE COUNCIL Received File Name <u>OP 2022 Bamboo Ck RJ</u> Document No
2 6 OCT 2022

Queensland Government

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 <u>DA</u> Forms Guide: Relevant plans.						
3.1) Street address and lot on plan						
te for development in						
ent Area(s)						
1-1						
. 7						
ent Area(s)						
ning or adjacent to land						
t Area(s) (if applicable)						
t Area(s) (if applicable)						
ises have been						
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:						
Name of local government for the tidal area (<i>if applicable</i>): Name of port authority for tidal area (<i>if applicable</i>):						
On airport land under the Airport Assets (Restructuring and Disposal) Act 2008						
Name of airport:						

Listed on the Environmental Management Register (EMR) under the Environmental Protection Act 1994				
EMR site identification:				
Listed on the Contaminated Land Register (CLR) under the Environmental Protection Act 1994				
CLR site identification:				

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 <u>DA Forms Guide</u>.

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 developmen	t? (tick only one box)		1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1
Material change of use	Reconfiguring a lot	Operational work	Building work
b) What is the approval type? (tick	only one box)		
Development permit	reliminary approval	Preliminary approval tha	t includes a variation approval
c) What is the level of assessment	?	,	
Code assessment	mpact assessment (requir	es public notification)	•
d) Provide a brief description of the <i>lots</i>):		ment building defined as multi-unit d	welling, reconfiguration of 1 lot into 3
Excaverting exist	ing lot		
e) Relevant plans	J		
Note: Relevant plans are required to be su <u>Relevant plans.</u>	ibmitted for all aspects of this o	levelopment application. For further	information, see <u>DA Forms guide:</u>
Relevant plans of the proposed	l development are attach	ed to the development appli	cation
6.2) Provide details about the seco	ond development aspect		
a) What is the type of development	t? (tick only one box)		en en en el presente en
Material change of use	Reconfiguring a lot	Operational work	Building work
b) What is the approval type? (tick	only one box)		
Development permit	reliminary approval	Preliminary approval that	t includes a variation approval
c) What is the level of assessment	?		
Code assessment	mpact assessment (requir	es public notification)	
d) Provide a brief description of the lots):	e proposal (e.g. 6 unit apart	ment building defined as multi-unit o	welling, reconfiguration of 1 lot into 3
e) Relevant plans Note: Relevant plans are required to be su <u>Relevant plans.</u>	bmitted for all aspects of this d	evelopment application. For further	information, see <u>DA Forms Guide:</u>
Relevant plans of the proposed	l development are attach	ned to the development appli	cation
6.3) Additional aspects of develop	ment		
Additional aspects of developm that would be required under F			
☐ Not required			

Section 2 – Further development details

7) Does the proposed development application involve any of the following?			
Material change of use	Yes – complete division 1 if assessable against a local planning instrument		
Reconfiguring a lot	Yes – complete division 2		
Operational work	Yes – complete division 3		
Building work	Yes – complete DA Form 2 – Building work details		

b

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 cha	ange 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 <i>(if applicable)</i>	Gross floor area (m ²) (<i>if applicable</i>)
8.2) Does the proposed use involve the Yes	use of existing buildings on the premises?		

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)				
Subdivision (complete 10))	Dividing land into parts by agreement (complete 11))			
Boundary realignment (complete 12))	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 st	10.2) Will the subdivision be staged?				
Yes – provide additional de	tails below				
□ No					
How many stages will the work	s include?				
What stage(s) will this develop apply to?	ment application				

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	iption 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 o	perational work?			
Road work	Stormwater	Water infrastructure		
M Drainage work	🛛 Earthworks	Sewage infrastructure		
Landscaping	🗌 Signage	Clearing vegetation		
Other – please specify:				
14.2) Is the operational work neo	essary to facilitate the creation of	new lots? (e.g. subdivision)		
Yes – specify number of new	lots:			
No No				
14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)				
\$ 15000				

PART 4 – ASSESSMENT MANAGER DETAILS

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

Heritage places – Local heritage places

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

Infrastructure-related referrals – Electricity infrastructure

Matters requiring referral to:

- The Chief Executive of the holder of the licence, if not an individual
- The **holder of the licence**, if the holder of the licence is an individual

Infrastructure-related referrals – Oil and gas infrastructure

Matters requiring referral to the Brisbane City Council:

Ports – Brisbane core port land

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

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

Ports – Strategic port land

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

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

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

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

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

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

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

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

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

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

Referral agency

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules

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

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

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

 that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties

Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.

Further advice about information requests is contained in the DA Forms Guide.

Date of referral response

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)			
X Yes – provide details below	or include details in a schedule to	this development application	
List of approval/development application references	Reference number	Date	Assessment manager
 Approval Development application 	BW2022_4827/1	29.06.2022	DSC
Approval Development application			
21) Has the portable long serv operational work)	ice leave levy been paid? (only appl	icable to development applications invo	olving building work or
	ed QLeave form is attached to this	development application	
	ovide evidence that the portable lo		
	les the development application. I al only if I provide evidence that th		
	g and construction work is less tha		
Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A	A, B or E)
\$			
	n .	n	c , c , j
22) Is this development applicant notice?	ation in response to a show cause	notice or required as a result o	f an enforcement
Yes – show cause or enford	ement notice is attached		
No			
23) Further legislative requiren			
Environmentally relevant act		in the second	The first sec
	ication also taken to be an applica ctivity (ERA) under section 115 of		
Environmentally Relevant Activity (ERA) under section 115 of the Environmental Protection Act 1994?			
accompanies this developm	nent application, and details are pr		-
Note: Application for an environmental	l authority can be found by searching "ESF	2/2015/1701" as a search term at www	ald any su An ERA
	operate. See <u>www.business.qld.gov.au</u> fo		<u>qiu.gov.au</u> . Ali ENA
Proposed ERA number:	Prop	osed 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 f	or further information about hazardous che	mical notifications.	

Clearing native vegetation
23.3) Does this development application involve clearing native vegetation that requires written confirmation that the chief executive of the <i>Vegetation Management Act 1999</i> is satisfied the clearing is for a relevant purpose under section 22A of the <i>Vegetation Management Act 1999</i> ?
Yes – this development application includes written confirmation from the chief executive of the Vegetation Management Act 1999 (s22A determination)
X 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 <u>https://www.gld.gov.au/environment/land/vegetation/applying</u> 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 <i>Environmental Offsets Act 2014</i> ?
 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 <u>www.qld.gov.au</u> 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 <u>www.des.qld.gov.au</u> 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 <i>Water Act 2000</i> ?
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
X No
Note: Contact the Department of Natural Resources, Mines and Energy at <u>www.dnrme.qld.gov.au</u> for further information. DA templates are available from <u>https://planning.dsdmip.qld.gov.au</u> /. 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 Form1 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 X No
DA templates are available from <u>https://planning.dsdmip.qld.gov.au/</u> . 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 No

Note: See guidance materials at www.daf.qld.gov.au for further information.

