

19 January 2026

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

Via email: [enquiries@douglas.qld.gov.au](mailto:enquiries@douglas.qld.gov.au)

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**RE: DEVELOPMENT APPLICATION FOR BUILDING WORK ASSESSABLE AGAINST THE PLANNING SCHEME (PROPOSED POOL AND ROOFED DECK) OVER LAND AT 24 RANKIN STREET, NEWELL BEACH, MORE FORMALLY DESCRIBED AS LOT 92 ON SR285**

Aspire Town Planning and Project Services act on behalf of Mr Darren Ankers (the 'Applicant' and '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 Building Work Assessable against the Planning Scheme (Proposed Pool and Roofed Deck).

The subject land is improved by an existing Dwelling House and is located within the Low Density Residential Zone under the Douglas Shire Planning Scheme 2018 v1.0. In addition to the zoning provisions, the land is affected by the Coastal Environment Overlay, which establishes specific siting requirements for buildings and structures in proximity to the coastline, including a prescribed minimum setback of 6.0 metres from seaward property boundaries where no coastal building setback line has been defined.

The application relates to the proposed construction of a domestic swimming pool and an elevated, roofed deck area at the seaward end of the lot, intended to function as an outdoor living and recreation space ancillary to the existing dwelling. Due to the location of the proposed works within the coastal setback area, the development triggers assessment as Building Work Assessable against the Planning Scheme, notwithstanding that the proposal is otherwise consistent with the established residential use of the site.

The accompanying planning assessment demonstrates that the proposed development achieves compliance with the relevant performance outcomes of the Low Density Residential Zone Code, the Coastal Environment Overlay Code, and the Flood and Storm Tide Hazard Overlay Code, having regard to the scale, form and siting of the works and the absence of adverse impacts on coastal processes, amenity, or public safety.

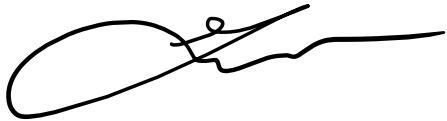
Please find enclosed the following documentation associated with this Development Application:

- Duly completed DA Form 1 (Attachment 1);
- Duly completed DA Form 2 (Attachment 2); and
- Town Planning Assessment Report (Attachment 3).

The relevant Application Fee has been calculated to be \$372.00 in accordance with Douglas Shire Council's Fees and Charges Schedule for Years 2025/2026. It is respectfully requested that Council issue the relevant payment reference or instructions so the fee may be paid directly by the Applicant.

Thank you for your time in considering the attached Development Application. Should Council officers wish to inspect the site or require any further information or clarification, please do not hesitate to contact the undersigned.

Regards,



**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 1.6 effective 2 August 2024) 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)	Darren Ankers
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)	2025-12-125 - Ankers - 24 Rankin Street, Newell Beach
1.1) Home-based business	
<input type="checkbox"/> Personal details to remain private in accordance with section 264(6) of <i>Planning Act 2016</i>	

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

## PART 2 – LOCATION DETAILS

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

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

#### 3.1) Street address and lot on plan

<input checked="" type="checkbox"/> Street address <b>AND</b> lot on plan (all lots must be listed), <b>or</b> <input type="checkbox"/> Street address <b>AND</b> 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
		24	Rankin Street
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)
	4873	92	SR285
b)	Unit No.	Street No.	Street Name and Type
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)

#### 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.

<input type="checkbox"/> 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"/>	
<input type="checkbox"/> Coordinates of premises by easting and northing			
Easting(s)	Northing(s)	Zone Ref.	Datum
		<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

<input type="checkbox"/> Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development application <input checked="" type="checkbox"/> 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 (if applicable): <input type="text"/> Name of port authority for tidal area (if applicable): <input type="text"/>

<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](#).*

- |   |
|---|
| <input type="checkbox"/> Yes – All easement locations, types and dimensions are included in plans submitted with this development application |
| <input checked="" type="checkbox"/> 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)

- |   |  |   |   |
|---|--|---|---|
| <input type="checkbox"/> Material change of use | <input type="checkbox"/> Reconfiguring a lot | <input type="checkbox"/> Operational work | <input checked="" type="checkbox"/> Building work |
|---|--|---|---|

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

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Development permit | <input type="checkbox"/> Preliminary approval | <input type="checkbox"/> Preliminary approval that includes a variation approval |
|--|---|--|

c) What is the level of assessment?

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Code assessment | <input type="checkbox"/> 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):

Domestic swimming pool and roofed outdoor deck ancillary to an existing 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](#).*

- |  |
|--|
| <input checked="" type="checkbox"/> 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)

- |   |  |   |  |
|---|--|---|--|
| <input type="checkbox"/> Material change of use | <input type="checkbox"/> Reconfiguring a lot | <input type="checkbox"/> Operational work | <input type="checkbox"/> Building work |
|---|--|---|--|

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

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Development permit | <input type="checkbox"/> Preliminary approval | <input type="checkbox"/> Preliminary approval that includes a variation approval |
|---|---|--|

c) What is the level of assessment?

- |  |   |
|--|---|
| <input type="checkbox"/> Code assessment | <input type="checkbox"/> 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](#).*

- |   |
|---|
| <input type="checkbox"/> 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

### 6.4) Is the application for State facilitated development?

- Yes - Has a notice of declaration been given by the Minister?  
 No

## Section 2 – Further development details

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

Material change of use	<input 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 checked="" type="checkbox"/> Yes – complete DA Form 2 – Building work details

### Division 1 – Material change of use

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

#### 8.1) Describe the proposed material change of use

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

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

- Yes  
 No

#### 8.3) Does the proposed development relate to temporary accepted development under the Planning Regulation?

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

Provide a general description of the temporary accepted development	Specify the stated period dates under the Planning Regulation

### 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 <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )

12.2) What is the reason for the boundary realignment?

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

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

## Division 3 – Operational work

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

14.1) What is the nature of the operational work?

- Road work  Stormwater  Water infrastructure  
 Drainage work  Earthworks  Sewage infrastructure  
 Landscaping  Signage  Clearing vegetation  
 Other – please specify:

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

- Yes – specify number of new lots:

- No

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

\$

## PART 4 – ASSESSMENT MANAGER DETAILS

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

Douglas Shire Council

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

- Yes – a copy of the decision notice is attached to this development application
- The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- 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
- SEQ northern inter-urban break – tourist activity or sport and recreation activity
- SEQ northern inter-urban break – community activity
- SEQ northern inter-urban break – indoor recreation
- SEQ northern inter-urban break – urban activity

- SEQ northern inter-urban break – 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*)  
 Heritage places – Local heritage places

**Matters requiring referral to the **Chief Executive of the distribution entity or transmission entity**:**

- Infrastructure-related referrals – Electricity infrastructure

**Matters requiring referral to:**

- **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
- Infrastructure-related referrals – Oil and gas infrastructure

**Matters requiring referral to the **Brisbane City Council**:**

- Ports – Brisbane core port land

**Matters requiring referral to the **Minister responsible for administering the *Transport Infrastructure Act 1994***:**

- Ports – Brisbane core port land (*where inconsistent with the Brisbane port LUP for transport reasons*)  
 Ports – Strategic port land

**Matters requiring referral to the **relevant port operator**, if applicant is not port operator:**

- Ports – Land within Port of Brisbane's port limits (*below high-water mark*)

**Matters requiring referral to the **Chief Executive of the relevant port authority**:**

- Ports – Land within limits of another port (*below high-water mark*)

**Matters requiring referral to the **Gold Coast Waterways Authority**:**

- Tidal works or work in a coastal management district (*in Gold Coast waters*)

**Matters requiring referral to the **Queensland Fire and Emergency Service**:**

- Tidal works or work in a coastal management district (*involving a marina (more than six vessel berths)*)

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

- Yes – referral response(s) received and listed below are attached to this development application  
 No

Referral requirement	Referral agency	Date of referral response

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

## PART 6 – INFORMATION REQUEST

### 19) Information request under the DA Rules

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

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

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

- *that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties*
- *Part 3 under Chapter 1 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules or*
- *Part 2 under Chapter 2 of the DA Rules will still apply if the application is for state facilitated development*

Further advice about information requests is contained in the [DA Forms Guide](#).

## PART 7 – FURTHER DETAILS

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

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

No

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

### 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 received 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](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

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

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

#### Hazardous chemical facilities

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

Yes – Form 536: *Notification of a facility exceeding 10% of schedule 15 threshold* is attached to this development application

No

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



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## **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 Resources at [www.resources.qld.gov.au](http://www.resources.qld.gov.au) for further information.

DA templates are available from [planning.statedevelopment.qld.gov.au](http://planning.statedevelopment.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 [planning.statedevelopment.qld.gov.au](http://planning.statedevelopment.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](http://www.daf.qld.gov.au) for further information.

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

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

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

No

**Note:** Contact the Department of Resources at [www.resources.qld.gov.au](http://www.resources.qld.gov.au) and [www.business.qld.gov.au](http://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, Science and Innovation at [www.desi.qld.gov.au](http://www.desi.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.resources.qld.gov.au](http://www.resources.qld.gov.au) for further information.



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## **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.desi.qld.gov.au](http://www.desi.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.desi.qld.gov.au](http://www.desi.qld.gov.au) for information requirements regarding development of Queensland heritage places.

For a heritage place that has cultural heritage significance as a local heritage place and a Queensland heritage place, provisions are in place under the Planning Act 2016 that limit a local categorising instrument from including an assessment benchmark about the effect or impact of, development on the stated cultural heritage significance of that place. See guidance materials at [www.planning.statedevelopment.qldgov.au](http://www.planning.statedevelopment.qldgov.au) for information regarding assessment of Queensland heritage places.

Name of the heritage place:		Place ID:	
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## **Decision under section 62 of the Transport Infrastructure Act 1994**

23.14) 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**

23.15) 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.statedevelopment.qld.gov.au](http://www.planning.statedevelopment.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



**Queensland  
Government**

### 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**

**Duly completed DA Form 2**

# DA Form 2 – Building work details

Approved form (version 1.2 effective 7 February 2020) made under Section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving building work**.

For a development application involving **building work only**, use this form (DA Form 2) only. The DA Forms Guide provides advice about how to complete this form.

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

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)	Darren Ankers
Contact name (only applicable for companies)	c/- Daniel Favier (Aspire Town Planning and Project Services)
Postal address (PO 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)	2025-12-125 - Ankers - 24 Rankin Street, Newell Beach

## PART 2 – LOCATION DETAILS

### 2) Location of the premises (complete 2.1 and 2.2 if 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.

#### 2.1) 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).



Queensland  
Government

Unit No.	Street No.	Street Name and Type	Suburb
	24	Rankin Street	Newell Beach
Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
4873	92	SR285	Douglas Shire Council
2.2) Additional premises			
<input type="checkbox"/> Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development application <input checked="" type="checkbox"/> Not required			

3) 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 the [DA Forms Guide](#)

<input type="checkbox"/> Yes – All easement locations, types and dimensions are included in plans submitted with this development application <input checked="" type="checkbox"/> No
---

## PART 3 – FURTHER DETAILS

4) Is the application only for building work assessable against the building assessment provisions?

<input type="checkbox"/> Yes – proceed to 8) <input checked="" type="checkbox"/> No
--

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

Douglas Shire Council

6) 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
---

7) Information request under Part 3 of the DA Rules

<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application <input type="checkbox"/> I do not agree to accept an information request for this development application
---

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

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

Further advice about information requests is contained in the [DA Forms Guide](#).

8) Are there any associated development applications or current approvals?

<input type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input checked="" type="checkbox"/> No
---

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

9) Has the portable long service leave levy been paid?

- Yes – a copy of the received 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)
\$		

10) 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

11) Identify any of the following further legislative requirements that apply to any aspect of this development application

- The proposed development is on a place entered in the **Queensland Heritage Register** or in a local government's **Local Heritage Register**. See the guidance provided at [www.des.qld.gov.au](http://www.des.qld.gov.au) about the requirements in relation to the development of a Queensland heritage place

Name of the heritage place:		Place ID:	
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## PART 4 – REFERRAL DETAILS

12) Does this development application include any building work aspects that have any referral requirements?

- Yes – the *Referral checklist for building work* is attached to this development application
- No – proceed to Part 5

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

- Yes – referral response(s) received and listed below are attached to this development application
- No

Referral requirement	Referral agency	Date 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 (if applicable)

## PART 5 – BUILDING WORK DETAILS

14) Owner's details

Tick if the applicant is also the owner and proceed to 15). Otherwise, provide the following information.

Name(s) (individual or company full name)	
Contact name (applicable for companies)	
Postal address (P.O. Box or street address)	
Suburb	
State	

Postcode	
Country	
Contact number	
Email address (non-mandatory)	
Mobile number (non-mandatory)	
Fax number (non-mandatory)	

### 15) Builder's details

Tick if a builder has not yet been engaged to undertake the work and proceed to 16). Otherwise provide the following information.

Name(s) (individual or company full name)	
Contact name (applicable for companies)	
QBCC licence or owner – builder number	
Postal address (P.O. Box or street address)	
Suburb	
State	
Postcode	
Contact number	
Email address (non-mandatory)	
Mobile number (non-mandatory)	
Fax number (non-mandatory)	

### 16) Provide details about the proposed building work

What type of approval is being sought?

- Development permit  
 Preliminary approval

b) What is the level of assessment?

- Code assessment  
 Impact assessment (requires public notification)

c) Nature of the proposed building work (tick all applicable boxes)

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> New building or structure                        | <input type="checkbox"/> Repairs, alterations or additions          |
| <input type="checkbox"/> Change of building classification (involving building work) | <input checked="" type="checkbox"/> Swimming pool and/or pool fence |
| <input type="checkbox"/> Demolition  | <input type="checkbox"/> Relocation or removal                      |

d) Provide a description of the work below or in an attached schedule.

