

Ref: 1291

13 March 2022

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

**Attention: Environment & Planning**

Dear Sir/Madam

**DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT (1 LOT INTO 2 LOTS)  
52 ENDEAVOUR STREET, PORT DOUGLAS -LOT 151 ON RP747297**

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

On behalf of the Applicant, we now submit to Council an application for Reconfiguring a Lot (1 lot into 2 lots) on land located at 52 Endeavour Street, Port Douglas, being properly described as Lot 151 on RP747297.

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

**THE SITE**

The subject land is located at 52 Endeavour Street, Port Douglas and is properly described as Lot 151 on RP747297. The site has a slightly irregular configuration, with a total land area of approximately 1,913m<sup>2</sup>. The land has direct frontage to the cul-de-sac end of Endeavour Street.

The site is currently void of any buildings or structures, with sparse vegetation along the rear property boundaries. Surrounding development generally consists of single detached dwellings on large allotments.

The existing site is appropriately connected to all required infrastructure, including sewerage supply, reticulated water, stormwater drainage, electricity and telecommunications.

The Title Search confirming ownership of the subject land by Rebecca Stemp is included in *Attachment B*. The Title Search also identifies that there are no easements, encumbrances or interests over the land. A copy of the Survey Plan (RP747297) is also included in *Attachment B*.

**PROPOSAL**

This Development Application seeks approval from Douglas Shire Council for Reconfiguring a Lot (1 lot into 2 lots). The plan of proposed reconfiguration is included at *Attachment C*.

As identified on the plan of proposed reconfiguration, it is intended to subdivide the existing allotment, to create two (2) lots, with areas of 1,075m<sup>2</sup> (Lot 1) and 838m<sup>2</sup> (Lot 2). It is noted that proposed Lot 1 has a battle-axe configuration, with the proposed access handle having a width of 5 metres.

Each of the proposed allotments have direct frontage and access to Endeavour Street. New crossovers will be provided for each allotment, as well as a driveway in the access handle of proposed Lot 1. It is also noted that each of the allotments will be connected to all required infrastructure, including sewerage supply, reticulated water, stormwater drainage, electricity and telecommunications.

### PLANNING ACT 2016 CONSIDERATIONS

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

#### Assessable Development

Under the local categorising instrument, Douglas Shire Planning Scheme 2018 Reconfiguring a Lot in the Low Density Residential Zone is assessable development. Accordingly, pursuant to section 44(3) of the *Planning Act 2016* a development approval is required.

#### Assessment Manager

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

#### Level of Assessment

The Table of Assessment for the Low Density Residential Zone under the Douglas Shire Planning Scheme 2018 identifies that an application for Reconfiguring a Lot is Code Assessable.

#### Public Notification

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

#### Referral Agencies

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

### DOUGLAS SHIRE COUNCIL PLANNING SCHEME 2018

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

<b>Zone</b>	Low Density Residential Zone
<b>Local Plans</b>	Port Douglas – Craiglie Local Plan
<b>Overlays</b>	
<i>Acid Sulfate Soils</i>	Land <5 metres AHD
<i>Coastal Processes</i>	Land within the Erosion Prone Area
<i>Flood Storm</i>	Land within 100 year ARI – Mossman Port Douglas and Daintree Flood Studies and High Storm Tide Hazard area
<i>Transport Network (Road Hierarchy)</i>	Subject land adjoins a Collector Road

The Table of Assessment for the Low Density Residential Zone identifies that Reconfiguring a Lot requires assessment against the following planning scheme Codes:

- Low Density Residential Zone
- Port Douglas – Craiglie Local Plan Code
- Acid Sulfate Soils Overlay Code
- Coastal and Environment Overlay Code
- Flood and Storm Tide Hazard Overlay Code
- Transport Network Overlay Code
- Infrastructure Works Code

- Landscaping Code
- Reconfiguring a Lot Code

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

Zone	APPLICABLE CODE	ASSESSMENT AGAINST CODE
	Low Density Residential Zone	<p>The purpose of the Low Density Residential Zone is to provide for a range of housing, predominantly detached dwelling houses, on a range of lot sizes. The proposed development creates two (2) residential allotments that achieve minimum allotment area of 600m<sup>2</sup> and are of a suitable configuration to allow for the intended land use.</p> <p>A detailed assessment against the zone code is provided in <i>Attachment D</i>.</p>
Local Plan	Port Douglas – Craiglie Local Plan Code	<p>The proposed reconfiguration to create two (2) residential allotments is consistent with the existing pattern of development in the immediate area and is an orderly sequence of development. Where possible existing vegetation located at the rear of the site will be maintained to contribute to the character and quality of the locality.</p> <p>A detailed assessment against the Code is not considered necessary and has not been undertaken.</p>
Overlays	Acid Sulfate Soils Overlay Code	<p>No excavation or filling is proposed as part of the reconfiguration. Accordingly, the disturbance or exposure of acid sulfate soils is not expected to occur.</p> <p>A detailed assessment against the Code is not considered necessary and has not been undertaken.</p>
	Coastal and Environment Overlay Code	<p>The subject land is identified as being with an Erosion Prone Area. However, the proposed Reconfiguration of a Lot creates two (2) allotments that are within the Low Density Residential Zone and will ultimately contain a dwelling house on each lot, which is consistent with the preferred development outcome for the land.</p> <p>A detailed assessment against the Code is not considered necessary and has not been undertaken.</p>
	Flood and Storm Tide Hazard Overlay Code	<p>The subject land is identified as being within the 100 year ARI flood inundation area and within a High Storm Tide Hazard area. Any future development on the proposed allotments will have to be designed to provide immunity to the defined inundation event, plus a freeboard of 300mm. Ensuring that the future development is provided with appropriate immunity will ensure safety of all persons and minimise damage to property.</p> <p>A detailed assessment against the Code is not considered necessary and has not been undertaken.</p>
	Transport Network Overlay Code	<p>Vehicular access to the proposed allotments will be provided from the existing carriageway of Endeavour Street, which is identified as a Collector Road. The proposed access arrangements will not compromise the safety or efficiency of the existing transport network.</p> <p>A detailed assessment against the Code is not considered necessary and has not been undertaken.</p>
Development Codes	Infrastructure Code	<p>Each of the proposed allotments will have the ability to be adequately serviced with access to utilities such as Council's reticulated water supply,</p>

