

Our ref: PR151056/OCK/SF/L81506

135 Abbott Street
Cairns QLD 4870
T +61 7 4031 1336

Date: 09 August 2022

Attn: Mr Neil Beck
Chief Executive Officer
Douglas Shire Council
PO Box 723
MOSSMAN QLD 4873

Dear Neil,

**APPLICATION FOR DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT
(BOUNDARY REALIGNMENT) OVER LAND LOCATED AT MOSSMAN-DAINTREE ROAD,
LOWER DAINTREE, FORMALLY DESCRIBED AS LOTS 11 AND 12 ON SP307121**

RPS Australia East Pty Ltd confirms that we act on behalf of Clint Reynolds (the 'applicant' and 'owner' of the Lot 11 on SP307121) to prepare and lodge the abovementioned Development Application with Douglas Shire Council.

This application seeks development approval for a Reconfiguration of a Lot to realign the boundary between Lots 11 and 12 on SP307121 to rationalise the rural property boundaries to coincide with current cropping practice and proposed land ownership.

In support of this application, please find attached the following:

- The completed Development Application Form and signed Owners Consent in respect of Lot 12 on SP307121, included as **Attachment 1**;
- Certificates of Title, included as **Attachment 2**;
- A copy of 2018 Douglas Shire Council Planning Scheme Property Reports that relate to the subject land, included as **Attachment 3**;
- Pre-lodgement Enquiry submitted to SARA and SARA's responses, included as **Attachment 4**;
- Pre-lodgement Enquiry submitted to Council and Council's response, included as **Attachment 5**;
- RPS Drawing PR151056-1, included as **Attachment 6**;
- The completed State Code 8, included as **Attachment 7**; and
- The following details to facilitate Council's assessment of the proposal.

Please forward Council's invoice for the application fee to owen.caddick-king@rpsgroup.com.au and payment of the fee will be arranged.

1 SITE INFORMATION

1.1 Site Details

Key details of the subject site include:

Address:	2252 Mossman-Daintree Road, Lower Daintree
Real Property Description:	Lots 11 and 12 on SP307121
Land Area:	276.5 ha
Land Owners:	Clint Reynolds and Shane W Quaid
Easements / Encumbrances:	Nil

1.2 Planning Context

The planning context relating to the site includes:

Planning Scheme Zone:	Rural Zone
Relevant Overlays:	Various Overlays relate to the land as detailed in the 2018 Douglas Shire Council Planning Scheme Property Reports provided for reference in Attachment 3 .

1.3 Site Characteristics

Topography:	Relatively flat land used for the growing of sugar cane.
Vegetation:	Apart for a couple of natural drainage lines that are vegetated, the land has been cleared for the growing of sugar cane.
Waterways:	A couple of natural drainage lines pass through the property which flow to the South Arm of the Daintree River.
Road Frontage:	The land has two separate frontages to Mossman – Daintree Road of approx 120m and approx 1,205m which the proposed boundary re-alignment retains.
Existing Use:	A house exists on Lot 11 on SP307121 and the balance of the land is used for the growing of sugar cane.

1.4 Surrounding Land Uses

Land in the immediate surrounds is used for the growing of sugar cane or has been retained as undisturbed vegetated land.

2 APPLICATION DETAILS

Key application details for the subject development are:

Aspects of the Development Sought:	Development Permit for Reconfiguration of a Lot (Boundary Realignment).
Applicant:	Clint Reynolds C/- RPS Australia East Pty Ltd
Contact:	Owen Caddick-King C/- RPS Australia East Pty Ltd Ph: 07 4276 1027 Email: owen.caddick-king@rpsgroup.com.au

3 PRE-LODGE MENT CONSULTATION

Pre-lodgement Consultation was undertaken with the State Assessment and Referral Agency (SARA) and the Department of Environment and Science's Coastal Management Section to confirm that the boundary re-alignment proposal would be permitted by the State.

On receipt of SARA's Pre-lodgement Response, dated 24 February 2022, further certainty was sought in respect of the proposed boundary re-alignment and in its e-mail response, dated 24 May 2022, SARA advised that;

"The Department of Environment and Science has advised that there are no 'red flags' associated with the proposal, and the State Code 8 responses provided are adequate."

The Pre-lodgement Enquiry submitted to SARA and SARA's responses are provided for reference in **Attachment 4**.

Pre-lodgement Consultation was also undertaken with Council and it was indicated by Council's Neil Beck that;

"While the proposal detracts from the larger land holding to the north of the riparian corridor, the proposal has merit and I can't see any major objections to what is being proposed."

The Pre-lodgement Enquiry submitted to Council and Council's response is provided for reference in **Attachment 5**.

4 PROPOSED DEVELOPMENT

The development application seeks a development permit to permit the rural property boundaries to be rationalised, by way of a boundary re-alignment, to coincide with current cropping practice and existing and proposed land ownership. The southern portion of Lot 12 on SP307121, that is used for the growing of sugar cane and is separated from the northern portion of Lot 12 on SP307121 by a riparian corridor, is currently farmed by Clint Reynolds who owns and grows sugar cane on other land immediately adjacent and to the south. Clint Reynolds also owns Lot 11 on SP307121 which is to be integrated with the southern portion of Lot 12 on SP307121 to create a rural lot with an area of 15ha, thereby allowing the ownership of the land to transfer to the person who is farming the land and who owns the adjoining rural properties that are also being used by Clint Reynolds to grow sugar cane.

The boundary re-alignment proposal is detailed in RPS Drawing PR151056-1 which is provided for reference in **Attachment 6**.

5 LEGISLATIVE REQUIREMENTS

5.1 Planning Act 2016

This section provides an overview of the legislative context of the development application under the provisions of the *Planning Act 2016*.

5.1.1 Confirmation that development is not prohibited

The proposed development is not prohibited. This has been established by considering all relevant instruments which can provide prohibitions under the *Planning Act 2016*.

5.1.2 Assessable Development

The development proposed by this application is "assessable development" pursuant to section 43 of the *Planning Act 2016*.

5.1.3 Assessment Manager

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

5.1.4 Level of Assessment

The table below summarises the level of assessment under the provisions of Douglas Shire Council Planning Scheme 2018:

Aspect of Development	Local Categorising Instrument that determines Level of Assessment	Level of Assessment
Reconfiguration of a Lot (Boundary Realignment)	Douglas Shire Planning Scheme 2018	Code Assessable

5.1.5 Referral Agencies

A review of Schedule 10 of the *Planning Regulation 2017* indicates that referral is triggered in respect of locating the proposed re-aligned boundary in the Erosion Prone Area where in a Coastal Management District, as follows:

Part	Division	Table	Referral trigger	Referral agency
Part 17 Tidal works or work in a coastal management district	Division 3 Referral agency's assessment	Table 5—Reconfiguring a lot in a coastal management district or for a canal	Development application for reconfiguring a lot if— (a) all or part of the lot is within a coastal management district and the reconfiguration involves (ii) moving a boundary of the lot into, or within 30m of, an erosion prone area.	The Chief Executive (SARA)

5.1.6 Public Notification

This application does not require public notification as it is subject to 'code' assessment.

6 STATUTORY PLANNING ASSESSMENT

6.1 Regional Plan

Section 2.2 of the Planning Scheme states that, “*The minister has identified that the planning scheme appropriately advances the Far North Queensland Regional Plan 2009-2031, as it applies in the planning scheme area*”. Therefore, assessment against the applicable Planning Scheme provisions will address any relevant Regional Plan matters.

6.2 State Planning Policies

As outlined in Part 2 of the Douglas Shire Planning Scheme, all relevant aspects of the State Planning Policy have been adequately reflected in Council’s current Planning Scheme. Accordingly, assessment against the applicable Planning Scheme provisions will address any relevant State Issues.

6.3 State Development Assessment Provisions

An assessment against the current version of the applicable State Code 8 is provided for reference in **Attachment 7**. Only minor changes have been made to the current version of the State Code 8 and as indicated in Section 3.0 of this report, further certainty was sought from SARA and DES in respect of the proposed boundary re-alignment and in its e-mail response, dated 24 May 2022 (post the current version of State Code 8), SARA advised that;

“The Department of Environment and Science has advised that there are no ‘red flags’ associated with the proposal, and the State Code 8 responses provided are adequate.”

6.4 Planning Scheme

Under Douglas Shire Planning Scheme 2018, the subject site is included within the Rural Zone and the Rural Zone Code provisions are the most relevant Planning Scheme provisions that apply to the development and it is noted that the Rural Zone Code provisions permit lots less than 40 hectares where the proposed development is a boundary re-alignment and no additional lots are created.

In this instance the rural property boundaries are to be rationalised, by way of a boundary re-alignment, to coincide with current cropping practice and existing and proposed land ownership. The southern portion of Lot 12 on SP307121, that is used for the growing of sugar cane and is separated from the northern portion of Lot 12 on SP307121 by a riparian corridor, is currently farmed by Clint Reynolds who owns and grows sugar cane on other land immediately adjacent and to the south. Clint Reynolds also owns Lot 11 on SP307121 which is to be integrated with the southern portion of Lot 12 on SP307121 to create a rural lot with an area of 15ha, thereby allowing the ownership of the land to transfer to the person who is farming the land and who owns the adjoining rural properties that are also being used by Clint Reynolds to grow sugar cane.

As indicated in Section 3.0 of this report, Council’s Neil Beck has indicated that;

“While the proposal detracts from the larger land holding to the north of the riparian corridor, the proposal has merit and I can’t see any major objections to what is being proposed.”

In addition, it is noted that the boundary re-alignment proposal is subject to a number of assessment benchmarks (Planning Scheme Codes), other than the Rural Zone Code. However, given the limited scale of development proposed and that a dwelling already exists on Proposed Lot 1, limiting the scope of any further development that may be permitted without the need for further approvals being required and that the State

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Code 8 assessment already considers the proposed location of the re-aligned boundary, the boundary re-alignment proposal is not considered to be a significant change that requires extensive assessment against these other Planning Scheme Codes. A review of the applicable Codes has been conducted and it has been determined that the proposal is generally compliant with the relevant 'Acceptable Solution' and/or 'Performance Criteria' of these Codes.

7 CONCLUSIONS AND RECOMMENDATIONS

This submission has been prepared on behalf of Clint Reynolds to seek approval for Reconfiguration of a Lot (Boundary Realignment) over land located at Mossman – Daintree Road, Lower Daintree, described as Lots 11 and 12 on SP307121 to rationalise the rural property boundaries to coincide with current cropping practice and proposed land ownership.

The proposal is consistent with the Planning Scheme as it relates to boundary re-alignment development in the Rural Zone and is recommended for approval.

We trust the information provided is sufficient for your purposes, however should you require any further details or clarification, please do not hesitate to contact the undersigned in the Cairns office.

Yours sincerely,
for RPS Australia East Pty Ltd

Owen Caddick-King

Principal - Planning

owen.caddick-king@rpsgroup.com.au

+61 7 42761027

Attachment 1	Development Application Form and signed Owners Consent
Attachment 2	Certificates of Title
Attachment 3	2018 Douglas Shire Council Planning Scheme Property Reports
Attachment 4	Enquiry submitted to SARA and SARA's responses
Attachment 5	Enquiry submitted to Council and Council's response
Attachment 6	RPS Drawing PR151056-1
Attachment 7	State Code 8 Assessment

Attachment 1

Development Application Form and signed Owners Consent

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)	Clint Reynolds c/- RPS Australia East Pty Ltd
Contact name (only applicable for companies)	Owen Caddick-King, RPS Australia East Pty Ltd
Postal address (P.O. Box or street address)	PO Box 1949
Suburb	Cairns
State	Queensland
Postcode	4870
Country	Australia
Contact number	(07) 4276 1027
Email address (non-mandatory)	owen.caddick-king@rpsgroup.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	PR151056

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

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		2252	Mossman Daintree Road	Lower Daintree
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	11	SP307121	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
			Mossman Daintree Road	Lower Daintree
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	12	SP307121	Douglas Shire Council

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

<input checked="" type="checkbox"/> In or adjacent to a water body or watercourse or in or above an aquifer	
Name of water body, watercourse or aquifer:	Upper reach of Daintree River South Arm
<input type="checkbox"/> On strategic port land under the <i>Transport Infrastructure Act 1994</i>	
Lot on plan description of strategic port land:	
Name of port authority for the lot:	
<input type="checkbox"/> 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="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):*

Rural boundary re-alignment

e) Relevant plans

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

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

6.2) Provide details about the second development aspect

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

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

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

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

c) What is the level of assessment?

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

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

e) Relevant plans

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

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

6.3) Additional aspects of development

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

- ☒ Not required

Section 2 – Further development details

7) Does the proposed development application involve any of the following?	
Material change of use	<input type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input checked="" type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input type="checkbox"/> Yes			
<input type="checkbox"/> No			

Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?	
2 lots	
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 checked="" 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)
Lot 11 SP307121	6,399m ²	Proposed Lot 1	15.001ha
Lot 12 SP307121	275.9ha	Proposed Lot 2	265.717ha

12.2) What is the reason for the boundary realignment?

Rationalizing rural property boundaries to coincide with current cropping practice and proposed land ownership

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

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

Division 3 – Operational work

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

14.1) What is the nature of the operational work?

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

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

☐ Yes – specify number of new lots: _____

☐ No

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

\$ _____

PART 4 – ASSESSMENT MANAGER DETAILS

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

Douglas Shire Council

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

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

PART 5 – REFERRAL DETAILS

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

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

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

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

- ☐ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has not been devolved to a local government*)
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Heritage places – Queensland heritage place (*on or near a Queensland heritage place*)
- ☐ Infrastructure-related referrals – designated premises
- ☐ Infrastructure-related referrals – state transport infrastructure
- ☐ Infrastructure-related referrals – State transport corridor and future State transport corridor
- ☐ Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
- ☐ Infrastructure-related referrals – near a state-controlled road intersection
- ☐ Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
- ☐ Koala habitat in SEQ region – key resource areas
- ☐ Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
- ☐ Ports – Brisbane core port land – environmentally relevant activity (ERA)
- ☐ Ports – Brisbane core port land – tidal works or work in a coastal management district
- ☐ Ports – Brisbane core port land – hazardous chemical facility
- ☐ Ports – Brisbane core port land – taking or interfering with water
- ☐ Ports – Brisbane core port land – referable dams
- ☐ Ports – Brisbane core port land – fisheries
- ☐ Ports – Land within Port of Brisbane's port limits (*below high-water mark*)
- ☐ SEQ development area
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – community activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – combined use
- ☐ Tidal works or works in a coastal management district
- ☐ Reconfiguring a lot in a coastal management district or for a canal
- ☒ Erosion prone area in a coastal management district
- ☐ Urban design
- ☐ Water-related development – taking or interfering with water
- ☐ Water-related development – removing quarry material (*from a watercourse or lake*)
- ☐ Water-related development – referable dams
- ☐ Water-related development – levees (*category 3 levees only*)
- ☐ Wetland protection area

Matters requiring referral to the **local government:**

- ☐ Airport land
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has been devolved to local government*)

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

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

PART 6 – INFORMATION REQUEST

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

PART 7 – FURTHER DETAILS

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

- ☐ 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 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 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.des.qld.gov.au for further information.

Water resources

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

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

☒ No

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au for further information.

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

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

Waterway barrier works

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

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

☒ No

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

Marine activities

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

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

☒ No

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

Quarry materials from a watercourse or lake

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

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

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au and www.business.qld.gov.au for further information.

Quarry materials from land under tidal waters

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

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

Note: Contact the Department of Environment and Science at www.des.qld.gov.au for further information.

Referable dams

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

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

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

Tidal work or development within a coastal management district

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

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

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

Queensland and local heritage places

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

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

Note: See guidance materials at www.des.qld.gov.au for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
-----------------------------	--	-----------	--

Brothels

23.14) Does this development application involve a **material change of use for a brothel**?

- ☐ Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*
☒ No

Decision under section 62 of the Transport Infrastructure Act 1994

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

- ☐ Yes – this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)
☒ No

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

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

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

☒ No

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

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17

☒ Yes

Note: See the Planning Regulation 2017 for referral requirements

If building work is associated with the proposed development, Parts 4 to 6 of [DA Form 2 – Building work details](#) have been completed and attached to this development application

☐ Yes

☒ Not applicable

Supporting information addressing any applicable assessment benchmarks is with the development application

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

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

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

☐ Yes

☒ Not applicable

25) Applicant declaration

☒ By making this development application, I declare that all information in this development application is true and correct

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

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

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

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

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

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

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

Date received: Reference number(s):

Notification of engagement of alternative assessment manager

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

QLeave notification and payment

Note: For completion by assessment manager if applicable

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

Individual owner's consent for making a development application under the *Planning Act 2016*

I, Shane W Quaid

[Insert full name.]

as owner of the premises identified as follows:

Lot 12 on SP307121 [Insert street address, lot on plan description or coordinates of the premises the subject of the application.]

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

Clint Reynolds [Insert name of applicant.]

on the premises described above for:

Boundary Re-alignment, as per RPS Drawing PR151056-1 [Insert details of the proposed development, e.g. material change of use for four storey apartment building.]



9/8/22

[signature of owner and
date signed]

Attachment 2

Certificates of Title

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	51183796	Search Date:	04/08/2022 08:44
Date Title Created:	17/05/2019	Request No:	41875457
Previous Title:	21139058, 51114538		

ESTATE AND LAND

Estate in Fee Simple

LOT 11 SURVEY PLAN 307121

Local Government: DOUGLAS

REGISTERED OWNER

Dealing No: 719993483 03/04/2020

CLINTON JAMES REYNOLDS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 21004065 (POR 353)
Deed of Grant No. 21120013 (POR 357)

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

** End of Current Title Search **

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	51183797	Search Date:	04/08/2022 08:46
Date Title Created:	17/05/2019	Request No:	41875486
Previous Title:	21139058, 51114538		

ESTATE AND LAND

Estate in Fee Simple

LOT 12 SURVEY PLAN 307121

Local Government: DOUGLAS

For exclusions / reservations for public purposes refer to Plan SP 307121

REGISTERED OWNER

Dealing No: 720142483 07/07/2020

PRISCILLA QUAID

SHANE WILLIAM QUAID

JOINT TENANTS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 21004065 (POR 353)
Deed of Grant No. 21120013 (POR 357)
Deed of Grant No. 21128024 (POR 141)
2. MORTGAGE No 720142484 07/07/2020 at 15:37
COMMONWEALTH BANK OF AUSTRALIA A.C.N. 123 123 124
3. MORTGAGE No 720864982 16/06/2021 at 10:33
TREBLAW PTY LTD A.C.N. 606 788 381

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

Attachment 3

2018 Douglas Shire Council Planning Scheme Property Reports

2018 Douglas Shire Council Planning Scheme Property Report

The following report has been automatically generated to provide a general indication of development related information applying to the premise.

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Visit Council's website to apply for an [official property search or certificate](#), or contact the [Department of Natural Resources, Mines and Energy](#) to undertake a title search to ascertain how easements may affect a premise.

Property Information

Property Address [2252 Mossman Daintree Road LOWER DAINTREE](#)

Lot Plan [11SP307121](#) (Freehold - 6399m²)



Selected Property



Easements



Land Parcels

Douglas Shire Planning Scheme 2018 version 1.0

The table below provides a summary of the Zones and Overlays that apply to the selected property.

Zoning

Applicable Zone









Rural

More Information

- [View Section 6.2.10 Rural Zone Code](#)
- [View Section 6.2.10 Rural Zone Compliance table](#)
- [View Section 6.2.10 Rural Zone Assessment table](#)

Douglas Shire Planning Scheme 2018 version 1.0

The table below provides a summary of the Zones and Overlays that apply to the selected property.

