

Our Ref: M1195

Author: jg/mas

13 July 2017

The Chief Executive Officer  
Cassowary Coast Regional Council  
PO Box 887  
INNISFAIL QLD 4860  
Via email: [enquiries@cassowarycoast.qld.gov.au](mailto:enquiries@cassowarycoast.qld.gov.au)

**Attention: Byron Jones – Planning and Development Assessment**

Dear Sir/ Madam,

**Re: Development Application seeking a Development Permit for Material Change of Use – Undefined Use (Craft Distillery) on land described as Lot 4 on RP747211 and located at Butler Road, Bingil Bay**

On behalf of the applicant, Paul Williams, we hereby apply for a Development Permit for a Material Change of Use on the abovementioned land.

This application was the subject of a pre-lodgement meeting between Council officers, the applicant, and the applicant's representatives held on the 17<sup>th</sup> May 2017. Council were noted as being generally supportive of the application.

Accordingly we enclose a copy of the development application package prepared by Milford Planning Consultants. We ask that Council issue an invoice with payment advice to Paul Williams c/- Milford Planning Consultants for the relevant assessment fee, being a sum of **\$4,196.40**. After receiving the requested invoice, payment will be made directly to Council by our client.

Please note that Council have confirmed that the undefined use is consistent with the 'commercial use' category in the schedule of fees and charges. The assessment fee is based on Council's 2017/2018 schedule of fees and charges, and has been calculated comprising:

- Material Change of Use (impact assessable) base fee – \$2,500.00
- Commercial use fee (\$2 per m<sup>2</sup> of GFA) for 848.2m<sup>2</sup> – \$1,696.40

We look forward to receipt of the Confirmation Notice in due course.

If you have any questions regarding the application, please do not hesitate to contact the undersigned or Matteo Sandona on TEL: (07) 4724 0095.

Yours sincerely,

**MILFORD PLANNING CONSULTANTS**

A handwritten signature in black ink, appearing to be 'gm', is positioned above the word 'Electronic'.

George Milford  
DIRECTOR

Encl: Development application package.

Cc: Paul Williams



## **DEVELOPMENT APPLICATION**

MATERIAL CHANGE OF USE –  
UNDEFINED USE (CRAFT DISTILLERY)

LOT 4 ON RP747211  
BUTLER ROAD, BINGIL BAY

PREPARED ON BEHALF OF  
PAUL WILLIAMS

JULY 2017



M1195

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<b>Description</b>	Material Change of Use – Undefined Use (Craft Distillery)		
<b>Client</b>	Paul Williams		
<b>Issue</b>	Final	<b>Version</b>	1
<b>Contact</b>	Matteo Sandona	<b>Date</b>	13 July 2017
<b>Quality Assurance</b>	Author	Reviewer	
	 Matteo Sandona TOWN PLANNER	 George Milford DIRECTOR	

## DEVELOPMENT APPLICATION

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## **APPENDICES**

Appendix 1: DA Form 1; Title search; and Land Owner's Consent.

Appendix 2: SmartMap and aerial photograph of the site and surrounding locality.

Appendix 3: SARA mapping.

Appendix 4: Development proposal plans and renders prepared by i4 Architecture.

Appendix 5: Environmental and Conservation Zone Code.

Appendix 6: Environmental Significance Code.

Appendix 7: Site Classification and Wastewater Management System reporting prepared by Earth Test.

## 1.0 INTRODUCTION

This town planning report has been prepared in support of a development application on behalf of Paul Williams seeking a Development Permit for Material Change of Use – Undefined Use (Craft Distillery) on land described as Lot 4 on RP747211 and located at Butler Road, Bingil Bay.

This report provides the following information with respect to the assessment of the development proposal:

- Overview of the site and surrounding area.
- Description of the proposal.
- Overview of legislation relevant to the development application.
- Assessment of the proposal against relevant legislation.
- Conclusions and recommendations.

The development application is made in accordance with s 51 of the *Planning Act 2016* (the Act) and contains the mandatory supporting information specified in the applicable DA form. **Appendix 1** comprises DA Form 1 and the accompanying Land Owner's Consent.

The subject property is located within the Cassowary Coast Regional Council's local government area and will be assessed against the *Cassowary Coast Regional Council Planning Scheme 2015* (the planning scheme).

This application for a Material Change of Use – Undefined Use (Craft Distillery) is subject to **impact assessment** in accordance with the provisions of the planning scheme and the Act. Formal public notification of the application will be required.

## 2.0 SITE AND SURROUNDING AREA

### 2.1 SITE DETAILS

Specific details pertaining to the subject site are incorporated in the following **Table 1**.

**Table 1 – Site Characteristics**

Street Address	Butler Road, Bingil Bay.
Real Property Description	Lot 4 on RP747211.
Property Owner	Sean Francis Kersh and Katrina Margaret Maxwell Kersh (refer <b>Appendix 1</b> ).
Site Area	2.83ha.
Street Frontage	Butler Road.
Zoning	Environmental Management and Conservation Zone.
Current/ Previous Use	Vacant land.
Contaminated Land	The site is not known to be listed on the Queensland Government's Contaminated Land Register, or the Environmental Management Register.
Easement	The site is burdened by Easement E on SP295179 (access) (refer <b>Appendix 2</b> ).
Topography	The subject land is generally even in gradient.
Existing Infrastructure	The site is serviced by adequate water and sewerage infrastructure, as well as electricity and telecommunications services.
SARA Mapping	The site is identified on the State Assessment and Referral Agency (SARA) mapping as being located within (refer <b>Appendix 3</b> ): <ul style="list-style-type: none"><li>▪ Areas containing Category A and Category B regulated vegetation.</li></ul>
Referral Agency	The application does not trigger SARA as a referral agency.
Planning Instrument	Cassowary Coast Regional Council Planning Scheme 2015.

### 2.2 SITE DESCRIPTION

The subject site consists of one lot that is formally described as Lot 4 on RP747211. This lot is currently vacant with the exception of remnant vegetation which covers the majority of the site. The site contains an area of existing cleared land at the Butler Road frontage which will accommodate the footprint of the proposed development. Access to the lot is via the street frontage onto Butler Road in the north-east of lot. The subject site also contains an easement (Easement E on SP295179) which is used for access purposes; this easement is not in any way associated with the proposed development.

## 2.3 SURROUNDING AREA

The subject site is located within the small coastal locality of Bingil Bay, north of Mission Beach. The subject site is located approximately 100m from the Bingil Bay Cafe, and less than a kilometre from the beach. The Bingil Bay Cafe functions as the 'commercial hub' of Bingil Bay. The surrounding locality consists of mostly residential uses, although is renowned for the quality of its many artists and well-known brands such as Bingil Bay Beef, Charley's Chocolate and Bingil Bay Pottery.

### **3.0 DESCRIPTION OF PROPOSAL**

#### **3.1 OVERVIEW**

This report details an application seeking a Development Permit for Material Change of Use – Undefined Use (Craft Distillery) on land described as Lot 4 on RP747211 and located at Butler Road, Bingil Bay. A description of the proposed development is provided below.

#### **3.2 PROPOSED DEVELOPMENT**

The applicant, Paul Williams, proposes to develop a boutique craft distillery and gallery on Lot 3 on RP747211. The aim of the proposal is to create an attractive new venture located in close proximity to the Bingil Bay Cafe to complement and enhance boutique business and tourism offerings in the area.

The aim of the proposed development is to comprise the following elements:

- A boutique, small batch craft distillery with a visitor's centre, gallery and sculpture garden.
- The production of hand crafted, high quality spirits using 100% local inputs of sugar, rainwater, rainforest botanicals and tropical fruits.
- Pioneer a world first vacuum distilling process to produce next generation spirits for niche markets.
- Set a new distillery milestone by reducing energy consumption by over 50%, and utilise advanced solar systems to achieve net zero performance.
- Provide personalised tours of the facility to visitors approximately three times per week during business hours.
- Develop local business partnerships and opportunities by marketing local crafts and produce.
- Enhance boutique business and tourism offerings for Bingil Bay, Mission Beach and the broader Cassowary Coast region.

#### Staging

The development will be divided into two stages with the first stage resulting in one single-storey (except for the internal mezzanine floor) building serving the dual purpose of distillation production and a visitor centre with a licensed tasting room and a gallery. This main building will measure approximately 420m<sup>2</sup> in terms of gross floor area (GFA) and will be consistent with the character of the surrounding locality. This initial stage will also include an outdoor sculpture garden with the possibility of a number of landscape structures such as small pagodas. Moreover, on-site car parking catering for seven (7) cars will result from this stage.

The second stage of this development will consist of a storage shed located adjacent to the main building which will be used as a spirit maturing store. The shed will be constructed in a conventional nature, with a skillion roof, 4 metre eaves and a GFA of 375m<sup>2</sup>. The stage two component will only be accessible to the public on escorted tours, and will be separated from stage one by a landscaped area comprising screening plants and grass. Service access to the shed will be via the site's internal access road and through the stage one building with a forklift. For further structural details, refer to **Appendix 4**.

The entirety of the proposed development footprint has been located to avoid the remnant vegetation which covers the majority of the lot and is situated only on the land which is already cleared.

#### Access, Car Parking, and Traffic

As noted above, access will be provided to the site from Butler Road in the north-eastern corner of the lot. Seven (7) new car parking spaces (including one disabled space) will be created and the same access point will be used for the inward and outward movement of goods from the commercial use. Large trucks will access the site a maximum of once a month outside public hours so they can have complete access and manoeuvrability unhindered by visitors. The internal car park and access road will be constructed of shingle.

In terms of traffic, it is not anticipated that the development will cause any more than a negligible increase in volumes. Once the facility is fully operational, the traffic is estimated to include:

- Staff movement – approximately three full-time equivalent (FTE) staff operating the facility.
- Inward goods – less than one movement per day (small tonnage - ute).
- Outward goods – less than one movement per week (small tonnage).
- Visitors – five to ten cars per day on tour days (no buses or mini buses). Three to four days per week after stage 2.

It is noted that buses will not be permitted.

#### Landscaping

As identified by the development plans (refer **Appendix 4**) the development will include the light planting of vegetation along the street frontage boundary and adjacent to the car parking area. In conjunction with maintaining the significant existing vegetation to the rear of the lot, some of which will be visible from Butler Road, this will enhance the visual amenity of the streetscape.

#### Stormwater

No specific stormwater measures are provided as the nature of this development is not considered to adversely impact the characteristics of stormwater flows on the site and therefore not required.

### Sewer and Water Connections

The development includes six rainwater tanks which will be located adjacent to the storage shed and will capture much of the run-off from the structure. The rainwater captured will be utilised in the proposed manufacturing processes, and will contribute to the self-sufficiency of the operation. The site is also capable of achieving connection to Council's reticulated water infrastructure. A connection to the reticulated water service would provide an additional supply of potable water to the development. It is noted that an existing water main is located on the opposite side of Butler Road.

The site is not capable of being serviced by Council's reticulated sewerage infrastructure, and will therefore include the construction of a certified on-site sewage treatment facility. The site has been identified as being suitable for on-site sewage treatment, as per reporting detailed in **Appendix 7**.

### 3.3 DEVELOPMENT PLANS

The development proposal is illustrated in the following development proposal plans, which have been prepared by i4architecture and are attached as **Appendix 4**:

- 1481 SK 000 4 – Cover Page
- 1481 SK 001 4 – Site Plan
- 1481 SK 200 4 – Floor Plan
- 1481 SK 700 4 – Elevations
- 1481 SK 701 4 – Elevations
- 1481 SK 702 4 – Stage 2 Storage Shed Elevations

### 3.4 DEFINITION OF PROPOSED USE

In accordance with the planning scheme, the use associated with this development application is not specifically defined. For the purposes of this development application, the use will be referred to as *Undefined Use (Craft Distillery)*.

### 3.5 PRE-LODGEEMENT MEETING

This application was the subject of a pre-lodgement meeting between Council officers, the applicant, and the applicant's representatives held on the 17<sup>th</sup> May 2017. Council were noted as being generally supportive of the application.



## 4.0 RELEVANT LEGISLATION

Assessment against the relevant provisions of Commonwealth legislation, the *Planning Act 2016* (the Act) and other State legislation, as well as the planning scheme and supporting planning policies is required. Consideration of these matters is outlined below.

### 4.1 COMMONWEALTH LEGISLATION

The application is not currently subject to assessment against Commonwealth legislation. It is not anticipated that development of this land will trigger assessment against the *Environmental Protection and Biodiversity Conservation Act 1999* (Cth), as it is not anticipated that the development will significantly impact upon a matter of national environmental significance.

### 4.2 PLANNING ACT 2016

The Act provides the framework for coordinating local, regional and State planning. Given the nature of the development, the application requires assessment against this legislation as detailed below.

### 4.3 STATE ASSESSMENT AND REFERRALS

As confirmed by the State Assessment and Referral Agency (SARA) mapping (refer **Appendix 3**), the development site is located within the following mapped layer:

- Areas containing Category A and Category B regulated vegetation.

In accordance with schedule 10, part 3, division 2, item 5 of the *Planning Regulation 2017*, referral for State assessment is not required.

### 4.4 STATE PLANNING POLICY

In accordance with section 2.1 of the planning scheme, the Minister has identified that all aspects of the State Planning Policy have been integrated into the planning scheme. As a result, an assessment of the proposal against the provisions of the SPP is not required, as all relevant matters have been dealt with under the provisions of the planning scheme.

#### 4.5 ASSESSMENT MANAGER AND PLANNING SCHEME

In accordance with the *Planning Regulation 2017*, the Cassowary Coast Regional Council is nominated as the assessment manager for the application. The applicable planning scheme for use by the assessment manager is as identified above, the *Cassowary Coast Regional Council Planning Scheme 2015*.

## 5.0 CASSOWARY COAST REGIONAL COUNCIL PLANNING SCHEME

### 5.1 INTRODUCTION

The planning scheme seeks to achieve outcomes through the identification of a number of outcomes, specific outcomes and probable solutions. The planning scheme is divided into a number of zones and local plans, which are then categorised to include codes. The planning scheme further identifies overlay mapping which applies to a range of specific areas of land throughout the planning scheme.

### 5.2 LAND DESIGNATION

The site is included in the Environmental Management and Conservation Zone of the planning scheme. The specific criteria and parameters of the Environmental Management and Conservation Zone Code are therefore applicable to the proposed development.

### 5.3 LEVEL OF ASSESSMENT

The development is impact assessable in accordance with the Material Change of Use assessment table in the Environmental Management and Conservation Zone. Formal public notification of the application will be required.

