

DA Form 1 – Development application details

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

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

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

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

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Davidson Developments Pty Ltd
Contact name (only applicable for companies)	Steve Coleman
Postal address (P.O. Box or street address)	PO Box 137
Suburb	Double Bay
State	NSW
Postcode	1360
Country	Australia
Contact number	0438 439 487
Email address (non-mandatory)	thecolemans930@gmail.com
Mobile number (non-mandatory)	0438 439 487
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	

1.1) Home-based business

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

2) Owner's consent

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

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

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

		Street No.	Street Name and Type	Suburb
	12	12	Davidson St	Port Douglas
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	1	SP360518	Douglas Shire
b)	Unit No.	Street No.	Street Name and Type	Suburb
	12A	12	Davidson St	Douglas Shire
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	2	SP360518	Douglas Shire

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)
		☐ WGS84 ☐ GDA94 ☐ Other:	

- ☐ Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
		☐ 54 ☐ 55 ☐ 56	☐ WGS84 ☐ GDA94 ☐ Other:	

3.3) Additional premises

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

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

☐ In or adjacent to a water body or watercourse or in or above an aquifer	
Name of water body, watercourse or aquifer:	
☐ On strategic port land under the <i>Transport Infrastructure Act 1994</i>	
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 <i>Airport Assets (Restructuring and Disposal) Act 2008</i>
Name of airport:
☐ Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification:
☐ Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>
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):*

New driveways for Lots 1 & 2 / 12 Davidson St, Port Douglas

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):*

New foot/cycle pathway through proposed driveways for Lots 1 & 2 / 12 Davidson St, Port Douglas

e) Relevant plans

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

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

6.3) Additional aspects of development

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

6.4) Is the application for State facilitated development?

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

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

Material change of use	☐ Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	☐ Yes – complete division 2
Operational work	☒ Yes – complete division 3
Building work	☐ Yes – complete <i>DA Form 2 – Building work details</i>

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use

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

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

- ☐ Yes
- ☐ No

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

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

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

Division 2 – Reconfiguring a lot

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

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

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

☐ Subdivision (complete 10)	☐ Dividing land into parts by agreement (complete 11)
☐ Boundary realignment (complete 12)	☐ Creating or changing an easement giving access to a lot from a constructed road (complete 13)



10) Subdivision**10.1) For this development, how many lots are being created and what is the intended use of those lots:**

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

10.2) Will the subdivision be 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 ²)	Lot on plan description	Area (m ²)

12.2) What is the reason for the boundary realignment?**13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement?**
(attach schedule if there are more than two easements)

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

Division 3 – Operational work**Note:** This division is only required to be completed if any part of the development application involves operational work.**14.1) What is the nature of the operational work?**

- | | | |
|---|--|--|
| ☐ Road work | ☒ Stormwater | ☐ Water infrastructure |
| ☐ Drainage work | ☒ Earthworks | ☐ Sewage infrastructure |
| ☐ Landscaping | ☐ Signage | ☐ Clearing vegetation |
| ☐ Other – please specify: Driveways and foot/cycle pathway | | |

14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)☒ Yes – specify number of new lots: 2☐ No

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

\$20,000

PART 4 – ASSESSMENT MANAGER DETAILS

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

Douglas Shire Council

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

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

PART 5 – REFERRAL DETAILS

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

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

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

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

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



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☐ SEQ northern inter-urban break – community activity ☐ SEQ northern inter-urban break – indoor recreation ☐ SEQ northern inter-urban break – urban activity ☐ SEQ northern inter-urban break – 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 <i>(from a watercourse or lake)</i> ☐ Water-related development – referable dams ☐ Water-related development – levees <i>(category 3 levees only)</i> ☐ Wetland protection area
Matters requiring referral to the local government: ☐ Airport land ☐ Environmentally relevant activities (ERA) <i>(only if the ERA has been devolved to local government)</i> ☐ Heritage places – Local heritage places
Matters requiring referral to the Chief Executive of the distribution entity or transmission entity: ☐ Infrastructure-related referrals – Electricity infrastructure
Matters requiring referral to: • The Chief Executive of the holder of the licence, if not an individual • The holder of the licence, if the holder of the licence is an individual ☐ Infrastructure-related referrals – Oil and gas infrastructure
Matters requiring referral to the Brisbane City Council: ☐ Ports – Brisbane core port land
Matters requiring referral to the Minister responsible for administering the Transport Infrastructure Act 1994: ☐ Ports – Brisbane core port land <i>(where inconsistent with the Brisbane port LUP for transport reasons)</i> ☐ Ports – Strategic port land
Matters requiring referral to the relevant port operator, if applicant is not port operator: ☐ Ports – Land within Port of Brisbane's port limits <i>(below high-water mark)</i>
Matters requiring referral to the Chief Executive of the relevant port authority: ☐ Ports – Land within limits of another port <i>(below high-water mark)</i>
Matters requiring referral to the Gold Coast Waterways Authority: ☐ Tidal works or work in a coastal management district <i>(in Gold Coast waters)</i>
Matters requiring referral to the Queensland Fire and Emergency Service: ☐ Tidal works or work in a coastal management district <i>(involving a marina (more than six vessel berths))</i>

18) Has any referral agency provided a referral response for this development application?		
☒ Yes – referral response(s) received and listed below are attached to this development application. ☐ No		
Referral requirement	Referral agency	Date of referral response
Construct new driveways in locations stipulated.	TMR	8 April 2025
Identify and describe any changes made to the proposed development application that was the subject of the referral response and this development application, or include details in a schedule to this development application <i>(if applicable)</i> .		

PART 6 – INFORMATION REQUEST

19) Information request under the DA Rules

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

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

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

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

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

PART 7 – FURTHER DETAILS

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

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

☐ No

List of approval/development application references	Reference number	Date	Assessment manager
☒ Approval	MCU 2025_5721/2	1 August 2025	Douglas Shire Council
☒ Development application	(1312519)		
☐ Approval			
☐ Development application			

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

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

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

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

Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
\$ 21,016.00	31/08/25	S-0017633

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

☐ Yes – show cause or enforcement notice is attached

☒ No

23) Further legislative requirements

Environmentally relevant activities

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

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

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

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

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

Hazardous chemical facilities

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

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

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

Clearing native vegetation

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

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

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

Environmental offsets

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

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

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

Koala habitat in SEQ Region

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

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

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

Water resources

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

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

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

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

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

Waterway barrier works

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

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

DA templates are available from planning.statedevelopment.qld.gov.au. For a development application involving waterway barrier works, complete DA Form 1 Template 4.

Marine activities

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

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

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

Quarry materials from a watercourse or lake

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

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

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

Quarry materials from land under tidal waters

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

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

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

Referable dams

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

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

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

Tidal work or development within a coastal management district

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

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

☒ No

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

Queensland and local heritage places

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

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

☒ No

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

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

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

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

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

☒ No

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

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

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

☒ No

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

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

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

☒ Yes

Note: See the *Planning Regulation 2017* for referral requirements

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

☒ Yes

☐ Not applicable

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

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

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

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

☒ Yes

☐ Not applicable



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25) Applicant declaration

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

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

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

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

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

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

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

Date received: Reference number(s):

Notification of engagement of alternative assessment manager

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

QLeave notification and payment

Note: For completion by assessment manager if applicable

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

1 August 2025

Enquiries: Daniel Lamond
Our Ref: MCUC 2025_5721/2 (1312519)
Your Ref: 2024-10-39

Administration Office
64 - 66 Front St Mossman
P 07 4099 9444
F 07 4098 2902

Davidson Developments Pty Ltd
8 Henrietta Street
DOUBLE BAY NSW 2028

Dear Sir/Madam

**Development Application for Combined Application – Reconfiguring a Lot (1 into 2 lots)
And Material Change of Use (Dual Occupancy)
At 12 Davidson Street PORT DOUGLAS
On Land Described as LOT: 706 TYP: PTD PLN: 2092**

Please find attached the Decision Notice for the above-mentioned development application.

Please quote Council's application number: MCUC 2025_5721/2 in all subsequent correspondence relating to this development application.

Should you require any clarification regarding this, please contact Daniel Lamond on telephone 07 4099 9444.

Yours faithfully



For
Leonard Vogel
Manager Environment & Planning

cc. State Assessment and Referral Agency (SARA) E: CairnsSARA@dilgp.qld.gov.au
encl.

- Decision Notice
 - Approved Drawing(s) and/or Document(s)
 - Concurrence Agency Response
 - Reasons for Decision
- Advice For Making Representations and Appeals (Decision Notice)
- Adopted Infrastructure Charges Notice
- Advice For Making Representations and Appeals (Infrastructure Charges)



Decision Notice

Approval (with conditions)

Given under s 63 of the Planning Act 2016

Applicant Details

Name: Davidson Developments Pty Ltd
Postal Address: 8 Henrietta Street
DOUBLE BAY NSW 2028
Email: admin@aspireqld.com

Property Details

Street Address: 12 Davidson Street PORT DOUGLAS
Real Property Description: LOT: 706 TYP: PTD PLN: 2092
Local Government Area: Douglas Shire Council

Details of Proposed Development

Development Permit- Reconfiguring a Lot (1 into 2 lots)
And Material Change of Use (Dual Occupancy)

Decision

Date of Decision: 1 August 2025
Decision Details: Approved (subject to conditions)

Approved Drawing(s) and/or Document(s)

Copies of the following plans, specifications and/or drawings are enclosed.

Drawing or Document	Reference	Date
Site Plan (Ground)	RECS Plan DA 1, Rev A	26 June 2025
Site Plan (Level 1)	RECS Plan DA 2, Rev A	26 June 2025

Floor Plan	RECS Plan DA 3, Rev A	26 June 2025
Floor Plan (Level 1)	RECS Plan DA 3, Rev A	26 June 2025
Section A-A	RECS Plan DA 3, Rev A	26 June 2025
Section D-D	RECS Plan DA 3, Rev A	26 June 2025
FNQROC Regional Development Manual Standard Drawing/s for Vehicle Access		
Access Crossovers	Standard Drawing S1015 Issue E	27 August 2020
Concrete driveway for allotment access	Standard Drawing S1110 Issue F	27 August 2020

Note – The plans referenced above will require amending in order to comply with conditions of this Decision Notice.

Assessment Manager Conditions & Advices

1. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:
 - a. The specifications, facts and circumstances as set out in the application submitted to Council; and
 - b. The following conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual.

Except where modified by these conditions of approval.

Timing of Effect

2. The conditions of the Development Permit must be effected prior to endorsement of the Survey Plan except otherwise nominated in these conditions of approval.

Amendment to Design

3. Provide the following amendments to design:
 - a. amend the design to have the side boundary setbacks on the first floor increased to no less than 1500mm; and
 - b. amend the design to demonstrate compliance with the Queensland Development Code for the setback between the pool deck and sewer man-hole in the rear.

Provide amended plans reflective of the changes for endorsement by the Chief Executive Officer prior to the issue of a Development Permit for Building Work.

Air-conditioning Screens

4. Air-conditioning units located above ground level and visible from external properties and the street must be screened with appropriate materials to improve the appearance of the building. Such screening must be completed prior to the Commencement of Use.

Damage to Council Infrastructure

5. In the event that any part of Council's existing sewer/water or road infrastructure is damaged as a result of construction activities occurring on the site, the applicant/owner must notify Council immediately of the affected infrastructure and have it repaired or replaced at no cost to Council.

Sewerage Works Internal

6. Connect each dwelling via separate jump-up to Councils sewerage network traversing the rear of the property.

Vehicle Parking

7. The car parking layout must comply with the Australian Standard AS2890.1 2004 Parking Facilities – off-street car parking and be constructed in accordance with Austroads and good engineering design. In addition, all parking, driveway and vehicular manoeuvring areas must be imperviously sealed, drained and line marked.

External Works

8. Undertake the following works external to the land at no cost to Council:
 - a. Provide two vehicle crossovers and aprons to Davidson Street;
 - b. Construct a 2000mm wide concrete footpath across the Davidson Street frontage in accordance with the FNQROC Development Manual;
 - c. Repair any damage to existing roadway (including removal of concrete slurry from footways, roads, kerb and channel and stormwater gullies and drain lines) that may occur during and works carried out in association with the construction of the approved development.

Stockpiling and Transportation of Fill Material

9. Soil excavated from the site is not to be stockpiled in locations that can be viewed from adjoining premises or a road frontage for any longer than one (1) month from the commencement of works.
Transportation of fill or spoil to and from the site must not occur within:
 - a. peak traffic times;
 - b. before 7:00 am or after 6:00 pm Monday to Friday;
 - c. before 7:00 am or after 1:00 pm Saturdays; or
 - d. on Sundays or Public Holidays.

Emissions

10. Dust emissions or other air pollutants, including odours, must not extend beyond the boundary of the site and cause a nuisance to surrounding properties.

Storage of Machinery and Plant

11. The storage of any machinery, material and vehicles must not cause a nuisance to surrounding properties, to the satisfaction of the Chief Executive Officer.

Landscaping Plan

12. The site must be landscaped in accordance with details included on a landscaping plan. The plan must be prepared by a suitably qualified and experienced landscape designer. The landscaping plan must be submitted for endorsement by the Chief Executive Officer prior to Council endorsement of the Plan of Survey.

Lawful Point of Discharge

13. All stormwater from the property must be directed to a lawful point of discharge, such that it does not adversely affect surrounding properties or properties downstream from the development.

Ponding and/or Concentration of Stormwater

14. The proposed development is not to create ponding nuisances and/or concentration of stormwater flows to adjoining properties.

Minimum Fill and Floor Level

15. All floor levels in all buildings must be located 300mm above the Q100 flood immunity level, plus any hydraulic grade effect (whichever is the greater), in accordance with FNQROC Development Manual and Planning Scheme requirements.

Sediment and Erosion Control

16. Soil and water management measures must be installed/implemented prior to discharge of water from the site, such that no external stormwater flow from the site adversely affects surrounding or downstream properties (in accordance with the requirements of the Environmental Protection Act 1994, and the FNQROC Development Manual).

Refuse Storage Area

17. Area for two 240L wheelie bins must be provided for each dwelling unit.

Construction Signage

18. Prior to the commencement of any construction works associated with the development, a sign detailing the project team must be placed on the road frontage of the site and must be located in a prominent position. The sign must detail the relevant project coordinator for the works being undertaken on the site, and must list the following parties (where relevant) including telephone contacts:
 - a. Developer;
 - b. Project Coordinator;
 - c. Architect/Building Designer;
 - d. Builder;
 - e. Civil Engineer;
 - f. Civil Contractor;
 - g. Landscape Architect.

RECONFIGURATION OF A LOT

APPROVED DRAWING(S) AND / OR DOCUMENT(S)

The term 'approved drawing(s) and / or document(s)' or other similar expressions means:

Drawing or Document	Reference	Date
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ASSESSMENT MANAGER CONDITIONS

1. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:
 - a. The specifications, facts and circumstances as set out in the application submitted to Council; and
 - b. The following conditions of approval and the requirements of Council's Planning Scheme and the *FNQROC Development Manual*.

Except where modified by these conditions of approval

Timing of Effect

2. The conditions of the Development Permit must be effected prior to Council endorsing the Survey Plan, except where specified otherwise in these conditions of approval.

Fire Separation

3. The boundary placement between each dwelling must be in accordance with the National Construction Code and in particular, the building setbacks from the side boundaries must comply with the fire regulations within the code.