 Acid Sulfate Soils	Applicable Precinct or Area Acid Sulfate Soils (< 5m AHD) Acid Sulfate Soils (5-20m AHD)	More Information <ul style="list-style-type: none"> View Section 8.2.1 Acid Sulfate Soils Overlay Code View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table
 Bushfire Hazard	Applicable Precinct or Area Potential Impact Buffer Medium Potential Bushfire Intensity	More Information <ul style="list-style-type: none"> View Section 8.2.2 Bushfire Hazard Overlay Code View Section 8.2.2 Bushfire Hazard Overlay Compliance table
 Flood Storm	Applicable Precinct or Area Floodplain Assessment Overlay (Daintree River)	More Information <ul style="list-style-type: none"> View Section 8.2.4 Flood and Storm Tide Hazard Overlay Code View Section 8.2.4 Flood and Storm Tide Hazard Overlay Compliance table
 Landscape Values	Scenic Buffer Area Scenic route Scenic route buffer	More Information <ul style="list-style-type: none"> View Section 8.2.6 Landscape Values Overlay Code View Section 8.2.6 Landscape Values Overlay Compliance table
 Natural Areas	Applicable Precinct or Area MSES - Regulated Vegetation (Intersecting a Watercourse) MSES - Regulated Vegetation	More Information <ul style="list-style-type: none"> View Section 8.2.7 Natural Areas Overlay Code View Section 8.2.7 Natural Areas Overlay Compliance table
 Transport Noise Corridors	Applicable Precinct or Area Category 0: Noise Level < 58 dB(A) Category 1: 58 dB(A) =< Noise Level < 63 dB(A) Category 2: 63 dB(A) < Noise Level < 68 dB(A) Category 3: 68 dB(A) =< Noise Level < 73 dB(A)	More Information <ul style="list-style-type: none"> View Section 8.2.10 Transport Network Overlay Code View Section 8.2.10 Transport Network Overlay Compliance table
 Transport Pedestrian Cycle	Applicable Precinct or Area Iconic Recreation Route	More Information <ul style="list-style-type: none"> View Section 8.2.10 Transport Network Overlay Code View Section 8.2.10 Transport Network Overlay Compliance table
 Transport Road Hierarchy	Applicable Precinct or Area Arterial Road Major Transport Corridor Buffer Area (State Controlled Road)	More Information <ul style="list-style-type: none"> View Section 8.2.10 Transport Network Overlay Code View Section 8.2.10 Transport Network Overlay Compliance table

Zoning

Applicable Zone

Rural

More Information

- [View Section 6.2.10 Rural Zone Code](#)
- [View Section 6.2.10 Rural Zone Compliance table](#)
- [View Section 6.2.10 Rural Zone Assessment table](#)



☒ Selected Property

☐ Land Parcels

Zoning

- | | | | |
|--|--|---|---|
| <input type="checkbox"/> Centre | <input type="checkbox"/> Community Facilities | <input type="checkbox"/> Conservation | <input type="checkbox"/> Environmental Management |
| <input type="checkbox"/> Industry | <input type="checkbox"/> Low Density Residential | <input type="checkbox"/> Low-medium Density Residential | <input type="checkbox"/> Medium Density Residential |
| <input type="checkbox"/> Recreation and Open Space | <input type="checkbox"/> Rural | <input type="checkbox"/> Rural Residential | <input type="checkbox"/> Special Purpose |
| <input type="checkbox"/> Tourism | <input type="checkbox"/> Tourist Accommodation | | |

Acid Sulfate Soils

Applicable Precinct or Area

Acid Sulfate Soils (< 5m AHD)
Acid Sulfate Soils (5-20m AHD)

More Information

- [View Section 8.2.1 Acid Sulfate Soils Overlay Code](#)
- [View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table](#)



☒ Selected Property

☐ Land Parcels

Acid Sulfate Soils
☒ Acid Sulfate Soils (< 5m AHD) ☒ Acid Sulfate Soils (5-20m AHD) ☐ all others

Bushfire Hazard

Applicable Precinct or Area

Potential Impact Buffer
Medium Potential Bushfire Intensity

More Information

- [View Section 8.2.2 Bushfire Hazard Overlay Code](#)
- [View Section 8.2.2 Bushfire Hazard Overlay Compliance table](#)



☒ Selected Property

☐ Land Parcels

Bushfire_Hazard

☒ High Potential Bushfire Intensity

☒ Medium Potential Bushfire Intensity

☒ Potential Impact Buffer

☒ Very High Potential Bushfire Intensity







☐ all others

Flood Storm

Applicable Precinct or Area
Floodplain Assessment Overlay (Daintree River)

- More Information**
- [View Section 8.2.4 Flood and Storm Tide Hazard Overlay Code](#)
 - [View Section 8.2.4 Flood and Storm Tide Hazard Overlay Compliance table](#)



 Selected Property	 Land Parcels	 Medium Storm Tide Hazard	 High Storm Tide Hazard
 100 Year ARI - Mossman Port Douglas and Daintree Flood Studies		 Floodplain Assessment Overlay	

Landscape Values

Scenic Buffer Area

Scenic route

Scenic route buffer

- More Information

 - View Section 8.2.6 Landscape Values Overlay Code
 - View Section 8.2.6 Landscape Values Overlay Compliance table



Selected Property

Land Parcels

Scenic Buffer Area

Gateway

View corridor

Lookout

all others

Scenic route

Scenic route buffer

Landscape Values

Coastal scenery

High landscape values

Medium Landscape Value

all others

Natural Areas

Applicable Precinct or Area

MSES - Regulated Vegetation (Intersecting a Watercourse)
MSES - Regulated Vegetation

More Information

- [View Section 8.2.7 Natural Areas Overlay Code](#)
- [View Section 8.2.7 Natural Areas Overlay Compliance table](#)



Selected Property	Land Parcels	MSES - Regulated Vegetation (Intersecting a Watercourse)
MSES - High Ecological Value Waters (Watercourse)	MSES - Wildlife Habitat	MSES - Regulated Vegetation
MSES - Protected Area	MSES - Marine Park	MSES - Legally Secured Offset Area
MSES - High Ecological Value Waters (Wetland)	MSES - High Ecological Significance Wetlands	

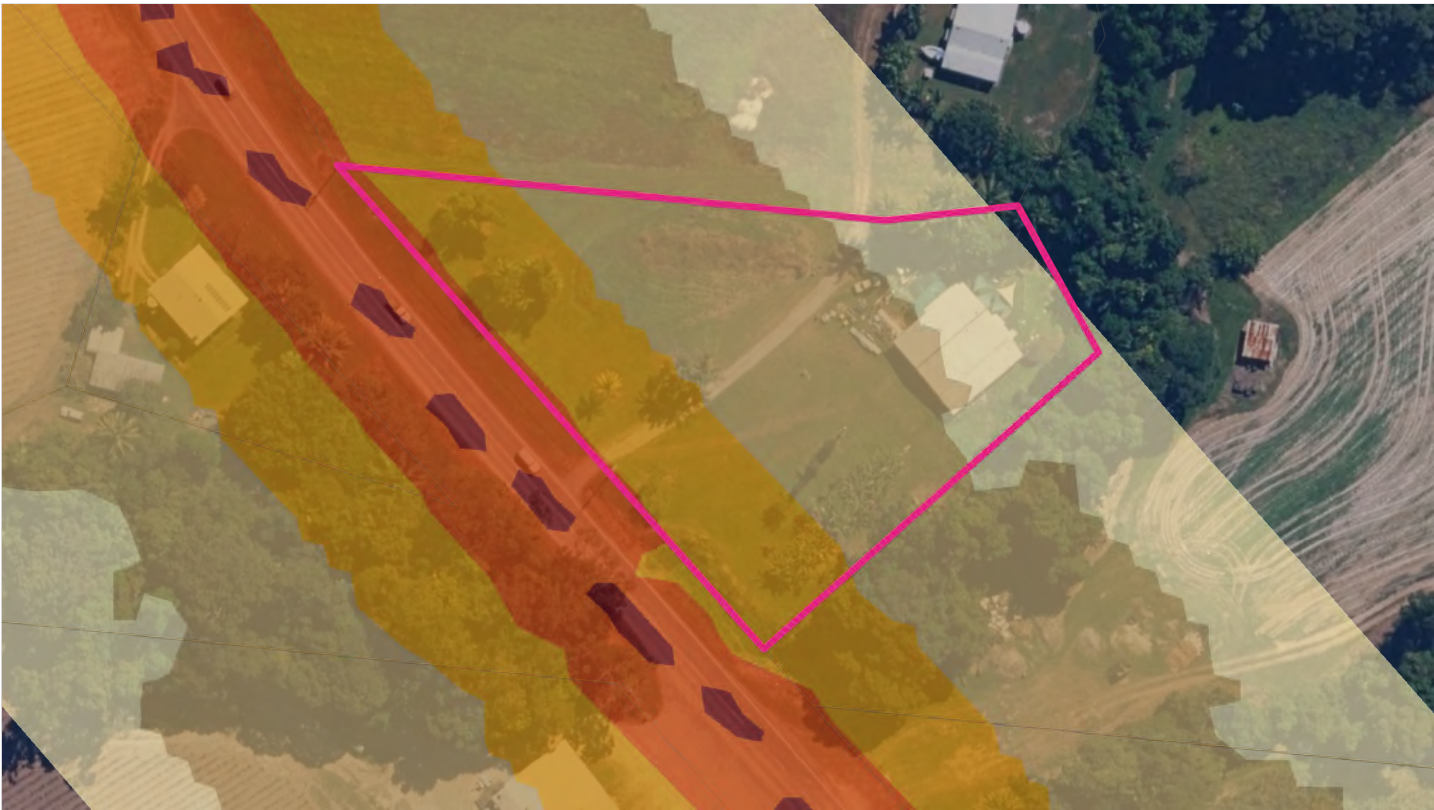
Transport Noise Corridors

Applicable Precinct or Area

- Category 0: Noise Level < 58 dB(A)
- Category 1: 58 dB(A) =< Noise Level < 63 dB(A)
- Category 2: 63 dB(A) < Noise Level < 68 dB(A)
- Category 3: 68 dB(A) =< Noise Level < 73 dB(A)

More Information

- [View Section 8.2.10 Transport Network Overlay Code](#)
- [View Section 8.2.10 Transport Network Overlay Compliance table](#)



☒ Selected Property

☐ Land Parcels

Transport Noise Corridors Mandatory Area

- | | | |
|---|---|--|
| <input type="checkbox"/> Category 0: Noise Level < 58 dB(A) | <input type="checkbox"/> Category 1: 58 dB(A) =< Noise Level < 63 dB(A) | <input type="checkbox"/> Category 2: 63 dB(A) < Noise Level < 68 dB(A) |
| <input type="checkbox"/> Category 3: 68 dB(A) =< Noise Level < 73 dB(A) | <input type="checkbox"/> Category 4: Noise Level >= 73 dB(A) | <input type="checkbox"/> all others |

Transport Noise Corridors Voluntary Area

- | | | |
|---|---|--|
| <input type="checkbox"/> Category 0: Noise Level < 58 dB(A) | <input type="checkbox"/> Category 1: 58 dB(A) =< Noise Level < 63 dB(A) | <input type="checkbox"/> Category 2: 63 dB(A) < Noise Level < 68 dB(A) |
| <input type="checkbox"/> Category 3: 68 dB(A) =< Noise Level < 73 dB(A) | <input type="checkbox"/> Category 4: Noise Level >= 73 dB(A) | <input type="checkbox"/> all others |

Transport Pedestrian Cycle

Applicable Precinct or Area
Iconic Recreation Route

- More Information**
- [View Section 8.2.10 Transport Network Overlay Code](#)
 - [View Section 8.2.10 Transport Network Overlay Compliance table](#)



☒ Selected Property

☐ Land Parcels

Pedestrian and Cycle Network

- | | | | |
|--|--|--|---|
| — District Route | - - Future Principal Route | — Iconic Recreation Route | — Neighbourhood Route |
| — Principal Route | - - Strategic Investigation Route | — all others | |

Transport Road Hierarchy

Applicable Precinct or Area

Arterial Road
Major Transport Corridor Buffer Area (State Controlled Road)

More Information

- [View Section 8.2.10 Transport Network Overlay Code](#)
- [View Section 8.2.10 Transport Network Overlay Compliance table](#)



☒ Selected Property

☐ Land Parcels

Road Hierarchy

- | | | | |
|---|---|---|--|
| — Access Road | — Arterial Road | — Collector Road | — Industrial Road |
| — Major Rural Road | — Minor Rural Road | — Sub Arterial Road | — Unformed Road |
| — all others | | | |

☐ Major Transport Corridor Buffer Area

Disclaimer

This report is not a substitute for a Planning and Development Certificate and should not be relied upon where the reliance may result in loss, damage or injury. While every effort is taken to ensure the information in this report is accurate and up to date, Douglas Shire Council makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs that may occur as a result of the report being inaccurate or incomplete in any way or for any reason.

2018 Douglas Shire Council Planning Scheme Property Report

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Visit Council's website to apply for an [official property search or certificate](#), or contact the [Department of Natural Resources, Mines and Energy](#) to undertake a title search to ascertain how easements may affect a premise.

Property Information

Property Address

Lot Plan [12SP307121](#) (Freehold - 2759000m²)



☒ Selected Property

☐ Easements

☐ Land Parcels

Douglas Shire Planning Scheme 2018 version 1.0

The table below provides a summary of the Zones and Overlays that apply to the selected property.

Douglas Shire Planning Scheme 2018 version 1.0

The table below provides a summary of the Zones and Overlays that apply to the selected property.

 Zoning	Applicable Zones Conservation Rural	More Information <ul style="list-style-type: none"> View Section 6.2.3 Conservation Zone Code View Section 6.2.3 Conservation Zone Compliance table View Section 6.2.3 Conservation Zone Assessment table View Section 6.2.10 Rural Zone Code View Section 6.2.10 Rural Zone Compliance table View Section 6.2.10 Rural Zone Assessment table
 Acid Sulfate Soils	Applicable Precinct or Area Acid Sulfate Soils (< 5m AHD) Acid Sulfate Soils (5-20m AHD) Acid Sulfate Soils (5-20m AHD)	More Information <ul style="list-style-type: none"> View Section 8.2.1 Acid Sulfate Soils Overlay Code View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table
 Bushfire Hazard	Applicable Precinct or Area Potential Impact Buffer High Potential Bushfire Intensity Medium Potential Bushfire Intensity	More Information <ul style="list-style-type: none"> View Section 8.2.2 Bushfire Hazard Overlay Code View Section 8.2.2 Bushfire Hazard Overlay Compliance table
 Coastal Processes	Applicable Precinct or Area Coastal Management District Erosion Prone Area	More Information <ul style="list-style-type: none"> View Section 8.2.3 Coastal Environment Overlay Code View Section 8.2.3 Coastal Environment Overlay Compliance table
 Flood Storm	Applicable Precinct or Area Medium Storm Tide Hazard High Storm Tide Hazard Floodplain Assessment Overlay (Daintree River)	More Information <ul style="list-style-type: none"> View Section 8.2.4 Flood and Storm Tide Hazard Overlay Code View Section 8.2.4 Flood and Storm Tide Hazard Overlay Compliance table
 Landscape Values	Scenic Buffer Area Scenic route Scenic route buffer Landscape Values High landscape values Medium Landscape Value	More Information <ul style="list-style-type: none"> View Section 8.2.6 Landscape Values Overlay Code View Section 8.2.6 Landscape Values Overlay Compliance table
 Natural Areas	Applicable Precinct or Area MSES - Regulated Vegetation (Intersecting a Watercourse) MSES - High Ecological Value Waters (Watercourse) MSES - Wildlife Habitat MSES - Regulated Vegetation MSES - Marine Park MSES - High Ecological Value Waters (Wetland) MSES - High Ecological Significance Wetlands	More Information <ul style="list-style-type: none"> View Section 8.2.7 Natural Areas Overlay Code View Section 8.2.7 Natural Areas Overlay Compliance table
 Transport Noise Corridors	Applicable Precinct or Area Category 0: Noise Level < 58 dB(A) Category 1: 58 dB(A) =< Noise Level < 63 dB(A) Category 2: 63 dB(A) < Noise Level < 68 dB(A) Category 3: 68 dB(A) =< Noise Level < 73 dB(A)	More Information <ul style="list-style-type: none"> View Section 8.2.10 Transport Network Overlay Code View Section 8.2.10 Transport Network Overlay Compliance table
 Transport Pedestrian Cycle	Applicable Precinct or Area Iconic Recreation Route	More Information <ul style="list-style-type: none"> View Section 8.2.10 Transport Network Overlay Code View Section 8.2.10 Transport Network Overlay Compliance table

Douglas Shire Planning Scheme 2018 version 1.0

The table below provides a summary of the Zones and Overlays that apply to the selected property.

