

# 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> | Hamish McKay Gillies                 |
| Contact name <i>(only applicable for companies)</i>        | c/ Patrick Clifton, Gilvear Planning |
| Postal address <i>(P.O. Box or street address)</i>         | PO Box 228                           |
| Suburb   | Babinda                              |
| State  | QLD                                  |
| Postcode   | 4861                                 |
| Country  | Australia                            |
| Contact number   | 0488 001 581                         |
| Email address <i>(non-mandatory)</i>                       | patrick@gilvearplanning.com.au       |
| Mobile number <i>(non-mandatory)</i>                       |                                      |
| Fax number <i>(non-mandatory)</i>                          |                                      |
| Applicant's reference number(s) <i>(if applicable)</i>     | J000736                              |

| 2) Owner's consent   |  |
|--|--|
| 2.1) Is written consent of the owner required for this development application?  |  |
| <input type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application<br><input checked="" 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                   |
|    |          | 19         | Bougainvilia Street                | Cooya Beach              |
|    | Postcode | Lot No.    | Plan Type and Number (e.g. RP, SP) | Local Government Area(s) |
|    | 4873     | 3          | SP192593                           | Douglas Shire Council    |
| 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<br><input type="checkbox"/> GDA94<br><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<br><input type="checkbox"/> 55<br><input type="checkbox"/> 56 | <input type="checkbox"/> WGS84<br><input type="checkbox"/> GDA94<br><input type="checkbox"/> Other: |  |

## 3.3) Additional premises

Additional premises are relevant to this development application and their details have been attached in a schedule to this application

Not required

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

In or adjacent to a water body or watercourse or in or above an aquifer

Name of water body, watercourse or aquifer:

On strategic port land under the *Transport Infrastructure Act 1994*

Lot on plan description of strategic port land:

Name of port authority for the lot:

In a tidal area

Name of local government for the tidal area (if applicable):

Name of port authority for tidal area (if applicable):

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

Name of airport:

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

EMR site identification:

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

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

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

No

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

**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):*

Dwelling House

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) |
|---|---|--|--|
| Dwelling House                                    | Dwelling House  | 1  | N/A  |
|   |   |  |  |
|   |   |  |  |

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

|  |  |  |
|--|--|--|
| <input type="checkbox"/> Yes           |  |  |
| <input checked="" type="checkbox"/> No |  |  |

### Division 2 – Reconfiguring a lot

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

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

|  |
|--|
|  |
|--|

#### 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?

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

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

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

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

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

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

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

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

**Division 3 – Operational work**

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

**14.1) What is the nature of the operational work?**

|   |                                     |  |
|---|-------------------------------------|--|
| <input type="checkbox"/> Road work  | <input type="checkbox"/> Stormwater | <input type="checkbox"/> Water infrastructure  |
| <input type="checkbox"/> Drainage work  | <input type="checkbox"/> Earthworks | <input type="checkbox"/> Sewage infrastructure |
| <input type="checkbox"/> Landscaping  | <input type="checkbox"/> Signage    | <input type="checkbox"/> Clearing vegetation   |
| <input type="checkbox"/> Other – please specify: <input style="width: 200px;" type="text"/> |                                     |  |

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

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

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

\$

**PART 4 – ASSESSMENT MANAGER DETAILS**

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

Douglas Shire Council

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

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><br><input type="checkbox"/> Fisheries – aquaculture<br><input type="checkbox"/> Fisheries – declared fish habitat area<br><input type="checkbox"/> Fisheries – marine plants<br><input type="checkbox"/> Fisheries – waterway barrier works<br><input type="checkbox"/> Hazardous chemical facilities<br><input type="checkbox"/> Queensland heritage place <i>(on or near a Queensland heritage place)</i><br><input type="checkbox"/> Infrastructure – designated premises<br><input type="checkbox"/> Infrastructure – state transport infrastructure<br><input type="checkbox"/> Infrastructure – state transport corridors and future state transport corridors<br><input type="checkbox"/> Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels<br><input type="checkbox"/> Infrastructure – state-controlled roads<br><input type="checkbox"/> Land within Port of Brisbane’s port limits<br><input type="checkbox"/> SEQ development area<br><input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – community activity<br><input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – indoor recreation<br><input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – residential development<br><input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – urban activity<br><input type="checkbox"/> Tidal works or works in a coastal management district<br><input type="checkbox"/> Urban design<br><input type="checkbox"/> Water-related development – taking or interfering with water<br><input type="checkbox"/> Water-related development – removing quarry material <i>(from a watercourse or lake)</i><br><input type="checkbox"/> Water-related development – referable dams<br><input type="checkbox"/> Water-related development – construction of new levees or modification of existing levees <i>(category 2 or 3 levees only)</i><br><input type="checkbox"/> Wetland protection area |
| <b>Matters requiring referral to the local government:</b>   |
| <input type="checkbox"/> Airport land<br><input type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA have been devolved to local government)</i><br><input type="checkbox"/> Local heritage places  |
| <b>Matters requiring referral to the chief executive of the distribution entity or transmission entity:</b><br><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><br><input type="checkbox"/> Brisbane core port land  |
| <b>Matters requiring referral to the Minister under the Transport Infrastructure Act 1994:</b><br><input type="checkbox"/> Brisbane core port land<br><input type="checkbox"/> Strategic port land   |
| <b>Matters requiring referral to the relevant port operator:</b><br><input type="checkbox"/> Brisbane core port land <i>(below high-water mark and within port limits)</i>   |
| <b>Matters requiring referral to the chief executive of the relevant port authority:</b><br><input type="checkbox"/> Land within limits of another port  |
| <b>Matters requiring referral to the Gold Coast Waterways Authority:</b><br><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><br><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?   |                 |                           |
|--|-----------------|---------------------------|
| <input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application<br><input type="checkbox"/> No  |                 |                           |
| Referral requirement   | Referral agency | Date of referral response |
|  |                 |                           |
| Identify and describe any changes made to the proposed development application that was the subject of the referral response and 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   |
|--|
| <input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application<br><input type="checkbox"/> I do not agree to accept an information request for this development application  |
| <b>Note:</b> By not agreeing to accept an information request I, the applicant, acknowledge:   |
| <ul style="list-style-type: none"> <li>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</li> <li>Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.</li> </ul> |
| Further advice about information requests is contained in the <a href="#">DA Forms Guide</a> .   |

## PART 7 – FURTHER DETAILS

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

| 21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)  |                      |                                |
|--|----------------------|--------------------------------|
| <input type="checkbox"/> Yes – the yellow local government/private certifier's copy of the receipted QLeave form is attached to this development application<br><input type="checkbox"/> No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid<br><input checked="" type="checkbox"/> 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? |
|--|
| <input type="checkbox"/> Yes – show cause or enforcement notice is attached<br><input checked="" type="checkbox"/> 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 requirementsIf 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                                 |  |
|---|--|
| <i>Note: For completion by assessment manager if applicable</i> |  |
| 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.



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GENUINE | VERSATILE | DEDICATED

# Planning Report

Dwelling House, 19 Bougainvillea Street, Cooya  
Beach

# Prepared for Hamish McKay Gillies

DOUGLAS SHIRE COUNCIL

|                      |                                      |
|----------------------|--------------------------------------|
| <b>Our Reference</b> | J000736                              |
| <b>Site</b>          | 19 Bougainvillea Street, Cooya Beach |
| <b>Date</b>          | June 2018                            |

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This Report has been prepared for Hamish McKay Gillies for the sole purpose of making a Development Application seeking a Development Permit for a Dwelling House on land at 19 Bougainvillea Street, Cooya Beach (Lot 3 on SP192593). This report is strictly limited to the purpose, and facts and circumstances stated within. It is not to be utilized for any other purpose, use, matter or application.

Gilvear Planning has made certain assumptions in the preparation of this report, including:

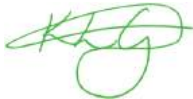
- a) That all information and documents provided to us by the Client or as a result of a specific search or enquiry were complete, accurate and up to date;
- b) That information obtained as a result of a search of a government register or database is complete and accurate.

Gilvear Planning is not aware of any particular fact or circumstance, which would render these assumptions incorrect, as at the date of preparation of the Report.

While every effort has been made to ensure accuracy, Gilvear Planning does not accept any responsibility in relation to any financial or business decisions made by parties other than those for whom the original report was prepared for and/or provided to. If a party other than the Client uses or relies upon facts, circumstances and / or content of this Report without consent of Gilvear Planning, Gilvear Planning disclaims all risk and the other party assumes such risk and releases and indemnifies and agrees to keep indemnified Gilvear Planning from any loss, damage, claim or liability arising directly or indirectly from the use of or reliance on this report.

Signed on behalf of

**Gilvear Planning Pty Ltd**



**Kristy Gilvear**  
**DIRECTOR**  
June 2018

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# 1.0 Introduction

This report has been prepared on behalf of Hamish McKay Gillies (the ‘applicant’) in support of a Development Application to Douglas Shire Council, seeking a Development Permit for the development of a Dwelling House on land at 19 Bougainvillea Street, Cooya Beach, and described as Lot 3 on SP192593 (‘the subject site’).

The subject site is a single, vacant, allotment located at 19 Bougainvillea Street, Cooya Beach, and described as Lot 3 on SP192253. The site has an area of 1,200m<sup>2</sup> and has frontage to a constructed road of in the order of 40 metres. The site contains established vegetation around the perimeter of the site with a cleared and grassed area in the centre.

Bougainvillea Street, at the site frontage, is a formed and sealed road; however it does not contain kerb and channel or formed footpaths.

Development surround the site is characterized by single detached dwellings on larger residential allotments. To the east, south and west the site adjoins land that has been developed for low-set residential dwellings. Further to the east is the Cooya Beach foreshore, whilst to the south are dwellings fronting the foreshore and to the west is large vacant land covered in coastal vegetation.

To the north, on the opposite side of the road is the Mossman River Estuary and River Delta.

It is proposed to relocate a dwelling house (an old Queenslander) from 238 Tati Road, Mialo, to the application site. It is understood that the house was previously located in Draper Street, Cairns, and was relocated to Mialo some time ago. The house would be highest with a minimum finished floor height for the habitable rooms of 5.5AHD. The area under the house would be used for the parking of vehicles and ancillary storage.

The site requires an application, that is subject to code assessment, on the basis of the sites location within an area identified as being subject to storm tide inundation. However, it is considered that the proposed development would provide a minimum finished floor height for habitable rooms that would provide the required flood immunity.

The proposal is considered to be able to satisfy the relevant Development Assessment benchmarks and is considered to be a suitable development on the site. The development is consistent in terms of nature of land use and would not adversely affect the established amenity.

The application is submitted for approval, subject to reasonable and relevant conditions.



## 2.0 Summary

### PROPOSAL SUMMARY

|   |  |
|---|--|
| <b>Address:</b>                                 | 19 Bougainvillea Street, Cooya Beach   |
| <b>Real Property Description:</b>               | Lot 3 SP192593   |
| <b>Site Area/Frontage:</b>                      | Area: 1,200m <sup>2</sup><br>Frontage: 40.728m   |
| <b>Owners:</b>                                  | Hamish McKay Gillies   |
| <b>Easements &amp; Encumbrances:</b>            | Drainage   |
| <b>Proposal:</b>                                | Dwelling House   |
| <b>Approvals Sought:</b>                        | Development Permit   |
| <b>Level of Assessment:</b>                     | Code Assessment  |
| <b>Zone:</b>                                    | Low Density Residential Zone   |
| <b>Overlays (Precincts):</b>                    | <ul style="list-style-type: none"><li>• Acid Sulfate Soils Overlay – Less than 5m AHD</li><li>• Coastal Processes Overlay – Erosion Prone Area; and,</li><li>• Flood and Storm Tide Inundation Overlay – Storm Tide – High Hazard and Flood Plain Assessment.</li></ul>  |
| <b>Local Area Plan (Precincts):</b>             | Coastal Communities Local Plan   |
| <b>Regional Plan Designation:</b>               | Urban Footprint  |
| <b>State Interests – State Planning Policy:</b> | <ul style="list-style-type: none"><li>• Safety and Resilience to Hazards<ul style="list-style-type: none"><li>– Flood Hazard Area – Level 1 – Queensland Floodplain Assessment Overlay;</li><li>– Erosion Prone Area;</li><li>– Medium Storm Tide Inundation Area, in part; and,</li><li>– High Storm Tide Inundation Area, in part.</li></ul></li></ul> |
| <b>State Interests – SARA Mapping:</b>          | <ul style="list-style-type: none"><li>• Native Vegetation Clearing<ul style="list-style-type: none"><li>– Category X on the regulated vegetation management map.</li></ul></li></ul>   |

- Coastal Protection
  - Erosion Prone Area
  - Medium Storm Tide Inundation Area, in part;  
and,
  - Hight Storm Tide Inundation Area, in part.

---

|                           |     |
|---------------------------|-----|
| <b>Referral Agencies:</b> | Nil |
|---------------------------|-----|

---

|   |     |
|---|-----|
| <b>State Development<br/>Assessment Provisions:</b> | N/A |
|---|-----|

---

## 3.0 Site Description

The subject site is a single, vacant, allotment located at 19 Bougainvillia Street, Cooya Beach, and described as Lot 3 on SP192253. The site has an area of 1,200m<sup>2</sup> and has frontage to a constructed road of in the order of 40 metres. The site contains established vegetation around the perimeter of the site with a cleared and grassed area in the centre.

Bougainvillia Street, at the site frontage, is a formed and sealed road; however, it does not contain kerb and channel or formed footpaths.

Development surround the site is characterized by single detached dwellings on larger residential allotments. To the east, south and west the site adjoins land that has been developed for low-set residential dwellings. Further to the east is the Cooya Beach foreshore, whilst to the south are dwellings fronting the foreshore and to the west is large vacant land covered in coastal vegetation.

To the north, on the opposite side of the road is the Mossman River Estuary and River Delta.



Photo 1: Aerial View of Site (source: Qld Globe)

# 4.0 Proposal

It is proposed to relocate a dwelling house (an old Queenslander) from 238 Tati Road, Mialo, to the application site. It is understood that the house was previously located in Draper Street, Cairns, and was relocated to Mialo some time ago. The house would be highest with a minimum finished floor height for the habitable rooms of 5.5 AHD. The first floor of the Dwelling House would comprise four bedrooms, family room, Lounge, dining and kitchen. The area under the house would be used for the parking of vehicles and ancillary storage.

Access to the dwelling would be provided from the Bougainvillea Street frontage of the site via a constructed driveway.

Proposal plans are included in [Attachment 1](#).

Key Features of the proposal are summarised in the following table:

| ELEMENT / PROVISION      | PROPOSAL  |
|--------------------------|---|
| <b>Site Area:</b>        | 1,200m <sup>2</sup>   |
| <b>Frontage:</b>         | Approx. 40m   |
| <b>Site Cover:</b>       | Approx. 16%   |
| <b>Height (m/storey)</b> | 8.2 metres (two storey)   |
| <b>Setbacks</b>          | North (front): 6.0 Metres<br>East (side): 6.6 Metres<br><br>South (rear): 8.2 Metres<br>West (side): >10 Metres |
| <b>Access:</b>           | Bougainvillea Street  |
| <b>Parking</b>           | Two Spaces (at least one covered)   |