### 5.4 APPLICABLE CODES

The following planning scheme elements are considered relevant to the assessment of this proposal:

- Strategic Framework.
- Environmental Management and Conservation Zone Code (refer **Appendix 5**).
- Environmental Significance Code (refer **Appendix 6**).
- Waterway Corridors and Wetlands Code.
- Design for Safety Code.
- Infrastructure Works Code.
- Landscaping Code.
- Parking and Access Code.

Section 6 of this report provides an assessment against the outcomes of the relevant codes.

## 6.0 CASSOWARY COAST REGIONAL COUNCIL PLANNING SCHEME ASSESSMENT

This section of the report provides an assessment of the proposed development against the applicable provisions of the planning scheme.

### 6.1 STRATEGIC FRAMEWORK

The application is impact assessable and therefore the whole planning scheme is applicable. The planning scheme incorporates a strategic framework which sets the policy direction for the planning scheme and forms the basis for ensuring appropriate development occurs in the planning scheme area.

The proposed development is considered to further achievement of the strategic framework, particularly:

- The development furthers Strategic Outcome 3.4 (Natural Environment) by comprising a design and siting which will protect and enhance the existing vegetation on the subject site.
- The proposed development will strengthen the cultural 'hub' of Bingil Bay, and will therefore enhance the character of the locality which is consistent with Strategic Outcome 3.5 (Community Identity and Diversity).
- The proposed development includes renewable energy infrastructure in the form of solar panels, which are proposed to cater for the majority of the facility's energy requirements. The development therefore furthers achievement of Strategic Outcome 3.8.2 (Energy).
- The proposed distillery will contribute to economic diversity and tourism, by providing a modern and unique attraction that will facilitate the use of local produce; therefore furthering Strategic Outcome 3.9 (Economic Development).
- Strategic Outcome 3.10 (Water Management) will be furthered, as the development seeks to use 100% rainwater for the production process, which will be collected in six rainwater tanks.

### 6.2 ENVIRONMENTAL MANAGEMENT AND CONSERVATION ZONE CODE

The proposed development has been assessed against the provisions of the Environmental Management and Conservation Zone Code as detailed in **Appendix 5**.

The overall outcomes sought from this code are:

- (a) adverse impacts on ecological values and processes are avoided;*
- (b) development avoids impacting on natural features such as creeks, gullies, waterways, wetlands, habitat and native vegetation;*

- (c) low impact, small-scale urban development in the form of a dwelling house and agricultural activities are permitted where compatible with maintaining environmental values;*
- (d) low impact activities such as small scale tourism and commercial activities are permitted where compatible with maintaining environmental values;*
- (e) development is consistent with protecting, conserving, rehabilitating, presenting and connecting the environmental values of the area;*
- (f) a viable and enduring habitat system is retained, protected and enhanced, and where improved connectivity is required, additional habitat is created;*
- ...

### **Response**

The proposed development is considered to be consistent with the overall outcomes for the Environmental Management and Conservation Zone Code, where applicable. In particular:

- the proposed development has been located on the subject site to utilise a previously cleared area of land, in order to avoid impacting on the site's natural features;
- the development is considered to be compatible with maintaining the environmental values of the site;
- the development avoids the significant remnant vegetation on the lot, and will therefore not cause any adverse impacts on any ecological values and processes; and
- the proposed development will avoid the identified streams on the lot.

### **6.3 ENVIRONMENTAL SIGNIFICANCE CODE**

The proposed development has been assessed against the provisions of the Environmental Significance Code as detailed in **Appendix 6**.

The overall outcomes sought from this code are:

- (a) the Region's environmentally significant areas and wildlife and habitat corridors are protected;*
- (b) areas, identified as strategic rehabilitation areas on the environmental significance overlay maps, are protected, rehabilitated and revegetated so that ecological connectivity is improved, habitat extent is increased and the biological integrity of degraded areas is restored.*

### **Response**

The proposed development is considered to be consistent with the outcomes sought by the Environmental Significance Code. In particular, it is noted that:

- the development will avoid the existing vegetation (outlined by the environmental significance overlay maps as being an area of high environmental significance) and built form will be contained solely to the part of the lot which is already clear; and
- the extent of site where the development will occur is not identified by the environmental significance overlay maps as being a strategic rehabilitation area.

#### 6.4 WATERWAY CORRIDORS AND WETLANDS CODE

The proposed development has been assessed against the provisions of the Waterway Corridors and Wetlands Code.

The overall outcomes sought from this code are:

- (a) the hydrological capacity of waterways including flood conveyance and storage is maintained;*
- (b) development is located outside a waterway envelope:*
  - i. to allow the waterway envelope (or other appropriately designated buffer) to accommodate natural and accelerated waterway widening, bank erosion and meander migration; and*
  - ii. so that adjacent development is not adversely affected by erosion;*
- (c) water quality and ecological functions of waterways and wetlands are maintained or enhanced;*
- (d) development is planned, designed, constructed and operated to protect the environmental values of waterways and wetlands.*

#### **Response**

The proposed development is considered to be consistent with the outcomes sought by the Waterway Corridors and Wetlands Code. In particular, it is noted that:

- the proposed development is not expected to negatively impact hydrological dynamics and capacities of the site;
- six rainwater tanks have been designated to capture a portion of the run-off from the proposed shed; and
- the development avoids the waterway corridors on the site identified by the waterway corridors and wetlands overlay maps, and as such does not impact upon their environmental values.

## 6.5 DESIGN FOR SAFETY CODE

The proposed development has been assessed against the provisions of the Design for Safety Code.

The overall outcomes sought from this code are:

- (a) development is user friendly;*
- (b) development is designed to reduce the vulnerability of people and property to crime;*
- (c) development increases people's awareness of their environment;*
- (d) development mitigates the health impacts of biting insects.*

### **Response**

The proposed development is considered to be consistent with the outcomes sought by the Design for Safety Code. In particular, it is noted that:

- the proposed development will be open to the general public and features a user-friendly design including an inviting entranceway and designated visitor foyer; and
- the development will increase public engagement and awareness with the surrounding environment; further, the subject site is considered an ecological asset due to the planning scheme identifying it as an area of high environmental significance.

## 6.6 INFRASTRUCTURE WORKS CODE

The proposed development has been assessed against the provisions of the Infrastructure Works Code as detailed below.

The overall outcomes sought from this code are:

- (a) the standards of water supply, waste water treatment and disposal, stormwater drainage, electricity and telecommunications supply and road construction meets the needs of the development and is safe and efficient;*
- (b) infrastructure services and utilities are designed and constructed to provide a level of service consistent with the nature of the development and the area within which it is located;*
- (c) to the extent practicable, infrastructure is able to function effectively during and following a natural disaster;*
- (d) infrastructure is designed, constructed and operated to maintain high environmental standards;*
- (e) pedestrian and bikeway facilities are provided to an appropriate standard and contribute to a pedestrian oriented environment.*

## **Response**

The proposed development is considered to be consistent with the outcomes sought by the Infrastructure Works Code. In particular, the on-site and trunk infrastructure which will service the proposed development will be of a standard which meets the needs of the intended use.

### **6.7 LANDSCAPING CODE**

The proposed development has been assessed against the provisions of the Landscaping Code as detailed below.

The overall outcomes sought from this code are:

- (a) landscaping enhances the appearance of development and public spaces;*
- (b) landscaping contributes to an attractive streetscape;*
- (c) landscaping buffers provide effective screening;*
- (d) landscaping provides shade where required;*
- (e) landscaping accommodates the retention of existing significant or valued on site vegetation;*
- (f) landscaping utilises native species and does not incorporate declared or potential pest species.*

## **Response**

The proposed development is considered to be consistent with the outcomes sought by the Landscaping Code. In particular, landscaping will be used to soften the visual effect of the new buildings on the streetscape. Any landscaping features added to the site will complement the significant portion of existing vegetation on the lot.

### **6.8 PARKING AND ACCESS CODE**

The proposed development has been assessed against the provisions of the Parking and Access Code as detailed below.

The overall outcomes sought from this code are:

- (a) uses have sufficient on site parking spaces designated in a manner to meet the requirements of the intended user;*
- (b) the number of parking spaces provided does not impact on the functioning of the surrounding road network;*



- (c) vehicles can access and move within the site in a safe and efficient manner;*
- (d) adequate provision for service vehicles is provided to meet the reasonable requirements of the development;*
- (e) the amenity of nearby land uses and the surrounding area is protected and maintained.*

### **Response**

The proposed development is considered to be consistent with the outcomes sought by the Parking and Access Code. In particular, it is noted that the proposed development provides a safe and efficient method of access from Butler Road to an onsite car parking area with seven (7) spaces. The provision of car parking spaces is likely sufficient to meet the demand of the development.

The car parking area also has the capacity for service vehicles to access the distillery which is expected to occur once per day. The increase in traffic volumes will be negligible and is not expected to impact upon the amenity of nearby land uses.

## **7.0 PLANNING GROUNDS**

There are substantial planning grounds to support the approval of the development application, including (but not limited to) the following:

- The development will reinforce and complement this part of Bingil Bay as the commercial and tourism centre of the locality.
- The development footprint has been designed to avoid clearing any of the vegetation of high environmental significance which covers a significant portion of the lot.
- The proposed craft distillery will facilitate economic diversity within the region.
- The proposed development will contribute to Bingil Bay's reputation as a renowned boutique arts and culture precinct, as well as creating employment opportunities.
- The proposed gallery will enhance cultural capital through the display of local artwork.
- The proposed development will attract more visitors to the region.
- The proposed development will enhance the streetscape and amenity of the area.
- The proposed methodology of the distillery process has been designed to be energy-efficient and environmentally sustainable.

## **8.0 CONCLUSIONS AND RECOMMENDATIONS**

This proposal details a development application to Cassowary Coast Regional Council seeking a Development Permit for Material Change of Use – Undefined Use (Craft Distillery) on land described as Lot 4 on RP747211 and located at Butler Road, Bingil Bay.

In summary, the proposed development is recommended for approval based on the following reasons:

- The proposed development will further the achievement of the planning scheme’s strategic framework.
- The proposal complies with the codes that we have considered to be relevant to the assessment of a proposal of this nature.
- Notwithstanding the compliance with the planning scheme, there are strong planning grounds that support the approval of the development.

Given the above facts and circumstances presented in this report, it is recommended that Council approve the development subject to reasonable and relevant conditions.

## APPENDIX 1

## DA Form 1 – Development application details

Approved form (version 1.0 effective 3 July 2017) made under section 282 of the Planning Act 2016.

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

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

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

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

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

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

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

### PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) <i>(individual or company full name)</i>	Paul Williams c/- Milford Planning Consultants
Contact name <i>(only applicable for companies)</i>	Matteo Sandona
Postal address <i>(P.O. Box or street address)</i>	PO Box 5463
Suburb	TOWNSVILLE CITY
State	QLD
Postcode	4810
Country	AUSTRALIA
Contact number	(07) 4724 0095
Email address <i>(non-mandatory)</i>	info@milfordplanning.com.au
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	M1195

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

## PART 2 – LOCATION DETAILS

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

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

## 3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
			Butler Road	Bingil Bay
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4852	4	RP747211	Cassowary Coast
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

**Note:** Place each set of coordinates in a separate row. Only one set of coordinates is required for this part.

- ☐ Coordinates of premises by longitude and latitude

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

- ☐ Coordinates of premises by easting and northing

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

## 3.3) Additional premises

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

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

<input type="checkbox"/> In or adjacent to a water body or watercourse or in or above an aquifer	
Name of water body, watercourse or aquifer:	
<input type="checkbox"/> On strategic port land under the <i>Transport Infrastructure Act 1994</i>	
Lot on plan description of strategic port land:	
Name of port authority for the lot:	
<input type="checkbox"/> In a tidal area	
Name of local government for the tidal area (if applicable):	
Name of port authority for tidal area (if applicable):	
<input type="checkbox"/> On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>	
Name of airport:	
<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>	
EMR site identification:	

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

CLR site identification:

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

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

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

☐ No

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

#### 6.1) Provide details about the first development aspect

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

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

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

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

c) What is the level of assessment?

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

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

Material Change of Use – Undefined Use (Craft Distillery)

e) Relevant plans

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

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

#### 6.2) Provide details about the second development aspect

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

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

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

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

c) What is the level of assessment?

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

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

e) Relevant plans

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

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

#### 6.3) Additional aspects of development

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

☒ Not required

## Section 2 – Further development details

## 7) Does the proposed development application involve any of the following?

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

## Division 1 – Material change of use

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

## 8.1) Describe the proposed material change of use

Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m <sup>2</sup> ) (if applicable)
Craft Distillery	Undefined use		963m <sup>2</sup> (total for two stages)

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

- ☐ Yes  
☒ No

## Division 2 – Reconfiguring a lot

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

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

--

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

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

## 10) Subdivision

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

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

## 10.2) Will the subdivision be staged?

- ☐ Yes – provide additional details below  
☐ No

How many stages will the works include?	
What stage(s) will this development application apply to?	

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

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



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

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

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

--

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

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

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

- |  |                                     |  |
|--|-------------------------------------|--|
| <input type="checkbox"/> Road work   | <input type="checkbox"/> Stormwater | <input type="checkbox"/> Water infrastructure  |
| <input type="checkbox"/> Drainage work   | <input type="checkbox"/> Earthworks | <input type="checkbox"/> Sewage infrastructure |
| <input type="checkbox"/> Landscaping   | <input type="checkbox"/> Signage    | <input type="checkbox"/> Clearing vegetation   |
| <input type="checkbox"/> Other – please specify: <table border="1" style="display: inline-table; width: 300px; height: 20px;"></table> |                                     |  |

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

- ☐ Yes – specify number of new lots:
- ☐ No

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

\$

**PART 4 – ASSESSMENT MANAGER DETAILS****15) Identify the assessment manager(s) who will be assessing this development application**

Cassowary Coast Regional Council

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

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

**PART 5 – REFERRAL DETAILS****17) Do any aspects of the proposed development require referral for any referral requirements?****Note:** A development application will require referral if prescribed by the Planning Regulation 2017.