[Transport Road Hierarchy](#)

Applicable Precinct or Area

Arterial Road

Major Transport Corridor Buffer Area (State Controlled Road)

More Information

- [View Section 8.2.10 Transport Network Overlay Code](#)
- [View Section 8.2.10 Transport Network Overlay Compliance table](#)

Zoning

Applicable Zones

Conservation

Rural

More Information

- [View Section 6.2.3 Conservation Zone Code](#)
- [View Section 6.2.3 Conservation Zone Compliance table](#)
- [View Section 6.2.3 Conservation Zone Assessment table](#)
- [View Section 6.2.10 Rural Zone Code](#)
- [View Section 6.2.10 Rural Zone Compliance table](#)
- [View Section 6.2.10 Rural Zone Assessment table](#)



☒ Selected Property

☐ Land Parcels

Zoning

<input type="checkbox"/> Centre	<input type="checkbox"/> Community Facilities	<input type="checkbox"/> Conservation	<input type="checkbox"/> Environmental Management
<input type="checkbox"/> Industry	<input type="checkbox"/> Low Density Residential	<input type="checkbox"/> Low-medium Density Residential	<input type="checkbox"/> Medium Density Residential
<input type="checkbox"/> Recreation and Open Space	<input type="checkbox"/> Rural	<input type="checkbox"/> Rural Residential	<input type="checkbox"/> Special Purpose
<input type="checkbox"/> Tourism	<input type="checkbox"/> Tourist Accommodation		

Acid Sulfate Soils

Applicable Precinct or Area

- Acid Sulfate Soils (< 5m AHD)
- Acid Sulfate Soils (5-20m AHD)
- Acid Sulfate Soils (5-20m AHD)

More Information

- [View Section 8.2.1 Acid Sulfate Soils Overlay Code](#)
- [View Section 8.2.1 Acid Sulfate Soils Overlay Compliance table](#)



☒ Selected Property

☐ Land Parcels

Acid Sulfate Soils

☒ Acid Sulfate Soils (< 5m AHD)

☒ Acid Sulfate Soils (5-20m AHD)

☐ all others

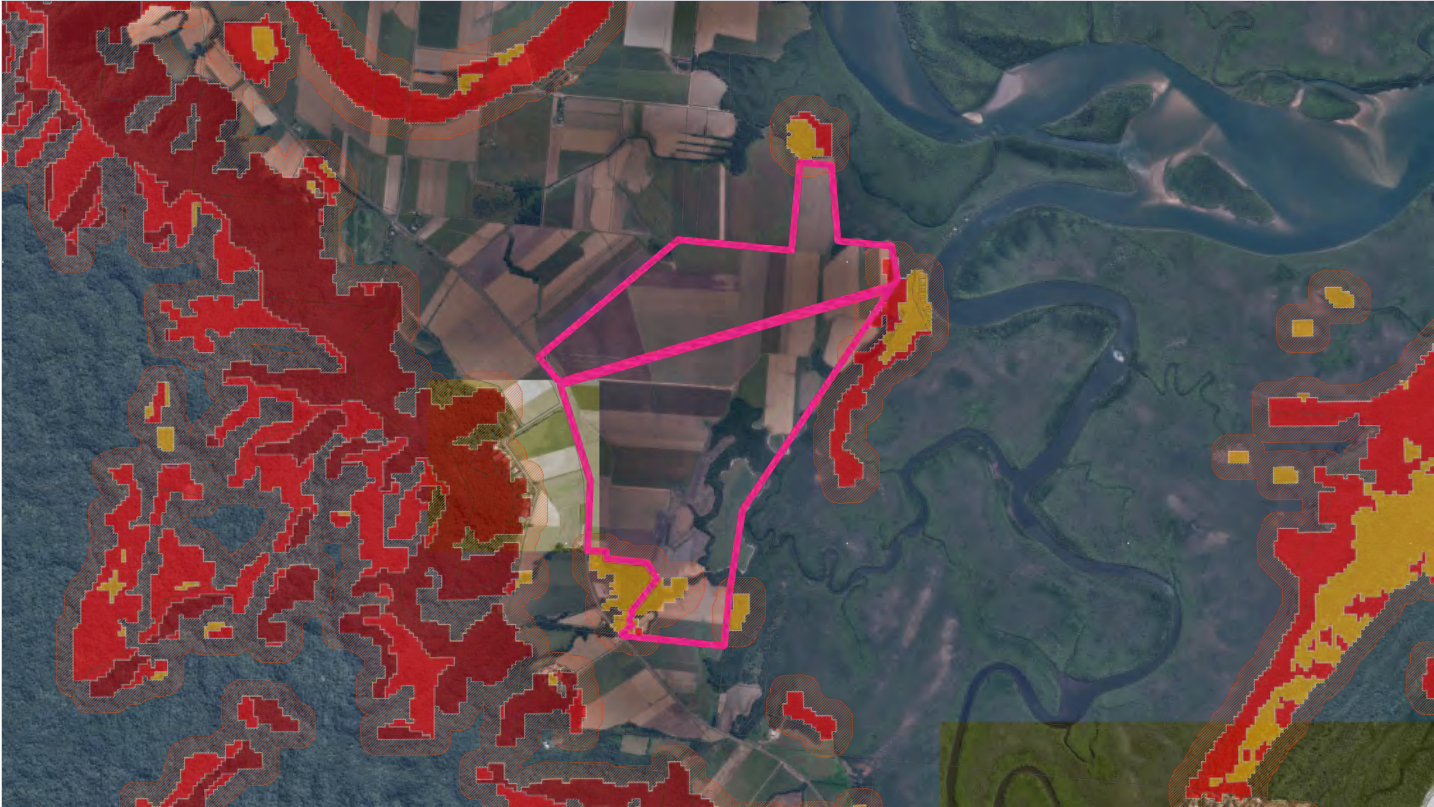
Bushfire Hazard

Applicable Precinct or Area

- Potential Impact Buffer
- High Potential Bushfire Intensity
- Medium Potential Bushfire Intensity

More Information

- [View Section 8.2.2 Bushfire Hazard Overlay Code](#)
- [View Section 8.2.2 Bushfire Hazard Overlay Compliance table](#)



☒ Selected Property

☐ Land Parcels

Bushfire_Hazard

- ☒ High Potential Bushfire Intensity
- ☒ Medium Potential Bushfire Intensity
- ☒ Potential Impact Buffer
- ☒ Very High Potential Bushfire Intensity
- ☐ all others

Coastal Processes

Applicable Precinct or Area
Coastal Management District
Erosion Prone Area

- More Information**
- [View Section 8.2.3 Coastal Environment Overlay Code](#)
 - [View Section 8.2.3 Coastal Environment Overlay Compliance table](#)



☒ Selected Property

☐ Land Parcels

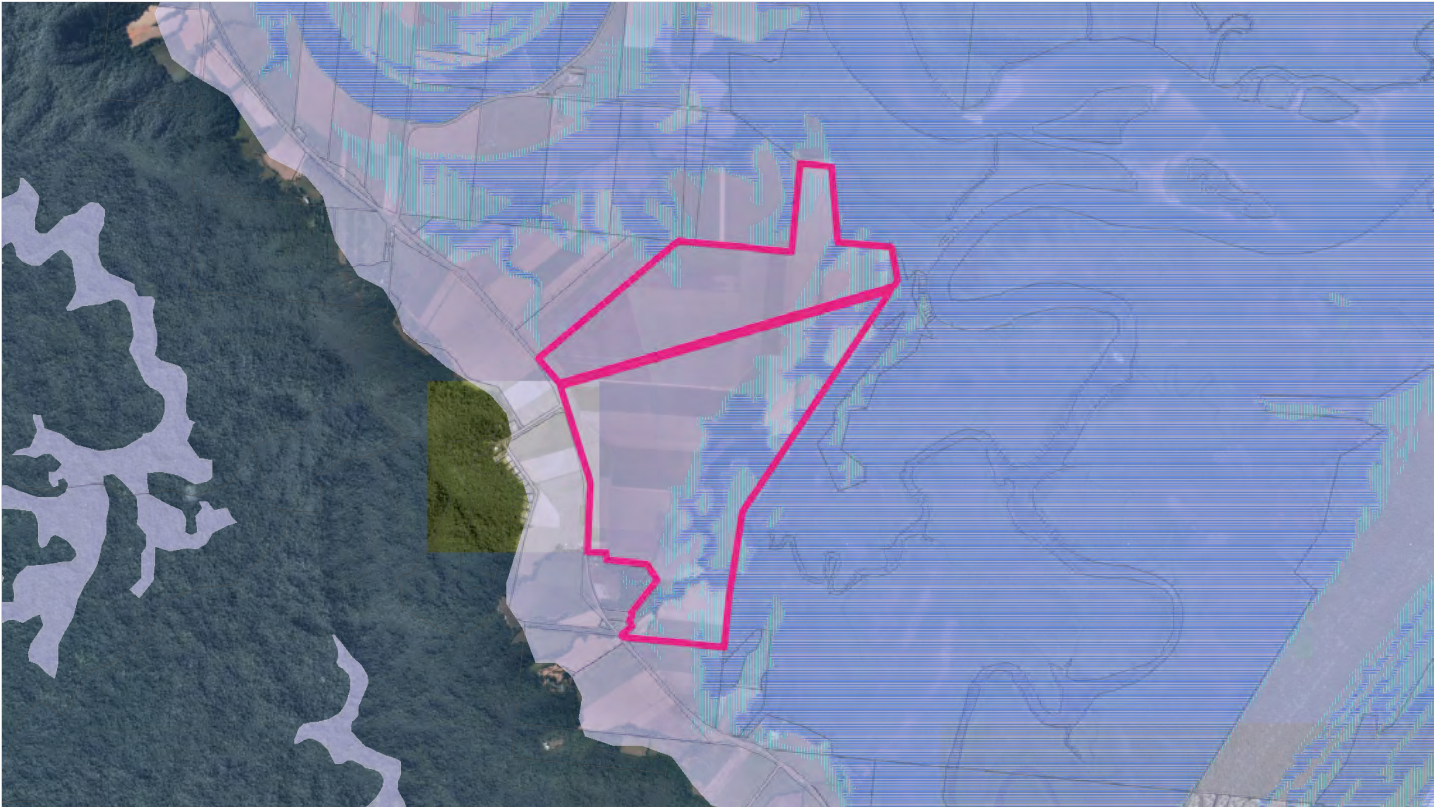
☐ Coastal Management District

☒ Erosion Prone Area


Flood Storm


Applicable Precinct or Area
Medium Storm Tide Hazard
High Storm Tide Hazard
Floodplain Assessment Overlay (Daintree River)


- More Information**
- [View Section 8.2.4 Flood and Storm Tide Hazard Overlay Code](#)
 - [View Section 8.2.4 Flood and Storm Tide Hazard Overlay Compliance table](#)



 Selected Property

 Land Parcels

 Medium Storm Tide Hazard

 High Storm Tide Hazard

 100 Year ARI - Mossman Port Douglas and Daintree Flood Studies

 Floodplain Assessment Overlay

Landscape Values

Scenic Buffer Area

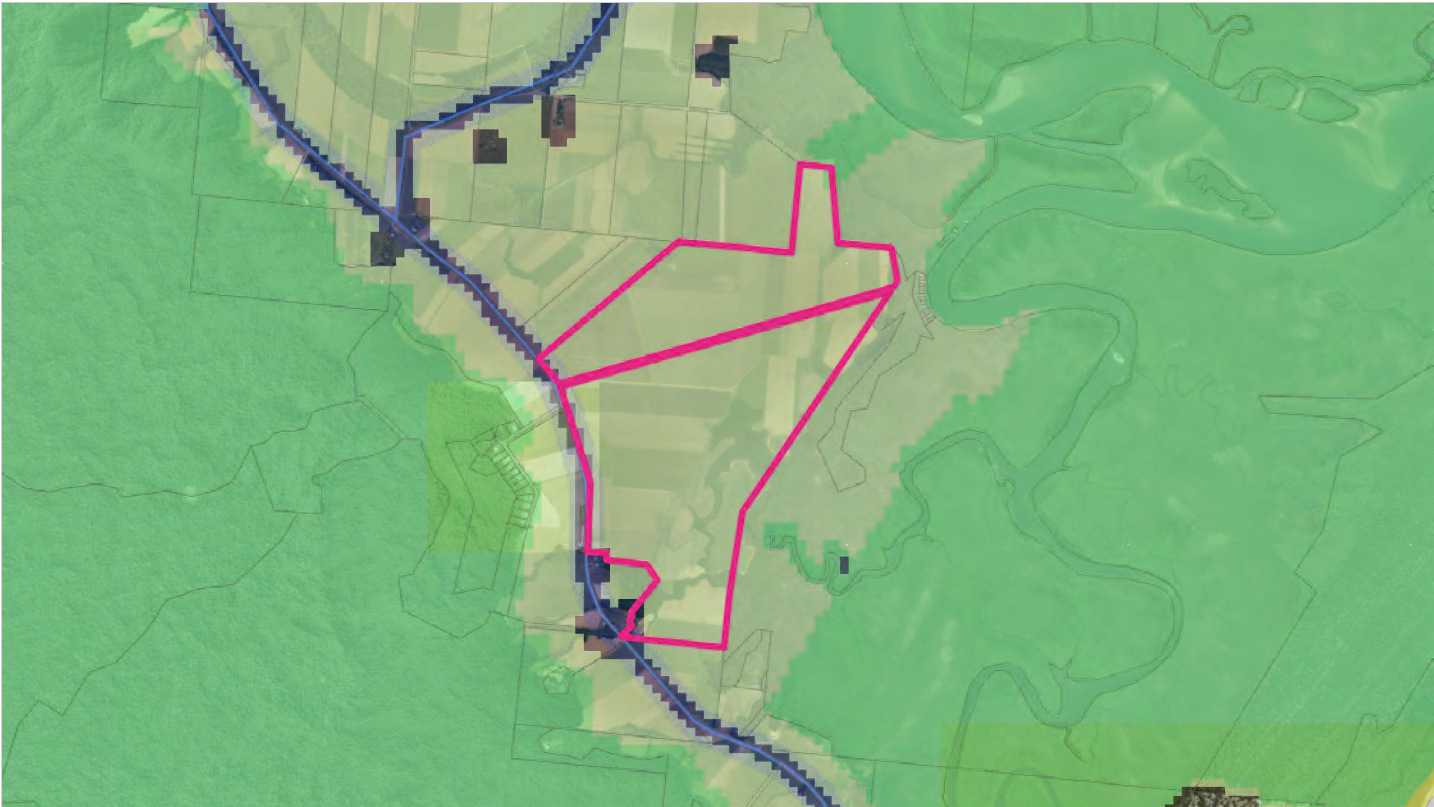
Scenic route
Scenic route buffer


Landscape Values

High landscape values
Medium Landscape Value


More Information

- [View Section 8.2.6 Landscape Values Overlay Code](#)
- [View Section 8.2.6 Landscape Values Overlay Compliance table](#)







Selected Property




Land Parcels




Gateway




View corridor




Lookout




all others




Scenic route




Scenic route buffer




Coastal scenery



High landscape values



Medium Landscape Value



all others

Natural Areas

Applicable Precinct or Area

MSES - Regulated Vegetation (Intersecting a Watercourse)
MSES - High Ecological Value Waters (Watercourse)
MSES - Wildlife Habitat
MSES - Regulated Vegetation
MSES - Marine Park
MSES - High Ecological Value Waters (Wetland)
MSES - High Ecological Significance Wetlands

More Information

- [View Section 8.2.7 Natural Areas Overlay Code](#)
- [View Section 8.2.7 Natural Areas Overlay Compliance table](#)



Selected Property	Land Parcels	MSES - Regulated Vegetation (Intersecting a Watercourse)
MSES - High Ecological Value Waters (Watercourse)	MSES - Wildlife Habitat	MSES - Regulated Vegetation
MSES - Protected Area	MSES - Marine Park	MSES - Legally Secured Offset Area
MSES - High Ecological Value Waters (Wetland)	MSES - High Ecological Significance Wetlands	

Transport Noise Corridors

Applicable Precinct or Area

Category 0: Noise Level < 58 dB(A)

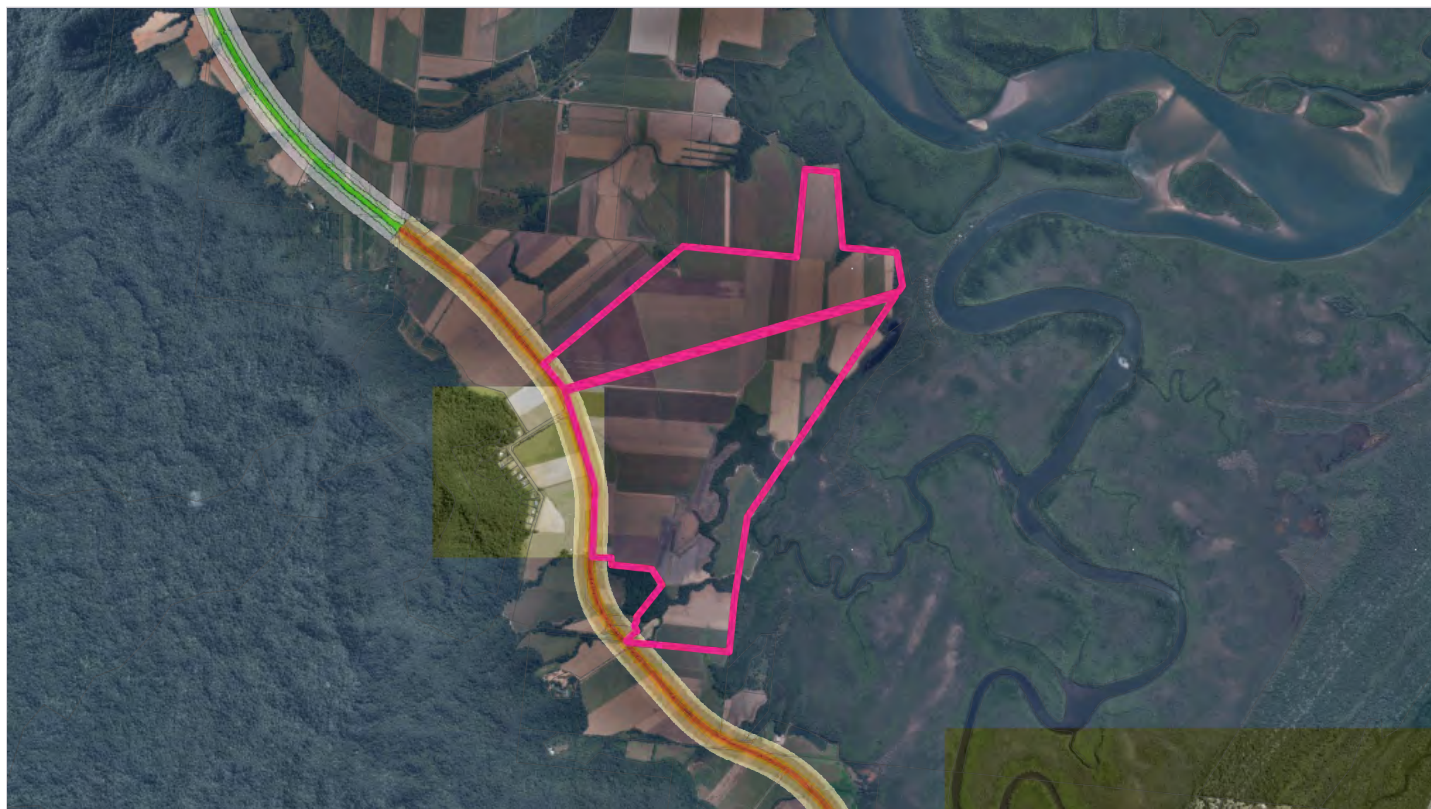
Category 1: 58 dB(A) =< Noise Level < 63 dB(A)

Category 2: 63 dB(A) < Noise Level < 68 dB(A)

Category 3: 68 dB(A) =< Noise Level < 73 dB(A)

More Information

- [View Section 8.2.10 Transport Network Overlay Code](#)
- [View Section 8.2.10 Transport Network Overlay Compliance table](#)



☒ Selected Property

☐ Land Parcels

Transport Noise Corridors Mandatory Area

☐ Category 0: Noise Level < 58 dB(A)

☐ Category 1: 58 dB(A) =< Noise Level < 63 dB(A)

☐ Category 2: 63 dB(A) < Noise Level < 68 dB(A)

☐ Category 3: 68 dB(A) =< Noise Level < 73 dB(A)

☐ Category 4: Noise Level >= 73 dB(A)

☐ all others

Transport Noise Corridors Voluntary Area

☐ Category 0: Noise Level < 58 dB(A)

☐ Category 1: 58 dB(A) =< Noise Level < 63 dB(A)

☐ Category 2: 63 dB(A) < Noise Level < 68 dB(A)

☐ Category 3: 68 dB(A) =< Noise Level < 73 dB(A)

☐ Category 4: Noise Level >= 73 dB(A)

☐ all others

Transport Pedestrian Cycle

Applicable Precinct or Area
Iconic Recreation Route

- More Information**
- [View Section 8.2.10 Transport Network Overlay Code](#)
 - [View Section 8.2.10 Transport Network Overlay Compliance table](#)



☒ Selected Property

☐ Land Parcels

Pedestrian and Cycle Network

District Route	Future Principal Route	Iconic Recreation Route	Neighbourhood Route
Principal Route	Strategic Investigation Route	all others	

Transport Road Hierarchy

Applicable Precinct or Area

Arterial Road
Major Transport Corridor Buffer Area (State Controlled Road)

More Information

- [View Section 8.2.10 Transport Network Overlay Code](#)
- [View Section 8.2.10 Transport Network Overlay Compliance table](#)



☒ Selected Property

☐ Land Parcels

Road Hierarchy

- | | | | |
|---|---|---|--|
| — Access Road | — Arterial Road | — Collector Road | — Industrial Road |
| — Major Rural Road | — Minor Rural Road | — Sub Arterial Road | — Unformed Road |
| — all others | | | |

☒ Major Transport Corridor Buffer Area

Disclaimer

This report is not a substitute for a Planning and Development Certificate and should not be relied upon where the reliance may result in loss, damage or injury. While every effort is taken to ensure the information in this report is accurate and up to date, Douglas Shire Council makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs that may occur as a result of the report being inaccurate or incomplete in any way or for any reason.

