

# Change application form

**Planning Act Form 5 (version 1.2 effective 7 February 2020) made under Section 282 of the Planning Act 2016.**

This form is to be used for a change application made under section 78 of the *Planning Act 2016*. It is important when making a change application to be aware of whether the application is for a minor change that will be assessed under section 81 of the *Planning Act 2016* or for an other change that will be assessed under section 82 of the *Planning Act 2016*.

An applicant must complete all parts of this form, and provide any supporting information that the form identifies as being required to accompany the change application, unless stated otherwise. Additional pages may be attached if there is insufficient space on the form to complete any part.

**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)	Ricky J Knowles
Contact name (only applicable for companies)	c/- GMA Certification, Rebekah Mulligan
Postal address (P.O. Box or street address)	PO Box 831
Suburb	Port Douglas
State	QLD
Postcode	4877
Country	Australia
Email address (non-mandatory)	<a href="mailto:rebekah@gmacert.com.au">rebekah@gmacert.com.au</a>
Mobile number (non-mandatory)	0488 187 771
Applicant's reference number(s) (if applicable)	20163777

2) Owner's consent - Is written consent of the owner required for this change application?	
<b>Note:</b> Section 79(1A) of the <i>Planning Act 2016</i> states the requirements in relation to owner's consent.	
<input type="checkbox"/> Yes – the written consent of the owner(s) is attached to this change application	
<input checked="" type="checkbox"/> No	

## PART 2 – LOCATION DETAILS

3) Location of the premises (complete 3.1) or 3.2), and 3.3) as applicable)				
3.1) Street address and lot on plan				
<input checked="" type="checkbox"/> Street address <b>AND</b> lot on plan (all lots must be listed), <b>or</b>				
<input type="checkbox"/> Street address <b>AND</b> lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon. All lots must be listed).				
a)	Unit No.	Street No.	Street Name and Type	Suburb
			Ronald Road	Forest Creek
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	38	RP735855	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)



**Queensland  
Government**

**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 the original development approval and the details of these premises have been attached in a schedule to this application
- ☒ Not required

## PART 3 – RESPONSIBLE ENTITY DETAILS

**4) Identify the responsible entity that will be assessing this change application**

**Note:** see section 78(3) of the Planning Act 2016

Douglas Shire Council

## PART 4 – CHANGE DETAILS

**5) Provide details of the existing development approval subject to this change application**

Approval type	Reference number	Date issued	Assessment manager/approval entity
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval	MCUC 2016_1653/2	8/2/2021	Douglas Shire Council
<input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval			

**6) Type of change proposed**

**6.1) Provide a brief description of the changes proposed to the development approval** (e.g. changing a development approval for a five unit apartment building to provide for a six unit apartment building):

Change to Patio Design, New 4m x 4m Shed and enclosure of carport

**6.2) What type of change does this application propose?**

- ☒ Minor change application – proceed to Part 5
- ☐ Other change application – proceed to Part 6

## PART 5 – MINOR CHANGE APPLICATION REQUIREMENTS

7) Are there any affected entities for this change application		
<input checked="" type="checkbox"/> No – proceed to Part 7 <input type="checkbox"/> Yes – list all affected entities below and proceed to Part 7 <b>Note:</b> section 80(1) of the Planning Act 2016 states that the person making the change application must give notice of the proposal and the details of the change to each affected entity as identified in section 80(2) of the Planning Act 2016.		
Affected entity	Pre-request response provided? (where a pre-request response notice for the application has been given, a copy of the notice must accompany this change application)	Date notice given (where no pre-request response provided)
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	

## PART 6 – OTHER CHANGE APPLICATION REQUIREMENTS

**Note:** To complete this part it will be necessary for you to complete parts of DA Form 1 – Development application details and in some instances parts of DA Form 2 – Building work details, as mentioned below. These forms are available at <https://planning.dsdmip.qld.gov.au>.

8) Location details - Are there any additional premises included in this change application that were not part of the original development approval?
<input type="checkbox"/> No <input type="checkbox"/> Yes

9) Development details
<b>9.1) Is there any change to the type of development, approval type, or level of assessment in this change application?</b> <input type="checkbox"/> No <input type="checkbox"/> Yes – the completed Sections 1 and 2 of Part 3 (Development details) of DA Form 1 – Development application details as these sections relate to the new or changed aspects of development are provided with this application.
<b>9.2) Does the change application involve building work?</b> <input type="checkbox"/> No <input type="checkbox"/> Yes – the completed Part 5 (Building work details) of DA Form 2 – Building work details as it relates to the change application is provided with this application.

10) Referral details – Does the change application require referral for any referral requirements?
<b>Note:</b> The application must be referred to each referral agency triggered by the change application as if the change application was the original development application including the proposed change. <input type="checkbox"/> No <input type="checkbox"/> Yes – the completed Part 5 (Referral details) of DA Form 1 – Development application details as it relates to the change application is provided with this application. Where referral is required for matters relating to building work the <a href="#">Referral checklist for building work</a> is also completed.

11) Information request under Part 3 of the DA Rules
<input type="checkbox"/> I agree to receive an information request if determined necessary for this change application <input type="checkbox"/> I do not agree to accept an information request for this change application <b>Note:</b> By not agreeing to accept an information request I, the applicant, acknowledge:

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

Further advice about information requests is contained in the [DA Forms Guide: Forms 1 and 2](#).

## 12) Further details

- ☒ Part 7 of *DA Form 1 – Development application details* is completed as if the change application was a development application and is provided with this application.

# PART 7 – CHECKLIST AND APPLICANT DECLARATION

## 13) Change application checklist

I have identified the:

- responsible entity in 4); and
- for a minor change, any affected entities; and ☒ Yes
- for an other change all relevant referral requirement(s) in 10)

**Note:** See the *Planning Regulation 2017* for referral requirements

For an other change application, the relevant sections of [DA Form 1 – Development application details](#) have been completed and is attached to this application ☒ Yes  
☐ Not applicable

For an other change application, where building work is associated with the change application, the relevant sections of [DA Form 2 – Building work details](#) have been completed and is attached to this application ☐ Yes  
☒ Not applicable

Supporting information addressing any applicable assessment benchmarks is attached to this application ☒ Yes  
**Note:** This includes any templates provided under 23.6 and 23.7 of *DA Form 1 – Development application details* that are relevant as a result of the change application, a planning report and any technical reports required by the relevant categorising instrument(s) (e.g. the local government planning scheme, State Planning Policy, State Development Assessment Provisions). For further information, see [DA Forms Guide: Planning report template](#).

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

## 14) Applicant declaration

- ☒ By making this change application, I declare that all information in this change 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 responsible entity and any relevant affected entity or referral agency for the change 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 responsible entity and/or chosen assessment manager, any relevant affected entity or referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the change application.

All information relating to this change 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 8 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

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Date received:  Reference number(s):

### 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			

# DA Form 1 – Development application details

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

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

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

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

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

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

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

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

## PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Ricky J Knowles
Contact name (only applicable for companies)	c/- GMA Certification, Rebekah Mulligan
Postal address (P.O. Box or street address)	PO Box 831
Suburb	Port Douglas
State	QLD
Postcode	4877
Country	Australia
Contact number	0488 187 771
Email address (non-mandatory)	rebekah@gmacert.com.au
Mobile number (non-mandatory)	0488 187 771
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	20163777

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

## PART 2 – LOCATION DETAILS

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

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

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

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
			Ronald Road	Forest Creek
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	38	RP735855	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- ☐ Coordinates of premises by longitude and latitude

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

- ☐ Coordinates of premises by easting and northing

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

#### 3.3) Additional premises

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

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

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

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

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

Name of airport:

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

**5) Are there any existing easements over the premises?**

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

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

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

**6.1) Provide details about the first development aspect**

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

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

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

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

c) What is the level of assessment?

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

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

Dwelling House

e) Relevant plans

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

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

**6.2) Provide details about the second development aspect**

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

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

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

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

c) What is the level of assessment?

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

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

e) Relevant plans

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

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

**6.3) Additional aspects of development**

- ☐ Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application

- ☒ Not required



## Section 2 – Further development details

7) Does the proposed development application involve any of the following?	
Material change of use	<input checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

### Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m <sup>2</sup> ) (if applicable)
Dwelling House and Outbuilding	Dwelling House	1	130.5
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input type="checkbox"/> Yes			
<input checked="" type="checkbox"/> No			

### Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?	
9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)	
<input type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input type="checkbox"/> Boundary realignment (complete 12))	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road (complete 13))

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				
10.2) Will the subdivision be staged?				
<input type="checkbox"/> Yes – provide additional details below				
<input type="checkbox"/> No				
How many stages will the works include?				
What stage(s) will this development application apply to?				

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

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

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

### Division 3 – Operational work

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

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

## PART 5 – REFERRAL DETAILS

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

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

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

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

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

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

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

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

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

## PART 6 – INFORMATION REQUEST

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

## PART 7 – FURTHER DETAILS

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

- ☒ 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 checked="" type="checkbox"/> Approval <input type="checkbox"/> Development application	MCUC 2016_1653/2	8 February 2021	Douglas Shire Council
<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](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

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

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

### Hazardous chemical facilities

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

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

**Note:** See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information about hazardous chemical notifications.

### **Clearing native vegetation**

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

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

☒ No

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

### **Environmental offsets**

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

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

☒ No

**Note:** The environmental offset section of the Queensland Government's website can be accessed at [www.qld.gov.au](http://www.qld.gov.au) for further information on environmental offsets.

### **Koala habitat in SEQ Region**

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

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

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

☒ No

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

### **Water resources**

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

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

☒ No

**Note:** Contact the Department of Natural Resources, Mines and Energy at [www.dnrme.qld.gov.au](http://www.dnrme.qld.gov.au) for further information.

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

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

### **Waterway barrier works**

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

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

☒ No

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

### **Marine activities**

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

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

☒ No

**Note:** See guidance materials at [www.daf.qld.gov.au](http://www.daf.qld.gov.au) for further information.

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

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

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

**Note:** Contact the Department of Natural Resources, Mines and Energy at [www.dnrme.qld.gov.au](http://www.dnrme.qld.gov.au) and [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

### **Quarry materials from land under tidal waters**

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

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

**Note:** Contact the Department of Environment and Science at [www.des.qld.gov.au](http://www.des.qld.gov.au) for further information.

### **Referable dams**

23.11) Does this development application involve a **referable dam** required to be failure impact assessed under section 343 of the *Water Supply (Safety and Reliability) Act 2008* (the Water Supply Act)?

- ☐ Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the Water Supply Act is attached to this development application  
☒ No

**Note:** See guidance materials at [www.dnrme.qld.gov.au](http://www.dnrme.qld.gov.au) for further information.

### **Tidal work or development within a coastal management district**

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

- ☐ Yes – the following is included with this development application:
- ☐ Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)
  - ☐ A certificate of title
- ☒ No

**Note:** See guidance materials at [www.des.qld.gov.au](http://www.des.qld.gov.au) for further information.

### **Queensland and local heritage places**

23.13) Does this development application propose development on or adjoining a place entered in the **Queensland heritage register** or on a place entered in a local government's **Local Heritage Register**?

- ☐ Yes – details of the heritage place are provided in the table below  
☒ No

**Note:** See guidance materials at [www.des.qld.gov.au](http://www.des.qld.gov.au) for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
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### **Brothels**

23.14) Does this development application involve a **material change of use for a brothel**?

- ☐ Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*  
☒ No

### **Decision under section 62 of the Transport Infrastructure Act 1994**

23.15) Does this development application involve new or changed access to a state-controlled road?

- ☐ Yes – this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)  
☒ No

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

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

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

☒ No

**Note:** See guidance materials at [www.planning.dsdmip.qld.gov.au](http://www.planning.dsdmip.qld.gov.au) for further information.

## PART 8 – CHECKLIST AND APPLICANT DECLARATION

### 24) Development application checklist

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

☒ Yes

**Note:** See the Planning Regulation 2017 for referral requirements

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

☐ Yes

☒ Not applicable

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

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

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

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

☐ Yes

☒ Not applicable

### 25) Applicant declaration

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

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

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

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

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

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

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



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

---

Date received:  Reference number(s):

### Notification of engagement of alternative assessment manager

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

### QLeave notification and payment

*Note: For completion by assessment manager if applicable*

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



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## **PLANNING STATEMENT**

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For: Ricky Knowles  
Development: Dwelling House and Domestic Outbuilding  
At: Lot 38 Ronald Road, Forest Creek (Lot 38 RP735855)  
Prepared by: GMA Certification Group  
File Ref: 20163777  
Revision: A

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## 1.0 Introduction

This report has been prepared on behalf of Ricky Knowles in support of a Change Application to Douglas Shire Council for a Development Permit for Material Change of Use for the purpose of a Dwelling House and Domestic Outbuilding on land located at Ronald Road, Forest Creek. and described as Lot 38 on RP735855.

The application site is a single irregularly shaped lot containing an area of 20,010m<sup>2</sup> and with frontage to Ronald Road of approximately 65 metres. The site is currently developed for a Dwelling House and has been cleared around the development site. It has a topography that slopes down from the Ronald Road Frontage with a benched site located to the Western side of the premises fronting Ronald Road. Access to the site is provided from the Ronald Road Frontage.

The site is located on the north side of the Daintree River and the locality containing the site is generally characterised by larger rural lifestyle lots that have been developed for Dwelling Houses or are currently vacant and larger conservation lots containing mature rainforest vegetation.

It is proposed to enclose the existing carport, re-design the dwelling patio to a partial wrap around patio and to further develop the site to include a Domestic Outbuilding (Shed). The 3m wide patio would be located to the Western and Southern sides of the dwelling and the shed would be located to the Eastern side and 20m from the nearest boundary. The buildings would be located on the existing benched area approved under the existing Development Approval MCUC1653/2016. The floor area of the Dwelling House would be generally unchanged and the shed would have a floor area of 16m<sup>2</sup>. Both buildings would be setback a minimum of 20 metres from all boundaries. The maximum height of all buildings would be unchanged from the existing approval and access would be provided by the existing approved single driveway from Ronald Creek Road.

The application is identified as being Code Assessable and consideration can only be given to the applicable Planning Assessment Benchmarks. The proposed development is considered to be consistent with the Assessment Benchmarks, the existing Development Approval and is considered to be a suitable development of the site. The development is considered to be consistent in terms of scale and intensity to other forms of development in the locality and the site can contain the use without adverse impact on the amenity of the area.

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

## 2.0 Development Summary

<b>Address:</b>	Ronald Road, Forest Creek
<b>Real Property Description:</b>	Lot 38 RP735855
<b>Easements &amp; Encumbrances:</b>	Nil
<b>Site Area/Frontage:</b>	Area: 2.010 hectares Frontage: Ronald Road approximately 65 metres
<b>Registered Owner:</b>	Ricky Knowles
<b>Proposal:</b>	Dwelling House and Domestic Outbuilding
<b>Approval Sought:</b>	Development Permit
<b>Level of Assessment:</b>	Code Assessment
<b>State Interests – State Planning Policy</b>	<ul style="list-style-type: none"> <li>• Economic Growth – Agriculture, Agricultural land classification - class A and B, in part;</li> <li>• Environment and Heritage – Biodiversity:               <ul style="list-style-type: none"> <li>○ MSES - Regulated vegetation (category C) and,</li> <li>○ MSES - Regulated vegetation (essential habitat) and,</li> <li>○ MSES – Regulation vegetation (wetlands), and</li> <li>○ MSES – High ecological significance wetlands</li> <li>○ MSES – Wildlife habitat (endangers or vulnerable)</li> </ul> </li> </ul>

<b>State Interests – SARA Mapping:</b>	<ul style="list-style-type: none"> <li>• Wetland Protection Areas</li> <li>• Native Vegetation Clearing:               <ul style="list-style-type: none"> <li>○ Category C and X on the regulated vegetation management map; and,</li> <li>○ Essential habitat; and</li> </ul> </li> </ul>
--	--

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- Vegetation management coastal and non-coastal bioregions

<b>Referral Agencies:</b>	Nil – Any works would be for a domestic housing activity, which is exempt.
<b>State Development Assessment Provisions:</b>	n/a
<b>Regional Plan Designation:</b>	Regional Landscape and Rural Production Area
<b>Zone:</b>	Environmental Management Zone
<b>Overlays:</b>	<ul style="list-style-type: none"> <li>● Acid Sulfate Soils;</li> <li>● Bushfire Hazard;</li> <li>● Flood Storm;</li> <li>● Landscape Values;</li> <li>● Natural Areas; and,</li> <li>● Potential Landslide Hazard.</li> </ul>



### 3.0 Site and Locality

The subject site is a single irregularly shaped lot located at Lot 38 Ronald Road, Forest Creek, and described as Lot 38 on RP735855. The site contains an area of 20,010m<sup>2</sup> and has frontage to Ronald Road of approximately 65 meters.

The site is located on the north side of the Daintree River and the locality containing the site is generally characterised by larger rural lifestyle lots that have been developed for Dwelling Houses or are currently vacant and larger conservation lots containing mature rainforest vegetation.

The development site is affected by the Natural Areas and Landslide Hazard Overlays



Photo 1 – Site Location (Development Assessment Mapping System)

## 4.0 Proposal

It is proposed to enclose the existing carport, re-design the dwelling patio to a partial wrap around patio and to further develop the site to include a Domestic Outbuilding (Shed). The buildings would be located on the existing benched area approved under the existing Development Approval MCUC1653/2016. The 3m wide patio would be located to the Western and Southern sides of the dwelling and the shed would be located to the Eastern side and 20m from the nearest boundary.

