

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

Dear Sir/Madam,

**Development Application for Reconfiguring a Lot situated at 1011 (Lot 2 on RP749718) Mossman-Daintree Road and 1039 (Lot 1 on RP749718) Mossman-Daintree Road, Rocky Point**

We, Artemio Mason, Teresina Mason and Luciano Benedetto Mason seek approval to realign the boundaries between the abovementioned Lots.

Please find attached supporting documents:

- Certificates of Title, included as **Appendix 1**;
- Development Application Form 1, included as **Appendix 2**;
- Written consent from the land owners to accompany the Development Application, included as **Appendix 3**;
- Veris Australia Pty Ltd Proposal Plan Drawing, included as **Appendix 4**.

Summary

Lot 2 on RP749718 is currently 22.0218 hectares and Lot 1 on RP749718 is 1,600m<sup>2</sup>. It is proposed that Lot 1 be extended to 4,050m<sup>2</sup>; leaving Lot 2 with a land size of 21.7768 hectares.

The intent of this proposal is to realign the boundary on proposed Lot 1 for the future development of a dwelling house. This will also allow the land to be more consistent with the Planning Scheme's provisions. Refer to Appendix 4.

Property details and important characteristics

Land Owners/Applicants:	Artemio Mason, Teresina Mason and Luciano Benedetto Mason
Property Addresses:	1011 and 1039 Mossman-Daintree Road, Rocky Point QLD 4873
Real Property Descriptions:	Lot 2 on RP749718 and Lot 1 on RP749718
Land Area:	221,818m <sup>2</sup>
Easements/Encumbrances:	NIL

- The properties being realigned are categorised within the Rural Zone under the Douglas Shire Council Planning Scheme 2018 version 1.0.

- The land is hillside and undulating which is currently used for growing sugar cane and is adjacent to the Port Douglas Views Estate development.
- There is an existing drainage Easement between Port Douglas Views Estate and the land being realigned.
- Both Lots 1 and 2 have existing road frontage along the Mossman-Daintree road. It is proposed to leave the existing frontages as they are as there is no need for new access to the highway.
- A dwelling house exists on Lot 2 and the balance of the land is used for growing sugar cane. Lot 1 is currently vacant land.
- No vegetation will be cleared other than a small amount of cane (approximately 2450m<sup>2</sup>).
- Surrounding land nearby is largely used for the growing of sugar cane or running cattle with various dwellings on these properties.

#### State Planning – Referral Agency

After reviewing Schedule 10 of the Planning Regulation 2017, no referral is triggered to the Department of Transport and Main Roads as the current access points to the properties being reconfigured will remain as they are.

Whilst there are many relative codes to support this application, please refer to the Tables below which are deemed to be most necessary.

#### Consideration of Rural Zone Code

Performance outcomes	Acceptable outcomes	
<b>For self-assessable and assessable development</b>		
<b>PO1</b> The height of buildings is compatible with the rural character of the area and must not detrimentally impact on visual landscape amenity.	<b>AO1.1</b> Dwelling houses are not more than 8.5 metres in height. Note – Height is inclusive of roof height. <b>AO1.2</b> Rural farm sheds and other rural structures are not more than 10 metres in height.	<b>Complies</b>
<b>Performance outcomes</b>	<b>Acceptable outcomes</b>	
<b>Setbacks</b>		
<b>PO2</b> Buildings and structures are setback to maintain the rural character of the area and achieve separation from buildings on adjoining properties.	<b>AO2</b> Buildings are setback not less than: (a) 40 metres from the property boundary and a State-controlled road; (b) 25 metres from the property boundary adjoining Cape Tribulation Road; (c) 20 metres from the boundary with any other road; (d) 6 metres from side and rear property boundaries.	<b>Complies</b>
<b>PO3</b> Buildings/structures are designed to maintain the rural character of the area.	<b>AO3</b> White and shining metallic finishes are avoided on external surfaces of buildings.	<b>Complies</b>
<b>For assessable development</b>		
<b>PO4</b>	<b>AO4</b>	<b>Complies</b>