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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 <i>Water Act 2000?</i>				
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 <u>www.dnrme.qld.gov.au</u> and <u>www.business.qld.gov.au</u> 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 <i>Coastal Protection and Management Act 1995</i> ?				
 ☐ 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 <u>www.des.qld.gov.au</u> 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 <i>Water Supply (Safety and Reliability) Act 2008</i> (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				
Note: See guidance materials at www.dnrme.gld.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				
X No				
Note: See guidance materials at www.des.gld.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				
Note: See guidance materials at <u>www.des.gld.gov.au</u> 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 <i>Prostitution Regulation 2014</i>				
X No				
Decision under section 62 of the <i>Transport Infrastructure Act 1994</i> 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 <i>Transport</i> Infrastructure Act 1994 (subject to the conditions in section 75 of the <i>Transport Infrastructure Act</i> 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.gld.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 Note: See the Planning Regulation 2017 for referral requirements	X Yes
If building work is associated with the proposed development, Parts 4 to 6 of <u>DA Form 2 –</u> <u>Building work details</u> 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 <u>DA</u> 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 <u>DA Forms Guide: Relevant plans.</u>	🔀 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 ເ▲ 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 unleaded to interface an emidle of the activity of the activity of the activity of the sections and the activity of the sections and the sections and the sections are made and the sections and the sections are made and the section of the sections and the sections are made and the sections and the section of the section of

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 num	per(s):		
Notification of eng	Notification of engagement of alternative assessment manager			
Prescribed asses	sment manager			
Name of chosen	assessment manager			
Date chosen assessment manager engaged				
Contact number of	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	

Enforcement Notice

1.	Authorising legislation	Planning Act 2016 Section 167
2.	Recipient Name and address	JJ Hore & ER Hore 16 Barrabal Drive Bonnie Doon QLD 4873
3.	Date	07/09/2022
4,	Premises	Lot 3 Bamboo Creek Road, Bamboo (Lot 3 on RP808141)
5.	Authorising power/	This Enforcement Notice is given to you pursuant to section 168 of the <i>Planning Act 2016</i> (the Act).
	description of offence	Chapter 5, Part 2 of the Act creates a number of development offences under sections 162 to 165.
30 31		Relevantly, section 163 of the Act provides:
		163 Carrying out assessable development without permit
		(1) A person must not carry out assessable development, unless all necessary development permits are in effect for the development.
	$(1,\ldots,n_{n-1}) \in \{1,\ldots,n_{n-1}\}$	Maximum penalty-
		(a) If the assessable development is on a Queensland heritage place or local heritage place – 17,000 penalty units; or
		(b) Otherwise - 4500 penalty unit (\$600,525)".
		(2) However, subsection (1) does not apply to development carried out-
		(a) under section 29(10)(a); or
		(b) in accordance with an exemption certificate under section 46; or
		(c) under section 88(3).
		Maximum penalty – 4500 penalty units (\$600,525).
		A Show Cause Notice was given to you under section 167 of the Act inviting you to show cause why an Enforcement Notice should not be given to you in relation to a development offence under section 163 of the Act.
		Council received a written response to the Show Cause Notice on 9 August 2022 which stated:
		The earthworks were completed for the shed and it was determined by earthworks team during operation that adequate drainage was needed on the top side of the shed pad to eliminate overflow water in excessive downpours. While they were there, they removed a small amount of topsoil and cleaned up an already existing pad (visible on attached survey drawing). I was unaware that I needed a separate application to complete such works as we thought they were minor- I was also trying to reduce the costs of bringing earthworks contractors back in and trying to establish the earthworks before the wet season to reduce any possible erosion issues.
		Having regard to the facts and circumstances outlined below and after considering your representations to the Show Cause Notice, Council still believes it is appropriate that an Enforcement Notice should be given to you because it reasonably believes that you:
		Committed a development offence by <i>carrying out assessable development without permit.</i>

6. Purpose of Notice	You are required to comply with the requirements of this Enforcement notice within the following time periods after the giving of this Enforcement Notice to you. The requirements are as follows:		
	 Undertake sediment and erosion control measures at the Premises that includes the following measures; 		
	(a) Install diversion bunds horizontally at several points across the shed and house pad driveways to reduce runoff to Bamboo Creek Road.		
	(b) Install sediment fencing at several points along the drainage channels located at the toe of the batters behind the house pad and shed. The sediment fencing should be constructed of hardwood or star picket supports with buried and anchored geotextile fabric, or sediment socks.		
	(c) Spray the batter that runs parallel with Bamboo Creek Road with an appropriate species of grass seed. Once propagated, ensure regular watering is undertaken to facilitate growth.		
	(d) The abovementioned work must be complete by 7 October 2022.		
$\frac{d_{1}}{d_{2}} = \frac{d_{1}}{d_{1}} \frac{d_{2}}{d_{1}} \frac{d_{1}}{d_{2}} \frac{d_{1}}{d_{2}} \frac{d_{2}}{d_{1}} \frac{d_{2}}{d_{2}} \frac{d_{1}}{d_{2}} \frac{d_{2}}{d_{2}} \frac{d_{1}}{d_{2}} \frac{d_{2}}{d_{2}} \frac{d_{2}}{d$	 Submit a properly made Development Application to Council for Operational Work- Excavation and Filling by close of business 30 November 2022. The application must be supported by a geotechnical report. 		
an a	 Do not recommence any further Operational Works(Filling and Excavation) until such time as all necessary development permits are in effect for the development. 		
7. Facts and Circumstances	The facts and circumstances that form the basis of the Council's belief that an Enforcement Notice should be given to you are set out below:		
	 You are the owner of Lot 3 Bamboo Creek Road, Bamboo, being described as Lot 3 on RP808141 (the Premises). 		
	 The Premises has an area of 4361m² and frontage to Bamboo Creek Road, Bamboo. 		
	 Council has record of the following planning considerations relevant to the Premises. 		
	(a) Development Approval No. BW 2022_4827, for the construction of a shed (Council Doc id: 1095248).		
	4. Between 20 July 2022 and 29 July 2022 Council received complaints regarding Filling and Excavation and the Premises.		
	5. On 29 July, as a result of the complaints, Council attended a site visit.		
	6. The site visit revealed Filling and Excavation had been undertaken beyond the scope of the plans attached to Development Approval No. BW 2022_4827.		
	7. Under the 2018 Douglas Shire Planning Scheme (the Planning Scheme), the		
$\frac{1}{2} \left(\frac{1}{2} \frac{\partial q_{1}}{\partial t} \right)^{\frac{1}{2}} = \frac{1}{2} \left(\frac{\partial q_{1}$	Premises is located within Rural zone (see zoning Map Sheet- ZM-010). 8. The Planning Scheme Tables of Assessment - <i>Table 5.6.j</i> - Rural zone lists		
	Operational Work-Filling and Excavation greater than 50m ³ as requiring a code		
an a	assessable Development Application be submitted to Council.9. Council records indicate that no existing development approvals have been issued		
	that permit the Excavation and Filling that has been undertaken at the Premises.		
	 Upon investigating the complaints, Council gathered information that supports the allegations including: 		
1. All the second se	(a) Photographic images of the filling and excavation; and		
	(b) Site plans and shed plans associated with Development Approval BW 2022_4827 which show that Filling and Excavation was only permitted where necessary to construct the shed and driveway access to the shed; and		
	(c) A building approval issued by Rapid Building Approvals, Reference No. 0906/22 dated 6 July 2022, for the construction of a shed only.		
and the second second second second			