The floor area of the Dwelling House would be generally unchanged and the shed would have a floor area of 16m<sup>2</sup>. Both buildings would be setback a minimum of 20 metres from all boundaries. The Dwelling House would contain three bedrooms, living/dining/kitchen area and utility rooms. The maximum height of all buildings would be unchanged from the existing approval and access would be provided by the existing approved single driveway from Ronal Creek Road.

Proposal Plans are attached at the [Appendices](#)

## 5.0 Statutory Planning Considerations

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

### 5.1 Planning Act 2016

#### 5.1.1 Categorisation of Development

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

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

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

#### 5.1.2 Assessment Manager

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



### 5.1.3 Level of Assessment

The application involves the development of a Dwelling House, including Domestic Outbuilding. The table below identifies the level of assessment and the categorising section of the Douglas Shire Council Planning Scheme.

Development	Categorising Section	Level of Assessment
Dwelling House	Table 5.6.d – Environmental Management Zone	Code Assessable

### 5.1.4 Statutory Considerations for Assessable Development

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

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

### 5.1.5 State Planning Policy

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

### 5.1.6 Regional Plan

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

### 5.1.7 Referral Agencies

There are no referral agencies identified in respect of this application.

### 5.1.8 State Development Assessment Provisions

As there are no referral agencies for the application, no State Development Assessment Provisions Apply to the assessment.

## 6.0 Local Planning Considerations

### 6.1 Douglas Shire Council Planning Scheme

Within the Douglas Shire Council Planning Scheme (2018), the site is identified within the Environmental Management Zone and is affected by the following overlays:

- Acid Sulfate Soils;
- Landscape Values;
- Natural Areas;
- Bushfire Hazard;
- Flood Storm;
- Potential Landslide Hazard.

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

Assessment Benchmark	Applicability	Compliance
Environmental Management Zone Code	Applies	Complies with applicable Assessment Benchmarks.
Acid Sulfate Soils Overlay Code	Not applicable	Not identified as an Assessment Benchmark
Landscape Values Overlay Code	Not applicable	Not identified as an Assessment Benchmark.
Natural Areas Overlay Code	Applies	Complies with applicable Assessment Benchmarks
Potential Landslide Hazard Overlay Code	Applies	Complies with applicable Acceptable Outcomes.
Dwelling House Code	Applies	Complies with applicable Assessment Benchmarks
Access, Parking and Servicing Code	Applies	Complies with applicable Assessment Benchmarks.
Filling and Excavation Code	Applies	Complies with applicable Assessment Benchmarks.
Infrastructure Works Code	Applies	Complies with applicable Assessment Benchmarks
Vegetation Management Code	Applies	Complies with applicable Assessment Benchmarks.

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### 6.1.1 Statement of Compliance – Benchmark Assessment

It is proposed to enclose the existing carport, re-design the dwelling patio to a partial wrap around patio and to further develop the site to include a Domestic Outbuilding (Shed). The 3m wide patio would be located to the Western and Southern sides of the dwelling and the shed would be located to the Eastern side and 20m from the nearest boundary. The buildings would be located on the existing benched and cleared area as approved under the existing Development Approval MCUC1653/2016.

The floor area of the Dwelling House would be generally unchanged and the shed would have a floor area of 16m<sup>2</sup>. Both buildings would be setback a minimum of 20 metres from all boundaries. The maximum height of all buildings would be unchanged from the existing approval and access would be provided by the existing approved single driveway from Ronald Creek Road.

The proposed development is considered to be designed to respond to the characteristics and features of the site and surrounds.

The proposed development is considered to satisfy the Acceptable Outcomes and Performance Outcomes of the Planning Scheme.

## 7.0 Summary and Conclusion

This report has been prepared on behalf of Ricky Knowles in support of a Change to an Existing Development Approval to Douglas Shire Council for the purpose of a Dwelling House and Domestic Outbuilding on land located at Ronald Road, Forest Creek. and described as Lot 38 on RP735855.

It is proposed to develop the site for a Dwelling House and Domestic Outbuilding as described in this report. The application is identified as being Code Assessable and consideration can only be given to the applicable Planning Assessment Benchmarks. The proposed development is considered to be consistent with the Assessment Benchmarks and existing Development Approval and is considered to be a suitable use and development of the site. The development is considered to be consistent in terms of scale and intensity to other forms of development in the locality and the site can contain the use without adverse impact on the amenity of the area.

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

## Appendix 1.

# DEVELOPMENT APPROVAL

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8 February 2021

**Enquiries:** Jenny Elphinstone  
**Our Ref:** MCUC 2016\_1653/2 (Doc ID 995231)  
**Your Ref:** 2016377

R J Knowles  
PO Box 55  
TRINITY BEACH QLD 4879

Email C/ [admincns@gmcert.com.au](mailto:admincns@gmcert.com.au)

Dear Sir

**Extension to the period of currency for MCU Shed/House  
At Ronald Road Forest Creek  
On Land Described as Lot 38 on RP735855**

Please find attached the Decision Notice for the above-mentioned development application.

Please quote Council's application number: MCUC 2016\_1653/2 in all subsequent correspondence relating to this development application.

Should you require any clarification regarding this, please contact Jenny Elphinstone on telephone 07 4099 9444.

Yours faithfully



**For**

**Paul Hoyer**  
**Manager Environment & Planning**

encl.

- Decision Notice
  - Existing Approval
  - Reasons for Decision
- Advice For Making Representations and Appeals (Decision Notice)

Cc- email to R J Knowles



## Decision Notice

### Approval

---

*Given under sections 86 and 87 of the Planning Act 2016*

---

#### Applicant Details

Name: R J Knowles

Postal Address: PO Box 55  
Trinity Beach Qld 4879

Email: adminpd@macert.com.au

---

#### Property Details

Street Address: Ronald Road Forest Creek

Real Property Description: Lot 38 on RP735855

Local Government Area: Douglas Shire Council

---

#### Details of Proposed Development

Application for a three year extension to the period of currency for the Development Permit for Material Change of Use for a Shed/House.

---

#### Decision

Date of Decision: 8 February 2021

Decision Details: Approved. The currency period of the Development Approval for a Material change of use for a Shed/House is extended for a further three (3) years up to and including 26 March 2024.

---

#### Existing Approval

A copy of the existing approval is attached.

---

#### Further Development Permits

Please be advised that the following development permits are required to be obtained before the development can be carried out:

- All Building Work

All Plumbing and Drainage Work must only be carried in compliance with the Queensland *Plumbing and Drainage Act 2018*.

## **Rights of Appeal**

---

The rights of applicants to appeal to a Tribunal or the Planning and Environment Court against decisions about a development application are set out in Chapter 6, Part 1 of the *Planning Act 2016*.

A copy of the relevant appeal provisions is attached.



## Existing Approval

**OUR REF:** MCUC1653/2016 (789827)

26 September 2016

Ricky John Knowles  
PO Box 55  
Trinity Beach QLD 4879

Attention: Mr Ricky John Knowles

Dear Sir

**DECISION NOTICE UNDER S 335 SUSTAINABLE PLANNING ACT 2009:  
DEVELOPMENT APPLICATION FOR RONALD ROAD, FOREST CREEK**

With reference to the abovementioned Development Application, which was determined under Instrument of Delegation on 26 September 2016, please find attached the relevant Decision Notice.

The Notice includes extracts from the Act with respect to making representations about conditions, negotiated decisions, suspension of the appeal period, and lodging an Appeal.

Should you have any enquiries in relation to this Decision Notice, please contact Daniel Lamond of Development Assessment and Coordination on telephone number 07 4099 9456.

Yours faithfully

Nick Wellwood  
General Manager Operations

Att

43.2016.1401  
1/7

**APPLICANT DETAILS**

Ricky John Knowles  
PO Box 55  
Trinity Beach QLD 4879

**ADDRESS**

Ronald Road FOREST CREEK

**REAL PROPERTY DESCRIPTION**

Lot 38 on RP735855

**PROPOSAL**

House

**DECISION**

Approved subject to conditions (refer to approval package below).

**DECISION DATE**

26 September 2016

**TYPE**

Material Change of Use (Development Permit)

**REFERRAL AGENCIES**

None Applicable

**SUBMISSIONS**

There were no submissions for this application.

**FURTHER DEVELOPMENT PERMITS REQUIRED**

Development Permit for Building Works

**CODES TO COMPLY WITH FOR SELF-ASSESSABLE DEVELOPMENT**

None

**DOES THE ASSESSMENT MANAGER CONSIDER THE APPLICATION TO BE IN CONFLICT WITH APPLICABLE CODES, PLANNING SCHEME, STATE PLANNING POLICIES OR PRIORITY INFRASTRUCTURE PLAN (IF YES, INCLUDE STATEMENT OF REASONS)**

Not in conflict

**APPROVED DRAWING(S) AND/OR DOCUMENT(S)**

The term 'approved drawing(s) and/or document(s)' or other similar expression means:

Drawing or Document	Reference	Date
Site Plan	Plan prepared by Applicant	August 2016
Floor Plan (Shed)	Plan prepared by Applicant	August 2016

**ASSESSMENT MANAGER CONDITIONS:**

1. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:
  - a. The specifications, facts and circumstances as set out in the application submitted to Council, including recommendations and findings confirmed within technical reports; and
  - b. The following conditions of approval and the requirements of Council's Planning Scheme and the *FNQROC Development Manual*.

Except where modified by these conditions of approval.

**Timing of Effect**

2. The conditions of the Development Permit must be satisfied prior to Commencement of Use, except where specified otherwise in these conditions of approval.

**Lawful Point of Discharge**

3. The flow of all external stormwater from the property must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development.

**Damage to Council Infrastructure**

4. In the event that any part of Council's existing road infrastructure is damaged as a result of construction activities occurring on the site, including, but not limited to, mobilisation of heavy construction equipment, stripping and grubbing, the applicant/owner must notify Council immediately of the affected infrastructure and have it repaired or replaced at the developer's/owner's/builder's cost, prior to the Commencement of Use.

**Vegetation Clearing**

43.2016.1401  
3/7

5. Existing vegetation on the land must be retained in all areas except those affected by the construction of access driveways and/or the installation of services as detailed on the approved plans. Any further clearing requires a Permit for Operational Works.

#### **Landscaping**

6. All landscaping to be installed must consist of native and endemic species and must be planted in an irregular and random fashion to blend with existing vegetation. Exotic species are not permitted.  
A vegetation buffer must be planted along the boundary adjoining lot 37 on RP735855 in order to screen view from the neighbouring property.

#### **Water Supply**

7. Water storage tank(s) with a minimum capacity not less than 30,000 litres must be installed prior to occupation of the premises. Details of the water tank(s) must be shown on plans submitted with the Building Application. Such water tank(s) must be provided with:
  - a. Mosquito-proof screens of brass, copper, aluminium or stainless steel gauze not coarser than one (1) mm aperture mesh of substantial construction and installed in such manner as not to cause or accelerate corrosion; or
  - b. Flap valve at every opening of the tank or other receptacle; or
  - c. Other approved means for preventing the ingress or egress of mosquitoes; and
  - d. Where a tank or other receptacle is provided with a manhole, the manhole must have a diameter of no more than 40cm; and
  - e. A 50mm ball valve with a camlock fitting.

#### **Effluent Disposal system**

8. The method of on-site effluent disposal must be in accordance with the Plumbing and Drainage Act 2002. Details of the wastewater treatment system to be installed must be in accordance with report submitted by Earth Test dated 26 April 2016.

#### **Building Colours**

9. The exterior finishes and colours of Buildings are non-reflective and blend with the natural colours of the surrounding environment. Roofs and structures (including water tanks) must be of moderately dark to darker shades of green, grey, blue and brown.

The following proposed building colours are approved for use:

Exterior Walls – Dune & Nightsky

Roof – Dune & Nightsky

The above requirements must be made known in writing to all prospective purchasers.

#### **Sediment and Erosion Control**

10. Soil and water management measures must be installed/implemented prior to discharge

43.2016.1401  
4/7

of water from the site, such that no external stormwater flow from the site adversely affects surrounding or downstream properties (in accordance with the requirements of the *Environmental Protection Act 1994*, and the *FNQROC Development Manual*).

#### ADVICE

1. This approval, granted under the provisions of the *Sustainable Planning Act 2009*, shall lapse four (4) years from the day the approval takes effect in accordance with the provisions of section 339 and section 341 of the *Sustainable Planning Act 2009*.
2. The applicant/owner is advised that this approval does not approve the construction of the building work. A Development Permit for Building Work must be obtained in order for construction to commence.
3. All building site managers must take all action necessary to ensure building materials and / or machinery on construction sites are secured immediately following the first cyclone watch and that relevant emergency telephone contacts are provided to Council officers, prior to commencement of works.
4. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements.
5. For information relating to the *Sustainable Planning Act 2009* log on to [www.dilqp.qld.gov.au](http://www.dilqp.qld.gov.au) . To access the *FNQROC Development Manual*, Local Laws and other applicable Policies log on to [www.douglas.qld.gov.au](http://www.douglas.qld.gov.au) .

#### RIGHTS OF APPEAL

Attached

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### End of Decision Notice





## **Reasons for Decision**

## **Non-Compliance with Assessment Benchmarks**



## Extracts from the Planning Act 2016 – Appeal Rights

Planning Act 2016  
Chapter 6 Dispute resolution

[s 229]

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- (2) The person is taken to have engaged in the representative's conduct, unless the person proves the person could not have prevented the conduct by exercising reasonable diligence.
- (3) In this section—
  - conduct* means an act or omission.
  - representative* means—
    - (a) of a corporation—an executive officer, employee or agent of the corporation; or
    - (b) of an individual—an employee or agent of the individual.
  - state of mind*, of a person, includes the person's—
    - (a) knowledge, intention, opinion, belief or purpose; and
    - (b) reasons for the intention, opinion, belief or purpose.

## Chapter 6 Dispute resolution

### Part 1 Appeal rights

#### 229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
  - (a) matters that may be appealed to—
    - (i) either a tribunal or the P&E Court; or
    - (ii) only a tribunal; or
    - (iii) only the P&E Court; and
  - (b) the person—
    - (i) who may appeal a matter (the *appellant*); and
    - (ii) who is a respondent in an appeal of the matter; and

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Current as at 1 October 2020

Authorised by the Parliamentary Counsel

- (iii) who is a co-respondent in an appeal of the matter;  
and
  - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The *appeal period* is—
- (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
  - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
  - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
  - (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
  - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
  - (f) for an appeal relating to the *Plumbing and Drainage Act 2018*—
    - (i) for an appeal against an enforcement notice given because of a belief mentioned in the *Plumbing and Drainage Act 2018*, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or
    - (ii) for an appeal against a decision of a local government or an inspector to give an action notice under the *Plumbing and Drainage Act 2018*—5 business days after the notice is given; or

- (iii) otherwise—20 business days after the day the notice is given; or
- (g) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

*Note—*

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
  - (a) the adopted charge itself; or
  - (b) for a decision about an offset or refund—
    - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
    - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

## **230 Notice of appeal**

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
  - (a) is in the approved form; and
  - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar, must, within the service period, give a copy of the notice of appeal to—

- (a) the respondent for the appeal; and
  - (b) each co-respondent for the appeal; and
  - (c) for an appeal about a development application under schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and
  - (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
  - (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
  - (f) for an appeal to the P&E Court—the chief executive; and
  - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The *service period* is—
- (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
  - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
- (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
  - (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.



- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

### 231 Non-appealable decisions and matters

- (1) Subject to this chapter, section 316(2), schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section—  
**decision** includes—
  - (a) conduct engaged in for the purpose of making a decision; and
  - (b) other conduct that relates to the making of a decision; and
  - (c) the making of a decision or the failure to make a decision; and
  - (d) a purported decision; and
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**non-appealable**, for a decision or matter, means the decision or matter—

- (a) is final and conclusive; and
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whether by the Supreme Court, another court, any tribunal or another entity; and

- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, any tribunal or another entity on any ground.

## **232 Rules of the P&E Court**

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.

# **Part 2 Development tribunal**

## **Division 1 General**

### **233 Appointment of referees**

- (1) The Minister, or chief executive, (the *appointer*) may appoint a person to be a referee, by an appointment notice, if the appointer considers the person—
  - (a) has the qualifications or experience prescribed by regulation; and
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    - (i) to negotiate and mediate outcomes between parties to a proceeding; and
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    - (iii) to analyse complex technical issues; and
    - (iv) to communicate effectively, including, for example, to write informed succinct and well-organised decisions, reports, submissions or other documents.

8 February 2021

**Enquiries:** Jenny Elphinstone  
**Our Ref:** [Choose an item](#). 2016\_1653 (Doc ID)  
**Your Ref:** 2016377

R J Knowles  
PO Box 55  
TRINITY BEACH QLD 4879

Dear Sir/Madam

**Adopted Infrastructure Charge Notice  
For Development Application MCU - Code (Shed/House)  
At Ronald Road FOREST CREEK  
On Land Described as LOT: 38 RP: 735855**

Please find attached the Adopted Infrastructure Charges Notice issued in accordance with section 119 of the *Planning Act 2016*.

The amount in the Adopted Infrastructure Charges Notice has been calculated according to Council's Adopted Infrastructure Charges Resolution.

Please also find attached extracts from the Act regarding the following:

- your right to make representations to Council about the Adopted Infrastructure Charges Notice; and
- your Appeal rights with respect to the Adopted Infrastructure Charges Notice.

