

DA Form 1 – Development application details

Approved form (version 1.3 effective 28 September 2020) made under section 282 of the Planning Act 2016.

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

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

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

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Paulina Juchnevicius
Contact name (only applicable for companies)	c/- GMA Certification Group, Hannah Dayes
Postal address (P.O. Box or street address)	PO Box 831
Suburb	Kilalloe
State	Queensland
Postcode	4877
Country	Australia
Contact number	07 4041 0111
Email address (non-mandatory)	Hannah.d@gmacert.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	20213632

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	
<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
		Lot 155	Captain Cook Highway	Killaloe
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	155	NR78	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.

- ☐ Coordinates of premises by longitude and latitude

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

- ☐ Coordinates of premises by easting and northing

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

3.3) Additional premises

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

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

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

Name of water body, watercourse or aquifer:

- ☐ On strategic port land under the *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:

<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification: <input type="text"/>
<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 ²) (if applicable)
Dwelling House	Dwelling House	1	494.26m ²
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 constructed road (complete 13))

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				
10.2) Will the subdivision be staged?				
<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 ²)	Lot on plan description	Area (m ²)

12.2) What is the reason for the boundary realignment?

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

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

Division 3 – Operational work

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

14.1) What is the nature of the operational work?

<input type="checkbox"/> Road work	<input type="checkbox"/> Stormwater	<input type="checkbox"/> Water infrastructure
<input type="checkbox"/> Drainage work	<input type="checkbox"/> Earthworks	<input type="checkbox"/> Sewage infrastructure
<input type="checkbox"/> Landscaping	<input type="checkbox"/> Signage	<input type="checkbox"/> Clearing vegetation
<input type="checkbox"/> Other – please specify: _____		

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?

<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application
<input type="checkbox"/> The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
<input checked="" type="checkbox"/> No

PART 5 – REFERRAL DETAILS

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

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

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

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

- ☐ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has not been devolved to a local government*)
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Heritage places – Queensland heritage place (*on or near a Queensland heritage place*)
- ☐ Infrastructure-related referrals – designated premises
- ☐ Infrastructure-related referrals – state transport infrastructure
- ☐ Infrastructure-related referrals – State transport corridor and future State transport corridor
- ☐ Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
- ☐ Infrastructure-related referrals – near a state-controlled road intersection
- ☐ Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
- ☐ Koala habitat in SEQ region – key resource areas
- ☐ Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
- ☐ Ports – Brisbane core port land – environmentally relevant activity (ERA)
- ☐ Ports – Brisbane core port land – tidal works or work in a coastal management district
- ☐ Ports – Brisbane core port land – hazardous chemical facility
- ☐ Ports – Brisbane core port land – taking or interfering with water
- ☐ Ports – Brisbane core port land – referable dams
- ☐ Ports – Brisbane core port land – fisheries
- ☐ Ports – Land within Port of Brisbane's port limits (*below high-water mark*)
- ☐ SEQ development area
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – community activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – combined use
- ☐ Tidal works or works in a coastal management district
- ☐ Reconfiguring a lot in a coastal management district or for a canal
- ☐ Erosion prone area in a coastal management district
- ☐ Urban design
- ☐ Water-related development – taking or interfering with water
- ☐ Water-related development – removing quarry material (*from a watercourse or lake*)
- ☐ Water-related development – referable dams
- ☐ Water-related development – levees (*category 3 levees only*)
- ☐ Wetland protection area

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

- ☐ Airport land
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has been devolved to local government*)

<input type="checkbox"/> Heritage places – Local heritage places
Matters requiring referral to the Chief Executive of the distribution entity or transmission entity: <input checked="" type="checkbox"/> Infrastructure-related referrals – Electricity infrastructure
Matters requiring referral to: <ul style="list-style-type: none"> • The Chief Executive of the holder of the licence, if not an individual • The holder of the licence, if the holder of the licence is an individual <input type="checkbox"/> Infrastructure-related referrals – Oil and gas infrastructure
Matters requiring referral to the Brisbane City Council: <input type="checkbox"/> Ports – Brisbane core port land
Matters requiring referral to the Minister responsible for administering the Transport Infrastructure Act 1994: <input type="checkbox"/> Ports – Brisbane core port land <i>(where inconsistent with the Brisbane port LUP for transport reasons)</i> <input type="checkbox"/> Ports – Strategic port land
Matters requiring referral to the relevant port operator , if applicant is not port operator: <input type="checkbox"/> Ports – Land within Port of Brisbane's port limits <i>(below high-water mark)</i>
Matters requiring referral to the Chief Executive of the relevant port authority: <input type="checkbox"/> Ports – Land within limits of another port <i>(below high-water mark)</i>
Matters requiring referral to the Gold Coast Waterways Authority: <input type="checkbox"/> Tidal works or work in a coastal management district <i>(in Gold Coast waters)</i>
Matters requiring referral to the Queensland Fire and Emergency Service: <input type="checkbox"/> Tidal works or work in a coastal management district <i>(involving a marina (more than six vessel berths))</i>

18) Has any referral agency provided a referral response for this development application?		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application <input checked="" 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 this development application, or include details in a schedule to this development application <i>(if applicable)</i> .		

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application <input type="checkbox"/> I do not agree to accept an information request for this development application
Note: By not agreeing to accept an information request I, the applicant, acknowledge: <ul style="list-style-type: none"> • that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties • Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules. Further advice about information requests is contained in the DA Forms Guide .

PART 7 – FURTHER DETAILS

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

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

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

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

- ☐ Yes – a copy of the receipted QLeave form is attached to this development application
☐ No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid
☒ Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)

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

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

- ☐ Yes – show cause or enforcement notice is attached
☒ No

23) Further legislative requirements

Environmentally relevant activities

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

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

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

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

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

Hazardous chemical facilities

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

- ☐ Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application
☒ No

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

Clearing native vegetation

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

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

☒ No

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

Environmental offsets

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

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

☒ No

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

Koala habitat in SEQ Region

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

☐ Yes – the development application involves premises in the koala habitat area in the koala priority area

☐ Yes – the development application involves premises in the koala habitat area outside the koala priority area

☒ No

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

Water resources

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

☐ Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the *Water Act 2000* may be required prior to commencing development

☒ No

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au for further information.

DA templates are available from <https://planning.dsdmp.qld.gov.au/>. If the development application involves:

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

Waterway barrier works

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

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

☒ No

DA templates are available from <https://planning.dsdmp.qld.gov.au/>. For a development application involving waterway barrier works, complete DA Form 1 Template 4.

Marine activities

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

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

☒ No

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

Quarry materials from a watercourse or lake

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

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

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au and www.business.qld.gov.au for further information.

Quarry materials from land under tidal waters

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

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

Note: Contact the Department of Environment and Science at www.des.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.dnrme.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.des.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.des.qld.gov.au for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
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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

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

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

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

☒ No

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

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

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

☒ Yes

Note: See the Planning Regulation 2017 for referral requirements

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

☐ Yes

☒ Not applicable

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

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

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

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

☐ Yes

☒ Not applicable

25) Applicant declaration

☒ By making this development application, I declare that all information in this development application is true and correct

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

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

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

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

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

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

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

Date received:

Reference number(s):

Notification of engagement of alternative assessment manager

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

QLeave notification and payment

Note: For completion by assessment manager if applicable

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



GMA Certification
Group

*Leaders in
Building Certification Services*



PLANNING STATEMENT

For: Paulina Juchnevicius
Development: Dwelling House
At: Lot 155 Captain Cook Highway, Killaloe (Lot 155 on NR78)
Prepared by: GMA Certification Group
File Ref: 20213632
Revision: A

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1.0 Introduction

This report has been prepared on behalf of Paulina Juchnevicius in support of a Development Application to Douglas Shire Council for a Development Permit for a Material Change of Use for the purpose of a Dwelling House on land located at Lot 155 Captain Cook Highway, Killaloe, and described as Lot 155 on NR78.

The application site has an area of 64.75 hectares and has frontage to both the Captain Cook Highway and Colenso Road in the order of 826 metres. The site is relatively flat towards the Captain Cook Highway frontage to the east and becomes sloping to the west as it forms part of the foothills of the McAllister ranges. It is currently used for agricultural activities, sugar cane cultivation, towards the highway frontage and comprises established native vegetation towards the rear (west). An easement traverses the site adjacent the south-east boundary for electricity purposes. Access is provided to the site by existing sealed and unsealed driveways from Captain Cook Highway and Colenso Road.

The locality containing the site comprises agricultural land uses, sugar cane cultivation, with natural undisturbed vegetation located on the hillslopes towards the west. To the south of the site is an established rural lifestyle subdivision that has been developed with Dwelling Houses on larger residential lots. To the north east of the site between the constructed road and the site frontage is the Mossman Sugar Mill cane tram line.

It is proposed to develop a Dwelling House on the subject site. The Dwelling House would be setback 54.919 metres from the Colenso Road Frontage and approximately 450 metres from the Captain Cook Highway frontage.

The Dwelling House would be single storey and designed as three Pods with an ancillary car port located adjacent the central Pod and principal entrance. The Dwelling House would have a gross floor area of approximately 495m² and would contain four bedrooms, each with ensuite, kitchenette, office, kitchen/dining/lounge area, laundry and craft room/gym. Externally, a deck would be provided to the western and northern elevations.

The application is identified as being Code Assessable and consideration can only be given to the Assessment Benchmarks within the Douglas Shire Planning Scheme 2018. The proposed development is considered to be consistent with the Assessment Benchmarks and is considered to be a suitable use of the site.

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

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2.0 Development Summary

Address:	Lot 155 Captain Cook Highway, Killaloe
Real Property Description:	Lot 155 on NR78
Easements & Encumbrances:	Electricity easement adjacent the south-east boundary of the site (Colenso Road Frontage)
Site Area/Frontage:	Area: 64.75 hectares Frontage: 826 metres to both Captain Cook Highway and Colenso Road
Registered Owner:	Paulina Cecelia Juchnevicius
Proposal:	Dwelling House
Approval Sought:	Development Permit
Level of Assessment:	Code Assessment
State Interests – State Planning Policy	<ul style="list-style-type: none"> • Economic Growth – Agricultural land classification – Class A and B, in part; • Environment and Heritage: <ul style="list-style-type: none"> ○ MSES – Wildlife habitat (endangered or vulnerable), in part; ○ MSES Regulated vegetation (category B and essential habitat), part; • Safety and Resilience to Hazards: <ul style="list-style-type: none"> ○ Flood Hazard Area – Level 1 – Queensland Floodplain Assessment overlay, in part; ○ Very High and High Potential Bushfire Intensity; and, Potential Impact Buffer, in part.

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State Interests – SARA Mapping:

- Fish Habitat Areas – Queensland waterways for waterway barrier works – Moderate;
- Native Vegetation Clearing:
 - Category B and X on the regulated vegetation management map;
 - Category A or B area containing of concern regional ecosystems, in part;
 - Category A or B area that is a least concern regional ecosystem, in part; and,
 - Essential habitat;
- State Transport – Areas within 25m of a State-controlled road.

Referral Agencies:

Advice Agency – ERGON (Schedule 10, Part 9, Division 2, Table 2 – Material change of use of premises subject to an easement.

State Development Assessment Provisions:

Not applicable

Regional Plan Designation:

Regional Landscape and Rural Production Area

Zone:

Rural Zone

Overlays:

- Acid Sulfate Soils – 5-20m AHD;
- Bushfire Hazard:
 - Potential impact buffer;
 - Very high potential bushfire intensity;
 - High potential bushfire intensity;
- Flood and Storm Tide Hazard – Floodplain Assessment

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Overlay (Mossman River);

- Hillslopes – Area affected by Hillslopes;
 - Landscape Values:
 - Scenic Buffer area – Scenic route buffer;
 - Landscape Values – high and medium landscape values;
 - Natural areas:
 - Regulated vegetation (intersecting a Watercourse);
 - High ecological value waters (Watercourse);
 - Wildlife habitat;
 - Regulated vegetation; and,
 - Potential Landslide Hazard, in part.
-

3.0 Site and Locality

The application site is a single regularly shaped allotment located at the corner of Captain Cook Highway and Colenso Road, Killaloe, and described as Lot 155 on NR78. The site has an area of 64.75 hectares and frontage of in the order of 826 metres to both Captain Cook Highway and Colenso Road. The site is generally flat to the east adjacent the Captain Cook Highway frontage and becomes vegetated sloping land to the west at the foothill of the McAllister Ranges. The site is currently improved by a farm building located towards the Captain Cook Highway frontage and has an existing bitumen driveway, including a bridge in the western part of the site that provides access to a number of house pads within the hillside.

The locality containing the site consists of agricultural land uses with natural undisturbed vegetation located on the hillslopes towards the rear of Lots adjoining the side boundaries. To the north east of the site and between the constructed road and the site frontage is the Mossman Sugar Mill cane tram line.



Photo 1 – Site Location (Source Queensland Globe)



Photo 2 – Existing Farm Building



Photo 3 – Existing Site Access

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BUILDING CERTIFICATION

ENERGY EFFICIENCY ASSESSMENTS

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Photo 4 – Existing vehicle bridge



Photo 5 – Existing bitumen drive providing access further up the hillside.

4.0 Proposal

It is proposed to develop the site for the purpose of a Dwelling House. The Dwelling House would be setback 54.919 metres from the Colenso Road Frontage and approximately 450 metres from the Captain Cook Highway frontage. It would be located to the east of the existing bitumen access rack and bridge.

The Dwelling House would be single storey and designed as three connected Pods with an ancillary car port located to the west of the houses and adjacent the bitumen driveway. Pod 1 would have a gross floor area of 174.86m² and would contain three bedrooms, each with ensuite, and a kitchenette/utility room. Pod 2 would have a gross floor area of 132.15m² and contain a kitchen/dining/lounge area, office and toilet. Pod 3 would have a gross floor area of 187.25m² and contain a craft/gym room, bedroom with connecting ensuite and laundry. External to the dwelling would be a utility deck located adjacent pod three to the north and a verandah located adjacent the central pod (pod 2) to the north.

Access would be provided from the existing bitumen driveway and crossover from Colenso Road.

Proposal Plans are attached at [Appendix 1](#).

The key development features of the proposed development are summarised in the table below:

Development Feature	Proposal
Site Area:	64.75 hectares
Frontage:	826 metres to Captain Cook Highway and Colenso Road.
Height:	3.6 metres
Gross Floor Area:	494.26m ²
Site Cover:	<50%
Setbacks:	<ul style="list-style-type: none"> • minimum of 50 metres from any boundary.
Access:	Existing bitumen crossover and driveway from Colenso Road.
Car Parking Spaces:	2 (covered car port)

5.0 Statutory Planning Considerations

This section provides a summary of the legislative framework affecting the application pursuant to the Planning Act 2016.

5.1 Planning Act 2016

5.1.1 Categorisation of Development

The proposed development is not identified as prohibited development having regard to the relevant instruments that can prohibit development under the *Planning Act 2016*, including

- Schedule 10 of the Planning Regulations 2017
- Relevant Categorising Instruments.

The development is made assessable under the Douglas Shire Council Planning Scheme, which is a categorising instrument for the purpose of s43 of the *Planning Act 2016*.

5.1.2 Assessment Manager

Pursuant to Schedule 8 of the *Planning Regulations 2017*, the Assessment Manager for the application is the Douglas Shire Council.

5.1.3 Level of Assessment

The application involves the development of a Dwelling House. The table below identifies the level of assessment and the categorising section of the Douglas Shire Council Planning Scheme (2018, v.1.0).

Development	Categorising Section	Level of Assessment
Dwelling House	Table 5.6.j – Rural Zone	Self Assessable

The development of a Dwelling House is identified as Self-Assessable development under the Douglas Shire Planning Scheme and a Planning Application is not required where the development is able to satisfy the applicable Assessment Benchmarks. In this instance the development is unable to satisfy the requirements of the Hillslopes Overlay Code. Consequently, a Code Assessable Planning Application is required.

Pursuant to section 5.4(c)(ii)(A)(B) of the Douglas Shire Planning Scheme the assessment only needs to be assessed against the self-assessable Acceptable Outcomes that were not complied with.