	<p>sewerage infrastructure, stormwater drainage, as well as telecommunications and electricity.</p> <p>All connections and extensions will be in accordance with the FNQROC Development Manual. It is expected that conditions will be imposed requiring the newly created allotments to be provided with connections to the infrastructure network.</p> <p>All stormwater will be directed to the lawful point of discharge. It is expected that conditions will be imposed requiring that the allotments drain to the lawful point of discharge, as well as ensuring there are no adverse impacts to surrounding properties.</p> <p>A detailed assessment against the Code is not considered necessary and has not been undertaken.</p>
Landscaping Code	<p>The proposed development is for infill development. No further landscaping within Endeavour Street is required or proposed as a result of the development. Landscaping is expected to be provided within the allotment in association with the future dwelling construction.</p> <p>A detailed assessment against the Code is not considered necessary and has not been undertaken.</p>
Reconfiguring a Lot Code	<p>The proposed reconfiguration creates two (2) residential lots, with areas of 1,075m<sup>2</sup> (Lot 1) and 838m<sup>2</sup> (Lot 2). Both of the proposed allotments achieve the minimum allotment area of 600m<sup>2</sup>. Proposed Lot 1 is a battle-axe configuration, with the proposed access handle having a width of 5 metres.</p> <p>Each of the proposed allotments are of sufficient areas and dimensions to provide for an adequate building envelope, vehicle access and parking, and private open space.</p> <p>Furthermore, each of the proposed allotments have direct frontage and access to Endeavour Street. New crossovers will be provided for each allotment, as well as a driveway in the access handle of proposed Lot 1, in accordance with the requirements of the FNQROC Development Manual.</p> <p>Overall, the proposed development creates allotments that are suitable for their intended use and will be afforded a high standard of residential amenity.</p> <p>A detailed assessment against the zone code is provided in <i>Attachment D</i>.</p>

## CONCLUSION

This report supports the Development Application made by Rebecca Stemp who is seeking approval from Douglas Shire Council for Reconfiguring a Lot (1 lot into 2 lots) at 52 Endeavour Street, Port Douglas.

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

The proposed reconfiguration is considered an appropriate outcome and is consistent with the intent and purpose of the Low Density Residential Zone. The proposed subdivision creates allotments which are of suitable areas and dimensions for an adequate building envelope, vehicle access and parking, and private open space.

Overall, it is considered that the proposed development is an appropriate response to the site and subject to the imposition of reasonable and relevant conditions, Council can issue a Development Permit for Reconfiguring a Lot (1 lot into 2 lots).

#### SUPPORTING DOCUMENTS

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

- Attachment A: DA Form 1;
- Attachment B: Title Search and Survey Plan;
- Attachment C: Plans of Proposed Reconfiguration – prepared by Bower Building; and
- Attachment D: Assessment Against Douglas Shire Council Planning Scheme 2018 Codes.

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

Yours Sincerely



---

**Erin Berthelsen**  
*Senior Planner*

# ATTACHMENT A

# DA Form 1 – Development application details

Approved form (version 1.3 effective 28 September 2020) made under section 282 of the Planning Act 2016.

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

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

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

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

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

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

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

## PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) <i>(individual or company full name)</i>	Rebecca Stemp
Contact name <i>(only applicable for companies)</i>	C/- MD Land Surveys (Erin Berthelsen)
Postal address <i>(P.O. Box or street address)</i>	228 Draper Street
Suburb	Parramatta Park
State	QLD
Postcode	4870
Country	Australia
Contact number	0402 806 016
Email address <i>(non-mandatory)</i>	erin@mdlandsurveys.com.au
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	1291

### 2) Owner's consent

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

- Yes – the written consent of the owner(s) is attached to this development application  
 No – proceed to 3)

## PART 2 – LOCATION DETAILS

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

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

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

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		52	Endeavour Street	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	151	RP747297	Douglas
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

Coordinates of premises by longitude and latitude

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

Coordinates of premises by easting and northing

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

#### 3.3) Additional premises

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

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

In or adjacent to a water body or watercourse or in or above an aquifer  
 Name of water body, watercourse or aquifer:

On strategic port land under the *Transport Infrastructure Act 1994*  
 Lot on plan description of strategic port land:   
 Name of port authority for the lot:

In a tidal area  
 Name of local government for the tidal area (if applicable):   
 Name of port authority for tidal area (if applicable):

On airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*  
 Name of airport:

<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification: <input type="text"/>
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>
CLR site identification: <input type="text"/>

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

Yes – All easement locations, types and dimensions are included in plans submitted with this development application

