



Our Ref: EY:CS:L4 Ocean Breeze  
Date: 21 August 2014

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

**Via: SmartEDA**

Dear Sir

**RE: APPLICATION FOR A DEVELOPMENT PERMIT FOR 'RECONFIGURATION OF A LOT' (1 LOT INTO 2 LOTS AND BALANCE LAND) OVER LAND LOCATED AT BAYIL DRIVE, COOYA BEACH, DESCRIBED AS LOT 905 ON SP264287 (PROPOSED LOT 4 ON PROPOSED SP270331)**

Planning Plus Pty Ltd has been engaged by Jonpa Pty Ltd ('the Applicant') to prepare and lodge the abovementioned development application.

In support of the application, please find **attached**:

- Completed IDAS Forms 1 and 7 (**Annexure 1**); and
- Payment for the relevant application fee of **\$2,622.15** in accordance with Council's 2014 - 2015 Schedule of Fees & Charges.

In addition to the above, the following submission has been prepared to assist Council and other relevant authorities with their assessment of the application.

## 1 Site Information

### 1.1 Site Details

Key details of the subject site include:

<b>Address:</b>	Bayil Drive, Cooya Beach
<b>Real Property Description:</b>	Lot 905 on SP264287 (Proposed Lot 4 on Proposed SP270331) <i>Refer to <b>Figure 1</b> – SP264287 and <b>Figure 2</b> - Proposed SP270331</i>
<b>Site Area:</b>	6.266ha (Lot 905)

	1,026m <sup>2</sup> (Proposed Lot 4)
<b>Land Owner:</b>	Jonpa Pty Ltd <i>Refer to <b>Annexure 2</b> – Title Search</i>

## 1.2 Planning Context

The planning context of the site includes:

<b>Regional Plan designation:</b>	Urban Footprint.
<b>Planning Scheme Locality:</b>	Coastal Suburbs, Villages & Township Locality.
<b>Planning Area:</b>	Residential 2.
<b>Planning Scheme Overlays:</b>	Low Scale Plot Ratio; Area below 20m AHD; and Medium Bushfire Risk Hazard.

## 1.3 Site Characteristics

Key site characteristics include:

<b>Topography:</b>	Generally flat.
<b>Vegetation:</b>	None.
<b>Wetlands:</b>	None.
<b>Conservation:</b>	None.
<b>Services:</b>	The site is connected to, or has access to, all of the following urban infrastructures: <ul style="list-style-type: none"> <li>▪ Reticulated water supply;</li> <li>▪ Sewerage;</li> <li>▪ Telecommunications;</li> <li>▪ Electricity; and</li> <li>▪ Roads.</li> </ul>
<b>Waterways:</b>	None.
<b>Road frontages:</b>	Bayil Drive.
<b>Existing use of site:</b>	Vacant.

## 1.4 Surrounding Land Uses

The site is surrounded by single detached dwellings and vacant land on lots ranging from 500m<sup>2</sup> to 1000m<sup>2</sup>. This site is part of a new residential subdivision, as such, there is a combination of vacant land parcels and established dwellings within the immediate surrounding area.

# 2 Application Details

## 2.1 General Description

<b>Aspects of Development Sought:</b>	Application for a Development Permit for Reconfiguration of a Lot (1 lot into 2 lots and balance).
<b>Applicant:</b>	Jonpa Pty Ltd C/- Planning Plus Pty Ltd PO Box 8046 CAIRNS Q 4870
<b>Contact:</b>	Mr Evan Yelavich Planning Plus Pty Ltd PO Box 8046 CAIRNS QLD 4870 Ph: 0402 073 082 E: <a href="mailto:evan@planningplusqld.com.au">evan@planningplusqld.com.au</a>

# 3 Proposal

## 3.1 Proposal Detail

This application seeks a Development Permit for Reconfiguration of a Lot (1 lot into 2 lots and balance). The proposal seeks to re-subdivide Proposed Lot 4 on Proposed SP270331 within the yet-to-be-titled Stage 3A1 of 'Ocean Breeze Estate'. A proposal plan, Drawing No. SK-01 is included for reference as **Figure 3**.

The proposal seeks to create two (2) lots of 517m<sup>2</sup> (Proposed Lot 4A) and 509m<sup>2</sup> (Proposed Lot 4B). Both proposed lots will have direct access to Bayil Drive.

While the proposed lots are smaller than the prescribed 1000m<sup>2</sup> specified under the Douglas Shire Planning Scheme 2008, specific Building Envelopes are proposed to restrict future dwellings to a certain footprint to ensure an appropriate built form. Given that a duplex (defined as Multi-Unit Housing) is a code assessable use on the subject land and is permitted on lots of 1000m<sup>2</sup>, the proposed lot sizes are considered to be appropriate.

## 4 Legislative Requirements

### 4.1 Sustainable Planning Act 2009 (SPA)

This section provides an overview of the legislative context of the application under the provisions of the *Sustainable Planning Act 2009*.

#### 4.1.1 Confirmation That Development is Not Prohibited

The proposed development is not prohibited. This has been established by considering all relevant instruments which can provide prohibitions under SPA including:

- Prohibited Development defined at Schedule 1 of the Sustainable Planning Act 2009 (Section 234).

#### 4.1.2 Assessable Development

The development proposed by this application is assessable development pursuant to Schedule 3 of the Sustainable Planning Act 2009, which states that ‘assessable development’ includes: *development not prescribed under a regulation to be assessable development, but declared to be assessable development under any of the following that applies to the area -*

- » *the planning scheme for the area;*
- » *a temporary local planning instrument;*
- » *a temporary local planning instrument; or*
- » *a preliminary approval to which section 242 applies.*

#### 4.1.3 Assessment Manager

The Assessment Manager for this development application is Douglas Shire Council as determined by Schedule 6 of the Sustainable Planning Regulation 2009.

#### 4.1.4 Level of Assessment

The table below summarises the assessable development subject of this application and the relevant level of assessment for each aspect of development.

Aspect of Development	Planning Instrument that determines Level of Assessment	Level of Assessment
Development Permit for ‘Reconfiguring of a Lot’	Douglas Shire Planning Scheme 2008	Code Assessable

There are no inconsistencies in the level of assessment between planning instruments for the proposed development, therefore this application is subject to ‘code assessment’.

#### 4.1.5 Statutory Considerations for Assessable Development

As the development is subject to ‘code assessment’, the relevant considerations of the Assessment Manager in making the decision pursuant to Sections 313, 324 and 326 of the Sustainable Planning Act 2009 have been assessed at Section 5 of this Planning Report.

#### **4.1.6 Referral Agencies**

A review of Schedule 7 of the Sustainable Planning Regulations 2009 indicates that no State Agency referrals are triggered by the proposed development.

#### **4.1.7 Public Notification**

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

#### **4.1.8 State Resources**

The proposal does not involve any State Resources.

## **5 Statutory Planning Assessment**

### **5.1 Overview**

This section assesses the application against all relevant statutory planning provisions.

### **5.2 State Planning Regulatory Provisions**

No State Planning Regulatory Provisions are relevant to this application.

### **5.3 State Planning Policy**

The State Planning Policy is relevant to the assessment of this application where a state interest is not appropriately reflected in the Planning Scheme relevant to the site. 'Part E: Interim development assessment requirements' outlines the state interests and associated assessment requirements which are to be considered in relation to certain development applications. An assessment of the subject application against Part E is provided in the following.

<b>Liveable Communities</b>	Not applicable.
<b>Mining and Extractive Resources</b>	Not applicable.
<b>Biodiversity</b>	Not applicable.
<b>Coastal Environment</b>	Not applicable.
<b>Water Quality</b>	Not applicable.
<b>Emissions and Hazardous Activities</b>	Not applicable.
<b>Natural Hazards</b>	Applicable (flood hazard). Proposal complies with Local Government flood immunity requirements.
<b>State Transport Infrastructure</b>	Not applicable.
<b>Strategic Airports and Aviation Facilities</b>	Not applicable.

## **5.4 Regional Plan**

The Far North Queensland Regional Plan 2009-2031 identifies the subject site as being within the 'Urban Footprint'. The proposal is considered to be consistent with the intent of this land and with the broader objectives of the plan which seek to promote increased residential densities and associated infrastructure efficiencies through a compact urban form.

## **5.5 State Development Assessment Provisions (SDAP)**

No State Development Assessment Provisions are identified as being applicable to the proposal.

## **5.6 Planning Scheme**

Under the Douglas Shire Planning Scheme 2008, the subject site is included within the 'Residential 2' Planning Area. Within this designation, the proposed Reconfiguration of a Lot is identified as being 'code-assessable' development.

### **5.6.1 Applicable Codes**

The following codes are considered to be relevant to this development:

- Coastal Suburbs, Villages & Townships Locality Code;
- Residential 2 Planning Area Code;
- Reconfiguration of a Lot Code; and
- Natural Hazards Code.

A detailed assessment against the Douglas Shire Planning Scheme 2008 codes is included as **Annexure 3** to this report. The proposal is considered generally compliant with the relevant 'Acceptable Solutions' and/or 'Performance Criteria' of the relevant codes. Where strict compliance with the 'Acceptable Solutions' is not achieved, comments addressing the relevant 'Performance Criteria' are provided.

## **6 Conclusions and Recommendations**

This submission supports an application by Jonpa Pty Ltd for a Development Permit for Reconfiguration of a Lot (1 lot into 2 lots and balance) on land located at Bayil Drive, Cooya Beach, described as Lot 905 on SP264287 (Proposed Lot 4 on Proposed SP270331).

The submission has included an assessment of the proposal against the relevant statutory planning controls at both the local and state level and included supporting information intended to address the likely concerns of Council and assessing authorities.

In summary, we submit that the proposed development is unlikely to have any significant impacts on the infrastructure, environment or community of the surrounding area that cannot be adequately controlled through the use of reasonable and relevant conditions.

