



Ref: WP22 011 MIL 47 Hickory Road
Council Ref: MCUC 2021_4516/1

5 April 2022

The Chief Executive Officer
Douglas Shire Council
PO Box 723
MOSSMAN QLD 4873

Attention: Rebecca Taranto

Via email: rebecca.taranto@douglas.qld.gov.au

Dear Rebecca,

**INFORMATION REQUEST RESPONSE REGARDING PROPOSED MATERIAL CHANGE OF
USE (DWELLING HOUSE AND SECONDARY DWELLING) DEVELOPMENT AT 47 HICKORY
ROAD, COW BAY (COUNCIL REF: MCUC 2021_4516/1)**

We refer to the Information Request Notice received 9 December 2021 in relation to the above-mentioned development application (refer **Attachment A**). We note that the Information Request response period has been extended by Council to 6 April 2022.

Accordingly, and on behalf of the Applicant, please find herein a *complete* response to the matters contained within the Information Notice, pursuant to section 13(a) of the Development Assessment Rules ('the DA Rules').

For ease of reference, the Information Notice item is replicated below, with a response provided following.

ITEM / RESPONSE

Planning Statement

Please provide:

- 1. A Planning report that addresses the codes applicable to the Material Change of Use- Dwelling House development.***

RESPONSE:

Please find attached Planning Report, prepared by wildPLAN in respect of the proposed development (refer **Attachment B**). The Planning Report provides an assessment of the proposed development against the following codes, as required by Item 1 of the Information Notice:

- Conservation Zone Code
- Cape Tribulation and Daintree Coast Local Plan Code
- Acid Sulfate Soils Overlay Code
- Bushfire Hazard Overlay Code
- Flood and Storm Tide Hazard Overlay Code
- Landscape Values Overlay Code
- Natural Areas Overlay Code
- Potential Landslip Hazard Overlay Code
- Transport Network Overlay Code
- Dwelling House Code
- Access, Parking and Servicing Code
- Filling and Excavation Code
- Landscaping Code
- Vegetation Management Code.

We note that an updated DA Form 1 has also been prepared, to reflect the Secondary Dwelling aspect of development (refer **Schedule 5** of the attached Planning Report).

Yours sincerely,



DOMINIC HAMMERSLEY

DIRECTOR | PRINCIPAL PLANNER

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ATTACHMENT A – INFORMATION REQUEST NOTICE

9 December 2021

Enquiries: Rebecca Taranto
Our Ref: MCUC 2021_4516/1 (Doc ID)

Administration Office
64 - 66 Front St Mossman
P 07 4099 9444
F 07 4098 2902

Kayla S Miller & Geoff J Miller
47 Hickory Road
COW BAY QLD 4873

Email: mundry1@hotmail.com

Dear Sir/Madam

INFORMATION REQUEST
(Given under Section 12 of the Development Assessment Rules)

Applicant Details

Name: Kayla S Miller & Geoff J Miller
Postal Address: 47 Hickory Road
COW BAY QLD 4873
Email: mundry1@hotmail.com

Property Details

Street Address: 47 Hickory Road Cow Bay
Real Property Description: Lot 358 on RP739002
Local Government Area: Douglas Shire Council

Application Details

Application Number: MCUC 2021_4516/1
Approval Sought: Development Permit
Nature of Development Proposed: MCU - Material Change of Use
Description of the Development Proposed: Material Change of Use (Dwelling house)

Additional Information Requested

The following additional information is requested in order to complete an assessment of the application:

Planning Statement.

Under the *2018 Douglas Shire Planning Scheme*, the subject property lies within Precinct 1 (Conservation Precinct) of the Cape Tribulation and Daintree Coast Local Plan and within the Conservation zone. Within Precinct 1, Acceptable Outcome AO18 requires that;

No new development occurs whether on undeveloped or developed land expect for;

Undeveloped land that meets one or more of the following criteria;

Land which has been previously been lawfully cleared and currently remains cleared;

(a) Land which is the subject of a current Clearing Permit, but has yet to be cleared;

(b) Land which is subject of a current Operational Work Permit,

can be developed for a house subject to compliance with all the relevant codes.

The subject parcel of land (Lot 358 on RP739002) is considered to comply with Acceptable Outcome AO18. Therefore, the proposal is considered as Code Assessable development requiring assessment against the relevant codes. The codes relevant to the development can be identified through the *2018 Douglas Shire Planning Scheme*, Part 5-Tables of Assessment-Table 5.6.c- Conservation zone.

Please provide:

1. A Planning report that addresses the codes applicable to the Material Change of Use-Dwelling House development.

Due Date

The due date for providing the requested information is 9 March 2022 accordance with section 14.2 of the Development Assessment Rules, if you do not provide a response before the above due date (or a further agreed period), it will be taken as if you have decided not to respond to the information request and Council will continue with the assessment of the application.

Please quote Council's application number: MCUC 2021_4516/1 in all subsequent correspondence relating to this development application.

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

Yours faithfully



For
Paul Hoyer
Manager Environment & Planning

ATTACHMENT B – PLANNING REPORT



47 Hickory Road, Cow Bay
Lot 358 on RP739002

TOWN PLANNING REPORT

MATERIAL CHANGE OF USE DWELLING HOUSE & SECONDARY DWELLING

Applicant:
Kayla S Miller and Geoff J Miller
C/- wildPLAN Pty Ltd



A PROJECT CONTACT DETAILS

Company	wildPLAN Pty Ltd
Representative	Dominic Hammersley
Title	Principal Planner
Phone	0487 967 533
Address	PO Box 8028, Cairns QLD
Email	dominic@wildplan.com.au
Web	www.wildplan.com.au

B DOCUMENT INFORMATION

Client Name	K & G Miller
Project Reference	WP22 011 MIL 47 Hickory Road
Document Ref.	WP22 011 MIL DA 01


C PLANNING REPORT TEMPLATE VERSION

Version	Revision Date	Revision Description	Planning Act 2016 version	Planning Regulation 2017 version
5.0	18 June 2021	Planning Report Template	18 Jun 2021	18 Feb 2022

D DOCUMENT HISTORY

Version	Execution Date	Description	Preparation	Review
1.0	5 April 2022	Draft	UWT	DH

E DOCUMENT AUTHORISATION

Version	Description	Authorised by	Signature	Execution Date
1.0	Authorised for client review	Dominic Hammersley		5 April 2022

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1. SUMMARY

1.1 SITE DETAILS

Site address:	47 Hickory Road Cow Bay QLD 4873
Real property description:	Lot 358 on RP739002
Site area:	11,540m ²
Existing land use:	Dwelling House

1.2 KEY PARTIES TO DEVELOPMENT APPLICATION

Applicant:	Kayla S Miller & Geoff J Miller
Owner:	Geoffrey John Miller and Kayla Sue Miller Refer Schedule 1 – Searches .
Assessment manager:	Douglas Shire Council
Referral Agencies	Nil

1.3 DEVELOPMENT APPLICATION DETAILS

Proposed development:	Dwelling House and Secondary Dwelling
Type of approval sought:	Material Change of Use for Dwelling House and Secondary Dwelling
Related applications	MCUC 2021_4516/1
Level of assessment:	Code Assessment
Notification required:	N/A
Referral required:	N/A