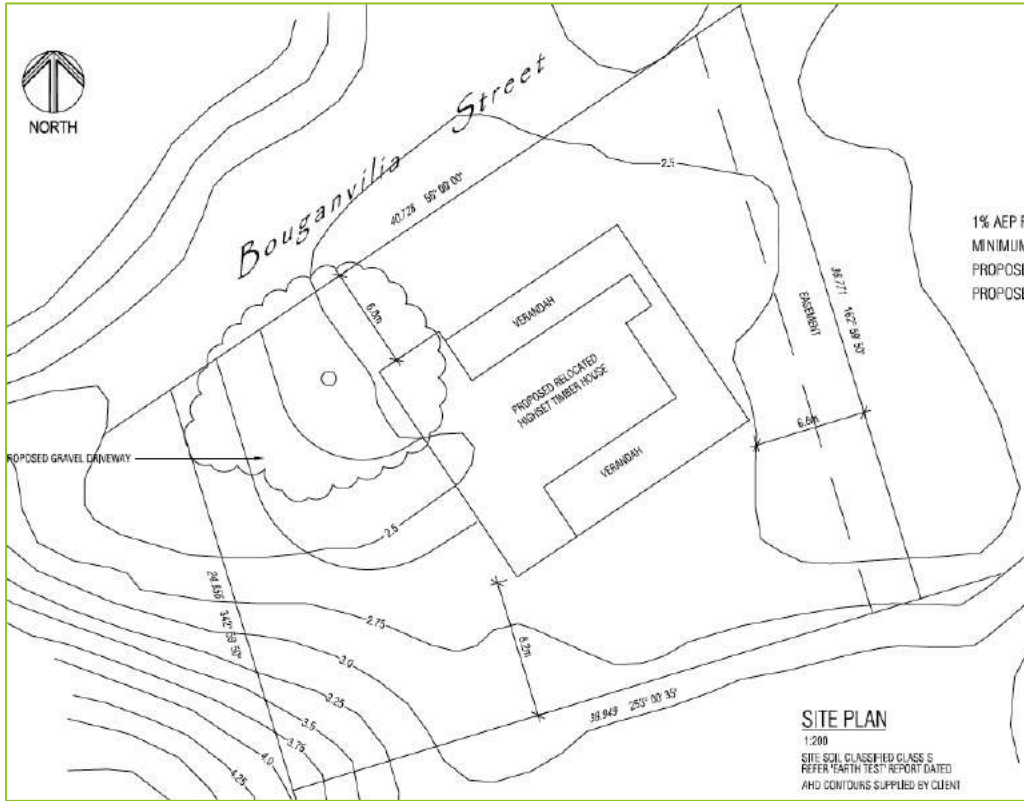


Figure 1: Proposed Development – Site Plan

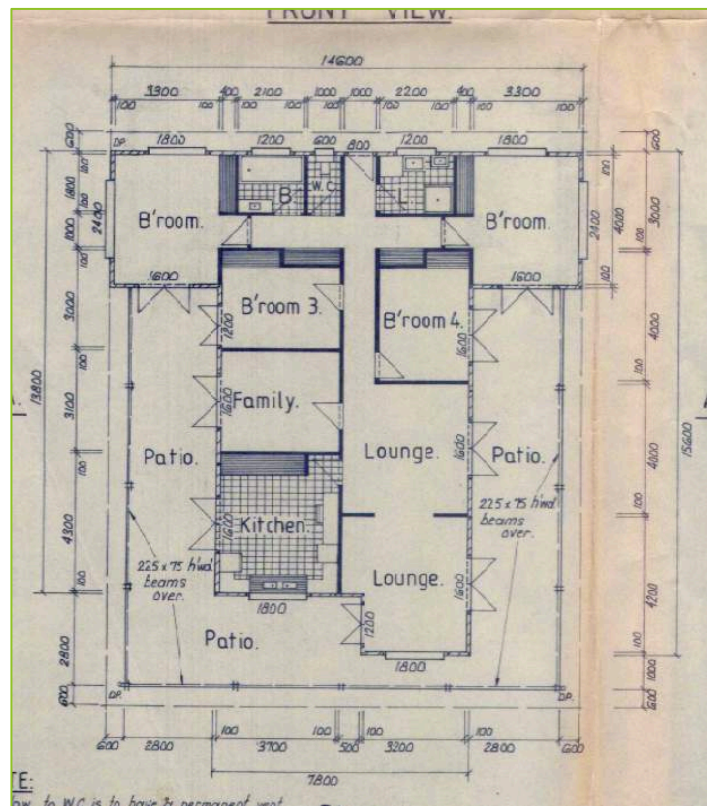


Figure 2: Proposed Development – Floor Plan

# 5.0 Statutory Planning Considerations

This section provides an overview of the legislative context of the application under the provision of the *Planning Act 2016*.

## 5.1 Planning Act 2016 (PA)

### 5.1.1 Confirmation of Development

The proposed development is not prohibited. This has been established by considering all relevant instruments, which can provide prohibitions under the *Planning Act 2016*, including:

- Schedule 10 of the *Planning Regulation 2017*; and
- Relevant categorising instruments.

### 5.1.2 Assessable Development

The development proposed by this application is made assessable under the Douglas Shire Planning Scheme, which is a categorising instrument for the purposes of Section 43(1) of the *Planning Act 2016*.

### 5.1.3 Assessment Manager

The Assessment Manager is the Douglas Shire Council as determined by Schedule 8 of the Planning Regulation 2017.

### 5.1.4 Level of Assessment

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

| ASPECT OF DEVELOPMENT | REFERENCE   | LEVEL OF ASSESSMENT  |
|-----------------------|---|--|
| Dwelling House        | Section 5.4 (1) (iii) Additional matters about determining the assessment criteria. | Code Assessable (does not comply with the Flood and Storm Tide Inundation Overlay Code). |

### 5.1.5 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 section 60 *Planning Act 2016*, are outlined in 45(3) and s30 & 31 of the *Planning Regulations 2017*. These are discussed further in section 6.0 and within the Code Compliance contained in [Attachment 2](#).

### 5.1.6 Referral Triggers

There are no referral agencies triggered for this application pursuant to Schedule 10 of the *Planning Regulation 2017*.

### 5.1.7 State Resource

The proposal does not involve any State Resources.

### 5.1.8 Regional Plan

The subject site is within the Urban Footprint of the Far North Queensland Regional Plan. The site has already been established for the purpose of an urban use by virtue of the zoning of the property in the Low Density Residential Zone.

### 5.1.9 State Planning Policy

The site is subject to the following State Interests of the State Planning Policy:

- Safety and Resilience to Hazards
  - Flood Hazard Area – Level 1 – Queensland Floodplain Assessment Overlay;
  - Erosion Prone Area;
  - Medium Storm Tide Inundation Area, in part; and,
  - High Storm Tide Inundation Area, in part.

It is understood that the State Planning Policies have been appropriately reflected in the Douglas Shire Planning Scheme. No further assessment of the proposed development against the State Planning Policy is required in this instance.

### 5.1.10 State Development Assessment Provisions

As there are no State Agency referrals, there are no relevant State Development Assessment Provisions applying to the proposal.

# 6.0 Local Planning Considerations

## 6.1 Douglas Shire Planning Scheme

Within the Douglas Shire Planning Scheme, the site is identified within the Low Density Residential Zone and within Coastal Communities Local Plan and is affected by a number of overlays.

The following table outlines the relevant codes, the applicability of the relevant Code and a summary of the compliance with assessment benchmarks.

| APPLICABLE CODES                         | APPLICABILITY  | COMPLIANCE SUMMARY  |
|--|----------------|---|
| Low Density Residential Zone Code        | Applies        | Complies with relevant Acceptable Outcomes.   |
| Coastal Communities Local Plan Code      | Applies        | Complies with relevant Acceptable Outcomes.   |
| Coastal Environment Overlay Code         | Applies        | Complies with relevant Performance Outcomes.  |
| Flood and Storm Tide Hazard Overlay Code | Applies        | Complies with relevant Performance Outcomes.  |
| Acid Sulfate Soils Overlay Code          | Not Applicable | No excavation or fill is proposed, therefore there are no Acceptable Outcomes of Performance Outcomes relevant to the proposed development. |
| Dwelling House Code                      | Applies        | Complies with the relevant Acceptable Outcomes.   |
| SECONDARY CODES                          |                |   |
| Access, Parking and Servicing Code       | Applies.       | Complies with relevant Acceptable Outcomes.   |
| Filling and Excavation Code              | Not Applicable | No filling or excavation is proposed.   |
| Infrastructure Code                      | Not Applicable | No Infrastructure works are proposed.   |

A detailed assessment of the proposal against the applicable codes is contained in [Attachment 2](#) and demonstrates that the development complies or is capable of complying with the relevant assessment criteria. Below is a summary or statement of compliance with respect to the various codes.

### 6.1.1 Statement of Compliance

#### 6.1.1.1 LOW DENSITY RESIDENTIAL ZONE CODE

The proposed development is able to satisfy all the relevant Acceptable Outcomes. The development of a dwelling house in the Low Density Residential is a preferred land use and considered to be consistent with the purpose and intent of the zone.



#### **6.1.1.2 COASTAL COMMUNITIES LOCAL PLAN CODE**

The proposed development is able to satisfy all the relevant Acceptable Outcomes of the Local Plan Code. The proposed development is considered to be consistent with the purpose of the Code and the form of development is consistent with that envisaged by the code.

#### **6.1.1.3 COASTAL ENVIRONMENT OVERLAY CODE**

The proposed development is able to satisfy all the relevant Acceptable Outcomes of the Coastal Environment Local Plan Code. The proposed development is considered to be consistent with the purpose of the Code and the form of development is consistent with that envisaged by the Code.

#### **6.1.1.4 FLOOD AND STORM TIDE HAZARD OVERLAY CODE**

The Flood and Storm Tide Hazard Overlay Codes purpose is to ensure that development is appropriately designed and sited to protect occupants and users from Flood and Storm Tide events. The Code requires the proposed development to provide minimum habitable floor levels that achieve a 1% flood immunity.

The 2012 BMTWBM storm tide inundation study commissioned by Council provides a guide to finished floor levels for habitable rooms. However, it does not include a floor level for Cooya Beach. However, the recommended floor levels for land in the wave effect are in the 0.8 Seal Level Rise scenario in Port Douglas and Wonga Beach is 4.17m and 4.34m, respectively. In the absence of any other data it is considered appropriate to adopt the higher of these two levels, being 4.34m AHD, as the minimum finished floor level.

The ground level at the application site is 2.5m AHD to 3.75m AHD with the centre of the site being 2.5m AHD. It is proposed to build the house with the floor level on stumps elevated to achieve the minimum building height of 2.8 metres beneath. It is not proposed to build under the house and the area would be used for vehicle parking and storage. Providing for joists etc, this would provide a minimum finished floor level of habitable rooms of 5.5 m AHD, which exceeds the minimum required for Wonga Beach and would provide the required immunity.

It is considered that the proposed dwelling house would have a finished floor level above the flood immunity level and would represent the infill development of an existing vacant residential allotment. It would not result in an increase in the number of persons in the area beyond that which would be anticipated on the basis of the number of residential allotments in the area. Furthermore, the nature of the development would not shorten flood warning times or impact on evacuation routes.

The proposed development is considered to satisfy the relevant Performance Outcomes of the Flood and Storm Tide Hazard Overlay Code.

#### **6.1.1.5 DWELLING HOUSE CODE**

The proposed Dwelling House is able to satisfy all the relevant Acceptable Outcomes of the Dwelling House Code. The proposed development is considered to be of a scale, height and form encouraged by the code and provide the required level of car parking and other servicing.

#### 6.1.1.8 SECONDARY CODES

##### ACCESS, PARKING AND SERVICING CODE

The proposed Dwelling House would provide 2 undercover car parking spaces that would be accessible from the street front and would be maintained for the parking of motor vehicles. The proposed development is able to satisfy all the relevant Acceptable Outcomes of the Access, Parking and Servicing Code.

# 7.0 Summary and Conclusions

This report has been prepared on behalf of Hamish McKay Gillies (the 'applicant') in support of a Development Application to Douglas Shire Council, seeking a Development Permit for the development of a Dwelling House on land at 19 Bougainvillea Street, Cooya Beach, and described as Lot 3 on SP192593 ('the subject site').

The subject site is a single, vacant, allotment located at 19 Bougainvillea Street, Cooya Beach, and described as Lot 3 on SP192253. The site has an area of 1,200m<sup>2</sup> and has frontage to a constructed road of in the order of 40 metres. The site contains established vegetation around the perimeter of the site with a cleared and grassed area in the centre.

Bougainvillea Street, at the site frontage, is a formed and sealed road; however, it does not contain kerb and channel or formed footpaths. Notwithstanding, it is a road that is maintained by Douglas Shire Council and is understood to be fit for purpose.

Development surround the site is characterized by single detached dwellings on larger residential allotments. To the east, south and west the site adjoins land that has been developed for low-set residential dwellings. Further to the east is the Cooya Beach foreshore, whilst to the south are dwellings fronting the foreshore and to the west is large vacant land covered in coastal vegetation.

To the north, on the opposite side of the road is the Mossman River Estuary and River Delta.

It is proposed to relocate a dwelling house (an old Queenslander) from 238 Tati Road, Mialo, to the application site. It is understood that the house was previously located in Draper Street, Cairns, and was relocated to Mialo some time ago. The house would be highest with a minimum finished floor height for the habitable rooms of 5.5AHD. The area under the house would be used for the parking of vehicles and ancillary storage.

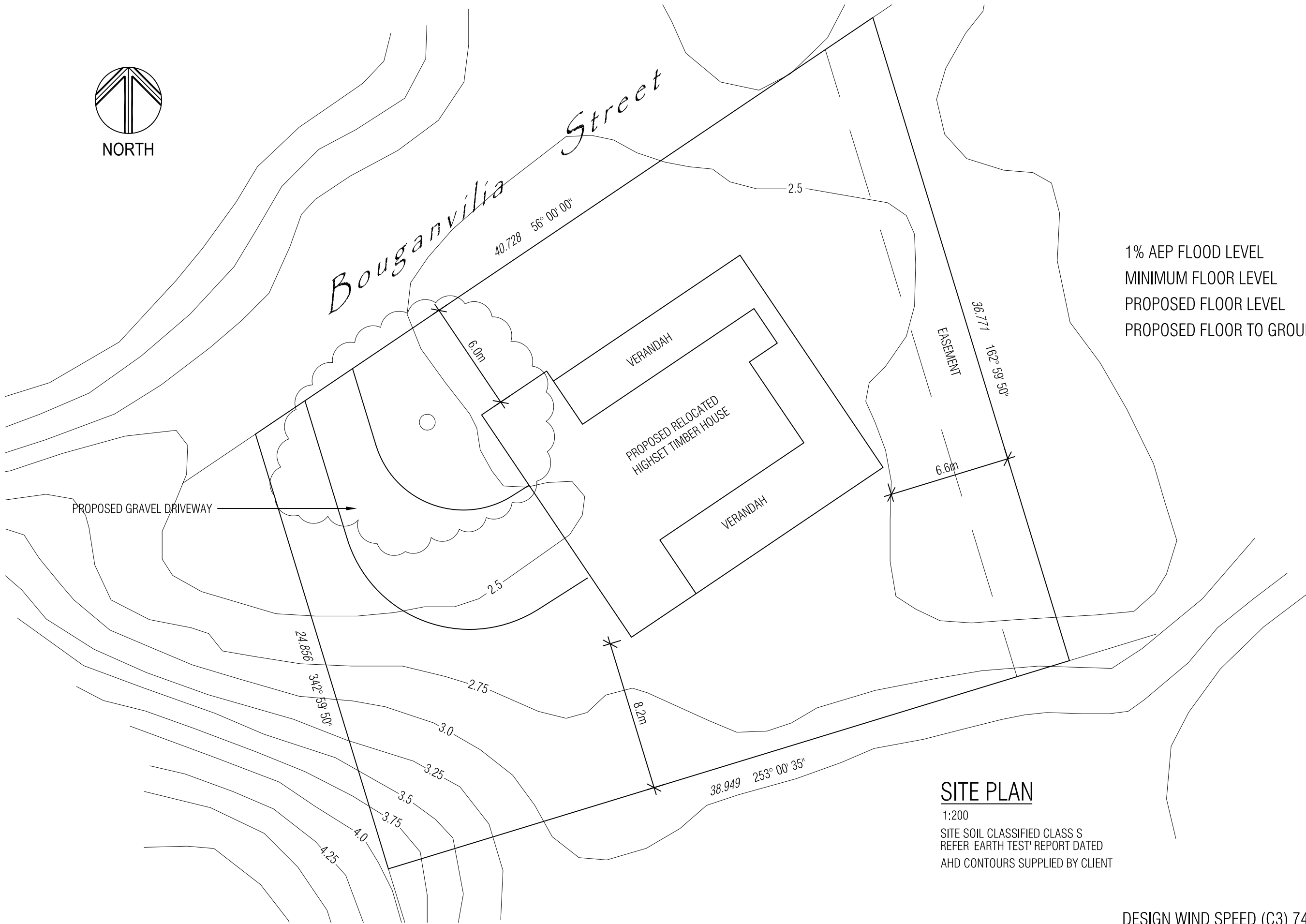
The site requires an application, that is subject to code assessment, on the basis of the sites location within an area identified as being subject to storm tide inundation. However, it is considered that the proposed development would provide a minimum finished floor height for habitable rooms that would provide the required flood immunity. The proposed development is able to satisfy all other Acceptable Outcomes.

The proposal is considered to be able to satisfy the relevant Development Assessment benchmarks and is considered to be a suitable development on the site. The development is consistent in terms of nature of land use and would not adversely affect the established amenity.

The application is submitted for approval, subject to reasonable and relevant conditions.