Construction of a domestic swimming pool and roofed outdoor deck ancillary to an existing Dwelling House.

e) Proposed construction materials

External walls	<input type="checkbox"/> Double brick <input type="checkbox"/> Brick veneer <input type="checkbox"/> Stone/concrete	<input type="checkbox"/> Steel <input type="checkbox"/> Timber <input type="checkbox"/> Fibre cement	<input type="checkbox"/> Curtain glass <input type="checkbox"/> Aluminium <input checked="" type="checkbox"/> N/A – open-sided structure
Frame	<input checked="" type="checkbox"/> Timber <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Steel	<input type="checkbox"/> Aluminium
Floor	<input checked="" type="checkbox"/> Concrete	<input type="checkbox"/> Timber	<input type="checkbox"/> Other
Roof covering	<input type="checkbox"/> Slate/concrete <input type="checkbox"/> Aluminium	<input type="checkbox"/> Tiles <input checked="" type="checkbox"/> Steel	<input type="checkbox"/> Fibre cement <input type="checkbox"/> Other

f) Existing building use/classification? (if applicable)

Class 1a Dwelling House
g) New building use/classification? <i>(if applicable)</i>
Class 10b (pool and deck)
h) Relevant plans <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see <a href="#">DA Forms Guide: Relevant plans</a>.</i>
<input checked="" type="checkbox"/> Relevant plans of the proposed works are attached to the development application

17) What is the monetary value of the proposed building work?
TBC

18) Has Queensland Home Warranty Scheme Insurance been paid?		
<input type="checkbox"/> Yes – provide details below		
<input checked="" type="checkbox"/> No		
Amount paid	Date paid (dd/mm/yy)	Reference number
\$		

## PART 6 – CHECKLIST AND APPLICANT DECLARATION

19) Development application checklist	
The relevant parts of <i>Form 2 – Building work details</i> have been completed	<input checked="" type="checkbox"/> Yes
This development application includes a material change of use, reconfiguring a lot or operational work and is accompanied by a completed <i>Form 1 – Development application details</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
Relevant plans of the development are attached to this development application <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see <a href="#">DA Forms Guide: Relevant plans</a>.</i>	<input checked="" type="checkbox"/> Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 9)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable

20) Applicant declaration
<input checked="" type="checkbox"/> By making this development application, I declare that all information in this development application is true and correct
<input checked="" type="checkbox"/> 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 <i>Electronic Transactions Act 2001</i>
<i>Note: It is unlawful to intentionally provide false or misleading information.</i>
<b>Privacy</b> – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any 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 <i>Planning Act 2016</i> , Planning Regulation 2017 and the DA Rules except where:
<ul style="list-style-type: none"> <li>such disclosure is in accordance with the provisions about public access to documents contained in the <i>Planning Act 2016</i> and the Planning Regulation 2017, and the access rules made under the <i>Planning Act 2016</i> and Planning Regulation 2017; or</li> <li>required by other legislation (including the <i>Right to Information Act 2009</i>); or</li> <li>otherwise required by law.</li> </ul>
This information may be stored in relevant databases. The information collected will be retained as required by the <i>Public Records Act 2002</i> .

## PART 7 – FOR COMPLETION BY THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

Date received:  Reference numbers:

### For completion by the building certifier

#### Classification(s) of approved building work

Name	QBCC Certification Licence number	QBCC Insurance receipt number

### 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	

### Additional information required by the local government

#### Confirm proposed construction materials:

External walls	<input type="checkbox"/> Double brick <input type="checkbox"/> Brick veneer <input type="checkbox"/> Stone/concrete	<input type="checkbox"/> Steel <input type="checkbox"/> Timber <input type="checkbox"/> Fibre cement	<input type="checkbox"/> Curtain glass <input type="checkbox"/> Aluminium <input type="checkbox"/> Other
Frame	<input type="checkbox"/> Timber <input type="checkbox"/> Other	<input type="checkbox"/> Steel	<input type="checkbox"/> Aluminium
Floor	<input type="checkbox"/> Concrete	<input type="checkbox"/> Timber	<input type="checkbox"/> Other
Roof covering	<input type="checkbox"/> Slate/concrete <input type="checkbox"/> Aluminium	<input type="checkbox"/> Tiles <input type="checkbox"/> Steel	<input type="checkbox"/> Fibre cement <input type="checkbox"/> Other

### QLeave notification and payment

*Note: For completion by assessment manager if applicable*

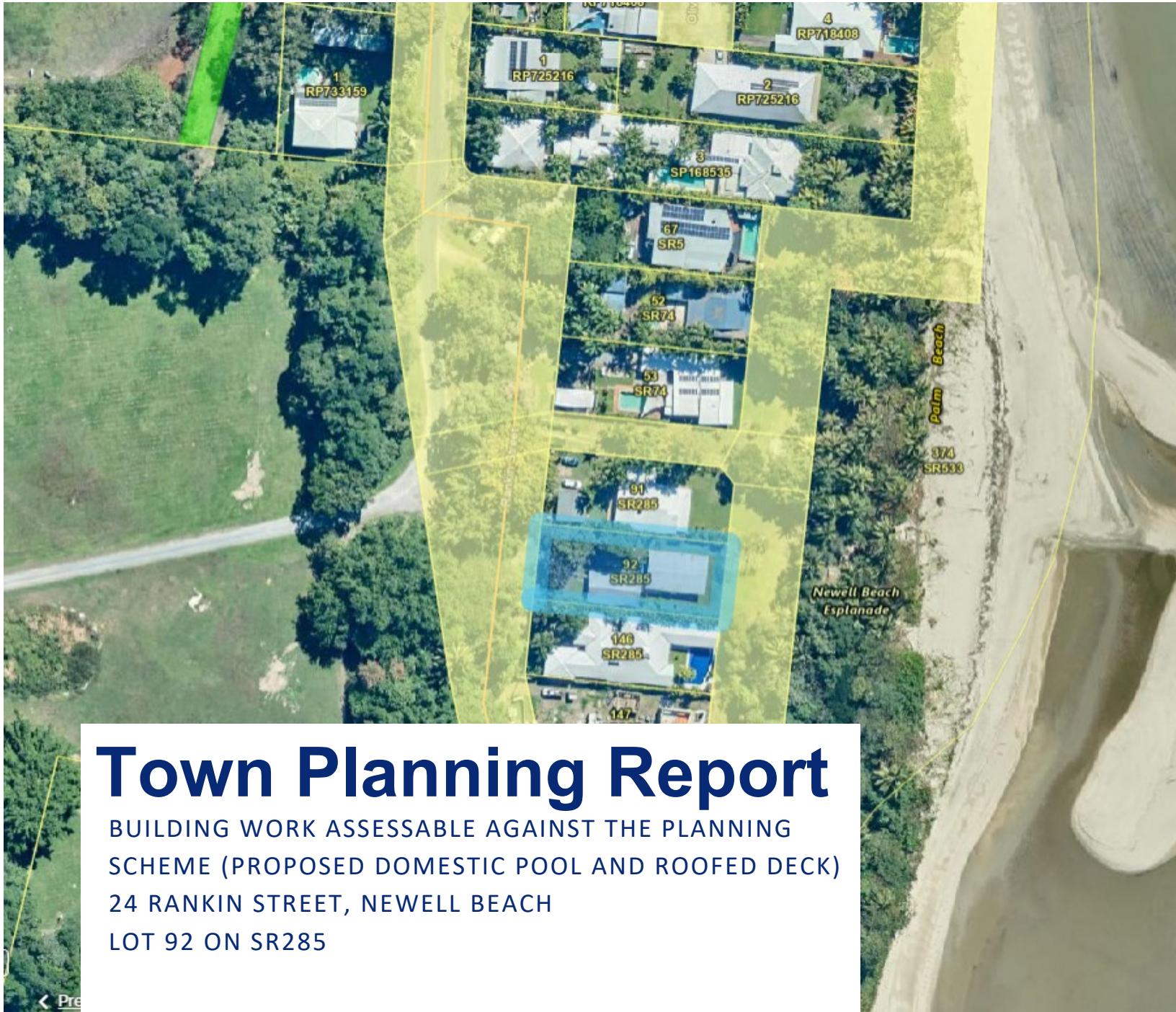
Description of the work	
QLeave project number	
Amount paid (\$)	Date paid (dd/mm/yy)
Date received form sighted by assessment manager	
Name of officer who sighted the form	

### Additional building details required for the Australian Bureau of Statistics

Existing building use/classification? <i>(if applicable)</i>	
New building use/classification?	
Site area (m <sup>2</sup> )	Floor area (m <sup>2</sup> )

## **Attachment 3**

### **Town Planning Report**



# Town Planning Report

BUILDING WORK ASSESSABLE AGAINST THE PLANNING  
SCHEME (PROPOSED DOMESTIC POOL AND ROOFED DECK)  
24 RANKIN STREET, NEWELL BEACH  
LOT 92 ON SR285

< Pre

**19 January 2026**

**ASPIRE Town Planning and Project Services**

**Authored by: Daniel Favier**

**Ref: 2025-12-125 - Ankers - 24 Rankin Street, Newell Beach**

This Town Planning Report is intended for the exclusive use of our client, Mr Darren Ankers (the 'Applicant'), and is provided for informational purposes only. The information contained herein has been prepared based on sources and data believed to be reliable and accurate at the time of preparation. However, Aspire Town Planning and Project Services does not warrant the accuracy, completeness, or currency of the information and disclaims any responsibility for any errors or omissions, or for any loss or damage incurred by any party as a result of reliance on this information.

The conclusions and recommendations contained in this report are based on our professional judgment and interpretation of the current planning policies and regulations. It is important to note that planning regulations and policies are subject to change, and this report should not be construed as a guarantee of any future planning outcomes.

This report is confidential and may not be disclosed, reproduced, or distributed to any third party without the prior written consent of Aspire Town Planning and Project Services. Unauthorised use or distribution of this report is strictly prohibited.

# Executive Summary

Aspire Town Planning and Project Services has been engaged to act on behalf of Mr Darren Ankers (the 'Applicant' and 'Owner') in relation to the proposed development at 24 Rankin Street, Newell Beach, formally described as Lot 92 on SR285 (the 'subject site'). This Town Planning Report has been prepared in support of a Development Application seeking a Development Permit for Building Work Assessable against the Planning Scheme.

The subject site is improved by an existing Dwelling House and is located within the Low Density Residential Zone under the Douglas Shire Planning Scheme 2018 v1.0. In addition to the zoning provisions, the land is affected by the Coastal Environment Overlay and the Flood and Storm Tide Hazard Overlay. The Coastal Environment Overlay establishes a minimum setback of 6.0 metres to seaward property boundaries where no coastal building setback line has been defined. The proposed building work extends within this coastal setback area and therefore triggers assessment as Building Work Assessable against the Planning Scheme.

The proposal involves the construction of a domestic swimming pool and a roofed outdoor deck area at the seaward end of the lot, intended to function as ancillary outdoor living and recreation space associated with the existing dwelling. The deck is designed as an elevated structure supported on piers, resulting in a low-impact interface with the ground and allowing permeability beneath the structure. The pool is partially sunken. The proposed works are non-habitable, subordinate to the dwelling and are not integral to the primary residential structure.

The design response has been deliberately configured to minimise impacts on the coastal environment. The elevated deck form limits ground disturbance and does not obstruct coastal processes or overland flow paths. The roofed deck structure may be considered sacrificial in nature, such that it could be removed in the future without affecting the integrity or function of the existing dwelling. The seaward portion of the site is already cleared and has historically been used as private open space and the proposal does not involve the removal of established coastal vegetation or dunes.

The surrounding coastal context is characterised by residential development incorporating decks, pools and outdoor living structures oriented toward the beachfront. A review of aerial imagery and surrounding development confirms that the proposed works are consistent with the prevailing development pattern to both the north and south of the subject site and do not represent an intensification of use or departure from the established residential character of Rankin Street.

While the proposal does not comply with the Acceptable Development criteria relating to coastal setbacks, it is considered to achieve the relevant Performance Outcomes of the applicable planning provisions. The proposed building work is low scale, domestic in nature and has been designed to avoid

adverse impacts on coastal processes, public safety, residential amenity or the visual character of the area.

This report demonstrates that the proposed development appropriately responds to the planning framework, achieves the intent of the Low Density Residential Zone Code, the Coastal Environment Overlay Code, and the Flood and Storm Tide Hazard Overlay Code, and represents a functional, low-impact and well-considered enhancement to the existing dwelling. On this basis, it is respectfully requested that Council support the application and issue a Development Permit for Building Work Assessable against the Planning Scheme.

We look forward to Council's consideration of this application.