1.4 STATE PLANNING INSTRUMENT MATTERS

State Matters of Interest	The following matters of State interest are relevant to the site: <ul style="list-style-type: none"> • Wetland protection area trigger area • Wetland protection area wetland • Regulated vegetation management map (Category A and B extract)
Applicable SDAP Codes	N/A
Regional Plan	<i>Far North Queensland Regional Plan 2009–2031</i>
Regional Plan Designation	Regional Landscape and Rural Production Area

1.5 LOCAL PLANNING INSTRUMENT MATTERS

Planning Scheme:	<i>Douglas Shire Planning Scheme 2018</i>
Amendment:	Version 1
TLPs:	None Applicable
Zone:	Conservation Zone
Precinct / Local plan:	Conservation Precinct Cape Tribulation and Daintree Coast Local Plan
Overlays:	<ul style="list-style-type: none"> • Acid Sulfate Soils (5-20m AHD) • Bushfire Hazard Overlay (High Potential Bushfire Intensity) • Flood and Storm Tide Hazard Overlay (Floodplain Assessment Overlay) • Landscape Values Overlay (High Landscape Values) • Natural Areas Overlay (MSES Regulated Vegetation / MSES Wildlife Habitat).
Assessment requirements¹:	<p>The Assessment Benchmarks of the Planning Scheme, to the extent relevant, including:</p> <ul style="list-style-type: none"> • Conservation Zone Code • Cape Tribulation and Daintree Coast Local Plan Code • Acid Sulfate Soils Overlay Code • Bushfire Hazard Overlay Code • Flood and Storm Tide Hazard Overlay Code • Landscape Values Overlay Code • Natural Areas Overlay Code • Potential Landslip Hazard Overlay Code • Transport Network Overlay Code • Dwelling House Code • Access, Parking and Servicing Code • Filling and Excavation Code • Landscaping Code • Vegetation Management Code.

¹ The applicability of codes is discussed in the Planning Report (refer Section 6.4).

2. SITE DETAILS

This development application has regard to land at 47 Hickory Road, Cow Bay (refer **Figure 1**), which is more accurately known as Lot 358 on RP739002 ('the site').

The site is improved by a Dwelling House and has an area of 11,540m². The site is understood to contain native vegetation to the extent described in the proposal plans (refer **Schedule 2**).

The site is located within the Conservation Zone pursuant to the *Douglas Shire Planning Scheme 2018* (refer **Figure 3**). The site is also located within the Conservation Precinct of the Cape Tribulation and Daintree Coast Local Plan.

The area is predominantly characterised by Dwelling Houses on large landholdings (circa 1 hectare and larger) and lots held as National Park.

2.1 LOCATION

TABLE 2-1 SITE LOCATION

Site address:	47 Hickory Road, Cow Bay QLD 4873
Real property description:	Lot 358 on RP739002

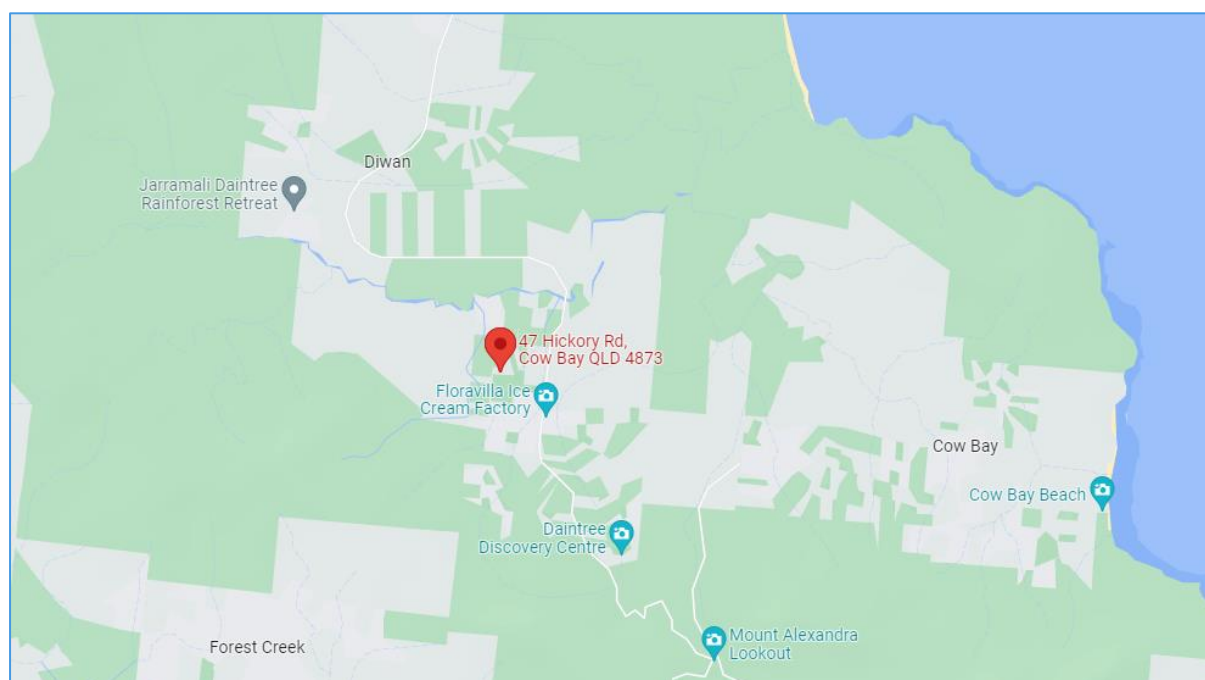


FIGURE 1
SOURCE: GOOGLE MAPS 2022

SITE LOCATION



FIGURE 2 **AERIAL IMAGE OF SITE²**
SOURCE STATE OF QUEENSLAND, 2022 (VIA QUEENSLAND GLOBE)



FIGURE 3 **ZONING CONTEXT**
SOURCE DOUGLAS SHIRE PLANNING SCHEME 2015

² We note an identified issue with Queensland Globe mapping in this location; it is understood that the location of the existing Dwelling, and its relationship with site boundaries, are as shown on the proposal plans provided (verified by on site investigations).

The site of the proposed Dwelling House is described in **Figure 4** (with the existing building proposed as a Secondary Dwelling shown in the background).



FIGURE 4 LOCATION OF PROPOSED DWELLING HOUSE (FOREGROUND)
SOURCE BARLOW SHELLEY CONSULTING ENGINEERS (2022)

2.2 SITE FEATURES

TABLE 2-2 SITE CHARACTERISTICS AND SUPPORTING INFRASTRUCTURE

Site characteristic	Description
Site area	11,540m ²
Existing land use	Dwelling House
Infrastructure	
• Services	It is understood that the site is not connected to any reticulated services; and benefits from on-site water and sewer disposal.
• Access	The site has frontage to and gains access from Hickory Road.
Environment	
• Topography	The site is generally flat.

Site characteristic	Description
<ul style="list-style-type: none"> Existing vegetation 	The site contains Category B native vegetation.
<ul style="list-style-type: none"> EMR/CLR 	The site is not identified on the Contaminated Land Register ('CLR'), or the Environmental Management Register ('EMR').
Other	
<ul style="list-style-type: none"> Easements 	The site is not burdened nor benefitted by any easements.

