

DA Form 1 – Development application details

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

This form **must** be used to make a development application **involving 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)	Terrance and Cathryn Maloney
Contact name (only applicable for companies)	c/- Patrick Clifton, GMA Certification
Postal address (P.O. Box or street address)	PO Box 831
Suburb	Port Douglas
State	QLD
Postcode	4877
Country	Australia
Contact number	0438 755 374
Email address (non-mandatory)	Patrick.c@gmacer.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	20203005

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
		95-99	Snapper Island Drive	Wonga Beach
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	21	RP744773	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: <input type="text"/>	

- ☐ Coordinates of premises by easting and northing

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

3.3) Additional premises

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

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

- ☐ 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 including Secondary Dwelling

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 DA Form 2 – Building work details

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
Dwelling House including Secondary Dwelling	Dwelling House	1	Approx. 450m ²
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input type="checkbox"/> Yes			
<input checked="" type="checkbox"/> No			

Division 2 – Reconfiguring a lot

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

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

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

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?

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

12) Boundary realignment

12.1) What are the current and proposed areas for each lot comprising the premises?

Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot on plan description	Area (m ²)

12.2) What is the reason for the boundary realignment?

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

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

Division 3 – Operational work

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

14.1) What is the nature of the operational work?

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

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

<input type="checkbox"/> Yes – specify number of new lots: _____
<input type="checkbox"/> No

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

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PART 4 – ASSESSMENT MANAGER DETAILS

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

Douglas Shire Council

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

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

PART 5 – REFERRAL DETAILS

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

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

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

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

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

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

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

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

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

PART 6 – INFORMATION REQUEST

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

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)			
<input type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input checked="" type="checkbox"/> No			
List of approval/development application references	Reference number	Date	Assessment manager
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)		
<input type="checkbox"/> Yes – a copy of the receipted QLeave form is attached to this development application <input type="checkbox"/> 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 <input checked="" type="checkbox"/> 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?	
<input type="checkbox"/> Yes – show cause or enforcement notice is attached <input checked="" type="checkbox"/> No	

23) Further legislative requirements			
<u>Environmentally relevant activities</u>			
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 <i>Environmental Protection Act 1994</i>?			
<input type="checkbox"/> 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 <input checked="" type="checkbox"/> No <i>Note: Application for an environmental authority can be found by searching “ESR/2015/1791” as a search term at www.qld.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.</i>			
Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			
<input type="checkbox"/> Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.			
<u>Hazardous chemical facilities</u>			
23.2) Is this development application for a hazardous chemical facility?			
<input type="checkbox"/> Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application <input checked="" type="checkbox"/> No <i>Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.</i>			

Clearing native vegetation

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

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

☒ No

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

Environmental offsets

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

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

☒ No

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

Koala habitat in SEQ Region

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

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

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

☒ No

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

Water resources

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

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

☒ No

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

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

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

Waterway barrier works

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

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

☒ No

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

Marine activities

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

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

☒ No

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

Quarry materials from a watercourse or lake

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

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

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

Quarry materials from land under tidal waters

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

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

Note: Contact the Department of Environment and Science at www.des.qld.gov.au for further information.

Referable dams

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

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

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

Tidal work or development within a coastal management district

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

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

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

Queensland and local heritage places

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

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

Note: See guidance materials at www.des.qld.gov.au for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
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Brothels

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

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

Decision under section 62 of the Transport Infrastructure Act 1994

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

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

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 <i>Note: See the Planning Regulation 2017 for referral requirements</i>	<input checked="" type="checkbox"/> Yes
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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
Supporting information addressing any applicable assessment benchmarks is with the development application <i>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.</i>	<input checked="" type="checkbox"/> Yes
Relevant plans of the development are attached to this development application <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>	<input checked="" type="checkbox"/> Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable

25) Applicant declaration	
<input checked="" type="checkbox"/> By making this development application, I declare that all information in this development application is true and correct <input checked="" type="checkbox"/> Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the <i>Electronic Transactions Act 2001</i> <i>Note: It is unlawful to intentionally provide false or misleading information.</i>	
<p>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.</p> <p>Personal information will not be disclosed for a purpose unrelated to the <i>Planning Act 2016</i>, Planning Regulation 2017 and the DA Rules except where:</p> <ul style="list-style-type: none"> • such disclosure is in accordance with the provisions about public access to documents contained in the <i>Planning Act 2016</i> and the Planning Regulation 2017, and the access rules made under the <i>Planning Act 2016</i> and Planning Regulation 2017; or • required by other legislation (including the <i>Right to Information Act 2009</i>); or • otherwise required by law. <p>This information may be stored in relevant databases. The information collected will be retained as required by the <i>Public Records Act 2002</i>.</p>	

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

Date received: Reference number(s):

Notification of engagement of alternative assessment manager

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

QLeave notification and payment

Note: For completion by assessment manager if applicable

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



GMA Certification
Group

*Leader's in
Building Certification Services*

PLANNING STATEMENT

For: Terry and Cathy Maloney
Development: Dwelling House, including Secondary
Dwelling
At: 95-99 Snapper Island Drive, Wonga Beach (Lot 21
RP744773)
Prepared by: GMA Certification Group
File Ref: 20203005
Revision: A

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1.0 Introduction

This report has been prepared on behalf of Terry and Cathy Maloney in support of a Development Application to Douglas Shire Council for a Development Permit for Material Change of Use for the purpose of a Dwelling House (including Secondary Dwelling) on land located at 95-99 Snapper Island Drive, Wonga Beach, and described as Lot 21 on RP744773.

The application site is a single coastal residential allotment with an area of 9,909m² and frontage of 60 metres to Snapper Island Drive. The site is currently vacant and has been cleared of the majority of the vegetation. Topographically the site has a ground level that varies in height from approximately 2.75 metres at the site frontage to Snapper Island Drive to the highest point of approximately 3.5 metres towards the east. A small lagoon is located centrally on the site and adjacent the southern side boundary, which would be retained as part of the development of the site.

The area containing the site is characterised by residential dwellings on larger allotments with the coast and foreshore located to the east of the site.

It is proposed to develop the site for the purpose of a Dwelling House with a separate but associated studio (Secondary Dwelling). The principal Dwelling House would be located towards the east of the site and would comprise two bedrooms, living/dining/kitchen area, a covered patio to the front and rear and attached double car port and laundry. The finished floor levels for all habitable floors of the principal dwelling would be 4.34m AHD.

The proposed Secondary Dwelling would be located towards the site frontage, approximately 120 metres from the Principal Dwelling and setback 21.04 metres from the site frontage. It would be in a studio configuration with a combined bedroom, living kitchen area and with a separate bathroom and laundry. The Secondary Dwelling would have a finished floor level of 3.4m AHD.

In addition, a separate and enclosed double garage would be provided adjacent the northern side boundary.

The application is identified as being Code Assessable and consideration can only be given to the relevant assessment benchmarks. The development is considered to comply with the Assessment Benchmark and be consistent in terms of scale and intensity to other forms of development in the locality. The application is submitted for approval, subject to reasonable and relevant conditions.

2.0 Development Summary

Address:	95-99 Snapper Island Drive, Wonga Beach
Real Property Description:	Lot 21 RP744773
Easements & Encumbrances:	Nil
Site Area/Frontage:	Area: 9,909m ² Frontage: 60 metres
Registered Owner:	Cathryn and Terrence Maloney
Proposal:	Dwelling House, including Secondary Dwelling.
Approval Sought:	Development Permit
Level of Assessment:	Code Assessment
State Interests – State Planning Policy	<ul style="list-style-type: none"> • Environment and Heritage – MSES Regulated Vegetation Category R & Coastal Management Control District; • Safety and Resilience to Hazards – Flood Hazard Level 1 – Queensland Floodplain Mapping; Erosion Prone area, in part; and Medium and High Storm Tide Inundation Area.
State Interests – SARA Mapping:	<ul style="list-style-type: none"> • Coastal Protection – Coastal Management Control District; Erosion Prone Area and Medium and High Storm Tide Inundation Area. • Native Vegetation Clearing – Category R and X on the Regulated Vegetation Management Map.
Referral Agencies:	Nil
State Development Assessment Provisions:	N/A
Regional Plan Designation:	Urban Footprint
Zone:	Rural Residential Zone
Local Plan Designation:	Coastal Communities Local Plan – Precinct 4 Wonga Beach
Overlays:	<ul style="list-style-type: none"> • Acid Sulfate Soils (<5m AHD); • Coastal Processes (Erosion Prone Area);

- Flood and Storm Tide Inundation (Medium and High Storm Tide Hazard);
 - Landscape Values (Coastal Scenery and Medium Landscape Value)
 - Natural Areas (MSES Regulated Vegetation)
-

3.0 Site and Locality

The application site is a single coastal residential allotment located at 95-99 Snapper Island Drive, Wonga Beach and described as Lot 21 on RP744773. The site contains an area of 9,909m² and has frontage of 60 metres to Snapper Island Drive. The site is currently vacant and has been cleared of the majority of the vegetation. Topographically the site has a ground level that varies in height from approximately 2.75 metres at the site frontage to Snapper Island Drive to the highest point of approximately 3.5 metres towards the east. A small lagoon is located centrally on the site and adjacent the southern side boundary, which would be retained as part of the development of the site. Access to the site is provided from an existing informal driveway located approximately centrally on the site from Snapper Island Drive.

The area containing the site is characterised by residential dwellings on larger allotments with the coast and foreshore located to the east of the site. To the north, south and west of the site land has been developed for Dwelling Houses and Domestic Outbuildings. To the east is an area of coastal vegetation and the coastline.



Photo 1 – Site Location (Source Queensland Globe)

4.0 Proposal

It is proposed to develop the site for the purpose of a Dwelling House with a Secondary Dwelling.

The principal Dwelling House would be located towards the east and setback 29 metres from the eastern (rear boundary) and a minimum of 12.2 metres from the side boundaries. It would comprise two bedrooms, living/dining/kitchen area, a covered patio to the front and rear and attached double car port and laundry. It is understood that the finished floor levels for all habitable floors for the principal dwelling would be 4.34m AHD.

The proposed Secondary Dwelling would be located towards the site frontage, separated from the Principal Dwelling by approximately 120 metres and setback 21.04 metres from the site frontage. The Secondary Dwelling would be ancillary to the Principal Dwelling and would not constitute a separate dwelling house. It would contain an integrated bedroom/ dining/kitchen area, ensuite bathroom and laundry. The studio would have a finished floor level of 3.4m AHD.

In addition, a separate and enclosed double garage would be provided to the north of the site and setback 6.8 metres from the northern side boundary and 44.045 metres from the site frontage. It would contain a garage with attached storeroom and additional bathroom and toilet.

Proposal Plans are attached at [Appendix 2](#).

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

Development Feature	Proposal
Site Area:	9,909m ²
Frontage:	60 metres
Height:	Approx. 5.5 metres
Floor Area:	458.63m ²
Site Cover:	4.6%
Setbacks:	Front – 21.045m North (Side) – 6.8 metres East (rear) - 29.184 metres South (side) – 6.8 metres.
Access:	Existing driveway from Snapper Island Drive.
Car Parking Spaces:	4 covered spaces provided.

5.0 Statutory Planning Considerations

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

5.1 Planning Act 2016

5.1.1 Categorisation of Development

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

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

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

5.1.2 Assessment Manager

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

5.1.3 Level of Assessment

The application involves the development of a Dwelling House. The table below identifies the level of assessment and the categorising section of the ... Council Planning Scheme.

Development	Categorising Section	Level of Assessment
Dwelling House and Secondary Dwelling	Table 5.6.k - Rural residential Zone	Self Assessable

Whilst the development is identified as being Self Assessable, the development is not able to satisfy the Acceptable Outcomes of all the relevant Codes and, consequently, the development is made Code Assessable with the assessment limited to the matters the subject of the Acceptable Outcomes that the development does not comply with.

5.1.4 Statutory Considerations for Assessable Development

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

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

5.1.5 State Planning Policy

It is understood that the Minister has identified that the State Planning Policy has been appropriately integrated into in 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 Urban Footprint 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 Rural Residential Zone and Precinct 4 – Wonga Beach of the Coastal Communities Local Plan, and is affected by the following overlays:

- Acid Sulfate Soils (<5m AHD);
- Coastal Processes (Erosion Prone Area);
- Flood and Storm Tide Inundation (Medium and High Storm Tide Hazard);
- Landscape Values (Coastal Scenery and Medium Landscape Value); and,
- Natural Areas (MSES Regulated Vegetation).

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

Assessment Benchmark	Applicability	Compliance
Rural Residential Zone Code	Applies – Self Assessable Development Requirements only.	Consideration of Performance Outcome PO3 is required. Refer below.
Coastal Communities Local Plan Code	Applies – Self Assessable Development Requirements only.	Complies with the Acceptable Outcome.
Acid Sulfate Soils Overlay Code	Applies	Complies with all Acceptable Outcomes.
Coastal Environment Overlay Code	Applies – Self Assessable Development Requirements only.	Complies with the Acceptable Outcomes.
Flood and Storm Tide Hazard Overlay Code	Applies – Self Assessable Development Requirements only.	Consideration of Performance Outcome PO1 is required. See below.
Natural Areas Overlay Code	Applies	Complies with relevant Acceptable Outcomes.
Dwelling House Code	Applies	Complies with all Acceptable Outcomes
Access, Parking and Servicing Code	Applies	Complies with all relevant Acceptable Outcomes.

Excavation and Filling Code	Not applicable	No relevant Assessment Benchmarks as no excavation or filling is proposed.
Vegetation Management Code	No applicable	No relevant Assessment Benchmarks as no clearing is required to facilitate the development.

6.1.1 Statement of Compliance – Benchmark Assessment

6.1.1.1 Rural Residential Zone Code

Performance Outcome PO3 states:

Building scale is compatible with the rural residential character of the area and must not detrimentally impact on visual landscape amenity.

The proposed outbuilding would have a site coverage of 140m², which is greater than the accepted 100m² identified in Acceptable Outcome AO3.2. However, the size of the proposed outbuilding is not inconsistent with other outbuildings in the area, including those associated with dwellings on Bowman Close to the west or fronting Snapper Island Drive to the north. Furthermore, the outbuilding is setback 44 metres from the site frontage to Snapper Island Drive and would not be a visual imposition on the streetscape. The proposed outbuilding is considered to be consistent with the building scale in the area and would not result in an impact on the visual amenity of the area.

proposed development is considered to satisfy Performance Outcome PO3 of the Rural residential Zone Code.

6.1.1.2 Flood and Storm Tide Hazard Overlay Code

Performance Outcome PO1 requires development to be located and designed to ensure the safety of all persons; minimise damage to the development and contents of buildings; provide suitable amenity; minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events.

It is not possible to provide buildings on the site that are not located within the overlay area as required by Acceptable Outcome AO1.3; however, the proposed buildings would be located on the higher parts of the site and habitable floor levels would comply with the planning scheme requirements. In addition, clear evacuation routes to Snapper Island Drive would be provided. On this basis, it is considered that the development has been located and designed to minimise the impacts of flooding and complies with the requirements of Performance Outcome PO1.

