



Town Planning and Project Services

31 March 2025

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

Via email: enquires@douglas.qld.gov.au

Attention: Town Planning

**RE: DEVELOPMENT APPLICATION FOR OPERATIONAL WORKS (VEGETATION DAMAGE)
OVER LAND AT 69 THOMSON LOW DRIVE, SHANNONVALE, MORE FORMALLY DESCRIBED
AS LOT 3 ON SP192599**

Aspire Town Planning and Project Services act on behalf of Alexander Schmidt and Sonja Zettl (the 'Applicant' and 'Land Owner' in relation to the above described Development Application).

On behalf of the Applicant, please accept this correspondence and the accompanying attachments as a properly made Development Application pursuant to Sections 50 and 51 of the *Planning Act 2016* seeking a Development Permit for Operational Works (Vegetation Damage).

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

- Duly completed DA Form 1 (Attachment 1);
- Letter of Support from the Land Owner (Attachment 2); and
- Town Planning Report (Attachment 3).

In accordance with Douglas Shire Council's 2024/25 Fee Schedule, the relevant Application Fee Operational Works (Vegetation Damage) is noted as \$358.00, where involving 1-10 trees.

Thank you for your time in considering the attached Development Application.

Regards,

Daniel Favier

Senior Town Planner
ASPIRE Town Planning and Project Services

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Attachment I

Duly completed DA Form I

DA Form 1 – Development application details

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

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

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

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

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Alexander Schmidt and Sonja Zettl
Contact name (only applicable for companies)	c/- Daniel Favier (Aspire Town Planning and Project Services)
Postal address (P.O. Box or street address)	PO Box 1040
Suburb	Mossman
State	QLD
Postcode	4873
Country	Australia
Contact number	0418 826 560
Email address (non-mandatory)	admin@aspireqld.com
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	2025-03-27 - Schmidt - 69 Thomson Low Drive, Shannonsvale

1.1) Home-based business

☐ Personal details to remain private in accordance with section 264(6) of *Planning Act 2016*

2) Owner's consent

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

☐ Yes – the written consent of the owner(s) is attached to this development application

☒ No – proceed to 3)

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		69	Thomson Low Drive	Shannonvale
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	3	SP192599	Douglas Shire
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- ☐ Coordinates of premises by longitude and latitude

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

- ☐ Coordinates of premises by easting and northing

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

3.3) Additional premises

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

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

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

Name of port authority for tidal area (if applicable)

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

5) Are there any existing easements over the premises?

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

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

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

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

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

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

c) What is the level of assessment?

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

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

Vegetation Damage

e) Relevant plans

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

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

6.2) Provide details about the second development aspect

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

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

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

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

c) What is the level of assessment?

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

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

e) Relevant plans

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

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

6.3) Additional aspects of development

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

6.4) Is the application for State facilitated development?

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

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

Material change of use	<input type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input checked="" type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use

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

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

- ☐ Yes
- ☐ No

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

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

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

Division 2 – Reconfiguring a lot

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

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

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

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

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

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

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

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m 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 checked="" 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 checked="" type="checkbox"/> No	

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

\$Not applicable

PART 4 – ASSESSMENT MANAGER DETAILS

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

Douglas Shire Council

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

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

PART 5 – REFERRAL DETAILS

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

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

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

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

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

<input type="checkbox"/> SEQ northern inter-urban break – tourist activity or sport and recreation activity <input type="checkbox"/> SEQ northern inter-urban break – community activity <input type="checkbox"/> SEQ northern inter-urban break – indoor recreation <input type="checkbox"/> SEQ northern inter-urban break – urban activity <input type="checkbox"/> SEQ northern inter-urban break – combined use <input type="checkbox"/> Tidal works or works in a coastal management district <input type="checkbox"/> Reconfiguring a lot in a coastal management district or for a canal <input type="checkbox"/> Erosion prone area in a coastal management district <input type="checkbox"/> Urban design <input type="checkbox"/> Water-related development – taking or interfering with water <input type="checkbox"/> Water-related development – removing quarry material <i>(from a watercourse or lake)</i> <input type="checkbox"/> Water-related development – referable dams <input type="checkbox"/> Water-related development – levees <i>(category 3 levees only)</i> <input type="checkbox"/> Wetland protection area
Matters requiring referral to the local government: <input type="checkbox"/> Airport land <input type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA has been devolved to local government)</i> <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 the DA Rules

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

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

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

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

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

PART 7 – FURTHER DETAILS

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

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

☒ No

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

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

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

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

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

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

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

☐ Yes – show cause or enforcement notice is attached

☒ No

23) Further legislative requirements

Environmentally relevant activities

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

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

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

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

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

Hazardous chemical facilities

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

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

Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.

Clearing native vegetation

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

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

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

Environmental offsets

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

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

Note: The environmental offset section of the Queensland Government's website can be accessed at www.qld.gov.au for further information on environmental offsets.