	(d) Telephone conversation with you (Jesse Hore) on 29 July 2022, in which you admitted that no approvals were in place for the filling and excavation not associated with the construction of the shed.
	11. On this basis Council reasonably believes you have committed a development offence contrary to the <i>Planning Act 2016</i> section 163 which states that a person must not carry out assessable development, unless all necessary development permits are in effect for the development.
	The maximum penalty for contravening section 163 of the <i>Planning Act 2016</i> is 4,500 penalty units (\$646,875.00).
8. Consequences of non- compliance	Failure to comply with an Enforcement Notice is an offence under section 168(5) of the Act. The maximum penalty for contravening an Enforcement Notice is 4,500 penalty units (\$646,875.00).
	Council may take action to commence a prosecution or other proceedings for an offence under the Act at any time.
	Council may also choose to issue you with a penalty infringement notice (PIN) under the <i>State Penalties Enforcement Act 1999</i> for contravening the Enforcement Notice.
9. Appeal Rights	Pursuant to section 229 and Schedule 1 of the Act, you may appeal the giving of this Enforcement Notice to the Planning and Environment Court or a tribunal.
	The appeal must be started within 20 business days after this Enforcement Notice is given to you.
	Copies of section 229 and Schedule 1 of the Act are enclosed. Those sections deal with your right to appeal against this Enforcement Notice.
	Should you wish to lodge an appeal, it is recommended you seek independent legal advice
10. Signatory	
	Tale, and
	Paul Hoye Manager Environment and Planning
	Contact Officer: Rebecca Taranto Phone No: 07 4099 9444
$\frac{1}{2} \sum_{i=1}^{n-1} \frac{1}{2} \sum_{i=1}^{n-1$	Ref: Doc ID: 1105250

6.2.4 Environmental management zone code

6.2.4.1 Application

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

6.2.4.2 Purpose

(1) The purpose of the Environmental management zone code is to recognise environmentally sensitive areas and provide for houses on lots and other low impact activities where suitable.

These areas are protected from intrusion of any urban, suburban, centre or industrial land use.

- (2) The local government purpose of the code is to:
 - (a) implement the policy direction set in the Strategic Framework, in particular:
 - (i) Theme 2 : Environment and landscape values, Element 3.5.3 Biodiversity, Element 3.5.5 Scenic amenity.
 - (b) protect and buffer areas of environmental significance from inappropriate development.
- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Development is generally restricted to a dwelling house;
 - (b) Adverse impacts on natural systems, both on-site and on adjoining land are minimised through the location, design and management of development;
 - (c) Development reflects and responds to the natural features and environmental values of the area;
 - (d) Visual impacts are minimised through the location and design of development;
 - (e) Development does not adversely affect water quality;
 - (f) Development responds to land constraints, including but not limited to topography, vegetation, bushfire, landslide and flooding.

6.2.4.3 Criteria for assessment

Table 6.2.4.3.a – Environmental management zone – assessable development

Performance outcomes	Acceptable outcomes		
For self-assessable and assessable development			
PO1 The height of all buildings and structures is in keeping	A01.1 Buildings and structures are not more than	Complies with AO1.1 The future development would only be one	
with the natural characteristics of the site. Buildings and structures are low-rise and not unduly visible from external sites.	8.5 metres and two storeys in height. Note – Height is inclusive of the roof height.	storey and approximately 6 metres high.	
	A01.2 Buildings have a roof height not less than 2 metres.	Complies with AO1.2 The future development would have a roof height greater than 2 metres.	
PO2	AO2	Will comply with PO2	
Buildings and structures are set back to:	Buildings and structures are set back not less	Future dwelling proposal will require a	
(a) maintain the natural character of the area;	than:	relaxation of 2 metres to northern boundary,	
(b) achieve separation from neighbouring buildings and from road frontages.	 (a) 40 metres from the frontage of a state controlled road; (b) 25 metres from the frontage to Cape Tribulation Road; (c) 6 metres from any other road; (d) 6 metres from the side and rear boundaries of the site. 	but it will maintain natural character of the area and achieve separation from neighbouring properties.	

Performance outcomes	Acceptable outcomes
For assessable development	

PO3	AO3	Complies with AO3
Development is consistent with the purpose of the	Inconsistent uses as identified in Table	A dwelling house is not intended as an
Environmental management zone and protects the zone	6.2.4.3.b are not established in the	inconsistent use.
from the intrusion of inconsistent uses.	Environmental management zone.	
PO4	PO4	Complies with PO4
The site coverage of all buildings and structures and	No acceptable outcomes are prescribed.	Cuts and batters will be obscured by dwelling
associated services do not have an adverse effect on the environmental or scenic values of the site.		and vegetation.
P05	A05.1	Complies with A05.1
Development is located, designed, operated and managed to respond to the characteristics, features and constraints of the site and its surrounds. Note - Planning scheme policy – Site assessments provides guidance on identifying the characteristics, features and constraints of a site and its surrounds.	 Buildings, structures and associated access, infrastructure and private open space are sited: (a) within areas of the site which are already cleared; or (b) within areas of the site which are environmentally degraded; (c) to minimise additional vegetation clearing. 	
	AO5.2 Buildings and structures and associated infrastructure are not located on slopes	site with an average slope of 16.6% or less.
	greater than 1 in 6 (16.6%) or on a ridgeline.	

PO6	A06.1	Not applicable
Buildings and structures are responsive to steep slope through innovative construction techniques so as to:(a) maintain the geotechnical stability of slopes;(b) minimise cut and/or fill;(c) minimise the overall height of development.	Where development on land steeper than 1 in 6 (16.6%) cannot be avoided, development follows the natural contours of the land and single plane concrete slab on- ground methods of construction are not utilised.	The development would occur on part of the site with an average slope of 16.6% or less.
	 AO6.2 Access and vehicle manoeuvring and parking areas are constructed and maintained to: (a) minimise erosion; (b) minimise cut and fill; (c) follow the natural contours of the site. 	Complies with AO6.2 The access would be constructed of gravel/ concrete consistent with existing driveways in the locality and will allow for the infiltration of rainwater and minimise run off, erosion and sedimentation.
P07	P07	Able to comply with PO7
The exterior finishes of buildings and structures are consistent with the surrounding natural environment.	The exterior finishes and colours of buildings and structures are non-reflective and are moderately dark to darker shades of grey, green, blue and brown or the development is not visible external to the site.	The development external finish has not beer confirmed.
PO8	A08	Complies with PO8
Development does not adversely affect the amenity of the zone and adjoining land uses in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.	No acceptable outcomes are prescribed.	The development would be consistent with th existing amenity of the zone.

PO9 The density of development ensures that the environmental and scenic amenity values of the site and surrounding area are not adversely affected.	AO9 The maximum residential density is one dwelling house per lot.	Complies with AO9 The development will consist of one dwelling house.
Performance outcomes	Acceptable outcomes	
PO10	A010	Complies with PO10
Lot reconfiguration results in no additional lots.	No acceptable outcomes are prescribed.	The lot will remain as a single lot.
		The lot will remain as a single lot.

Table 6.2.4.3.b — Inconsistent uses within the Environmental management zone

Inconsistent uses

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



9.4.4 Filling and excavation code

9.4.4.1 Application

- (1) This code applies to assessing:
 - (a) operational work for filling or excavation which is self-assessable or code assessable development if this code is an applicable code identified in the assessment criteria column of a table of assessment; or
 - (b) a material change of use or reconfiguring a lot if:
 (i) assessable development where this code is identified as a prescribed secondary code in the assessment criteria column of a table of assessment; or (ii) impact assessable development, to the extent relevant.

Note-This code does not apply to building work that is regulated under the Building Code of Australia.

When using this code, reference should be made to Part 5

9.4.4.2 Purpose

- (1) The purpose of the Filling and excavation code is to assess the suitability of development for filling or excavation.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) filling or excavation does not impact on the character or amenity of the site and surrounding areas;
 - (b) filling and excavation does not adversely impact on the environment;
 - (c) filling and excavation does not impact on water quality or drainage of upstream, downstream or adjoining properties;
 - (d) filling and excavation is designed to be fit for purpose and does not create land stability issues;
 - (e) filling and excavation works do not involve complex engineering solutions.