No

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

<b>6.1) Provide details about the first development aspect</b>
a) What is the type of development? <i>(tick only one box)</i>
<input type="checkbox"/> Material change of use <input checked="" type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input checked="" type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>
Reconfiguring a Lot (1 lot into 2 lots)
e) Relevant plans <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see <a href="#">DA Forms guide: Relevant plans</a>.</i>
<input checked="" type="checkbox"/> Relevant plans of the proposed development are attached to the development application
<b>6.2) Provide details about the second development aspect</b>
a) What is the type of development? <i>(tick only one box)</i>
<input type="checkbox"/> Material change of use <input type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>
<input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>
e) Relevant plans <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see <a href="#">DA Forms Guide: Relevant plans</a>.</i>
<input type="checkbox"/> Relevant plans of the proposed development are attached to the development application
<b>6.3) Additional aspects of development</b>
<input type="checkbox"/> 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
<input checked="" type="checkbox"/> 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 <i>(include each definition in a new row)</i>	Number of dwelling units <i>(if applicable)</i>	Gross floor area (m <sup>2</sup> ) <i>(if applicable)</i>

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?	
1	

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

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	2			

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

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

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

**12) Boundary realignment**

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

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

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

**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)**

<input type="checkbox"/> Yes – specify number of new lots: _____
<input type="checkbox"/> No

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

\$ _____
----------

**PART 4 – ASSESSMENT MANAGER DETAILS**

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

Douglas Shire Council

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

<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application
<input type="checkbox"/> The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
<input checked="" type="checkbox"/> No

## PART 5 – REFERRAL DETAILS

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

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

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

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

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

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

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

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

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

## PART 6 – INFORMATION REQUEST

<b>19) Information request under Part 3 of the DA Rules</b>
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application
<input type="checkbox"/> I do not agree to accept an information request for this development application
<b>Note:</b> <i>By not agreeing to accept an information request I, the applicant, acknowledge:</i>
<ul style="list-style-type: none"> <li>• <i>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</i></li> <li>• <i>Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.</i></li> </ul>
<i>Further advice about information requests is contained in the <a href="#">DA Forms Guide</a>.</i>

## PART 7 – FURTHER DETAILS

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

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

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

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

### Clearing native vegetation

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

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

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

### Environmental offsets

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

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

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

### Koala habitat in SEQ Region

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

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

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

### Water resources

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

- Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the *Water Act 2000* may be required prior to commencing development
- No

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

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

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

### Waterway barrier works

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

- Yes – the relevant template is completed and attached to this development application
- No

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

### Marine activities

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

- Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*
- No

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

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

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

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

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

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

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

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

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

### **Referable dams**

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

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

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

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

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

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

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

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

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

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

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

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

### **Brothels**

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

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

### **Decision under section 62 of the Transport Infrastructure Act 1994**

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

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

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

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

- Yes – Schedule 12A is applicable to the development application and the assessment benchmarks contained in schedule 12A have been considered
- No

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

## PART 8 – CHECKLIST AND APPLICANT DECLARATION

### 24) Development application checklist

I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17	<input checked="" type="checkbox"/> Yes
<b>Note:</b> See the <i>Planning Regulation 2017</i> for referral requirements	
If building work is associated with the proposed development, Parts 4 to 6 of <a href="#">DA Form 2 – Building work details</a> have been completed and attached to this development application	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
Supporting information addressing any applicable assessment benchmarks is with the development application	<input checked="" type="checkbox"/> Yes
<b>Note:</b> 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 <a href="#">DA Forms Guide: Planning Report Template</a> .	
Relevant plans of the development are attached to this development application	<input checked="" type="checkbox"/> Yes
<b>Note:</b> Relevant plans are required to be submitted for all aspects of this development application. For further information, see <a href="#">DA Forms Guide: Relevant plans</a> .	
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable

### 25) Applicant declaration

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

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

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

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

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

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

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

Date received:  Reference number(s):

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

QLeave notification and payment			
<i>Note: For completion by assessment manager if applicable</i>			
Description of the work			
QLeave project number			
Amount paid (\$)		Date paid (dd/mm/yy)	
Date receipted form sighted by assessment manager			
Name of officer who sighted the form			

# ATTACHMENT B

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b> 21373233	<b>Search Date:</b> 13/03/2023 10:55
<b>Date Title Created:</b> 01/09/1988	<b>Request No:</b> 43827279
<b>Previous Title:</b> 21367141	

#### ESTATE AND LAND

Estate in Fee Simple

LOT 151 REGISTERED PLAN 747297  
Local Government: DOUGLAS

#### REGISTERED OWNER

Dealing No: 721125629 27/09/2021

REBECCA BEAU STEMPEL

#### EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by Deed of Grant No. 20977007 (POR 93)
2. MORTGAGE No 721125632 27/09/2021 at 14:21  
BENDIGO AND ADELAIDE BANK LIMITED A.C.N. 068 049 178

