

1 June 2023



Chief Executive Officer
Douglas Shire Council
64-66 Front Street
MOSSMAN QLD 4873

Via email: enquiries@douglas.qld.gov.au

**RE: DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE (DWELLING HOUSE)
OVER LAND AT MOWBRAY RIVER ROAD, MOWBRAY, MORE FORMALLY DESCRIBED AS
LOT 1 ON SP285527**

Aspire Town Planning and Project Services act on behalf of on behalf of James Campbell Sutherland and Joanna Marie Sutherland (the 'Applicant' and the 'Land Owner') in relation to the above described Development Application.

On behalf of the Applicant, please accept this correspondence and the accompanying attachments as a properly made Development Application pursuant to Sections 50 and 51 of the *Planning Act 2016* seeking a Development Permit for a Material Change of Use (Dwelling House).

Please find enclosed the following documentation associated with this Development Application:

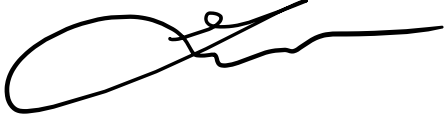
- Duly completed DA Form 1 (Attachment 1);
- Land Owner's Consent (Attachment 2); and
- Town Planning Report (Attachment 3).

The relevant Application Fee is calculated to be \$344 under the Douglas Shire Council Fees and Charges Schedule for Years 2022/2023. It is respectfully requested that Council issue an Invoice, so the fee can be paid directly by the Applicant.

PO BOX 1040, MOSSMAN QLD 4873
M. 0418826560
E. admin@aspireqld.com
W. www.aspireqld.com
ABN. 79 851 193 691

Thank you for your time in considering the attached Development Application. If you wish to inspect the property or have any further queries, please contact the undersigned.

Regards,

A handwritten signature in black ink, consisting of a large, stylized loop followed by a series of connected, slightly wavy horizontal strokes.

Daniel Favier

Senior Town Planner

ASPIRE Town Planning and Project Services

Attachment I

Duly completed DA Form I

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)	James Campbell Sutherland and Joanna Marie Sutherland
Contact name (only applicable for companies)	c/- Daniel Favier (Aspire Town Planning and Project Services)
Postal address (P.O. Box or street address)	PO Box 1040
Suburb	Mossman
State	QLD
Postcode	4873
Country	Australia
Contact number	0418 826 560
Email address (non-mandatory)	admin@aspireqld.com
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	2023-05-56 – Sutherland – Mowbray River Road, Mowbray

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

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
			Mowbray River Road	Mowbray
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	1	SP285527	Douglas Shire
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)
c)	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: <input type="text"/>	

☐ 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: <input type="text"/>	

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

<input type="checkbox"/> In or adjacent to a water body or watercourse or in or above an aquifer	
Name of water body, watercourse or aquifer:	<input type="text"/>
<input type="checkbox"/> On strategic port land under the <i>Transport Infrastructure Act 1994</i>	
Lot on plan description of strategic port land:	<input type="text"/>
Name of port authority for the lot:	<input type="text"/>
<input type="checkbox"/> In a tidal area	

Name of local government for the tidal area <i>(if applicable)</i> :	
Name of port authority for tidal area <i>(if applicable)</i> :	
<input type="checkbox"/> On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>	
Name of airport:	
<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>	
EMR site identification:	
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>	
CLR site identification:	

5) Are there any existing easements over the premises?

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

- ☒ Yes – All easement locations, types and dimensions are included in plans submitted with this development application
- ☐ No

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

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

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

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

c) What is the level of assessment?

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

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

Development Application for a Material Change of Use (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)
Single detached dwelling	Dwelling House		

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

☐ Yes

☒ No

Division 2 – Reconfiguring a lot

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

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

--

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

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

10) Subdivision

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

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

10.2) Will the subdivision be staged?

☐ Yes – provide additional details below

☐ No

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

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?				
Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot on plan description	Area (m ²)
12.2) What is the reason for the boundary realignment?			

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)				
Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement

Division 3 – Operational work

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

14.1) What is the nature of the operational work?	
<input type="checkbox"/> Road work <input type="checkbox"/> Drainage work <input type="checkbox"/> Landscaping <input type="checkbox"/> Other – please specify:	<input type="checkbox"/> Stormwater <input type="checkbox"/> Earthworks <input type="checkbox"/> Signage <input type="checkbox"/> Water infrastructure <input type="checkbox"/> Sewage infrastructure <input checked="" type="checkbox"/> Clearing vegetation
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 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 <i>Transport Infrastructure Act 1994</i>:
<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
<p>Note: By not agreeing to accept an information request I, the applicant, acknowledge:</p> <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. <p>Further advice about information requests is contained in the DA Forms Guide.</p>

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.dsdmip.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.dsdmip.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	

Attachment 2

Land Owner's Consent

Individual owner's consent for making a development application under the *Planning Act 2016*

We,

James Campbell Sutherland and Joanna Marie Sutherland

as owner of the premises identified as follows:

Mowbray River Road, Mowbray, more formally described as Lot 1 on SP285527

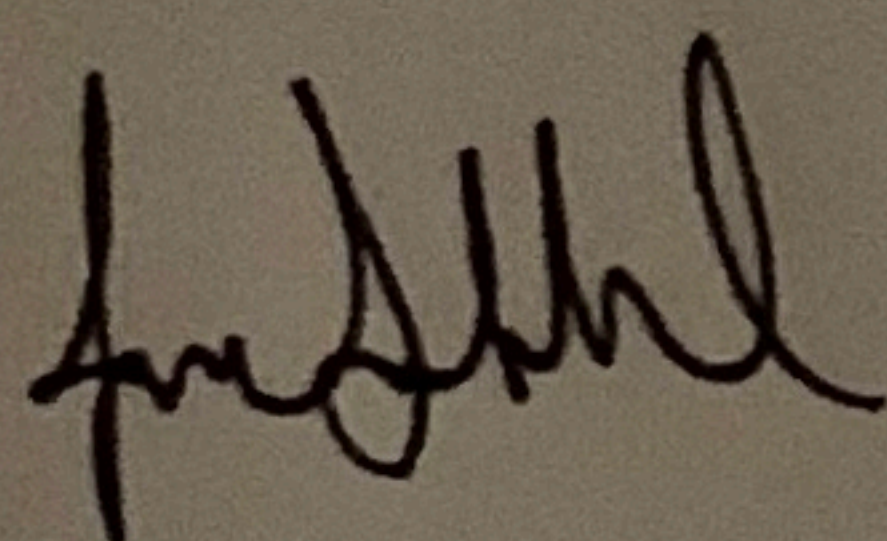
consent to the making of a development application under the *Planning Act 2016* by:

Daniel Favier (Aspire Town Planning and Project Services)

on the premises described above for:

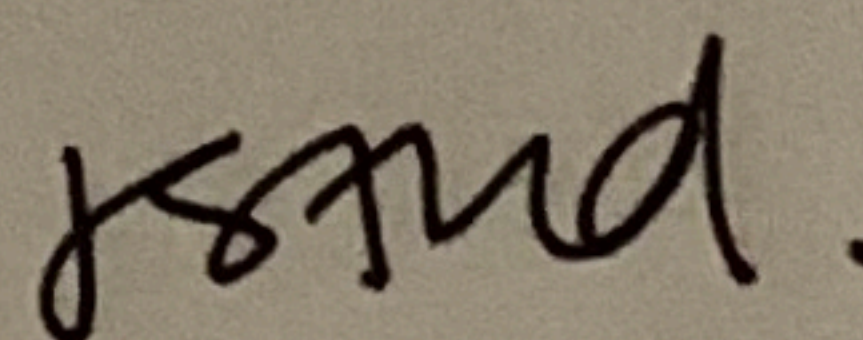
Development Application for a Material Change of Use (Dwelling House)

Signed



James Campbell Sutherland

Date: **30.05.2023**



Joanna Marie Sutherland

Date: **30/05/2023**

Attachment 3

Town Planning Report



Town Planning Report

MOWBRAY RIVER ROAD,
MOWBRAY

1 June 2023

ASPIRE Town Planning and Project Services
Authored by: Daniel Favier

Executive Summary

Aspire Town Planning and Project Services has been engaged and act on behalf James Campbell Sutherland and Joanna Marie Sutherland (the 'Applicant' and the 'Land Owner').

This Development Application is for a Material Change of Use (Dwelling House), over land at Mowbray River Road, more formally described as Lot 1 on SP285527 (the 'subject site'). The subject site has been previously cleared, benched and is presently unimproved. To the best of knowledge the property has not been allocated a road address was created via the subdivision of land at 332R Mowbray River Road, Mowbray (Council ref: CA 2552/2008).

The proposed Dwelling House is two storey and sited entirely within the existing benched and level pad, with the exception of a cantilevered deck extending from the second level living area and a second deck extending from the master ensuite and laundry on the second level. The lower level provides for undercover parking, storage and main entry / access to the upper floor. The upper level comprises three bedrooms along with the main living, dining and entertaining areas.

Under the Douglas Shire Planning Scheme 2018 V1.0 (the 'planning scheme'), the subject site is included within the Rural Residential Zone, where the development of a Dwelling House is ordinarily Self Assessable. However, due to the effect of a number of applicable Overlays, the proposed development requires Code Assessment.

This Town Planning Report includes a comprehensive assessment of the proposed development against the relevant Local Government Assessment Benchmarks. The information provided in this report, and accompanying attachments, demonstrates that the proposed development achieves compliance with the applicable provisions of the relevant Local Government Assessment Benchmarks and is presented to Douglas Shire Council ('Council') for approval. It would be appreciated if Council could provide 'without prejudice' draft conditions for review prior to the issue of a Decision Notice.

1.0 Summary

Table 1: Application Summary.

Street Address	Mowbray River Road, Mowbray To best of knowledge the subject site is not allocated a rural road address
Lot and Plan	Lot 1 SP285527
Land Owner	James Campbell Sutherland Joanna Marie Sutherland <i>See Attachment 1 – Certificate of Title</i>
Size	4,214m ²
Road Frontages	No direct road frontage. Access from Mowbray River Road provided via easements benefiting the subject site
Easements	Easement No 601161465 (T306836R) 21/09/1987 Benefiting the Land Over Easement B on RP745755 Easement No 700541464 08/03/1995 at 09:11 benefiting the land over Easement A on RP 745755 Easement No 717485555 01/09/2016 at 15:02 burdening the land to Lot 2 on SP285527 over Easement C on SP285527
Proposal	Dwelling House
Approvals Sought	Development Permit (Material Change of Use)
Level of Assessment	Code (elevated from Self Assessable)
Planning Scheme Zone	Rural Residential
Regional Plan Designation	Rural Living Area
State Planning Policy	Appropriately integrated within the Planning Scheme
State Development Assessment Provisions	Not applicable
Referral	Not applicable

2.0 Site Description

Image 1 below illustrates the location of the subject site in the context of the wider Mowbray locality. Mowbray Road is accessed either directly via the Captain Cook Highway or alternatively via Trezise Road. The subject site does not have direct road frontage however is afforded access rights from Mowbray River Road via easements. An existing 5m wide access easement traverses the subject and contains an existing driveway which provides access to Lot 2 on SP285527, located immediately adjacent and south/rear of the subject site.

The subject site is an irregular shaped and has a total area of 4,214m².

The subject site slopes generally downwards from north to south at varying degrees. The subject site was created via the subdivision of land at 332R Mowbray River Road, Mowbray (Council ref: CA 2552/2008) and was recently purchased by the current Land Owner.

An existing benched building pad exists adjacent the southern boundary and has been cleared of grass and weeds to facilitate detail survey and Dwelling House design.



Image 1: Subject Site (source: QLD Globe, 2023)

3.0 Proposal

This Development Application Seeks approval for a Development Permit for a Material Change of Use (Dwelling House).

The proposed Dwelling House is sympathetic to the natural constraints of the site and is contained to the existing benched and cleared building pad. No vegetation clearing or complex earthworks are required to facilitate the proposed development as a building pad has been previously constructed and this along with the existing driveway access is cleared of vegetation. The proposed building area has been recently cleared of grass and weeds to facilitate site survey and building design.

The lower level of the Dwelling House provides for undercover parking, storage and enclosed entry / access to the upper floor. The enclosed building footprint on the lower level is approximately 26m². The design of the undercover parking area allows vehicles to drive through in forward motion and exit via the driveway easement to the east of the Dwelling House. This arrangement could also function in the reverse direction, see Image 2 below. The Applicant proposes to construct both entry and exit driveways from concrete.

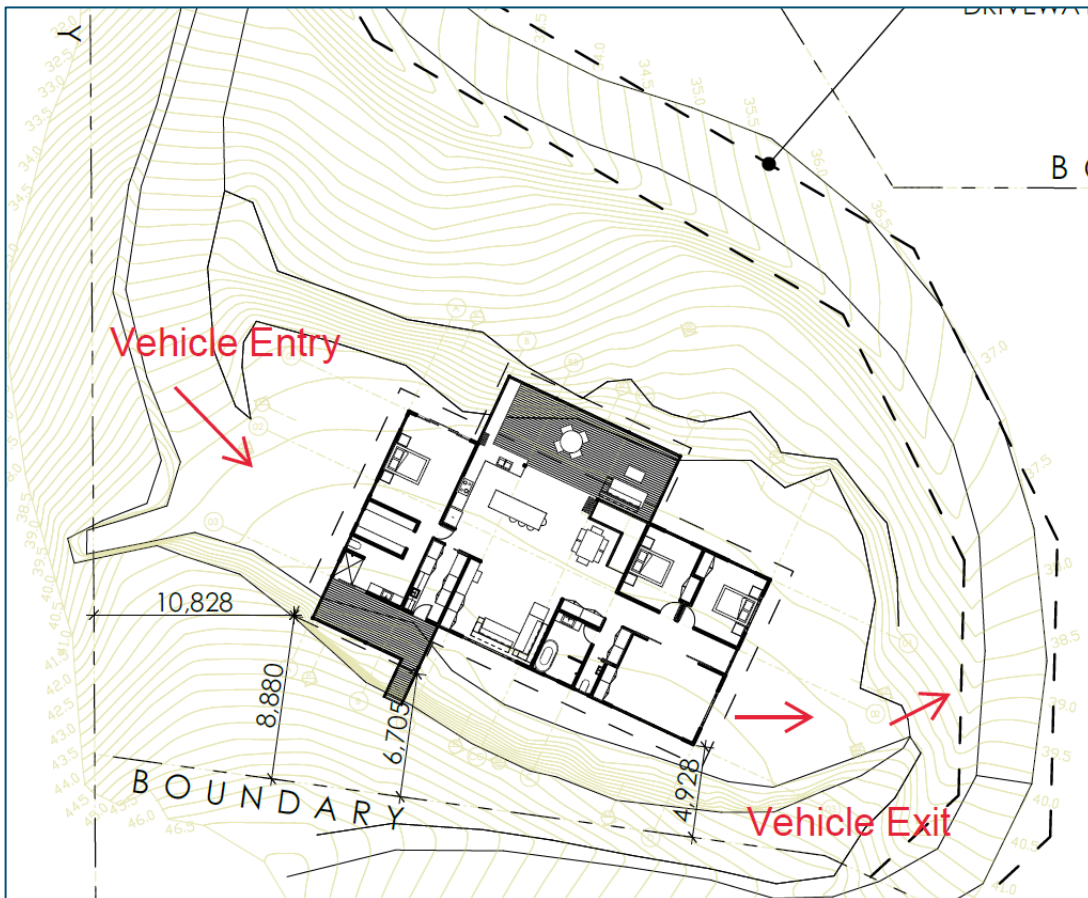


Image 2: Vehicle Circulation

The upper level comprises three bedrooms along with the main living, dining and entertaining areas comprising a total area of approximately 214m². A large 41m² deck extends from the kitchen and living area with views to the north east and a smaller 18m² deck extends from the master ensuite and laundry areas to the rear of the Dwelling House.