Acceptable outcomes

Douglas Shire Planning Scheme 2018 Version 1.0



Filling and excavation - General		
PO1 All filling and excavation work does not create a detrimental impact on the slope stability, erosion potential or visual amenity of the site or the surrounding area.	AO1.1 The height of cut and/or fill, whether retained or not, does not exceed 2 metres in height. and Cuts in excess of those stated in A1.1 above are separated by benches/ terraces with a minimum width of 1.2 metres that incorporate drainage provisions and screen planting.	Complies AO1.1 Cuts larger then 2 metres are separated by terraces with a minimum width of 1.2 metre with drainage provisions and will incorporat screen planting.
	 AO1.2 Cuts are supported by batters, retaining or rock walls and associated benches/terraces are capable of supporting mature vegetation. AO1.3 Cuts are screened from view by the siting of the building/structure, wherever possible. 	Complies with AO1.2 Cuts are supported by batters and can support mature vegetation. Complies with A01.3 Cuts will be screened by future proposed dwelling.

9.4.4.3 Criteria for assessment

Table 9.4.4.3.a - Filling and excavation code - for self-assessable and assessable development

Performance outcomes

Acceptable outcomes



	A01.4	Complies with AO1.4
	Topsoil from the site is retained from cuttings and reused on benches/terraces.	All topsoil form the site is retained and reused on benches.
	AO1.5 No crest of any cut or toe of any fill, or any part of any retaining wall or structure is closer than 600mm to any boundary of the property, unless the prior written approval of the adjoining landowner has been obtained.	Complies with AO1.5 All crests of any cut or fill are more then 600mm from and boundary.
	AO1.6 Non-retained cut and/or fill on slopes are stabilised and protected against scour and erosion by suitable measures, such as grassing, landscaping or other protective/aesthetic measures.	Complies with AO1.6 Cuts and fill will be retained with native plants and grasses.
Visual Impact and Site Stability	1	
PO2 Filling and excavation are carried out in such a manner that the visual/scenic amenity of the area and the privacy and stability of adjoining properties is not compromised.	AO2.1 The extent of filling and excavation does not exceed 40% of the site area, or 500m ² whichever is the lesser, except that AO2.1 does not apply to reconfiguration of 5 lots or more.	Can comply with PO2 Filling and excavation will be carried out in a manner that the visual/ scenic amenity and the privacy and stability of adjoining properties are not compromised. All cuts and batters will be re- vegetated with
	AO2.2 Filling and excavation does not occur within 2 metres of the site boundary.	native plants and grasses to retain the visual/ scenic amenity.
Flooding and drainage		

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PO3	AO3.1	Complies with AO3.1
Filling and excavation does not result in a change to the run off characteristics of a site which then have a detrimental impact on the site or nearby land or adjacent road reserves.	Filling and excavation does not result in the ponding of water on a site or adjacent land or road reserves.	Filling and excavating would not result in the ponding of water on site or adjacent lands.
	Filling and excavation does not result in an increase in the flow of water across a site or any other land or road reserves.	Complies with AO3.2 Filling and excavating would not result in the increase of water flow on site or adjacent
	AO3.3 Filling and excavation does not result in an increase in the volume of water or concentration of water in a watercourse and overland flow paths.	lands. Complies with AO3.3 Filling and excavating would not result in the increase of volume of water on site or
	AO3.4 Filling and excavation complies with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	adjacent lands.
Water quality		
PO4 Filling and excavation does not result in a reduction of the water quality of receiving waters.	AO4 Water quality is maintained to comply with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	Complies with AO4 Filling and excavation would comply with FNQROC development manual guidelines.
Performance outcomes	Acceptable outcomes	
Infrastructure		
PO5 Excavation and filling does not impact on Public Utilities.	AO5 Excavation and filling is clear of the zone of influence of public utilities.	Complies with AO5 Excavation and filling would not be near public utilities.



8.2.9 Potential landslide hazard overlay code

- 8.2.9.1 Application
- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Potential landslide hazard overlay; if
 - (a) self-assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
 - (b) impact assessable development.
- (2) Land in the Potential landslip hazard overlay is identified on the Potential landslide hazard overlay maps in Schedule 2 and includes the following subcategories:
 - (a) Places of potential landslide hazard sub-category.
- (3) When using this code, reference should be made to Part 5.

Note – The Potential landslide hazard overlay shows modelled areas where the factors contributing to landslip potential accumulate to provide a moderate or higher risk if certain factors are exacerbated (e.g. factors include significant vegetation clearing, filling and excavation, changes to soil characteristics, changes to overland water flow, or changes to sub-surface water flow). It shows areas that the Council has identified where landslides may occur and where land may be impacted by a landslide, but does not mean that landslides will occur or that the land will be impacted by a landslide. Other areas not contained within the potential landslide hazard overlay may sustain landslides or be impacted by landslides and consideration should be given to this issue, where appropriate.

8.2.5.2 Purpose

- (1) The purpose of the Potential landslide hazard overlay code is:
 - (a) implement the policy direction of the Strategic Framework, in particular:
 - (i) Theme 1: Settlement pattern Element 3.4.7 Mitigation of hazards.
 - (b) enable an assessment of whether development is suitable on land within the Potential landslip hazard overlay.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) development is located, designed and constructed to not put at risk the safety of people, property and the environment;
 - (b) development is not at risk from and does not pose a risk to adjacent and nearby sites from landslides;
 - (c) ensures that community infrastructure is protected from the effects of potential landslides;
 - (d) ensures that vegetation clearing, stormwater management and filling and/or excavation does not create a landslide hazard and/or rectifies potential pre-existing landslide risks;



Douglas Shire Planning Scheme 2018 Version 1.0 Part 8: Overlays Code Compliance Table – 8.2.9 Potential landslide hazard overlay code Page 1 of 3 (e) development does not occur where works to provide a solution for safety of people, property or the environment involves complex engineering solutions to overcome the risk, or would result in a built form or outcome that causes an adverse visual impact on the Hillslopes or Landscape values of Douglas Shire.

Criteria for assessment

Table 8.2.9.20a - Potential landslide hazard overlay code - assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
PO1 The siting and design of development does not involve complex engineering solutions and does not create or increase the potential landslide hazard risk to the site or adjoining premises through: (a) building design; (b) increased slope; (c) removal of vegetation; (d) stability of soil; (e) earthworks; (f) alteration of existing ground water or surface water paths; (g) waste disposal areas.	 AO1.1 Development is located on that part of the site not affected by the Potential landslide hazard overlay. or AO1.2 Development is on an existing stable, benched site and requires no further earthworks or AO1.3 A competent person certifies that: (a) the stability of the site, including associated buildings and infrastructure, will be maintained during the course of the development and will remain stable for the life of the development; (b) development of the site will not increase the risk of landslide hazard activity on other land, including land above the site; (c) the site is not subject to the risk of landslide activity on other land; (d) any measures identified in a site-specific geotechnical report for stabilising the site or development does not concentrate existing ground water and surface water paths; (f) development does not incorporate on-site waste water disposal. 	Complies with AO1.1 The development is not located within the Potential landslide hazard overlay.