3. BACKGROUND

A development application pertaining to proposed development at 47 Hickory Road, Cow Bay was lodged with Douglas Shire Council ('Council') by Kayla and Geoff Miller ('the Applicants'), in 2021.

An Information Request was issued by Council on 9 December 2021 regarding the application, which requested the following information be provided:

1. *A Planning report that addresses the codes applicable to the Material Change of Use - Dwelling House development.*

A response to the Information Request was due on or before 9 March 2022 in accordance with section 14.2 of the Development Assessment Rules. An extension to the information request period was granted by Council on 16 February 2022, to 6 April 2022.

This Planning Report is provided in response to Item 1 of the Information Request.

4. PROPOSED DEVELOPMENT

The Applicant seeks to establish an additional Dwelling House on the premises. The existing Dwelling is proposed to be retained in-situ, as a Secondary Dwelling.

The proposed Dwelling House features four (4) bedrooms and has a gross floor area of approximately 310m². The proposed Secondary Dwelling has a gross floor area of approximately 75m².

Water will be supplied to the Dwelling House via two (2) 22.5 kilolitre water tanks. Waste water will be disposed of on-site.

A 4.5 metre wide, gravel 'all weather access' driveway will be provided to the proposed Dwelling House. The existing crossover to the premises is proposed to be upgraded and will incorporate stormwater infrastructure (in the form of a reinforced concrete pipe). Access will be designed and constructed in accordance with the relevant standards.

The existing cut off drain located to the southern boundary of the premises will also be re-profiled as part of site works.

It is understood that no clearing is proposed relevant to the proposed Dwelling House³.

Proposal plans are provided within **Schedule 2**. Refer also to **Figure 5** and **Figure 6** below.

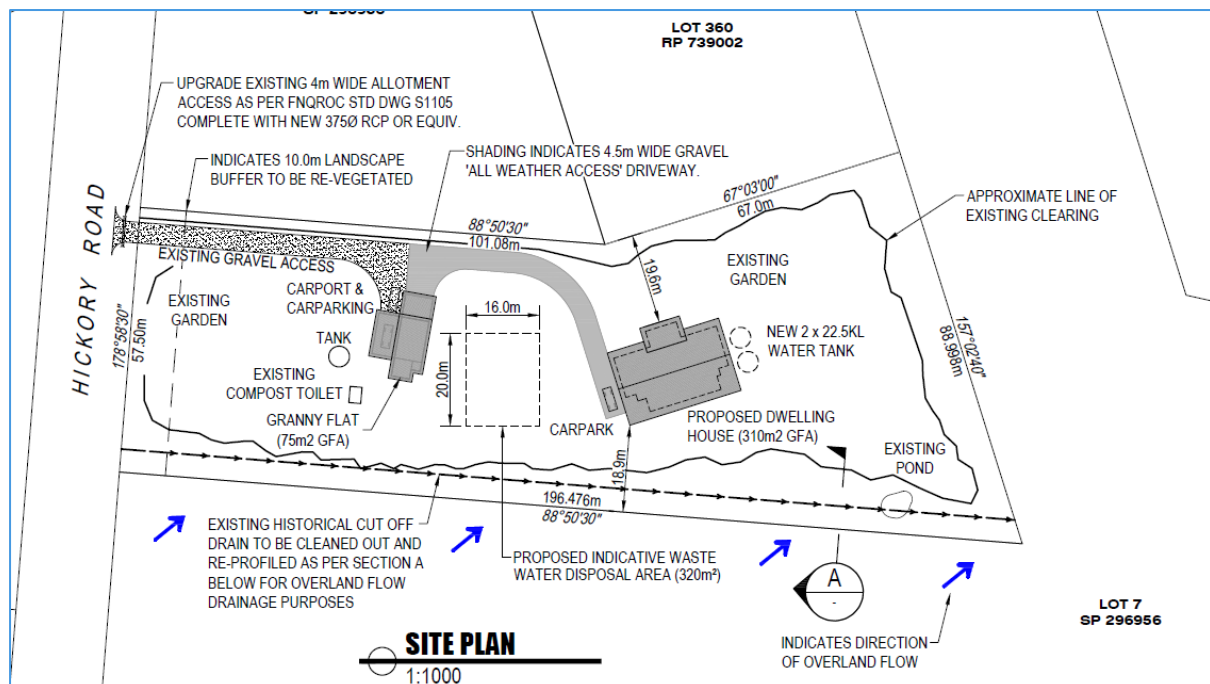


FIGURE 5 DEVELOPMENT CONCEPT – SITE PLAN
SOURCE PROPOSAL PLAN EXTRACT (REFER **SCHEDULE 2**)

³ Refer to the 'approximate line of existing clearing' shown on the Site Plan (refer **Schedule 2**).

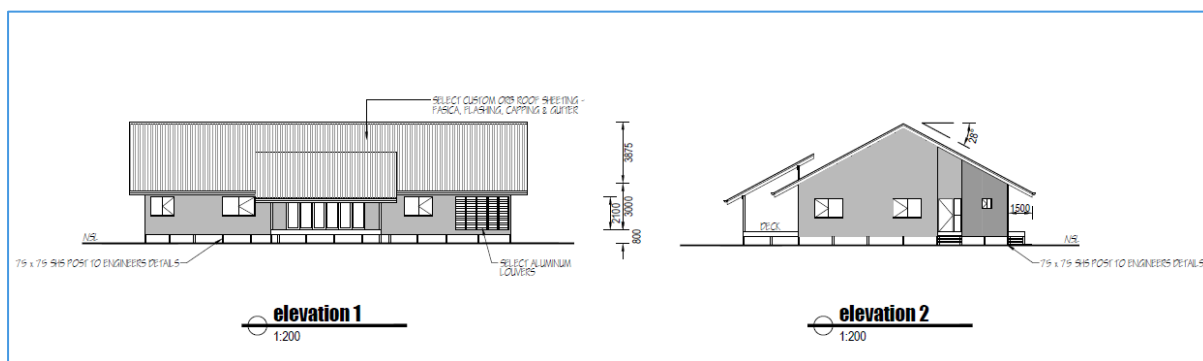


FIGURE 6 DEVELOPMENT CONCEPT – ELEVATIONS
SOURCE PROPOSAL PLAN EXTRACT (REFER **SCHEDULE 2**)

4.1 DEVELOPMENT SUMMARY

TABLE 4-1 DEVELOPMENT SUMMARY

Material Change of Use (Dwelling House and Secondary Dwelling)	
Building Height (Proposed)	Maximum of approximately 7.675 metres.
Setbacks	<p><i>Dwelling House</i></p> <ul style="list-style-type: none"> The proposed new Dwelling House will be setback approximately: <ul style="list-style-type: none"> 19.6 metres from the side boundary to the north; and 18.9 metres from the side boundary to the south; and 48.5 metres from the rear boundary. <p><i>Secondary Dwelling</i></p> <ul style="list-style-type: none"> The proposed Secondary Dwelling will be setback approximately: <ul style="list-style-type: none"> 13.5 metres from the side boundary to the north; and 24.7 metres from the side boundary to the south; and 52 metres from the road frontage boundary.
Distance between Dwellings	Approximately 40 metres.
Gross Floor Area	<ul style="list-style-type: none"> Proposed Dwelling House: Approximately 310m² Proposed Secondary Dwelling: Approximately 75m²
Site Cover	Less than 5%
Access	Access to the site will remain via the existing crossover to Hickory Road; however, the crossover is proposed to be upgraded to incorporate stormwater infrastructure.
Services	<p>Two (2) 22.5 kilolitre water tanks are proposed to provide water supply to the Dwelling House.</p> <p>A waste water disposal area (approximately 320m²) is proposed to be located between the two (2) Dwellings.</p>

5. STATE PLANNING MATTERS

5.1 PLANNING ACT 2016

The current version of the *Planning Act 2016* is **18 June 2021**.