7.0 Summary and Conclusion

This report has been prepared on behalf of Terry and Cathy Maloney in support of a Development Application to Douglas Shire Council for a Development Permit for Material Change of Use for the purpose of a Dwelling House (including Secondary Dwelling) on land located at 95-99 Snapper Island Drive, Wonga Beach, and described as Lot 21 on RP744773.

The application site is a single coastal residential allotment with an area of 9,909m² and frontage of 60 metres to Snapper Island Drive. The site is currently vacant and has been cleared of the majority of the vegetation. The area containing the site is characterised by residential dwellings on larger allotments with the coast and foreshore located to the east of the site.

It is proposed to develop the site for the purpose of a Dwelling House with a separate but associated studio (Secondary Dwelling). The principal Dwelling House would be located towards the east of the site and would comprise two bedrooms, living/dining/kitchen area, a covered patio to the front and rear and attached double car port and laundry. The proposed Secondary Dwelling would be located towards the site frontage, approximately 120 metres from the Principal Dwelling and setback 21.04 metres from the site frontage. In addition, a separate and enclosed double garage would be provided adjacent the northern side boundary.

The application is identified as being Code Assessable and consideration can only be given to the relevant assessment benchmarks. An assessment has demonstrated that the proposed development complies with the applicable Assessment Benchmarks

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

Appendix 1.

CERTIFICATE OF TITLE

CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 34776257

Search Date: 26/08/2020 10:15

Title Reference: 21332144

Date Created: 19/12/1986

Previous Title: 21306218

REGISTERED OWNER

Dealing No: 719636215 23/09/2019

CATHRYN MAY MALONEY

TERRANCE JOHN MALONEY JOINT TENANTS

ESTATE AND LAND

Estate in Fee Simple

LOT 21 REGISTERED PLAN 744773
Local Government: DOUGLAS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20211167 (POR 33)

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

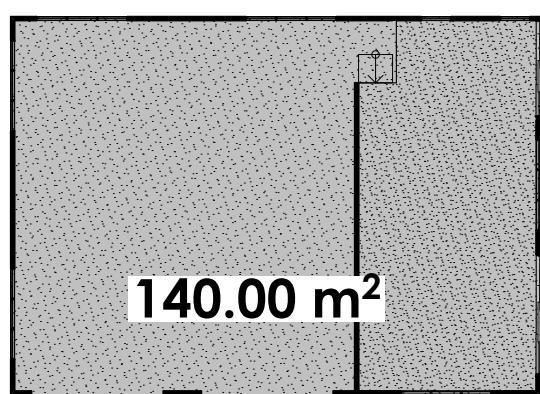
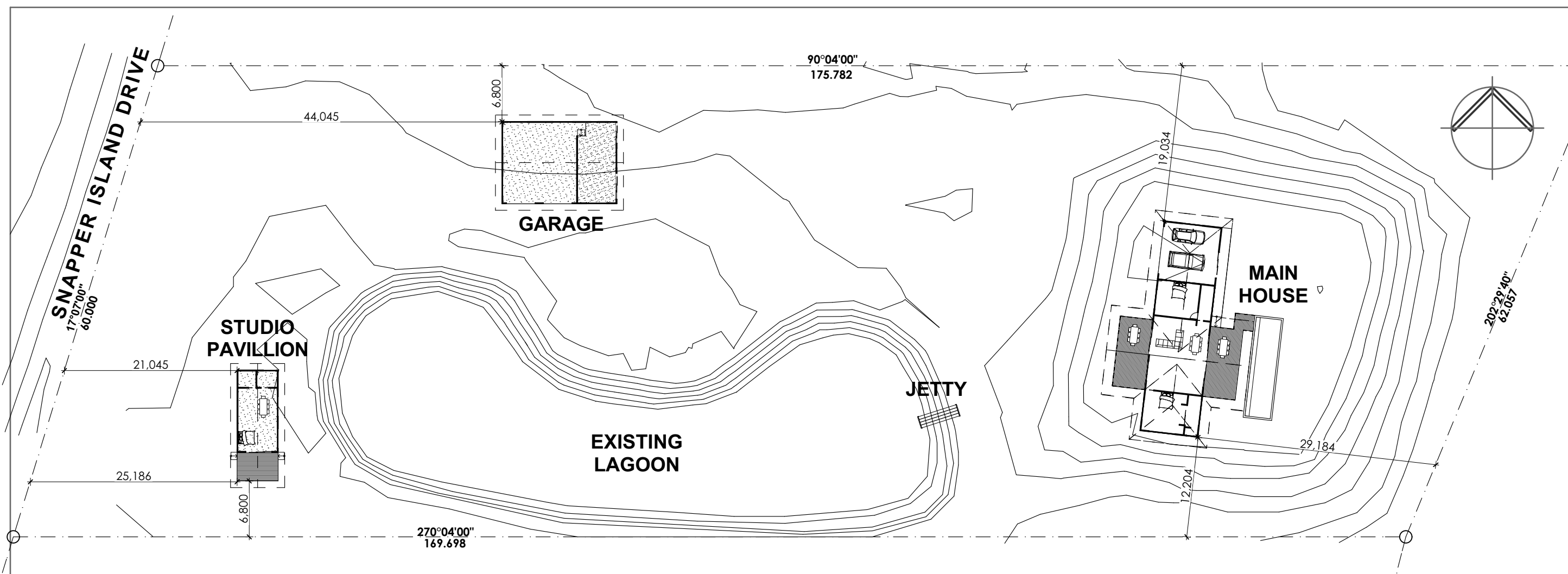
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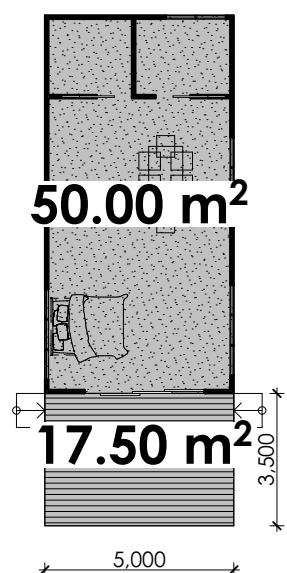
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Appendix 2.

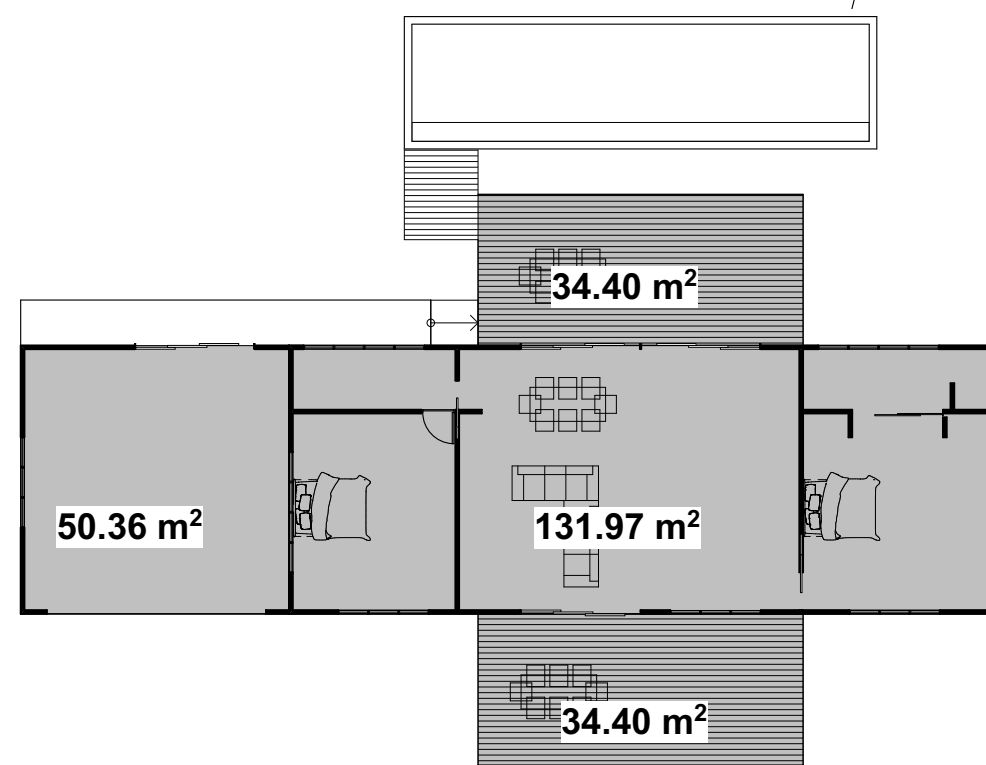
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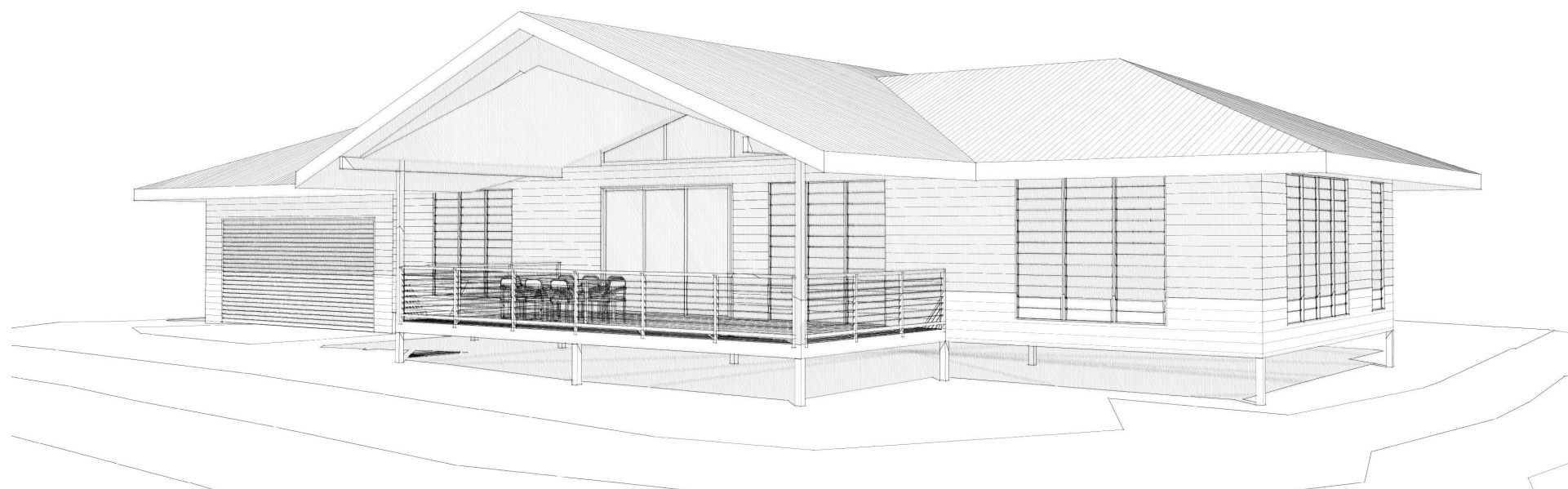
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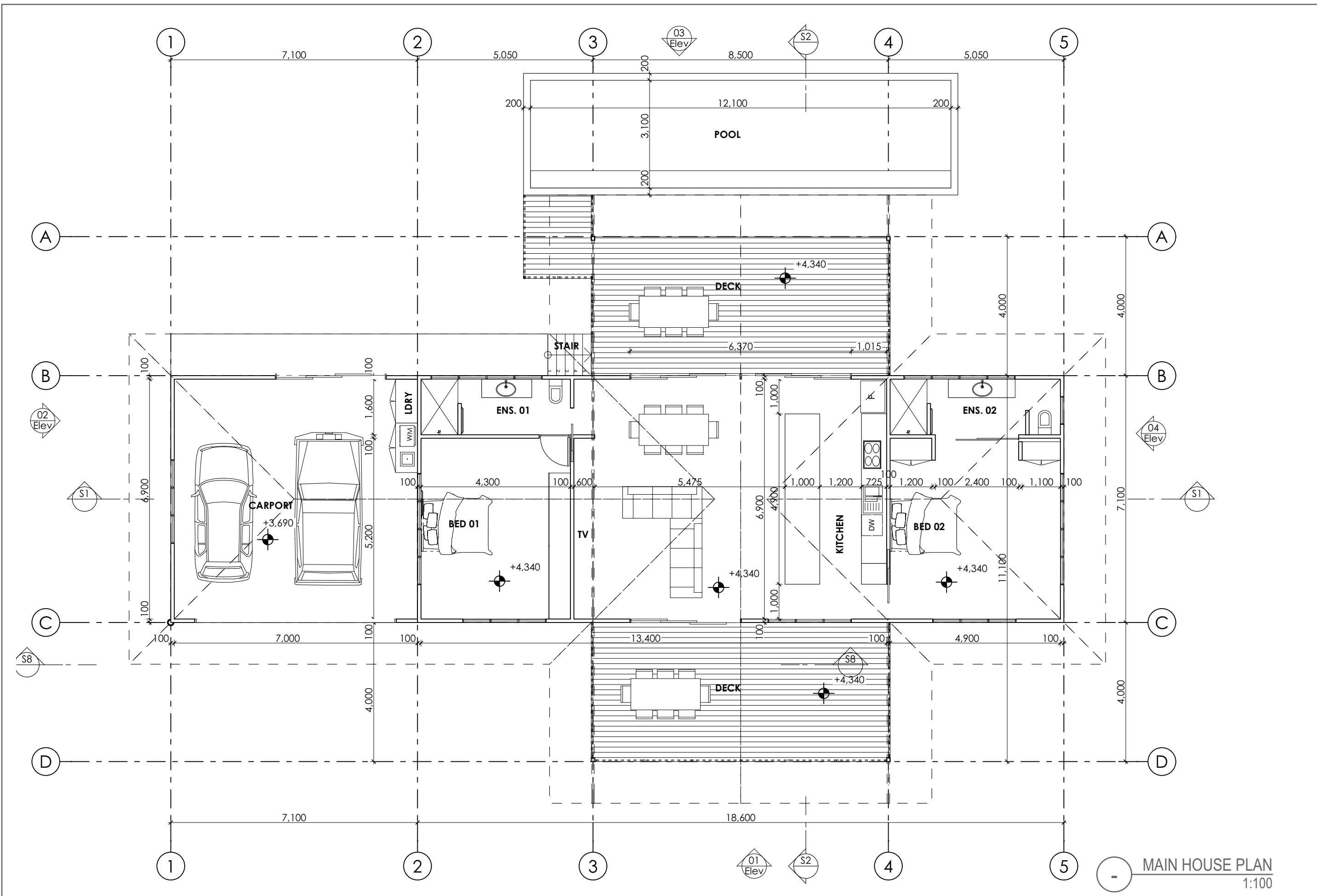