The proposal plans illustrate the building height is maximum 7.996m above natural ground level at the front and tapers down to 6.1m at the rear. The roof is a flat skillion design, which falls at 5 degrees towards the rear of the Dwelling House (south west).

A pool is proposed on the ground level and extends out to the top of the existing batter.

Further refer to **Attachment 2 – Site, Floor and Elevation Plans** prepared by Danny Vos Architect.

The proposed Dwelling House will be connected to the necessary urban infrastructure services. Access is gained via Mowbray River Road and a series of easements. The site is connected to reticulated water supply. Waste water will be treated and disposed onsite, refer to **Attachment 3**.



Image 3: Dwelling House Perspective

4.0 Statutory Town Planning Framework

4.1 Planning Act 2016

The *Planning Act 2016* (the 'Planning Act') is the statutory instrument for the State of Queensland under which, amongst other matters, Development Applications are assessed by Local Governments. The Planning Act is supported by the *Planning Regulation 2017* (the 'Planning Regulation'). The following sections of this report discuss the parts of the Planning Act and Planning Regulation applicable to the assessment of a development application.

4.1.1 Approval and Development

Pursuant to Sections 49, 50 and 51 of the Planning Act, the Development Application seeks a Development Permit for Material Change of Use (Dwelling House).

4.1.2 Application

The proposed development is:

- development that is located completely in a single local government area;
- development made assessable under a local categorising instrument; and
- for a Material Change of Use,

In accordance with Section 48 of the Planning Act and Schedule 8, Table 2, Item 1 of the Planning Regulation, the development application is required to be made to the applicable Local Government, in this instance being Douglas Shire Council (the 'Council').

4.1.3 Referral

Section 54(2) of the Planning Act and Section 22 and Schedules 9 and 10 of the Planning Regulation provide for the identification of the jurisdiction of referral agencies, to which a copy of the development application must be provided. A review of the Planning Regulation confirms that there are no relevant referral agencies to the Development Application.

4.1.4 Public Notification

Section 53(1) of the Planning Act provides that an applicant must give notice of a Development Application where any part is subject to Impact Assessment or where it is an application, which includes a variation request.

The Development Application is subject to Code Assessment and therefore Public Notification of the Development Application is not required.

4.1.5 Assessment Framework

As noted within this report, the proposed development triggers a Code Assessable Development Application. Section 45(3) of the *Planning Act* provides that:

- “(3) A code assessment is an assessment that must be carried out only—*
- (a) against the assessment benchmarks in a categorising instrument for the development; and*
 - (b) having regard to any matters prescribed by regulation for this paragraph.”*

The Douglas Shire Planning Scheme 2018 v1.0, as the applicable local categorising instrument, is discussed in greater detail in the following sections of this report.

Section 26 of the *Planning Regulation* provides the following assessment benchmarks for the purposes of Section 45(3)(a) of the *Planning Act*:

- “(1) For section 45(3)(a) of the Act, the code assessment must be carried out against the assessment benchmarks for the development stated in schedules 9 and 10.*
- (2) Also, if the prescribed assessment manager is the local government, the code assessment must be carried out against the following assessment benchmarks—*
- (a) the assessment benchmarks stated in—*
 - (i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - (ii) the State Planning Policy, part E, to the extent part E is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - (iii) any temporary State planning policy applying to the premises;*
 - (b) if the local government is an infrastructure provider—the local government’s LGIP.*
- (3) However, an assessment manager may, in assessing development requiring code assessment, consider an assessment benchmark only to the extent the assessment benchmark is relevant to the development.”*

Section 27 of the *Planning Regulation* provides matters for the purposes of Section 45(3)(b) of the *Planning Act*:

- “(1) For section 45(3)(b) of the Act, the code assessment must be carried out having regard to—*
- (a) the matters stated in schedules 9 and 10 for the development; and*
 - ...*
 - (d) if the prescribed assessment manager is a person other than the chief executive—*
 - (i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - (ii) the State Planning Policy, to the extent the State Planning Policy is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - (iii) for designated premises—the designation for the premises; and*
 - (e) any temporary State planning policy applying to the premises; and*
 - (f) any development approval for, and any lawful use of, the premises or adjacent premises; and*
 - (g) the common material.*
- (2) However—*
- (a) an assessment manager may, in assessing development requiring code assessment, consider a matter mentioned in subsection (1) only to the extent the assessment manager considers the matter is relevant to the development; and*
 - (b) if an assessment manager is required to carry out code assessment against assessment benchmarks in an instrument stated in subsection (1), this section does not require the assessment manager to also have regard to the assessment benchmarks.”*

The following sections of this report discuss the applicable assessment benchmarks and applicable matters in further detail.

4.2 Far North Queensland Regional Plan 2009-2031

The Far North Queensland Regional Plan 2009 - 2031 (‘the Regional Plan’) is intended to guide and manage the region’s development and to address key regional environmental, social, economic and urban objectives. The site falls within the area to which the Regional Plan applies. The Regional Plan is

identified in the Planning Scheme as being appropriately integrated in the scheme and therefore not assessed in any further detail in this Development Application.

4.3 State Planning Policy

The State Planning Policy ('the SPP') was released on 2 December 2013 and replaced all previous State Planning Policies. The SPP has since been revised, with new versions released on 2 July 2014, 29 April 2016 and 3 July 2017. The April 2016 version of the SPP is identified in the Planning Scheme as being appropriately integrated. Whilst the SPP has been amended since April 2016 version, it is considered that the policy content and outcomes contained within the SPP, to the extent they are relevant and applicable to the proposed development, have not been sufficiently amended to require the reconsideration of the SPP separately.

4.4 Temporary State Planning Policies

There are currently no temporary State Planning Policies in effect in Queensland.

4.5 Douglas Shire Planning Scheme 2018 v1.0

The Douglas Shire Planning Scheme 2018 v1.0 (the 'Planning Scheme') came into effect on 2 January 2018 and is the applicable planning scheme to the Douglas Local Government Area. It is noted that the Planning Scheme was drafted under the *Sustainable Planning Act 2009* ('the SPA'). The interpretation of the Planning Scheme with respect to the proposed development is therefore based on the transitional provisions of the Planning Act.

The following sections include an assessment against the relevant sections of the Planning Scheme.

4.5.1 Zone

The subject site is identified within the Rural Residential Zone, see Image 4 below. The purpose of land within this zone is to *"provide for rural residential development on large lots where infrastructure and services may not be provided on the basis that the intensity of development within the zone is dispersed."* The proposed development for a single Dwelling House is accepted within the Rural Residential Zone where the design reflects and responds to the natural features and land constraints. It is submitted that the proposed development appropriately responds to the site conditions generally including topography and vegetation cover. It is considered that the proposed development achieves a high level of residential amenity and respects the privacy and amenity of the existing surrounding uses.

A full assessment of the proposed development against the Rural Residential Code is included within ***Attachment 4 – Code Assessment***.



Image 4: Site Zoning (source: Douglas Shire Planning Scheme Property Report, 2023)

4.5.2 Local Plan

The subject site is not located within a Local Plan area.

4.5.3 Overlays

Table 2: identifies the applicable Overlays to the site.

Overlay	Sub-category
Bushfire Hazard	Very High Bushfire Intensity High Potential Bushfire Intensity Medium Potential Bushfire Intensity
Hillslopes	Area Affected by Hillslope
Landscape Values	Landscape Value – High Landscape Values
Potential Landslide Hazard	Landslide Hazard – High and Medium Hazard Risk
Natural Areas	MSES – Regulated Vegetation Intersecting with a Watercourse

4.5.4 Category of Assessment

Pursuant to Part 5 of the Planning Scheme, a Development Application for a Material Change of Use (Dwelling House) in the Rural Residential Zone is identified as Self Assessable Development.

However, due to the effect of a number of Overlays identified under s4.5.3, the category of assessment is elevated to Code Assessment.

4.5.5 Assessment Criteria

As determined by the Rural Residential Zone Table of Assessment, the following Planning Scheme Codes are identified as applicable in the assessment of the Development Application:

Zone Code

- Rural Residential

Overlay Codes

- Bushfire Hazard Overlay
- Hillslopes Overlay
- Potential Landslide
- Natural Areas

Development Codes

- Dwelling House Code
- Access, Parking and Servicing
- Filling and Excavation Code
- Vegetation Management Code

Under the Rural Residential Table of assessment, the Landscape Values Code is not applicable to the assessment of a Dwelling House. Mapping indicates the site is affected by MSES Vegetation intersecting with a Watercourse, however as the development does not involve further earthworks, no vegetation clearing is proposed and generally the Dwelling House has been appropriately located within an existing disturbed area, a detailed assessment against the Natural Areas Code, Filling and Excavation Code and Vegetation Management Code is not included within this report.

A detailed assessment against the other relevant assessment criteria is provided in ***Attachment 4 – Code Assessment***.

5.0 Conclusion

This Report accompanies an application by James Campbell Sutherland and Joanna Marie Sutherland, seeking a Development Permit for a Material Change of Use (Dwelling House) over land on Mowbray River Road, more formally described as Lot 1 on SP285527.

This application is lodged pursuant to sections 49, 50 and 51 of the Planning Act.

Assessment of the proposed development against the applicable planning framework has been undertaken in order to assess potential impacts and compliance of the proposed development with the relevant assessment criteria. The information provided in this Report (and accompanying attachments) demonstrates that the proposed development largely complies with the applicable provisions of the relevant planning framework; where conflicts exist, suitable alternative solutions are provided to support approval of the development application.

If Council requires any further information, either formally or informally, throughout the assessment of the Development Application please contact Aspire Town Planning and Project Services. Prior to the determination of the Development Application it would be greatly appreciated if Council could provide a suite of Draft Conditions to facilitate discussion and reach a mutually favourable outcome.

Attachment 1

Certificate of Title

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	51055054	Search Date:	29/05/2023 14:48
Date Title Created:	08/09/2016	Request No:	44565582
Previous Title:	50058922		

ESTATE AND LAND

Estate in Fee Simple

LOT 1 SURVEY PLAN 285527

Local Government: DOUGLAS

REGISTERED OWNER

Dealing No: 721959387 08/09/2022

JAMES CAMPBELL SUTHERLAND

JOANNA MARIE SUTHERLAND

JOINT TENANTS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20898185 (POR 144)
2. EASEMENT No 601161465 (T306836R) 21/09/1987
BENEFITING THE LAND
OVER EASEMENT B ON RP745755
3. EASEMENT No 700541464 08/03/1995 at 09:11
benefiting the land over
EASEMENT A ON RP 745755
4. EASEMENT No 717485555 01/09/2016 at 15:02
burdening the land to
LOT 2 ON SP285527 OVER EASEMENT C ON SP285527
5. MORTGAGE No 721959388 08/09/2022 at 11:36
AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED A.C.N. 005
357 522