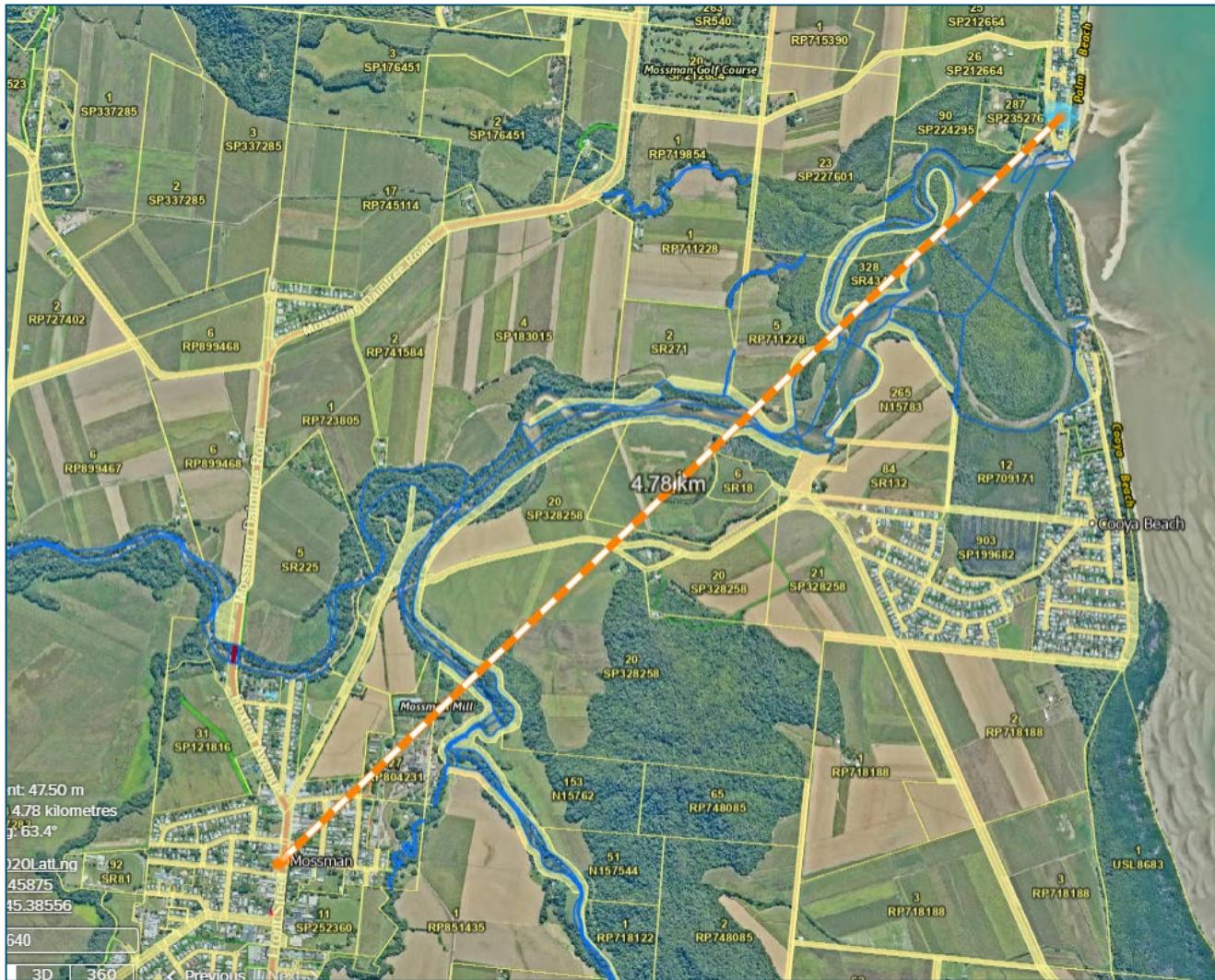
# 1.0 Summary

<b>Street Address</b>	24 Rankin Street, Newell Beach
<b>Lot and Plan</b>	Lot 92 on SR285
<b>Size</b>	1,012 m <sup>2</sup>
<b>Road Frontages</b>	Approximately 20 m to Rankin Street
<b>Easements</b>	Nil identified
<b>Other Encumbrances</b>	Nil relevant to the proposed building work
<b>Proposal</b>	Construction of a domestic swimming pool and roofed outdoor deck ancillary to the existing dwelling
<b>Approvals Sought</b>	Development Permit
<b>Level of Assessment</b>	Self Assessable elevated to Code Assessable
<b>Planning Scheme Zone</b>	Low Density Residential Zone
<b>Local Plan</b>	Coastal Communities Local Plan
<b>Regional Plan Designation</b>	Far North Queensland Regional Plan – Urban Footprint
<b>State Planning Policy</b>	Appropriately integrated within the Planning Scheme
<b>State Development Assessment Provisions</b>	Not applicable
<b>Referral</b>	Not applicable

*Table 1: Application Summary*

## 2.0 Site Description

The subject site, formally described as Lot 92 on SR285, is located at 24 Rankin Street, Newell Beach, approximately 5 kilometres north-east of Mossman, which functions as the primary township and local service centre for the area (refer to *Figure 1*).



*Figure 1: Regional Context (source: QLD Globe, January 2026)*

The site is situated within a well-established coastal residential enclave between Rankin Street and the Newell Beach foreshore (refer *Figure 2*). The surrounding area is characterised by low-density residential development oriented toward the coastline, with Dwelling Houses commonly incorporating decks, pools and outdoor living structures that respond to the coastal setting.



The subject site has a single frontage of approximately 20 metres to Rankin Street, a local residential street providing direct access to the foreshore and Newell Beach Esplanade (refer to *Figure 3*). Rankin Street operates as a low-speed, low-volume access street servicing beachfront and near-beach properties only, with no through-traffic beyond the local area.



*Figure 3: Road Frontage and Subject Site (source: QLD Globe, January 2026)*

At a site-specific scale, the subject site is generally rectangular in shape and relatively flat. The proposed pool and roofed deck are located within an area that is already cleared and utilised as private open space, minimising the need for additional vegetation removal or ground disturbance.

A broader review of the coastal strip confirms that residential development along Rankin Street and adjoining streets commonly extends toward the seaward end of allotments. This development pattern reflects the historic subdivision layout of Newell Beach and the established residential character of the locality, where dwellings, decks and pools are frequently positioned close to coastal boundaries.

The immediate context of the subject site is particularly relevant. Aerial imagery shows that adjoining properties to both the north and south of the site, including Lot 67 on SR5 and Lot 146 on SR285, contain substantial residential structures and ancillary built form located at or immediately adjacent to their seaward boundaries (refer to *Figure 4*). This confirms that the siting of development near coastal boundaries is an established and accepted characteristic of this section of Newell Beach.



Figure 2: Immediate Surrounding Development Pattern – North and South Adjoining Lots (source: QLD Globe, January 2026)

Overall, the subject site forms part of a consistent coastal residential environment where outdoor living structures, decks and pools are a common and established component of development. The proposed works reflect this established context and respond appropriately to both the coastal setting and the surrounding pattern of residential development. In this context, the proposed pool and roofed deck do not present as an outlier but instead sit comfortably within the established pattern of coastal residential development evident along Rankin Street and the immediate Newell Beach frontage.

## 3.0 Proposal

This Development Application seeks approval for Building Work Assessable against the Planning Scheme for a domestic swimming pool and roofed outdoor deck at 24 Rankin Street, Newell Beach, formally described as Lot 92 on SR285.

The proposed development comprises the construction of a rectangular in-ground swimming pool and an associated roofed, open-sided deck structure located at the seaward end of the allotment. The works are ancillary to the existing dwelling house and are intended to function as outdoor living and recreational space typical of coastal residential development.

As shown on the submitted architectural drawings (refer to *Attachment 1 – Proposal Plans*), the proposed pool measures approximately 8.0 metres by 4.0 metres and is partially sunken into the ground. The surrounding deck area extends along the eastern side of the dwelling and around the pool, with the roofed portion of the deck measuring approximately 6.3 metres by 10 metres. The roofed deck incorporates an outdoor kitchen and barbecue area and is designed to remain open-sided, maintaining visual permeability and airflow.

The deck structure is designed as a lightweight, elevated form supported on piers, resulting in minimal disturbance to natural ground levels and maintaining permeability beneath the structure. This design response represents a low-impact interface with the coastal environment and avoids the need for bulk earthworks, excavation or filling. The pool structure is partially sunken, also minimising earthworks.

Importantly, the proposed deck and roof structure are non-habitable and not integral to the primary Dwelling House. The works may be considered sacrificial in nature, such that they could be removed in the future without affecting the structural integrity or ongoing use of the existing dwelling. This approach aligns with accepted design responses within coastal hazard and environmental overlay areas.

The proposed development extends within the 6.0 metre coastal setback prescribed under the Coastal Environment Overlay where no coastal building setback line has been defined. As such, the works trigger assessment as Building Work Assessable against the Planning Scheme. Notwithstanding this technical encroachment, the siting and form of the development respond appropriately to the established development pattern along Rankin Street.

Illustrative aerial imagery submitted with this application (refer to *Figure 5*) includes the adjoining property to the south, which exhibits a comparable relationship between built form and the seaward boundary. This image is provided to assist in understanding the broader coastal development context

only. The precise layout, dimensions and siting of the proposed works are confirmed by the proposal plans submitted as Attachment 1.



**Figure 5: Proposed Development Context (source: QLD Globe with Applicant Overlay, January 2026)**

No changes to the existing dwelling footprint or internal layout are proposed. The development does not require the removal of established coastal vegetation or dunes and is confined to an area of the site that is already cleared and historically used as private open space. All essential services, including water, sewer, electricity and stormwater infrastructure, are already available to the site. The proposal will not increase demand on existing infrastructure or require service upgrades.

Overall, the proposed pool and roofed deck represent a modest, low-scale and sympathetic addition to the existing dwelling. The design responds to site constraints, coastal context and surrounding development patterns, while maintaining residential amenity and the low-density coastal character of Rankin Street.

# 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.

This application is made under the provisions of the Planning Act, with Douglas Shire Council being the responsible assessment manager. While the *Planning Act* and *Planning Regulation* define the overarching assessment framework, the Douglas Shire Planning Scheme 2016 sets the relevant local planning benchmarks and development codes against which this proposal is assessed.

### 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 Building Work Assessable against the Planning Scheme.

### 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 Building Work.

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 referral agencies applicable 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 subject Development Application is subject to Code Assessment only and does not include a variation request. Accordingly, 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 2017* 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 v.10

The Douglas Shire Planning Scheme 2018 v1.0 (the 'Planning Scheme') came into effect on 2 January 2018 and is the applicable planning scheme for the Douglas Shire 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 in respect of the proposed development is therefore undertaken having regard to the transitional provisions of the *Planning Act 2016*.

The following sections of this report assess the proposed development against the relevant provisions of the Planning Scheme.

### 4.5.1 Zone

The subject site is identified within the Low Density Residential Zone under the Douglas Shire Planning Scheme 2018 v1.0.

The Low Density Residential Zone states that:

*“The purpose of the Low density residential zone code is to provide for predominantly dwelling houses supported by community uses and small-scale services and facilities that cater for local residents.”*

The proposed development comprises a domestic swimming pool and roofed outdoor deck ancillary to an existing Dwelling House. The proposal does not involve a material change of use, increase in residential density, or alteration to the lawful residential use of the site. The scale and form of the proposed building work are consistent with development typically expected within the Low Density Residential Zone.

Assessment against the Low Density Residential Zone Code is therefore limited to those provisions relevant to building work. A full assessment of the proposed development against the Low Density Residential Code is included within *Attachment 5 – Code Assessment*.

#### **4.5.2 Local Plan**

The subject site is located within the Coastal Communities Local Plan Area under the Douglas Shire Planning Scheme 2018 v1.0, within the Newell Beach coastal settlement.

The Coastal Communities Local Plan Code provides strategic guidance for development within coastal settlements, with an emphasis on maintaining coastal character, managing development in proximity to the foreshore, and ensuring compatibility with established residential patterns.

In this instance, the planning considerations relevant to the proposed development, namely the siting of buildings and structures in proximity to the coast, are comprehensively addressed through assessment against the Coastal Environment Overlay Code. The Local Plan Code does not introduce additional assessment benchmarks relevant to the proposed building work beyond those already addressed by the applicable zone and overlay provisions.

Accordingly, a separate assessment against the Coastal Communities Local Plan Code is not required for this Development Application.

#### **4.5.3 Overlays**

The subject site is affected by a number of overlays under the Douglas Shire Planning Scheme 2018 v1.0. *Table 2* identifies the overlays applicable to the site and outlines their relevance to the proposed development.

Overlay	Sub-category	Applicability
<b>Coastal Processes</b>	Coastal Management District Erosion Prone Area	The proposed pool and roofed deck extend within the prescribed coastal setback. As a result, the proposed building work is assessable against the Planning Scheme. A detailed assessment against the Coastal Environment Overlay Code is provided in <i>Attachment 2 – Code Assessment</i> .
<b>Flood Storm</b>	Medium Storm Tide Hazard Floodplain Assessment Overlay (Mossman River)	The subject site is mapped within the medium storm tide hazard and floodplain assessment overlay. As a result, the proposed building work requires assessment against the Flood and Storm Tide Hazard Overlay Code. The proposed development comprises non-habitable structures, with the roofed deck elevated above natural ground level. A targeted assessment against the relevant provisions of the Flood and Storm Tide Hazard Overlay Code is provided in <i>Attachment 2 – Code Assessment</i> .

**Table 2: Overlays Applicable to the Site**

Given the nature and scale of the proposed development, detailed assessment is limited to the Coastal Environment Overlay Code and the Flood and Storm Tide Hazard Overlay Code, as these overlays directly influence the siting and design of buildings and structures on the subject site. Although the site is affected by other overlays, these are not applicable to the assessment of Building Works.

#### **4.5.4 Category of Assessment**

Pursuant to Part 5 of the Planning Scheme, a Development Application for Building Work is Accepted Development, however due to non-compliance the level of assessment is varied.

#### **4.5.5 Assessment Criteria**

As determined by the Douglas Shire Planning Scheme 2018 v1.0, the following Planning Scheme codes are applicable to the assessment of this Development Application:

##### Zone Code

- Low Density Residential Zone

##### Local Area Plan Code

- Coastal Communities Local Plan Code

##### Overlay Codes

- Refer to discussion under s4.5.3 of this report.

##### Development Codes

- Nil

A detailed assessment against the Low Density Residential Zone Code, Coastal Environment Overlay Code and the Flood and Storm Tide Hazard Overlay Code is provided in *Attachment 2 – Code Assessment*. Assessment against the Coastal Communities Local Plan Code is limited to contextual consideration only, as outlined in Section 4.5.2 of this report.