Timing of Lot Reconfiguration

4. Prior to Council endorsing the Plan of Survey;
 - a. The under slab must be completed for both dwellings with the relevant building inspection undertaken. The slab must be deemed satisfactory with the relevant documentation submitted to Council.
 - b. Construction of the dual occupancy development must be commenced to the extent of three courses of blocks.

Water Supply

5. Provide separate water meters and connection for each dwelling unit.

Sewer Connection

6. The development must be connected to Council's reticulated sewer system in accordance with the following requirements;
 - a. Provide a separate sewer connection for each allotment;
 - b. Create an easement in favour of proposed lot 1 burdening proposed lot 2, to contain the house connection branch traversing proposed lot 2;
 - c. No sewer main extension is to occur.

Advice

1. All building site managers must take all action necessary to ensure building materials and / or machinery on construction sites are secured immediately following the first cyclone watch and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of works.

2. This approval does not negate the requirement for compliance with all other relevant Council Local Laws and other statutory requirements.
3. For information relating to the *Planning Act 2016* log on to <https://planning.dsdmip.qld.gov.au/>. To access the *FNQROC Regional Development Manual*, Local Laws, the Douglas Shire Planning Scheme and other applicable Policies log on to www.douglas.qld.gov.au.

Further Development Permits

Please be advised that the following development permits are required to be obtained before the development can be carried out:

- All Building Work

All Plumbing and Drainage Work must only be carried in compliance with the Queensland *Plumbing and Drainage Act 2018*.

Concurrence Agency Response

Concurrence Agency	Concurrence Reference	Agency Date	Doc ID
State Assessment and Referral Agency	2503-45111 SRA	28 July 2025	1311688

Note- Concurrence Agency Response is attached. This Concurrence Agency Response may be amended by agreement with the respective agency.

Currency Period for the Approval

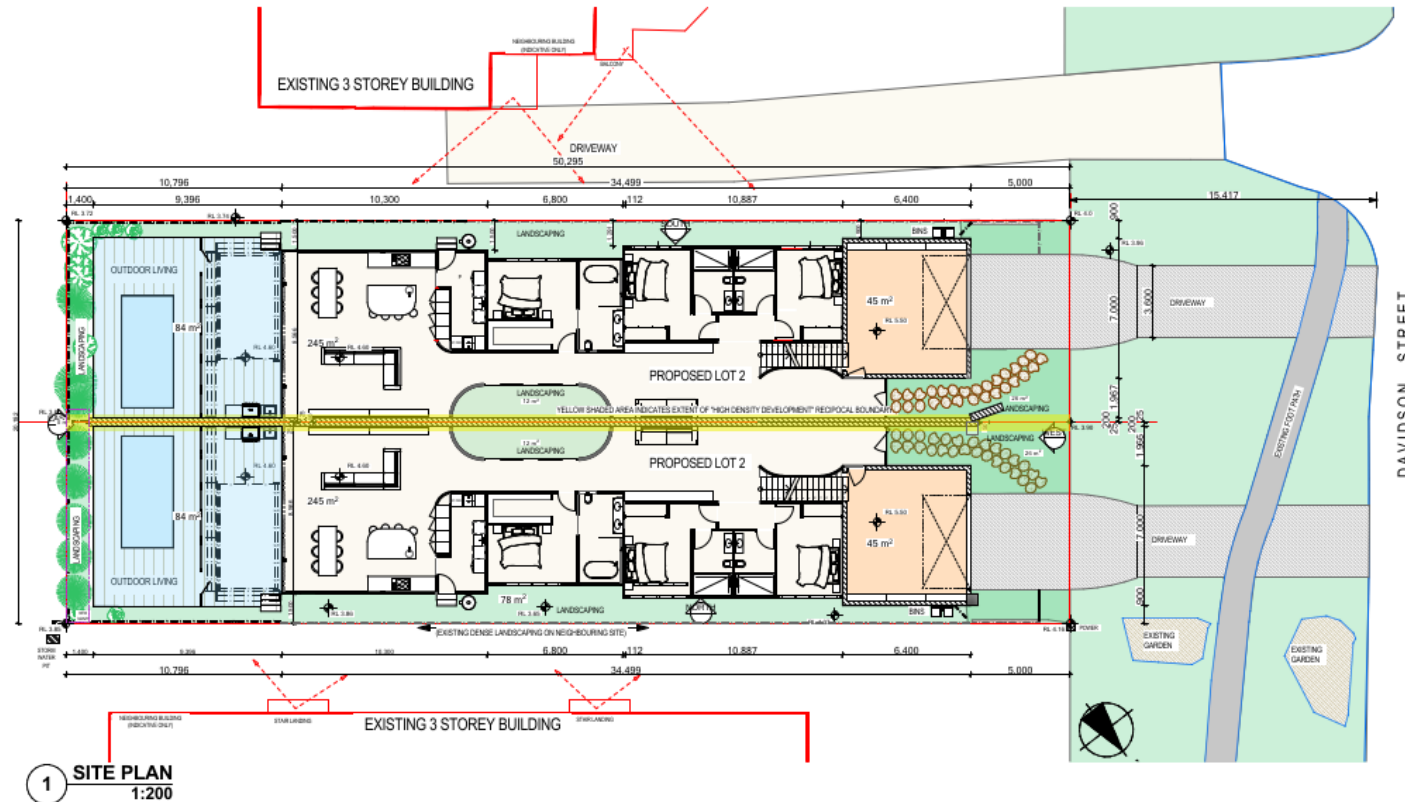
This approval, granted under the provisions of the *Planning Act 2016*, shall lapse six (6) years from the day the approval takes effect in accordance with the provisions of Section 85 of the *Planning Act 2016*.

Rights to make Representations & Rights of Appeal

The rights of applicants to make representations and rights to appeal to a Tribunal or the Planning and Environment Court against decisions about a development application are set out in Chapter 6, Part 1 of the *Planning Act 2016*.

A copy of the relevant appeal provisions is attached.

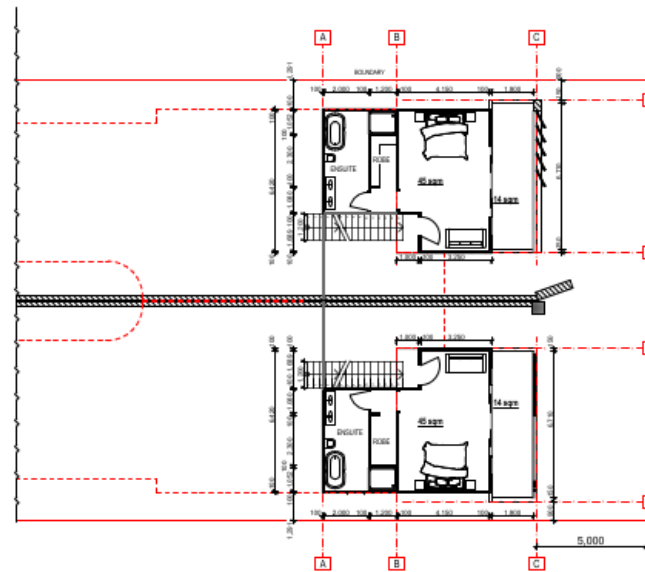
Approved Drawing(s) and/or Document(s)



 DWELLING AREA (GROUND) 245sqm
  DWELLING AREA (LEVEL 1) 45sqm
  GARAGE AREA 45sqm
  OUTDOOR RECREATION- 100sqm
  LANDSCAPING - 118sqm

TOTAL SITE AREA 1012sqm
2 X SITES, EACH LOT SITE AREA - 506sqm
DWELLING + LEVEL 1 + GARAGE 335sqm (each)
DWELLING FOOT PRINT 290sqm (each)
TOTAL LANDSCAPING 236sqm
TOTAL SITE COVERAGE 57%

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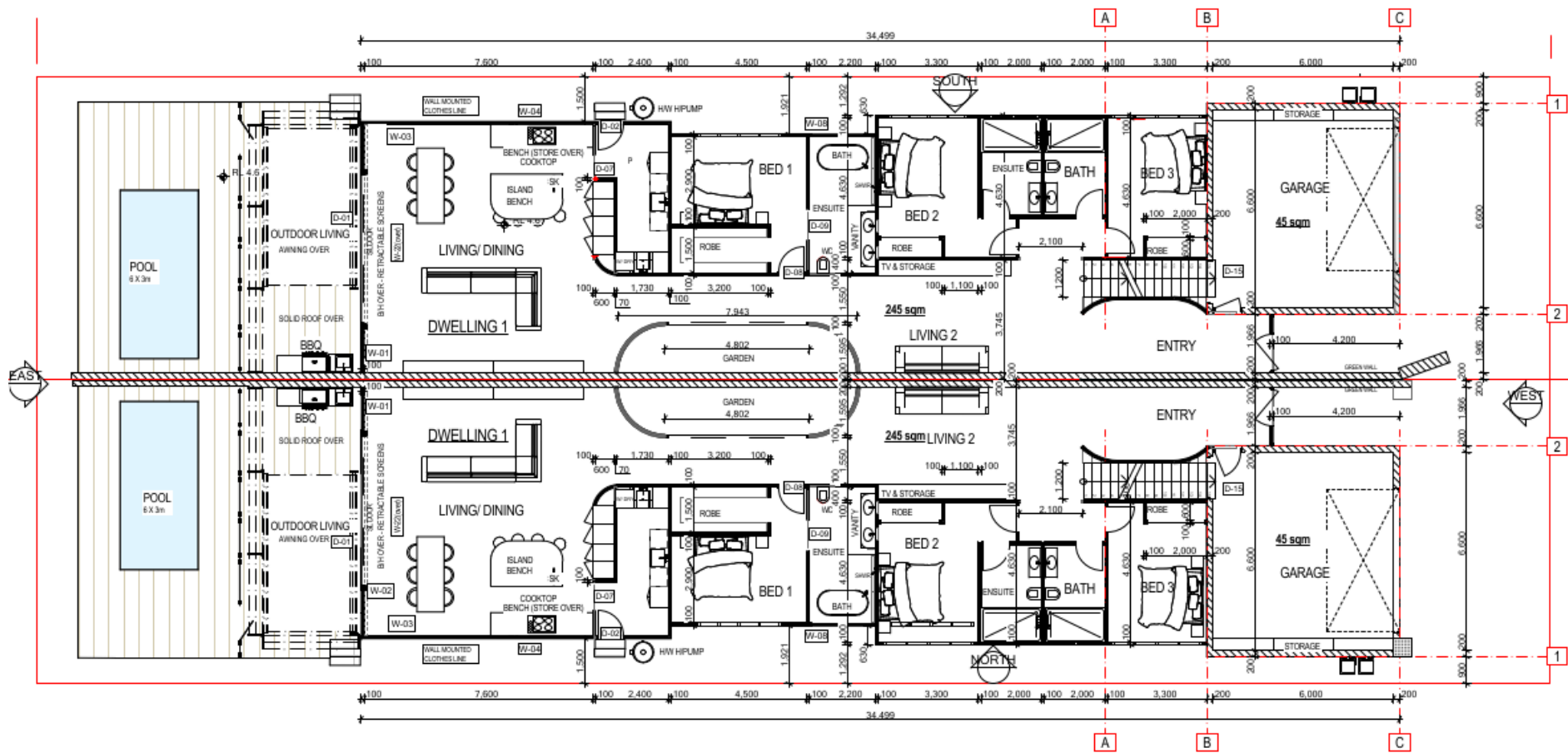


1 FLOOR PLAN (LEVEL ONE)
1:200



TOTAL SITE AREA 1012sqm
2 X SITES, EACH LOT SITE AREA - 506sqm
DWELLING + LEVEL 1 + GARAGE 335sqm (each)
DWELLING FOOT PRINT 290sqm (each)
TOTAL LANDSCAPING 236sqm
TOTAL SITE COVERAGE 57%

Project Location Client PROJECT	NEW DWELLINGS 12 DAVIDSON STREET, PORT DOUGLAS DAVIDSON DEVELOPMENTS 101-2024	 CONSULTING ENGINEERS & BUILDING DESIGNERS RSE PTY LTD, SHOP 22 (LEVEL 1) OLYMPIA BUILDING 29-31 MACROSSOPH STREET, PORT DOUGLAS QLD 4222 P: 07 4388 8818 E: info@rsebuilding.com.au A/N: 6503110788	THESE DRAWINGS ARE INDICATIVE ONLY OF THE DESIGN ON THE DATE SHOWN. AS CONDITIONS AND REQUIREMENTS CAN BE SUBJECT TO THE DESIGN AT ANY TIME BY RSE CONSULTING ENGINEERS & BUILDING DESIGNERS. THESE DRAWINGS ARE NOT TO BE USED OR USED IN ANY FORM FOR CONSTRUCTION OR ANY CONTRACT DOCUMENTATION PURPOSES. DRAWINGS ISSUED BY RSE FOR THIS PROJECT AFTER THIS DATE WILL SUPERSEDE THIS ISSUE. SUPERSEDED DRAWINGS SHALL NOT BE RELIED UPON FOR ANY PURPOSE. DO NOT SCALE DRAWINGS.	DO NOT SCALE DRAWINGS. THESE DRAWINGS ARE INDICATIVE ONLY OF THE DESIGN ON THE DATE SHOWN. AS CONDITIONS AND REQUIREMENTS CAN BE SUBJECT TO THE DESIGN AT ANY TIME BY RSE CONSULTING ENGINEERS & BUILDING DESIGNERS. THESE DRAWINGS ARE NOT TO BE USED OR USED IN ANY FORM FOR CONSTRUCTION OR ANY CONTRACT DOCUMENTATION PURPOSES. DRAWINGS ISSUED BY RSE FOR THIS PROJECT AFTER THIS DATE WILL SUPERSEDE THIS ISSUE. SUPERSEDED DRAWINGS SHALL NOT BE RELIED UPON FOR ANY PURPOSE. DO NOT SCALE DRAWINGS.	ISSUE A - HABITAT DEVELOPMENT APPLICATION 10/10/2024 ISSUE B - ISSUE C - ISSUE D - DRAWING FOR DEVELOPMENT APPLICATION ONLY (NOT FOR CONSTRUCTION) DESIGN - PROJECT STATUS DEVELOPMENT APPLICATION	SHEET REVISION DA 2 A	SCALE 1:250 SHEET PRINT DATE 15/06/2025 1:17 PM



1 FLOOR PLAN
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Project NEW DWELLINGS
Location 12 DAVIDSON STREET, PORT DOUGLAS
Client DAVIDSON DEVELOPMENTS
PROJECT 101- 2024