#### ADMINISTRATIVE ADVICES

NIL

#### UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

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

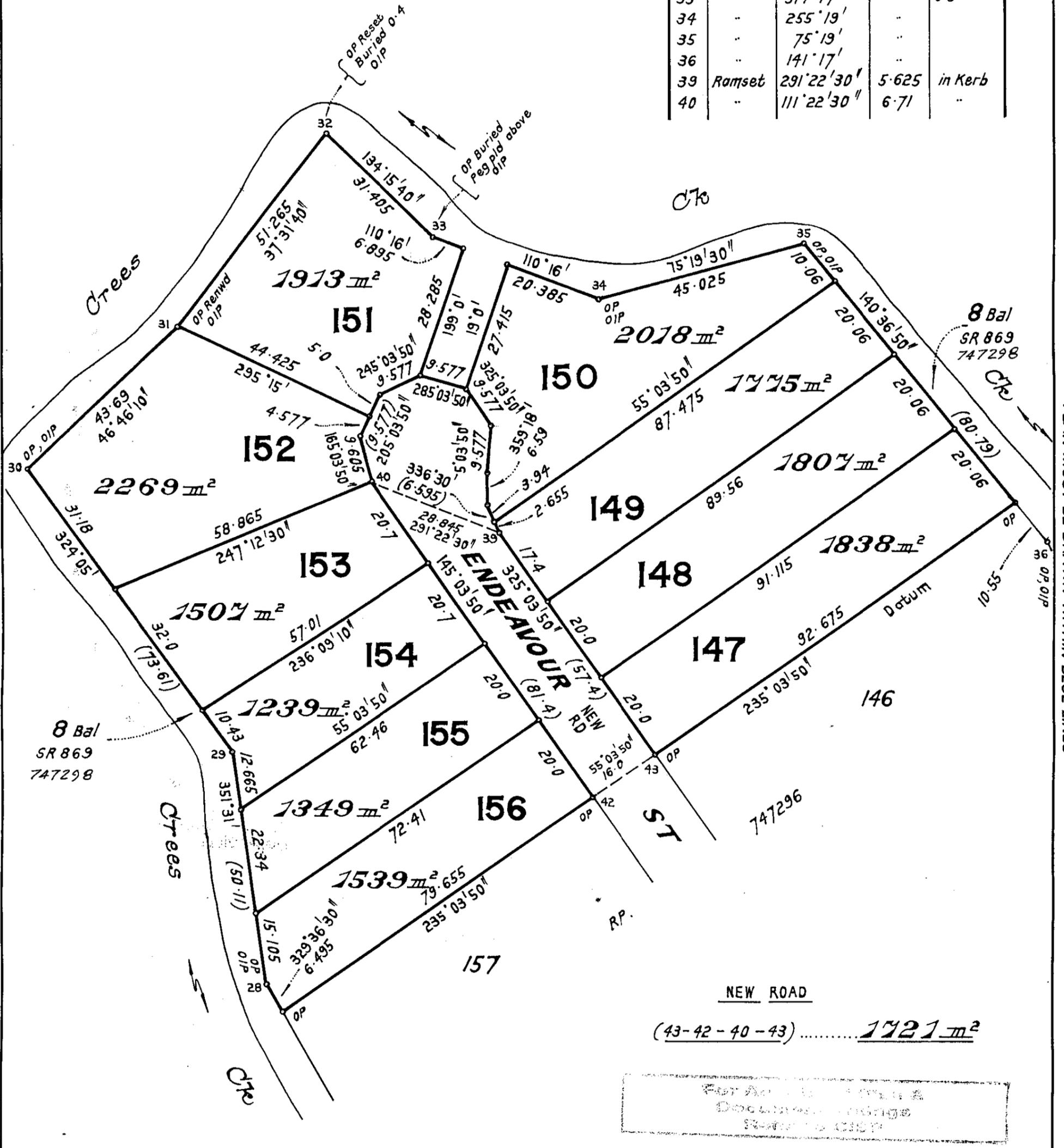
PERMANENT MARKS

PM	BEARING	DIST	Nº
40 PM	61°58'	3.655	98319

REFERENCE MARKS

STN	TO	BEARING	DIST	REMARKS
28	OIP	149°36'	1.0	
29	Pin	351°31'	"	
30	OIP	141°37'	"	
31	"	217°32'	"	
32	"	134°17'	"	1.4 Deep
33	"	314°17'	"	0.9 "
34	"	255°19'	"	
35	"	75°19'	"	
36	"	141°17'	"	
39	Ramset	291°22'30"	5.625	in Kerb
40	"	111°22'30"	6.71	"