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

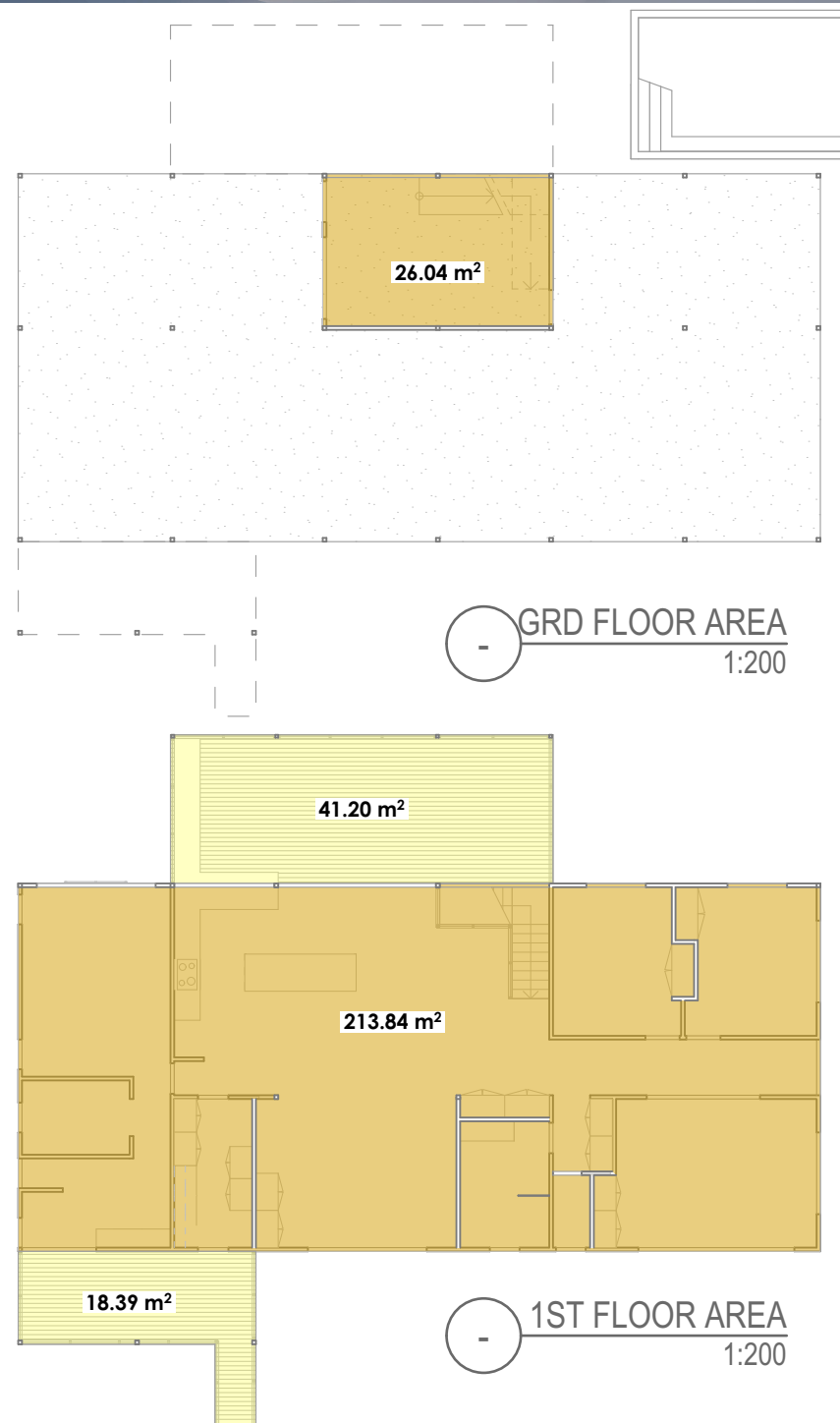
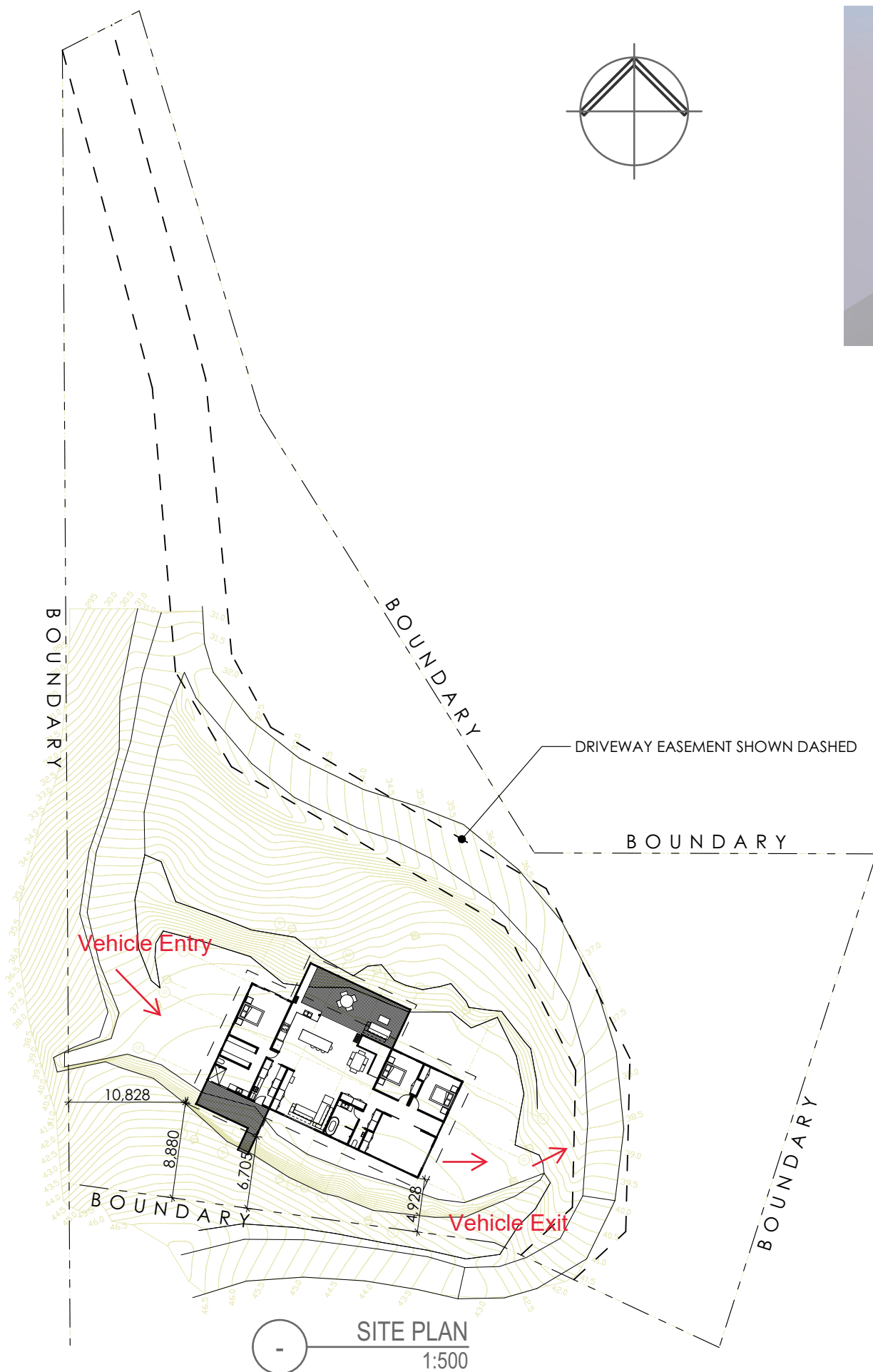
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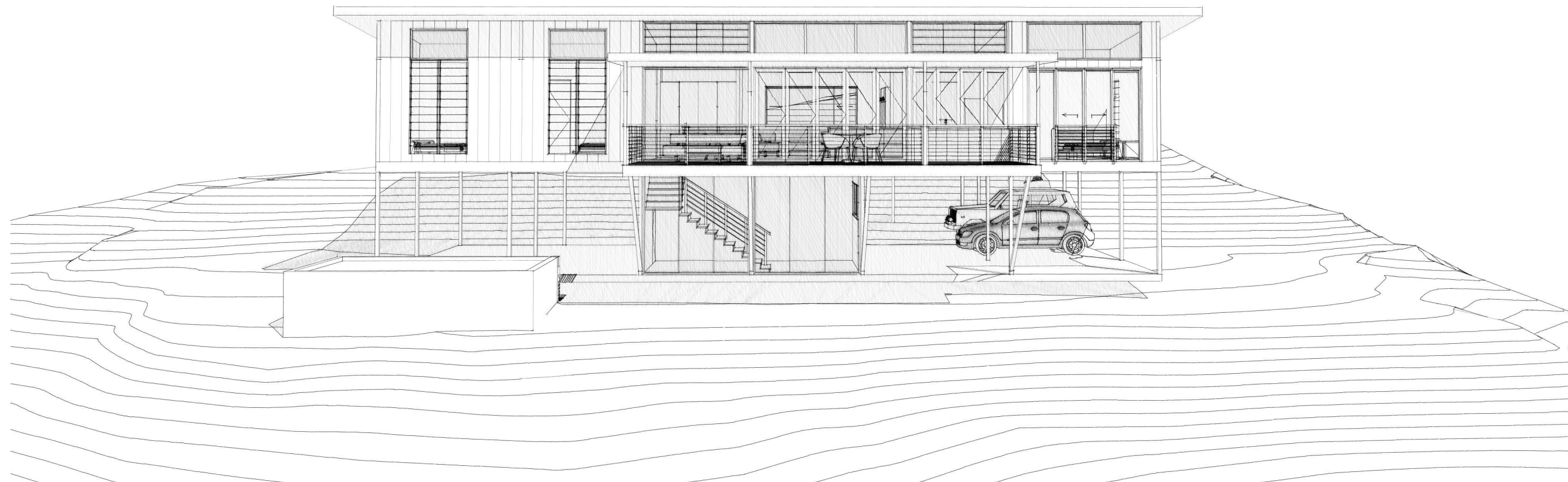
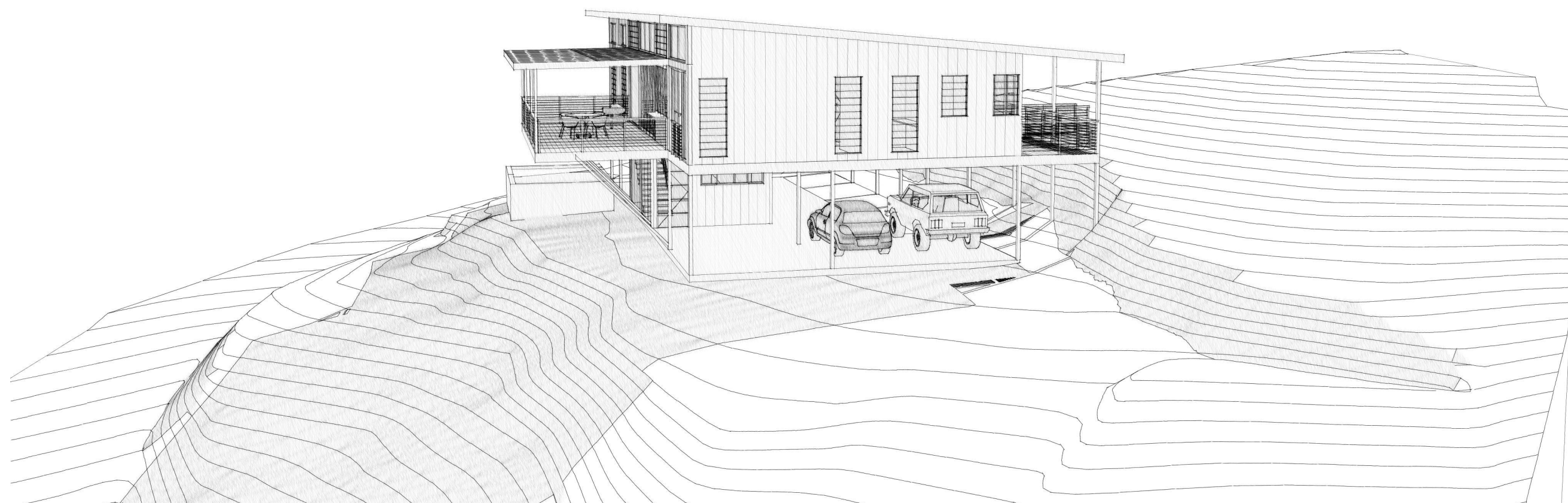
Caution - Charges do not necessarily appear in order of priority

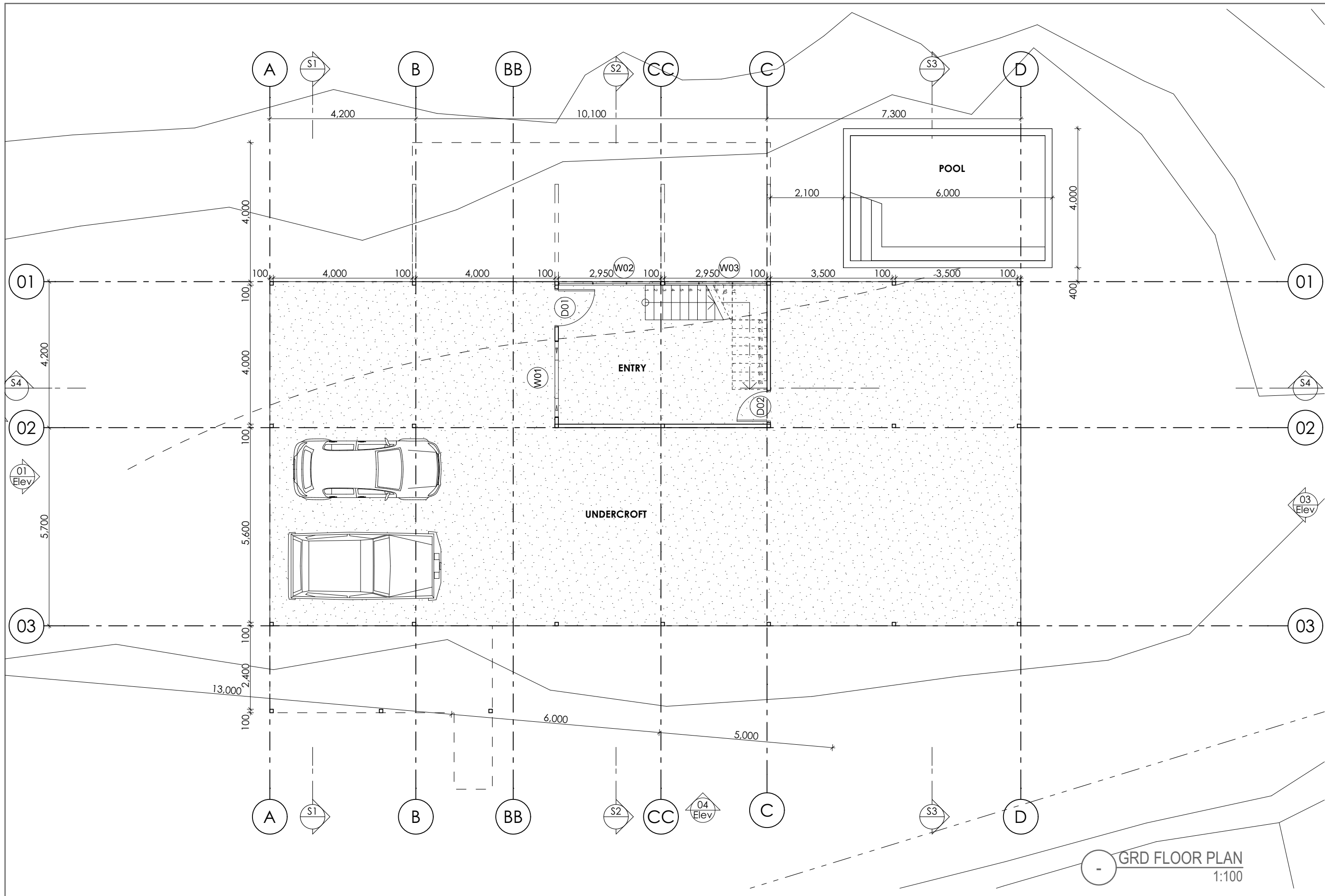
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Attachment 2