CONSULTING ENGINEERS
& BUILDING DESIGNERS

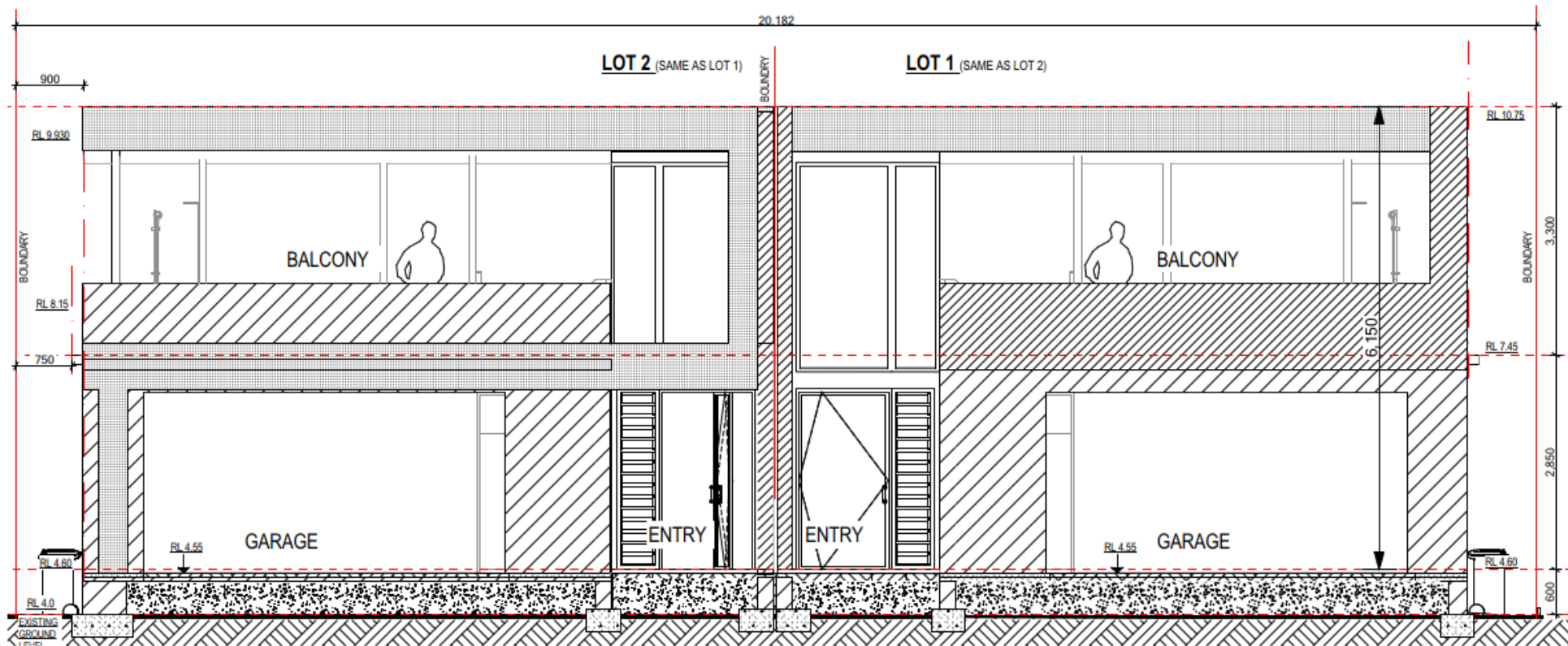
REGISTRATION NO. 115533
P.O. BOX 101, PORT DOUGLAS QLD 4222
P: 07 4086 5215 E: info@cedb.com.au ABN 5505110708

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DESIGN FOR DEVELOPMENT APPLICATION ONLY
(NOT FOR CONSTRUCTION)
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FLOOR PLAN

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Project NEW DWELLINGS
Location 12 DAVIDSON STREET, PORT DOUGLAS
Client DAVIDSON DEVELOPMENTS
PROJECT 101- 2024



**CONSULTING ENGINEERS
& BUILDING DESIGNERS**

RECS PTY LTD, SHOP 22 LEVEL 2, SALTWATER BUILDING 25-30 MACROSSAN STREET, PO BOX 884, PORT DOUGLAS QLD 4077.
P: 07 4366 6216 E: info@reco.net.au A/N: 9308119788

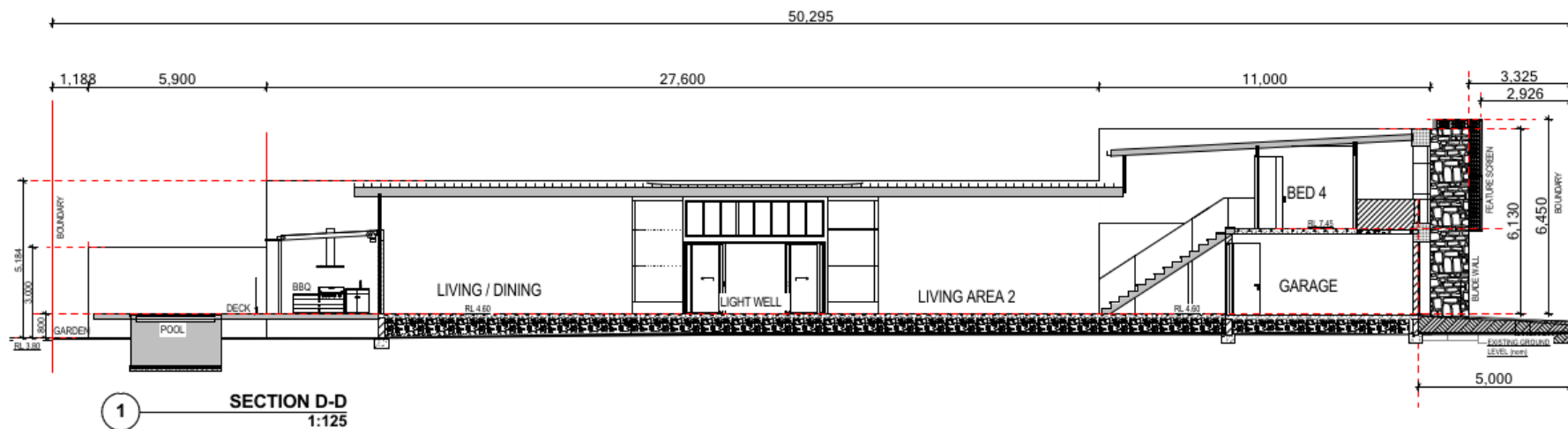
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QBCC No: 1196632

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RECS A - AMENDED DEVELOPMENT APPLICATION (DA) IS
RECS B -
RECS C -
RECS D -
FOR DEVELOPMENT APPLICATION ONLY
(NOT FOR CONSTRUCTION)
DRAWING DESIGNER PROJECT STATUS DEVELOPMENT APPLICATION
SECTION A-A

SHEET DA 7
REVISION A
SCALE & SUBJECT
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SARA reference: 2503-45111 SRA
Council reference: MCUC 2025_5721/2
Applicant reference: 2024-10-39

28 July 2025

Chief Executive Officer
Douglas Shire Council
PO Box 723
Mossman QLD 4873
enquiries@douglas.qld.gov.au

Attention: Daniel Lamond

Dear Sir/Madam

SARA referral agency response—12 Davidson Street, Port Douglas

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 13 March 2025.

Response

Outcome:	Referral agency response – with conditions
Date of response:	28 July 2025
Conditions:	The conditions in Attachment 1 must be attached to any development approval
Advice:	Advice to the applicant is in Attachment 2
Reasons:	The reasons for the referral agency response are in Attachment 3

Development details

Description:	Development permit	Material Change of Use (Dual Occupancy)
	Development permit	Reconfiguration of a lot (1 Lot into 2 Lots)
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 1, Item 1 (Planning Regulation 2017) - Reconfiguring a lot near a State	

Far North Queensland regional office
Ground Floor, Cnr Grafton and Hartley
Street, Cairns
PO Box 2358, Cairns QLD 4870

	transport corridor
	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (Planning Regulation 2017) - Material change of use of premises near a State transport corridor
SARA reference:	2503-45111 SRA
Assessment manager:	Douglas Shire Council
Street address:	12 Davidson Street, Port Douglas
Real property description:	Lot 706 on PTD2092
Applicant name:	Davidson Developments Pty Ltd CI- Aspire Town Planning and Project Services
Applicant contact details:	PO Box 1040 Mossman QLD 4873 admin@aspireqld.com
State-controlled road access permit:	This referral included an application for a road access location, under section 62A(2) of <i>Transport Infrastructure Act 1994</i> . Below are the details of the decision: • Approved • Reference: TMR25-045230 • Date: 8 April 2025 If you are seeking further information on the road access permit, please contact the Department of Transport and Main Roads at caims.office@tmr.qld.gov.au
Human Rights Act 2019 considerations:	The decision has been assessed for compatibility with human rights under the <i>Human Rights Act 2019</i> . The decision was found not to limit human rights under the <i>Human Rights Act 2019</i> therefore, it is reasonable to conclude the decision is compatible with human rights.

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Sue Lockwood, A/Principal Planning Officer, on 40373214 or via email CairnsSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Javier Samanes', written over a horizontal line.

Javier Samanes
A/ Manager (Planning)

cc Davidson Developments Pty Ltd c/- Aspire Town Planning and Project Services, admin@aspireqld.com

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Representations about a referral agency response provisions
Attachment 5 - Documents referenced in conditions

Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the documents referenced below are found at Attachment 5)

No.	Conditions	Condition timing
Reconfiguring a lot		
10.9.4.2.1.1 – Reconfiguring a lot near a state transport corridor—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition:		
1.	(a) Road accesses are located generally in accordance with TMR Layout Plan (6504 – 5.20km) prepared by Queensland Government Transport and Main Roads, dated 8/04/2025, reference TMR25-045230, Issue A. (b) Provide road access works comprising of a sealed road access at the road access locations, referred to in part (a) of this condition. (c) Design and construct the road access works, referred to in part (b) of this condition, in accordance with Far North Queensland Regional Organisation of Council's (FNQROC) Standard Drawing S1105 – Rural Allotment Accesses, dated 05/12/23, Revision G.	(a) At all times. (b) and (c) Prior to submitting the Plan of Survey to the local government for approval.
Material change of use		
10.9.4.2.4.1 – Material change of use of premises near a State transport corridor—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following conditions:		
1.	Stormwater management of the development must not cause a worsening to the operating performance of the state-controlled road, such that any works on the land must not: (i) create any new discharge points for stormwater runoff onto the state-controlled road; (ii) concentrate or increase the velocity of flows to the state-controlled road; (iii) interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road; (iv) surcharge any existing culvert or drain on the state-controlled road; and (v) impede or interfere with any overland flow or hydraulic conveyance from the state-controlled road.	At all times.
2.	(a) Road accesses are located generally in accordance with TMR Layout Plan (6504 – 5.20km) prepared by Queensland Government Transport and Main Roads, dated 8/04/2025, reference TMR25-045230, Issue A. (b) Provide road access works comprising of a sealed road access at the road access locations, referred to in part (a) of this condition. (c) Design and construct the road access works, referred to in part (b) of this condition, in accordance with Far North Queensland Regional Organisation of Council's (FNQROC) Standard Drawing	(a) At all times. (b) and (c) Prior to the commencement of use.

	S1105 – Rural Allotment Accesses, dated 05/12/23, Revision G.	
3.	Install on the balconies facing Port Douglas Road, as shown on Section A-A prepared by RECS Consulting Engineers & Building Designers dated 26-6-25, Sheet DA 7, Revision A, as amended in red by SARA: (a) a continuous solid gap-free structure, constructed of glass, concrete blocks, bricks or fibre cement sheeting, or balustrade, other than gaps required for drainage purposes in accordance with the Building Code of Australia; and (b) highly acoustically absorbent material treatment for the total area of the soffit above these balconies.	(a) and (b) Prior to the commencement of use and to be maintained at all times.

Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> , its regulation or the State Development Assessment Provisions (SDAP) version 3.2. If a word remains undefined it has its ordinary meaning.
Transport Noise Corridor	
2.	Transport Noise Corridor mapping indicates that Lot 706 on PTD2092 (the subject site) is impacted by transport corridor noise from Davidson Street (Port Douglas Road), a state-controlled road. Mandatory Part (MP) 4.4 of the Queensland Development Code (QDC) commenced on 1 September 2010 and applies to building work for the construction or renovation of a residential building in a designated transport noise corridor. MP4.4 seeks to ensure that the habitable rooms of Class 1, 2, 3 and 4 buildings located in a transport noise corridor are designed and constructed to reduce transport noise. Transport noise corridor means land designated under Chapter 8B of the <i>Building Act 1975</i> as a transport noise corridor. Information about transport noise corridors is available at state and local government offices. A free online search tool can be used to find out whether a property is located in a designated transport noise corridor. This tool is available at the State Planning Policy (SPP) Interactive Mapping System website: https://spp.dsdip.esriaustraliaonline.com.au/geoviewer/map/planmaking and allows searches on a registered lot number and/or property address to determine whether and how the QDC applies to the land. Transport noise corridors are located under 'Information Purposes' within Transport Infrastructure tab of the SPP mapping system.
Further development permits required	
3.	Road Works Approval Under section 33 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the Department of Transport and Main Roads (DTMR) to carry out road works on a state-controlled road. Please contact the Cairns district office of DTMR on 4045 7144 or by email at Far.North.Queensland.IDAS@tmr.qld.gov.au to make an application for road works approval. This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). Please contact DTMR as soon as possible to ensure that gaining approval does not delay construction.

Attachment 3—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for the SARA's decision are:

The proposed development can be conditioned to comply with the relevant provisions of State code 1: Development in a state-controlled road environment, as it:

- does not increase the likelihood or frequency of accidents, fatalities or serious injury for users of a state-controlled road
- does not adversely impact the structural integrity or physical condition of state-controlled roads, road transport infrastructure
- does not adversely impact the function and efficiency of state-controlled road
- does not adversely impact the state's ability to plan, construct, maintain, upgrade or operate state-controlled roads, or road transport infrastructure
- does not significantly increase the cost to the state to plan, construct, upgrade or maintain state-controlled roads, or road transport infrastructure
- protects community amenity from significant adverse impacts of environmental emissions generated by road transport infrastructure or vehicles using state-controlled roads.

Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (version 3.2), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- State Planning Policy mapping system
- section 58 of the *Human Rights Act 2019*

Attachment 4—Representations about a referral agency response provisions

(page left intentionally blank – attached separately)

Attachment 5—Documents referenced in conditions

(page left intentionally blank – attached separately)

Our ref TMR25-045230
Your ref
Enquiries Ronald Kaden



8 April 2025

Department of
Transport and Main Road

Decision Notice – Permitted Road Access Location (s62(1) *Transport Infrastructure Act 1994*)

This is not an authorisation to commence work on a state-controlled road¹

Development application reference number MCUC 2025_5721/2, lodged with Douglas Shire Council involves constructing or changing a vehicular access between Lot 706PTD2092, the land the subject of the application, and Port Douglas Road (Davidson Street) (a state-controlled road).

In accordance with section 62A(2) of the *Transport Infrastructure Act 1994* (TIA), this development application is also taken to be an application for a decision under section 62(1) of TIA.

Applicant Details

Name and address Davidson Developments Pty Ltd C/- Aspire Town Planning and Project Services
PO Box 1040
Mossman QLD 4873

Application Details

Address of Property 12 Davidson Street, Port Douglas QLD 4877
Real Property Description 706PTD2092
Aspect/s of Development Development Permit, Development Permit for Reconfiguration of a Lot, Material Change of Use for Reconfiguration of a lot - 1 Lot into 2 Lots), Material Change of Use for Dual Occupancy

Decision (given under section 67 of TIA)

It has been decided to approve the application, subject to the following conditions:

No.	Conditions of Approval	Condition Timing
1	The Permitted Road Access Locations are: (a) Proposed Lot 1 - Near the common boundary with Lot 0BUP70699, (b) Proposed Lot 2 - Near the common boundary with Lot 0BUP70612, in accordance with: (i) TMR Layout Plan (6504 - 5.20km) Issue A dated 08/04/2025. (Attachment D)	At all times.