5.2 PLANNING REGULATION 2017

The current version of the *Planning Regulation 2017* ('the Regulation') is **18 February 2022**.

Schedule 10 of the *Planning Regulation 2017* identifies development that is prohibited development.

Table 4-1 provides a checklist against Schedule 10 and identifies that the development the subject of this development application does not include prohibited development.

TABLE 5-1 PROHIBITED DEVELOPMENT IDENTIFIED IN PLANNING REGULATION 2017

Prohibited Development	Prohibition Description (Schedule 10)	Applicable (Y/N)
Brothels	Part 2, Division 1	N
Clearing native vegetation	Part 3, Division	N
Environmentally relevant activities	Part 5, Division 1	N
Koala habitat area	Part 10, Division 1	N
Noise sensitive place on noise attenuation land	Part 11	N
SEQ regional landscape and rural production area and SEQ rural living area	Part 16, Division 1	N
SEQ regional landscape and rural production area and SEQ rural living area (Community activity)	Part 16, Division 3, Subdivision 1	N
SEQ regional landscape and rural production area and SEQ rural living area (Residential development)	Part 16, Division 5	N
SEQ regional landscape and rural production area and SEQ rural living area (Urban activity - Shopping Centre)	Part 16, Division 6, Subdivision 1	N
Wetland Protection Area	Part 20, Division 1	N

5.2.1 REFERRALS

Schedule 10 of the Regulation identifies when a development application requires referral to a referral agency. In respect to referrals, the Regulation identifies the:

- Trigger for referral
- Referral agency
- Limitations on referral agency's powers
- Matters the referral agency's assessment must or may be against (as applicable)
- Matters the referral agency's assessment must or may have regard to (as applicable)
- Fee for referral.

Table 4-1 and **Table 4-2** are referral checklists against the requirements of Schedule 9 and Schedule 10 and identifies that the subject development application is not subject to any referrals.

TABLE 5-2 REFERRALS IDENTIFIED IN SCHEDULE 9 OF THE *PLANNING REGULATION 2017*

Referral Aspect	Referral Requirement (Schedule 9)	Aspect of Development Trigger				Jurisdiction		Assessment Matter	Applicable (Y/N)
		OPW	ROL	MCU	BW	State	Other		
Premises seaward of coastal building line	Part 3, Division 1, Table 1, Item 1				•	•		SDAP	N
Declared fish habitat area	Part 3, Division 1, Table 2, Item 1				•	•		SDAP	N
State transport corridor	Part 3, Division 1, Table 3, Item 1				•	•		SDAP	N
Future State transport corridor	Part 3, Division 1, Table 4, Item 1				•	•		SDAP	N
Particular class 1 and 10 buildings and structures involving possible amenity and aesthetic impacts	Part 3, Division 2, Table 1, Item 1				•		•	Other ⁴	N
Particular buildings for residential purposes	Part 3, Division 2, Table 2, Item 1				•		•	Other ⁵	N
Design and siting	Part 3, Division 2, Table 3, Item 1				•		•	Other ⁶	N
Fire safety in particular budget accommodation buildings	Part 3, Division 2, Table 4, Item 1				•		•	Other ⁷	N
Higher risk personal appearance services	Part 3, Division 2, Table 5, Item 1				•		•	Other ⁸	N
Building work for residential services	Part 3, Division 2, Table 6, Item 1				•		•	Other ⁹	N
Building work for removal or rebuilding	Part 3, Division 2, Table 7, Item 1				•		•	Other ¹⁰	N

⁴ Whether the building or structure will impact on the amenity or aesthetics of the locality, including, for example, whether the building or structure complies with a matter stated in a local instrument that regulates impacts on amenity or aesthetics

⁵ Whether the building is suitable for residential purposes

⁶ Whether the proposed building or structure complies with the performance criteria or qualitative statement stated in the paragraph

⁷ Whether, after the building work is completed, the building will comply with the fire safety standard under the Building Act

⁸ Whether the building work complies with the performance criteria stated in the Queensland Development Code, part 5.2 that are relevant to the acceptable solution

⁹ Whether, if the building work is carried out, the premises would comply with the Queensland Development Code, part 5.7

¹⁰ (a) Whether the local government should require security, of no more than the value of the building work, for the performance of the work (b) If security is required, the amount and form of security that is appropriate for the development

Referral Aspect	Referral Requirement (Schedule 9)	Aspect of Development Trigger				Jurisdiction		Assessment Matter	Applicable (Y/N)
		OPW	ROL	MCU	BW	State	Other		
Building work for particular class 1 buildings relating to Material Change of Use	Part 3, Division 2, Table 8, Item 1				•		•	Other ¹¹	N
Temporary accommodation buildings	Part 3, Division 2, Table 9, Item 1				•		•	Other ¹²	N
Building work relating to end of trip facilities for Queensland Development Code, part 4.1	Part 3, Division 2, Table 10, Item 1				•		•	Other ¹³	N
Building work for class 1 building on premises with on-site wastewater management system	Part 3, Division 2, Table 11, Item 1				•		•	Other ¹⁴	N
Flood hazard area	Part 3, Division 2, Table 12, Item 1				•		•	Other ¹⁵	N

¹¹ The relevant provisions of a local instrument that would apply for the application if schedule 6, part 2, section 2(2) did not apply for the material change of use

¹² Whether the building work complies with performance criteria 1 of the Queensland Development Code, part 3.3

¹³ Whether the building work complies with performance criteria P12 of the Queensland Development Code, part 4.1

¹⁴ Whether the building work complies with the Queensland Plumbing and Wastewater Code, part 1, performance criteria P2

¹⁵ Matters stated in Part 3, Division 2, Table 12, Item 4

TABLE 5-3 REFERRALS IDENTIFIED IN SCHEDULE 10 OF THE *PLANNING REGULATION 2017*

Referral Aspect	Referral Requirement (Schedule 10)	Aspect of Development Trigger				Jurisdiction		SDAP Code / Assessment Matter	Applicable (Y/N)
		OPW	ROL	MCU	BW	State	Other		
Airport Land	Part 1, Division 3, Table 1, Item 1 - Column 2	•	•	•	•		•	Other ¹⁶	N
Clearing native vegetation	Part 1, Division 4, Table 1-3, Item 1 – Column 2	•	•	•		•		16	N
Contaminated land	Part 4, Division 3, Table 1, Item 1 - Column 2		•	•		•		13 ¹⁷	N
Environmentally relevant activities	Part 5, Division 4, Table 1, Item 1 - Column 2			•			•	22	N
Fisheries (Aquaculture)	Part 6, Division 1, Subdivision 3, Table 1, Item 1 - Column 2			•		•		17	N
Fisheries (Declared Fish Habitat)	Part 6, Division 2, Subdivision 3, Table 1, Item 1 - Column 2	•				•		12	N
Fisheries (Marine Plants)	Part 6, Division 3, Subdivision 3, Table 1-2, Item 1 – Column 2	•	•	•		•		11	N
Fisheries (Waterway barrier works)	Part 6, Division 4, Subdivision 3, Table 1, Item 1 - Column 2	•				•		18	N
Hazardous chemical facilities	Part 7, Division 3, Table 1, Item 1 - Column 2			•		•		21	N
Heritage Places (Local heritage places)	Part 8, Division 1, Subdivision 3, Table 1, Item 1 - Column 2				•		•	Other ¹⁸	N
Heritage Places (Queensland heritage place)	Part 8, Division 2, Subdivision 3, Table 1-2, Item 1 – Column 2	•	•	•	•	•		14	N

¹⁶ The matters the Local Government as referral agency must be against include the impacts of the proposed development, identified by the local government, on land in its local government area, other than airport land.