No other development codes are triggered by the proposed development.

# 5.0 Conclusion

This report has been prepared in support of a Development Application seeking approval for Building Work Assessable against the Planning Scheme at 24 Rankin Street, Newell Beach, formally described as Lot 92 on SR285. The application is made pursuant to Sections 49, 50 and 51 of the *Planning Act 2016*.

The proposed development comprises the construction of a domestic swimming pool and roofed outdoor deck ancillary to an existing lawful dwelling house. The proposed works are located at the seaward end of the allotment and extend within the coastal setback area applicable to the site, thereby triggering assessment as Building Work Assessable against the Planning Scheme.

The proposed pool and deck have been designed to respond appropriately to the coastal context. The pool is partially sunken and the roofed deck is a lightweight structure elevated on piers, resulting in minimal disturbance to natural ground levels and maintaining permeability beneath the structure. The development is non-habitable in nature and is not integral to the primary dwelling house, allowing for potential future removal without affecting the ongoing residential use of the site.

The application has been assessed against the relevant provisions of the Douglas Shire Planning Scheme 2018 v1.0, with detailed assessment undertaken against the Low Density Residential Zone Code, Coastal Environment Overlay Code and the Flood and Storm Tide Hazard Overlay Code. This assessment demonstrates that the proposed development appropriately addresses the applicable Performance Outcomes, maintains residential amenity, and responds sensitively to the established coastal residential character of Rankin Street and the surrounding Newell Beach locality.

The proposed works are consistent with the established pattern of coastal residential development in the area and do not result in vegetation clearing, bulk earthworks, or increased demand on existing infrastructure. The scale, form and siting of the development ensure that potential impacts on adjoining properties and the public realm are appropriately managed.

Aspire Town Planning and Project Services considers the proposed development to represent a reasonable, low-impact and well-considered outcome that is consistent with the intent and outcomes of the Planning Scheme. Should Council require any further information during the assessment process, we would be pleased to assist. It is respectfully requested that Council consider issuing draft conditions on a 'without prejudice' basis prior to issuing the final Decision Notice, to support an efficient and collaborative assessment process.

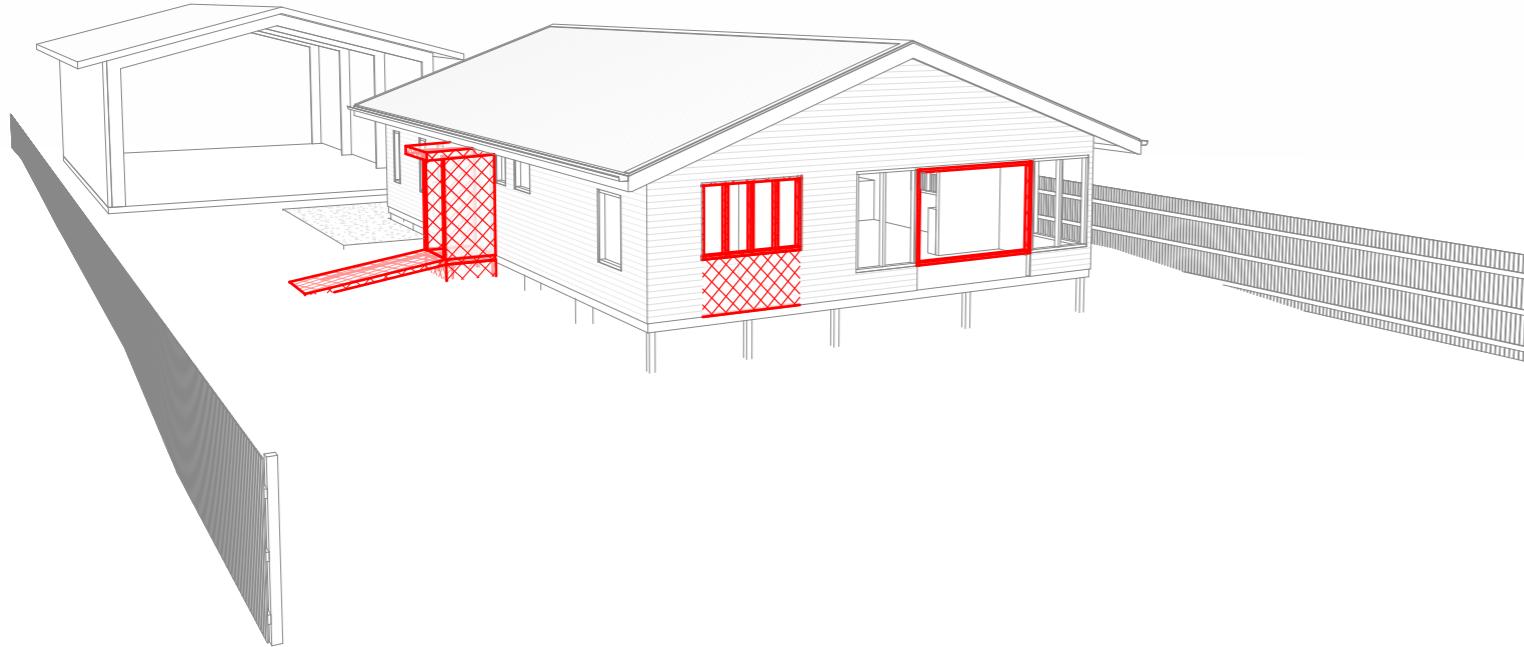
We thank Council for its consideration of this Development Application.

# **Attachment 1**

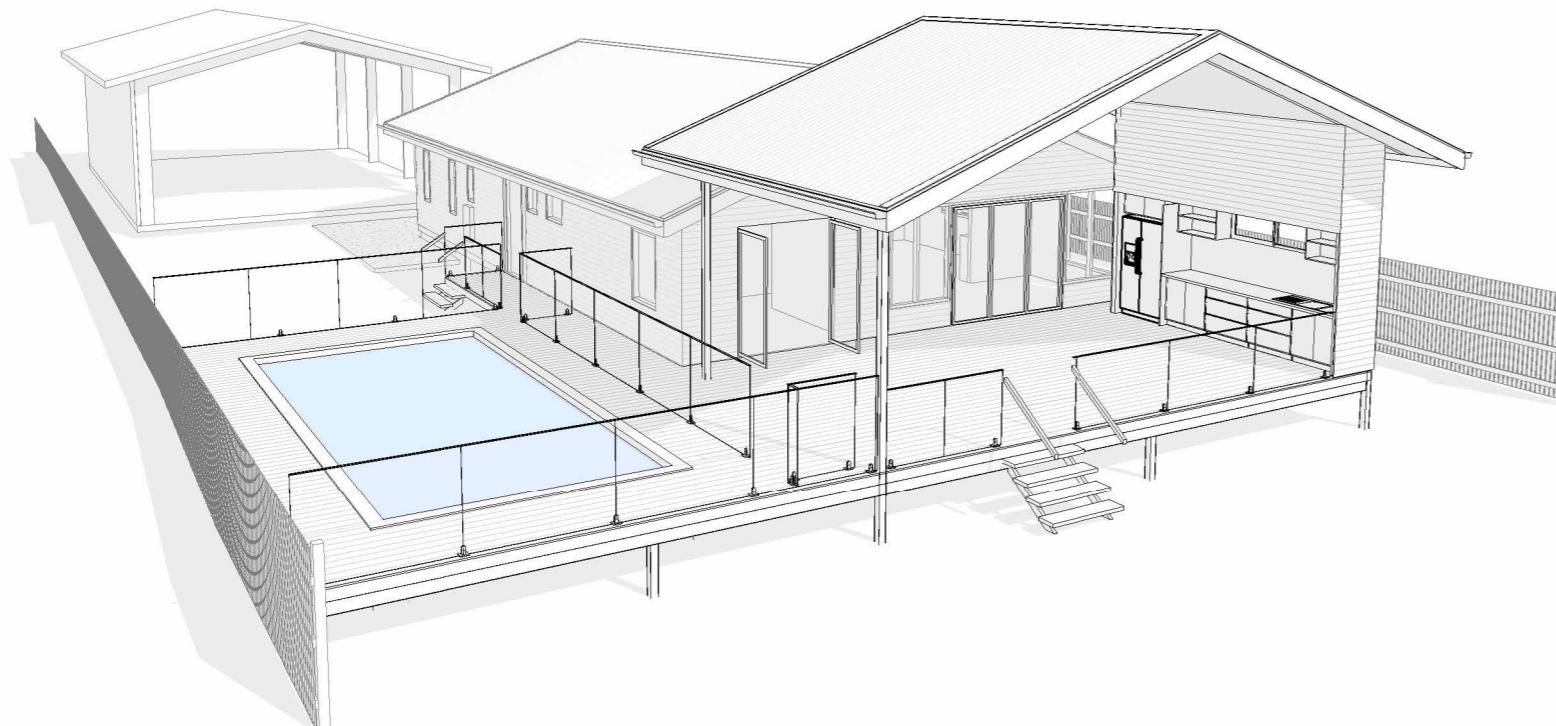
## **Proposal Plans**

# EXISTING DWELLING - PROPOSED DECK AND POOL

24 RANKIN ST, NEWELL BEACH



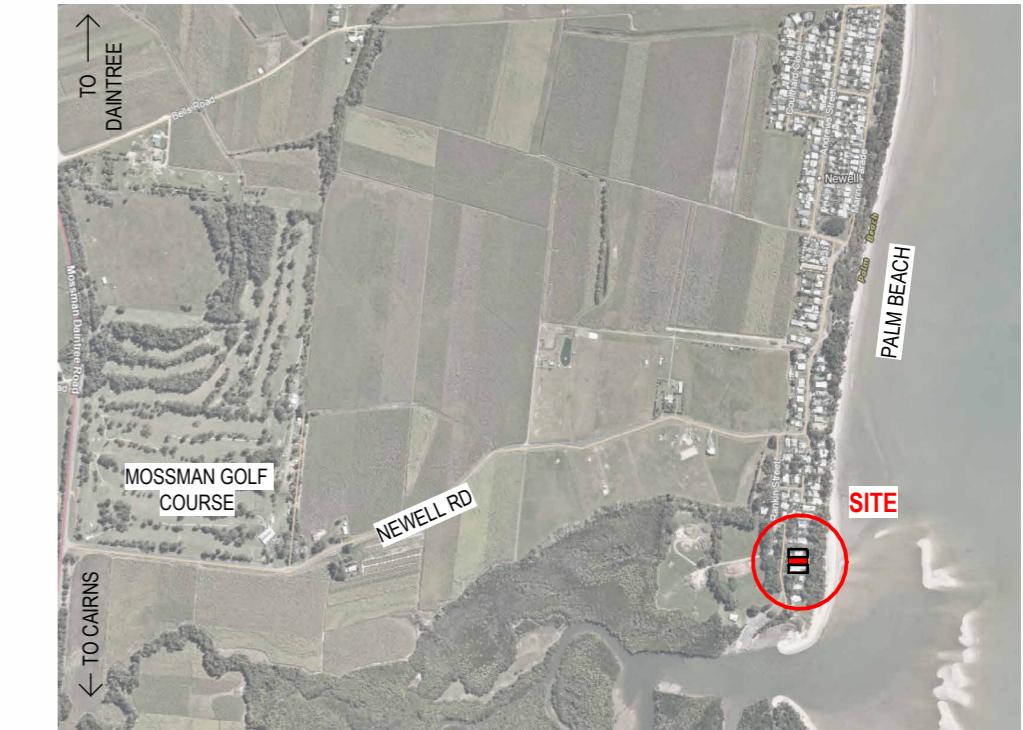
**3D VIEW - EXISTING**



**3D VIEW - PROPOSED**

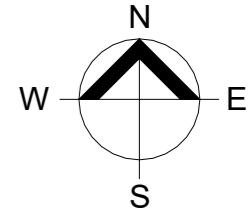
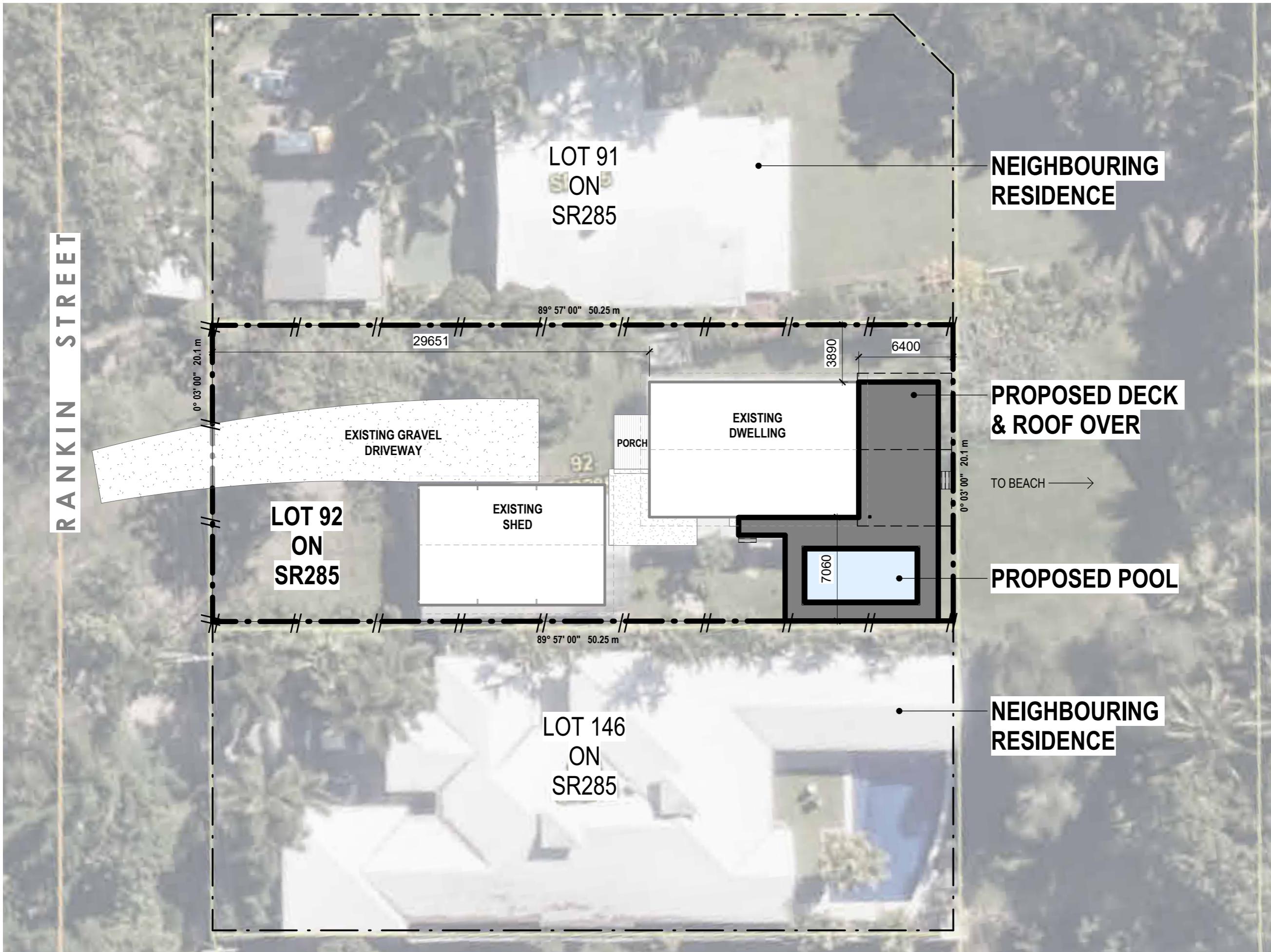
## DRAWING LIST