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

**Yours Faithfully**



**Evan Yelavich  
Senior Planner  
Planning Plus Pty Ltd**

**cc:**

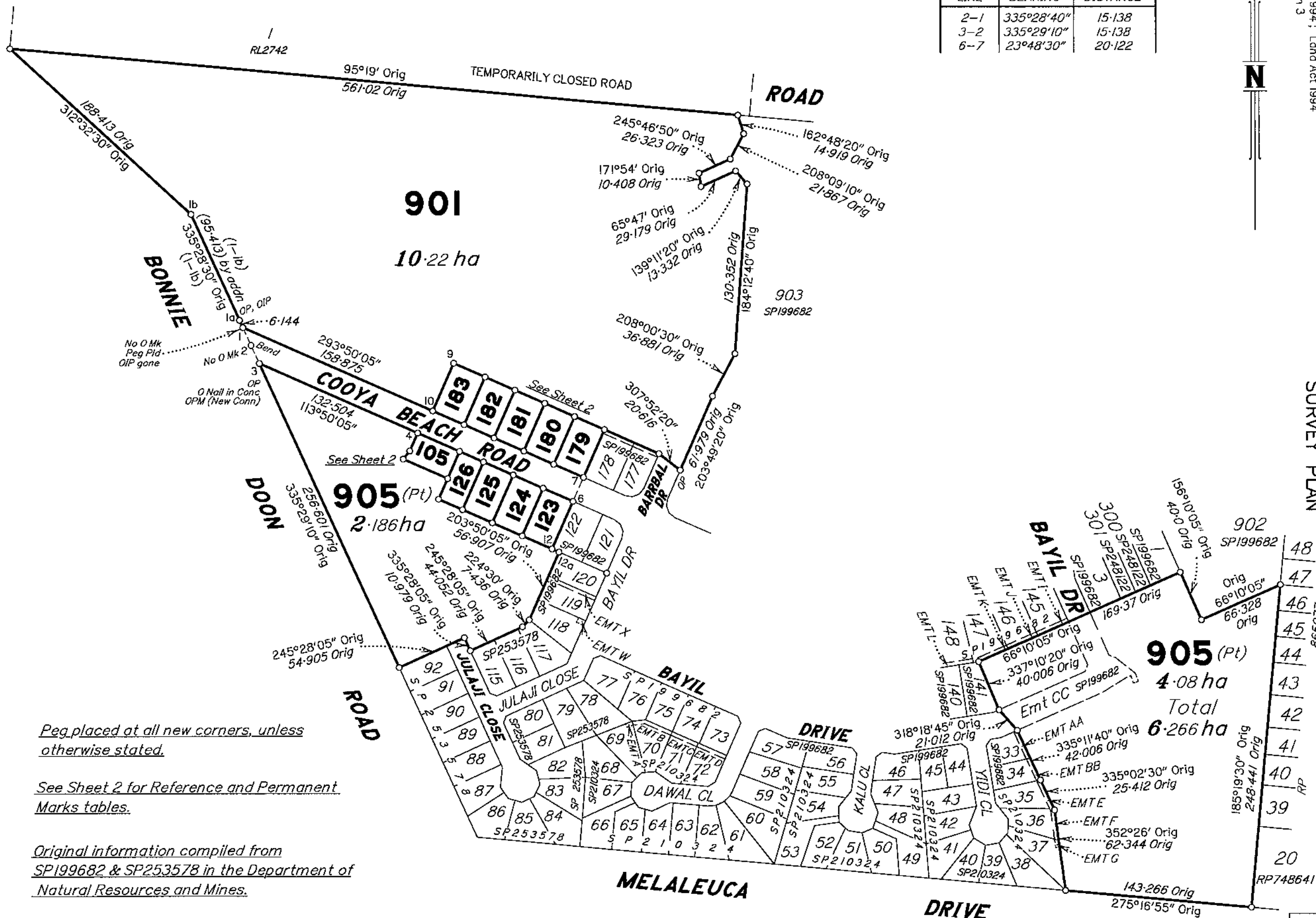
**enc: Figure 1:** SP264287  
**Figure 2:** Proposed SP270331  
**Figure 3:** Drawing No. SK-01  
**Annexure 1:** IDAS Forms  
**Annexure 2:** Title Search  
**Annexure 3:** Code Assessment – Douglas Shire Planning Scheme 2008

Figure 1

SP264287



TRAVERSES ETC		
LINE	BEARING	DISTANCE
2-1	335°28'40"	15.138
3-2	335°29'10"	15.138
6-7	23°48'30"	20.122

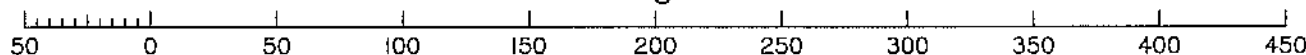


Peg placed at all new corners, unless otherwise stated.

See Sheet 2 for Reference and Permanent Marks tables.

Original information compiled from SP199682 & SP253578 in the Department of Natural Resources and Mines.

Scale 1:3000 - Lengths are in Metres.



RPS Australia East Pty Ltd (ACN 140 292 782) hereby certify that the land comprised in this plan was surveyed by the corporation, by Matthew James WILLING, surveying associate, for whose work the corporation accepts responsibility, under the supervision of Adrian Edward SLOMON, cadastral surveyor, and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 18/12/2013.

*Matthew James WILLING*  
Authorised Delegate

24/01/14  
Date

# Plan of Lots 105, 123-126, 179-183, 901 & 905

Cancelling Lot 901 on SP199682 &  
Lot 905 on SP253578

LOCAL GOVERNMENT: DOUGLAS SHIRE LOCALITY: BONNIE DOON  
Meridian: MGA Vide SP199682

Survey Records: No

Scale: 1:3000

Format: STANDARD

SP264287



Figure 2

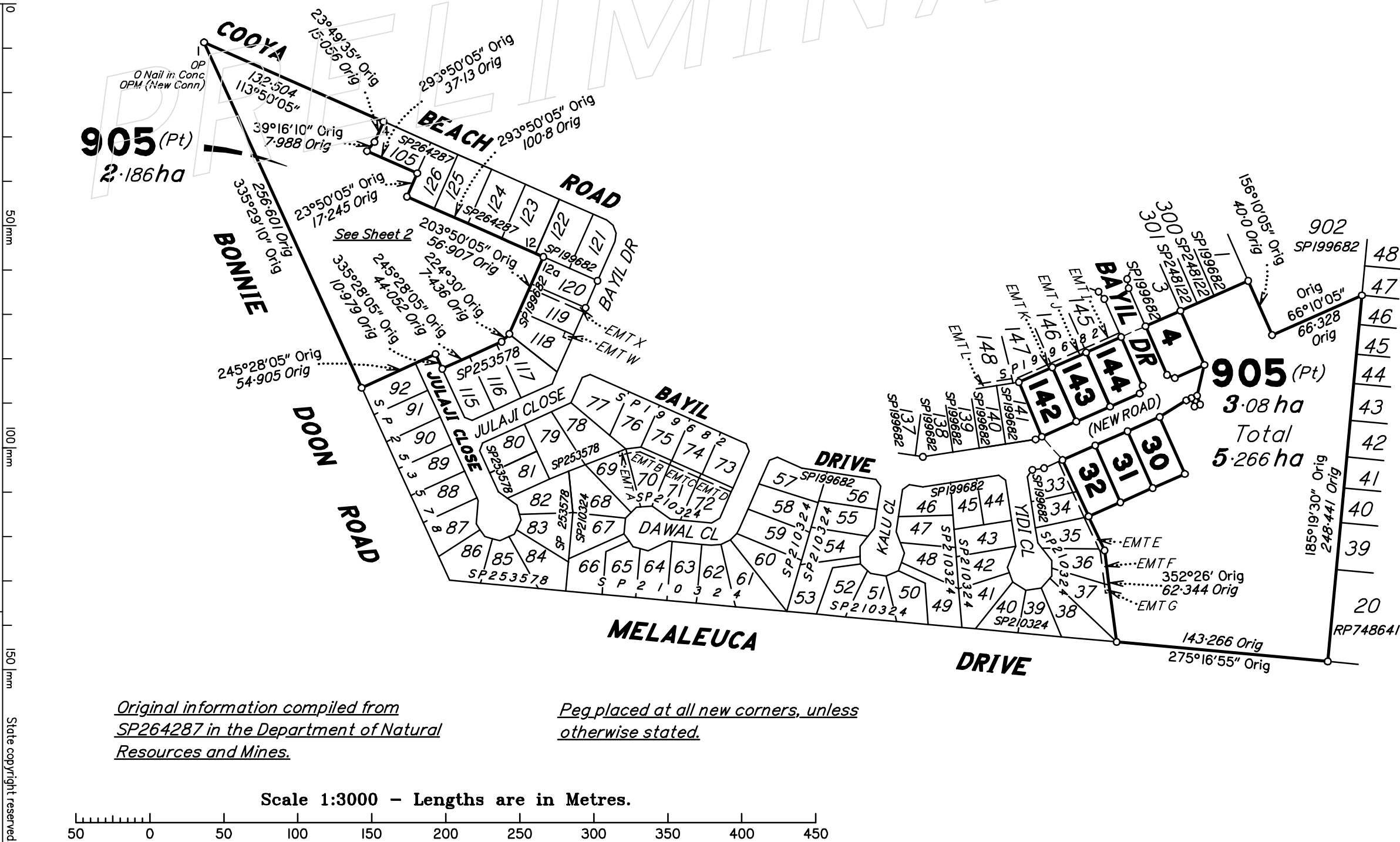
Proposed SP270331



REFERENCE MARKS				
STN	TO	ORIGIN	BEARING	DIST
1	0 Nail in Conc (in traffic island)	12/SP199682	315°21'	8.614
2	0 Nail in Kerb	5/SP199682	58°40'	4.66
5	0 Nail in Kerb	4/SP199682	252°09'	4.815
6	0 Nail in Kerb	3/SP199682	246°16'	4.792
13	0 Nail in Kerb	49/SP199682	276°44'	6.358
14	0 Nail in Kerb	51/SP199682	148°07'	5.961
17	0 Nail in Kerb	52/SP199682	201°03'	5.762
18	0 Nail in Kerb	22/SP210324	262°22'	4.189

PERMANENT MARKS					
PM	ORIGIN	BEARING	DIST	NO	TYPE
I-OPM	18/SP199682	155°58'40"	360.058	112820	

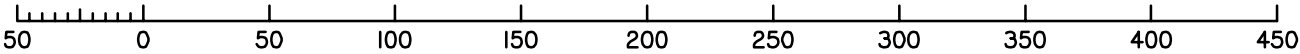
Area of New Road  
(11-14-15-4-5-8-11) 2893 m<sup>2</sup>



Original information compiled from  
SP264287 in the Department of Natural  
Resources and Mines.

Peg placed at all new corners, unless  
otherwise stated.

Scale 1:3000 - Lengths are in Metres.