Koala habitat in SEQ Region

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

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

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

Water resources

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

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

☒ No

Note: Contact the Department of Resources at www.resources.qld.gov.au for further information.

DA templates are available from planning.statedevelopment.qld.gov.au. If the development application involves:

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

Waterway barrier works

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

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

☒ No

DA templates are available from planning.statedevelopment.qld.gov.au. 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 Resources at www.resources.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, Science and Innovation at www.desi.qld.gov.au for further information.

Referable dams

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

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

☒ No

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

Tidal work or development within a coastal management district

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

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

☒ No

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

Queensland and local heritage places

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

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

☒ No

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

Name of the heritage place:		Place ID:	
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Decision under section 62 of the Transport Infrastructure Act 1994

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

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

☒ No

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

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

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

☒ No

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

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17	<input checked="" type="checkbox"/> Yes
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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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 .	<input checked="" type="checkbox"/> 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 .	<input checked="" type="checkbox"/> Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable

25) Applicant declaration

- ☒ By making this development application, I declare that all information in this development application is true and correct
- ☒ Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001*

Note: It is unlawful to intentionally provide false or misleading information.

Privacy – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.

Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, Planning Regulation 2017 and the DA Rules except where:

- such disclosure is in accordance with the provisions about public access to documents contained in the *Planning Act 2016* and the Planning Regulation 2017, and the access rules made under the *Planning Act 2016* and Planning Regulation 2017; or
- required by other legislation (including the *Right to Information Act 2009*); or
- otherwise required by law.

This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.

PART 9 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

Date received: Reference number(s):

Notification of engagement of alternative assessment manager

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

QLeave notification and payment

Note: For completion by assessment manager if applicable

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

Attachment 2

Letter of Support from the Land Owner

Subject: Justification for Vegetation Removal – Creek Line at Rear of Property

To Douglas Shire Council, Whom It May Concern.

I am writing to provide justification for the removal of vegetation from a mound of river rock and soil located at the rear of my property along the creek line. This mound/spoil was originally created and placed on my property as a result of civil works undertaken during the initial subdivision to realign the creek (see photo 1 as evidence of original creek alignment). Over time, vegetation naturally propagated on the spoil mound; however, due to the high density of river rock within it, the trees that established there were shallow-rooted and structurally unstable and despite being on the mound for an extended period of time, not of a large size or of good health.

During the 2023/2024 flood event, significant erosion and collapse of the mound occurred, which exposed the root systems of the trees and led to multiple trees falling over. Additionally, several trees that remained standing subsequently died or showed signs of stress and structural instability. Some of these dead trees are still present on-site, as shown in the attached photos.

Given the ongoing erosion and safety concerns, I undertook the removal of the compromised vegetation. This allowed for the safe removal of fallen trees from the creek itself, which had contributed to a buildup of flood debris. Following the removal of vegetation, the spoil mound was spread to prevent future vegetation growing on it and to improve creek access for further cleanup efforts.

I am also actively working to stabilize the creek bank, which, while still covered in Singapore daisy that assists in maintaining bank structure, has suffered erosion in certain areas. My intention is to repair these sections by repositioning displaced rocks to prevent further degradation.

The removal of vegetation was conducted with safety as a primary concern, both to prevent potential hazards from falling trees and to facilitate necessary maintenance of the creek. I understand the importance of responsible environmental management and am committed to ensuring the stability of the creek bank while minimizing future risks.

Please let me know if further information is required. I appreciate your time in reviewing this matter and am happy to discuss any concerns or mitigation measures that may be necessary.

Kind regards,

Alex Schmidt

0411 118 661

69 Thomson Low Drive, Shannonvale 4873

Image 1 – evidence of the creeks original shape which was changed during subdivision development and spoil left on block. Red lines show vegetation canopy of trees removed from spoil mound. Trees averaged 100mm – 200mm Diameter Breast Height. Majority showing evidence of poor health due to poor soil structure. Multiple trees have fallen over on the mound over the last couple of years and this has increased since the flood event which eroded the majority of the soil from the mound leaving mostly rock and river substrate.



Image 2 – showing spoil mound which still remains, evidence of poor soil structure and remaining vegetation in poor health