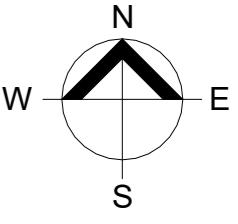
- A000 COVER SHEET AND LOCALITY PLAN
  - A100 SITE PLAN
  - A200 FLOOR PLAN - EXISTING & DEMO PLAN
  - A202 FLOOR PLAN - PROPOSED
  - A220 ROOF PLAN
  - A300 ELEVATIONS - PROPOSED
- REFER ALSO TO STRUCTURAL DRAWINGS



**LOCALITY PLAN**

1 : 20000

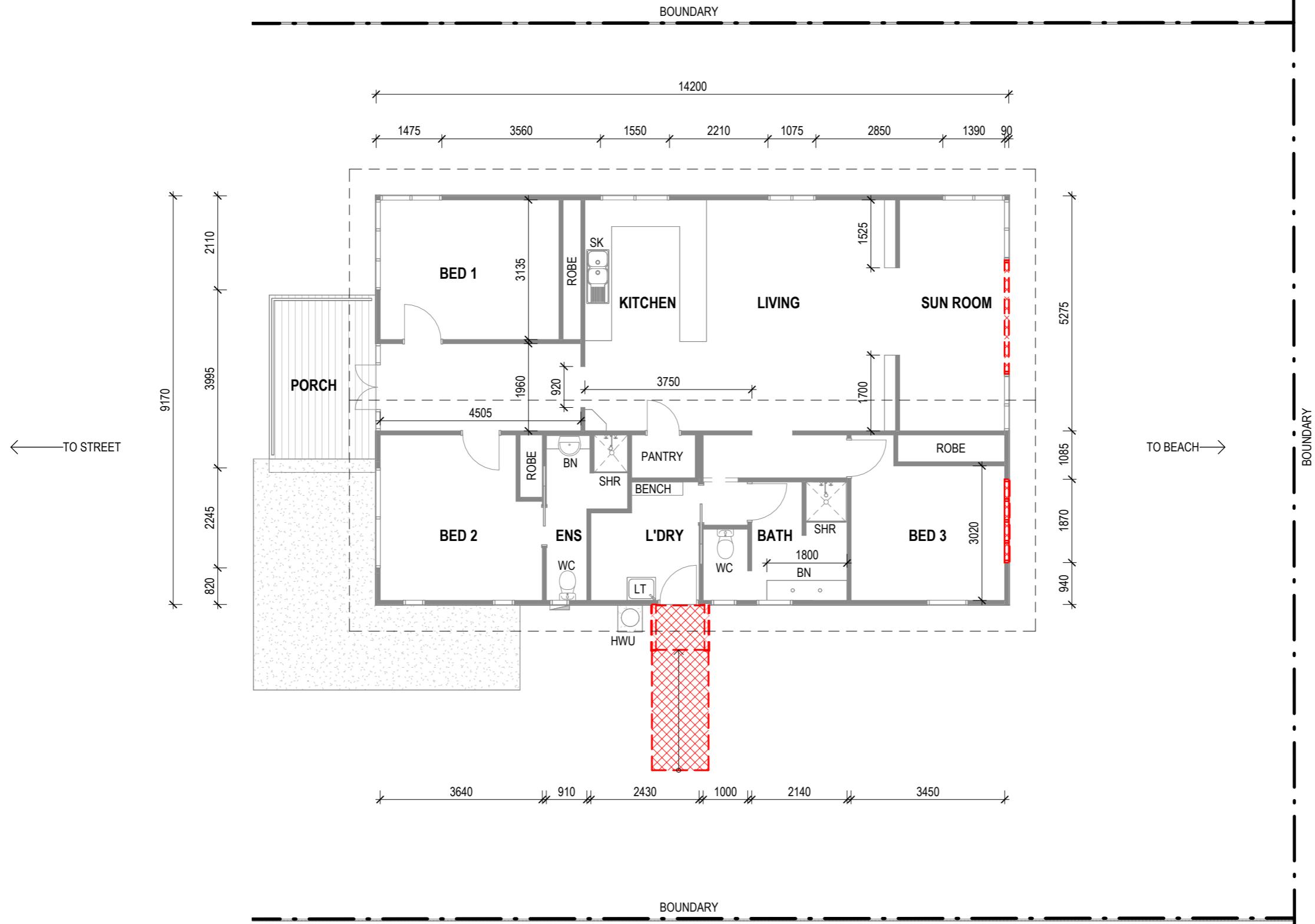




### LEGEND

BAL	BALUSTRADE
BN	BASIN
CMP	CARPET
COL	COLUMN - REFER STRUCTURAL
HWU	HOT WATER UNIT
LT	LAUNDRY TUB
RND	RENDER
RSH	ROOF SHEETING
SHR	SHOWER
SK	SINK
WC	WC

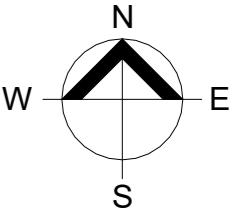
### LEGEND - WORKS



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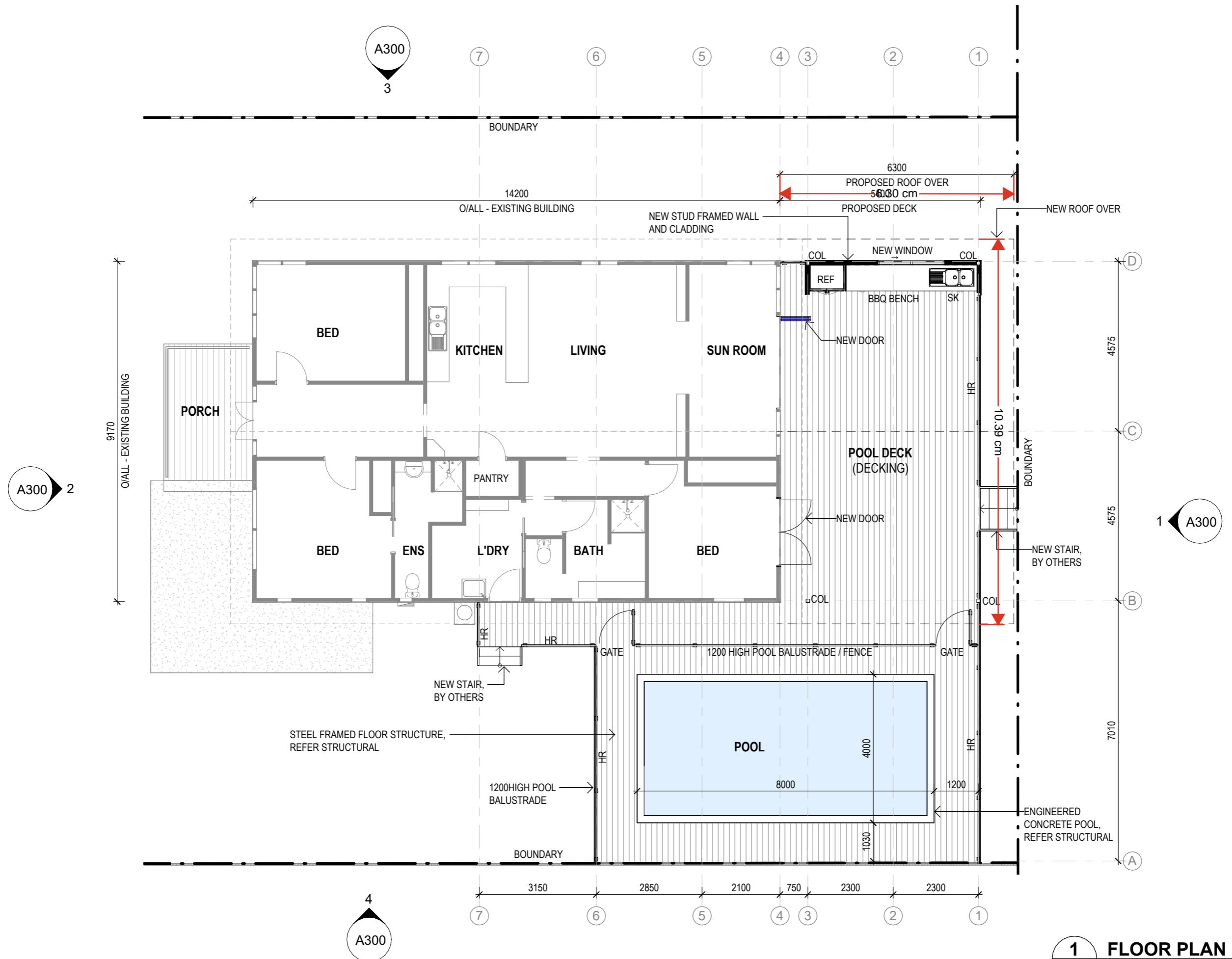
FLOOR PLAN - EXISTING & DEMOLITION

SCALE - 1 : 100



## LEGEND

BAL	BALUSTRADE
BN	BASIN
CF	CONCRETE FINISH
CMP	CARPET
COL	COLUMN - REFER STRUCTURAL
CPD	CUPBOARD
HR	<varies>
HWU	HOT WATER UNIT
LT	LAUNDRY TUB
MIR	
OHC	OVERHEAD CUPBOARD
REF	REFRIGERATOR
RND	RENDER
RSH	ROOF SHEETING
SHR	SHOWER
SK	SINK
W	WINDOW
WC	WC



**1** **FLOOR PLAN - PROPOSED**  
- SCALE - 1 : 100

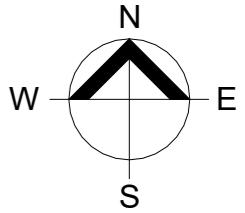
AMENDMENTS  
1 COORDINATION ISSUE  
2 FOR APPROVAL

