

15 January 2025



Town Planning and Project Services

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

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

**RE: DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE (DWELLING HOUSE)
OVER LAND AT CAPTAIN COOK HIGHWAY, MOWBRAY, MORE FORMALLY DESCRIBED AS
LOT 1 ON SP270340**

Aspire Town Planning and Project Services act on behalf of Mark Neil Pollard and Carmen Monique Dixon (the 'Applicant' and the 'Land Owner') in relation to the above described Development Application.

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

As such please find enclosed the following documentation associated with this Development Application:

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

The relevant Application Fee is calculated to be **\$358.00** under the Douglas Shire Council Fees and Charges Schedule for Years 2024/2025. It is respectfully requested that Council issue an Invoice, so the fee can be paid directly by the Applicant.

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

Regards,

Daniel Favier
Senior Town Planner
ASPIRE Town Planning and Project Services

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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)	Mark Neil Pollard and Carmen Monique Dixon
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)	2025-01-01 - Pollard - 1L Captain Cook Highway, Mowbray

1.1) Home-based business

☐ Personal details to remain private in accordance with section 264(6) of *Planning Act 2016*

2) Owner's consent

2.1) Is written consent of the owner required for this development application?

- ☐ Yes – the written consent of the owner(s) is attached to this development application
☒ No – proceed to 3)

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
			Captain Cook Highway	Mowbray
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	1	SP270340	Douglas Shire
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

3.2) Coordinates of premises (appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land e.g. channel dredging in Moreton Bay)

Note: Place each set of coordinates in a separate row.

- ☐ Coordinates of premises by longitude and latitude

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

- ☐ Coordinates of premises by easting and northing

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

3.3) Additional premises

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

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

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

Name of port authority for tidal area (if applicable)

<input type="checkbox"/> On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>
Name of airport: <input type="text"/>
<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification: <input type="text"/>
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>
CLR site identification: <input type="text"/>

5) Are there any existing easements over the premises?

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

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

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

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

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

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

c) What is the level of assessment?

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

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

Single Dwelling House and Ancillary Shed

e) Relevant plans

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

- ☒ Relevant plans of the proposed development are attached to the development application

6.2) Provide details about the second development aspect

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

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

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

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

c) What is the level of assessment?

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

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

e) Relevant plans

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

- ☐ Relevant plans of the proposed development are attached to the development application

6.3) Additional aspects of development

- ☐ Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application
- ☒ Not required

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 checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use

Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
Single residential dwelling including ancillary shed	Dwelling House	NA	NA

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?

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

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

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				

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

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

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

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

Division 3 – Operational work

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

14.1) What is the nature of the operational work?		
<input type="checkbox"/> Road work <input type="checkbox"/> Drainage work <input type="checkbox"/> Landscaping <input type="checkbox"/> Other – please specify:	<input type="checkbox"/> Stormwater <input type="checkbox"/> Earthworks <input type="checkbox"/> Signage	<input type="checkbox"/> Water infrastructure <input type="checkbox"/> Sewage infrastructure <input type="checkbox"/> Clearing vegetation
14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)		
<input type="checkbox"/> Yes – specify number of new lots:		
<input type="checkbox"/> No		

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

\$

PART 4 – ASSESSMENT MANAGER DETAILS

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

Douglas Shire Council

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

- ☐ 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

<input type="checkbox"/> SEQ northern inter-urban break – tourist activity or sport and recreation activity <input type="checkbox"/> SEQ northern inter-urban break – community activity <input type="checkbox"/> SEQ northern inter-urban break – indoor recreation <input type="checkbox"/> SEQ northern inter-urban break – urban activity <input type="checkbox"/> SEQ northern inter-urban break – combined use <input type="checkbox"/> Tidal works or works in a coastal management district <input type="checkbox"/> Reconfiguring a lot in a coastal management district or for a canal <input type="checkbox"/> Erosion prone area in a coastal management district <input type="checkbox"/> Urban design <input type="checkbox"/> Water-related development – taking or interfering with water <input type="checkbox"/> Water-related development – removing quarry material <i>(from a watercourse or lake)</i> <input type="checkbox"/> Water-related development – referable dams <input type="checkbox"/> Water-related development – levees <i>(category 3 levees only)</i> <input type="checkbox"/> Wetland protection area
Matters requiring referral to the local government: <input type="checkbox"/> Airport land <input type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA has been devolved to local government)</i> <input type="checkbox"/> Heritage places – Local heritage places
Matters requiring referral to the Chief Executive of the distribution entity or transmission entity: <input type="checkbox"/> Infrastructure-related referrals – Electricity infrastructure
Matters requiring referral to: <ul style="list-style-type: none"> • The Chief Executive of the holder of the licence, if not an individual • The holder of the licence, if the holder of the licence is an individual <input type="checkbox"/> Infrastructure-related referrals – Oil and gas infrastructure
Matters requiring referral to the Brisbane City Council: <input type="checkbox"/> Ports – Brisbane core port land
Matters requiring referral to the Minister responsible for administering the Transport Infrastructure Act 1994: <input type="checkbox"/> Ports – Brisbane core port land <i>(where inconsistent with the Brisbane port LUP for transport reasons)</i> <input type="checkbox"/> Ports – Strategic port land
Matters requiring referral to the relevant port operator, if applicant is not port operator: <input type="checkbox"/> Ports – Land within Port of Brisbane's port limits <i>(below high-water mark)</i>
Matters requiring referral to the Chief Executive of the relevant port authority: <input type="checkbox"/> Ports – Land within limits of another port <i>(below high-water mark)</i>
Matters requiring referral to the Gold Coast Waterways Authority: <input type="checkbox"/> Tidal works or work in a coastal management district <i>(in Gold Coast waters)</i>
Matters requiring referral to the Queensland Fire and Emergency Service: <input type="checkbox"/> Tidal works or work in a coastal management district <i>(involving a marina (more than six vessel berths))</i>

18) Has any referral agency provided a referral response for this development application?		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application <input checked="" type="checkbox"/> No		
Referral requirement	Referral agency	Date of referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and this development application, or include details in a schedule to this development application <i>(if applicable)</i> .		

PART 6 – INFORMATION REQUEST

19) Information request under 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			
<input type="checkbox"/> Approval			
<input type="checkbox"/> Development application			

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

☐ Yes – a copy of the receipted QLeave form is attached to this development application

☐ No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid

☒ Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)

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

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

☐ Yes – show cause or enforcement notice is attached

☒ No

23) Further legislative requirements

Environmentally relevant activities

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

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

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

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

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

Hazardous chemical facilities

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

- ☐ Yes – *Form 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 for further information about hazardous chemical notifications.

Clearing native vegetation

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

- ☐ Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)
- ☒ No

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

Environmental offsets

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

- ☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter
- ☒ No

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

Koala habitat in SEQ Region

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

- ☐ Yes – the development application involves premises in the koala habitat area in the koala priority area
- ☐ Yes – the development application involves premises in the koala habitat area outside the koala priority area
- ☒ No

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



Queensland
Government

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 for further information.

DA templates are available from 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. For a development application involving waterway barrier works, complete DA Form 1 Template 4.

Marine activities

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

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

☒ No

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

Quarry materials from a watercourse or lake

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

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

☒ No

Note: Contact the Department of Resources at www.resources.qld.gov.au and www.business.qld.gov.au for further information.

Quarry materials from land under tidal waters

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

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

☒ No

Note: Contact the Department of Environment, Science and Innovation at 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 for further information.

Tidal work or development within a coastal management district

23.12) Does this development application involve **tidal work or development in a coastal management district**?

- ☐ Yes – the following is included with this development application:
- ☐ Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)
 - ☐ A certificate of title

☒ No

Note: See guidance materials at www.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 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.qld.gov.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 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



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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

Town Planning Report



Town Planning Report

MATERIAL CHANGE OF USE (DWELLING HOUSE)

CAPTAIN COOK HIGHWAY, MOWBRAY

LOT 1 ON SP270340

15 January 2025

ASPIRE Town Planning and Project Services

Authored by: Daniel Favier

Ref: 2025-01-01 - Pollard - 1L Captain Cook Highway, Mowbray

This Town Planning Report is intended for the exclusive use of our Client “Mark Neil Pollard and Carmen Monique Dixon” 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 Mark Neil Pollard and Carmen Monique Dixon (hereafter referred to as the 'Applicant' and 'Land Owner'). This Town Planning Report has been prepared in support of a Development Application seeking a Development Permit for a Material Change of Use (Dwelling House) over land located at Captain Cook Highway, Mowbray, formally described as Lot 1 on SP270340 (the 'subject site'). The development includes an ancillary Shed.