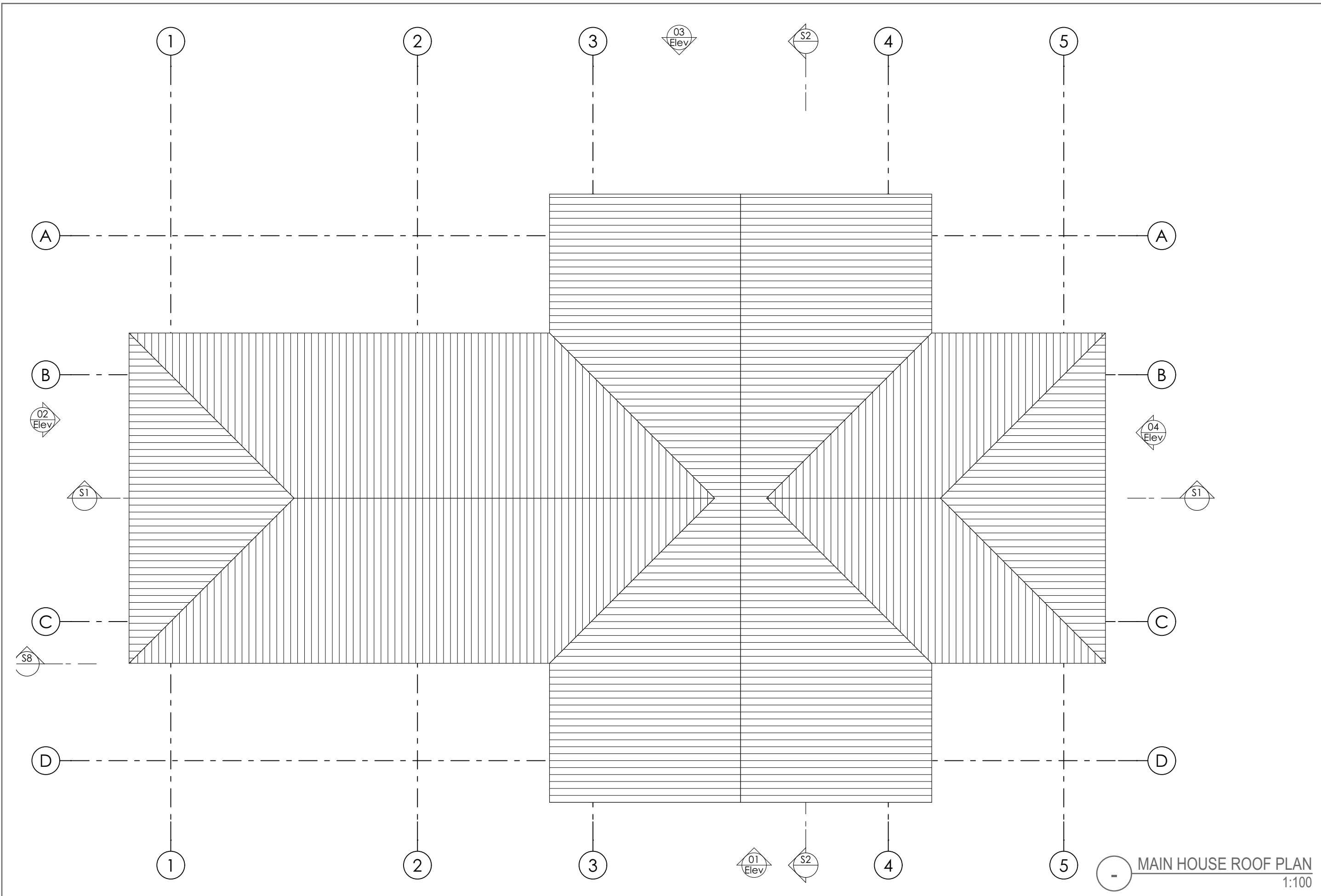
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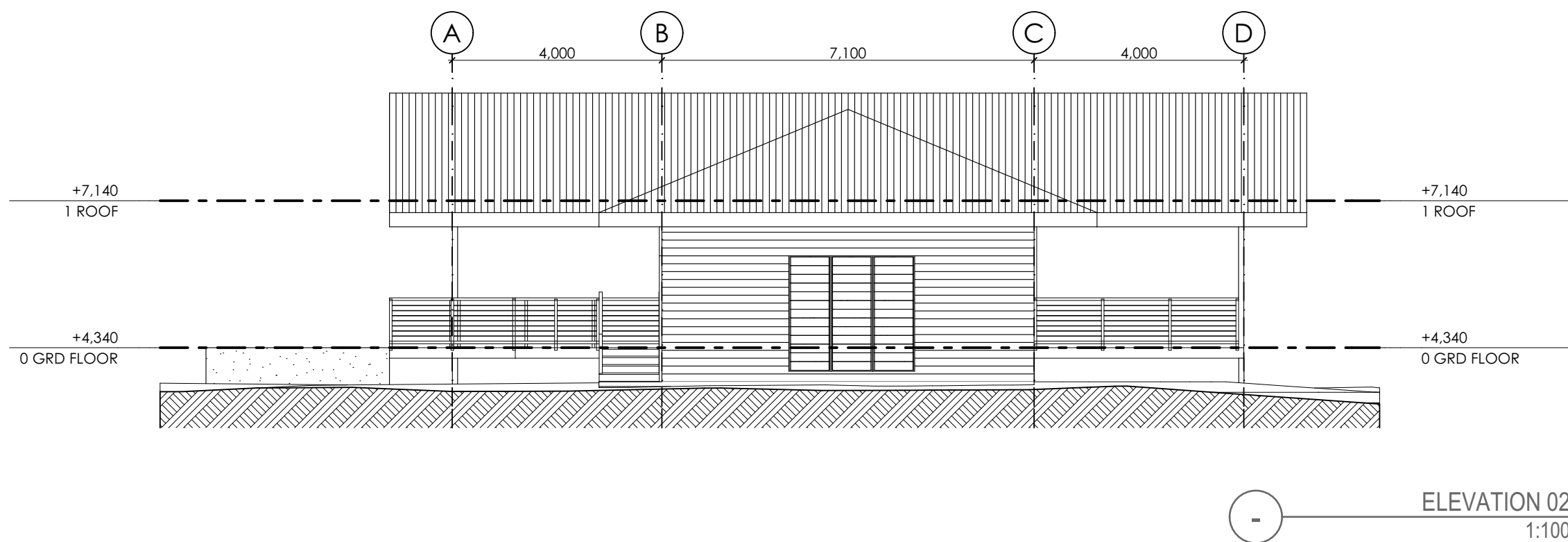
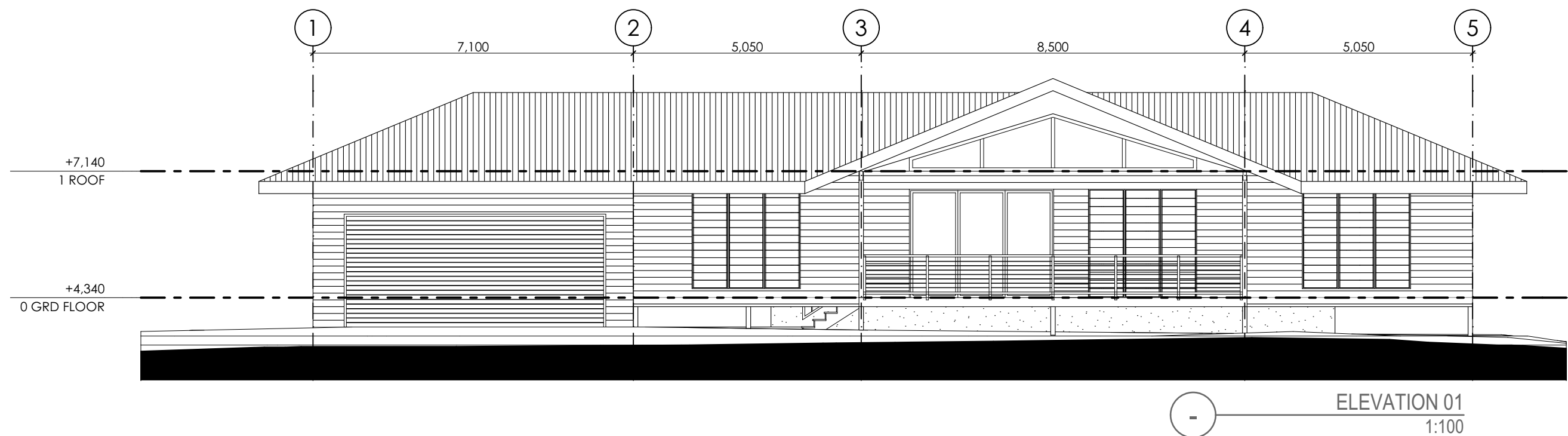
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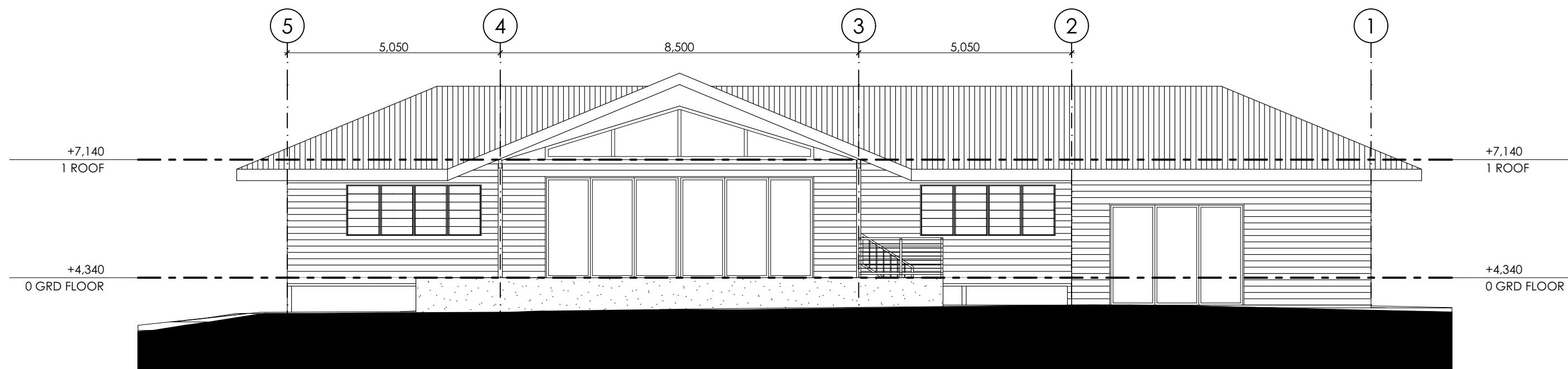




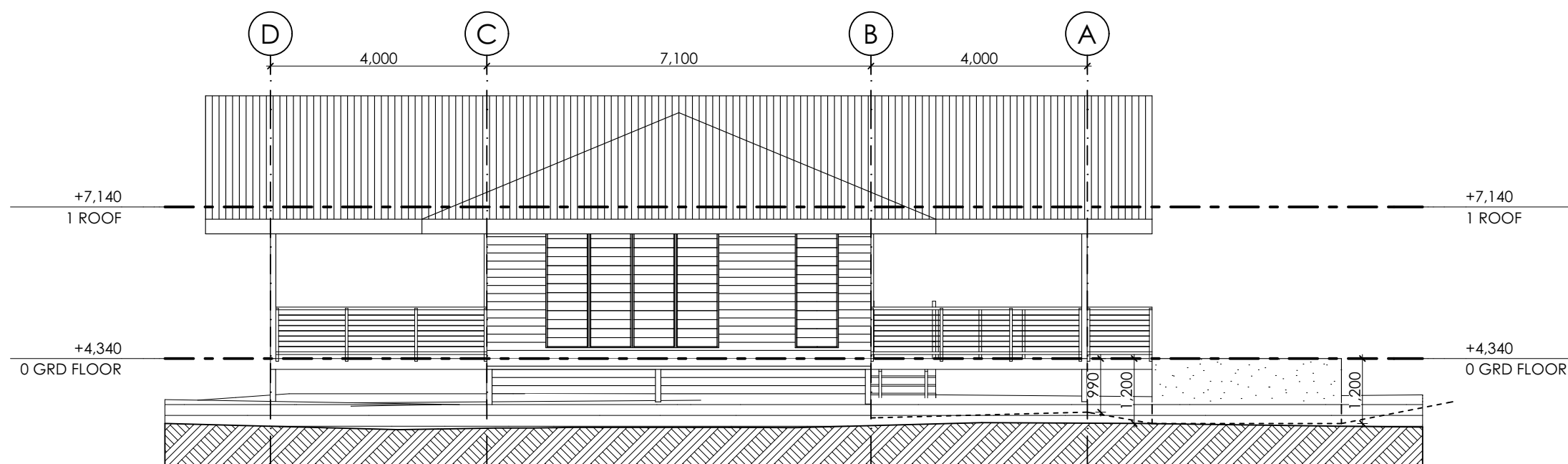


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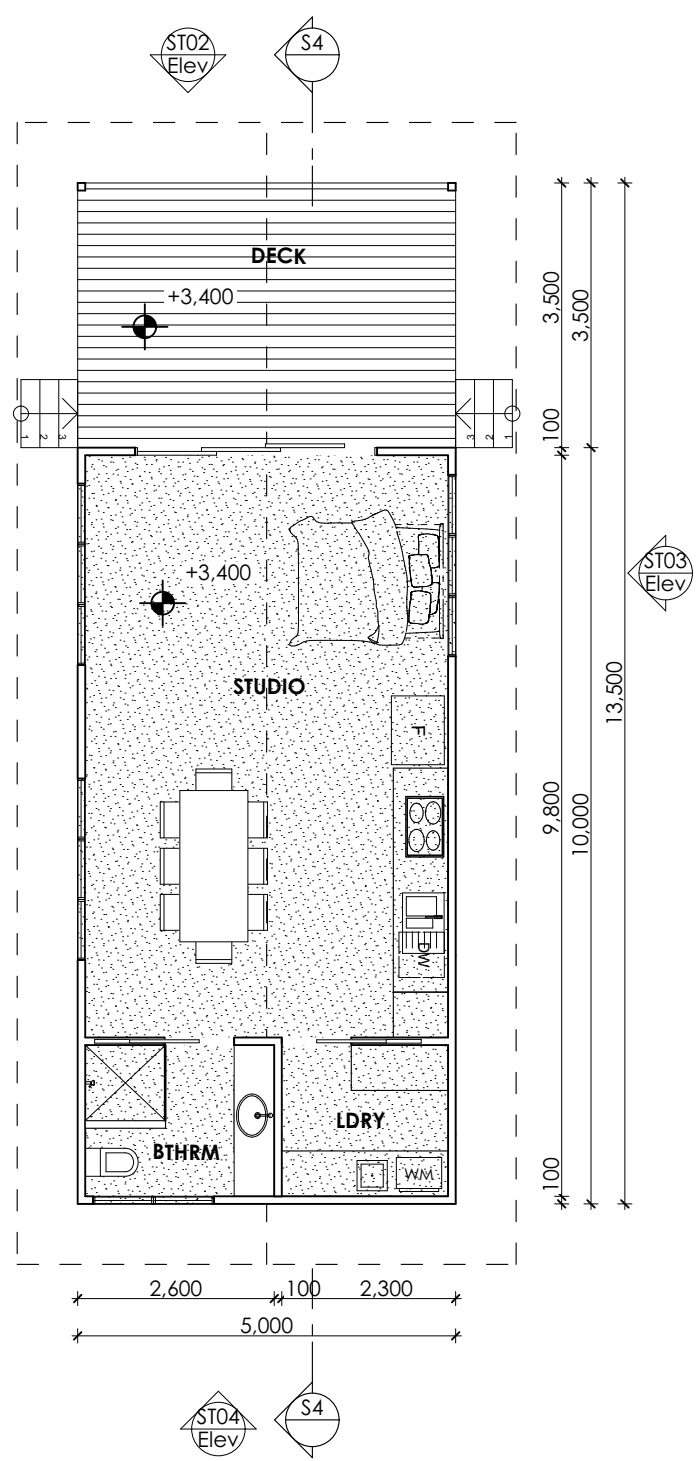