The establishment of uses is consistent with the outcomes sought for the Rural zone and protects the zone from the intrusion of inconsistent uses.	Uses identified in Table 6.2.10.3.b are not established in the Rural zone.	
<b>PO5</b> Uses and other development include those that: (a) promote rural activities such as agriculture, rural enterprises and small scale industries that serve rural activities; or (b) promote low impact tourist activities based on the appreciation of the rural character, landscape and rural activities; or (c) are compatible with rural activities.	<b>AO5</b> No acceptable outcomes are prescribed.	<b>Complies</b>
<b>PO6</b> Existing native vegetation along watercourses and in, or adjacent to areas of environmental value, or areas of remnant vegetation of value is protected.	<b>AO6</b> No acceptable outcomes are prescribed.	<b>Complies</b>
<b>PO7</b> The minimum lot size is 40 hectares, unless (a) the lot reconfiguration results in no additional lots (e.g. amalgamation, boundary realignments to resolve encroachments); or (b) the reconfiguration is limited to one additional lot to accommodate: (i) Telecommunications facility; (ii) Utility installation.	<b>AO7</b> No acceptable outcomes are prescribed.	<b>Complies</b>

#### Consideration of Reconfiguring a Lot Code

Performance outcomes	Acceptable outcomes	
<b>General lot design standards</b>		
<b>PO1</b> Lots comply with the lot reconfiguration outcomes of the applicable Zone code in Part 5.	<b>AO1</b> No acceptable outcomes are prescribed.	<b>Complies</b>
<b>PO2</b> New lots are generally rectangular in shape with functional areas for land uses intended by the zone.	<b>AO2</b> Boundary angles are not less than 45 degrees.	<b>Complies</b>
<b>PO3</b> Lots have legal and practical access to a public road.	<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.	<b>Complies</b>
<b>PO4</b> Development responds appropriately to its local context, natural systems and site features.	<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.	<b>Complies</b>
<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.	<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.	<b>Complies</b>
<b>PO6</b>	<b>AO6</b>	<b>Complies</b>

<p>Where existing buildings or structures are to be retained, development results in:</p> <p>(a) boundaries that offer regular lot shapes and usable spaces;</p> <p>(b) existing improvements complying with current building and amenity standards in relation to boundary setbacks.</p> <p>Note - This may require buildings or structures to be modified, relocated or demolished to meet setback standards, resolve encroachments and the like.</p>	<p>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><b>PO7</b></p> <p>Where rear lots are proposed, development:</p> <p>(a) provides a high standard of amenity for residents and other users of the site and adjoining properties;</p> <p>(b) positively contributes to the character of adjoining properties and the area;</p> <p>(c) does not adversely affect the safety and efficiency of the road from which access is gained.</p>	<p><b>AO7.1</b></p> <p>Where rear lots are to be established:</p> <p>(a) the rear lot is generally rectangular in shape, avoiding contrived sharp boundary angles;</p> <p>(b) no more than 6 lots directly adjoin the rear lot;</p> <p>(c) no more than one rear lot occurs behind the road frontage lot;</p> <p>(d) no more than two access strips to rear lots directly adjoin each other;</p> <p>(e) access strips are located only on one side of the road frontage lot.</p> <p><b>AO7.2</b></p> <p>Access strips to the rear lot have a minimum width dimension of:</p> <p>(a) 4.0 metres in Residential Zones.</p> <p>(b) 8.0 metres in Industrial Zones category.</p> <p>(c) 5.0 metres in all other Zones.</p> <p>Note - Rear lots a generally not appropriate in non-Residential or non-Rural zones.</p> <p><b>AO7.3</b></p> <p>Access strips are provided with a sealed pavement of sufficient width to cater for the intended traffic, but no less than:</p> <p>(a) 3.0 metres in Residential Zone.</p> <p>(b) 6.0 metres in an Industrial Zone.</p> <p>(c) 3.5 metres in any other Zone.</p>	<p><b>Complies</b></p>

In conclusion, we seek approval for a Reconfiguration of a Lot over land situated at Mossman-Daintree Road, Rocky Point, formally described as Lot 2 on RP749718 and Lot 1 on RP749718.

The boundary realignment will help improve the utility of the land for the future development of a dwelling house on proposed Lot 1 and is consistent with the Planning Scheme's provisions.

Please contact Kira Rossetto on 0459 563 400 or kira.rossetto@hotmail.com on behalf of the applicants should you require further information or clarification.