The subject site comprises a total area of 44,840m² and is generally rectangular shape. It benefits from direct road access via the Captain Cook Highway, a sealed State Controlled Road, and has a frontage of approximately 450m. An existing gravel service road which runs parallel to the Captain Cook Highway provides access to the subject site as well as to another lot to the north west of the subject site.

The subject site exhibits a varied topography, ranging from approximately 4m AHD in the north-western corner to around 2m AHD in the south-west. The proposed Dwelling House and ancillary Shed have been strategically located within the north-western portion of the site to capitalise on the naturally higher ground, minimising need for fill and exposure to potential flood and storm tide risks. Positioned between the Captain Cook Highway and the Dwelling House, the proposed Shed serves as an additional buffer, offering a degree of separation and shielding for the residential use from the adjacent roadway.

Although not explicitly depicted in the proposal plans, the Dwelling House is intended to be constructed on steel posts. This design choice is deliberate, providing an enhanced level of immunity against potential flood events and storm tide inundation, thereby ensuring greater resilience and safety.

The Dwelling House is designed with functionality in mind, thoughtfully responding to the site's unique characteristics and environmental context. The layout incorporates an open-plan living and dining area, a master bedroom complete with a walk-in robe and ensuite, three additional bedrooms, an internal laundry, a family bathroom, and a 2.4m wide verandah that spans the entire length of the dwelling. The verandah not only enhances the livability of the home by providing additional outdoor space but also complements the rural and coastal aesthetic of the site and is positioned to capture the prevailing south easterly breezes.

Under the Douglas Shire Planning Scheme 2018 v1.0, the subject site is located within the Environmental Management Zone, where a Dwelling House is classified as a Code Assessable use. Accordingly, a Development Application is required to be lodged with Douglas Shire Council to seek a Development Permit for the proposed Material Change of Use.

This report provides a comprehensive assessment of the proposed development against the relevant assessment benchmarks contained in the planning scheme, including the applicable codes and policies. The proposal is demonstrated to achieve compliance with all relevant provisions, particularly in relation to ecological preservation, design compatibility, and sustainability outcomes. Supporting documentation, including plans, technical reports, and other relevant information, has been included as part of this submission to aid the Council in its assessment process.

To facilitate an efficient and collaborative approval process, we respectfully request that Douglas Shire Council consider issuing 'without prejudice' draft conditions for review prior to the formal issuance of the Decision Notice. This approach will ensure that all parties are aligned regarding the development requirements and conditions, supporting a streamlined approval pathway.

We look forward to Council's consideration of this application and remain available to provide any additional information or clarification as required to assist with the assessment process.

1.0 Summary

Table 1: Application Summary.

Street Address	Captain Cook Highway, Mowbray
Lot and Plan	Lot 1 on SP270340
Land Owner	Mark Neil Pollard and Carmen Monique Dixon Joint Tenants See Attachment 1 – Certificate of Title
Size	44,840m ² or 4.484ha
Road Frontages	Approximately 450m to the Captain Cook Highway, a State Controlled Road
Easements	Nil
Other Encumbrances	Nil
Proposal	Dwelling House and ancillary structures including Shed
Approvals Sought	Development Permit
Level of Assessment	Code Assessable
Planning Scheme Zone	Environmental Management
Local Plan	Nil
Regional Plan Designation	Regional Landscape and Rural Production Area
State Planning Policy	Appropriately integrated within the Planning Scheme
State Development Assessment Provisions	Not applicable
Referral	Not applicable

2.0 Site Description

The subject site, formally identified as Lot 1 on SP270340, is situated on the Captain Cook Highway, approximately 4.65 kilometers southeast of Craiglie (refer to Image 1). The property is characterised by distinct vegetation patterns, with the southern portion predominantly covered by natural vegetation, contributing to the site's ecological and visual appeal. In contrast, the northern portion, where the proposed development is situated, is largely cleared of vegetation and comprises grass cover, making it more suited to accommodate the intended use.

The site exhibits a relatively level topography with a gentle gradient, sloping from approximately 4m AHD at the north-western corner to about 2m AHD at the south-western boundary (refer to Image 2). This natural slope facilitates surface water drainage towards the coast, ensuring the site's hydrological characteristics are in harmony with its surrounding environment.

Access to the subject site is provided via a gravel service road that runs parallel to the Captain Cook Highway. This road not only services the subject site but also provides access to the neighbouring property to the north.

The absence of any built improvements on the site, and existing cleared building area, underscores its suitability for development, offering a blank canvas for the proposed use while maintaining the natural attributes of the surrounding landscape.



Image 1: Site Context (source: QLD Globe, 2025)

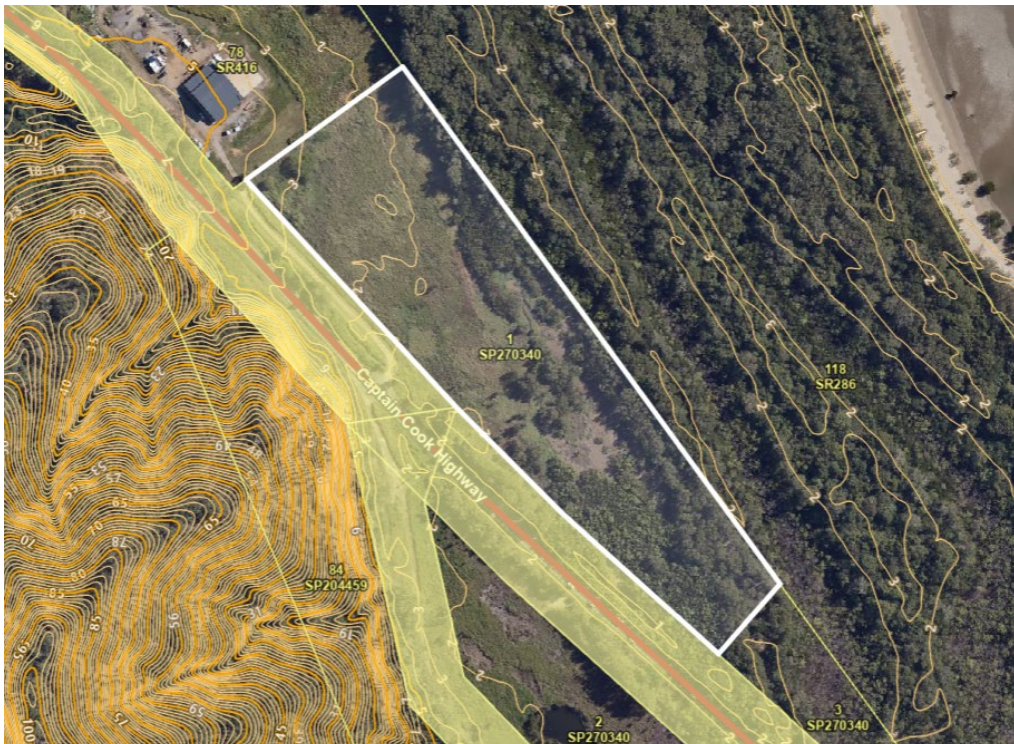


Image 2: Site Contours and Vegetation Cover (source: QLD Globe, 2025)

The subject site, Lot 1 on SP270340, is located along the scenic Captain Cook Highway, positioned at the northern head of the range road that connects Port Douglas and Cairns. This strategic location places the site within a unique and varied landscape characterised by coastal and hinterland features.

To the east, the site directly interfaces with the coastline. The coastal environment is predominantly natural, featuring sandy shores, mangrove vegetation, and open water. This area contributes to the ecological significance and visual appeal of the region.