5.1.4 Statutory Considerations for Assessable Development

As the application is subject to Code Assessment, in deciding the application pursuant to s60 of the *Planning Act 2016*, the Council, as Assessment Manager, can only have regard to the matters established in the relevant planning benchmarks.

This assessment is further discussed in Section 6.0 of this report and a detailed assessment of the proposed development against the assessment benchmarks is provided at [Appendix 3](#).

5.1.5 State Planning Policy

It is understood that the Minister has identified that the State Planning Policy has been appropriately integrated into the Douglas Shire Council Planning Scheme and consequently no further assessment is required in this instance.

5.1.6 Regional Plan

The application site is identified in the Regional Landscape and Rural Production Area designation of the Far North Queensland Regional Plan. Consistent with the State Planning Policies, it is understood that the Planning Scheme has been determined to appropriately advance the Regional Plan and, on that basis, no further assessment is required in this instance.

5.1.7 Referral Agencies

Pursuant to Schedule 10, Part 9, Division 2, Table 2 of the Planning Regulation 2017, Material change of use of premises subject to an easement. It is understood that the application is required to be referred to the electricity distribution entity as an advice agency.

5.1.8 State Development Assessment Provisions

There are no State Development Assessment Provisions that Apply to the assessment of this application.

6.0 Local Planning Considerations

6.1 Douglas Council Planning Scheme

Within the Douglas Shire Council Planning Scheme (2018, v. 1.0), the site is identified within the Rural Zone and is affected by the following overlays:

- Acid Sulfate Soils – 5-20m AHD;
- Bushfire Hazard:
 - Potential impact buffer;
 - Very high potential bushfire intensity;
 - High potential bushfire intensity;
- Flood and Storm Tide Hazard – Floodplain Assessment Overlay (Mossman River);
- Hillslopes – Area affected by Hillslopes;
- Landscape Values:
 - Scenic Buffer area – Scenic route buffer;
 - Landscape Values – high and medium landscape values;
- Natural areas:
 - Regulated vegetation (intersecting a Watercourse);
 - High ecological value waters (Watercourse);
 - Wildlife habitat;
 - Regulated vegetation; and,
- Potential Landslide Hazard, in part.

The table below identifies the applicable Assessment Benchmarks contained within the Planning Scheme.

Assessment Benchmark	Applicability	Compliance
Rural Zone Code	Applies	Complies or is able to comply with the applicable Acceptable Outcomes.
Acid Sulfate Soils Overlay Code	Not applicable	Not identified as an Assessment Benchmark.
Bushfire Hazard Overlay Code	Applies	Consideration is required in respect of Performance Outcome PO12 , private driveways. Refer below.

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Flood and Storm Tide Hazard Overlay Code	Applies	Complies with applicable Acceptable Outcomes.
Hillslopes Overlay Code	Applies	Generally complies with applicable Acceptable Outcomes. Consideration is required in respect to PO1 and PO3 regarding development location and cut and fill heights. Refer below.
Landscape Values Overlay Code	Not applicable	Not identified as an Assessment Benchmark.
Natural Areas Overlay Code	Applies	Consideration of Performance Outcome PO7, disturbance of Matters of State Environmental Significance, is required. refer below.
Potential Landslide Hazard Overlay Code	Applies	Generally complies with applicable Acceptable Outcomes. Refer to the assessment against PO3 of the Hillslopes overlay Code.
Dwelling House Code	Applies	Complies with applicable Acceptable Outcomes.
Access, Parking and Servicing Code	Applies	Complies with applicable Acceptable Outcomes.
Filling and Excavation Code	Applies	Complies with Acceptable Outcomes.

6.1.1 Statement of Compliance – Benchmark Assessment

6.1.1.1 Bushfire Hazard Overlay Code

Performance Outcome PO12 of the Bushfire Hazard Overlay Code states:

PO12

All premises are provided with vehicular access that enables safe evacuation for occupants and easy access by fire fighting appliances.

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The associated Acceptable Outcome states:

AO12

Private driveways:

- (a) do not exceed a length of 60m from the street to the building;*
- (b) do not exceed a gradient of 12.5%;*
- (c) have a minimum width of 3.5m;*
- (d) have a minimum of 4.8m vertical clearance;*
- (e) accommodate turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and*
- (f) serve no more than 3 dwellings or buildings.*

The driveway would exceed 60 metres in length however it is an existing sealed driveway that provides safe evacuation for occupants and easy access by fire fighting appliances. It provides a minimum width of 3.5 metres, is relatively flat and would provide sufficient room to accommodate the turning requirements of a firefighting appliance.

6.1.1.2 Hillslopes Overlay Code

Performance Outcome PO1 of the Hillslopes Overlay Code states:

PO1

The landscape character and visual amenity quality of hillslopes areas is retained to protect the scenic backdrop to the region.

The associated Acceptable Outcome states:

AO1.1

Development is located on parts of the site that are not within the Hillslopes constraint subcategory as shown on the Hillslopes overlay Maps contained in schedule 2.

The development would be located within part of the site that is within the Hillslopes Overlay. However, the dwelling House would be located on the lower slopes and adjacent the existing cleared area. Only a small section of the land would be affected to accommodate the house and the house would be constructed on stumps rather than slab on ground. The higher slopes would be located to the rear of the site and the scenic backdrop would not be affected by the location of the proposed Dwelling House. The proposed Dwelling House is considered to comply with the Performance Outcome.

Performance Outcome PO3 of the Hillslopes Overlay Code states:

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PO3

Excavation or filling does not have an adverse impact on the amenity, safety, stability or function of the site or adjoining premises through:

- (a) loss of privacy;*
- (b) loss of access to sunlight;*
- (c) intrusion of visual or overbearing impacts;*
- (d) complex engineering solutions.*

The associated Acceptable Outcome states:

AO3

Excavation or fill:

- (a) is not more than 1.2 metres in height for each batter or retaining wall;*
- (b) is setback a minimum of 2 metres from property boundaries;*
- (c) is stepped with a minimum 2 metre wide berm to incorporate landscaping in accordance with Planning scheme policy SC6.7 – Landscaping;*
- (d) does not exceed a maximum of 3 batters and 3 berms (i.e. not greater than 3.6 metres in height) on any one lot.*

The extent of the proposed cut would be in the order of 1.5 – 2.0 metres. It would be constructed of two batters separated by 1.5 metres at its highest point and would not be located within 2 metres of any site boundary.

The 1.5 metre separation is considered sufficient to accommodate landscaping treatments and the batters would be located behind the located behind the proposed Dwelling House and would not be visible external to the site. The proposed development is considered to satisfy the Performance Outcome.

6.1.1.3 Natural Areas Overlay Code

Performance Outcome PO7 of the Natural Areas Overlay Code states:

PO7

Development minimises disturbance to matters of state environmental significance (including existing ecological corridors).

The associated Acceptable Outcome states:

AO7.1

Development avoids shading of vegetation by setting back buildings by a distance equivalent to the height of the native vegetation.

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The Dwelling House would be predominantly sited outside of the MSES Regulated Vegetation area and clearing would be limited to that necessary to facilitate the development of the Dwelling House. The proposal would minimise disturbance to matters of state environmental significance in accordance with the requirements of the Performance Outcome.

7.0 Summary and Conclusion

This report has been prepared on behalf of Paulina Juchnevicius in support of a Development Application to Douglas Shire Council for a Development Permit for a Material Change of Use for the purpose of a Dwelling House on land located at Lot 155 Captain Cook Highway, Killaloe, and described as Lot 155 on NR78.

The application site has an area of 64.75 hectares and has frontage to both the Captain Cook Highway and Colenso Road of in the order of 826 metres. The site is relatively flat towards the Captain Cook Highway Frontage to the east and becomes sloping to the west as it forms part of the foothills of the McAllister ranges. It is currently used for agricultural activities, sugar cane cultivation, towards the highway frontage and comprises established native vegetation towards the rear (west). An easement traverses the site adjacent the south-east boundary for electricity purposes. Access is provided to the site by existing sealed and unsealed driveways from Captain Cook Highway and Colenso Road.

It is proposed to develop a Dwelling House on the subject site. The Dwelling House would be setback 54.919 metres from the Colenso Road Frontage and approximately 450 metres from the Captain Cook Highway frontage.

The application is identified as being Code Assessable and consideration can only be given to the Assessment Benchmarks within the Douglas Shire Planning Scheme 2018. The proposed development is considered to be consistent with the Assessment Benchmarks and is considered to be a suitable use of the site.

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



Appendix 1.

CERTIFICATE OF TITLE

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Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	50400139	Search Date:	14/09/2021 14:29
Date Title Created:	03/07/2002	Request No:	38549782
Previous Title:	50222014, 50222016, 50222018, 50222020		

ESTATE AND LAND

Estate in Fee Simple

LOT 155 CROWN PLAN NR78
Local Government: DOUGLAS

REGISTERED OWNER

Dealing No: 720774421 07/05/2021

PAULINA CECELIA JUCHNEVICIUS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20147129 (POR 68V)
2. EASEMENT IN GROSS No 701784015 31/01/1997 at 09:40
burdening the land to
FAR NORTH QUEENSLAND ELECTRICITY CORPORATION
over
EASEMENT A ON RP 898816
3. COVENANT No 716318158 17/02/2015 at 11:57
restricts dealings over
LOT 155 ON CROWN PLAN NR78 AND LOT 1 ON RL7301

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

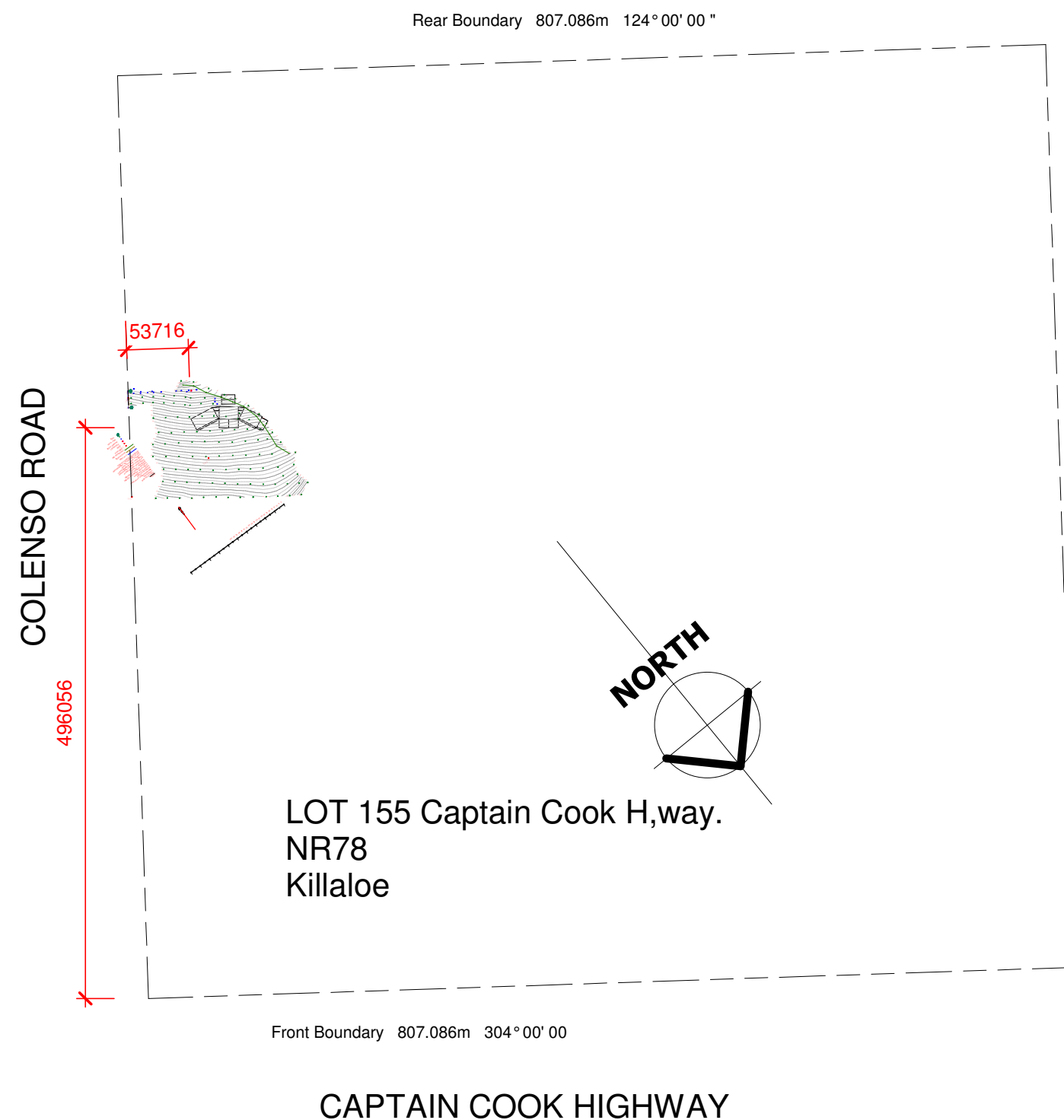
** End of Current Title Search **



Appendix 2.

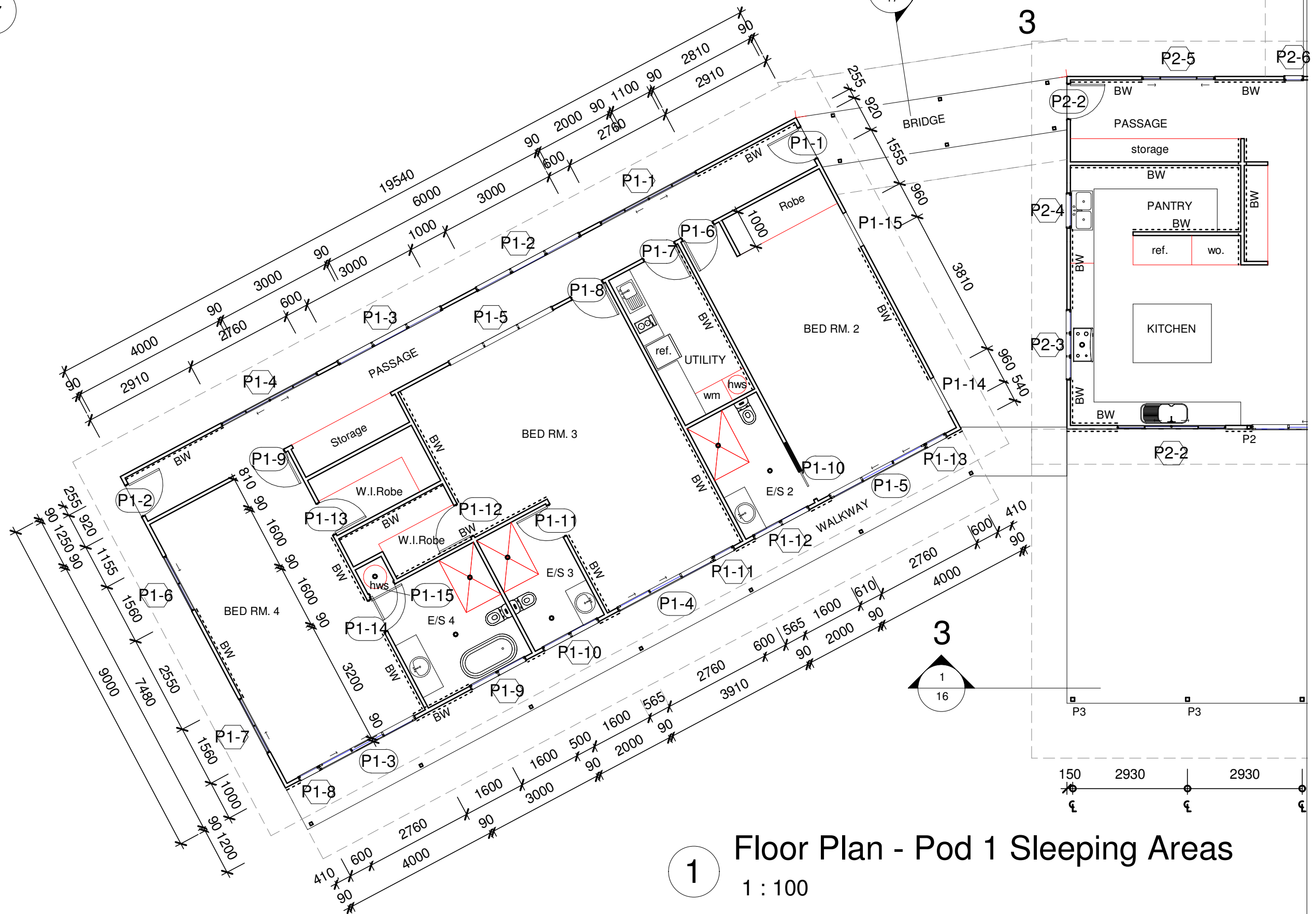
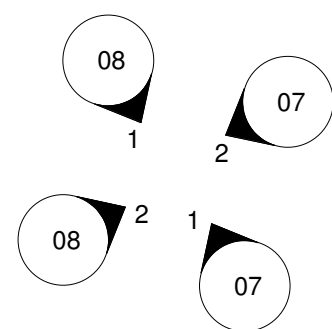
PROPOSAL PLANS