DATE  
08/11/20  
29/11/20

SCALE 1 : 100 SIZE A  
5 DATE 09/07/25

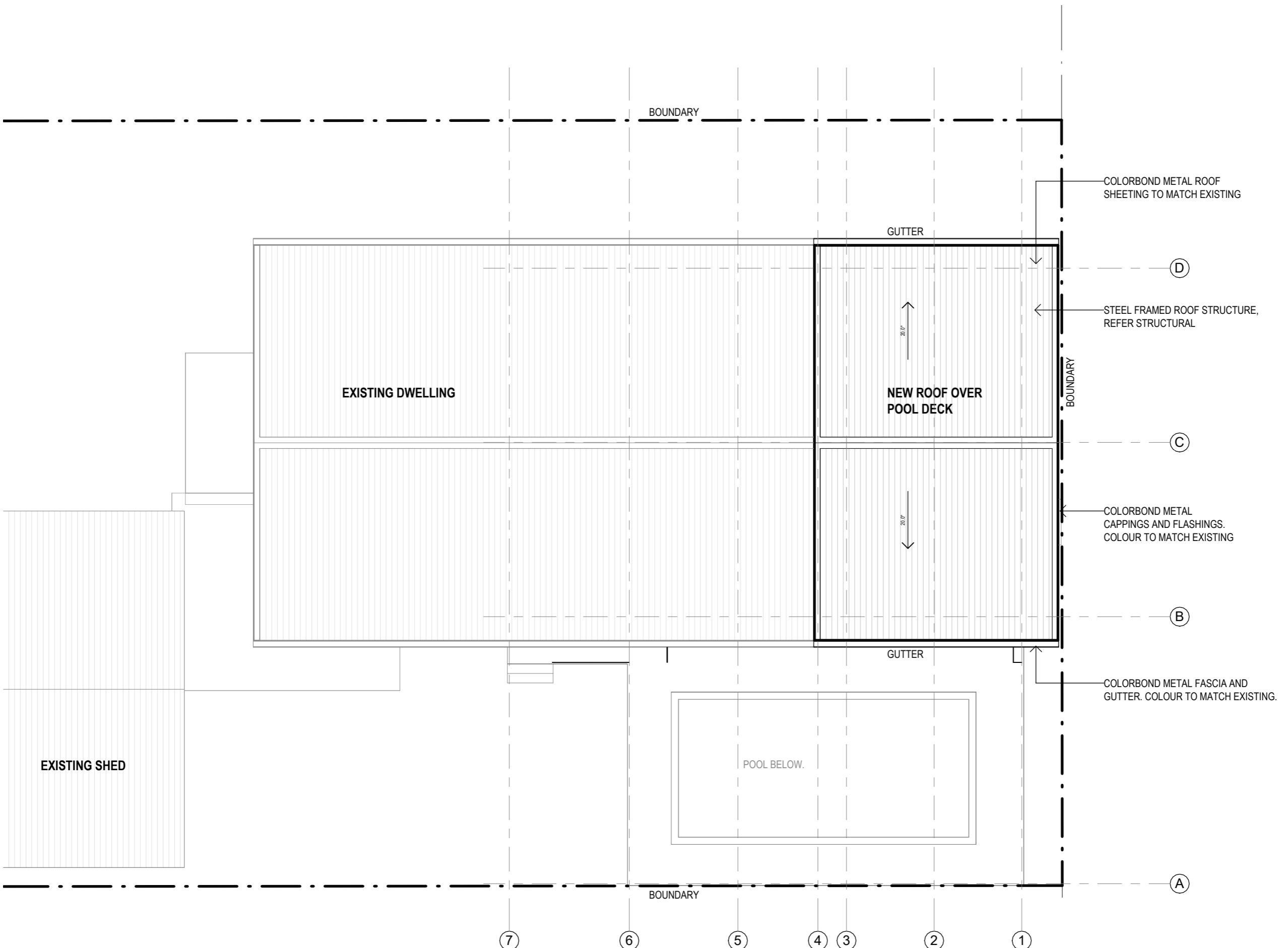
DWG  
**FLOOR PLAN - PROPOSED**  
DWG No.  
**A202**

**PROJECT PROPOSED DECK & POOL  
24 RANKIN ST, NEWELL BEACH  
FOR D. ANKERS**

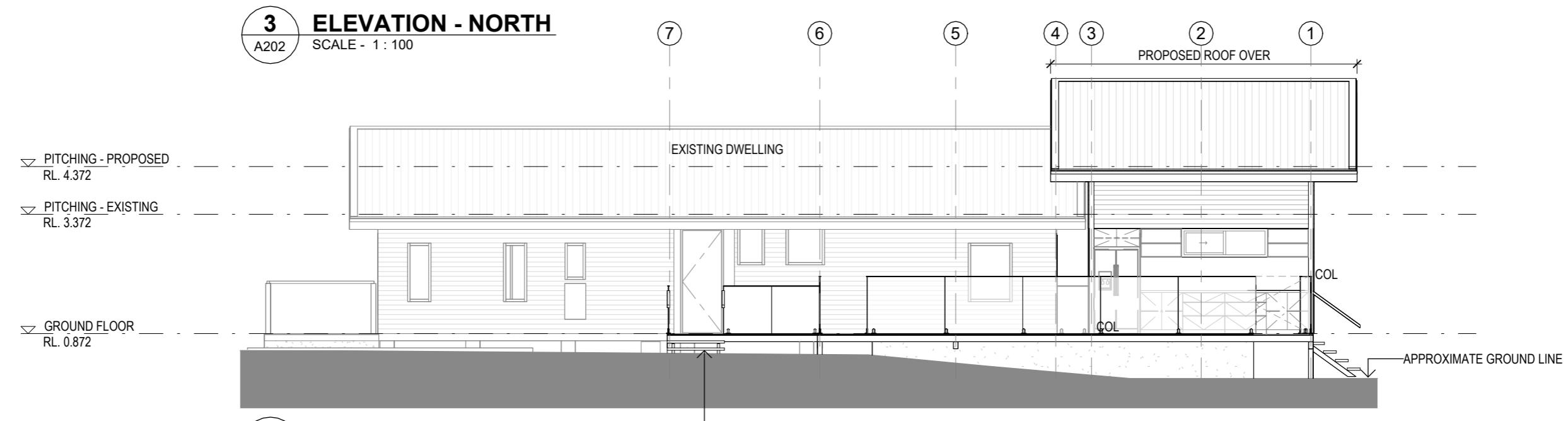
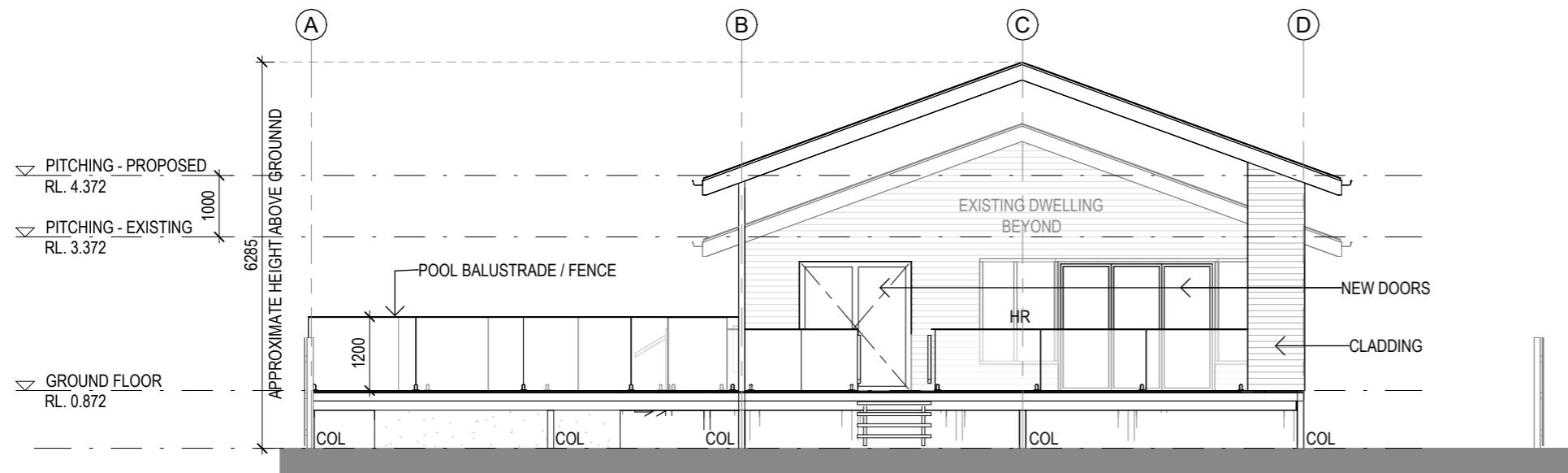


### LEGEND

BN	BASIN
CF	CONCRETE FINISH
CMP	CARPET
COL	COLUMN - REFER STRUCTURAL
CPD	CUPBOARD
DRW	DRAWERS
LT	LAUNDRY TUB
MIR	
OHC	OVERHEAD CUPBOARD
OHS	OVERHEAD SHELF
REF	REFRIGERATOR
RSH	ROOF SHEETING
SHR	SHOWER
SK	SINK
W	WINDOW
WC	WC



1 ROOF PLAN  
SCALE - 1 : 100



# **Attachment 2**

## **Code Assessment**

## 6.2.6 Low density residential zone code

### 6.2.6.1 Application

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

### 6.2.6.2 Purpose

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

## Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> The height of all buildings and structures must be in keeping with the residential character of the area.	<b>AO1</b> Buildings and structures are not more than 8.5 metres and two storeys in height.  Note – Height is inclusive of the roof height.	<b>Complies with AO1.</b> The proposed pool and roofed deck are low-scale, domestic structures ancillary to an existing dwelling house. The roofed deck is single storey in form and well below the maximum height of 8.5 metres (approximately 6.285 metres, refer to <i>Attachment 1 – Proposal Plans</i> ). The scale and height of the proposed structures are consistent with the established low-density residential character of the Newell Beach locality and therefore satisfy the intent of PO1 and the requirements of AO1.
<b>For assessable development</b>		
<b>PO2</b> The establishment of uses is consistent with the outcomes sought for the Low density residential zone and protects the zone from the intrusion of inconsistent uses.	<b>AO2</b> Uses identified in Table 6.2.6.3.b are not established in the Low density residential zone.	<b>Not Applicable.</b>
<b>PO3</b> The setback of buildings and structures: (a) maintains the amenity of adjoining lots and the residential character of the area; achieves separation from neighbouring buildings and frontages.	<b>AO3</b> No acceptable outcomes are prescribed.	<b>Not Applicable.</b>

Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO4</b> Development is located, designed, operated and managed to respond to the natural characteristics, features and constraints of the site and surrounds.</p> <p>Note – Planning scheme policy – Site assessments provides guidance on identifying the characteristics and features and constraints of a site and its surrounds.</p>	<p><b>AO4</b> No acceptable outcomes are prescribed.</p>	<p><b>Not Applicable.</b></p>
<p><b>PO5</b> Development does not adversely affect the residential character and amenity of the area in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.</p>	<p><b>AO5</b> No acceptable outcomes are prescribed.</p>	<p><b>Not Applicable.</b></p>
<p><b>PO6</b> New lots contain a minimum area of : (a) 600m<sup>2</sup> (in sewered areas); (b) 1000m<sup>2</sup> (in unsewered areas).</p>	<p><b>AO6</b> No acceptable outcomes are prescribed.</p>	<p><b>Not Applicable.</b></p>
<p><b>PO7</b> New lots have a minimum road frontage of 15 metres.</p>	<p><b>AO7</b> No acceptable outcomes are prescribed.</p>	<p><b>Not Applicable.</b></p>
<p><b>PO8</b> New lots contain a 20m x 15m rectangle.</p>	<p><b>AO10</b> No acceptable outcomes are prescribed.</p>	<p><b>Not Applicable.</b></p>

Table 6.2.6.3.b - Inconsistent uses within the Low density residential zone

Inconsistent uses		
<ul style="list-style-type: none"> <li>Adult store</li> <li>Agricultural supplies store</li> <li>Air services</li> <li>Animal husbandry</li> </ul>	<ul style="list-style-type: none"> <li>Hospital</li> <li>Hotel</li> <li>Indoor sport and recreation</li> <li>Intensive animal industry</li> </ul>	<ul style="list-style-type: none"> <li>Permanent plantation</li> <li>Port services</li> <li>Renewable energy facility</li> <li>Research and technology industry</li> </ul>



<ul style="list-style-type: none"> <li>• Aquaculture</li> <li>• Bar</li> <li>• Brothel</li> <li>• Bulk landscape supplies</li> <li>• Car wash</li> <li>• Club</li> <li>• Crematorium</li> <li>• Cropping</li> <li>• Detention facility</li> <li>• Emergency services</li> <li>• Extractive industry</li> <li>• Food and drink outlet</li> <li>• Function facility</li> <li>• Funeral parlour</li> <li>• Garden centre</li> <li>• Hardware and trade supplies</li> <li>• High impact industry</li> </ul>	<ul style="list-style-type: none"> <li>• Intensive horticulture</li> <li>• Landing</li> <li>• Low impact industry</li> <li>• Major electricity infrastructure</li> <li>• Major sport, recreation and entertainment facility</li> <li>• Marine industry</li> <li>• Medium impact industry</li> <li>• Motor sport facility</li> <li>• Nature based tourism</li> <li>• Nightclub entertainment facility</li> <li>• Non-resident workforce accommodation</li> <li>• Office</li> <li>• Outdoor sales</li> <li>• Outstation</li> <li>• Parking station</li> </ul>	<ul style="list-style-type: none"> <li>• Resort complex</li> <li>• Roadside stall</li> <li>• Rooming accommodation</li> <li>• Rural industry</li> <li>• Rural workers accommodation</li> <li>• Service industry</li> <li>• Shop</li> <li>• Shopping Centre</li> <li>• Showroom</li> <li>• Special industry</li> <li>• Theatre</li> <li>• Transport depot</li> <li>• Veterinary services</li> <li>• Warehouse</li> <li>• Wholesale nursery</li> <li>• Winery</li> </ul>
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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.

## 8.2.3 Coastal environment overlay code

### 8.2.3.1 Application

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

### 8.2.3.2 Purpose

- (1) The purpose of the Coastal environment overlay code is to:
  - (a) implement the policy direction in the Strategic Framework, in particular:
    - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
    - (ii) Theme 2 Environment and landscape values: Element 3.5.4 Coastal zones;
    - (iii) Theme 3 Natural resource management: Element 3.6.2 Land and catchment management.
  - (b) enable an assessment of whether development is suitable on land within the Coastal processes sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) facilitate the protection of both coastal processes and coastal resources;
  - (b) facilitating coastal dependent development on the foreshore over other development;
  - (c) public access to the foreshore protects public safety;
  - (d) maintain the erosion prone area as a development free buffer zone (other than for coastal dependent, temporary or relocatable development);
  - (e) require redevelopment of existing permanent buildings or structures in an erosion prone area to avoid coastal erosion risks, manage coastal erosion risks through a strategy of planned retreat or mitigate coastal erosion risks;

- (f) require development to maintain or enhance natural processes and the protective function of landforms and vegetation that can mitigate risks associated with coastal erosion;
- (g) locate and design community infrastructure to maintain the required level of functionality during and immediately after a coastal hazard event.