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

**Matters requiring referral to the chief executive of the Planning Regulation 2017:**

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

<input type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA have not been devolved to a local government)</i> <input type="checkbox"/> Fisheries – aquaculture <input type="checkbox"/> Fisheries – declared fish habitat area <input type="checkbox"/> Fisheries – marine plants <input type="checkbox"/> Fisheries – waterway barrier works <input type="checkbox"/> Hazardous chemical facilities <input type="checkbox"/> Queensland heritage place <i>(on or near a Queensland heritage place)</i> <input type="checkbox"/> Infrastructure – designated premises <input type="checkbox"/> Infrastructure – state transport infrastructure <input type="checkbox"/> Infrastructure – state transport corridors and future state transport corridors <input type="checkbox"/> Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels <input type="checkbox"/> Infrastructure – state-controlled roads <input type="checkbox"/> Land within Port of Brisbane's port limits <input type="checkbox"/> SEQ development area <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – community activity <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – indoor recreation <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – residential development <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – urban activity <input type="checkbox"/> Tidal works or works in a coastal management district <input type="checkbox"/> Urban design <input type="checkbox"/> Water-related development – taking or interfering with water <input type="checkbox"/> Water-related development – removing quarry material <i>(from a watercourse or lake)</i> <input type="checkbox"/> Water-related development – referable dams <input type="checkbox"/> Water-related development – construction of new levees or modification of existing levees <i>(category 2 or 3 levees only)</i> <input type="checkbox"/> Wetland protection area
<b>Matters requiring referral to the local government:</b> <input type="checkbox"/> Airport land <input type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA have been devolved to local government)</i> <input type="checkbox"/> Local heritage places
<b>Matters requiring referral to the chief executive of the distribution entity or transmission entity:</b> <input type="checkbox"/> Electricity infrastructure
<b>Matters requiring referral to:</b> <ul style="list-style-type: none"> <li>The <b>chief executive of the holder of the licence</b>, if not an individual</li> <li>The <b>holder of the licence</b>, if the holder of the licence is an individual</li> </ul> <input type="checkbox"/> Oil and gas infrastructure
<b>Matters requiring referral to the Brisbane City Council:</b> <input type="checkbox"/> Brisbane core port land
<b>Matters requiring referral to the Minister under the Transport Infrastructure Act 1994:</b> <input type="checkbox"/> Brisbane core port land <input type="checkbox"/> Strategic port land
<b>Matters requiring referral to the relevant port operator:</b> <input type="checkbox"/> Brisbane core port land (below high-water mark and within port limits)
<b>Matters requiring referral to the chief executive of the relevant port authority:</b> <input type="checkbox"/> Land within limits of another port
<b>Matters requiring referral to the Gold Coast Waterways Authority:</b> <input type="checkbox"/> Tidal works, or development in a coastal management district in Gold Coast waters
<b>Matters requiring referral to the Queensland Fire and Emergency Service:</b> <input type="checkbox"/> Tidal works, or development in a coastal management district

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

☐ Yes – referral response(s) received and listed below are attached to this development application

☒ No

Referral requirement	Referral agency	Date of referral response

Identify and describe any changes made to the proposed development application that was the subject of the referral response and the development application the subject of this form, or include details in a schedule to this development application (if applicable).

**PART 6 – INFORMATION REQUEST****19) Information request under Part 3 of the DA Rules**

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

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

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

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

Further advice about information requests is contained in the DA Forms Guide.

**PART 7 – FURTHER DETAILS****20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)**

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

☒ No

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

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

☐ Yes – the yellow local government/private certifier's copy of the receipted QLeave form is attached to this development application

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

☒ Not applicable

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

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

☐ Yes – show cause or enforcement notice is attached

☒ No

## 23) Further legislative requirements

**Environmentally relevant activities**

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

☐ Yes – the required attachment (form EM941) for an application for an environmental authority accompanies this development application, and details are provided in the table below

☒ No

**Note:** Application for an environmental authority can be found by searching “EM941” at [www.qld.gov.au](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

Proposed ERA number:

Proposed ERA threshold:

Proposed ERA name:

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

**Hazardous chemical facilities**

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

☐ Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application

☒ No

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

**Clearing native vegetation**

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

☐ Yes – this development application is accompanied by written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)

☒ No

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

**Environmental offsets**

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

☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter

☒ No

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

**Koala conservation**

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

☐ Yes

☒ No

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

**Water resources**

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

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

☒ No

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

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

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

commencing development

☒ No

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

### **Marine activities**

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

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

☒ No

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

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

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

☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

☒ No

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

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

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

☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

☒ No

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

### **Referable dams**

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

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

☒ No

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

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

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

☐ Yes – the following is included with this development application:

☐ Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)

☐ A certificate of title

☒ No

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

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

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

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

☒ No

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

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

### **Brothels**

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

☐ Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*

☒ No

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

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

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

**PART 8 – CHECKLIST AND APPLICANT DECLARATION****24) Development application checklist**

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

☒ Yes*Note: See the Planning Regulation 2017 for referral requirements*If building work is associated with the proposed development, Parts 4 to 6 of *Form 2 – Building work details* have been completed and attached to this development application☐ Yes☒ Not applicable

Supporting information addressing any applicable assessment benchmarks is with development application

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

Relevant plans of the development are attached to this development application

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

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

☐ Yes☒ Not applicable**25) Applicant declaration**☒ By making this development application, I declare that all information in this development application is true and correct☒ Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001**Note: It is unlawful to intentionally provide false or misleading information.*

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

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

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

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

**PART 9 – FOR OFFICE USE ONLY**

Date received:  Reference number(s):

**Notification of engagement of alternative assessment manager**

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

**QLeave notification and payment**

*Note: For completion by assessment manager if applicable*

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

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



# CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 26305460

Search Date: 29/06/2017 10:27

Title Reference: 21363217

Date Created: 14/04/1988

Previous Title: 20314224

## REGISTERED OWNER

Dealing No: 717950769 07/04/2017

SEAN FRANCIS KERSH

KATRINA MARGARET MAXWELL KERSH

JOINT TENANTS

## ESTATE AND LAND

Estate in Fee Simple

LOT 4 REGISTERED PLAN 747211

Local Government: CASSOWARY COAST

## EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20099021 (POR 158)

2. EASEMENT No 717860683 24/02/2017 at 09:59  
burdening the land to  
LOT 4 ON RP709316  
OVER EASEMENT E ON SP295179

## ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status
714086109	VEG NOTICE	29/09/2011 11:51	CURRENT
VEGETATION MANAGEMENT ACT 1999			

UNREGISTERED DEALINGS - NIL

## CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

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

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Requested By: D-ENQ PROPERTY & TITLE SEARCH



Our Ref: M1195

29 June 2017

Chief Executive Officer  
Cassowary Coast Regional Council  
PO Box 887  
INNISFAIL Q 4860

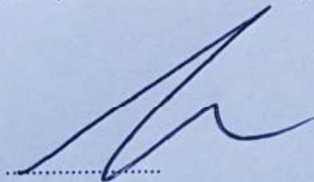
Dear Sir and Madam,

**Re: Letter of Authority  
Lot 4 on RP747211**

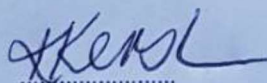
Under the provisions of the *Planning Act 2016* and *Sustainable Planning Act 2009*, we **SEAN FRANCIS KERSH** and **KATRINA MARGARET MAXWELL KERSH**, being the registered owners of land situated at Butler Road, Bingil Bay, Queensland and described as **Lot 4 on RP747211**, do hereby authorise Milford Planning Consultants to act on our behalf with respect to the procurement of all town planning and development approvals for the aforementioned parcel of land.

Signed this 29 day of 6<sup>th</sup> June 2017

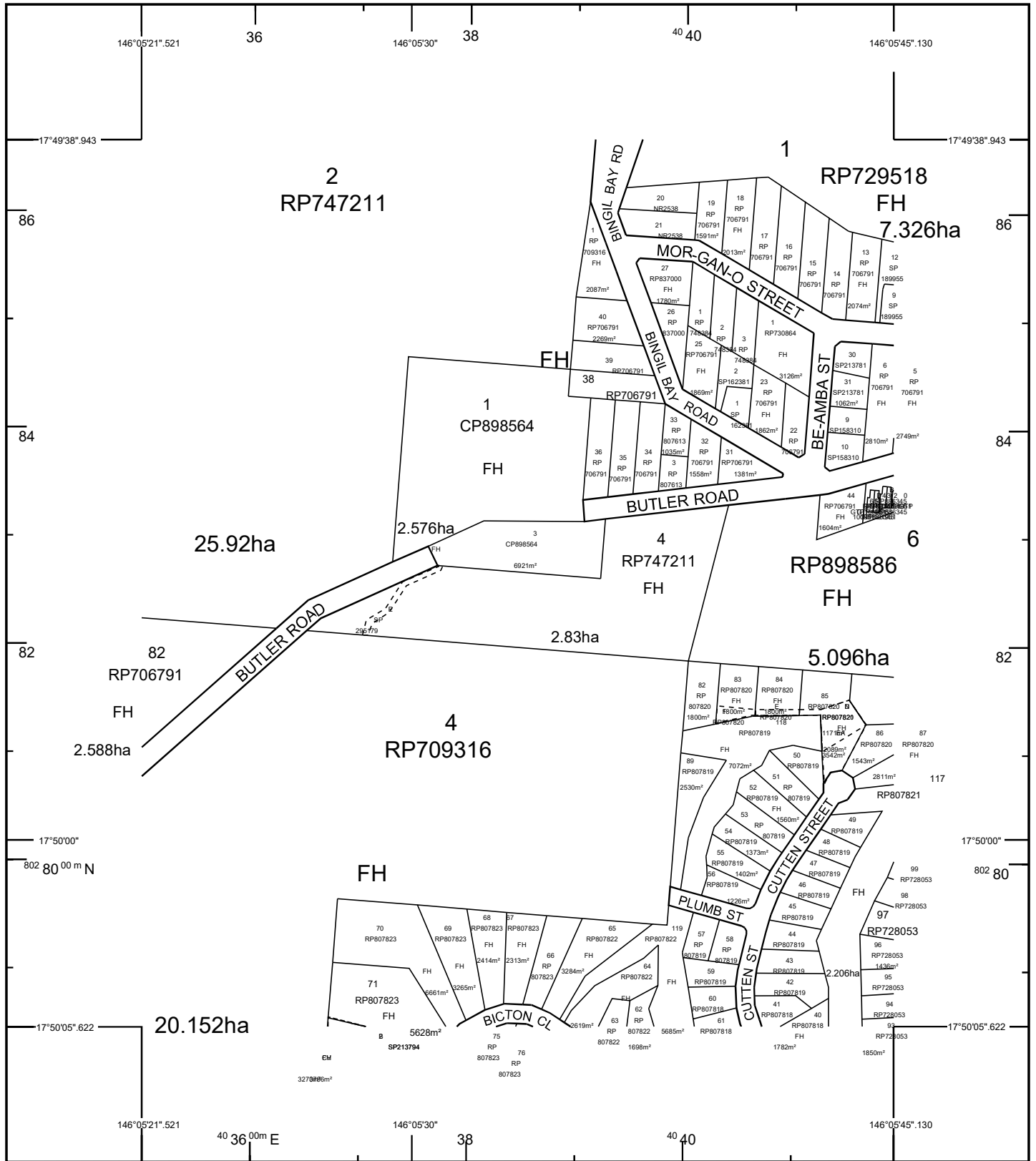
Signature:



Signature:

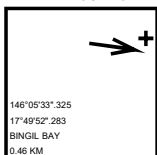


## APPENDIX 2



STANDARD MAP NUMBER  
8162-34242

MAP WINDOW POSITION &  
NEAREST LOCATION



#### SUBJECT PARCEL DESCRIPTION

DCDB  
Lot/Plan 4/RP747211  
Area/Volume 2.83ha  
Tenure FREEHOLD  
Local Government CASSOWARY COAST REGIONAL COUNCIL  
Locality BINGIL BAY  
Segment/Parcel 31327/8

#### CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 03/05/2017

DCDB 02/05/2017

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Subject Site

Cadastral

Roads

TOWN PLANNERS - DEVELOPMENT CONSULTANTS - URBAN DESIGNERS

15 ALLEN STREET, SOUTH TOWNSVILLE

PO BOX 5463, TOWNSVILLE Q 4810

PHONE (07) 4724 0095

ABN 31 162 988 132

ACN 162 988 132

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**Site Aerial**  
Butler Road, Bingil Bay  
Lot 4 on RP747211

SOURCE(S):  
Milford Planning Consultants GIS at publication date; DCDB extract, State of Queensland, 2017; Aerial Imagery, State of Queensland, 2017.

DRAWN: MAS  
DATE: 06/07/2017  
JOB: M1195  
SCALE: 1:1,250 @A3



DRAWING NUMBER: **M1195-SK-01**  
REV: **A**



## APPENDIX 3

# State Assessment and Referral Agency

Date: 06/07/2017



## Department of Infrastructure Local Government and Planning

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### Disclaimer:

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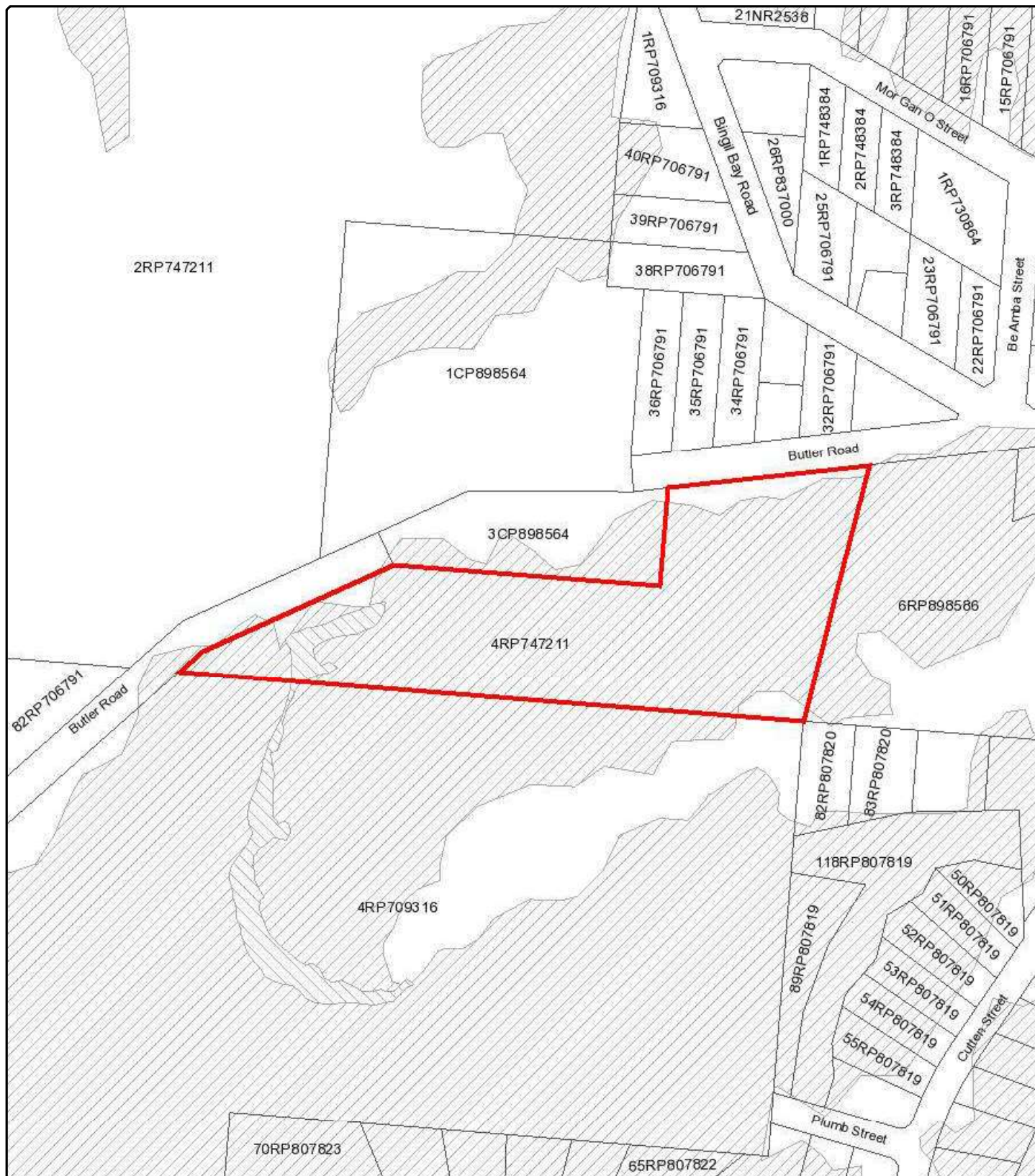
## Matters of Interest for all selected Lot Plans