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1 **Site Plan**
1 : 5000

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				Design Wind Speed C2	Amendments	DWG. No. 02



P1 75x4.0 shs post
P2 89x5.0 shs
P3 100x4.0 shs

Posts
1 : 50

1

Floor Plan - Pod 1 Sleeping Areas
1 : 100

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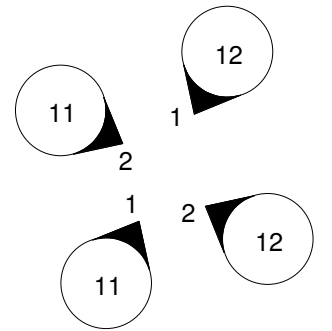
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JOB No. **2105**
DWG. No. **04**

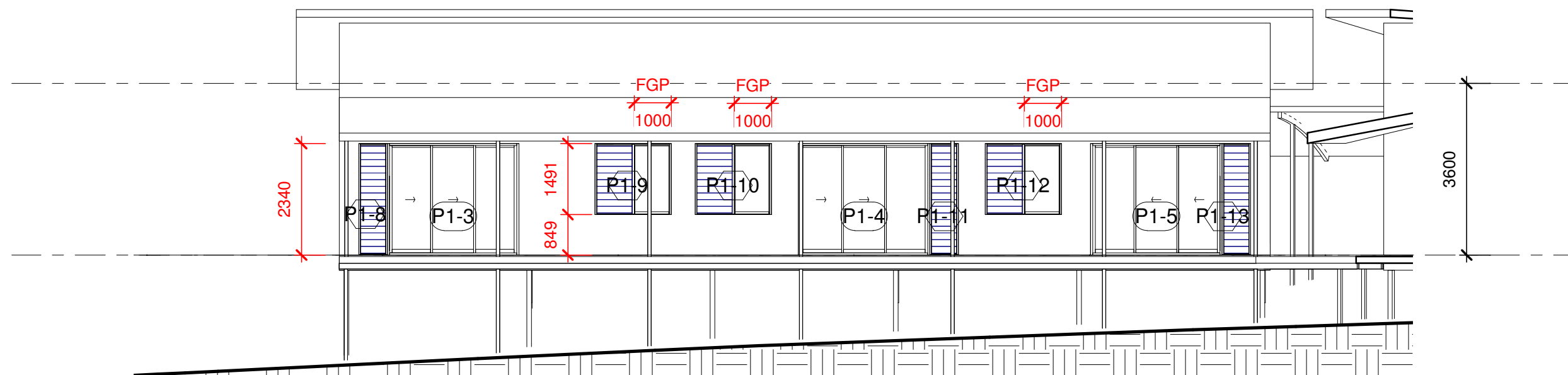


1 Floor Plan - Pod 3 Master Bed Rm.
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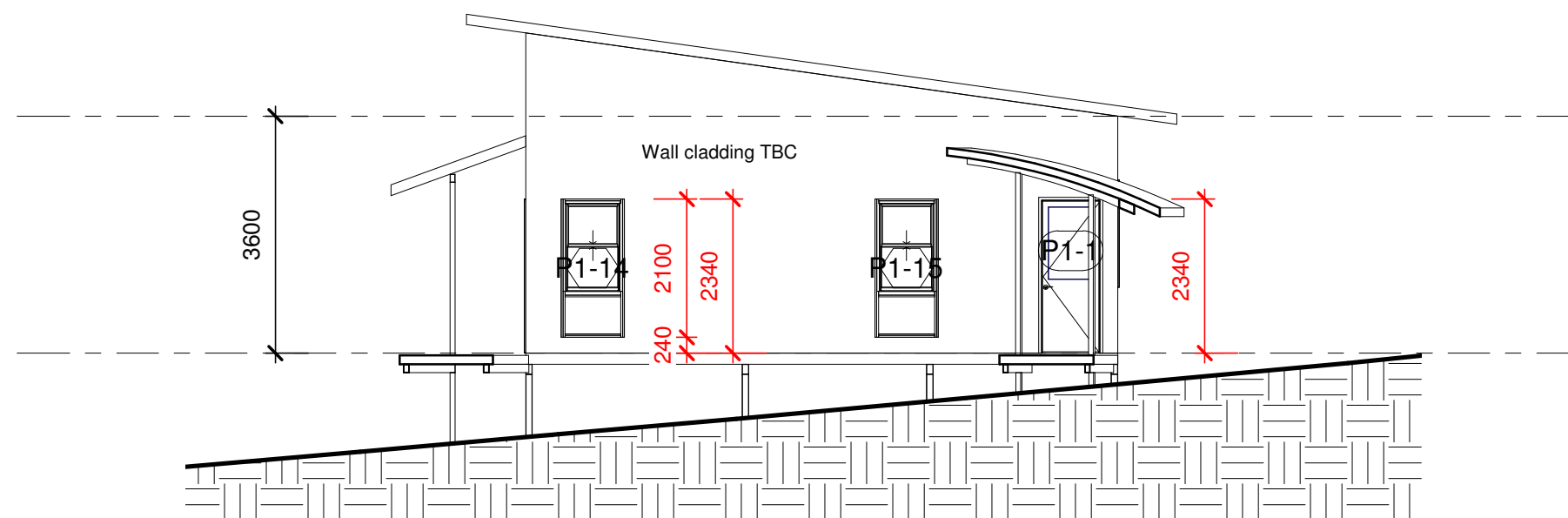
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P2	89x5.0 shs
P3	100x4.0 shs

Posts

1 : 50



1 Pod 1 - Sleeping North
1 : 100



2 Pod 1 - Sleeping West
1 : 100

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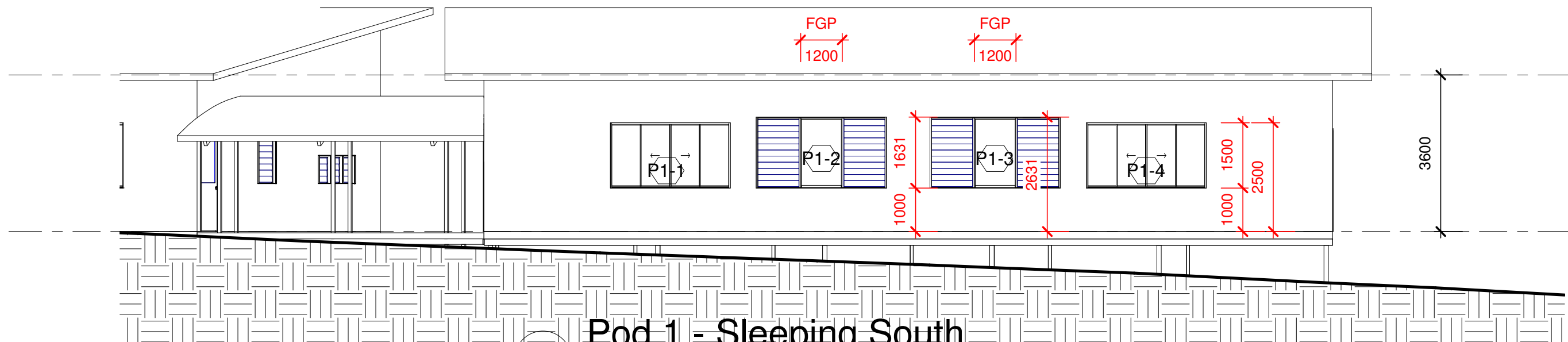
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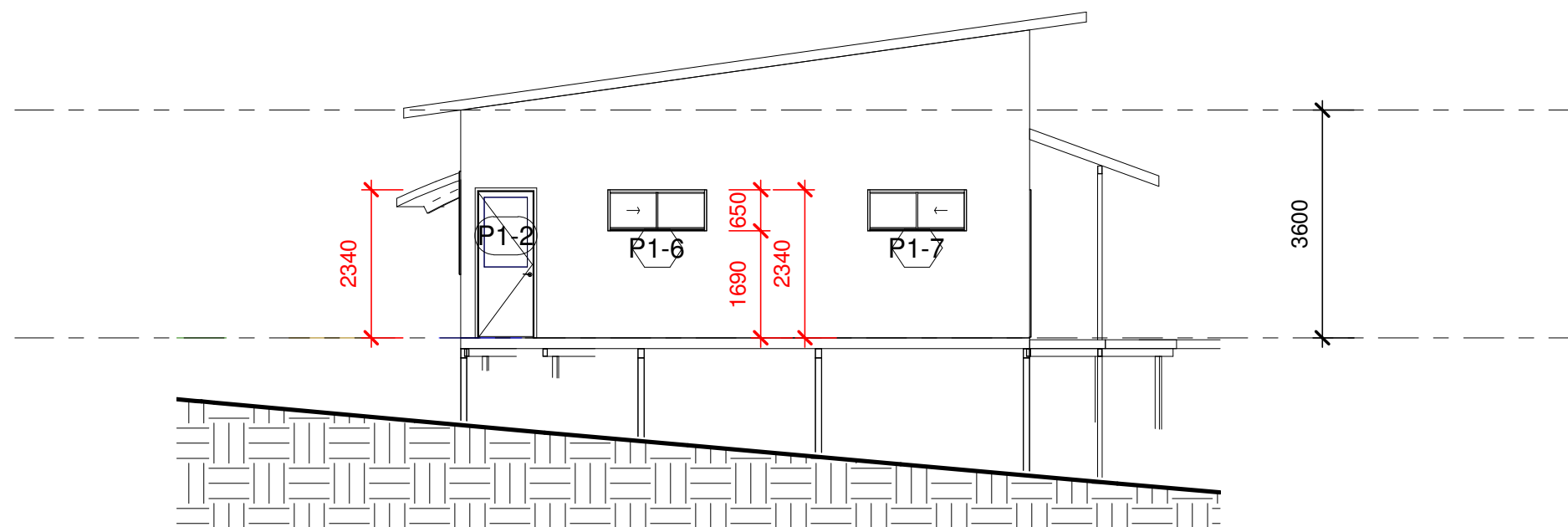
Site Classification
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Design Wind Speed
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Amendments

JOB No. **2105**
DWG. No. **07**



1 Pod 1 - Sleeping South
1 : 100



2 Pod 1 - Sleeping East
1 : 100

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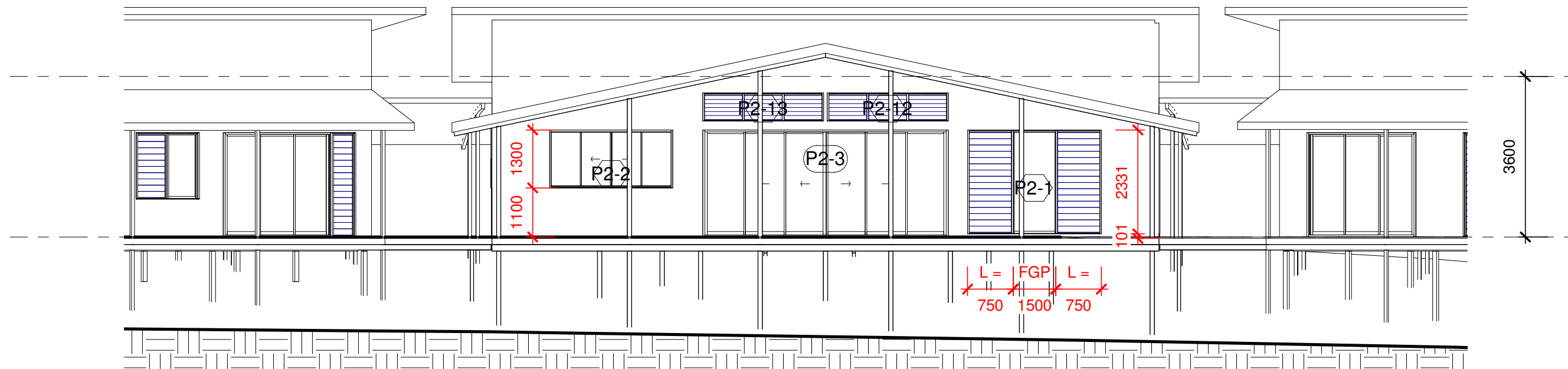
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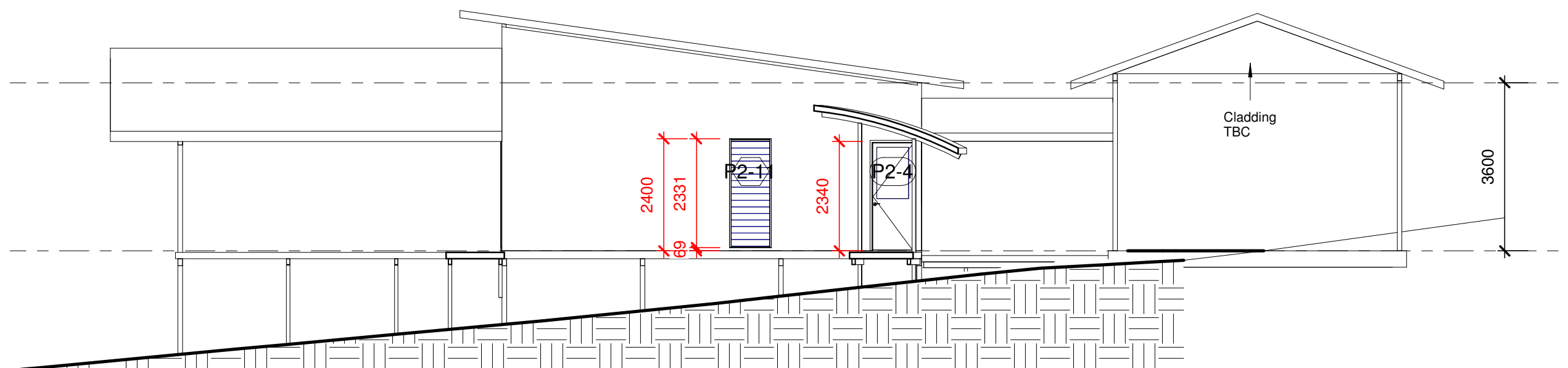
Site Classification
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Design Wind Speed
C2

Date
24/9/21
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JOB No. **2105**
DWG. No. **08**