# Attachment 1

PROPOSAL PLANS



|                                |          |
|--------------------------------|----------|
| 1% AEP FLOOD LEVEL             | 4.34 AHD |
| MINIMUM FLOOR LEVEL            | 4.64 AHD |
| PROPOSED FLOOR LEVEL           | 5.30 AHD |
| PROPOSED FLOOR TO GROUND LEVEL | 2.70 AHD |

**SITE PLAN**  
 1:200  
 SITE SOIL CLASSIFIED CLASS S  
 REFER 'EARTH TEST' REPORT DATED  
 AHD CONTOURS SUPPLIED BY CLIENT

DESIGN WIND SPEED (C3) 74m/s Ultimate Limit State

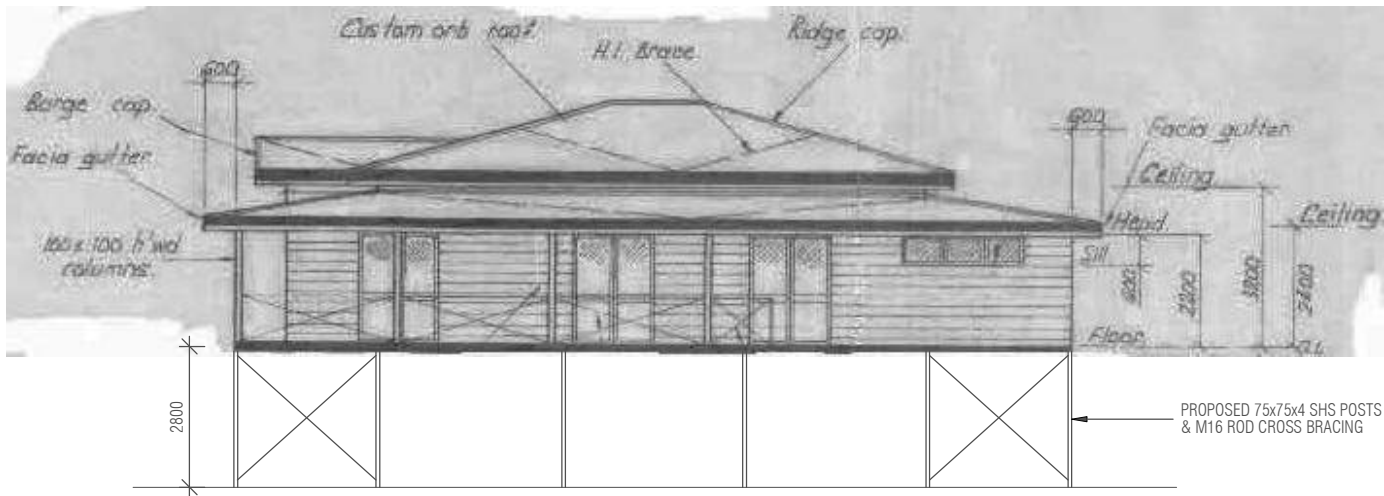
|  |  |
|--|--|
| <b>H. &amp; V. BRODIE</b><br>19 Bougainvillia Street<br>Cooya Beach Lot 3 SP192593 | <b>House Relocation<br/>         Site Plan</b> |
|--|--|



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|--------------------|---------------------|--|--|
| DRAWN: <b>K.B.</b> | JOB No: <b>1009</b> |  |  |
| DATE: 1.6.18       | SHEET: 1            |  |  |
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**FRONT ELEVATION**  
1:100

DESIGN WIND SPEED (C3) 74m/s Ultimate Limit State

**H. & V. BRODIE**  
19 Bougainvillia Street  
Cooya Beach Lot 3 SP192593

House Relocation  
Front Elevation



**HOME IMPROVEMENT DESIGNERS**  
A.B.N. 29 093 275 737

P.O. Box 1062 Malanda 4885  
Phone: 0438 559 747  
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|-------------------------|------------------------|
| DRAWN: <b>K.B.</b>      | JOB No: <b>1009</b>    |
| DATE: <b>1.6.18</b>     | SHEET: <b>2</b>        |
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# Attachment 2

CODE COMPLIANCE

J000736 – 19 Bougainvilia Street, Cooya Beach

## 6.2.6 Low density residential zone code

### 6.2.6.1 Application

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

### 6.2.6.2 Purpose

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

### 6.2.6.3 Criteria for assessment

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

| Performance outcomes  | Acceptable outcomes  | Compliance   |
|---|--|--|
| <b>For self-assessable and assessable development</b>   |  |  |
| <b>PO1</b><br>The height of all buildings and structures must be in keeping with the residential character of the area. | <b>AO1</b><br>Buildings and structures are not more than 8.5 metres and two storeys in height. | <b>Complies with AO1</b><br>The proposed development would have an overall height of 8.2 metres and two storeys. |



J000736 – 19 Bougainvilia Street, Cooya Beach

| Performance outcomes   | Acceptable outcomes   | Compliance   |
|--|---|--|
|  | Note – Height is inclusive of the roof height.  |  |
| <b>For assessable development</b>  |   |  |
| <b>PO2</b><br>The establishment of uses is consistent with the outcomes sought for the Low density residential zone and protects the zone from the intrusion of inconsistent uses.   | <b>AO2</b><br>Uses identified in <b>Error! Reference source not found.</b> are not established in the Low density residential zone. | <b>Complies with AO2</b><br>A Dwelling House is not identified as an incompatible use.   |
| <b>PO3</b><br>The setback of buildings and structures:<br>(a) maintains the amenity of adjoining lots and the residential character of the area;<br>(b) achieves separation from neighbouring buildings and frontages.   | <b>AO3</b><br>No acceptable outcomes are prescribed.  | <b>Complies with PO3</b><br>The proposed development would have setbacks consistent with or greater than the minimum setbacks required by the Queensland Development Code and consistent with the development in the locality. |
| <b>PO4</b><br>Development is located, designed, operated and managed to respond to the natural characteristics, features and constraints of the site and surrounds.<br><br>Note – Planning scheme policy – Site assessments provides guidance on identifying the characteristics and features and constraints of a site and its surrounds. | <b>AO4</b><br>No acceptable outcomes are prescribed.  | <b>Complies with PO4</b><br>The proposed development is designed to respect the site constraints, including the potential for inundation and is located to reduce the requirement to remove vegetation from the site.          |
| <b>PO5</b><br>Development does not adversely affect the residential character and amenity of the area in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.  | <b>AO5</b><br>No acceptable outcomes are prescribed.  | <b>Complies with AO5</b><br>A Dwelling House is an envisaged form of development in the zone and consistent with the intent of the area.   |

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| Performance outcomes  | Acceptable outcomes                                   | Compliance   |
|---|---|--|
| <b>PO6</b><br>New lots contain a minimum area of :<br>(a) 600m <sup>2</sup> (in sewerred areas);<br>(b) 1000m <sup>2</sup> (in unsewerred areas). | <b>AO6</b><br>No acceptable outcomes are prescribed.  | <b>Complies with AO6</b><br>The allotment exists with an area of 1200m <sup>2</sup> .  |
| <b>PO7</b><br>New lots have a minimum road frontage of 15 metres.   | <b>AO7</b><br>No acceptable outcomes are prescribed.  | <b>Complies with AO7</b><br>The development site has a frontage in excess of 40 metres.  |
| <b>PO8</b><br>New lots contain a 20m x 15m rectangle.   | <b>AO10</b><br>No acceptable outcomes are prescribed. | <b>Complies with AO10</b><br>The subject site is an existing allotment with a rectangle greater than the 20m x 15 m requirement. |

**Table 0.a — Inconsistent uses within the Rural zone.**

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

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|  |   |   |
|--|---|---|
| <ul style="list-style-type: none"> <li>• Garden centre</li> <li>• Hardware and trade supplies</li> <li>• High impact industry</li> </ul> | <ul style="list-style-type: none"> <li>• Parking station</li> </ul> | <ul style="list-style-type: none"> <li>• Wholesale nursery</li> <li>• Winery</li> </ul> |
|--|---|---|

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

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## 7.2.2 Coastal Communities local plan code

### 7.2.2.1 Application

- (1) This code applies to assessing development within the Coastal communities local plan area covering Wonga Beach, Newell and Cooya Beach as identified on the Coastal communities local plan maps contained in Schedule 2.
- (2) When using this code, reference should be made to Part 5.

### 7.2.2.2 Context and setting

Editor's note - This section is extrinsic material under section 15 of the Statutory Instruments Act 1992 and is intended to assist in the interpretation of the Coastal communities local plan code.

The Coastal communities consist of the three residential communities of Wonga Beach, Newell and Cooya Beach: each located 13 km to the north-north-east, 5 km to the north-east and 4 km to the east of the Mossman town centre, respectively.

All are located on the flat coastal plain along the Coral Sea. Each community is located on the coastal sandy swales of the foreshore and are therefore low-lying and vulnerable to coastal erosion and storm tide hazards.

Wonga Beach is the largest community and currently consists of two sections, each with separate access to the Mossman-Daintree Road. The northern part of Wonga Beach has access to the Mossman-Daintree Road via Wonga Beach Road and consists predominantly of detached housing, the Wonga Beach primary school in Snapper Island Drive, a small caravan park on the Esplanade and other low key tourist accommodation, mainly in the form of bed and breakfast facilities.

The southern part of Wonga Beach has access to the Mossman-Daintree Road via Oleander Drive and Marlin Drive. Detached housing is the predominant form of development and a small service station and local centre and a community hall are located on Oleander Drive on, and close, to the Mossman-Daintree Road intersection. Wonga Beach Park is located at the southern end of Wonga Beach and contains a skate park and barbecue facilities.

The northern and southern parts of Wonga Beach are not connected by a beach side road however they are linked by a pedestrian and bicycle path known as the 'Wonga Community Link'.

Newell consists predominantly of older-stock detached residential housing. A caravan park and small convenience store is located at Marine Parade – Pacific Street and a boat ramp is provided in the south giving access to the northern bank of the Mossman River.

Cooya Beach consists of residential development and caters for a significant amount of newer residential growth in the coastal communities, particularly along Cooya Beach Road. Cooya Beach also has a neighbourhood centre, a child care centre and has a boat ramp at its northern end providing access to the southern bank of the Mossman River.

A particular characteristic of each of the coastal communities is the distinct demarcation between urban and rural settings, with either sugar cultivation or cattle grazing directly abutting the urban edge.

All communities have a ready supply of vacant lots, with a limited capacity for further residential expansion. Of the three communities, only the new residential estate on the western side of Cooya Beach is connected to reticulated sewerage network.

### 7.2.2.3 Purpose

- (1) The purpose of the Coastal communities local plan code is to provide for attractive residential areas in the Shire as an alternative to Mossman and Port Douglas.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) maintain development in coastal communities as primarily low density residential development;
  - (b) protect residential communities from incursion by tourist accommodation and facilities;
  - (c) facilitate the development of local commercial and community services and facilities, including active and passive open space at a level adequate to service the resident population;
  - (d) ensure new residential development is limited in extent and is designed to integrate with existing communities;
  - (e) ensure Good Quality Agricultural Land is protected from the impacts of residential development or residential expansion;
  - (f) protect environmentally sensitive coastal areas and coastal processes from the detrimental impacts associated with urban development;
  - (g) protect parts of the Local Plan Area used for the cultivation of sugar cane from incompatible development, where such land is zoned for continued Rural use.
- (3) The purpose of the code will be further achieved through the following overall outcomes:
  - (a) Precinct 1 – Wonga Beach rural precinct;
  - (b) Precinct 2 – Wonga Beach low density residential precinct;
  - (c) Precinct 3 – Wonga Beach local centre precinct;
  - (d) Precinct 4 – Wonga Beach rural residential precinct;
  - (e) Precinct 5 – Wonga Beach Lifu Close precinct;
  - (f) Precinct 6 – Newell low density residential precinct;
  - (g) Precinct 7 – Newell local centre precinct.

#### **Precinct 1 – Wonga Beach rural precinct**

- (4) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
  - (a) the open rural character and amenity of the precinct is maintained;
  - (b) clear visual separation is maintained between the residential areas of Wonga Beach and the Mossman-Daintree Road;
  - (c) development reliant on exposure to the Mossman-Daintree Road, including tourist facilities and attractions, does not occur.

#### **Precinct 2 – Wonga Beach low density residential precinct**

- (5) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
  - (a) development consists of low density residential housing and open space. Other uses are not facilitated within the precinct;

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- (b) a road connection between Oasis Drive and Marlin Drive is not provided. However a pedestrian and cycling link is maintained along the western boundary of the precinct, and any development provides adequate visibility to this link to ensure the personal safety and security for the users of the link;
- (c) development is setback from the established foreshore vegetation and good highly visible public access is provided along the edge of the foreshore vegetation that permits safe access to the beach;
- (d) development incorporates adequate water-sensitive urban design techniques to cater for any storm water flows required to be conveyed across the site.

#### 7.2.2.4 Precinct 3 – Wonga Beach local centre precinct

- (6) In addition to the overall outcomes, the following outcomes are achieved in the precinct:
  - (a) local shopping and community facilities are consolidated within the precinct on the corner of Oleander Drive and Mossman-Daintree Road. No other shopping facilities are considered to be necessary in Wonga Beach;
  - (b) retailing activities, including the service station are not intended to exceed 400m<sup>2</sup> in gross floor area;
  - (c) pedestrian connections between uses within the precinct are maintained and enhanced;
  - (d) access and car parking is coordinated between uses;
  - (e) supplementary landscape planting is provided to enhance the appearance of the precinct and to provide for shade trees.

#### Precinct 4 – Wonga Beach rural residential precinct

- (7) In addition to the overall outcomes, the following outcomes are achieved in the precinct:
  - (a) any further lot reconfiguration within this precinct ensures that large lots are maintained to provide for housing diversity and for the protection of the existing rural residential character.

#### Precinct 5 – Wonga Beach Lifu Close precinct

- (8) In addition to the overall outcomes, the following outcomes are achieved in the precinct:
  - (a) further lot reconfiguration is discouraged within this precinct, unless adequate road access and frontages can be provided to each new lot. This may require consolidation of existing lots to achieve appropriate design solutions;
  - (b) multiple rear lots are not established.

#### Precinct 6 – Newell low density residential precinct

- (9) In addition to the overall outcomes, the following outcomes are achieved in the precinct:

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- (a) a limited size low density residential extension of the existing street pattern is facilitated, subject to an engineering analysis demonstrating that there are no significant constraints preventing such an extension.

**Precinct 7 – Newell local centre precinct**

(10) In addition to the overall outcomes, the following outcomes are achieved in the precinct:

- (a) Any redevelopment of the local shopping facility is contained within the local centre precinct and is limited to 150m<sup>2</sup> for all centre uses.

**7.2.2.4 Criteria for assessment**

Table 7.2.2.4.a — Coastal communities local plan - assessable development

| Performance outcomes  |   | Acceptable outcomes   | Compliance |
|---|---|---|------------|
| <b>For self assessable and assessable development</b>   |   |   |            |
| <b>Development in the Coastal communities local plan area generally</b>   |   |   |            |
| <b>PO1</b><br>Buildings and structures complement the height of surrounding development and buildings are limited to two storeys.   | <b>A01</b><br>Buildings and structures are not more than 8.5 metres in height.<br><br>Note – Height is inclusive of roof height.  | <b>Complies with A01</b><br><br>The proposed dwelling house would have a maximum height of 8.2 metres and two storeys.      |            |
| <b>For assessable development</b>   |   |   |            |
| <b>Development in the Coastal communities local plan area generally</b>   |   |   |            |
| <b>PO2</b><br>Development retains and enhances key landscape elements including character trees and areas of significant vegetation contributing to the character and quality of the local plan area and significant views and vistas and other landmarks important to the Coastal communities' context | <b>A02.1</b><br>Development provides for the retention and enhancement of existing mature trees and character vegetation that contribute to the character of the coastal communities, including:<br>(a) the coconut fringed vegetation along the foreshore and esplanade areas; | <b>Complies with A02.1</b><br><br>The proposed development would retain existing mature vegetation in site, where possible. |            |

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| Performance outcomes  | Acceptable outcomes  | Compliance  |
|---|--|---|
| (as identified on the Coastal Communities Townscape Plan map contained in Schedule 2).  | (b) low-lying melaleuca swamp lands and the mangrove communities along river banks and creeks.   |   |
|   | <b>A02.2</b><br>Development protects and does not intrude into important views and vistas as identified on the Coastal Communities Townscape Plan map contained in Schedule 2).  | <b>Complies with A02.2</b><br>The proposed development would not adversely affect any significant views.                          |
| <b>P03</b><br>Development contributes to the protection, reinforcement and where necessary enhancement of gateways and key intersections identified on the Coastal Communities Townscape Plan map contained in Schedule 2.                      | <b>P03</b><br>Development adjacent to the gateways and key intersections as identified on the Coastal Townscape Plan maps contained in Schedule 2 and where permitted under the planning scheme, incorporates architectural features and landscaping treatments and design elements that enhances the sense of arrival and way finding within each coastal suburb. | <b>Not Applicable</b><br>The site is not located adjacent a gateway or key intersection.  |
| <b>P04</b><br>Landscaping of development sites complements the desirable qualities of the existing character of the coastal communities.  | <b>A04</b><br>Landscaping incorporates the requirements of Planning scheme policy SC6.7 - Landscaping.   | <b>Able to comply with A04</b><br>Landscaping is able to be provided on the site to meet the Planning Scheme policy requirements. |
| <b>Additional requirements for Precinct 2 – Wonga Beach low density residential precinct</b>  |  |   |
| <b>P05</b><br>Development takes into account, the opportunities and constraints with particular attention paid to storm-tide hazards, water-sensitive urban design management of storm water flow paths, and retention of foreshore vegetation. | <b>A05</b><br>No acceptable outcomes are prescribed.   | <b>Not Applicable</b><br>The site is not located in Wonga Beach.  |
| <b>P06</b>  | <b>A06</b>   | <b>Not Applicable</b>   |