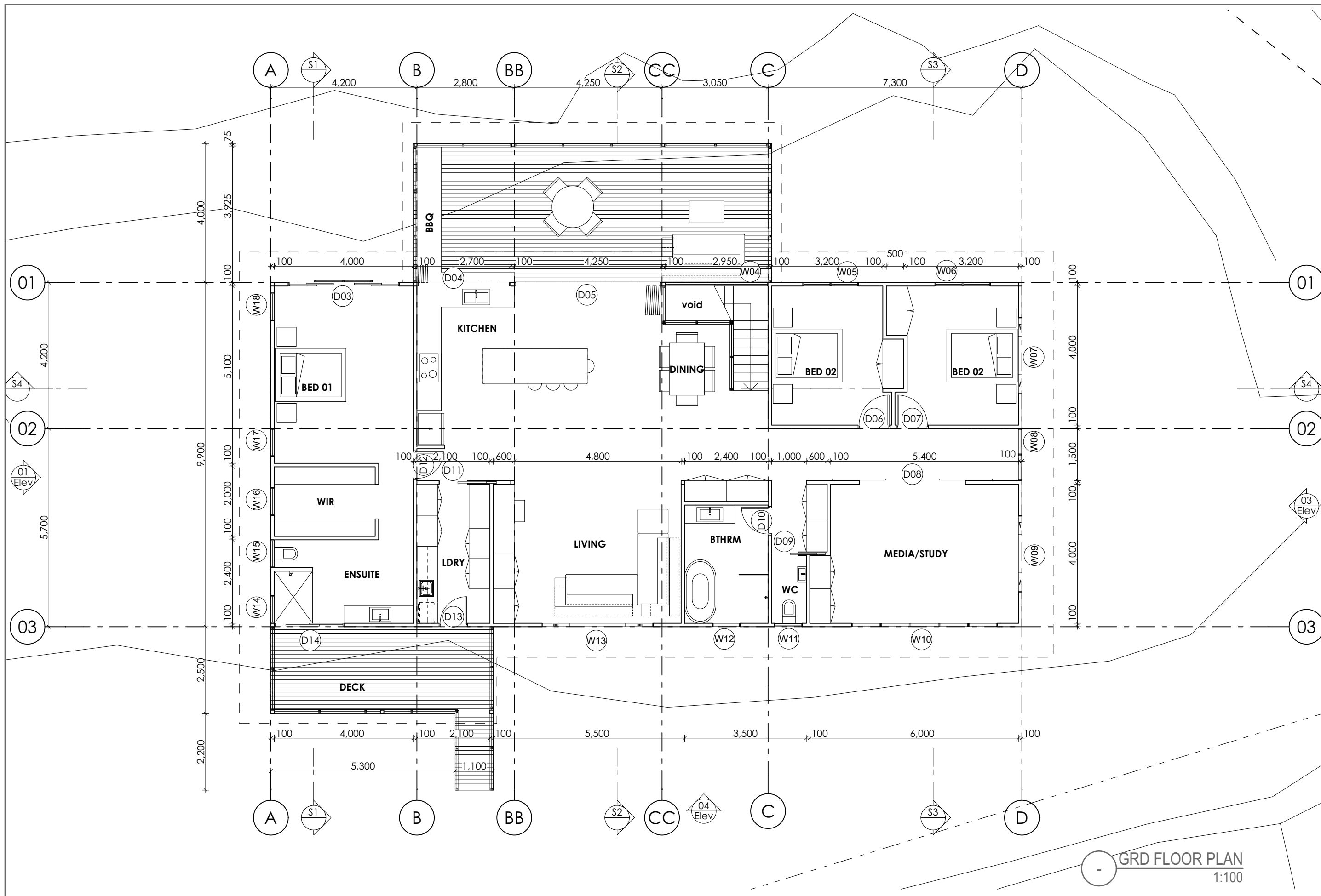
Site, Floor and Elevation Plans

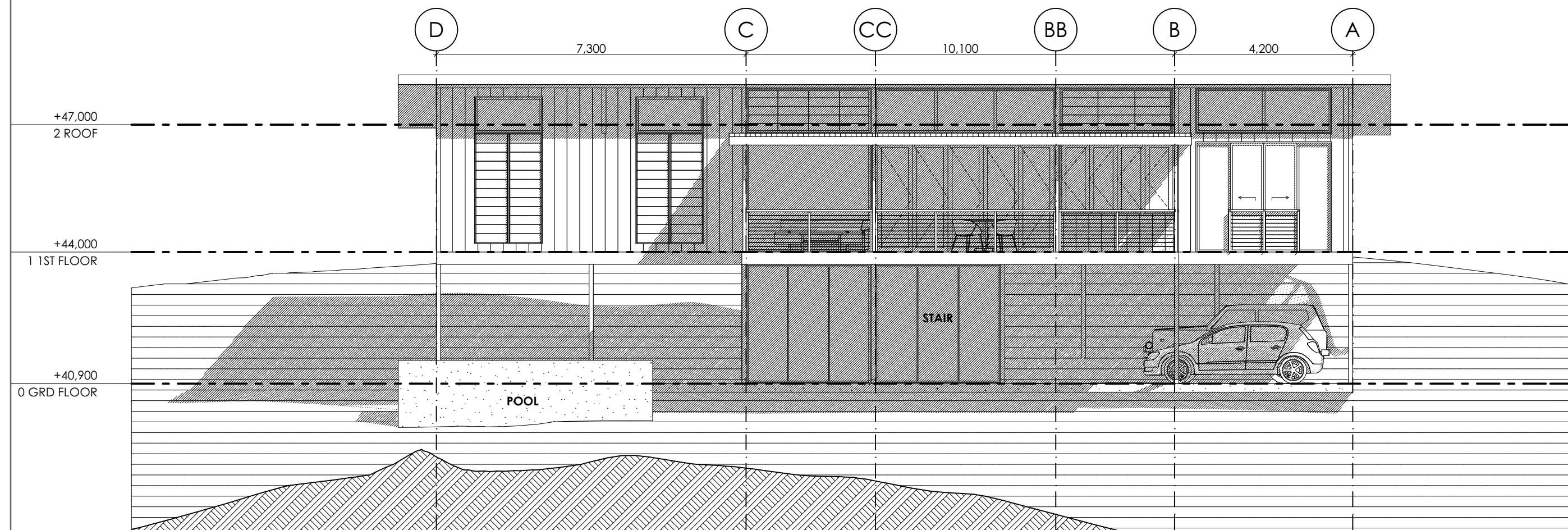
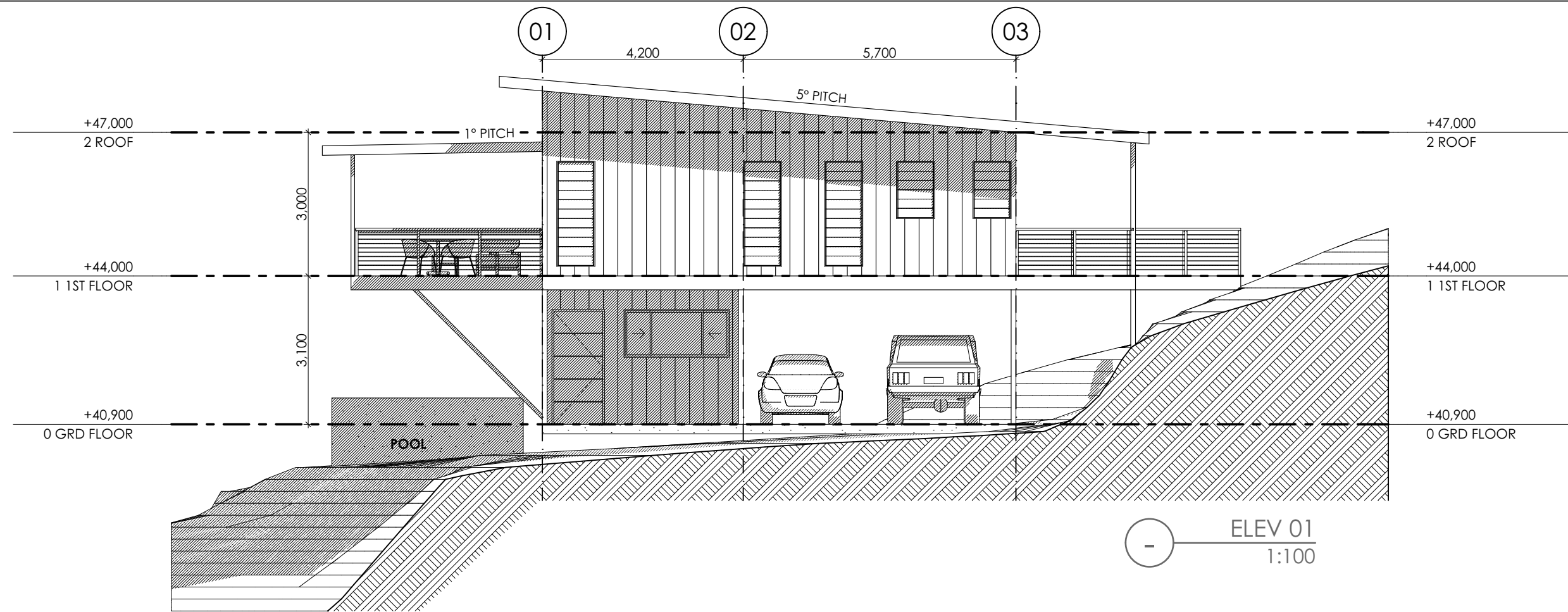