1 Pod 2 - Living North
1 : 100



2 Pod 2 - Living West
1 : 100

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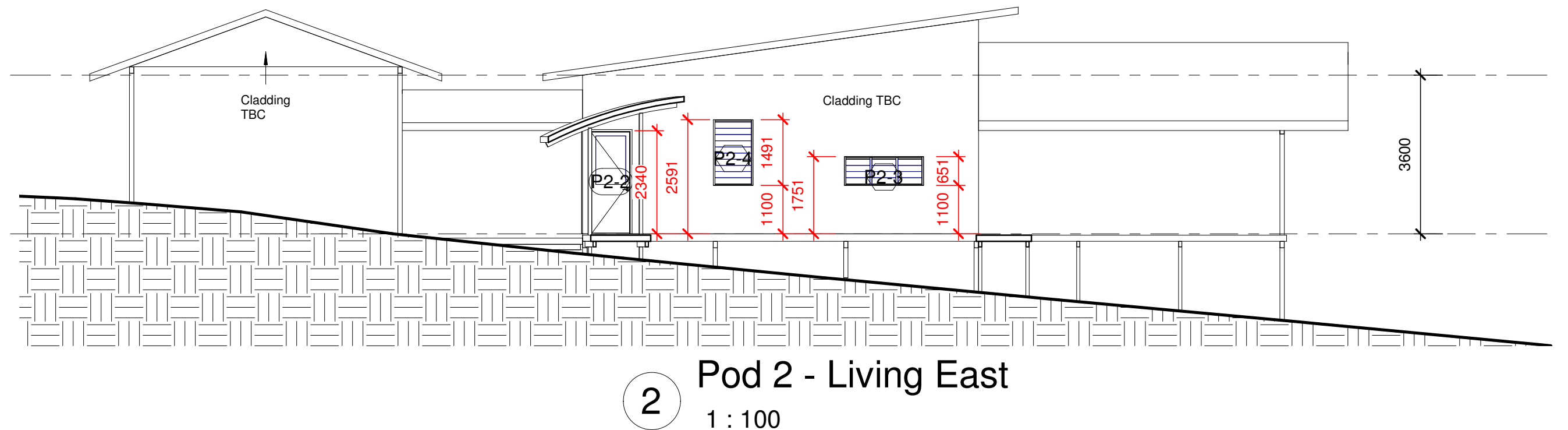
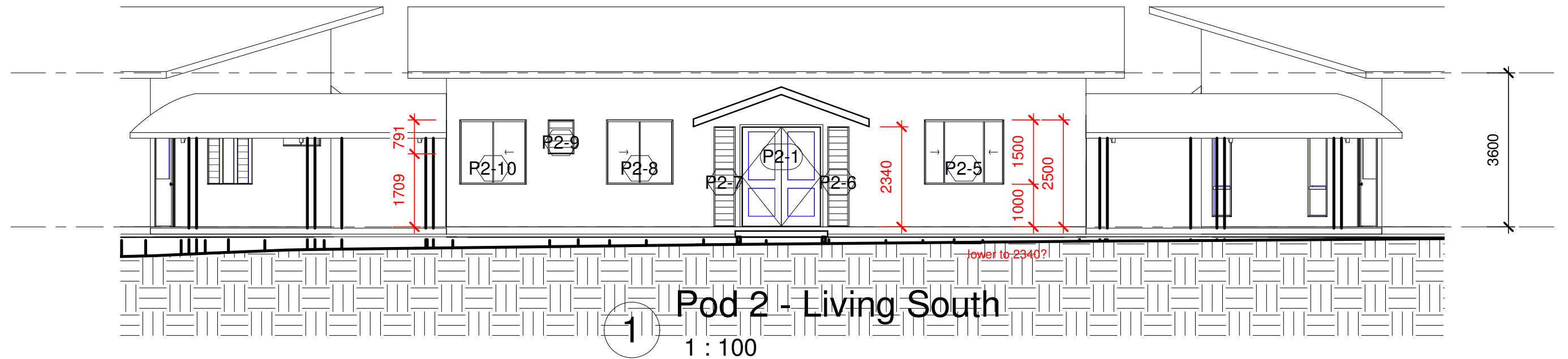
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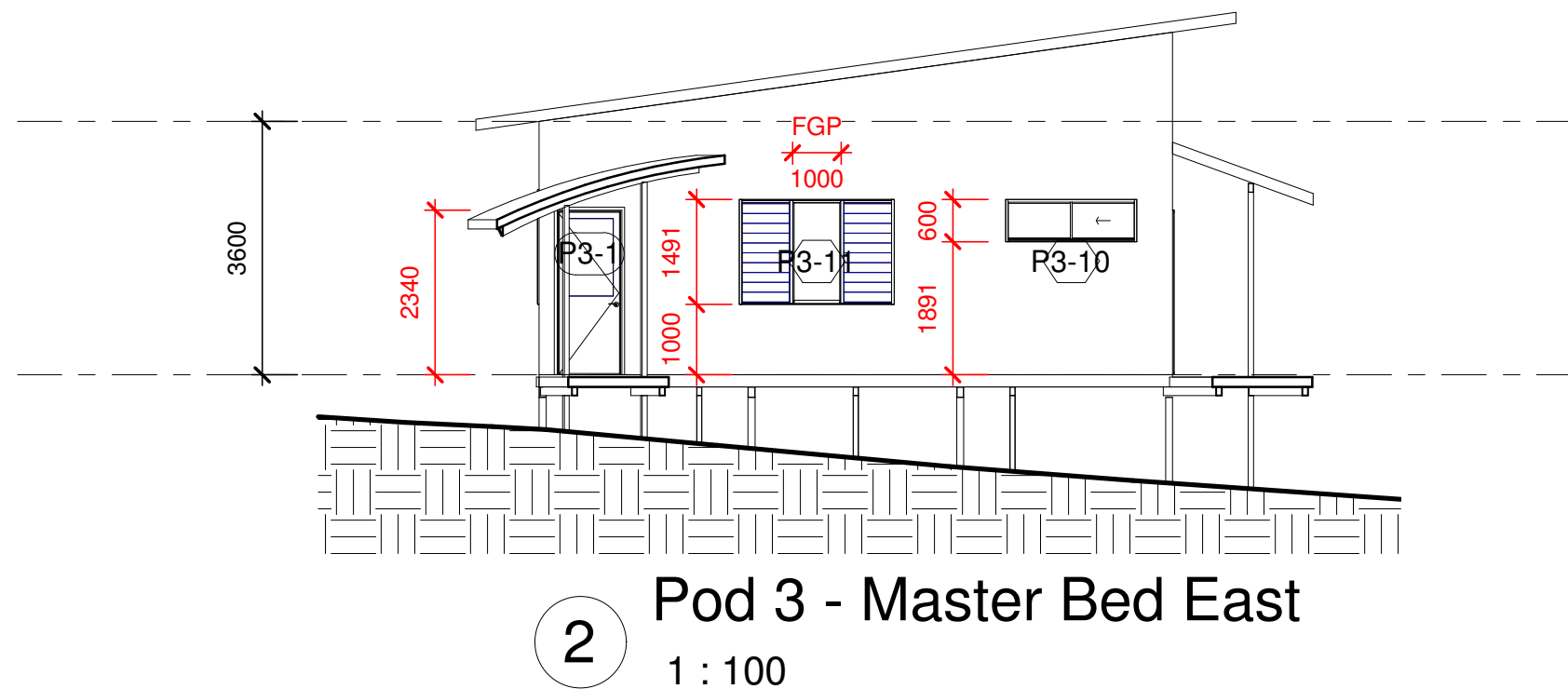
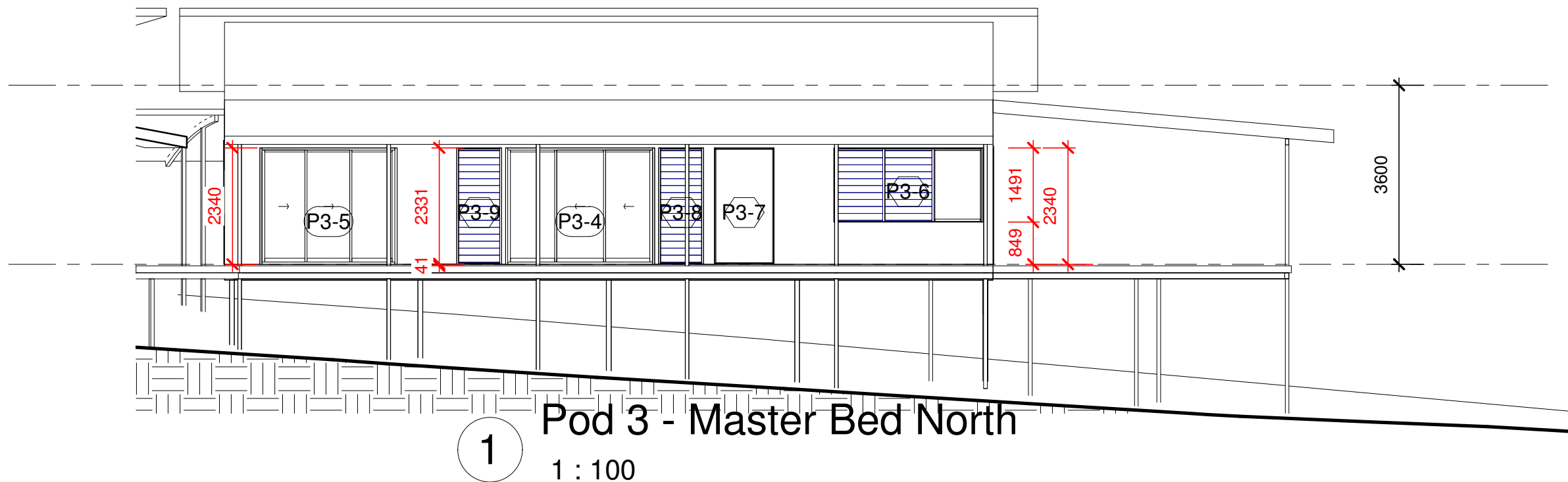
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JOB No. **2105**
DWG. No. **09**



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				Design Wind Speed	Amendments	DWG. No.
				C2		10



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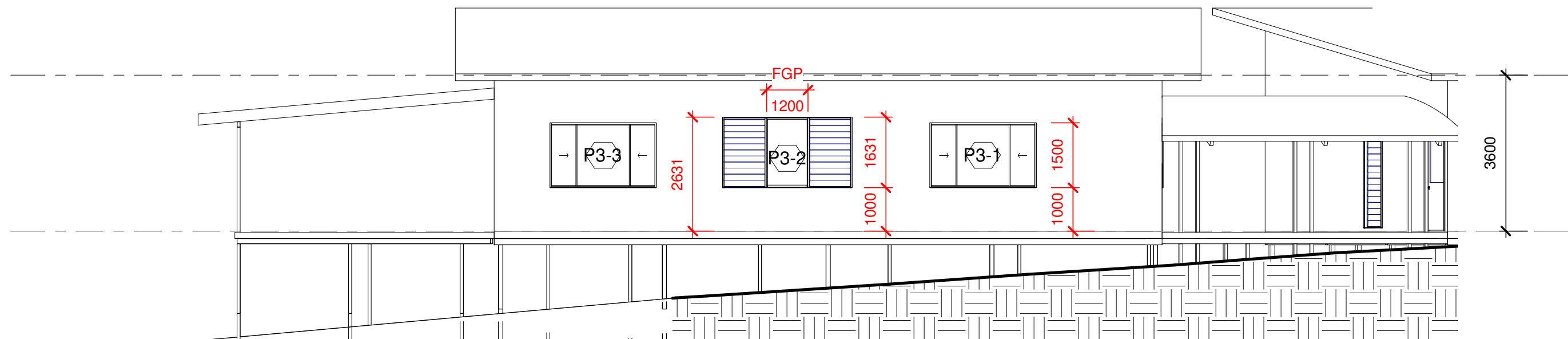
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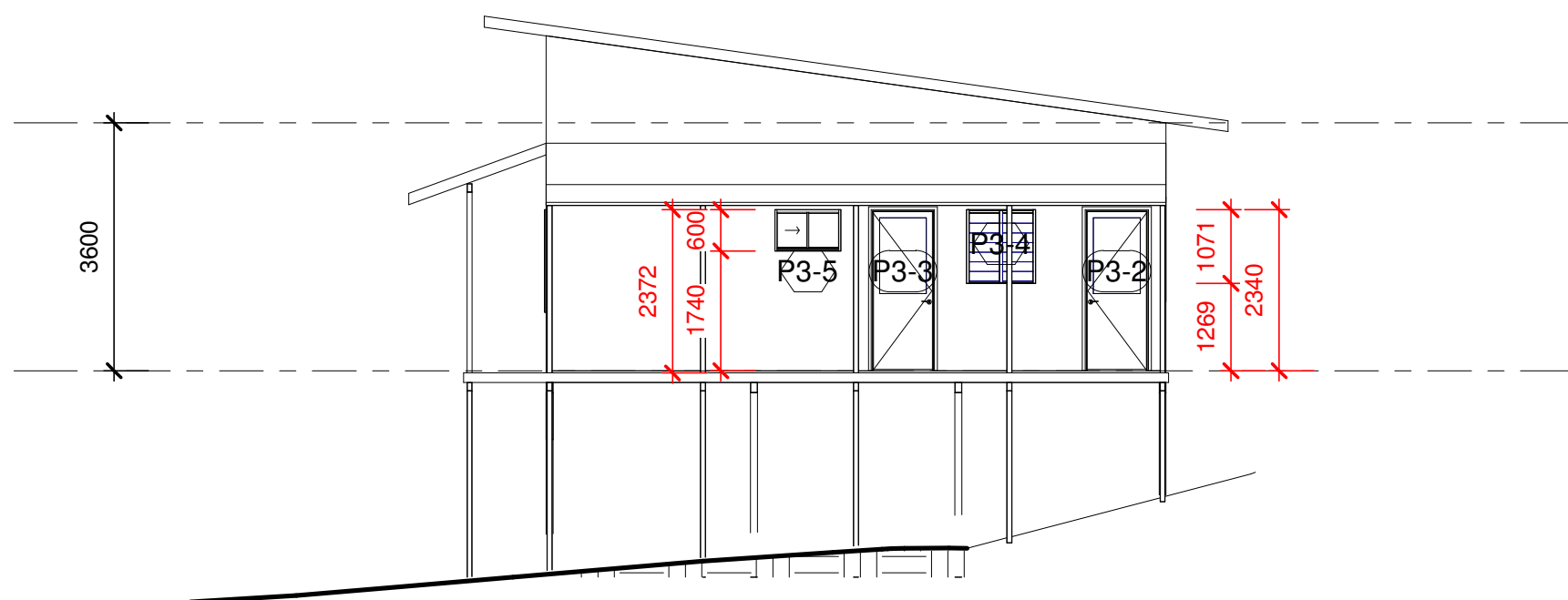
Site Classification
TBC
Design Wind Speed
C2