Peg pld at all new corners



PLAN MUST BE DRAWN WITHIN BLUE LINES

PLAN MUST BE DRAWN WITHIN BLUE LINES

747297

747297

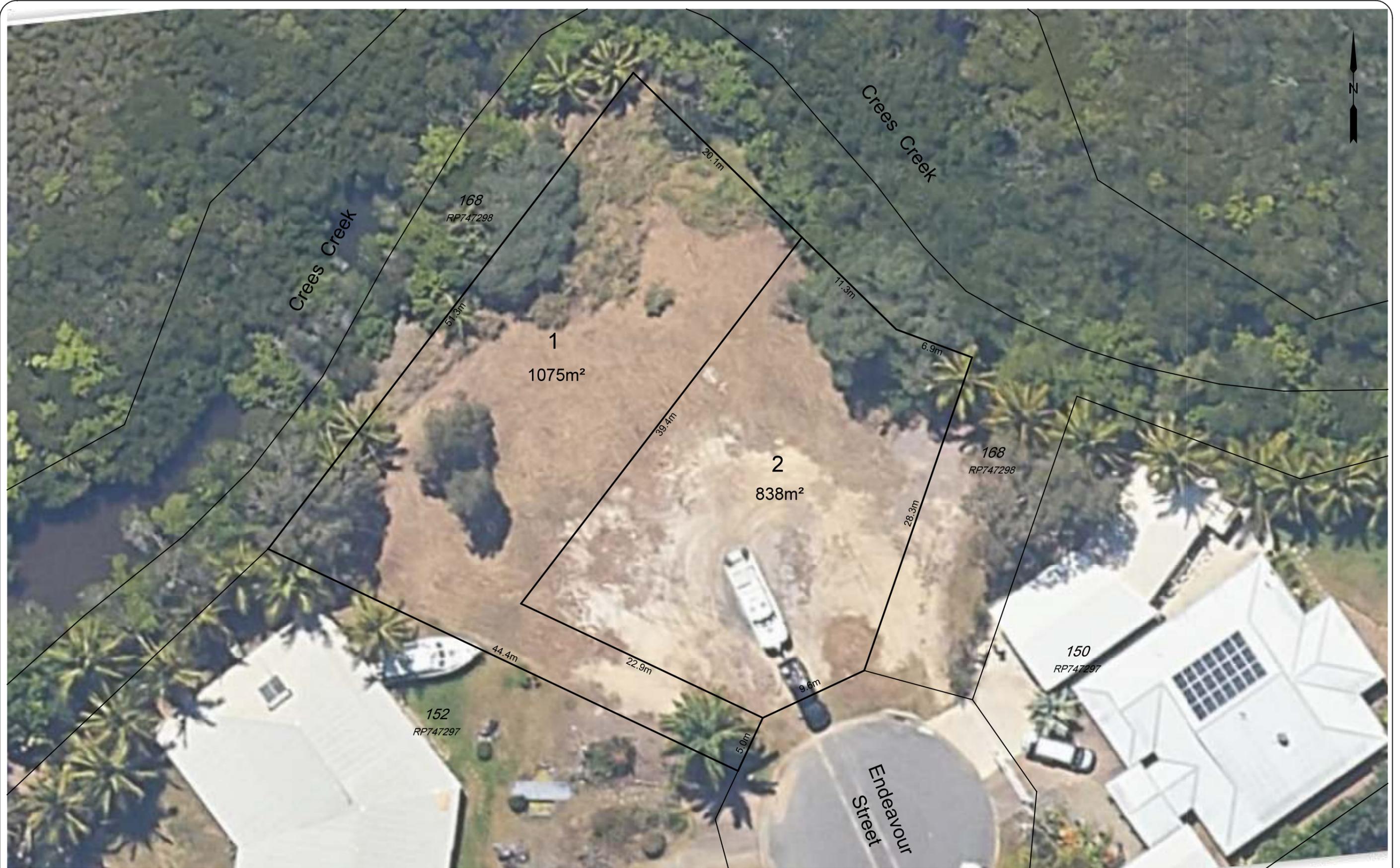
HD... FIELD NOTES LODGED ORIGINAL GRANT Vol N 977 Fol 7 (P.R. 93)		<b>PLAN OF</b> Lots <u>147 - 156</u> Cancelling part of Lot 8 on SR 869		<b>ORIG. PORTION</b> ... LOT 8 ON SR 869... (FORMERLY P.R. 93) <b>TOWN</b> ..... <b>PARISH</b> ..... <b>SALISBURY</b> ..... <b>COUNTY</b> ..... <b>Solander</b> .....	
MAP REF.	PROCLAIMED SURVEY AREA	SURVEYED BY GHD SURVEYS PTY LTD ...12...2...88..	MERIDIAN	SCALE 1:800	REGISTERED PLAN 747297

PM





# ATTACHMENT C



**RECONFIGURATION OF A LOT  
LOTS 1 & 2**

*Cancelling Lot 151 on RP747297  
52 Endeavour Street, Port Douglas*

**NOTES:**

This plan is conceptual and for discussion purposes only  
All areas and dimensions are preliminary and subject to  
further investigation and Survey.

Boundaries by Subject Survey Plan RP747297, Imagery by Qld Globe

Date: 9 March 2023

Scale: 1:300 @ A3

Drawn: E Berthelsen

Job No: 1291/01

Plan No: ROL Layout 01\_Rev A

# ATTACHMENT D

## 6.2.6 Low density residential zone code

### 6.2.6.1 Application

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

### 6.2.6.2 Purpose

- (1) The purpose of the Low density residential zone code is to provide for predominantly dwelling houses supported by community uses and small-scale services and facilities that cater for local residents.
- (2) The local government purpose of the code is to:
  - (a) implement the policy direction set in the Strategic Framework, in particular:
    - (i) Theme 1 : Settlement pattern, Element 3.4.2 – Urban settlement, Element 3.4.5 Residential areas and activities, Element 3.4.7 – Mitigation of hazards.
    - (ii) Theme 4 : Strong community and identity, Element 3.7.3 – Active communities, Element 3.7.4 – Sense of place, community and identity, Element 3.7.5 – Housing choice and affordability.
    - (iii) Theme 6 : Infrastructure and transport, Element 3.9.2 - Energy, Element 3.9.3 – Water and waste management, Element 3.9.4 Transport, Element 3.9.5 – Information technology.
  - (b) retain the low density residential character and amenity of the area, consisting predominantly of low-rise 1 and 2 storey detached dwelling houses;
  - (c) provide support for compatible small scale non-residential use activities;
  - (d) ensure development occurs on appropriately sized and shaped lots.
- (3) The purpose of the code will be achieved through the following overall outcomes:
  - (a) A range of housing, predominantly detached dwelling houses, on a range of lot sizes is provided.
  - (b) Development maintains a high level of residential amenity having regard to traffic, noise, dust, odour, lighting and other locally specific impacts.
  - (c) Development reflects and enhances the existing low density scale and character of the area.
  - (d) Development is reflective and responsive to the environmental constraints of the land.
  - (e) Development is supported by necessary community facilities, open space and recreational areas and appropriate infrastructure to support the needs of the local community.