¹ Please refer to the further approvals required under the heading 'Further approvals'

Program Delivery and Operations
Far North Region
Cairns Corporate Tower, 15 Lake Street Cairns QLD 4870
PO Box 6185 Cairns QLD 4870

Telephone +61 (07) 4045 7151
Website www.tmr.qld.gov.au
Email Far.North.Queensland.IDAS@tmr.qld.gov.au
ABN: 39 407 690 291

No.	Conditions of Approval	Condition Timing
2	Direct access is prohibited between Port Douglas Road (Davidson Street) and the subject land at any other locations other than the Permitted Road Access Locations described in Condition 1.	At all times.
3	The use of the permitted road access location described in Condition 1 is to be restricted to: a) Design vehicles up to a maximum size short towing trailer - Class 2 Medium Length Light Vehicle** Note: ** as described in Austroads Vehicle Classification System	At all times.
4	Road works at the locations described in Condition 1 comprising sealed residential vehicle accesses must be constructed and maintained, generally in accordance with: a) FNQROC Standard Drawing S1105 - Rural Allotment Access	MCU - Prior to commencement of use ROL - Prior to submitting the Plan of Survey to the local government for approval.

Reasons for the decision

The reasons for this decision are as follows:

- a) The subject site (Lot 706 on PTD2092) has road frontage but no vehicle access Port Douglas Road, a state-controlled road.
- b) The development application is for:
 - Development Permit for Reconfiguring a Lot – 1 Lot into 2 Lots; and
 - Development Permit for Material Change of Use – Dual Occupancy.
- c) The proposed development will require two (2) new vehicular accesses via Port Douglas Road.
- d) A s62 approval will be required to be issued to formalise the new road access driveways between Lot 706 on PTD2092 and Port Douglas Road.

Please refer to **Attachment A** for the findings on material questions of fact and the evidence or other material on which those findings were based.

Information about the Decision required to be given under section 67(2) of TIA

1. There is no guarantee of the continuation of road access arrangements, as this depends on future traffic safety and efficiency circumstances.
2. This decision has been based on the current land use and the historic nature of the access subject to this decision. Be advised that if the land is further developed and/or intensified, the department will reassess the access requirements in accordance with the department's policies at that time to ensure that the road safety and transport efficiency outcomes for the state-

controlled road network are maximised. This may or may not require all future access to be provided via the local road network.

3. In accordance with section 70 of the TIA, the applicant for the planning application is bound by this decision. A copy of section 70 is attached as **Attachment B**, as required, for information.

Further information about the decision

1. In accordance with section 67(7) of TIA, this decision notice:
 - a) starts to have effect when the development approval has effect; and
 - b) stops having effect if the development approval lapses or is cancelled; and
 - c) replaces any earlier decision made under section 62(1) in relation to the land.
2. In accordance with section 485 of the TIA and section 31 of the *Transport Planning and Coordination Act 1994* (TPCA), a person whose interests are affected by this decision may apply for a review of this decision only within 28 days after notice of the decision was given under the TIA. A copy of the review provisions under TIA and TPCA are attached in **Attachment C** for information.
3. In accordance with section 485B of the TIA and section 35 of TPCA a person may appeal against a reviewed decision. The person must have applied to have the decision reviewed before an appeal about the decision can be lodged in the Planning and Environment Court. A copy of the Appeal Provisions under TIA and TPCA is attached in **Attachment C** for information.

Further approvals

The Department of Transport and Main Roads also provides the following information in relation to this approval:

1. Road Access Works Approval Required – Written approval is required from the department to carry out road works that are road access works (including driveways) on a state-controlled road in accordance with section 33 of the TIA. This approval must be obtained prior to commencing any works on the state-controlled road. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). Please contact the department to make an application.

If further information about this approval or any other related query is required, Ronald Kaden, Technical Officer (Development Control) should be contacted by email at cairns.office@tmr.qld.gov.au or on (07) 4045 7151.

Yours sincerely



Liliya Yates
A/Principal Engineer (Civil)

Attachments: Attachment A – Decision evidence and findings
Attachment B - Section 70 of TIA
Attachment C - Appeal Provisions
Attachment D - Permitted Road Access Location Plan

Attachment A

Decision Evidence and Findings

Evidence or other material on which findings were based:

Title of Evidence / Material	Prepared by	Date	Reference no.	Version / Issue
TMR Layout Plan (6504 - 5.20km)	Queensland Government Transport and Main Roads	08 April 2025	TMR25-045230 (as Attachment D)	A
Site Plan	RECS Consulting Engineers & Building Designers	Print date 19 February 2025	DA 2	B
Rural Allotment Access	FNQROC	05 December 2023	S1105	G
Vehicle Access to state-controlled roads policy	Queensland Government Transport and Main Roads	2023	-	-

Attachment B
Section 70 of TIA

Transport Infrastructure Act 1994
Chapter 6 Road transport infrastructure
Part 5 Management of State-controlled roads

70 Offences about road access locations and road access works, relating to decisions under s 62(1)

- (1) This section applies to a person who has been given notice under section 67 or 68 of a decision under section 62(1) about access between a State-controlled road and adjacent land.
- (2) A person to whom this section applies must not—
- (a) obtain access between the land and the State-controlled road other than at a location at which access is permitted under the decision; or
 - (b) obtain access using road access works to which the decision applies, if the works do not comply with the decision and the noncompliance was within the person's control; or
 - (c) obtain any other access between the land and the road contrary to the decision; or
 - (d) use a road access location or road access works contrary to the decision; or
 - (e) contravene a condition stated in the decision; or
 - (f) permit another person to do a thing mentioned in paragraphs (a) to (e); or
 - (g) fail to remove road access works in accordance with the decision.

Maximum penalty—200 penalty units.

- (3) However, subsection (2)(g) does not apply to a person who is bound by the decision because of section 68.

Attachment C
Appeal Provisions

Transport Infrastructure Act 1994
Chapter 16 General provisions

485 Internal review of decisions

- (1) A person whose interests are affected by a decision described in schedule 3 (the **original decision**) may ask the chief executive to review the decision.
- (2) The person is entitled to receive a statement of reasons for the original decision whether or not the provision under which the decision is made requires that the person be given a statement of reasons for the decision.
- (3) The *Transport Planning and Coordination Act 1994*, part 5, division 2—
 - (a) applies to the review; and
 - (b) provides—
 - (i) for the procedure for applying for the review and the way it is to be carried out; and
 - (ii) that the person may apply to QCAT to have the original decision stayed.

485B Appeals against decisions

- (1) This section applies in relation to an original decision if a court (the appeal court) is stated in schedule 3 for the decision.
- (2) If the reviewed decision is not the decision sought by the applicant for the review, the applicant may appeal against the reviewed decision to the appeal court.
- (3) The *Transport Planning and Coordination Act 1994*, part 5, division 3—
 - (a) applies to the appeal; and
 - (b) provides—
 - (i) for the procedure for the appeal and the way it is to be disposed of; and
 - (ii) that the person may apply to the appeal court to have the original decision stayed.
- (4) Subsection (5) applies if—
 - (a) a person appeals to the Planning and Environment Court against a decision under section 62(1) on a planning application that is taken, under section 62A(2), to also be an application for a decision under section 62(1); and

Page 7 of 10

- (b) a person appeals to the Planning and Environment Court against a decision under the Planning Act on the planning application.
- (5) The court may order—
 - (a) the appeals to be heard together or 1 immediately after the other; or
 - (b) 1 appeal to be stayed until the other is decided.
- (6) Subsection (5) applies even if all or any of the parties to the appeals are not the same.
- (7) In this section—

original decision means a decision described in schedule 3.

reviewed decision means the chief executive's decision on a review under section 485.

31 Applying for review

- (1) A person may apply for a review of an original decision only within 28 days after notice of the original decision was given to the person under the transport Act.
- (2) However, if—
 - (a) the notice did not state the reasons for the original decision; and
 - (b) the person asked for a statement of the reasons within the 28 days mentioned in subsection (1)the person may apply within 28 days after the person is given the statement of the reasons.
- (3) In addition, the chief executive may extend the period for applying.
- (4) An application must be written and state in detail the grounds on which the person wants the original decision to be reviewed.

32 Stay of operation of original decision

- (1) If a person applies for review of an original decision, the person may immediately apply for a stay of the decision to the relevant entity.
- (2) The relevant entity may stay the original decision to secure the effectiveness of the review and any later appeal to or review by the relevant entity.
- (3) In setting the time for hearing the application, the relevant entity must allow at least 3 business days between the day the application is filed with it and the hearing day.
- (4) The chief executive is a party to the application.
- (5) The person must serve a copy of the application showing the time and place of the hearing and any document filed in the relevant entity with it on the chief executive at least 2 business days before the hearing.
- (6) The stay—
 - (a) may be given on conditions the relevant entity considers appropriate; and
 - (b) operates for the period specified by the relevant entity; and
 - (c) may be revoked or amended by the relevant entity.
- (7) The period of a stay under this section must not extend past the time when the chief executive reviews the original decision and any later period the relevant entity allows the applicant to enable the applicant to appeal against the decision or apply for a review of the decision as provided under the QCAT Act.

(8) The making of an application does not affect the original decision, or the carrying out of the original decision, unless it is stayed.

(9) In this section—

relevant entity means—

- (a) if the reviewed decision may be reviewed by QCAT—QCAT; or
- (b) if the reviewed decision may be appealed to the appeal court—the appeal court.

35 Time for making appeals

(1) A person may appeal against a reviewed decision only within—

- (a) if a decision notice is given to the person—28 days after the notice was given to the person; or
- (b) if the chief executive is taken to have confirmed the decision under section 34(5)—56 days after the application was made.

(2) However, if—

- (a) the decision notice did not state the reasons for the decision; and
 - (b) the person asked for a statement of the reasons within the 28 days mentioned in subsection (1)(a);
- the person may apply within 28 days after the person is given a statement of the reasons.

(3) Also, the appeal court may extend the period for appealing.

Attachment D

Permitted Road Access Location (Proposed Lot 2)

Near the common boundary with Lot 0BUP70612, and approx 90m north of Mowbray Street (5.18km RHS)

GPS location x 145.466187, y -16.485812

Access Restrictions

- a) Design vehicles up to a maximum size short towing trailer
- Class 2 Medium Length Light Vehicle**

Note: ** as described in Austroads Vehicle Classification System

Permitted Road Access Location (Proposed Lot 1)

Near the common boundary with Lot 0BUP70699, and approx 70m north of Mowbray Street (5.16km RHS)

GPS location x 145.466100, y -16.485919

Access Restrictions

- a) Design vehicles up to a maximum size short towing trailer
- Class 2 Medium Length Light Vehicle**

Note: ** as described in Austroads Vehicle Classification System



Branch/Unit : Corridor Management / Far North District

Projection/Datum : Geocentric Datum of Australia (GDA) 2020

- Land parcels
- Subject land
- Easements
- State-controlled road corridor

TMR Layout Plan (6504 - 5.20km)



Queensland Government
Transport and Main Roads

Plan: 1 / 1	Issue: A	Date: 8/04/2025
Drawn by: RPK	File ref: TMR25-045230	

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Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding representations about a referral agency response

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

Part 7: Miscellaneous

30 Representations about a referral agency response

30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.³

³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE



SARA ref: 2503-45111 SRA

Date: 28 July 2025

Permitted Road Access Location (Proposed Lot 2)

Near the common boundary with Lot 0BUP70612, and approx 90m north of Mowbray Street (5.18km RHS)

GPS location x 145.466187, y -16.485812

Access Restrictions

- a) Design vehicles up to a maximum size short towing trailer
- Class 2 Medium Length Light Vehicle**

Note: ** as described in Austroads Vehicle Classification System

Permitted Road Access Location (Proposed Lot 1)

Near the common boundary with Lot 0BUP70699, and approx 70m north of Mowbray Street (5.16km RHS)

GPS location x 145.466100, y -16.485919

Access Restrictions

- a) Design vehicles up to a maximum size short towing trailer
- Class 2 Medium Length Light Vehicle**

Note: ** as described in Austroads Vehicle Classification System



Branch/Unit : Corridor Management / Far North District

Projection/Datum : Geocentric Datum of Australia (GDA) 2020

Land parcels (blue outline)
Subject land (yellow outline)
Easements (red hatched)
State-controlled road corridor (red dashed line)

**TMR Layout Plan
(6504 - 5.20km)**



Queensland Government
Transport and Main Roads

Plan: 1 / 1

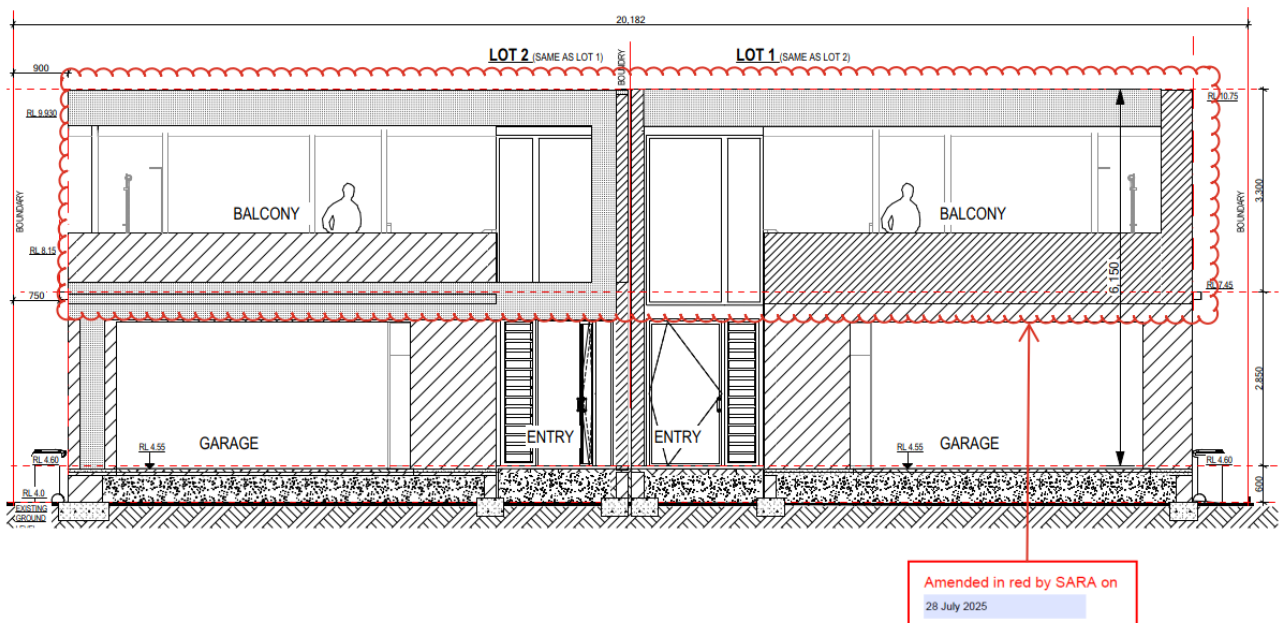
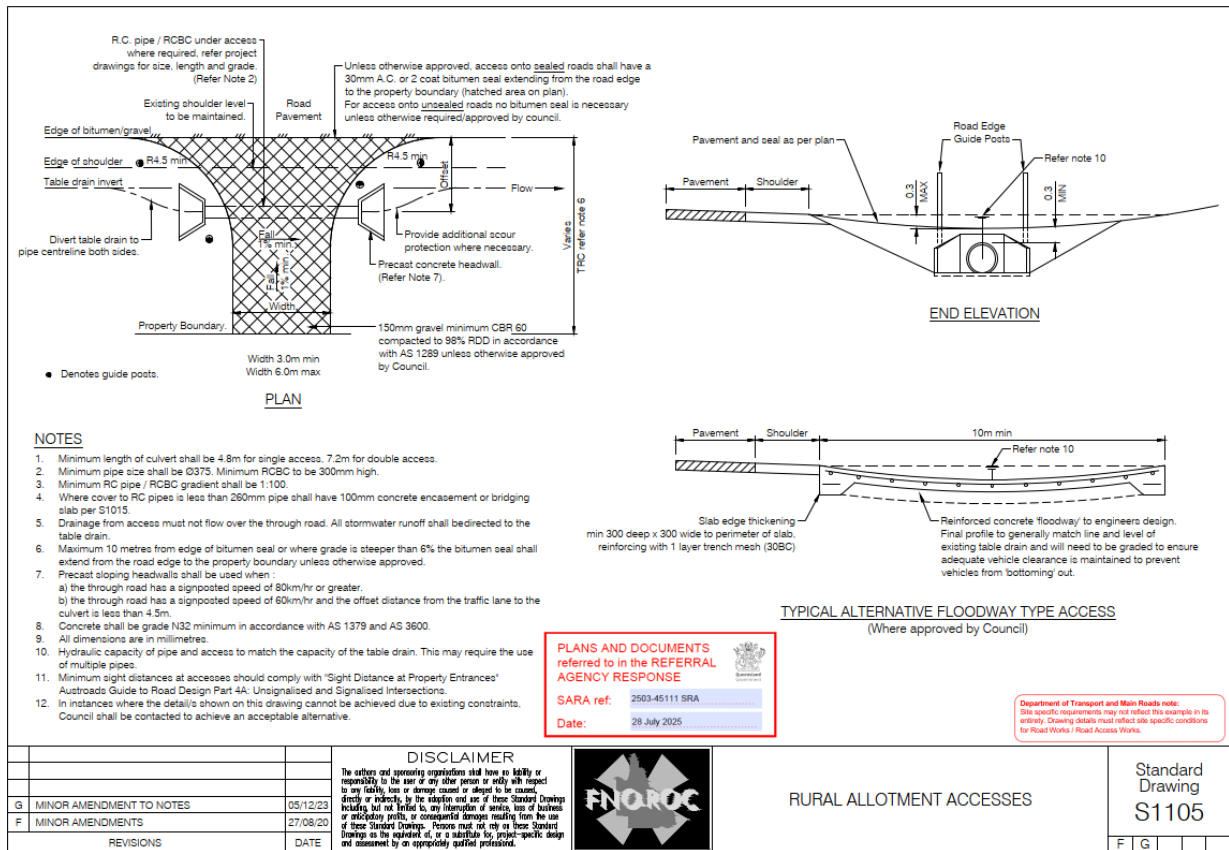
Issue: A