Please quote Council's application number: [Choose an item](#). 2016\_1653 in all subsequent correspondence relating to this matter.

Should you require any clarification regarding this, please contact Jenny Elphinstone on telephone 07 4099 9444.

Yours faithfully

**Paul Hoyer**  
**Manager Environment & Planning**

encl.

- Adopted Infrastructure Charges Notice
- Rights to Make Representations and Appeals Regarding Infrastructure Charges

**Adopted Infrastructure Charges Notice**



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## **Subdivision 5      Changing charges during relevant appeal period**

### **124      Application of this subdivision**

This subdivision applies to the recipient of an infrastructure charges notice given by a local government.

### **125      Representations about infrastructure charges notice**

- (1) During the appeal period for the infrastructure charges notice, the recipient may make representations to the local government about the infrastructure charges notice.
- (2) The local government must consider the representations.
- (3) If the local government—
  - (a) agrees with a representation; and
  - (b) decides to change the infrastructure charges notice;the local government must, within 10 business days after making the decision, give a new infrastructure charges notice (a *negotiated notice*) to the recipient.
- (4) The local government may give only 1 negotiated notice.
- (5) A negotiated notice—
  - (a) must be in the same form as the infrastructure charges notice; and
  - (b) must state the nature of the changes; and
  - (c) replaces the infrastructure charges notice.
- (6) If the local government does not agree with any of the representations, the local government must, within 10 business days after making the decision, give a decision notice about the decision to the recipient.
- (7) The appeal period for the infrastructure charges notice starts again when the local government gives the decision notice to the recipient.

**126 Suspending relevant appeal period**

- (1) If the recipient needs more time to make representations, the recipient may give a notice suspending the relevant appeal period to the local government.
- (2) The recipient may give only 1 notice.
- (3) If the representations are not made within 20 business days after the notice is given, the balance of the relevant appeal period restarts.
- (4) If representations are made within the 20 business days and the recipient gives the local government a notice withdrawing the notice of suspension, the balance of the relevant appeal period restarts the day after the local government receives the notice of withdrawal.

**Division 3 Development approval conditions about trunk infrastructure**

**Subdivision 1 Conditions for necessary trunk infrastructure**

**127 Application and operation of subdivision**

- (1) This subdivision applies if—
  - (a) trunk infrastructure—
    - (i) has not been provided; or
    - (ii) has been provided but is not adequate; and
  - (b) the trunk infrastructure is or will be located on—
    - (i) premises (the *subject premises*) that are the subject of a development application, whether or not the infrastructure is necessary to service the subject premises; or
    - (ii) other premises, but is necessary to service the subject premises.

## Extracts from the Planning Act 2016 –Appeal Rights

Planning Act 2016  
Chapter 6 Dispute resolution  
[s 229]

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# **Part 2 Development tribunal**

## **Division 1 General**

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    - (ii) to apply the principles of natural justice; and
    - (iii) to analyse complex technical issues; and
    - (iv) to communicate effectively, including, for example, to write informed succinct and well-organised decisions, reports, submissions or other documents.



## Appendix 2.

# PROPOSAL PLANS

[www.gmacert.com.au](http://www.gmacert.com.au)

BUILDING APPROVALS & INSPECTIONS

BUILDING CERTIFICATION

ENERGY EFFICIENCY ASSESSMENTS

TOWN PLANNING

Gold Coast

Caboolture

Townsville

Cairns

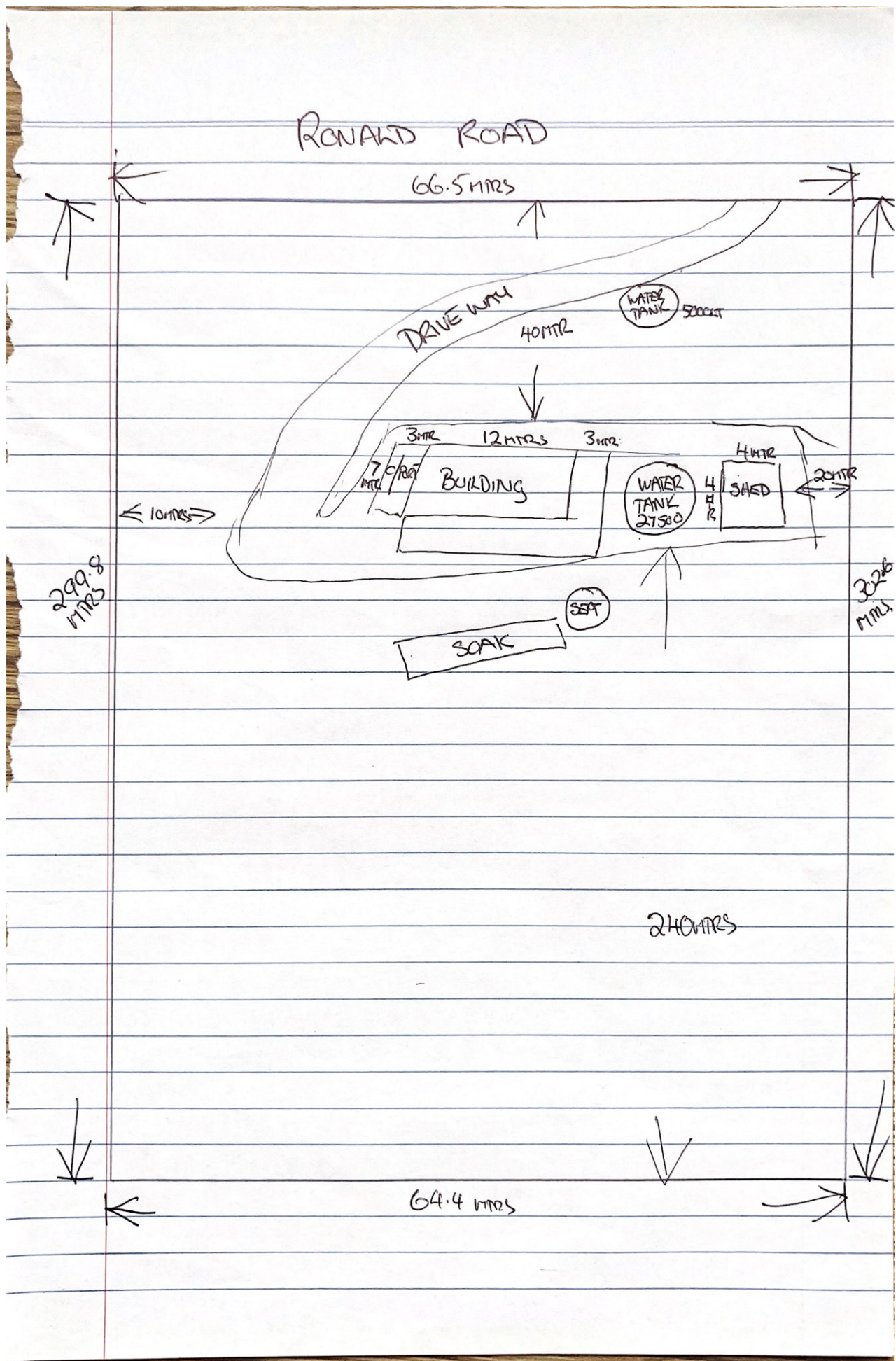
Port Douglas

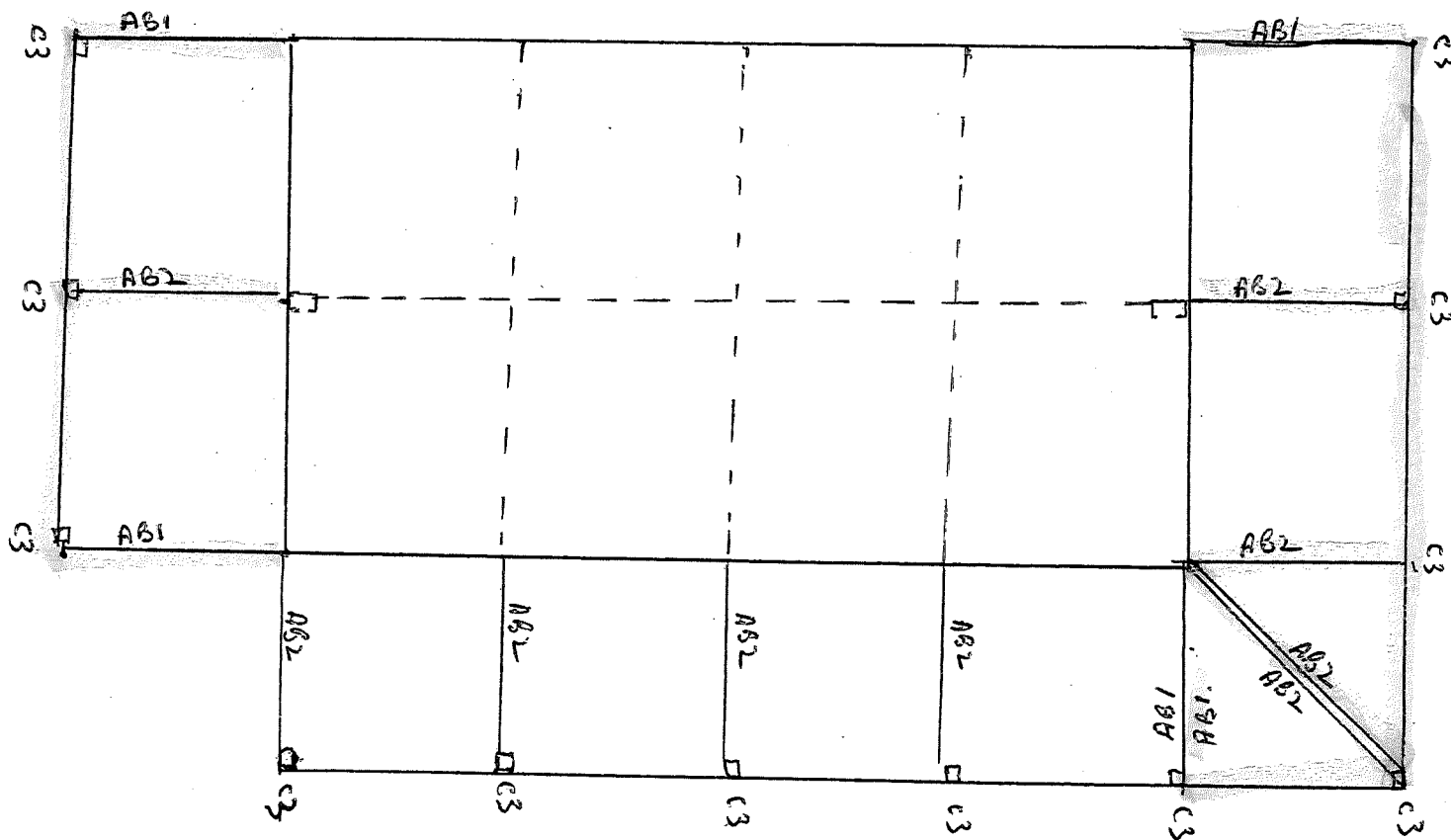
Childers

Kingscliff



**Limited Liability By a Scheme Approved Under Professional Standards Legislation**  
Member Australian Institute of Building Surveyors Professional Standards Scheme



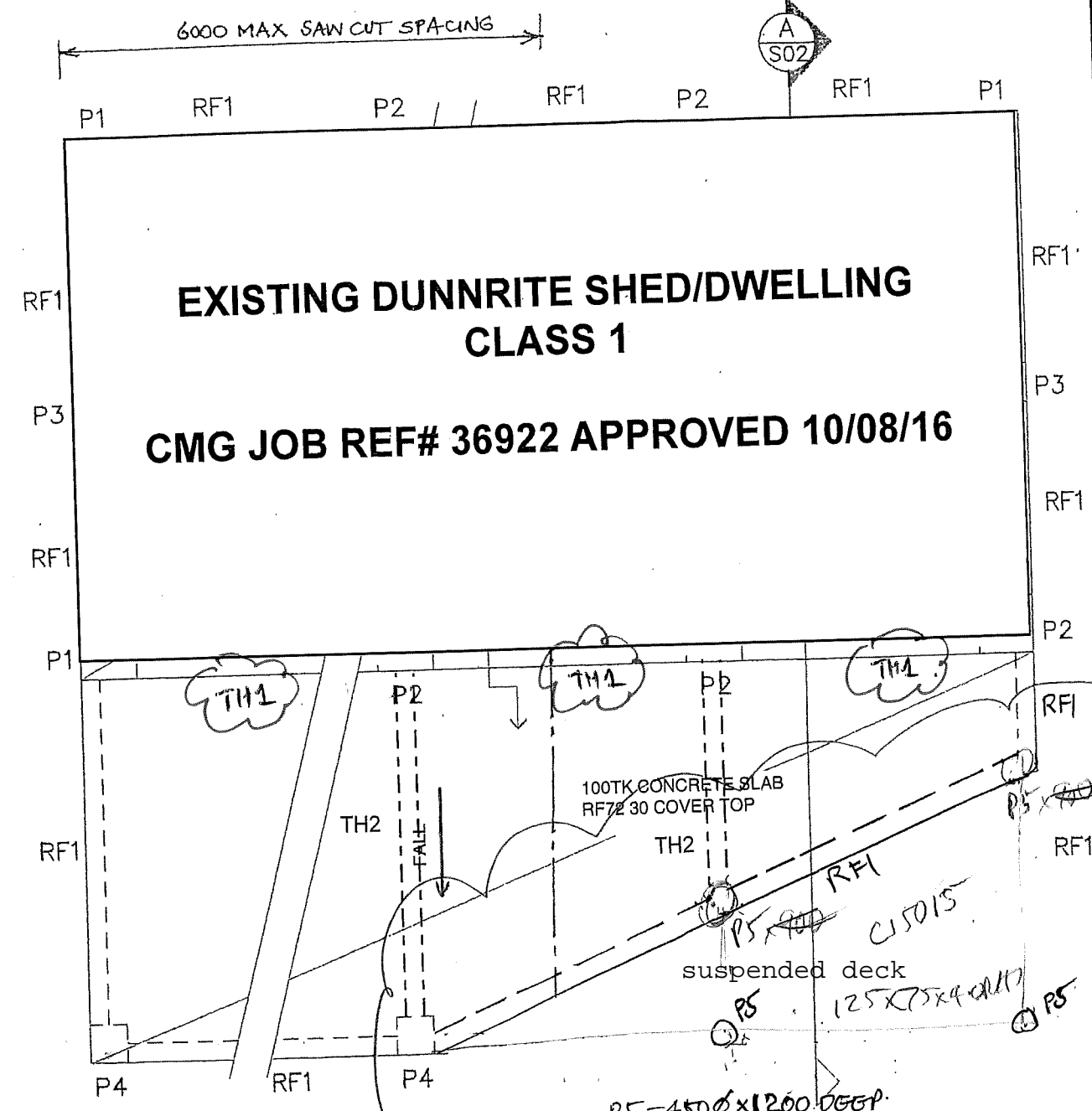
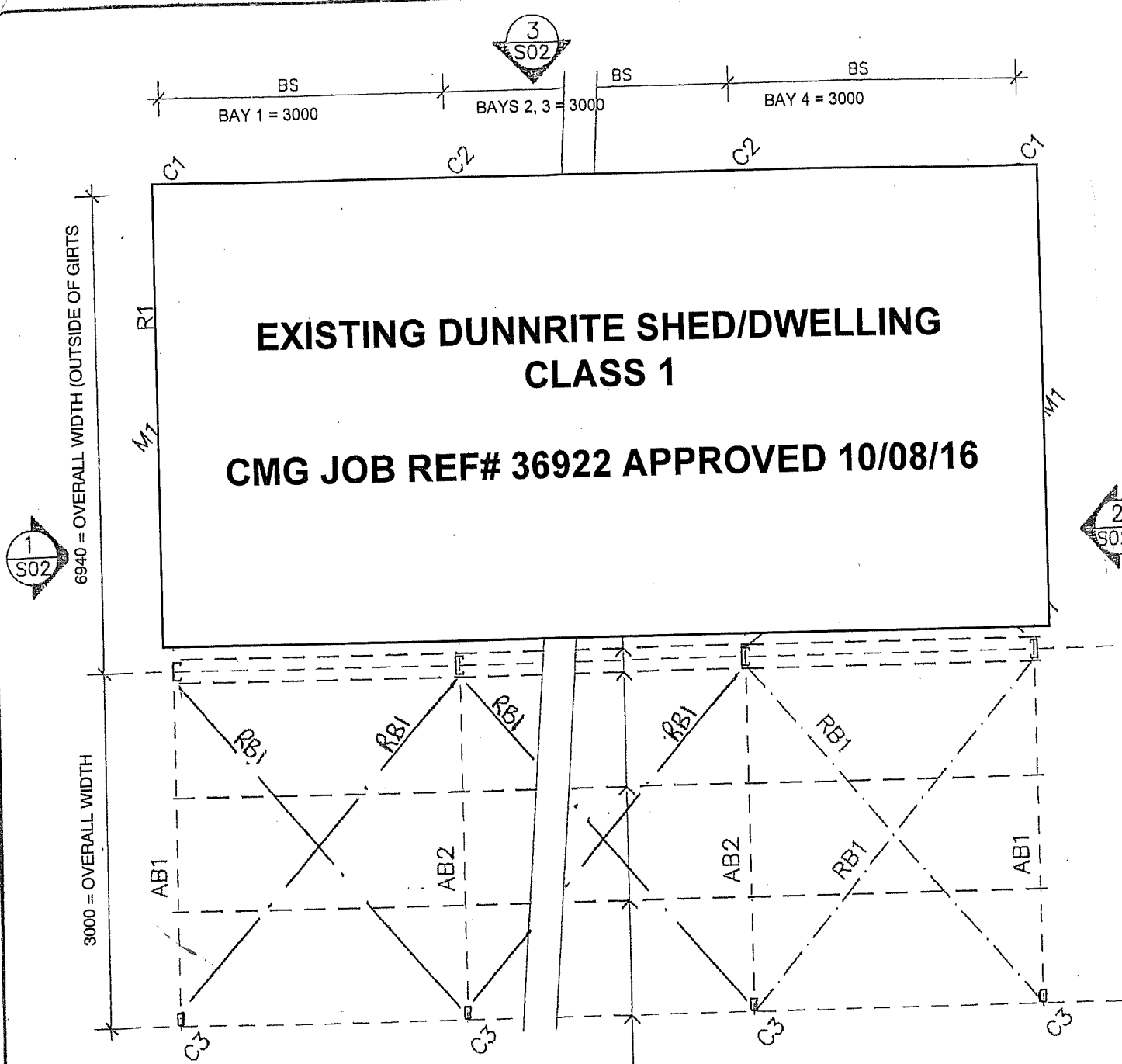


REFER TO ENGINEERING. 10-11-20 42552 01-02-03  
 NEW AWNINGS TO DWELLING  
 AT: 38 RONALD RD FOREST CREEK VIA DAINTREE.  
 FOR: RICK KNOWLES.