To the west, the site transitions into the foothills of the Great Dividing Range, where the terrain becomes more undulating and heavily vegetated. This hinterland area includes sections of the Macalister Range National Park, which forms part of a broader conservation corridor supporting significant biodiversity and offering opportunities for passive recreation.

North of the subject site, the adjoining property is currently used as the depot and landing base for the Wangetti Trail construction. Beyond this, the land is predominantly rural, featuring large parcels of open grassland interspersed with pockets of natural vegetation. These areas are primarily used for agricultural pursuits and low-intensity rural activities. The Craiglie locality lies approximately 4.65km away, serving as a gateway to Port Douglas and providing limited commercial and residential amenities.

To the south, the Captain Cook Highway continues along the coastline, offering a mix of residential, rural and natural landscapes. Further along the highway, the road begins its ascent into the Macalister Range, marking the transition to the winding range road that connects to Cairns.

The immediate surroundings of the subject site are defined by their natural and rural character, with limited built form and significant environmental features. This setting offers a tranquil environment while benefiting from its proximity to key regional centres, including Port Douglas and Cairns.

3.0 Proposal

This Development Application seeks approval for a Development Permit for a Material Change of Use to establish a Dwelling House and ancillary Shed on Lot 1 on SP270340. The proposal has been carefully designed to align with the site's unique topography, environmental characteristics, and the broader rural-coastal context.

Dwelling House

The proposed Dwelling House features a functional design, tailored to meet the needs of modern living while responding to the site's environmental conditions. The internal layout includes:

- An open-plan living and dining area that maximises natural light and ventilation.
- A master bedroom with a walk-in robe and ensuite.
- Three additional bedrooms suitable for family or guest accommodation.
- An internal laundry with easy access to outdoor drying areas.
- A centrally located family bathroom to service the secondary bedrooms.
- A 2.4-meter-wide verandah extending the full length of the dwelling, offering additional outdoor living space. This verandah is designed to capture prevailing south-easterly breezes and enhance the dwelling's connection to its natural surroundings, while also contributing to passive cooling and energy efficiency.

The Dwelling House will be elevated on steel posts approximately 900mm above the natural ground level, providing increased immunity against potential flooding and storm tide events. Although the proposal plans do not illustrate the proposed building elevations on steel posts, the building height will remain under the allowable 8.5m limit, this can be conditioned to ensure ongoing compliance with the relevant provisions of the planning scheme.

The Dwelling House is positioned within the north-western corner of the site, where the ground level is naturally higher. This strategic placement minimises the need for significant earthworks and reduces environmental disturbance.

Ancillary Shed

The proposed ancillary Shed is located between the Dwelling House and the Captain Cook Highway, serving as a physical buffer to mitigate road noise and enhance privacy for the Dwelling House. The Shed's design is currently being finalised, but its indicative size and location are shown on the attached Proposal Plans. The structure is intended for domestic storage purposes and complements the overall functionality of the site.

Site Access and Infrastructure

Access to the site is provided via an existing gravel service road that runs parallel to the Captain Cook Highway, ensuring safe and convenient entry to the property.

Onsite wastewater disposal will be managed through a domestic onsite wastewater treatment system. While the system design has not been finalised, it is anticipated that the site's size and soil characteristics are sufficient to accommodate such infrastructure in compliance with relevant standards.

Onsite water harvesting and storage will be required.

Electrical supply is available to the site.

Environmental Considerations

The proposed development does not require any vegetation clearing, thereby preserving the site's natural attributes and minimising ecological impacts. Drainage from the site will continue to flow naturally towards the coast, consistent with existing patterns, ensuring minimal disruption to the local hydrology.

Refer to **Attachment 2 – Proposal Plans** for further details regarding the layout and design of the proposed development.

4.0 Statutory Town Planning Framework

4.1 Planning Act 2016

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

4.1.1 Approval and Development

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

4.1.2 Application

The proposed development is:

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

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

4.1.3 Referral

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

4.1.4 Public Notification

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

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

4.1.5 Assessment Framework

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

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

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

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

“(1) For section 45(3)(a) of the Act, the code assessment must be carried out against the assessment benchmarks for the development stated in schedules 9 and 10.

(2) Also, if the prescribed assessment manager is the local government, the code assessment must be carried out against the following assessment benchmarks—

- (a) the assessment benchmarks stated in—*
 - (i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
 - (ii) the State Planning Policy, part E, to the extent part E is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*

(iii) *any temporary State planning policy applying to the premises;*

(b) *if the local government is an infrastructure provider—the local government’s LGIP.*

(3) *However, an assessment manager may, in assessing development requiring code assessment, consider an assessment benchmark only to the extent the assessment benchmark is relevant to the development.”*

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

“(1) *For section 45(3)(b) of the Act, the code assessment must be carried out having regard to—*

(a) *the matters stated in schedules 9 and 10 for the development; and*

...

(d) *if the prescribed assessment manager is a person other than the chief executive—*

(i) *the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*

(ii) *the State Planning Policy, to the extent the State Planning Policy is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*

(iii) *for designated premises—the designation for the premises; and*

(e) *any temporary State planning policy applying to the premises; and*

(f) *any development approval for, and any lawful use of, the premises or adjacent premises; and*

(g) *the common material.*

(2) *However—*

(a) *an assessment manager may, in assessing development requiring code assessment, consider a matter mentioned in subsection (1) only to the extent the assessment manager considers the matter is relevant to the development; and*

- (b) *if an assessment manager is required to carry out code assessment against assessment benchmarks in an instrument stated in subsection (1), this section does not require the assessment manager to also have regard to the assessment benchmarks.”*

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

4.2 Far North Queensland Regional Plan 2009-2031

The Far North Queensland Regional Plan 2009 - 2031 ('the Regional Plan') is intended to guide and manage the region's development and to address key regional environmental, social, economic and urban objectives. The site falls within the area to which the Regional Plan applies. The Regional Plan is identified in the Planning Scheme as being appropriately integrated in the scheme and therefore not assessed in any further detail in this Development Application.

4.3 State Planning Policy

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

4.4 Temporary State Planning Policies

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

4.5 Douglas Shire Planning Scheme 2018 v1.0

The Douglas Shire Planning Scheme 2018 v1.0 (the 'Planning Scheme') came into effect on 2 January 2018 and is the applicable planning scheme to the Douglas Local Government Area. It is noted that the Planning Scheme was drafted under the *Sustainable Planning Act 2009* ('the SPA').

The interpretation of the Planning Scheme with respect to the proposed development is therefore based on the transitional provisions of the Planning Act.

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

4.5.1 Zone

The subject site is identified within the Environmental Management Zone.

The Environmental Management Zone Code states that *“The purpose of the Environmental management zone code is to recognise environmentally sensitive areas and provide for houses on lots and other low impact activities where suitable”*.

The proposed development for a Dwelling House is generally accepted within the Environmental Management Zone where the design reflects and responds to the natural features and land constraints. It is submitted that the proposed development appropriately responds to the site topography, geotechnical conditions and vegetation characteristics of the site.

A full assessment of the proposed development against the Environmental Management Code is included within **Attachment 3 – Code Assessment**.

4.5.3 Local Plan

The site is not mapped within a Local Plan area.

4.5.4 Overlays

Table 2: identifies the applicable Overlays to the site generally.