Date: 8/04/2025

Drawn by: RPK

File ref: TMR25-045230

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Project	NEW DWELLINGS	CONSULTING ENGINEERS & BUILDING DESIGNERS	101-2024	SECTION A-A	SHEET DA 7
Location	12 DAVIDSON STREET, PORT DOUGLAS				REVISION A
Client	DAVIDSON DEVELOPMENTS				DATE 11/07/2024
PROJECT	101-2024				PRINT DATE 11/07/2024

Reasons for Decision

1. The reasons for this decision are:
 - a. Sections 60, 62 and 63 of the *Planning Act 2016*:
 - b. to ensure the development satisfies the benchmarks of the 2018 Douglas Shire Planning Scheme Version 1.0; and
 - c. to ensure compliance with the *Planning Act 2016*.
2. Findings on material questions of fact:
 - a. the development application was properly lodged to the Douglas Shire Council 03/02/2025 under section 51 of the *Planning Act 2016* and Part 1 of the *Development Assessment Rules*;
 - b. the development application contained information from the applicant which Council reviewed together with Council's own assessment against the 2017 State Planning Policy and the 2018 Douglas Shire Planning Scheme Version 1.0 in making its assessment manager decision.
3. Evidence or other material on which findings were based:
 - a. the development triggered assessable development under the Assessment Table associated with the Tourist Accommodation Zone Code;
 - b. Council undertook an assessment in accordance with the provisions of sections 60, 62 and 63 of the *Planning Act 2016*; and
 - c. the applicant's reasons have been considered and the following findings are made:
 - i. Subject to conditions, the development satisfactorily meets the Planning Scheme benchmarks.

Extracts from the Planning Act 2016 - Making Representations During Applicant’s Appeal Period

Division 2 Changing development approvals

Subdivision 1 Changes during appeal period

74 What this subdivision is about

- (1) This subdivision is about changing a development approval before the applicant's appeal period for the approval ends.
- (2) This subdivision also applies to an approval of a change application, other than a change application for a minor change to a development approval.
- (3) For subsection (2), sections 75 and 76 apply—
 - (a) as if a reference in section 75 to a development approval were a reference to an approval of a change application; and
 - (b) as if a reference in the sections to the assessment manager were a reference to the responsible entity; and
 - (c) as if a reference in section 76 to a development application were a reference to a change application; and
 - (d) as if the reference in section 76(3)(b) to section 63(2) and (3) were a reference to section 83(4); and
 - (e) with any other necessary changes.

75 Making change representations

- (1) The applicant may make representations (*change representations*) to the assessment manager, during the applicant's appeal period for the development approval, about changing—
 - (a) a matter in the development approval, other than—
 - (i) a matter stated because of a referral agency's response; or

- (ii) a development condition imposed under a direction made by the Minister under chapter 3, part 6, division 2; or
- (b) if the development approval is a deemed approval—the standard conditions taken to be included in the deemed approval under section 64(8)(c).
- (2) If the applicant needs more time to make the change representations, the applicant may, during the applicant's appeal period for the approval, suspend the appeal period by a notice given to the assessment manager.
- (3) Only 1 notice may be given.
- (4) If a notice is given, the appeal period is suspended—
 - (a) if the change representations are not made within a period of 20 business days after the notice is given to the assessment manager—until the end of that period; or
 - (b) if the change representations are made within 20 business days after the notice is given to the assessment manager, until—
 - (i) the applicant withdraws the notice, by giving another notice to the assessment manager; or
 - (ii) the assessment manager gives the applicant the decision notice for the change representations; or
 - (iii) the end of 20 business days after the change representations are made, or a longer period agreed in writing between the applicant and the assessment manager.
- (5) If the applicant makes the change representations during the appeal period without giving a notice under subsection (2), the appeal period is suspended from the day the representations are made until—
 - (a) the applicant withdraws the change representations by notice given to the assessment manager; or
 - (b) the assessment manager gives the applicant the decision notice for the change representations; or

- (c) the end of 20 business days after the change representations are made, or a longer period agreed in writing between the applicant and the assessment manager.
- (6) Despite subsections (4) and (5), if the decision notice mentioned in subsection (4)(b)(ii) or (5)(b) is a negotiated decision notice, the appeal period starts again on the day after the negotiated decision notice is given.

76 Deciding change representations

- (1) The assessment manager must assess the change representations against and having regard to the matters that must be considered when assessing a development application, to the extent those matters are relevant.
- (2) The assessment manager must, within 5 business days after deciding the change representations, give a decision notice to—
 - (a) the applicant; and
 - (b) if the assessment manager agrees with any of the change representations—
 - (i) each principal submitter; and
 - (ii) each referral agency; and
 - (iii) if the assessment manager is not a local government and the development is in a local government area—the relevant local government; and
 - (iv) if the assessment manager is a chosen assessment manager—the prescribed assessment manager; and
 - (v) another person prescribed by regulation.
- (3) A decision notice (a *negotiated decision notice*) that states the assessment manager agrees with a change representation must—
 - (a) state the nature of the change agreed to; and

- (b) comply with section 63(2) and (3).
- (4) A negotiated decision notice replaces the decision notice for the development application.
- (5) Only 1 negotiated decision notice may be given.
- (6) If a negotiated decision notice is given to an applicant, a local government may give a replacement infrastructure charges notice to the applicant.

Subdivision 2 Changes after appeal period

77 What this subdivision is about

This subdivision is about changing a development approval, other than the currency period, after all appeal periods in relation to the approval end.

78 Making change application

- (1) A person may make an application (a *change application*) to change a development approval.

Note—

For the making of a change application for a development approval that was a PDA development approval, see also the *Economic Development Act 2012*, sections 51AM, 51AN and 51AO.

- (2) A change application must be made to the responsible entity for the application.

78A Responsible entity for change applications

- (1) The *responsible entity* for a change application is—
 - (a) if the change application is for a minor change to a development condition of a development approval stated in a referral agency's response for the development application or another change application for the approval—the referral agency; or

- (2) The person is taken to have engaged in the representative's conduct, unless the person proves the person could not have prevented the conduct by exercising reasonable diligence.

- (3) In this section—

conduct means an act or omission.

representative means—

- (a) of a corporation—an executive officer, employee or agent of the corporation; or
(b) of an individual—an employee or agent of the individual.

state of mind, of a person, includes the person's—

- (a) knowledge, intention, opinion, belief or purpose; and
(b) reasons for the intention, opinion, belief or purpose.

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
- (a) matters that may be appealed to—
- (i) either a tribunal or the P&E Court; or
- (ii) only a tribunal; or
- (iii) only the P&E Court; and
- (b) the person—
- (i) who may appeal a matter (the **appellant**); and
- (ii) who is a respondent in an appeal of the matter; and

- (iii) who is a co-respondent in an appeal of the matter;
and
 - (iv) who may elect to be a co-respondent in an appeal
of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The *appeal period* is—
- (a) for an appeal by a building advisory agency—10
business days after a decision notice for the decision is
given to the agency; or
 - (b) for an appeal against a deemed refusal—at any time
after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under
chapter 7, part 4, to register premises or to renew the
registration of premises—20 business days after a notice
is published under section 269(3)(a) or (4); or
 - (d) for an appeal against a decision of the Minister, under
chapter 7, part 4, to amend the registration of premises
to include additional land in the affected area for the
premises—20 business days after the day a notice is
published under section 269A(2)(a); or
 - (e) for an appeal against an infrastructure charges
notice—20 business days after the infrastructure charges
notice is given to the person; or
 - (f) for an appeal about a deemed approval of a development
application for which a decision notice has not been
given—30 business days after the applicant gives the
deemed approval notice to the assessment manager; or
 - (g) for an appeal relating to the *Plumbing and Drainage Act
2018*—
 - (i) for an appeal against an enforcement notice given
because of a belief mentioned in the *Plumbing and
Drainage Act 2018*, section 143(2)(a)(i), (b) or
(c)—5 business days after the day the notice is
given; or

- (ii) for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or
 - (iii) for an appeal against a failure to make a decision about an application or other matter under the *Plumbing and Drainage Act 2018*—at anytime after the period within which the application or matter was required to be decided ends; or
 - (iv) otherwise—20 business days after the day the notice is given; or
- (h) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note—

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund—
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—
 - (a) the respondent for the appeal; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
 - (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
 - (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
 - (f) for an appeal to the P&E Court—the chief executive; and
 - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The *service period* is—
 - (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.

- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
 - (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
 - (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.
- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

231 Non-appealable decisions and matters

- (1) Subject to this chapter, section 316(2), schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section—
decision includes—
 - (a) conduct engaged in for the purpose of making a decision; and
 - (b) other conduct that relates to the making of a decision; and

- (c) the making of a decision or the failure to make a decision; and
- (d) a purported decision; and
- (e) a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter—

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the *Judicial Review Act 1991* or otherwise, whether by the Supreme Court, another court, any tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.

Part 2 Development tribunal

Division 1 General

233 Appointment of referees

- (1) The Minister, or chief executive, (the **appointer**) may appoint a person to be a referee, by an appointment notice, if the appointer considers the person—

1 August 2025

Enquiries: Daniel Lamond
Our Ref: MCUC 2025_5721/2 (1312519)
Your Ref: 2024-10-39

Davidson Developments Pty Ltd
8 Henrietta Street
DOUBLE BAY NSW 2028

Dear Sir/Madam

**Adopted Infrastructure Charge Notice
For Development Application Combined Application for Reconfiguring a Lot (1 lot into 2)
and Material Change of Use (Dual Occupancy)
At 12 Davidson Street PORT DOUGLAS
On Land Described as LOT: 706 TYP: PTD PLN: 2092**

Please find attached the Adopted Infrastructure Charges Notice issued in accordance with section 119 of the *Planning Act 2016*.

The amount in the Adopted Infrastructure Charges Notice has been calculated according to Council's Adopted Infrastructure Charges Resolution.

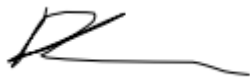
Please also find attached extracts from the Act regarding the following:

- your right to make representations to Council about the Adopted Infrastructure Charges Notice; and
- your Appeal rights with respect to the Adopted Infrastructure Charges Notice.

Please quote Council's application number: MCUC 2025_5721/2 in all subsequent correspondence relating to this matter.

Should you require any clarification regarding this, please contact Daniel Lamond on telephone 07 4099 9444.

Yours faithfully



**For
Leonard Vogel
Manager Environment & Planning**

encl.

- Adopted Infrastructure Charges Notice
- Rights to Make Representations and Appeals Regarding Infrastructure Charges

Adopted Infrastructure Charges Notice

DOUGLAS SHIRE COUNCIL		2018 Douglas Shire Planning Scheme version 1.0 Applications	
ADOPTED INFRASTRUCTURE CHARGES NOTICE			
Davidson Street Developments Pty Ltd		ESTATE NAME	STAGE
DEVELOPERS NAME		706PTD2092	1830
12 Davidson Street	Port Douglas	LOT & RP No.s	PARCEL No.
STREET No. & NAME	SUBURB	CA 2025_5721	6
Combined Application for Reconfiguring a Lot (1 lot into 2) and Material Change of Use (Dual occupancy)		COUNCIL FILE NO.	VALIDITY PERIOD (year)
DEVELOPMENT TYPE		Prior to signing and sealing of survey form for ROL	
1312273	1		
DSC Reference Doc. No.	VERSION No.		

Infrastructure Charges as resolved by Council at the Ordinary Meeting held on 23 February 2021 (Came into effect on 1 March 2021)

		Charge per Use	\$ Rate	Floor area/No.	Amount	Amount Paid	Receipt Code & GL Code
Proposed Demand							
Residential	Dwelling_house	\$_per_3_or_more_bed room_dwelling	28,405.93	2	\$56,811.86		
Total Demand					\$56,811.86		
Credit							
No credit available							
Total Credit					\$28,405.93		
Required Payment or Credit		TOTAL		\$28,405.93			

Prepared by: D Lamond

Checked by: N Beck

Date Payable: ROL - Before the Local Government approves the plan of subdivision

Amendments:

1-Aug-25

1-Aug-25

Date

Amount Paid:

Date Paid:

Receipt No.:

Cashier:

Note:
The Infrastructure Charges in this Notice are payable in accordance with Sections 119 and 120 of the Planning Act 2016 as from Council's resolution from the Ordinary Meeting held on 23 February 2021.

Charge rates under the Policy are subject to indexing.
Any Infrastructure Agreement for trunk works must be determined and agreed to prior to issue of Development Permit for Operational Work.

Charges are payable to: Douglas Shire Council. You can make payment at any of Council's Business Offices or by mail with your cheque or money order to Douglas Shire Council, PO Box 723, Mossman QLD 4873. Cheques must be made payable to Douglas Shire Council and marked 'Not Negotiable.' Acceptance of a cheque is subject to collection of the proceeds. Post dated cheques will not be accepted.