CNS 2171

WE CERTIFY THE STRUCTURAL DETAILS  
 AS SHOWN ON THESE DRAWINGS FOR  
 CONSTRUCTION IN WIND CLASSIFICATION C2  
*C. M. G.* 12-8-21  
**C.M.G. CONSULTING**  
**ENGINEERS PTY LTD**  
 ACN 011 065 375  
 208 BUCHAN ST  
 CAIRNS Q 4870  
 PH 07 4031 2775  
 FAX 07 4051 9013

SHS POSTS



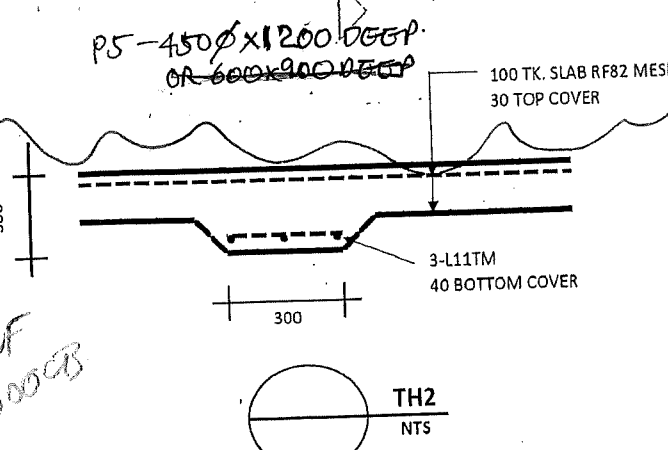
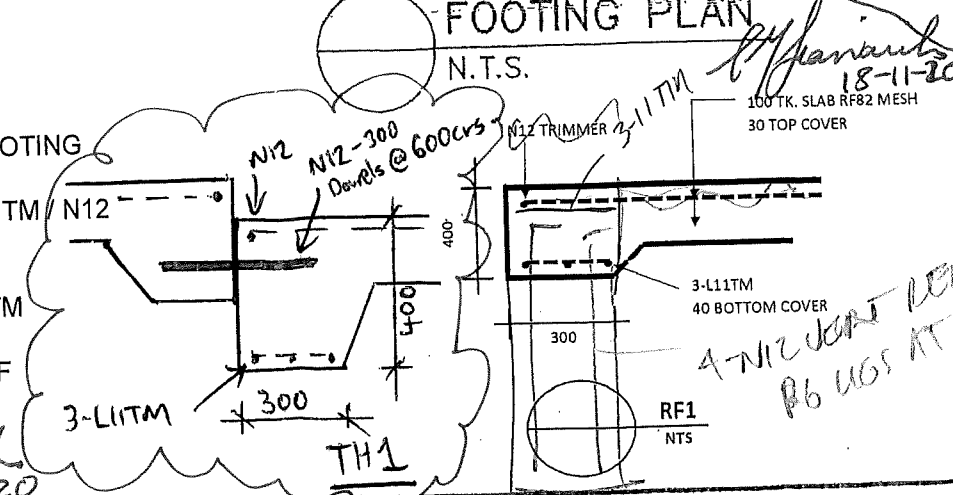
MEMBER SCHEDULE	
C3	75x75x4.0
AB1	C150 12
AB2	C150 15
RB1	30x1.2 GI STRAP
WB1	30x1.2 GI STRAP
PL1	METROLL 64x1.0
WG1	TOPSPAN BATTENS

P4 = 450x450x450 DEEP MASS CONCRETE FOOTING

RF1 = 400x300 SLAB EDGE THICKENING 3-L11TM TRIMMER

TH1 = 300x300 INTERNAL THICKENING 3-L11TM

SJ = 25mm DEEP SAW CUT WITHIN 24 HRS OF PLACEMENT OF CONCRETE

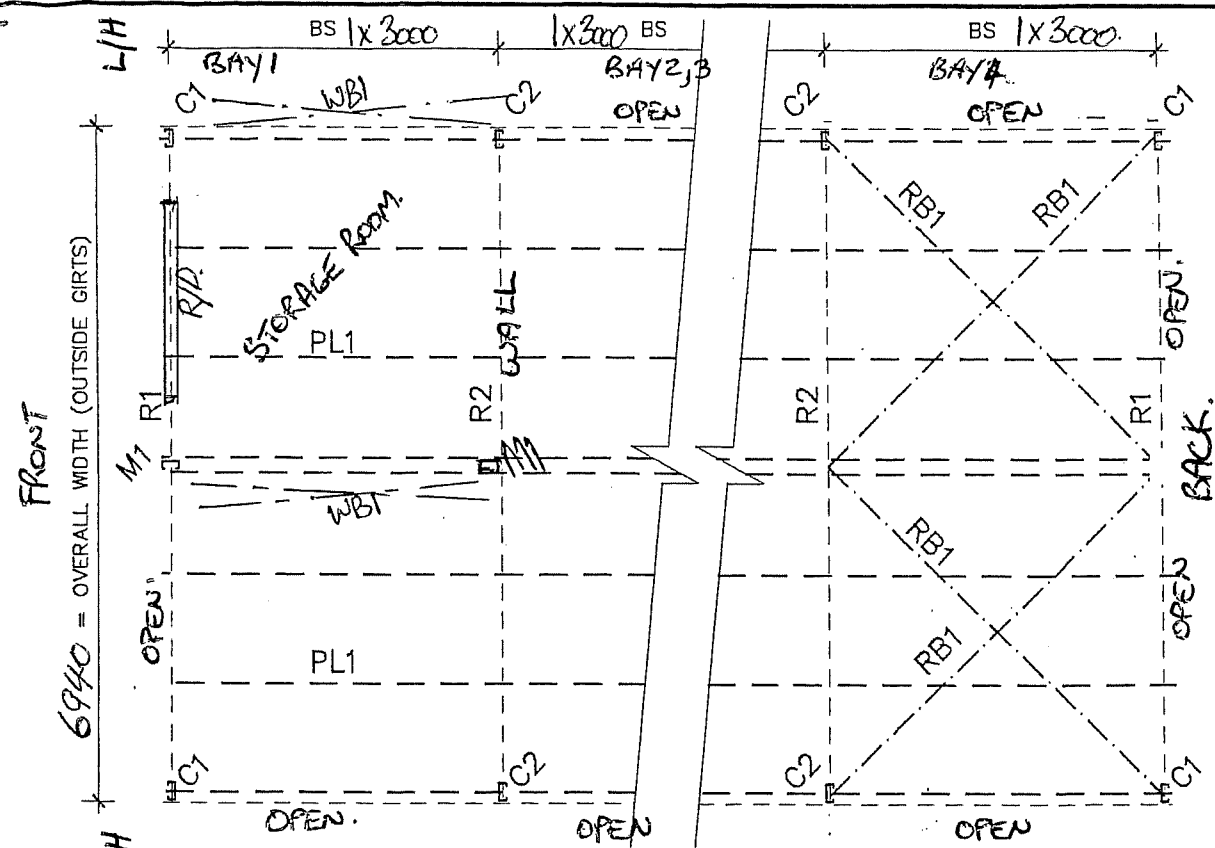


BASED ON EARTH TEST REPORT SI 111-16  
DATED 14/4/2016 - "P" CLASS SITE

**C.M.G. CONSULTING ENGINEERS PTY.LTD.**  
A.C.N. 011 065 375 STRUCTURAL AND CIVIL

**PROPOSED DUNNRITE AWNING**  
AT: 38 RONALD ROAD, FOREST CREEK VIA DAINTREE  
FOR: RICK KNOWLES

SCALE	HOR AS SHOWN	DRAWN	JD
DATE	10.11.20	DESIGNED	CMG
APPROVED		CHECKED	CMG



FRAMING PLAN  
NOT TO SCALE.

BS = BAY SPACING = 3000 m  
HT = HEIGHT = 3300 m

MEMBER SCHEDULE

C1 = C20019  
R1 = C20019  
C2 = C20019  
R2 = C20019  
M1 = C15019  
RB1 = 30x1.0 GI STRAP  
WB1 = 30x1.2 GI STRAP  
PL1 = METROLL 64x1.0 TOP  
WG1 = SPAN BATTENS.

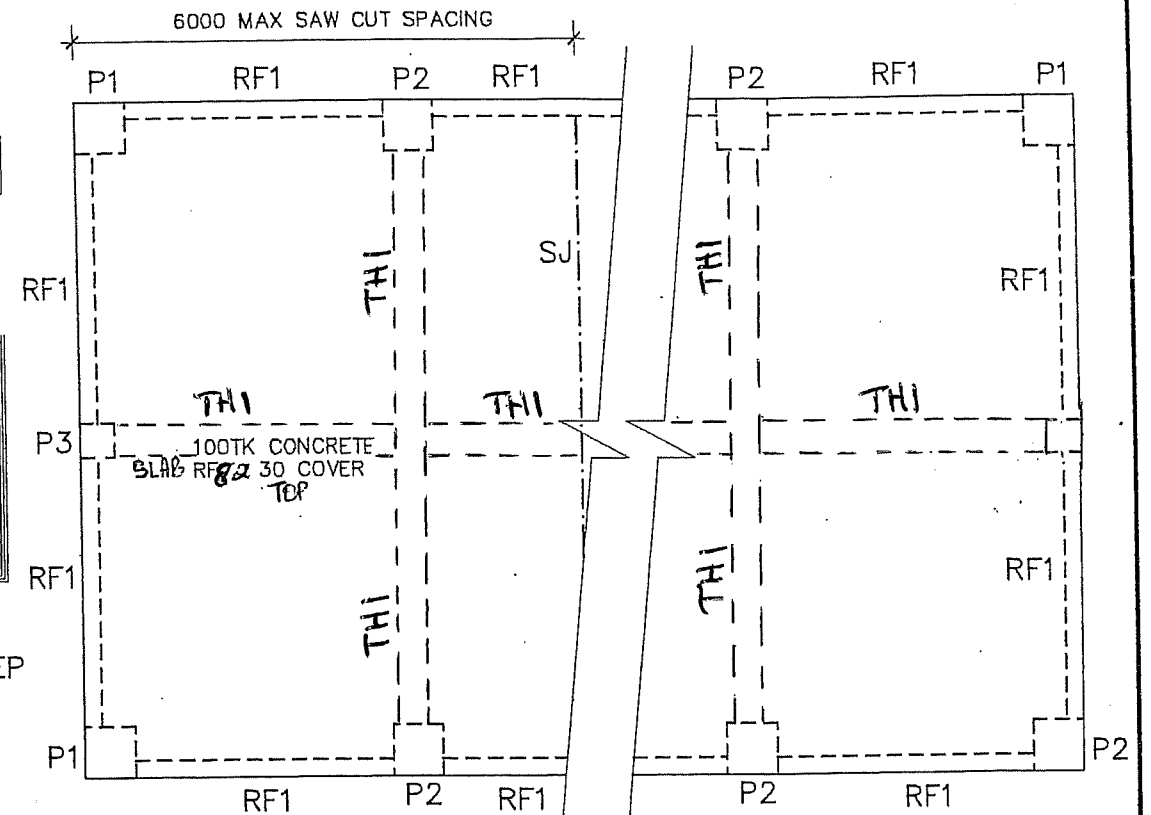
RB1 & WB1 = MIN 2 No 14 TEK SCREWS  
AT EACH END OF BRACING.

P1 & P2 = 450x450x450 DEEP  
MASS CONCRETE FOOTING

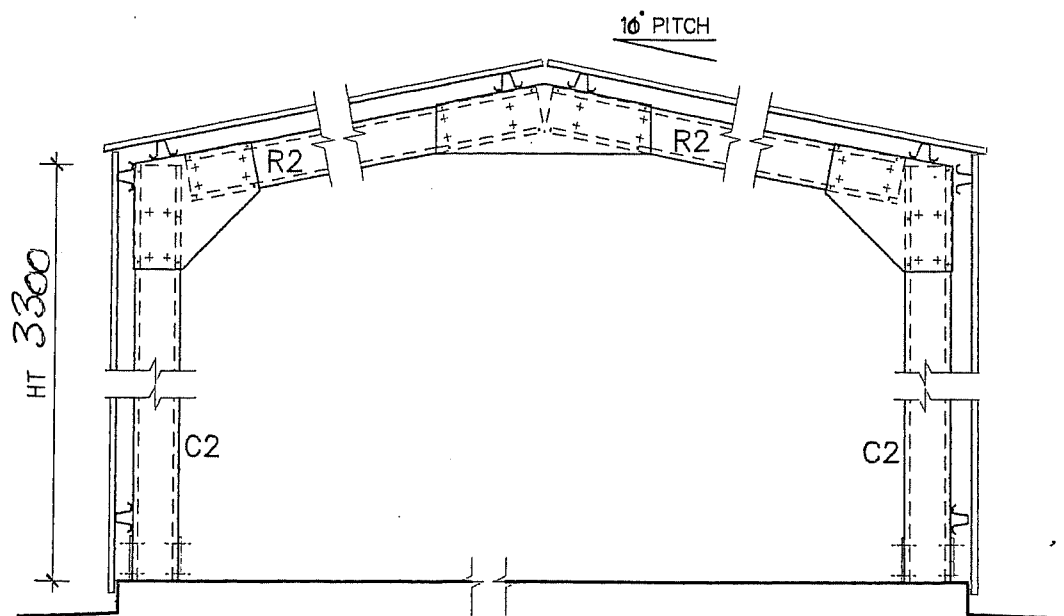
P3 = 300x300x300 DEEP  
MASS CONCRETE FOOTING

RF1 = 150x150 SLAB EDGE  
THICKENING

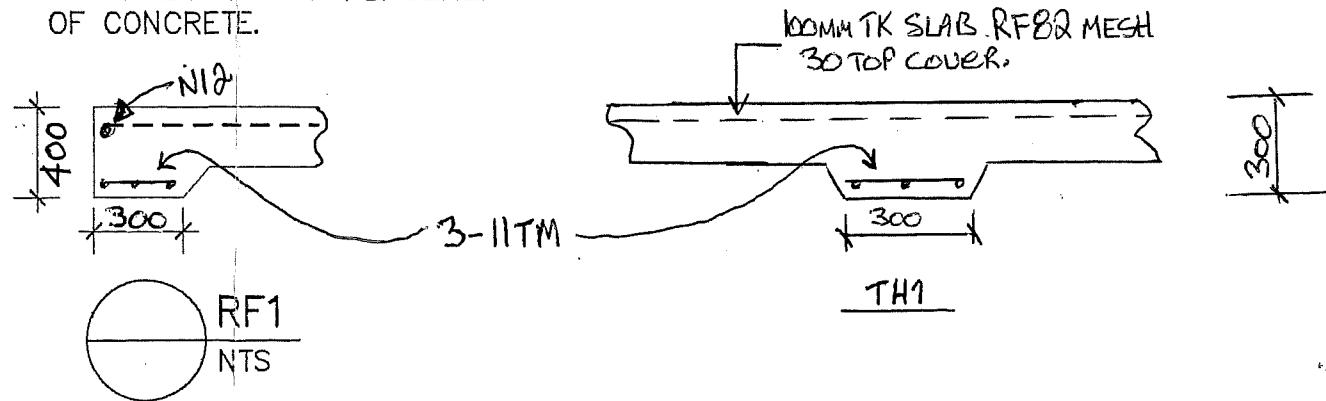
SJ = 25mm DEEP SAW CUT  
WITHIN 24 HRS OF PLACEMENT  
OF CONCRETE.