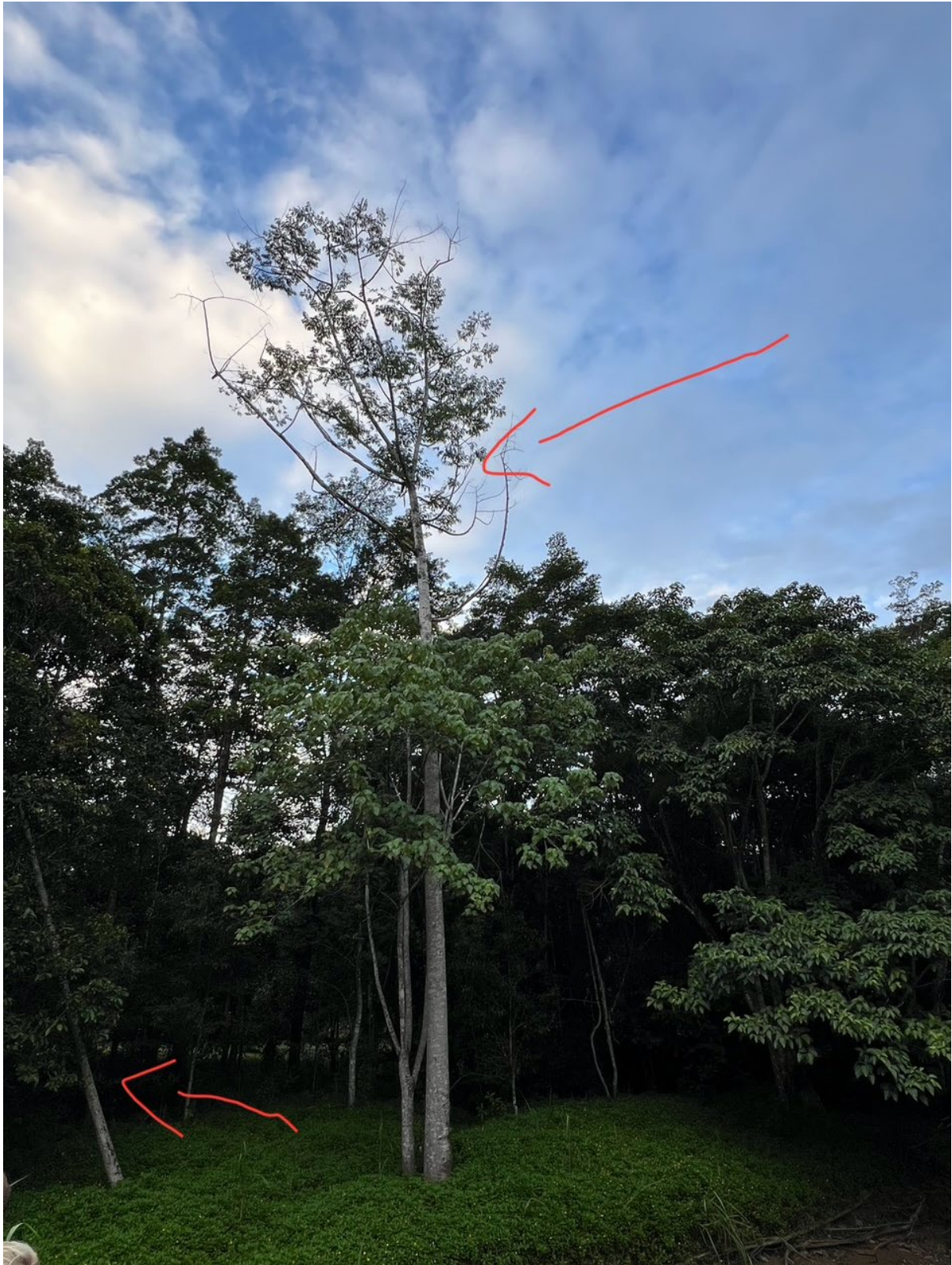
Image 3 – Showing remaining spoil mound, example of naturally propagated vegetation size average of 100mm – 150mm DBH and also soil structure of mound that has been spread once vegetation was removed, showing high content of rock and poor soil structure



Image 4 – showing remaining vegetation. A combination of vegetation removed from spoil mound and also flood debris removed from creek area.