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| Performance outcomes   | Acceptable outcomes  | Compliance   |
|--|--|--|
| <p>Development avoids a road connection between Oasis Drive and Marlin Drive that would exacerbate traffic volumes or unduly increase traffic hazards, particularly along Marlin Drive and Oleander Drive. Proposals for a road extension into Precinct 2 should be from the north and not from Marlin Drive. A turning circle immediately at the end of Marlin Drive may be acceptable.</p> | <p>A road connection between Oasis Drive and Marlin Drive is not provided. Proposals for a road extension into Precinct 2 should be from the north and not from Marlin Drive. A turning circle immediately at the end of Marlin Drive may be acceptable.</p> | <p>The site is not located in Wonga Beach.</p>                           |
| <p><b>PO7</b><br/>Development maintains a pedestrian and bicycle link along the western boundary of the precinct and establishes adequate opportunities for surveillance along and across to the link.</p>   | <p><b>A07</b><br/>A pedestrian and bicycle link is retained along the western boundary of the precinct which is clearly visible from adjoining streets and / or public open space areas (i.e. – is not obscured at the rear of residential lots).</p>        | <p><b>Not Applicable</b><br/>The site is not located in Wonga Beach.</p> |
| <p><b>PO8</b><br/>The line of foreshore vegetation along the eastern side of the precinct, including the foreshore coconut palms, is retained and development is setback to avoid damage to the vegetation.</p>  | <p><b>A08</b><br/>No acceptable outcomes are prescribed.</p>   | <p><b>Not Applicable</b><br/>The site is not located in Wonga Beach.</p> |
| <p><b>PO9</b><br/>Highly visible public access is provided along the eastern side of the precinct to the foreshore.</p>  | <p><b>A09</b><br/>A constructed public esplanade road (taking into account the requirements of A06) is provided along the eastern side of the precinct clear of the foreshore vegetation, including the foreshore coconut palms.</p>                         | <p><b>Not Applicable</b><br/>The site is not located in Wonga Beach.</p> |
| <p><b>PO10</b><br/>Storm-water flows are conveyed across the site incorporating water-sensitive urban design principles.</p>   | <p><b>A010</b><br/>No acceptable outcomes are prescribed.</p>  | <p><b>Not Applicable</b><br/>The site is not located in Wonga Beach.</p> |
| <p><b>Additional requirements for Precinct 3 – Wonga Beach local centre precinct</b></p>   |  |  |

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| Performance outcomes   | Acceptable outcomes   | Compliance   |
|--|---|--|
| <b>PO11</b><br>Retailing activities, including the service station do not exceed 400m <sup>2</sup> across each of the three allotments contained within the Centre zone. No retailing activities occur within the Community Facilities zone within the precinct. | <b>AO11</b><br>No acceptable outcomes are prescribed.                                     | <b>Not Applicable</b><br>The site is not located in Wonga Beach. |
| <b>PO12</b><br>Pedestrian connections, vehicular access, car parking areas and landscaping are integrated across each of the three sites so as to function as an integrated local centre.  | <b>AO12</b><br>No acceptable outcomes are prescribed.                                     | <b>Not Applicable</b><br>The site is not located in Wonga Beach. |
| <b>PO13</b><br>Supplementary landscaping is provided to enhance the appearance of the precinct, including the provision of shade trees.  | <b>AO13</b><br>No acceptable outcomes are prescribed.                                     | <b>Not Applicable</b><br>The site is not located in Wonga Beach. |
| <b>Additional requirements for Precinct 4 – Wonga Beach rural residential precinct</b>   |   |  |
| <b>PO14</b><br>New lots contain a minimum area of 2000m <sup>2</sup> .   | <b>AO14</b><br>No acceptable outcomes are prescribed.                                     | <b>Not Applicable</b><br>The site is not located in Wonga Beach. |
| <b>PO15</b><br>New lots contain a 40 metre x 25 metre rectangle.   | <b>AO15</b><br>No acceptable outcomes are prescribed.                                     | <b>Not Applicable</b><br>The site is not located in Wonga Beach. |
| <b>Additional requirements for Precinct 5 – Wonga Beach Lifu Close precinct</b>  |   |  |
| <b>PO16</b><br>Lot reconfiguration is permitted only where adequate dedicated road access can be provided to each lot.   | <b>AO16</b><br>Further lot reconfiguration in the form of additional lots does not occur. | <b>Not Applicable</b><br>The site is not located in Wonga Beach. |

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| Performance outcomes  | Acceptable outcomes   | Compliance  |
|---|---|---|
| <p>Note - The provision of multiple rear lots off the top of the Lifu Close cul-de-sac does not represent an acceptable performance outcome due to the inadequate shape and servicing needs (in particular refuse collection) associated with the existing configuration of the lots.</p> |   |   |
| <b>Additional requirements for Precinct 6 – Newell low density residential precinct</b>   |   |   |
| <p><b>PO17</b><br/>Development consists of low density residential lots off a new road extension that connects Pacific Street to Coulthard Close.</p>   | <p><b>AO17</b><br/>No acceptable outcomes are prescribed.</p> | <p><b>Not Applicable</b><br/>The site is not located in Newell Beach.</p> |
| <p><b>PO18</b><br/>Any further lot reconfiguration within the precinct is contingent upon an engineering analysis that demonstrates that there are no constraints that would prevent the development of land for low density residential lots.</p>  | <p><b>AO18</b><br/>No acceptable outcomes are prescribed.</p> | <p><b>Not Applicable</b><br/>The site is not located in Newell Beach.</p> |
| <b>Additional requirements for Precinct 6 – Newell low density residential precinct</b>   |   |   |
| <p><b>PO19</b><br/>Any redevelopment of the local shopping facility is confined to a maximum of 150m<sup>2</sup> for all centre uses.</p>   | <p><b>AO19</b><br/>No acceptable outcomes are prescribed.</p> | <p><b>Not Applicable</b><br/>The site is not located in Newell Beach.</p> |

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### **8.2.3 Coastal environment overlay code**

#### **8.2.3.1 Application**

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Coastal environment overlay, if:
  - (a) self assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
  - (b) impact assessable development.
- (2) Land in the Coastal hazard overlay is identified on the Coastal environment overlay map in Schedule 2 and includes the following sub-categories:
  - (c) Coastal management district sub-category;
  - (d) Erosion prone area sub-category.
- (3) When using this code, reference should be made to Part 5.

#### **8.2.3.2 Purpose**

- (1) The purpose of the Coastal environment overlay code is to:
  - (a) implement the policy direction in the Strategic Framework, in particular:
    - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
    - (ii) Theme 2 Environment and landscape values: Element 3.5.4 Coastal zones;
    - (iii) Theme 3 Natural resource management: Element 3.6.2 Land and catchment management.
  - (b) enable an assessment of whether development is suitable on land within the Coastal processes sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (c) facilitate the protection of both coastal processes and coastal resources;
  - (d) facilitating coastal dependent development on the foreshore over other development;
  - (e) public access to the foreshore protects public safety;

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- (f) maintain the erosion prone area as a development free buffer zone (other than for coastal dependent, temporary or relocatable development);
- (g) require redevelopment of existing permanent buildings or structures in an erosion prone area to avoid coastal erosion risks, manage coastal erosion risks through a strategy of planned retreat or mitigate coastal erosion risks;
- (h) require development to maintain or enhance natural processes and the protective function of landforms and vegetation that can mitigate risks associated with coastal erosion;
- (i) locate and design community infrastructure to maintain the required level of functionality during and immediately after a coastal hazard event.

### 8.2.3.3 Criteria for assessment

**Table 8.2.3.2.a – Coastal environment overlay code – self-assessable and assessable development**

| Performance outcomes  | Acceptable outcomes   | Compliance   |
|---|---|--|
| <b>For self-assessable and assessable development</b>   |   |  |
| <b>PO1</b><br>No works other than coastal protection works extend seaward of the coastal building line. | <b>AO1.1</b><br>Development (including all buildings and other permanent structures such as swimming pools and retaining walls) does not extend seaward of a coastal building line.<br><br>Note – Coastal building lines are declared under the Coastal Protection and Management Act 1995 and are administered by the State Department of Environment and Heritage Protection. | <b>Complies with AO1.1</b><br><br>The proposed building would not extend seaward of an identified coastal building line. |
|   | <b>AO1.2</b><br>Coastal protection works are only undertaken as a last resort where coastal erosion presents an immediate threat to public safety or existing buildings or structures and the property cannot be relocated or abandoned.  | <b>Not Applicable</b><br><br>No coastal protection works are proposed.   |
|   | <b>AO1.3</b><br>Coastal protection works are as far landward as practicable on the lot containing the property to the maximum extent reasonable.  | <b>Not Applicable</b><br><br>No coastal protection works are proposed.   |

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|  |   |  |
|--|---|--|
|  | <p><b>AO1.4</b><br/>Coastal protection work mitigates any increase in the coastal hazard.</p>   | <p><b>Not Applicable</b><br/>No coastal protection works are proposed.</p>   |
| <p><b>PO2</b><br/>Where a coastal building line does not exist on a lot fronting the coast or a reserve adjoining the coast, development is setback to maintain the amenity and use of the coastal resource.</p> | <p><b>AO2</b><br/>Where a coastal building line does not exist on a lot fronting the coast or a reserve adjoining the coast, development (including all buildings and structures such as swimming pools) and retaining walls are set back not less than 6 metres from the seaward boundary of the lot.</p>  | <p><b>Not Applicable</b><br/>The application site does not front the coast. Notwithstanding, the site is setback a minimum of 6 metres from all property boundaries.</p>                                     |
| <p><b>For assessable development</b></p>   |   |  |
| <p><b>Erosion prone areas</b></p>  |   |  |
| <p><b>PO3</b><br/>Development identifies erosion prone areas (coastal hazards).</p>  | <p><b>AO3</b><br/>No acceptable outcomes are prescribed.</p>  | <p><b>Complies with AO3</b><br/>The site is entirely identified within the Erosion Prone Area ; however there are no known coastal hazards on the site.</p>  |
| <p><b>PO4</b><br/>Erosion prone areas are free from development to allow for natural coastal processes.</p>  | <p><b>AO4.1</b><br/>Development is not located within the Erosion prone area, unless it can be demonstrated that the development is for:<br/><br/>(a) community infrastructure where no suitable alternative location or site exists for this infrastructure; or<br/><br/>(b) development that reflects the preferred development outcomes in accordance with the zoning of the site (i.e. in the Low density residential zone, a dwelling house is a preferred development outcome in accordance with the zoning of the site).</p> | <p><b>Complies with AO4.1</b><br/>The site is identified within the Low Density Residential Zone and the development of a dwelling house is a preferred development in the Low Density Residential Zone.</p> |
|  | <p><b>AO4.2</b></p>   | <p><b>Not Applicable</b></p>   |

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|  |   |  |
|--|---|--|
|  | <p>Development involving existing permanent buildings and structures within an erosion prone area does not increase in intensity of its use by:</p> <ul style="list-style-type: none"> <li>(a) adding additional buildings or structures; or</li> <li>(b) incorporating a land use that will result in an increase in the number of people or employees occupying the site.</li> </ul>  | <p>The development does not involve an existing permanent building.</p>                          |
| <b>Coastal management districts</b>  |   |  |
| <p><b>PO5</b><br/>Natural processes and protective functions of landforms and vegetation are maintained.</p> | <p><b>PO5.1</b><br/>Development within the coastal management district:</p> <ul style="list-style-type: none"> <li>(a) maintains vegetation on coastal land forms where its removal or damage may: <ul style="list-style-type: none"> <li>(i) destabilise the area and increase the potential for coastal erosion, or</li> <li>(ii) interrupt the natural sediment trapping processes or dune or land building processes;</li> </ul> </li> <li>(b) maintains sediment volumes of dunes and near-shore coastal landforms, or where a reduction in sediment volumes cannot be avoided, increased risks to development from coastal erosion are mitigated by location, design and construction and operating standards;</li> <li>(c) minimises the need for erosion control structures or riverine hardening through location, design and construction standards;</li> <li>(d) maintains physical coastal processes outside the development footprint for the development, including longshore transport of sediment along the coast;</li> </ul> | <p><b>Not Applicable</b><br/>The site is not identified within a Coastal Management District</p> |

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|  | (e) reduces the risk of shoreline erosion for areas adjacent to the development footprint to the maximum extent feasible in the case of erosion control structures.   |   |
|  | <p><b>PO5.2</b></p> <p>Where development proposes the construction of an erosion control structure:</p> <p>(a) it is demonstrated that it is the only feasible option for protecting permanent structures from coastal erosion; and</p> <p>(b) those permanent structures cannot be abandoned or relocated in the event of coastal erosion occurring.</p>   | <p><b>Not Applicable</b></p> <p>The site is not identified within a Coastal Management District</p> |
|  | <p><b>PO5.3</b></p> <p>Development involving reclamation:</p> <p>(a) does not alter, or otherwise minimises impacts on, the physical characteristics of a waterway or the seabed near the reclamation, including flow regimes, hydrodynamic forces, tidal water and riverbank stability;</p> <p>(b) is located outside active sediment transport area, or otherwise maintains sediment transport processes as close as possible to their natural state;</p> <p>(c) ensures activities associated with the operation of the development maintain the structure and condition of vegetation communities and avoid wind and water run-off erosion.</p> | <p><b>Not Applicable</b></p> <p>The site is not identified within a Coastal Management District</p> |
| <p><b>PO6</b></p> <p>Development avoids or minimises adverse impacts on coastal resources and their values to the maximum extent reasonable.</p> | <p><b>AO6.1</b></p> <p>Coastal protection work that is in the form of beach nourishment uses methods of placement suitable for the location that do not</p>   | <p><b>Not Applicable</b></p> <p>The site is not identified within a Coastal Management District</p> |



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|  | <p>interfere with the long-term use of the locality, or natural values within or neighbouring the proposed placement site.</p> <p>and</p> <p><b>AO6.2</b></p> <p>Marine development is located and designed to expand on or redevelop existing marine infrastructure unless it is demonstrated that it is not practicable to co-locate the development with existing marine infrastructure;</p> <p>and</p> <p><b>AO6.3</b></p> <p>Measures are incorporated as part of siting and design of the development to maintain or enhance water quality to achieve the environmental values and water quality objectives outlined in the Environmental Protection (Water) Policy 2009.</p> <p>and</p> <p><b>AO6.4</b></p> <p>Development avoids the disturbance of acid sulfate soils, or where it is demonstrated that this is not possible, the disturbance of acid sulfate soils is carefully managed to minimise and mitigate the adverse effects of disturbance on coastal resources.</p> <p>and</p> <p><b>AO6.4</b></p> <p>Design and siting of development protects and retains identified ecological values and underlying ecosystem processes within the development site to the greatest extent practicable.</p> |   |
| <p><b>PO7</b></p> <p>Development is to maintain access to and along the foreshore for general public access.</p> | <p><b>AO7.1</b></p>   | <p><b>Not Applicable</b></p> <p>The site does not share a common boundary with the foreshore.</p> |

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|  | <p>Development provides for regular access points for pedestrians including approved walking tracks, boardwalks and viewing platforms.</p> <p>and</p> <p><b>AO7.2</b></p> <p>Development provides for regular access points for vehicles including approved roads and tracks.</p> <p>or</p> <p><b>AO7.3</b></p> <p>Development demonstrates an alternative solution to achieve an equivalent standard of performance.</p>  |  |
| <p><b>PO8</b></p> <p>Public access to the coast is appropriately located, designed and operated.</p>   | <p><b>AO8.1</b></p> <p>Development maintains or enhances public access to the coast.</p> <p>or</p> <p><b>AO8.2</b></p> <p>Development is located adjacent to state coastal land or tidal water and minimises and offsets any loss of access to and along the foreshore within 500 metres.</p> <p>or</p> <p><b>AO8.3</b></p> <p>Development adjacent to state coastal land or tidal water demonstrates an alternative solution to achieve an equivalent standard and quality of access.</p> | <p><b>Not Applicable</b></p> <p>The site does not share a common boundary with the foreshore</p>                                       |
| <p><b>PO9</b></p> <p>Development adjacent to state coastal land or tidal water is located, designed and operated to:</p> <p>(a) maintain existing access to and along the foreshore;</p> | <p><b>AO9.1</b></p> <p>Development adjacent to state coastal land or tidal water:</p> <p>(a) demonstrates that restrictions to public access are necessary for:</p>  | <p><b>Not Applicable</b></p> <p>The site does not share a common boundary with the foreshore or state coastal land or tidal water.</p> |