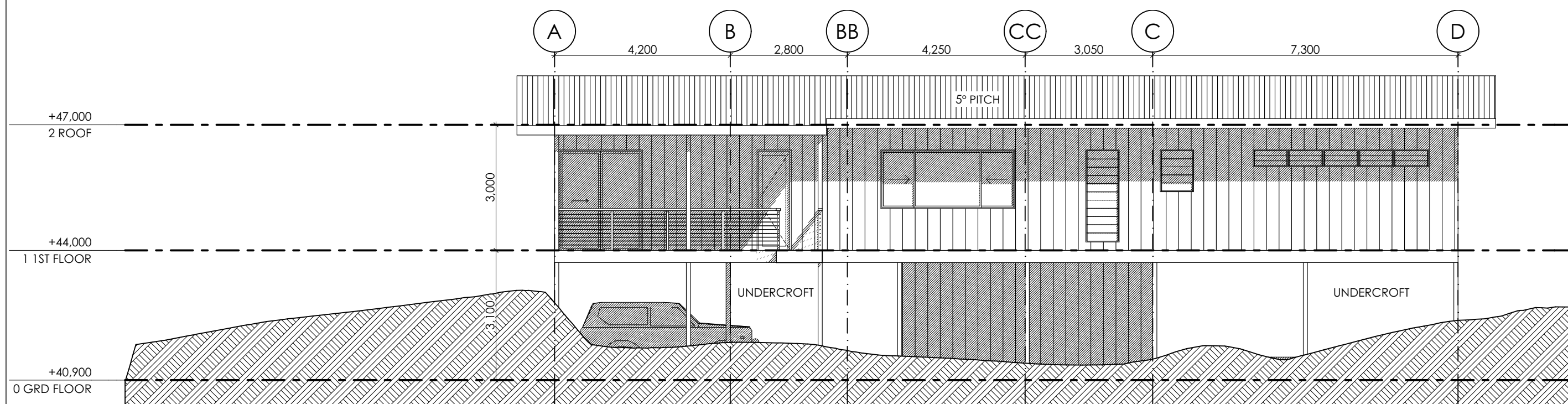
GRD FLOOR PLAN
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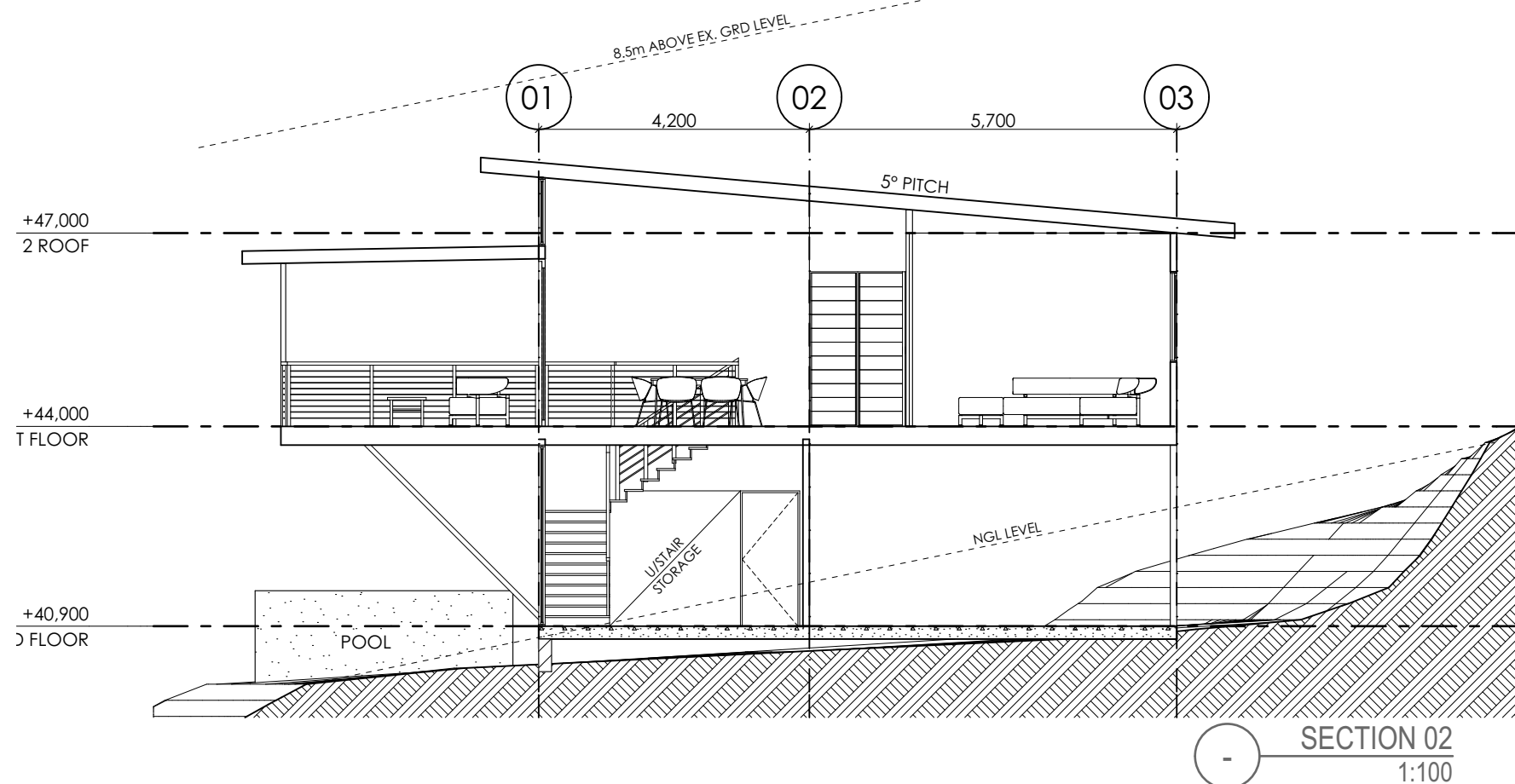
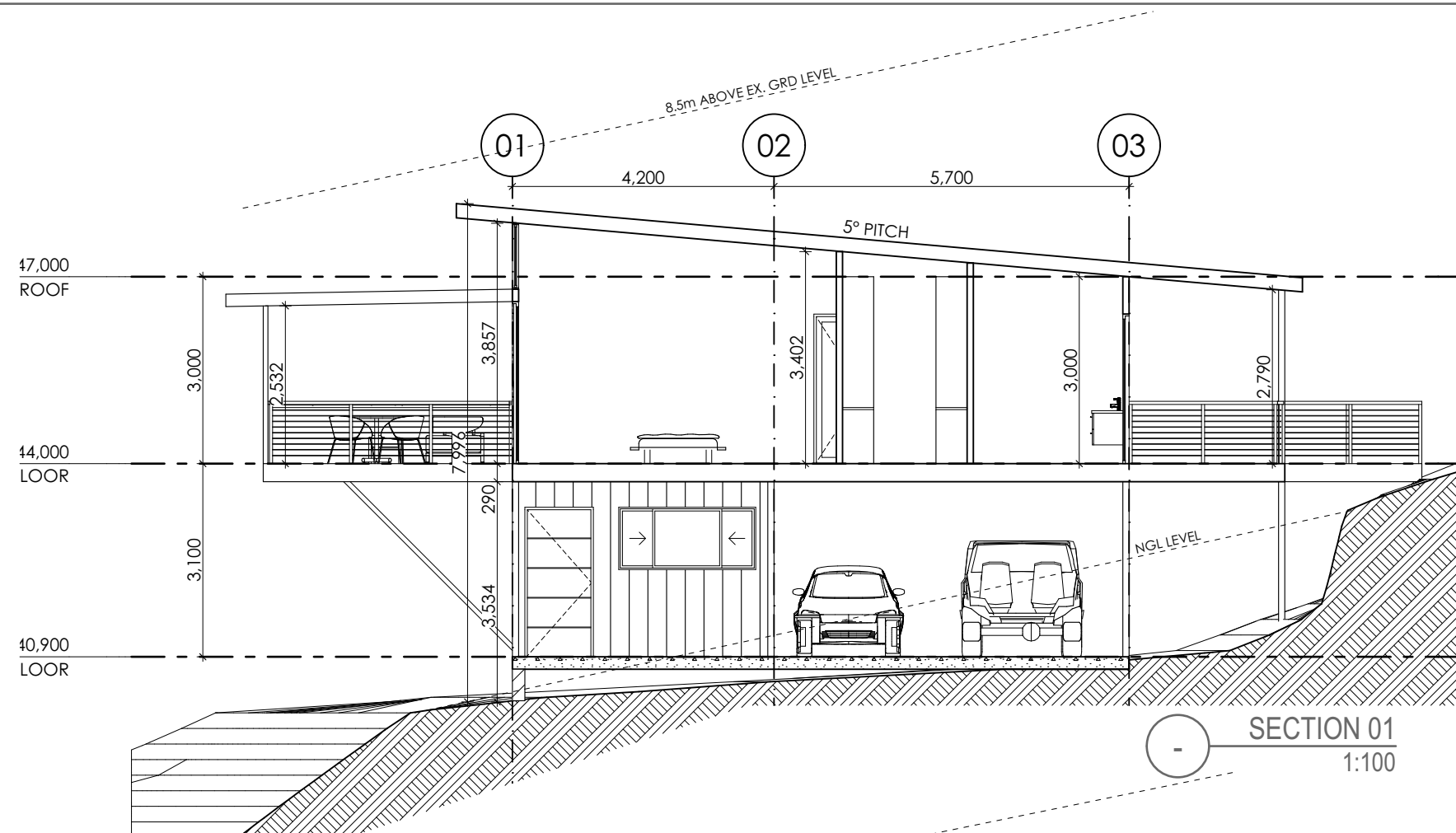


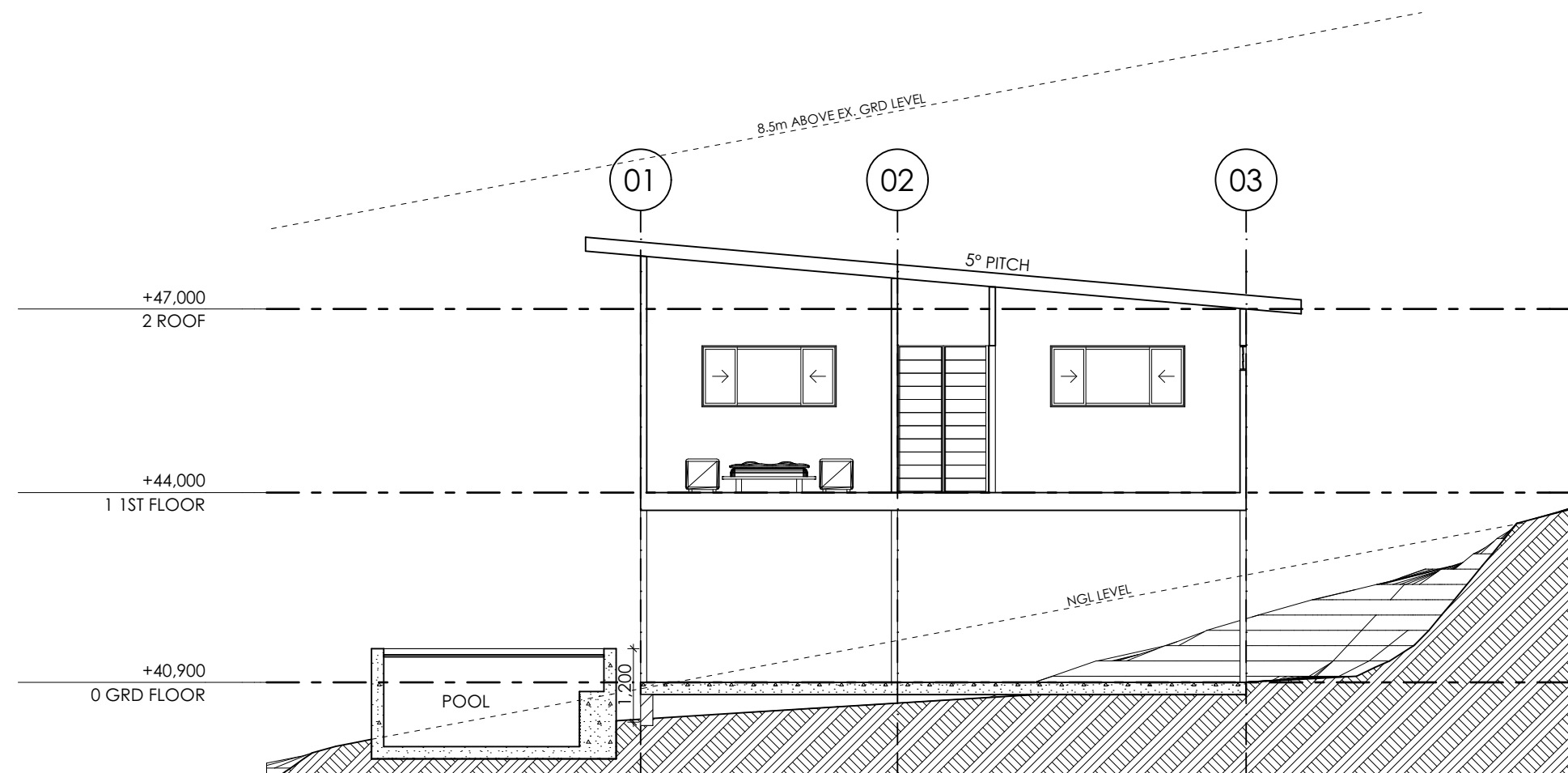


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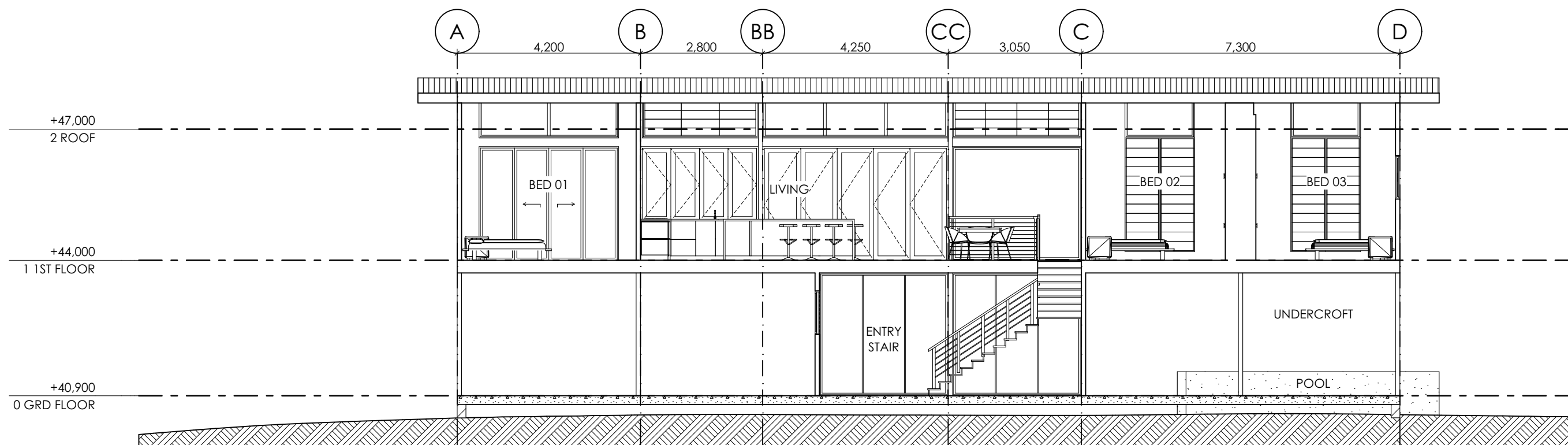


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SECTION 03
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SECTION 04
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Attachment 3

Onsite Waste Water Report

DIRT PROFESSIONALS

Email: dirtprofessionals@bigpond.com
MOBILE 0417 647 477

Jamie and Joanna Sutherland
jj.22.12.2011@gmail.com

Tandel Investments Pty Ltd
QBCC No. 1173606

02 May 2023

Site Assessment and Design
332 Mowbray River Road
Mowbray Qld

Job No 25238

INTRODUCTION

This report presents the results of a site assessment performed at 332 Mowbray River Road, Mowbray. The assessment is required to determine the method of effluent disposal, as per AS/NZS 1547:2012 and the Queensland Plumbing and Wastewater Code for on-site sewerage facilities.

EXISTING CONDITIONS

At the time of the assessment the allotment was located in a developed rural residential subdivision. The building area had been excavated to form a level building area with batters descending from the North and East and onto the South of the platform. The proposed 3 bedroom dwelling is to be located on the existing platform. The location of the building area was shown.

The wastewater area will be located to the East of the dwelling and will be filled to a depth of 1000 mm above the existing ground level to accommodate the wastewater system and the reserve area. This will allow for sufficient vertical separation from the impermeable materials.

FIELD WORK

To investigate subsurface conditions bore holes were excavated to a depth of 0.7 m. The holes were at the proposed wastewater area. A disturbed sample was taken for laboratory testing.

SOIL PROFILE

The bore holes indicate similar soil profiles. There is a layer of clay loams with some sands and gravels under laid by an impermeable material to the depth of the bore holes.

SOIL CATEGORY FOR DOMESTIC WASTEWATER

The clay loams with some sands and gravels are regarded as being a imperfectly drained material with a weak structure the indicative permeability is 0.12 - 0.5 m/d. The soil category on the basis of visual inspection of the materials and AS/NZS 1547:2012, should be classified as a **Soil Category 4.**

It is proposed that an Advanced Secondary Treatment System is to be used for the dispersal of wastewater. There were no creeks, gullies, drains or bores located in the area. There was a waterway located to the East which will require separation distances to be maintained. There was no water encountered at the depth of the bore holes at the time of the assessment.

A design loading rate of 20 mm/d should be used for the sizing of the wastewater area. This shall be designed by a qualified designer based on AS/NZS 1547:2012 and the soil assessment data in this report.

RECOMMENDATIONS

The wastewater system will be located to the East of the building area and will be cleared of all trees and filled to a depth of approximately 1000 mm above the existing ground level, this will allow for vertical separation from the impermeable materials and water logged soils located over the allotment.

Care should be taken that the base of the system is level and no greater than 800 mm below ground level. This will ensuring even distribution of the wastewater and avoiding any one part of the system being more heavily loaded.

During construction rip and scarify the bed to a depth of 300 mm and apply gypsum at 1 kg/m² to the base of the bed to prevent the clay dispersing. The bed shall be closed in, as soon as possible to protect the gypsum from raindrop impact.


This company is not responsible for the building levels and falls to the wastewater system. These will need to be calculated prior to construction, to determine the building platform heights and allow for sufficient fall to the wastewater area. Consideration should be given as to how the plumber will run the pipes, as this will determine the platform height.

There will be no ponding of water during seasonal rains around the septic tank, pump well and wastewater area. Diversion drains will need to be put in place to divert water from the wastewater area.