Plan of Lots 4, 30-32, 142-144  
and 905

Cancelling Lot 905 on SP264287

LOCAL GOVERNMENT: DOUGLAS SHIRE

LOCALITY: BONNIE DOON

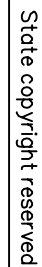
Meridian: MGA Wide SP264287

Survey Records: No

Scale: 1:3000

Format: STANDARD

SP270331



Insert  
Plan  
Number  
**SP270331**

Figure 3

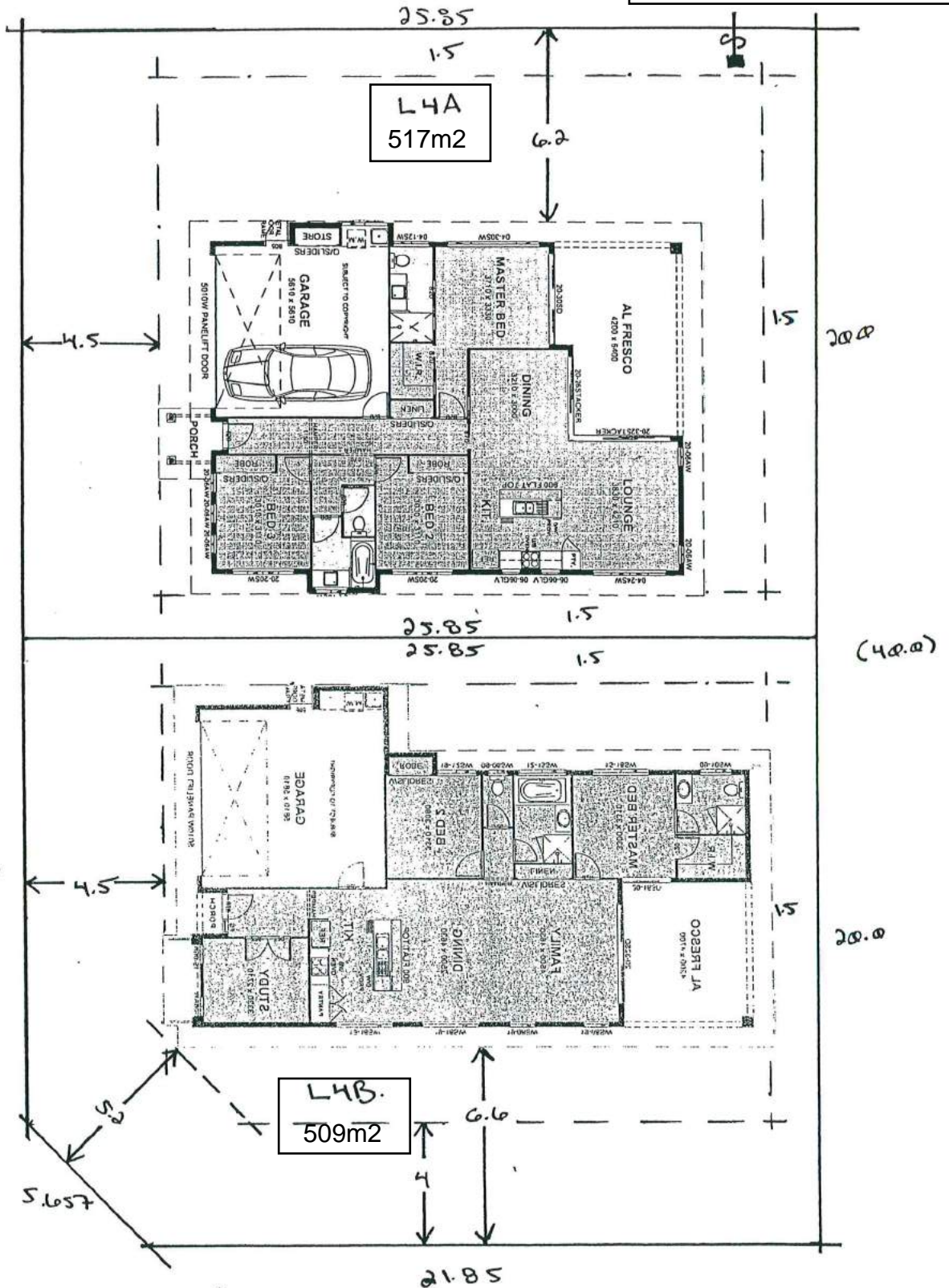
Drawing No. SK-01





BAYIL

D.R.R.



BAYIL

DRIVE

29Jul14  
Preliminary Sighting Only – REGATTA 175  
NQH H&L Pkg  
L4a Bayil Drive  
Cooya Beach, QLD.  
DP/RP/SP: SP270331  
Parish: Victory County: Solander  
Scale: 1:200  
Note: All areas & dimensions are approximate only, subject to survey, drafting & final

29Jul14  
Preliminary Sighting Only – COTTAGE SHELL 166  
NQH H&L Pkg  
L4b Bayil Drive  
Cooya Beach, QLD.  
DP/RP/SP: SP270331  
Parish: Victory County: Solander  
Scale: 1:200  
Note: All areas & dimensions are approximate only, subject to survey, drafting & final

## Annexure 1

### IDAS Forms

# IDAS form 1—Application details

(Sustainable Planning Act 2009 version 4.1 effective 4 July 2014)

This form must be used for **ALL** development applications.

You **MUST** complete **ALL** questions that are stated to be a mandatory requirement unless otherwise identified on this form.

For all development applications, you must:

- complete this form (*IDAS form 1—Application details*)
- complete any other forms relevant to your application
- provide any mandatory supporting information identified on the forms as being required to accompany your application.

Attach extra pages if there is insufficient space on this form.

All terms used on this form have the meaning given in the *Sustainable Planning Act 2009* (SPA) or the Sustainable Planning Regulation 2009.

This form and any other IDAS form relevant to your application must be used for development applications 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*. Whenever a planning scheme is mentioned, take it to mean land use plan for the strategic port land, Brisbane core port land or airport land.

PLEASE NOTE: This form is not required to accompany requests for compliance assessment.

This form can also be completed online using MyDAS at [www.dsdip.qld.gov.au/MyDAS](http://www.dsdip.qld.gov.au/MyDAS)

## Mandatory requirements

**Applicant details** (Note: the applicant is the person responsible for making the application and need not be the owner of the land. The applicant is responsible for ensuring the information provided on all IDAS application forms is correct. Any development permit or preliminary approval that may be issued as a consequence of this application will be issued to the applicant.)

Name/s (individual or company name in full)

Jonpa Pty Ltd

For companies, contact name

Evan Yelavich

Postal address

C/- Planning Plus Pty Ltd

PO Box 8046

Suburb	Cairns
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State	QLD
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Postcode	4870
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Country	Australia
---------	-----------

Contact phone number

0402073082

Mobile number (non-mandatory requirement)

Fax number (non-mandatory requirement)



Email address (non-mandatory requirement)

Evan

@ planningplusqld.com.au

Applicant's reference number (non-mandatory requirement)

EY:CS:L4 Ocean Breeze

**1. What is the nature of the development proposed and what type of approval is being sought?**

**Table A**—Aspect 1 of the application (If there are additional aspects to the application please list in Table B—Aspect 2.)

- a) What is the nature of the development? (Please only tick one box.)
- ☐ Material change of use    ☒ Reconfiguring a lot    ☐ Building work    ☐ Operational work
- b) What is the approval type? (Please only tick one box.)
- ☐ Preliminary approval under s241 of SPA    ☐ Preliminary approval under s241 and s242 of SPA    ☒ Development permit
- c) Provide a brief description of the proposal, including use definition and number of buildings or structures where applicable (e.g. six unit apartment building defined as a *multi-unit dwelling*, 30 lot residential subdivision etc.)
- Reconfiguration of a Lot (1 into 2 Lots and Balance Land), Bayil Drive, Cooya Beach QLD
- d) What is the level of assessment? (Please only tick one box.)
- ☐ Impact assessment    ☒ Code assessment

**Table B**—Aspect 2 of the application (If there are additional aspects to the application please list in Table C—Additional aspects of the application.)

- a) What is the nature of development? (Please only tick one box.)
- ☐ Material change of use    ☐ Reconfiguring a lot    ☐ Building work    ☐ Operational work
- b) What is the approval type? (Please only tick one box.)
- ☐ Preliminary approval under s241 of SPA    ☐ Preliminary approval under s241 and s242 of SPA    ☐ Development permit
- c) Provide a brief description of the proposal, including use definition and number of buildings or structures where applicable (e.g. six unit apartment building defined as a *multi-unit dwelling*, 30 lot residential subdivision etc.)
- 
- d) What is the level of assessment?
- ☐ Impact assessment    ☐ Code assessment

**Table C**—Additional aspects of the application (If there are additional aspects to the application please list in a separate table on an extra page and attach to this form.)

- ☐ Refer attached schedule    ☐ Not required

**2. Location of the premises** (Complete Table D and/or Table E as applicable. Identify each lot in a separate row.)

**Table D**—Street address and lot on plan for the premises or street address and lot on plan for the land adjoining or adjacent to the premises (Note: this table is to be used for applications involving taking or interfering with water). (Attach a separate schedule if there is insufficient space in this table.)

- ☒ Street address **and** lot on plan (All lots must be listed.)
- ☐ Street address **and** lot on plan for the land adjoining or adjacent to the premises (Appropriate for development in water but adjoining or adjacent to land, e.g. jetty, pontoon. All lots must be listed.)

Street address					Lot on plan description		Local government area (e.g. Logan, Cairns)
Lot	Unit no.	Street no.	Street name and official suburb/ locality name	Post-code	Lot no.	Plan type and plan no.	
i)		Proposed Lot 4	Bayil Drive	4873	905	SP264287	Douglas Shire
ii)							
iii)							

**Planning scheme details** (If the premises involves multiple zones, clearly identify the relevant zone/s for each lot in a separate row in the below table. Non-mandatory)

Lot	Applicable zone / precinct	Applicable local plan / precinct	Applicable overlay/s
i)	Residential 2	Coastal Suburbs, Villages and Township Precinct	Low Scale Plot Ratio
ii)			Area below 20m AHD
iii)			Medium Bushfire Risk Hazard

**Table E**—Premises coordinates (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.) (Attach a separate schedule if there is insufficient space in this table.)

Coordinates (Note: place each set of coordinates in a separate row)				Zone reference	Datum	Local government area (if applicable)
Easting	Northing	Latitude	Longitude			
					<input type="checkbox"/> GDA94 <input type="checkbox"/> WGS84 <input type="checkbox"/> other	

**3. Total area of the premises on which the development is proposed** (indicate square metres)

6.266ha (Lot 905) 1,026m<sup>2</sup> (Proposed Lot 4)

**4. Current use/s of the premises** (e.g. vacant land, house, apartment building, cane farm etc.)

Vacant

**5. Are there any current approvals (e.g. a preliminary approval) associated with this application? (Non-mandatory requirement)**

☒ No ☐ Yes—provide details below

List of approval reference/s	Date approved (dd/mm/yy)	Date approval lapses (dd/mm/yy)

**6. Is owner's consent required for this application? (Refer to notes at the end of this form for more information.)**

☐ No  
☒ Yes—complete either Table F, Table G or Table H as applicable

**Table F**

Name of owner/s of the land	
I/We, the above-mentioned owner/s of the land, consent to the making of this application.	
Signature of owner/s of the land	
Date	

**Table G**

Name of owner/s of the land	
<input type="checkbox"/> The owner's written consent is attached or will be provided separately to the assessment manager.	