Attachment 4

Enquiry submitted to SARA and SARA's responses

2112-26268 SPL - Lodgement

MANAGE DOCUMENTS

MANAGE NOTES

HELP

Summary

Location Details

Interested Parties

Related Actions

Preparation

Lodgement

Assessment

Finalised

Application summary

Applicant name

Clint Reynolds

Nature of development

RAL

Current status

Submitted

Site address

, Mossman Daintree Road, Lower Daintree

Region

Far North

Case officer

SARA role

To be confirmed

Active tasks

REFRESH

Task name	Task sent to	Accepted by
No items available		

Development details

Nature of development	↑
Reconfiguring a lot	

Development description

To re-align the boundary of Lot 11 on SP307121 to include part of Lot 12 on SP307121 and increase the area of Lot 11 to approximately 15 hectares, as per sketch provided. The new boundary is proposed to be located not less than 10m to areas mapped as Regulated Vegetation and is proposed to be located, in part, in the Erosion Prone Area where also located in the Coastal Management District.

Pre-lodgement details

Meeting requested

✓

Requested information

Date requested	Advice requested	Date response provided
1 December 2021	It is requested that advice be provided whether the proposed development would be supported and if so, advise of the likely referral requirements to be imposed.	↓

Topics

Search

Layers 21

Places 0

Maps 0

Print

Help

14.93 ha

1 SP285557

11 SP307121

12 SP307121

249 SP292846

370 SP295087

2 RP735306

GDA2020 Lat/Lng
lat: -16.30637
long: 145.39776

1:3082

2D 3D 360

< Previous Next >

SHAPE

UNITS Hectares

NEW MEASUREMENT

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10:16 PM 30/03/2021

State code 8: Coastal development and tidal works

Table 8.2.1: All development

Performance outcomes	Acceptable outcomes	Response
Development in the erosion prone area		
<p>PO1 Development does not occur in the erosion prone area unless the development:</p> <ol style="list-style-type: none"> 1. is one of the following types of development: <ol style="list-style-type: none"> a. coastal-dependent development; or b. temporary, readily relocatable or able to be abandoned; or c. essential community infrastructure; or d. redevelopment of an existing permanent building or structure that cannot be relocated or abandoned; and 2. cannot feasibly be located elsewhere. 	No acceptable outcome is prescribed.	<p>Complies with PO1</p> <p>It is proposed to realign the boundary of Lot 11 on SP307121 which will result in part of the new boundary being located in the Erosion Prone Area.</p> <p>A dwelling already exists on Lot 11 on SP307121 in a location that is distant from the Erosion Prone Area. Therefore, apart from locating part of the new boundary in the Erosion Prone Area, no other development is likely to occur.</p>
<p>PO2 Development other than coastal protection work:</p> <ol style="list-style-type: none"> 1. avoids impacting on coastal processes; and 2. ensures that the protective function of landforms and vegetation is maintained. <p>Note: In considering reconfiguring a lot applications, the state may require land in the erosion prone area to be surrendered to the State for coastal management purposes under the <i>Coastal Protection and Management Act 1995</i>.</p> <p>Where the planning chief executive receives a copy of a land surrender requirement or proposed land surrender notice under the <i>Coastal Protection and Management Act 1995</i>, this must be considered in assessing the application.</p>	No acceptable outcome is prescribed.	<p>Complies with PO2</p> <p>It is proposed to realign the boundary of Lot 11 on SP307121 which will result in part of the new boundary being located in the Erosion Prone Area but not less than 10m from mapped Regulated Vegetation.</p> <p>Given the extensive area of mangrove wetlands that separate the subject land from potential direct coastal impacts and that the new boundary is to be located to avoid any potential direct impacts on areas of mapped Regulated Vegetation, the proposed development is not</p>

Performance outcomes	Acceptable outcomes	Response
		likely to impact coastal processes and will maintain the protective function of the landform and associated vegetation.
PO3 Development is located, designed and constructed to minimise the impacts from coastal erosion by: <ol style="list-style-type: none"> 1. locating the development as far landward as practicable; or 2. where it is demonstrated that 1 is not feasible, mitigate or otherwise accommodate the risks posed by coastal erosion. 	No acceptable outcome is prescribed.	<p>Complies with PO3</p> <p>It is proposed to realign the boundary of Lot 11 on SP307121 which will result in part of the new boundary being located in the Erosion Prone Area.</p> <p>A dwelling already exists on Lot 11 on SP307121 in a location that is distant from the Erosion Prone Area. Therefore, apart from locating part of the new boundary in the Erosion Prone Area, no other development is likely to occur.</p>
PO4 Development does not significantly increase the risk or impacts to people and property from coastal erosion.	No acceptable outcome is prescribed.	<p>Complies with PO4</p> <p>It is proposed to realign the boundary of Lot 11 on SP307121 which will result in part of the new boundary being located in the Erosion Prone Area.</p> <p>A dwelling already exists on Lot 11 on SP307121 in a location that is distant from the Erosion Prone Area. Therefore, apart from locating part of the new boundary in the Erosion Prone Area, no other development is likely to occur and the development will not significantly increase the risk or impacts to people and property from coastal erosion.</p>

Performance outcomes	Acceptable outcomes	Response
PO5 Development other than coastal protection work avoids directly or indirectly increasing the severity of coastal erosion either on or off the site.	No acceptable outcome is prescribed.	Complies with PO5 It is proposed to realign the boundary of Lot 11 on SP307121 which will result in part of the new boundary being located in the Erosion Prone Area but not less than 10m from mapped Regulated Vegetation. Given the extensive area of mangrove wetlands that separate the subject land from potential direct coastal impacts and that the new boundary is to be located to avoid any potential direct impacts on areas of mapped Regulated Vegetation, the proposed development is not likely to impact coastal processes and will maintain the protective function of the landform and associated vegetation and avoid increasing the severity of coastal erosion either on or off the site.
PO6 In areas where a coastal building line is present, building work is located landward of the coastal building line unless coastal protection work has been constructed to protect the development.	No acceptable outcome is prescribed.	Not Applicable
Artificial waterways		
PO7 Development of artificial waterways, canals and dry-land marinas minimises impacts on coastal resources by: <ol style="list-style-type: none"> maintaining the tidal prism volume of the natural waterway to which it is connected demonstrating a whole-of-life strategy for the disposal of dredged material. 	No acceptable outcome is prescribed.	Not Applicable
Coastal protection work		

Performance outcomes	Acceptable outcomes	Response
PO8 Works for beach nourishment minimise adverse impacts on coastal processes and avoid any increase in the severity of erosion on adjacent land by: <ol style="list-style-type: none"> sourcing sand from an area that does not adversely impact on the active beach system ensuring imported sand is compatible with natural beach sediments and coastal processes of the receiving beach. 	No acceptable outcome is prescribed.	Not Applicable
PO9 Erosion control structures are only constructed where there is an imminent threat to buildings or infrastructure of value, and there is no feasible option for either: <ol style="list-style-type: none"> beach nourishment; or relocation or abandonment of structures. <p>Statutory Note: The monetary value of buildings or infrastructure should be more than the cost of associated erosion control structures.</p>	No acceptable outcome is prescribed.	Not Applicable
PO10 Erosion control structures minimise interference with coastal processes, or any increase to the severity of erosion on adjacent land by: <ol style="list-style-type: none"> locating the erosion control structure as far landward as practicable and directly adjacent to the structure it is intended to protect where required and feasible, importing sand to the site to mitigate any increase in the severity of erosion the design of the structure. 	No acceptable outcome is prescribed.	Not Applicable
Water quality		
PO11 Development: <ol style="list-style-type: none"> maintains or enhances environmental values of receiving waters 	No acceptable outcome is prescribed.	Complies with PO11

Performance outcomes	Acceptable outcomes	Response
<ol style="list-style-type: none"> achieves the water quality objectives of Queensland waters avoids the release of prescribed water contaminants to tidal waters. <p>Note: See Environmental Protection (Water) Policy 2009 for the relevant water quality objectives.</p>		<p>It is proposed to realign the boundary of Lot 11 on SP307121 which will result in part of the new boundary being located in the Erosion Prone Area but not less than 10m from mapped Regulated Vegetation.</p> <p>Given the that the new boundary is to be located to avoid any potential direct impacts on areas of mapped Regulated Vegetation, the proposed development is expected to maintain environmental values and water quality.</p>
Category C and R areas of vegetation		
<p>PO12 Development:</p> <ol style="list-style-type: none"> avoids impacts on category C areas of vegetation and category R areas of vegetation; or minimises and mitigates impacts on category C areas of vegetation and category R areas of vegetation after demonstrating avoidance is not reasonably possible. 	No acceptable outcome is prescribed.	<p>Complies with PO12</p> <p>It is proposed to realign the boundary of Lot 11 on SP307121 which will result in part of the new boundary being located in the Erosion Prone Area but not less than 10m from mapped Regulated Vegetation and in a location that is not vegetated and generally comprises either part of a sugar cane field or part of the cleared haul access which is mapped in part as a Category R area.</p> <p>A dwelling already exists on Lot 11 on SP307121 in a location that is distant from the Erosion Prone Area and the area where the boundary is proposed does not comprise native vegetation. Therefore, apart from locating part of the new boundary in the Erosion Prone Area, no other</p>

Performance outcomes	Acceptable outcomes	Response
		development is likely to occur that would impact Category R vegetation.
Public use of and access to state coastal land		
PO13 Development maintains or enhances public use of and access to and along state coastal land (except where this is contrary to the protection of coastal resources or public safety).	No acceptable outcome is prescribed.	Not Applicable
PO14 Private marine development ensures that works: <ol style="list-style-type: none"> 1. are used for marine access purposes only 2. minimise the use of state coastal land 3. do not interfere with access between navigable waterways and adjacent properties. 	No acceptable outcome is prescribed.	Not Applicable
PO15 Development ensures erosion control structures are located within the premises they are intended to protect unless there is no feasible alternative.	No acceptable outcome is prescribed.	Not Applicable
Matters of state environmental significance		
PO16 Development: <ol style="list-style-type: none"> 1. avoids impacts on matters of state environmental significance; or 2. minimises and mitigates impacts on matters of state environmental significance after demonstrating avoidance is not reasonably possible; and 3. provides an offset if, after demonstrating all reasonable avoidance, minimisation and mitigation measures are undertaken, the development results in an acceptable significant residual impact on a matter of state environmental significance. <p>Statutory note: For Brisbane core port land, an offset may only be applied to development on land identified as E1 Conservation/Buffer, E2 Open Space or Buffer/Investigation</p>	No acceptable outcome is prescribed.	<p>Complies with PO16</p> <p>It is proposed to realign the boundary of Lot 11 on SP307121 which will result in part of the new boundary being located in the Erosion Prone Area but not less than 10m from mapped Regulated Vegetation and in a location that is not vegetated and generally comprises either part of a sugar cane field or part of the cleared haul access which is mapped in part as a Category R area.</p> <p>A dwelling already exists on Lot 11 on SP307121 in a location that is distant from the Erosion</p>

Performance outcomes	Acceptable outcomes	Response
<p>in the Brisbane Port LUP precinct plan. For the Brisbane Port LUP, see www.portbris.com.au.</p> <p>Note: Guidance for determining if the development will have a significant residual impact on the matter of state environmental significance is provided in the Significant Residual Impact Guideline, Department of State Development, Infrastructure and Planning, 2014. Where the significant residual impact is considered an acceptable impact on the matter of state environmental significance and an offset is considered appropriate, the offset should be delivered in accordance with the <i>Environmental Offsets Act 2004</i>.</p>		<p>Prone Area and the area where the boundary is proposed does not comprise native vegetation. Therefore, apart from locating part of the new boundary in the Erosion Prone Area, no other development is likely to occur that would impact Category R vegetation.</p>

Table 8.2.2: All operational work

Performance outcomes	Acceptable outcomes	Response
Private marine development		
PO17 Private marine development does not require the construction of coastal protection work, shoreline or riverbank hardening or dredging for marine access purposes.	No acceptable outcome is prescribed.	Not Applicable
Disposal of solid waste or dredged material from artificial waterways		
PO18 Solid waste from land and dredged material from artificial waterways is not disposed of in tidal water unless it is for beneficial reuse.	No acceptable outcome is prescribed.	Not Applicable
Disposal of dredged material other than from artificial waterways		
PO19 Dredged material is returned to tidal water where this is needed to maintain coastal processes and sediment volume.	No acceptable outcome is prescribed.	Not Applicable
PO20 Where it is not needed to maintain coastal processes and sediment volume, the quantity of dredged material disposed to tidal water is	No acceptable outcome is prescribed.	Not Applicable

Performance outcomes	Acceptable outcomes	Response
minimised through beneficial reuse or disposal on land.		
All dredging and any disposal of dredged material in tidal water		
PO21 All dredging and any disposal of dredged material in tidal water is: <ol style="list-style-type: none"> 1. demonstrated to be safe with regard to protection of the marine environment and by meeting the National Assessment Guidelines for Dredging 2009, Department of Environment and Energy, 2009, or later version; and 2. supported by a monitoring and management plan that protects the marine environment and that complies with the National Assessment Guidelines for Dredging 2009, Department of Environment and Energy, 2009, or later version. 	No acceptable outcome is prescribed.	Not Applicable
Reclamation		
PO22 Development does not involve reclamation of land below tidal water, other than for the purposes of: <ol style="list-style-type: none"> 1. coastal-dependent development, public marine development or community infrastructure; or 	No acceptable outcome is prescribed.	Not Applicable

Performance outcomes	Acceptable outcomes	Response
<p>2. strategic ports, priority ports, boat harbours or strategic airports and aviation facilities, in accordance with a statutory land use plan or master plan, where there is a demonstrated net benefit for the state or region and no feasible alternative exists; or</p> <p>3. coastal protection work or work necessary to protect coastal resources or coastal processes.</p>		

Table 8.2.3: Operational work which is not assessed by local government

Performance outcomes	Acceptable outcomes	Response
PO23 Works are located and designed such that they continue to operate safely during and following a defined storm tide event.	AO23.1 Tidal work is designed and located in accordance with the Guideline: Building and engineering standards for tidal works, Department of Environment and Heritage Protection, 2017.	Not Applicable

Owen Caddick-King

From: Anthony Westbury <Anthony.Westbury@dsdilgp.qld.gov.au>
Sent: Tuesday, 24 May 2022 9:32 AM
To: Owen Caddick-King
Subject: RE: 2112-26268 SPL application correspondence

CAUTION: This email originated from outside of RPS.

Hi Owen,

Mary no longer works for FNQ SARA, so I am providing a response for you.

MSES advice was provided in the pre-lodgement advice as a general guide to answering the relevant performance outcome of State Code 8, rather than a cause of uncertainty.

SARA notes that the MSES mapping may be incorrect and the reconfiguration may not impact MSES. However, the performance outcomes of State Code 8 relating to MSES must still be addressed.

The Department of Environment and Science has advised that there are no 'red flags' associated with the proposal, and the State Code 8 responses provided are adequate.

Please note that the provided responses used version 2.6 of the SDAP. You should respond to version 3 of the SDAP when submitting your application.

Please call me if you wish to discuss further.

Cheers,



Anthony Westbury

Planning Officer

Planning and Development Services
Far North Queensland

Department of State Development, Infrastructure,
Local Government and Planning

P 07 4037 3215

Ground Floor, Ports North Building

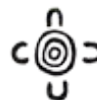
Cnr Grafton and Hartley Streets, Cairns QLD 4870

PO Box 2358, Cairns QLD 4870

<https://planning.statedevelopment.qld.gov.au/>



*I acknowledge the traditional custodians of the lands and waters of Queensland.
I offer my respect to elders past, present and emerging as we work towards a just,
equitable and reconciled Australia.*



From: Owen Caddick-King <owen.caddick-king@rpsgroup.com.au>
Sent: Wednesday, 18 May 2022 10:13 AM
To: Mary McCarthy <Mary.McCarthy@dsdilgp.qld.gov.au>
Subject: FW: 2112-26268 SPL application correspondence

Hello Mary

Thanks for the opportunity to discuss the attached Pre-lodgement Meeting Record.

As discussed, I thought that the Pre-lodgement Meeting went well and as indicated in the Pre-lodgement Meeting Record, the main purpose of the Pre-lodgement Meeting was achieved with the Department Environment and Science (DES) confirming “that a development application for a RAL included in the CMD and EPA can be supported”.

However, the Pre-lodgement Meeting Record then goes on to suggest the need to demonstrate compliance with various matters such as the Purpose of State Code 8 and the avoidance of impacts on Matters of State Environmental Significance (MSES) which causes uncertainty – refer to Item 5 of the Pre-lodgement Meeting Record for further detail.

With regard to the Purpose of the Code, it is suggested that Code compliance assessment (refer to attached) already adequately explains how the proposal addresses the Code’s Purpose.

Similarly, the proposed boundary was intended to pass through areas mapped as MSES at the time of the Pre-lodgement Meeting and I re-call the DES rep indicating that the proposed location of the boundary within the canfield and the Code responses provided seemed adequate. Therefore, I am not sure why the Pre-lodgement Meeting Record raises uncertainty and suggests further info is required when the proposed boundary is located in a canfield.

It would be appreciated if you could review and preferably amend the Pre-lodgement Response to remove assessment requirements that are not reasonably required were the re-aligned boundary is located in the canfield not less than 10m from the edge of the mapped regulated vegetation. My client is keen to proceed with lodging the boundary re-alignment application and I wish to avoid the situation where the current Pre-lodgement Response causes uncertainty and suggests further information is required to address MSES which was not believed to be an outcome of the Pre-lodgement Meeting or be reasonably required given the subject proposal.

Should you seek to discuss prior to further responding, do not hesitate to contact me.

Regards

Owen Caddick-King
Principal - Planning
RPS | Australia Asia Pacific
D +61 7 42761027
E owen.caddick-king@rpsgroup.com.au

We acknowledge the Traditional Owners of Country throughout Australia and recognise their continuing connection to land, waters and community. We pay our respect to them and their cultures and to Elders past and present.

[Click here](#) to find out more about our Reconciliation Action Plan.

From: No Reply <mydas-notifications-prod2@qld.gov.au>
Sent: Thursday, 24 February 2022 12:24 PM
To: Mary.McCarthy@dsdilgp.qld.gov.au; Owen Caddick-King <owen.caddick-king@rpsgroup.com.au>
Subject: 2112-26268 SPL application correspondence

CAUTION: This email originated from outside of RPS.

Please find attached a notice regarding application [2112-26268 SPL](#).

If you require any further information in relation to the application, please contact the State Assessment and Referral Agency on the details provided in the notice.

This is a system-generated message. Do not respond to this email.
PA5-L



Email Id: RFLG-0222-0013-2976

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SARA reference: 2112-26268 SPL
Applicant reference: PR151056

24 February 2022

Clint Reynolds
C/- RPS Group
135 Abbott Street
CAIRNS QLD 4870
owen.caddick-king@rpsgroup.com.au

Attention: Owen Caddick-King

Dear Sir/Madam

SARA Pre-lodgement advice – Reconfiguring a Lot (Boundary Realignment – 2 into 2 Lots) at Mossman Daintree Road, Lower Daintree

I refer to the pre-lodgement meeting held on 19 January 2022 in which you sought advice from the State Assessment and Referral Agency (SARA) regarding the proposed development at the above address. This notice provides advice on aspects of the proposal that are of relevance to SARA.

SARA's understanding of the project

The proposal is for the reconfiguring a lot for a boundary realignment of Lot 11 on SP307121 and Lot 12 on SP307121 at Mossman Daintree Road, Lower Daintree. The purpose of the proposed development is to increase the area of Lot 11 on SP307121 by approximately 15 hectares, and to rationalise boundaries.