Yours sincerely,

*Artemio Mason, Teresina Mason and Luciano Benedetto Mason*  
 Artemio Mason, Teresina Mason and Luciano Benedetto Mason

## **Appendix 1**

### **Certificates of Title**

# CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 31396418

Search Date: 07/06/2019 13:57

Title Reference: 21442081

Date Created: 26/06/1990

Previous Title: 20405098

REGISTERED OWNER	Interest
ARTEMIO MASON	1/3
TERESINA MASON	1/3
LUCIANO BENEDETTO MASON	1/3

AS TENANTS IN COMMON

## ESTATE AND LAND

Estate in Fee Simple

LOT 2            REGISTERED PLAN 749718  
                 Local Government: DOUGLAS

## EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20313115 (POR 56)  
Deed of Grant No. 20313116 (POR 56)

## ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status
709660045	ACCESS RIGHT	06/06/2006 16:09	CURRENT
	SUGAR INDUSTRY ACT 1999		

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

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

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Requested By: D-ENQ PROPERTY & TITLE SEARCH

# CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 31396415

Search Date: 07/06/2019 13:57

Title Reference: 21442080

Date Created: 26/06/1990

Previous Title: 20405098

## REGISTERED OWNER

Interest

ARTEMIO MASON	1/3
TERESINA MASON	1/3
LUCIANO BENEDETTO MASON	1/3

AS TENANTS IN COMMON

## ESTATE AND LAND

Estate in Fee Simple

LOT 1          REGISTERED PLAN 749718  
Local Government: DOUGLAS

## EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20313115 (POR 56)  
Deed of Grant No. 20313116 (POR 56)

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

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

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Requested By: D-ENQ PROPERTY & TITLE SEARCH

## **Appendix 2**

### **Development Application Form 1**



## DA Form 1 – Development application details

**Approved form (version 1.0 effective 3 July 2017) 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 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**, 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)	Artemio Mason, Teresina Mason and Luciano Benedetto Mason
Contact name (only applicable for companies)	
Postal address (P.O. Box or street address)	PO Box 115
Suburb	MOSSMAN
State	QLD
Postcode	4873
Country	Australia
Contact number	0459 563 400 (Kira Rossetto)
Email address (non-mandatory)	Kira.rossetto@hotmail.com
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	

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
		1011	Mossman-Daintree Road	Rocky Point
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	2	RP749718	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
		1039	Mossman-Daintree Road	Rocky Point
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	1	RP749718	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. Only one set of coordinates is required for this part.

☐ 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 their details have been attached in a schedule to this 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:

☐ Listed on the Environmental Management Register (EMR) under the *Environmental Protection Act 1994*

EMR site identification:



☐ Listed on the Contaminated Land Register (CLR) under the *Environmental Protection Act 1994*

CLR site identification:

**5) Are there any existing easements over the premises?**

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

Reconfiguration of a Lot (Boundary Realignment – 2 Lots into 2 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

#### 6.2) 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 DA Form 2 – Building work details

## 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 <sup>2</sup> ) (if applicable)

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

- ☐ Yes  
☐ 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

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

- ☐ Subdivision (complete 10) ☐ Dividing land into parts by agreement (complete 11)  
☒ Boundary realignment (complete 12) ☐ Creating or changing an easement giving access to a lot from a construction 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?

- ☐ Yes – provide additional details below  
☐ 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> )
Lot 2 on RP749718	22.0218 hectares	Proposed Lot 2	21.7768 hectares
Lot 1 on RP749718	1,600m <sup>2</sup>	Proposed Lot 1	4,050m <sup>2</sup>

12.2) What is the reason for the boundary realignment?

To increase the size of Lot 1 to improve the utility of the land for the future development of a dwelling house.

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: <input type="text"/> |                                     |  |

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
- ☐ Local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- ☒ No

## PART 5 – REFERRAL DETAILS

17) Do any aspects of the proposed development require referral for 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 6Matters requiring referral to the **chief executive of the Planning Regulation 2017:**

- ☐ Clearing native vegetation
- ☐ Contaminated land (unexploded ordnance)



- ☐ Environmentally relevant activities (ERA) *(only if the ERA have not been devolved to a local government)*
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Queensland heritage place *(on or near a Queensland heritage place)*
- ☐ Infrastructure – designated premises
- ☐ Infrastructure – state transport infrastructure
- ☐ Infrastructure – state transport corridors and future state transport corridors
- ☐ Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels
- ☐ Infrastructure – state-controlled roads
- ☐ Land within Port of Brisbane's port limits
- ☐ SEQ development area
- ☐ 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 – residential development
- ☐ SEQ regional landscape and rural production area or SEQ Rural living area – urban activity
- ☐ Tidal works or works 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 – construction of new levees or modification of existing levees *(category 2 or 3 levees only)*
- ☐ Wetland protection area