**Table H**

Name of owner/s of the land	Jonpa Pty Ltd
<input checked="" type="checkbox"/> By making this application, I, the applicant, declare that the owner has given written consent to the making of the application.	

**7. Identify if any of the following apply to the premises (Tick applicable box/es.)**

- ☐ Adjacent to a water body, watercourse or aquifer (e.g. creek, river, lake, canal)—complete Table I
- ☐ On strategic port land under the *Transport Infrastructure Act 1994*—complete Table J
- ☐ In a tidal water area—complete Table K
- ☐ On Brisbane core port land under the *Transport Infrastructure Act 1994* (No table requires completion.)
- ☐ On airport land under the *Airport Assets (Restructuring and Disposal) Act 2008* (no table requires completion)
- ☐ Listed on either the Contaminated Land Register (CLR) or the Environmental Management Register (EMR) under the *Environmental Protection Act 1994* (no table requires completion)

**Table I**

Name of water body, watercourse or aquifer

Table J	
Lot on plan description for strategic port land	Port authority for the lot

Table K	
Name of local government for the tidal area (if applicable)	Port authority for the tidal area (if applicable)

**8. Are there any existing easements on the premises?** (e.g. for vehicular access, electricity, overland flow, water etc)

☒ No ☐ Yes—ensure the type, location and dimension of each easement is included in the plans submitted

**9. Does the proposal include new building work or operational work on the premises?** (Including any services)

☒ No ☐ Yes—ensure the nature, location and dimension of proposed works are included in plans submitted

**10. Is the payment of a portable long service leave levy applicable to this application?** (Refer to notes at the end of this form for more information.)

☒ No—go to question 12 ☐ Yes

**11. Has the portable long service leave levy been paid?** (Refer to notes at the end of this form for more information.)

☐ No

☐ Yes—complete Table L and submit with this application the yellow local government/private certifier's copy of the receipted QLeave form

Table L		
Amount paid	Date paid (dd/mm/yy)	QLeave project number (6 digit number starting with A, B, E, L or P)

**12. Has the local government agreed to apply a superseded planning scheme to this application under section 96 of the *Sustainable Planning Act 2009*?**

☒ No

☐ Yes—please provide details below

Name of local government	Date of written notice given by local government (dd/mm/yy)	Reference number of written notice given by local government (if applicable)

- 13. List below all of the forms and supporting information that accompany this application** (Include all IDAS forms, checklists, mandatory supporting information etc. that will be submitted as part of this application. Note: this question does not apply for applications made online using MyDAS)

Description of attachment or title of attachment	Method of lodgement to assessment manager
Planning Report	SmartEDA
IDAS Form 1	SmartEDA
IDAS Form 7	SmartEDA

**14. Applicant's declaration**

- ☒ By making this application, I declare that all information in this application is true and correct (Note: it is unlawful to provide false or misleading information)

**Notes for completing this form**

- Section 261 of the *Sustainable Planning Act 2009* prescribes when an application is a properly-made application. Note, the assessment manager has discretion to accept an application as properly made despite any non-compliance with the requirement to provide mandatory supporting information under section 260(1)(c) of the *Sustainable Planning Act 2009*

**Applicant details**

- Where the applicant is not a natural person, ensure the applicant entity is a real legal entity.

**Question 1**

- Schedule 3 of the Sustainable Planning Regulation 2009 identifies assessable development and the type of assessment. Where schedule 3 identifies assessable development as "various aspects of development" the applicant must identify each aspect of the development on Tables A, B and C respectively and as required.

**Question 6**

- Section 263 of the *Sustainable Planning Act 2009* sets out when the consent of the owner of the land is required for an application. Section 260(1)(e) of the *Sustainable Planning Act 2009* provides that if the owner's consent is required under section 263, then an application must contain, or be accompanied by, the written consent of the owner, or include a declaration by the applicant that the owner has given written consent to the making of the application. If a development application relates to a state resource, the application is not required to be supported by evidence of an allocation or entitlement to a state resource. However, where the state is the owner of the subject land, the written consent of the state, as landowner, may be required. Allocation or entitlement to the state resource is a separate process and will need to be obtained before development commences.

**Question 7**

- If the premises is listed on either the Contaminated Land Register (CLR) or the Environmental Management Register (EMR) under the *Environmental Protection Act 1994* it may be necessary to seek compliance assessment. Schedule 18 of the Sustainable Planning Regulation 2009 identifies where compliance assessment is required.

**Question 11**

- The *Building and Construction Industry (Portable Long Service Leave) Act 1991* prescribes when the portable long service leave levy is payable.
- The portable long service leave levy amount and other prescribed percentages and rates for calculating the levy are prescribed in the Building and Construction Industry (Portable Long Service Leave) Regulation 2002.

## Question 12

- The portable long service leave levy need not be paid when the application is made, but the *Building and Construction Industry (Portable Long Service Leave) Act 1991* requires the levy to be paid before a development permit is issued.
- Building and construction industry notification and payment forms are available from any Queensland post office or agency, on request from QLeave, or can be completed on the QLeave website at [www.qleave.qld.gov.au](http://www.qleave.qld.gov.au). For further information contact QLeave on 1800 803 481 or visit [www.qleave.qld.gov.au](http://www.qleave.qld.gov.au).

**Privacy**—The information collected in this form will be used by the Department of State Development, Infrastructure and Planning (DSDIP), assessment manager, referral agency and/or building certifier in accordance with the processing and assessment of your application. Your personal details should not be disclosed for a purpose outside of the IDAS process or the provisions about public access to planning and development information in the *Sustainable Planning Act 2009*, except where required by legislation (including the *Right to Information Act 2009*) or as required by Parliament. This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.

## OFFICE USE ONLY

Date received

Reference numbers

## NOTIFICATION OF ENGAGEMENT OF A PRIVATE CERTIFIER

To

Council. I have been engaged as the private certifier for the building work referred to in this application

Date of engagement	Name	BSA Certification license number	Building classification/s

## QLEAVE NOTIFICATION AND PAYMENT (For completion by assessment manager or private certifier 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 *Sustainable Planning Act 2009* is administered by the Department of State Development, Infrastructure and Planning. This form and all other required application materials should be sent to your assessment manager and any referral agency.

# IDAS form 7—Reconfiguring a lot

(Sustainable Planning Act 2009 version 3.0 effective 1 July 2013)

This form must be used for development applications or requests for compliance assessment for reconfiguring a lot.

You **MUST** complete **ALL** questions that are stated to be a mandatory requirement unless otherwise identified on this form.

For all development applications, you must:

- complete *IDAS form 1—Application details*
- complete any other forms relevant to your application
- provide any mandatory supporting information identified on the forms as being required to accompany your application.

For requests for compliance assessment, you must:

- complete IDAS form 32—Compliance assessment
- Provide any mandatory supporting information identified on the forms as being required to accompany your request

Attach extra pages if there is insufficient space on this form.

All terms used on this form have the meaning given in the *Sustainable Planning Act 2009* (SPA) or the Sustainable Planning Regulation 2009.

This form can also be completed online using MyDAS at [www.dsdip.qld.gov.au/MyDAS](http://www.dsdip.qld.gov.au/MyDAS)

## Mandatory requirements

1. What is the total number of existing lots making up the premises?

1

2. What is the nature of the lot reconfiguration? (Tick all applicable boxes.)

- ☒ subdivision—complete questions 3–6 and 11
- ☐ boundary realignment—complete questions 8, 9 and 11
- ☐ creating an easement giving access to a lot from a constructed road—complete questions 10 and 11
- ☐ dividing land into parts by agreement—please provide details below and complete questions 7 and 11

3. Within the subdivision, what is the number of additional lots being created and their intended final use?

Intended final use of new lots	Residential	Commercial	Industrial	Other—specify
Number of additional lots created	1	0	0	0

4. What type of approval is being sought for the subdivision?

- ☒ Development permit
- ☐ Preliminary approval
- ☐ Compliance permit

**5. Are there any current approvals associated with this subdivision application or request?**  
(E.g. material change of use.)

☒ No ☐ Yes—provide details below

List of approval reference/s	Date approved (dd/mm/yy)	Date approval lapses (dd/mm/yy)

**6. Does the proposal involve multiple stages?**

☒ No—complete Table A ☐ Yes—complete Table B

**Table A**

- a) What is the total length of any new road to be constructed? (metres)
- b) What is the total area of land to be contributed for community purposes? (square metres)
- c) Does the proposal involve the construction of a canal or artificial waterway?  
☒ No ☐ Yes
- d) Does the proposal involve operational work for the building of a retaining wall?  
☒ No ☐ Yes

0

0

**Table B—complete a new Table B for every stage if the application involves more than one stage**

- a) What is the proposed estate name? (if known and if applicable)
- b) What stage in the development does this table refer to?
- c) If a development permit is being sought for this stage, will the development permit result in additional residential lots?  
☐ No ☐ Yes—specify the total number
- d) What is the total area of land for this stage? (square metres)
- e) What is the total length of any new road to be constructed at this stage? (metres)
- f) What is the total area of land to be contributed for community purposes at this stage? (square metres)
- g) Does the proposal involve the construction of a canal or artificial waterway?  
☐ No ☐ Yes
- h) Does the proposal involve operational work for the building of a retaining wall?  
☐ No ☐ Yes

**7. Lease/agreement details—how many parts are being created and what is their intended final use?**

Intended final use of new parts	Residential	Commercial	Industrial	Other—specify
Number of additional parts created				



**8. What are the current and proposed dimensions following the boundary realignment for each lot forming the premises?**

Current lot			Proposed lot		
Lot plan description	Area (square metres)	Length of road frontage	Lot number	Area (square metres)	Length of road frontage

**9. What is the reason for the boundary realignment?**

--

**10. What are the dimensions and nature of the proposed easement? (If there are more than two easements proposed please list in a separate table on an extra page and attach to this form.)**

Width (m)	Length (m)	Purpose of the easement (e.g. pedestrian access)?	What land is benefitted by the easement?