#### Criteria for assessment

Table 8.2.3.3.a – Coastal environment overlay code – self-assessable and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> No works other than coastal protection works extend seaward of the coastal building line.	<p><b>AO1.1</b> Development (including all buildings and other permanent structures such as swimming pools and retaining walls) does not extend seaward of a coastal building line.</p> <p>Note – Coastal building lines are declared under the Coastal Protection and Management Act 1995 and are administered by the State Department of Environment and Heritage Protection.</p> <p><b>AO1.2</b> Coastal protection works are only undertaken as a last resort where coastal erosion presents an immediate threat to public safety or existing buildings or structures and the property cannot be relocated or abandoned.</p> <p><b>AO1.3</b> Coastal protection works are as far landward as practicable on the lot containing the property to the maximum extent reasonable.</p> <p><b>AO1.4</b> Coastal protection work mitigates any increase in the coastal hazard.</p>	<p><b>Complies with AO1.1.</b> There is no declared coastal building line applying to the subject site. The proposed pool and roofed deck do not extend seaward of any declared coastal building line. No coastal protection works are proposed. The development therefore satisfies AO1.1.</p> <p><b>AO1.2 – 1.4 Not Applicable.</b> The development does not involve coastal protection work.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<p><b>PO2</b> Where a coastal building line does not exist on a lot fronting the coast or a reserve adjoining the coast, development is setback to maintain the amenity and use of the coastal resource.</p>	<p><b>AO2</b> Where a coastal building line does not exist on a lot fronting the coast or a reserve adjoining the coast, development (including all buildings and structures such as swimming pools) and retaining walls are set back not less than 6 metres from the seaward boundary of the lot.</p>	<p><b>Does not Comply with AO2.</b> The proposed development does not comply with AO2, as the pool and roofed deck are located within 6 metres of the seaward boundary. Notwithstanding this, the proposal satisfies the intent of PO2 through its design response, siting and contextual integration.</p> <p>The proposed pool is partially sunken into the ground to minimise earthworks, and the roofed deck is designed as a lightweight, open-sided structure elevated on piers. This design minimises disturbance to natural ground levels, maintains permeability beneath the structure, and results in a low-impact interface with the coastal environment. The development is non-habitable in nature and is not integral to the primary dwelling house, allowing for potential future removal if required without compromising the ongoing residential use of the site.</p> <p>The area of the site in which the development is proposed is already cleared and has historically functioned as private open space. No removal of coastal vegetation, dune systems or natural coastal landforms is required to facilitate the works.</p> <p>Importantly, the proposed siting and form of development are consistent with the established pattern of residential development along this section of Rankin Street. Adjoining properties to the north and south contain substantial residential structures, including decks and pools, located at or immediately adjacent to their seaward boundaries. In this context, the proposed development does not represent an intensification of coastal encroachment, but rather reflects the prevailing built form character of the locality.</p> <p>On this basis, while AO2 is not achieved, the proposed development maintains the amenity and use of the coastal resource, responds appropriately to the coastal setting, and achieves the intent of PO2.</p>
<b>For assessable development</b>		

Performance outcomes	Acceptable outcomes	Applicant response
<b>Erosion prone areas</b>		
<b>PO3</b> Development identifies erosion prone areas (coastal hazards).	<b>AO3</b> No acceptable outcomes are prescribed.	<b>Not Applicable.</b>
<b>PO4</b> Erosion prone areas are free from development to allow for natural coastal processes.	<b>AO4.1</b> Development is not located within the Erosion prone area, unless it can be demonstrated that the development is for: <ul style="list-style-type: none"> <li>(a) community infrastructure where no suitable alternative location or site exists for this infrastructure; or</li> <li>(b) development that reflects the preferred development outcomes in accordance with the zoning of the site (i.e. in the Low density residential zone, a dwelling house is a preferred development outcome in accordance with the zoning of the site)</li> </ul>	<b>Not Applicable.</b>
	<b>AO4.2</b> Development involving existing permanent buildings and structures within an erosion prone area does not increase in intensity of its use by: <ul style="list-style-type: none"> <li>(a) adding additional buildings or structures; or</li> <li>(b) incorporating a land use that will result in an increase in the number of people or employees occupying the site.</li> </ul>	
<b>Coastal management districts</b>		
<b>PO5</b> Natural processes and protective functions of landforms and vegetation are maintained.	<b>PO5.1</b> Development within the coastal management district:	<b>Not Applicable.</b>

Performance outcomes	Acceptable outcomes	Applicant response
	<ul style="list-style-type: none"> <li data-bbox="680 250 1219 346">(a) maintains vegetation on coastal land forms where its removal or damage may: <ul style="list-style-type: none"> <li data-bbox="725 346 1219 441">(i) destabilise the area and increase the potential for coastal erosion, or</li> <li data-bbox="725 441 1219 536">(ii) interrupt the natural sediment trapping processes or dune or land building processes;</li> </ul> </li> <li data-bbox="680 536 1219 727">(b) maintains sediment volumes of dunes and near-shore coastal landforms, or where a reduction in sediment volumes cannot be avoided, increased risks to development from coastal erosion are mitigated by location, design and construction and operating standards;</li> <li data-bbox="680 727 1219 854">(c) minimises the need for erosion control structures or riverine hardening through location, design and construction standards;</li> <li data-bbox="680 854 1219 981">(d) maintains physical coastal processes outside the development footprint for the development, including longshore transport of sediment along the coast;</li> <li data-bbox="680 981 1219 1108">(e) reduces the risk of shoreline erosion for areas adjacent to the development footprint to the maximum extent feasible in the case of erosion control structures.</li> </ul>	

Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>PO5.2</b>  Where development proposes the construction of an erosion control structure:</p> <ul style="list-style-type: none"> <li>(a) it is demonstrated that it is the only feasible option for protecting permanent structures from coastal erosion; and</li> <li>(b) those permanent structures cannot be abandoned or relocated in the event of coastal erosion occurring</li> </ul> <p><b>PO5.3</b>  Development involving reclamation:</p> <ul style="list-style-type: none"> <li>(a) does not alter, or otherwise minimises impacts on, the physical characteristics of a waterway or the seabed near the reclamation, including flow regimes, hydrodynamic forces, tidal water and riverbank stability;</li> <li>(b) is located outside active sediment transport area, or otherwise maintains sediment transport processes as close as possible to their natural state;</li> <li>(c) ensures activities associated with the operation of the development maintain the structure and condition of vegetation communities and avoid wind and water run-off erosion.</li> </ul>	
<p><b>PO6</b>  Development avoids or minimises adverse impacts on coastal resources and their values to the maximum extent reasonable.</p>	<p><b>AO6.1</b>  Coastal protection work that is in the form of beach nourishment uses methods of placement suitable for the location that do not interfere with the long-term use of the locality, or natural values within or neighbouring the proposed placement site.</p> <p>And</p>	<p><b>Not Applicable.</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>AO6.2</b>            Marine development is located and designed to expand on or redevelop existing marine infrastructure unless it is demonstrated that it is not practicable to co-locate the development with existing marine infrastructure;</p> <p>and</p> <p><b>AO6.3</b>            Measures are incorporated as part of siting and design of the development to maintain or enhance water quality to achieve the environmental values and water quality objectives outlined in the Environmental Protection (Water) Policy 2009.</p> <p>and</p> <p><b>AO6.4</b>            Development avoids the disturbance of acid sulfate soils, or where it is demonstrated that this is not possible, the disturbance of acid sulfate soils is carefully managed to minimise and mitigate the adverse effects of disturbance on coastal resources.</p> <p>and</p> <p><b>AO6.4</b>            Design and siting of development protects and retains identified ecological values and underlying ecosystem processes within the development site to the greatest extent practicable.</p>	

Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO7</b> Development is to maintain access to and along the foreshore for general public access.</p>	<p><b>AO7.1</b> Development provides for regular access points for pedestrians including approved walking tracks, boardwalks and viewing platforms.</p> <p>and</p> <p><b>AO7.2</b> Development provides for regular access points for vehicles including approved roads and tracks.</p> <p>or</p> <p><b>AO7.3</b> Development demonstrates an alternative solution to achieve an equivalent standard of performance.</p>	<p><b>Not Applicable.</b></p>
<p><b>PO8</b> Public access to the coast is appropriately located, designed and operated.</p>	<p><b>AO8.1</b> Development maintains or enhances public access to the coast.</p> <p>or</p> <p><b>AO8.2</b> Development is located adjacent to state coastal land or tidal water and minimises and offsets any loss of access to and along the foreshore within 500 metres.</p> <p>or</p> <p><b>AO8.3</b> Development adjacent to state coastal land or tidal water demonstrates an alternative solution to achieve an equivalent standard and quality of access</p>	<p><b>Not Applicable.</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO9</b> Development adjacent to state coastal land or tidal water is located, designed and operated to:</p> <ul style="list-style-type: none"> <li>(a) maintain existing access to and along the foreshore;</li> <li>(b) minimise any loss of access to and along the foreshore, or</li> <li>(c) offset any loss of access to and along the foreshore by providing for enhanced alternative access in the general location.</li> </ul>	<p><b>AO9.1</b> Development adjacent to state coastal land or tidal water:</p> <ul style="list-style-type: none"> <li>(a) demonstrates that restrictions to public access are necessary for: <ul style="list-style-type: none"> <li>(i) the safe and secure operation of development;</li> <li>(ii) the maintenance of coastal landforms and coastal habitat; or</li> </ul> </li> <li>(b) maintains public access (including public access infrastructure that has been approved by the local government or relevant authority) through the site to the foreshore for: <ul style="list-style-type: none"> <li>(i) pedestrians via access points including approved walking tracks, boardwalks and viewing platforms;</li> <li>(ii) vehicles via access points including approved roads or tracks.</li> </ul> </li> </ul> <p><b>AO9.2</b> Development adjacent to state coastal land or tidal water:</p> <ul style="list-style-type: none"> <li>(a) is located and designed to: <ul style="list-style-type: none"> <li>(i) allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, for example through the provision of esplanades or easement corridors to preserve future access;</li> <li>(ii) ensure emergency vehicles can access the area near the development.</li> </ul> </li> </ul> <p>or</p>	<p><b>Not Applicable.</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(b) minimises and offsets any loss of access to and along the foreshore within 500m of existing access points and development is located and designed to:</p> <ul style="list-style-type: none"> <li>(i) allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, and</li> <li>(ii) ensure emergency vehicles can access the area near the development.</li> </ul>	
<p><b>AO10</b> Development that involves reconfiguring a lot for urban purposes adjacent to the coast is designed to ensure public access to the coast in consideration of public access demand from a whole-of-community basis and the maintenance of coastal landforms and coastal habitat.</p>	<p><b>AO10.1</b> Development complies if consideration of public access demand from a whole-of-community basis and the maintenance of coastal landforms and coastal habitat is undertaken.</p> <p>or</p> <p><b>AO10.2</b> Development demonstrates an alternative solution to achieve an equivalent standard and quality of access.</p>	<p><b>Not Applicable.</b></p>
<p><b>PO11</b> Development maintains public access to State coastal land by avoiding private marine development attaching to, or extending across, non-tidal State coastal land.</p>	<p><b>AO11</b> Private marine access structures and other structures such as decks or boardwalks for private use do not attach to or extend across State coastal land that is situated above high water mark</p>	<p><b>Not Applicable.</b></p>
<p><b>PO12</b> Development in connection with an artificial waterway enhances public access to coastal waters.</p>	<p><b>AO12</b> The artificial waterway avoids intersecting with or connection to inundated land or leased land where the passage, use or movement of vessels in water on the land could be restricted or prohibited by the registered proprietor of the inundated land or leased land.</p>	<p><b>Not Applicable.</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
<b>Coastal landscapes, views and vistas</b>		
<b>PO13</b> Development maintains and / or enhances natural coastal landscapes, views and vistas.	<b>AO13</b> No acceptable outcomes are prescribed.	<b>Not Applicable.</b>
<b>PO14</b> Coastal settlements are consolidated through the concentration of development within the existing urban areas through infill and conserving the natural state of the coastal area outside existing urban areas.	<b>AO14</b> No acceptable outcomes are prescribed.	<b>Not Applicable.</b>
<b>Private marine development</b>		
<b>PO15</b> Private marine development is to avoid attaching to, or extending across, non-tidal State coastal land.	<b>AO15</b> Private marine development and other structures such as decks or boardwalks for private use do not attach to, or extend across, State coastal land that is situated above high water mark.  Note – For occupation permits or allocations of State land, refer to the <i>Land Act 1994</i> .	<b>Not Applicable.</b>
<b>PO16</b> The location and design of private marine development does not adversely affect the safety of members of the public access to the foreshore.	<b>AO16</b> Private marine development does not involve the erection or placement of any physical barrier preventing existing access, along a public access way to the foreshores.	<b>Not Applicable.</b>
<b>PO17</b> Private marine development is of a height and scale and size compatible with the character and amenity of the location.	<b>AO17</b> Private marine development has regard to: (a) the height, scale and size of the natural features of the immediate surroundings and locality; (b) the height, scale and size of existing buildings or other structures in the immediate surroundings and the locality;	<b>Not Applicable.</b>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(c) if the relevant planning scheme states that desired height, scale or size of buildings or other structures in the immediate surroundings or locality – the stated desired height, scale or size.</p> <p>Note – The prescribed tidal works code in the <i>Coastal Protection and Management Regulation 2003</i> outlines design and construction requirements that must be complied with.</p>	
<p><b>PO18</b> Private marine development avoids adverse impacts on coastal landforms and coastal processes.</p>	<p><b>AO18</b> Private marine development does not require the construction of coastal protection works, shoreline or riverbank hardening or dredging for marine access.</p>	<p><b>Not Applicable.</b></p>
<b>For dry land marinas and artificial waterways</b>		
<p><b>PO19</b> Dry land marinas and artificial waterways:</p> <ul style="list-style-type: none"> <li>(a) avoid impacts on coastal resources;</li> <li>(b) do not contribute to the degradation of water quality;</li> <li>(c) do not increase the risk of flooding;</li> <li>(d) do not result in the degradation or loss of MSES;</li> <li>(e) do not result in an adverse change to the tidal prism of the natural waterway to which development is connected.</li> <li>(f) does not involve reclamation of tidal land other than for the purpose of: <ul style="list-style-type: none"> <li>(i) coastal dependent development, public marine development; or</li> <li>(ii) community infrastructure, where there is no feasible alternative; or</li> </ul> </li> </ul>	<p><b>AO19</b> No acceptable solutions are prescribed.</p>	<p><b>Not Applicable.</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
<ul style="list-style-type: none"> <li data-bbox="271 250 826 346">(iii) strategic ports, boat harbours or strategic airports and aviation facilities in accordance with a statutory land use plan; or</li> <li data-bbox="271 366 826 462">(iv) coastal protection works or works necessary to protect coastal resources and processes.</li> </ul>		