FOOTING PLAN  
NOT TO SCALE



ELEVATION INTERNAL FRAME  
NOT TO SCALE



"CLASS 1 DWELLING"

SITE PLAN  
NOT TO SCALE

Based on "P" class sites

**C.M.G. CONSULTING ENGINEERS PTY.LTD.**

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STRUCTURAL AND CIVIL

208 Buchan Street  
CAIRNS, 4870.  
Phone: (07) 4031 2775

P.O. Box 5901  
Cairns Mail Centre  
Fax: (07) 4051 9013

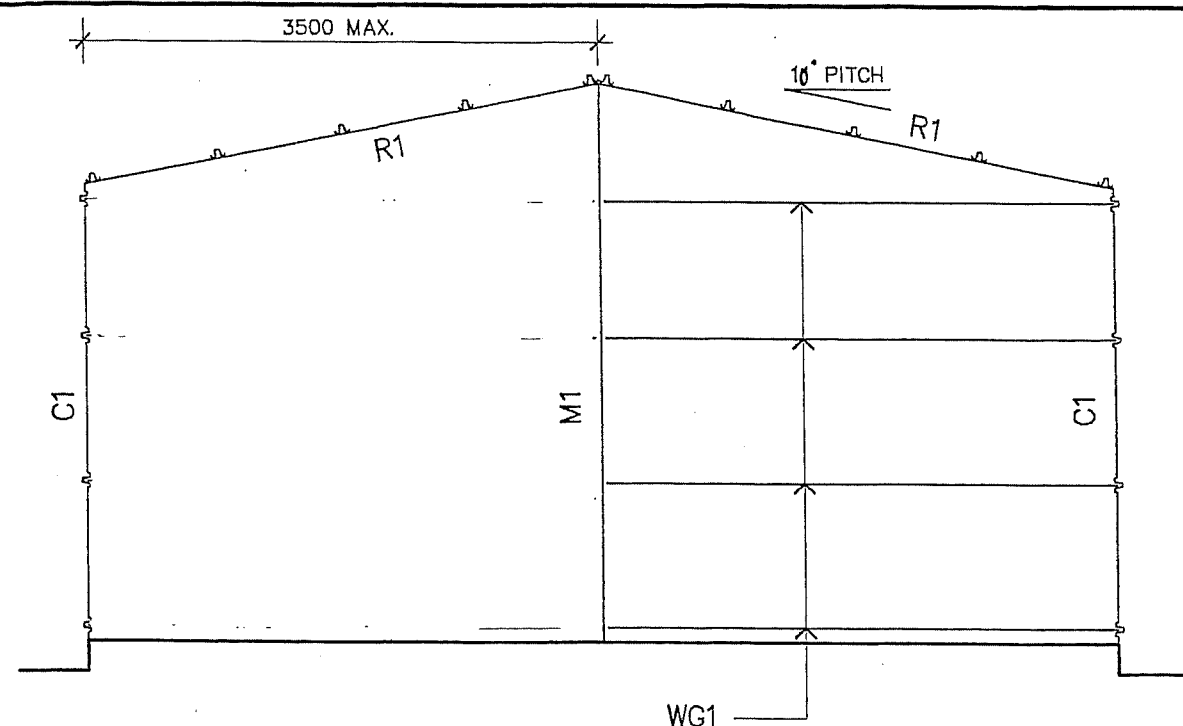
**PROPOSED DUNNRITE SHED.**

AT 38 RONALD RD FORREST CRK VIA DAINTREE 4873

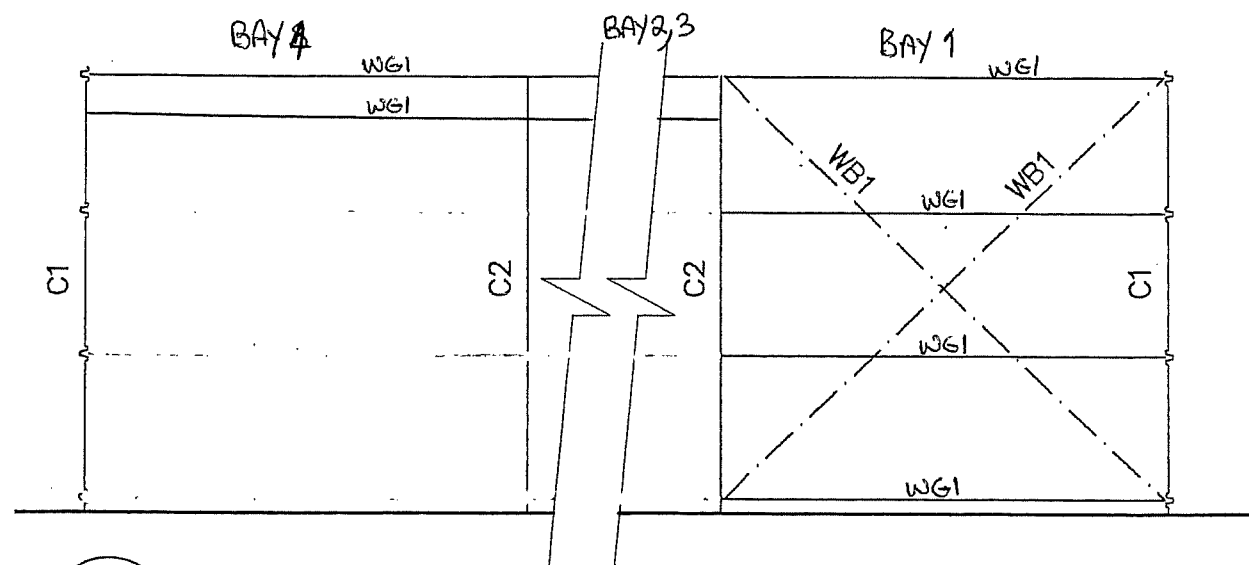
FOR MR RICK KNOWELS.

PLANS AND SECTION.

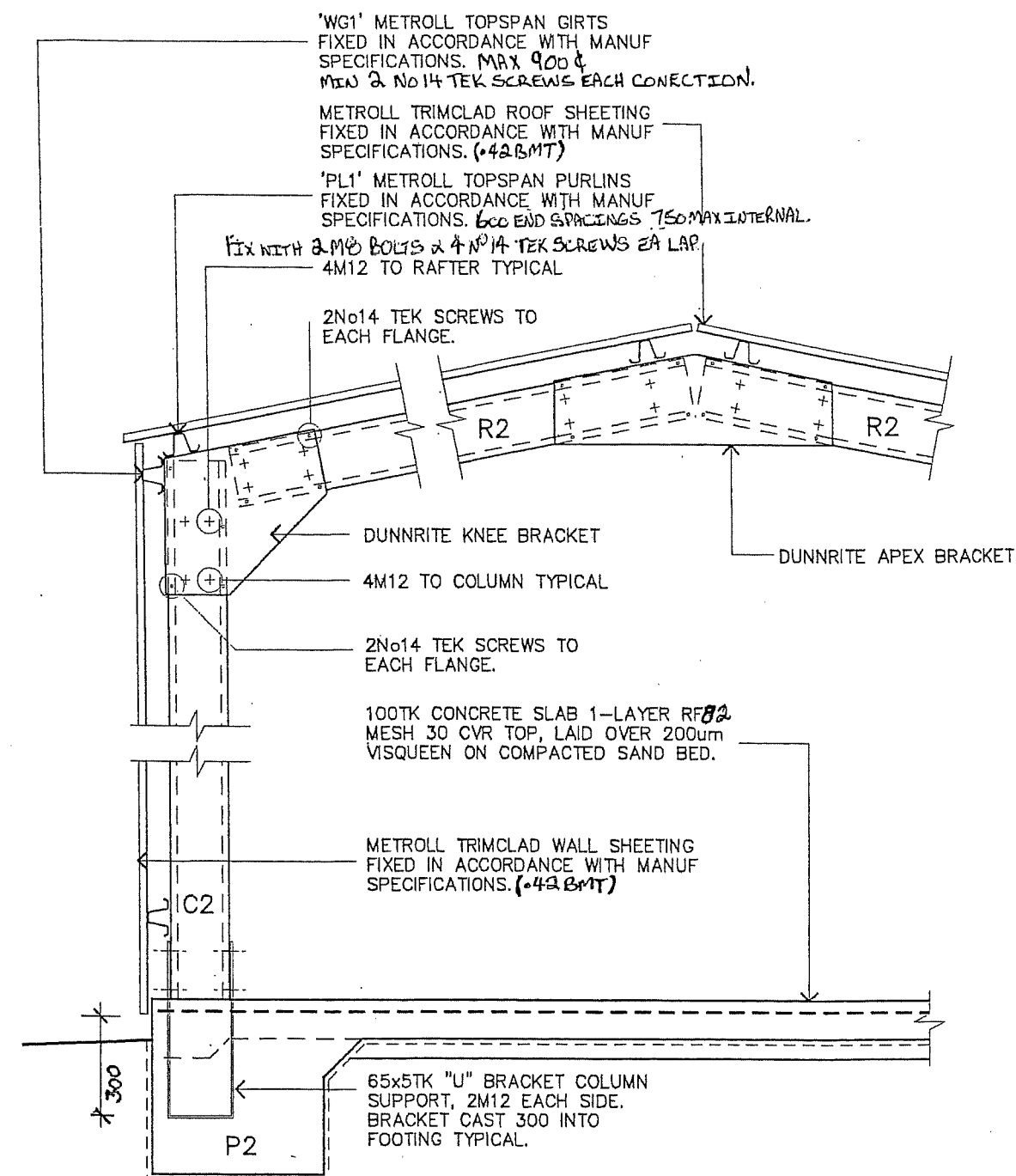
SCALE	HOR AS SHOWN	DRAWN	JD
DATE	10-8-16	DESIGNED	CMG
APPROVED	<i>[Signature]</i>		
DWG NUMBER	36922-51	AMDT	A



END ELEVATION  
NOT TO SCALE



SIDE ELEVATION  
NOT TO SCALE



SECTION  
NOT TO SCALE

CLASS 1A DWELLING.

BASED ON "P" CLASS SITE.

<b>C.M.G. CONSULTING ENGINEERS</b> PTY.LTD. A.C.N. 011 065 375 STRUCTURAL AND CIVIL 208 Buchan Street CAIRNS, 4870. Phone: (07) 4031 2775 P.O. Box 5901 Cairns Mail Centre Fax: (07) 4051 9013	<b>PROPOSED DUNNRITE SHED.</b> AT 38 RONALD RD FORREST CRK VIA DAINTREE 4873. FOR MR RICK KNOWELS.			
	SCALE	HOR AS SHOWN	DRAWN	JD
			DESIGNED	CMG
	DATE	10-8-16	CHECKED	CMG
	APPROVED	<i>[Signature]</i>		
ELEVATIONS & SECTIONS.		DWG NUMBER	36922-52	AMDT A

## Appendix 3.

# PLANNING BENCHMARK ASSESSMENT

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## **6.2.4 Environmental management zone code**

### **6.2.6.1 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;





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- (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.

#### 6.2.4.3 Criteria for assessment

**Table 6.2.4.3.a – Environmental management zone – assessable development**

Performance outcomes	Acceptable outcomes	Compliance
<b>For self-assessable and assessable development</b>		
<b>PO1</b> 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	<b>AO1</b> Buildings and structures are not more than 8.5 metres and two storeys in height. Note – Height is inclusive of the roof height.	<b>Complies with AO1</b> The proposed buildings would be single storey and less than 8.5 metres in height.
	<b>AO1.2</b> Buildings have a roof height not less than 2 metres	<b>Complies with AO1.2</b> The roof height would be not less than 2 metres.
<b>PO2</b> Buildings and structures are set back to:	<b>AO2</b>	<b>Complies with AO2</b>



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Performance outcomes	Acceptable outcomes	Compliance
(a) maintain the natural character of the area; (b) achieve separation from neighbouring buildings and from road frontages	Buildings and structures are set back not less than: <ul style="list-style-type: none"> <li>(a) 40 metres from the frontage of a state controlled road;</li> <li>(b) 25 metres from the frontage to Cape Tribulation Road;</li> <li>(c) 6 metres from any other road;</li> <li>(d) 6 metres from the side and rear boundaries of the site.</li> </ul>	The buildings would be setback a minimum of 20 metres from all boundaries.
<b>For assessable development</b>		
<b>P03</b> Development is consistent with the purpose of the Environmental management zone and protects the zone from the intrusion of inconsistent uses.	<b>A03</b> Inconsistent uses as identified in Table 6.2.4.3.b are not established in the Environmental management zone.	<b>Complies with A03</b> The development is not identified as an inconsistent use.
<b>P04</b> The site coverage of all buildings and structures and associated services do not have an adverse	<b>A04</b> No acceptable outcomes are prescribed.	<b>Complies with A04</b> The development would have a total site cover of approximately 196m <sup>2</sup> or 0.0098%.



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Performance outcomes	Acceptable outcomes	Compliance
effect on the environmental or scenic values of the site.		
<p><b>PO5</b></p> <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><b>AO5.1</b></p> <p>Buildings, structures and associated access, infrastructure and private open space are sited:</p> <ul style="list-style-type: none"> <li>(a) within areas of the site which are already cleared; or</li> <li>(b) within areas of the site which are environmentally degraded;</li> <li>(c) to minimise additional vegetation clearing.</li> </ul>	<p><b>Complies with PO5</b></p> <p>No additional clearing is necessary for the alterations to the patio and carport or the addition of the 4m x 4m shed.</p> <p>In accordance with the existing Development Approval, the proposed development is considered to be designed to respond to the characteristics and features of the site and surrounds.</p>
	<p><b>AO5.2</b></p> <p>Buildings and structures and associated infrastructure are not located on slopes greater than 1 in 6 (16.6%) or on a ridgeline</p>	<p><b>Complies with PO5</b></p> <p>The development site is benched in accordance with the existing Development Approval. No further earthworks is required for the proposed changes.</p> <p>In accordance with the existing Development Approval, the proposed development is considered to be designed to respond to the</p>



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Performance outcomes	Acceptable outcomes	Compliance
		characteristics and features of the site and surrounds.
<b>PO6</b> Buildings and structures are responsive to steep slope through innovative construction techniques so as to: <ul style="list-style-type: none"> <li>(a) maintain the geotechnical stability of slopes;</li> <li>(b) minimise cut and/or fill;</li> <li>(c) minimise the overall height of development</li> </ul>	<b>AO6.1</b> 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.	<b>Not applicable</b> The development site is benching in accordance with the existing Development Approval. No further earthworks is required for the proposed changes. In accordance with the existing Development Approval, the proposed development is considered to be designed to respond to the characteristics and features of the site and surrounds.
	<b>AO6.2</b> Access and vehicle manoeuvring and parking areas are constructed and maintained to: <ul style="list-style-type: none"> <li>(a) minimise erosion;</li> <li>(b) minimise cut and fill;</li> <li>(c) follow the natural contours of the site.</li> </ul>	<b>Complies with AO6.2</b> The driveway is constructed in accordance with the existing Development Approval. No further changes are proposed. In accordance with the existing Development Approval, the proposed development is considered to be designed to respond to the



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Performance outcomes	Acceptable outcomes	Compliance
		characteristics and features of the site and surrounds.
<b>P07</b> The exterior finishes of buildings and structures are consistent with the surrounding natural environment	<b>A07</b> 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.	<b>Able to comply with A07</b> The colours of the dwelling, carport, shed and patio are; Exterior Walls – Dune and Nightsky Roof – Dune and Nightsky The above colours are consistent with the existing Development Approval.
<b>P08</b> 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.	<b>A08</b> No acceptable outcomes are prescribed.	<b>Complies with A08</b> The development is for a Dwelling House, which is accepted, in principle, on the site.
<b>P09</b> The density of development ensures that the environmental and scenic amenity values of the	<b>A09</b> The maximum residential density is one dwelling house per lot.	<b>Complies with A09</b> Only one dwelling house is proposed.



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Performance outcomes	Acceptable outcomes	Compliance
site and surrounding area are not adversely affected.		
<b>PO10</b> Lot reconfiguration results in no additional lots. Note - Boundary realignments to resolve encroachments and lot amalgamation are considered appropriate.	<b>AO10</b> No acceptable outcomes are prescribed.	<b>Complies with PO10</b> No lot reconfiguration is proposed.



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**Table 6.2.4.3.b — Inconsistent uses within the Environmental management zone.**

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



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## **8.2.7 Natural Areas overlay code**

### **8.2.7.1 Application**

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Natural areas overlay, if:
  - (a) self-assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
  - (b) impact assessable development.
- (2) Land in the Natural areas overlay is identified on the Natural areas overlay map in Schedule 2 and includes the following sub-categories:
  - (a) MSES – Protected area;
  - (b) MSES – Marine Park;
  - (c) MSES – Wildlife habitat;
  - (d) MSES – Regulated vegetation;
  - (e) MSES – Regulated vegetation (intersecting a Watercourse);
  - (f) MSES – High ecological significance wetlands;
  - (g) MSES – High ecological value waters (wetlands);
  - (h) MSES – High ecological value waters (watercourse);
  - (i) MSES – Legally secured off set area.

Note – MSES = Matters of State Environmental Significance.

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





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#### **8.2.7.2 Purpose**

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

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

- (i) Theme 2: Environment and landscape values, Element 3.5.3 Biodiversity, Element 3.5.4 Coastal zones;
- (ii) Theme 3: Natural resource management Element 3.6.2 Land and catchment management, Element 3.6.3 Primary production, forestry and fisheries.