**Mandatory supporting information**

**11. Confirm that the following mandatory supporting information accompanies this application or request**

Mandatory supporting information	Confirmation of lodgement	Method of lodgement
<b>All applications and requests for reconfiguring a lot</b>		
<p>Site plans drawn to an appropriate scale (1:100, 1:200 or 1:500 are the <b>recommended</b> scales) which show the following:</p> <ul style="list-style-type: none"> <li>the location and site area of the land to which the application or request relates (<b>relevant land</b>)</li> <li>the north point</li> <li>the boundaries of the relevant land</li> <li>any road frontages of the relevant land, including the name of the road</li> <li>the contours and natural ground levels of the relevant land</li> <li>the location of any existing buildings or structures on the relevant land</li> <li>the allotment layout showing existing lots, any proposed lots (including the dimensions of those lots), existing or proposed road reserves, building envelopes and existing or proposed open space (note: numbering is required for all lots)</li> <li>any drainage features over the relevant land, including any watercourse, creek, dam, waterhole or spring and any land subject to a flood with an annual exceedance probability of 1%</li> <li>any existing or proposed easements on the relevant land and their function</li> <li>all existing and proposed roads and access points on the relevant land</li> <li>any existing or proposed car parking areas on the relevant land</li> <li>the location of any proposed retaining walls on the relevant land and their height</li> <li>the location of any stormwater detention on the relevant land</li> <li>the location and dimension of any land dedicated for community</li> </ul>	<input checked="" type="checkbox"/> Confirmed	

purposes <ul style="list-style-type: none"> <li>the final intended use of any new lots.</li> </ul>		
For a development application – A statement about how the proposed development addresses the local government's planning scheme and any other planning documents relevant to the application. For a request for compliance assessment – A statement about how the proposed development addresses the matters or things against which the request must be assessed.	<input checked="" type="checkbox"/> Confirmed	
A statement addressing the relevant part(s) of the State Development Assessment Provisions (SDAP).	<input type="checkbox"/> Confirmed <input checked="" type="checkbox"/> Not applicable	
<b>For an application involving assessable development in a wild river area</b>		
Documentation that: <ul style="list-style-type: none"> <li>describes how the development to which the application relates is not prohibited development and</li> <li>demonstrates how the proposed development will meet the requirements set out in the relevant wild river declaration and any applicable code mentioned in the relevant wild river declaration under the <i>Wild Rivers Act 2005</i>.</li> </ul>	<input type="checkbox"/> Confirmed <input checked="" type="checkbox"/> Not applicable	
A map showing the proposed location of the development in relation to any nominated waterways under the <i>Wild Rivers Act 2005</i> and wild river management areas. (a map may be produced digitally at <a href="http://www.ehp.qld.gov.au/wildrivers/wildrivers-map.php">www.ehp.qld.gov.au/wildrivers/wildrivers-map.php</a> ). Wild river management area means any of the following areas under the <i>Wild Rivers Act 2005</i> : <ul style="list-style-type: none"> <li>special floodplain management area</li> <li>preservation area</li> <li>high preservation area</li> <li>floodplain management area</li> <li>subartesian management area</li> <li>designated urban area.</li> </ul> Editor's note: A floodplain management area, subartesian management area or designated urban area may be over all or part of a high preservation area or preservation area. A subartesian management area or designated urban area may be over all or part of a special floodplain management area.	<input type="checkbox"/> Confirmed <input checked="" type="checkbox"/> Not applicable	

### Notes for completing this form

For supporting information requirements for requests for compliance assessment, please refer to the relevant matters for which compliance assessment will be carried out against. To avoid an action notice, it is recommended that you provide as much of the mandatory information listed in this form as possible.

**Privacy**—Please refer to your assessment manager, referral agency and/or building certifier for further details on the use of information recorded in this form.

### OFFICE USE ONLY

Date received

Reference numbers

The *Sustainable Planning Act 2009* is administered by the Department of State Development, Infrastructure and Planning. This form and all other required application materials should be sent to your assessment manager and any referral agency.

Annexure 2

Title Search

CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 19208404

Search Date: 20/08/2014 14:26

Title Reference: 50945677

Date Created: 23/04/2014

Previous Title: 50890335

REGISTERED OWNER

Dealing No: 715721191 16/04/2014

JONPA PTY LTD A.C.N. 125 458 344

ESTATE AND LAND

Estate in Fee Simple

LOT 905 SURVEY PLAN 264287

County of SOLANDER

Parish of VICTORY

Local Government: DOUGLAS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 10473158 (POR 28)
2. EASEMENT IN GROSS No 710760547 28/06/2007 at 11:20  
burdening the land  
ERGON ENERGY CORPORATION LIMITED A.C.N. 087 646 062  
over  
EASEMENT CC ON SP199682.

ADMINISTRATIVE ADVICES - NIL

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 APPLICATIONS SAI GLOBAL

## Annexure 3

### Code Assessment – Douglas Shire Planning Scheme 2008

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
<b>Elements of the Code</b>					
<b>General Requirements</b>					
<b>P1</b> Buildings and structures complement the Height of surrounding development and Buildings are limited to two Storeys.	<b>A1.1</b>	In this Locality, the maximum Height of Buildings/structures is 6.5 metres. In addition, the roof (including any ancillary roof features) does not exceed a maximum Height of 3.5 metres above the intersection of the pitching part of the roof and the wall of the Building.	<b>N/A</b>	Not applicable.	

Solution: ✓ = Acceptable Solution  
 A/S = Alternative Solution  
 N/A = Not applicable to this proposal

Annexure 3

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
<b>P2</b> Development is connected to all urban services or to sustainable on Site infrastructure services.	<b>A2.1</b> Development is connected to available urban services by underground connections, wherever possible.  AND/OR Contributions are paid when applicable in accordance with the requirements of Planning Scheme Policy No 11 – Water Supply and Sewerage Headworks and Works External Contributions.  OR Water storage tank/s with a minimum capacity of not less than 30 000 litres to service the proposed use, including fire fighting capacity and Access to the tank/s for fire trucks. Tank/s to be fitted with a 50 mm ball valve with a camlock fitting and installed and connected prior to occupation and screened with Dense Planting.  AND An environmentally acceptable and energy efficient power supply is constructed and connected prior to occupation and sited so as to be visually unobtrusive  AND On-site sewage facilities are provided in accordance with the On-site sewage Code and screenedscreenedwith Dense Planning	✓	Proposal is capable of complying.	
Solution: ✓ = Acceptable Solution A/S = Alternative Solution N/A = Not applicable to this proposal				Annexure 3

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
<b>P3</b>	Landscaping of development Sites complements the existing character of the Coastal Suburbs, Villages and Townships Locality.	<b>A3.1</b> Landscaping incorporates the requirements of Planning Scheme Policy No 7 – Landscaping with particular emphasis on appropriate species for this Locality	✓	Proposal is capable of complying.	
<b>P4</b>	Development Sites are provided with efficient and safe vehicle Access and manoeuvring areas on Site and to the Site, to an acceptable standard for the Locality.	<b>A4.1</b> All Roads, driveways and manoeuvring areas on Site and adjacent to the Site are designed and maintained to comply with the specifications set out in the Planning Scheme Policy No 6 – FNQROC Development Manual.	✓	Proposal is capable of complying.	

Solution: ✓ = Acceptable Solution  
 A/S = Alternative Solution  
 N/A = Not applicable to this proposal

Annexure 3



PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
<b>Local Centres</b>				
<b>P5</b> Local Centres are provided in the Coastal Suburbs to service the needs of the local communities.	<b>A5.1</b>	The existing Local Centre at Wonga Beach does not exceed a maximum Net Lettable Area of 300 m2.	<b>N/A</b>	Not applicable.
	<b>A5.2</b>	Any additional Local Centre at Wonga Beach only establishes when the population has increased by 700 persons and then the second Local Centre, with a maximum Net Lettable Area of 350 m2 establishes in proximity to the existing Primary School in North Wonga.	<b>N/A</b>	Not applicable.
	<b>A5.3</b>	The Local Centre at Newell Beach does not exceed a maximum Net Lettable Area of 200 m2.	<b>N/A</b>	Not applicable.
	<b>A5.4</b>	The Local Centres at Cooya Beach are limited in size to: 4 Existing Centre – 320 m2 of Net Lettable Area; 5 New Centre – 500 m2 of Net Lettable Area, (only to establish after the connection of a sewerage system to service the new residential area of Cooya Beach).	<b>N/A</b>	Not applicable.
	<b>AND</b>	Any further commercial development at Cooya Beach over and above the Net Lettable Area specified for Local Centres above, is limited to commercial services which service the local community, such as Child Care Centres, Libraries etc.	<b>N/A</b>	Not applicable.

Solution: ✓ = Acceptable Solution  
 A/S = Alternative Solution  
 N/A = Not applicable to this proposal

Annexure 3

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
<b>Residential Development</b>					
<b>P6</b>	Any expansion of residential development in the Shire outside Mossman and Port Douglas only occurs in areas designated for future residential development.	<b>A6.1</b>	Residential expansion occurs in the designated area at Cooya Beach, identified on the Locality Plan and a buffer area is provided between Bonnie Doon Road (the preferred route for heavy vehicles) and any residential uses.	✓	Proposal complies.
<b>P7</b>	The existing large residential allotments at Wonga Beach in the Rural Settlement Planning Area are retained to maintain diversity and the existing character of the locality.		No Acceptable Solution	N/A	Not applicable.
<b>P8</b>	The residential amenity of permanent residents at Wangetti is protected.	<b>A8.1</b>	Any services and facilities are located on the western side of the Captain Cook Highway at Wangetti.	N/A	Not applicable.