If you seek to pay online, please request an invoice to be issued via enquiries@douglas.qld.gov.au

Any enquiries regarding Infrastructure Charges can be directed to the Development & Environment, Douglas Shire Council on 07 4099 9444 or by email on enquiries@douglas.qld.gov.au

Subdivision 5 Changing charges during appeal period

124 Application of this subdivision

This subdivision applies to the recipient of an infrastructure charges notice given by a local government.

125 Representations about infrastructure charges notice

- (1) During the appeal period for the infrastructure charges notice, the recipient may make representations to the local government about the infrastructure charges notice.
- (2) The local government must consider any representations made by the recipient.
- (3) If the local government—
 - (a) agrees with a representation; and
 - (b) decides to change the infrastructure charges notice;the local government must, within 10 business days after making the decision, give a new infrastructure charges notice (a ***negotiated notice***) to the recipient.
- (4) The local government may give only 1 negotiated notice.
- (5) A negotiated notice—
 - (a) must be in the same form as the infrastructure charges notice; and
 - (b) must state the nature of the changes; and
 - (c) replaces the infrastructure charges notice.
- (6) If the local government does not agree with any of the representations, the local government must, within 10 business days after making the decision, give a decision notice about the decision to the recipient.

- (7) The appeal period for the infrastructure charges notice starts again when the local government gives the decision notice to the recipient.
- (8) However, if the recipient gives the local government a notice withdrawing the representations before the local government has given a negotiated notice or decision notice—
 - (a) the appeal period is taken to have been suspended from the day the representations were made; and
 - (b) the balance of the appeal period restarts on the day after the day the local government receives the notice of withdrawal.

Note—

See also section 126 in relation to suspending the appeal period by notice.

126 Suspending appeal period by notice

- (1) If the recipient needs more time to make representations, the recipient may give a notice suspending the appeal period to the local government.
- (2) The recipient may give only 1 notice.
- (3) If the representations are not made within 20 business days after the notice is given, the balance of the appeal period restarts.
- (4) If representations are made within the 20 business days and the recipient gives the local government a notice withdrawing the notice of suspension, the balance of the appeal period restarts on the day after the day the local government receives the notice of withdrawal.

Note—

See also section 125(7) and (8) in relation to other circumstances affecting the appeal period.

Planning Act 2016
Chapter 6 Dispute resolution

[s 229]

- (2) The person is taken to have engaged in the representative's conduct, unless the person proves the person could not have prevented the conduct by exercising reasonable diligence.

- (3) In this section—

conduct means an act or omission.

representative means—

- (a) of a corporation—an executive officer, employee or agent of the corporation; or
- (b) of an individual—an employee or agent of the individual.

state of mind, of a person, includes the person's—

- (a) knowledge, intention, opinion, belief or purpose; and
- (b) reasons for the intention, opinion, belief or purpose.

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
- (a) matters that may be appealed to—
- (i) either a tribunal or the P&E Court; or
- (ii) only a tribunal; or
- (iii) only the P&E Court; and
- (b) the person—
- (i) who may appeal a matter (the **appellant**); and
- (ii) who is a respondent in an appeal of the matter; and

- (iii) who is a co-respondent in an appeal of the matter;
and
 - (iv) who may elect to be a co-respondent in an appeal
of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The *appeal period* is—
- (a) for an appeal by a building advisory agency—10
business days after a decision notice for the decision is
given to the agency; or
 - (b) for an appeal against a deemed refusal—at any time
after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under
chapter 7, part 4, to register premises or to renew the
registration of premises—20 business days after a notice
is published under section 269(3)(a) or (4); or
 - (d) for an appeal against a decision of the Minister, under
chapter 7, part 4, to amend the registration of premises
to include additional land in the affected area for the
premises—20 business days after the day a notice is
published under section 269A(2)(a); or
 - (e) for an appeal against an infrastructure charges
notice—20 business days after the infrastructure charges
notice is given to the person; or
 - (f) for an appeal about a deemed approval of a development
application for which a decision notice has not been
given—30 business days after the applicant gives the
deemed approval notice to the assessment manager; or
 - (g) for an appeal relating to the *Plumbing and Drainage Act
2018*—
 - (i) for an appeal against an enforcement notice given
because of a belief mentioned in the *Plumbing and
Drainage Act 2018*, section 143(2)(a)(i), (b) or
(c)—5 business days after the day the notice is
given; or

- (ii) for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or
- (iii) for an appeal against a failure to make a decision about an application or other matter under the *Plumbing and Drainage Act 2018*—at anytime after the period within which the application or matter was required to be decided ends; or
- (iv) otherwise—20 business days after the day the notice is given; or
- (h) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note—

See the P&E Court Act for the court’s power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency’s response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund—
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government’s charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—
 - (a) the respondent for the appeal; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
 - (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
 - (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
 - (f) for an appeal to the P&E Court—the chief executive; and
 - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The *service period* is—
 - (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.

- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
 - (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
 - (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.
- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

231 Non-appealable decisions and matters

- (1) Subject to this chapter, section 316(2), schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section—

decision includes—

 - (a) conduct engaged in for the purpose of making a decision; and
 - (b) other conduct that relates to the making of a decision; and



Our ref TMR26-048691
Your ref
Enquiries Ronald Kaden

Department of
Transport and Main Roads

8 January 2026

Stephen Coleman Davidson Developments Pty Ltd
C/- RECS Consulting Engineers & Building Design
PO Box 894
Port Douglas QLD 4877

Dear Peter Dutailis

Conditional approval of road works at 12 Davidson Street, Port Douglas QLD 4877

This is not an authorisation to commence work on a state-controlled road

Application details

Street address: 12 Davidson Street, Port Douglas
Real property description: 706PTD2092
Local government: Douglas Shire Council
Local government ref: MCUC 2025_572/2 (1312519)
Decision Notice dated 01 August 2025
TMR ref: TMR25-045230
DSDIP ref: 2503-45111 SRA

Aspects of development and type of approval being sought

Aspect of Development	Type of Approval	Description
Reconfiguration of a Lot	Development Permit	1 Lot into 2 Lots
Material Change of Use	Development Permit	Dual Occupancy

I refer to your application for road works made pursuant to section 33 of the *Transport Infrastructure Act 1994* (TIA) for works at 12 Davidson Street, Port Douglas QLD 4877

The Department of Transport and Main Roads (the department) has assessed your application and has decided to approve the application subject to the following conditions:

No.	Conditions of Approval	Condition Timing
Road Works		
A. General		

Program Delivery and Operations
Far North Region
Cairns Corporate Tower, 15 Lake Street Cairns QLD 4870
PO Box 6185 Cairns QLD 4870

Telephone +61 (07) 4045 7151
Website www.tmr.qld.gov.au
Email cairns.office@tmr.qld.gov.au
ABN: 39 407 690 291

No.	Conditions of Approval	Condition Timing
1	Road Works must be provided at the Permitted Road Access Locations specified in Condition 1 of the department's s62(1) Decision Notice - Permitted Road Access Location letter dated 08 April 2025 generally in accordance with: (a) TMR Layout Plan (6504 - 5.20km) Issue A 08/04/2025 TMR25-045230 Attachment D	Prior to the Commencement of Use and to be maintained at all times.
2	Road works comprising residential access must be provided at the permitted road access locations for Proposed Lots 1 and 2, generally in accordance with: (a) FNQROC Standard Drawing S1105 - Rural Allotment Access TMR26-048691 Attachment E	Construction of road access works must not commence until TMR has issued an 'Authority to Commence Works'.
3	The road works are to be undertaken in accordance with TMR's Road Planning and Design Manual 2nd Edition, Road Drainage Manual, Road Pavement Manual, TMR's Technical Specifications, Standards, Standard Drawings Roads and FNQROC drawings requirements.	At all times during construction.
4	All TMR technical specifications are to be read in conjunction with 'MRTS01 Introduction to Technical Specifications'.	At all times during construction.
5	Council may have requirements in addition to those identified in this conditional approval within TMR's area of interest. The applicant should contact Council to ensure any such additional requirements are met.	At all times during construction.
6	The road works are to be constructed at no cost to TMR.	At all times.
7	Construction of the road works is to proceed without unreasonable interruption to traffic and in accordance with TMR 'Manual of Uniform Control Devices (2003) – Part 3, Works on Roads'. This includes, but is not limited to: a. taking all steps necessary to protect the public during construction; and b. provision of adequate signage and barriers.	At all times during construction.
8	Any damage to the existing road infrastructure caused by carrying out the Road Works is to be rectified/repared at no cost to TMR.	At all times during construction.
9	TMR officers are to be allowed access to the project site for the purpose of ensuring compliance with TMR conditions.	At all times during construction.
10	This conditional approval is valid for one year from the date of this letter.	At all times.
B. Documents for Approval		
11	A Traffic Control Permit application in accordance with TMR specification 'MRTS02 Provisions for Traffic' and TMR's 'Manual	Prior to TMR issuing an 'Authority to Commence Works'

No.	Conditions of Approval	Condition Timing
	of Uniform Traffic Control Devices – Part 3, Works on Roads' is to be submitted to TMR. The application must include, but is not limited to: a) Traffic Guidance Schemes Traffic Control Permit applications must be submitted: • where works are being undertaken within the state-controlled road corridor, or • where works signage is to be placed within the state-controlled road corridor, and • to avoid any possible works conflicts. • On-line via the department's Permit for Access to the Road Corridor (PARC) portal which can be accessed via rcp.tmr.qld.gov.au.	
C. Principal Contractor		
12	A 'Principal Contractors Details and Bond Estimate' form F5084 is to be completed and returned to TMR. The nominated principal contractor must have sufficient expertise to carry out the proposed road access works and hold a current public liability insurance policy that <u>notes TMR's interest</u> in the amount of not less than \$20 million. TMR26-048691 Attachment F	Prior to TMR issuing an 'Authority to Commence Works'.
13	A 'Deed of Indemnity' for the Road Access Works (completed by the Principal Contractor) using TMR form F5109 is to be submitted to TMR. TMR26-048691 Attachment F	Prior to TMR issuing an 'Authority to Commence Works'.
C. Practical Completion		
14	Notification of completion of the road access works is to be submitted to TMR and must include, but may not be limited to: a) Photographs of the completed works, and b) Evidence that the owner is satisfied with the completed works. (TMR will then assess if any further inspection / rectification is required prior to issuing a Certificate of Practical Completion)	Within five (5) days of the completion of the work.
15	All non-conforming works shall be rectified by the applicant at no cost to TMR and to TMR's satisfaction.	Prior to TMR issuing 'Certificate of Completion'.
16	Any damage to the existing road infrastructure caused by carrying out the road works is to be rectified/repared at no cost to TMR.	Prior to TMR issuing 'Certificate of Completion'.
D. Maintenance		

No.	Conditions of Approval	Condition Timing
17	All Road Access Works must be maintained to a safe trafficable standard by the property owner at no cost to TMR.	At all times.

Important information for applicants

This approval does not authorise you to commence road works. Prior to any road works being undertaken within the boundary of the state-controlled road, the department must have issued you with an authority to commence works. The authority to commence works will not be issued until all the requirements of the above conditions have been fulfilled.

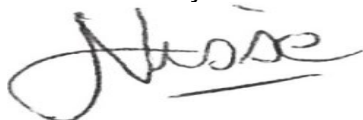
If any variations from the approved road works are required, further written approval from the department must first be obtained.

You should also be aware that you may have other statutory obligations. This conditional approval is for section 33 of the TIA only.

This document must be retained as evidence of the road works approval.

If you would like to discuss this application, please contact Ronald Kaden, Technical Officer (Development Control) by email at cairns.office@tmr.qld.gov.au or on (07) 4045 7151.

Yours sincerely



Anna Visser
Principal Engineer (Civil)

Attachments: Attachment D - Permitted Road Works Location
Attachment E - Construction Drawings
Attachment F - Documents for Approval

DEVELOPMENT APPLICATION DECISION NOTICE

Decision Notice issued in accordance with s63 of the Planning Act 2016 (QLD)



File reference number: **20250380**

DEVELOPMENT DESCRIPTION

Approval Type: Development Permit for Building Works

Building Works Description:

New Construction	of Dwelling - 2 Storey
New Construction	of Attached Alfresco
New Construction	of Attached Garage
New Construction	of Swimming Pool

Building Classification/s:

1a
10a
10a
10b

Site Address: 12 Davidson St, PORT DOUGLAS QLD 4877

Real Property Description:

Lot Type:	Lot No:	Plan Type :	Plan Number (s):
Current	706	PTD	2090
Proposed	2		

Council: Douglas Shire Council

Land Use: Dual Occupancy

Applicant: Davidson Developments Pty Ltd

Applicant's Address: C/- PO Box 894 Port Douglas Qld 4877

Landowner's Name: Davidson Developments Pty Ltd

Builder's Name: COLLCON Pty Ltd

Builder's Address: C/- PO Box 894 Port Douglas

DECISION

The development application for the building works described above has been assessed and is **Approved with Conditions** as shown in the approved documentation including any marked changes, accompanying this application. The approval is subject to the following conditions, required inspections and required certificates.

The application was assessed in accordance with the Building Assessment Provisions as prescribed in the *Building Act 1975*, including:

- The National Construction Code (BCA) 2022
- The Queensland Development Code; and
- any relevant local laws and local planning instruments.

Notwithstanding anything otherwise stated or implied in this Development Permit, pursuant to s.36 of the *Building Act 1975*, building assessment work must comply with the Building Assessment Provisions in force when the application is approved.

Decision Date:

10 Sep 2025

Certifier:

Rebekah Mulligan

Signature:

Date of Expiry: 10 Sep 2027

Licence Number: A15193854

DEVELOPMENT APPLICATION DECISION NOTICE

Decision Notice issued in accordance with s63 of the Planning Act 2016 (QLD)



File reference number: **20250380**

ENDORSED DOCUMENTS

Architectural	RECS Consulting Engineers & Building Designers - Architectural Plans - Job No: 101-2024 Endorsed with BA 20250380
Geotechnical	GEO Design - Soil Report - Job No: 25011AA-D-R01-v1 Endorsed with BA 20250130
Structural	KFB Engineers - Structural Drawings - Job No: K-13665 Endorsed with BA 20250130

REQUIRED INSPECTIONS

Please contact the nominated agent listed for the following inspections:

Please contact GMA Certification Group on 07 4098 5150 or inspections@gmacer.com.au for the following inspections.

Bookings are required to be made at least 24 hours prior to the inspection.

Site Inspection
Foundation
Slab
Bond Beam Inspection
Frame
Final Inspection Pool/Class 10b
Final

REQUIRED CERTIFICATES*

Footing Stage Items:-

Form 12 - Surveyor - Initial Setout

To be provided from a Registered Cadastral Surveyor certifying the footing excavations are setout in accordance with the approved plans

Slab Stage Items:-

Form 43 - Termite Management (Penetrations)

To be provided from a QBCC licensee certifying the installation of the termite management system (penetrations) is in accordance with NCC 2022 Vol 2 H1D3(3) and AS3660-2014. Please also include the Certificate of Installation containing full details of the termite management system installed and a diagram showing the location of the termite system components

Final Stage Items:-

Form 43 - Gutters

To be provided by a QBCC licensee certifying that the selection and installation of gutters are in accordance with NCC 2022 Vol 2 H2D6, AS/NZS3500.3 and the manufacturers installation and design recommendations.

Form 43 - Roof Battens (Sheet Metal Roofs)

To be provided by a QBCC Licensee certifying the roof battens have been installed in accordance with the manufacturers specifications, NCC 2022 Vol 2 and current referenced standards including (Timber Battens) AS1684.2 (non-cyclonic areas) AS1684.3 (cyclonic areas) or (Steel Battens) Nash Standard 'Residential and low rise steel framing' Part 1 and 2, AS4100 and AS/NZS4600.