Overlay	Sub-category	Applicability
Acid Sulfate Soils	<5m AHD	<p>The proposed development involves limited excavation works, confined to those necessary for the construction of building footings and associated infrastructure. Given the relatively minor extent and depth of these works, the potential disturbance of acid sulfate soils is expected to be minimal.</p> <p>To ensure compliance with the Acid Sulfate Soils Code, the following measures will be implemented during the construction phase to appropriately manage any potential ASS risks:</p> <ol style="list-style-type: none">1. Site Assessment and Identification: Should ASS be encountered during excavation, the presence and extent of such soils will be immediately identified

		<p>and assessed in accordance with the relevant Australian Standards and guidelines.</p> <p>2. On-Site Management:</p> <ul style="list-style-type: none"> Any identified ASS will be managed on-site using industry best practices to prevent oxidation and the associated risks of acid generation. Neutralisation methods, such as the application of lime or other approved materials, will be employed to stabilise any disturbed ASS. Excavated materials will be contained and treated in a controlled manner to avoid environmental impacts. <p>3. Erosion and Sediment Control: Effective erosion and sediment control measures will be in place throughout the construction period to prevent the release of potentially acid-generating materials into surrounding areas or waterways.</p> <p>4. Compliance with Regulations: All excavation and soil management activities will be conducted in strict adherence to applicable local and state government guidelines, including the Acid Sulfate Soil Management Guidelines.</p> <p>Through these measures, the proposed development demonstrates a commitment to effectively managing any potential risks associated with ASS disturbance. The minor scale of the proposed excavation works further supports the conclusion that the risk of significant environmental impact is low, and any potential issues can be appropriately managed on-site during construction.</p> <p>Therefore, a full detailed assessment against the code is not provided.</p>
Bushfire Hazard	Potential Impact Buffer High Potential	<p>The proposed development is located within the Potential Impact Buffer Zone, as identified in the relevant planning and hazard mapping. While the risks associated with this designation are acknowledged, the siting of the Dwelling House has been carefully considered in light of the site's topographical and physical constraints. Due to these constraints, including the natural slope and higher ground in the north-western portion of the site, alternative locations further from the mapped risk areas are not feasible.</p>

		<p>Despite its location within the Potential Impact Buffer Zone, the development is expected to actively mitigate fire risks through regular maintenance of yard areas, which will reduce vegetation fuel loads and provide defensible space around the Dwelling House and Shed. This approach aligns with bushfire management principles and enhances the overall safety of the site.</p> <p>The site is highly accessible via an existing gravel service road that runs parallel to the Captain Cook Highway, ensuring efficient and safe access for emergency services if required. Furthermore, it is anticipated that Council will condition the provision of appropriate water storage volumes to support firefighting and other emergency response measures. This requirement will further enhance the site's capacity to respond to and manage potential risks associated with its location.</p> <p>Through these measures, the proposed development demonstrates a commitment to balancing site-specific constraints with practical risk management strategies, ensuring the safety and sustainability of the dwelling while maintaining compliance with planning requirements.</p> <p>Therefore, a full detailed assessment against the code is not provided.</p>
Coastal Environment	Erosion Prone Area	<p>The subject site is located within the Erosion Prone Area, which, according to mapping, generally aligns with the 3m AHD contour. The proposed Dwelling House is sited at the edge of this mapped area, balancing the need to minimise potential impacts from coastal processes while responding to the site's other inherent constraints, including topography, access, and proximity to the Captain Cook Highway.</p> <p>The proposed location of the Dwelling House represents a carefully considered balance of various site-specific factors, including:</p> <ul style="list-style-type: none"> • Topography: The north-western portion of the site offers higher ground, reducing the potential for inundation and minimising the need for extensive earthworks.

		<ul style="list-style-type: none"> Proximity to Road Access: The dwelling is positioned to take advantage of the existing gravel service road, ensuring safe and practical access while reducing the environmental impact of additional infrastructure. <p>This strategic siting minimises encroachment into the Erosion Prone Area to the greatest extent possible while allowing the development to harmonise with the natural features of the site.</p> <p>The following measures will ensure the proposed development remains consistent with the intent of the Coastal Environment Overlay Code and mitigates risks associated with coastal hazards:</p> <ol style="list-style-type: none"> Elevated Construction: The Dwelling House will be constructed on steel posts approximately 900mm above the natural ground level. This design reduces the structure's vulnerability to potential storm tide inundation and coastal erosion impacts. The proposed Shed is located outside of the mapped Erosion Prone Area. Vegetation Retention: No vegetation clearing is proposed as part of the development, ensuring the retention of natural coastal buffers that help stabilise the soil and reduce erosion risks. <p>The proposed development demonstrates compliance with the Coastal Environment Overlay Code by:</p> <ul style="list-style-type: none"> Minimising disturbance within the mapped erosion prone area to the greatest extent practicable. Avoiding adverse impacts on natural coastal processes and ensuring the ongoing stability of the site. Incorporating design measures that reduce risks to people and property while maintaining the ecological integrity of the coastal environment. <p>A full detailed assessment against the code is not provided.</p>
Flood and Storm Tide Hazard	Medium Storm Tide Hazard High Storm Tide Hazard	The subject site is partially located within areas identified as being susceptible to flooding and storm tide hazards, according to the relevant overlay mapping. The proposed development, consisting of a Dwelling House, has been

	Floodplain Assessment Overlay (Mossman River)	<p>carefully designed to address these potential hazards while ensuring compliance with the intent and performance outcomes of the Flood and Storm Tide Hazard Code.</p> <p>Design Response to Flood and Storm Tide Hazards:</p> <ol style="list-style-type: none"> 1. Dwelling House on Steel Posts: The proposed Dwelling House is to be constructed on steel posts, which will elevate the habitable floor level by approximately 900mm above the ground level. This design strategy is intended to provide immunity from flooding and storm tide events while maintaining a safe and functional living environment. 2. Anticipated Conditions on Minimum Habitable Floor Levels: It is anticipated that Council will impose conditions requiring the minimum habitable floor level to meet or exceed the prescribed flood and storm tide hazard levels. This ensures compliance with relevant planning and building standards while safeguarding the dwelling from extreme weather events. 3. Flood and Stormwater Management: The development incorporates measures to manage potential impacts from flooding and stormwater, including: <ul style="list-style-type: none"> o Ensuring the natural flow of floodwaters is maintained to prevent adverse impacts on adjacent properties or the broader catchment area. o Maintain permeable surfaces in surrounding yard areas to minimise runoff and enhance onsite water infiltration. o Designing drainage systems to direct stormwater away from vulnerable areas, reducing the risk of localised pooling or erosion. 4. Location of Ancillary Structures: The proposed ancillary Shed is situated within the highest area of the site. Its use and function will not exacerbate flood risks. Non-habitable structures are inherently less vulnerable to flooding impacts.
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		<p>The proposed development demonstrates compliance with the Flood and Storm Tide Hazard Code by:</p> <ul style="list-style-type: none"> • Minimising Risk to People and Property: The raised design and anticipated Council-imposed conditions on floor levels ensure that the dwelling is positioned to withstand the impacts of flooding and storm tide events. • Maintaining Natural Hydrological Processes: The proposal avoids altering natural flood paths. • Providing for Safe Access and Egress: The site is accessible via an existing gravel service road parallel to the Captain Cook Highway, ensuring that safe evacuation routes are available in the unlikely event of a significant hazard event. <p>The proposed Dwelling House and ancillary Shed have been designed with a proactive approach to flood and storm tide hazards. By incorporating raised design, considering anticipated Council conditions for minimum habitable floor levels, and addressing stormwater management, the development aligns with the intent of the Flood and Storm Tide Hazard Code. These measures ensure the safety and resilience of the proposed development while maintaining compliance with planning objectives and the broader environmental context.</p> <p>A full detailed assessment against the code is not provided.</p>
Hillslopes	Area Affected by Hillslopes	The proposed building footprint is not included within the Hillslopes Overlay and therefore a full detailed assessment against the code is not provided.
Landscape Values	Scenic Buffer Area Scenic route buffer Landscape Values High landscape values Medium Landscape Value	This overlay is not applicable to the assessment of a Dwelling House and therefore a full detailed assessment against the code is not provided.
Natural Areas	MSES - Regulated Vegetation MSES - Marine Park MSES - High Ecological Significance Wetlands	The proposed building footprint is not included within the Natural Areas Overlay and therefore a full detailed assessment against the code is not provided.