*Regulated vegetation management map (Category A and B extract)*

## Matters of Interest by Lot Plan

**Lot Plan: 4RP747211 (Area: 28300 m<sup>2</sup>)**

*Regulated vegetation management map (Category A and B extract)*



## State Assessment and Referral Agency

Date: 06/07/2017





Department of Infrastructure  
Local Government  
and Planning

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### Legend

Regulated vegetation management map  
(Category A and B extract)

-  Category A on the regulated vegetation management map
-  Category B on the regulated vegetation management map

0 50 100 150 200  
Metres

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## APPENDIX 4



# BINGIL BAY DISTILLERY

Sheet List	
Sheet Number	Sheet Name
000	COVER PAGE
001	SITE PLAN
200	FLOOR PLAN
700	ELEVATIONS
701	ELEVATIONS
702	STAGE 2 STORAGE SHED ELEVATIONS



NOT FOR CONSTRUCTION

GENERAL NOTES 1. FLEURED DIMENSIONS TAKE PRECEDENCE OVER UNFLEURED DIMENSIONS 2. VERIFY ALL DIMENSIONS BEFORE COMMENCING ANY WORK	PROJECT BINGIL BAY DISTILLERY CLIENT PAUL & LYNDIA WILLIAMS LOCATION LOT 4, BUTLER ROAD, BINGIL BAY QLD 4852	 607 FLINERS STREET, TOWNSVILLE NORTH QUEENSLAND AUSTRALIA 4810 Phone: 07 4781 344 Fax: 07 4781 344 Email: info@4aarchitects.com.au	 green building council australia REGISTERED PROFESSIONAL	COPYRIGHT THE DRAWING REMAINS THE PROPERTY OF ARCHITECTURE PVT LTD AND MUST NOT BE COPIED OR REPRODUCED IN ANY MANNER WITHOUT THE PRIOR APPROVAL OF THE ARCHITECT		AMENDMENTS		DESIGNED	JL	COVER PAGE
				DRAWN		DATE	30/05/17			
				SCALE		ISSUED	30/05/17			
				1481 SK 000		4				



**REAL PROPERTY INFO**

LOT 4 ON RP747211

LAND AREA: 2.83ha

**STAGE 1**  
- GROUND FLOOR = 553m<sup>2</sup>  
- STORAGE MEZZININE = 26m<sup>2</sup>  
- SITE COVERAGE = 1.95%

**STAGE 2**  
- STORAGE SHED = 375m<sup>2</sup>  
- TOTAL SITE COVERAGE = 3.26%

- CAR PARKING PROVIDED  
= 6 CAR SPACES  
= 1 DISABLED

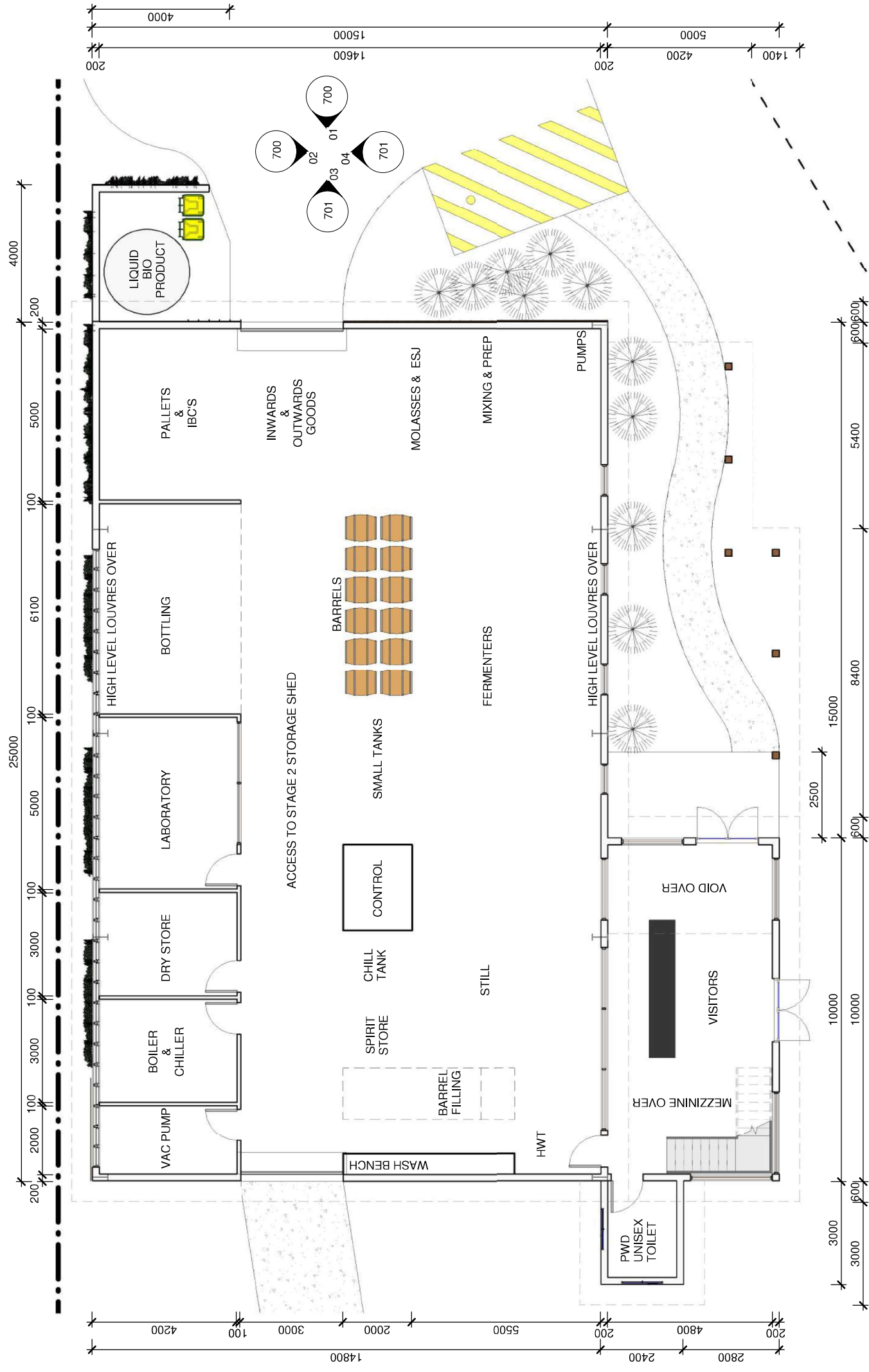
**01 SITE PLAN**

1 : 500 @ A3

**NOT FOR CONSTRUCTION**

GENERAL NOTES	PROJECT	CLIENT	LOCATION	BINGIL BAY DISTILLERY PAUL & LYNDA WILLIAMS LOT 4, BUTLER ROAD, BINGIL BAY QLD 4852	 4 architecture 697 FUNDERS STREET, TOWNVILLE, NORTH QUEENSLAND AUSTRALIA 4810 P: 07 47 251 844 Fax: 07 47 251 860 E-MAIL: info@4architects.com.au	 Australian Institute of Architects   green building council australia australian building council australia australian building council australia	COPYRIGHT		AMENDMENTS		DESIGNED	JL	SITE PLAN	
							THIS DRAWING IS THE PROPERTY OF AUSTRALIAN PTY. LTD AND MUST NOT BE COPIED OR REPRODUCED WITHOUT THE WRITTEN APPROVAL OF THE AUTHOR		No.	Description	Drawn	DATE		DATE
1. FINISHED DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS										1	PRELIMINARY	16/06/17	JUNE 2017	
2. VERIFY ALL DIMENSIONS BEFORE COMMENCING ANY WORK										2	FOR APPROVAL	30/06/17	SCALE 1:500	1481 SK 001
										3	FOR APPROVAL	30/06/17	ISSUED	30/06/17
										4	FOR APPROVAL	30/06/17		





01 GROUND FLOOR PLAN  
1 : 100 @ A3

NOT FOR CONSTRUCTION

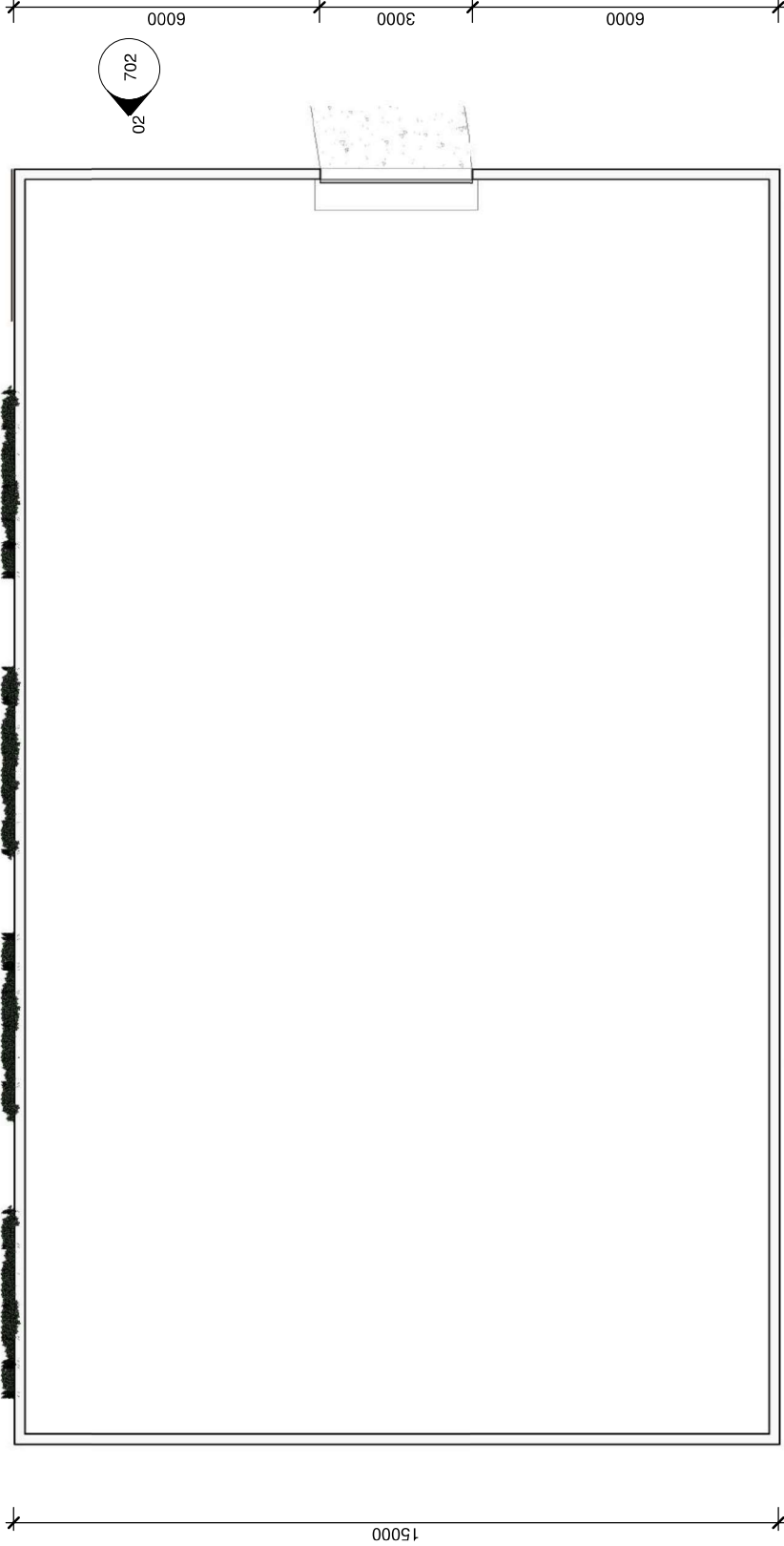
GENERAL NOTES 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED 2. VERIFY ALL DIMENSIONS BEFORE COMMENCING ANY WORK	PROJECT BINGIL BAY DISTILLERY CLIENT PAUL & LYNDA WILLIAMS LOCATION LOT 4, BUTLER ROAD, BINGIL BAY QLD 4852	AMENDMENTS NO. DESCRIPTION 1. PRELIMINARY 2. 15/06/17 3. 15/06/17 4. 15/06/17	COPYRIGHT THE DRAWING REMAINS THE PROPERTY OF 4 architecture AND MUST NOT BE COPIED OR REPRODUCED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF 4 architecture	DESIGNED J.L. DRAWN A.J. DATE JUNE 2017 SCALE A3 1 : 100 ISSUED 30/06/17	FLOOR PLAN 1481 SK 200 4

**4 architecture**  
607 FLINERS STREET, TOWNSVILLE NORTH QUEENSLAND  
PHONE: 07 4731 344  
FAX: 07 4731 344  
E-MAIL: info@4architecture.com.au