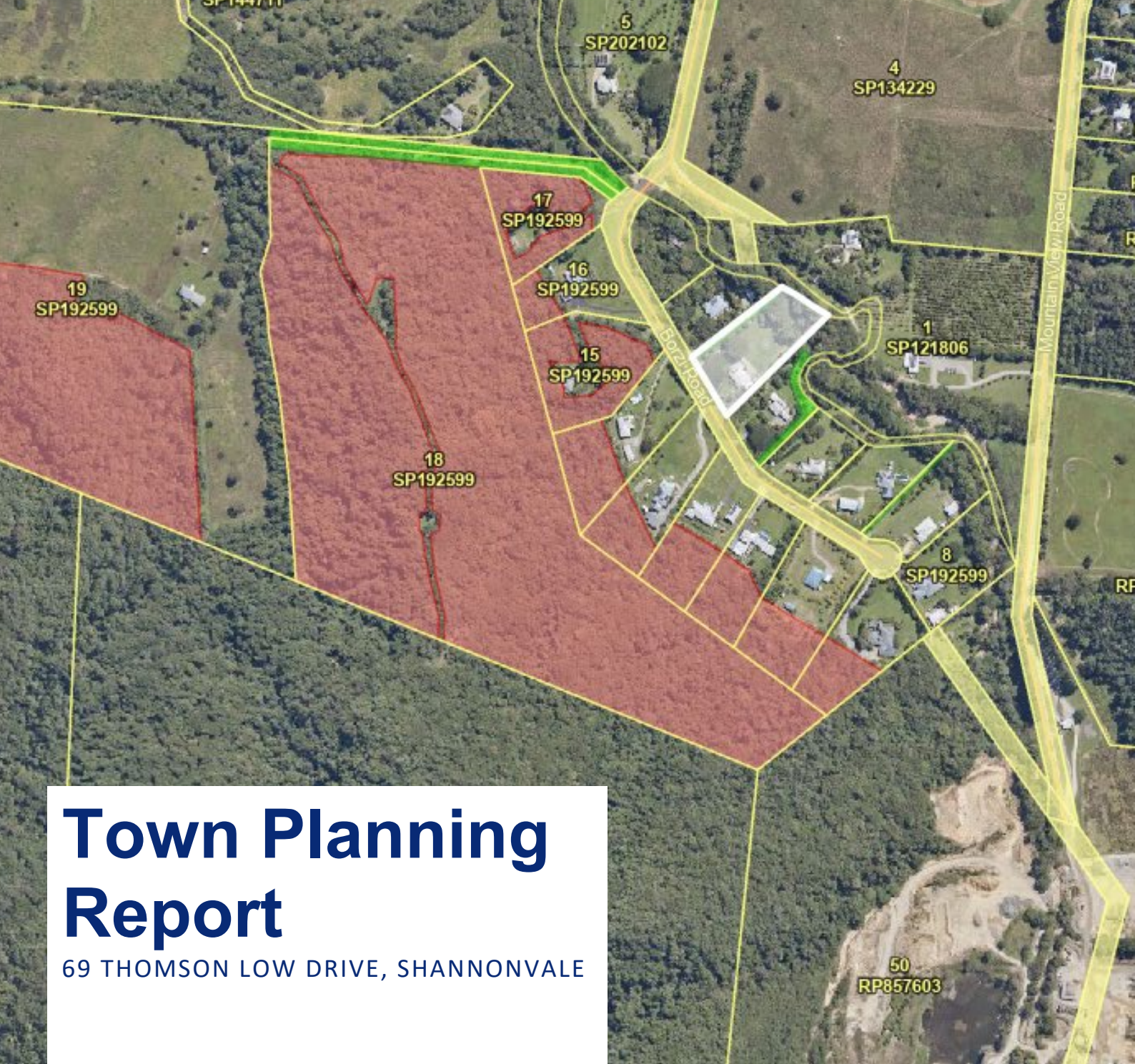


Image 5 – Showing examples of trees still remaining on block which are not on the mound so were not removed which are in poor health and also a fallen tree which are within of our property which pose an additional safety concern similar to vegetation removed.



Attachment 3

Town Planning Report



Town Planning Report

69 THOMSON LOW DRIVE, SHANNONVALE

31 March 2025

ASPIRE Town Planning and Project Services

Authored by: Daniel Favier

Ref: 2025-03-27 - Schmidt - 69 Thomson Low Drive, Shannonvale

This Town Planning Report is intended for the exclusive use of our Client "Alexander Schmidt and Sonja Zettl" and is provided for informational purposes only. The information contained herein has been prepared based on sources and data believed to be reliable and accurate at the time of preparation. However, Aspire Town Planning and Project Services does not warrant the accuracy, completeness, or currency of the information and disclaims any responsibility for any errors or omissions, or for any loss or damage incurred by any party as a result of reliance on this information.

The conclusions and recommendations contained in this report are based on our professional judgment and interpretation of the current planning policies and regulations. It is important to note that planning regulations and policies are subject to change, and this report should not be construed as a guarantee of any future planning outcomes.

This report is confidential and may not be disclosed, reproduced, or distributed to any third party without the prior written consent of Aspire Town Planning and Project Services. Unauthorised use or distribution of this report is strictly prohibited.

1.0 Introduction

This Town Planning Report has been prepared by Aspire Town Planning and Project Services to support a retrospective Development Application for a Development Permit for Operational Works (Vegetation Damage) over land located at 69 Thomson Low Drive, Shannonvale, formally described as Lot 3 on SP192599 (hereafter referred to as "the subject site"). The application is submitted on behalf of the Registered Land Owner and Applicant, Alexander Schmidt and Sonja Zettl.

The application seeks to regularise the removal of vegetation that has already occurred on the site. The cleared vegetation primarily consisted of limited mature trees retained at subdivision, and regrowth that had established since the original creation of the lot. The purpose of the clearing was to facilitate site management and maintenance and remove dead and dying trees. The land owners intend to relandscape the area with appropriately selected and spaced species. A landscaping concept is currently being developed by the Land Owners and will be submitted to Council under separate cover.

The subject site is located within the Rural Residential Zone under the Douglas Shire Planning Scheme 2018 v1.0, where Operational Works involving Vegetation Damage is defined as Self Assessable development. However, as the works do not comply with the relevant Assessment Benchmarks, the level of assessment reverts to Code Assessment and therefore this Development Application has been prepared in accordance with the requirements of the *Planning Act 2016*.