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

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

(a) development is avoided within:

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

(b) where development cannot be avoided, development:

- (i) protects and enhances areas containing matters of state environmental significance;



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



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### 8.2.7.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
<b>For self-assessable and assessable development</b>		
<b>Protection of matters of environmental significance</b>		
<b>PO1</b> Development protects matters of environmental significance.	<b>AO1.1</b> Development avoids significant impact on the relevant environmental values.	<b>Complies with AO1.1</b> In accordance with the existing Development Approval, the proposed development is considered to be designed to avoid significant impact on the relevant environmental values of the site. No significant changes are proposed. All construction is contained within the approved cleared area.
	or <b>AO1.2</b> A report is prepared by an appropriately qualified person demonstrating to the satisfaction of the	<b>Complies with AO1.1</b>



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Performance outcomes	Acceptable outcomes	Compliance
	assessment manager, that the development site does not contain any matters of state and local environmental significance.	
	<p>Or</p> <p><b>AO1.3</b></p> <p>Development is located, designed and operated to mitigate significant impacts on environmental values. For example, a report certified by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, how the proposed development mitigates impacts, including on water quality, hydrology and biological processes.</p>	<b>Complies with AO1.1</b>
<b>Management of impacts on matters of environmental significance</b>		
<b>PO2</b>	<p><b>AO2</b></p> <p>The design and layout of development minimises adverse impacts on ecologically important areas by:</p>	<p><b>Complies with PO2</b></p> <p>In accordance with the existing Development Approval, the proposed development is considered</p>



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Performance outcomes	Acceptable outcomes	Compliance
Development is located, designed and constructed to avoid significant impacts on matters of environmental significance.	<ul style="list-style-type: none"> <li>(a) focusing development in cleared areas to protect existing habitat;</li> <li>(b) utilising design to consolidate density and preserve existing habitat and native vegetation;</li> <li>(c) aligning new property boundaries to maintain ecologically important areas;</li> <li>(d) ensuring that alterations to natural landforms, hydrology and drainage patterns on the development site do not negatively affect ecologically important areas;</li> <li>(e) ensuring that significant fauna habitats are protected in their environmental context; and</li> <li>(f) incorporating measures that allow for the safe movement of fauna through the site.</li> </ul>	to be designed to avoid significant impact on the relevant environmental values of the site. No significant changes are proposed. All construction is contained within the approved cleared area.
<b>PO3</b>	<b>AO3.1</b>	<b>Complies with AO3.1</b> The development would be located more than 100 metres from any wetland.



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Performance outcomes	Acceptable outcomes	Compliance
An adequate buffer to areas of state environmental significance is provided and maintained.	A buffer for an area of state environmental significance (Wetland protection area) has a minimum width of:  (a) 100 metres where the area is located outside Urban areas; or  (b) 50 metres where the area is located within an Urban areas.	
	Or <b>AO3.2</b> A buffer for an area of state environmental significance is applied and maintained, the width of which is supported by an evaluation of environmental values, including the function and threats to matters of environmental significance.	<b>Complies with AO3.1</b> The development would be located more than 100 metres from any wetland.
<b>PO4</b> Wetland and wetland buffer areas are maintained, protected and restored.	<b>AO4.1</b> Native vegetation within wetlands and wetland buffer areas is retained.	<b>Complies with AO4.1</b> It is not proposed to remove any vegetation within a wetland buffer area.



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Performance outcomes	Acceptable outcomes	Compliance
Note – Wetland buffer areas are identified in AO3.1.	<b>AO4.2</b> Degraded sections of wetlands and wetland buffer areas are revegetated with endemic native plants in patterns and densities which emulate the relevant regional ecosystem.	<b>Not applicable</b> There is no wetland or wetland buffer area on the site.
<b>PO5</b> Development avoids the introduction of non-native pest species (plant or animal), that pose a risk to ecological integrity.	<b>AO5.1</b> Development avoids the introduction of non-native pest species.	<b>Complies with AO5.1</b> It is not intended to introduce pest species to the site.
	<b>AO5.2</b> The threat of existing pest species is controlled by adopting pest management practices for long-term ecological integrity.	<b>Complies with AO5.2</b> The site is not known to contain pest species.
<b>Ecological connectivity</b>		
<b>PO6</b>	<b>AO6.1</b>	<b>Complies with AO6.1</b>





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Performance outcomes	Acceptable outcomes	Compliance
Development protects and enhances ecological connectivity and/or habitat extent.	Development retains native vegetation in areas large enough to maintain ecological values, functions and processes.	In accordance with the existing Development Approval, the proposed development is considered to be designed to avoid significant impact on the relevant environmental values of the site. No significant changes are proposed and no further clearing is required.
	And <b>AO6.2</b> Development within an ecological corridor rehabilitates native vegetation.	<b>Not applicable</b> The site is not identified within an ecological corridor.
	And <b>AO6.3</b> Development within a conservation corridor mitigates adverse impacts on native fauna, feeding, nesting, breeding and roosting sites and native fauna movements.	<b>Not applicable</b> The site is not identified within an ecological corridor.



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Performance outcomes	Acceptable outcomes	Compliance
<b>P07</b> Development minimises disturbance to matters of state environmental significance (including existing ecological corridors).	<b>AO7.1</b> Development avoids shading of vegetation by setting back buildings by a distance equivalent to the height of the native vegetation.	<b>Complies with P07</b> In accordance with the existing Development Approval, the proposed development is considered to be designed to avoid significant impact on the relevant environmental values of the site. No significant changes are proposed and no further clearing is required.
	and <b>AO7.2</b> Development does not encroach within 10 metres of existing riparian vegetation and watercourses.	<b>Not applicable</b> The development is not located within 10 metres of any watercourse.
<b>Waterways in an urban area</b>		
<b>P08</b> Development is set back from waterways to protect and maintain:	<b>AO8.1</b> Where a waterway is contained within an easement or a reserve required for that purpose, development does not occur within the easement or reserve;	<b>Not applicable</b> The site is not in an urban area.



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Performance outcomes	Acceptable outcomes	Compliance
(a) water quality; (b) hydrological functions; (c) ecological processes; (d) biodiversity values; (e) riparian and in-stream habitat values and connectivity; (f) in-stream migration	or <b>AO8.2</b> Development does not occur on the part of the site affected by the waterway corridor. Note – Waterway corridors are identified within Table 8.2.7.3.b	<b>Not applicable</b> The site is not in an urban area.
<b>Waterways in a non-urban area</b>		
<b>PO9</b> Development is set back from waterways to protect and maintain: (a) water quality; (b) hydrological functions; (c) ecological processes; (d) biodiversity values;	<b>AO9</b> Development does not occur on that part of the site affected by a waterway corridor. Note – Waterway corridors are identified within Table 8.2.7.3.b.	<b>Not applicable</b> The site is not affected by a waterway corridor.



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Performance outcomes	Acceptable outcomes	Compliance
(e) riparian and in-stream habitat values and connectivity; (f) in-stream migration.		



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## **8.2.9 Potential landslide hazard overlay code**

### **8.2.9.1 Application**

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

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

### **8.2.9.2 Purpose**

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



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

### 8.2.9.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
<b>For self-assessable and assessable development</b>		
<b>PO1</b> The siting and design of development does not involve complex engineering solutions and does	<b>AO1.1</b> Development is located on that part of the site not affected by the Potential landslide hazard overlay.	<b>Complies with AO1.1</b> The development site is benching in accordance with the existing Development Approval. No



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Performance outcomes	Acceptable outcomes	Compliance
<p>not create or increase the potential landslide hazard risk to the site or adjoining premises through:</p> <ul style="list-style-type: none"> <li>(a) building design;</li> <li>(b) increased slope;</li> <li>(c) removal of vegetation;</li> <li>(d) stability of soil;</li> <li>(e) earthworks;</li> <li>(f) alteration of existing ground water or surface water paths;</li> <li>(g) waste disposal areas.</li> </ul>	<p>or</p> <p><b>AO1.2</b></p> <p>Development is on an existing stable, benched site and requires no further earthworks</p> <p>or</p> <p><b>AO1.3</b></p> <p>A competent person certifies that:</p> <ul style="list-style-type: none"> <li>(a) the stability of the site, including associated buildings and infrastructure, will be maintained during the course of the development and will remain stable for the life of the development;</li> <li>(b) development of the site will not increase the risk of landslide hazard activity on other land, including land above the site;</li> <li>(c) the site is not subject to the risk of landslide activity on other land;</li> <li>(d) any measures identified in a site-specific geotechnical report for stabilising the site or development have been fully implemented;</li> </ul>	<p>further earthworks is required for the proposed changes.</p> <p>In accordance with the existing Development Approval, the proposed development is considered to be designed to respond to the characteristics and features of the site and surrounds.</p>





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Performance outcomes	Acceptable outcomes	Compliance
	<p>(e) development does not concentrate existing ground water and surface water paths;</p> <p>(f) development does not incorporate on-site waste water disposal.</p> <p>Note – Planning scheme policy SC6.9 – Natural hazards provides guidance on preparing a site specific geo-technical assessment.</p> <p>Note – Development may alter the conditions of ground water and surface water paths in accordance with a site-specific geotechnical report, but should ensure that its final disbursement is as-per pre-developed conditions. Consideration for location, velocity, volume and quality should be given.</p>	
<p><b>P02</b></p> <p>The siting and design of necessary retaining structures does not cause an adverse visual impact on landscape character or scenic amenity quality of the area.</p>	<p><b>A02</b></p> <p>Excavation or fill:</p> <p>(a) is not more than 1.2 metres in height for each batter or retaining wall;</p> <p>(b) is setback a minimum of 2 metres from property boundaries;</p>	<p><b>Complies with A02</b></p> <p>The development site is benched in accordance with the existing Development Approval. No further earthworks is required for the proposed changes.</p> <p>In accordance with the existing Development Approval, the proposed development is</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>(c) is stepped with a minimum 2 metre wide berm to incorporate landscaping in accordance with Planning scheme policy SC6.7 – Landscaping;</p> <p>(d) does not exceed a maximum of 3 batters and 3 berms (i.e. Not greater than 3.6 metres in height) on any one lot.</p>	considered to be designed to respond to the characteristics and features of the site and surrounds.
<b>Additional requirements for Community infrastructure</b>		
<p><b>PO3</b></p> <p>Development for community infrastructure:</p> <p>(a) is not at risk from the potential landslide hazard areas;</p> <p>(b) will function without impediment from a landslide;</p> <p>(c) provides access to the infrastructure without impediment from the effects of a landslide;</p> <p>(d) does not contribute to an elevated risk of a landslide to adjoining properties.</p>	<p><b>AO3</b></p> <p>Development is designed in accordance with the recommendations of a site-specific geotechnical assessment which makes reference to the community infrastructure and its needs and function.</p> <p>Note - A site specific geotechnical assessment will detail requirements that will address the Acceptable Outcomes of this Performance Outcome. Planning</p>	<p><b>Not applicable</b></p> <p>No community infrastructure is proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	scheme policy SC6.9 – Natural hazards provides guidance on preparing a site specific geotechnical assessment.	



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### **9.3.8 Dwelling house code**

#### **9.3.8.1 Application**

(1) This code applies to assessing development for a dwelling house if:

- (a) self-assessable development or assessable development where this code identified in the assessment criteria column of a table of assessment;  
or
- (b) impact assessable development.

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

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

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

#### **9.3.8.2 Purpose**

- (1) The purpose of the Dwelling house code is to assess the suitability of development to which this code applies.
- (2) The purpose of the code will be achieved through the following overall outcomes:



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- (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	Compliance
<b>For self-assessable and assessable development</b>		
<b>PO1</b> Secondary dwellings: (a) are subordinate, small-scaled dwellings; (b) contribute to a safe and pleasant living environment; (c) are established on appropriate sized lots;	<b>AO1</b> The secondary dwelling: (a) has a total gross floor area of not more than 80m <sup>2</sup> , excluding a single carport or garage; (b) is occupied by 1 or more members of the same household as the dwelling house.	<b>Not applicable</b> No secondary dwelling is proposed.



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Performance outcomes	Acceptable outcomes	Compliance
(d) do not cause adverse impacts on adjoining properties.		
<b>P02</b> Resident's vehicles are accommodated on- site.	<b>AO2</b> 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.	<b>Complies with AO2</b> A minimum of 2 car parking spaces would be available on-site
<b>P03</b> 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;	<b>AO3</b> Development meets the acceptable outcome for building height in the applicable Zone code associated with the site.	<b>Complies with AO3</b> Refer to the assessment against the Environmental Management Zone Code.



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Performance outcomes	Acceptable outcomes	Compliance
(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.		





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#### **9.4.1 Access, parking and servicing code**

##### **9.4.1.1 Application**

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

##### **9.4.1.2 Purpose**

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



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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	Compliance
<b>For self-assessable and assessable development</b>		
<b>PO1</b> Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected to be generated by the use or uses of the site, having particular regard to: (a) the desired character of the area; (b) the nature of the particular use and its specific characteristics and scale; (c) the number of employees and the likely number of visitors to the site;	<b>AO1.1</b> 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.	<b>Complies with AO1.1</b> A minimum of 2 car parking spaces would be available in the Domestic Outbuilding.
	<b>AO1.2</b> Car parking spaces are freely available for the parking of vehicles at all times and are not used	<b>Complies with AO1.2</b> Parking spaces would be maintained for the parking of vehicles.



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Performance outcomes	Acceptable outcomes	Compliance
(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.	for external storage purposes, the display of products or rented/sub-leased.	
	<b>AO1.3</b> Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking.	<b>Not applicable</b> No motor cycle parking is proposed.
	<b>AO1.4</b> 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.	<b>Not applicable</b> Less than 50 parking spaces would be provided.
<b>PO2</b> Vehicle parking areas are designed and constructed in accordance with relevant standards.	<b>AO2</b> Vehicle parking areas are designed and constructed in accordance with Australian Standard:	<b>Complies with AO2</b> Parking spaces would satisfy the Australian Standards.



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Performance outcomes	Acceptable outcomes	Compliance
	(a) AS2890.1; (b) AS2890.3; (c) AS2890.6.	
<b>PO3</b>  Access points are designed and constructed: (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;	<b>AO3.1</b>  Access is limited to one access cross over per site and is an access point located, designed and constructed in accordance with: (a) Australian Standard AS2890.1; (b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers.	<b>Complies with AO3.1</b>  Only one access crossover is proposed.
	<b>AO3.2</b>  Access, including driveways or access crossovers: (a) are not placed over an existing:	<b>Complies with AO3.2</b>  There is no infrastructure north of the Daintree River.



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Performance outcomes	Acceptable outcomes	Compliance
<p>(e) so that they do not adversely impact upon existing intersections or future road or intersection improvements;</p> <p>(f) so that they do not adversely impact current and future on-street parking arrangements;</p> <p>(g) so that they do not adversely impact on existing services within the road reserve adjacent to the site;</p> <p>(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>	<p>(i) telecommunications pit;</p> <p>(ii) stormwater kerb inlet;</p> <p>(iii) sewer utility hole;</p> <p>(iv) water valve or hydrant.</p> <p>(b) are designed to accommodate any adjacent footpath;</p> <p>(c) adhere to minimum sight distance requirements in accordance with AS2980.1.</p>	
	<p><b>AO3.3</b></p> <p>Driveways are:</p> <p>(a) designed to follow as closely as possible to the existing contours, but are no steeper than the gradients outlined in Planning scheme policy SC6.5 – FNQROC Regional Development Manual;</p>	<p><b>Complies with AO3.3</b></p> <p>The driveway is constructed in accordance with the existing Development Approval. No changes are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>(b) constructed such that where there is a grade shift to 1 in 4 (25%), there is an area with a grade of no more than 1 in 6 (16.6%) prior to this area, for a distance of at least 5 metres;</p> <p>(c) on gradients greater than 1 in 6 (16.6%) driveways are constructed to ensure the cross-fall of the driveway is one way and directed into the hill, for vehicle safety and drainage purposes;</p> <p>(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>	
	<b>AO3.4</b>	<b>Able to comply with AO3.4</b>



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Performance outcomes	Acceptable outcomes	Compliance
	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.	Driveways in the area are generally gravel and the driveway surface is able to be provide that is consistent with this.
<b>P04</b> Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.	<b>A04</b> The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.	<b>Not applicable</b> Not applicable to Dwelling Houses.
<b>P05</b> Access for people with disabilities is provided to the building from the parking area and from the street.	<b>A05</b> Access for people with disabilities is provided in accordance with the relevant Australian Standard.	<b>Not applicable</b> Not applicable to Dwelling Houses.
<b>P06</b> Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development.	<b>A06</b> The number of on-site bicycle parking spaces complies with the rates specified in <b>Error! Reference source not found..</b>	<b>Not applicable</b> Not applicable to Dwelling Houses.





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Performance outcomes	Acceptable outcomes	Compliance
<b>PO7</b> Development provides secure and convenient bicycle parking which: (a) for visitors is obvious and located close to the building's main entrance; (b) for employees is conveniently located to provide secure and convenient access between the bicycle storage area, end-of-trip facilities and the main area of the building; (c) is easily and safely accessible from outside the site.	<b>A07.1</b> Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers);	<b>Not applicable</b> Not applicable to Dwelling Houses.
	<b>A07.2</b> Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street.	<b>Not applicable</b> Not applicable to Dwelling Houses.
	<b>A07.3</b> Development provides visitor bicycle parking which does not impede pedestrian movement.	<b>Not applicable</b> Not applicable to Dwelling Houses.
<b>PO8</b> Development provides walking and cycle routes through the site which:	<b>A08</b> Development provides walking and cycle routes which are constructed on the carriageway or through the site to:	<b>Not applicable</b> Not applicable to Dwelling Houses.