**Australian Institute of Architects**  
green building council australia  
REGISTERED ARCHITECT

702  
01

25000



01 STAGE 2 STORAGE SHED  
700 1 : 100 @ A3

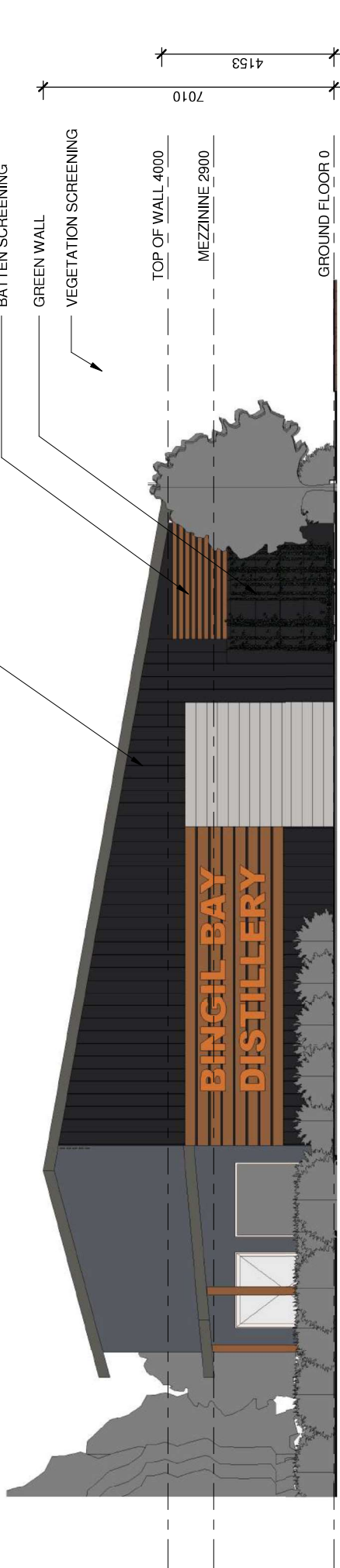
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GENERAL NOTES 1. THIS DRAWING IS TO BE USED IN ACCORDANCE WITH THE PRECEDENCE GIVEN TO THE NOTES. 2. VERIFY ALL DIMENSIONS BEFORE COMMENCING ANY WORK.	PROJECT BINGIL BAY DISTILLERY CLIENT PAUL & LYNDIA WILLIAMS LOCATION LOT 4, BUTLER ROAD, BINGIL BAY QLD 4852	 4 architecture 607 FLINERS STREET, TOWNSVILLE NORTH QUEENSLAND AUSTRALIA 4810 P: 07 4721 344 F: 07 4721 380 E: info@4aarchitecture.com.au	 Australian Institute of Architects green building council australia REGISTERED PROFESSIONAL	COPYRIGHT THE DRAWING REMAINS THE PROPERTY OF 4 architecture AND MUST NOT BE COPIED OR REPRODUCED IN ANY MANNER WITHOUT THE AUTHOR'S PERMISSION.	AMENDMENTS		DESIGNED	JL	STAGE 2 STORAGE SHED	
					No.		DRAWN	AJ	SHED	
					Description		DATE	JUNE 2017	1481 SK 201	
					FOR APPROVAL		SCALE	A3 1 : 100	ISSUED	



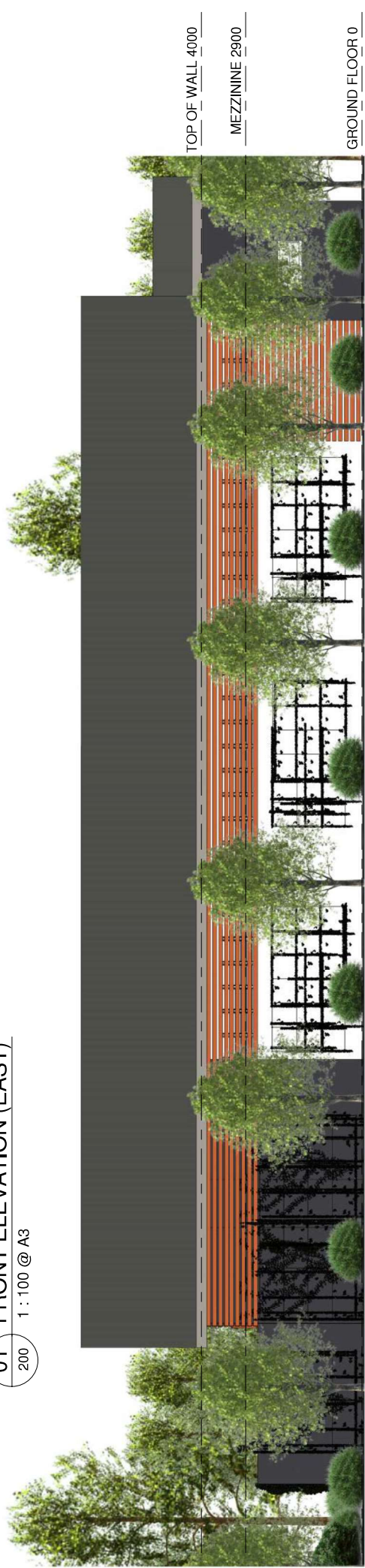
**A STREET SCOPE (NORTH)**

001 1 : 250 @ A3



**01 FRONT ELEVATION (EAST)**

200 1 : 100 @ A3



**02 STREET ELEVATION (NORTH)**

200 1 : 100 @ A3

CONFIRM ALL LEVELS ON SITE  
PRIOR TO COMMENCING WORKS

**NOT FOR CONSTRUCTION**

GENERAL NOTES	PROJECT		CLIENT		LOCATION		ELEVATIONS	
	1. THIS DRAWING IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE ARCHITECT'S PERMISSION.	BINGIL BAY DISTILLERY	PAUL & LYNDA WILLIAMS	LOT 4, BUTLER ROAD, BINGIL BAY QLD 4852	1481 SK 700	4	DESIGNED	JL
2. VERIFY ALL DIMENSIONS BEFORE COMMENCING ANY WORK.							DRAWN	AJ
							DATE	JUNE 2017
							SCALE	A3
							ISSUED	30/05/17

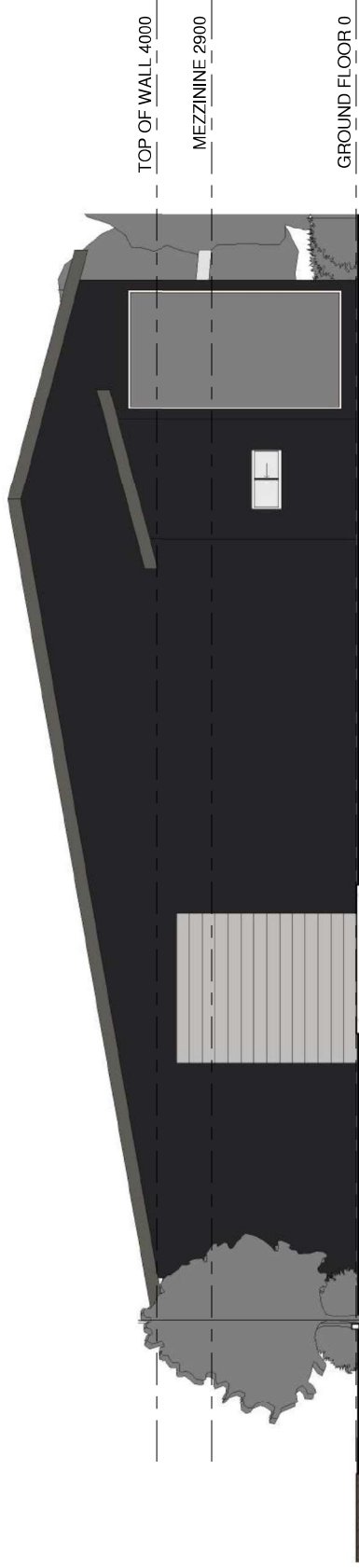
AMENDMENTS		COPYRIGHT		ELEVATIONS	
NO.	DESCRIPTION	THE DRAWING REMAINS THE PROPERTY OF 4 architecture AND MUST NOT BE REPRODUCED OR USED IN ANY MANNER WITHOUT THE AUTHOR'S PERMISSION.	DATE	ISSUED	30/05/17
1	FOR APPROVAL		28/05/17		
2	FOR APPROVAL		30/05/17		



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E-MAIL: info@4architecture.com.au

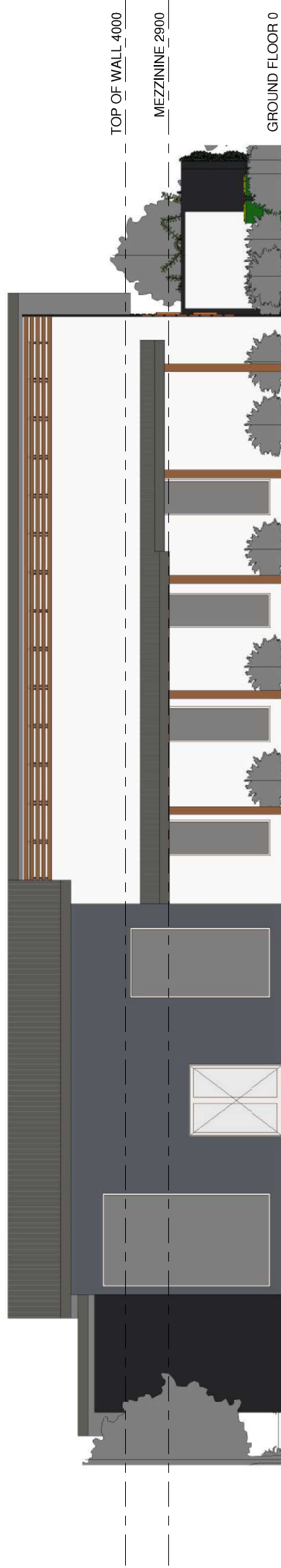


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03 SIDE ELEVATION (WEST)

1 : 100 @ A3



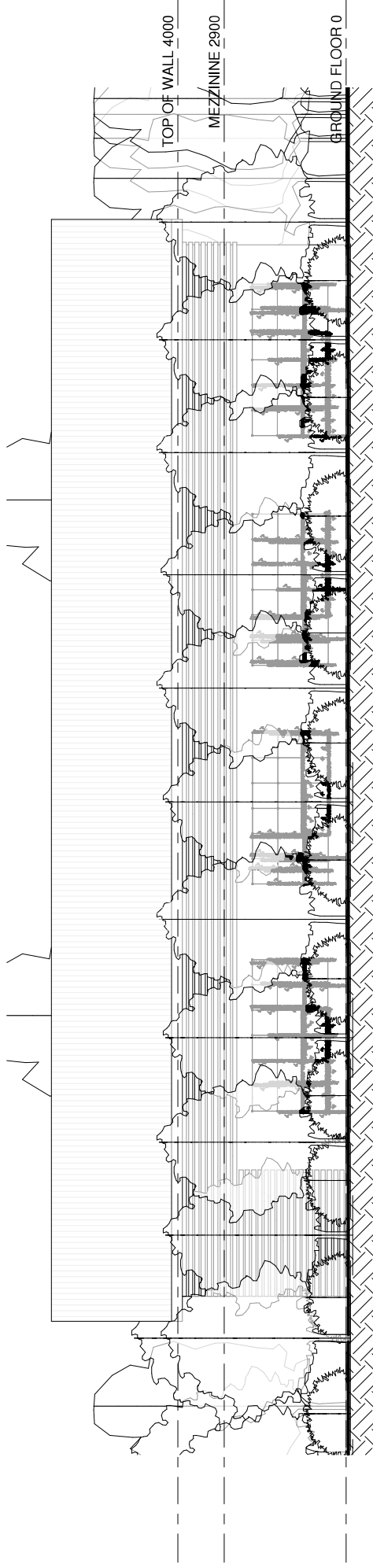
04 REAR ELEVATION (SOUTH)

1 : 100 @ A3

CONFIRM ALL LEVELS ON SITE  
PRIOR TO COMMENCING WORKS

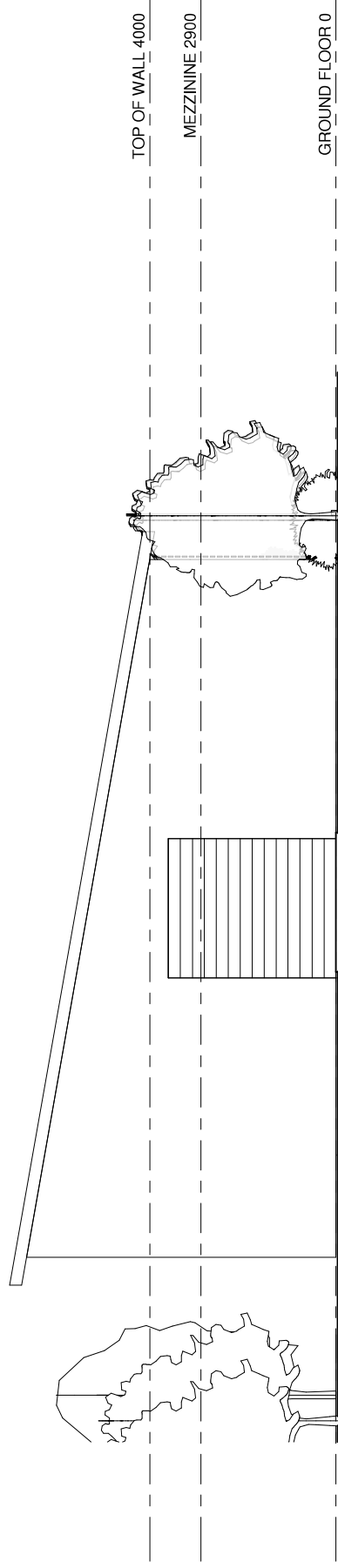
NOT FOR CONSTRUCTION

GENERAL NOTES	PROJECT	CLIENT	LOCATION	DESIGNED	JL	ELEVATIONS
1. THIS DRAWING IS TO BE USED FOR THE PRESENT PROJECT ONLY AND IS NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.	BINGIL BAY DISTILLERY	PAUL & LYNDIA WILLIAMS	LOT 4, BUTLER ROAD, BINGIL BAY QLD 4852	DESIGNED	AJ	
2. CHECK ALL DIMENSIONS AND LEVELS PRIOR TO COMMENCING WORKS.				DRAWN		
				DATE	JUNE 2017	
				SCALE	A3 1 : 100	
				ISSUED	30/05/17	1481 SK 701
						4