¹⁷ Where for other than contamination because of unexploded ordnance, the Single Assessment Referral Agency (SARA) will assess contaminated land applications against the criteria in the Regulation.

¹⁸ For a local heritage place on the local government's local heritage register under the Heritage Act – assessment must be against the code in the *Queensland Heritage Regulation 2015*, schedule 2. For a local heritage place identified in the local government's planning scheme – the assessment must be against the relevant provisions of a local categorising instrument.

Referral Aspect	Referral Requirement (Schedule 10)	Aspect of Development Trigger				Jurisdiction		SDAP Code / Assessment Matter	Applicable (Y/N)
		OPW	ROL	MCU	BW	State	Other		
Infrastructure-related referrals (Designated premises)	Part 9, Division 1, Table 1, Item 1 - Column 2 (Assessable Development)	•	•	•	•	•		Other ¹⁹	N
Infrastructure-related referrals (Electricity infrastructure)	Part 9, Division 2, Table 1-3, Item 1 - Column 2	•	•	•			•	Other ²⁰	N
Infrastructure-related referrals (Oil and gas infrastructure)	Part 9, Division 3, Table 1 - 3, Item 1 - Column 2	•	•	•		•		Other ²¹	N
Infrastructure-related referrals (State transport infrastructure generally)	Part 9, Division 4, Subdivision 1, Table 1, Item 1 - Column 2	•	•	•		•		6	N
Infrastructure-related referrals (State transport corridors and future State transport corridor)	Part 9, Division 4, Subdivision 2, Table 1-6, Item 1 - Column 2	•	•	•		•		1, 2, 3, 4	N
Infrastructure-related referrals (State-controlled transport tunnels and future State-controlled transport tunnels)	Part 9, Division 4, Subdivision 3, Table 1-3, Item 1 - Column 2	•	•	•		•		5	N
Ports (Brisbane core port land)	Part 13, Division 1, Subdivision 2, Table 1			•			•	Other ²²	N
Ports (Brisbane core port land)	Part 13, Division 1, Subdivision 2, Table 2-11	•	•	•	•	•		1 ²³ , 22, 8, 21, 10, 20, 12	N
Ports (Land within Port of Brisbane's port limits—referral agency's assessment)	Part 13, Division 2, Table 1, Item 1 - Column 2	•	•	•		•		8	N
Ports (Land within Port of Brisbane's port limits—referral agency's assessment)	Part 13, Division 2, Table 2, Item 1 - Column 2	•	•	•			•	Other ²⁴	N

¹⁹ The referral agency's assessment must have regard to the designation.

²⁰ The referral agency's assessment must be against the purposes of the Electricity Act and the Electrical Safety Act.

²¹ The referral agency's assessment must be against the purposes of the Petroleum and Gas Act.

²² The matters Brisbane City Council assessment as referral agency must be against include the impacts of the proposed development, identified by the council, on land in its local government area, other than Brisbane core port land.

²³ Where involving development that is inconsistent with Brisbane port LUP for transport reasons the matters the referral agency must be against include 'the transport reasons'.

²⁴ The referral agency's assessment must be against the safety and operational integrity of the port.

Referral Aspect	Referral Requirement (Schedule 10)	Aspect of Development Trigger				Jurisdiction		SDAP Code / Assessment Matter	Applicable (Y/N)
		OPW	ROL	MCU	BW	State	Other		
Ports (Land within limits of another port – assessable development)	Part 13, Division 3, Table 1, Item 1 – Column 2	•	•	•			•	Other ²⁵	N
Ports (Strategic port land)	Part 13, Division 5, Subdivision 3, Table 1, Item 1 – Column 2	•	•	•		•		Other ²⁶	N
SEQ Development Area (Reconfiguring a lot – referral agency's assessment)	Part 15, Division 1, Table 1, Item 1 – Column 2		•			•		Other ²⁷	N
SEQ Development Area (Material Change of Use)	Part 15, Division 2, Subdivision 3, Table 1, Item 1 – Column 2			•		•		Other ²⁸	N
SEQ regional landscape and rural production area and SEQ rural living area (Tourist or sport and recreation activity)	Part 16, Division 2, Subdivision 3, Table 1, Item 1 – Column 2			•		•		Other ²⁹	N
SEQ regional landscape and rural production area and SEQ rural living area (Community activity)	Part 16, Division 3, Subdivision 4, Table 1, Item 1 – Column 2			•		•		Other ³⁰	N
SEQ regional landscape and rural production area and SEQ rural living area (Indoor recreation)	Part 16, Division 4, Subdivision 3, Table 1, Item 1 – Column 2			•		•		Other ³¹	N
SEQ regional landscape and rural production area and SEQ rural living area (Urban activity - biotechnology industry / service station / another urban activity)	Part 16, Division 6, Subdivision 4, Table 1, Item 1 – Column 2			•		•		Other ³²	N

²⁵ The referral agency's assessment must be against the port authority functions under the Transport Infrastructure Act, Chapter 8, part 3.

²⁶ The referral agency's assessment must be against the Transport Infrastructure Act, section 287A.

²⁷ The referral agency's assessment must be against whether the development is consistent with the future planning intent for the area in which the premises are located.

²⁸ As stated in Part 15, Division 2, Subdivision 3, Table 1, Item 4

²⁹ As stated in Part 16, Division 2, Subdivision 3, Table 1, Item 4

³⁰ As stated in Part 16, Division 3, Subdivision 4, Table 1, Item 4

³¹ As stated in Part 16, Division 4, Subdivision 3, Table 1, Item 4

³² As stated in Part 16, Division 6, Subdivision 4, Table 1, Item 4

Referral Aspect	Referral Requirement (Schedule 10)	Aspect of Development Trigger				Jurisdiction		SDAP Code / Assessment Matter	Applicable (Y/N)
		OPW	ROL	MCU	BW	State	Other		
SEQ regional landscape and rural production area and SEQ rural living area (Combined uses – community activity / indoor recreation / sport and recreation / tourist activity / urban activity)	Part 16, Division 7, Subdivision 3, Table 1, Item 1 – Column 2			•		•		Other ³³	N
Tidal works or work in a coastal management district	Part 17, Division 3, Table 1-6, Item 1 – Column 2	•	•	•		•		7, 8	N
Urban design	Part 18			•		•		24	N
Water related development (Taking or interfering with water)	Part 19, Division 1, Subdivision 3, Table 1, Item 1 – Column 2	•				•		10	N
Water related development (Removing quarry material)	Part 19, Division 2, Subdivision 3, Table 1, Item 1 – Column 2	•				•		15	N
Water related development (Referable dams)	Part 19, Division 3, Subdivision 3, Table 1, Item 1 – Column 2	•				•		20	N
Water related development (Levees)	Part 19, Division 4, Subdivision 3, Table 1, Item 1 – Column 2	•				•		19	N
Wetland Protection Area	Part 20, Division 4, Table 1-2, Item 1 – Column 2	•	•	•		•		9	N

³³ As stated in Part 16, Division 7, Subdivision 3, Table 1, Item 4

5.3 STATE PLANNING POLICY

The current version of the State Planning Policy (SPP) is **July 2017**.