This report provides a planning assessment of the works undertaken, including an evaluation of the relevant assessment benchmarks under the applicable planning scheme. It demonstrates that:

- The vegetation removal was limited in scope and it is intended to relandscape the area with appropriately selected and located species;
- The works do not impact watercourses; and
- The area has been levelled and grass cover is being promoted to minimise erosion and sediment runoff to minimise environmental impacts.

The report is structured as follows:

- Section 2 provides an overview of the subject site, including its location, zoning, and existing site characteristics;

- Section 3 outlines the vegetation clearing activity and includes relevant aerial imagery for reference;
- Section 4 presents an assessment of the application against the statutory planning framework, including the relevant codes of the Douglas Shire Planning Scheme 2018 v1.0.

This application is accompanied by a completed DA Form 1 and relevant supporting documentation.

Overall, this application seeks to ensure that the vegetation clearing is appropriately recognised and assessed through the proper planning processes, and confirms that the works undertaken are minor in nature and consistent with the planning intent for the site.

2.0 Site Details and Context

2.1 Site Details

The site details are outlined in **Table 1** below.

Table 1 – Site Details	
Address	69 Thomson Low Drive, Shannonvale
Real Property Description	Lot 6 on SP293639
Applicant	Alexander Schmidt and Sonja Zettl c/- Daniel Favier T/A Aspire Town Planning and Project Services
Registered Owners	Alexander Schmidt and Sonja Zettl Refer to Attachment 1 – Certificate of Title
Easements and Encumbrances	Easement M on SP192599 for the purpose of public drainage
Contaminated Land	It is understood that the site is not listed on the Environmental Management Register or the Contaminated Land Register
Local Government	Douglas Shire Council
Zone	Rural Residential
Existing Use	Single Dwelling House including ancillary structures including shed
Site Area	7,808m ²

2.2 Site Context

The subject site is located at 69 Thomson Low Drive, Shannonvale, within the Douglas Shire Local Government Area in Far North Queensland. Shannonvale is a rural residential locality situated inland from Port Douglas and Mossman, offering a mix of small-scale rural uses and low-density residential living within a natural, scenic setting. Figure 1 provides a contextual overview of the site's location within the broader Shannonvale area.



Figure 1: Subject Site (Source: QLD Globe, 2025)

2.3 Site Characteristics

Topography

- The site exhibits gentle undulations typical of the Shannonvale locality and sits at a varied elevation of approximately 21–25 metres AHD.
- Ball Creek traverses through the rear of the property.

Vegetation

- The property is characterised predominantly by purposely planted domestic landscaping and regrowth vegetation along the rear of the site which has primarily re-established since the original creation of the lot.
- The aerial photograph in Figure 2 below is from the Land Owner and is dated circa 2007. In this image it is estimated that there are less than 5 significant trees adjacent to Ball Creek.
- Regrowth vegetation has established over time within a loose river stone and earth mound which was constructed along the rear of the property some time ago. The contours in Figure 3 illustrate the location of the mound.



Figure 2: Aerial Image (supplied by Land Owner)

Surrounding Context – Land Use

- North, East, South, and West: The subject site is surrounded by other rural residential and rural allotments, most of which are improved by dwellings, outbuildings, and cleared areas used for horticulture, lifestyle farming, or private amenity. The property to the rear of the site is The Australian Chocolate Farm.
- The broader locality is typified by generous lot sizes, natural vegetation corridors, and a low-intensity built form.

Road Access

- The property gains direct access from Thomson Low Drive, a sealed rural road maintained by Douglas Shire Council.
- The site has an existing driveway crossover providing all-weather access to the internal.

Utilities

- Electricity and telecommunications infrastructure is available and connected to the site.
- Water supply is typically sourced via on-site storage (rainwater tanks), with no connection to a reticulated water system.

- Wastewater is managed on-site through a land application system compliant with regulatory requirements.

Environmental Considerations – Riparian Proximity

- The property is located within proximity to natural drainage lines and watercourses, consistent with the Shannonvale area's hydrological characteristics.
- A drainage easement along the northern side boundary carries stormwater from Thomson Low Drive to Bell Creek which traverses the rear of the property.
- Bank stabilisation works are evident within Bells Creek. Blasted rock has been placed along the banks, which indicated that the area has been previously disturbed.

Improvements

- The site is improved by a Dwelling House and ancillary structures, consistent with the intent of the Rural Residential Zone under the Douglas Shire Planning Scheme 2018 v1.0.



Figure 3: Contour Mapping (Source: QLD Globe, 2025)

3.0 Proposed Development

This Development Application seeks a Development Permit for Operational Works (Vegetation Damage) over land located at 69 Thomson Low Drive, Shannonvale. The application is retrospective and seeks to regularise vegetation clearing that has already been undertaken on the site.