## 8.2.4 Flood and storm tide hazard overlay code

### 8.2.4.1 Application

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

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

### 8.2.4.2 Purpose

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



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

### Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<p><b>PO1</b>  Development is located and designed to:  ensure the safety of all persons;  minimise damage to the development and contents of buildings;  provide suitable amenity;  minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events.</p> <p>Note – For assessable development within the flood plain assessment sub-category, a flood study by a suitably qualified professional is required to identify compliance with the intent of the acceptable outcome.</p>	<p><b>AO1.1</b>  Development is sited on parts of the land that is not within the Flood and Storm tide hazards overlay maps contained in Schedule 2;  or  For dwelling houses,</p> <p><b>AO1.2</b>  Development within the Flood and Storm Tide hazards overlay maps (excluding the Flood plain assessment sub-category) is designed to provide immunity to the Defined Inundation Event as outlined within Table 8.2.4.3.b plus a freeboard of 300mm.</p>	<p><b>Does not comply with AO1.1 and AO1.3(a).</b>  The proposed development does not comply with AO1.1 and AO1.3(a) as the site is located within the Flood and Storm Tide Hazard Overlay. Notwithstanding this, the proposal satisfies the intent of Performance Outcome PO1.</p> <p>The development comprises a non-habitable swimming pool and roofed outdoor deck ancillary to an existing dwelling house. The deck is elevated on piers and designed as an open-sided, lightweight structure, allowing floodwaters to pass beneath without obstruction and minimising potential damage.</p> <p>The works do not introduce habitable floor area, sleeping accommodation, or essential services and therefore do not increase risk to occupants during flood or storm tide events. The development does not affect evacuation routes, flood behaviour, or emergency access.</p>

Performance outcomes	Acceptable outcomes	Applicant response
		<p>Given the nature, scale and design of the proposal, the development ensures the safety of persons, minimises damage and recovery impacts, and satisfies Performance Outcome PO1.</p> <p><b>AO1.2, AO1.3(b) &amp; (c) and AO1.4 Not Applicable.</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>AO1.3</b>            New buildings are:            (a) not located within the overlay area;            (b) located on the highest part of the site to minimise entrance of flood waters;            (c) provided with clear and direct pedestrian and vehicle evacuation routes off the site.</p> <p><b>AO1.4</b>            In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.</p>	
<b>For assessable development</b>		
<p><b>PO2</b>            The development is compatible with the level of risk associated with the natural hazard.</p>	<p><b>AO2</b>            The following uses are not located in land inundated by the Defined Flood Event (DFE) / Storm tide:            (a) Retirement facility;            (b) Community care facility;            (c) Child care centre.</p>	<p><b>Not Applicable.</b></p>
<p><b>PO3</b>            Development siting and layout responds to flooding potential and maintains personal safety</p>	<p>For Material change of use</p> <p><b>AO3.1</b>            New buildings are:            (a) not located within the overlay area;            (b) located on the highest part of the site to minimise entrance of flood waters;            (c) provided with clear and direct pedestrian and vehicle evacuation routes off the site.</p> <p>or</p> <p><b>AO3.2</b></p>	<p><b>Not Applicable.</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>The development incorporates an area on site that is at least 300mm above the highest known flood inundation level with sufficient space to accommodate the likely population of the development safely for a relatively short time until flash flooding subsides or people can be evacuated.</p> <p>or</p> <p><b>AO3.3</b> Where involving an extension to an existing dwelling house that is situated below DFE /Storm tide, the maximum size of the extension does not exceed 70m<sup>2</sup> gross floor area.</p> <p>Note – If part of the site is outside the Hazard Overlay area, this is the preferred location of all buildings.</p> <p>For Reconfiguring a lot</p> <p><b>AO3.4</b> Additional lots:</p> <ul style="list-style-type: none"> <li>(a) are not located in the hazard overlay area; or</li> <li>(b) are demonstrated to be above the flood level identified for the site.</li> </ul> <p>Note - If part of the site is outside the Hazard Overlay area, this is the preferred location for all lots (excluding park or other open space and recreation lots).</p> <p>Note – Buildings subsequently developed on the lots will need to comply with the relevant building assessment provisions under the <i>Building Act 1975</i>.</p> <p><b>AO3.5</b></p>	

Performance outcomes	Acceptable outcomes	Applicant response
	<p>Road and/or pathway layout ensures residents are not physically isolated from adjacent flood free urban areas and provides a safe and clear evacuation route path:</p> <ul style="list-style-type: none"> <li>(a) by locating entry points into the reconfiguration above the flood level and avoiding culs-de-sac or other non-permeable layouts; and</li> <li>(b) by direct and simple routes to main carriageways.</li> </ul> <p><b>AO3.6</b> Signage is provided on site (regardless of whether the land is in public or private ownership) indicating the position and path of all safe evacuation routes off the site and if the site contains, or is within 100m of a floodable waterway, hazard warning signage and depth indicators are also provided at key hazard points, such as at floodway crossings or entrances to low-lying reserves.</p> <p>or</p> <p><b>AO3.7</b> There is no intensification of residential uses within the flood affected areas on land situated below the DFE/Storm tide.</p>	

Performance outcomes	Acceptable outcomes	Applicant response
	<p>For Material change of use (Residential uses)</p> <p><b>AO3.8</b></p> <p>The design and layout of buildings used for residential purposes minimise risk from flooding by providing:</p> <p>(a) parking and other low intensive, non-habitable uses at ground level;</p> <p>Note - The high-set 'Queenslander' style house is a resilient low-density housing solution in floodplain areas. Higher density residential development should ensure only non-habitable rooms (e.g. garages, laundries) are located on the ground floor.</p>	
<p><b>PO4</b></p> <p>Development is resilient to flood events by ensuring design and built form account for the potential risks of flooding.</p>	<p>For Material change of use (Non-residential uses)</p> <p><b>AO4.2</b></p> <p>Non residential buildings and structures allow for the flow through of flood waters on the ground floor.</p> <p>Note - Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p> <p>Note - The relevant building assessment provisions under the <i>Building Act 1975</i> apply to all building work within the Hazard Area and need to take into account the flood potential within the area.</p> <p><b>AO4.3</b></p> <p>Materials are stored on-site:</p> <p>(a) are those that are readily able to be moved in a flood event;</p> <p>(b) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood.</p> <p>Notes -</p> <p>(a) Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p>	<p><b>Not Applicable.</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO5</b> Development directly, indirectly and cumulatively avoids any increase in water flow velocity or flood level and does not increase the potential flood damage either on site or on other properties.</p> <p>Note – Berms and mounds are considered to be an undesirable built form outcome and are not supported.</p>	<p>(b) Queensland Government Fact Sheet 'Repairing your House after a Flood' provides information about water resilient products and building techniques.</p> <p>For Operational works</p> <p><b>AO5.1</b> Works in urban areas associated with the proposed development do not involve:</p> <ul style="list-style-type: none"> <li>(a) any physical alteration to a watercourse or floodway including vegetation clearing; or</li> <li>(b) a net increase in filling (including berms and mounds).</li> </ul> <p><b>AO5.2</b> Works (including buildings and earthworks) in non urban areas either:</p> <ul style="list-style-type: none"> <li>(a) do not involve a net increase in filling greater than 50m<sup>3</sup>; or</li> <li>(b) do not result in any reductions of on-site flood storage capacity and contain within the subject site any changes to depth/duration/velocity of flood waters;</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>(c) do not change flood characteristics outside the subject site in ways that result in: <ul style="list-style-type: none"> <li>(i) loss of flood storage;</li> <li>(ii) loss of/changes to flow paths;</li> <li>(iii) acceleration or retardation of flows or any reduction in flood warning times elsewhere on the flood plain.</li> </ul> </li> </ul>	<p><b>Not Applicable.</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>For Material change of use</p> <p><b>AO5.3</b> Where development is located in an area affected by DFE/Storm tide, a hydraulic and hydrology report, prepared by a suitably qualified professional, demonstrates that the development maintains the flood storage capacity on the subject site; and</p> <ul style="list-style-type: none"> <li>(a) does not increase the volume, velocity, concentration of flow path alignment of stormwater flow across sites upstream, downstream or in the general vicinity of the subject site; and</li> <li>(b) does not increase ponding on sites upstream, downstream or in the general vicinity of the subject site.</li> </ul> <p>For Material change of use and Reconfiguring a lot</p> <p><b>AO5.4</b> In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.</p> <p>Note – Fences and irrigation infrastructure (e.g. irrigation tape) in rural areas should be managed to minimise adverse the impacts that they may have on downstream properties in the event of a flood.</p>	
<p><b>PO6</b> Development avoids the release of hazardous materials into floodwaters.</p>	<p>For Material change of use</p> <p><b>AO6.1</b> Materials manufactured or stored on site are not hazardous or noxious, or comprise materials that may cause a detrimental effect on the environment if discharged in a flood event;</p>	<p><b>Not Applicable.</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>or</p> <p><b>AO6.2</b> If a DFE level is adopted, structures used for the manufacture or storage of hazardous materials are:</p> <ul style="list-style-type: none"> <li>(a) located above the DFE level;</li> <li>or</li> <li>(b) designed to prevent the intrusion of floodwaters.</li> </ul> <p><b>AO6.3</b> Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE.</p> <p><b>AO6.4</b> If a flood level is not adopted, hazardous materials and their manufacturing equipment are located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of floodwaters.</p> <p>Note – Refer to <i>Work Health and Safety Act 2011</i> and associated Regulation and Guidelines, the <i>Environmental Protection Act 1994</i> and the relevant building assessment provisions under the <i>Building Act 1975</i> for requirements related to the manufacture and storage of hazardous materials.</p>	
<p><b>PO7</b> The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.</p>	<p><b>AO7</b> Development does not:</p> <ul style="list-style-type: none"> <li>(a) increase the number of people calculated to be at risk of flooding;</li> <li>(b) increase the number of people likely to need evacuation;</li> <li>(c) shorten flood warning times; and</li> </ul>	<p><b>Not Applicable.</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO8</b>  Development involving community infrastructure:  (a) remains functional to serve community need during and immediately after a flood event;  is designed, sited and operated to avoid adverse impacts on the community or environment due to impacts of flooding on infrastructure, facilities or access and egress routes;  retains essential site access during a flood event;  is able to remain functional even when other infrastructure or services may be compromised in a flood event.</p>	<p>(d) impact on the ability of traffic to use evacuation routes, or unreasonably increase traffic volumes on evacuation routes.</p> <p><b>AO8.1</b>  The following uses are not located on land inundated during a DFE/Storm tide:  (a) community residence; and  (b) emergency services; and  (c) residential care facility; and  (d) utility installations involving water and sewerage treatment plants; and  (e) storage of valuable records or items of historic or cultural significance (e.g. archives, museums, galleries, libraries).</p> <p>or</p> <p><b>AO8.2</b>  The following uses are not located on land inundated during a 1% AEP flood event:  (a) community and cultural facilities, including facilities where an education and care service under the Education and care Services National law (Queensland) is operated or child care service under the <i>Child Care Act 2002</i> is conducted,  (b) community centres;  (c) meeting halls;  (d) galleries;  (e) libraries.</p>	<p><b>Not Applicable.</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>The following uses are not located on land inundated during a 0.5% AEP flood event.</p> <ul style="list-style-type: none"> <li>(a) emergency shelters;</li> <li>(b) police facilities;</li> <li>(c) sub stations;</li> <li>(d) water treatment plant</li> </ul> <p>The following uses are not located on land inundated during a 0.2% AEP flood event:</p> <ul style="list-style-type: none"> <li>(a) correctional facilities;</li> <li>(b) emergency services;</li> <li>(c) power stations;</li> <li>(d) major switch yards.</li></ul> <p>and/or</p> <p><b>AO8.3</b> The following uses have direct access to low hazard evacuation routes as defined in</p> <p>Table 8.2.4.3.c :</p> <ul style="list-style-type: none"> <li>(a) community residence; and</li> <li>(b) emergency services; and</li> <li>(c) hospitals; and</li> <li>(d) residential care facility; and</li> <li>(e) sub stations; and</li> <li>(f) utility installations involving water and sewerage treatment plants.</li> </ul> <p><b>AO8.4</b> Any components of infrastructure that are likely to fail to function or may result in contamination when inundated by flood, such as electrical switch gear and</p>	

Performance outcomes	Acceptable outcomes	Applicant response
	<p>motors, telecommunications connections, or water supply pipeline air valves are:</p> <p>(a) located above DFE/Storm tide or the highest known flood level for the site;</p> <p>(b) designed and constructed to exclude floodwater intrusion / infiltration.</p> <p><b>AO8.5</b> Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by a flood.</p>	

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

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

Table 8.2.4.3.c - Degree of flood

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

Note: The evacuation times for various facilities or areas would (but not necessarily) be included in the Counter Disaster Plan.

Generally safe wading conditions assume even walking surfaces and no obstructions, steps, soft underfoot etc.