Transport Network	<p>Transport Noise Corridor</p> <p>Category 1: 58 dB(A) =< Noise Level < 63 dB(A)</p> <p>Category 2: 63 dB(A) < Noise Level < 68 dB(A)</p> <p>Road Hierarchy</p> <p>Arterial Road</p> <p>Major Transport Corridor</p> <p>Buffer Area (State Controlled Road)</p>	<p>Access to the site will be via an existing service road which provides access to the subject site and adjoining site to the north.</p> <p>It is considered that given the minor nature of the proposed development that the existing road network will accommodate the proposed development without impacting on the safety and function of the road network.</p> <p>Location of a Dwelling House within the State Noise Corridor will be further considered and assessed from a design perspective at the time of Building Approval by the Building Certifier.</p> <p>A full detailed assessment against the code is not provided.</p>
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4.5.5 Category of Assessment

Pursuant to Part 5 of the Planning Scheme, a Development Application for Material Change of Use for a Dwelling House in the Environmental Management Zone is as Code Assessable Development. The level of assessment is not varied.

4.5.6 Assessment Criteria

As determined by the Environmental Management Zone Table of Assessment and as discussed in part under s4.5.4 of this report, the following Planning Scheme Codes are applicable in the assessment of the Development Application:

Zone Code

- Environmental Management Zone

Local Area Plan Code

- Nil

Overlay Codes

- Refer to discussion under s4.5.4 of this report. Code provisions are appropriately addressed or may be conditioned by Council if concerns remain.

Development Codes

- Dwelling House Code
- Access, Parking and Servicing

A detailed assessment against the other relevant assessment criteria is provided in **Attachment 3 – Code Assessment**.

Technically the proposed development triggers assessment against the following other Development Codes, including the Filling and Excavation Code, Infrastructure Works Code and Vegetation Management Code. Whilst we have undertaken an assessment of the proposed development, a detailed documented assessment is not included within this report as the matters raised within the

codes do not apply or are of a standard nature and anticipate that compliance can be reasonably conditioned by Council. In support of this position we note:

- Only minor site earthworks are required for the construction of the building pad and footings. No significant excavation or filling or retaining works are proposed.
- It is expected that standard conditions relating to onsite waste water treatment and disposal, water supply and storage, vehicle access and drainage will be applied to the development.
- No vegetation clearing or damage is proposed, other than removal of grass cover and immature regrowth.

5.0 Conclusion

This report is submitted in support of a Development Application for a Material Change of Use (Dwelling House) over the land on Captain Cook Highway, Mowbray, formally described as Lot 1 on SP270340. The application is made under sections 49, 50, and 51 of the *Planning Act 2016*.

An assessment of the proposed development against the relevant planning framework has been conducted to evaluate its potential impacts and compliance with applicable assessment criteria. The findings outlined in this report, along with the accompanying documentation, demonstrate that the proposed development complies with the majority of the relevant provisions. Where minor conflicts arise, appropriate alternative solutions have been proposed to support approval of the development.

Should Council require any further information during the assessment process, Aspire Town Planning and Project Services would be pleased to assist. We also respectfully request that Council provides draft conditions prior to the final determination, to facilitate discussions and ensure a mutually beneficial outcome for all parties.

Attachment 1

Certificate of Title

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	51031778	Search Date:	13/01/2025 08:52
Date Title Created:	08/04/2016	Request No:	50539962
Previous Title:	50707738		

ESTATE AND LAND

Estate in Fee Simple

LOT 1 SURVEY PLAN 270340

Local Government: DOUGLAS

REGISTERED OWNER

Dealing No: 722883716 16/11/2023

MARK NEIL POLLARD

CARMEN MONIQUE DIXON

JOINT TENANTS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 40055828 (Lot 1 on SP 204459)
2. MORTGAGE No 723782411 02/01/2025 at 13:50
COMMONWEALTH BANK OF AUSTRALIA A.C.N. 123 123 124

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

Attachment 2

Proposal Plans



Legend located on next page



Scale: 1:1000

Printed at: A3

Print date: 13/1/2025

Not suitable for accurate measurement.
Projection: Web Mercator EPSG 102100 (3857)

For more information, visit <https://qldglobe.information.qld.gov.au/help-info/Contact-us.html>

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**Queensland
Government**

Department of Natural Resources and Mines, Manufacturing, and Regional
and Rural Development