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| <p>(b) minimise any loss of access to and along the foreshore, or</p> <p>(c) offset any loss of access to and along the foreshore by providing for enhanced alternative access in the general location.</p> | <p>(i) the safe and secure operation of development;</p> <p>(ii) the maintenance of coastal landforms and coastal habitat; or</p> <p>(b) maintains public access (including public access infrastructure that has been approved by the local government or relevant authority) through the site to the foreshore for:</p> <p>(i) pedestrians via access points including approved walking tracks, boardwalks and viewing platforms;</p> <p>(ii) vehicles via access points including approved roads or tracks.</p> <p><b>AO9.2</b></p> <p>Development adjacent to state coastal land or tidal water:</p> <p>(c) is located and designed to:</p> <p>(i) allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, for example through the provision of esplanades or easement corridors to preserve future access;</p> <p>(ii) ensure emergency vehicles can access the area near the development.</p> <p>or</p> <p>(d) minimises and offsets any loss of access to and along the foreshore within 500m of existing access points and development is located and designed to:</p> <p>(iii) allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, and</p> <p>(iv) ensure emergency vehicles can access the area near the development.</p> |  |
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| <p><b>AO10</b></p> <p>Development that involves reconfiguring a lot for urban purposes adjacent to the coast is designed to ensure public access to the coast in consideration of public access demand from a whole-of-community basis and the maintenance of coastal landforms and coastal habitat.</p> | <p><b>AO10.1</b></p> <p>Development complies if consideration of public access demand from a whole-of-community basis and the maintenance of coastal landforms and coastal habitat is undertaken.</p> <p>or</p> <p><b>AO10.2</b></p> <p>Development demonstrates an alternative solution to achieve an equivalent standard and quality of access.</p> | <p><b>Not Applicable</b></p> <p>The site does not share a common boundary with the foreshore or state coastal land or tidal water.</p>  |
| <p><b>PO11</b></p> <p>Development maintains public access to State coastal land by avoiding private marine development attaching to, or extending across, non-tidal State coastal land.</p>  | <p><b>AO11</b></p> <p>Private marine access structures and other structures such as decks or boardwalks for private use do not attach to or extend across State coastal land that is situated above high water mark</p>   | <p><b>Not Applicable</b></p> <p>The site does not share a common boundary with the foreshore or state coastal land or tidal water.</p>  |
| <p><b>PO12</b></p> <p>Development in connection with an artificial waterway enhances public access to coastal waters.</p>  | <p><b>AO12</b></p> <p>The artificial waterway avoids intersecting with or connection to inundated land or leased land where the passage, use or movement of vessels in water on the land could be restricted or prohibited by the registered proprietor of the inundated land or leased land.</p>   | <p><b>Not Applicable</b></p> <p>The site does not share a common boundary with the foreshore or state coastal land or tidal water.</p>  |
| <p><b>Coastal landscapes, views and vistas</b></p>   |   |   |
| <p><b>PO13</b></p> <p>Development maintains and / or enhances natural coastal landscapes, views and vistas.</p>  | <p><b>AO13</b></p> <p>No acceptable outcomes are prescribed.</p>  | <p><b>Complies with PO13</b></p> <p>The proposed development would be consistent in terms of built form and height with the adjoining development and would maintain the existing visual amenity of the area.</p> |
| <p><b>PO14</b></p> <p>Coastal settlements are consolidated through the concentration of development within the existing urban areas through infill and</p>   | <p><b>AO14</b></p> <p>No acceptable outcomes are prescribed.</p>  | <p><b>Complies with PO14</b></p> <p>The proposal represents the development of an existing residential allotment within the Cooya Beach suburb that is</p>  |

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| <p>conserving the natural state of the coastal area outside existing urban areas.</p>   |   | <p>contiguous with other residential allotments. The proposal is considered to represent infill development.</p> |
| <p><b>Private marine development</b></p>  |   |  |
| <p><b>PO15</b><br/>Private marine development is to avoid attaching to, or extending across, non-tidal State coastal land.</p>                                      | <p><b>AO15</b><br/>Private marine development and other structures such as decks or boardwalks for private use do not attach to, or extend across, State coastal land that is situated above high water mark.<br/><br/>Note – For occupation permits or allocations of State land, refer to the <i>Land Act 1994</i>.</p>   | <p><b>Not Applicable</b><br/>The proposal does not involve private marine development.</p>                       |
| <p><b>PO16</b><br/>The location and design of private marine development does not adversely affect the safety of members of the public access to the foreshore.</p> | <p><b>AO16</b><br/>Private marine development does not involve the erection or placement of any physical barrier preventing existing access, along a public access way to the foreshores.</p>   | <p><b>Not Applicable</b><br/>The proposal does not involve private marine development.</p>                       |
| <p><b>PO17</b><br/>Private marine development is of a height and scale and size compatible with the character and amenity of the location.</p>                      | <p><b>AO17</b><br/>Private marine development has regard to:</p> <ul style="list-style-type: none"> <li>(a) the height, scale and size of the natural features of the immediate surroundings and locality;</li> <li>(b) the height, scale and size of existing buildings or other structures in the immediate surroundings and the locality;</li> <li>(c) if the relevant planning scheme states that desired height, scale or size of buildings or other structures in the immediate surroundings or locality – the stated desired height, scale or size.</li> </ul> <p>Note – The prescribed tidal works code in the <i>Coastal Protection and Management Regulation 2003</i> outlines design and construction requirements that must be complied with.</p> | <p><b>Not Applicable</b><br/>The proposal does not involve private marine development.</p>                       |
| <p><b>PO18</b></p>  | <p><b>AO18</b></p>  | <p><b>Not Applicable</b></p>   |

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| <p>Private marine development avoids adverse impacts on coastal landforms and coastal processes.</p>   | <p>Private marine development does not require the construction of coastal protection works, shoreline or riverbank hardening or dredging for marine access.</p> | <p>The proposal does not involve private marine development.</p>  |
| <p><b>For dry land marinas and artificial waterways</b></p>  |  |   |
| <p><b>PO19</b><br/>Dry land marinas and artificial waterways:</p> <ul style="list-style-type: none"> <li>(a) avoid impacts on coastal resources;</li> <li>(b) do not contribute to the degradation of water quality;</li> <li>(c) do not increase the risk of flooding;</li> <li>(d) do not result in the degradation or loss of MSES;</li> <li>(e) do not result in an adverse change to the tidal prism of the natural waterway to which development is connected.</li> <li>(f) does not involve reclamation of tidal land other than for the purpose of: <ul style="list-style-type: none"> <li>(i) coastal dependent development, public marine development; or</li> <li>(ii) community infrastructure, where there is no feasible alternative; or</li> <li>(iii) strategic ports, boat harbours or strategic airports and aviation facilities in accordance with a statutory land use plan; or</li> <li>(iv) coastal protection works or works necessary to protect coastal resources and processes.</li> </ul> </li> </ul> | <p><b>AO19</b><br/>No acceptable solutions are prescribed.</p>   | <p><b>Not Applicable</b><br/>The proposal does not involve dry land marinas and artificial waterways.</p> |

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#### **8.2.4 Flood and storm tide hazard overlay code**

##### **8.2.4.1 Application**

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Flood and storm tide hazard overlay, if:
  - (a) self assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
  - (b) impact assessable development.
  
- (2) Land in the Flood and storm tide hazard overlay is identified on the Flood and storm tide hazard overlay map in Schedule 2 and includes the:
  - (a) Storm tide – high hazard sub-category;
  - (b) Storm tide – medium hazard sub-category;
  - (c) Flood plain assessment sub-category;
  - (d) 100 ARI Mossman, Port Douglas and Daintree Township Flood Studies sub-category.
  
- (3) When using this code, reference should be made to Part 5.

Note - The Flood and storm tide hazards overlay maps contained in Schedule 2 identify areas (Flood and storm tide inundation areas) where flood and storm tide inundation modelling has been undertaken by the Council. Other areas not identified by the Flood and inundation hazards overlay maps contained in Schedule 2 may also be subject to the defined flood event or defined storm tide event.

##### **8.2.4.2 Purpose**

- (1) The purpose of the Flood and storm tide hazard overlay code is to:
  - (a) implement the policy direction in the Strategic Framework, in particular:
    - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
    - (ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.
  - (b) enable an assessment of whether development is suitable on land within the Flood and storm tide hazard sub-categories.
  
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) development siting, layout and access responds to the risk of the natural hazard and minimises risk to personal safety;

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- (b) development achieves an acceptable or tolerable risk level, based on a fit for purpose risk assessment;
- (c) the development is resilient to natural hazard events by ensuring siting and design accounts for the potential risks of natural hazards to property;
- (d) the development supports, and does not unduly burden disaster management response or recovery capacity and capabilities;
- (e) the development directly, indirectly and cumulatively avoids an unacceptable increase in severity of the natural hazards and does not significantly increase the potential for damage on site or to other properties;
- (f) the development avoids the release of hazardous materials as a result of a natural hazard event;
- (g) natural processes and the protective function of landforms and/or vegetation are maintained in natural hazard areas;
- (h) community infrastructure is located and designed to maintain the required level of functionality during and immediately after a hazard event.

**8.2.4.3 Criteria for assessment**

Table 8.2.4.3.a – Flood and storm tide hazards overlay code –assessable development

| Performance outcomes  | Acceptable outcomes  | Compliance  |
|---|--|---|
| <b>For assessable and self-assessable development</b>   |  |   |
| <p><b>PO1</b></p> <p>Development is located and designed to:</p> <ul style="list-style-type: none"> <li>ensure the safety of all persons;</li> <li>minimise damage to the development and contents of buildings;</li> <li>provide suitable amenity;</li> <li>minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events.</li> </ul> <p>Note – For assessable development within the flood plain assessment sub-category, a flood study by a suitably qualified professional is required to identify compliance with the intent of the acceptable outcome.</p> | <p><b>AO1.1</b></p> <p>Development is sited on parts of the land that is not within the Flood and Storm tide hazards overlay maps contained in Schedule 2;</p> <p>or</p> <p>For dwelling houses,</p> <p><b>AO1.2</b></p> <p>Development within the Flood and Storm Tide hazards overlay maps (excluding the Flood plain assessment sub-category) is designed to provide immunity to the Defined Inundation Event as outlined within Table 8.2.4.3.b plus a freeboard of 300mm.</p> | <p><b>Complies with AO1.2</b></p> <p>The 2012 BMTWBM storm tide inundation study commissioned by Council provides a guide to finished floor levels for habitable rooms. However, it does not include a floor level for Cooya Beach.</p> <p>The recommended floor levels for land in the wave effect are in the 0.8 Seal Level Rise scenario in Port Douglas and Wonga Beach is 4.17m and 4.34m, respectively. In the absence of any other data it is considered appropriate to adopt the higher of these two levels, being 4.34m AHD, as the minimum finished floor level.</p> <p>The ground level at the application site is 2.5m AHD to 3.75m AHD with the centre of the site being 2.5m AHD.</p> <p>It is proposed to build the house with the floor level on stumps elevated to achieve the minimum building height of 2.8 metres beneath. It is not proposed to build under the house and the area would be used for vehicle parking and storage. Providing for joists</p> |



| Performance outcomes  | Acceptable outcomes  | Compliance   |
|---|--|--|
|   |  | etc, this would provide a minimum finished floor level of habitable rooms of 5.5 m AHD, which exceeds the minimum required for Wonga Beach and would provide the required immunity.  |
|   | <p><b>AO1.3</b></p> <p>New buildings are:</p> <ul style="list-style-type: none"> <li>(a) not located within the overlay area;</li> <li>(b) located on the highest part of the site to minimise entrance of flood waters;</li> <li>(c) provided with clear and direct pedestrian and vehicle evacuation routes off the site.</li> </ul> | <p><b>Complies with PO1</b></p> <p>Whilst the development is located within the Overlay area, the design of the building would result in the finished floor levels of habitable rooms exceeding the minimum height required.</p> |
|   | <p><b>AO1.4</b></p> <p>In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.</p>   | <p><b>Not Applicable</b></p> <p>The application site is located within an urban area.</p>  |
| <b>For assessable development</b>   |  |  |
| <p><b>PO2</b></p> <p>The development is compatible with the level of risk associated with the natural hazard.</p>   | <p><b>AO2</b></p> <p>The following uses are not located in land inundated by the Defined Flood Event (DFE) / Storm tide:</p> <ul style="list-style-type: none"> <li>(a) Retirement facility;</li> <li>(b) Community care facility;</li> <li>(c) Child care centre.</li> </ul>  | <p><b>Not Applicable</b></p> <p>A dwelling house is not one of the identified uses.</p>  |
| <p><b>PO3</b></p> <p>Development siting and layout responds to flooding potential and maintains personal safety</p> | <p>For Material change of use</p> <p><b>AO3.1</b></p> <p>New buildings are:</p>  | <p><b>Complies with PO3</b></p> <p>The proposed dwelling house is required to have a minimum finished floor level of 4.34m AHD to achieve flood immunity.</p>  |

| Performance outcomes | Acceptable outcomes   | Compliance   |
|----------------------|---|--|
|                      | <p>(a) not located within the overlay area;</p> <p>(b) located on the highest part of the site to minimise entrance of flood waters;</p> <p>(c) provided with clear and direct pedestrian and vehicle evacuation routes off the site.</p> <p>or</p> <p><b>AO3.2</b></p> <p>The development incorporates an area on site that is at least 300mm above the highest known flood inundation level with sufficient space to accommodate the likely population of the development safely for a relatively short time until flash flooding subsides or people can be evacuated.</p> <p>or</p> <p><b>AO3.3</b></p> <p>Where involving an extension to an existing dwelling house that is situated below DFE /Storm tide, the maximum size of the extension does not exceed 70m<sup>2</sup> gross floor area.</p> <p>Note – If part of the site is outside the Hazard Overlay area, this is the preferred location of all buildings.</p> | <p>The ground level at the application site is 2.5m AHD to 3.75m AHD with the centre of the site being 2.5m AHD.</p> <p>It is proposed to build the house with the floor level on stumps elevated to achieve the minimum building height of 2.8 metres beneath. It is not proposed to build under the house and the area would be used for vehicle parking and storage. Providing for joists etc, this would provide a minimum finished floor level of habitable rooms of 5.5 m AHD, which exceeds the minimum required for Wonga Beach and would provide the required immunity.</p> |
|                      | <p>For Reconfiguring a lot</p> <p><b>AO3.4</b></p> <p>Additional lots:</p> <p>(a) are not located in the hazard overlay area;</p> <p>or</p> <p>(b) are demonstrated to be above the flood level identified for the site.</p>  | <p><b>Not Applicable</b></p> <p>The proposal does not involve the reconfiguration of a lot.</p>  |

| Performance outcomes | Acceptable outcomes   | Compliance  |
|----------------------|---|---|
|                      | <p>Note - If part of the site is outside the Hazard Overlay area, this is the preferred location for all lots (excluding park or other open space and recreation lots).</p> <p>Note – Buildings subsequently developed on the lots will need to comply with the relevant building assessment provisions under the <i>Building Act 1975</i>.</p> <p><b>AO3.5</b></p> <p>Road and/or pathway layout ensures residents are not physically isolated from adjacent flood free urban areas and provides a safe and clear evacuation route path:</p> <p>(a) by locating entry points into the reconfiguration above the flood level and avoiding culs-de-sac or other non-permeable layouts; and</p> <p>(b) by direct and simple routes to main carriageways.</p> <p><b>AO3.6</b></p> <p>Signage is provided on site (regardless of whether the land is in public or private ownership) indicating the position and path of all safe evacuation routes off the site and if the site contains, or is within 100m of a floodable waterway, hazard warning signage and depth indicators are also provided at key hazard points, such as at floodway crossings or entrances to low-lying reserves.</p> <p>or</p> <p><b>AO3.7</b></p> <p>There is no intensification of residential uses within the flood affected areas on land situated below the DFE/Storm tide.</p> |   |
|                      | <p>For Material change of use (Residential uses)</p> <p><b>AO3.1</b></p>  | <p><b>Complies</b></p> <p>The proposed dwelling house would have a finished floor level above the identified flood level.</p> |

| Performance outcomes   | Acceptable outcomes   | Compliance   |
|--|---|--|
|  | <p>The design and layout of buildings used for residential purposes minimise risk from flooding by providing:</p> <p>(a) parking and other low intensive, non-habitable uses at ground level;</p> <p>Note - The high-set 'Queenslander' style house is a resilient low-density housing solution in floodplain areas. Higher density residential development should ensure only non-habitable rooms (e.g. garages, laundries) are located on the ground floor.</p>   |  |
| <p><b>PO4</b></p> <p>Development is resilient to flood events by ensuring design and built form account for the potential risks of flooding.</p> | <p>For Material change of use (Non-residential uses)</p> <p><b>AO4.2</b></p> <p>Non residential buildings and structures allow for the flow through of flood waters on the ground floor.</p> <p>Note - Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p> <p>Note - The relevant building assessment provisions under the <i>Building Act 1975</i> apply to all building work within the Hazard Area and need to take into account the flood potential within the area.</p> | <p><b>Not Applicable</b></p> <p>The proposal is not a non-residential use.</p> |
|  | <p><b>AO4.3</b></p> <p>Materials are stored on-site:</p> <p>(a) are those that are readily able to be moved in a flood event;</p> <p>(b) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood.</p> <p>Notes -</p> <p>(a) Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property</p>   | <p><b>Not Applicable</b></p> <p>The proposal is not a non-residential use.</p> |

| Performance outcomes  | Acceptable outcomes  | Compliance  |
|---|--|---|
|   | <p>prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p> <p>(b) Queensland Government Fact Sheet 'Repairing your House after a Flood' provides information about water resilient products and building techniques.</p>  |   |
| <p><b>PO5</b></p> <p>Development directly, indirectly and cumulatively avoids any increase in water flow velocity or flood level and does not increase the potential flood damage either on site or on other properties.</p> <p>Note – Berms and mounds are considered to be an undesirable built form outcome and are not supported.</p> | <p>For Operational works</p> <p><b>AO5.1</b></p> <p>Works in urban areas associated with the proposed development do not involve:</p> <p>(a) any physical alteration to a watercourse or floodway including vegetation clearing; or</p> <p>(b) a net increase in filling (including berms and mounds).</p> <p><b>AO5.2</b></p> <p>Works (including buildings and earthworks) in non urban areas either:</p> <p>(a) do not involve a net increase in filling greater than 50m<sup>3</sup>; or</p> <p>(b) do not result in any reductions of on-site flood storage capacity and contain within the subject site any changes to depth/duration/velocity of flood waters;</p> <p>or</p> <p>(c) do not change flood characteristics outside the subject site in ways that result in:</p> <p>(i) loss of flood storage;</p> <p>(ii) loss of/changes to flow paths;</p> <p>(iii) acceleration or retardation of flows or any reduction in flood warning times elsewhere on the flood plain.</p> <p>For Material change of use</p> | <p><b>Complies with PO5</b></p> <p>The proposed development, being elevated on stumps with no infill construction beneath, would not increase water flow velocity or flood level or potential flood damage to adjacent properties beyond the existing flood risk.</p> |