DOUGLAS SHIRE

Douglas Shire Planning Scheme 2018 Version 1.0 Part 8: Overlays Code Compliance Table – 8.2.9 Potential landslide hazard overlay code Page 2 of 3



Performance outcomes	Acceptable outcomes	Applicant response
	Note – Planning scheme policy SC6.9 – Natural hazards provides guidance on preparing a site specific geo-technical assessment. Note – Development may alter the conditions of ground water and surface water paths in accordance with a site-specific geotechnical report, but should ensure that its final disbursement is as-per pre-developed conditions. Consideration for location, velocity, volume and quality should be given	
PO2 The siting and design of necessary retaining structures does not cause an adverse visual impact on landscape character or scenic amenity quality of the area.	 AO2 Excavation or fill: (a) is not more than 1.2 metres in height for each batter or retaining wall; (b) is setback a minimum of 2 metres from property boundaries; (c) is stepped with a minimum 2 metre wide berm to incorporate landscaping in accordance with Planning scheme policy SC6.7 – Landscaping; (d) does not exceed a maximum of 3 batters and 3 berms (i.e. Not greater than 3.6 metres in height) on any one lot. 	Can comply with PO2 Cuts and batters would provide opportunity for drainage and landscaping. It would not be visible from vantage points external to the site and would not adversely affect the landscape character or scenic amenity quality of the area.
Additional requirements for Community infrastruc	cture	
PO3	A03	Not applicable
 Development for community infrastructure: (a) is not at risk from the potential landslide hazard areas; (b) will function without impediment from a landslide; (c) provides access to the infrastructure without impediment from the effects of a landslide; 	Development is designed in accordance with the recommendations of a site-specific geotechnical assessment which makes reference to the community infrastructure and its needs and function.	This development would not involve Community infrastructure.
 (d) does not contribute to an elevated risk of a landslide to adjoining properties. 	Note - A site specific geotechnical assessment will detail requirements that will address the Acceptable Outcomes of this Performance Outcome. Planning scheme policy SC6.9 – Natural hazards provides guidance on preparing a site specific geotechnical assessment.	



Douglas Shire Planning Scheme 2018 Version 1.0 Part 8: Overlays Code Compliance Table – 8.2.9 Potential landslide hazard overlay code Page 3 of 3



8.2.5 Hillslopes overlay code

- 8.2.5.1 Application
- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Hillslopes overlay, if:
 - (a) self assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
 - (b) impact assessable development.
- (2) Land in the Hillslopes overlay is identified on the Hillslopes overlay map in Schedule 2 and includes the following sub-categories:
 - (a) Hillslopes constraint sub-category.
- (3) When using this code, reference should be made to Part 5.

8.2.5.2 Purpose

- (1) The purpose of the Hillslopes overlay code is to:
 - (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
 - (ii) Theme 2 Environment and landscape values: Element 3.5.5 Scenic amenity.
 - (b) enable an assessment of whether development is suitable on land within the Hillslopes sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) development on hillslopes is safe, serviceable and accessible;
 - (b) the ecological values, landscape character and visual quality of the hillslopes are protected from development so as to retain the scenic backdrop to the region;
 - (c) Development on hillslopes is appropriate, having regard to the topographic constraints and environmental characteristics of the land;
 - (d) Development responds to the constraints of the site including gradient and slope stability;
 - (e) Works do not involve complex engineering solutions.



Douglas Shire Planning Scheme 2018 Version 1.0 Part 8: Overlays Code Compliance Table – 8.2.5 Hillslopes overlay code Page 1 of 5



Criteria for assessment

Table 8.2.5.3.a - Hillslopes overlay code -assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable development		
PO1 The landscape character and visual amenity quality of hillslopes areas is retained to protect the scenic backdrop to the region.	A01.1 Development is located on parts of the site that are not within the Hillslopes constraint sub-category as shown on the Hillslopes overlay Maps contained in schedule 2.	Complies with PO1 The only applicable area for the dwelling is located within the hillslopes overlay. Notwithstanding, the dwelling House would be located on the existing pad at an elevation consistent with the adjacent and adjoining dwelling House. It would not affect the scenic backdrop.
For assessable development		
PO2 The landscape character and visual amenity quality of hillslopes areas is retained to protect the scenic backdrop to the region.	 AO2.1 Development does not occur on land with a gradient in excess of 1 in 6 (16.6%) or AO2.2 Where development on land steeper than 1 in 6 (16.6%) cannot be avoided, development follows the natural contours of the site. AO2.3 Access ways and driveways are: (a) constructed with surface materials that blend with the surrounding environment; (b) landscaped with dense planting to minimise the visual impact of the construction; (c) provided with erosion control measures immediately after construction. 	Complies with AO2.3 The access would be constructed of gravel/ concrete consistent with existing driveways in the locality and will allow for the infiltration rainwater and limit erosion.

DOUGLAS SHIRE

Douglas Shire Planning Scheme 2018 Version 1.0 Part 8: Overlays Code Compliance Table – 8.2.5 Hillslopes overlay code Page 2 of 5



Performance outcomes	Acceptable outcomes	Applicant response
	 AO2.4 The clearing or disturbance of vegetation is limited to clearing and disturbance that: (a) is necessary for the construction of driveways; (b) is necessary to contain the proposed development; (c) minimises canopy clearing or disturbance; (d) minimises riparian clearing or disturbance. 	Not applicable No clearing of vegetation is proposed.
	AO2.5 On land with slopes greater than 1 in 6 (16.6%) or greater, alternative construction methods to concrete slab on ground are utilised (i.e. split level or post and beam constructed buildings that minimise modification to the natural terrain of the land).	Not applicable The development would be located on part of the site with of an average slope of less then 16.6%.
	AO2.6 Development does not alter the sky line.	Complies with AO2.6 The development would not alter the sky line.
	 AO2.7 Buildings and structures: (a) are finished predominantly in the following exterior colours or surfaces: (b) moderately dark to darker shades of olive green, brown, green, blue, or charcoal; or (c) moderately dark to darker wood stains that blend with the colour and hues of the surrounding vegetation and landscape; (d) are not finished in the following exterior colours or surfaces: (e) pastel or terracotta colours, reds, yellows, shades of white or beige, or other bright colours 	Able to comply with AO2.7 The external finish is yet to be confirmed. Council is invited to attach a condition to any approval issue if appropriate.

DOUGLAS SHIRE

Douglas Shire Planning Scheme 2018 Version 1.0 Part 8: Overlays Code Compliance Table – 8.2.5 Hillslopes overlay code Page 3 of 5



Performance outcomes	Acceptable outcomes	Applicant response
	that do not blend with the surrounding vegetation and landscape; (f) reflective surfaces. AO2.8 Exterior colour schemes limit the use of white or other light colours to exterior trim and highlighting of architectural features	Able to comply with AO2.8 The external finish is yet to be confirmed. Council is invited to attach a condition to any approval issue if appropriate.
	AO2.9 Areas between the first floor (including outdoor deck areas) and ground level are screened from view.	Complies with AO2.9 The finished floor height will be finished at ground level being a slab on ground.
	 AO2.10 Recreational or ornamental features (including tennis courts, ponds or swimming pools) do not occur on land: (a) with a gradient of 1 in 6 (16.6%) or more; (b) are designed to be sited and respond to the natural constraints of the land and require minimal earthworks 	Not applicable The development would not involve recreational or ornamental features.
 PO3 Excavation or filling does not have an adverse impact on the amenity, safety, stability or function of the site or adjoining premises through: (a) loss of privacy; (b) loss of access to sunlight; (c) intrusion of visual or overbearing impacts; (d) complex engineering solutions. 	 AO3 Excavation or fill: (a) is not more than 1.2 metres in height for each batter or retaining wall; (b) is setback a minimum of 2 metres from property boundaries; (c) is stepped with a minimum 2 metre wide berm to incorporate landscaping in accordance with Planning scheme policy SC6.7 – Landscaping; (d) does not exceed a maximum of 3 batters and 3 berms (i.e. not greater than 3.6 metres in height) on any one lot. 	Able to comply with PO3 Excavation and filling will be carried out in accordance with Geotechnical Engineers recommendation s and report. See attached Geotechnical slope stability report.