The clearing involved the removal of approximately 7 mature trees and undergrowth, the majority of which were regrowth species that had naturally established since the original subdivision and purchase of the lot. These trees were primarily located toward the rear of the property.

Since purchase of the site the Land Owners have undertaken extensive landscaping works to naturally vegetate the site. The comparative images below are from 2011 and 2024 respectively.



Figure 4: Aerial Imagery 2011 vs 2024

Aerial imagery, as shown in Figure 2, indicates that around the time the existing Dwelling House was constructed, the site contained limited canopy cover, with approximately 5 mature trees located along the rear boundary. These trees were retained at the time of building and appear to have been the only established vegetation in that area.

The Land Owners advise that the regrowth vegetation had established on an earth mound composed of loose, rocky fill material, which did not provide a stable or suitable foundation for long-term tree growth. As a result, many of the trees were poorly rooted and posed a potential risk of falling during weather events.

In addition, several of the removed trees were identified as dead, dying, or structurally unsound, with dead limbs and compromised canopies, presenting safety risks to the occupants.

The decision to undertake the clearing was made in the interest of property safety, usability, and land management. The Land Owner has also confirmed their intention to re-landscape the cleared area using appropriately selected native and non-invasive species, to be strategically spaced to preserve access to the creek embankment. This access is essential to enable ongoing maintenance of an existing rock retaining wall that stabilises the creek bank at the rear of the property.

Historically, the landowner had approached Council to request support to undertake maintenance works within the bed and banks of the creek, including the repositioning and replacement of large rocks that had tumbled into the creek bed. However, this request was not acted upon at the time. With the previous vegetation in place, it was not possible to access the creek safely or effectively with machinery to undertake such maintenance. The recent clearing now enables safe and controlled access for essential maintenance activities, which will contribute to the long-term stability and environmental health of the watercourse.

This application seeks to formalise the Operational Works that have occurred and to demonstrate that the vegetation clearing:

- Was minor in nature and generally limited to less than 7 mature trees and regrowth vegetation;
- Addressed genuine safety, stability, and land management concerns;
- Supports the ongoing rural residential use of the land;

- Facilitates responsible and essential creek bank maintenance; and
- Remains consistent with the overall planning intent for the Rural Residential Zone under the Douglas Shire Planning Scheme 2018 v1.0.



Figure 5: Image from Land Owner (red circled trees removed, green trees remain)

Further attached for Council's consideration is correspondence from the Land Owner describing the site history, site conditions and rationale for vegetation removal, refer to **Attachment 2 – Letter of Support** within the covering letter.

4.0 Statutory Town Planning Framework

4.1 Planning Act 2016

The *Planning Act 2016* ('the Planning Act') is the statutory instrument for the State of Queensland under which, amongst other matters, development applications are assessed by local governments. The Planning Act is supported by the *Planning Regulation 2017* ('the Planning Regulation').

The following sections of this report discuss the parts of the Planning Act and Planning Regulation applicable to the assessment of a development application.

4.1.1 Approval and Development

Pursuant to Sections 49, 50 and 51 of the Planning Act, the Development Application seeks a Development Permit for Operational Works.

4.1.2 Application

The proposed development is:

- Development which is located completely in a single local government area; and
- Is development made assessable under a local categorising instrument.

In accordance with Section 48 of the Planning Act, the development application is required to be made to the applicable local government, in this instance being Douglas Shire Council ('Council').

4.1.3 Referral

Sections 54 and 55 of the Planning Act and Schedule 10 of the Planning Regulation, require and provide for the identification of Referral Agencies of which a Development Application requires referral and to which a copy of the Development Application must be provided.

Review of the referral triggers confirms that the Development Application does not require referral to the State Assessment and Referral Agency.

4.1.4 Public Notification

Section 53 of the Planning Act provides that an applicant must give notice of a development application where any part is subject to Impact Assessment or where it is an application which includes a variation request.

The Development Application is subject to Code Assessment and therefore Public Notification of the Development Application is not required.

4.1.5 Assessment Framework

As discussed in this report, a Code Assessable development application is required in this instance. Section 45(3) of the Planning Act provides that:

- “(3) A code assessment is an assessment that must be carried out only—*
- (a) against the assessment benchmarks in a categorising instrument for the development; and*
 - (b) having regard to any matters prescribed by regulation for this paragraph.”*

The Douglas Shire Planning Scheme 2018 v1.0 (‘the Planning Scheme’), as the applicable local categorising instrument, is discussed in greater throughout this report.