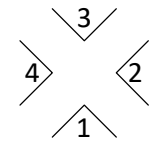
16°33'52"S 145°30'3"E

16°33'52"S 145°30'14"E



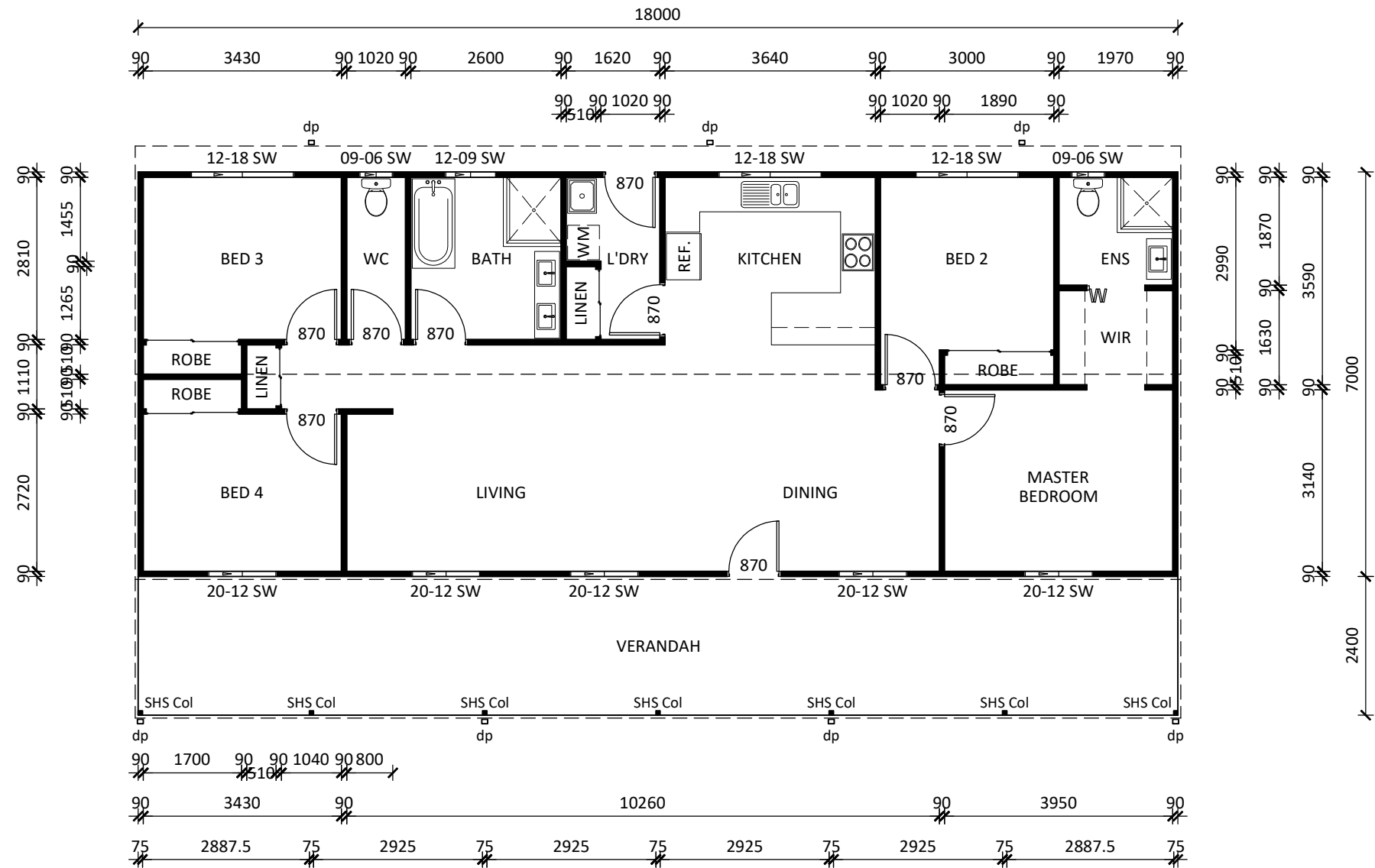
16°33'60"S 145°30'3"E

16°33'60"S 145°30'14"E



ELEVATIONS

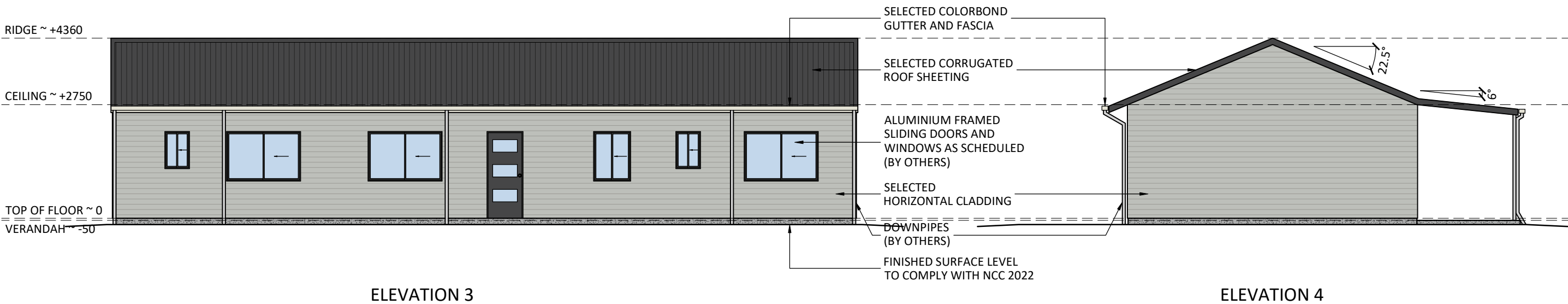
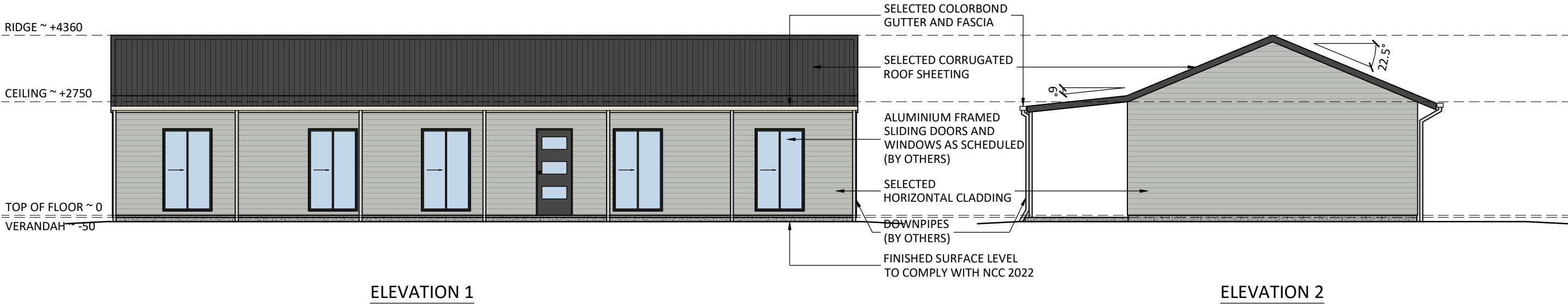
FLOOR AREA	126.00 sqm
VERANDAH	43.20 sqm
TOTAL	169.20 sqm



2.0 FLOOR PLAN

NOTE: Amenities and Furnishing shown are illustrative only

Purchaser Name: Mark Pollard		<div>Engineering NOT FOR CONSTRUCTION</div> <div>Page 2 of 14 © Copyright Steelx IP Pty Ltd</div>	<div>Seller: Wide Span Homes Wide Span Sheds Pty Ltd Phone: 1300 943 377 Fax: Email: engineering@steelx.com.au</div>	<div>Apex Engineering Group PTY LTD ACN 632 588 562 ME Aust. (Registered NER Structural) 5276680 QLD : RPEQ No. 24223; TAS : 185770492; VIC : PE0003848; N.T : 303557ES; Practising Professional Structural & Civil Engineers</div> <div>Signature: </div> <div>John Ronaldson Date: 02/12/24</div>
Site Address: Lot 1 captain cook highway Mowbray QLD 4877 Australia				
Drawing # AWSH240121 - 2	Print Date: 02/12/24			



3.0 ELEVATIONS

Purchaser Name: Mark Pollard		<div>Engineering</div> <div>NOT FOR CONSTRUCTION</div> <div>Page 3 of 14</div> <div>© Copyright Steelx IP Pty Ltd</div>	<div>Seller: Wide Span Homes</div> <div>Wide Span Sheds Pty Ltd</div> <div>Phone: 1300 943 377</div> <div>Fax:</div> <div>Email: engineering@steelx.com.au</div>	<div>Apex Engineering Group PTY LTD</div> <div>ACN 632 588 562</div> <div>ME Aust. (Registered NER Structural) 5276680</div> <div>QLD : RPEQ No. 24223; TAS : 185770492; VIC : PE0003848; N.T : 303557ES;</div> <div>Practising Professional Structural & Civil Engineers</div>
Site Address: Lot 1 captain cook highway Mowbray QLD 4877 Australia				<div>Signature:</div> <div></div> <div>John Ronaldson</div>
Drawing # AWSH240121 - 2	Print Date: 02/12/24			<div>Date: 02/12/24</div>

Attachment 3

Code Assessment

6.2.4 Environmental management zone code

6.2.4.1 Application

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

6.2.4.2 Purpose

- (1) The purpose of the Environmental management zone code is to recognise environmentally sensitive areas and provide for houses on lots and other low impact activities where suitable.

These areas are protected from intrusion of any urban, suburban, centre or industrial land use.

- (2) The local government purpose of the code is to:
 - (a) implement the policy direction set in the Strategic Framework, in particular:
 - (i) Theme 2 : Environment and landscape values, Element 3.5.3 – Biodiversity, Element 3.5.5 – Scenic amenity.
 - (b) protect and buffer areas of environmental significance from inappropriate development.
- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Development is generally restricted to a dwelling house;
 - (b) Adverse impacts on natural systems, both on-site and on adjoining land are minimised through the location, design and management of development;
 - (c) Development reflects and responds to the natural features and environmental values of the area;
 - (d) Visual impacts are minimised through the location and design of development;
 - (e) Development does not adversely affect water quality;
 - (f) Development responds to land constraints, including but not limited to topography, vegetation, bushfire, landslide and flooding.

Criteria for assessment

Table 6.2.4.3.a – Environmental management zone – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
PO1 The height of all buildings and structures is in keeping with the natural characteristics of the site. Buildings and structures are low-rise and not unduly visible from external sites.	AO1.1 Buildings and structures are not more than 8.5 metres and two storeys in height. Note – Height is inclusive of the roof height. AO1.2 Buildings have a roof height not less than 2 metres.	May be conditioned to comply with AO1.1 and AO1.2 The Elevation Plans for the Dwelling House do not currently depict the structure on steel posts. It is proposed that the building will be raised approximately of 900mm above the ground. However, it is confirmed that the overall building height will remain below the maximum allowable height of 8.5 meters. Similarly, the design plans for the Shed are yet to be finalised, and as such, Elevation Plans have not been included in the application materials. Considering the nature of the proposed development and the specific context of the subject site, it is respectfully requested that Council address compliance with design requirements by imposing an appropriate condition as part of the approval process, rather than requiring finalised design plans at this stage.
PO2 Buildings and structures are set back to: (a) maintain the natural character of the area; (b) achieve separation from neighbouring buildings and from road frontages.	A02 Buildings and structures are set back not less than: (a) 40 metres from the frontage of a state controlled road; (b) 25 metres from the frontage to Cape Tribulation Road; (c) 6 metres from any other road; (d) 6 metres from the side and rear boundaries of the site.	Complies with PO2 The proposed development complies with the minimum side boundary setback requirements, however, the proximity of the site to the Captain Cook Highway, a State-controlled road and site topography necessitates a reduced setback for both the Dwelling House and the ancillary Shed. In support, it is submitted: - The subject site is significantly constrained by its topography, which gently slopes from approximately 4m AHD in the northwestern corner to 2m AHD in the southwest. This topographical