DEVELOPMENT APPLICATION DECISION NOTICE

Decision Notice issued in accordance with s63 of the Planning Act 2016 (QLD)



File reference number: **20250380**

Form 43 - Zero Lot Wall System	To be provided by QBCC Licensee/s certifying that the External Zero Lot Fire Rated Wall Lining, Moisture Barrier, Wall Insulation, Plasterboard Installation and Mineral Fibre has been installed in accordance with the manufacturers specifications
Evidence of Interconnecting Smoke Alarms	To be provided from a licensed electrician certifying the installation of the hardwired, interconnected photoelectric smoke alarms in accordance with NCC 2022 Vol 2 H3D6, AS3786-2014 and the Building Regulation 2021 Part 4.
Form 12 - Condensation Management - Ventilation of Roof Spaces OR Evidence of ducting of exhaust systems	To be provided from a QBCC licensee certifying that the Roof ventilation systems are in accordance with NCC 2022 Vol 2 H4D7 and H4D9 and installed in accordance with AS1668.2.
Form 43 - Condensation Management - Ventilation of Roof Spaces OR Evidence of ducting of exhaust systems	To be provided from a QBCC licensee certifying that the Roof ventilation systems are in accordance with NCC 2022 Vol 2 H4D7 and H4D9 and installed in accordance with AS1668.2.
Form 43 - Waterproofing	To be provided from a QBCC licensee certifying the building elements in wet areas have been made waterproof or water resistant in accordance with AS3740-2021, Housing Provisions Part 10.2.1 to 10.2.6 and 10.2.12 or Housing Provisions 10.2.7 to 10.2.32. External above ground waterproofing in accordance with AS4654.1-2012 and AS4654.2-2012.
Form 43 - Garage Door (Cyclonic)	To be provided from a QBCC licensee certifying the installation of the garage door is in accordance with NCC 2022 Vol 2 Part H1, Housing Provisions Part 2.2.4(q), AS/NZS4505 (wind regions C and D only) and AS/NZS1170.2
Form 43 - Termite Management (Cold Joints & Perimeter)	To be provided from a QBCC licensee certifying the installation of the termite management system (cold joints and perimeter) is in accordance with NCC 2022 Vol 2 H1D3(3) and AS3660-2014. Please also include the Certificate of Installation containing full details of the termite management system installed and a diagram showing the location of the termite system components
Form 43 - Reinforcement	To be provided from QBCC Licensee confirming the reinforcement has been installed in accordance with Part 6 of the Livable Housing Design Standard.
Evidence of compliance - Glazing - Windows & Doors	To be provided from the window and door manufacturer certifying the glass in the windows and external doors are in accordance with NCC 2022 Vol 2 H1D8, have been designed and manufactured in accordance with AS2047 and the glass has been selected in accordance with AS1288.
Condensation Management - Evidence of Pliable Building Membrane	Where installed, to be provided from a QBCC licensee certifying the Pliable building membrane (Sarking) is in accordance with NCC Part H3D2, Part 10.8 of the Housing Provisions, it complies with AS/NZS4200.1 and installed in accordance AS4200.2
Electrical - Sustainable Buildings	To be provided from a licensed electrician certifying the installation of artificial lighting is compliant with QDC MP4.1, A3. Artificial lighting complies with either NCC Part 13.7.6 or 80% of the total artificial lighting is energy efficient lighting
Evidence of compliance - Glazing - Shower Screens	To be provided from the glass manufacturer certifying the glass in the shower screens is in accordance with NCC 2022 Vol 2 H1D8 and has been selected in accordance with AS1288-2021.
Evidence of Insulation	To be provided certifying the installation of all components required by the approved energy efficiency report

** Additional certificates may be requested upon inspection of the building work*

DEVELOPMENT APPLICATION DECISION NOTICE

Decision Notice issued in accordance with s63 of the Planning Act 2016 (QLD)



File reference number: **20250380**

CONDITIONS

LOCAL AUTHORITY PLANNING CONDITIONS

1. This approval has been given for a Class 1a dwelling house, as defined under the Local Authorities Planning Scheme. No parts of the building/dwelling are to be utilised contrary to the approved use, unless appropriate approvals are obtained
2. The development is to comply with the applicable provisions of the planning scheme and any relevant related approval(s), and the building assessment provisions under the Building Act 1975

RELATED APPROVALS

3. Development is to comply with MCU approval MCUC 2025_5721/2 issued by Douglas Shire Council on 1 August 2025. Any variations undertaken may require an amended approval prior to works commencing.

APPLICATION SPECIFIC CONDITIONS

4. The property is located within a Transport Noise Corridor and must comply with Category 2 construction of the QDC Part MP 4.4 Evidence of compliance to be provided prior to the issue of a Final Certificate
5. All works to be constructed in accordance with the Engineers requirements in relation to building near or over the existing sewer system infrastructure.
6. Passive fire rated external wall to comply with NCC Vol 2 H3D3 - Fire Separation of external walls and be provided as maintenance free i.e. unpainted or untreated masonry in accordance with QDC
7. Garage and other large access door/s in wind regions C and D, up to 3.0m in height in external walls are to comply with the Housing Provisions Part 2.2.4(q) and AS/NZS 4505. Certification will be required where applicable. Engineers design & Form 15 for supporting framework of garage will be required prior to Frame Stage
8. The PWD room is to be provided with artificial light and a system of mechanical ventilation

STANDARD CONDITIONS

9. The works are to be constructed generally in accordance with the stamped plans that accompany this decision. These conditions of approval are to be read in conjunction with the stamped plans. Where a conflict occurs between the conditions of approval and the stamped plans, the conditions shall take precedence.
10. All documents endorsed with the GMA endorsed document stamp and bearing the reference number on this notice, form part of this approval. Any revisions to one or more of the approved documents after the date of issue of this Decision Notice which does not affect any conditions of approval, and endorsed with The GMA "Amended" stamp bearing the reference number, will form part of this approval and will replace the original endorsed document.
11. To satisfy the Building Certifier that the Building work has been constructed to an acceptable standard, the listed certificates will be required to be supplied to and approved by the Builder Certifier. Additional certificates, other than those listed, may be required after the inspection of the relevant works.
12. The flow rate and discharge of an exhaust system in a kitchen, bathroom, sanitary compartment or laundry must comply with NCC Vol 2 H4D9. Where an exhaust system from a bathroom, sanitary compartment or laundry discharges into a roof space, the roof space must be ventilated in NCC Vol 2 H4D7.
13. Where a pliable building membrane is installed in an external wall, it must comply with NCC Vol 2 H4D9
14. Building work approved on this building application has to be commenced within [12] months of the date of this decision or the approval will lapse, and finalised by the date of expiry noted on this decision.
15. External Timbers are to comply with the durability & species requirements of AS1684 (Residential Timber Framed Construction) & AS3660 (Termite Management New building work)
16. All proprietary fasteners, such as framing anchors and the like, are to be installed in accordance with the manufacturer's recommendations. Most manufacturers require "Hand Driven Nails". NOTE: The QBCC has determined that the use of gun nails to secure tie-down connections will be considered defective work and require remedial works.
17. All roof, floor and wall framing including all lintels, roof trusses, bracing and tie down are to be constructed to an equivalent of C2 wind classification and all in accordance with AS 1684.3 – 2021.
18. All glass to comply with Australian Standard A.S 1288 Glass Installation Code. All joinery framing and fixings are to be capable of withstanding the expected wind loadings designated for the particular site to comply with AS 2047
19. Floor slab heights are to comply with the Housing Provisions Part 3.3 Drainage. Ground levels are to be graded away from the building in accordance with Part 3.3.3
20. All references in this approval to the NCC and Standards referenced by the NCC are references to the version in force on the date the

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application was made.

21. Roof waste water system to be Directed via a sealed pipeline to the legal point of discharge; or Connected via a sealed pipeline to the existing stormwater system; or Disposed of in accordance with AS3500.3, clear of all buildings and boundaries so as not to cause a nuisance or damage to neighbouring properties
22. All references made to the Queensland Development Code within this approval are references to the version current at the time of the lodgement of the application.
23. Retaining Walls - (If Applicable) Retaining walls over 1m high, or within 1.5m of any building works or another retaining wall and/or subject to surcharge loadings will require building approval along with Engineer's design and certification.
24. Due to the possibility of inaccurate information in relation to existing infrastructure, It is the builder's responsibility to confirm the location and depth of the sewer, water and stormwater infrastructure and ensure foundation construction achieves the requirements of the Queensland Development Code MP 1.4 - Building over or near relevant infrastructure. Where works are found not to comply then all works must cease until appropriate approvals are obtained. Evidence of compliance may be required prior to final certification.
25. Smoke alarms to be provided in accordance with the NCC Vol 2 H3D6, Building Regulation 2021 Part 4 and AS 3786-2014 Smoke Alarms
26. Stairs are to be constructed and installed to comply with NCC Vol 2 H5D2. A continuous Handrail is to be installed at the side of all Stairs and a Balustrade is required where the distance from the nosing of the tread to the level beneath is 1m or greater. Treads and ramps must have a slip resistance in accordance with H5D2 and AS 4586. Slip resistance must also be provided to parts of a landing serving a flight of stairs for not less than 190mm from the stair nosing
27. In issuing this permit GMA Certification Pty Ltd does not certify that the design is correct and does not assume any responsibility for the correctness of the design.
28. Compliance with the Building Act 1975 and the relevant Planning Scheme is the responsibility of the applicant.
29. Door thresholds are to comply with requirements in accordance with NCC Vol 2 H5D2
30. Surface Water, resulting from a storm having an average recurrence interval of 100 years must not enter the building.
31. The Builder is to ensure that the site is accurately pegged and that the building location complies with the stamped approved plans. Any variation may lead to a requirement for an ID survey (under section 78 Building Act 1975) to be undertaken at the Builder/Applicants expense, which may lead to further Council approvals being required or rectification works being undertaken where applicable. No parts of building works including any guttering or fascia is allowed to encroach into any neighbouring properties.
32. This building is to comply with the provisions of the QDC MP4.1 - Sustainable Buildings.
33. A Termite Management system must be installed to comply with NCC Vol 2 H1D3 and with AS 3660.1. A durable notice complying with the Housing Provisions Part 3.4.3 is to be permanently fixed to the building in a prominent location, such as a meter box or the like.
34. Waterproofing to wet areas and used externally above ground to comply with the requirements of the NCC, AS3740 and AS4654.
35. WC Doors to comply with NCC Vol 2 H4D5, WC doors must open outwards, or slide, or be removable from the outside if the space between the pan and the hinge side of the doorway is less than 1.2m.
36. Building work approved on this building application has to be commenced within [3] months of the date of this decision and finalised by the date of expiry noted on this decision or the approval will lapse,
37. BEFORE a person fills the pool with water to a depth of 300mm or more, the person MUST ensure - the pool complies with the pool safety standard for the pool as per Section 232, Part 2 of the Building Act 1975 and a certificate in the approved form has been issued by the Building Certifier as per Section 236, Part 2 of the Building Act 1975
38. Swimming pool fencing must comply with the Building Regulation 2021, Queensland Development Code MP3.4 and AS1926 - 2007 as amended by QDC. NOTE: No direct access from the dwelling to the pool enclosure permitted.
39. Where pool is located within 1.5m of the boundary a solid wall or fence (splash proof) must be constructed at 1.8 high min above the finished ground level and 1.0m min above the pool coping between the pool and the adjoining lot. Where the total height exceeds 2.0m above the natural ground level then a siting variation application/approval will be required from Council prior to any final certification.
40. RESUSCITATION SIGN - The owner must ensure that a complying pool resuscitation sign is displayed at all times.
41. WARNING SIGN - A complying warning sign must be displayed before construction commences and must be displayed until the Building Certifier has certified that the fencing complies.

ADVISORY NOTES

42. This building has been assessed in accordance with the relevant building legislation but it remains the responsibility of the owner, designer and builder to ensure compliance with other laws including the anti-discrimination legislation. Failure to provide EQUAL access and facilities may be unlawful by: i) Disability Discrimination Act- Australia ii) Anti-Discrimination Act - Queensland. Further information may be obtained from: Australian Human Rights Commission GPO Box 5218, SYDNEY, NSW, 2000, PH: 1300 369 711, <http://www.hreoc.gov.au/disabil/access.htm>

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43. Although not an NCC requirement the applicant/owner should note the ABCB's advisory notice for Electric Vehicles in Buildings, and any additional advice issued by industry experts and manufacturer's/suppliers of EV charging units if proposed to be installed.
44. Section 73 of the Building Act requires the applicant to ensure that one legible set of the current drawings for the building is, while the building work is being carried out, available for inspection by anyone who, under an Act, is entitled to inspect the relevant building site.
45. The builder is to take all necessary steps to ensure that the properties of the foundation soils providing support to or otherwise in contact with the structure do not exceed the design limitations specified in the structural engineering design
46. This Approval does not include the following: Tree removal, demolition of any type, or any other structures other than that detailed upon the stamped approved plans and noted for approval.
47. If GMA Certification is not given notice for inspection for the final stage of pool fence work by the earlier of the following: the day that is the expiry date listed on the building development approval; or 2 weeks before the building development approval lapses. A discontinuance of engagement may be issued in accordance with Building Act 1975 Chapter 6 Division 2.

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Appeal rights

The rights of an applicant to appeal to a tribunal or the Planning and Environment Court against a decision about a development application are set out in chapter 6, part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the *Planning Act 2016*).

Appeal by an applicant

An applicant for a development application may appeal to the Planning and Environment Court against the following:

- the refusal of all or part of the development application
- a provision of the development approval
- the decision to give a preliminary approval when a development permit was applied for
- a deemed refusal of the development application.

An applicant may also have a right to appeal to the Development tribunal. For more information, see schedule 1 of the *Planning Act 2016*.

Appeal by a submitter

A submitter for a development application may appeal to the Planning and Environment Court against:

- any part of the development application for the development approval that required impact assessment
- a variation request.

The time frames for starting an appeal in the Planning and Environment Court are set out in section 229 of the *Planning Act 2016*.

Attachment 1 is an extract from the *Planning Act 2016* that sets down the applicant's appeal rights and the appeal rights of a submitter.

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ATTACHMENT 1

APPEAL RIGHTS UNDER THE PLANNING ACT 2016

Chapter 6, Part 1, Section 229 Appeals to Tribunal or P & E Court

- (1) Schedule 1 states-
- (a) matters that may be appealed to-
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) the person-
 - (i) who may appeal a matter (the *appellant*); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The *appeal period* is-
- (a) for an appeal by a building advisory agency-10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal-at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises-20 business days after a notice is published under section 269(3)(a) or (4); or
 - (d) for an appeal against an infrastructure charges notice-20 business days after the infrastructure charges notice is given to the person; or
 - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given-30 business days after the applicant gives the deemed approval notice to the assessment manager; or
 - (f) for any other appeal-20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.
- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.

Schedule 1, Table 3 Appeals to a Tribunal only

1. Building advisory agency appeals. An appeal may be made against giving a development approval for building work to the extent the building work required code assessment against the building assessment provisions.
2. Inspection of building work. An appeal may be made against a decision of a building certifier or referral agency about the inspection of building work that is the subject of a building development approval under the Building Act.
3. Certain decisions under the Building Act and the Plumbing and Drainage Act
An appeal may be made against-
 - (a) a decision under the Building Act, other than a decision made by the Queensland Building and Construction Commission, if an information notice about the decision was given or required to be given under that Act; or
 - (b) a decision under the Plumbing and Drainage Act, part 4 or 5, if an information notice about the decision was given or required to be given under that Act.
4. Local government failure to decide application under the Building Act
An appeal may be made against a local government's failure to decide an application under the Building Act within the period required under that Act.