The local planning instrument referred to in section 5.0 of this Planning Report is identified by the then Minister to appropriately reflect the prior version of the SPP.

Assessment of the proposed development against the current version of the SPP has not been undertaken.

5.4 REGIONAL PLAN

The *Far North Queensland Regional Plan 2009 – 2031* ('the Regional Plan') is relevant to the site. The site is located within the Regional Landscape and Rural Production Area pursuant to the Regional Plan.

The Minister has identified that the Planning Scheme, specifically the strategic framework, appropriately advances the Regional Plan, as it applies in the planning scheme area.

On this basis, further assessment against the provisions of the Regional Plan has not been undertaken.

6. LOCAL PLANNING MATTERS

The *Douglas Shire Planning Scheme 2018* is the local planning instrument in force within the Douglas Shire local government area.

The current version of the Douglas Shire Planning Scheme is version 1.

6.1 ZONE

The site is located in the Conservation Zone.

6.2 LOCAL PLAN

The site is located within the Conservation Precinct of the Cape Tribulation and Daintree Coast Local Plan.

6.3 OVERLAYS

The site is subject to the following overlays:

- Acid Sulfate Soils (5-20m AHD)
- Bushfire Hazard Overlay (High Potential Bushfire Intensity)
- Flood and Storm Tide Hazard Overlay (Floodplain Assessment Overlay)
- Landscape Values Overlay (High Landscape Values)
- Natural Areas Overlay (MSES Regulated Vegetation / MSES Wildlife Habitat)

6.4 CATEGORIES OF DEVELOPMENT AND ASSESSMENT

The proposed development is subject to Code Assessment, pursuant to Table 5.6.c of the Planning Scheme.

Relevantly, the proposed development is located within Precinct 1 in the Cape Tribulation and Daintree Coast local plan and complies with AO18 of the Cape Tribulation and Daintree Coast local plan³⁴.

6.5 CODE COMPLIANCE

Pursuant to Table 5.6.c of the Planning Scheme, the following codes apply to the assessment of the proposed development:

- Conservation Zone Code
- Cape Tribulation and Daintree Coast Local Plan Code
- Acid Sulfate Soils Overlay Code
- Bushfire Hazard Overlay Code
- Flood and Storm Tide Hazard Overlay Code
- Landscape Values Overlay Code
- Natural Areas Overlay Code
- Potential Landslip Hazard Overlay Code
- Transport Network Overlay Code
- Dwelling House Code
- Access, Parking and Servicing Code

³⁴ As confirmed within Council correspondence (Information Request) dated 9 December 2021.

- Filling and Excavation Code
- Landscaping Code
- Vegetation Management Code.

An assessment against each of the following key codes is provided in **Schedule 3**:

- Conservation Zone Code
- Flood and Storm Tide Hazard Overlay Code
- Landscape Values Overlay Code
- Natural Areas Overlay Code.

A Bushfire Hazard Assessment and Management Plan has been prepared by S5 Environmental, which contains a response to the Bushfire Hazard Overlay Code (refer **Schedule 4**).

Summarised responses are provided below for the balance of applicable codes:

- **Cape Tribulation and Daintree Coast Local Plan Code:** The site is located within the Conservation Precinct of the Cape Tribulation and Daintree Coast Local Plan. An existing Dwelling is established on the site. The proposal has regard to the establishment of an additional, single storey Dwelling House. The existing Dwelling will be retained as a 'Secondary Dwelling'. The prevailing character of the area includes Dwelling Houses established on large landholdings, alongside native vegetation.

The proposed development is considered to be of a scale that is compatible with the site and surrounds; and therefore, the proposed development will not adversely affect scenic amenity values. In addition, it is understood that the proposed development (for Dwelling House) does not require any clearing; and therefore, the development will not adversely affect environmental values and is not considered to be 'incompatible' development, in reference to the prevailing character of the area. On this basis, the proposed development is considered to comply with the applicable overall outcomes of the Local Plan Code, as stated following (emphasis added):

- ensure the conservation, protection and restoration of biological diversity and ecological integrity values of land, and to maintain scenic amenity values;*
- ensure that further incompatible development, including houses, does not occur;*
- ensure that where development does occur, it does not adversely affect environmental and scenic amenity values and is in keeping with the natural characteristics of the land.***

Development complies, or can be conditioned to comply, with the Cape Tribulation and Daintree Coast Local Plan Code.

- **Acid Sulfate Soils Overlay Code:** The Dwelling House is proposed to be established via 'pole construction' and therefore, minimal earthworks are required. Development complies or can comply with the relevant provisions of the Acid Sulfate Soils Overlay Code.
- **Transport Network Overlay Code:** An additional Dwelling House is proposed, retaining the existing Dwelling as a Secondary Dwelling. The proposed development will not result in a significant increase in traffic volumes to/from the site. Further, an upgraded crossover is proposed, contributing to a safe and efficient road network. The development will not compromise the safety and efficiency of major transport

infrastructure.

- **Dwelling House Code:** The proposed Secondary Dwelling has an area of approximately 75m² and therefore complies with AO1 of the Dwelling House Code. The site includes sufficient area to accommodate car parking required by AO2 (i.e. two (2) car parking spaces to the Dwelling House and one (1) car parking space to the Secondary Dwelling). Development complies with the Dwelling House Code on this basis.
- **Access, Parking and Servicing Code:** The site provides sufficient area to accommodate vehicle parking relevant to the proposed land use. In addition, access to the site is proposed to be upgraded in accordance with FNQROC standards, providing for safe access to the premises. Development complies or can comply with the Access, Parking and Servicing Code.
- **Filling and Excavation Code:** The Dwelling House is proposed to incorporate 'pole construction' and therefore, minimal earthworks are required. Development complies or can comply with the relevant provisions of the Filling and excavation code.
- **Landscaping Code:** The site contains existing vegetation, which will be retained to the greatest extent practicable and contribute to the landscaping of the site³⁵. A 10-metre wide landscaping buffer located adjacent the driveway will be revegetated by the Applicant. Development therefore complies with the Landscaping code; including overall outcome (2)(e), which requires that *"As far as practical, existing vegetation on site is retained, and protected during works and integrated with the built environment"*.
- **Vegetation Management Code:** The site contains vegetation, which will be retained to the greatest extent practicable³⁵. Development complies with the Vegetation Management Code on this basis.

6.5.1 ALTERNATIVE SOLUTIONS

Alternative Solutions provided in respect of Acceptable / Performance Outcomes are detailed in **Table 5-1**.