| Performance outcomes   | Acceptable outcomes  | Compliance  |
|--|--|---|
|  | <p><b>AO5.3</b></p> <p>Where development is located in an area affected by DFE/Storm tide, a hydraulic and hydrology report, prepared by a suitably qualified professional, demonstrates that the development maintains the flood storage capacity on the subject site; and</p> <p>(a) does not increase the volume, velocity, concentration of flow path alignment of stormwater flow across sites upstream, downstream or in the general vicinity of the subject site; and</p> <p>(b) does not increase ponding on sites upstream, downstream or in the general vicinity of the subject site.</p> <p>For Material change of use and Reconfiguring a lot</p> <p><b>AO5.4</b></p> <p>In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.</p> <p>Note – Fences and irrigation infrastructure (e.g. irrigation tape) in rural areas should be managed to minimise adverse the impacts that they may have on downstream properties in the event of a flood.</p> |   |
| <p><b>PO6</b></p> <p>Development avoids the release of hazardous materials into floodwaters.</p> | <p>For Material change of use</p> <p><b>AO6.1</b></p> <p>Materials manufactured or stored on site are not hazardous or noxious, or comprise materials that may cause a detrimental effect on the environment if discharged in a flood event;</p> <p>or</p> <p><b>AO6.2</b></p> <p>If a DFE level is adopted, structures used for the manufacture or storage of hazardous materials are:</p>  | <p><b>Not Applicable</b></p> <p>The proposal does not involve the storage of hazardous materials.</p> |

| Performance outcomes  | Acceptable outcomes  | Compliance   |
|---|--|--|
|   | <p>(a) located above the DFE level;<br/>or<br/>(b) designed to prevent the intrusion of floodwaters.</p> <p><b>AO6.3</b><br/>Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE.</p> <p><b>AO6.4</b><br/>If a flood level is not adopted, hazardous materials and their manufacturing equipment are located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of floodwaters.</p> <p>Note – Refer to <i>Work Health and Safety Act 2011</i> and associated Regulation and Guidelines, the <i>Environmental Protection Act 1994</i> and the relevant building assessment provisions under the <i>Building Act 1975</i> for requirements related to the manufacture and storage of hazardous materials.</p> |  |
| <p><b>PO7</b><br/>The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.</p> | <p><b>AO7</b><br/>Development does not:</p> <p>(a) increase the number of people calculated to be at risk of flooding;<br/>(b) increase the number of people likely to need evacuation;<br/>(c) shorten flood warning times; and<br/>(d) impact on the ability of traffic to use evacuation routes, or unreasonably increase traffic volumes on evacuation routes.</p>   | <p><b>Complies with PO7</b><br/>The proposed dwelling house would have a finished floor level above the flood immunity level and would represent the infill development of an existing vacant residential allotment. It would not result in an increase in the number of persons in the area beyond that which would be anticipated on the basis of the number of residential allotments in the area.<br/><br/>The nature of the development would not shorten flood warning times or impact on evacuation routes.</p> |
| <p><b>PO8</b><br/>Development involving community infrastructure:</p>   | <p><b>AO8.1</b></p>  | <p><b>Not Applicable</b></p>   |

| Performance outcomes   | Acceptable outcomes   | Compliance   |
|--|---|--|
| <p>(a) remains functional to serve community need during and immediately after a flood event;</p> <p>(b) is designed, sited and operated to avoid adverse impacts on the community or environment due to impacts of flooding on infrastructure, facilities or access and egress routes;</p> <p>(c) retains essential site access during a flood event;</p> <p>(d) is able to remain functional even when other infrastructure or services may be compromised in a flood event.</p> | <p>The following uses are not located on land inundated during a DFE/Storm tide:</p> <ul style="list-style-type: none"> <li>(a) community residence; and</li> <li>(b) emergency services; and</li> <li>(c) residential care facility; and</li> <li>(d) utility installations involving water and sewerage treatment plants; and</li> <li>(e) storage of valuable records or items of historic or cultural significance (e.g. archives, museums, galleries, libraries).</li> </ul> <p>or</p> <p><b>A08.2</b></p> <p>The following uses are not located on land inundated during a 1% AEP flood event:</p> <ul style="list-style-type: none"> <li>(a) community and cultural facilities, including facilities where an education and care service under the Education and care Services National law (Queensland) is operated or child care service under the <i>Child Care Act 2002</i> is conducted,</li> <li>(b) community centres;</li> <li>(c) meeting halls;</li> <li>(d) galleries;</li> <li>(e) libraries.</li> </ul> <p>The following uses are not located on land inundated during a 0.5% AEP flood event.</p> <ul style="list-style-type: none"> <li>(a) emergency shelters;</li> <li>(b) police facilities;</li> <li>(c) sub stations;</li> </ul> | <p>The proposed development does not involve community infrastructure.</p> |



| Performance outcomes | Acceptable outcomes  | Compliance |
|----------------------|--|------------|
|                      | <p>(d) water treatment plant</p> <p>The following uses are not located on land inundated during a 0.2% AEP flood event:</p> <ul style="list-style-type: none"> <li>(a) correctional facilities;</li> <li>(b) emergency services;</li> <li>(c) power stations;</li> <li>(d) major switch yards.</li> </ul> <p>and/or</p> <p><b>AO8.3</b></p> <p>The following uses have direct access to low hazard evacuation routes as defined in Table 8.2.4.3.c:</p> <ul style="list-style-type: none"> <li>(a) community residence; and</li> <li>(b) emergency services; and</li> <li>(c) hospitals; and</li> <li>(d) residential care facility; and</li> <li>(e) sub stations; and</li> <li>(f) utility installations involving water and sewerage treatment plants.</li> </ul> <p><b>AO8.4</b></p> <p>Any components of infrastructure that are likely to fail to function or may result in contamination when inundated by flood, such as electrical switch gear and motors, telecommunications connections, or water supply pipeline air valves are:</p> <ul style="list-style-type: none"> <li>(a) located above DFE/Storm tide or the highest known flood level for the site;</li> </ul> |            |

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| Performance outcomes | Acceptable outcomes   | Compliance |
|----------------------|---|------------|
|                      | <p>(b) designed and constructed to exclude floodwater intrusion / infiltration.</p> <p><b>AO8.5</b></p> <p>Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by a flood.</p> |            |

**Table 8.2.4.3.b- Minimum immunity (floor levels) for development**

| Minimum immunity to be achieved (floor levels) | Uses and elements of activities acceptable in the event   |
|--|---|
| 20% AEP level                                  | <ul style="list-style-type: none"> <li>• Parks and open space.</li> </ul>   |
| 5% AEP level                                   | <ul style="list-style-type: none"> <li>• Car parking facilities (including car parking associated with use of land).</li> </ul>   |
| 1% AEP level                                   | <ul style="list-style-type: none"> <li>• All development (where not otherwise requiring an alternative level of minimum immunity).</li> </ul>   |
| 0.5% AEP level                                 | <ul style="list-style-type: none"> <li>• Emergency services (if for a police station);</li> <li>• Industry activities (if including components which store, treat or use hazardous materials);</li> <li>• Substation;</li> <li>• Utility installation.</li> </ul> |
| 0.2% AEP level                                 | <ul style="list-style-type: none"> <li>• Emergency services;</li> <li>• Hospital;</li> <li>• Major electricity infrastructure;</li> <li>• Special industry.</li> </ul>  |

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**Table 8.2.4.3.c - Degree of flood**

| Criteria   | Low   | Medium  | High  | Extreme                                |
|--|---|---|---|--|
| Wading ability   | If necessary children and the elderly could wade. (Generally, safe wading velocity depth product is less than 0.25) | Fit adults can wade. (Generally, safe wading velocity depth product is less than 0.4) | Fit adults would have difficulty wading. (Generally, safe wading velocity depth product is less than 0.6) | Wading is not an option.               |
| Evacuation distances   | < 200 metres  | 200-400 metres  | 400-600 metres  | 600 metres                             |
| Maximum flood depths   | < 0.3 metre   | < 0.6 metre   | < 1.2 metres  | 1.2 metres                             |
| Maximum flood velocity   | < 0.4 metres per second   | < 0.8 metres per second   | < 1.5 metres per second   | 1.5 metres per second                  |
| Typical means of egress  | Sedan   | Sedan early, but 4WD or trucks later  | 4WD or trucks only in early stages, boats or helicopters  | Large trucks, boats or helicopters     |
| Timing<br>Note: This category cannot be implemented until evacuation times have been established in the Counter Disaster Plan (Flooding) | Ample flood forecasting. Warning and evacuation routes remain passable for twice as long as evacuation time.        | Evacuation routes remain trafficable for 1.5 times as long as the evacuation.         | Evacuation routes remain trafficable for only up to minimum evacuation time.                              | There is insufficient evacuation time. |

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### **8.2.1 Acid sulfate soils overlay code**

#### **8.2.1.1 Application**

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Acid sulfate soils overlay, if:
  - (a) self-assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
  - (b) impact assessable development.
- (2) Land in the Acid sulphate soils overlay is identified on the acid sulfate soils overlay map in Schedule 2 and includes the following sub-categories:
  - (a) Land at or below the 5m AHD sub-category;
  - (b) Land above the 5m AHD and below the 20m AHD sub-category.
- (3) When using this code, reference should be made to Part 5.

#### **8.2.1.2 Purpose**

- (1) The purpose of the acid sulfate soils overlay code is to:
    - (a) implement the policy direction in the Strategic Framework, in particular:
      - (i) Theme 2: Environment and landscape values, Element 3.5.4 Coastal zones.
      - (ii) Theme 3: Natural resource management, Element 3.6.2 land and catchment management, Element 3.6.3 Primary production, forestry and fisheries.
  - (2) enable an assessment of whether development is suitable on land within the Acid sulfate soils overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
- (a) Development ensures that the release of any acid and associated metal contaminant is avoided by not disturbing acid sulfate soils when excavating, removing soil or extracting ground water or filling land;
  - (b) Development ensures that disturbed acid sulphate soils, or drainage waters, are treated and, if required, on-going management practices are adopted that minimise the potential for environmental harm from acid sulfate soil and protect corrodible assets from acid sulfate soil.

#### **8.2.1.3 Criteria for assessment**

**Table Error! No text of specified style in document..a – Acid sulphate soils overlay code –assessable development**

| Performance outcomes   | Acceptable outcomes   | Compliance  |
|--|---|---|
| For assessable development   |   |   |
| <p><b>PO1</b></p> <p>The extent and location of potential or actual acid sulfate soils is accurately identified.</p>   | <p><b>AO1.1</b></p> <p>No excavation or filling occurs on the site.</p> <p>or</p> <p><b>AO1.2</b></p> <p>An acid sulfate soils investigation is undertaken.</p> <p>Note - Planning scheme policy SC 6.12– Potential and actual acid sulfate soils provides guidance on preparing an acid sulfate soils investigation.</p>   | <p><b>Complies</b></p> <p>No excavation or filling would occur on the subject site.</p> |
| <p><b>PO2</b></p> <p>Development avoids disturbing potential acid sulfate soils or actual acid sulfate soils, or is managed to avoid or minimise the release of acid and metal contaminants.</p> | <p><b>AO2.1</b></p> <p>The disturbance of potential acid sulfate soils or actual acid sulfate soils is avoided by:</p> <ul style="list-style-type: none"> <li>(a) not excavating, or otherwise removing, soil or sediment identified as containing potential or actual acid sulfate soils;</li> <li>(b) not permanently or temporarily extracting groundwater that results in the aeration of previously saturated acid sulfate soils;</li> <li>(c) not undertaking filling that results in:</li> <li>(d) actual acid sulfate soils being moved below the water table;</li> <li>(e) previously saturated acid sulfate soils being aerated.</li> </ul> <p>or</p> <p><b>AO2.2</b></p> <p>The disturbance of potential acid sulfate soils or actual acid sulfate soils is undertaken in accordance with an acid sulfate soils management plan and avoids the release of metal contaminants by:</p> | <p><b>Complies</b></p> <p>No excavation or filling would occur on the subject site.</p> |

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|  |  |   |
|--|--|---|
|  | <ul style="list-style-type: none"> <li>(a) neutralising existing acidity and preventing the generation of acid and metal contaminants;</li> <li>(b) preventing the release of surface or groundwater flows containing acid and metal contaminants into the environment;</li> <li>(c) preventing the in situ oxidisation of potential acid sulfate soils and actual acid sulfate soils through ground water level management;</li> <li>(d) appropriately treating acid sulfate soils before disposal occurs on or off site;</li> <li>(e) documenting strategies and reporting requirements in an acid sulfate soils environmental management plan.</li> </ul> <p>Note - Planning scheme policy SC 6.12 – Acid sulfate soils provides guidance on preparing an acid sulfate soils management plan.</p> |   |
| <p><b>PO3</b></p> <p>No environmental harm is caused as a result of exposure to potential acid sulfate soils or actual acid sulfate soils.</p> | <p><b>AO3</b></p> <p>No acceptable outcomes are prescribed.</p>  | <p><b>Complies</b></p> <p>No excavation or filling would occur on the subject site.</p> |

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### **9.3.8 Dwelling house code**

#### **9.3.8.1 Application**

- (1) This code applies to assessing development for a dwelling house if:
  - (a) self-assessable development or assessable development where this code identified in the assessment criteria column of a table of assessment; or
  - (b) impact assessable development.
  
- (2) When using this code, reference should be made to Part 5.

Note—Where the land is identified in an overlay map, additional provisions relating to that overlay also apply. For example, minimum floor levels for a dwelling house on a site subject to certain types of flooding are identified in the Flood and storm tide inundation overlay code.

Note – For a proposal to be self-assessable, it must meet all of the self-assessable outcomes of this code and any other applicable code. Where it does not meet all the self-assessable outcomes, the proposal becomes assessable development and a development application is required. Where a development application is triggered, only the specific acceptable outcomes that the proposal fails to meet need to be assessed against the corresponding performance outcomes. Other self-assessable outcomes that are met are not assessed as part of the development application.

#### **9.3.8.2 Purpose**

- (1) The purpose of the Dwelling house code is to assess the suitability of development to which this code applies.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) The dwelling house, including all habitable buildings on site, is occupied by a single household;
  - (b) A dwelling house, including a secondary dwelling or domestic out-buildings; ensures that the secondary dwelling is sub-ordinate to the primary dwelling house;
  - (c) Development of a dwelling house provides sufficient and safe vehicle access and parking for residents;
  - (d) The built form, siting, design and use of each dwelling is consistent with the desired neighbourhood character and streetscape elements of the area.

#### **9.3.8.3 Criteria for assessment**

##### **Table 9.3.8.3.a – Dwelling house code –assessable development**

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| Performance outcomes  |  | Acceptable outcomes   |
|---|--|---|
| <b>For self-assessable and assessable development</b>   |  |   |
| <p><b>PO1</b></p> <p>Secondary dwellings:</p> <ul style="list-style-type: none"> <li>(a) are subordinate, small-scaled dwellings;</li> <li>(b) contribute to a safe and pleasant living environment;</li> <li>(c) are established on appropriate sized lots;</li> <li>(d) do not cause adverse impacts on adjoining properties.</li> </ul>  | <p><b>AO1</b></p> <p>The secondary dwelling:</p> <ul style="list-style-type: none"> <li>(a) has a total gross floor area of not more than 80m<sup>2</sup>, excluding a single carport or garage;</li> <li>(b) is occupied by 1 or more members of the same household as the dwelling house.</li> </ul>           | <p><b>Not Applicable</b></p> <p>The proposed development does not involve a secondary dwelling.</p>   |
| <p><b>PO2</b></p> <p>Residents vehicles are accommodated on-site.</p>   | <p><b>AO2</b></p> <p>Development provides a minimum number of on-site car parking spaces comprising:</p> <ul style="list-style-type: none"> <li>(a) 2 car parking spaces which may be in tandem for the dwelling house;</li> <li>(b) 1 car parking space for any secondary dwelling on the same site.</li> </ul> | <p><b>Complies with AO2</b></p> <p>The proposed development would provide two car parking spaces as undercover car parking.</p>   |
| <p><b>PO3</b></p> <p>Development is of a bulk and scale that:</p> <ul style="list-style-type: none"> <li>(a) is consistent with and complements the built form and front boundary setbacks prevailing in the street and local area;</li> <li>(b) does not create an overbearing development for adjoining dwelling houses and their private open space;</li> <li>(c) does not impact on the amenity and privacy of residents in adjoining dwelling houses;</li> <li>(d) ensures that garages do not dominate the appearance of the street.</li> </ul> | <p><b>AO3</b></p> <p>Development meets the acceptable outcome for building height in the applicable zone code associated with the site.</p>  | <p><b>Complies with AO3</b></p> <p>The proposed development would have a height less than the 8.5 metres identified as the maximum height in the Low Density Residential Zone Code.</p> |



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**9.4.1 Access, parking and servicing code**

**9.4.1.1 Application**

- (1) This code applies to assessing:
  - (a) operational work which requires a compliance assessment as a condition of a development permit; or
  - (b) a material change of use or reconfiguring a lot if:
    - (i) self-assessable or assessable development where this code is identified in the assessment criteria column of the table of assessment;
    - (ii) impact assessable development, to the extent relevant.
- (2) When using this code, reference should be made to Part 5.