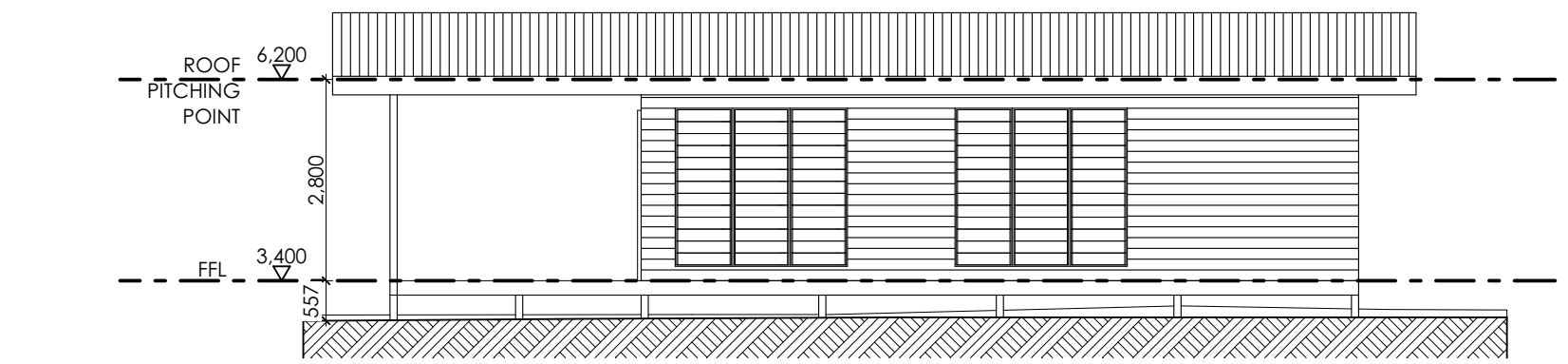
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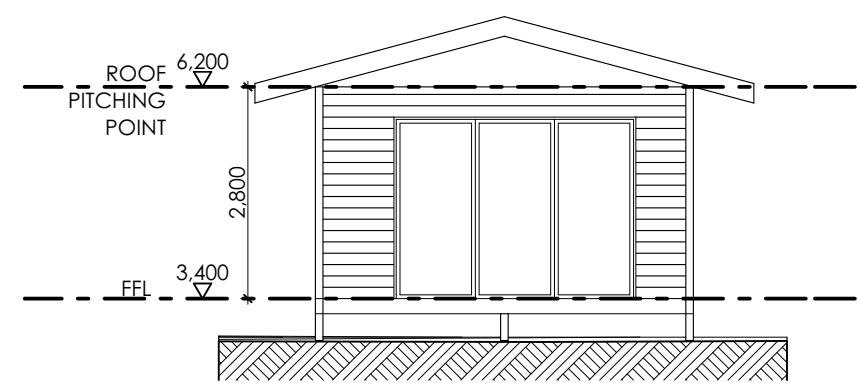
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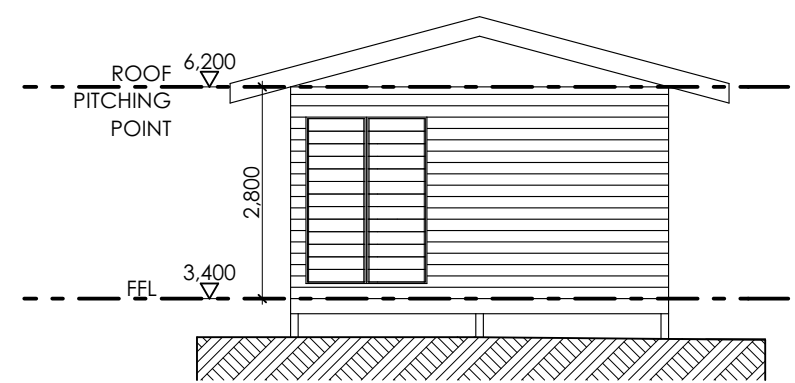
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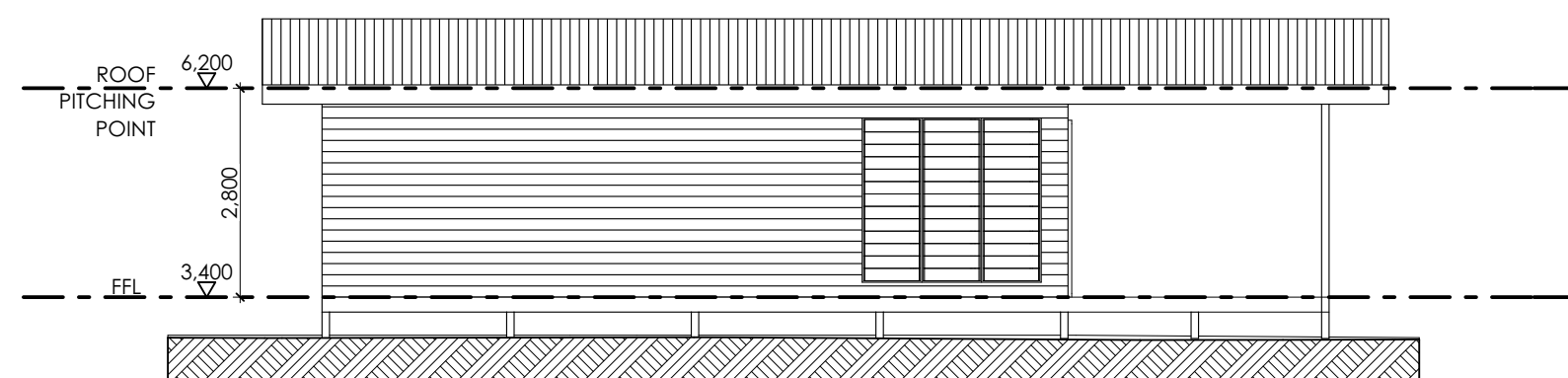
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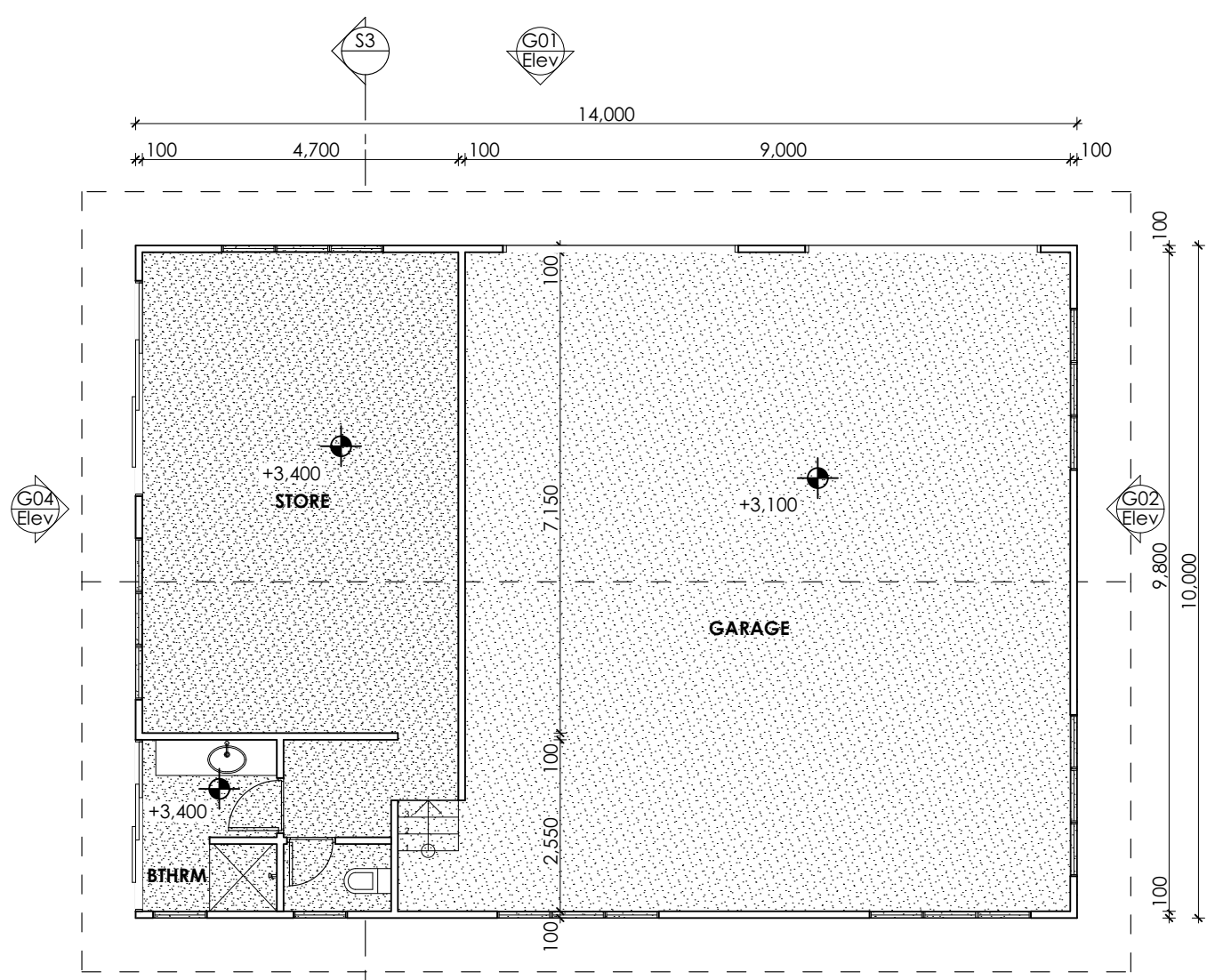
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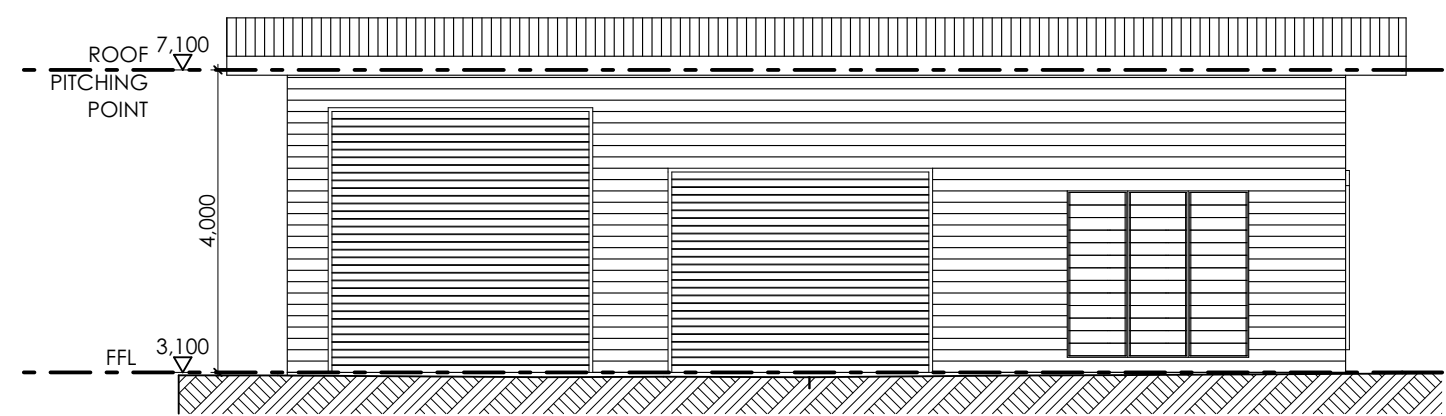
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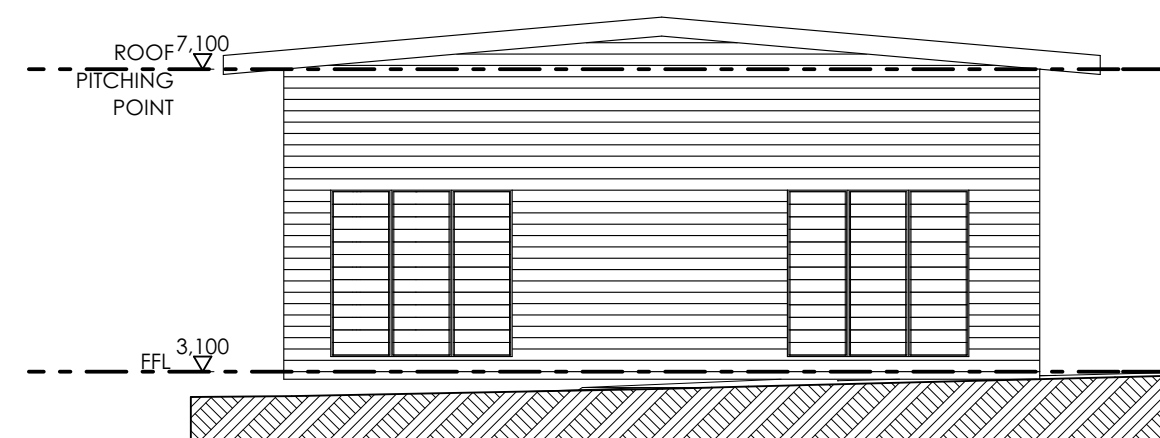
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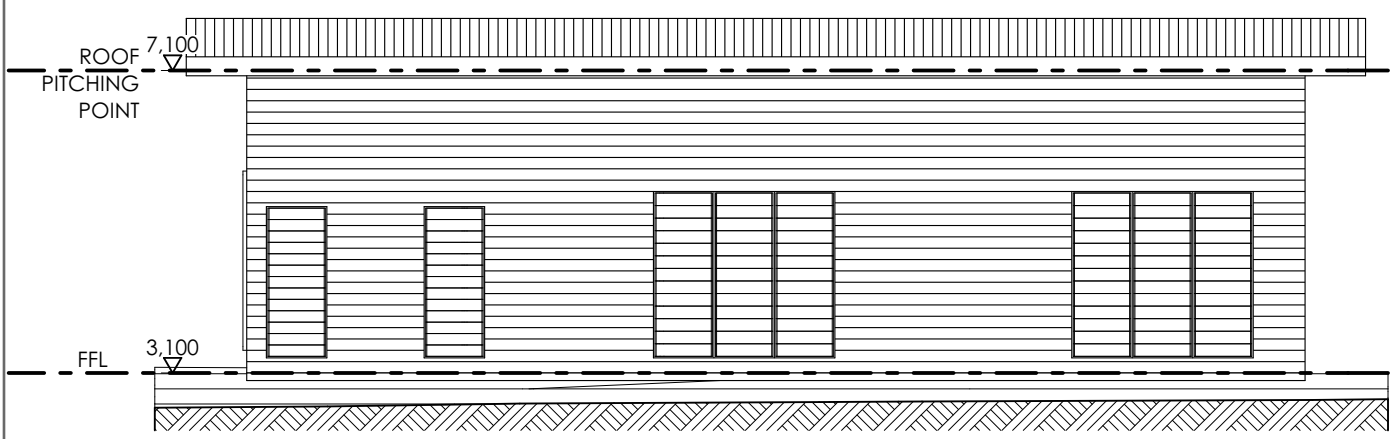
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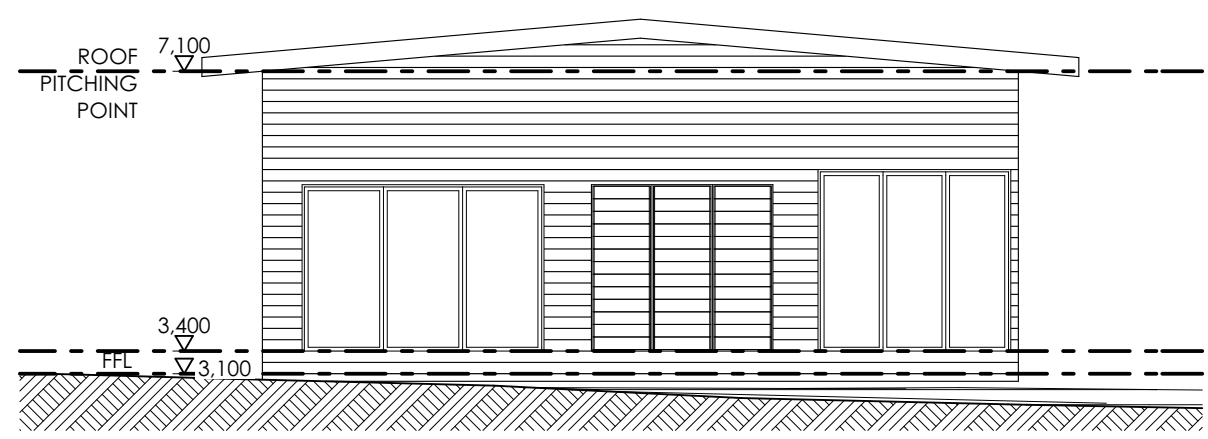
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GARAGE ELEVATION 02
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GARAGE ELEVATION 03
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GARAGE ELEVATION 04
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Appendix 3.