Development Tribunals

If you are not happy with a decision made by your private certifier, you may be able to appeal to the Development Tribunal.

To appeal to the Development Tribunals you must:

- submit a -Form 10 Application for appeal or declaration within the set time frames
- pay the fee

Contact details for lodging appeals are provided below: -
Building and Development Dispute Resolution Committees
Queensland Department of Housing and Public Works
Postal address: GPO Box 2457, Brisbane Qld. 4001
Registrar Phone: 1800 804 833
Email: registrar@qld.gov.au

Attachment D

Permitted Road Access Location (Proposed Lot 2)

Near the common boundary with Lot 0BUP70612, and approx 90m north of Mowbray Street (5.18km RHS)

GPS location x 145.466187, y -16.485812

Access Restrictions

- a) Design vehicles up to a maximum size short towing trailer
- Class 2 Medium Length Light Vehicle**

Note: ** as described in Austroads Vehicle Classification System

Permitted Road Access Location (Proposed Lot 1)

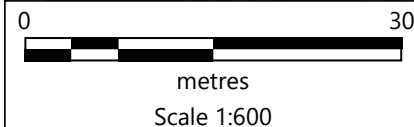
Near the common boundary with Lot 0BUP70699, and approx 70m north of Mowbray Street (5.16km RHS)

GPS location x 145.466100, y -16.485919

Access Restrictions

- a) Design vehicles up to a maximum size short towing trailer
- Class 2 Medium Length Light Vehicle**

Note: ** as described in Austroads Vehicle Classification System



Branch/Unit : Corridor Management / Far North District

Projection/Datum : Geocentric Datum of Australia (GDA) 2020

- Land parcels Subject land
 Easements
 State-controlled road corridor

TMR Layout Plan (6504 - 5.20km)



Queensland Government
Transport and Main Roads

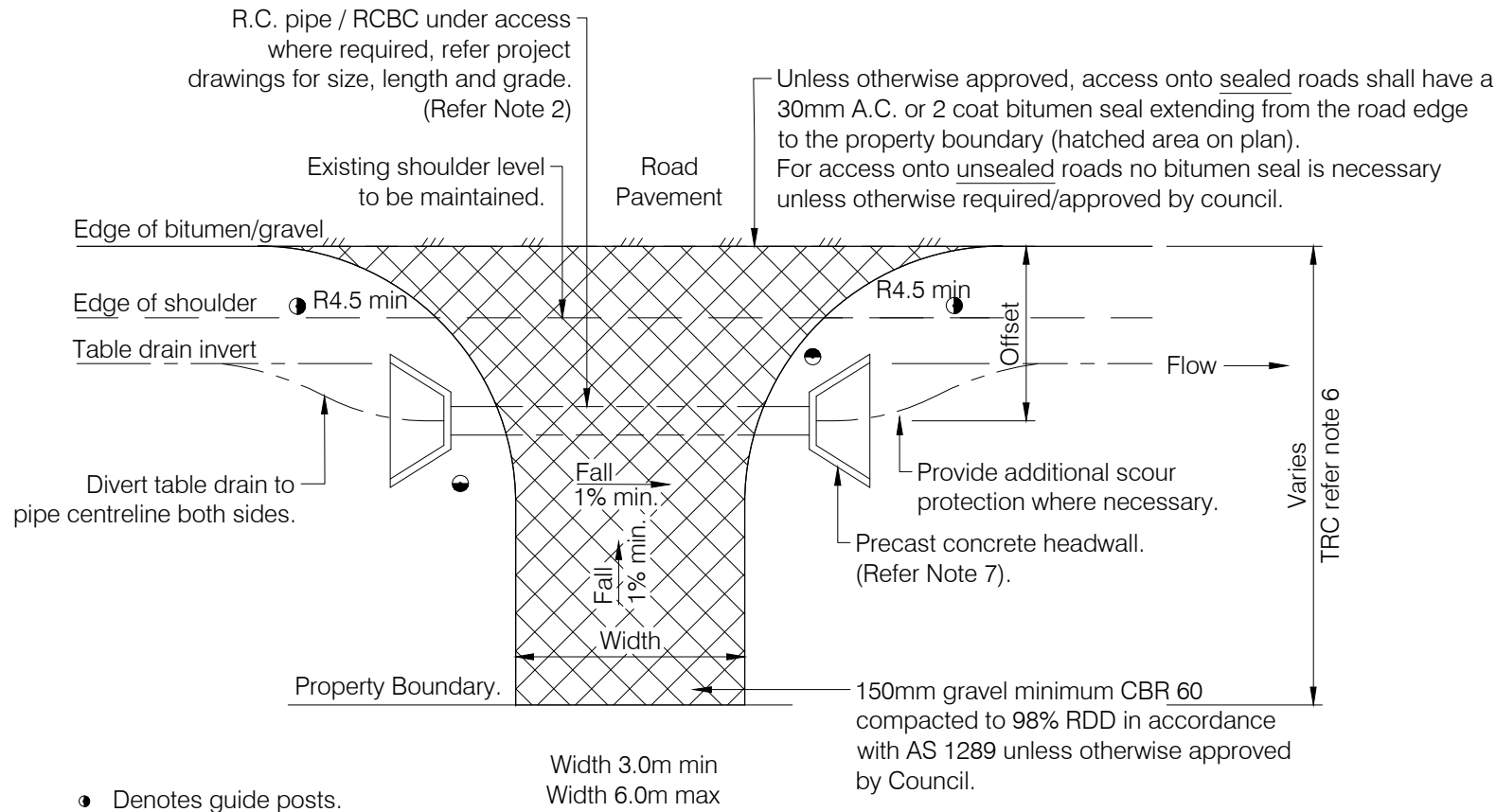
Plan:
1 / 1

Issue:
A

Date:
8/04/2025

Drawn by:
RPK

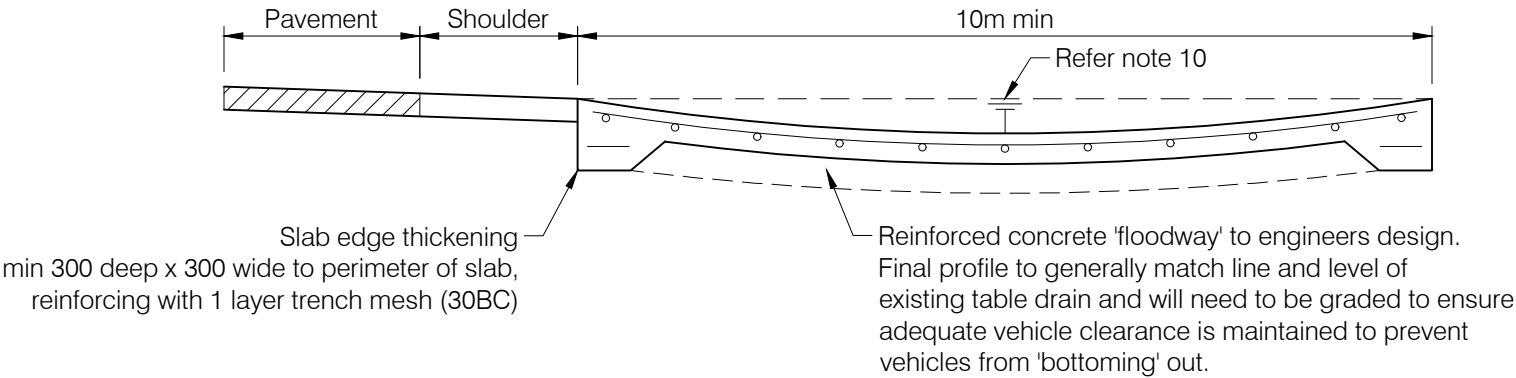
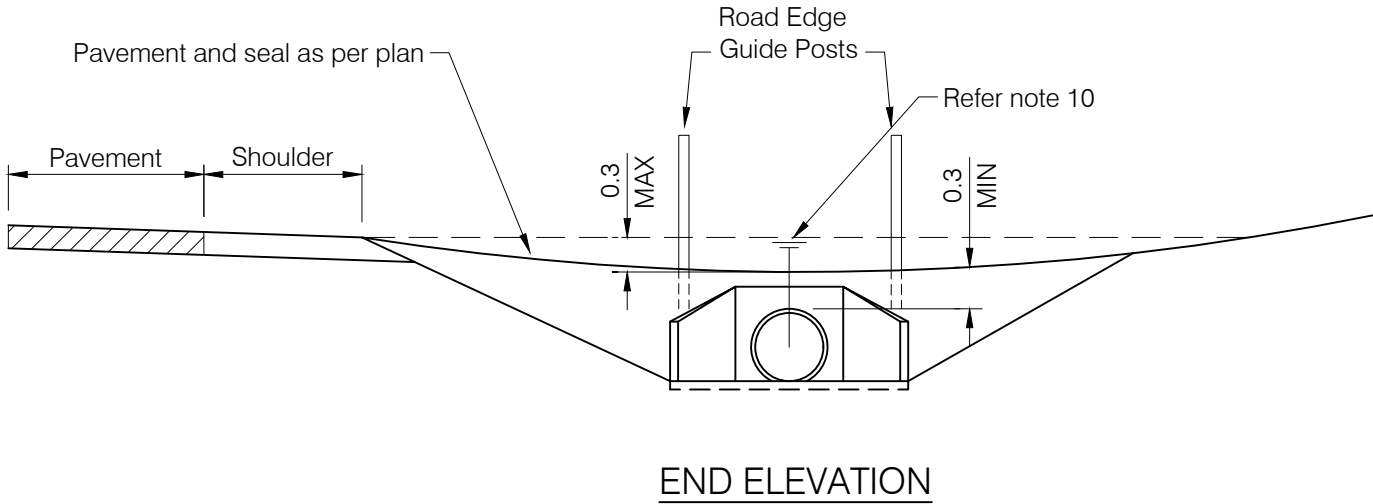
File ref:
TMR25-045230



PLAN

NOTES

1. Minimum length of culvert shall be 4.8m for single access, 7.2m for double access.
2. Minimum pipe size shall be Ø375. Minimum RCBC to be 300mm high.
3. Minimum RC pipe / RCBC gradient shall be 1:100.
4. Where cover to RC pipes is less than 260mm pipe shall have 100mm concrete encasement or bridging slab per S1015.
5. Drainage from access must not flow over the through road. All stormwater runoff shall be directed to the table drain.
6. Maximum 10 metres from edge of bitumen seal or where grade is steeper than 6% the bitumen seal shall extend from the road edge to the property boundary unless otherwise approved.
7. Precast sloping headwalls shall be used when :
a) the through road has a signposted speed of 80km/hr or greater.
b) the through road has a signposted speed of 60km/hr and the offset distance from the traffic lane to the culvert is less than 4.5m.
8. Concrete shall be grade N32 minimum in accordance with AS 1379 and AS 3600.
9. All dimensions are in millimetres.
10. Hydraulic capacity of pipe and access to match the capacity of the table drain. This may require the use of multiple pipes.
11. Minimum sight distances at accesses should comply with "Sight Distance at Property Entrances" Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections.
12. In instances where the detail/s shown on this drawing cannot be achieved due to existing constraints, Council shall be contacted to achieve an acceptable alternative.



TYPICAL ALTERNATIVE FLOODWAY TYPE ACCESS
(Where approved by Council)

			DISCLAIMER The authors and sponsoring organisations shall have no liability or responsibility to the user or any other person or entity with respect to any liability, loss or damage caused or alleged to be caused, directly or indirectly, by the adoption and use of these Standard Drawings including, but not limited to, any interruption of service, loss of business or anticipatory profits, or consequential damages resulting from the use of these Standard Drawings. Persons must not rely on these Standard Drawings as the equivalent of, or a substitute for, project-specific design and assessment by an appropriately qualified professional.				RURAL ALLOTMENT ACCESSSES		Standard Drawing S1105	
G	MINOR AMENDMENT TO NOTES	05/12/23								
F	MINOR AMENDMENTS	27/08/20								
REVISIONS		DATE								
F										
G										



Attachment F

Queensland
Government

Deed of Indemnity for construction of road works on a State-controlled road

(section 33 of the *Transport Infrastructure Act 1994*)

Department of Transport and Main Roads reference number

Contractor (insert name of contractor carrying out works, as shown on public liability insurance)

Road works (insert description of works and location)

I/We the contractor named above:

- indemnify the State of Queensland (represented by the department), its officers, employees and agents (the **Indemnified**) against any or all Losses suffered or incurred (except to the extent that any Losses are caused through the negligent act or omission of the Indemnified) in connection with the construction of the **road works**
- acknowledge that provision of this indemnity is a condition of approval of the **road works** under section 33 of the *Transport Infrastructure Act*.

In this deed, '**Losses**' include liabilities, losses, damages, expenses and costs (including, legal costs on a full indemnity basis and whether incurred or awarded) of any kind or nature whether arising in contract or tort (including, but not limited to negligence) or under a statute, and also includes:

- loss of profits, loss of revenue, loss of anticipated savings, loss of opportunity, pure economic loss and loss of data
- any other consequential, special or indirect loss or damage.

Executed as a deed

For company:

Signed, sealed and delivered

on the _____ day of _____ 20 ____ in
accordance with section 127 of the *Corporations Act 2001* (Cth).

Signature of director

Full name of director

Signature of company secretary/director

Full name of company secretary/director

For individual:

Signed, sealed and delivered by

on the _____ day of _____ 20 ____ in
the presence of:

Signature of witness

Full name of witness

Signature



Attachment F

Queensland
Government

Principal Contractor's Details and Bond Estimate

Application details

Department of Transport and Main Roads reference number

Pursuant to the conditional approval of the subject application, I nominate the following as the principal contractor for the works. I request that you deal with the principal contractor for all matters relating to the construction works.

Applicant's name

Applicant's signature

Date

Principal contractor's details

Legal name

Australian Business Number (ABN)

Registered address

	Postcode

Physical address

	Postcode

Telephone number (work hours)

Telephone number (after hours)

Mobile number

Email address

Primary contact person (overseer)

Position

Telephone number (work hours)

Telephone number (after hours)

Mobile number

Prequalification status (please check one)

Department of Transport and Main Roads prequalified ☐ Prequalified number

Not Department of Transport and Main Roads prequalified ☐

Attach evidence of:

- previous construction works (preferably on a State-controlled road)
- ability to carry out the works in accordance with the approved plans, standards and specifications
- qualifications and experience of the primary contact person (overseer), including the Registered Professional Engineer of Queensland number.

Principal contractor's insurance and indemnity (please check if attached)

☐ Attached is the *Deed of Indemnity for road works on a State-controlled road* (form F5109) signed by the principal contractor.

☐ Attached is evidence of the principal contractor's public liability insurance policy of no less than \$20 million that notes the Department of Transport and Main Roads interest on the policy.

Construction works costs

Estimated cost of the works

Bond amount

☐ Attached are details supporting the estimation of costs of works (for example, bill of quantities)

Privacy statement: The Department of Transport and Main Roads is collecting the information on this form for the purpose of managing the **road works** (under s33 of the *Transport Infrastructure Act 1994*) that are being undertaken by a third party with respect to an application for such works. The details will not be disclosed to any other third party without your consent unless required by law.