Date
24/9/21
Amendments

JOB No. **2105**
DWG. No. **11**

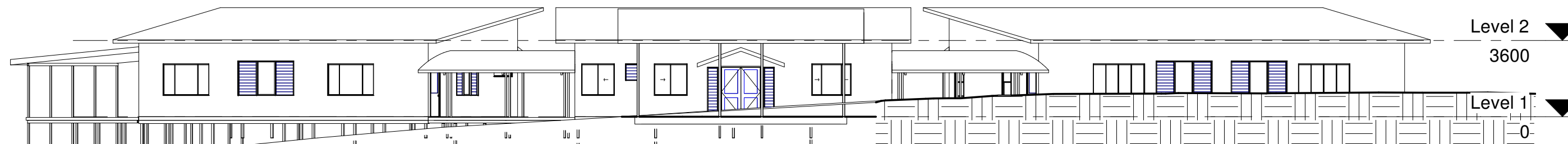


1 Pod 3 - Master Bed South
1 : 100

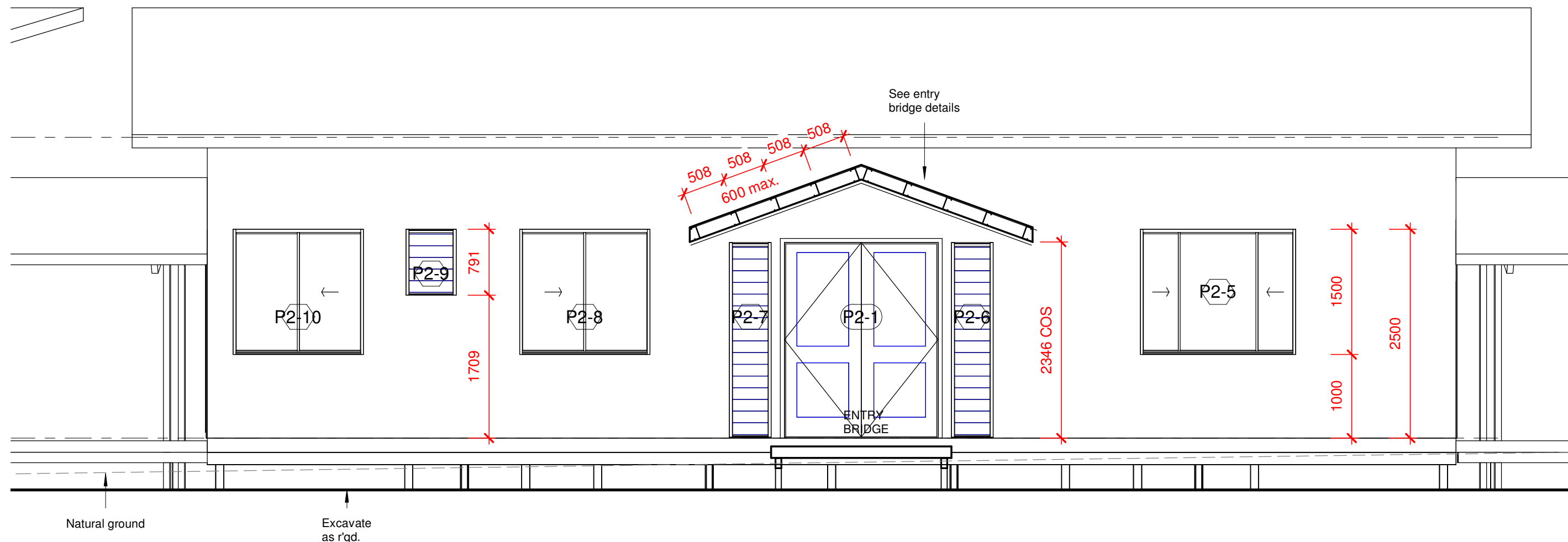


2 Pod 3 - Master Bed West
1 : 100

RODGERS Consulting Engineers Ph. 40 519 466	These drawings are copyright and must not be copied or retained. Do not scale from drawings. The contractor & sub-contractors are to verify all dimensions before commencing work and bring to the attention of the designer any discrepancies they may find.	P. Juchnevicius Lot 155 Captain Cook Dr. Killaloe. Proposed New House	LAWSON DESIGN PH. 40 532 058 M. 0412 592 900 P.O. Box 349 EDGE HILL 4870 Building Designers Assoc. Qld. QBSA no. 24590	Site Classification TBC Design Wind Speed C2	Date 24/9/21 Amendments	JOB No. 2105 DWG. No. 12
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1 Carport/ Entry - South Elevation
1 : 200



2 Section 1
1 : 50

RODGERS
Consulting Engineers
Ph. 40 519 466

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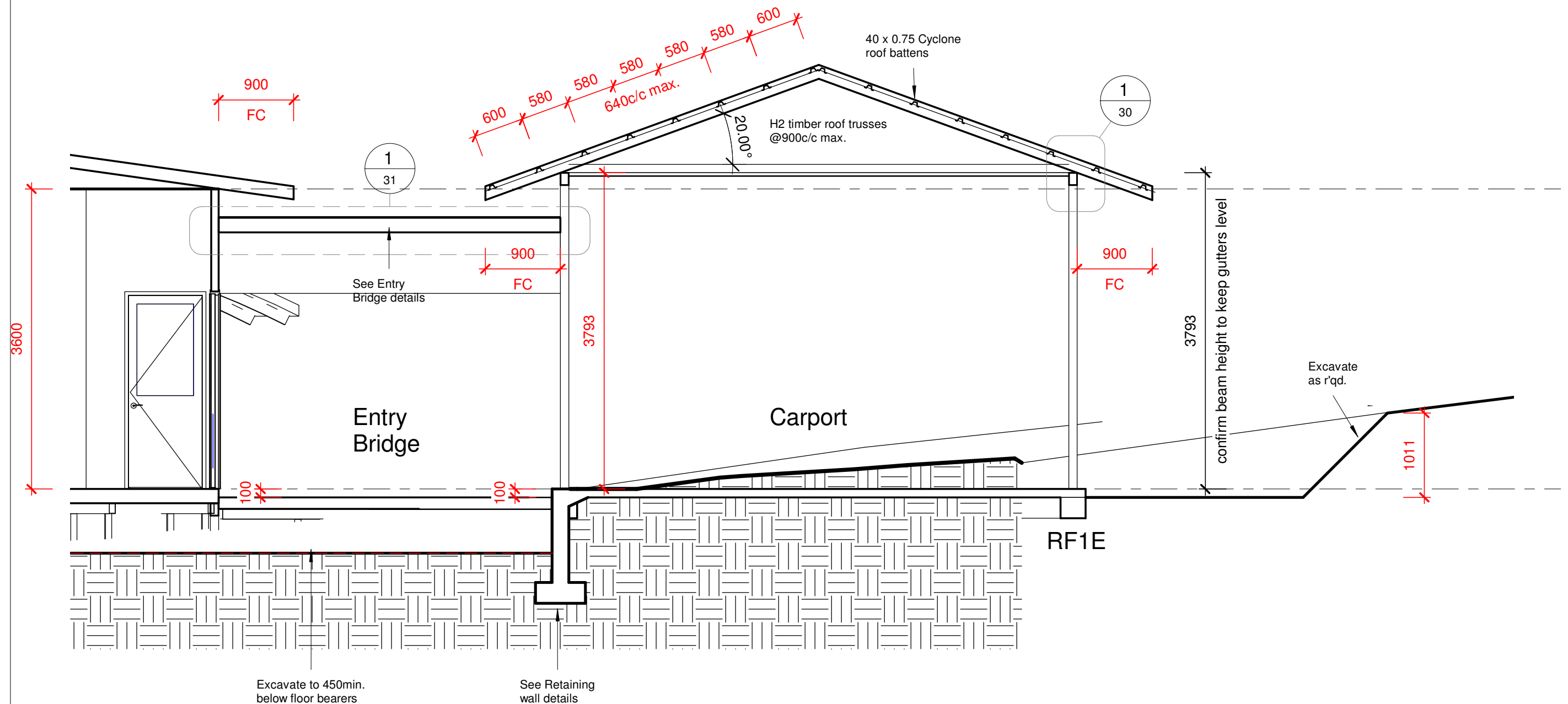
P. Juchnevicius
Lot 155 Captain Cook Dr. Killaloe.
Proposed New House

LAWSON DESIGN
PH. 40 532 058 M. 0412 592 900
P.O. Box 349 EDGE HILL 4870
Building Designers Assoc. Qld. QBSA no. 24590

Site Classification
TBC
Design Wind Speed
C2

Date
24/9/21
Amendments

JOB No. **2105**
DWG. No. **13**



1 Section 2 - Carport
1 : 50

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				Design Wind Speed C2	Amendments	DWG. No. 15

Appendix 3.

PLANNING BENCHMARK ASSESSMENT

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BUILDING APPROVALS & INSPECTIONS

BUILDING CERTIFICATION

ENERGY EFFICIENCY ASSESSMENTS

TOWN PLANNING

Gold Coast

Caboolture

Townsville

Cairns

Port Douglas

Childers

Kingscliff



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6.2.10 Rural zone code

6.2.10.1 Application

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

6.2.10.2 Purpose

- (1) The purpose of the Rural zone code is to provide for:
 - (a) provide for rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other primary production activities;
 - (b) provide opportunities for non-rural uses, such as ancillary tourism activities that are compatible with agriculture, the environmental features, and landscape character of the rural area where the uses do not compromise the long-term use of the land for rural purposes;
 - (c) protect or manage significant natural resources and processes to maintain the capacity for primary production.
- (2) The local government purpose of the code is to:
 - (a) implement the policy direction set in the Strategic Framework, in particular:
 - (i) Theme 2: Environment and landscape values, Element 3.5.5 – Scenic amenity.
 - (ii) Theme 3: Natural resource management, Element 3.6.2 – Land and catchment management, Element 3.6.3 Primary production, forestry and fisheries, Element 3.6.4 – Resource extraction.
 - (iii) Theme 5 Economy, Element 3.8.2 – Economic growth and diversification, Element 3.8.4 – Primary production.
 - (iv) Theme 6: Infrastructure and transport, Element 3.9.4 – Transport.
 - (b) recognise the primacy of rural production, in particular sugar cultivation, and other farming practices in rural areas;
 - (c) provide protection to areas of ecological significance and scenic amenity significance where present.



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- (3) The purpose of the code will be achieved through the following overall outcomes:
- (a) Areas for use for primary production are conserved and fragmentation is avoided.
 - (b) Development embraces sustainable land management practices and contributes to the amenity and landscape of the area.
 - (c) Adverse impacts of land use, both on-site and on adjoining areas, are avoided and any unavoidable impacts are minimised through location, design, operation and management.
 - (d) Areas of remnant and riparian vegetation are retained or rehabilitated.

6.2.10.3 Criteria for assessment

Table 6.2.10.3.a —Rural zone code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
PO1 The height of buildings is compatible with the rural character of the area and must not detrimentally impact on visual landscape amenity.	AO1.1 Dwelling houses are not more than 8.5 metres in height. Note – Height is inclusive of roof height.	Complies with AO1.1 The Dwelling House would be single storey and have a height of approximately 6.0 metres.
	AO1.2	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
	Rural farm sheds and other rural structures are not more than 10 metres in height.	No rural farm sheds or structures are proposed.
Setbacks		
PO2 Buildings and structures are setback to maintain the rural character of the area and achieve separation from buildings on adjoining properties.	AO2 Buildings are setback not less than: <ul style="list-style-type: none"> (a) 40 metres from the property boundary and a State-controlled road; (b) 25 metres from the property boundary adjoining Cape Tribulation Road; (c) 20 metres from the boundary with any other road; (d) 6 metres from side and rear property boundaries. 	Complies with AO2 The Dwelling House would be setback more than 50 metres from all boundaries.
PO3 Buildings/structures are designed to maintain the rural character of the area.	AO3 White and shining metallic finishes are avoided on external surfaces of buildings.	Able to comply with AO3



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Performance outcomes	Acceptable outcomes	Compliance
		External materials and finishes have not yet been confirmed. Council are invited to attach a condition to any approval granted to secure compliance, if necessary.
For assessable development		
P04 The establishment of uses is consistent with the outcomes sought for the Rural zone and protects the zone from the intrusion of inconsistent uses.	A04 Uses identified in Table are not established in the Rural zone.	Not applicable A Dwelling House identified as self-assessable development.
P05 Uses and other development include those that: (a) promote rural activities such as agriculture, rural enterprises and small scale industries that serve rural activities; or (b) promote low impact tourist activities based on the appreciation of the rural character, landscape and rural activities; or	A05 No acceptable outcomes are prescribed.	Not applicable A Dwelling House identified as self-assessable Development.



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Performance outcomes	Acceptable outcomes	Compliance
(c) are compatible with rural activities.		
PO6 Existing native vegetation along watercourses and in, or adjacent to areas of environmental value, or areas of remnant vegetation of value is protected.	AO6 No acceptable outcomes are prescribed.	Not applicable A Dwelling House identified as self-assessable Development.
PO7 The minimum lot size is 40 hectares, unless (a) the lot reconfiguration results in no additional lots (e.g. amalgamation, boundary realignments to resolve encroachments); or (b) the reconfiguration is limited to one additional lot to accommodate: (i) Telecommunications facility; (ii) Utility installation.	AO7 No acceptable outcomes are prescribed.	Not applicable A Dwelling House identified as self-assessable Development.



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Table 6.2.10.3.b — Inconsistent uses within the Rural zone.

Inconsistent uses		
<ul style="list-style-type: none"> • Adult store • Bar • Brothel • Car wash • Child care centre • Club • Community care centre • Community residence • Detention facility, • Dual occupancy • Dwelling unit • Food and drink outlet • Hardware and trade supplies • Health care services • High impact industry 	<ul style="list-style-type: none"> • Hotel • Indoor sport and recreation • Low impact industry • Medium impact industry • Multiple dwelling • Nightclub entertainment facility • Non-resident workforce accommodation • Office • Outdoor sales • Parking station • Permanent plantation • Port services • Relocatable home park • Renewable energy facility, being a wind farm 	<ul style="list-style-type: none"> • Residential care facility • Resort complex • Retirement facility • Rooming accommodation • Sales office • Service station • Shop • Shopping centre • Short-term accommodation • Showroom • Special industry • Theatre • Warehouse

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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8.2.2 Bushfire hazard overlay code

Note - Land shown on the bushfire hazard overlay map is designated as the bushfire prone area for the purposes of section 12 of the Building Regulations 2006. The bushfire hazard area (bushfire prone area) includes land covered by the high and medium hazard areas as well as the buffer area category on the overlay map.

8.2.2.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational works or building work in the Bushfire hazard overlay, if:
 - (a) self-assessable or assessable 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 Bushfire hazard overlay is identified on the Bushfire hazard overlay map in Schedule 2 and includes the following sub-categories:
 - (a) Medium bushfire risk sub-category;
 - (b) High bushfire risk sub-category;
 - (c) Very high bushfire risk sub-category;
 - (d) Potential impact buffer sub-category.
- (3) When using this code, reference should be made to Part 5.

8.2.2.2 Purpose

- (1) The purpose of the Bushfire 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;



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- (ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.
- (b) enable an assessment of whether development is suitable on land within the Bushfire risk overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) development avoids the establishment or intensification of vulnerable activities within or near areas that are subject to bushfire hazard;
 - (b) development is designed and located to minimise risks to people and property from bushfires;
 - (c) bushfire risk mitigation treatments are accommodated in a manner that avoids or minimises impacts on the natural environment and ecological processes;
 - (d) development involving the manufacture or storage of hazardous materials does not increase the risk to public safety or the environment in a bushfire event;
 - (e) development contributes to effective and efficient disaster management response and recovery capabilities.

Note - A site based assessment may ground-truth the extent of hazardous vegetation and extent and nature of the bushfire hazard area (bushfire prone area). Such assessments should be undertaken using the methodology set out in Planning scheme policy SC6.9 - Natural Hazards.