Douglas Shire Planning Scheme 2018 Version 1.0 Part 8: Overlays Code Compliance Table – 8.2.5 Hillslopes overlay code Page 4 of 5



Performance outcomes	Acceptable outcomes	Applicant response
Lot reconfiguration		
PO4 For development that involves reconfiguring a lot, lot layout and design is responsive to the natural constraints of the land and each lot is capable of being used for its intended purpose.	 AO4.1 The frontage and depth of all lots is of sufficient width to: (a) allow driveways to follow the natural contours of the site and not exceed a gradient of 1 in 6 (16.6%); (b) accommodate any changes in gradient between the road and lot within the lot boundary and not within the road reserve. 	Not applicable The development would be for a Material Change of Use only.
·	AO4.2 Development does not create new lots containing land of greater than 1 in 6 (16.6%), except where a rectangular area of land of lesser grade is contained within the new lots to accommodate the intended land use, with the balance left in its natural state to the greatest extent possible. Note – The size of rectangular areas is outlined within each zone	Not applicable The development would be for a Material Change of Use only.
	code. AO4.3 Development does not alter ridgelines.	Not applicable The development would be for a Material Change of Use only.
	AO4.4 Lots are designed to ensure rooflines of future buildings and structures do not protrude above a ridgeline.	Not applicable The development would be for a Material Change of Use only.

DOUGLAS SHIRE

Douglas Shire Planning Scheme 2018 Version 1.0 Part 8: Overlays Code Compliance Table – 8.2.5 Hillslopes overlay code Page 5 of 5



8.2.1 Acid sulfate soils overlay code

- 8.2.1.1 Application
- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Acid sulfate soils overlay, if:
 - (a) self-assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
 - (b) impact assessable development.
- (2) Land in the Acid sulphate soils overlay is identified on the Acid sulfate soils overlay map in Schedule 2 and includes the following sub-categories:
 - (a) Land at or below the 5m AHD sub-category;
 - (b) Land above the 5m AHD and below the 20m AHD sub-category.
- (3) When using this code, reference should be made to Part 5.

8.2.1.2 Purpose

- (1) The purpose of the acid sulfate soils overlay code is to:
 - (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 2: Environment and landscape values, Element 3.5.4 Coastal zones.
 - (ii) Theme 3: Natural resource management, Element 3.6.2 land and catchment management, Element 3.6.3 Primary production, forestry and fisheries.
- (2) enable an assessment of whether development is suitable on land within the Acid sulfate soils overlay sub-categories.
- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Development ensures that the release of any acid and associated metal contaminant is avoided by not disturbing acid sulfate soils when excavating, removing soil or extracting ground water or filling land;
 - (b) Development ensures that disturbed acid sulfate soils, or drainage waters, are treated and, if required, on-going management practices are adopted that minimise the potential for environmental harm from acid sulfate soil and protect corrodible assets from acid sulfate soil.



Douglas Shire Planning Scheme 2018 Version 1.0 Part 8: Overlays Code Compliance Table – 8.2.1 Acid sulfate soils overlay code Page 1 of 4



Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
For assessable development		
P01 The extent and location of potential or actual acid sulfate soils is accurately identified.	 AO1.1 No excavation or filling occurs on the site. or AO1.2 An acid sulfate soils investigation is undertaken. Note - Planning scheme policy SC 6.12– Potential and actual acid sulfate soils provides guidance on preparing an acid sulfate soils investigation. 	No soil was disturbed where the overlay covers the property.
PO2 Development avoids disturbing potential acid sulfate soils or actual acid sulfate soils, or is managed to avoid or minimise the release of acid and metal contaminants.	 AO2.1 The disturbance of potential acid sulfate soils or actual acid sulfate soils is avoided by: (a) not excavating, or otherwise removing, soil or sediment identified as containing potential or actual acid sulfate soils; (b) not permanently or temporarily extracting groundwater that results in the aeration of previously saturated acid sulfate soils; (c) not undertaking filling that results in: (i) actual acid sulfate soils being moved below the water table; (ii) previously saturated acid sulfate soils being aerated. 	No soil was disturbed where overlay covers the property.

DOUGLAS SHIRE

Douglas Shire Planning Scheme 2018 Version 1.0 Part 8: Overlays Code Compliance Table – 8.2.1 Acid sulfate soils overlay code Page 2 of 4



Performance outcomes	Acceptable outcomes	Applicant response
	 AO2.2 The disturbance of potential acid sulfate soils or actual acid sulfate soils is undertaken in accordance with an acid sulfate soils management plan and avoids the release of metal contaminants by: (a) neutralising existing acidity and preventing the generation of acid and metal contaminants; (b) preventing the release of surface or groundwater flows containing acid and metal contaminants into the environment; (c) preventing the in situ oxidisation of potential acid sulfate soils and actual acid sulfate soils through ground water level management; (d) appropriately treating acid sulfate soils before disposal occurs on or off site; (e) documenting strategies and reporting requirements in an acid sulfate soils environment plan. Note - Planning scheme policy SC 6.12 – Acid sulfate soils provides guidance on preparing an acid sulfate soils management plan. 	
PO3 No environmental harm is caused as a result of exposure to potential acid sulfate soils or actual acid sulfate soils.	AO3 No acceptable outcomes are prescribed.	No soil was disturbed where overlay covers the property.



Douglas Shire Planning Scheme 2018 Version 1.0 Part 8: Overlays Code Compliance Table – 8.2.1 Acid sulfate soils overlay code Page 3 of 4


Figure 8.2.1.3.a - Acid sulfate soils (SPP triggers)



DOUGLAS SHIRE

Douglas Shire Planning Scheme 2018 Version 1.0 Part 8: Overlays Code Compliance Table – 8.2.1 Acid sulfate soils overlay code Page 4 of 4

REF: 16783 6 October 2022

REPORT OF GEOTECHNICAL ASSESSMENT TO: LOT 3 BAMBOO CREEK ROAD, MIALLO, QLD 4873 RP 910264

1.0 Introduction

SOILTEST.BIZ was engaged to carry out a geotechnical assessment for a proposed residential development for Jesse Hore at Lot 3 Bamboo Creek Road, Miallo, QLD 4873.

A site visit, field work, site photos and site classification was made by EARTH TEST on 5th September 2022 – Report SI 588-22. During the site visit of the allotment observations were made of slope angles, existing vegetation, evidence of soil creep, soil seepage and any evidence of previous slips. Contour survey by RPS – Dwg PR152283-1 has also been referenced.

2.0 Development

The development proposed for the block is the construction of a single story slab on ground residence.

3.0 Requests of the assessment

The aims of the assessment were as follows:

Assess the stability of the slopes where the residence is to be constructed,

- Comment on the stability of slopes associated with the proposed development.
- Comment on site preparation and earthworks procedures.
- Comment on drainage requirements for the prepared excavated site

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4.0 Field inspection 4.1 Field Work

Fieldwork was carried out by EARTH TEST on 5th September 2022 – Report SI 588-22. The approximate locations of bore logs to ascertain soil type found on the block are shown on the Site Plan within the site classification report.