Section 26 of the Planning Regulation provides the following assessment benchmarks for the purposes of Section 45(3)(a) of the Planning Act:

- “(1) For section 45(3)(a) of the Act, the code assessment must be carried out against the assessment benchmarks for the development stated in schedules 9 and 10.*
- (2) Also, if the prescribed assessment manager is the local government, the code assessment must be carried out against the following assessment benchmarks—*
- (a) the assessment benchmarks stated in—*
 - (i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - (ii) the State Planning Policy, part E, to the extent part E is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - (iii) any temporary State planning policy applying to the premises;*
 - (b) if the local government is an infrastructure provider—the local government’s LGIP.*
- (3) However, an assessment manager may, in assessing development requiring code assessment, consider an assessment benchmark only to the extent the assessment benchmark is relevant to the development.”*

Section 27 of the Planning Regulation provides matters for the purposes of Section 45(3)(b) of the Planning Act:

“(1) For section 45(3)(b) of the Act, the code assessment must be carried out having regard to—

- (a) the matters stated in schedules 9 and 10 for the development; and*
- ...*
- (d) if the prescribed assessment manager is a person other than the chief executive—*
 - (i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - (ii) the State Planning Policy, to the extent the State Planning Policy is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - (iii) for designated premises—the designation for the premises; and*
- (e) any temporary State planning policy applying to the premises; and*
- (f) any development approval for, and any lawful use of, the premises or adjacent premises; and*
- (g) the common material.*

(2) However—

- (a) an assessment manager may, in assessing development requiring code assessment, consider a matter mentioned in subsection (1) only to the extent the assessment manager considers the matter is relevant to the development; and*
- (b) if an assessment manager is required to carry out code assessment against assessment benchmarks in an instrument stated in subsection (1), this section does not require the assessment manager to also have regard to the assessment benchmarks.”*

The following sections of this report discuss the applicable assessment benchmarks and applicable matters in further detail.

4.2 Schedules 9 and 10 of the Planning Regulation 2017

The application is not for Building Works and therefore Schedule 9 does not apply.

Referral of the Development Application under Schedule 10 is not triggered to the State Assessment and Referral Agency as discussed under s4.1.3 above.

4.3 Far North Queensland Regional Plan 2009 – 2031

The Far North Queensland Regional Plan 2009 - 2031 ('the Regional Plan') is intended to guide and manage the region's development and to address key regional environmental, social, economic and urban objectives. The site falls within the area to which the Regional Plan applies and is categorised Urban Footprint.

The Minister has identified that the Planning Scheme, specifically the strategic framework, appropriately advances the Far North Queensland Regional Plan 2009-2031, as it applies in the planning scheme area.

4.4 State Planning Policy

The State Planning Policy ('the SPP') was released on 2 December 2013 and replaced all previous State Planning Policies. The SPP has since been revised, with new versions released on 2 July 2014, 29 April 2016 and 3 July 2017. The April 2016 version of the SPP is identified in the Planning Scheme as being appropriately integrated. Whilst the SPP has been amended since April 2016 version, it is considered that the policy content and outcomes contained within the SPP, to the extent they are relevant and applicable to the proposed development, have not been sufficiently amended to require the reconsideration of the SPP separately.

4.5 Temporary State Planning Policies

There are currently no temporary State Planning Policies in effect in Queensland.

4.6 Schedule 12A Planning Regulation

Schedule 12A of the Planning Regulation does not apply as the Development Application does not seek to create new lots or road.

4.7 Douglas Shire Council Planning Scheme 2018 v1.0

The Planning Scheme came into effect on 2 January 2018 and is the applicable planning scheme to the Douglas Local Government Area. It is noted that the Planning Scheme was drafted under the *Sustainable Planning Act 2009* ('the SPA'). The interpretation of the Planning Scheme with respect to the proposed development is therefore based on the transitional provisions of the Planning Act.

4.7.1 Categories of Development and Level of Assessment

The subject site is located within the Low Density Residential Zone. The Development Application is identified as Self Assessable Development, however as the development does not comply in full with the Assessment Benchmarks, the level of assessment reverts to Code Assessment.

4.7.2 Zone

The subject site is located within the Low Density Residential Zone.

No conflicts are identified with the Assessment Benchmarks under the Low Density Residential Zone Code, and therefore a full documented assessment against the code is not included within this application.

4.7.3 Overlays

Whilst the subject site is affected by a number of Overlays, none are applicable to assessment of the proposed development.

4.7.4 Development Codes

The Planning Scheme Table 5.6.f – Low Density Residential Zone identifies the other applicable Development Codes including:

- Vegetation Management Code.

The proposed development has been assessed against the above referenced Development Code and is included for reference under **Attachment 2**.

5.0 Conclusion

This Town Planning Report has been prepared to support a Development Application for a Development Permit for Operational Works (Vegetation Damage) over land located at 69 Thomson Low Drive, Shannonvale.

The application seeks to regularise vegetation clearing that has already occurred, involving the removal of predominantly regrowth vegetation that had established on a loosely compacted earth mound, comprising of river stone, at the rear of the property. The clearing was undertaken for legitimate safety, access, and land management reasons, including the removal of trees that were dead, dying, or structurally unsound, and to facilitate maintenance of a rock retaining wall adjacent to the creek embankment.