Supporting information

The advice in this letter is based on the following documentation that was submitted with the pre-lodgement request or tabled at the pre-lodgement meeting.

Drawing/report title	Prepared by	Date
Reynolds SARA Map	Clint Reynolds	30 March 2021

Pre-lodgement meeting record

Meeting date	19 January 2022
Meeting location	Microsoft Teams
Meeting chair	Mary McCarthy
Meeting attendees	Refer to Attachment 1
Meeting notes	
<p>The project involves the realignment of boundaries between Lot 11 on SP307121 and Lot 12 on SP307121 to rationalise boundaries and increase the size of Lot 11 by approximately 15 hectares.</p> <p>The new boundary is proposed to be located no less than 10 metres to areas mapped as regulated vegetation in an attempt to avoid referral for clearing native vegetation.</p> <p>The premises is located within the coastal management district (CMD) and is partially within an erosion prone area. The proposed reconfiguration of a lot (RAL) for a boundary realignment will trigger referral for reconfiguring a lot in a CMD.</p> <p>Clarification is sought from SARA as to whether development within a CMD and erosion prone area (EPA) could be supported.</p> <p>Department of Environment and Science (DES) comments:</p> <ul style="list-style-type: none"> confirmed that a development application for a RAL included in the CMD and EPA can be supported the development application will need to demonstrate compliance with the State Development Assessment Provisions (SDAP), State code 8: Coastal development and tidal works, this includes meeting the purpose statement of State Code 8: Coastal development and tidal works the development application will need to clearly justify the location of the proposed boundary and demonstrate why the new boundary can't be located outside of the mapped EPA the development application will need to clearly identify how the proposal is to avoid impacts on matters of state environmental significance (MSES), or minimise and mitigate impacts on MSES after demonstrating that avoidance is not reasonably possible based on initial desktop review DES is of the view there wouldn't be any requirement to forfeit land (land surrender) due to survey requirements, however it is recommended that this be confirmed with your cadastral surveyor further information regarding survey requirements for tidal boundaries will be provided. <p>SARA comments:</p> <ul style="list-style-type: none"> Confirmed relevant trigger and fees (10.17.3.5.1, \$6,859.00) 	

Pre-lodgement advice

The following advice outlines the aspects of the proposal that are of relevance to SARA.

SARA's jurisdiction and fees	
1.	<p>SARA would be a referral agency for the proposed application. The application will require referral to SARA under the following provisions of the Planning Regulation 2017:</p> <ul style="list-style-type: none"> Schedule 10, Part 17, Division 3, Table 5, Item 1 – Reconfiguring a lot in a coastal management district or for a canal <p>This will require a fee of \$6,859.00 to be paid in accordance with Schedule 10, Part 17, Division 3, Table 5, Item 8 (c).</p> <ul style="list-style-type: none"> Schedule 10, Part 3, Division 4 Table 2 – Native vegetation clearing (if applicable) <p>This will require a fee of \$1,714.00 to be paid in accordance with Schedule 10, Part 3, Division 4, Table 2, Item 8 (b).</p> <ul style="list-style-type: none"> Schedule 10, Part 6, Division 3, Subdivision 3, Table 2, Item 1 – Reconfiguring a lot or material change of use involving removal, destruction or damage of marine plants (if applicable) <p>The fee ranges between \$3,430.00 and \$13,715.00 in accordance with Schedule 10, Part, 6, Division 3, Subdivision 3, Table 2, Item 8.</p> <p>Please note that the assessment fees are subject to change. It is recommended you check Schedule 10 of the Planning Regulation 2017 or contact SARA prior to the lodgement of your application, to confirm the assessment fees applicable at the time.</p>
State Development Assessment Provisions	
2.	<p>The current SDAP will be used in assessing the application. Based on the location and scale of the proposed development, the following State code is relevant:</p> <ul style="list-style-type: none"> State code 8: Coastal development and tidal works State code 16: Native vegetation clearing (if applicable) State code 11: Removal, destruction or damage of marine plants (if applicable) <p>Please note, SARA recently released SDAP version 3.0 which took effect on 18 February 2022. SDAP 3.0 and the SDAP response templates are available at https://planning.statedevelopment.qld.gov.au/planning-framework/state-assessment-and-referral-agency/state-development-assessment-provisions-sdap.</p>
Clearing native vegetation	
3.	<p>Based on the discussions in the pre-lodgement meeting, it is understood it the proposal is to locate the proposed boundary outside the minimum setback requirements of the mapped referable vegetation areas.</p> <p>In the event the proposed development does not meet the minimum setback requirements or is to change and impact on native vegetation, the development application will trigger for native vegetation clearing. The development application will be assessed against SDAP, State code 16: Native vegetation clearing.</p> <p>Information on the land is available through:</p> <ul style="list-style-type: none"> Queensland globe: https://qldglobe.information.qld.gov.au/

	<ul style="list-style-type: none"> A vegetation management report online at: www.qld.gov.au/environment/land/vegetation/map-request/ The report includes relevant property information and a series of maps and supporting information outlining the requirements for clearing vegetation on this land. The regional ecosystem description database - https://apps.des.qld.gov.au/regional-ecosystems/ <p>It is recommended you seek further pre-lodgement advice if the proposal involves native vegetation clearing.</p>
Removal, destruction or damage of marine plants (if applicable)	
4.	<p>Parts of the proposed development site are located below the highest astronomical tide (HAT).</p> <p>Information on HAT levels is available through Queensland globe: https://qldglobe.information.qld.gov.au/</p> <p>In the event that the proposed development involves operational work below the HAT, the development may trigger referral agency assessment for removal, destruction or damage of marine plants.</p> <p>Marine plants include:</p> <ul style="list-style-type: none"> any plant (a tidal plant (including marine algae) that usually grows on or adjacent to tidal lands whether it is living, dead, standing or fallen; or any plant material on tidal land (up to the level of Highest Astronomical Tide (HAT)). <p>Plants such as mangroves, mangrove fern, saltcouch or samphire species are considered marine plants regardless of whether or not they are above or below the level of HAT.</p> <p>Marine plants do not include:</p> <ul style="list-style-type: none"> a plant that is prohibited matter or restricted matter under the <i>Biosecurity Act 2014</i>; or a plant that is controlled biosecurity matter or regulated biosecurity matter under the <i>Biosecurity Act 2014</i>. <p>Marine plant protection applies irrespective of the tenure (e.g. unallocated state land and all state tenured lands, including private freehold and leasehold lands) of the land on which the plant occurs, the time the plant has been growing at the location, or the degree of or purpose of the disturbance.</p> <p>Assessment benchmarks</p> <p>The development will be assessed against SDAP, State code 11: Removal, destruction or damage of marine plants.</p>
Coastal development	
5.	<p>The proposed development triggers referral agency assessment for reconfiguring a lot in the CMD.</p> <p>Assessment benchmarks</p> <p>Provide a response to the latest version of the SDAP State code 8: Coastal development and tidal works in its entirety, identifying how the proposed development meets each performance outcome (PO).</p> <p>Particular attention should be paid to PO1: Demonstrate why the proposed boundary realignment cannot be located outside of the erosion prone area.</p> <p>The following guideline can be referred to in responding to State code 8:</p>

(<https://environment.des.qld.gov.au/coastal/development/pdf/state-code8-coastal-development-tidal-works.pdf>) The guideline contains information on how to respond to particular performance outcomes (PO) and outlines specific information requirements.

The guideline contains information on how to respond to particular performance outcomes (PO) and outlines specific information requirements. It should be noted that if the PO has no relevance to the proposed development a response of “not applicable” and a statement as to why it is not relevant is required.

Matters of State Environmental Significance (MSES)

The proposed development is also included within the mapped MSES areas, indicating that the proposed development may have an impact on the following MSES which are present on the site or in the adjacent areas, including:

- conservation areas
 - o marine park (highly protected areas)
- wildlife habitat
 - o endangered and vulnerable wildlife
 - o special least concern animal
- regulated vegetation
 - o regulated vegetation (category B)
 - o regulated vegetation (category R)
 - o regulated vegetation (essential habitat)
 - o regulated vegetation (defined watercourse)

To address PO17 of State Code 8 it will be required to determine if there are any MSES on or adjacent to the proposed development site. Queensland Globe (<https://qldglobe.information.qld.gov.au/>) can be used to conduct a desktop analysis to identify any mapped MSES that exist on and near the proposed site/s.

Where MSES are identified:

- provide a targeted assessment to ground truth any MSES identified
- demonstrate how the development avoids adverse impacts on each MSES to the greatest extent practicable
- once avoidance is considered, demonstrate how impacts on MSES have, or will be, minimised and/or mitigated to the greatest extent practicable
- determine whether there will be a significant residual impact on any MSES using the [Significant Residual Impact Guideline \(windows.net\)](#).
- undertake an assessment for each MSES; and
- identify the delivery of any potential offset as per PO17(3).

The following additional tools may be helpful for a desktop analysis and assessment:

- **DES Environmental Reports Online**
<https://apps.des.qld.gov.au/report-request/environment/>
- **Department of Resources Regulated Vegetation Mapping**
<https://www.qld.gov.au/environment/land/management/vegetation/maps/map-request>
- **DES WetlandInfo**
<https://wetlandinfo.des.qld.gov.au/wetlands/>
- **DES Protected Plants Flora Survey Trigger Map**
<https://environment.des.qld.gov.au/licences-permits/plants-animals/protected-plants/map-request.php>
- **DES Species List**
<https://apps.des.qld.gov.au/report-request/species-list/>

	<ul style="list-style-type: none"> • SPP Interactive Mapping https://planning.dsdmip.qld.gov.au/planning/spa-system/plan-making-under-spa/state-planning-under-spa/state-planning-policy
Great Barrier Reef (GBR) Wetlands of High Ecological Significance	
6.	<p>The south-eastern border of Lot 12 on SP307121 is directly adjacent to a Great Barrier Reef wetland of high ecological significance and certain development impacting on the wetland may be prohibited or be assessable development.</p> <p>Based on the application material provided, this proposal does not appear to trigger assessable development under Schedule 10, Part 20, Division 2, Section 34 however, should the proposed development change please note the following:</p> <p>Assessable development under Schedule 10, Part 20, Division 2, Section 34 of the Planning Regulation 2017 is:</p> <ul style="list-style-type: none"> • Operational work that is high impact earthworks in a wetland protection area is assessable development, unless the operational work— <ul style="list-style-type: none"> (a) is for a domestic housing activity; or (b) is the natural and ordinary consequence of development that is a material change of use, or reconfiguring a lot and all of the following apply— <ul style="list-style-type: none"> (i) the material change of use or reconfiguration involves high impact earthworks in a wetland protection area; (ii) a development permit is in effect for the material change of use or reconfiguration; (iii) the chief executive, or the chief executive (environment), had functions and powers as a referral agency or prescribed assessment manager in relation to the earthworks for the development application for the development permit; or (c) is accepted development under schedule 7, part 3, section 9. <p><u>High impact earthworks</u></p> <ul style="list-style-type: none"> (a) means operational work that changes the form of land, or involves placing a structure on land, in a way that diverts water to or from a wetland in a wetland protection area and involves excavating or filling— <ul style="list-style-type: none"> (i) if the work is carried out in the wetland or within 200m of the wetland—more than 100m³; or (ii) otherwise—more than 1,000m³; but (b) does not include operational work— <p><i>Note: there are several additional exclusions, only the most commonly relevant are listed below.</i></p> <ul style="list-style-type: none"> (i) that is excavating to establish underground infrastructure, other than infrastructure for drainage or stormwater flows, if the excavated land is to be restored, as far as practicable, to its original contours after the infrastructure is established; or (ii) to maintain dams, fences, helipads, roads, stockyards, vehicular tracks or watering facilities; or (iii) to alter, maintain, repair, replace, rehabilitate, remove or service government supported transport infrastructure; or (iv) to take preventative or remedial action in relation to government supported transport infrastructure; or (v) in tidal water; or (ix) to restore or conserve the ecological processes or hydrological functions of a wetland protection area; or (xv) that is completely or partly in a declared fish habitat area, if the work is prescribed assessable development; or

	(xvi) that is constructing or raising waterway barrier works, if the work is accepted development under schedule 7, part 3, section 6.
Lodgement material	
7.	<p>It is recommended that the following information is submitted when referring the application to SARA:</p> <ul style="list-style-type: none"> • A copy of completed DA form 1 and planning report or supporting information. • Landowner's consent. • A full response to the relevant sections of SDAP: <ul style="list-style-type: none"> o State code 8: Coastal development and tidal works in its entirety o State code 16: Native vegetation clearing (if applicable) • Description of the land intended to be developed, including the property address, tenure and real property description of the land. • Description of the development methodology, including: <ul style="list-style-type: none"> o any operational works occurring on site and expected timeframes o staging of the development if applicable o measures employed to minimise impacts to the local receiving environment • Detailed and appropriately scaled drawings and/or plans which clearly identify the location of proposed development, including: <ul style="list-style-type: none"> o location of all built structures, or structures to be modified or demolished, as a result of the proposed development o adjacent riverbanks, walls sandbanks, structures, the limit of vegetation, and/or other principal features of the immediate area o relevant tidal planes (e.g. highest astronomical tide, mean high water springs) o the location and setting out details for cross-sections o any other information required to accurately define the area and to allow the site to be readily identified from the plan. <p>All plans/drawings should include title, date and numbering suitable to identify the plan and should be mapped to GDA2020 projection.</p>
Requesting further pre-lodgement advice	
8.	<p>Should you determine that the development triggers clearing for native vegetation matters and/or marine plants, SARA recommends that you request further pre-lodgement advice as this will change SARA's advice.</p> <p>You can do this by using the 'related action' tab in the 2112-26268 SPL MyDAS2 record. Select 'Request more pre-lodgement advice from SARA'. You will be given an option to select either a meeting or written advice.</p>
Additional information (outside of SARA's jurisdiction)	
Clearing within Category R areas	
9.	<p>The proposed development area contains areas mapped as Category R (regrowth watercourse and drainage feature) on the regulated vegetation management map. If the proposed development includes clearing vegetation in any Category R area, you should ensure the clearing can be undertaken as exempt clearing work or in accordance with an Accepted Development Vegetation Clearing Code (ADVCC). Clearing vegetation in any category C areas or category R areas that is not exempt or in accordance with ADVCC is prohibited development. Information on exempt clearing work or ADVCCS is available at General guide to the vegetation clearing codes (resources.qld.gov.au)</p>
Freehold land below tidal boundary	
10.	<p>Section 72 of the <i>Survey and Mapping Infrastructure Act 2003</i> provides the criteria for a tidal boundary location. The criteria for a tidal boundary include:</p> <ol style="list-style-type: none"> 1. the tidal boundary must not be subject to tidal inundation under any combination of astronomical conditions and average meteorological conditions

	<p>2. the tidal boundary must be on the landward side of any beaches, foredunes, mangroves, sea grasses, salt grasses, salt marshes, saltpans, intertidal flats, tidal sand banks and other similar features</p> <p>3. the location of the tidal boundary must be consistent with the public interest.</p> <p>For the purpose of this proposed development, the retention of the land below the highest astronomical tide as freehold may be inconsistent with the above criteria. Where the current seaward boundary is unclear, please contact the Department of Resources to discuss requirements for a resurvey of the property (Ph: (07) 4222 5402).</p>
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This advice outlines aspects of the proposed development that are relevant to SARA's jurisdiction. This advice is provided in good faith and is:

- based on the material and information provided to SARA
- current at the time of issue
- not applicable if the proposal is changed from that which formed the basis of this advice.

The advice in this letter does not constitute an approval or an endorsement that SARA supports the development proposal. Additional information may be required to allow SARA to properly assess the development proposal after a formal application has been lodged.

For further information please contact Mary McCarthy, Senior Planning Officer, on 47583404 or via email CairnsSARA@dildg.qld.gov.au who will be pleased to assist.

Yours sincerely



Joanne Manson
A/Manager (Planning)

enc Attachment 1 – Pre-lodgement meeting attendance record

Development details	
Proposal:	Reconfiguring a Lot (Boundary Realignment - 2 Lots into 2 Lots)
Street address:	Mossman Daintree Road, Lower Daintree
Real property description:	Lot 11 on SP307121 and Lot 12 on SP307121
SARA role:	Referral Agency
Assessment Manager:	Douglas Shire Council
Assessment criteria:	State Development Assessment Provisions (SDAP): State Code 8: Coastal development and tidal works
Existing use:	Rural – cane farming
Relevant site history:	None

Attachment 1 — Pre-lodgement meeting attendance record

Meeting attendees:

Name	Position	Organisation
Owen Caddick-King	Principal – Planning	RPS
Brooke Ryan	A/Senior Environmental Officer	Department of Environment and Science
Mary McCarthy	Senior Planning Officer	Department of State Development, Infrastructure, Local Government and Planning

Attachment 5

Enquiry submitted to Council and Council's response

Owen Caddick-King

From: Owen Caddick-King
Sent: Thursday, 26 May 2022 3:25 PM
To: Neil Beck
Subject: Proposed Boundary Re-alignment - 2112-26268 SPL application correspondence
Attachments: 2112-26268 SPL - Pre-lodgement meeting record.pdf; State Code 8 compliance assessment.pdf; Bdy Re-alignment - 10m Offset from Reg Veg.pdf

Hello Neil

As briefly discussed yesterday, we have sought Pre-lodgement Advice from SARA/DES Coastal to confirm that the attached bdy re-alignment proposal is likely to be considered favourably and we have now confirmed that and removed some of the uncertainty included in the attached Pre-lodgement Meeting Record. I attach the Pre-lodgement Meeting Record and Code assessment forwarded to SARA for your info but no need to review unless you seek to do so.

As indicated, the bdy re-alignment relates to the current land owner, Clint Reynolds, rationalising his land holdings consistent with how the land is farmed. The riparian corridor along the northern bdy physically separates the farm land located either side of the riparian corridor and the boundary re-alignment proposal is intended to facilitate the separation of the area of farm land located either side of the riparian corridor.

The proposed boundary is proposed to be located not less than 10m from the area of mapped Regulated Vegetation, so that Reg Veg Referral and the associated referral fee and imposition of onerous conditions is not triggered.

We expect to be preparing the Development Application later next week.

Should you seek to provide any input on the proposal, a response by mid next week would be appreciated.

Regards

Owen Caddick-King
Principal - Planning
RPS | Australia Asia Pacific
D +61 7 42761027
E owen.caddick-king@rpsgroup.com.au

We acknowledge the Traditional Owners of Country throughout Australia and recognise their continuing connection to land, waters and community. We pay our respect to them and their cultures and to Elders past and present.

[Click here](#) to find out more about our Reconciliation Action Plan.

From: Anthony Westbury <Anthony.Westbury@dsdilgp.qld.gov.au>
Sent: Tuesday, 24 May 2022 9:32 AM
To: Owen Caddick-King <owen.caddick-king@rpsgroup.com.au>
Subject: RE: 2112-26268 SPL application correspondence

CAUTION: This email originated from outside of RPS.

Hi Owen,

Mary no longer works for FNQ SARA, so I am providing a response for you.

MSES advice was provided in the pre-lodgement advice as a general guide to answering the relevant performance outcome of State Code 8, rather than a cause of uncertainty.

SARA notes that the MSES mapping may be incorrect and the reconfiguration may not impact MSES. However, the performance outcomes of State Code 8 relating to MSES must still be addressed.

The Department of Environment and Science has advised that there are no 'red flags' associated with the proposal, and the State Code 8 responses provided are adequate.

Please note that the provided responses used version 2.6 of the SDAP. You should respond to version 3 of the SDAP when submitting your application.