4.2 Laboratory testing

Laboratory classification Atterberg limits were carried out by EARTH TEST on a sample of the materials encountered in the auger holes to confirm field classifications. Laboratory test results are as follows:

Auger Hole	Depth(m)	Description	LL(%)	PL(%)	PI(%)	LS(%)
BH1	0.0 - 1.2	Orange Red Brown	39	23	16	9.5
		Sandy Silty Clay				

5.0 Investigation Results 5.1 Existing Surface

The proposed building area position and approximate existing slope of the block are shown on the site plan by EARTH TEST (attached with this report). The site appears to have been cleared to create a house & shed pad. The proposed development site consists of a relatively flat area to the East, South East, then slopes downward toward the West and Bamboo Creek Road. The cleared area slopes from the East (near Lot 4 RP 910264 to the west) at approximately 15 degrees (26.6%). A drainage gully is located close to the Western Bamboo Creek Road boundary and its approximate location is shown on the attached contour plan by RPS-Dwg PR152283-1.

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At the time of the investigations on 5th September 2022. The slopes appeared to be stable with no obvious signs of instability.

5.2 Existing surface conditions

The site appears to have been previously covered by rainforest/vegetation. An area of the site for the proposed residence location has been cleared of vegetation.

A shed has been built on a flat pad area to the North of the allotment, close to the boundary of Lot 4 RP 910264. An embankment behind the shed is approximately 2 to 3m away. This embankment has a slope of approximately 34°.

The rear slope behind the house pad is similar to the slope behind the shed. The house pad itself has a slope of approximately 6° and will be stable based on the information taken from the slopes behind of the shed.

6.0 Analysis

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6.1 General stability conditions of the residence site

Based on the results of the investigation at this site and experience with similar sites in the Mossman region, it is considered the geotechnical model for this site generally comprises residual red-brown sandy silty clay in the natural slopes. The results of the fieldwork at this site are consistent with our experience in this area.

Stability analyses were carried out for the profile.

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For the purposes of assessing stability, we provide the following guidelines which are approximate to the conditions at this site:

- A calculated factor of safety >1.5 indicates the profile is likely to be stable
- A calculated factor of safety from 1.0-1.5 indicates a marginally stable profile
- A calculated factor of safety from <1.0 indicates the profile is likely to be unstable

Material parameters adop	ted in the stabi	lity analyses are sho	own below:
Material	C(kPa)	PHI(degree)	DENSITY(kN/m3)
Bore Hole 1			
0 - 1200			
Sandy Silty Clay	10	34	21
Orange Red-Brown			

Analyses were performed for dry and wet conditions. A pore water pressure coefficient - Ru=0.2 was used to simulate seepage/water infiltration for wet conditions within the soils.

The F of S results of the stability analyses are as below

LOCATION (Locations shown on site pla	Max Cut Slope an)	DRY	WET
Shed area	34 deg 67%	3.67	3.02
House pad rear area	34 deg 67%	3.67	3.02
House pad	6° 10%	instability not a	an issue for wet or dry

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The results of the stability analyses indicate that the profile corresponding current conditions has adequate stability conditions, with **LOW to VERY LOW** risk implications depending on the area considered assessment based on MacGregor &Taylor and AGS assessment guidelines. Increases in slope angle due to earthworks operations for the construction of the residence should be re-assessed as required. It is possible that fretting of the cut slopes due to storm water erosion may occur. Thus, it is important to prevent storm water runoff from the proposed building location. All roof storm-water should be run to site drainage gullies.

Existing on-site vegetation must be retained where possible. Any stripped vegetation should be replaced with ground cover. Appropriate surface covering should be provided until replanting is established.

In general terms, the factor of safety is calculated by dividing the forces resisting instability (ie. The strength of the soil/ rock or the strength of the discontinuities within the soil/ rock) by the forces driving instability (i.e. The weight of the soil/ rock, plus groundwater/ seepage, plus surcharges/ load on the slope). A calculated factor of safety of 1.0 indicates the forces are balanced, whereas a calculated factor of safety <1.0 indicates instability will likely occur.

For this site we consider that a calculated factor of safety >1.3 should be achieved for the wet or 'extreme' conditions modelled, and that a calculated factor of safety >1.5 should be achieved for the dry or 'normal' conditions modelled.

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Analyses for small scale slumping at this site is not possible and is dependent upon slight profile variations and the cover of soil materials, angle and orientation of the discontinuities and the influences of trees and water flow. It is considered that small scale slumping within unsupported batters and in the steep sections of natural slopes should be expected. It is considered that this instability should be in the form of relatively small slumps or erosion failures and occur during or following prolonged rainfall events. This type of instability is common in the Mossman region.

To reduce the risk of these small-scale failures, particularly in the cut batter and natural slopes, the placement of erosion mating such as Enkamat or TecMat should be considered to minimise potential surface erosion and small-scale slumping. It is further recommended that vegetation such as Lomandra or similar species by planted on unsupported batters.

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6.2 Landslide Risk

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As part of the investigation, a landslide risk assessment was carried out for the area of the proposed development in general accordance with the guidelines of the Landslide Risk Management Concepts and Guidelines published by the Australian Geomechanics Society in March 2000.

The RTA system has five separate ARL categories, namely ARL1 to ARL5, with ARL1 being the highest risk rating and ARL5 being the lowest risk rating. It is generally understood that all slopes with a risk rating of ARL1 or ARL2 are given the highest priority and should have risk reduction measures implements within the short term (<3 years). ARL3 sites generally undergo regular monitoring with risk reduction measures carried out if the assessed risk levels are considered to increase. Sites assessed as ARL4 & ARL5 are periodically inspected for any significant site changes.

In terms of the Guidelines for Landslide Risk Management outlined in Australian Geometrics, Volume 42, No. 1 March 2007 (AGS 2007) risk to property is defined as Very Low to Very High. In general terms risks of very low to low are tolerable for regulatory bodies in relation to developments, while higher risks are generally unacceptable without detailed investigation and implementation of risk reduction strategies to enable the reduction of risk to an acceptable level. The risk system matrix is outlined in Australian Geomechanics 2007 (Appendix C & D) attached.

A full description of the risk analyses procedures is presented in the RTA and AGS 2007 documents. For further information, the reader is directed to these documents.

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7.0 Recommendations

7.1 Earthworks - Future

7.1a Cut slopes

Any further cut batters formed in natural materials should be inspected during excavation by a geotechnical engineer to confirm that conditions exposed in the face are consistent with the values on which these guidelines are based.

In all cut/fill earthworks in the Cairns/Mossman area, some instability is to be expected on batter faces. This instability is expected to be in the form of relatively minor slips or fretting and slumps on locally steep slopes or unsupported batters, which may occur during or after heavy rainfall. Some fretting may be anticipated in the batters. Given the low risk to residential development, this instability is generally accepted in the Cairns/ Mossman area and must be accepted by all parties involved in the proposed development. All storm water collected must run to the site drainage located along the Western and Southern Boundaries.

Any retaining walls should be engineered & certified by a qualified Structural Engineer. It is recommended that CM retaining walls are used.

Any batters higher than 3.0m or steeper than 1V:1H, are to be retained by engineered retaining walls. Temporary cut batters can be formed at 3V:1H to a maximum height of 3m. Higher or steeper batters should be inspected by an experienced geotechnical engineer to confirm short term stability. The formation of unsupported fill batters should be avoided.

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7.1b Filled areas and fill slopes

To be placed by the use of a 10–15 tonne sheep foot or pad foot vibrating roller in layers not exceeding 400mm loose; 300 Any filled area must be keyed into the existing slopes. Any further filling should be mm compacted and to 98% standard density by test. Also it is important to protect and replant fill slopes as indicated above to reduce erosion and fretting to the fill slope. Any cuttings into existing banks should be retained by engineer designed retaining walls as required to prevent instability due to steepening of banks.