**9.4.1.2 Purpose**

- (1) The purpose of the Access, parking and servicing code is to assess the suitability of access, parking and associated servicing aspects of a development.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) sufficient vehicle parking is provided on-site to cater for all types of vehicular traffic accessing and parking on-site, including staff, guests, patrons, residents and short term delivery vehicles;
  - (b) sufficient bicycle parking and end of trip facilities are provided on-site to cater for customer and service staff;
  - (c) on-site parking is provided so as to be accessible and convenient, particularly for any short term uses;
  - (d) development provides walking and cycle routes through the site which link the development to the external walking and cycling network;
  - (e) the provision of on-site parking, loading / unloading facilities and the provision of access to the site do not impact on the efficient function of street network or on the area in which the development is located;
  - (f) new vehicular access points are safely located and are not in conflict with the preferred ultimate streetscape character and local character and do not unduly disrupt any current or future on-street parking arrangements.

**9.4.1.3 Criteria for assessment**

**Table Error! No text of specified style in document..a – Access, parking and servicing code –assessable development**

| Performance outcomes                                  | Acceptable outcomes | Compliance                 |
|---|---------------------|----------------------------|
| <b>For self-assessable and assessable development</b> |                     |                            |
| <b>PO1</b>  | <b>AO1.1</b>        | <b>Complies with AO1.1</b> |

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| Performance outcomes   | Acceptable outcomes  | Compliance   |
|--|--|--|
| <p>Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected to be generated by the use or uses of the site, having particular regard to:</p> <p>(a) the desired character of the area;</p> <p>(b) the nature of the particular use and its specific characteristics and scale;</p> <p>(c) the number of employees and the likely number of visitors to the site;</p> <p>(d) the level of local accessibility;</p> <p>(e) the nature and frequency of any public transport serving the area;</p> <p>(f) whether or not the use involves the retention of an existing building and the previous requirements for car parking for the building</p> <p>(g) whether or not the use involves a heritage building or place of local significance;</p> <p>(h) whether or not the proposed use involves the retention of significant vegetation.</p> | <p>The minimum number of on-site vehicle parking spaces is not less than the number prescribed in <b>Error! Reference source not found.</b> for that particular use or uses.</p> <p>Note - Where the number of spaces calculated from the table is not a whole number, the number of spaces provided is the next highest whole number.</p> | <p>The proposed development would provide two on-site car parking spaces as covered car parking spaces.</p>      |
|  | <p><b>AO1.2</b></p> <p>Car parking spaces are freely available for the parking of vehicles at all times and are not used for external storage purposes, the display of products or rented/sub-leased.</p>  | <p><b>Complies with AO1.2</b></p> <p>Car parking spaces would be kept available for the parking of vehicles.</p> |
|  | <p><b>AO1.3</b></p> <p>Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking.</p>   | <p><b>Not Applicable</b></p> <p>Not applicable to dwelling houses.</p>   |
|  | <p><b>AO1.4</b></p> <p>For parking areas exceeding 50 spaces parking, is provided for recreational vehicles as a substitute for ordinary vehicle parking to a maximum of 5% of total ordinary vehicle parking rate.</p>  | <p><b>Not Applicable</b></p> <p>Not applicable to dwelling houses.</p>   |
| <p><b>PO2</b></p> <p>Vehicle parking areas are designed and constructed in accordance with relevant standards.</p>   | <p><b>AO2</b></p> <p>Vehicle parking areas are designed and constructed in accordance with Australian Standard:</p> <p>(a) AS2890.1;</p> <p>(b) AS2890.3;</p> <p>(c) AS2890.6.</p>   | <p><b>Not Applicable</b></p> <p>Not applicable to dwelling houses.</p>   |
| <p><b>PO3</b></p>  | <p><b>AO3.1</b></p>  | <p><b>Complies with AO3.1</b></p>  |

| Performance outcomes   | Acceptable outcomes   | Compliance  |
|--|---|---|
| <p>Access points are designed and constructed:</p> <ul style="list-style-type: none"> <li>(a) to operate safely and efficiently;</li> <li>(b) to accommodate the anticipated type and volume of vehicles</li> <li>(c) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate;</li> </ul>   | <p>Access is limited to one access cross over per site and is an access point located, designed and constructed in accordance with:</p> <ul style="list-style-type: none"> <li>(a) Australian Standard AS2890.1;</li> <li>(b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers.</li> </ul>   | <p>Only one crossover would be provided.</p>  |
| <ul style="list-style-type: none"> <li>(d) so that they do not impede traffic or pedestrian movement on the adjacent road area;</li> <li>(e) so that they do not adversely impact upon existing intersections or future road or intersection improvements;</li> <li>(f) so that they do not adversely impact current and future on-street parking arrangements;</li> <li>(g) so that they do not adversely impact on existing services within the road reserve adjacent to the site;</li> <li>(h) so that they do not involve ramping, cutting of the adjoining road reserve or any built structures (other than what may be necessary to cross over a stormwater channel).</li> </ul> | <p><b>AO3.2</b></p> <p>Access, including driveways or access crossovers:</p> <ul style="list-style-type: none"> <li>(a) are not placed over an existing: <ul style="list-style-type: none"> <li>(i) telecommunications pit;</li> <li>(ii) stormwater kerb inlet;</li> <li>(iii) sewer utility hole;</li> <li>(iv) water valve or hydrant.</li> </ul> </li> <li>(b) are designed to accommodate any adjacent footpath;</li> <li>(c) adhere to minimum sight distance requirements in accordance with AS2980.1.</li> </ul>  | <p><b>Complies with AO3.2</b></p> <p>The driveway would not be placed over and existing infrastructure access points.</p>                                   |
|  | <p><b>AO3.3</b></p> <p>Driveways are:</p> <ul style="list-style-type: none"> <li>(a) designed to follow as closely as possible to the existing contours, but are no steeper than the gradients outlined in Planning scheme policy SC6.5 – FNQROC Regional Development Manual;</li> <li>(b) constructed such that where there is a grade shift to 1 in 4 (25%), there is an area with a grade of no more than 1 in 6 (16.6%) prior to this area, for a distance of at least 5 metres;</li> <li>(c) on gradients greater than 1 in 6 (16.6%) driveways are constructed to ensure the cross-fall of the driveway is one</li> </ul> | <p><b>Complies with AO3.3</b></p> <p>The proposed driveway would be constructed in accordance with the FNQROC Regional Development Manual Requirements.</p> |

| Performance outcomes  | Acceptable outcomes  | Compliance   |
|---|--|--|
|   | <p>way and directed into the hill, for vehicle safety and drainage purposes;</p> <p>(d) constructed such that the transitional change in grade from the road to the lot is fully contained within the lot and not within the road reserve;</p> <p>(e) designed to include all necessary associated drainage that intercepts and directs storm water runoff to the storm water drainage system.</p> |  |
|   | <p><b>AO3.4</b></p> <p>Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.</p>   | <p><b>Complies with AO3.4</b></p> <p>The existing driveways in the locality are gravel and the proposed driveway would meet or exceed this minimum standard.</p> |
| <p><b>PO4</b></p> <p>Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.</p> | <p><b>AO4</b></p> <p>The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.</p>   | <p><b>Not Applicable</b></p> <p>Not applicable to dwelling houses.</p>   |
| <p><b>PO5</b></p> <p>Access for people with disabilities is provided to the building from the parking area and from the street.</p>                   | <p><b>AO5</b></p> <p>Access for people with disabilities is provided in accordance with the relevant Australian Standard.</p>  | <p><b>Not Applicable</b></p> <p>Not applicable to dwelling houses.</p>   |
| <p><b>PO6</b></p> <p>Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development.</p>             | <p><b>AO6</b></p> <p>The number of on-site bicycle parking spaces complies with the rates specified in <b>Error! Reference source not found.</b></p>   | <p><b>Not Applicable</b></p> <p>Not applicable to dwelling houses.</p>   |
| <p><b>PO7</b></p>   | <p><b>AO7.1</b></p>  | <p><b>Not Applicable</b></p> <p>Not applicable to dwelling houses.</p>   |

| Performance outcomes  | Acceptable outcomes   | Compliance   |
|---|---|--|
| <p>Development provides secure and convenient bicycle parking which:</p> <p>(a) for visitors is obvious and located close to the building's main entrance;</p> <p>(b) for employees is conveniently located to provide secure and convenient access between the bicycle storage area, end-of-trip facilities and the main area of the building;</p> <p>(c) is easily and safely accessible from outside the site.</p>                     | <p>Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers)</p>   |  |
|   | <p><b>AO7.2</b></p> <p>Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street.</p>  | <p><b>Not Applicable</b></p> <p>Not applicable to dwelling houses.</p> |
|   | <p><b>AO7.3</b></p> <p>Development provides visitor bicycle parking which does not impede pedestrian movement.</p>  | <p><b>Not Applicable</b></p> <p>Not applicable to dwelling houses.</p> |
| <p><b>PO8</b></p> <p>Development provides walking and cycle routes through the site which:</p> <p>(a) link to the external network and pedestrian and cyclist destinations such as schools, shopping centres, open space, public transport stations, shops and local activity centres along the safest, most direct and convenient routes;</p> <p>(b) encourage walking and cycling;</p> <p>(c) ensure pedestrian and cyclist safety.</p> | <p><b>AO8</b></p> <p>Development provides walking and cycle routes which are constructed on the carriageway or through the site to:</p> <p>(a) create a walking or cycle route along the full frontage of the site;</p> <p>(b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site.</p> | <p><b>Not Applicable</b></p> <p>Not applicable to dwelling houses.</p> |
| <p><b>PO9</b></p> <p>Access, internal circulation and on-site parking for service vehicles are designed and constructed:</p> <p>(a) in accordance with relevant standards;</p> <p>(b) so that they do not interfere with the amenity of the surrounding area;</p>   | <p><b>AO9.1</b></p> <p>Access driveways, vehicle manoeuvring and on-site parking for service vehicles are designed and constructed in accordance with AS2890.1 and AS2890.2.</p>  | <p><b>Not Applicable</b></p> <p>Not applicable to dwelling houses.</p> |
|   | <p><b>AO9.2</b></p> <p>Service and loading areas are contained fully within the site.</p>   | <p><b>Not Applicable</b></p> <p>Not applicable to dwelling houses.</p> |

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| Performance outcomes   | Acceptable outcomes  | Compliance   |
|--|--|--|
| <p>(c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles.</p>                      | <p><b>AO9.3</b></p> <p>The movement of service vehicles and service operations are designed so they:</p> <p>(a) do not impede access to parking spaces;</p> <p>(b) do not impede vehicle or pedestrian traffic movement.</p>   | <p><b>Not Applicable</b></p> <p>Not applicable to dwelling houses.</p> |
| <p><b>PO10</b></p> <p>Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.</p> | <p><b>AO10.1</b></p> <p>Development provides adequate area on-site for vehicle queuing to accommodate the demand generated by the development where drive through facilities or drop-off/pick-up services are proposed as part of the use, including, but not limited to, the following land uses:</p> <p>(a) car wash;</p> <p>(b) child care centre;</p> <p>(c) educational establishment where for a school;</p> <p>(d) food and drink outlet, where including a drive-through facility;</p> <p>(e) hardware and trade supplies, where including a drive-through facility;</p> <p>(f) hotel, where including a drive-through facility;</p> <p>(g) service station.</p> | <p><b>Not Applicable</b></p> <p>Not applicable to dwelling houses.</p> |
|  | <p><b>AO10.2</b></p> <p>Queuing and set-down areas are designed and constructed in accordance with AS2890.1.</p>   | <p><b>Not Applicable</b></p> <p>Not applicable to dwelling houses.</p> |

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Note – Where the number of spaces is not a whole number, the number of spaces to be provided is the next highest whole number.

Note – Where the proposed development involves one or more land use, the minimum number of spaces for the proposed development will be calculated using the minimum number of spaces specified for each land use component.

| Land use                    | Minimum number of ordinary vehicle parking spaces   | Minimum number of bicycle spaces   | End of trip facilities   | Minimum standard design service vehicle (refer to Table 9.4.1.3c)               |
|-----------------------------|---|--|--|---|
| Agricultural supplies store | 1 space per 50m <sup>2</sup> of GFA and outdoor display area.   | 1 space per 200m <sup>2</sup> of GFA.  | n/a  | LRV   |
| Air services                | 1 car space per 20m <sup>2</sup> of covered reception area, plus 1 car space per 2 staff, plus a covered bus set down area adjacent to the entry of the reception area and 2 bus parking spaces.  | n/a  | n/a  | LRV   |
| Bulk landscape supplies     | 1 space per 50m <sup>2</sup> GFA and outdoor display area.  | 1 space per 200m <sup>2</sup> of GFA.  | n/a  | MRV   |
| Caretaker's accommodation   | A minimum of 1 space  | n/a  | n/a  | n/a   |
| Child care centre           | 1 space per 10 children to be used for setting down and picking up of children, with a minimum of 3 car spaces to be provided for set down and collection; plus 1 space per employee. Any drive-through facility can provide tandem short term parking for 3 car spaces for setting down/picking up of children, on the basis that a passing lane is provided and line-marked to be kept clear of standing vehicles at all times. | n/a  | n/a  | VAN   |
| Club                        | Unlicensed clubrooms: 1 space per 45m <sup>2</sup> of GFA.<br>Licensed clubrooms: 1 space per 15m <sup>2</sup> of GFA.  | 1 space per 4 employees.   | n/a  | Licensed and equal or greater than 1500m <sup>2</sup> :<br>RCV<br>Other:<br>VAN |
| Community care centre       | 1 space per 20m <sup>2</sup> of GFA.  | A minimum of 1 space.  | n/a  | RCV   |
| Community residence         | A minimum of 2 spaces.  | A minimum of 1 space.  | n/a  | VAN   |
| Community use               | 1 space per 15m <sup>2</sup> GFA.   | 1 space per 100m <sup>2</sup> of GFA.  | n/a  | RCV   |
| Dual occupancy              | A minimum of 2 spaces per dwelling unit which may be in tandem with a minimum of 1 covered space per dwelling unit.   | n/a  | n/a  | n/a   |
| Dwelling house              | A minimum of 2 spaces which may be in tandem plus 1 space for a secondary dwelling  | n/a  | n/a  | n/a   |
| Dwelling unit               | 1.5 spaces per one or two bedroom unit; or 2 spaces per three bedroom unit.   | n/a  | n/a  | n/a   |
| Educational establishment   | Primary school or secondary schools:<br>1 car space per 2 staff members, plus provision of space to be used for setting down and picking up of students.<br>Tertiary and further education:   | Primary school or secondary schools:<br>1 space per 5 students over year 4.<br>Tertiary and further education: | Required for all educational establishments with a GFA greater than 2000m <sup>2</sup> . | RCV   |

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| Land use                    | Minimum number of ordinary vehicle parking spaces  | Minimum number of bicycle spaces                               | End of trip facilities   | Minimum standard design service vehicle (refer to Table 9.4.1.3c) |
|-----------------------------|--|--|--|---|
|                             | 1 car space per 2 staff members, plus 1 car space per 10 students, plus provision of space to be used for setting down and picking up of students.   | 2 spaces per 50 full time students.                            |  |   |
| Food and drink outlet       | 1 space per 25m <sup>2</sup> GFA and outdoor dining area.<br>or<br>If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craigie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan:<br>1 space per 50m <sup>2</sup> of GFA, and outdoor dining area.   | 1 space per 100m <sup>2</sup> of GFA, and outdoor dining area. | n/a  | See Table Error! <b>No text of specified style in document..d</b> |
| Function facility           | 1 space per 15m <sup>2</sup> GFA.  | 1 space per 100m <sup>2</sup> of GFA.                          | n/a  | RCV   |
| Funeral parlour             | 1 space per 15m <sup>2</sup> GFA.  | n/a  | n/a  | RCV   |
| Garden centre               | 1 space per 50m <sup>2</sup> GFA and outdoor display area  | 1 space per 200m <sup>2</sup> of GFA.                          | n/a  | AV  |
| Hardware and trade supplies | 1 space per 50m <sup>2</sup> GFA and outdoor display area  | 1 space per 200m <sup>2</sup> of GFA.                          | n/a  | AV  |
| Health care services        | 1 space per 20m <sup>2</sup> of GFA.   | 1 space per 100m <sup>2</sup> of GFA.                          | Required for all health care services with a GFA greater than 2000m <sup>2</sup> . | VAN   |
| High impact industry        | 1 space per 90m <sup>2</sup> of GFA.   | n/a  | n/a  | AV  |
| Home based business         | The parking required for the dwelling house, plus<br>1 space per bedroom where the Home based business involves the provision of accommodation; or<br>1 space per 25m <sup>2</sup> GFA for any other Home Based Business.  | n/a  | n/a  | n/a   |
| Hospital                    | The greater of 1 space per 2 bedrooms or 1 space per 4 beds; plus<br>1 car space for ambulance parking, designated accordingly.  | 1 space per 100m <sup>2</sup> of GFA.                          | Required for all hospitals with a GFA greater than 2000m <sup>2</sup> .            | RCV   |
| Hotel                       | 1 space per 10m <sup>2</sup> GFA and licensed outdoor area; plus<br>For 1 space per 50m <sup>2</sup> GFA of floor area of liquor barn or bulk liquor sales area; plus, if a drive in bottle shop is provided, queuing lane/s on site for 12 vehicles.<br>Note - Use standard for any Short Term Accommodation for hotel accommodation use. | 1 space per 100m <sup>2</sup> of GFA.                          | n/a  | LRV   |
| Indoor sport and recreation | Squash court or another court game:<br>4 spaces per court.<br>Basketball, netball, soccer, cricket:<br>25 spaces per court / pitch.<br>Ten pin bowling:<br>3 spaces per bowling lane.<br>Gymnasium:<br>1 space per 15m <sup>2</sup> of GFA.  | 1 space per 4 employees.                                       | n/a  | RCV   |
| Low impact industry         | 1 space per 90m <sup>2</sup> of GFA.   | n/a  | n/a  | AV  |
| Marine industry             | 1 space per 90m <sup>2</sup> of GFA.   | n/a  | n/a  | AV  |