Please call me if you wish to discuss further.

Cheers,



Anthony Westbury

Planning Officer

**Planning and Development Services
Far North Queensland**

Department of State Development, Infrastructure,
Local Government and Planning

P 07 4037 3215

Ground Floor, Ports North Building

Cnr Grafton and Hartley Streets, Cairns QLD 4870

PO Box 2358, Cairns QLD 4870

<https://planning.statedevelopment.qld.gov.au/>



*I acknowledge the traditional custodians of the lands and waters of Queensland.
I offer my respect to elders past, present and emerging as we work towards a just,
equitable and reconciled Australia.*



From: Owen Caddick-King <owen.caddick-king@rpsgroup.com.au>

Sent: Wednesday, 18 May 2022 10:13 AM

To: Mary McCarthy <Mary.McCarthy@dsdilgp.qld.gov.au>

Subject: FW: 2112-26268 SPL application correspondence

Hello Mary

Thanks for the opportunity to discuss the attached Pre-lodgement Meeting Record.

As discussed, I thought that the Pre-lodgement Meeting went well and as indicated in the Pre-lodgement Meeting Record, the main purpose of the Pre-lodgement Meeting was achieved with the Department Environment and Science (DES) confirming "that a development application for a RAL included in the CMD and EPA can be supported".

However, the Pre-lodgement Meeting Record then goes on to suggest the need to demonstrate compliance with various matters such as the Purpose of State Code 8 and the avoidance of impacts on Matters of State Environmental Significance (MSES) which causes uncertainty – refer to Item 5 of the Pre-lodgement Meeting Record for further detail.

With regard to the Purpose of the Code, it is suggested that Code compliance assessment (refer to attached) already adequately explains how the proposal addresses the Code's Purpose.

Similarly, the proposed boundary was intended to pass through areas mapped as MSES at the time of the Pre-lodgement Meeting and I re-call the DES rep indicating that the proposed location of the boundary within the canfield and the Code responses provided seemed adequate. Therefore, I am not sure why the Pre-lodgement Meeting Record raises uncertainty and suggests further info is required when the proposed boundary is located in a canfield.

It would be appreciated if you could review and preferably amend the Pre-lodgement Response to remove assessment requirements that are not reasonably required were the re-aligned boundary is located in the canfield not less than 10m from the edge of the mapped regulated vegetation. My client is keen to proceed with lodging the boundary re-alignment application and I wish to avoid the situation where the current Pre-lodgement Response causes uncertainty and suggests further information is required to address MSES which was not believed to be an outcome of the Pre-lodgement Meeting or be reasonably required given the subject proposal.

Should you seek to discuss prior to further responding, do not hesitate to contact me.

Regards

Owen Caddick-King

Principal - Planning
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E owen.caddick-king@rpsgroup.com.au

We acknowledge the Traditional Owners of Country throughout Australia and recognise their continuing connection to land, waters and community. We pay our respect to them and their cultures and to Elders past and present.

[Click here](#) to find out more about our Reconciliation Action Plan.

From: No Reply <mydas-notifications-prod2@qld.gov.au>
Sent: Thursday, 24 February 2022 12:24 PM
To: Mary.McCarthy@dsdilgp.qld.gov.au; Owen Caddick-King <owen.caddick-king@rpsgroup.com.au>
Subject: 2112-26268 SPL application correspondence

CAUTION: This email originated from outside of RPS.

Please find attached a notice regarding application [2112-26268 SPL](#).

If you require any further information in relation to the application, please contact the State Assessment and Referral Agency on the details provided in the notice.

This is a system-generated message. Do not respond to this email.

PA5-L



Email Id: RFLG-0222-0013-2976

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2112-26268 SPL - Lodgement

MANAGE DOCUMENTS

MANAGE NOTES

HELP

Summary

Location Details

Interested Parties

Related Actions

Preparation

Lodgement

Assessment

Finalised

Application summary

Applicant name

Clint Reynolds

Nature of development

RAL

Current status

Submitted

Site address

, Mossman Daintree Road, Lower Daintree

Region

Far North

Case officer

SARA role

To be confirmed

Active tasks

REFRESH

Task name	Task sent to	Accepted by
No items available		

Development details

Nature of development	↑
Reconfiguring a lot	

Development description

To re-align the boundary of Lot 11 on SP307121 to include part of Lot 12 on SP307121 and increase the area of Lot 11 to approximately 15 hectares, as per sketch provided. The new boundary is proposed to be located not less than 10m to areas mapped as Regulated Vegetation and is proposed to be located, in part, in the Erosion Prone Area where also located in the Coastal Management District.

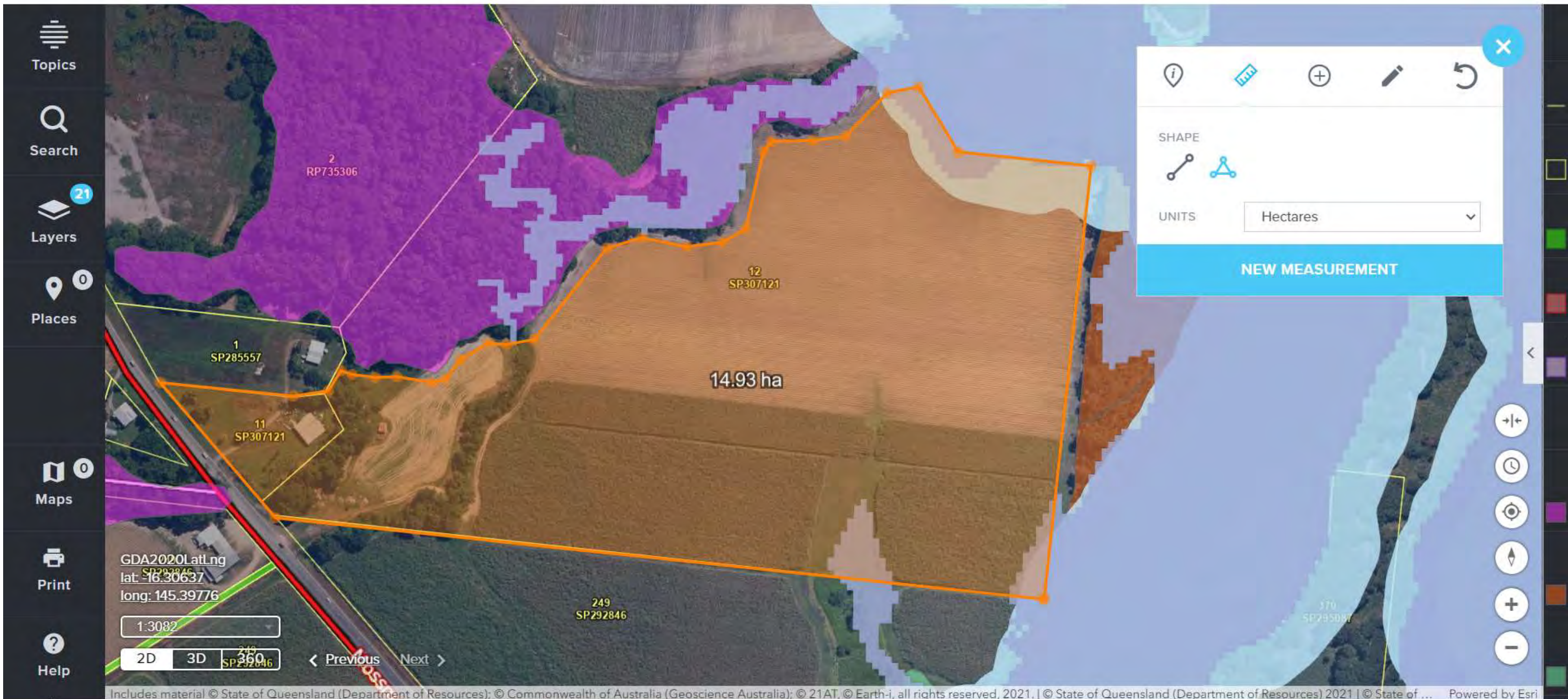
Pre-lodgement details

Meeting requested

✓

Requested information

Date requested	Advice requested	Date response provided
1 December 2021	It is requested that advice be provided whether the proposed development would be supported and if so, advise of the likely referral requirements to be imposed.	↓



State code 8: Coastal development and tidal works

Table 8.2.1: All development

Performance outcomes	Acceptable outcomes	Response
Development in the erosion prone area		
<p>PO1 Development does not occur in the erosion prone area unless the development:</p> <ol style="list-style-type: none"> 1. is one of the following types of development: <ol style="list-style-type: none"> a. coastal-dependent development; or b. temporary, readily relocatable or able to be abandoned; or c. essential community infrastructure; or d. redevelopment of an existing permanent building or structure that cannot be relocated or abandoned; and 2. cannot feasibly be located elsewhere. 	No acceptable outcome is prescribed.	<p>Complies with PO1</p> <p>It is proposed to realign the boundary of Lot 11 on SP307121 which will result in part of the new boundary being located in the Erosion Prone Area.</p> <p>A dwelling already exists on Lot 11 on SP307121 in a location that is distant from the Erosion Prone Area. Therefore, apart from locating part of the new boundary in the Erosion Prone Area, no other development is likely to occur.</p>
<p>PO2 Development other than coastal protection work:</p> <ol style="list-style-type: none"> 1. avoids impacting on coastal processes; and 2. ensures that the protective function of landforms and vegetation is maintained. <p>Note: In considering reconfiguring a lot applications, the state may require land in the erosion prone area to be surrendered to the State for coastal management purposes under the <i>Coastal Protection and Management Act 1995</i>.</p> <p>Where the planning chief executive receives a copy of a land surrender requirement or proposed land surrender notice under the <i>Coastal Protection and Management Act 1995</i>, this must be considered in assessing the application.</p>	No acceptable outcome is prescribed.	<p>Complies with PO2</p> <p>It is proposed to realign the boundary of Lot 11 on SP307121 which will result in part of the new boundary being located in the Erosion Prone Area but not less than 10m from mapped Regulated Vegetation.</p> <p>Given the extensive area of mangrove wetlands that separate the subject land from potential direct coastal impacts and that the new boundary is to be located to avoid any potential direct impacts on areas of mapped Regulated Vegetation, the proposed development is not</p>

Performance outcomes	Acceptable outcomes	Response
		likely to impact coastal processes and will maintain the protective function of the landform and associated vegetation.
PO3 Development is located, designed and constructed to minimise the impacts from coastal erosion by: <ol style="list-style-type: none"> 1. locating the development as far landward as practicable; or 2. where it is demonstrated that 1 is not feasible, mitigate or otherwise accommodate the risks posed by coastal erosion. 	No acceptable outcome is prescribed.	<p>Complies with PO3</p> <p>It is proposed to realign the boundary of Lot 11 on SP307121 which will result in part of the new boundary being located in the Erosion Prone Area.</p> <p>A dwelling already exists on Lot 11 on SP307121 in a location that is distant from the Erosion Prone Area. Therefore, apart from locating part of the new boundary in the Erosion Prone Area, no other development is likely to occur.</p>
PO4 Development does not significantly increase the risk or impacts to people and property from coastal erosion.	No acceptable outcome is prescribed.	<p>Complies with PO4</p> <p>It is proposed to realign the boundary of Lot 11 on SP307121 which will result in part of the new boundary being located in the Erosion Prone Area.</p> <p>A dwelling already exists on Lot 11 on SP307121 in a location that is distant from the Erosion Prone Area. Therefore, apart from locating part of the new boundary in the Erosion Prone Area, no other development is likely to occur and the development will not significantly increase the risk or impacts to people and property from coastal erosion.</p>

Performance outcomes	Acceptable outcomes	Response
PO5 Development other than coastal protection work avoids directly or indirectly increasing the severity of coastal erosion either on or off the site.	No acceptable outcome is prescribed.	Complies with PO5 It is proposed to realign the boundary of Lot 11 on SP307121 which will result in part of the new boundary being located in the Erosion Prone Area but not less than 10m from mapped Regulated Vegetation. Given the extensive area of mangrove wetlands that separate the subject land from potential direct coastal impacts and that the new boundary is to be located to avoid any potential direct impacts on areas of mapped Regulated Vegetation, the proposed development is not likely to impact coastal processes and will maintain the protective function of the landform and associated vegetation and avoid increasing the severity of coastal erosion either on or off the site.
PO6 In areas where a coastal building line is present, building work is located landward of the coastal building line unless coastal protection work has been constructed to protect the development.	No acceptable outcome is prescribed.	Not Applicable
Artificial waterways		
PO7 Development of artificial waterways, canals and dry-land marinas minimises impacts on coastal resources by: <ol style="list-style-type: none"> maintaining the tidal prism volume of the natural waterway to which it is connected demonstrating a whole-of-life strategy for the disposal of dredged material. 	No acceptable outcome is prescribed.	Not Applicable
Coastal protection work		

Performance outcomes	Acceptable outcomes	Response
PO8 Works for beach nourishment minimise adverse impacts on coastal processes and avoid any increase in the severity of erosion on adjacent land by: <ol style="list-style-type: none"> sourcing sand from an area that does not adversely impact on the active beach system ensuring imported sand is compatible with natural beach sediments and coastal processes of the receiving beach. 	No acceptable outcome is prescribed.	Not Applicable
PO9 Erosion control structures are only constructed where there is an imminent threat to buildings or infrastructure of value, and there is no feasible option for either: <ol style="list-style-type: none"> beach nourishment; or relocation or abandonment of structures. <p>Statutory Note: The monetary value of buildings or infrastructure should be more than the cost of associated erosion control structures.</p>	No acceptable outcome is prescribed.	Not Applicable
PO10 Erosion control structures minimise interference with coastal processes, or any increase to the severity of erosion on adjacent land by: <ol style="list-style-type: none"> locating the erosion control structure as far landward as practicable and directly adjacent to the structure it is intended to protect where required and feasible, importing sand to the site to mitigate any increase in the severity of erosion the design of the structure. 	No acceptable outcome is prescribed.	Not Applicable
Water quality		
PO11 Development: <ol style="list-style-type: none"> maintains or enhances environmental values of receiving waters 	No acceptable outcome is prescribed.	Complies with PO11

Performance outcomes	Acceptable outcomes	Response
<ol style="list-style-type: none"> achieves the water quality objectives of Queensland waters avoids the release of prescribed water contaminants to tidal waters. <p>Note: See Environmental Protection (Water) Policy 2009 for the relevant water quality objectives.</p>		<p>It is proposed to realign the boundary of Lot 11 on SP307121 which will result in part of the new boundary being located in the Erosion Prone Area but not less than 10m from mapped Regulated Vegetation.</p> <p>Given the that the new boundary is to be located to avoid any potential direct impacts on areas of mapped Regulated Vegetation, the proposed development is expected to maintain environmental values and water quality.</p>
Category C and R areas of vegetation		
<p>PO12 Development:</p> <ol style="list-style-type: none"> avoids impacts on category C areas of vegetation and category R areas of vegetation; or minimises and mitigates impacts on category C areas of vegetation and category R areas of vegetation after demonstrating avoidance is not reasonably possible. 	No acceptable outcome is prescribed.	<p>Complies with PO12</p> <p>It is proposed to realign the boundary of Lot 11 on SP307121 which will result in part of the new boundary being located in the Erosion Prone Area but not less than 10m from mapped Regulated Vegetation and in a location that is not vegetated and generally comprises either part of a sugar cane field or part of the cleared haul access which is mapped in part as a Category R area.</p> <p>A dwelling already exists on Lot 11 on SP307121 in a location that is distant from the Erosion Prone Area and the area where the boundary is proposed does not comprise native vegetation. Therefore, apart from locating part of the new boundary in the Erosion Prone Area, no other</p>

Performance outcomes	Acceptable outcomes	Response
		development is likely to occur that would impact Category R vegetation.
Public use of and access to state coastal land		
PO13 Development maintains or enhances public use of and access to and along state coastal land (except where this is contrary to the protection of coastal resources or public safety).	No acceptable outcome is prescribed.	Not Applicable
PO14 Private marine development ensures that works: 1. are used for marine access purposes only 2. minimise the use of state coastal land 3. do not interfere with access between navigable waterways and adjacent properties.	No acceptable outcome is prescribed.	Not Applicable
PO15 Development ensures erosion control structures are located within the premises they are intended to protect unless there is no feasible alternative.	No acceptable outcome is prescribed.	Not Applicable
Matters of state environmental significance		
PO16 Development: 1. avoids impacts on matters of state environmental significance; or 2. minimises and mitigates impacts on matters of state environmental significance after demonstrating avoidance is not reasonably possible; and 3. provides an offset if, after demonstrating all reasonable avoidance, minimisation and mitigation measures are undertaken, the development results in an acceptable significant residual impact on a matter of state environmental significance. Statutory note: For Brisbane core port land, an offset may only be applied to development on land identified as E1 Conservation/Buffer, E2 Open Space or Buffer/Investigation	No acceptable outcome is prescribed.	Complies with PO16 It is proposed to realign the boundary of Lot 11 on SP307121 which will result in part of the new boundary being located in the Erosion Prone Area but not less than 10m from mapped Regulated Vegetation and in a location that is not vegetated and generally comprises either part of a sugar cane field or part of the cleared haul access which is mapped in part as a Category R area. A dwelling already exists on Lot 11 on SP307121 in a location that is distant from the Erosion

Performance outcomes	Acceptable outcomes	Response
<p>in the Brisbane Port LUP precinct plan. For the Brisbane Port LUP, see www.portbris.com.au.</p> <p>Note: Guidance for determining if the development will have a significant residual impact on the matter of state environmental significance is provided in the Significant Residual Impact Guideline, Department of State Development, Infrastructure and Planning, 2014. Where the significant residual impact is considered an acceptable impact on the matter of state environmental significance and an offset is considered appropriate, the offset should be delivered in accordance with the <i>Environmental Offsets Act 2004</i>.</p>		<p>Prone Area and the area where the boundary is proposed does not comprise native vegetation. Therefore, apart from locating part of the new boundary in the Erosion Prone Area, no other development is likely to occur that would impact Category R vegetation.</p>

Table 8.2.2: All operational work

Performance outcomes	Acceptable outcomes	Response
Private marine development		
PO17 Private marine development does not require the construction of coastal protection work, shoreline or riverbank hardening or dredging for marine access purposes.	No acceptable outcome is prescribed.	Not Applicable
Disposal of solid waste or dredged material from artificial waterways		
PO18 Solid waste from land and dredged material from artificial waterways is not disposed of in tidal water unless it is for beneficial reuse.	No acceptable outcome is prescribed.	Not Applicable
Disposal of dredged material other than from artificial waterways		
PO19 Dredged material is returned to tidal water where this is needed to maintain coastal processes and sediment volume.	No acceptable outcome is prescribed.	Not Applicable
PO20 Where it is not needed to maintain coastal processes and sediment volume, the quantity of dredged material disposed to tidal water is	No acceptable outcome is prescribed.	Not Applicable

Performance outcomes	Acceptable outcomes	Response
minimised through beneficial reuse or disposal on land.		
All dredging and any disposal of dredged material in tidal water		
PO21 All dredging and any disposal of dredged material in tidal water is: <ol style="list-style-type: none"> 1. demonstrated to be safe with regard to protection of the marine environment and by meeting the National Assessment Guidelines for Dredging 2009, Department of Environment and Energy, 2009, or later version; and 2. supported by a monitoring and management plan that protects the marine environment and that complies with the National Assessment Guidelines for Dredging 2009, Department of Environment and Energy, 2009, or later version. 	No acceptable outcome is prescribed.	Not Applicable
Reclamation		
PO22 Development does not involve reclamation of land below tidal water, other than for the purposes of: <ol style="list-style-type: none"> 1. coastal-dependent development, public marine development or community infrastructure; or 	No acceptable outcome is prescribed.	Not Applicable

Performance outcomes	Acceptable outcomes	Response
<p>2. strategic ports, priority ports, boat harbours or strategic airports and aviation facilities, in accordance with a statutory land use plan or master plan, where there is a demonstrated net benefit for the state or region and no feasible alternative exists; or</p> <p>3. coastal protection work or work necessary to protect coastal resources or coastal processes.</p>		

Table 8.2.3: Operational work which is not assessed by local government

Performance outcomes	Acceptable outcomes	Response
PO23 Works are located and designed such that they continue to operate safely during and following a defined storm tide event.	AO23.1 Tidal work is designed and located in accordance with the Guideline: Building and engineering standards for tidal works, Department of Environment and Heritage Protection, 2017.	Not Applicable



SARA reference: 2112-26268 SPL
Applicant reference: PR151056

24 February 2022

Clint Reynolds
C/- RPS Group
135 Abbott Street
CAIRNS QLD 4870
owen.caddick-king@rpsgroup.com.au

Attention: Owen Caddick-King

Dear Sir/Madam

SARA Pre-lodgement advice – Reconfiguring a Lot (Boundary Realignment – 2 into 2 Lots) at Mossman Daintree Road, Lower Daintree

I refer to the pre-lodgement meeting held on 19 January 2022 in which you sought advice from the State Assessment and Referral Agency (SARA) regarding the proposed development at the above address. This notice provides advice on aspects of the proposal that are of relevance to SARA.