PLANNING BENCHMARK ASSESSMENT



20203005 – 95-99 Snapper Island Drive, Wonga Beach

6.2.11 Rural residential zone code

6.2.11.1 Application

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

6.2.11.2 Purpose

- (1) The purpose of the Rural residential zone code is to provide for rural residential development on large lots where infrastructure and services may not be provided on the basis that the intensity of development within the zone is dispersed.
- (2) The local government purpose of the code is to:
 - (a) implement the policy direction set in the Strategic Framework, in particular:
 - (i) Theme 1 : Settlement pattern, Element 3.4.6 – Rural residential areas, Element 3.4.7 – Mitigation of hazards.
 - (ii) Theme 2 : Environment and landscape values, Element 3.5.5 – Scenic amenity.
 - (iii) Theme 6 : Infrastructure and transport, Element 3.9.2 – Energy, Element 3.9.3 – Water and waste management.
 - (b) provide for dwellings on lots generally larger than 4000m²:
 - (c) provide protection to areas of ecological significance and scenic amenity significance where present.
- (3) The purpose of the code will be achieved through the following overall outcomes:



20203005 – 95-99 Snapper Island Drive, Wonga Beach

- (a) Development is predominantly for detached dwelling houses on large lots catering for hobby-farm living requiring limited infrastructure and services.
- (b) Development preserves the environmental, scenic amenity and topographical features of the land by integrating an appropriate scale of residential activities among these features.
- (c) Development provides a high level of residential amenity.
- (d) Development provides for the safe use of on-site wastewater treatment systems for effluent disposal with systems designed for varied soil type, slopes and prolonged periods of wet weather.

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

6.2.11.3 Criteria for assessment

Table 6.2.11.3.a – Rural residential zone code – assessable development

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
PO1 The height of buildings is compatible with the rural residential character of the area and must not detrimentally impact on visual landscape amenity.	AO1.1 Dwelling houses are not more than 8.5 metres in height. Note – Height is inclusive of roof height.	Complies with AO1.1 The dwelling house would have a maximum height of approximately 5.5 metres.



20203005 – 95-99 Snapper Island Drive, Wonga Beach

Performance outcomes	Acceptable outcomes	Compliance
PO2 Buildings and structures are setback to maintain the rural residential character of the area and achieve separation from buildings on adjoining properties.	AO2 Buildings are setback not less than: <ul style="list-style-type: none"> (a) 40 metres from a property adjoining a State controlled road; (b) a minimum of 25 metres from the property boundary adjoining Cape Tribulation Road; (c) 20 metres from front boundaries; (d) 6 metres from side and rear property boundaries. 	Complies with AO2 The development would be setback a minimum of 21.4 metres from the front boundary and a minimum of 6 metres from all other boundaries.
PO3 Building scale is compatible with the rural residential character of the area and must not detrimentally impact on visual landscape amenity.	AO3.1 The maximum building footprint of all buildings and structures (including outbuildings) contained on a lot does not exceed 500m ² .	Complies with AO3.1 The footprint would be 458.63 metres.
	AO3.2 An outbuilding used for purposes ancillary to a dwelling house has maximum site coverage not	Complies with PO3



20203005 – 95-99 Snapper Island Drive, Wonga Beach

Performance outcomes	Acceptable outcomes	Compliance
	greater than 20% of the total building footprint specified in AO3.1 above.	<p>The proposed outbuilding would have a site coverage of 140m², which is greater than the accepted 100m².</p> <p>The size of the proposed outbuilding is not inconsistent with other outbuildings in the area, including those associated with dwellings on Bowman Close to the west or fronting Snapper Island Drive to the north. The proposed outbuilding is considered to be consistent with the building scale in the area and would not result in an impact on the visual amenity of the area.</p>
<p>PO4</p> <p>Buildings/structures are designed to maintain the rural residential character of the area.</p>	<p>AO4</p> <p>White and shining metallic finishes are avoided on external surfaces of buildings.</p>	<p>Able to comply with AO4</p> <p>The external colours are yet to be determined and council are invited to attach a condition to any approval granted to secure compliance.</p>
For assessable development		
PO5	AO5	Not applicable



20203005 – 95-99 Snapper Island Drive, Wonga Beach

Performance outcomes	Acceptable outcomes	Compliance
The establishment of uses is consistent with the outcomes sought for the Rural residential zone and protects the zone from the intrusion of inconsistent uses.	Uses identified in Table 6.2.11.b are not established in the Rural residential zone.	
P06 Existing native vegetation along watercourses and, in or adjacent to areas of environmental value, or areas of remnant vegetation of value is protected.	A05 No acceptable outcomes are prescribed.	Not applicable
P07 Development is located, designed, operated and managed to respond to the characteristics, features and constraints of the site and surrounds. Note- planning scheme policy – site assessments provides guidance on identifying the characteristics, features and constraints of a site and its surrounds.	A07 No acceptable outcomes are prescribed.	Not applicable
P08	A08	Not applicable



20203005 – 95-99 Snapper Island Drive, Wonga Beach

Performance outcomes	Acceptable outcomes	Compliance
Development does not adversely impact on the Rural residential character and amenity of the area in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.	No acceptable outcomes are prescribed.	
<p>PO9</p> <p>New lots contain a minimum area of 4000m2, incorporating:</p> <ul style="list-style-type: none"> (a) a minimum of contiguous area of 2000m2 exclusive of 1 in 6 (16.6%) gradients, with a minimum dimension of 20 metres; (b) sufficient area to cater for on-site waste water management systems. <p>Note – Acceptable on-site waste disposal is to be demonstrated in a report prepared by a suitably qualified professional.</p>	<p>AO9</p> <p>No acceptable outcomes are prescribed.</p>	Not applicable
PO10	<p>AO10</p> <p>No acceptable outcomes are prescribed.</p>	Not applicable



20203005 – 95-99 Snapper Island Drive, Wonga Beach

Performance outcomes	Acceptable outcomes	Compliance
New lots have a minimum road frontage of 30 metres		
PO11	AO11	Not applicable
New lots contain a 40 metre x 50 metre rectangle	No acceptable outcomes are prescribed.	



20203005 – 95-99 Snapper Island Drive, Wonga Beach

7.2.2 Coastal communities local plan code

7.2.2.1 Application

- (1) This code applies to assessing development within the Coastal communities local plan area covering Wonga Beach, Newell and Cooya Beach as identified on the Coastal communities local plan maps contained in Schedule 2.
- (2) When using this code, reference should be made to Part 5.

7.2.2.2 Context and setting

Editor's note - This section is extrinsic material under section 15 of the Statutory Instruments Act 1992 and is intended to assist in the interpretation of the Coastal communities local plan code.

The Coastal communities consist of the three residential communities of Wonga Beach, Newell and Cooya Beach: each located 13 km to the north-north-east, 5 km to the north-east and 4 km to the east of the Mossman town centre, respectively.

All are located on the flat coastal plain along the Coral Sea. Each community is located on the coastal sandy swales of the foreshore and are therefore low-lying and vulnerable to coastal erosion and storm tide hazards.

Wonga Beach is the largest community and currently consists of two sections, each with separate access to the Mossman-Daintree Road. The northern part of Wonga Beach has access to the Mossman-Daintree Road via Wonga Beach Road and consists predominantly of



20203005 – 95-99 Snapper Island Drive, Wonga Beach

detached housing, the Wonga Beach primary school in Snapper Island Drive, a small caravan park on the Esplanade and other low key tourist accommodation, mainly in the form of bed and breakfast facilities.

The southern part of Wonga Beach has access to the Mossman-Daintree Road via Oleander Drive and Marlin Drive. Detached housing is the predominant form of development and a small service station and local centre and a community hall are located on Oleander Drive on, and close, to the Mossman-Daintree Road intersection. Wonga Beach Park is located at the southern end of Wonga Beach and contains a skate park and barbecue facilities.

The northern and southern parts of Wonga Beach are not connected by a beach side road however they are linked by a pedestrian and bicycle path known as the 'Wonga Community Link'.

Newell consists predominantly of older-stock detached residential housing. A caravan park and small convenience store is located at Marine Parade – Pacific Street and a boat ramp is provided in the south giving access to the northern bank of the Mossman River.

Cooya Beach consists of residential development and caters for a significant amount of newer residential growth in the coastal communities, particularly along Cooya Beach Road. Cooya Beach also has a neighbourhood centre, a child care centre and has a boat ramp at its northern end providing access to the southern bank of the Mossman River.

A particular characteristic of each of the coastal communities is the distinct demarcation between urban and rural settings, with either sugar cultivation or cattle grazing directly abutting the urban edge.



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All communities have a ready supply of vacant lots, with a limited capacity for further residential expansion. Of the three communities, only the new residential estate on the western side of Cooya Beach is connected to reticulated sewerage network.

7.2.2.3 Purpose

- (1) The purpose of the Coastal communities local plan code is to provide for attractive residential areas in the Shire as an alternative to Mossman and Port Douglas.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) maintain development in coastal communities as primarily low density residential development;
 - (b) protect residential communities from incursion by tourist accommodation and facilities;
 - (c) facilitate the development of local commercial and community services and facilities, including active and passive open space at a level adequate to service the resident population;
 - (d) ensure new residential development is limited in extent and is designed to integrate with existing communities;
 - (e) ensure Good Quality Agricultural Land is protected from the impacts of residential development or residential expansion;
 - (f) protect environmentally sensitive coastal areas and coastal processes from the detrimental impacts associated with urban development;



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- (g) protect parts of the Local Plan Area used for the cultivation of sugar cane from incompatible development, where such land is zoned for continued Rural use.
- (3) The purpose of the code will be further achieved through the following overall outcomes:
 - (a) Precinct 1 – Wonga Beach rural precinct;
 - (b) Precinct 2 – Wonga Beach low density residential precinct;
 - (c) Precinct 3 – Wonga Beach local centre precinct;
 - (d) Precinct 4 – Wonga Beach rural residential precinct;
 - (e) Precinct 5 – Wonga Beach Lifu Close precinct;
 - (f) Precinct 6 – Newell low density residential precinct;
 - (g) Precinct 7 – Newell local centre precinct.

Precinct 1 – Wonga Beach rural precinct

- (4) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:



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- (a) the open rural character and amenity of the precinct is maintained;
- (b) clear visual separation is maintained between the residential areas of Wonga Beach and the Mossman-Daintree Road;
- (c) development reliant on exposure to the Mossman-Daintree Road, including tourist facilities and attractions, does not occur.

Precinct 2 – Wonga Beach low density residential precinct

- (5) In addition to the overall outcomes, the outcomes sought for the precinct are to ensure that:
 - (a) development consists of low density residential housing and open space. Other uses are not facilitated within the precinct;
 - (b) a road connection between Oasis Drive and Marlin Drive is not provided. However a pedestrian and cycling link is maintained along the western boundary of the precinct, and any development provides adequate visibility to this link to ensure the personal safety and security for the users of the link;
 - (c) development is setback from the established foreshore vegetation and good highly visible public access is provided along the edge of the foreshore vegetation that permits safe access to the beach;
 - (d) development incorporates adequate water-sensitive urban design techniques to cater for any storm water flows required to be conveyed across the site.

Precinct 3 – Wonga Beach local centre precinct



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- (6) In addition to the overall outcomes, the following outcomes are achieved in the precinct:
- (a) local shopping and community facilities are consolidated within the precinct on the corner of Oleander Drive and Mossman-Daintree Road. No other shopping facilities are considered to be necessary in Wonga Beach;
 - (b) retailing activities, including the service station are not intended to exceed 400m² in gross floor area;
 - (c) pedestrian connections between uses within the precinct are maintained and enhanced;
 - (d) access and car parking is coordinated between uses;
 - (e) supplementary landscape planting is provided to enhance the appearance of the precinct and to provide for shade trees.

Precinct 4 – Wonga Beach rural residential precinct

- (7) In addition to the overall outcomes, the following outcomes are achieved in the precinct:
- (a) any further lot reconfiguration within this precinct ensures that large lots are maintained to provide for housing diversity and for the protection of the existing rural residential character.

Precinct 5 – Wonga Beach Lifu Close precinct

- (8) In addition to the overall outcomes, the following outcomes are achieved in the precinct:



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- (a) further lot reconfiguration is discouraged within this precinct, unless adequate road access and frontages can be provided to each new lot. This may require consolidation of existing lots to achieve appropriate design solutions;
- (b) multiple rear lots are not established.

Precinct 6 – Newell low density residential precinct

- (9) In addition to the overall outcomes, the following outcomes are achieved in the precinct:
 - (a) a limited size low density residential extension of the existing street pattern is facilitated, subject to an engineering analysis demonstrating that there are no significant constraints preventing such an extension.

Precinct 7 – Newell local centre precinct

- 10) In addition to the overall outcomes, the following outcomes are achieved in the precinct:
 - (a) Any redevelopment of the local shopping facility is contained within the local centre precinct and is limited to 150m² for all centre uses.