TABLE 6-1 ALTERNATIVE SOLUTIONS

Acceptable Outcome	Performance Outcome
Conservation Zone Code	
A07.1 For any development, the balance area of the site not built upon, including all setback areas must be landscaped/revegetated with dense three tier, endemic planting which is maintained to ensure successful screening is achieved.	Complies with Performance Outcome Existing vegetation located on the site is proposed to be retained. The Applicant also intends to revegetate a 10.0 metre wide landscape buffer alongside the driveway, to achieve an appropriate level of screening. Development therefore complies with PO1, in that development is screened from view from adjoining roads and properties with a dense screen of endemic/native landscape which: (a) is informal in character and complementary to the existing natural environment; (b) provides screening; (c) enhances the visual appearance of the development.

³⁵ It is understood that no clearing is required in respect of the proposed Dwelling House.

Flood and Storm Tide Hazards Overlay Code

A01.3

New buildings are:

- (a) not located within the overlay area;
- (b) located on the highest part of the site to minimise entrance of flood waters;
- (c) provided with clear and direct pedestrian and vehicle evacuation routes off the site.

Complies with Performance Outcome

Development is proposed within the Floodplain Assessment Overlay sub-category. The site is relatively flat, however slopes to the rear of the premises.

The proposed Dwelling House will be elevated, with a Finished Floor Level (FFL) approximately 800mm above natural ground level. In addition, the proposed 4.5 metre wide gravel driveway will provide 'all weather access' to the proposed Dwelling House.

The existing crossover is proposed to be upgraded to include a 375Ø concrete pipe to facilitate the conveyance of stormwater. The existing cut off drain located to the southern boundary of the premises will be re-profiled to provide for the conveyance of overland flow to appropriate discharge points.

Development has therefore been designed in consideration of the safety of all persons, and to minimise damage to the development and contents of buildings and minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events.

Development complies with PO1 on this basis

A07

Development does not:

- (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.

Complies with Performance Outcome

A Dwelling House is proposed at the premises. The existing Dwelling will be retained as a Secondary Dwelling.

The proposed Dwelling will have finished floor levels of approximately 800mm above natural ground level. Stormwater infrastructure will assist in the conveyance of overland flow, including within the upgraded crossover to the site.

On this basis, the proposed development is not expected to unduly burden disaster management response or recovery. Development complies with PO7 on this basis.

Natural Areas Overlay Code

A07.1

Development avoids shading of vegetation by setting back buildings by a distance equivalent to the height of the native vegetation.

Complies with Performance Outcome

The proposed development has a maximum height of approximately 7.675 metres; and therefore, is not expected to unduly shade vegetation. It is understood that no clearing is required and therefore, development minimises disturbance to matters of environmental significance. Development complies with PO7 on this basis.

Bushfire Hazard Overlay Code³⁶

A012

Private driveways:

Complies with Performance Outcome

- a) The proposed driveway is approximately 124 m in length and therefore, exceeds the 60 m limit. As a performance solution, the

³⁶ Code responses provided by others. Refer **Schedule 4**.

- a) Do not exceed a length of 60 m from the street to the building;
- b) Do not exceed a gradient of 12.5%;
- c) Have a minimum width of 3.5m;
- d) Have a minimum of 4.8m vertical clearance;
- e) Accommodate turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and
- f) Serve no more than 3 dwellings or buildings.

access will adjoin onto already cleared areas and is currently used for the existing granny flat. The access will maintain the required minimum vertical and width clearances and will only be used by the residents of the proposed development.

- b) The proposed driveway does not exceed a gradient of 12.5 %.

- c) The proposed driveway has an average width of 4.5 m, which exceeds the minimum of 3.5 m.

- d) The proposed driveway should maintain a minimum 4.8 m vertical clearance.

- e) The adjacent maintained mown grass areas can suitably accommodate turning areas for fire-fighting appliances.

Overall, S5 Environmental are of the opinion that the existing and proposed extension to the driveway can achieve PO12, being immediately adjacent to historically cleared, and modified mown grass areas.

7. CONCLUSION

Kayla S Miller & Geoff J Miller ('the Applicants') propose Material Change of Use (Dwelling House and Secondary Dwelling) development on land at 47 Hickory Road, Cow Bay.

Development complies with the relevant assessment benchmarks; where alternative solutions are provided to Acceptable Outcomes, development complies with the corresponding Performance Outcome and/or the Purpose and Overall Outcomes of the relevant Code.

On this basis, the proposed development is considered to be capable of being approved in the context of the Planning Scheme. More broadly, the proposed development is considered to advance the purpose of the *Planning Act 2016*.

Accordingly, on behalf of the Applicants, we respectfully recommend approval of the development application, subject to reasonable and relevant conditions of approval.



47 Hickory Road, Cow Bay | April 2022

8. SCHEDULES

SCHEDULE 1 SEARCHES

SCHEDULE 2 PROPOSAL PLANS

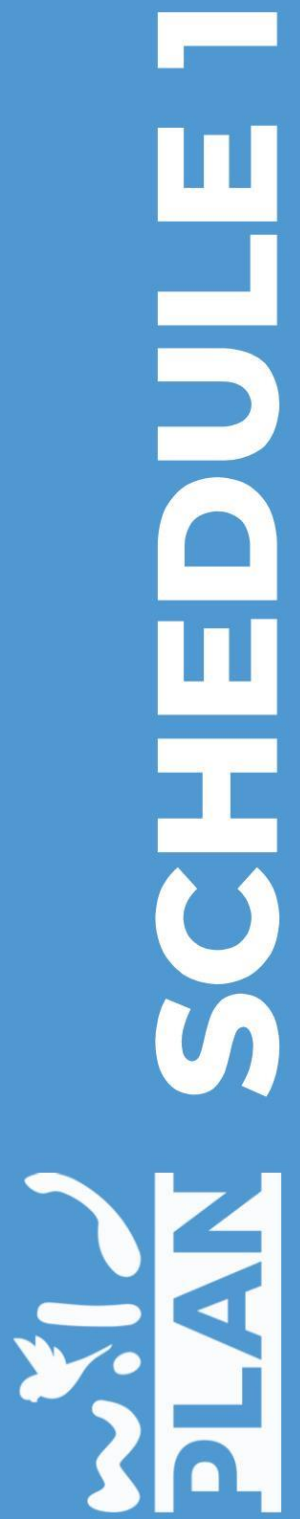
SCHEDULE 3 PLANNING SCHEME COMPLIANCE

SCHEDULE 4 BUSHFIRE HAZARD ASSESSMENT AND MANAGEMENT PLAN (S5 ENVIRONMENTAL)

SCHEDULE 5 UPDATED DA FORM 1

SCHEDULE 1

SEARCHES



Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	21198244	Search Date:	17/03/2022 14:25
Date Title Created:	09/02/1983	Request No:	40473871
Previous Title:	20876165		

ESTATE AND LAND

Estate in Fee Simple

LOT 358 REGISTERED PLAN 739002
Local Government: DOUGLAS

REGISTERED OWNER

Dealing No: 717971386 20/04/2017

GEOFFREY JOHN MILLER
KAYLA SUE MILLER

JOINT TENANTS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20103160 (POR 190)
2. MORTGAGE No 717971388 20/04/2017 at 09:41
WESTPAC BANKING CORPORATION A.B.N. 33 007 457 141