SARA's understanding of the project

The proposal is for the reconfiguring a lot for a boundary realignment of Lot 11 on SP307121 and Lot 12 on SP307121 at Mossman Daintree Road, Lower Daintree. The purpose of the proposed development is to increase the area of Lot 11 on SP307121 by approximately 15 hectares, and to rationalise boundaries.

Supporting information

The advice in this letter is based on the following documentation that was submitted with the pre-lodgement request or tabled at the pre-lodgement meeting.

Drawing/report title	Prepared by	Date
Reynolds SARA Map	Clint Reynolds	30 March 2021

Pre-lodgement meeting record

Meeting date	19 January 2022
Meeting location	Microsoft Teams
Meeting chair	Mary McCarthy
Meeting attendees	Refer to Attachment 1
Meeting notes	
<p>The project involves the realignment of boundaries between Lot 11 on SP307121 and Lot 12 on SP307121 to rationalise boundaries and increase the size of Lot 11 by approximately 15 hectares.</p> <p>The new boundary is proposed to be located no less than 10 metres to areas mapped as regulated vegetation in an attempt to avoid referral for clearing native vegetation.</p> <p>The premises is located within the coastal management district (CMD) and is partially within an erosion prone area. The proposed reconfiguration of a lot (RAL) for a boundary realignment will trigger referral for reconfiguring a lot in a CMD.</p> <p>Clarification is sought from SARA as to whether development within a CMD and erosion prone area (EPA) could be supported.</p> <p>Department of Environment and Science (DES) comments:</p> <ul style="list-style-type: none"> • confirmed that a development application for a RAL included in the CMD and EPA can be supported • the development application will need to demonstrate compliance with the State Development Assessment Provisions (SDAP), State code 8: Coastal development and tidal works, this includes meeting the purpose statement of State Code 8: Coastal development and tidal works • the development application will need to clearly justify the location of the proposed boundary and demonstrate why the new boundary can't be located outside of the mapped EPA • the development application will need to clearly identify how the proposal is to avoid impacts on matters of state environmental significance (MSES), or minimise and mitigate impacts on MSES after demonstrating that avoidance is not reasonably possible • based on initial desktop review DES is of the view there wouldn't be any requirement to forfeit land (land surrender) due to survey requirements, however it is recommended that this be confirmed with your cadastral surveyor • further information regarding survey requirements for tidal boundaries will be provided. <p>SARA comments:</p> <ul style="list-style-type: none"> • Confirmed relevant trigger and fees (10.17.3.5.1, \$6,859.00) 	

Pre-lodgement advice

The following advice outlines the aspects of the proposal that are of relevance to SARA.

SARA's jurisdiction and fees	
1.	<p>SARA would be a referral agency for the proposed application. The application will require referral to SARA under the following provisions of the Planning Regulation 2017:</p> <ul style="list-style-type: none"> Schedule 10, Part 17, Division 3, Table 5, Item 1 – Reconfiguring a lot in a coastal management district or for a canal <p>This will require a fee of \$6,859.00 to be paid in accordance with Schedule 10, Part 17, Division 3, Table 5, Item 8 (c).</p> <ul style="list-style-type: none"> Schedule 10, Part 3, Division 4 Table 2 – Native vegetation clearing (if applicable) <p>This will require a fee of \$1,714.00 to be paid in accordance with Schedule 10, Part 3, Division 4, Table 2, Item 8 (b).</p> <ul style="list-style-type: none"> Schedule 10, Part 6, Division 3, Subdivision 3, Table 2, Item 1 – Reconfiguring a lot or material change of use involving removal, destruction or damage of marine plants (if applicable) <p>The fee ranges between \$3,430.00 and \$13,715.00 in accordance with Schedule 10, Part, 6, Division 3, Subdivision 3, Table 2, Item 8.</p> <p>Please note that the assessment fees are subject to change. It is recommended you check Schedule 10 of the Planning Regulation 2017 or contact SARA prior to the lodgement of your application, to confirm the assessment fees applicable at the time.</p>
State Development Assessment Provisions	
2.	<p>The current SDAP will be used in assessing the application. Based on the location and scale of the proposed development, the following State code is relevant:</p> <ul style="list-style-type: none"> State code 8: Coastal development and tidal works State code 16: Native vegetation clearing (if applicable) State code 11: Removal, destruction or damage of marine plants (if applicable) <p>Please note, SARA recently released SDAP version 3.0 which took effect on 18 February 2022. SDAP 3.0 and the SDAP response templates are available at https://planning.statedevelopment.qld.gov.au/planning-framework/state-assessment-and-referral-agency/state-development-assessment-provisions-sdap.</p>
Clearing native vegetation	
3.	<p>Based on the discussions in the pre-lodgement meeting, it is understood it the proposal is to locate the proposed boundary outside the minimum setback requirements of the mapped referable vegetation areas.</p> <p>In the event the proposed development does not meet the minimum setback requirements or is to change and impact on native vegetation, the development application will trigger for native vegetation clearing. The development application will be assessed against SDAP, State code 16: Native vegetation clearing.</p> <p>Information on the land is available through:</p> <ul style="list-style-type: none"> Queensland globe: https://qldglobe.information.qld.gov.au/

	<ul style="list-style-type: none"> A vegetation management report online at: www.qld.gov.au/environment/land/vegetation/map-request/ The report includes relevant property information and a series of maps and supporting information outlining the requirements for clearing vegetation on this land. The regional ecosystem description database - https://apps.des.qld.gov.au/regional-ecosystems/ <p>It is recommended you seek further pre-lodgement advice if the proposal involves native vegetation clearing.</p>
Removal, destruction or damage of marine plants (if applicable)	
4.	<p>Parts of the proposed development site are located below the highest astronomical tide (HAT).</p> <p>Information on HAT levels is available through Queensland globe: https://qldglobe.information.qld.gov.au/</p> <p>In the event that the proposed development involves operational work below the HAT, the development may trigger referral agency assessment for removal, destruction or damage of marine plants.</p> <p>Marine plants include:</p> <ul style="list-style-type: none"> any plant (a tidal plant (including marine algae) that usually grows on or adjacent to tidal lands whether it is living, dead, standing or fallen; or any plant material on tidal land (up to the level of Highest Astronomical Tide (HAT)). <p>Plants such as mangroves, mangrove fern, saltcouch or samphire species are considered marine plants regardless of whether or not they are above or below the level of HAT.</p> <p>Marine plants do not include:</p> <ul style="list-style-type: none"> a plant that is prohibited matter or restricted matter under the <i>Biosecurity Act 2014</i>; or a plant that is controlled biosecurity matter or regulated biosecurity matter under the <i>Biosecurity Act 2014</i>. <p>Marine plant protection applies irrespective of the tenure (e.g. unallocated state land and all state tenured lands, including private freehold and leasehold lands) of the land on which the plant occurs, the time the plant has been growing at the location, or the degree of or purpose of the disturbance.</p> <p>Assessment benchmarks</p> <p>The development will be assessed against SDAP, State code 11: Removal, destruction or damage of marine plants.</p>
Coastal development	
5.	<p>The proposed development triggers referral agency assessment for reconfiguring a lot in the CMD.</p> <p>Assessment benchmarks</p> <p>Provide a response to the latest version of the SDAP State code 8: Coastal development and tidal works in its entirety, identifying how the proposed development meets each performance outcome (PO).</p> <p>Particular attention should be paid to PO1: Demonstrate why the proposed boundary realignment cannot be located outside of the erosion prone area.</p> <p>The following guideline can be referred to in responding to State code 8:</p>

<p>(https://environment.des.qld.gov.au/coastal/development/pdf/state-code8-coastal-development-tidal-works.pdf) The guideline contains information on how to respond to particular performance outcomes (PO) and outlines specific information requirements.</p> <p>The guideline contains information on how to respond to particular performance outcomes (PO) and outlines specific information requirements. It should be noted that if the PO has no relevance to the proposed development a response of “not applicable” and a statement as to why it is not relevant is required.</p> <p><u>Matters of State Environmental Significance (MSES)</u></p> <p>The proposed development is also included within the mapped MSES areas, indicating that the proposed development may have an impact on the following MSES which are present on the site or in the adjacent areas, including:</p> <ul style="list-style-type: none"> • conservation areas <ul style="list-style-type: none"> o marine park (highly protected areas) • wildlife habitat <ul style="list-style-type: none"> o endangered and vulnerable wildlife o special least concern animal • regulated vegetation <ul style="list-style-type: none"> o regulated vegetation (category B) o regulated vegetation (category R) o regulated vegetation (essential habitat) o regulated vegetation (defined watercourse) <p>To address PO17 of State Code 8 it will be required to determine if there are any MSES on or adjacent to the proposed development site. Queensland Globe (https://qldglobe.information.qld.gov.au/) can be used to conduct a desktop analysis to identify any mapped MSES that exist on and near the proposed site/s.</p> <p>Where MSES are identified:</p> <ul style="list-style-type: none"> - provide a targeted assessment to ground truth any MSES identified - demonstrate how the development avoids adverse impacts on each MSES to the greatest extent practicable - once avoidance is considered, demonstrate how impacts on MSES have, or will be, minimised and/or mitigated to the greatest extent practicable - determine whether there will be a significant residual impact on any MSES using the Significant Residual Impact Guideline (windows.net). - undertake an assessment for each MSES; and - identify the delivery of any potential offset as per PO17(3). <p>The following additional tools may be helpful for a desktop analysis and assessment:</p> <ul style="list-style-type: none"> • DES Environmental Reports Online https://apps.des.qld.gov.au/report-request/environment/ • Department of Resources Regulated Vegetation Mapping https://www.qld.gov.au/environment/land/management/vegetation/maps/map-request • DES WetlandInfo https://wetlandinfo.des.qld.gov.au/wetlands/ • DES Protected Plants Flora Survey Trigger Map https://environment.des.qld.gov.au/licences-permits/plants-animals/protected-plants/map-request.php • DES Species List https://apps.des.qld.gov.au/report-request/species-list/

	<ul style="list-style-type: none"> • SPP Interactive Mapping https://planning.dsdmip.qld.gov.au/planning/spa-system/plan-making-under-spa/state-planning-under-spa/state-planning-policy
Great Barrier Reef (GBR) Wetlands of High Ecological Significance	
6.	<p>The south-eastern border of Lot 12 on SP307121 is directly adjacent to a Great Barrier Reef wetland of high ecological significance and certain development impacting on the wetland may be prohibited or be assessable development.</p> <p>Based on the application material provided, this proposal does not appear to trigger assessable development under Schedule 10, Part 20, Division 2, Section 34 however, should the proposed development change please note the following:</p> <p>Assessable development under Schedule 10, Part 20, Division 2, Section 34 of the Planning Regulation 2017 is:</p> <ul style="list-style-type: none"> • Operational work that is high impact earthworks in a wetland protection area is assessable development, unless the operational work— <ul style="list-style-type: none"> (a) is for a domestic housing activity; or (b) is the natural and ordinary consequence of development that is a material change of use, or reconfiguring a lot and all of the following apply— <ul style="list-style-type: none"> (i) the material change of use or reconfiguration involves high impact earthworks in a wetland protection area; (ii) a development permit is in effect for the material change of use or reconfiguration; (iii) the chief executive, or the chief executive (environment), had functions and powers as a referral agency or prescribed assessment manager in relation to the earthworks for the development application for the development permit; or (c) is accepted development under schedule 7, part 3, section 9. <p><u>High impact earthworks</u></p> <ul style="list-style-type: none"> (a) means operational work that changes the form of land, or involves placing a structure on land, in a way that diverts water to or from a wetland in a wetland protection area and involves excavating or filling— <ul style="list-style-type: none"> (i) if the work is carried out in the wetland or within 200m of the wetland—more than 100m³; or (ii) otherwise—more than 1,000m³; but (b) does not include operational work— <p><i>Note: there are several additional exclusions, only the most commonly relevant are listed below.</i></p> <ul style="list-style-type: none"> (i) that is excavating to establish underground infrastructure, other than infrastructure for drainage or stormwater flows, if the excavated land is to be restored, as far as practicable, to its original contours after the infrastructure is established; or (ii) to maintain dams, fences, helipads, roads, stockyards, vehicular tracks or watering facilities; or (iii) to alter, maintain, repair, replace, rehabilitate, remove or service government supported transport infrastructure; or (iv) to take preventative or remedial action in relation to government supported transport infrastructure; or (v) in tidal water; or (ix) to restore or conserve the ecological processes or hydrological functions of a wetland protection area; or (xv) that is completely or partly in a declared fish habitat area, if the work is prescribed assessable development; or

	(xvi) that is constructing or raising waterway barrier works, if the work is accepted development under schedule 7, part 3, section 6.
Lodgement material	
7.	<p>It is recommended that the following information is submitted when referring the application to SARA:</p> <ul style="list-style-type: none"> • A copy of completed DA form 1 and planning report or supporting information. • Landowner's consent. • A full response to the relevant sections of SDAP: <ul style="list-style-type: none"> o State code 8: Coastal development and tidal works in its entirety o State code 16: Native vegetation clearing (if applicable) • Description of the land intended to be developed, including the property address, tenure and real property description of the land. • Description of the development methodology, including: <ul style="list-style-type: none"> o any operational works occurring on site and expected timeframes o staging of the development if applicable o measures employed to minimise impacts to the local receiving environment • Detailed and appropriately scaled drawings and/or plans which clearly identify the location of proposed development, including: <ul style="list-style-type: none"> o location of all built structures, or structures to be modified or demolished, as a result of the proposed development o adjacent riverbanks, walls sandbanks, structures, the limit of vegetation, and/or other principal features of the immediate area o relevant tidal planes (e.g. highest astronomical tide, mean high water springs) o the location and setting out details for cross-sections o any other information required to accurately define the area and to allow the site to be readily identified from the plan. <p>All plans/drawings should include title, date and numbering suitable to identify the plan and should be mapped to GDA2020 projection.</p>
Requesting further pre-lodgement advice	
8.	<p>Should you determine that the development triggers clearing for native vegetation matters and/or marine plants, SARA recommends that you request further pre-lodgement advice as this will change SARA's advice.</p> <p>You can do this by using the 'related action' tab in the 2112-26268 SPL MyDAS2 record. Select 'Request more pre-lodgement advice from SARA'. You will be given an option to select either a meeting or written advice.</p>
Additional information (outside of SARA's jurisdiction)	
Clearing within Category R areas	
9.	<p>The proposed development area contains areas mapped as Category R (regrowth watercourse and drainage feature) on the regulated vegetation management map. If the proposed development includes clearing vegetation in any Category R area, you should ensure the clearing can be undertaken as exempt clearing work or in accordance with an Accepted Development Vegetation Clearing Code (ADVCC). Clearing vegetation in any category C areas or category R areas that is not exempt or in accordance with ADVCC is prohibited development. Information on exempt clearing work or ADVCCS is available at General guide to the vegetation clearing codes (resources.qld.gov.au)</p>
Freehold land below tidal boundary	
10.	<p>Section 72 of the <i>Survey and Mapping Infrastructure Act 2003</i> provides the criteria for a tidal boundary location. The criteria for a tidal boundary include:</p> <ol style="list-style-type: none"> 1. the tidal boundary must not be subject to tidal inundation under any combination of astronomical conditions and average meteorological conditions

	<p>2. the tidal boundary must be on the landward side of any beaches, foredunes, mangroves, sea grasses, salt grasses, salt marshes, saltpans, intertidal flats, tidal sand banks and other similar features</p> <p>3. the location of the tidal boundary must be consistent with the public interest.</p> <p>For the purpose of this proposed development, the retention of the land below the highest astronomical tide as freehold may be inconsistent with the above criteria. Where the current seaward boundary is unclear, please contact the Department of Resources to discuss requirements for a resurvey of the property (Ph: (07) 4222 5402).</p>
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This advice outlines aspects of the proposed development that are relevant to SARA's jurisdiction. This advice is provided in good faith and is:

- based on the material and information provided to SARA
- current at the time of issue
- not applicable if the proposal is changed from that which formed the basis of this advice.

The advice in this letter does not constitute an approval or an endorsement that SARA supports the development proposal. Additional information may be required to allow SARA to properly assess the development proposal after a formal application has been lodged.

For further information please contact Mary McCarthy, Senior Planning Officer, on 47583404 or via email CairnsSARA@dildgq.qld.gov.au who will be pleased to assist.