8.2.2.3 Criteria for assessment

Table 8.2.2.3.a– Bushfire hazard overlay code –assessable development

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
Compatible development		



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Performance outcomes	Acceptable outcomes	Compliance
<p>PO1</p> <p>A vulnerable use is not established or materially intensified within a bushfire hazard area (bushfire prone area) unless there is an overriding need or other exceptional circumstances.</p> <p>Note - See the end of this code for examples of vulnerable uses.</p>	<p>AO1</p> <p>Vulnerable uses are not established or expanded.</p> <p>Note – Where, following site inspection and consultation with Council, it is clear that the mapping is in error in identifying a premises as being subject to a medium, high, very high bushfire hazard or potential impact buffer sub-category, Council may supply a letter exempting the need for a Bushfire Management Plan.</p> <p>Note – Where the assessment manager has not previously approved a Bushfire Management Plan (either by condition of a previous development approval), the development proponent will be expected to prepare such a plan.</p> <p>Note – Planning scheme policy SC6.9 - Natural hazards, provides a guide to the preparation of a Bushfire Management Plan.</p>	<p>Complies with AO1</p> <p>A Dwelling House is not identified as a vulnerable use.</p>
<p>PO2</p> <p>Emergency services and uses providing community support services are able to function effectively during and immediately after a bushfire hazard event.</p>	<p>AO2</p> <p>Emergency Services and uses providing community support services are not located in a bushfire hazard sub-category and have direct access to low hazard evacuation routes.</p>	<p>Not applicable</p> <p>The development would be for a Dwelling House only.</p>
<p>PO3</p>	<p>AO3</p>	<p>Not applicable</p>



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Performance outcomes	Acceptable outcomes	Compliance
Development involving hazardous materials manufactured or stored in bulk is not located in bushfire hazard sub-category.	The manufacture or storage of hazardous material in bulk does not occur within bushfire hazard sub-category.	The development would be for a Dwelling House only.
Development design and separation from bushfire hazard – reconfiguration of lots		
<p>PO4.1</p> <p>Where reconfiguration is undertaken in an urban area or is for urban purposes or smaller scale rural residential purposes, a separation distance from hazardous vegetation is provided to achieve a radiant heat flux level of 29kW/m² at the edge of the proposed lot(s).</p> <p>Note - “Urban purposes” and “urban area” are defined in the <i>Sustainable Planning Regulations 2009</i>. Reconfiguration will be taken to be for rural residential purposes where proposed lots are between 2000m² and 2ha in area. “Smaller scale” rural residential purposes will be taken to be where the average proposed lot size is 6000m² or less.</p> <p>Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.</p>	<p>AO4.1</p> <p>No new lots are created within a bushfire hazard sub-category.</p> <p>or</p>	<p>Not applicable</p> <p>No reconfiguration is proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>PO4.2</p> <p>Where reconfiguration is undertaken for other purposes, a building envelope of reasonable dimensions is provided on each lot which achieves radiant heat flux level of 29kW/m² at any point.</p>	<p>AO4.2</p> <p>Lots are separated from hazardous vegetation by a distance that:</p> <ul style="list-style-type: none"> (a) achieves radiant heat flux level of 29kW/m² at all boundaries; and (b) is contained wholly within the development site. <p>Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation.</p> <p>For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages.</p> <p>Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.</p>	<p>Not applicable</p> <p>No reconfiguration is proposed.</p>
<p>PO5</p> <p>Where reconfiguration is undertaken in an urban</p>	<p>AO5.1</p> <p>Lot boundaries are separated from hazardous</p>	<p>Not applicable</p> <p>No reconfiguration is proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>area or is for urban purposes, a constructed perimeter road with reticulated water supply is established between the lots and the hazardous vegetation and is readily accessible at all times for urban fire fighting vehicles.</p> <p>The access is available for both fire fighting and maintenance/defensive works.</p>	<p>vegetation by a public road which:</p> <ul style="list-style-type: none"> (a) has a two lane sealed carriageway; (b) contains a reticulated water supply; (c) is connected to other public roads at both ends and at intervals of no more than 500m; (d) accommodates geometry and turning radii in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (e) has a minimum of 4.8m vertical clearance above the road; (f) is designed to ensure hydrants and water access points are not located within parking bay allocations; and (g) incorporates roll-over kerbing. 	
	<p>AO5.2</p> <p>Fire hydrants are designed and installed in accordance with AS2419.1 2005, unless otherwise specified by the relevant water entity.</p> <p>Note - Applicants should have regard to the relevant</p>	<p>Not applicable</p> <p>No reconfiguration is proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	standards set out in the reconfiguration of a lot code and works codes in this planning scheme.	
<p>PO6</p> <p>Where reconfiguration is undertaken for smaller scale rural residential purposes, either a constructed perimeter road or a formed, all weather fire trail is established between the lots and the hazardous vegetation and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p> <p>The access is available for both fire fighting and maintenance/hazard reduction works.</p>	<p>AO6</p> <p>Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has:</p> <ul style="list-style-type: none"> (a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (f) a maximum gradient of 12.5%; (g) a cross fall of no greater than 10 degrees; (h) drainage and erosion control devices in 	<p>Not applicable</p> <p>No reconfiguration is proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>accordance with the standards prescribed in a planning scheme policy;</p> <ul style="list-style-type: none"> (i) vehicular access at each end which is connected to the public road network at intervals of no more than 500m; (j) designated fire trail signage; (k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and (l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services. 	
<p>PO7</p> <p>Where reconfiguration is undertaken for other purposes, a formed, all weather fire trail is provided between the hazardous vegetation and either the lot boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area. However, a fire trail will not be required where it</p>	<p>AO7</p> <p>Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has:</p> <ul style="list-style-type: none"> (a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; 	<p>Not applicable</p> <p>No reconfiguration is proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
would not serve a practical fire management purpose.	<ul style="list-style-type: none"> (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (f) a maximum gradient of 12.5%; (g) a cross fall of no greater than 10 degrees; (h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy; (i) vehicular access at each end which is connected to the public road network; (j) designated fire trail signage; (k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and (l) if a fire trail, has an access easement that is granted in favour of Council and Queensland 	



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Performance outcomes	Acceptable outcomes	Compliance
	Fire and Emergency Services.	
<p>PO8</p> <p>The development design responds to the potential threat of bushfire and establishes clear evacuation routes which demonstrate an acceptable or tolerable risk to people.</p>	<p>AO8</p> <p>The lot layout:</p> <ul style="list-style-type: none">(a) minimises the length of the development perimeter exposed to, or adjoining hazardous vegetation;(b) avoids the creation of potential bottle-neck points in the movement network;(c) establishes direct access to a safe assembly /evacuation area in the event of an approaching bushfire; and(d) ensures roads likely to be used in the event of a fire are designed to minimise traffic congestion. <p>Note - For example, developments should avoid finger-like or hour-glass subdivision patterns or substantive vegetated corridors between lots.</p> <p>In order to demonstrate compliance with the performance outcome, a bushfire management plan prepared by a suitably qualified person may be required. The bushfire management</p>	<p>Not applicable</p> <p>No reconfiguration is proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>plan should be developed in accordance with the Public Safety Business Agency (PSBA) guideline entitled "Undertaking a Bushfire Protection Plan.</p> <p>Advice from the Queensland Fire and Emergency Services (QFES) should be sought as appropriate</p>	
<p>PO9</p> <p>Critical infrastructure does not increase the potential bushfire hazard.</p>	<p>AO9</p> <p>Critical or potentially hazardous infrastructure such as water supply, electricity, gas and telecommunications are placed underground.</p>	<p>Not applicable</p> <p>No reconfiguration is proposed.</p>
Development design and separation from bushfire hazard – material change of use		
<p>PO10</p> <p>Development is located and designed to ensure proposed buildings or building envelopes achieve a radiant heat flux level at any point on the building or envelope respectively, of:</p> <p>(a) 10kW/m² where involving a vulnerable use; or</p> <p>(b) 29kW/m² otherwise.</p> <p>The radiant heat flux level is achieved by</p>	<p>AO10</p> <p>Buildings or building envelopes are separated from hazardous vegetation by a distance that:</p> <p>(a) achieves a radiant heat flux level of at any point on the building or envelope respectively, of 10kW/m² for a vulnerable use or 29kW/m² otherwise; and</p> <p>(b) is contained wholly within the development site.</p> <p>Note - Where a separation distance is proposed to be</p>	<p>Complies with AO10</p> <p>The construction of the Dwelling House would involve clearing of vegetation that would achieve the required radiant heat flux level. The bushfire assessment would be considered in detail at the time of application for building works.</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>separation unless this is not practically achievable.</p> <p>Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.</p>	<p>achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation.</p> <p>For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages.</p> <p>Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.</p>	
<p>PO11</p> <p>A formed, all weather fire trail is provided between the hazardous vegetation and the site boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p> <p>However, a fire trail will not be required where it would not serve a practical fire management purpose.</p>	<p>AO11</p> <p>Development sites are separated from hazardous vegetation by a public road or fire trail which has:</p> <ul style="list-style-type: none"> (a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; (c) no cut or fill embankments or retaining walls 	<p>Not applicable</p> <p>A fire trail would not serve a practical fire management purpose on this instance.</p>



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Performance outcomes	Acceptable outcomes	Compliance
Note - Fire trails are unlikely to be required where a development site involves less than 2.5ha	<p>adjacent to the 4m wide trafficable path;</p> <p>(d) a minimum of 4.8m vertical clearance;</p> <p>(e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</p> <p>(f) a maximum gradient of 12.5%;</p> <p>(g) a cross fall of no greater than 10 degrees;</p> <p>(h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;</p> <p>(i) vehicular access at each end which is connected to the public road network which is connected to the public road network at intervals of no more than 500m;</p> <p>(j) designated fire trail signage;</p> <p>(k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and</p> <p>(l) if a fire trail, has an access easement that is granted in favour of Council and Queensland</p>	



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Performance outcomes	Acceptable outcomes	Compliance
	Fire and Emergency Services.	
All development		
PO12 All premises are provided with vehicular access that enables safe evacuation for occupants and easy access by fire fighting appliances.	AO12 Private driveways: <ul style="list-style-type: none"> (a) do not exceed a length of 60m from the street to the building; (b) do not exceed a gradient of 12.5%; (c) have a minimum width of 3.5m; (d) have a minimum of 4.8m vertical clearance; (e) accommodate turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and (f) serve no more than 3 dwellings or buildings. 	Complies with PO12 The driveway would be exceed 60 metres in length however it is an existing sealed driveway that provides safe evacuation for occupants and easy access by fire fighting appliances.
PO13 Development outside reticulated water supply areas includes a dedicated static supply that is available solely for fire fighting purposes and can	AO13 A water tank is provided within 10m of each building (other than a class 10 building) which:	Able to comply with AO13 Sufficient area is provide on- site for the provision of a water tank within 10 metres of the Dwelling House. Council are invited to attached a condition



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Performance outcomes	Acceptable outcomes	Compliance
be accessed by fire fighting appliances.	<p>(a) is either below ground level or of non-flammable construction;</p> <p>(b) has a take off connection at a level that allows the following dedicated, static water supply to be left available for access by fire fighters:</p> <p>(i) 10,000l for residential buildings</p> <p>Note – A minimum of 7,500l is required in a tank and the extra 2,500l may be in the form of accessible swimming pools or dams.</p> <p>(ii) 45,000l for industrial buildings; and</p> <p>(iii) 20,000l for other buildings;</p> <p>(c) includes shielding of tanks and pumps in accordance with the relevant standards;</p> <p>(d) includes a hardstand area allowing medium rigid vehicle (15 tonne fire appliance) access within 6m of the tank;</p> <p>(e) is provided with fire brigade tank fittings – 50mm ball valve and male camlock coupling and, if underground, an access hole of 200mm (minimum) to accommodate suction lines; and</p>	to any approval granted to secure compliance, if necessary.



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Performance outcomes	Acceptable outcomes	Compliance
	(f) is clearly identified by directional signage provided at the street frontage.	
PO14 Landscaping does not increase the potential bushfire risk.	AO14 Landscaping uses species that are less likely to exacerbate a bushfire event and does not increase fuel loads within separation areas.	Not applicable No landscape planting is proposed.
PO15 The risk of bushfire and the need to mitigate that risk is balanced against other factors (such as but not limited to, biodiversity or scenic amenity).	AO15 Bushfire risk mitigation treatments do not have a significant impact on the natural environment or landscape character of the locality where this has value.	Complies with AO15 Any clearing involved with the Dwelling House would be minimal and contained wholly within the subject site.



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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:



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- (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;
 - (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
For assessable and self-assessable development		
PO1	AO1.1	Complies with AO1.1



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Performance outcomes	Acceptable outcomes	Compliance
<p>Development is located and designed to: ensure the safety of all persons; minimise damage to the development and contents of buildings; provide suitable amenity; minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events.</p> <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>Development is sited on parts of the land that is not within the Flood and Storm tide hazards overlay maps contained in Schedule 2; or For dwelling houses,</p> <p>AO1.2</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>The development would be sited on part of the site that is not within the Flood and Storm Tide Hazards overlay.</p>
	<p>AO1.3</p> <p>New buildings are:</p> <ul style="list-style-type: none"> (a) not located within the overlay area; (b) located on the highest part of the site to minimise entrance of flood waters; (c) provided with clear and direct pedestrian and 	<p>Complies with AO1.3</p> <p>The Dwelling House would not be located within the overlay area and would be provided with a clear and safe means of evacuation.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	vehicle evacuation routes off the site.	
	AO1.4 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.	Not applicable There are no natural riparian corridors on the subject site.
For assessable development		
PO2 The development is compatible with the level of risk associated with the natural hazard.	AO2 The following uses are not located in land inundated by the Defined Flood Event (DFE) / Storm tide: (a) Retirement facility; (b) Community care facility; (c) Child care centre.	Not applicable A Dwelling House is identified as Self Assessable development.
PO3 Development siting and layout responds to flooding potential and maintains personal safety	For Material change of use AO3.1	Not applicable A Dwelling House is identified as Self Assessable development.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>New buildings are:</p> <ul style="list-style-type: none">(a) not located within the overlay area;(b) located on the highest part of the site to minimise entrance of flood waters;(c) provided with clear and direct pedestrian and vehicle evacuation routes off the site. <p>or</p> <p>AO3.2</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>AO3.3</p> <p>Where involving an extension to an existing dwelling house that is situated below DFE /Storm</p>	



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Performance outcomes	Acceptable outcomes	Compliance
	<p>tide, the maximum size of the extension does not exceed 70m² 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>For Reconfiguring a lot</p> <p>AO3.4</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>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>Not applicable</p> <p>No reconfiguration is proposed.</p>
	<p>AO3.5</p> <p>Road and/or pathway layout ensures residents are</p>	<p>Not applicable</p> <p>A Dwelling House is identified as Self Assessable</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>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>	development.
	<p>AO3.6</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>Not applicable</p> <p>A Dwelling House is identified as Self Assessable development.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	AO3.7 There is no intensification of residential uses within the flood affected areas on land situated below the DFE/Storm tide.	Not applicable A Dwelling House is identified as Self Assessable development.
	For Material change of use (Residential uses) AO3.1 The design and layout of buildings used for residential purposes minimise risk from flooding by providing: (a) parking and other low intensive, non-habitable uses at ground level; 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.	Not applicable A Dwelling House is identified as Self Assessable development.
PO4 Development is resilient to flood events by ensuring design and built form account for the	For Material change of use (Non-residential uses) AO4.2 Non residential buildings and structures allow for	Not applicable A Dwelling House is identified as Self Assessable development.



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Performance outcomes	Acceptable outcomes	Compliance
potential risks of flooding.	<p>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>AO4.3</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</p>	<p>Not applicable</p> <p>A Dwelling House is identified as Self Assessable development.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>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>(b) Queensland Government Fact Sheet 'Repairing your House after a Flood' provides information about water resilient products and building techniques.</p>	
<p>PO5</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>AO5.1</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>AO5.2</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 50m³; or</p> <p>(b) do not result in any reductions of on-site flood</p>	<p>Not applicable</p> <p>A Dwelling House is identified as Self Assessable development.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>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> <ul style="list-style-type: none"> (i) loss of flood storage; (ii) loss of/changes to flow paths; (iii) acceleration or retardation of flows or any reduction in flood warning times elsewhere on the flood plain. 	
	<p>For Material change of use</p> <p>AO5.3</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>Not applicable</p> <p>A Dwelling House is identified as Self Assessable development..</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<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>AO5.4</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>Not applicable</p> <p>A Dwelling House is identified as Self Assessable development.</p>
PO6	For Material change of use	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
Development avoids the release of hazardous materials into floodwaters.	<p>AO6.1</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>AO6.2</p> <p>If a DFE level is adopted, structures used for the manufacture or storage of hazardous materials are:</p> <p>(a) located above the DFE level;</p> <p>or</p> <p>(b) designed to prevent the intrusion of floodwaters.</p>	A Dwelling House is identified as Self Assessable development.
	<p>AO6.3</p> <p>Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE</p>	<p>Not applicable</p> <p>A Dwelling House is identified as Self Assessable development.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>AO6.4</p> <p>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>Not applicable</p> <p>A Dwelling House is identified as Self Assessable development.</p>
<p>P07</p> <p>The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.</p>	<p>A07</p> <p>Development does not:</p> <ul style="list-style-type: none"> (a) increase the number of people calculated to be at risk of flooding; (b) increase the number of people likely to need evacuation; (c) shorten flood warning times; and (d) impact on the ability of traffic to use evacuation 	<p>Not applicable</p> <p>A Dwelling House is identified as Self Assessable development.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	routes, or unreasonably increase traffic volumes on evacuation routes.	
PO8 Development involving community infrastructure: (a) remains functional to serve community need during and immediately after a flood event; (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; (c) retains essential site access during a flood event; (d) is able to remain functional even when other infrastructure or services may be compromised in a flood event.	AO8.1 The following uses are not located on land inundated during a DFE/Storm tide: (a) community residence; and (b) emergency services; and (c) residential care facility; and (d) utility installations involving water and sewerage treatment plants; and (e) storage of valuable records or items of historic or cultural significance (e.g. archives, museums, galleries, libraries). or AO8.2 The following uses are not located on land inundated during a 1% AEP flood event: (a) community and cultural facilities, including	Not applicable A Dwelling House is identified as Self Assessable development.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>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,</p> <p>(b) community centres;</p> <p>(c) meeting halls;</p> <p>(d) galleries;</p> <p>(e) libraries.</p> <p>The following uses are not located on land inundated during a 0.5% AEP flood event.</p> <p>(a) emergency shelters;</p> <p>(b) police facilities;</p> <p>(c) sub stations;</p> <p>(d) water treatment plant</p> <p>The following uses are not located on land inundated during a 0.2% AEP flood event:</p> <p>(a) correctional facilities;</p>	



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Performance outcomes	Acceptable outcomes	Compliance
	(b) emergency services; (c) power stations; (d) major switch yards.	
	AO8.3 The following uses have direct access to low hazard evacuation routes as defined in Table 8.2.4.3.c: (a) community residence; and (b) emergency services; and (c) hospitals; and (d) residential care facility; and (e) sub stations; and (f) utility installations involving water and sewerage treatment plants.	Not applicable A Dwelling House is identified as Self Assessable development.
	and/or AO8.4 Any components of infrastructure that are likely to	Not applicable A Dwelling House is identified as Self Assessable development.