This report demonstrates that the works carried out were minor in scope, necessary for site safety and management, and carried out in a manner that minimised environmental impacts. The vegetation removal has also enabled the landowners to maintain and protect existing infrastructure that supports the long-term stability of the creek bank.

The Land Owner proposes to revegetate the area with appropriately selected species and spaced to allow machinery access to the rear creek. The Landscaping Plan is currently being developed by the Land Owners and will be submitted to Council in due course under separate cover.

This application has been prepared in accordance with the *Planning Act 2016* and the Douglas Shire Planning Scheme 2018 v1.0, and addresses all relevant assessment benchmarks.

In conclusion, the proposed development represents a reasonable and justified planning outcome, aligned with the intent of the planning scheme and consistent with the character and expectations for rural residential living in Shannonvale. We respectfully request Council's support and approval of this Development Application.

Attachment 1

Certificate of Title

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	50638695	Search Date:	30/03/2025 06:22
Date Title Created:	29/11/2006	Request No:	51382372
Previous Title:	50560420		

ESTATE AND LAND

Estate in Fee Simple

LOT 3 SURVEY PLAN 192599

Local Government: DOUGLAS

REGISTERED OWNER

Dealing No: 710437075 21/03/2007

ALEXANDER SCHMIDT

SONJA ZETTL

JOINT TENANTS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 21398112 (Lot 48 on CP SR52)
2. EASEMENT IN GROSS No 710129499 24/11/2006 at 13:17
burdening the land
DOUGLAS SHIRE COUNCIL
over
EASEMENT M ON SP192599
3. MORTGAGE No 721834667 14/07/2022 at 13:04
BENDIGO AND ADELAIDE BANK LIMITED A.C.N. 068 049 178

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

Attachment 2

Code Assessment

9.4.9 Vegetation management code

9.4.9.1 Application

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

9.4.9.2 Purpose

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

9.4.9.3 Criteria for assessment

Table 9.4.9.3.a – Vegetation management –assessable development

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

Performance outcomes	Acceptable outcomes	Applicant Response
For self-assessable and assessable development		
PO1 Vegetation is protected to ensure that: (a) the character and amenity of the local area is maintained; (b) vegetation damage does not result in fragmentation of habitats; (c) vegetation damage is undertaken in a sustainable manner; (d) the Shire's biodiversity and ecological values are maintained and protected; (e) vegetation of historical, cultural and / or visual significance is retained; (f) vegetation is retained for erosion prevention and slope stabilisation.	AO1.1 Vegetation damage is undertaken by a statutory authority on land other than freehold land that the statutory authority has control over; or AO1.2 Vegetation damage is undertaken by or on behalf of the local government on land controlled, owned or operated by the local government; or AO1.3 Vegetation damage, other than referenced in AO1.1 or AO1.2 is the damage of: (a) vegetation declared as a pest pursuant to the <i>Land Protection (Pest and Stock Route Management) Act 2002</i> ; or (b) vegetation identified within the local government's register of declared plants pursuant to the local government's local laws; or (c) vegetation is located within a Rural zone and the trunk is located within ten metres of an existing building; or (d) vegetation is located within the Conservation zone or Environmental management zone	Complies with PO1. <i>(a) The character and amenity of the local area is maintained</i> The clearing has been limited to the minimum extent necessary to facilitate the intended land use while retaining significant vegetation buffers along boundaries and road frontages. This approach ensures that the visual character of the site and its contribution to the surrounding landscape is preserved. Mature trees and native vegetation that contribute to the streetscape and scenic quality of the area have been retained, maintaining the amenity of the locality. The Land Owner intends to relandscape the cleared area with appropriate species. The plan will be provided to Council under separate cover. <i>(b) Vegetation damage does not result in fragmentation of habitats</i> The vegetation is not mapped as Essential Habitat under the State Mapping. Nevertheless, the Land Owner intends to relandscape the cleared area with appropriate species. The plan will be provided to Council under separate cover. <i>(c) Vegetation damage is undertaken in a sustainable manner</i> Control measures have been implemented to minimise the potential of erosion and soil runoff. Grass cover is being promoted within the cleared area. <i>(d) The Shire's biodiversity and ecological values are maintained and protected</i> The retained vegetation continues to provide habitat



and ecological services, and the overall biodiversity of the site and its surrounds remains protected through strategic vegetation retention. The Land Owner intends to relandscape the cleared area with appropriate species. The plan will be provided to Council under separate cover.

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

A site assessment has confirmed that the vegetation proposed for removal does not include species or individual trees of known cultural, historical, or local heritage significance.

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

Clearing has been avoided along the embankment of the watercourse. The creek bed and banks are a modified environment which aren't conducive of vegetation growth. The Land Owner intends to relandscape the cleared area with appropriate species. The plan will be provided to Council under separate cover.



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

or

AO1.4

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

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

or

AO1.5

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

or

AO1.6

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

or

AO1.7

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

or

AO1.8

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



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

**PO3**

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

AO3

No acceptable outcomes are prescribed.

Not Applicable.