The treatment system is to be installed as per the manufacturers specifications.

VALIDITY

The excavation of a limited number of holes does not preclude the possibility of some conditions on the site being different from those encountered in the holes. Should conditions be found which differ from those described in this report, then the recommendations are not valid and this organisation should be contacted.

Yours faithfully 

Angelo Tudini
Director
Tandel Investments Pty Ltd T/as **Dirt Professionals**

Attached:
Site Plan and Site Photo
AES Design Calculator, AES Pipe Layout Details & AES Cross-sectional Details

BORE HOLE LOGS

TEST HOLE 1

0.0 - 0.7 m Clay Loams with sands and gravels - Brown

0.7m Impermeable materials

TEST HOLE 2

0.0 - 0.8 m Clay Loams with sands and gravels - Brown

0.8m Impermeable materials

TEST HOLE 3

0.0 - 0.7 m Clay Loams with sands and gravels - Brown

0.7m Impermeable materials

AES The World Leader in Passive Solutions ©

Site Address	332 Mowbray River Road, Mowbray	State	QLD	Post Code	4877
Client Name	Jamie and Joanna Sutherland	Date of Site Visit	2/5/2023		
Designers Name	Angelo Tudini	Designers Ph Number	0417 647 477	Designer Lic (e.gQBCC)	1173606
Lic Plumber	TBA	Plumber Ph Number	TBA	Plumb / Drainer Lic Number	TBA
Council Area	Douglas Shire Council	Designers AES Cert Number	1372	Date	15/5/2023

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

System Designers site and soil calculation data entry		IMPORTANT NOTES	
Enter AES L/m loading rate, "30" for ADV Secondary or "38" Secondary	30	>> This design is for an ADVANCED SECONDARY system	
Is this a new installation Y or N	Y	>> Minimum single vent size is 80mm or 2 x 50mm house vents	
Number of Bedrooms	3	>> This is not used in ANY Calculation. If not known use N/A or 0.	
Number of persons	5	>> A septic tank outlet filter is NOT RECOMMENDED	
Daily Design Flow Allowance Litre/Person/Day	150		
Number of rows required to suit site constraints	2	>> The maximum length of a single AES pipe run is 30m or 10 PIPES	
Infiltration Soil Category from site/soil evaluation. CATEGORY	4	>> Catagory may require design considerations. Ref AS1547	
Design Loading Rate based on site & soil evaluation DLR (mm/day)	20	>> Soil conditioning may be necessary. Ref AS1547 & Comments.	
Bore log depth below system Basal area	0.7m	>> Min depth 1.5m. Check water table/restrictive layer	
Is this design a GRAVITY system with no outlet filter? Y or N	Y	>> GRAVITY. A House Vent & LOW VENT required on this system	

PLEASE CHECK YOU HAVE FALL FROM TANK TO AES SYSTEM PIPES

COMMENTS :- " The outcome must be important to everyone. "

- Ripping of receiving surface required in clay soil structures in Cat 4,5,6. In addition refer to AS 1547. Always excavate & rip parallel to the site slope/AES pipe.
- Specialist soils advice & special design techniques will be required for clay dominated soil having dispersive or shrink/swell behaviour. Refer AS1547
- Designers need to be familiar with special requirements of Local Authorities. ie - Minimum falls from Septic tank outlets to Land application areas etc
- Plumbers are reminded to practice good construction techniques as per AS 1547 & as provided on AES installation instructions supplied with components.

AES System Calculator Outcomes			AES dimensions		
Total System load - litres / day (Q).	750	l/d	AES System	System Extension	
Min Length of AES pipe rows to treat loading	12.50	lm	Length:(L)	15.60m	15.60m
Number of FULL AES Pipe lengths per row	5	lths	Width:(W)	1.35m	1.05m
Total Capacity of AES System pipe in Litres	2120	ltr.	Sand Depth	0.75m	0.15m
			Area m2	21.1 m^2	16.4 m^2

USE CUT LENGTHS OF PIPE IN THIS DESIGN? (ENTER Y)

IF YOU WISH TO USE A TRENCH EXTENSION DESIGN OPTION ENTER "Y"

Enter Custom Width in metre

AES INFILTRATION FOOT PRINT AREA - $L = Q / (DLR \times W)$	Length	Width	Minimum AES foot print required	
for this Basic Serial design is	15.600m	x	2.40m	= 37.5 m2 total

AES pipes are best centered in the trench parallel to the site slope

Code	AES System Bill of Materials		Chankar Environmental Use Only
AES-PIPE	AES 3 metre Lengths required	10	lths
AESC	AES Couplings required	8	ea
AESO	AES Offset adaptors	4	ea
AESODV	AES Oxygen demand vent	1	ea
AES-IPB	AES 100mm Inspection point base	2	ea
TD Kit 4	4 Hole Distribution Box Kit		ea
TD Kit 7	7 Hole Distribution Box Kit		ea
VS43-4	Sweet Air Filter VS43-4		ea
AES DESO	Double Offset Adaptors		ea
TOTAL SYSTEM SAND REQUIRED (Estimate Only)		22	m3

Please email your AES Calculator (EXCEL FORMAT), Site Layout & AES Design to
designreview@enviro-septic.com.au



Digitally signed by Steve Dennis
 DN: cn=Steve Dennis, o=Chankar
 Enviromental, ou=Design Review,
 email=steve@enviro-
 septic.com.au, c=US
 Date: 2023.05.16 11:55:28 +10'00'

> The AES Calculator is a design aid to allow checking of the AES components, configuration and is a guide only. Site and soil conditions referencing AS1547 are calculated and designed by a Qualified Wastewater Designer.

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

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

> AES ONLY supply AES components as detailed in the Bill of Materials.

> SEPTIC Tank & other components including SAND will need to be sourced from other suppliers. Refer to our WEBSITE www.enviro-septic.com.au OR 07 5474 4055

AES-Design-V9.0-Calculator © Copy Right - Chankar Environmental Pty Ltd 20/1/2022

NOT TO SCALE

SITE LOCALITY PLAN

SECTION OF 332 MOWBRAY RIVER ROAD, MOWBRAY

NOTES

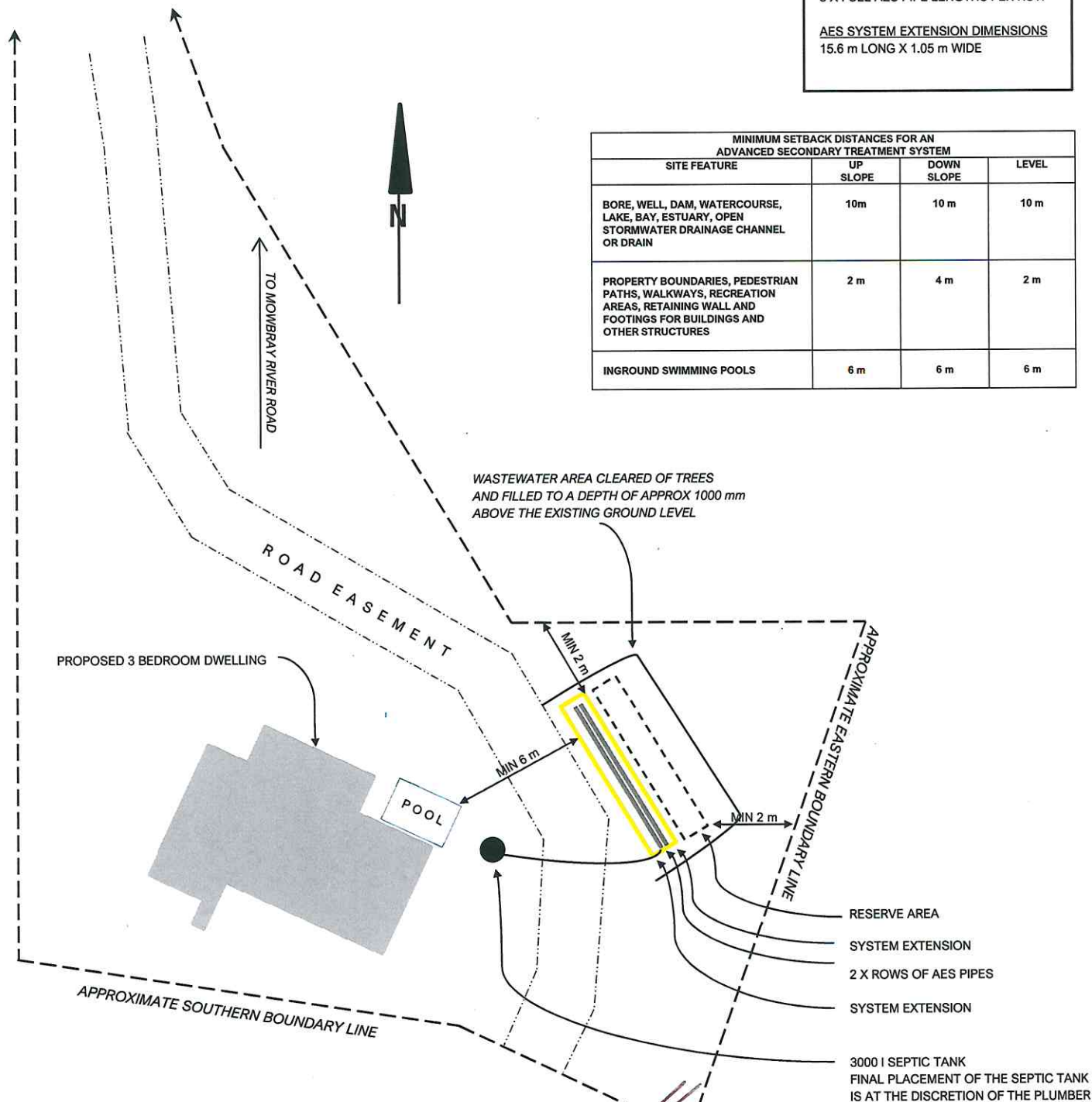
- THIS REPORT MUST BE READ IN ITS ENTIRETY PRIOR TO THE CONSTRUCTION OF THE WASTEWATER AREA.
- SUFFICIENT FALL TO THE WASTEWATER AREA MUST BE CALCULATED PRIOR TO CONSTRUCTION.
- CARE SHOULD BE TAKEN THAT THE BASE OF THE SYSTEM IS LEVEL AND NO GREATER THAN 800 mm BELOW THE EXISTING GROUND LEVEL.
- BEDS MUST BE BUILT ALONG THE CONTOURS TO ENSURE EVEN DISTRIBUTION AND AVOID ANY ONE PART OF THE BED BEING MORE HEAVILY LOADED.
- DURING CONSTRUCTION RIP AND SCARIFY THE BED TO A DEPTH OF 300 mm AND APPLY GYPSUM AT 1 kg/m² TO THE BASE OF THE BED TO PREVENT THE CLAY DISPERSING.
- DIVERSION DRAINS WILL NEED TO BE PUT IN PLACE TO DIVERT WATER AWAY FROM THE WASTEWATER AREA.
- THE WASTEWATER SYSTEM MUST BE INSTALLED AS PER THE MANUFACTURERS SPECIFICATIONS.

OVERALL AES SYSTEM DIMENSIONS
MINIMUM AES FOOTPRINT REQUIRED
15.6 m LONG X 2.40 m WIDE = 37.5 m²

AES PIPE SYSTEM DIMENSIONS
15.6 m LONG X 1.35 m WIDE
2 X ROWS OF AES PIPES
5 X FULL AES PIPE LENGTHS PER ROW

AES SYSTEM EXTENSION DIMENSIONS
15.6 m LONG X 1.05 m WIDE

MINIMUM SETBACK DISTANCES FOR AN ADVANCED SECONDARY TREATMENT SYSTEM			
SITE FEATURE	UP SLOPE	DOWN SLOPE	LEVEL
BORE, WELL, DAM, WATERCOURSE, LAKE, BAY, ESTUARY, OPEN STORMWATER DRAINAGE CHANNEL OR DRAIN	10m	10 m	10 m
PROPERTY BOUNDARIES, PEDESTRIAN PATHS, WALKWAYS, RECREATION AREAS, RETAINING WALL AND FOOTINGS FOR BUILDINGS AND OTHER STRUCTURES	2 m	4 m	2 m
INGROUND SWIMMING POOLS	6 m	6 m	6 m