Performance outcomes	Acceptable outcomes	Applicant response
		<p>constraint limits the area available for development, necessitating the positioning of structures closer to the road boundary.</p> <p>- The proposed Dwelling House is setback 23m from the Captain Cook Highway boundary. This setback has been carefully considered to balance the site constraints while maintaining a reasonable distance from the road. The setback ensures sufficient separation to mitigate visual and acoustic impacts from the highway while accommodating the required building footprint and achieving compliance with other planning scheme requirements.</p> <p>- The ancillary Shed is positioned approximately 11m from the road boundary. Its location has been chosen to serve as a buffer between the Dwelling House and the Captain Cook Highway, thereby reducing the visual and acoustic impacts of the highway on the dwelling. Furthermore, the Shed is a non-habitable structure, and its reduced setback poses minimal risk or impact.</p> <p>- The proposed minimum setback distance is consistent with the setbacks of the existing, recently built Shed on the property to the north. This ensures the proposal aligns with the established character of the area and does not result in a significant departure from existing patterns of development.</p> <p>- The reduced setback has been carefully designed to ensure that it does not compromise the safety or operational efficiency of the Captain Cook Highway. There is no direct access from the development to the highway, with access</p>

Performance outcomes	Acceptable outcomes	Applicant response
		<p>provided via the existing separate gravel service road, ensuring no conflict with traffic movements on the State-controlled road.</p> <p>The siting of the structures within the proposed setbacks minimises the need for vegetation clearing, thereby preserving the natural character of the site. Additionally, the Dwelling House and Shed are designed to complement the coastal and rural setting, minimising any visual impact from the Captain Cook Highway.</p> <p>The proposed setbacks are a pragmatic response to the site's unique constraints and are necessary to achieve a functional development outcome. The proposed Dwelling House and Shed maintain appropriate separation from the Captain Cook Highway, ensuring that the development does not compromise safety, operational efficiency, or the visual amenity of the area. It is respectfully requested that Council consider the site-specific constraints and support the proposed setbacks as part of the approval process.</p>
For assessable development		
PO3 Development is consistent with the purpose of the Environmental management zone and protects the zone from the intrusion of inconsistent uses.	AO3 Inconsistent uses as identified in Table 6.2.4.3.b are not established in the Environmental management zone.	Complies with AO3 The proposed Dwelling House is an acceptable Use.
PO4 The site coverage of all buildings and structures and associated services do not have an adverse effect on the environmental or scenic values of the site.	AO4 No acceptable outcomes are prescribed.	Complies with PO4 The proposed scale of development is appropriate for the site and is sited to minimise environmental and scenic values.
PO5	AO5.1	Complies with AO5.1

Performance outcomes	Acceptable outcomes	Applicant response
<p>Development is located, designed, operated and managed to respond to the characteristics, features and constraints of the site and its surrounds.</p> <p>Note - Planning scheme policy – Site assessments provides guidance on identifying the characteristics, features and constraints of a site and its surrounds.</p>	<p>Buildings, structures and associated access, infrastructure and private open space are sited:</p> <ul style="list-style-type: none"> (a) within areas of the site which are already cleared; or (b) within areas of the site which are environmentally degraded; (c) to minimise additional vegetation clearing. 	<p>The proposed building area is located within an already disturbed portion of the site, characterised by grass cover and some regrowth vegetation. Ground disturbance will be minimised and limited strictly to what is necessary to establish the building pad, access, and essential services.</p>
	<p>AO5.2 Buildings and structures and associated infrastructure are not located on slopes greater than 1 in 6 (16.6%) or on a ridgeline.</p>	<p>Complies with AO5.2 Site slope is less than 1 in 6.</p>
<p>PO6 Buildings and structures are responsive to steep slope through innovative construction techniques so as to:</p> <ul style="list-style-type: none"> (a) maintain the geotechnical stability of slopes; (b) minimise cut and/or fill; (c) minimise the overall height of development. 	<p>AO6.1 Where development on land steeper than 1 in 6 (16.6%) cannot be avoided, development follows the natural contours of the land and single plane concrete slab on-ground methods of construction are not utilised.</p> <p>AO6.2 Access and vehicle manoeuvring and parking areas are constructed and maintained to:</p> <ul style="list-style-type: none"> (a) minimise erosion; (b) minimise cut and fill; (c) follow the natural contours of the site. 	<p>Complies with AO6.1 Site slope is less than 1 in 6.</p> <p>Complies with AO6.2 Site slope is less than 1 in 6.</p>
<p>PO7 The exterior finishes of buildings and structures are consistent with the surrounding natural environment.</p>	<p>PO7 The exterior finishes and colours of buildings and structures are non-reflective and are moderately dark to darker shades of grey, green, blue and brown or the development is not visible external to the site.</p>	<p>May be conditioned to comply The external colour scheme has not been selected at this stage. It would be reasonable and acceptable if Council were to impose a particular development condition relating to this matter.</p>
<p>PO8 Development does not adversely affect the amenity of the zone and adjoining land uses in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.</p>	<p>AO8 No acceptable outcomes are prescribed.</p>	<p>Complies The proposed Dwelling House is an appropriate land use within the zone. Given the topography and other characteristics of the site the proposed development would not adversely affect the amenity of adjoining properties. Issues with</p>

Performance outcomes	Acceptable outcomes	Applicant response
		construction traffic, noise and dust will be appropriately managed at the construction phase.
PO9 The density of development ensures that the environmental and scenic amenity values of the site and surrounding area are not adversely affected.	AO9 The maximum residential density is one dwelling house per lot.	Complies with AO9
PO10 Lot reconfiguration results in no additional lots. Note - Boundary realignments to resolve encroachments and lot amalgamation are considered appropriate.	AO10 No acceptable outcomes are prescribed.	Not applicable

Table 6.2.4.3.b – Inconsistent uses within the Environmental management zone

Inconsistent uses		
<ul style="list-style-type: none"> • Adult store • Agricultural supplies store • Air services • Aquaculture • Bar • Brothel • Bulk landscape supplies • Car wash • Caretaker's accommodation • Cemetery • Child care centre • Club • Community care centre • Community residence • Community use • Crematorium • Cropping • Detention facility • Dual occupancy • Dwelling unit • Educational establishment 	<ul style="list-style-type: none"> • Hardware and trade supplies • Health care services • High impact industry • Hospital • Hotel • Indoor sport and entertainment • Intensive animal industry • Intensive horticulture • Landing • Low impact industry • Major electricity infrastructure • Major sport, recreation and entertainment facility • Marine industry • Market • Motor sport facility • Multiple dwelling • Nightclub entertainment facility • Office • Outdoor sales • Outstation • Parking station 	<ul style="list-style-type: none"> • Renewable energy facility • Relocatable home park • Research and technology industry • Residential care facility • Resort complex • Retirement facility • Rooming accommodation • Rural industry • Rural workers accommodation • Sales office • Service Station • Shop • Shopping centre • Short-term accommodation • Showroom • Special industry • Substation • Theatre • Transport depot • Utility installation • Veterinary services

<ul style="list-style-type: none">• Food and drink outlet• Function facility• Garden centre	<ul style="list-style-type: none">• Place of worship• Port services	<ul style="list-style-type: none">• Warehouse• Wholesale nursery• Winery
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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.

9.3.8 Dwelling house code

9.3.8.1 Application

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

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

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

9.3.8.2 Purpose

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



9.3.8.3 Criteria for assessment

Table 9.3.8.3.a – Dwelling house code –assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
PO1 Secondary dwellings: (a) are subordinate, small-scaled dwellings; (b) contribute to a safe and pleasant living environment; (c) are established on appropriate sized lots; (d) do not cause adverse impacts on adjoining properties.	AO1 The secondary dwelling: (a) has a total gross floor area of not more than 80m ² , excluding a single carport or garage; (b) is occupied by 1 or more members of the same household as the dwelling house.	Not applicable The proposed development is for a Dwelling House.
PO2 Resident's vehicles are accommodated on- site.	AO2 Development provides a minimum number of on-site car parking spaces comprising: (a) 2 car parking spaces which may be in tandem for the dwelling house; (b) 1 car parking space for any secondary dwelling on the same site.	Complies with AO2 Appropriate onsite parking presently exists. Covered parking is incorporated in the Shed and beneath the Dwelling House.
PO3 Development is of a bulk and scale that: (a) is consistent with and complements the built form and front boundary setbacks prevailing in the street and local area; (b) does not create an overbearing development for adjoining dwelling houses and their private open space; (c) does not impact on the amenity and privacy of residents in adjoining dwelling houses; (d) ensures that garages do not dominate the appearance of the street.	AO3 Development meets the acceptable outcome for building height in the applicable Zone code associated with the site.	Complies with AO3 Refer to discussion under the Environmental Management Zone Code.