Solution: ✓ = Acceptable Solution  
 A/S = Alternative Solution  
 N/A = Not applicable to this proposal

Annexure 3

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
<b>P9</b>	Residential and tourist development, other than a House, is climate-responsive, contributes positively to the character of the Locality, is complementary in scale to surrounding development and does not exceed the identified Plot Ratio designation on the Locality Map (that is):	<b>A9.1</b> Development incorporates the following design features and corresponding plot ratio bonuses [in brackets]: a) appropriate roof form and roofing material [10% Plot Ratio Bonus]; and b) appropriate fenestration in combination with roof form [5% Plot Ratio Bonus]; and c) appropriate window openings with window awnings, screens or eaves shading 80% of the window opening – refer Planning Scheme Policy No. 2 – Building Design and Architectural Elements [15% Plot Ratio Bonus]; and d) minimum of 700mm eaves [15% Plot Ratio Bonus]; and e) orientation of the Building to address the street/s [5% Plot Ratio Bonus]; f) sheltered pedestrian Access by unenclosed covered common area walkway of 1.5 metres in width from the car parking area/s to the development [5% Plot Ratio Bonus]; and g) inclusion of windows and balconies to the street façade of the Building [10% Plot Ratio Bonus]; and h) provision of lattice, battens or privacy screens [5% Plot Ratio Bonus]; and i) the overall length of a Building does not exceed 30 metres and the overall length of any continuous wall does not exceed 15 metres [10% Plot Ratio Bonus].	<b>N/A</b>	Not applicable.	
	• land designated Medium Scale in Cooya Beach has a base Plot Ratio of 0.3:1 and a maximum Plot Ratio of 0.5:1; OR • land designated Low Scale has a base Plot Ratio of 0.25:1 and a maximum Plot Ratio of 0.4:1. AND Will not achieve the maximum Plot Ratio specified above unless the development incorporates building design features and architectural elements detailed in Planning Scheme Policy No 2 – Building Design and Architectural Elements. (as referred to in the Acceptable Solution)				
Solution: ✓ = Acceptable Solution A/S = Alternative Solution N/A = Not applicable to this proposal					Annexure 3

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
<b>Community Facilities</b>					
<b>P10</b>	Community facilities are appropriately located to service the needs of the community.	<b>A10.1</b>	Community facilities, such as community halls and clubs, Child Care Centres and emergency service facilities are located with direct Access to a main street and in proximity to other community facilities or commercial services.	<b>N/A</b>	Not applicable.
		<b>A10.2</b>	The existing landfill Site at Newell Beach is ultimately developed for community/recreational facilities.	<b>N/A</b>	Not applicable.
<b>P11</b>	Public open space for active or passive recreation, parkland or community recreation uses is provided and appropriately located to service the needs of the local community and to avoid detrimental impacts on the amenity of residential areas. Public Open Space should be made available free from drainage and flooding issues in accordance with the requirements of Planning Scheme Policy No 9 – Open Space Contributions.	<b>A11.1</b>	Public open space, which provides for the active or passive recreation of local residents, is provided as follows: <ul style="list-style-type: none"> <li>informal active parkland is provided at Wonga Beach, Cooya Beach and Newell Beach with an area of approximately two hectares for each residential area, being:               <ul style="list-style-type: none"> <li>level usable land;</li> <li>of regular configuration, such as rectangular; and</li> <li>in an accessible location with a Road Frontage of not less than 60 metres;</li> </ul> </li> </ul> AND in accordance with the relevant provisions of the Reconfiguring a Lot Code and Planning Scheme Policy No 9 – Open Space Contributions.	<b>N/A</b>	Not applicable.
<b>Other Development</b>					

Solution: ✓ = Acceptable Solution  
 A/S = Alternative Solution  
 N/A = Not applicable to this proposal

Annexure 3

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
<b>P15</b>	Tourist facilities and services are low key and do not adversely impact on residential areas.	<b>A12.1</b> Tourist accommodation and facilities are not located in the residential areas of Cooya Beach, Newell Beach and Wangetti, other than Bed and Breakfast Accommodation.	<b>N/A</b>	Not applicable.	
		<b>A12.2</b> Any tourist accommodation or facilities at Wonga Beach are limited to the Site already included in the Tourist and Residential Planning Area.	<b>N/A</b>	Not applicable.	
<b>P16</b>	Tourist accommodation and facilities are of an appropriate scale in the Daintree Village Township and are in character with the existing village.	<b>A13.1</b> Tourist accommodation and facilities which establish within or in convenient proximity to Daintree Village are limited to small scale uses such as: Bed and Breakfast Accommodation, Host Farm Accommodation and small scale commercial/tourist uses such as art galleries, craft stores and cafes.	<b>N/A</b>	Not applicable.	

Solution: ✓ = Acceptable Solution  
 A/S = Alternative Solution  
 N/A = Not applicable to this proposal

Annexure 3

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
<b><i>Protection of Scenic Amenity and Natural Values</i></b>					
<b>P17</b>	Development does not adversely impact on areas of sensitive natural vegetation, foreshore areas, Watercourse and areas of tidal inundation which contribute to the Scenic Amenity and natural values of the Locality <sup>19,20</sup> .	No Acceptable Solution.  (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).	✓	Proposal complies.	

Solution: ✓ = Acceptable Solution  
 A/S = Alternative Solution  
 N/A = Not applicable to this proposal

Annexure 3

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
<b>Elements of the Code</b>					
<b>Bushfire</b>					
<b>P1</b>	Development does not compromise the safety of people or property from bushfire.	<b>A1.1</b> Any development on land identified as High Risk Hazard on any Natural Hazards Overlay on any Locality Map complies with the relevant requirements of State Planning Policy 1/03 – Mitigating the Adverse Impacts of Flood, Bushfire and Landslide.  AND  Development complies with a Bushfire Management Plan prepared for the site.	<b>N/A</b>	Not applicable. The proposal is located within a Medium Risk Hazard area.	

Solution: ✓ = Acceptable Solution  
 A/S = Alternative Solution  
 N/A = Not applicable to this proposal

Annexure 3

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
<b>P2</b> Development maintains the safety of people and property by: <ul style="list-style-type: none"> <li>avoiding areas of High or Medium Risk Hazard; or</li> <li>mitigating the risk through:               <ul style="list-style-type: none"> <li>lot design and the siting of Buildings; and</li> <li>including firebreaks that provide adequate: Setbacks between Building/structures and hazardous vegetation, and Access for fire fighting/other Emergency vehicles;</li> <li>providing adequate Road Access for fire fighting/other emergency vehicles and safe evacuation; and</li> <li>providing an adequate and accessible water supply for fire-fighting purposes</li> </ul> </li> </ul>	<b>A2.1</b> Development is located on a Site that is not subject to High or Medium Risk Hazard.  <b>OR</b>  For all development (if development is proposed to be located on a Site that is subject to High or Medium Risk Hazard), then: Buildings and structures on lots greater than 2500 m2 <ul style="list-style-type: none"> <li>are sited in locations of lowest hazard within the lot; and</li> <li>achieve Setbacks from hazardous vegetation of 1.5 times the predominant mature canopy tree Height or 10 metres, whichever is the greater; and</li> <li>10 metres from any retained vegetation strips or small areas of vegetation; and</li> <li>are sited so that elements of the development least susceptible to fire are sited closest to the bushfire hazard.</li> </ul> Building and structures on lots less than or equal to 2500 m2 to maximise Setbacks from hazardous vegetation.  <b>AND</b>  For uses involving new or existing Buildings with a Gross Floor Area greater than 50 m2 each lot has: <ul style="list-style-type: none"> <li>a reliable reticulated water supply that has sufficient flow and pressure characteristics for fire fighting purposes at all times (minimum pressure and flow is 10 litres a second at 200 kPa); or</li> </ul>	✓	Proposal complies.	
Solution: ✓ = Acceptable Solution A/S = Alternative Solution N/A = Not applicable to this proposal				Annexure 3
<b>Cooya Road, Cooya Beach QLD 4873</b>		Current as at: March 2008		<b>Page 2</b>



PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
<div>Solution: ✓ = Acceptable Solution A/S = Alternative Solution N/A = Not applicable to this proposal</div> <div>Cooya Road, Cooya Beach QLD 4873</div>	<div><ul style="list-style-type: none"><li>an on Site water storage of not less than 5000 litres (eg. accessible dam or tank with fire brigade tank fittings, swimming pool).</li></ul><div>A2.2 For development that will result in multiple Buildings or lots (if development is proposed to be located on a Site that is subject to High or Medium Risk Hazard), then: Residential lots are designed so that their size and shape allow for:</div><ul style="list-style-type: none"><li>efficient emergency Access to Buildings for fire fighting appliances (eg. by avoiding long narrow lots with long Access drives to Buildings); and</li><li>Setbacks and Building siting in accordance with 2.1 (a) above.</li></ul><div>AND</div><div>Firebreaks are provided by:</div><ul style="list-style-type: none"><li>a perimeter Road that separates lots from areas of bushfire hazard and that Road has:<ul style="list-style-type: none"><li>a minimum cleared width of 20 metres; and</li><li>a constructed Road width and all-weather standard complying with Council standards.</li></ul></li></ul><div>OR</div><ul style="list-style-type: none"><li>where it is not practicable to comply with fire break provisions above, maintenance trails are located as close as possible to the boundaries of the lots and the adjoining bushland hazard, and the fire/maintenance trails:<ul style="list-style-type: none"><li>have a minimum cleared width of 6 metres; and</li><li>have a formed width and gradient, and erosion control devices to Council standards; and</li><li>have vehicular Access at each end; and</li></ul></li></ul></div>	✓	Proposal complies.	Annexure 3
	Current as at: March 2008	Page 3		

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
	<ul style="list-style-type: none"> <li>provide passing bays and turning areas for firefighting applicants; and</li> <li>are either located on public land, or within an Access easement that is granted in favour of the Council and Queensland Fire Rescue Service (QFRS).</li> </ul> <p>AND</p> <ul style="list-style-type: none"> <li>sufficient cleared breaks of 6 meters minimum width in retained bush land within the development (eg. Creek corridors and other retained vegetation) to allow burning of sections and Access for bushfire response.</li> </ul> <p>AND</p> <p>Roads are designed and constructed in accordance with applicable Council and State government standards and:</p> <ul style="list-style-type: none"> <li>have a maximum gradient of 12.5%; and</li> <li>exclude cul-de-sac, except where a perimeter Road isolates the development from hazardous vegetation or the cul-de-sacs are provided with an alternate Access linking the cul-de-sac to other through Roads.</li> </ul>			
<b>P3</b> Public safety and the environment are not adversely affected by the detrimental impacts of bushfire on hazardous materials manufactured or stored in bulk.	<b>A3.1</b> Development complies with a Bushfire Management Plan prepared for the site.	<b>N/A</b>	Not applicable.	

Solution: ✓ = Acceptable Solution  
 A/S = Alternative Solution  
 N/A = Not applicable to this proposal

Annexure 3

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
<b>Elements of the Code</b>					
<b>Area and Dimensions of Lots</b>					
<b>P1</b> Lots are of sufficient area and dimensions to meet the requirements of the users and accommodate the form of development likely to be constructed in the respective Planning Areas, together with the open space, Landscaping, Access and car parking associated with the particular form of development.	<b>A1.1</b>	Lots comply with the area and dimension identified for lots in the respective Planning Areas in Table 1.	<b>A/S</b>	The proposal does not comply with the prescribed minimum lot size of 1,000m <sup>2</sup> , however is considered capable of accommodating a built form that is appropriate for the Planning Area. This is evidenced by the fact that a duplex would be code-assessable on the site. A subdivision for two dwellings is merely a different titling arrangement.	
<b>Rural Planning Area</b>					
<b>P2</b> Lots are of an appropriate size and configuration to sustain the utility and productive capacity of the land for rural purposes, and to reduce potential for impacts on the natural environment by facilitating opportunities for the implementation of improved land management practices and through provision of safe and adequate water supply and sewage disposal.	<b>A2.1</b>	Lot boundaries relate to natural features such as ridges or other catchment boundaries, drainage lines or flood flows, or remnant stands of vegetation.	<b>N/A</b>	Not applicable.	
	<b>A2.2</b>	Lots comply with the area and dimensions identified for Lots in the Rural Planning Area in Table 1, above.			
	<b>A2.3</b>	Designated Development Areas are identified on any lots exceeding a maximum slope of 15% and are registered on title.			