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Performance outcomes	Acceptable outcomes	Compliance
	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: (a) located above DFE/Storm tide or the highest known flood level for the site; (b) designed and constructed to exclude floodwater intrusion / infiltration.	
	AO8.5 Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by a flood.	Not applicable A Dwelling House is identified as Self Assessable development.

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



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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 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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8.2.5 Hillslopes overlay code

8.2.5.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Hillslopes 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 Hillslopes overlay is identified on the Hillslopes overlay map in Schedule 2 and includes the following sub-categories:
 - (a) Hillslopes constraint sub-category.
- (3) When using this code, reference should be made to Part 5.

8.2.5.2 Purpose

- (1) The purpose of the Hillslopes 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 3.5.5 Scenic amenity.
 - (b) enable an assessment of whether development is suitable on land within the Hillslopes sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:



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- (a) development on hillslopes is safe, serviceable and accessible;
- (b) the ecological values, landscape character and visual quality of the hillslopes are protected from development so as to retain the scenic backdrop to the region;
- (c) Development on hillslopes is appropriate, having regard to the topographic constraints and environmental characteristics of the land;
- (d) Development responds to the constraints of the site including gradient and slope stability;
- (e) Works do not involve complex engineering solutions.

8.2.5.3 Criteria for assessment

Table 8.2.5.3.a – Hillslopes overlay code –assessable development

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable development		
PO1 The landscape character and visual amenity quality of hillslopes areas is retained to protect the scenic backdrop to the region.	AO1.1 Development is located on parts of the site that are not within the Hillslopes constraint subcategory as shown on the Hillslopes overlay Maps contained in schedule 2.	Complies with PO1 The development would be located within part of the site that is within the Hillslopes Overlay. However, the dwelling House would be located on the lower slopes and adjacent the existing cleared area. Only a small section of the land would be affected to accommodate the house and the house



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Performance outcomes	Acceptable outcomes	Compliance
		would be constructed on stumps rather than slab on ground. The higher slopes would be located to the rear of the site and the scenic backdrop would not be affected by the location of the proposed Dwelling House.
For assessable development		
PO2 The landscape character and visual amenity quality of hillslopes areas is retained to protect the scenic backdrop to the region	AO2.1 Development does not occur on land with a gradient in excess of 1 in 6 (16.6%) or AO2.2 Where development on land steeper than 1 in 6 (16.6%) cannot be avoided, development follows the natural contours of the site.	Complies with AO2.1 The development would occur on land with a gradient of less than 1 in 6.
	AO2.3 Access ways and driveways are:	Complies with AO2.3 Access would be provided by an existing bitumen driveway. No new access would



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> (a) constructed with surface materials that blend with the surrounding environment; (b) landscaped with dense planting to minimise the visual impact of the construction; (c) provided with erosion control measures immediately after construction. 	be created as part of this development.
	<p>AO2.4</p> <p>The clearing or disturbance of vegetation is limited to clearing and disturbance that:</p> <ul style="list-style-type: none"> (a) is necessary for the construction of driveways; (b) is necessary to contain the proposed development; (c) minimises canopy clearing or disturbance; (d) minimises riparian clearing or disturbance. 	<p>Complies with AO2.4</p> <p>Any clearing of vegetation would be limited to that necessary for the construction of a Dwelling House.</p>
	<p>AO2.5</p> <p>On land with slopes greater than 1 in 6 (16.6%) or greater, alternative construction methods to concrete slab on ground are utilised (i.e. split level or post and beam constructed buildings that minimise modification to the natural terrain of</p>	<p>Not applicable</p> <p>The Dwelling House would be sited on land with a slope of less than 1 in 6.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	the land).	
	AO2.6 Development does not alter the sky line.	Complies with AO2.6 The development would be located below the ridgeline and would have no effect on the skyline.
	AO2.7 Buildings and structures: <ul style="list-style-type: none"> (a) are finished predominantly in the following exterior colours or surfaces: <ul style="list-style-type: none"> (i) moderately dark to darker shades of olive green, brown, green, blue, or charcoal; or (ii) moderately dark to darker wood stains that blend with the colour and hues of the surrounding vegetation and landscape; (b) are not finished in the following exterior colours or surfaces: <ul style="list-style-type: none"> (i) pastel or terracotta colours, reds, yellows, shades of white or beige, or other bright 	Able to comply with AO2.7 Building finishes are yet to be determined. Council are invited to attach a condition to any approval granted to secure compliance, if necessary.



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Performance outcomes	Acceptable outcomes	Compliance
	colours that do not blend with the surrounding vegetation and landscape; (ii) reflective surfaces.	
	AO2.8 Exterior colour schemes limit the use of white or other light colours to exterior trim and highlighting of architectural features	Able to comply with AO2.8 Building finishes are yet to be determined. Council are invited to attach a condition to any approval granted to secure compliance, if necessary.
	AO2.9 Areas between the first floor (including outdoor deck areas) and ground level are screened from view.	Complies with AO2.9 The dwelling house would be constructed on stumps; however the area between first floor and ground level would be minimal and only that necessary to create a level finished floor. It would not be visible external to the site.
	AO2.10 Recreational or ornamental features (including tennis courts, ponds or swimming pools) do not occur on land:	Not applicable No recreational or ornamental features are proposed.



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> (a) with a gradient of 1 in 6 (16.6%) or more; (b) are designed to be sited and respond to the natural constraints of the land and require minimal earthworks. 	
<p>PO3</p> <p>Excavation or filling does not have an adverse impact on the amenity, safety, stability or function of the site or adjoining premises through:</p> <ul style="list-style-type: none"> (a) loss of privacy; (b) loss of access to sunlight; (c) intrusion of visual or overbearing impacts; (d) complex engineering solutions. 	<p>AO3</p> <p>Excavation or fill:</p> <ul style="list-style-type: none"> (a) is not more than 1.2 metres in height for each batter or retaining wall; (b) is setback a minimum of 2 metres from property boundaries; (c) is stepped with a minimum 2 metre wide berm to incorporate landscaping in accordance with Planning scheme policy SC6.7 – Landscaping; (d) does not exceed a maximum of 3 batters and 3 berms (i.e. not greater than 3.6 metres in height) on any one lot. 	<p>Complies with PO3</p> <p>The extent of the proposed cut would be in the order of 1.5 – 2.0 metres. It would be constructed of two batters separated by 1.5 metres at its highest point and would not be located within 2 metres of any site boundary.</p> <p>The 1.5 metre separation is considered sufficient to accommodate landscaping treatments and the batters would be located behind the located behind the proposed Dwelling House and would not be visible external to the site.</p>
Lot reconfiguration		



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Performance outcomes	Acceptable outcomes	Compliance
PO4 For development that involves reconfiguring a lot, lot layout and design is responsive to the natural constraints of the land and each lot is capable of being used for its intended purpose.	AO4.1 The frontage and depth of all lots is of sufficient width to: <ul style="list-style-type: none"> (a) allow driveways to follow the natural contours of the site and not exceed a gradient of 1 in 6 (16.6%); (b) accommodate any changes in gradient between the road and lot within the lot boundary and not within the road reserve. 	Not applicable No lot reconfiguration is proposed.
	AO4.2 Development does not create new lots containing land of greater than 1 in 6 (16.6%), except where a rectangular area of land of lesser grade is contained within the new lots to accommodate the intended land use, with the balance left in its natural state to the greatest extent possible. Note – The size of rectangular areas is outlined within each zone code.	Not applicable No lot reconfiguration is proposed.
	AO4.3 Development does not alter ridgelines.	Not applicable No lot reconfiguration is proposed.
	AO4.4 Lots are designed to ensure rooflines of future buildings and	Not applicable No lot reconfiguration is proposed.



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Performance outcomes	Acceptable outcomes	Compliance
	structures do not protrude above a ridgeline.	



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8.2.7 Natural Areas overlay code

8.2.7.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Natural areas 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 Natural areas overlay is identified on the Natural areas overlay map in Schedule 2 and includes the following sub-categories:
 - (a) MSES – Protected area;
 - (b) MSES – Marine Park;
 - (c) MSES – Wildlife habitat;
 - (d) MSES – Regulated vegetation;
 - (e) MSES – Regulated vegetation (intersecting a Watercourse);
 - (f) MSES – High ecological significance wetlands;
 - (g) MSES – High ecological value waters (wetlands);
 - (h) MSES – High ecological value waters (watercourse);
 - (i) MSES – Legally secured off set area.

Note – MSES = Matters of State Environmental Significance.

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



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8.2.7.2 Purpose

(1) The purpose of the Natural areas overlay code is to:

(a) implement the policy direction in the Strategic Framework, in particular:

- (i) Theme 2: Environment and landscape values, Element 3.5.3 Biodiversity, 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.

(b) enable an assessment of whether development is suitable on land within the Biodiversity area overlay sub-categories.

(2) The purpose of the code will be achieved through the following overall outcomes:

(a) development is avoided within:

- (i) areas containing matters of state environmental significance (MSES);
- (ii) other natural areas;
- (iii) wetlands and wetland buffers;
- (iv) waterways and waterway corridors.

(b) where development cannot be avoided, development:



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- (i) protects and enhances areas containing matters of state environmental significance;
- (ii) provides appropriate buffers;
- (iii) protects the known populations and supporting habitat of rare and threatened flora and fauna species, as listed in the relevant State and Commonwealth legislation;
- (iv) ensures that adverse direct or indirect impacts on areas of environmental significance are minimised through design, siting, operation, management and mitigation measures;
- (v) does not cause adverse impacts on the integrity and quality of water in upstream or downstream catchments, including the Great Barrier Reef World Heritage Area;
- (vi) protects and maintains ecological and hydrological functions of wetlands, waterways and waterway corridors;
- (vii) enhances connectivity across barriers for aquatic species and habitats; Douglas Shire Planning Scheme 2018 Version 1.0 Part 8: Overlays Part 8: Page 35
- (viii) rehabilitates degraded areas to provide improved habitat condition, connectivity, function and extent;
- (ix) protects areas of environmental significance from weeds, pests and invasive species.

(c) strategic rehabilitation is directed to areas on or off site, where it is possible to achieve expanded habitats and increased connectivity.

8.2.7.3 Criteria for assessment

Table 8.2.7.3.a – Natural areas overlay code – assessable development



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Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
Protection of matters of environmental significance		
PO1 Development protects matters of environmental significance.	AO1.1 Development avoids significant impact on the relevant environmental values.	Complies with AO1.1 The impact would be limited to accepted vegetation clearing required to accommodate the Dwelling House only.
	or AO1.2 A report is prepared by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, that the development site does not contain any matters of state and local environmental significance.	Not applicable Complies with AO1.1.
	Or AO1.3	Not applicable Complies with AO1.1.



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Performance outcomes	Acceptable outcomes	Compliance
	Development is located, designed and operated to mitigate significant impacts on environmental values. For example, a report certified by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, how the proposed development mitigates impacts, including on water quality, hydrology and biological processes.	
Management of impacts on matters of environmental significance		
PO2 Development is located, designed and constructed to avoid significant impacts on matters of environmental significance.	AO2 The design and layout of development minimises adverse impacts on ecologically important areas by: <ul style="list-style-type: none"> (a) focusing development in cleared areas to protect existing habitat; (b) utilising design to consolidate density and preserve existing habitat and native vegetation; 	Complies with AO2 The proposed Dwelling House would be sited on the edge of the area of the site identified as containing regulated vegetation. Clearing would be limited to areas predominantly outside of the regulated vegetation and would be limited to that necessary to facilitate the development of the Dwelling House.



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> (c) aligning new property boundaries to maintain ecologically important areas; (d) ensuring that alterations to natural landforms, hydrology and drainage patterns on the development site do not negatively affect ecologically important areas; (e) ensuring that significant fauna habitats are protected in their environmental context; and (f) incorporating measures that allow for the safe movement of fauna through the site. 	
PO3 An adequate buffer to areas of state environmental significance is provided and maintained.	AO3.1 A buffer for an area of state environmental significance (Wetland protection area) has a minimum width of: <ul style="list-style-type: none"> (a) 100 metres where the area is located outside Urban areas; or (b) 50 metres where the area is located within a Urban areas. 	Not applicable There are no wetland protection areas located on or adjacent the site.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>Or</p> <p>AO3.2</p> <p>A buffer for an area of state environmental significance is applied and maintained, the width of which is supported by an evaluation of environmental values, including the function and threats to matters of environmental significance.</p>	<p>Not applicable</p> <p>There are no wetland protection areas located on or adjacent the site.</p>
<p>PO4</p> <p>Wetland and wetland buffer areas are maintained, protected and restored.</p> <p>Note – Wetland buffer areas are identified in AO3.1.</p>	<p>AO4.1</p> <p>Native vegetation within wetlands and wetland buffer areas is retained.</p>	<p>Not applicable</p> <p>There are no wetland protection areas located on or adjacent the site.</p>
	<p>AO4.2</p> <p>Degraded sections of wetlands and wetland buffer areas are revegetated with endemic native plants in patterns and densities which emulate the relevant regional ecosystem.</p>	<p>Not applicable</p> <p>There are no wetland protection areas located on or adjacent the site.</p>
PO5	AO5.1	Complies with AO5.1



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Performance outcomes	Acceptable outcomes	Compliance
Development avoids the introduction of non-native pest species (plant or animal), that pose a risk to ecological integrity.	Development avoids the introduction of non-native pest species.	The development does not propose the introduction of new species.
	AO5.2 The threat of existing pest species is controlled by adopting pest management practices for long-term ecological integrity.	Complies with AO5.2 No existing pest species have been identified on site.
Ecological connectivity		
PO6 Development protects and enhances ecological connectivity and/or habitat extent.	AO6.1 Development retains native vegetation in areas large enough to maintain ecological values, functions and processes.	Complies with AO6.1 Vegetation clearing would be limited to that necessary to accommodate the Dwelling House.
	And AO6.2 Development within an ecological corridor rehabilitates native vegetation.	Not applicable The development would not be within an ecological corridor.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>And</p> <p>AO6.3</p> <p>Development within a conservation corridor mitigates adverse impacts on native fauna, feeding, nesting, breeding and roosting sites and native fauna movements.</p>	<p>Not applicable</p> <p>The subject site does not contain a conservation corridor.</p>
<p>PO7</p> <p>Development minimises disturbance to matters of state environmental significance (including existing ecological corridors).</p>	<p>AO7.1</p> <p>Development avoids shading of vegetation by setting back buildings by a distance equivalent to the height of the native vegetation.</p>	<p>Complies with PO7</p> <p>The Dwelling House would be predominantly sited outside of the MSES Regulated Vegetation area and clearing would be limited to that necessary to facilitate the development of the Dwelling House.</p>
	<p>and</p> <p>AO7.2</p> <p>Development does not encroach within 10 metres of existing riparian vegetation and watercourses.</p>	<p>Complies with AO7.2</p> <p>The development would be located more than 10 metres from riparian vegetation and watercourses.</p>
Waterways in an urban area		



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Performance outcomes	Acceptable outcomes	Compliance
PO8 Development is set back from waterways to protect and maintain: <ul style="list-style-type: none"> (a) water quality; (b) hydrological functions; (c) ecological processes; (d) biodiversity values; (e) riparian and in-stream habitat values and connectivity; (f) in-stream migration 	AO8.1 Where a waterway is contained within an easement or a reserve required for that purpose, development does not occur within the easement or reserve;	Not applicable The development site is within a non-urban area.
	or AO8.2 Development does not occur on the part of the site affected by the waterway corridor. Note – Waterway corridors are identified within Table 8.2.7.3.b	Not applicable The development site is within a non-urban area.
Waterways in a non-urban area		
PO9 Development is set back from waterways to protect and maintain: <ul style="list-style-type: none"> (a) water quality; (b) hydrological functions; 	AO9 Development does not occur on that part of the site affected by a waterway corridor. Note – Waterway corridors are identified within Table 8.2.7.3.b.	Complies with AO9 The development would not occur on part of the site affected by a waterway corridor.