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

- ☐ Airport land
- ☐ Environmentally relevant activities (ERA) *(only if the ERA have been devolved to local government)*
- ☐ Local heritage places

Matters requiring referral to the **chief executive of the distribution entity or transmission entity**:

- ☐ Electricity infrastructure

## Matters requiring referral to:

- The **chief executive of the holder of the licence**, if not an individual
  - The **holder of the licence**, if the holder of the licence is an individual
- ☐ Oil and gas infrastructure

Matters requiring referral to the **Brisbane City Council**:

- ☐ Brisbane core port land

Matters requiring referral to the **Minister under the Transport Infrastructure Act 1994**:

- ☐ Brisbane core port land
- ☐ Strategic port land

Matters requiring referral to the **relevant port operator**:

- ☐ Brisbane core port land (below high-water mark and within port limits)

Matters requiring referral to the **chief executive of the relevant port authority**:

- ☐ Land within limits of another port

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

- ☐ Tidal works, or development in a coastal management district in Gold Coast waters

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

- ☐ Tidal works, or development in a coastal management district



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

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

Referral 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 the development application the subject of this form, or include details in a schedule to this development application (if applicable).

## PART 6 – INFORMATION REQUEST

## 19) Information request under Part 3 of the DA Rules

- ☒ I agree to receive an information request if determined necessary for this development application
- ☐ I do not agree to accept an information request for this development application

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

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

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

## 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 – the yellow local government/private certifier's 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

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 EM941) 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 "EM941" at [www.qld.gov.au](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://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.justice.qld.gov.au](http://www.justice.qld.gov.au) for further information.*

**Clearing native vegetation**

23.3) Does this development application involve **clearing native vegetation** that requires written confirmation 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 is accompanied by written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)

☒ No

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

**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 conservation**

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

☐ Yes

☒ No

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

**Water resources**

23.6) Does this development application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, taking overland flow water or waterway barrier works**?

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

☒ No

*Note: DA templates are available from [www.dilgp.qld.gov.au](http://www.dilgp.qld.gov.au).*

23.7) Does this application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water** under the *Water Act 2000*?

☐ Yes – I acknowledge that a relevant water authorisation under the *Water Act 2000* may be required prior to



commencing development

☒ No*Note: Contact the Department of Natural Resources and Mines at [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au) for further information.***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 and Mines at [www.dnrm.qld.gov.au](http://www.dnrm.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 Heritage Protection at [www.ehp.qld.gov.au](http://www.ehp.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.dews.qld.gov.au](http://www.dews.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.ehp.qld.gov.au](http://www.ehp.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.ehp.qld.gov.au](http://www.ehp.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

**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 *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 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 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	
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	

The *Planning Act 2016*, the *Planning Regulation 2017* and the *DA Rules* are administered by the Department of Infrastructure, Local Government and Planning. This form and all other required development application materials should be sent to the assessment manager.

## **Appendix 3**

### **Written Consent from land owners**

Artemio Mason, Teresina Mason &  
Luciano Benedetto Mason  
PO Box 115, Mossman QLD 4873  
Contact: 0459 563 400 (Kira Rossetto)

30 June 2019

To whom it may concern,

We, Artemio Mason, Teresina Mason and Luciano Benedetto Mason, being the owners of 1011 Mossman-Daintree Road, Rocky Point (Lot 2 RP749718) and 1039 Mossman-Daintree Road, Rocky Point (Lot 1 RP749718) hereby consent to a boundary realignment between the above-mentioned Lots. The proposed area of Lot 1 will be extended to 4,050m<sup>2</sup>.

The purpose of this boundary realignment is to improve the utility of the land for future development of a dwelling house while also making the land more consistent with the Planning Scheme's provisions.