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Criteria for assessment

Table 7.2.2.4 a – Coastal communities local plan – assessable development

Performance outcomes		Acceptable outcomes	Compliance
For self-assessable and assessable development			
Development in the Coastal communities local plan area generally			
PO1 Buildings and structures complement the height of surrounding development and buildings are limited to two storeys.	AO1 Buildings and structures are not more than 8.5 metres in height. Note – Height is inclusive of roof height.	Complies with AO1 Building height would be a maximum of approximately 5.5 metres.	
For assessable development			
Development in the Coastal communities local plan area generally			
PO2 Development retains and enhances key landscape elements including character trees and areas of significant vegetation contributing	AO2.1 Development provides for the retention and enhancement of existing mature trees and	Not applicable	



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Performance outcomes	Acceptable outcomes	Compliance
to the character and quality of the local plan area and significant views and vistas and other landmarks important to the Coastal communities' context (as identified on the Coastal Communities Townscape Plan map contained in Schedule 2).	<p>character vegetation that contribute to the character of the coastal communities, including:</p> <ul style="list-style-type: none">(a) the coconut fringed vegetation along the foreshore and esplanade areas;(b) low-lying melaleuca swamp lands and the mangrove communities along river banks and creeks. <p>AO2.2</p> <p>Development protects and does not intrude into important views and vistas as identified on the Coastal Communities Townscape Plan map contained in Schedule 2).</p>	



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Performance outcomes	Acceptable outcomes	Compliance
PO3 Development contributes to the protection, reinforcement and where necessary enhancement of gateways and key intersections identified on the Coastal Communities Townscape Plan map contained in Schedule 2	PO3 Development adjacent to the gateways and key intersections as identified on the Coastal Townscape Plan maps contained in Schedule 2 and where permitted under the planning scheme, incorporates architectural features and landscaping treatments and design elements that enhances the sense of arrival and way finding within each coastal suburb.	Not applicable
PO4 Landscaping of development sites complements the desirable qualities of the existing character of the coastal communities.	AO4 Landscaping incorporates the requirements of Planning scheme policy SC6.7 - Landscaping.	Not applicable
Additional requirements for Precinct 2 – Wonga Beach low density residential precinct		
PO5	AO5 No acceptable outcomes are prescribed.	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
Development takes into account, the opportunities and constraints with particular attention paid to storm-tide hazards, water-sensitive urban design management of storm water flow paths, and retention of foreshore vegetation.		
PO6 Development avoids a road connection between Oasis Drive and Marlin Drive that would exacerbate traffic volumes or unduly increase traffic hazards, particularly along Marlin Drive and Oleander Drive. Proposals for a road extension into Precinct 2 should be from the north and not from Marlin Drive. A turning circle immediately at the end of Marlin Drive may be acceptable.	AO6 A road connection between Oasis Drive and Marlin Drive is not provided. Proposals for a road extension into Precinct 2 should be from the north and not from Marlin Drive. A turning circle immediately at the end of Marlin Drive may be acceptable.	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
P07 Development maintains a pedestrian and bicycle link along the western boundary of the precinct and establishes adequate opportunities for surveillance along and across to the link.	A07 A pedestrian and bicycle link is retained along the western boundary of the precinct which is clearly visible from adjoining streets and / or public open space areas (i.e. – is not obscured at the rear of residential lots).	Not applicable
P08 The line of foreshore vegetation along the eastern side of the precinct, including the foreshore coconut palms, is retained and development is setback to avoid damage to the vegetation.	A08 No acceptable outcomes are prescribed.	Not applicable
P09 Highly visible public access is provided along the eastern side of the precinct to the foreshore.	A09 A constructed public esplanade road (taking into account the requirements of AO6) is provided along the eastern side of the precinct clear of the	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
	foreshore vegetation, including the foreshore coconut palms.	
PO10 Storm-water flows are conveyed across the site incorporating water-sensitive urban design principles.	AO10 No acceptable outcomes are prescribed.	Not applicable
Additional requirements for Precinct 3 – Wonga Beach local centre precinct		
PO11 Retailing activities, including the service station do not exceed 400m ² across each of the three allotments contained within the Centre zone. No retailing activities occur within the Community Facilities zone within the precinct.	AO11 No acceptable outcomes are prescribed.	Not applicable
PO12 Pedestrian connections, vehicular access, car parking areas and landscaping are integrated	AO12 No acceptable outcomes are prescribed.	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
across each of the three sites so as to function as an integrated local centre.		
PO13 Supplementary landscaping is provided to enhance the appearance of the precinct, including the provision of shade trees.	AO13 No acceptable outcomes are prescribed.	Not applicable
Additional requirements for Precinct 4 – Wonga Beach rural residential precinct		
PO14 New lots contain a minimum area of 2000m2.	AO14 No acceptable outcomes are prescribed.	Not applicable
PO15 New lots contain a 40 metre x 25 metre rectangle.	AO15 No acceptable outcomes are prescribed.	Not applicable
Additional requirements for Precinct 5 – Wonga Beach Lifu Close precinct		
PO16	AO16	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
<p>Lot reconfiguration is permitted only where adequate dedicated road access can be provided to each lot.</p> <p>Note - The provision of multiple rear lots off the top of the Lifu Close cul-de-sac does not represent an acceptable performance outcome due to the inadequate shape and servicing needs (in particular refuse collection) associated with the existing configuration of the lots.</p>	<p>Further lot reconfiguration in the form of additional lots does not occur.</p>	
Additional requirements for Precinct 6 – Newell low density residential precinct		
<p>PO17</p> <p>Development consists of low density residential lots off a new road extension that connects Pacific Street to Coulthard Close.</p>	<p>AO17</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p>
<p>PO18</p> <p>Any further lot reconfiguration within the precinct is contingent upon an engineering analysis that demonstrates that there are no</p>	<p>AO18</p> <p>No acceptable outcomes are prescribed.</p>	<p>Not applicable</p>



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Performance outcomes	Acceptable outcomes	Compliance
constraints that would prevent the development of land for low density residential lots.		
Additional requirements for Precinct 6 – Newell low density residential precinct		
PO19 Any redevelopment of the local shopping facility is confined to a maximum of 150m ² for all centre uses.	AO19 No acceptable outcomes are prescribed.	Not applicable



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8.2.1 Acid sulfate soils overlay code

8.2.1.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Acid sulfate soils 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 Acid sulphate soils overlay is identified on the Acid sulfate soils overlay map in Schedule 2 and includes the following sub-categories:
 - (a) Land at or below the 5m AHD sub-category;
 - (b) Land above the 5m AHD and below the 20m AHD sub-category.
- (3) When using this code, reference should be made to Part 5.

8.2.1.2 Purpose

- (1) The purpose of the acid sulfate soils overlay code is to:
 - (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 2: Environment and landscape values, Element 3.5.4 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.
- (2) enable an assessment of whether development is suitable on land within the Acid sulfate soils overlay sub-categories.



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

- (a) Development ensures that the release of any acid and associated metal contaminant is avoided by not disturbing acid sulfate soils when excavating, removing soil or extracting ground water or filling land;
- (b) Development ensures that disturbed acid sulphate soils, or drainage waters, are treated and, if required, on-going management practices are adopted that minimise the potential for environmental harm from acid sulfate soil and protect corrodible assets from acid sulfate soil.

8.2.1.3 Criteria for assessment

Table 8.2.1.3.a – Acid sulphate soils overlay code –assessable development

Performance outcomes	Acceptable outcomes	Compliance
For assessable development		
PO1 The extent and location of potential or actual acid sulfate soils is accurately identified.	AO1.1 No excavation or filling occurs on the site. or AO1.2	Complies with AO1.1 No excavation or filling is proposed.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>An acid sulfate soils investigation is undertaken.</p> <p>Note - Planning scheme policy SC 6.12– Potential and actual acid sulfate soils provides guidance on preparing an acid sulfate soils investigation.</p>	
<p>PO2</p> <p>Development avoids disturbing potential acid sulfate soils or actual acid sulfate soils, or is managed to avoid or minimise the release of acid and metal contaminants.</p>	<p>AO2.1</p> <p>The disturbance of potential acid sulfate soils or actual acid sulfate soils is avoided by:</p> <ul style="list-style-type: none"> (a) not excavating, or otherwise removing, soil or sediment identified as containing potential or actual acid sulfate soils; (b) not permanently or temporarily extracting groundwater that results in the aeration of previously saturated acid sulfate soils; (c) not undertaking filling that results in: (d) actual acid sulfate soils being moved below the water table; 	<p>Complies with AO2.1</p> <p>No excavation or filling is proposed.</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>(e) previously saturated acid sulfate soils being aerated.</p> <p>or</p> <p>AO2.2</p> <p>The disturbance of potential acid sulfate soils or actual acid sulfate soils is undertaken in accordance with an acid sulfate soils management plan and avoids the release of metal contaminants by:</p> <p>(a) neutralising existing acidity and preventing the generation of acid and metal contaminants;</p> <p>(b) preventing the release of surface or groundwater flows containing acid and metal contaminants into the environment;</p> <p>(c) preventing the in situ oxidation of potential acid sulfate soils and actual acid sulfate soils through ground water level management;</p>	



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Performance outcomes	Acceptable outcomes	Compliance
	<p>(d) appropriately treating acid sulfate soils before disposal occurs on or off site;</p> <p>(e) documenting strategies and reporting requirements in an acid sulfate soils environmental management plan.</p> <p>Note - Planning scheme policy SC 6.12 – Acid sulfate soils provides guidance on preparing an acid sulfate soils management plan.</p>	
<p>PO3</p> <p>No environmental harm is caused as a result of exposure to potential acid sulfate soils or actual acid sulfate soils.</p>	<p>AO3</p> <p>No acceptable outcomes are prescribed.</p>	<p>Complies with PO3</p> <p>No excavation or filling is proposed.</p>



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8.2.3 Coastal environment overlay code

8.2.3.1 Application

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

8.2.3.2 Purpose

- (1) The purpose of the Coastal environment overlay code is to:
 - (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
 - (ii) Theme 2 Environment and landscape values: Element 3.5.4 Coastal zones;



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(iii) Theme 3 Natural resource management: Element 3.6.2 Land and catchment management.

(b) enable an assessment of whether development is suitable on land within the Coastal processes sub-categories.

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

- (a) facilitate the protection of both coastal processes and coastal resources;
- (b) facilitating coastal dependent development on the foreshore over other development;
- (c) public access to the foreshore protects public safety;
- (d) maintain the erosion prone area as a development free buffer zone (other than for coastal dependent, temporary or relocatable development);
- (e) require redevelopment of existing permanent buildings or structures in an erosion prone area to avoid coastal erosion risks, manage coastal erosion risks through a strategy of planned retreat or mitigate coastal erosion risks;
- (f) require development to maintain or enhance natural processes and the protective function of landforms and vegetation that can mitigate risks associated with coastal erosion;
- (g) locate and design community infrastructure to maintain the required level of functionality during and immediately after a coastal hazard event.



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8.2.3.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
PO1 No works other than coastal protection works extend seaward of the coastal building line	AO1 Development (including all buildings and other permanent structures such as swimming pools and retaining walls) does not extend seaward of a coastal building line. Note – Coastal building lines are declared under the Coastal Protection and Management Act 1995 and are administered by the State Department of Environment and Heritage Protection.	Not applicable No coastal building line is present on the site.
	AO1.2 Coastal protection works are only undertaken as a last resort where coastal erosion presents an immediate threat to public safety or existing buildings or structures and the property cannot be relocated or abandoned.	Not applicable No coastal protection works are proposed.



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Performance outcomes	Acceptable outcomes	Compliance
	AO1.3 Coastal protection works are as far landward as practicable on the lot containing the property to the maximum extent reasonable.	Not applicable No coastal protection works are proposed.
	AO1.4 Coastal protection work mitigates any increase in the coastal hazard.	Not applicable No coastal protection works are proposed.
PO2 Where a coastal building line does not exist on a lot fronting the coast or a reserve adjoining the coast, development is setback to maintain the amenity and use of the coastal resource.	AO2 Where a coastal building line does not exist on a lot fronting the coast or a reserve adjoining the coast, development (including all buildings and structures such as swimming pools) and retaining walls are set back not less than 6 metres from the seaward boundary of the lot.	Complies with AO2 The proposed development would be setback approximately 29 metres from the seaward boundary.
For Assessable development Erosion Prone Areas		
PO3	AO3	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
Development identifies erosion prone areas (coastal hazards).	No acceptable outcomes are prescribed.	
PO4 Erosion prone areas are free from development to allow for natural coastal processes.	AO4.1 Development is not located within the Erosion prone area, unless it can be demonstrated that the development is for: <ul style="list-style-type: none"> (a) community infrastructure where no suitable alternative location or site exists for this infrastructure; or (b) development that reflects the preferred development outcomes in accordance with the zoning of the site (i.e. in the Low density residential zone, a dwelling house is a preferred development outcome in accordance with the zoning of the site). 	Not applicable
	AO4.2	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
	<p>Development involving existing permanent buildings and structures within an erosion prone area does not increase in intensity of its use by:</p> <ul style="list-style-type: none"> (a) adding additional buildings or structures; or (b) incorporating a land use that will result in an increase in the number of people or employees occupying the site. 	
Coastal Management Districts		
<p>PO5</p> <p>Natural processes and protective functions of landforms and vegetation are maintained.</p>	<p>AO5.1</p> <p>Development within the coastal management district:</p> <ul style="list-style-type: none"> (a) maintains vegetation on coastal land forms where its removal or damage may: <ul style="list-style-type: none"> (i) destabilise the area and increase the potential for coastal erosion, or 	<p>Not applicable</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none">(ii) interrupt the natural sediment trapping processes or dune or land building processes;(b) maintains sediment volumes of dunes and near-shore coastal landforms, or where a reduction in sediment volumes cannot be avoided, increased risks to development from coastal erosion are mitigated by location, design and construction and operating standards;(c) minimises the need for erosion control structures or riverine hardening through location, design and construction standards;(d) maintains physical coastal processes outside the development footprint for the development, including longshore transport of sediment along the coast;(e) reduces the risk of shoreline erosion for areas adjacent to the development	



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Performance outcomes	Acceptable outcomes	Compliance
	footprint to the maximum extent feasible in the case of erosion control structures.	
	<p>PO5.2</p> <p>Where development proposes the construction of an erosion control structure:</p> <ul style="list-style-type: none"> (a) it is demonstrated that it is the only feasible option for protecting permanent structures from coastal erosion; and (b) those permanent structures cannot be abandoned or relocated in the event of coastal erosion occurring. 	Not applicable
	<p>PO5.3</p> <p>Development involving reclamation:</p> <ul style="list-style-type: none"> (a) does not alter, or otherwise minimises impacts on, the physical characteristics of a waterway or the seabed near the reclamation, including flow regimes, 	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
	<p>hydrodynamic forces, tidal water and riverbank stability;</p> <p>(b) is located outside active sediment transport area, or otherwise maintains sediment transport processes as close as possible to their natural state;</p> <p>(c) ensures activities associated with the operation of the development maintain the structure and condition of vegetation communities and avoid wind and water runoff erosion.</p>	
<p>PO6</p> <p>Development avoids or minimises adverse impacts on coastal resources and their values to the maximum extent reasonable.</p>	<p>AO6.1</p> <p>Coastal protection work that is in the form of beach nourishment uses methods of placement suitable for the location that do not interfere with the long-term use of the locality, or natural values within or neighbouring the proposed placement site.</p> <p>and</p>	<p>Not applicable</p>