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Performance outcomes	Acceptable outcomes	Compliance
(c) ecological processes; (d) biodiversity values; (e) riparian and in-stream habitat values and connectivity; (f) in-stream migration.		



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8.2.9 Potential landslide hazard overlay code

8.2.9.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Potential landslide 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 Potential landslide hazard overlay is identified on the Potential landslide hazard overlay maps in Schedule 2 and includes the following sub-categories:
 - (a) Places of potential landslide hazard sub-category.
- (3) When using this code, reference should be made to Part 5.

Note – The Potential landslide hazard overlay shows modelled areas where the factors contributing to landslip potential accumulate to provide a moderate or higher risk if certain factors are exacerbated (e.g. factors include significant vegetation clearing, filling and excavation, changes to soil characteristics, changes to overland water flow, or changes to sub-surface water flow). It shows areas that the Council has identified where landslides may occur and where land may be impacted by a landslide, but does not mean that landslides will occur or that the land will be impacted by a landslide. Other areas not contained within the potential landslide hazard overlay may sustain landslides or be impacted by landslides and consideration should be given to this issue, where appropriate.

8.2.9.2 Purpose

- (1) The purpose of the Potential landslide hazard overlay code is:
 - (a) implement the policy direction of the Strategic Framework, in particular:



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- (i) Theme 1: Settlement pattern Element 3.4.7 Mitigation of hazards.
- (b) enable an assessment of whether development is suitable on land within the Potential landslip hazard overlay.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) development is located, designed and constructed to not put at risk the safety of people, property and the environment;
 - (b) development is not at risk from and does not pose a risk to adjacent and nearby sites from landslides;
 - (c) ensures that community infrastructure is protected from the effects of potential landslides;
 - (d) ensures that vegetation clearing, stormwater management and filling and/or excavation does not create a landslide hazard and/or rectifies potential pre-existing landslide risks;
 - (e) development does not occur where works to provide a solution for safety of people, property or the environment involves complex engineering solutions to overcome the risk, or would result in a built form or outcome that causes an adverse visual impact on the Hillslopes or Landscape values of Douglas Shire.

8.2.9.3 Criteria for assessment

Table 8.2.9.3.a – Potential landslide hazard overlay code –assessable development

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
PO1	AO1.1 Development is located on that part of the site not affected by the Potential landslide hazard overlay.	Complies with AO1.1



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Performance outcomes	Acceptable outcomes	Compliance
<p>The siting and design of development does not involve complex engineering solutions and does not create or increase the potential landslide hazard risk to the site or adjoining premises through:</p> <ul style="list-style-type: none"> (a) building design; (b) increased slope; (c) removal of vegetation; (d) stability of soil; (e) earthworks; (f) alteration of existing ground water or surface water paths; (g) waste disposal areas. 	<p>or</p> <p>AO1.2</p> <p>Development is on an existing stable, benched site and requires no further earthworks</p> <p>or</p> <p>AO1.3</p> <p>A competent person certifies that:</p> <ul style="list-style-type: none"> (a) the stability of the site, including associated buildings and infrastructure, will be maintained during the course of the development and will remain stable for the life of the development; (b) development of the site will not increase the risk of landslide hazard activity on other land, including land above the site; (c) the site is not subject to the risk of landslide activity on other land; (d) any measures identified in a site-specific geotechnical report for stabilising the site or development have been fully implemented; 	<p>The development would not be located on part of the site affected by the Potential Landslide Hazard Overlay.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>(e) development does not concentrate existing ground water and surface water paths;</p> <p>(f) development does not incorporate on-site waste water disposal.</p> <p>Note – Planning scheme policy SC6.9 – Natural hazards provides guidance on preparing a site specific geo-technical assessment.</p> <p>Note – Development may alter the conditions of ground water and surface water paths in accordance with a site-specific geotechnical report, but should ensure that its final disbursement is as-per pre-developed conditions. Consideration for location, velocity, volume and quality should be given.</p>	
<p>PO2</p> <p>The siting and design of necessary retaining structures does not cause an adverse visual impact on landscape character or scenic amenity quality of the area.</p>	<p>AO2</p> <p>Excavation or fill:</p> <p>(a) is not more than 1.2 metres in height for each batter or retaining wall;</p> <p>(b) is setback a minimum of 2 metres from property boundaries;</p>	<p>Complies with PO2</p> <p>Refer to the assessment against PO3 of the Hillslopes Overlay Code.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>(c) is stepped with a minimum 2 metre wide berm to incorporate landscaping in accordance with Planning scheme policy SC6.7 – Landscaping;</p> <p>(d) does not exceed a maximum of 3 batters and 3 berms (i.e. Not greater than 3.6 metres in height) on any one lot.</p>	
Additional requirements for Community infrastructure		
<p>PO3</p> <p>Development for community infrastructure:</p> <p>(a) is not at risk from the potential landslide hazard areas;</p> <p>(b) will function without impediment from a landslide;</p> <p>(c) provides access to the infrastructure without impediment from the effects of a landslide;</p> <p>(d) does not contribute to an elevated risk of a landslide to adjoining properties.</p>	<p>AO3</p> <p>Development is designed in accordance with the recommendations of a site-specific geotechnical assessment which makes reference to the community infrastructure and its needs and function.</p> <p>Note - A site specific geotechnical assessment will detail requirements that will address the Acceptable Outcomes of this Performance Outcome. Planning scheme policy SC6.9 – Natural hazards provides guidance on preparing a site specific geotechnical assessment.</p>	<p>Not applicable</p> <p>The development would not involve community infrastructure.</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;



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- (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

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
PO1 Secondary dwellings: (a) are subordinate, small-scaled dwellings; (b) contribute to a safe and pleasant living environment; (c) are established on appropriately sized lots; (d) do not cause adverse impacts on adjoining properties.	AO1 The secondary dwelling: (a) has a total gross floor area of not more than 80m ² , excluding a single carport or garage; (b) is occupied by 1 or more members of the same household as the dwelling house.	Not applicable The development does not involve a Secondary Dwelling.



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Performance outcomes	Acceptable outcomes	Compliance
PO2 Resident's vehicles are accommodated on- site.	AO2 Development provides a minimum number of on-site car parking spaces comprising: (a) 2 car parking spaces which may be in tandem for the dwelling house; (b) 1 car parking space for any secondary dwelling on the same site.	Complies with AO2 The development proposes 2 undercover car parking spaces.
PO3 Development is of a bulk and scale that: (a) is consistent with and complements the built form and front boundary setbacks prevailing in the street and local area; (b) does not create an overbearing development for adjoining dwelling houses and their private open space; (c) does not impact on the amenity and privacy of residents in adjoining dwelling houses;	AO3 Development meets the acceptable outcome for building height in the applicable Zone code associated with the site.	Complies with AO3 Refer to assessment against the Rural Zone Code.



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Performance outcomes	Acceptable outcomes	Compliance
(d) ensures that garages do not dominate the appearance of the street.		



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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.



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9.4.1.3 Criteria for assessment

Table 9.4.1.3.a – Access, parking and servicing code –assessable development

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
PO1 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: (a) the desired character of the area; (b) the nature of the particular use and its specific characteristics and scale; (c) the number of employees and the likely number of visitors to the site; (d) the level of local accessibility; (e) the nature and frequency of any public transport serving the area;	AO1.1 The minimum number of on-site vehicle parking spaces is not less than the number prescribed in Table 9.4.1.3.b for that particular use or uses. 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.	Complies with AO1.1 The Dwelling House would provide two on-site car parking spaces.
	AO1.2 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.	Complies with AO1.2 The car parking spaces would be available for the parking of vehicles at all times.
	AO1.3	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
(f) whether or not the use involves the retention of an existing building and the previous requirements for car parking for the building	Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking.	Motorcycle parking is not required for Dwelling Houses.
(g) whether or not the use involves a heritage building or place of local significance; (h) whether or not the proposed use involves the retention of significant vegetation.	AO1.4 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.	Not applicable The parking area would not exceed 50 spaces.
PO2 Vehicle parking areas are designed and constructed in accordance with relevant standards.	AO2 Vehicle parking areas are designed and constructed in accordance with Australian Standard: (a) AS2890.1; (b) AS2890.3; (c) AS2890.6.	Complies with AO2 The car parks would be constructed to Australian Standards.
PO3	AO3.1	Complies with AO3.1



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Performance outcomes	Acceptable outcomes	Compliance
<p>Access points are designed and constructed:</p> <ul style="list-style-type: none"> (a) to operate safely and efficiently; (b) to accommodate the anticipated type and volume of vehicles (c) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate; (d) so that they do not impede traffic or pedestrian movement on the adjacent road area; (e) so that they do not adversely impact upon existing intersections or future road or intersection improvements; (f) so that they do not adversely impact current and future on-street parking arrangements; (g) so that they do not adversely impact on existing services within the road reserve adjacent to the site; 	<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"> (a) Australian Standard AS2890.1; (b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers. 	<p>Access to the development would utilise an existing access crossover and driveway.</p>
	<p>AO3.2</p> <p>Access, including driveways or access crossovers:</p> <ul style="list-style-type: none"> (a) are not placed over an existing: <ul style="list-style-type: none"> (i) telecommunications pit; (ii) stormwater kerb inlet; (iii) sewer utility hole; (iv) water valve or hydrant. (b) are designed to accommodate any adjacent footpath; 	<p>Not applicable</p> <p>The access is already lawfully existing and would not be changed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
(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).	(c) adhere to minimum sight distance requirements in accordance with AS2980.1.	
	<p>AO3.3</p> <p>Driveways are:</p> <p>(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;</p> <p>(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;</p> <p>(c) on gradients greater than 1 in 6 (16.6%) driveways are constructed to ensure the cross-fall of the driveway is one way and directed into the hill, for vehicle safety and drainage purposes;</p>	<p>Complies with AO3.3</p> <p>The existing follows the natural contours and has a gradient of less than 1 in 6.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<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>AO3.4</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>Complies with AO3.4</p> <p>Access would be provide by an existing bitumen driveway.</p>
<p>PO4</p> <p>Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.</p>	<p>AO4</p> <p>The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.</p>	<p>Not applicable</p> <p>Dwelling Houses do not require wheel-chair accessible parking spaces.</p>
<p>PO5</p>	<p>AO5</p>	<p>Not applicable</p>



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Performance outcomes	Acceptable outcomes	Compliance
Access for people with disabilities is provided to the building from the parking area and from the street.	Access for people with disabilities is provided in accordance with the relevant Australian Standard.	Dwelling Houses do not require disabled access.
PO6 Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development.	AO6 The number of on-site bicycle parking spaces complies with the rates specified in Table 9.4.1.3.b.	Not applicable Dwelling Houses do not require bicycle parking.
PO7 Development provides secure and convenient bicycle parking which: (a) for visitors is obvious and located close to the building's main entrance; (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; (c) is easily and safely accessible from outside the site.	AO7.1 Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers);	Not applicable Dwelling Houses do not require bicycle parking.
	AO7.2 Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street.	Not applicable Dwelling Houses do not require bicycle parking.
	AO7.3	Not applicable Dwelling Houses do not require bicycle parking.



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Performance outcomes	Acceptable outcomes	Compliance
	Development provides visitor bicycle parking which does not impede pedestrian movement.	
<p>PO8</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>AO8</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>Not applicable</p> <p>The development would be for a private Dwelling House on a Rural lot, walking and cycle routes are not necessary.</p>
<p>PO9</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>AO9.1</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>Not applicable</p> <p>Service vehicle access is not necessary for a Dwelling House in the Rural Zone.</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>(b) so that they do not interfere with the amenity of the surrounding area;</p> <p>(c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles.</p>	<p>AO9.2</p> <p>Service and loading areas are contained fully within the site.</p>	<p>Not applicable</p> <p>The Dwelling House would not involve service and loading areas.</p>
	<p>AO9.3</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>Not applicable</p> <p>The Dwelling House would not require service vehicle access.</p>
<p>PO10</p> <p>Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.</p>	<p>AO10.1</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>Not applicable</p> <p>The Dwelling House would not involve drop-off/pick-up services.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	(c) educational establishment where for a school; (d) food and drink outlet, where including a drive-through facility; (e) hardware and trade supplies, where including a drive-through facility; (f) hotel, where including a drive-through facility; (g) service station.	
	AO10.2 Queuing and set-down areas are designed and constructed in accordance with AS2890.1.	Not applicable The Dwelling House would not require queuing and set-down areas.



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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;



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- (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 9.4.4.3.a – Filling and excavation code – for self-assessable and assessable development

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
Filling and excavation - General		
PO1 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.	AO1.1 The height of cut and/or fill, whether retained or not, does not exceed 2 metres in height. and 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.	Complies with AO1.1 The maximum cut and fill would not exceed 2 metres.
	AO1.2	Complies with AO1.2



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Performance outcomes	Acceptable outcomes	Compliance
	Cuts are supported by batters, retaining or rock walls and associated benches/terraces are capable of supporting mature vegetation.	The cuts would be supported by batters with benches to accommodate landscaping.
	AO1.3 Cuts are screened from view by the siting of the building/structure, wherever possible.	Complies with AO1.3 The cuts would be located behind the house and screened from view.
	AO1.4 Topsoil from the site is retained from cuttings and reused on benches/terraces.	Able to comply with AO1.4 Topsoil from the site is able to be retained from cuttings and re-used on benched/terraces.
	AO1.5 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.	Complies with AO1.5 The development would be 60 metres from any boundary.
	AO1.6	Complies with AO1.6 All cut and fill would be retained and stabilised.



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Performance outcomes	Acceptable outcomes	Compliance
	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.	
Visual Impact and Site Stability		
PO2 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.	AO2.1 The extent of filling and excavation does not exceed 40% of the site area, or 500m ² whichever is the lesser, except that AO2.1 does not apply to reconfiguration of 5 lots or more.	Complies with AO2.1 The proposed filling and excavation would not exceed 40% of the site area.
	AO2.2 Filling and excavation does not occur within 2 metres of the site boundary.	Complies with AO2.2 The proposed development is located 60 metres from the nearest boundary.
Flooding and drainage		
PO3	AO3.1	Complies with AO3.1



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Performance outcomes	Acceptable outcomes	Compliance
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.	Filling and excavation does not result in the ponding of water on a site or adjacent land or road reserves.	The proposed filling and excavation would not result in ponding or water in a sloping site.
	AO3.2 Filling and excavation does not result in an increase in the flow of water across a site or any other land or road reserves.	Complies with AO3.2 All filling and excavation would be located a significant distance from any other land or roads..
	AO3.3 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.	Complies with AO3.3 All filling and excavation would not result in any increase in the volume of water in a watercourse as it would be a significant distance from any water course..
	AO3.4 Filling and excavation complies with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	Able to comply with AO3.4 All filling and excavation would be undertaken as part of the building application and would comply with relevant requirements..
Water quality		



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Performance outcomes	Acceptable outcomes	Compliance
PO4 Filling and excavation does not result in a reduction of the water quality of receiving waters.	AO4 Water quality is maintained to comply with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	Complies with AO4 Filling and excavation would not effect the water quality as it would be setback an appropriate distance from the nearest waterway.
Infrastructure		
PO5 Excavation and filling does not impact on Public Utilities.	AO5 Excavation and filling is clear of the zone of influence of public utilities.	Complies with AO5 No public utilities would be located near the proposed development.



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