01 STAGE 2 STORAGE SHED - STREET ELEVATION (NORTH)

201 1 : 100 @ A3



02 STAGE 2 STORAGE SHED - SIDE ELEVATION (EAST)

201 1 : 100 @ A3

NOT FOR CONSTRUCTION

GENERAL NOTES		PROJECT		BINGIL BAY DISTILLERY		DESIGNED		Designer	
1. REQUIRED DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS		CLIENT		PAUL & LYNDIA WILLIAMS		DRAWN		Author	
2. VERIFY ALL DIMENSIONS BEFORE COMMENCING ANY WORK		LOCATION		LOT 4, BUTLER ROAD, BINGIL BAY QLD 4852		DATE		JUNE 2017	
						SCALE		A3	
						ISSUED		30/06/17	
						AMENDMENTS			
						No.		Description	
						1		FOR APPROVAL	
						COPYRIGHT		THE DRAWING REMAINS THE PROPERTY OF 4 architecture AND MUST NOT BE COPIED OR REPRODUCED IN ANY MANNER WITHOUT THE WRITTEN APPROVAL OF 4 architecture	
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						4 architecture		TEL: 07 321 344 44 FAX: 07 321 344 45	
						green building council australia		E-MAIL: info@4a-architecture.com.au	
						sustainable architecture		www.4a-architecture.com.au	









## APPENDIX 5

## ENVIRONMENTAL MANAGEMENT AND CONSERVATION ZONE CODE – CRITERIA FOR ASSESSMENT TABLES

Performance Outcome/Acceptable Outcomes		Response
<b>Amenity</b>		
<b>PO1</b> Buildings and other structures are of an appropriate design, scale and location so as to: (a) blend in with the surrounding environment; (b) avoid any detrimental impact on the amenity of the locality; (c) avoid any detrimental impact on surrounding land uses; and (d) minimise the clearing of native vegetation.	<b>AO1.1</b> Buildings and other structures do not exceed: (a) a maximum height of 9.5 metres; or (b) a maximum of 2 storeys.	<b>R1: Complies</b> The proposed buildings will be 7,010mm in height, and therefore do not exceed the maximum heights stipulated in AO1.1. The buildings will also be predominately single storey, with the addition of a mezzanine floor.  In regard to AO1.2, although the stated setbacks may not be entirely adhered to, the proposed buildings will be situated with similar setback to the building on the adjoining lot to maintain a consistent streetscape character.  Similarly, in relation to AO1.6, the development is limited to the existing cleared land space only. It is noted that the proposed buildings will marginally exceed the stipulated limit on GFA. Considering the economic benefits of this building such as the employment opportunities it will create and visitors it will attract, this minor non-compliance is considered negligible. Additionally, the GFA proposed are considered to be of an appropriate scale that will not detrimentally impact the amenity of the locality.
	<b>AO1.2</b> Buildings and other structures are set back at least: (a) 6 metres from the street frontage where fronting a private road; (b) where the lot is 4,000m <sup>2</sup> or less in area, 10 metres from the street frontage when fronting a public road; or (c) where the lot is greater than 4,000m <sup>2</sup> in area, 20 metres from the street frontage when fronting a public road.	
	<b>AO1.3</b> Buildings and other structures are set back at least 10 metres from any side and rear boundaries.	
	<b>AO1.4</b> Buildings used for residential activities must be located: (a) at least 20 metres from a cane railway line; (b) at least 40 metres from a cane railway siding or cane bin loading point.	
	<b>AO1.5</b> Buildings not used for residential activities must be located: (a) at least 10 metres from a cane railway line; (b) at least 20 metres from a cane railway siding or cane bin loading point.	
	<b>AO1.6</b> Development is limited to existing cleared areas of the site and the maximum combined gross floor area of all buildings located within the existing cleared area/s is no more than 400m <sup>2</sup> .	

Performance Outcome/Acceptable Outcomes		Response
	<b>A01.8</b> Residential activities are designed to incorporate architectural/design elements detailed in Planning Scheme Policy SC6.2 Building design.	
<b>Sensitive Land Uses</b>		
<b>P02</b> Sensitive land uses are appropriately separated from agricultural activities to minimise adverse impacts such as chemical spray drift, odour, noise, dust, fire, smoke and ash.	<b>A02.1</b> Where a sensitive land use, other than a dwelling house, is proposed on land that adjoins or is within 400 metres of rural zoned land: (a) the sensitive land use must be located at least 300 metres from any agricultural activity, if the land between the activities is cleared, cropped or improved pasture; (b) the sensitive land use must be located at least 40 metres from any agricultural activity, if the land between the activities is vegetated; (c) where the buffer specified in (a) or (b) above is located within the lot containing the sensitive land use, a building footprint must be nominated that is not located within that buffer.	<b>R2: Not applicable</b> The proposed development is not a sensitive land use as defined by the planning scheme.
<b>P03</b> Sensitive land uses are appropriately separated from industrial activities to prevent exposure to industrial air, noise and odour emissions that impact on human health, wellbeing or amenity.	<b>A03.1</b> A site used for a sensitive land use is not located within 250 metres of a site used for medium impact industry. <b>A03.2</b> A site used for a sensitive land use is not located within 500 metres of a site used for high impact industry. <b>A03.3</b> A site used for a sensitive land use is not located within 1.5 kilometres of a site used for special industry.	<b>R3: Not applicable</b> The proposed development is not a sensitive land use as defined by the planning scheme.
<b>P04</b> Development is not exposed to potential impacts from special industry that will affect human health, wellbeing, human safety or amenity.	No acceptable outcome prescribed.	<b>R4: Complies</b> The subject site is not situated adjacent to any special industry uses.

Performance Outcome/Acceptable Outcomes		Response
<b>P05</b> Development must not result in a sensitive land use being exposed to industrial air, noise and odour emissions that impact on human health, wellbeing or amenity.	<b>A05.1</b> The use is designed to ensure that: (a) the indoor noise objectives set out in the <i>Environmental Protection (Noise) Policy 2008</i> are met; (b) the air quality objectives in the <i>Environmental Protection (Air) Policy 2008</i> are met.	<b>R5: Complies</b> The proposed distillery is a small facility with no noisy production machinery and only occasional forklift use during standard daytime operating hours. No odours or emissions will be released from the site as a result of the change in use.
	<b>A05.2</b> Noxious and offensive odours are not experienced at the location of sensitive land uses.	
<b>P06</b> Sensitive land uses are sufficiently separated from major electricity infrastructure or substations to minimise the likelihood of nuisance or complaint.	<b>A06.1</b> Sensitive land uses maintain the following separation distances from a substation or easement for major electricity infrastructure: (a) 20 metres for transmission lines up to 132 kilovolts; (b) 30 metres for transmission lines between 133 kilovolts and 275 kilovolts; (c) 40 metres for transmission lines exceeding 275 kilovolts.	<b>R6: Not applicable</b> The proposed development is not a sensitive land use as defined by the planning scheme.
<b>Environmental values</b>		
<b>P07</b> Development is undertaken in a way that is consistent with and maintains the environmental values of the site.	<b>A07.1</b> The development envelope area for all residential activities at a site is no greater than 800m <sup>2</sup>  Note – The development envelope area must include all on-site sewerage infrastructure and disposal areas.	<b>R7: Complies</b> The proposed development is situated appropriately to avoid clearing any of the vegetation on the lot. The thoughtfully considered siting design with facilitate the maintenance of the site's environmental values.
	<b>A07.2</b> Development does not result in vegetation clearing within an area of environmental significance.	
	<b>A07.3</b> Vegetation clearing for any access and internal access routes is limited to 6 metres in width.	
	<b>A07.4</b> Where more than 1 residential activity or dwelling is located on a site, each residential activity or dwelling must share the same access.	
	<b>A07.5</b> Services corridors are to be laid within the same corridor as the	

Performance Outcome/Acceptable Outcomes	Response
	<p>access.</p> <p><b>A07.6</b>                      Fencing can only be used:                      (a) around the development envelope area for residential activities;                      (b) around existing improved pastures or cropped areas (whether the cropped areas are currently planted or have been left fallow).</p> <p><b>A07.7</b>                      Fencing is designed as follows:                      (a) no more than 2 metres in height;                      (b) made of smooth wire, welded bar, timber, steel cladding, solid masonry or brick;                      (c) any gaps are no more than 100 millimetres in width;                      (d) secured from the base to prevent domestic animals from burrowing underneath;                      (e) not electrified;                      (f) single gates:                          i. are constructed in accordance with a) to c) above;                          ii. are capable of being securely closed with a closing mechanism securing the gate to a side post;                          iii. are constructed so the space between the bottom of the gate and the ground is no more than 100 millimetres when in the closed position.                      (g) double gates:                          i. are constructed in accordance with a) to c) above;                          ii. are capable of being securely closed with 2 closing mechanisms, one securing at least one gate leaf to ground (i.e. with a drop bolt) and another located within the top half of the other gate leaf and</p>

Performance Outcome/Acceptable Outcomes		Response
	<p>securing the 2 gate leafs together (eg. with a D latch);</p> <p>iii. constructed so the space between the bottom of the gate and the ground is no more than 100 millimetres when in the closed position.</p> <p><b>A07.8</b> An area no more than 2 metres in width can be cleared either side of a fence line to allow for maintenance.</p> <p><b>A07.9</b> In an area of environmental significance and where areas cleared for fire breaks, access and fencing are consolidated in a single area, the cleared area must not exceed a total combined width of 20 metres.</p>	
<b>PO8</b> Land uses and land management is consistent with the enhancement and conservation of habitat, and must not reduce the area, quality or stability of that part of the habitat system located at the site.	No acceptable outcome prescribed.	<b>R8: Complies</b> The proposed development does not encroach any further into the vegetation which covers much the lot, hence conserving the environmental values offered in PO8.
<b>PO9</b> Development does not result in the loss of habitat or the clearing of an environmentally significant area.	No acceptable outcome prescribed.	<b>R9: Complies</b> The proposed development does not encroach any further into the vegetation which covers much of the lot.
<b>PO10</b> Foreshore areas remain predominantly in a natural state.	No acceptable outcome prescribed.	<b>R10: Not applicable</b> The subject site is not located near the foreshore.
<b>Traffic and access</b>		
<b>PO11</b> Vehicular traffic generated by the development will not conflict with local or through traffic and will not have a detrimental impact on the safety and amenity of the locality.	No acceptable outcome prescribed.	<b>R11: Complies</b> The increase in traffic volume resulting from the proposed development will be negligible. It is not expected that more than ten cars will come to the site on any given day.
<b>PO12</b> Development is designed to ensure that vehicular traffic generated by the development does not have a detrimental impact on the safety of wildlife in	No acceptable outcome prescribed.	<b>R12: Complies</b> The increase in traffic volume resulting from the proposed development will be negligible. It is not expected that more than ten cars will come to the site on any given day. As such, the proposed

Performance Outcome/Acceptable Outcomes		Response
the locality.		development is not expected to further endanger the safety of wildlife in terms of the risk of traffic.
<b>PO13</b> The surrounding road system is capable of accommodating additional traffic generated by the proposal without creating any adverse impact.	No acceptable outcome prescribed.	<b>R13: Complies</b> The increase in traffic volume resulting from the proposed development will be negligible. It is not expected that more than ten cars will come to the site on any given day.
<b>PO14</b> Development mitigates the impact of rail and road traffic noise to provide for an acceptable level of amenity.	No acceptable outcome prescribed.	<b>R14: Complies</b> As noted above, the increase in traffic volume resulting from the proposed development will be negligible. As such, it is not anticipated that noise levels will increase as a result of the proposed development.
<b>Future bypass corridor</b>		
<b>PO15</b> The Cardwell future bypass corridor is protected from further development.	<b>AO15.1</b> Development does not occur within the future bypass corridor as shown on Zoning Maps (ZM-001 to ZM-021).	<b>R15: Not applicable</b> The subject site is not located within the Cardwell future bypass corridor.
<b>Pest Management</b>		
<b>PO16</b> The development site must be kept free of pest plants and animals	<b>AO16.1</b> The development site does not contain: (a) class 1 or 2 pests identified in the <i>Land Protection (Pest and Stock Route Management) Act 2002</i> ; (b) local pests identified in Planning Scheme Policy SC6.4 Landscaping.	<b>R16: Complies</b> The subject site is not known to contain the species referred to in AO16.1 and the proposed development will not change this status.
<b>Additional requirements for commercial activities</b>		
<b>PO17</b> Commercial activities must not result in the clearing of vegetation, filling or excavation or any disturbance of the environmental values of the site.	No acceptable outcome prescribed.	<b>R17: Complies</b> As noted above, even if defined as a commercial activity, the proposed development will not result in the clearing of any vegetation and will maintain the environmental values of the site.
<b>Ella Bay Little Cove development</b>		
<b>PO18</b> Development carried out in Lot 337 on NR53 located at Ella Bay Road, Wanjuru occurs in accordance with and is consistent with the documents listed in Table SC7.1 in Schedule 7.	No acceptable outcome prescribed.	<b>R18: Not applicable</b> The subject site is not stipulated in PO18.



## APPENDIX 6

## ENVIRONMENTAL SIGNIFICANCE CODE – CRITERIA FOR ASSESSMENT TABLE

Performance Outcomes/ Acceptable Outcomes		Response
<b>Areas of environmental significance</b>		
<b>PO1</b> Outside the urban footprint, development does not occur within an area of HES unless it can be demonstrated that the mapped area of high environmental significance does not possess the environmental and biodiversity values and attributes to warrant its classification as an area of high environmental significance.	<b>A01.1</b> Development outside the urban footprint is: (a) not located within an area of HES; or (b) associated with a port, an airport or an aerodrome; or (c) or minor public marine development and associated access facilities; or (d) for an extractive industry within a resource/ processing area as shown on Extractive Resources Overlay Map (OM- 008); or (e) for essential community infrastructure; or (f) for nature-based tourism; or (g) for an agricultural activity.	<b>R1: Complies</b> The proposed development is located outside the urban footprint and within an area of high environmental significance, however the siting of the buildings on the lot deliberately avoids any remnant vegetation. The development footprint fits entirely within an area which has been cleared previously.
<b>PO2</b> Development within or adjacent to an area of HES is located, designed and operated to: (a) avoid adverse impacts on ecological values; or (b) where avoidance is not practicable, minimise any adverse impacts on ecological values.	<b>A02.1</b> Development is not located within an area of HES.  <b>A02.2</b> Development is setback at least 100 metres from the area of HES.	<b>R2: Complies</b> The subject site is located within an area of high environmental significance but the development footprint is situated to avoid any adverse impacts on the ecological values of the area. The remnant vegetation will serve as an asset to the development by helping soften built form in conjunction with landscaping features on the street frontage.
<b>PO3</b> Development within or adjacent to an area of GES is located, designed and operated to: (a) avoid adverse impacts on ecological values; or (b) where avoidance is not practicable, minimise any adverse impacts on ecological values.	<b>A03.1</b> Development is not located within an area of GES.  <b>A03.2</b> Development adjacent to an area of GES is setback at least 100 metres from the area of GES.	<b>R3: Complies</b> The subject site is not located within an area of general environmental significance.
<b>Strategic rehabilitation areas</b>		
<b>PO4</b> Development within a strategic rehabilitation area maintains or enhances ecological connectivity and/or habitat extent within the subject lot by: (a) providing for the retention, regeneration, expansion or rehabilitation of areas of native	No acceptable outcome prescribed.	<b>R4: Complies</b> The subject site is not located within a strategic rehabilitation area.