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| Land use                         | Minimum number of ordinary vehicle parking spaces  | Minimum number of bicycle spaces   | End of trip facilities   | Minimum standard design service vehicle (refer to Table 9.4.1.3c) |
|----------------------------------|--|--|--|---|
| Medium impact industry           | 1 space per 90m <sup>2</sup> of GFA.   | n/a  | n/a  | AV  |
| Multiple dwelling                | If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie Local plan:<br>1 car space per dwelling unit.<br>If outside Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie Local plan:<br>1.5 car spaces per dwelling unit<br>In all cases 60% of the car parking area is to be covered.  | 1 bicycle space per 3 units and 1 visitor bicycle space per 12 units.  | n/a  | RCV (over 10 units)   |
| Office                           | 1 space per 25m <sup>2</sup> of GFA<br>or<br>If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan:<br>1 space per 50m <sup>2</sup> of GFA  | 1 space per 200m <sup>2</sup> GFA  | Required for all office development with a GFA greater than 2000m <sup>2</sup> . | See Table Error! No text of specified style in document..e        |
| Outdoor sales                    | 1 space per 50m <sup>2</sup> GFA and outdoor display area  | 1 space per 200m <sup>2</sup> of GFA.  | n/a  | AV  |
| Outdoor sport and recreation     | Coursing, horse racing, pacing, trotting:<br>1 space per 5 seated spectators, plus 1 space per 5m <sup>2</sup> of other spectator areas.<br><br>Football:<br>50 spaces per field.<br><br>Lawn bowls:<br>30 spaces per green.<br><br>Swimming pool:<br>15 spaces; plus<br>1 space per 100m <sup>2</sup> of useable site area.<br><br>Tennis court or other court game:<br>4 spaces per court.<br>Golf course:<br>4 spaces per tee on the course.<br><br>Note - Use standard for Club for clubhouse component. | Football:<br>5 space per field.<br><br>Lawn bowls:<br>5 spaces per green.<br><br>Swimming pool:<br>1 space per swimming lane.<br><br>Tennis court or other court game:<br>4 space per court.<br><br>Golf course:<br>1 space per 15m <sup>2</sup> of GFA for clubhouse component. | n/a  | RCV   |
| Place of worship                 | 1 space per 15m <sup>2</sup> of GFA.   | 1 space per 100m <sup>2</sup> of GFA.  | n/a  | LRV   |
| Relocatable home park            | 1 space per relocatable home site; plus<br>0.1 space per relocatable home site for visitor parking; plus<br>1 space for an on-site manager   | n/a  | n/a  | LRV   |
| Research and technology industry | 1 space per 90m <sup>2</sup> of GFA.   | n/a  | n/a  | MRV   |
| Residential care facility        | 1 visitor car space per 5 bedroom units;<br>plus 1 car space per 2 staff members   | n/a  | n/a  | LRV   |

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| Land use                 | Minimum number of ordinary vehicle parking spaces   | Minimum number of bicycle spaces   | End of trip facilities   | Minimum standard design service vehicle (refer to Table 9.4.1.3c) |
|--------------------------|---|--|--|---|
| Resort complex           | Use standard for relevant standard for each component.<br><br>For example: Use Short Term Accommodation standard for accommodation component and Food and Drink Outlet for restaurant component.  | Use standard for relevant standard for each component.<br><br>For example: Use Short Term Accommodation standard for accommodation component and Food and Drink Outlet for restaurant component. | n/a  | RCV   |
| Retirement facility      | 1 space per dwelling unit;<br>plus 1 visitor space per 5 dwelling units;<br>plus 1 visitor car space per 10 hostel units, nursing home or similar beds, plus 1 car space per 2 staff members;<br>plus 1 car parking space for ambulance parking.  | n/a  | n/a  | LRV   |
| Sales office             | A minimum of 1 space.   | n/a  | n/a  | n/a   |
| Service industry         | 1 space per 90m <sup>2</sup> of GFA.  | n/a  | n/a  | SRV   |
| Service station          | 1 space per 25m <sup>2</sup> of GFA   | n/a  | n/a  | AV  |
| Shop                     | 1 space per 25m <sup>2</sup> of GFA.<br>or<br>If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan:<br>1 space per 50m <sup>2</sup> of GFA.   | 1 space per 100m <sup>2</sup> of GFA.  | Required for all shops with a GFA greater than 2000m <sup>2</sup> .            | See Table Error! No text of specified style in document..d        |
| Shopping centre          | 1 space per 25m <sup>2</sup> of GFA.<br>or<br>If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan:<br>1 space per 50m <sup>2</sup> of GFA.   | 1 space per 200m <sup>2</sup> GFA.   | Required for all shopping centres with a GFA greater than 2000m <sup>2</sup> . | See Table Error! No text of specified style in document..d        |
| Short term accommodation | If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan:<br>0.5 car spaces per dwelling unit.<br><br>If outside Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan:<br>For up to 5 units: 1 car space per dwelling unit, plus 1 space for visitors and 1 service/staff spaces.<br>For 5 – 10 units: 1 car space per dwelling unit, plus 2 spaces for visitors and 1 service/staff spaces.<br>For over 10 units: 0.75 car spaces per dwelling unit, plus 3 spaces for visitors and 2 service/staff parking for the first 10 units and 0.5 additional service/staff space per 10 units, there-above.<br><br>In all cases 60% of the car parking area is to be covered. | 1 space per 10 rooms   | n/a  | SRV   |

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| Land use                                       | Minimum number of ordinary vehicle parking spaces   | Minimum number of bicycle spaces   | End of trip facilities | Minimum standard design service vehicle (refer to Table 9.4.1.3c) |
|--|---|--|------------------------|---|
|  | Note: Where Short term accommodation is to be inter-changeable with a Multiple dwelling land use, multiple dwelling parking rates apply.                            |  |                        |   |
| Showroom                                       | 1 space per 50m <sup>2</sup> GFA.   | 1 space per 200m <sup>2</sup> GFA.   | n/a                    | AV  |
| Special industry                               | 1 space per 90m <sup>2</sup> of GFA.  | n/a  | n/a                    | AV  |
| Tourist park                                   | 1 car space per caravan site, tent site or cabin; plus 1 visitor car space per 10 caravan sites, tent sites or cabins; plus 1 car space for an on-site manager.     | n/a  | n/a                    | LRV   |
| Theatre  | Indoor:<br>1 space per 15m <sup>2</sup> of GFA.<br><br>Outdoor cinema:<br>1 space per 5m <sup>2</sup> of designated viewing area, plus 1 car space per 2 employees. | 1 space per 200m <sup>2</sup> GFA.   | n/a                    | VAN   |
| Veterinary services                            | 1 space per 50m <sup>2</sup> of GFA.  | n/a  | n/a                    | VAN   |
| Warehouse                                      | 1 space per 90m <sup>2</sup> of GFA.  | n/a  | n/a                    | Where self-storage:<br>RCV<br>Other:<br>AV                        |
| Any use not otherwise specified in this table. | Sufficient spaces to accommodate number of vehicles likely to be parked at any one time.  | Sufficient spaces to accommodate number of vehicles likely to be parked at any one time. |                        | To be determined  |

**Table Error! No text of specified style in document..c – Design vehicles**

|     |  |
|-----|--|
| VAN | A 99.8th percentile vehicle equivalent to a large car.   |
| SRV | Small rigid vehicle as in AS2890.2-2002 parking facilities – Off-street commercial vehicle facilities, but incorporating a body width of 2.33m |
| MRV | Medium rigid vehicle equivalent to an 8-tonne truck.   |
| LRV | Large rigid vehicle described by AS2890.2-2002 parking facilities – Off-street commercial vehicle facilities as heavy rigid vehicle.           |
| RCV | Industrial refuse collection vehicle   |
| AV  | 19 metre articulated vehicle from AUSTRROADS   |

**Table Error! No text of specified style in document..d – Standard number of service bays required for Food and drink outlet, Shop or Shopping centre**

| Gross floor area (m <sup>2</sup> ) | Service bays required |
|------------------------------------|-----------------------|
|------------------------------------|-----------------------|

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|               | VAN                                   | SRV | MRV | LRV |
|---------------|---------------------------------------|-----|-----|-----|
| 0-199         | -                                     | 1   | -   | -   |
| 200 – 599     | 1                                     | -   | 1   | -   |
| 600 – 999     | 1                                     | 1   | 1   | -   |
| 1000 – 1499   | 2                                     | 1   | 1   | -   |
| 1500 – 1999   | 2                                     | 2   | 1   | -   |
| 2000 – 2799   | 2                                     | 2   | 2   | -   |
| 2800 – 3599   | 2                                     | 2   | 2   | 1   |
| 3600 and over | To be determined via a parking study. |     |     |     |

**Table Error! No text of specified style in document..e – Standard number of service bays required for Office**

| Gross floor area (m <sup>2</sup> ) | Service bays required                 |     |     |     |
|------------------------------------|---------------------------------------|-----|-----|-----|
|                                    | VAN                                   | SRV | MRV | LRV |
| 0-999                              | -                                     | 1   | -   | -   |
| 1000 – 2499                        | 1                                     | -   | 1   | -   |
| 2500 – 3999                        | 2                                     | 1   | 1   | -   |
| 4000 – 5999                        | 3                                     | 1   | 1   | -   |
| 6000 – 7999                        | 4                                     | 1   | 1   | -   |
| 8000 – 9999                        | 4                                     | 2   | 1   | -   |
| 10000 and over                     | To be determined via a parking study. |     |     |     |

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#### 9.4.4 Filling and excavation code

##### 9.4.4.1 Application

- (1) This code applies to assessing:
- (a) operational work for filling or excavation which is self-assessable or code assessable development if this code is an applicable code identified in the assessment criteria column of a table of assessment; or
  - (b) a material change of use or reconfiguring a lot if:
    - (i) assessable development where this code is identified as a prescribed secondary code in the assessment criteria column of a table of assessment; or
    - (ii) impact assessable development, to the extent relevant.

Note—This code does not apply to building work that is regulated under the Building Code of Australia.

- (2) When using this code, reference should be made to Part 5.

##### 9.4.4.2 Purpose

- (1) The purpose of the Filling and excavation code is to assess the suitability of development for filling or excavation.
- (2) The purpose of the code will be achieved through the following overall outcomes:
- (a) filling or excavation does not impact on the character or amenity of the site and surrounding areas;
  - (b) filling and excavation does not adversely impact on the environment;
  - (c) filling and excavation does not impact on water quality or drainage of upstream, downstream or adjoining properties;
  - (d) filling and excavation is designed to be fit for purpose and does not create land stability issues;
  - (e) filling and excavation works do not involve complex engineering solutions.

##### 9.4.4.3 Criteria for assessment

**Table Error! No text of specified style in document..a – Filling and excavation code – for self-assessable and assessable development**

| Performance outcomes                                  | Acceptable outcomes | Compliance |
|---|---------------------|------------|
| <b>For self-assessable and assessable development</b> |                     |            |

| Performance outcomes  | Acceptable outcomes  | Compliance   |
|---|--|--|
| <b>Filling and excavation - General</b>   |  |  |
| <b>PO1</b><br>All filling and excavation work does not create a detrimental impact on the slope stability, erosion potential or visual amenity of the site or the surrounding area. | <b>AO1.1</b><br>The height of cut and/or fill, whether retained or not, does not exceed 2 metres in height.<br><br>and<br><br>Cuts in excess of those stated in A1.1 above are separated by benches/ terraces with a minimum width of 1.2 metres that incorporate drainage provisions and screen planting. | <b>Not Applicable</b><br><br>No excavation work proposed |
|   | <b>AO1.2</b><br>Cuts are supported by batters, retaining or rock walls and associated benches/terraces are capable of supporting mature vegetation.  | <b>Not Applicable</b><br><br>No excavation work proposed |
|   | <b>AO1.3</b><br>Cuts are screened from view by the siting of the building/structure, wherever possible.  | <b>Not Applicable</b><br><br>No excavation work proposed |
|   | <b>AO1.4</b><br>Topsoil from the site is retained from cuttings and reused on benches/terraces.  | <b>Not Applicable</b><br><br>No excavation work proposed |
|   | <b>AO1.5</b><br>No crest of any cut or toe of any fill, or any part of any retaining wall or structure is closer than 600mm to any boundary of the property, unless the prior written approval of the adjoining landowner has been obtained.   | <b>Not Applicable</b><br><br>No excavation work proposed |

| Performance outcomes   | Acceptable outcomes  | Compliance  |
|--|--|---|
|  | <p><b>AO1.6</b><br/>Non-retained cut and/or fill on slopes are stabilised and protected against scour and erosion by suitable measures, such as grassing, landscaping or other protective/aesthetic measures.</p>      | <p><b>Not Applicable</b><br/>No excavation work proposed</p>  |
| <b>Visual Impact and Site Stability</b>  |  |   |
| <p><b>PO2</b><br/>Filling and excavation are carried out in such a manner that the visual/scenic amenity of the area and the privacy and stability of adjoining properties is not compromised.</p>           | <p><b>AO2.1</b><br/>The extent of filling and excavation does not exceed 40% of the site area, or 500m<sup>2</sup> whichever is the lesser, except that AO2.1 does not apply to reconfiguration of 5 lots or more.</p> | <p><b>Not Applicable</b><br/>No excavation work proposed.</p> |
|  | <p><b>AO2.2</b><br/>Filling and excavation does not occur within 2 metres of the site boundary.</p>  | <p><b>Not Applicable</b><br/>No excavation work proposed</p>  |
| <b>Flooding and drainage</b>   |  |   |
| <p><b>PO3</b><br/>Filling and excavation does not result in a change to the run off characteristics of a site which then have a detrimental impact on the site or nearby land or adjacent road reserves.</p> | <p><b>AO3.1</b><br/>Filling and excavation does not result in the ponding of water on a site or adjacent land or road reserves.</p>  | <p><b>Not Applicable</b><br/>No excavation work proposed</p>  |
|  | <p><b>AO3.2</b><br/>Filling and excavation does not result in an increase in the flow of water across a site or any other land or road reserves.</p>   | <p><b>Not Applicable</b><br/>No excavation work proposed</p>  |
|  | <p><b>AO3.3</b><br/>Filling and excavation does not result in an increase in the volume of water or concentration of water in a watercourse and overland flow paths.</p>   | <p><b>Not Applicable</b><br/>No excavation work proposed.</p> |

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| Performance outcomes   | Acceptable outcomes  | Compliance  |
|--|--|---|
|  | <p><b>AO3.4</b></p> <p>Filling and excavation complies with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.</p>     | <p><b>Not Applicable</b></p> <p>No excavation work proposed</p> |
| <b>Water quality</b>   |  |   |
| <p><b>PO4</b></p> <p>Filling and excavation does not result in a reduction of the water quality of receiving waters.</p> | <p><b>AO4</b></p> <p>Water quality is maintained to comply with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.</p> | <p><b>Not Applicable</b></p> <p>No excavation work proposed</p> |
| <b>Infrastructure</b>  |  |   |
| <p><b>PO5</b></p> <p>Excavation and filling does not impact on Public Utilities.</p>                                     | <p><b>AO5</b></p> <p>Excavation and filling is clear of the zone of influence of public utilities.</p>   | <p><b>Not Applicable</b></p> <p>No excavation work proposed</p> |





# CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 28801724

Search Date: 07/06/2018 09:20

Title Reference: 50638692

Date Created: 29/11/2006

Previous Title: 20677080

## REGISTERED OWNER

Dealing No: 713060446 16/02/2010

HAMISH MCKAY GILLIES

## ESTATE AND LAND

Estate in Fee Simple

LOT 3 SURVEY PLAN 192593  
Local Government: DOUGLAS

## EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20219105 (POR 15)
2. EASEMENT IN GROSS No 710118326 21/11/2006 at 16:22  
burdening the land  
DOUGLAS SHIRE COUNCIL  
over  
EASEMENT A ON SP192593
3. MORTGAGE No 713060447 16/02/2010 at 14:59  
NATIONAL AUSTRALIA BANK LIMITED A.B.N. 12 004 044 937

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-ENQ CITEC CONFIRM