Solution: ✓ = Acceptable Solution  
 A/S = Alternative Solution  
 N/A = Not applicable to this proposal

Annexure 3

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
<b>Rural Settlement Planning Area</b>				
<b>P3</b> Rural Settlement lots are located and designed such that they: <ul style="list-style-type: none"> <li>have a sustainable level of impact on the natural environment, having regard to water supply and water quality, effluent disposal, potential erosion and natural habitat;</li> <li>retain significant landscape features, views and vegetation cover;</li> <li>provide for a high level of residential and scenic amenity, Access to services and facilities, and safety from risk of natural hazards such as bushfire; and</li> <li>do not impact on the safety and efficiency of the Shire's Road network.</li> </ul>	<b>P3</b> Rural Settlement lots are located and designed such that they: <ul style="list-style-type: none"> <li>have a sustainable level of impact on the natural environment, having regard to water supply and water quality, effluent disposal, potential erosion and natural habitat;</li> <li>retain significant landscape features, views and vegetation cover;</li> <li>provide for a high level of residential and scenic amenity, Access to services and facilities, and safety from risk of natural hazards such as bushfire; and</li> <li>do not impact on the safety and efficiency of the Shire's Road network.</li> </ul>	N/A	Not applicable.	

Solution: ✓ = Acceptable Solution  
 A/S = Alternative Solution  
 N/A = Not applicable to this proposal

Annexure 3

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
<b>P4</b> The layout for a residential reconfiguration greater than 10 lots, gives the neighbourhood a positive identity by: <ul style="list-style-type: none"> <li>protecting natural features, areas of environmental value and Watercourses;</li> <li>incorporating Site characteristics, views and landmarks;</li> <li>providing a legible, connected and safe street, bicycle and pedestrian network that links to existing external networks;</li> <li>providing community or necessary facilities at convenient focal points;</li> <li>orientating the street and lots to ensure the siting and design of residential development maximises energy efficiency;</li> </ul>	No Acceptable Solution.  (Information that the Council may request to demonstrate compliance with the Performance Criteria is outlined in Planning Scheme Policy No 10 – Reports and Information the Council May Request, for code and impact assessable development).	N/A	Not applicable.	
<b>P5</b> Multi-Unit Housing is limited to a small proportion of the total number of lots in a new residential area and is dispersed to ensure conventional residential detached Houses dominate the streetscape.	<b>A5.1</b> In new residential areas, not more than 15% of the total number of new lots are nominated on an approved Plan of Reconfiguration for Multi-Unit Housing, with corner lots being preferred.	N/A	Not applicable.	
<b>Commercial/Industrial Planning Areas</b>				
<b>P6</b> The reconfiguration layout of an industrial/commercial area:	<b>P6.1</b> A Concept Plan for the proposed reconfiguration is prepared by a suitably qualified professional and identifies the location	N/A	Not applicable.	

Solution: ✓ = Acceptable Solution  
 A/S = Alternative Solution  
 N/A = Not applicable to this proposal

Annexure 3

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
<ul style="list-style-type: none"> <li>facilitates the efficient use of industrial or commercial land;</li> <li>ensures minimum impact on the natural environment and on the amenity of adjacent uses;</li> <li>provides for a variety of lot sizes and complementary uses.</li> </ul>	of: <ul style="list-style-type: none"> <li>natural features, areas of environmental value and Watercourses;</li> <li>street, bicycle and pedestrian networks and linkages to adjoining areas;</li> <li>a variety of lot sizes and dimensions, with the minimum areas of dimensions satisfying the requirements of Table 1, above.</li> </ul>			

Solution: ✓ = Acceptable Solution  
 A/S = Alternative Solution  
 N/A = Not applicable to this proposal

Annexure 3

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
<b>Infrastructure for Local Communities</b>					
<b>P7</b> Provision is made for open space that:	<ul style="list-style-type: none"> <li>meets the recreational needs of residents and visitors to the Shire;</li> <li>provides a diverse range of settings;</li> <li>creates effective linkages with other areas of open space and natural areas; and</li> <li>contributes to the visual and Scenic Amenity of the Shire.</li> </ul>	<b>A7.1</b> An area of 10% of the land to be reconfigured is provided as open space in accordance with Planning Scheme Policy No 9 – Open Space Contributions.	<b>N/A</b>	Not applicable.	
		OR A contribution is paid in lieu of an area being designated for open space in accordance with Planning Scheme Policy No 9 – Open Space Contributions	✓	Proposal is capable of complying.	
		OR A combination of the above, as agreed to by Council.			
<b>P8</b> Informal Parks and Sporting Parks are provided and sited to meet the needs of local residents in the Shire.	<b>A8.1</b> Informal Parks are provided at the ratio of 2 hectares per 1000 persons with a minimum size of Informal Parks being 0.5 – 1 hectare (Local Parks) and 3 – 5 hectares (District Parks).  <b>AND</b>  Sporting Parks are provided at the ratio of 2 hectares per 1000 persons with a minimum size of Sporting Parks being 1.2 – 2 hectares (Local Parks) and 5 hectares (District Parks).		<b>N/A</b>	Not applicable.	

Solution: ✓ = Acceptable Solution  
 A/S = Alternative Solution  
 N/A = Not applicable to this proposal

Annexure 3

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
<b>Road Network</b>				
<b>P9</b> The Road network: <ul style="list-style-type: none"> <li>is integrated and consistent with the existing and proposed local Road network;</li> <li>is legible and retains existing features, views, topography and vegetation;</li> <li>is convenient and safe for local residents;</li> <li>facilitates walking and cycling within the neighbourhood; and</li> <li>is compatible with the intended role of the State-Controlled Road and does not prejudice traffic safety or efficiency.</li> </ul>	<b>A9.1</b> Roads are designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.	N/A	Not applicable.	
	<b>A9.2</b> The Road network takes into consideration the natural and cultural features of the Site, existing vegetation, Watercourses and contours.	N/A	Not applicable.	
	<b>A9.3</b> The Road network is designed to reduce traffic speeds and volumes on local streets in residential areas to facilitate parking and manoeuvring and to integrate with the existing and proposed pedestrian and bicycle paths network.	N/A	Not applicable.	
	<b>A9.4</b> Direct Access is not provided to a State-Controlled Road where legal and practical Access from another Road is possible.	N/A	Not applicable.	
	<b>A9.5</b> Where the created allotments have Frontage to more than one Road, Access to the individual allotments is from the lower order Road.	N/A	Not applicable.	

Solution: ✓ = Acceptable Solution  
 A/S = Alternative Solution  
 N/A = Not applicable to this proposal

Annexure 3



PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
<b>P10</b> The Road network for industrial/commercial reconfigurations ensures convenient movement and Access for vehicles, particularly heavy vehicles, without affecting the amenity of residential neighbourhoods.	<b>A10.1</b> Roads are designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.	N/A	Not applicable.	
	<b>A10.2</b> Industrial/commercial traffic is able to Access a major Road without intruding into a residential neighbourhood.	N/A	Not applicable.	
<b><i>Pedestrian and Bicycle Network</i></b>				
<b>P11</b> Networks of pedestrian and bicycle paths are provided in safe and convenient locations.	<b>A11.1</b> Safe and convenient walking and cycling networks are provided to link residential areas to schools, community facilities, parks and public transport, Tourist Attractions, commercial and industrial areas.	N/A	Not applicable.	
	<b>A11.2</b> The pedestrian and bicycle path network is constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.	N/A	Not applicable.	
	<b>A11.3</b> Lighting for bicycle paths is provided in accordance with the relevant Australian Standards.	N/A	Not applicable.	

Solution: ✓ = Acceptable Solution  
 A/S = Alternative Solution  
 N/A = Not applicable to this proposal

Annexure 3

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
<b>Stormwater Drainage</b>				
<b>P12</b> Stormwater runoff is contained and managed so that it does not adversely affect: <ul style="list-style-type: none"> <li>natural Watercourses;</li> <li>surface or underground water quality; or</li> <li>the built environment either upstream or downstream of the Site.</li> </ul>	<b>A12.1</b> Stormwater drainage is designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.	✓	The proposal is capable of complying.	
<b>Water Supply</b>				
<b>P13</b> An adequate, safe and reliable supply of potable water is provided.	<b>A13.1</b> Where in a water supply area, each new lot is connected to Council's reticulated water supply system.  AND  The extension of and connection to the reticulated water supply system is designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.	✓	The proposal is capable of complying.	
	<b>A13.2</b> A contribution is paid in accordance with Planning Scheme Policy No 11 – Water Supply and Sewerage Headworks and Works External Contributions.	✓	The proposal is capable of complying.	

Solution: ✓ = Acceptable Solution  
 A/S = Alternative Solution  
 N/A = Not applicable to this proposal

Annexure 3

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
<b>Treatment and Supply of Effluent</b>				
<b>P14</b> Provision is made for the treatment and disposal of effluent to ensure that there are no adverse impacts on water quality and no adverse ecological impacts as a result of the system or as a result of increasing the cumulative effect of systems in the locality.	<b>A14.1</b> Each new lot is connected to Council's sewerage system.  AND  The extension of and connection to the sewerage system is designed and constructed in accordance with the specifications set out in Planning Scheme Policy No 6 – FNQROC Development Manual.  OR  Where the Site is not in a sewerage scheme area, the proposed disposal system meets the requirements of relevant Sections of the Environmental Protection Policy (Water) 1997.  AND  The proposed on Site effluent disposal system is located on and contained within the lot in accordance with the Standard Sewage Law.	✓	The proposal is capable of complying.	
	<b>A14.2</b> A contribution is paid in accordance with Planning Scheme Policy No 11 – Water Supply and Sewerage Headworks and Works External Contributions	✓	The proposal is capable of complying.	