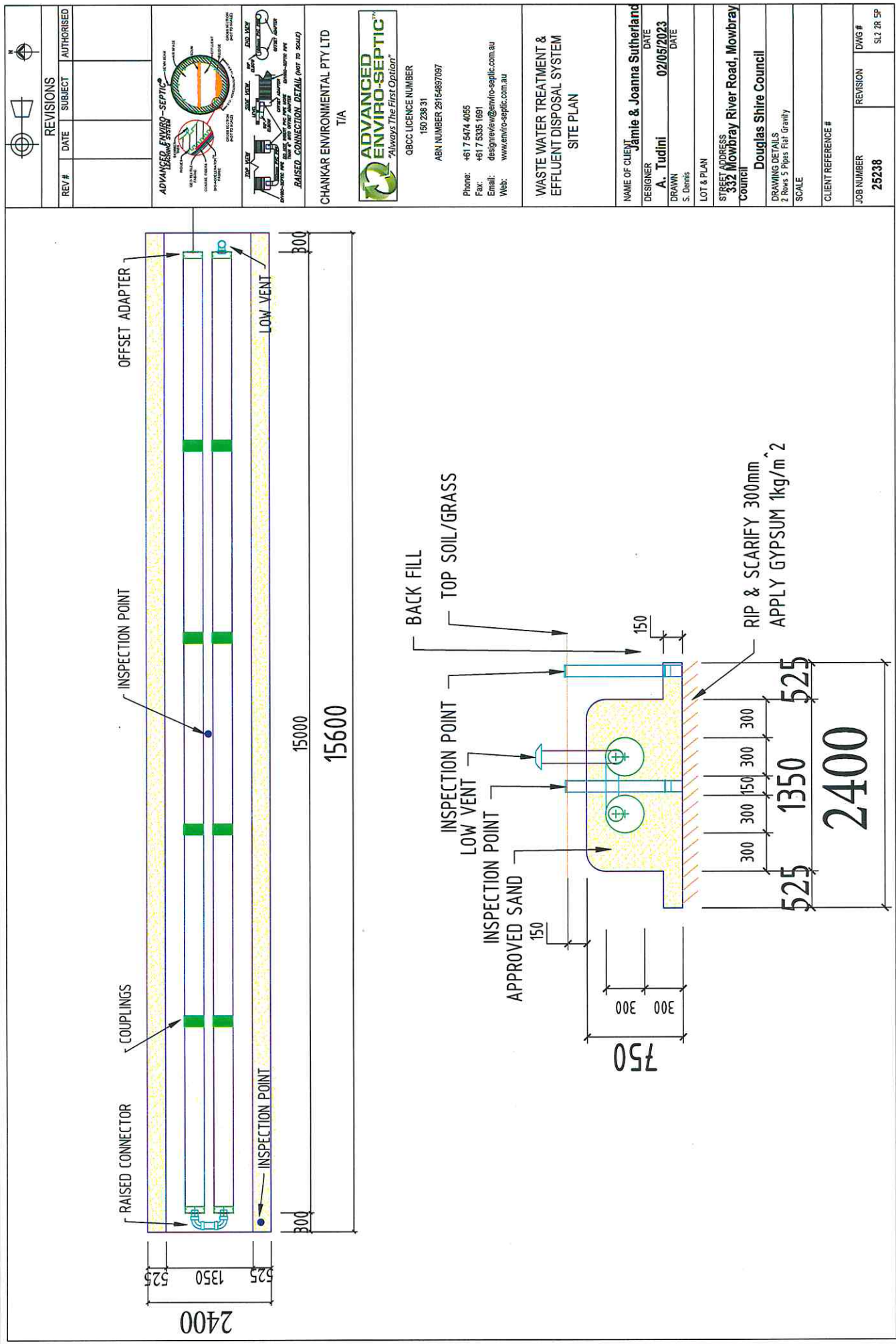


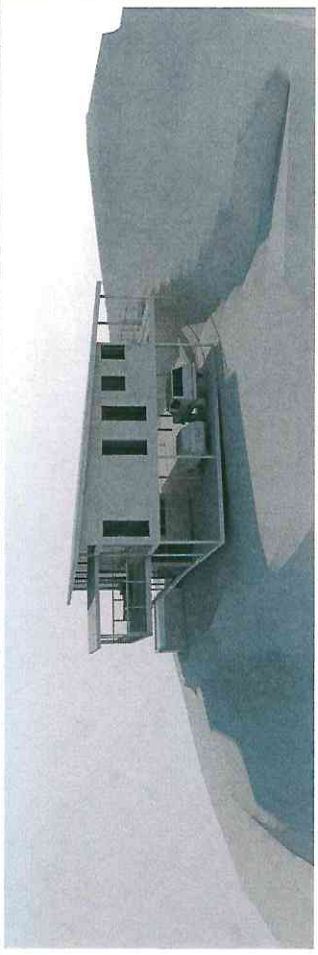
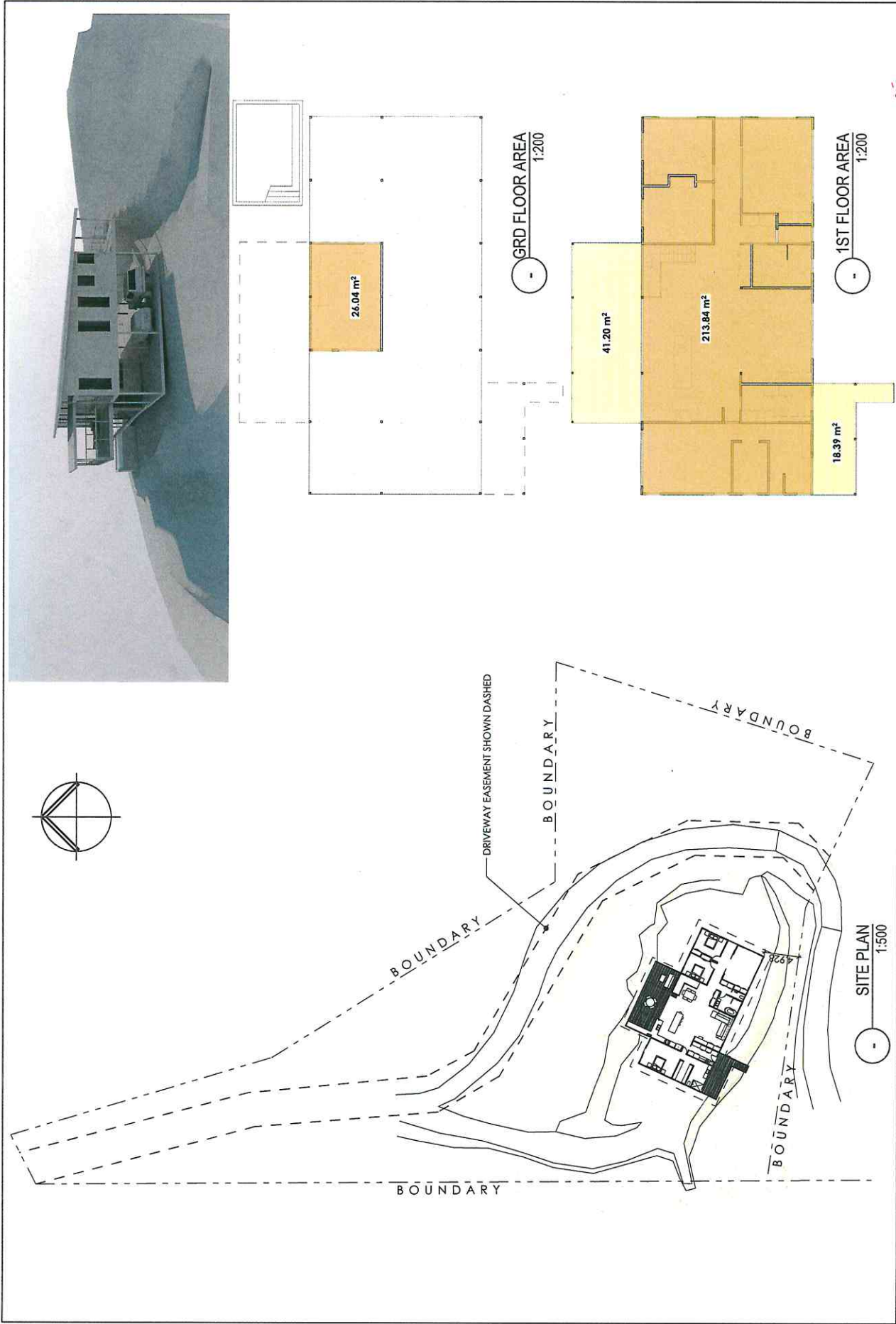
CHECKED BY: ANGELO TUDINI SIGNATURE: _____

DATE: 15/05/2023

DIRT PROFESSIONALS

EMAIL: dirtprofessionals@bigpond.com







Attachment 4

Code Assessment

6.2.11 Rural residential zone code

6.2.11.1 Application

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

6.2.11.2 Purpose

- (1) The purpose of the Rural residential zone code is to provide for rural residential development on large lots where infrastructure and services may not be provided on the basis that the intensity of development within the zone is dispersed.
- (2) The local government purpose of the code is to:
 - (a) implement the policy direction set in the Strategic Framework, in particular:
 - (i) Theme 1 : Settlement pattern, Element 3.4.6 – Rural residential areas, Element 3.4.7 – Mitigation of hazards.
 - (ii) Theme 2 : Environment and landscape values, Element 3.5.5 – Scenic amenity.
 - (iii) Theme 6 : Infrastructure and transport, Element 3.9.2 – Energy, Element 3.9.3 – Water and waste management.
 - (b) provide for dwellings on lots generally larger than 4000m²;
 - (c) provide protection to areas of ecological significance and scenic amenity significance where present.
- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Development is predominantly for detached dwelling houses on large lots catering for hobby-farm living requiring limited infrastructure and services.
 - (b) Development preserves the environmental, scenic amenity and topographical features of the land by integrating an appropriate scale of residential activities among these features.
 - (c) Development provides a high level of residential amenity.
 - (d) Development provides for the safe use of on-site wastewater treatment systems for effluent disposal with systems designed for varied soil type, slopes and prolonged periods of wet weather.

Editor's note - Reticulated sewerage is not generally available and is not required to be provided.

Criteria for assessment**Table 6.2.11.3.a – Rural residential zone code – assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
P01 The height of buildings is compatible with the rural residential character of the area and must not detrimentally impact on visual landscape amenity.	A01 Dwelling houses are not more than 8.5 metres and two storeys in height. Note – Height is inclusive of roof height.	Complies. The building design comprises a maximum height of 7.996m above natural ground level.
P02 Buildings and structures are setback to maintain the rural residential character of the area and achieve separation from buildings on adjoining properties.	A02 Buildings are setback not less than: (a) 40 metres from a property adjoining a State-controlled road; (b) a minimum of 25 metres from the property boundary adjoining Cape Tribulation Road; (c) 20 metres from front boundaries; (d) 6 metres from side and rear property boundaries.	Alternative Solution. The building design complies with the minimum boundary setbacks, with the exception of the rear boundary setback to the south. The proposed building is setback 4.928m to the building (less to the outermost projection). This does however increase to 8.88m as the building is offset to the boundary. It is submitted that this is a minor encroachment and is not likely to impact on the privacy and amenity of the Dwelling House to the rear / south, as this building is higher again in elevation and is setback approximately 30m off the common boundary. The siting of the proposed Dwelling House elsewhere within the site is limited by various site constraints. The proposed building has been appropriately designed to be contained entirely to the existing benched building pad.
P03 Building scale is compatible with the rural residential character of the area and must not detrimentally impact on visual landscape amenity.	A03.1 The maximum building footprint of all buildings and structures (including outbuildings) contained on a lot does not exceed 500m ² . A03.2	Complies. The building footprint is approximately 275m ² .

Performance outcomes	Acceptable outcomes	Applicant response
	An outbuilding used for purposes ancillary to a dwelling house has maximum site coverage not greater than 20% of the total building footprint specified in AO3.1 above.	
PO4 Buildings/structures are designed to maintain the rural residential character of the area.	AO4 White and shining metallic finishes are avoided on external surfaces of buildings.	Can be conditioned to comply. The external colour scheme had not been selected at the time of lodgement of the Development Application. It would be accepted if Council were to appropriately condition this requirement on any subsequent Development Permit.



Performance outcomes	Acceptable outcomes	Applicant response
For assessable development		
P05 The establishment of uses is consistent with the outcomes sought for the Rural residential zone and protects the zone from the intrusion of inconsistent uses.	A05 Uses identified in Table 6.2.11.3.b are not established in the Rural residential zone.	Complies. The proposed development is for a Dwelling House.
P06 Existing native vegetation along watercourses and, in or adjacent to areas of environmental value, or areas of remnant vegetation of value is protected.	A06 No acceptable outcomes are prescribed.	Complies. No vegetation clearing is required to facilitate the proposed development.
P07 Development is located, designed, operated and managed to respond to the characteristics, features and constraints of the site and surrounds. Note- planning scheme policy – site assessments provides guidance on identifying the characteristics, features and constraints of a site and its surrounds.	A07 No acceptable outcomes are prescribed.	Complies. The proposed development has been sited within the footprint of an existing benched building pad and avoids areas of sloping land and mature vegetation.
P08 Development does not adversely impact on the Rural residential character and amenity of the area in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.	A08 No acceptable outcomes are prescribed.	Complies. The proposed use is anticipated and encouraged within the Rural Residential Zone and would not compromise the character and amenity of the area.
P09 New lots contain a minimum area of 4000m ² , incorporating: (a) a minimum of contiguous area of 2000m ² exclusive of 1 in 6 (16.6%) gradients, with a minimum dimension of 20 metres; (b) sufficient area to cater for on-site waste water management systems. Note – Acceptable on-site waste disposal is to be demonstrated in a report prepared by a suitably qualified professional.	A09 No acceptable solutions are prescribed.	Not Applicable.



Performance outcomes	Acceptable outcomes	Applicant response
PO10 New lots have a minimum road frontage of 30 metres.	AO10 No acceptable outcomes are prescribed.	Not Applicable.
PO11 New lots contain a 40 metre x 50 metre rectangle.	AO11 No acceptable outcomes are prescribed.	Not Applicable.

Tab:e 6.2.11.3.b - Inconsistent uses within the Rural residential zone

Inconsistent uses		
<ul style="list-style-type: none"> • Adult store • Air services • Agricultural supplies store • Bar • Brothel • Bulk landscape supplies • Car wash • Cemetery • Community care centre • Community residence • Crematorium • Club • Detention facility • Dual occupancy • Educational establishment • Food and drink outlet • Funeral parlour • Garden centre • Hardware and trade supplies • Health care services • High impact industry • Hospital • Hotel 	<ul style="list-style-type: none"> • Indoor sport and recreation • Intensive animal industry • Intensive horticulture • Low impact industry • Major electricity infrastructure • Major sport, recreation and entertainment facility • Marine industry • Market • Medium impact industry • Motor sport facility • Multiple dwelling • Nightclub entertainment facility • Non-resident workforce accommodation • Office • Outdoor sales • Outstation • Parking station • Outdoor sport and recreation • Parking station • Permanent plantation • Place of worship 	<ul style="list-style-type: none"> • Port services • Relocatable home park • Renewable energy facility • Research and technology industry • Residential care facility • Resort complex • Retirement facility • Rooming accommodation • Rural industry • Rural workers accommodation • Service industry • Service Station • Shop • Shopping centre • Short-term accommodation • Showroom • Special industry • Theatre • Tourist attraction • Tourist park • Transport depot • Warehouse, • Winery

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.

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;
 - (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.

Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
Compatible development		
P01 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. Note - See the end of this code for examples of vulnerable uses.	A01 Vulnerable uses are not established or expanded. 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. 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. Note – Planning scheme policy SC6.9 - Natural hazards, provides a guide to the preparation of a Bushfire Management Plan.	Not Applicable.
P02 Emergency services and uses providing community support services are able to function effectively during and immediately after a bushfire hazard event.	A02 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.	Not Applicable.
P03 Development involving hazardous materials manufactured or stored in bulk is not located in bushfire hazard sub-category.	A03 The manufacture or storage of hazardous material in bulk does not occur within bushfire hazard sub-category.	Not Applicable.