7.2 Drainage

Drainage measures that should be implemented include:

- Drainage of the proposed residence should be away from the proposed residence & existing shed toward the site drainage at the gullies on the Southern & Western sides of the block.
- Provision of lined drains at the crests of all batters
- Provision of subsurface drainage behind retaining walls and line drains above the crest of any retaining walls over 1.5m in height.

All stormwater should be collected and discharged from the site via pipes into designated drainage paths and not allowed to flow onto the ground or around footings or structures. Where this is not possible, stormwater should be directed into flow spreaders or energy dissipaters to prevent concentrated flows.

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8.0 Conclusions

Based on the results of our geotechnical assessment of the proposed development, the conclusions are summarized as follows:

- The risk to property associated with instability to the upper & lower banks is assessed as "VERY LOW to LOW " at this time and should be reassessed if further earthworks are carried out at a later date.
- Residential development is considered to be feasible from a geotechnical point of view provided appropriate engineering controls are implemented in construction.
- Existing on site vegetation must be retained. Any stripped vegetation should be replaced with ground cover. Replanting should be achieved ASAP following any proposed stripping to reduce erosion of the surface. Appropriate surface covering should be provided until replanting is established.
- Take note of section 4 above regarding compaction of filled area of the site and its implications to the structural design of the slabs for any proposed buildings.

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9.0 Report Limitations

It should be noted that there may be variations to the slope material conditions in different sections of the slopes assessed in the investigation.

Any assessments made in this report are based on the conditions as assessed at the time of the Soil test report by EARTH TEST SI 588–22 on 5th September 2022.

No warranty is either expressed or implied, that the actual conditions will conform exactly to the assessments contained in this report.

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Revegetation Plan

Lot 3 Bamboo Creek Road Miallo, qld 4873.

2022

Operational plan for the revegetation of site-specific sections of Lot 3 Bamboo Creek road Miallo

Table of contents

Introduction	1
Purpose	
Site location	1
Desired outcomes and actions	2
List of suitable plant species	3

Introduction

This Revegetation Plan is for Lot 3 Bamboo Creek Road, Miallo.

Purpose

This document provides a plan for the rehabilitation of native vegetation in natural areas on Lot 3 Bamboo Creek Road, Miallo.

Site location

The site is divided into 2 sections each with its own revegetation plan. The basis for dividing the two sections is for proper installation with applicable time frames to ensure effectiveness of rehabilitation



Figure 1 Site location

Desired outcomes and actions

Section 1 (yellow).

To revegetate the area with appropriate suitable native species by

- Topsoiling land and applying Queensland botanica grass seed.
- Prepping native tubes with 150mm wide hole and fertilising.
- Installing native plants as per drawing concept.
- Batters to have ground cover plants installed and randomly placed tubes to match natural scenery.
- Setting up temporary irrigation system to allow take off.
- Allowing trees to establish in widely spaced groves or with some gaps to allow views and breezes to flow through the vegetation.
- Section 1 to be completed be end of December 2022.

Section 2 (pink).

To revegetate the area with appropriate suitable native species by

- > Topsoiling land and applying Queensland botanica grass seed.
- Prepping native tubes with 150mm wide hole and fertilising.
- Installing native plants as per drawing concept.
- Batters to have ground cover plants installed and randomly placed tubes to match natural scenery.
- Setting up temporary irrigation system to allow take off.
- Allowing trees to establish in widely spaced groves or with some gaps to allow views and breezes to flow through the vegetation.
- Section 2 to be completed be end of January 2023.

List of suitable plant species

Botanical Name	Common Name
Acacia crassicarpa	Northern golden wattle
Acacia mangium	Broadleaf salwood
Acacia oraria	Coastal wattle
Acmena hemilampra	Blush satinash
Aglaia elaeagnoidea	Coastal boodyarra
Alphitonia petriei	Sarsaparilla
Alyxia spicata	Chain fruit
Atractocarpus fitzalanii	Brown gardenia
Barringtonia calyptrata	Mango pine
Beilschmiedia obtusifolia	Blush walnut
Blepharocarya involucrigera	Rose butternut
Brachychiton acerifolius	Illawarra flame tree
Breynia cernua	Fart bush
Calophyllum inophyllum	Beach calophyllum
Calophyllum sil	Blush touriga
Canarium vitiense	Canarium
Carallia brachiata	Corky bark, Fresh water mangrove
Casuarina equisetifolia	Beach casuarina
Cerbera manghas	Dog bane
Chionanthus ramiflora	Native olive
Clerodendrum longiflorum	Long flowered clerodendrum
Colubrina asiatica	Beach berry bush
Cordia subcordata	Sea trumpet
Crinum pedunculatum	Beach lily, Swamp lily
Cupaniopsis anacardioides	Beach Tamarind
Deplanchea tetraphylla	Golden bouquet tree
Dillenia alata	Red beech
Diospyros compacta	Australian ebony
Dodonea viscosa	Hop bush
Elaeodendron melanocarpum	False olive
Eucalyptus plattyphylla	Ghost gum
Euroschinus falcata	Pink poplar
Ficus benjamina	Weeping fig
Ficus drupacea	Drupe fig
Ficus microcarpa	Small fruited fig
Ficus opposita	Sandpaper fig
Ficus racemosa	Cluster fig
Ganophyllum falcatum	Daintree hickory
Glochidion harveyanum	Harvey's buttonwood
Glochidion philippicum	Daintree cheese tree

Gmelina dalrympleana	White beech	
Gomphandra australiana	Buff beech	
Guioa acutifolia	Glossy tamarind	
Haemodorum coccineum	Blood root	
Hibiscus tiliaceus	Coast cottonwood	
Intsia bijuga	Kwila	
Jagera pseudorhus	Foambark	
Livistona muelleri	Northern cabbage tree palm	
Lophostemon suaveolens	Swamp mahogany, swamp box	
Macaranga tanarius	Kamala, Blush macaranga	
Mallotus philippensis	Red kamala	
Maytenus fasciculiflora		
Melaleuca leucadendra	Weeping paperbark	
Melaeuca viridiflora	Broad leaved paperbark	
Melia azederach	White cedar	
Micromelum minutum	Lime berry	
Miliusa brahei	Rasberry jelly plant	
Millettia pinnata	Pongamia tree	
Mimusops elengi	Red coondoo	
Mischocarpus exangulatus	Red bell mischocarp	
Morinda citrifolia	Rotten cheesefruit	
Pandanus tectorius	Beach pandan	
Pittosporum ferrugineum	Rusty pittosporum	
Planchonia careya	Cocky apple	
Pleiogynium timorense	Burdekin plum	
Polyscias elegans	Celerywood	
Pouteria chartacea	Thin leaved coondoo	
Pouteria obovata	Yellow boxwood	
Premna serratifolia	Coastal premna	
Ptychosperma elegans	Solitaire palm	
Rhus taitensis	Sumac	
Scaevola taccada	Beach lettuce	
Schefflera actinophylla	Umbrella tree	
Scolopia braunii	Brown birch	
Sterculia quadrifida	Peanut tree	
Syzygium angophoroides	Yarrabah satinash	
Tarenna dallachiana	Tree ixora	
Terminalia arenicola		
Terminalia alemcola	Brown damson	
Terminalia microcarpa	Indian almond	
Terminalia muelleri	Damson plum	
	Mueller's damson	
Thespesia populneoides	Tulip tree	
Timonius timon	False fig	

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