**Criteria for assessment**

**Table 6.2.6.3.a – Low density residential zone code – assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<p><b>PO1</b> The height of all buildings and structures must be in keeping with the residential character of the area.</p>	<p><b>AO1</b> Buildings and structures are not more than 8.5 metres and two storeys in height.</p> <p>Note – Height is inclusive of the roof height.</p>	<p>The proposed development is for Reconfiguring a Lot – there are no buildings or structures proposed.</p>
<b>For assessable development</b>		
<p><b>PO2</b> The establishment of uses is consistent with the outcomes sought for the Low density residential zone and protects the zone from the intrusion of inconsistent uses.</p>	<p><b>AO2</b> Uses identified in Table 6.2.6.3.b are not established in the Low density residential zone.</p>	<p>The proposed development is for Reconfiguring a Lot to create two (2) Low Density Residential Zone allotments – it is expected that the future use on each allotment will be a Dwelling House, which is a consistent use for the zone.</p>
<p><b>PO3</b> The setback of buildings and structures: (a) maintains the amenity of adjoining lots and the residential character of the area; achieves separation from neighbouring buildings and frontages.</p>	<p><b>AO3</b> No acceptable outcomes are prescribed.</p>	<p>The proposed development is for Reconfiguring a Lot – there are no buildings or structures proposed.</p>
<p><b>PO4</b> Development is located, designed, operated and managed to respond to the natural characteristics, features and constraints of the site and surrounds.</p> <p>Note – Planning scheme policy – Site assessments provides guidance on identifying the characteristics and features and constraints of a site and its surrounds.</p>	<p><b>AO4</b> No acceptable outcomes are prescribed.</p>	<p>The proposed development has been designed to respond to the natural characteristics, features and constraints of the site and surrounds.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO5</b> Development does not adversely affect the residential character and amenity of the area in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.</p>	<p><b>AO5</b> No acceptable outcomes are prescribed.</p>	<p>The proposed development is consistent with the nature and location of the area and does not adversely affect the residential character and amenity of the area.</p>
<p><b>PO6</b> New lots contain a minimum area of : (a) 600m<sup>2</sup> (in sewerred areas); (b) 1000m<sup>2</sup> (in unsewered areas).</p>	<p><b>AO6</b> No acceptable outcomes are prescribed.</p>	<p>The proposed development creates two (2) residential allotments that achieve minimum allotment area of 600m<sup>2</sup> and are of a suitable configuration to allow for the intended land use.</p>
<p><b>PO7</b> New lots have a minimum road frontage of 15 metres.</p>	<p><b>AO7</b> No acceptable outcomes are prescribed.</p>	<p>The proposed allotments have frontage to Endeavour Street or 5.0 metres (Lot 1), which is an access handle and 9.6 metres (Lot 2). Due to the existing allotment frontage at the end of a cul-de-sac, achieving a road frontage of 15 metres for each lot is not possible.</p>
<p><b>PO8</b> New lots contain a 20m x 15m rectangle.</p>	<p><b>AO10</b> No acceptable outcomes are prescribed.</p>	<p>Each of the allotment are of sufficient area and dimensions for a suitable building envelope and can contain a 20m x 15m rectangle.</p>

**Table 6.2.6.3.b - Inconsistent uses within the Low density residential zone**

Inconsistent uses		
<ul style="list-style-type: none"> <li>• Adult store</li> <li>• Agricultural supplies store</li> <li>• Air services</li> <li>• Animal husbandry</li> <li>• Aquaculture</li> <li>• Bar</li> <li>• Brothel</li> <li>• Bulk landscape supplies</li> <li>• Car wash</li> <li>• Club</li> <li>• Crematorium</li> <li>• Cropping</li> <li>• Detention facility</li> <li>• Emergency services</li> <li>• Extractive industry</li> <li>• Food and drink outlet</li> <li>• Function facility</li> <li>• Funeral parlour</li> <li>• Garden centre</li> <li>• Hardware and trade supplies</li> <li>• High impact industry</li> </ul>	<ul style="list-style-type: none"> <li>• Hospital</li> <li>• Hotel</li> <li>• Indoor sport and recreation</li> <li>• Intensive animal industry</li> <li>• Intensive horticulture</li> <li>• Landing</li> <li>• Low impact industry</li> <li>• Major electricity infrastructure</li> <li>• Major sport, recreation and entertainment facility</li> <li>• Marine industry</li> <li>• Medium impact industry</li> <li>• Motor sport facility</li> <li>• Nature based tourism</li> <li>• Nightclub entertainment facility</li> <li>• Non-resident workforce accommodation</li> <li>• Office</li> <li>• Outdoor sales</li> <li>• Outstation</li> <li>• Parking station</li> </ul>	<ul style="list-style-type: none"> <li>• Permanent plantation</li> <li>• Port services</li> <li>• Renewable energy facility</li> <li>• Research and technology industry</li> <li>• Resort complex</li> <li>• Roadside stall</li> <li>• Rooming accommodation</li> <li>• Rural industry</li> <li>• Rural workers accommodation</li> <li>• Service industry</li> <li>• Shop</li> <li>• Shopping Centre</li> <li>• Showroom</li> <li>• Special industry</li> <li>• Theatre</li> <li>• Transport depot</li> <li>• Veterinary services</li> <li>• Warehouse</li> <li>• Wholesale nursery</li> <li>• Winery</li> </ul>

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

## Reconfiguring a Lot Code

### Application

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

### Purpose

1. The purpose of the Reconfiguring a lot code is to regulate development for reconfiguring a lot.
2. The purpose of the code will be achieved through the following overall outcomes:
  - a. development results in a well-designed pattern of streets supporting walkable communities;
  - b. lots have sufficient areas, dimensions and shapes to be suitable for their intend use taking into account environmental features and site constraints;
  - c. road networks provide connectivity that is integrated with adjoining existing or planned development while also catering for the safe and efficient access for pedestrians, cyclists and for public transport;
  - d. lots are arranged to front all streets and parkland such that development enhances personal safety, traffic safety, property safety and security; and contributes to streetscape and open space quality;
  - e. development does not diminish environmental and scenic values, and where relevant, maintains and enhances public access and use of natural areas, rivers, dams, creeks and the foreshore, in a way that protects natural resources;
  - f. people and property are not placed at risk from natural hazards;
  - g. a range of functional parkland, including local and district parks, major areas of parkland with a region-wide focus and open space links are available for the use and enjoyment of residents and visitors to the region;
  - h. the appropriate standard of infrastructure is provided.