Solution: ✓ = Acceptable Solution  
 A/S = Alternative Solution  
 N/A = Not applicable to this proposal

Annexure 3

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
<b><i>Residential Development – Standard Format Plan with Common Property</i></b>				
<b>P15</b> Lots have an appropriate area and dimension to protect residential amenity.	<b>A15.1</b> The lot configuration under a Standard Format Plan with Common Property satisfies the minimum area and Frontage provisions of the Residential 1 Planning Area Code, as set out in Table 1, below.	<b>N/A</b>	Not applicable.	
<b>P16</b> The Setback of Residential Use from the Access driveways makes efficient use of the Site and provides for the amenity and privacy of residents.	<b>A16.1</b> A minimum separation distance of 15 metres is provided between Residential Uses with Frontage to the Access driveway.	<b>N/A</b>	Not applicable.	
<b>P17</b> Internal Access driveways are designed to provide acceptable levels of safety, amenity and convenience for users, in addition to providing for visitor car parking.	<b>A17.1</b> Access driveways serving more than 3 lots and a maximum of 20 lots are a minimum of 4 metres in width and provide designated areas for visitor parking at the rate of 1 car space for every 3 Houses/or other Residential Uses.	<b>N/A</b>	Not applicable.	
<b>P18</b> Communal/public open space is provided to service the residents of the development and to contribute to the available public open space in the local community.	<b>A18.1</b> The proportion of public open space and communal open space provided by the development is dependant upon the characteristics of the individual development and its proximity to nearby public open space, existing or planned. A split of 6% public open space and 4% communal open space is preferred, but will be determined on a Site/development specific basis.	<b>N/A</b>	Not applicable.	
<b>P19</b> Boundary fencing does not have a significant impact on the visual amenity of the local area.	<b>A19.1</b> The side and rear boundary fence is a maximum of 1.8 metres in Height and incorporates decorative panels which incorporate railings, pickets and/or vegetation screening to reduce the bulk and scale of the fence or wall.	<b>N/A</b>	Not applicable.	

Solution: ✓ = Acceptable Solution  
 A/S = Alternative Solution  
 N/A = Not applicable to this proposal

Annexure 3

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
<b>P20</b> The installation of Fire Hydrants ensures that they are easy to locate and use in times of emergency and are of a standard consistent with service needs.	<b>A20.1</b> Fire Hydrant installation for the development is provided in accordance with the requirements of the relevant Australian Standard.	<b>N/A</b>	Not applicable.	

Solution: ✓ = Acceptable Solution  
 A/S = Alternative Solution  
 N/A = Not applicable to this proposal

Annexure 3

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
<b>Boundary Realignment</b>				
<b>P21</b> The realignment of a boundary or boundaries does not create additional allotments and achieves an improvement on the existing situation.	<b>A21.1</b> No additional lots are created.  AND  The area and configuration of the proposed lots are consistent with the historical pattern of reconfiguration in the local area.  AND  An improvement on the existing situation is achieved by: <ul style="list-style-type: none"> <li>the provision of Access to a lot which previously had no Access;</li> </ul> OR <ul style="list-style-type: none"> <li>the proposed lots being better suited to the existing or proposed use of the lots, whether or not the provisions relating to minimum area and dimensions are met;</li> </ul> OR <ul style="list-style-type: none"> <li>the Frontage to depth ratio of the proposed lots being greater than the Frontage to depth ratio of the existing lots.</li> </ul>	<b>N/A</b>	Not applicable.	

Solution: ✓ = Acceptable Solution  
 A/S = Alternative Solution  
 N/A = Not applicable to this proposal

Annexure 3

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
<b>Energy Efficiency</b>				
<b>P22</b> The road and lot layout facilitates the siting and design of buildings to conserve non-renewable energy sources and assists in orientation and design appropriate for the local tropical conditions.	No Acceptable Solution	✓	Proposal complies.	
<b>P23</b> The road and lot layout minimises fossil fuel use by: reducing the need for and length of local vehicle trips, maximising public transport effectiveness, encouraging walking and cycling, and provision of appropriate street landscaping	No Acceptable Solution	✓	Proposal complies.	

Solution: ✓ = Acceptable Solution  
 A/S = Alternative Solution  
 N/A = Not applicable to this proposal

Annexure 3

**TABLE 1**

PLANNING AREA	MINIMUM AREA	MINIMUM DIMENSIONS
<b>Rural</b>  <b>EXCEPT FOR</b> <ul style="list-style-type: none"> <li>World Heritage Areas and Environs Locality; and</li> <li>Settlement Areas North of the Daintree River Locality.</li> </ul>	40 hectares  <ul style="list-style-type: none"> <li>As existing with no further reconfiguration</li> </ul>	To accommodate square with minimum side of 500 metres
<b>Rural Settlement</b>  <b>Within Settlement Areas North of the Daintree River Locality and at Rocky Point.</b>  <ul style="list-style-type: none"> <li>In other Localities and areas</li> </ul>	As existing with no further reconfiguration  <ul style="list-style-type: none"> <li>0.4 hectares</li> </ul>	To accommodate square with minimum side of 50 metres
<b>Residential 1</b> <ul style="list-style-type: none"> <li>Within sewerred areas</li> <li>Within unsewerred areas</li> <li>Within Special Management Area 1 – Flagstaff Hill</li> <li>Located at Rocky Point</li> </ul>	<ul style="list-style-type: none"> <li>800 m2</li> <li>1000 m2</li> <li>1500 m2</li> <li>3500 m2</li> </ul>	<ul style="list-style-type: none"> <li>To accommodate square with minimum side of 20 metres</li> <li>To accommodate square with minimum side of 25 metres</li> <li>To accommodate square with minimum side of 30 metres</li> <li>To accommodate square with a minimum side of 50 metres</li> </ul>
<b>Residential 2</b>	1000m2	To accommodate square with minimum side of 25 meters
<b>Tourist and Residential</b>	1000m2	To accommodate square with minimum side of 25 meters
<b>Commercial</b>	800m2	To accommodate square with minimum side of 25 meters
<b>Industrial</b>	1000m2	To accommodate square with minimum side of 25 meters
<b>Community &amp; Recreational Facilities</b>	Not specified	Not specified

Solution: ✓ = Acceptable Solution  
 A/S = Alternative Solution  
 N/A = Not applicable to this proposal

Annexure 3



<p><b>Conservation</b></p> <p><b>EXCEPT FOR</b></p> <ul style="list-style-type: none"> <li>• <b>Settlement Areas North of the Daintree River Locality; and</b></li> <li>• <b>World Heritage Areas and Environs Locality</b></li> </ul>	<p>Not specified</p> <ul style="list-style-type: none"> <li>• As existing with no further reconfiguration</li> </ul>	<p>Not specified</p>
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Solution: ✓ = Acceptable Solution  
A/S = Alternative Solution  
N/A = Not applicable to this proposal

Annexure 3

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
<b>Elements of the Code</b>					
<b>Consistent and Inconsistent Uses</b>					
<b>P1</b> The establishment of uses is consistent with the outcomes sought for the Residential 2 Planning Area.	<b>A1.1</b>	Uses identified as inconsistent uses in the Assessment Table are not established in the Residential 2 Planning Area.	✓	Proposal complies.	
<b>Site Coverage – Other than a House</b>					
<b>P2</b> The Site Coverage of all Buildings does not result in a built form that is bulky or visually obtrusive.	<b>A2.1</b>	The Site Coverage of any Buildings, other than a House, is limited to: <ul style="list-style-type: none"> <li>• 45% at Ground Level;</li> <li>• 40% at first floor level;</li> <li>• 35% at second floor level, if applicable.</li> </ul>	✓	Proposal is capable of complying.	
<b>Building Setbacks – Other than a House</b>					
<b>P3</b> All Buildings are Setback to: <ul style="list-style-type: none"> <li>• maintain the character of residential neighbourhoods; and</li> <li>• achieve separation from neighbouring Buildings and from Road Frontages; and</li> <li>• Maintain a cohesive streetscape pattern; and</li> <li>• Provide for daylight access, privacy and appropriate landscaping.</li> </ul>	<b>A3.1</b>	All Buildings are Setback: <ul style="list-style-type: none"> <li>(a) at least 6 metres from the Main Street Frontage; and</li> <li>(b) at least 4 metres from any secondary Road Frontage; and</li> <li>(c) to side and rear boundaries:               <ul style="list-style-type: none"> <li>(a) 1.5 metres; or</li> <li>(b) an average of half of the Height of the wall of the Building, whichever is the greater.</li> </ul> </li> </ul>	✓	Proposal complies.	

Solution: ✓ = Acceptable Solution  
 A/S = Alternative Solution  
 N/A = Not applicable to this proposal

Annexure 3

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
<b>Fencing</b>					
<b>P4</b> Perimeter fencing of a Site is not visually obtrusive and does not detract from the residential character of the area.	<b>A4.1</b>	Any fencing provided to the Main Street Frontage of the Site is a maximum of 1.2 metres in Height and does not present a blank facade to the street.  AND  Fencing at the side and the rear boundaries of the Site is a maximum of 1.8 metres in Height.	✓	Proposal is capable of complying.	
<b>Building Proportions and Scale – Other than a House</b>					
<b>P5</b> The proportions and scale of any development, other than a House, are in character with the area and local streetscape.	<b>A5.1</b>  AND  <b>A5.2</b>  <b>A5.3</b>	Balconies, patios and similar spaces are not enclosed or capable of being used as a Habitable Room.  Balconies, patios and similar spaces are designed to be open and of light weight appearance with a maximum of 20% of the façade being fully enclosed.  The development incorporates building design features and architectural elements detailed in Planning Scheme No. 2 – Building Design and Architectural Elements.  The overall length of a Building does not exceed 30 metres and the overall length of continuous wall does not exceed 15 metres.	✓	Proposal is capable of complying.	

Solution: ✓ = Acceptable Solution  
 A/S = Alternative Solution  
 N/A = Not applicable to this proposal

Annexure 3

PERFORMANCE CRITERIA	ACCEPTABLE SOLUTIONS	SOLUTION <sup>1</sup>	COMMENTS	COUNCIL USE ONLY
<b>Landscaping – Other than a House</b>				
<b>P6</b> A Site which is developed for any purpose, other than a House, has Landscaping which is functional, provides visual interest and form, incorporates native vegetation and provides privacy to adjacent residential uses.	<b>A6.1</b> A minimum of 35% of the Site is provided as Landscaping and Recreation Area. 30% of this total area is provided as Landscaping.  UNLESS A greater percentage is specified in a Land Use Code.  AND - within the Site Frontage Setback area a minimum width of 2 metres of Landscaping, including 75% Dense Planting; and - within the side and rear Setback areas a minimum width of 1.5 metres of Landscaping, including 75% Dense Planting, is provided in accordance with the Landscaping Code.  UNLESS A greater distance is specified in a Land Use Code.	✓	Proposal is capable of complying.	

Solution: ✓ = Acceptable Solution  
 A/S = Alternative Solution  
 N/A = Not applicable to this proposal

Annexure 3