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Performance outcomes	Acceptable outcomes	Compliance
	AO6.2 Marine development is located and designed to expand on or redevelop existing marine infrastructure unless it is demonstrated that it is not practicable to co-locate the development with existing marine infrastructure; and	Not applicable
	AO6.3 Measures are incorporated as part of siting and design of the development to maintain or enhance water quality to achieve the environmental values and water quality objectives outlined in the Environmental Protection (Water) Policy 2009. and	Not applicable
	AO6.4 Design and siting of development protects and retains identified ecological values and underlying	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
	ecosystem processes within the development site to the greatest extent practicable.	
PO7 Development is to maintain access to and along the foreshore for general public access.	A07.1 Development provides for regular access points for pedestrians including approved walking tracks, boardwalks and viewing platforms. and	Not applicable
	A07.2 Development provides for regular access points for vehicles including approved roads and tracks. or	Not applicable
	A07.3 Development demonstrates an alternative solution to achieve an equivalent standard of performance.	Not applicable
PO8 Public access to the coast is appropriately located, designed and operated.	A08.1 Development maintains or enhances public access to the coast.	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
	or	
	AO8.2 Development is located adjacent to state coastal land or tidal water and minimises and offsets any loss of access to and along the foreshore within 500 metres. or	Not applicable
	AO8.3 Development adjacent to state coastal land or tidal water demonstrates an alternative solution to achieve an equivalent standard and quality of access.	Not applicable
PO9 Development adjacent to state coastal land or tidal water is located, designed and operated to: (a) maintain existing access to and along the foreshore;	AO9.1 Development adjacent to state coastal land or tidal water: (a) demonstrates that restrictions to public access are necessary for:	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
(b) minimise any loss of access to and along the foreshore, or (c) offset any loss of access to and along the foreshore by providing for enhanced alternative access in the general location.	(i) the safe and secure operation of development; (ii) the maintenance of coastal landforms and coastal habitat; or (b) maintains public access (including public access infrastructure that has been approved by the local government or relevant authority) through the site to the foreshore for: <ul style="list-style-type: none"> (i) pedestrians via access points including approved walking tracks, boardwalks and viewing platforms; (ii) vehicles via access points including approved roads or tracks. 	
	AO9.2 Development adjacent to state coastal land or tidal water: <ul style="list-style-type: none"> (a) is located and designed to: 	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> (i) allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, for example through the provision of esplanades or easement corridors to preserve future access; (ii) ensure emergency vehicles can access the area near the development. or (b) minimises and offsets any loss of access to and along the foreshore within 500m of existing access points and development is located and designed to: <ul style="list-style-type: none"> (i) allow safe unimpeded access to, over, under or around built infrastructure located on, over or along the foreshore, and 	



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Performance outcomes	Acceptable outcomes	Compliance
	(ii) ensure emergency vehicles can access the area near the development.	
PO10 Development that involves reconfiguring a lot for urban purposes adjacent to the coast is designed to ensure public access to the coast in consideration of public access demand from a whole-of-community basis and the maintenance of coastal landforms and coastal habitat.	AO10.1 Development complies if consideration of public access demand from a whole-of-community basis and the maintenance of coastal landforms and coastal habitat is undertaken. or AO10.2 Development demonstrates an alternative solution to achieve an equivalent standard and quality of access.	Not applicable
PO11 Development maintains public access to State coastal land by avoiding private marine development attaching to, or extending across, non-tidal State coastal land.	AO11 Private marine access structures and other structures such as decks or boardwalks for private use do not attach to or extend across State	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
	coastal land that is situated above high water mark.	
PO12 Development in connection with an artificial waterway enhances public access to coastal waters.	AO12 The artificial waterway avoids intersecting with or connection to inundated land or leased land where the passage, use or movement of vessels in water on the land could be restricted or prohibited by the registered proprietor of the inundated land or leased land.	Not applicable
Coastal landscapes, views and vistas		
PO13 Development maintains and / or enhances natural coastal landscapes, views and vistas.	AO13 No acceptable outcomes are prescribed.	Not applicable
PO14 Coastal settlements are consolidated through the concentration of development within the existing urban areas through infill and conserving the	AO14 No acceptable outcomes are prescribed.	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
natural state of the coastal area outside existing urban areas.		
Private marine development		
PO15 Private marine development is to avoid attaching to, or extending across, non-tidal State coastal land.	AO15 Private marine development and other structures such as decks or boardwalks for private use do not attach to, or extend across, State coastal land that is situated above high water mark. Note – For occupation permits or allocations of State land, refer to the Land Act 1994.	Not applicable
PO16 The location and design of private marine development does not adversely affect the safety of members of the public access to the foreshore.	AO16 Private marine development does not involve the erection or placement of any physical barrier preventing existing access, along a public access way to the foreshores.	Not applicable
PO17	AO17 Private marine development has regard to:	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
Private marine development is of a height and scale and size compatible with the character and amenity of the location.	<p>(a) the height, scale and size of the natural features of the immediate surroundings and locality;</p> <p>(b) the height, scale and size of existing buildings or other structures in the immediate surroundings and the locality;</p> <p>(c) if the relevant planning scheme states that desired height, scale or size of buildings or other structures in the immediate surroundings or locality – the stated desired height, scale or size.</p> <p>Note – The prescribed tidal works code in the Coastal Protection and Management Regulation 2003 outlines design and construction requirements that must be complied with.</p>	
<p>PO18</p> <p>Private marine development avoids adverse impacts on coastal landforms and coastal processes.</p>	<p>AO18</p> <p>Private marine development does not require the construction of coastal protection works, shoreline or riverbank hardening or dredging for marine access.</p>	<p>Not applicable</p>



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Performance outcomes	Acceptable outcomes	Compliance
For dry land marinas and artificial waterways		
PO19 Dry land marinas and artificial waterways: <ul style="list-style-type: none">(a) avoid impacts on coastal resources;(b) do not contribute to the degradation of water quality;(c) do not increase the risk of flooding;(d) do not result in the degradation or loss of MSES;(e) do not result in an adverse change to the tidal prism of the natural waterway to which development is connected.(f) does not involve reclamation of tidal land other than for the purpose of:<ul style="list-style-type: none">(i) coastal dependent development, public marine development; or(ii) community infrastructure, where there is no feasible alternative; or	AO19 No acceptable solutions are prescribed.	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
(iii) strategic ports, boat harbours or strategic airports and aviation facilities in accordance with a statutory land use plan; or (iv) coastal protection works or works necessary to protect coastal resources and processes.		



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8.2.4 Flood and storm tide hazard overlay code

8.2.4.1 Application

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

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

8.2.4.2 Purpose

- (1) The purpose of the Flood and storm tide hazard overlay code is to:



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- (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
 - (ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.
 - (b) enable an assessment of whether development is suitable on land within the Flood and storm tide hazard sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
- (a) development siting, layout and access responds to the risk of the natural hazard and minimises risk to personal safety;
 - (b) development achieves an acceptable or tolerable risk level, based on a fit for purpose risk assessment;
 - (c) the development is resilient to natural hazard events by ensuring siting and design accounts for the potential risks of natural hazards to property;
 - (d) the development supports, and does not unduly burden disaster management response or recovery capacity and capabilities;
 - (e) the development directly, indirectly and cumulatively avoids an unacceptable increase in severity of the natural hazards and does not significantly increase the potential for damage on site or to other properties;
 - (f) the development avoids the release of hazardous materials as a result of a natural hazard event;
 - (g) natural processes and the protective function of landforms and/or vegetation are maintained in natural hazard areas;
 - (h) community infrastructure is located and designed to maintain the required level of functionality during and immediately after a hazard event.

8.2.4.3 Criteria for assessment

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

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



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Performance outcomes	Acceptable outcomes	Compliance
<p>PO1</p> <p>Development is located and designed to: ensure the safety of all persons; minimise damage to the development and contents of buildings; provide suitable amenity; minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events.</p> <p>Note – For assessable development within the flood plain assessment sub-category, a flood study by a suitably qualified professional is required to identify compliance with the intent of the acceptable outcome.</p>	<p>AO1.1</p> <p>Development is sited on parts of the land that is not within the Flood and Storm tide hazards overlay maps contained in Schedule 2; or For dwelling houses,</p> <p>AO1.2</p> <p>Development within the Flood and Storm Tide hazards overlay maps (excluding the Flood plain assessment sub-category) is designed to provide immunity to the Defined Inundation Event as outlined within Table 8.2.4.3.b plus a freeboard of 300mm.</p>	<p>Complies with AO1.2</p> <p>The proposed Dwelling House and Secondary Dwellings would have finished floor levels of 4.34 and 3.4 metres, respectively.</p> <p>This satisfies the minimum finished floor levels for buildings identified in table 8.2.4.3.b of this code.</p>
	<p>AO1.3</p> <p>New buildings are:</p> <ul style="list-style-type: none"> (a) not located within the overlay area; (b) located on the highest part of the site to minimise entrance of flood waters; 	<p>Complies with PO1</p> <p>It is not possible to provide buildings on the site that are not located within the overlay area; however, the proposed buildings would be located on the higher parts of the site and habitable floor levels would comply with the planning scheme</p>



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Performance outcomes	Acceptable outcomes	Compliance
	(c) provided with clear and direct pedestrian and vehicle evacuation routes off the site.	requirements. In addition, clear evacuation routes to Snapper Island Drive would be provided. It is considered that the development has been located and designed to minimise the impacts of flooding.
	AO1.4 In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.	Not applicable The development is not adjacent a riparian corridor.
For assessable development		
P02 The development is compatible with the level of risk associated with the natural hazard.	AO2 The following uses are not located in land inundated by the Defined Flood Event (DFE) / Storm tide: (a) Retirement facility; (b) Community care facility; (c) Child care centre.	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
P03 Development siting and layout responds to flooding potential and maintains personal safety	<p>For Material change of use</p> <p>AO3.1</p> <p>New buildings are:</p> <ul style="list-style-type: none">(a) not located within the overlay area;(b) located on the highest part of the site to minimise entrance of flood waters;(c) provided with clear and direct pedestrian and vehicle evacuation routes off the site. <p>or</p> <p>AO3.2</p> <p>The development incorporates an area on site that is at least 300mm above the highest known flood inundation level with sufficient space to accommodate the likely population of the development safely for a relatively short time until flash flooding subsides or people can be evacuated.</p> <p>or</p> <p>AO3.3</p>	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
	<p>Where involving an extension to an existing dwelling house that is situated below DFE /Storm tide, the maximum size of the extension does not exceed 70m² gross floor area.</p> <p>Note – If part of the site is outside the Hazard Overlay area, this is the preferred location of all buildings.</p>	
	<p>For Reconfiguring a lot</p> <p>AO3.4</p> <p>Additional lots:</p> <p>(a) are not located in the hazard overlay area;</p> <p>or</p> <p>(b) are demonstrated to be above the flood level identified for the site.</p> <p>Note - If part of the site is outside the Hazard Overlay area, this is the preferred location for all lots (excluding park or other open space and recreation lots).</p> <p>Note – Buildings subsequently developed on the lots will need to comply with the relevant building assessment provisions under the <i>Building Act 1975</i>.</p>	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
	<p>AO3.5</p> <p>Road and/or pathway layout ensures residents are not physically isolated from adjacent flood free urban areas and provides a safe and clear evacuation route path:</p> <p>(a) by locating entry points into the reconfiguration above the flood level and avoiding culs-de-sac or other non-permeable layouts; and</p> <p>(b) by direct and simple routes to main carriageways.</p>	Not applicable
	<p>AO3.6</p> <p>Signage is provided on site (regardless of whether the land is in public or private ownership) indicating the position and path of all safe evacuation routes off the site and if the site contains, or is within 100m of a floodable waterway, hazard warning signage and depth indicators are also provided at key hazard points, such as at floodway crossings or entrances to low-lying reserves.</p>	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
	or	
	AO3.7 There is no intensification of residential uses within the flood affected areas on land situated below the DFE/Storm tide.	Not applicable
	For Material change of use (Residential uses) AO3.1 The design and layout of buildings used for residential purposes minimise risk from flooding by providing: (a) parking and other low intensive, non-habitable uses at ground level; Note - The high-set 'Queenslander' style house is a resilient low-density housing solution in floodplain areas. Higher density residential development should ensure only non-habitable rooms (e.g. garages, laundries) are located on the ground floor.	Not applicable
PO4	For Material change of use (Non-residential uses)	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
Development is resilient to flood events by ensuring design and built form account for the potential risks of flooding.	<p>AO4.2</p> <p>Non residential buildings and structures allow for the flow through of flood waters on the ground floor.</p> <p>Note - Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p> <p>Note - The relevant building assessment provisions under the <i>Building Act 1975</i> apply to all building work within the Hazard Area and need to take into account the flood potential within the area.</p>	
	<p>AO4.3</p> <p>Materials are stored on-site:</p> <p>(a) are those that are readily able to be moved in a flood event;</p> <p>(b) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood.</p>	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
	<p>Notes -</p> <p>(a) Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p> <p>(b) Queensland Government Fact Sheet 'Repairing your House after a Flood' provides information about water resilient products and building techniques.</p>	
<p>PO5</p> <p>Development directly, indirectly and cumulatively avoids any increase in water flow velocity or flood level and does not increase the potential flood damage either on site or on other properties.</p> <p>Note – Berms and mounds are considered to be an undesirable built form outcome and are not supported.</p>	<p>For Operational works</p> <p>AO5.1</p> <p>Works in urban areas associated with the proposed development do not involve:</p> <p>(a) any physical alteration to a watercourse or floodway including vegetation clearing; or</p> <p>(b) a net increase in filling (including berms and mounds).</p> <p>AO5.2</p> <p>Works (including buildings and earthworks) in non urban areas either:</p>	<p>Not applicable</p>