## Criteria for assessment

### Reconfiguring a lot code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
<b>General Lot Design Standards</b>		
<p><b>PO1</b> Lots comply with the lot reconfiguration outcomes of the applicable Zone code in Part 5.</p>	<p><b>AO1</b> No acceptable outcomes are prescribed.</p>	<p>The proposed reconfiguration creates two (2) residential lots, with areas of 1,075m<sup>2</sup> (Lot 1) and 838m<sup>2</sup> (Lot 2). Both of the proposed allotments achieve the minimum allotment area of 600m<sup>2</sup> prescribed for the Low Density Residential Zone.</p>
<p><b>PO2</b> New lots are generally rectangular in shape with functional areas for land uses intended by the zone.</p>	<p><b>AO2</b> Boundary angles are not less than 45 degrees..</p>	<p>The proposed lots do not have boundary angles less than 45 degrees.</p>
<p><b>PO3</b> Lots have legal and practical access to a public road.</p>	<p><b>AO3</b> Each lot is provided with: (a) direct access to a gazetted road reserve; or (b) access to a gazetted road via a formal access arrangement registered on the title.</p>	<p>Each of the proposed allotments have direct frontage and access to Endeavour Street.</p>
<p><b>PO4</b> Development responds appropriately to its local context, natural systems and site features.</p>	<p><b>AO4</b> Existing site features such as: (a) significant vegetation and trees; (b) waterways and drainage paths; (c) vistas and vantage points are retained and/or are incorporated into open space, road reserves, near to lot boundaries or as common property.</p>	<p>The proposed development has been designed to respond to the natural characteristics, features and constraints of the site and surrounds.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO5</b> New lots which have the capability of being further reconfigured into smaller lots at a later date are designed to not compromise ultimate development outcomes permitted in the relevant zone.</p>	<p><b>AO5</b> The ability to further reconfigure land at a later date is demonstrated by submitting a concept plan that meets the planning scheme requirements for the applicable Zone.</p>	<p>It is anticipated that the proposed allotments are in their ultimate form.</p>
<p><b>PO6</b> Where existing buildings or structures are to be retained, development results in: (a) boundaries that offer regular lot shapes and usable spaces; (b) existing improvements complying with current building and amenity standards in relation to boundary setbacks.</p>	<p><b>AO6</b> Development ensures setbacks between existing buildings or structures and proposed boundaries satisfy relevant building standards or zone code requirements, whichever is the greater.</p>	<p>The proposed allotments are of sufficient area and dimensions to appropriately contain a dwelling house, and maintain adequate setbacks to existing buildings and structures on adjoining allotments.</p>
<p><b>PO7</b> Where rear lots are proposed, development: (a) provides a high standard of amenity for residents and other users of the site and adjoining properties; (b) positively contributes to the character of adjoining properties and the area; (c) does not adversely affect the safety and efficiency of the road from which access is gained.</p>	<p><b>AO7</b> <b>AO7.1</b> Where rear lots are to be established: (a) the rear lot is generally rectangular in shape, avoiding contrived sharp boundary angles; (b) no more than 6 lots directly adjoin the rear lot; (c) no more than one rear lot occurs behind the road frontage lot; (d) no more than two access strips to rear lots directly adjoin each other; (e) access strips are located only on one side of the road frontage lot.</p> <p><b>AO7.2</b> Access strips to the rear lot have a minimum width dimension of: (a) 4.0 metres in Residential Zones. (b) 8.0 metres in Industrial Zones category. (c) 5.0 metres in all other Zones. Note - Rear lots a generally not appropriate in non-Residential or non-Rural zones.</p> <p><b>AO7.3</b></p>	<p>Proposed Lot 1 is a rear allotment, with a 5 metre wide access handle from Endeavour Street. The allotment is rectangular in configuration.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>Access strips are provided with a sealed pavement of sufficient width to cater for the intended traffic, but no less than:</p> <ul style="list-style-type: none"> <li>(a) 3.0 metres in Residential Zone.</li> <li>(b) 6.0 metres in an Industrial Zone.</li> <li>(c) 3.5 metres in any other Zone.</li> </ul>	
<b>Structure Plans</b>		
<p><b>PO8</b> A structure plan is prepared to ensure that neighbourhood design, block and lot layout, street network and the location and provision on any open space recognises previous planning for the area and its surroundings, and integrates appropriately into its surroundings.</p>	<p><b>A08.1</b> Neighbourhood design, lot and street layout, and open space provides for, and integrates with, any: (a) approved structure plan; (b) the surrounding pattern of existing or approved subdivision. Note - Planning scheme policy SC14– Structure planning provides guidance on meeting the performance outcomes.</p> <p><b>A08.2</b> Neighbourhood design, lot and street layouts enable future connection and integration with adjoining undeveloped land.</p>	Not Applicable.
<p><b>PO9</b> Neighbourhood design results in a connected network of walkable streets providing an easy choice of routes within and surrounding the neighbourhood.</p>	<p><b>A09.1</b> Development does not establish cul-de-sac streets unless: (a) cul-de-sacs are a feature of the existing pattern of development in the area; (b) there is a physical feature or incompatible zone change that dictates the need to use a cul-de-sac streets.</p> <p><b>A09.2</b> Where a cul-de-sac street is used, it: (a) is designed to be no longer than 150 metres in length; (b) is designed so that the end of the cul-desac is visible from its entrance;</p>	Not Applicable.