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Performance outcomes	Acceptable outcomes	Compliance
<p>(a) link to the external network and pedestrian and cyclist destinations such as schools, shopping centres, open space, public transport stations, shops and local activity centres along the safest, most direct and convenient routes;</p> <p>(b) encourage walking and cycling;</p> <p>(c) ensure pedestrian and cyclist safety.</p>	<p>(a) create a walking or cycle route along the full frontage of the site;</p> <p>(b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site.</p>	
<p><b>PO9</b></p> <p>Access, internal circulation and on-site parking for service vehicles are designed and constructed:</p> <p>(a) in accordance with relevant standards;</p> <p>(b) so that they do not interfere with the amenity of the surrounding area;</p>	<p><b>AO9.1</b></p> <p>Access driveways, vehicle manoeuvring and on-site parking for service vehicles are designed and constructed in accordance with AS2890.1 and AS2890.2.</p>	<p><b>Complies with AO9.1</b></p> <p>The driveway would be designed and constructed to satisfy the Australian Standards.</p>
	<p><b>AO9.2</b></p> <p>Service and loading areas are contained fully within the site.</p>	<p><b>Not applicable</b></p> <p>Not applicable to Dwelling Houses.</p>



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Performance outcomes	Acceptable outcomes	Compliance
(c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles.	<p><b>AO9.3</b></p> <p>The movement of service vehicles and service operations are designed so they:</p> <ul style="list-style-type: none"> <li>(a) do not impede access to parking spaces;</li> <li>(b) do not impede vehicle or pedestrian traffic movement.</li> </ul>	<p><b>Not applicable</b></p> <p>Not applicable to Dwelling Houses.</p>
<p><b>PO10</b></p> <p>Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.</p>	<p><b>AO10.1</b></p> <p>Development provides adequate area on-site for vehicle queuing to accommodate the demand generated by the development where drive through facilities or drop-off/pick-up services are proposed as part of the use, including, but not limited to, the following land uses:</p> <ul style="list-style-type: none"> <li>(a) car wash;</li> <li>(b) child care centre;</li> <li>(c) educational establishment where for a school;</li> </ul>	<p><b>Not applicable</b></p> <p>Not applicable to Dwelling Houses.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	(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.	
	<b>AO10.2</b>  Queuing and set-down areas are designed and constructed in accordance with AS2890.1.	<b>Not applicable</b>  Not applicable to Dwelling Houses.



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#### **9.4.4 Filling and excavation code**

##### **9.4.4.1 Application**

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

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

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

##### **9.4.4.2 Purpose**

- (1) The purpose of the Filling and excavation code is to assess the suitability of development for filling or excavation.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) filling or excavation does not impact on the character or amenity of the site and surrounding areas;
  - (b) filling and excavation does not adversely impact on the environment;
  - (c) filling and excavation does not impact on water quality or drainage of upstream, downstream or adjoining properties;



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- (d) filling and excavation is designed to be fit for purpose and does not create land stability issues;
- (e) filling and excavation works do not involve complex engineering solutions.

#### 9.4.4.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
<b>For self-assessable and assessable development</b>		
<b>Filling and excavation - General</b>		
<p><b>PO1</b></p> <p>All filling and excavation work does not create a detrimental impact on the slope stability, erosion potential or visual amenity of the site or the surrounding area.</p>	<p><b>AO1.1</b></p> <p>The height of cut and/or fill, whether retained or not, does not exceed 2 metres in height.</p> <p>and</p> <p>Cuts in excess of those stated in A1.1 above are separated by benches/ terraces with a minimum width of 1.2 metres that incorporate drainage provisions and screen planting.</p>	<p>The development site is benched in accordance with the existing Development Approval. No further earthworks is required for the proposed changes.</p> <p>In accordance with the existing Development Approval, the proposed development is considered to be designed to respond to the characteristics and features of the site and surrounds.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<b>AO1.2</b>  Cuts are supported by batters, retaining or rock walls and associated benches/terraces are capable of supporting mature vegetation.	<p>The development site is benched in accordance with the existing Development Approval. No further earthworks is required for the proposed changes.</p> <p>In accordance with the existing Development Approval, the proposed development is considered to be designed to respond to the characteristics and features of the site and surrounds.</p>
	<b>AO1.3</b>  Cuts are screened from view by the siting of the building/structure, wherever possible.	<p>The development site is benched in accordance with the existing Development Approval. No further earthworks is required for the proposed changes.</p> <p>In accordance with the existing Development Approval, the proposed development is considered to be designed to respond to the characteristics and features of the site and</p>



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Performance outcomes	Acceptable outcomes	Compliance
		surrounds.
	<b>AO1.4</b>  Topsoil from the site is retained from cuttings and reused on benches/terraces.	<p>The development site is benched in accordance with the existing Development Approval. No further earthworks is required for the proposed changes.</p> <p>In accordance with the existing Development Approval, the proposed development is considered to be designed to respond to the characteristics and features of the site and surrounds.</p>
	<b>AO1.5</b>  No crest of any cut or toe of any fill, or any part of any retaining wall or structure is closer than 600mm to any boundary of the property, unless the prior written approval of the adjoining landowner has been obtained.	<p>The development site is benched in accordance with the existing Development Approval. No further earthworks is required for the proposed changes.</p> <p>In accordance with the existing Development Approval, the proposed development is</p>





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Performance outcomes	Acceptable outcomes	Compliance
		considered to be designed to respond to the characteristics and features of the site and surrounds.
	<b>AO1.6</b>  Non-retained cut and/or fill on slopes are stabilised and protected against scour and erosion by suitable measures, such as grassing, landscaping or other protective/aesthetic measures.	The development site is benched in accordance with the existing Development Approval. No further earthworks is required for the proposed changes.  In accordance with the existing Development Approval, the proposed development is considered to be designed to respond to the characteristics and features of the site and surrounds.
<b>Visual Impact and Site Stability</b>		
<b>PO2</b>  Filling and excavation are carried out in such a manner that the visual/scenic amenity of the area	<b>AO2.1</b>  The extent of filling and excavation does not exceed 40% of the site area, or 500m <sup>2</sup> whichever	The development site is benched in accordance with the existing Development Approval. No



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Performance outcomes	Acceptable outcomes	Compliance
and the privacy and stability of adjoining properties is not compromised.	is the lesser, except that AO2.1 does not apply to reconfiguration of 5 lots or more.	<p>further earthworks is required for the proposed changes.</p> <p>In accordance with the existing Development Approval, the proposed development is considered to be designed to respond to the characteristics and features of the site and surrounds.</p>
	<p><b>AO2.2</b></p> <p>Filling and excavation does not occur within 2 metres of the site boundary.</p>	<p>The development site is benched in accordance with the existing Development Approval. No further earthworks is required for the proposed changes.</p> <p>In accordance with the existing Development Approval, the proposed development is considered to be designed to respond to the characteristics and features of the site and surrounds.</p>
<b>Flooding and drainage</b>		



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Performance outcomes	Acceptable outcomes	Compliance
<b>PO3</b>  Filling and excavation does not result in a change to the run off characteristics of a site which then have a detrimental impact on the site or nearby land or adjacent road reserves.	<b>AO3.1</b>  Filling and excavation does not result in the ponding of water on a site or adjacent land or road reserves.	Filling and excavation does not result in the ponding of water on a site or adjacent land or road reserves. The Building Approval conditions compliance with the Building Code of Australia and is confirmed to be compliant on-site.
	<b>AO3.2</b>  Filling and excavation does not result in an increase in the flow of water across a site or any other land or road reserves.	Filling and excavation does not result in an increase in the flow of water across a site or any other land or road reserves.
	<b>AO3.3</b>  Filling and excavation does not result in an increase in the volume of water or concentration of water in a watercourse and overland flow paths.	The land is not subject to a watercourse or significant overland flow paths.
	<b>AO3.4</b>  Filling and excavation complies with the	



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Performance outcomes	Acceptable outcomes	Compliance
	specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	<p>The development site is benched in accordance with the existing Development Approval. No further earthworks is required for the proposed changes.</p> <p>In accordance with the existing Development Approval, the proposed development is considered to be designed to respond to the characteristics and features of the site and surrounds.</p>
<b>Water quality</b>		
<b>PO4</b>  Filling and excavation does not result in a reduction of the water quality of receiving waters.	<b>AO4</b>  Water quality is maintained to comply with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	Water quality is not affected by the development
<b>Infrastructure</b>		
<b>PO5</b>	<b>AO5</b>	No infrastructure exists on or around the



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Performance outcomes	Acceptable outcomes	Compliance
Excavation and filling does not impact on Public Utilities.	Excavation and filling is clear of the zone of influence of public utilities.	development site.



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#### **9.4.5 Infrastructure works code**

##### **9.4.5.1 Application**

- (1) This code applies to assessing:
  - (a) operational work which requires an assessment as a condition of a development permit or is assessable development if this code is identified in the assessment criteria column of a table of assessment;
  - (b) a material change of use or reconfiguring a lot if:
    - (i) 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.

Note – The Filling and excavation code applies to operational work for filling and excavation.

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

##### **9.4.5.2 Purpose**

- (1) The purpose of the Infrastructure works code is to ensure that development is safely and efficiently serviced by, and connected to, infrastructure.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) the standards of water supply, waste water treatment and disposal, stormwater drainage, local electricity supply, telecommunications, footpaths and road construction meet the needs of development and are safe and efficient;
  - (b) development maintains high environmental standards;
  - (c) development is located, designed, constructed and managed to avoid or minimise impacts arising from altered stormwater quality or flow, wastewater discharge, and the creation of non-tidal artificial waterways;



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- (d) the integrity of existing infrastructure is maintained;
- (e) development does not detract from environmental values or the desired character and amenity of an area.

### 9.4.5.3 Criteria for assessment

**Table 9.4.5.3.a– Infrastructure works code –assessable development**

Performance outcomes	Acceptable outcomes	Compliance
<b>For self-assessable and assessable development</b>		
<b>Works on a local government road</b>		
<b>PO1</b> Works on a local government road do not adversely impact on footpaths or existing infrastructure within the road verge and maintain the flow, safety and efficiency of pedestrians, cyclists and vehicles.	<b>AO1.1</b> Footpaths/pathways are located in the road verge and are provided for the hierarchy of the road and located and designed and constructed in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	<b>Not applicable</b> No works are proposed on a local government road.
	<b>AO1.2</b> Kerb ramp crossovers are constructed in accordance with Planning scheme policy SC 5 –	<b>Not applicable</b> No works are proposed on a local government road.



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Performance outcomes	Acceptable outcomes	Compliance
	FNQROC Regional Development Manual.	
	<b>AO1.3</b> New pipes, cables, conduits or other similar infrastructure required to cross existing footpaths: (a) are installed via trenchless methods; or (b) where footpath infrastructure is removed to install infrastructure, the new section of footpath is installed to the standard detailed in the Planning scheme policy SC5 – FNQROC Regional Development Manual, and is not less than a 1.2 metre section.	<b>Not applicable</b> No works are proposed on a local government road.
	<b>AO1.4</b> Where existing footpaths are damaged as a result of development, footpaths are reinstated ensuring: (a) similar surface finishes are used; (b) there is no change in level at joins of new and existing sections; (c) new sections are matched to existing in	<b>Not applicable</b> No works are proposed on a local government road.





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Performance outcomes	Acceptable outcomes	Compliance
	terms of dimension and reinforcement. Note – <b>Error! Reference source not found.</b> provides guidance on meeting the outcomes.	
	<b>AO1.5</b> Decks, verandahs, stairs, posts and other structures located in the road reserve do not restrict or impede pedestrian movement on footpaths or change the level of the road verges.	<b>Not applicable</b> No works are proposed on a local government road.
<b>Accessibility structures</b>		
<b>PO2</b> Development is designed to ensure it is accessible for people of all abilities and accessibility features do not impact on the efficient and safe use of footpaths. Note – Accessibility features are those features required to ensure access to premises is provided for people of all abilities and include ramps and lifts.	<b>AO2.1</b> Accessibility structures are not located within the road reserve.	<b>Not applicable</b> No accessibility structures are proposed.
	<b>AO2.2</b> Accessibility structures are designed in accordance with AS1428.3.	<b>Not applicable</b> No accessibility structures are proposed.
	<b>AO2.3</b>	<b>Not applicable</b>



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Performance outcomes	Acceptable outcomes	Compliance
	When retrofitting accessibility features in existing buildings, all structures and changes in grade are contained within the boundaries of the lot and not within the road reserve.	No accessibility structures are proposed.
<b>Water supply</b>		
<b>PO3</b> An adequate, safe and reliable supply of potable, fire fighting and general use water is provided.	<b>AO3.1</b> The premises is connected to Council's reticulated water supply system in accordance with the Design Guidelines set out in Section D6 of the Planning scheme policy SC5 – FNQROC Regional Development Manual; or <b>AO3.2</b> Where a reticulated water supply system is not available to the premises, on site water storage tank/s with a minimum capacity of 10,000 litres of stored water, with a minimum 7,500 litre tank, with the balance from other sources (e.g. accessible swimming pool, dam etc.) and access to the	<b>Able to comply with AO3.1</b> An on-site water storage tank is provided on-site.



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Performance outcomes	Acceptable outcomes	Compliance
	tank/s for fire trucks is provided for each new house or other development. Tank/s are to be fitted with a 50mm ball valve with a camlock fitting and installed and connected prior to occupation of the house and sited to be visually unobtrusive.	
<b>Treatment and disposal of effluent</b>		
<b>PO4</b> Provision is made for the treatment and disposal of effluent to ensure that there are no adverse impacts on water quality and no adverse ecological impacts as a result of the system or as a result of increasing the cumulative effect of systems in the locality.	<b>AO4.1</b> The site is connected to Council's sewerage system and the extension of or connection to the sewerage system is designed and constructed in accordance with the Design Guidelines set out in Section D7 of the Planning scheme policy SC5 – FNQROC Regional Development Manual; or <b>AO4.2</b> Where not in a sewerage scheme area, the proposed disposal system meets the requirements of Section 33 of the <i>Environmental Protection Policy (Water) 1997</i> and the proposed	<b>Complies with AO4.2</b> The development is connected to an approved on-site effluent disposal system.



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Performance outcomes	Acceptable outcomes	Compliance
	on site effluent disposal system is designed in accordance with the <i>Plumbing and Drainage Act (2002)</i> .	
<b>Stormwater quality</b>		
<b>PO5</b> Development is planned, designed, constructed and operated to avoid or minimise adverse impacts on stormwater quality in natural and developed catchments by: <ul style="list-style-type: none"> <li>(a) achieving stormwater quality objectives;</li> <li>(b) protecting water environmental values;</li> <li>(c) maintaining waterway hydrology.</li> </ul>	<b>AO5.1</b> A connection is provided from the premises to Council's drainage system; or <b>AO5.2</b> An underground drainage system is constructed to convey stormwater from the premises to Council's drainage system in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	<b>Complies with PO5</b> There is no council drainage system in the location of the development and stormwater drainage would be managed to maintain natural processes with stormwater discharged to ground and away from the buildings and allowed to dissipate across the site.
	<b>AO5.3</b> A stormwater quality management plan is prepared, and provides for achievable stormwater	<b>Not applicable</b> This is not considered applicable to a development of this minor scale.



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Performance outcomes	Acceptable outcomes	Compliance
	quality treatment measures meeting design objectives listed in Table 9.4.5.3.b and Table 9.4.5.3.c, reflecting land use constraints, such as: (a) erosive, dispersive and/or saline soil types; (b) landscape features (including landform); (c) acid sulfate soil and management of nutrients of concern; (d) rainfall erosivity.	
	<b>AO5.4</b> Erosion and sediment control practices are designed, installed, constructed, monitored, maintained, and carried out in accordance with an erosion and sediment control plan.	<b>Able to comply with AO5.4</b> An erosion and sediment control plan is able to be prepared and implemented prior to the commencement of construction.
	<b>AO5.5</b> Development incorporates stormwater flow control measures to achieve the design objectives set out in Table 9.4.5.3.b and Table 9.4.5.3.c, including management of frequent flows, peak flows, and construction phase hydrological impacts.	<b>Not applicable</b> This is not considered applicable to development of this minor scale.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>Note – Planning scheme policy SC5 – FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i>.</p> <p>Note – During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.</p>	
<b>Non-tidal artificial waterways</b>		
<p><b>PO6</b></p> <p>Development involving non-tidal artificial waterways is planned, designed, constructed and operated to:</p> <p>(a) protect water environmental values;</p> <p>(b) be compatible with the land use constraints for the site for protecting water environmental values;</p> <p>(c) be compatible with existing tidal and non-tidal</p>	<p><b>AO6.1</b></p> <p>Development involving non-tidal artificial waterways ensures:</p> <p>(a) environmental values in downstream waterways are protected;</p> <p>(b) any ground water recharge areas are not affected;</p> <p>(c) the location of the waterway incorporates low lying areas of the catchment connected to an</p>	<p><b>Not applicable</b></p> <p>No waterways are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
<p>waterways;</p> <p>(d) perform a function in addition to stormwater management;</p> <p>(e) achieve water quality objectives.</p>	<p>existing waterway;</p> <p>(d) existing areas of ponded water are included.</p>	
	<p><b>AO6.2</b></p> <p>Non-tidal artificial waterways are located:</p> <p>(a) outside natural wetlands and any associated buffer areas;</p> <p>(b) to minimise disturbing soils or sediments;</p> <p>(c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas.</p>	<p><b>Not applicable</b></p> <p>No waterways are proposed.</p>
	<p><b>AO6.3</b></p> <p>Non-tidal artificial waterways located adjacent to, or connected to a tidal waterway by means of a weir, lock, pumping system or similar ensures:</p> <p>(a) there is sufficient flushing or a tidal range of &gt;0.3 m; or</p> <p>(b) any tidal flow alteration does not adversely impact on the tidal waterway; or</p>	<p><b>Not applicable</b></p> <p>No waterways are proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	(c) there is no introduction of salt water into freshwater environments.	
	<b>AO6.4</b> Non-tidal artificial waterways are designed and managed for any of the following end-use purposes: (a) amenity (including aesthetics), landscaping or recreation; or (b) flood management, in accordance with a drainage catchment management plan; or (c) stormwater harvesting plan as part of an integrated water cycle management plan; or (d) aquatic habitat.	<b>Not applicable</b> No waterways are proposed.
	<b>AO6.5</b> The end-use purpose of the non-tidal artificial waterway is designed and operated in a way that protects water environmental values.	<b>Not applicable</b> No waterways are proposed.