Performance Outcomes/ Acceptable Outcomes		Response
vegetation; (b) minimising impacts on native fauna feeding, nesting, breeding and roosting sites; (c) minimising impacts on native fauna movements and movement corridors.		
<b>Cassowary corridors and mahogany glider corridors</b>		
<b>PO5</b> Development within a cassowary corridor maintains or enhances ecological connectivity and/or habitat extent within the subject lot by: (a) providing for the retention, regeneration, expansion or rehabilitation of areas of native vegetation; (b) minimising impacts on native fauna feeding, nesting, breeding and roosting sites; (c) minimising impacts on native fauna movements and movement corridors.	No acceptable outcome prescribed.	<b>R5: Not applicable</b> The subject site is not located within a cassowary corridor.
<b>PO6</b> Development within a mahogany glider corridor maintains or enhances ecological connectivity and/or habitat extent within the subject lot by: (a) providing for the retention, regeneration, expansion or rehabilitation of areas of native vegetation; (b) minimising impacts on native fauna feeding, nesting, breeding and roosting sites; (c) minimising impacts on native fauna movements and movement corridors.	No acceptable outcome prescribed.	<b>R6: Not applicable</b> The subject site is not located within a mahogany glider corridor.

## APPENDIX 7



**EARTH TEST**

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**Site Classification**

**And**

**Wastewater Management System**

**For**

**Paul Williams**

**At**

**Lot 4 Butler Road**

**Bingil Bay**



## **INTRODUCTION:**

Earth Test has been engaged by Paul Williams to assess, design and report on Site Classification and a Domestic Wastewater Management System at Lot 4 Butler Road, Bingil Bay.

Real Property Description:-

Lot 4, on RP 747211

Local Authority: Cassowary Coast Regional Council.

It is understood the intention is to construct a “Craft Distillery” at the site.

A site and soil evaluation was carried out in May 2017.

## **SITE FACTORS:**

The site was identified during a meeting with the owner on-site.

The Lot has an area of 2.83 hectares. The proposed building site is a grassed clearing in the forest. The water supply to the site is reticulated.

No rock outcrops were noted at the site. A watercourse is shown on the site plan.

Four Dynamic Cone Penetrometer tests were performed at locations DCP1 through to DCP4, one borehole BH1 and one constant head soil permeability test P1 as shown on the site plan.

Atterberg Limits tests were performed on a disturbed sample from Borehole1.



**BH1 being drilled at Lot 4 Butler Road, Bingil Bay**

**SITE INVESTIGATION REPORT****BOREHOLE LOG**

<b>CLIENT:</b> Paul Williams.		<b>DATE SAMPLED:</b> 10/05/2017
<b>PROJECT:</b> Lot 4 Butler Road, Bingil Bay.		<b>Sampled by:</b> L. Quinn
<b>REPORT DATE:</b> 25/05/2017		
<b>BOREHOLE No:</b> BH1		
<b>DEPTH (m)</b>	<b>DESCRIPTION</b>	<b>COMMENTS</b>
0.0-0.1	Brown Topsoil	Disturbed sample 0.6- 0.9m.
0.1-2.0	Orange-Brown Clayey-Silt With coarse particles increasing with depth	Watertable not encountered

**ATTERBERG LIMITS TEST REPORT****CLIENT:** Paul Williams**SAMPLE No:** SI 159-17**PROJECT:** Lot 4 Butler Road, Bingil Bay**DATE SAMPLED:** 10/05/2017**SAMPLE DETAILS:** BH1 0.6-0.9m**Sampled by:** L. Quinn**REPORT DATE:** 25/05/2017**Tested By:** P. Weigand

TEST METHOD	RESULT
<b>Liquid Limit:</b> AS 1289.3.1.2	37%
<b>Plastic Limit:</b> AS 1289.3.2.1	23%
<b>Plasticity Index:</b> AS 1289.3.3.1	14%
<b>Linear Shrinkage:</b> AS 1289.3.4.1	7.0%
<b>Length Of Mould:</b>	250.3mm
<b>Cracking, Crumbling, Curling, Number Of Breaks:</b>	Cracking Occurred
<b>Sample History:</b>	Air Dried
<b>Preparation Method:</b>	Dry Sieved
<b>Insitu Moisture Content:</b>	18.5%
<b>% Passing 0.075mm:</b>	53%





## **DYNAMIC CONE PENETROMETER REPORT**

### **AS 1289.6.3.2**

**CLIENT:** Paul Williams**SAMPLE No:** SI 159-17**PROJECT:** Lot 4 Butler Road, Bingil Bay.**DATE SAMPLED:** 10/05/2017**SAMPLE DETAILS:** Sites "DCP1 through DCP4" as per site plan.**Tested By:** L. Quinn & P. Weigand**REPORT DATE:** 25/05/2017

<b>DEPTH (Metres)</b>	<b>Site: DCP1</b>	<b>Site: DCP2</b>	<b>Site: DCP3</b>	<b>Site: DCP4</b>
	<b>No Blows</b>	<b>No Blows</b>	<b>No Blows</b>	<b>No Blows</b>
<b>0.0 – 0.1</b>	1	2	1	1
<b>0.1 – 0.2</b>	1	4	1	2
<b>0.2 – 0.3</b>	3	3	2	2
<b>0.3 – 0.4</b>	3	3	2	2
<b>0.4 – 0.5</b>	2	2	2	1
<b>0.5 – 0.6</b>	2	2	2	2
<b>0.6 – 0.7</b>	2	2	1	4
<b>0.7 – 0.8</b>	3	2	3	4
<b>0.8 – 0.9</b>	1	3	3	6
<b>0.9 – 1.0</b>	2	3	3	4
<b>1.0 – 1.1</b>	3	2	3	4
<b>1.1 – 1.2</b>	3	8	3	5
<b>1.2 – 1.3</b>	3	12	3	2
<b>1.3 – 1.4</b>				
<b>1.4 – 1.5</b>				
<b>1.5 – 1.6</b>				
<b>1.6 – 1.7</b>				
<b>1.7 – 1.8</b>				
<b>1.8 – 1.9</b>				
<b>1.9 – 2.0</b>				



## **SITE CLASSIFICATION**

Lot 4 Butler Road, Bingil Bay.

The Dynamic Cone Penetrometer test results indicate soft conditions to depths up to 1.0m at DCP1, 1.1m at DCP2, 0.7m at DCP3 and 0.6m at DCP4.

The soft conditions may be due to the fact that the Insitu Moisture Content approaches the Plastic Limit.

The Atterberg Limits test results indicate a slightly reactive soil.

Due to the soft conditions the site must be classified **CLASS-“P”**.

To comply with the “Building Services Board Subsidence Policy” advice should be sought from a Registered Professional Engineer for footing design.

All site works must be carried out in accordance with AS 3798-2007 “Guidelines on earthworks for commercial and residential developments”

If the depth of any cut exceeds 0.5m or uncontrolled fill exceeds 0.4m the classification shall be reconsidered.

Because this investigation is limited in scope and extent, it is possible that areas may exist which differ from those shown on the test hole records and used in the site classification. Should any variation from the reported conditions be encountered during excavation work, this office must be notified immediately so that reappraisal of the classification can be made.

Leonard Quinn.  
Earth Test.

**SITE AND SOIL EVALUATION****Lot 4 Butler Road, Bingil Bay.**

The site and soil evaluation carried out on 10/05/2017 provided the following results.

**Site Assessment**

<b><u>Site Factor</u></b>	<b><u>Result</u></b>
Slope	Level
Shape	Linear-Planar
Aspect	Nil
Exposure	Limited – Shade from trees
Erosion/land slip	Not noted.
Boulders/rock outcrop	Not noted
Vegetation	Grass among clearing in forest
Watercourse/Bores	As shown on site plan.
Water table	Not encountered during investigation.
Fill	Not encountered during investigation.
Flooding	Not likely.
Channelled run-off	Not found
Soil surface conditions	Firm, Moist
Other site specific factors	Nil

**Soil Assessment**

<b><u>Soil Property</u></b>	<b><u>Result</u></b>
Colour	Brown
Texture	Clay-Loam
Structure	Moderate
Coarse Fragments	Nil
Measured Permeability Ksat (m/d)	P1= 0.38
Dispersion	Slakes
Soil Category	4
Resultant Design Load Rate, DLR (mm/day)	20



## **WASTEWATER MANAGEMENT SYSTEM**

An “All-Waste” septic tank discharging into an “Advanced Enviro-Septic” bed is considered suitable for this site.

This system has been designed to conform to the requirements of the following codes, acts, regulations and standards. All work to be carried out in accordance with the following codes.

- AS/NZ 1547:2012 On-site domestic-wastewater management.
- Queensland PLUMBING AND DRAINAGE ACT 2002.
- Queensland STANDARD PLUMBING AND DRAINAGE REGULATION 2003.
- Queensland PLUMBING AND WASTEWATER CODE.

### **SYSTEM SIZING FACTORS.**

A population equivalent of six (6) employees and twenty (20) persons for tours and has been chosen for the proposed “Craft Distillery”.

The site is connected to a reticulated water supply system.

Standard water-reduction fixtures must be used to ensure the integrity of the system. They shall include:-

- Dual flush 6/3 Litre water closets.
- Shower-flow restrictors.
- Aerator faucets (taps).
- Water-conserving automatic washing machines.

Note: - Garbage grinders are not permitted.

The total flow was calculated using the “Department of Natural Resources and Mines (Determining Capacity of Sewage Treatment Plants based on Use Conditions) guidelines. The guide gives a flow allowance of 40 L/Employee/shift for Staff ablutions, workplace installations – Including shower.

The total flow was calculated using the “Department of Natural Resources and Mines (Determining Capacity of Sewage Treatment Plants based on Use Conditions) guidelines. The WINE TASTING category gives a flow allowance of 8L/Person/day for wc/urinal hand basin kitchen sink and glass washer.

An estimated flow of 400L/Day will be used for floor washing facilities.

The daily flow for the site (6 employees @ 40 L/Employee/shift, 20 persons @ 8L/Person/day and 400L/Day for floor washing) will be 800 L/day.

From AS/NZ 1547:2012 Table J1 the minimum capacity of the All-Waste septic tank required is 3000 L.

The tank must NOT be fitted with an outlet filter.



## **LAND-APPLICATION SYSTEM**

### **DISPOSAL AREA SIZING**

From AS/NZ 1547:2012 APPENDIX L, L4 DESIGN AREA SIZING, L4.2 Sizing

$$L = Q / (DLR \times W)$$

Where:

L = length in m

Q = design daily flow in L/day

DLR = Design Loading Rate in mm/d

W = Width in m

$$\begin{aligned} L &= 800 / (20 \times 3.17) \\ &= 12.6\text{m.} \end{aligned}$$

**Use one 12.6m long by 3.17m wide Advanced Enviro-Septic bed.**

See site plan and detail cross-section.

### **SYSTEM SAND**

All configurations of Advanced Enviro-Septic® require a minimum of 150mm of system sand surrounding the circumference of the pipe. This sand, typically gravelly coarse sand, must adhere to the following percentage and quality restrictions.

<b>AS Sieve Size (mm)</b>	<b>Percent Passing %</b>
9.50	100
4.75	95-100
2.36	80-100
1.18	50-85
0.600	25-60
0.300	5-30
0.150	0-10
0.075	0-2

If there is any doubt if the sand media will pass requirements please contact Earth Test for further advice.



## **SYSTEM INSTALLATION**

Avoid compaction by keeping people and machinery off the finished trench or bed floor.  
The system shall be installed by a licensed plumber in accordance with the manufacturer's recommendations and the relevant Australian Standards.

## **Operation and Maintenance**

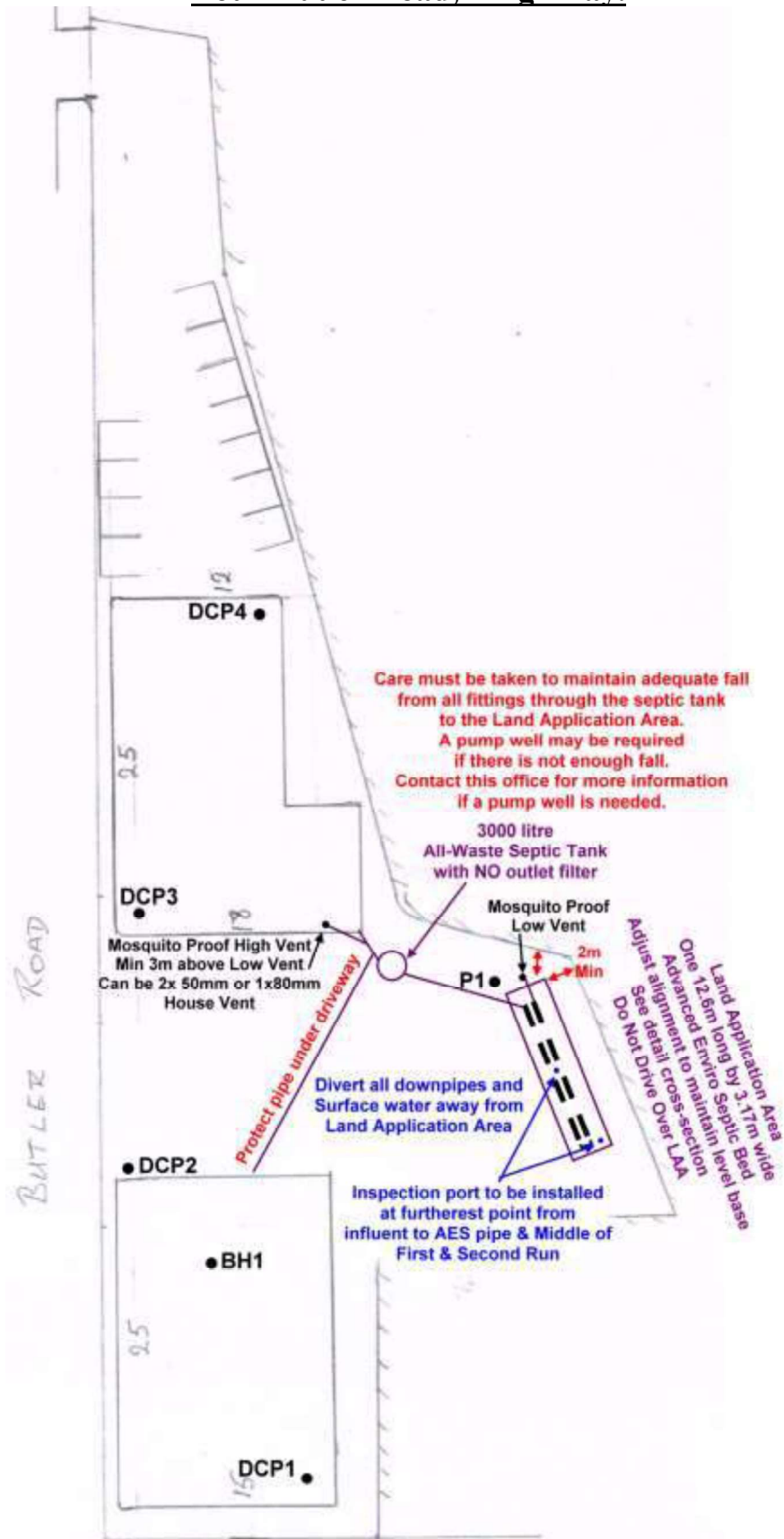
Homeowners should be fully informed of the proper operation and maintenance requirements of the on-site wastewater system.