Yours sincerely



Joanne Manson
A/Manager (Planning)

enc Attachment 1 – Pre-lodgement meeting attendance record

Development details	
Proposal:	Reconfiguring a Lot (Boundary Realignment - 2 Lots into 2 Lots)
Street address:	Mossman Daintree Road, Lower Daintree
Real property description:	Lot 11 on SP307121 and Lot 12 on SP307121
SARA role:	Referral Agency
Assessment Manager:	Douglas Shire Council
Assessment criteria:	State Development Assessment Provisions (SDAP): State Code 8: Coastal development and tidal works
Existing use:	Rural – cane farming
Relevant site history:	None

Attachment 1 — Pre-lodgement meeting attendance record

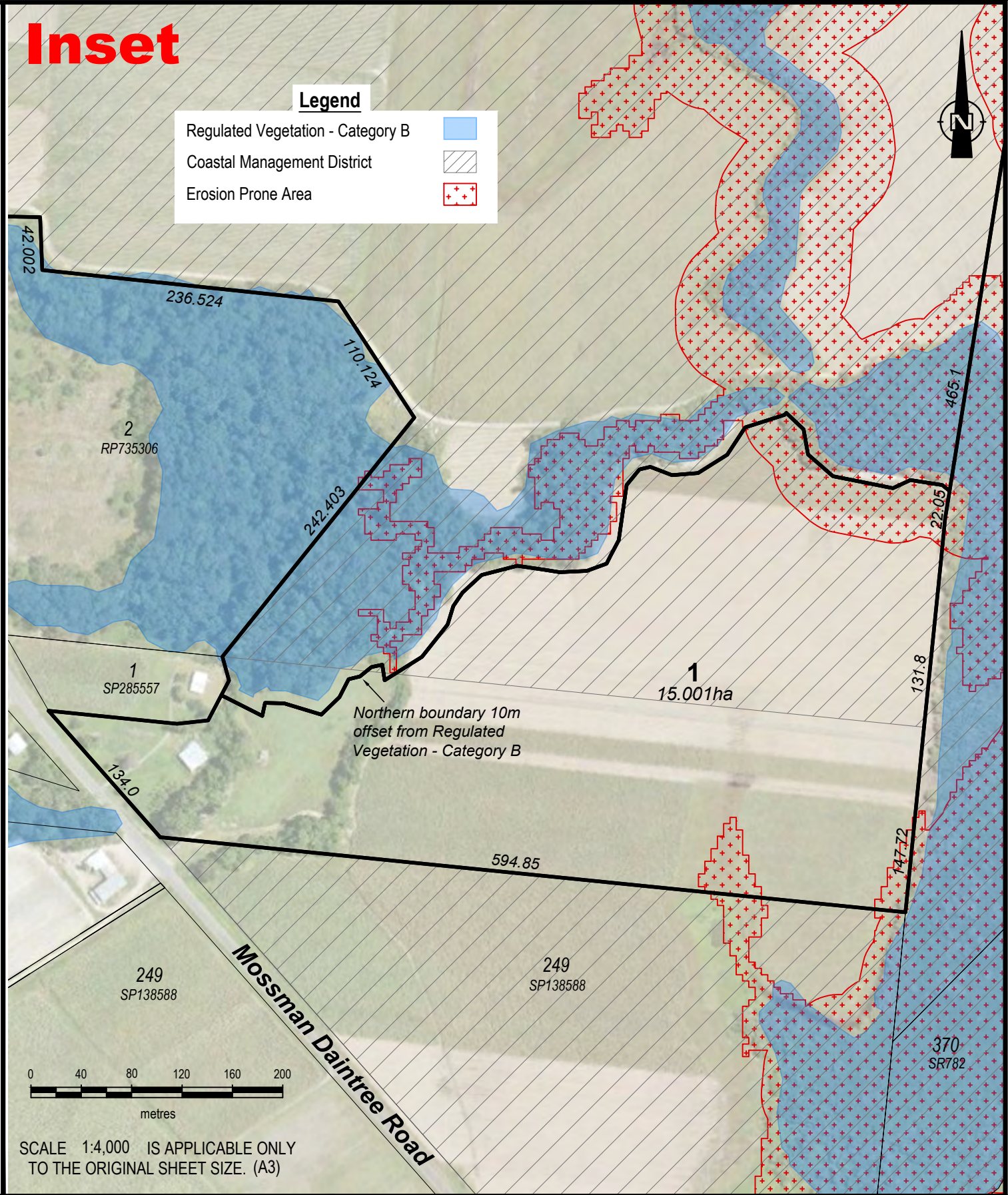
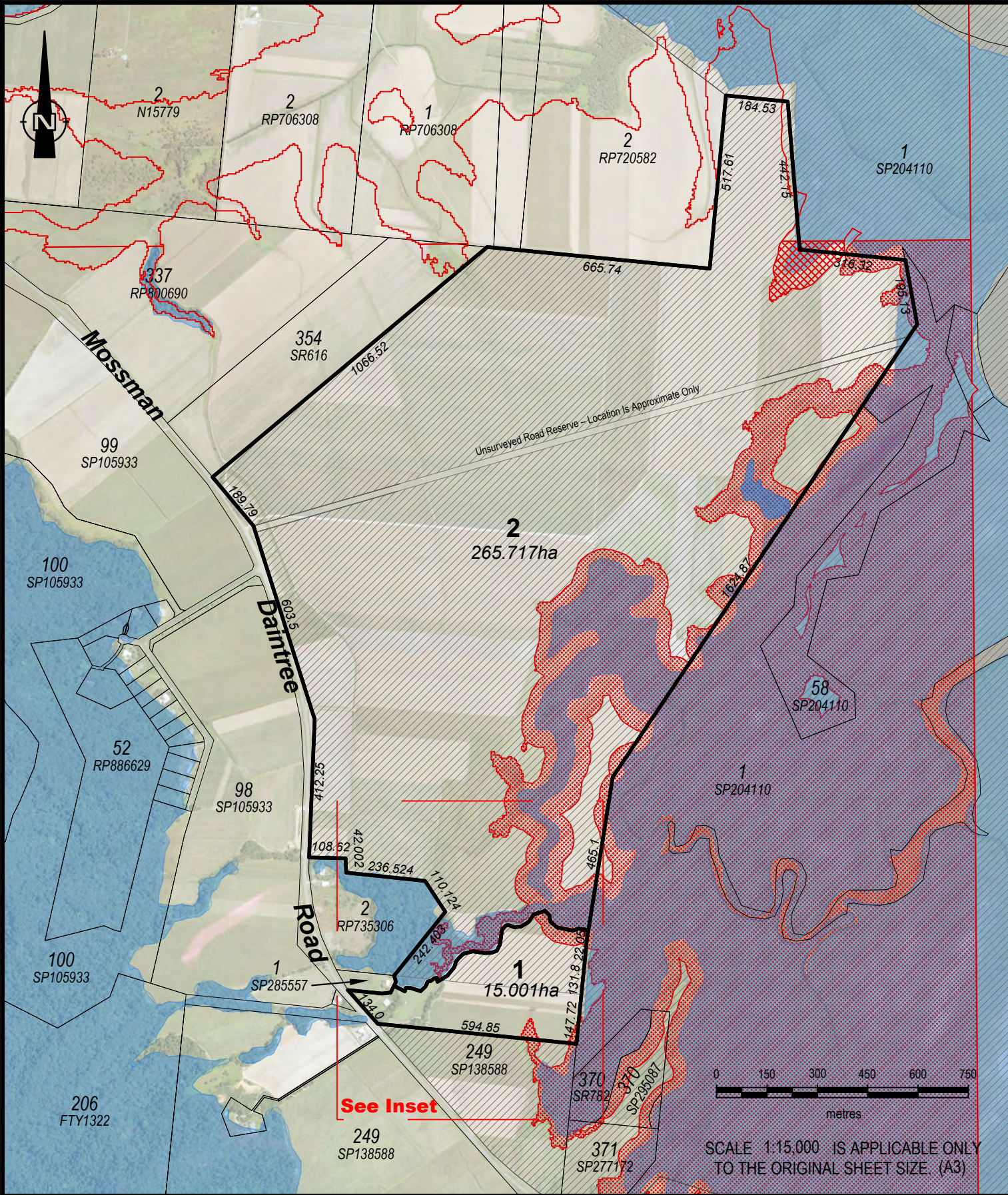
Meeting attendees:

Name	Position	Organisation
Owen Caddick-King	Principal – Planning	RPS
Brooke Ryan	A/Senior Environmental Officer	Department of Environment and Science
Mary McCarthy	Senior Planning Officer	Department of State Development, Infrastructure, Local Government and Planning

Our ref: PR151056/OCK/SF/L81506

Attachment 6

RPS Drawing PR151056-1



IMPORTANT NOTE

1. This plan was prepared for the sole purposes of the client for the specific purpose of accompanying an application to the Douglas Shire Council for a reconfiguration of a lot described on this plan. This plan is strictly limited to the Purpose and does not apply directly or indirectly and will not be used for any other application, purpose, use or matter. The plan is presented without the assumption of a duty of care to any other person (other than the Client) ("Third Party") and may not be relied on by Third Party.

2. RPS Australia East Pty Ltd will not be liable (in negligence or otherwise) for any direct or indirect loss, damage, liability or claim arising out of or incidental to:

A. Third Party publishing, using or relying on the plan;

B. RPS Australia East Pty Ltd relying on information provided to it by the Client or a Third Party where the information is incorrect, incomplete, inaccurate, out-of-date or unreasonable;

C. any inaccuracies or other faults with information or data sourced from a Third Party;

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5. The dimensions, area, size and location of improvements, flood information (if shown) and number of lots shown on this plan are approximate only and may vary.

6. Cadastral boundaries are obtained by title dimensions and DCDB. These boundaries have not been verified and are approximate only.

DNRM DCDB.
DNRM AERIAL PHOTOGRAPHY.

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The aerial photography used in this plan has not been rectified. The image has been overlaid as a best fit on the boundaries shown and position is approximate only.

Imagery Date: 18/02/17
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AMENDMENTS		PROJECT MANAGER	
		O. Caddick-King	
		SURVEYED	
		COMPILED	
		RMS	
CAD REF	SHEET 1	SHEET SIZE	
PR151056-1.DWG	OF	A3	
	SHEETS 1		

Clint Reynolds

Proposed Boundary Re-Alignment

Cancelling Lot 11 on SP307121

& Lot 12 on SP307121

Mossman Daintree Road

Lower Daintree

RPS

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SCALE: See above

DATE: 8/08/2022

DRAWING NO.: PR151056-1

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Attachment 7
State Code 8 Assessment

State code 8: Coastal development and tidal works

State Development Assessment Provisions Guidance Material: State code 8: Coastal Development and tidal works provides direction on how to address this code.

Table 8.1: All development

Performance outcomes	Response
Development in the erosion prone area	
<p>PO1 Development is only permitted in the erosion prone area where it:</p> <ol style="list-style-type: none"> is one of the following types of development: <ol style="list-style-type: none"> coastal-dependent development; or temporary, readily relocatable or able to be abandoned; or essential community infrastructure; or redevelopment of an existing permanent building or structure that cannot be relocated or abandoned; and cannot feasibly be located elsewhere; or is located landward of: <ol style="list-style-type: none"> a fit for purpose revetment; or a proposed revetment that is consistent with: <ol style="list-style-type: none"> an agreement with a local government; or the alignment of adjacent lawful revetments; or is on a lot less than 2000m² where a coastal building line is present. 	<p>Complies with PO1</p> <p>It is proposed to realign the boundary of Lot 11 on SP307121 which will result in part of the new boundary being located in the Erosion Prone Area following the edge of the existing canfield.</p> <p>A dwelling already exists on Lot 11 on SP307121 in a location that is distant from the Erosion Prone Area. Therefore, apart from locating part of the new boundary in the Erosion Prone Area, no other development is likely to occur.</p>
<p>PO2 Development (other than coastal protection work) in the erosion prone area:</p> <ol style="list-style-type: none"> does not adversely impact coastal processes; and ensures that the protective function of landforms and vegetation is maintained. <p>Note: In considering reconfiguring a lot applications, the State may require land in the erosion prone area to be surrendered to the State for coastal management purposes under the <i>Coastal Protection and Management Act 1995</i>.</p> <p>Where the planning chief executive receives a copy of a land surrender requirement or proposed land surrender notice under the <i>Coastal Protection and Management Act 1995</i>, this must be considered in assessing the application.</p>	<p>Complies with PO2</p> <p>It is proposed to realign the boundary of Lot 11 on SP307121 which will result in part of the new boundary being located in the Erosion Prone Area following the edge of the existing canfield but not less than 10m from mapped Category B Regulated Vegetation.</p> <p>Given the extensive area of mangrove wetlands that separate the subject land from potential direct coastal impacts and that the new boundary is to be located to avoid any potential direct impacts on areas of mapped Regulated Vegetation, the proposed development is not likely to impact coastal processes and will maintain the protective function of the landform and associated vegetation.</p>

Performance outcomes	Response
<p>PO3 Development is sited, designed and constructed to limit the risk of impacts of coastal erosion to an acceptable level by:</p> <ol style="list-style-type: none"> 1. locating development outside the erosion prone area; or 2. mitigating or otherwise accommodating the risks posed by coastal erosion. 	<p>Complies with PO3</p> <p>It is proposed to realign the boundary of Lot 11 on SP307121 which will result in part of the new boundary being located in the Erosion Prone Area following the edge of the existing canefield.</p> <p>A dwelling already exists on Lot 11 on SP307121 in a location that is distant from the Erosion Prone Area. Therefore, apart from locating part of the new boundary in the Erosion Prone Area, no other development is likely to occur.</p>
<p>PO4 Development in the erosion prone area does not significantly increase the risk or impacts to people and property from coastal erosion.</p>	<p>Complies with PO4</p> <p>It is proposed to realign the boundary of Lot 11 on SP307121 which will result in part of the new boundary being located in the Erosion Prone Area following the edge of the existing canefield.</p> <p>A dwelling already exists on Lot 11 on SP307121 in a location that is distant from the Erosion Prone Area. Therefore, apart from locating part of the new boundary in the Erosion Prone Area, no other development is likely to occur and the development will not significantly increase the risk or impacts to people and property from coastal erosion.</p>
<p>PO5 Development (other than coastal protection work) in the erosion prone area does not directly or indirectly increase the severity of coastal erosion either on or off the site.</p>	<p>Complies with PO5</p> <p>It is proposed to realign the boundary of Lot 11 on SP307121 which will result in part of the new boundary being located in the Erosion Prone Area but not less than 10m from mapped Regulated Vegetation.</p> <p>Given the extensive area of mangrove wetlands that separate the subject land from potential direct coastal impacts and that the new boundary is to be located to avoid any potential direct impacts on areas of mapped Regulated Vegetation, the proposed development is not likely to impact coastal processes and will maintain the protective function of the landform and associated</p>

Performance outcomes	Response
	vegetation and avoid increasing the severity of coastal erosion either on or off the site.
PO6 In erosion prone areas where a coastal building line is present, building work is located landward of the coastal building line unless coastal protection work has been constructed to protect the development.	Not Applicable
Artificial waterways	
PO7 Development of artificial waterways , canals and dry-land marinas conserves coastal resources by: <ol style="list-style-type: none"> ensuring changes to water flows, water levels and sediment movement do not adversely impact the natural waterway to which it is connected; demonstrating appropriate storage, treatment and disposal of dredged material for the life of the development. 	Not Applicable
Coastal protection work	
PO8 Works for beach nourishment minimises adverse impacts on coastal processes .	Not Applicable
PO9 Works for beach nourishment do not increase the severity of erosion on adjacent land.	Not Applicable
PO10 Erosion control structures (excluding revetments) are only constructed where there is an imminent threat to significant buildings or infrastructure , and there is no feasible option for either: <ol style="list-style-type: none"> beach nourishment; or relocation or abandonment of structures. 	Not Applicable
PO11 Erosion control structures (revetments only) are only constructed where: <ol style="list-style-type: none"> there is an imminent threat to significant buildings or infrastructure, and there is no feasible option for either: <ol style="list-style-type: none"> beach nourishment; or relocation or abandonment of structures; or the development: <ol style="list-style-type: none"> is in a consistent alignment with adjacent lawful revetments; or is consistent with an agreement with a local government that a revetment is appropriate in the proposed location. 	Not Applicable
PO12 Erosion control structures minimise interference with coastal processes and reduce the severity of erosion on adjacent land.	Not Applicable
Water quality	
PO13 Development: <ol style="list-style-type: none"> maintains or enhances environmental values of receiving waters; 	Complies with PO13

Performance outcomes	Response
<ul style="list-style-type: none"> 2. achieves the water quality objectives of Queensland waters; 3. avoids the release of prescribed water contaminants to tidal waters. 	<p>It is proposed to realign the boundary of Lot 11 on SP307121 which will result in part of the new boundary being located in the Erosion Prone Area but not less than 10m from mapped Regulated Vegetation.</p> <p>Given the that the new boundary is to be located to avoid any potential direct impacts on areas of mapped Regulated Vegetation, the proposed development is expected to maintain environmental values and water quality.</p>
Public use of and access to State coastal land	
PO14 Development maintains or enhances public use of and access to and along State coastal land (except where this is contrary to the protection of coastal resources or public safety).	<p>Complies with PO14</p> <p>The proposed development does not change access to State coastal land.</p>
PO15 Private marine development does not reduce public use of and access to State coastal land and ensures that works: <ul style="list-style-type: none"> 1. are used for marine access purposes only; 2. minimise the use of State coastal land; 3. are designed to accommodate the berthing of one vessel only per waterfront residence; 4. do not interfere with access between navigable waterways and adjacent properties. 	Not Applicable
PO16 Development does not reduce public use of and access to State coastal land and ensures that erosion control structures , intended to protect a freehold or leasehold (not State land) premises, are wholly located within the lot: <ul style="list-style-type: none"> 1. except where impeded by significant buildings or infrastructure that cannot be removed or relocated; or 2. for revetments the development is: <ul style="list-style-type: none"> a. in a consistent alignment with adjacent lawful revetments; or b. consistent with an agreement with a local government that a revetment is appropriate in the proposed location. 	Not Applicable
Matters of state environmental significance	
PO17 Development is designed and sited to: <ul style="list-style-type: none"> 1. avoid impacts on matters of state environmental significance; or 2. minimise and mitigate impacts on matters of state environmental significance after demonstrating avoidance is not reasonably possible; and 	<p>Complies with PO17</p> <p>It is proposed to realign the boundary of Lot 11 on SP307121 which will result in part of the new boundary being located in the Erosion Prone Area but not less than 10m from mapped Regulated Vegetation and in a</p>

Performance outcomes	Response
<p>3. provide an offset if, after demonstrating all reasonable avoidance, minimisation and mitigation measures are undertaken, the development results in an acceptable significant residual impact on a matter of state environmental significance.</p> <p>Statutory note: For Brisbane core port land, an offset may only be applied to development on land identified as E1 Conservation/Buffer, E2 Open Space or Buffer/Investigation in the Brisbane Port LUP precinct plan.</p>	<p>location that is not vegetated and generally comprises either part of a sugar cane field or part of the cleared haul access which is mapped in part as a Category R area.</p> <p>A dwelling already exists on Lot 11 on SP307121 in a location that is distant from the Erosion Prone Area and MSES and the area where the boundary is proposed does not comprise native vegetation. Therefore, apart from locating part of the new boundary in the Erosion Prone Area, no other development is likely to occur that would impact Category R vegetation which is currently used for the farming of sugar cane.</p>

Table 8.2: All operational work

Performance outcomes	Response
Private marine development	
<p>PO18 Private marine development is designed and constructed to maintain existing waterway banks in their natural state and not require:</p> <ol style="list-style-type: none"> 1. coastal protection work; 2. shoreline or riverbank hardening; 3. dredging for marine access purposes. 	Not Applicable
Disposal of solid waste or dredged material from artificial waterways	
<p>PO19 Solid waste from land and dredged material from artificial waterways is not disposed of in tidal water unless it is for beneficial reuse.</p>	Not Applicable
Disposal of dredged material other than from artificial waterways	
<p>PO20 Dredged material is returned to tidal water where the material is needed to maintain coastal processes and sediment volume.</p>	Not Applicable
<p>PO21 Where the dredged material is not needed to maintain coastal processes and sediment volume, the quantity of dredged material disposed to tidal water is minimised through beneficial reuse or disposal on land.</p>	Not Applicable
All dredging and any disposal of dredged material in tidal water	

Performance outcomes	Response
PO22 Dredging or disposal of dredged material in tidal waters does not adversely impact on coastal processes and coastal resources .	Not Applicable
Reclamation	
PO23 Development does not involve reclamation of land below tidal water , other than for the purposes of: <ol style="list-style-type: none"> 1. coastal-dependent development, public marine development or essential community infrastructure; or 2. strategic ports, priority ports, boat harbours or strategic airports and aviation facilities, in accordance with a statutory land use plan or master plan; or 3. coastal protection work or work necessary to protect coastal resources or coastal processes. 	Not Applicable

Table 8.3: Operational work for tidal works which is not assessed by local government

Performance outcomes	Acceptable outcomes	Response
PO24 Tidal works are sited and designed to operate safely during and following a defined storm tide event .	AO24.1 Tidal work is designed and located in accordance with the Guideline: Building and engineering standards for tidal works, Department of Environment and Heritage Protection, 2017.	Not Applicable