Performance outcomes	Acceptable outcomes	Applicant response
Development design and separation from bushfire hazard – reconfiguration of lots		
<p>PO4.1 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>PO4.2 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>AO4.1 No new lots are created within a bushfire hazard sub-category.</p> <p>or</p> <p>AO4.2 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. 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>PO5 Where reconfiguration is undertaken in an urban 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>AO5.1 Lot boundaries are separated from hazardous 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; 	<p>Not Applicable.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<ul style="list-style-type: none"> (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>A05.2 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 standards set out in the reconfiguration of a lot code and works codes in this planning scheme.</p>	
<p>PO6 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>A06 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 accordance with the standards prescribed in a planning scheme policy; 	Not Applicable.



Performance outcomes	Acceptable outcomes	Applicant response
	<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>P07 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.</p> <p>However, a fire trail will not be required where it would not serve a practical fire management purpose.</p>	<p>A07 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 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; 	<p>Not Applicable.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	(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.	
P08 The development design responds to the potential threat of bushfire and establishes clear evacuation routes which demonstrate an acceptable or tolerable risk to people.	A08 The lot layout: (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. Note - For example, developments should avoid finger-like or hour-glass subdivision patterns or substantive vegetated corridors between lots. 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 plan should be developed in accordance with the Public Safety Business Agency (PSBA) guideline entitled "Undertaking a Bushfire Protection Plan. Advice from the Queensland Fire and Emergency Services (QFES) should be sought as appropriate	Not Applicable.
P09 Critical infrastructure does not increase the potential bushfire hazard.	A09 Critical or potentially hazardous infrastructure such as water supply, electricity, gas and telecommunications are placed underground.	Not Applicable.



Performance outcomes	Acceptable outcomes	Applicant response
Development design and separation from bushfire hazard – material change of use		
<p>PO10 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 (b) 29kW/m² otherwise.</p> <p>The radiant heat flux level is achieved by 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>AO10 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 (b) is contained wholly within the development site.</p> <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>Alternative solution The subject site is a residential lot capable of residential development. The entire site is included within the Bushfire Hazard Overlay and the proposed Dwelling House has been appropriately sited within an existing benched building pad. There is limited alternative for siting the proposed Dwelling House.</p> <p>It is submitted that the compliance with bushfire hazard provisions would be more appropriately dealt with by the Building Certifier assessment against the Building Code of Australia requirements.</p>
<p>PO11 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>Note - Fire trails are unlikely to be required where a development site involves less than 2.5ha</p>	<p>AO11 Development sites are separated from hazardous vegetation by a public road or fire trail which has:</p> <p>(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</p>	<p>Not Applicable.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>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 Fire and Emergency Services.</p>	
All development		
<p>PO12</p> <p>All premises are provided with vehicular access that enables safe evacuation for occupants and easy access by fire fighting appliances.</p>	<p>AO12</p> <p>Private driveways:</p> <p>(a) do not exceed a length of 60m from the street to the building;</p> <p>(b) do not exceed a gradient of 12.5%;</p> <p>(c) have a minimum width of 3.5m;</p> <p>(d) have a minimum of 4.8m vertical clearance;</p> <p>(e) accommodate turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and</p> <p>(f) serve no more than 3 dwellings or buildings.</p>	<p>Alternative Solution.</p> <p>The subject site is existing vacant land which was reconfigured for residential development a number of years ago. The site is accessed via easements and the boundary of the subject site is located approximately 200m from Mowbray River Road. This is an existing scenario with limited opportunity for the proposed development to reasonably change.</p> <p>In the event of an emergency it is expected that an emergency vehicle would drive as far as safely possible into the site. This is a</p>



Performance outcomes	Acceptable outcomes	Applicant response
		common scenario for existing properties along this section of Mowbray River Road.
PO13 Development outside reticulated water supply areas includes a dedicated static supply that is available solely for fire fighting purposes and can be accessed by fire fighting appliances.	AO13 A water tank is provided within 10m of each building (other than a class 10 building) which: <ul style="list-style-type: none"> (a) is either below ground level or of non-flammable construction; (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: <ul style="list-style-type: none"> (i) 10,000l for residential buildings 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. <ul style="list-style-type: none"> (ii) 45,000l for industrial buildings; and (iii) 20,000l for other buildings; (c) includes shielding of tanks and pumps in accordance with the relevant standards; (d) includes a hardstand area allowing medium rigid vehicle (15 tonne fire appliance) access within 6m of the tank; (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 (f) is clearly identified by directional signage provided at the street frontage. 	Not Applicable. The Dwelling House will be connected to reticulated water supply.
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.	Able to Comply. Appropriate vegetation species will be selected when landscaping the site.



Performance outcomes	Acceptable outcomes	Applicant response
P015 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).	A015 Bushfire risk mitigation treatments do not have a significant impact on the natural environment or landscape character of the locality where this has value.	Not Applicable. No vegetation clearing is proposed.

Note – 'Vulnerable activities' are those involving:

- (1) the accommodation or congregation of vulnerable sectors of the community such as child care centres, community care centre, educational establishments, detention facilities, hospitals, rooming accommodation, retirement facilities or residential care facilities; or
- (2) the provision of essential services including community uses, emergency services, utility installation, telecommunications facility, substations and major electricity infrastructure.

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:
 - (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.

Criteria for assessment**Table 8.2.5.3.a – Hillslopes overlay code –assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
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 sub-category as shown on the Hillslopes overlay Maps contained in schedule 2.	Alternative solution. The site is mostly included within the Hillslope Overlay area and it is not possible to locate the Dwelling House to avoid. The subject site was created for residential development a number of years ago and comprises an existing benched building pad. The proposed Dwelling House is contained entirely within this. It is submitted that the proposed development appropriately preserves the landscape character and visual amenity of the hillslopes area through the appropriate location of the development, through design in that the Dwelling House is less than the maximum building height and furthermore no vegetation clearing is proposed.
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 The proposed Dwelling House is located within an existing benched building pad.



Performance outcomes	Acceptable outcomes	Applicant response
	<p>AO2.3 Access ways and driveways are:</p> <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. <p>AO2.4 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>AO2.5 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 the land).</p> <p>AO2.6 Development does not alter the sky line.</p> <p>AO2.7 Buildings and structures:</p> <ul style="list-style-type: none"> (a) are finished predominantly in the following exterior colours or surfaces: (b) moderately dark to darker shades of olive green, brown, green, blue, or charcoal; or 	<p>Complies. The driveway from the property boundary to the Dwelling House will be concreted to facilitate safe access.</p> <p>Complies. No vegetation clearing is proposed as the development is confined to an existing benched building pad and existing access track.</p> <p>Not Applicable.</p> <p>Not Applicable. The site is located below the ridgeline.</p> <p>Can be conditioned to comply. Building colours and finishes have not been selected at this stage, however may be provided to Council for endorsement prior to the issue of a Development Permit for Building Works.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>(c) moderately dark to darker wood stains that blend with the colour and hues of the surrounding vegetation and landscape;</p> <p>(d) are not finished in the following exterior colours or surfaces:</p> <p>(e) pastel or terracotta colours, reds, yellows, shades of white or beige, or other bright colours that do not blend with the surrounding vegetation and landscape;</p> <p>(f) reflective surfaces.</p> <p>AO2.8 Exterior colour schemes limit the use of white or other light colours to exterior trim and highlighting of architectural features</p> <p>AO2.9 Areas between the first floor (including outdoor deck areas) and ground level are screened from view.</p> <p>AO2.10 Recreational or ornamental features (including tennis courts, ponds or swimming pools) do not occur on land:</p> <p>(a) with a gradient of 1 in 6 (16.6%) or more;</p> <p>(b) are designed to be sited and respond to the natural constraints of the land and require minimal earthworks</p>	<p>Can be conditioned to comply. Building colours and finishes have not been selected at this stage, however may be provided to Council for endorsement prior to the issue of a Development Permit for Building Works.</p> <p>Alternative Solution. The undercroft of the building is proposed to be used for vehicle storage. This area will be screened from external view by the presence of existing mature vegetation within the site which is to be maintained.</p> <p>Complies. The proposed pool is located within the existing benched building pad.</p>



Performance outcomes	Acceptable outcomes	Applicant response
PO3 Excavation or filling does not have an adverse impact on the amenity, safety, stability or function of the site or adjoining premises through: <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. 	AO3 Excavation or fill: <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. 	Not Applicable. Other than minor site preparation works for building the proposed development does not involve significant or complex earthworks.
Lot reconfiguration		
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. 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. AO4.3	Not Applicable.

Performance outcomes	Acceptable outcomes	Applicant response
	<p>Development does not alter ridgelines.</p> <p>AO4.4 Lots are designed to ensure rooflines of future buildings and structures do not protrude above a ridgeline.</p>	

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 landslide 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.

8.2.5.2 Purpose

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

Criteria for assessment

Table 8.2.9.20a – Potential landslide hazard overlay code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
<p>PO1 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>AO1.1 Development is located on that part of the site not affected by the Potential landslide hazard overlay. or AO1.2 Development is on an existing stable, benched site and requires no further earthworks or AO1.3 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; (e) development does not concentrate existing ground water and surface water paths; (f) development does not incorporate on-site waste water disposal. 	<p>Complies. The proposed Dwelling House is confined to an existing benched site. The proposed driveway follows the contours of an existing access track. The site has been surveyed and the contours have been overlaid on the Site Plan. No further earthworks are required to facilitate the development other than minor site preparation works for building.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	Note – Planning scheme policy SC6.9 – Natural hazards provides guidance on preparing a site specific geo-technical assessment. 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	
PO2 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.	AO2 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.	Not Applicable.
Additional requirements for Community infrastructure		
PO3 Development for community infrastructure: (a) is not at risk from the potential landslide hazard areas; (b) will function without impediment from a landslide; (c) provides access to the infrastructure without impediment from the effects of a landslide; (d) does not contribute to an elevated risk of a landslide to adjoining properties.	AO3 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. 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.	Not Applicable.

9.3.8 Dwelling house code

9.3.8.1 Application

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

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

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

9.3.8.2 Purpose

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



9.3.8.3 Criteria for assessment

Table 9.3.8.3.a – Dwelling house code –assessable development

Performance outcomes	Acceptable outcomes	Applicant response
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 appropriate 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.
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. A minimum of 2 onsite parking spaces are accommodated within the proposed Development.
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; (d) ensures that garages do not dominate the appearance of the street.	AO3 Development meets the acceptable outcome for building height in the applicable Zone code associated with the site.	Complies. It is submitted that the design of the proposed Dwelling House is appropriate in scale and complies with the maximum building height prescribed under the Rural Residential Code.

9.4 Other development codes

9.4.1 Access, parking and servicing code

9.4.1.1 Application

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

9.4.1.2 Purpose

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

9.4.1.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant Response
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; (f) whether or not the use involves the retention of an existing building and the previous requirements for car parking for the building (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.	<p>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.</p> <p>Note - Where the number of spaces calculated from the table is not a whole number, the number of spaces provided is the next highest whole number.</p> <p>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.</p> <p>AO1.3 Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking.</p> <p>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.</p>	<p>Complies.</p> <p>Complies.</p> <p>Not applicable.</p> <p>Not applicable.</p>
PO2 Vehicle parking areas are designed and constructed in accordance with relevant standards.	<p>AO2 Vehicle parking areas are designed and constructed in accordance with Australian Standard:</p> <ul style="list-style-type: none"> (a) AS2890.1; (b) AS2890.3; (c) AS2890.6. 	<p>Can be conditioned to comply.</p>



<p>PO3 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; (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). 	<p>AO3.1 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>AO3.2 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; (c) adhere to minimum sight distance requirements in accordance with AS2980.1. <p>AO3.3 Driveways are:</p> <ul style="list-style-type: none"> (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; (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; (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>Not Applicable. The site uses an existing crossover from Mowbray River Road.</p> <p>Complies.</p> <p>Complies. The site has been surveyed and the development has been designed around the existing benched building pad and access track thereto. Based on the site contours the access driveway is estimated to be 23% on average from the easement to the existing building pad. . The driveway gradually levels out as the existing building pad is reached.</p>
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	<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 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. The driveway will be concreted.</p>
<p>P04 Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.</p>	<p>AO4 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>P05 Access for people with disabilities is provided to the building from the parking area and from the street.</p>	<p>AO5 Access for people with disabilities is provided in accordance with the relevant Australian Standard.</p>	<p>Not Applicable.</p>
<p>P06 Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development.</p>	<p>AO6 The number of on-site bicycle parking spaces complies with the rates specified in Table 9.4.1.3.b.</p>	<p>Not Applicable.</p>



<p>P07 Development provides secure and convenient bicycle parking which:</p> <ul style="list-style-type: none"> (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. 	<p>AO7.1 Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers);</p> <p>AO7.2 Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street.</p> <p>AO7.3 Development provides visitor bicycle parking which does not impede pedestrian movement.</p>	<p>Not Applicable.</p> <p>Not Applicable.</p> <p>Not Applicable.</p>
<p>P08 Development provides walking and cycle routes through the site which:</p> <ul style="list-style-type: none"> (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; (b) encourage walking and cycling; (c) ensure pedestrian and cyclist safety. 	<p>AO8 Development provides walking and cycle routes which are constructed on the carriageway or through the site to:</p> <ul style="list-style-type: none"> (a) create a walking or cycle route along the full frontage of the site; (b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site. 	<p>Not Applicable.</p>
<p>P09 Access, internal circulation and on-site parking for service vehicles are designed and constructed:</p> <ul style="list-style-type: none"> (a) in accordance with relevant standards; 	<p>AO9.1 Access driveways, vehicle manoeuvring and on-site parking for service vehicles are designed and constructed in accordance with AS2890.1 and</p>	<p>Complies.</p>



<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>AS2890.2.</p> <p>AO9.2 Service and loading areas are contained fully within the site.</p> <p>AO9.3 The movement of service vehicles and service operations are designed so they:</p> <ul style="list-style-type: none"> (a) do not impede access to parking spaces; (b) do not impede vehicle or pedestrian traffic movement. 	<p>Not Applicable. The development does not require service and loading areas.</p> <p>Not Applicable.</p>
<p>PO10 Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.</p>	<p>AO10.1 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> <ul style="list-style-type: none"> (a) car wash; (b) child care centre; (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. <p>AO10.2 Queuing and set-down areas are designed and constructed in accordance with AS2890.1.</p>	<p>Not Applicable.</p>

Table 9.4.1.3.b – Access, parking and servicing requirements

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

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