Leonard Quinn  
Earth Test



**SITE PLAN - NOT TO SCALE**

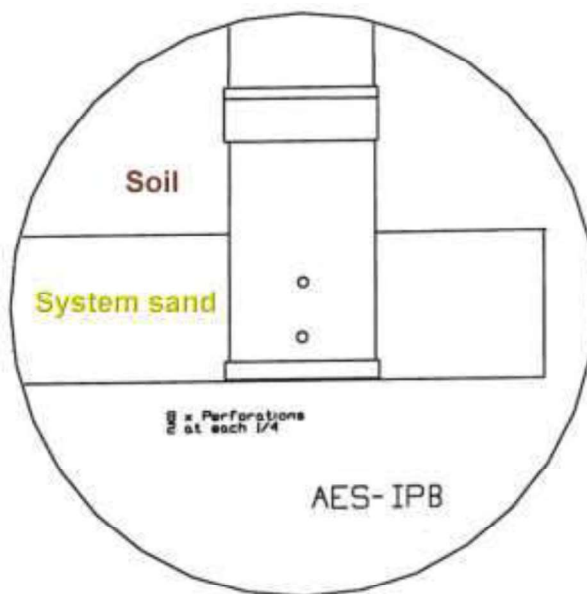
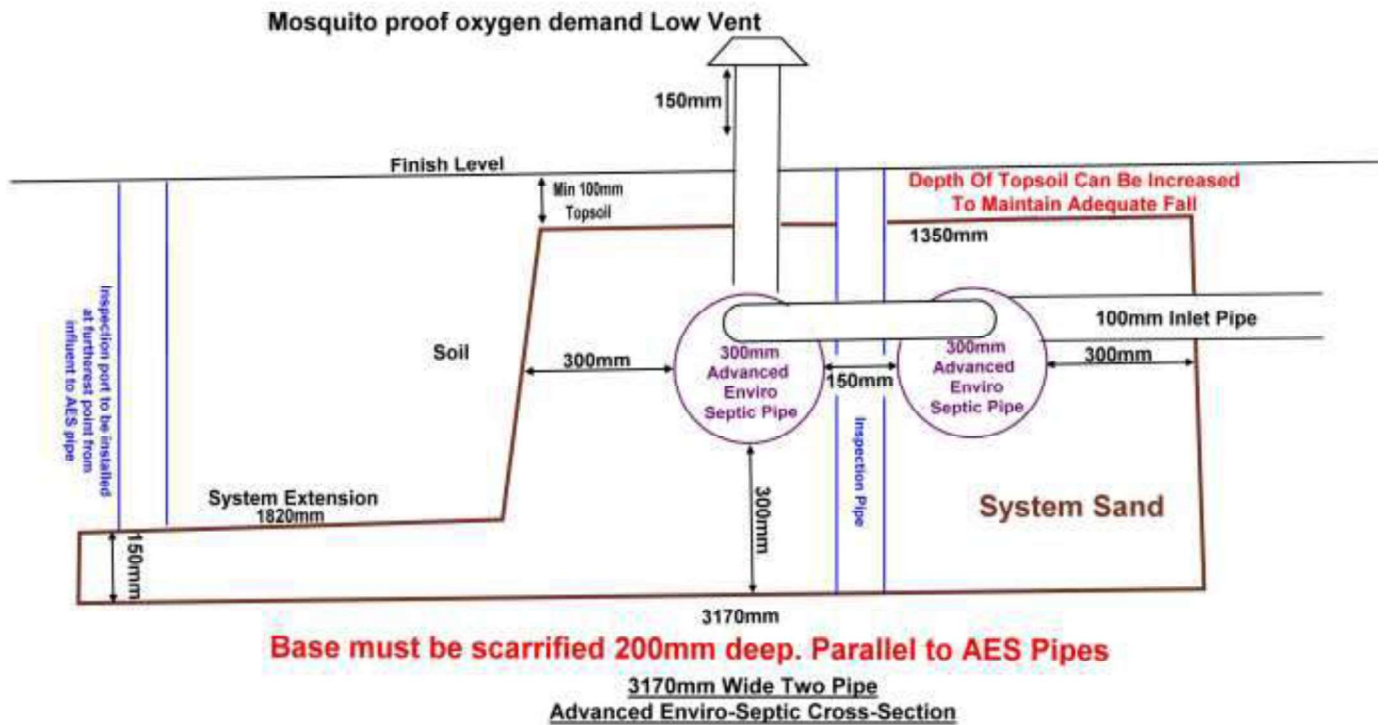
**Lot 4 Butler Road, Bingil Bay.**





## EARTH TEST

QBSA Lic No. 1017941.



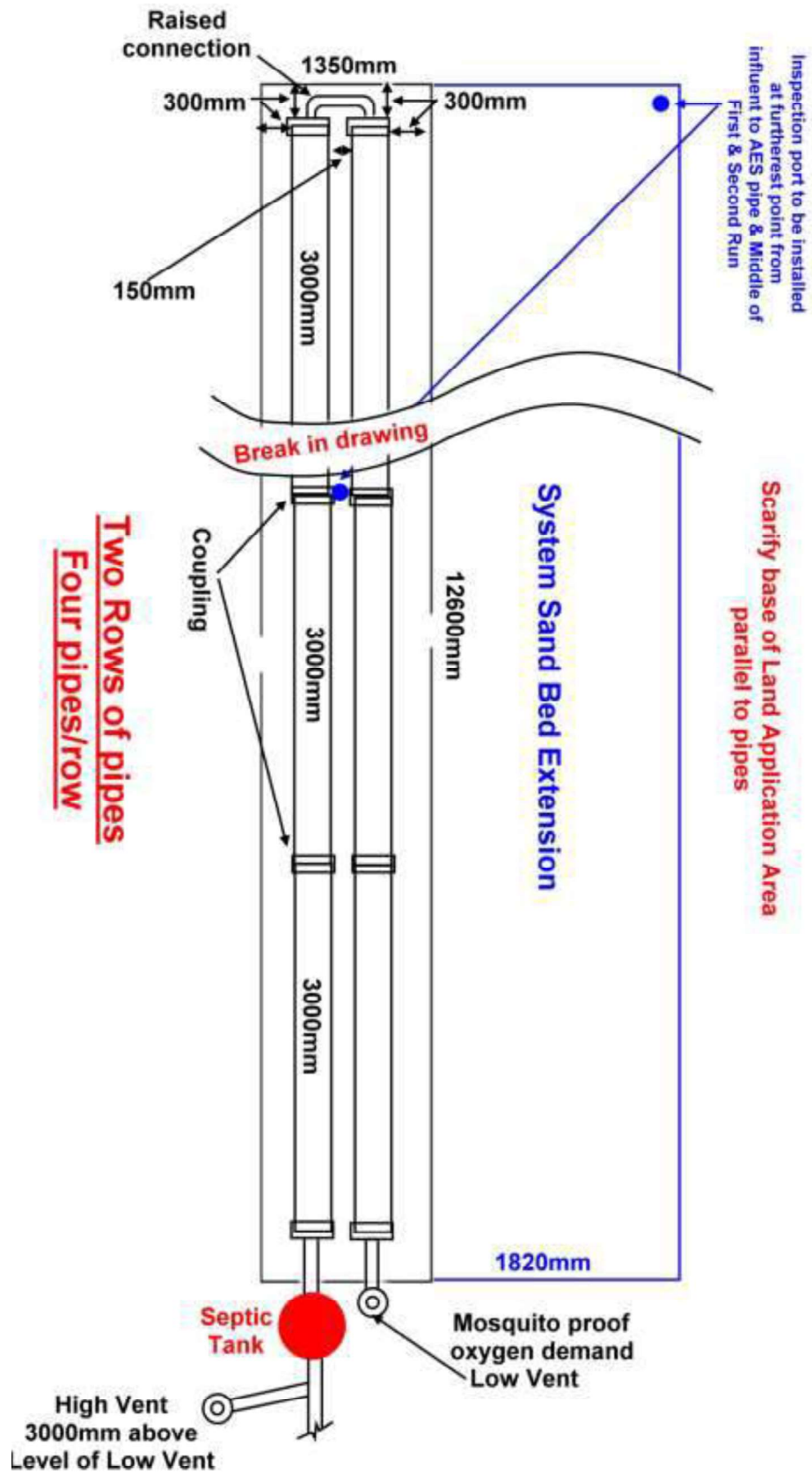
**AES Inspection point detail**





## EARTH TEST

QBSA Lic No. 1017941.





# EARTH TEST

QBSA Lic No. 1017941.



## Advanced Enviro-septic Design Calculator v8.5

"Always the BEST Option" until site and soil conditions rule it out.

Site Address:	Lot 4 Butler Road, Bingli Bay	State:	QLD	Post Code:	
Client Name:	Paul Williams				
Designers Name:	Earth Test	Designers Ph Number:	40954734	Designer Lic Number (eg QBCC):	1017941
Lic Plumber Name:		Plumber Ph Number:		Plumb / Drainer Lic Number:	
Council Area:	Cassowary Coast Regional Council	Designers AES Cert Number:		Date:	

This Calculator is a guide only, receiving soil classification, surface water, water tables and all other site constraints addressed by the qualified designer.

System Designers site and soil calculation data entry		IMPORTANT NOTES
Enter the AES litre/meter loading rate, *30* for Advanced Secondary or *38* Secondary	38	>> This design is for a <b>SECONDARY</b> system.
Is this a new installation Y or N	y	>> Minimum single vent size is 80mm or 2 x 50mm house vents
Number of person	10	a septic tank outlet filter is NOT RECOMMENDED
Daily Design Flow Allowance Litre/Person/Day	80	
Number of rows required to suit site constraints	2	>> The maximum lth of a single AES pipe run is 30 meters
Infiltration surface Soil Category as established by site and soil evaluation, CATEGORY	4	>> Category may require design considerations. Ref AS1547
Design Loading Rate based on site & soil evaluation DLR (mm/day)	20	>> Soil conditioning may be necessary. Ref AS1547 & Comments.
Bore log depth below system Basal area	1400	>> Min depth below basal area is 600 mm to establish water table or restrictive layer
Enter System footprint Slope in % for standard AES systems to calculate extension	0	
Is this design a gravity system with no outlet filter? Y or N	y	>> A House Vent & LOW VENT required on this system

PLEASE CHECK YOU HAVE FALL FROM TANK TO AES SYSTEM PIPES

COMMENTS :- \* The outcome must be important to everyone. \*

- Ripping of receiving surface is required in clay soil structures in Cat 4,5,6, in addition refer to AS 1547. Always excavate and rip parallel to the site slope/AES pipe.
- Specialist soils advice and special design techniques will be required for clay dominated soil having dispersive or shrink/swell behaviour. Refer AS1547

- Plumbers are reminded that good construction techniques as per AS1547 are especially important in these soil types. Refer AS1547 & AES installation instructions

AES System Calculator Outcomes			AES dimensions	
Total System load - litres / day (Q):	800	l/d		
Min Length of AES pipe rows to treat loading	10.5	m	Lth m : (L)	12.6
Number of FULL AES Pipe lengths per row	4	lths	Width m:(W)	1.82
Total Capacity of AES System pipe in Litres	1696	ltr.	Sand Depth :	0.15
			Area m2	23.0
DO YOU WISH TO USE CUT LENGTHS OF PIPE IN THIS DESIGN? (ENTER Y)				
IF YOU WISH TO USE A TRENCH EXTENSION DESIGN OPTION ENTER "Y"			Enter Custom Width in metre	
AES INFILTRATION FOOT PRINT AREA - $L = Q / (DLR \times W)$				
for this Basic Serial design is				
Length	Width	Minimum AES foot print required		
12.6	x	3.17	=	40.0 m2 total

Code	AES System Bill of Materials	Chankar Environmental Use Only
AES-PIPE	AES 3 mtr Lths required	 <p>Digitally signed by Kane Dickson  DN: cn=Kane Dickson,  o=Chankar Environmental,  ou=Design Review,  email=designreview@enviro-septic.com.au,  c=AU  Date: 2017.05.25 14:37:43 +10'00'</p>
AESC	AESC Couplings required	
AESO	AESO Offset adaptors	
AESODV	AES Oxygen demand vent	
AES-IPB	AES 100mm inspection point base	
AES Eqp	AES Speed Flow Equaliser	
TOTAL SYSTEM SAND REQUIRED (Guide Only)		
PLEASE email your AES CALC and Drawings to DESIGNREVIEW@ENVIRO-SEPTIC.COM.AU		

The AES Calculator is a design aid to allow checking of the AES components and configuration and is a guide only. Site and soil conditions referencing the AS 1547 standard are calculated and designed by a Qualified Designer.

Chankar Environmental has no responsibility for the soil evaluation, loading calculations or DLR entered by the designer for this calculator.

AES pipes can be cut to length on site. They are supplied in 3 meter lths only.

AES-Design-V8.5-Calculator Copy Rights - Chankar Environmental Pty Ltd 1.11.2013