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Performance outcomes	Acceptable outcomes	Compliance
	<p>(a) do not involve a net increase in filling greater than 50m³; or</p> <p>(b) do not result in any reductions of on-site flood storage capacity and contain within the subject site any changes to depth/duration/velocity of flood waters;</p> <p>or</p> <p>(c) do not change flood characteristics outside the subject site in ways that result in:</p> <ul style="list-style-type: none"> (i) loss of flood storage; (ii) loss of/changes to flow paths; (iii) acceleration or retardation of flows or any reduction in flood warning times elsewhere on the flood plain. 	
	<p>For Material change of use</p> <p>AO5.3</p> <p>Where development is located in an area affected</p>	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
	<p>by DFE/Storm tide, a hydraulic and hydrology report, prepared by a suitably qualified professional, demonstrates that the development maintains the flood storage capacity on the subject site; and</p> <p>(a) does not increase the volume, velocity, concentration of flow path alignment of stormwater flow across sites upstream, downstream or in the general vicinity of the subject site; and</p> <p>(b) does not increase ponding on sites upstream, downstream or in the general vicinity of the subject site.</p>	
	<p>For Material change of use and Reconfiguring a lot</p> <p>AO5.4</p> <p>In non-urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of</p>	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
	reducing velocity of floodwaters. Note – Fences and irrigation infrastructure (e.g. irrigation tape) in rural areas should be managed to minimise adverse the impacts that they may have on downstream properties in the event of a flood.	
PO6 Development avoids the release of hazardous materials into floodwaters.	For Material change of use AO6.1 Materials manufactured or stored on site are not hazardous or noxious, or comprise materials that may cause a detrimental effect on the environment if discharged in a flood event; or AO6.2 If a DFE level is adopted, structures used for the manufacture or storage of hazardous materials are: (a) located above the DFE level;	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
	or (b) designed to prevent the intrusion of floodwaters.	
	AO6.3 Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE	Not applicable
	AO6.4 If a flood level is not adopted, hazardous materials and their manufacturing equipment are located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of floodwaters. Note – Refer to <i>Work Health and Safety Act 2011</i> and associated Regulation and Guidelines, the <i>Environmental Protection Act 1994</i> and the relevant building assessment provisions under the <i>Building Act 1975</i> for requirements related to the manufacture and storage of hazardous materials.	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
P07 The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.	A07 Development does not: <ul style="list-style-type: none"> (a) increase the number of people calculated to be at risk of flooding; (b) increase the number of people likely to need evacuation; (c) shorten flood warning times; and (d) impact on the ability of traffic to use evacuation routes, or unreasonably increase traffic volumes on evacuation routes. 	Not applicable
P08 Development involving community infrastructure: <ul style="list-style-type: none"> (a) remains functional to serve community need during and immediately after a flood event; (b) is designed, sited and operated to avoid adverse impacts on the community or environment due to impacts of flooding on infrastructure, facilities or access and egress 	AO8.1 The following uses are not located on land inundated during a DFE/Storm tide: <ul style="list-style-type: none"> (a) community residence; and (b) emergency services; and (c) residential care facility; and (d) utility installations involving water and sewerage treatment plants; and 	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
<p>routes;</p> <p>(c) retains essential site access during a flood event;</p> <p>(d) is able to remain functional even when other infrastructure or services may be compromised in a flood event.</p>	<p>(e) storage of valuable records or items of historic or cultural significance (e.g. archives, museums, galleries, libraries).</p> <p>or</p> <p>AO8.2</p> <p>The following uses are not located on land inundated during a 1% AEP flood event:</p> <p>(a) community and cultural facilities, including facilities where an education and care service under the Education and care Services National law (Queensland) is operated or child care service under the <i>Child Care Act 2002</i> is conducted,</p> <p>(b) community centres;</p> <p>(c) meeting halls;</p> <p>(d) galleries;</p> <p>(e) libraries.</p> <p>The following uses are not located on land inundated during a 0.5% AEP flood event.</p>	



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Performance outcomes	Acceptable outcomes	Compliance
	<ul style="list-style-type: none"> (a) emergency shelters; (b) police facilities; (c) sub stations; (d) water treatment plant <p>The following uses are not located on land inundated during a 0.2% AEP flood event:</p> <ul style="list-style-type: none"> (a) correctional facilities; (b) emergency services; (c) power stations; (d) major switch yards. 	
	<p>AO8.3</p> <p>The following uses have direct access to low hazard evacuation routes as defined in Table 8.2.4.3.c:</p> <ul style="list-style-type: none"> (a) community residence; and (b) emergency services; and (c) hospitals; and (d) residential care facility; and 	Not applicable



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Performance outcomes	Acceptable outcomes	Compliance
	(e) sub stations; and (f) utility installations involving water and sewerage treatment plants.	
	and/or AO8.4 Any components of infrastructure that are likely to fail to function or may result in contamination when inundated by flood, such as electrical switch gear and motors, telecommunications connections, or water supply pipeline air valves are: (a) located above DFE/Storm tide or the highest known flood level for the site; (b) designed and constructed to exclude floodwater intrusion / infiltration.	Not applicable
	AO8.5 Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by a flood.	Not applicable



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

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



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Table 8.2.4.3.c - Degree of flood

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



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8.2.7 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.



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

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;
 - (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;



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- (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;
 - (viii) rehabilitates degraded areas to provide improved habitat condition, connectivity, function and extent;
 - (ix) protects areas of environmental significance from weeds, pests and invasive species.
- (c) strategic rehabilitation is directed to areas on or off site, where it is possible to achieve expanded habitats and increased connectivity.

8.2.7.3 Criteria for assessment

Table Error! No text of specified style in document..a – Natural areas overlay code –assessable development

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
Protection of matters of environmental significance		
PO1	AO1.1	Complies with AO1.1



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Performance outcomes	Acceptable outcomes	Compliance
Development protects matters of environmental significance.	<p>Development avoids significant impact on the relevant environmental values.</p> <p>or</p> <p>AO1.2</p> <p>A report is prepared by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, that the development site does not contain any matters of state and local environmental significance.</p> <p>or</p> <p>AO1.3</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</p>	The developments would be sited outside of the identified area of environmental significance.



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Performance outcomes	Acceptable outcomes	Compliance
	quality, hydrology and biological processes.	
Management of impacts on matters of environmental significance		
PO2 Development is located, designed and constructed to avoid significant impacts on matters of environmental significance.	AO2 The design and layout of development minimises adverse impacts on ecologically important areas by: <ul style="list-style-type: none"> (a) focusing development in cleared areas to protect existing habitat; (b) utilising design to consolidate density and preserve existing habitat and native vegetation; (c) aligning new property boundaries to maintain ecologically important areas; (d) ensuring that alterations to natural landforms, hydrology and drainage patterns on the development site do not negatively affect ecologically important areas; 	Complies with AO2 The developments would be sited outside of the identified area of environmental significance.



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Performance outcomes	Acceptable outcomes	Compliance
	(e) ensuring that significant fauna habitats are protected in their environmental context; and (f) incorporating measures that allow for the safe movement of fauna through the site.	
PO3 An adequate buffer to areas of state environmental significance is provided and maintained.	AO3.1 A buffer for an area of state environmental significance (Wetland protection area) has a minimum width of: (a) 100 metres where the area is located outside Urban areas; or (b) 50 metres where the area is located within Urban areas. or AO3.2 A buffer for an area of state environmental significance is applied and maintained, the width of	Not applicable The site is not within a wetland protection area.



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Performance outcomes	Acceptable outcomes	Compliance
	which is supported by an evaluation of environmental values, including the function and threats to matters of environmental significance.	
PO4 Wetland and wetland buffer areas are maintained, protected and restored. Note – Wetland buffer areas are identified in AO3.1.	AO4.1 Native vegetation within wetlands and wetland buffer areas is retained.	Not applicable The site is not within a wetland protection area.
	AO4.2 Degraded sections of wetlands and wetland buffer areas are revegetated with endemic native plants in patterns and densities, which emulate the relevant regional ecosystem.	Not applicable The site is not within a wetland protection area.
PO5 Development avoids the introduction of non-native pest species (plant or animal) that pose a	AO5.1 Development avoids the introduction of non-native pest species.	Complies with AO5.1 It is not proposed to introduce non-native species as part of this application.



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Performance outcomes	Acceptable outcomes	Compliance
risk to ecological integrity.	AO5.2 The threat of existing pest species is controlled by adopting pest management practices for long-term ecological integrity.	Not applicable No pest species have been identified in the site.
Ecological connectivity		
PO6 Development protects and enhances ecological connectivity and/or habitat extent.	AO6.1 Development retains native vegetation in areas large enough to maintain ecological values, functions and processes. and AO6.2 Development within an ecological corridor rehabilitates native vegetation. and	Not applicable The site does not contain any defined wildlife habitat.



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Performance outcomes	Acceptable outcomes	Compliance
	<p>AO6.3</p> <p>Development within a conservation corridor mitigates adverse impacts on native fauna, feeding, nesting, breeding and roosting sites and native fauna movements.</p>	
<p>PO7</p> <p>Development minimises disturbance to matters of state environmental significance (including existing ecological corridors).</p>	<p>AO7.1</p> <p>Development avoids shading of vegetation by setting back buildings by a distance equivalent to the height of the native vegetation.</p> <p>and</p> <p>AO7.2</p> <p>Development does not encroach within 10 metres of existing riparian vegetation and watercourses.</p>	<p>Not applicable</p> <p>The site does not contain any defined wildlife habitat.</p>
Waterways in an urban area		



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Performance outcomes	Acceptable outcomes	Compliance
PO8 Development is set back from waterways to protect and maintain: <ul style="list-style-type: none"> (a) water quality; (b) hydrological functions; (c) ecological processes; (d) biodiversity values; (e) riparian and in-stream habitat values and connectivity; (f) in-stream migration. 	AO8.1 Where a waterway is contained within an easement or a reserve required for that purpose, development does not occur within the easement or reserve; or AO8.2 Development does not occur on the part of the site affected by the waterway corridor. Note – Waterway corridors are identified within 8.	Not applicable The site is not adjacent a waterway.
Waterways in a non-urban area		
PO9 Development is set back from waterways to protect and maintain:	AO9 Development does not occur on that part of the site affected by a waterway corridor. Note – Waterway corridors are identified within table	Not applicable The site is not adjacent a waterway.



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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.	8.2.7.3.b.	

8.2.7.3.b — Widths of waterway corridors for waterways

Waterways classification	Waterway corridor width
Waterways in Urban areas	10 metres measured perpendicular from the top of the high bank.
Waterways in Other areas	For a dwelling house, 10 metres measured perpendicular from the top of the high bank. For all other development, 20 metres measured perpendicular from the top of the high bank.



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9.3.8 Dwelling house code

9.3.8.1 Application

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

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

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

9.3.8.2 Purpose

- (1) The purpose of the Dwelling house code is to assess the suitability of development to which this code applies.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) The dwelling house, including all habitable buildings on site, is occupied by a single household;
 - (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;



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- (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 Error! No text of specified style in document..a – Dwelling house code –assessable development

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
PO1 Secondary dwellings: <ul style="list-style-type: none"> (a) are subordinate, small-scaled dwellings; (b) contribute to a safe and pleasant living environment; (c) are established on appropriately sized lots; (d) do not cause adverse impacts on adjoining properties. 	AO1 The secondary dwelling: <ul style="list-style-type: none"> (a) has a total gross floor area of not more than 80m², excluding a single carport or garage; (b) is occupied by 1 or more members of the same household as the dwelling house. 	Complies with AO1 The proposed secondary dwelling would have a gross floor area of 50m ² and would be occupied by a member of the same household as the principal dwelling house.



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Performance outcomes	Acceptable outcomes	Compliance
<p>PO2</p> <p>Resident's vehicles are accommodated on- site.</p>	<p>AO2</p> <p>Development provides a minimum number of on-site car parking spaces comprising:</p> <p>(a) 2 car parking spaces which may be in tandem for the dwelling house;</p> <p>(b) 1 car parking space for any secondary dwelling on the same site.</p>	<p>Complies with AO2</p> <p>The proposed development, including secondary dwelling would provide 4 covered car parking spaces.</p>
<p>PO3</p> <p>Development is of a bulk and scale that:</p> <p>(a) is consistent with and complements the built form and front boundary setbacks prevailing in the street and local area;</p> <p>(b) does not create an overbearing development for adjoining dwelling houses and their private open space;</p>	<p>AO3</p> <p>Development meets the acceptable outcome for building height in the applicable Zone code associated with the site.</p>	<p>Complies with AO3</p> <p>The development would be approximately 5.5 metres in height and meets the zone code requirements.</p>



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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 Error! No text of specified style in document..a – Access, parking and servicing code –assessable development

Performance outcomes	Acceptable outcomes	Compliance
For self-assessable and assessable development		
PO1 Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected to be generated by the use or uses of the site, having particular regard to: (a) the desired character of the area; (b) the nature of the particular use and its specific characteristics and scale; (c) the number of employees and the likely number of visitors to the site;	AO1.1 The minimum number of on-site vehicle parking spaces is not less than the number prescribed in Table 9.4.1.3.b for that particular use or uses. Note - Where the number of spaces calculated from the table is not a whole number, the number of spaces provided is the next highest whole number.	Complies with AO1.1 The development would provide 4 covered car parking spaces.
	AO1.2 Car parking spaces are freely available for the parking of vehicles at all times and are not used	Complies with AO1.2 The 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.	
	AO1.3 Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking.	Not applicable No motor vehicle parking is proposed.
	AO1.4 For parking areas exceeding 50 spaces parking, is provided for recreational vehicles as a substitute for ordinary vehicle parking to a maximum of 5% of total ordinary vehicle parking rate.	Not applicable Only 4 spaces are proposed.
PO2 Vehicle parking areas are designed and constructed in accordance with relevant standards.	AO2 Vehicle parking areas are designed and constructed in accordance with Australian Standard:	Complies with AO2 The vehicle parking areas would satisfy the Australian Standards.



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Performance outcomes	Acceptable outcomes	Compliance
	(a) AS2890.1; (b) AS2890.3; (c) AS2890.6.	
PO3 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;	AO3.1 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.	Complies with AO3.1 Access to the site would be limited to one crossover only and would be constructed in accordance with the relevant FNQROC standard.
	AO3.2 Access, including driveways or access crossovers: (a) are not placed over an existing:	Complies with AO3.2 The access would not be over existing infrastructure.



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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>AO3.3</p> <p>Driveways are:</p> <p>(a) designed to follow as closely as possible to the existing contours, but are no steeper than the gradients outlined in Planning scheme policy SC6.5 – FNQROC Regional Development Manual;</p>	<p>Not applicable</p> <p>The site is a reasonably flat site.</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>	
	AO3.4	Complies with AO3.4



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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.	The driveway would be surfaced with material consistent with driveway materials in the area.
P04 Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.	A04 The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.	Not applicable Wheel Chair accessible car parking spaces are not applicable.
P05 Access for people with disabilities is provided to the building from the parking area and from the street.	A05 Access for people with disabilities is provided in accordance with the relevant Australian Standard.	Not applicable Wheel Chair accessible car parking spaces are not applicable.
P06 Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development.	A06 The number of on-site bicycle parking spaces complies with the rates specified in Error! Reference source not found..	Not applicable Bicycle parking spaces are not required.



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



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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>PO9</p> <p>Access, internal circulation and on-site parking for service vehicles are designed and constructed:</p> <p>(a) in accordance with relevant standards;</p> <p>(b) so that they do not interfere with the amenity of the surrounding area;</p>	<p>AO9.1</p> <p>Access driveways, vehicle manoeuvring and on-site parking for service vehicles are designed and constructed in accordance with AS2890.1 and AS2890.2.</p>	<p>Complies with AO9.1</p> <p>All access and car parking would comply with the relevant Australian Standards.</p>
	<p>AO9.2</p> <p>Service and loading areas are contained fully within the site.</p>	<p>Not applicable</p> <p>Service and loading areas are not required.</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>AO9.3</p> <p>The movement of service vehicles and service operations are designed so they:</p> <ul style="list-style-type: none"> (a) do not impede access to parking spaces; (b) do not impede vehicle or pedestrian traffic movement. 	<p>Not applicable</p> <p>Service and loading areas are not required.</p>
<p>PO10</p> <p>Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.</p>	<p>AO10.1</p> <p>Development provides adequate area on-site for vehicle queuing to accommodate the demand generated by the development where drive through facilities or drop-off/pick-up services are proposed as part of the use, including, but not limited to, the following land uses:</p> <ul style="list-style-type: none"> (a) car wash; (b) child care centre; (c) educational establishment where for a school; 	<p>Not applicable</p> <p>Queueing is not required.</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.	
	AO10.2 Queuing and set-down areas are designed and constructed in accordance with AS2890.1.	Not applicable Set down areas are not required.



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