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Performance outcomes	Acceptable outcomes	Compliance
	<b>AO6.6</b> Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway.	<b>Not applicable</b> No waterways are proposed.
	<b>AO6.7</b> Aquatic weeds are managed to achieve a low percentage of coverage of the water surface area, and pests and vectors are managed through design and maintenance.	<b>Not applicable</b> No waterways are proposed.
<b>Wastewater discharge</b>		
<b>PO7</b> Discharge of wastewater to waterways, or off site: (a) meets best practice environmental management; (b) is treated to: (i) meet water quality objectives for its receiving waters;	<b>AO7.1</b> A wastewater management plan is prepared and addresses: (a) wastewater type; (b) climatic conditions; (c) water quality objectives; (d) best practice environmental management.	<b>Not applicable</b> No wastewater would be discharged off-site.



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Performance outcomes	Acceptable outcomes	Compliance
(ii) avoid adverse impact on ecosystem health or waterway health; (iii) maintain ecological processes, riparian vegetation and waterway integrity; (iv) offset impacts on high ecological value waters.	<b>A07.2</b> The waste water management plan is managed in accordance with a waste management hierarchy that: (a) avoids wastewater discharge to waterways; or (b) if wastewater discharge cannot practicably be avoided, minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and ground water.	<b>Not applicable</b> No wastewater would be discharged off-site.
	<b>A07.3</b> Wastewater discharge is managed to avoid or minimise the release of nutrients of concern so as to minimise the occurrence, frequency and intensity of algal blooms.	<b>Not applicable</b> No wastewater would be discharged off-site.
	<b>A07.4</b> Development in coastal catchments avoids or minimises and appropriately manages soil	<b>Not applicable</b> No wastewater would be discharged off-site.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>disturbance or altering natural hydrology and:</p> <ul style="list-style-type: none"><li>(a) avoids lowering ground water levels where potential or actual acid sulfate soils are present;</li><li>(b) manages wastewater so that:<ul style="list-style-type: none"><li>(i) the pH of any wastewater discharges is maintained between 6.5 and 8.5 to avoid mobilisation of acid, iron, aluminium and other metals;</li><li>(ii) holding times of neutralised wastewater ensures the flocculation and removal of any dissolved iron prior to release;</li><li>(iii) visible iron floc is not present in any discharge;</li><li>(iv) precipitated iron floc is contained and disposed of;</li><li>(v) wastewater and precipitates that cannot be contained and treated for discharge on site are removed and disposed of through</li></ul></li></ul>	



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Performance outcomes	Acceptable outcomes	Compliance
	trade waste or another lawful method.	
<b>Electricity supply</b>		
<b>PO8</b> Development is provided with a source of power that will meet its energy needs.	<b>AO8.1</b> A connection is provided from the premises to the electricity distribution network; or <b>AO8.2</b> The premises is connected to the electricity distribution network in accordance with the Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual. Note - Areas north of the Daintree River have a different standard.	<b>Not applicable</b> The site is located north of the Daintree River.
<b>PO9</b> Development incorporating pad-mount electricity infrastructure does not cause an adverse impact	<b>AO9.1</b> Pad-mount electricity infrastructure is: (a) not located in land for open space or sport and	<b>Not applicable</b> No padmount infrastructure is proposed.



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Performance outcomes	Acceptable outcomes	Compliance
on amenity.	recreation purposes; (b) screened from view by landscaping or fencing; (c) accessible for maintenance.	
	<b>AO9.2</b> Pad-mount electricity infrastructure within a building, in a Town Centre is designed and located to enable an active street frontage. Note – Pad-mounts in buildings in activity centres should not be located on the street frontage.	<b>Not applicable</b> No padmount infrastructure is proposed.
<b>Telecommunications</b>		
<b>PO10</b> Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.	<b>AO10</b> The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.	<b>Not applicable</b> There is no standard for telecommunications provision north of the Daintree river.
<b>PO11</b> Provision is made for future telecommunications	<b>AO11</b> Conduits are provided in accordance with	<b>Not applicable</b> This is not required north of the Daintree River.



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Performance outcomes	Acceptable outcomes	Compliance
services (e.g. fibre optic cable).	Planning scheme policy SC5 – FNQROC Regional Development Manual.	
<b>Road construction</b>		
<b>PO12</b> The road to the frontage of the premises is constructed to provide for the safe and efficient movement of: (a) pedestrians and cyclists to and from the site; (b) pedestrians and cyclists adjacent to the site; (c) vehicles on the road adjacent to the site; (d) vehicles to and from the site; (e) emergency vehicles.	<b>AO12.1</b> The road to the frontage of the site is constructed in accordance with the Design Guidelines set out in Sections D1 and D3 of the Planning scheme policy SC5 – FNQROC Regional Development Manual, for the particular class of road, as identified in the road hierarchy.	<b>Complies with AO12.1</b> Ronald Road is a constructed and Council maintained road.
	<b>AO12.2</b> There is existing road, kerb and channel for the full road frontage of the site.	<b>Not applicable</b> Kerb and Channel is not required for the road frontage.
	<b>AO12.3</b> Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for the safe passage of emergency vehicles.	<b>Complies with AO12.3</b> Ronald Road is a constructed and Council maintained road.



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Performance outcomes	Acceptable outcomes	Compliance
<b>Alterations and repairs to public utility services</b>		
<b>PO13</b> Infrastructure is integrated with, and efficiently extends, existing networks.	<b>AO13</b> Development is designed to allow for efficient connection to existing infrastructure networks.	<b>Not applicable</b> There are no public utility services near the site.
<b>PO14</b> Development and works do not affect the efficient functioning of public utility mains, services or installations.	<b>AO14.1</b> Public utility mains, services and installations are not required to be altered or repaired as a result of the development; or <b>AO14.2</b> Public utility mains, services and installations are altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	<b>Not applicable</b> There are no public utility services near the site.
<b>Construction management</b>		



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Performance outcomes	Acceptable outcomes	Compliance
<b>PO15</b> Work is undertaken in a manner which minimises adverse impacts on vegetation that is to be retained.	<b>AO15</b> Works include, at a minimum: (a) installation of protective fencing around retained vegetation during construction; (b) erection of advisory signage; (c) no disturbance, due to earthworks or storage of plant, materials and equipment, of ground level and soils below the canopy of any retained vegetation; (d) removal from the site of all declared noxious weeds.	<b>Able to comply with AO15</b> Works to protect retained vegetation and signage is able to be installed prior to the commencement of construction.
<b>PO16</b> Existing infrastructure is not damaged by construction activities.	<b>AO16</b> Construction, alterations and any repairs to infrastructure is undertaken in accordance with the Planning scheme policy SC5 – FNQROC Regional Development Manual. Note - Construction, alterations and any repairs to State-controlled roads and rail corridors are undertaken in accordance with the Transport Infrastructure Act	<b>Not applicable</b> There are no public utility services near the site.





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Performance outcomes	Acceptable outcomes	Compliance
	1994.	
<b>For assessable development</b>		
<b>High speed telecommunication infrastructure</b>		
<b>PO17</b> Development provides infrastructure to facilitate the roll out of high speed telecommunications infrastructure.	<b>AO17</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The site is north of the Daintree River and infrastructure provision is not required.
<b>Trade waste</b>		
<b>PO18</b> Where relevant, the development is capable of providing for the storage, collection treatment and disposal of trade waste such that: (a) off-site releases of contaminants do not occur; (b) the health and safety of people and the environment are protected; (c) the performance of the wastewater system is	<b>AO18</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> No trade waste would be generated by the development.



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Performance outcomes	Acceptable outcomes	Compliance
not put at risk.		
<b>Fire services in developments accessed by common private title</b>		
<b>PO19</b> Hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	<b>AO19.1</b> Residential streets and common access ways within a common private title places hydrants at intervals of no more than 120 metres and at each intersection. Hydrants may have a single outlet and be situated above or below ground.	<b>Not applicable</b> No common property is proposed.
	<b>AO19.2</b> Commercial and industrial streets and access ways within a common private title serving commercial properties such as factories and warehouses and offices are provided with above or below ground fire hydrants located at not more than 90 metre intervals and at each intersection. Above ground fire hydrants have dual-valved outlets.	<b>Not applicable</b> No common property is proposed.



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Performance outcomes	Acceptable outcomes	Compliance
<p><b>PO20</b></p> <p>Hydrants are suitable identified so that fire services can locate them at all hours.</p> <p>Note – Hydrants are identified as specified in the Department of Transport and Main Roads Technical Note: ‘Identification of street hydrants for fire fighting purposes’ available under ‘Publications’.</p>	<p><b>AO20</b></p> <p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>No common property is proposed.</p>



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#### **9.4.9 Vegetation management code**

##### **9.4.9.1 Application**

- (1) This code applies to assessing operational works for vegetation damage if:
  - (a) assessable development where the code is an applicable code identified in the assessment criteria column of a table of assessment;
  - (b) impact assessable development, to the extent relevant.
- (2) When using this code, reference should be made to Part 5.

##### **9.4.9.2 Purpose**

- (1) The purpose of the Vegetation management code is achieved through the overall outcomes.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) vegetation is protected from inappropriate damage;
  - (b) where vegetation damage does occur it is undertaken in a sustainable manner;
  - (c) significant trees are maintained and protected;
  - (d) biodiversity and ecological values are protected and maintained;
  - (e) habitats for rare, threatened and endemic species of flora and fauna are protected and maintained;
  - (f) landscape character and scenic amenity is protected and maintained;
  - (g) heritage values are protected and maintained.

##### **9.4.9.3 Criteria for assessment**



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**Table 9.4.9.3.a – Vegetation Management – assessable development**

Performance outcomes	Acceptable outcomes	Compliance
<b>For self-assessable and assessable development</b>		
<b>PO1</b> Vegetation is protected to ensure that: <ul style="list-style-type: none"> <li>(a) the character and amenity of the local area is maintained;</li> <li>(b) vegetation damage does not result in fragmentation of habitats;</li> <li>(c) vegetation damage is undertaken in a sustainable manner;</li> <li>(d) the Shire's biodiversity and ecological values are maintained and protected;</li> <li>(e) vegetation of historical, cultural and / or visual significance is retained;</li> <li>(f) vegetation is retained for erosion prevention and slope stabilisation</li> </ul>	<b>AO1.1</b> Vegetation damage is undertaken by a statutory authority on land other than freehold land that the statutory authority has control over; or	<b>Complies with AO1.5</b> The development site is cleared d in accordance with the existing Development Approval. No further clearing is required for the proposed changes. In accordance with the existing Development Approval, the proposed development is considered to be designed to respond to the characteristics and features of the site and surrounds.
	<b>AO1.2</b> Vegetation damage is undertaken by or on behalf of the local government on land controlled, owned or operated by the local government; or	<b>Complies with AO1.5</b> The development site is cleared d in accordance with the existing Development Approval. No further clearing is required for the proposed changes.



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Performance outcomes	Acceptable outcomes	Compliance
		In accordance with the existing Development Approval, the proposed development is considered to be designed to respond to the characteristics and features of the site and surrounds.
	<p><b>AO1.3</b></p> <p>Vegetation damage, other than referenced in AO1.1 or AO1.2 is the damage of:</p> <ul style="list-style-type: none"> <li>(a) vegetation declared as a pest pursuant to the Land Protection (Pest and Stock Route Management) Act 2002; or</li> <li>(b) vegetation identified within the local government's register of declared plants pursuant to the local government's local laws; or</li> <li>(c) vegetation is located within a Rural zone and the trunk is located within ten metres of an existing building; or</li> </ul>	<p><b>Complies with AO1.5</b></p> <p>The development site is cleared d in accordance with the existing Development Approval. No further clearing is required for the proposed changes.</p> <p>In accordance with the existing Development Approval, the proposed development is considered to be designed to respond to the characteristics and features of the site and surrounds..</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>(d) vegetation is located within the Conservation zone or Environmental management zone and the trunk is located within three metres of an existing or approved structure, not including a boundary fence;.</p> <p>or</p>	
	<p><b>AO1.4</b></p> <p>Vegetation damage that is reasonably necessary for carrying out work that is:</p> <p>(a) authorised or required under legislation or a local law;</p> <p>(b) specified in a notice served by the local government or another regulatory authority;</p> <p>or</p>	<p><b>Complies with AO1.5</b></p> <p>The development site is cleared d in accordance with the existing Development Approval. No further clearing is required for the proposed changes.</p> <p>In accordance with the existing Development Approval, the proposed development is considered to be designed to respond to the characteristics and features of the site and surrounds.</p>
	<p><b>AO1.5</b></p>	<p><b>Complies with AO1.5</b></p>



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Performance outcomes	Acceptable outcomes	Compliance
	Vegetation damage for development where the damage is on land the subject of a valid development approval and is necessary to give effect to the development approval; or	The development site is cleared d in accordance with the existing Development Approval. No further clearing is required for the proposed changes.  In accordance with the existing Development Approval, the proposed development is considered to be designed to respond to the characteristics and features of the site and surrounds.
	<b>AO1.6</b> Vegetation damage is in accordance with an approved Property Map of Assessable Vegetation issued under the Vegetation Management Act 1999; or	<b>Complies with AO1.5</b> The development site is cleared d in accordance with the existing Development Approval. No further clearing is required for the proposed changes.  In accordance with the existing Development Approval, the proposed development is considered to be designed to respond to the characteristics and features of the site and surrounds.





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Performance outcomes	Acceptable outcomes	Compliance
	<b>AO1.7</b> Vegetation damage is essential to the maintenance of an existing fire break; or	<b>Complies with AO1.5</b> The development site is cleared d in accordance with the existing Development Approval. No further clearing is required for the proposed changes. In accordance with the existing Development Approval, the proposed development is considered to be designed to respond to the characteristics and features of the site and surrounds.
	<b>AO1.8</b> Vegetation damage is essential to prevent interference to overhead service cabling; or	<b>Complies with AO1.5</b> The development site is cleared d in accordance with the existing Development Approval. No further clearing is required for the proposed changes. In accordance with the existing Development Approval, the proposed development is considered to be designed to respond to the



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Performance outcomes	Acceptable outcomes	Compliance
		characteristics and features of the site and surrounds.
	<b>AO1.9</b> Vegetation damage is for an approved Forest practice, where the lot is subject to a scheme approved under the Vegetation Management Act 1999; or	<b>Complies with AO1.5</b> The development site is cleared d in accordance with the existing Development Approval. No further clearing is required for the proposed changes. In accordance with the existing Development Approval, the proposed development is considered to be designed to respond to the characteristics and features of the site and surrounds.
	<b>AO1.10</b> Vegetation damage is undertaken in accordance with section 584 of the Sustainable Planning Act 2009.	<b>Complies with AO1.5</b> The development site is cleared d in accordance with the existing Development Approval. No further clearing is required for the proposed changes. In accordance with the existing Development Approval, the proposed development is



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Performance outcomes	Acceptable outcomes	Compliance
		considered to be designed to respond to the characteristics and features of the site and surrounds..
	<b>AO1.11</b> Vegetation damage where it is necessary to remove one tree in order to protect an adjacent more significant tree (where they are growing close to one another).	<b>Complies with AO1.5</b> The development site is cleared d in accordance with the existing Development Approval. No further clearing is required for the proposed changes.  In accordance with the existing Development Approval, the proposed development is considered to be designed to respond to the characteristics and features of the site and surrounds.
	<b>AO1.12</b> Private property owners may only remove dead, dying, structurally unsound vegetation following receipt of written advice from, at minimum, a fully qualified Certificate V Arborist. A copy of the written advice is to be submitted to Council for its	<b>Complies with AO1.5</b> The development site is cleared d in accordance with the existing Development Approval. No further clearing is required for the proposed changes.



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Performance outcomes	Acceptable outcomes	Compliance
	records, a minimum of seven business days prior to the vegetation damage work commencing.	In accordance with the existing Development Approval, the proposed development is considered to be designed to respond to the characteristics and features of the site and surrounds.
<b>PO2</b> Vegetation damaged on a lot does not result in a nuisance.	<b>AO2.1</b> Damaged vegetation is removed and disposed of at an approved site; or	<b>Able to comply with AO2.2</b> The damaged vegetation is able to be reused on-site.
	<b>AO2.2</b> Damaged vegetation is mulched or chipped if used onsite.	<b>Able to comply with AO2.2</b> The damaged vegetation is able to be reused on-site.
<b>For assessable development</b>		
<b>PO3</b> Vegetation damage identified on the Places of significance overlay lot does not result in a negative impact on the site's heritage values	<b>AO3</b> No acceptable outcomes are prescribed.	<b>Not applicable</b> The site is not identified in the place of significance overlay.



20163777 – Ronald Road, Forest Creek



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