Performance outcomes	Acceptable outcomes	Applicant response
	<p>(c) provides connections from the top of the cul-de-sac to other streets for pedestrians and cyclists, where appropriate.</p> <p><b>AO9.3</b> No more than 6 lots have access to the turning circle or turning-tee at the end of a cul-de-sac street.</p>	
<p><b>PO10</b> Neighbourhood design supports diverse housing choices through block sizes and lot design. In developing areas, significant changes in lot size and frontage occur at the rear of lots rather than on opposite sides of a street.</p>	<p><b>PO10</b> No acceptable outcomes are prescribed.</p>	Not Applicable.
<p><b>PO11</b> Provision of physical and social infrastructure in developing residential neighbourhoods is facilitated through the orderly and sequential development of land.</p>	<p><b>AO11.1</b> New development adjoins adjacent existing or approved urban development.</p> <p><b>AO11.2</b> New development is not established beyond the identified Local government infrastructure plan area.</p>	Not Applicable.
<b>Urban parkland and environmental open space</b>		
<p><b>PO12</b> Where appropriate development maintains and enhances public access and use of natural areas, rivers, dams, creeks and the foreshore.</p>	<p><b>AO12</b> No acceptable outcomes are prescribed.</p>	Not Applicable.
<p><b>PO13</b> Development provides land to: (a) meet the recreation needs of the community; (b) provide an amenity commensurate with the structure of neighbourhoods and land uses in the vicinity; and adjacent to open space areas; (c) provide for green corridors and linkages.</p>	<p><b>AO13</b> No acceptable outcomes are prescribed.</p>	Not Applicable.
<p><b>AO14</b></p>	<p><b>AO14.1</b></p>	Not Applicable.



Performance outcomes	Acceptable outcomes	Applicant response
Lot size, dimensions, frontage and orientation permits buildings to be established that will facilitate casual surveillance to urban parkland and environmental open space.	<p>Urban parkland is regular in shape.</p> <p><b>AO14.2</b> At least 75% of the urban parkland's frontage is provided as road.</p> <p><b>AO14.3</b> Urban parkland and environmental open space areas are positioned to be capable of being overlooked by surrounding development.</p> <p><b>AO14.4</b> Surrounding lots are orientated so that facades will front and overlook the urban parkland and environmental open space.</p> <p><b>AO14.5</b> The number of lots that back onto, or are side orientated to the urban parkland and environmental open space is minimised.</p>	
<b>Private subdivisions (gated communities)</b>		
<b>PO15</b> Private subdivisions (gated communities) do not compromise the establishment of connected and integrated infrastructure and open space networks.	<b>PO15</b> No acceptable outcomes are prescribed.	Not Applicable.
<b>Additional requirements for reconfiguration involving the creation of public streets or roads</b>		
<b>PO16</b> The function of new roads is clearly identified and legible and provides integration, safety and convenience for all users.	<b>AO16</b> No acceptable outcomes are prescribed.	Not Applicable.
<b>PO17</b> Street design supports an urban form that creates walkable neighbourhoods. Street design: (a) is appropriate to the function(s) of the street;	<b>AO17</b> No acceptable outcomes are prescribed.	Not Applicable.

Performance outcomes	Acceptable outcomes	Applicant response
(b) meets the needs of users and gives priority to the needs of vulnerable users.		
<b>Public transport network</b>		
<p><b>PO18</b> Development provides a street pattern that caters for the extension of public transport routes and infrastructure including safe pedestrian pick-up and set-down up facilities.</p>	<p><b>AO18</b> No acceptable outcomes are prescribed.</p>	<p>Not Applicable.</p>
<b>Pest plants</b>		
<p><b>PO19</b> Development activities and sites provide for the removal of all pest plants and implement ongoing measures to ensure that pest plants do not reinfest the site or nearby sites.</p>	<p><b>AO19</b> Pest plants detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person prior to earthworks commencing.</p>	<p>Any pest plants identified on site will be removed.</p>

**Table 6.2.6.3.b - Inconsistent uses within the Low density residential zone**

Inconsistent uses		
<ul style="list-style-type: none"> <li>• Adult store</li> <li>• Agricultural supplies store</li> <li>• Air services</li> <li>• Animal husbandry</li> <li>• Aquaculture</li> <li>• Bar</li> <li>• Brothel</li> <li>• Bulk landscape supplies</li> <li>• Car wash</li> <li>• Club</li> <li>• Crematorium</li> <li>• Cropping</li> <li>• Detention facility</li> <li>• Emergency services</li> <li>• Extractive industry</li> <li>• Food and drink outlet</li> <li>• Function facility</li> <li>• Funeral parlour</li> <li>• Garden centre</li> <li>• Hardware and trade supplies</li> <li>• High impact industry</li> </ul>	<ul style="list-style-type: none"> <li>• Hospital</li> <li>• Hotel</li> <li>• Indoor sport and recreation</li> <li>• Intensive animal industry</li> <li>• Intensive horticulture</li> <li>• Landing</li> <li>• Low impact industry</li> <li>• Major electricity infrastructure</li> <li>• Major sport, recreation and entertainment facility</li> <li>• Marine industry</li> <li>• Medium impact industry</li> <li>• Motor sport facility</li> <li>• Nature based tourism</li> <li>• Nightclub entertainment facility</li> <li>• Non-resident workforce accommodation</li> <li>• Office</li> <li>• Outdoor sales</li> <li>• Outstation</li> <li>• Parking station</li> </ul>	<ul style="list-style-type: none"> <li>• Permanent plantation</li> <li>• Port services</li> <li>• Renewable energy facility</li> <li>• Research and technology industry</li> <li>• Resort complex</li> <li>• Roadside stall</li> <li>• Rooming accommodation</li> <li>• Rural industry</li> <li>• Rural workers accommodation</li> <li>• Service industry</li> <li>• Shop</li> <li>• Shopping Centre</li> <li>• Showroom</li> <li>• Special industry</li> <li>• Theatre</li> <li>• Transport depot</li> <li>• Veterinary services</li> <li>• Warehouse</li> <li>• Wholesale nursery</li> <li>• Winery</li> </ul>

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