Yours sincerely,



Artemio Mason



Teresina Mason

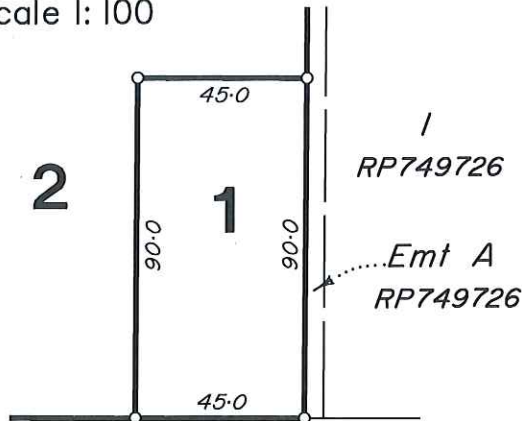


Luciano Benedetto Mason

## **Appendix 4**

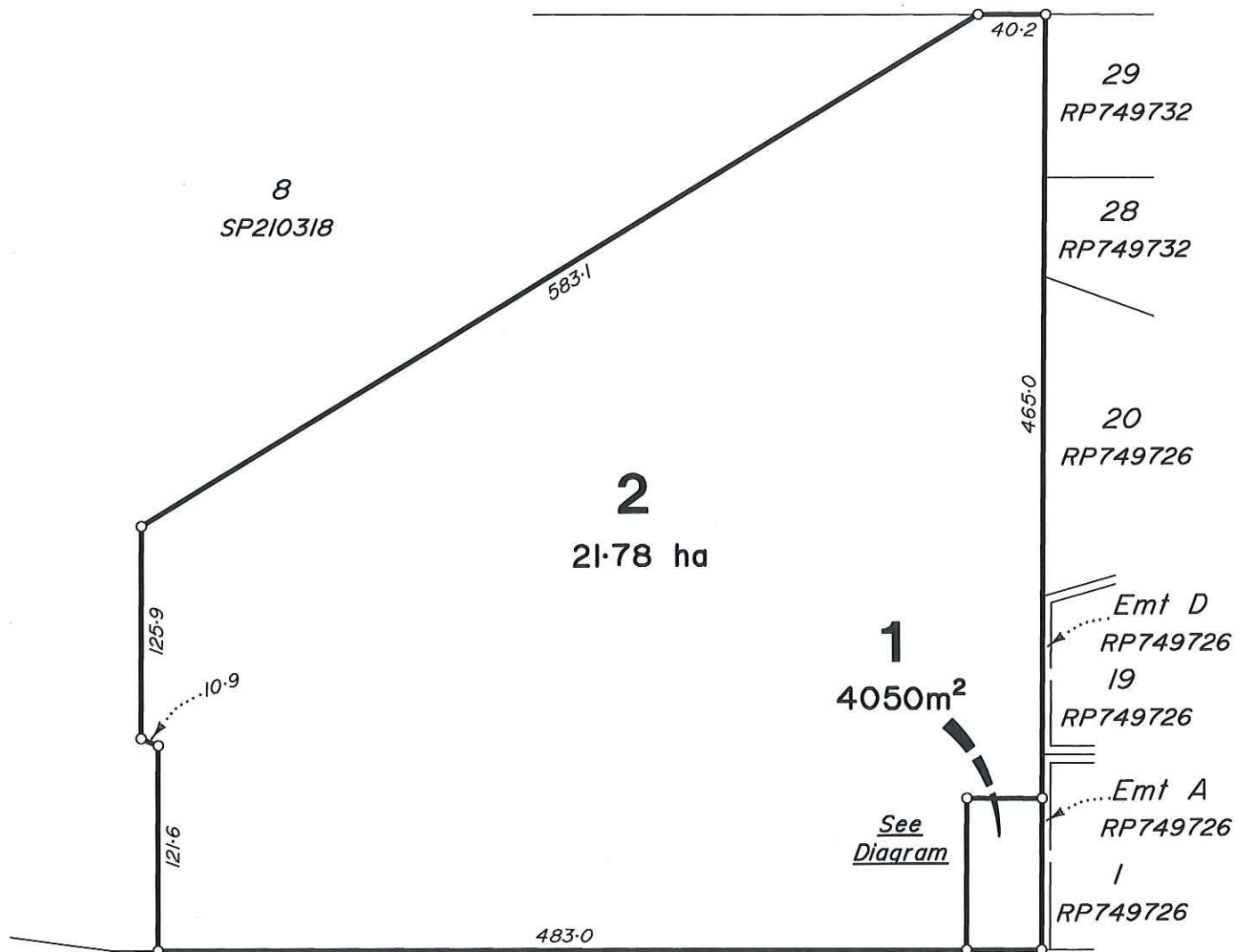
### **Veris Australia Pty Ltd Proposal Plan Drawing**

## Scale 1: 100



MOSSMAN DAINTREE ROAD

8/  
SP222583



**MOSSMAN DAINTREE ROAD**



Drawing No	Issue
400525 PP 001	A

A	Original issue	12/05/2019	EN
	Decision	Date	Drawn