9.4 Other development codes

9.4.1 Access, parking and servicing code

9.4.1.1 Application

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

9.4.1.2 Purpose

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

9.4.1.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant Response
For self-assessable and assessable development		
PO1 Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected to be generated by the use or uses of the site, having particular regard to: <ul style="list-style-type: none"> (a) the desired character of the area; (b) the nature of the particular use and its specific characteristics and scale; (c) the number of employees and the likely number of visitors to the site; (d) the level of local accessibility; (e) the nature and frequency of any public transport serving the area; (f) whether or not the use involves the retention of an existing building and the previous requirements for car parking for the building (g) whether or not the use involves a heritage building or place of local significance; (h) whether or not the proposed use involves the retention of significant vegetation. 	AO1.1 The minimum number of on-site vehicle parking spaces is not less than the number prescribed in Table 9.4.1.3.b for that particular use or uses. Note - Where the number of spaces calculated from the table is not a whole number, the number of spaces provided is the next highest whole number. AO1.2 Car parking spaces are freely available for the parking of vehicles at all times and are not used for external storage purposes, the display of products or rented/sub-leased. AO1.3 Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking. AO1.4 For parking areas exceeding 50 spaces parking, is provided for recreational vehicles as a substitute for ordinary vehicle parking to a maximum of 5% of total ordinary vehicle parking rate.	Complies with AO1.1 Sufficient onsite parking is provided in the design. Not applicable Not applicable Not applicable
PO2 Vehicle parking areas are designed and constructed in accordance with relevant standards.	AO2 Vehicle parking areas are designed and constructed in accordance with Australian Standard: <ul style="list-style-type: none"> (a) AS2890.1; (b) AS2890.3; (c) AS2890.6. 	Complies with PO2 Onsite parking will be provided to a residential standard.



<p>PO3 Access points are designed and constructed:</p> <ul style="list-style-type: none"> (a) to operate safely and efficiently; (b) to accommodate the anticipated type and volume of vehicles (c) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate; (d) so that they do not impede traffic or pedestrian movement on the adjacent road area; (e) so that they do not adversely impact upon existing intersections or future road or intersection improvements; (f) so that they do not adversely impact current and future on-street parking arrangements; (g) so that they do not adversely impact on existing services within the road reserve adjacent to the site; (h) so that they do not involve ramping, cutting of the adjoining road reserve or any built structures (other than what may be necessary to cross over a stormwater channel). 	<p>AO3.1 Access is limited to one access cross over per site and is an access point located, designed and constructed in accordance with:</p> <ul style="list-style-type: none"> (a) Australian Standard AS2890.1; (b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers. <p>AO3.2 Access, including driveways or access crossovers:</p> <ul style="list-style-type: none"> (a) are not placed over an existing: <ul style="list-style-type: none"> (i) telecommunications pit; (ii) stormwater kerb inlet; (iii) sewer utility hole; (iv) water valve or hydrant. (b) are designed to accommodate any adjacent footpath; (c) adhere to minimum sight distance requirements in accordance with AS2980.1. <p>AO3.3 Driveways are:</p> <ul style="list-style-type: none"> (a) designed to follow as closely as possible to the existing contours, but are no steeper than the gradients outlined in Planning scheme policy SC6.5 – FNQROC Regional Development Manual; (b) constructed such that where there is a grade shift to 1 in 4 (25%), there is an area with a grade of no more than 1 in 6 (16.6%) prior to this area, for a distance of at least 5 metres; (c) on gradients greater than 1 in 6 (16.6%) driveways are constructed to ensure the cross-fall of the driveway is one way and directed into the hill, for vehicle safety and drainage purposes; 	<p>Complies with AO3.1 The existing single crossover will be utilised.</p> <p>Complies with AO3.2 Access to the site is existing and no changes are proposed other than a formal transition between the gravel service road and the subject site.</p> <p>Complies with AO3.3</p>
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	<p>(d) constructed such that the transitional change in grade from the road to the lot is fully contained within the lot and not within the road reserve;</p> <p>(e) designed to include all necessary associated drainage that intercepts and directs storm water runoff to the storm water drainage system.</p> <p>AO3.4 Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.</p>	<p>Complies with AO3.1 The driveway is of gravel construction which is consistent with the locality.</p>
<p>P04 Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.</p>	<p>AO4 The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.</p>	<p>Not applicable</p>
<p>P05 Access for people with disabilities is provided to the building from the parking area and from the street.</p>	<p>AO5 Access for people with disabilities is provided in accordance with the relevant Australian Standard.</p>	<p>Not applicable</p>
<p>P06 Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development.</p>	<p>AO6 The number of on-site bicycle parking spaces complies with the rates specified in Table 9.4.1.3.b.</p>	<p>Not applicable</p>

<p>PO7 Development provides secure and convenient bicycle parking which:</p> <ul style="list-style-type: none"> (a) for visitors is obvious and located close to the building's main entrance; (b) for employees is conveniently located to provide secure and convenient access between the bicycle storage area, end-of-trip facilities and the main area of the building; (c) is easily and safely accessible from outside the site. 	<p>AO7.1 Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers);</p> <p>AO7.2 Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street.</p> <p>AO7.3 Development provides visitor bicycle parking which does not impede pedestrian movement.</p>	<p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p>
<p>PO8 Development provides walking and cycle routes through the site which:</p> <ul style="list-style-type: none"> (a) link to the external network and pedestrian and cyclist destinations such as schools, shopping centres, open space, public transport stations, shops and local activity centres along the safest, most direct and convenient routes; (b) encourage walking and cycling; (c) ensure pedestrian and cyclist safety. 	<p>AO8 Development provides walking and cycle routes which are constructed on the carriageway or through the site to:</p> <ul style="list-style-type: none"> (a) create a walking or cycle route along the full frontage of the site; (b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site. 	<p>Not applicable</p>
<p>PO9 Access, internal circulation and on-site parking for service vehicles are designed and constructed:</p> <ul style="list-style-type: none"> (a) in accordance with relevant standards; 	<p>AO9.1 Access driveways, vehicle manoeuvring and on-site parking for service vehicles are designed and constructed in accordance with AS2890.1 and</p>	<p>Complies with PO9 Specific assessment of access and internal circulation has not been carried out. However, the access and parking arrangement will be to a residential standard and consistent with the locality.</p>

<p>(b) so that they do not interfere with the amenity of the surrounding area;</p> <p>(c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles.</p>	<p>AS2890.2.</p> <p>AO9.2 Service and loading areas are contained fully within the site.</p> <p>AO9.3 The movement of service vehicles and service operations are designed so they:</p> <ul style="list-style-type: none"> (a) do not impede access to parking spaces; (b) do not impede vehicle or pedestrian traffic movement. 	<p>Not applicable</p> <p>Not applicable</p>
<p>PO10 Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.</p>	<p>AO10.1 Development provides adequate area on-site for vehicle queuing to accommodate the demand generated by the development where drive through facilities or drop-off/pick-up services are proposed as part of the use, including, but not limited to, the following land uses:</p> <ul style="list-style-type: none"> (a) car wash; (b) child care centre; (c) educational establishment where for a school; (d) food and drink outlet, where including a drive-through facility; (e) hardware and trade supplies, where including a drive-through facility; (f) hotel, where including a drive-through facility; (g) service station. <p>AO10.2 Queuing and set-down areas are designed and constructed in accordance with AS2890.1.</p>	<p>Not applicable</p>

Table 9.4.1.3.b – Access, parking and servicing requirements

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

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