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

39002

PLAN MUST BE DRAWN WITHIN BLUE LINES

39002

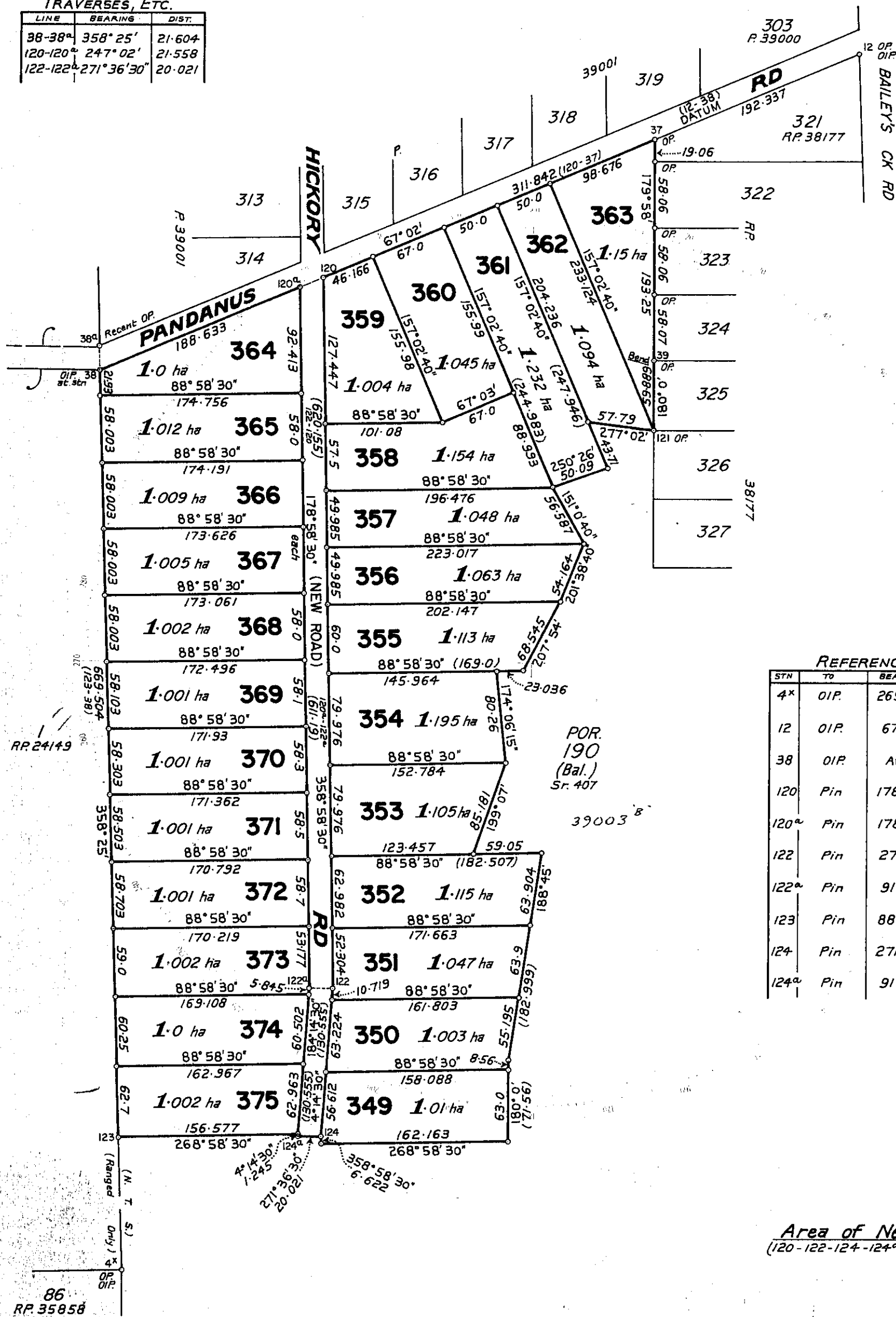
39002

PLAN MUST BE DRAWN WITHIN BLUE LINES

39002

TRAVERSES, ETC.


LINE	BEARING	DIST.
38-38 ^a	358° 25'	21.604
120-120 ^a	247° 02'	21.558
122-122 ^a	271° 36' 30"	20.021



REFERENCE MARKS

STN	TO	BEARING	DIST.	BRAND
4 ^x	OIP.	269° 02'	2.515	
12	OIP.	67° 02'	1.0	
38	OIP.	At station		in Cairn of Stones
120	Pin	178° 58'	1.0	
120 ^a	Pin	178° 58'	1.0	
122	Pin	271° 36'	1.0	
122 ^a	Pin	91° 36'	1.0	
123	Pin	88° 58'	1.0	
124	Pin	271° 36'	1.0	
124 ^a	Pin	91° 36'	1.0	

Area of New Road 1.492 ha
(120-122-124-124^a-122^a-120^a-120)

No. FIELD NOTES LODGED		LINES NOT SURVEYED		STNS	CORNERS NOT MARKED		STNS
ORIGINAL PORTION 190		PLAN OF Lots 349 to 375 Cancelling part of Por. 190 on plan Sr. 407				TOWN	
ORIGINAL GRANT N 3258						PARISH ALEXANDRA	
						COUNTY Solander	
MAP REF.	PROCLAIMED SURVEY AREA	SURVEYED BY Peter Stopford 28 / 8 / 1982	MERIDIAN RP 38177	 SCALE 1:3000	REGISTERED PLAN 739002		

CROWN COPYRIGHT RESERVED, REGISTRAR OF TITLES, QUEENSLAND.

CISP

FOR TITLES OFFICE USE ONLY

Previous Title (P/C)
D.G. Vol. N 876. Fol. 155. Per. 188. en D.M.S. Pl. 20. Sr. 407.

Signature of Licensed Surveyor.

Dated this 6th day of December 1982

~~Mayor or~~
Chairman

Town and
Shire Clerk

of this land, agree to this Plan and dedicate the new roads shown hereon to public use.

Signature of Proprietor/s

GEORGE GUMIN (JUNIOR) AS ONLY CONSTITUTED ATTORNEY
FOR SOUTHERN-OMINTWA PASTORAL CO. PTY LTD

New C.T. Ref.

(Re) Sub.	Vol.	Fol.
349	N1158	235
350	"	236
351	"	237
352	"	238
353	"	239
354	"	240
355	"	241
356	"	242
357	"	243
358	"	244
359	"	245
360	"	246
361	"	247
362	"	248
363	"	249
364	"	250
365	N1159	1
366	"	2

New C.T. Ref.

(Re) Sub.	Vol.	Fol.
367	N 1159	3
368	-	4
369	-	5
370	-	6
371	-	7
372	-	8
373	-	9
374	-	10
375	-	11

27 NOV 1965
Vol. _____ Fol. _____

Lodged by

I. SCIACCA
SOLICITOR
P.O. BOX 5119
CAIRNS

Received
Registrar of Titles

Journal No.

T 74516

Receipt No

67861

REC'D
JUN 5 12 15 PM '83
FBI

Calc. Bk. No. 143/30
Examined 10/183 7/11
Passed 20/183 1/11
Charted 1/1
Map Ref. _____

Particulars entered in Register Book
Vol. N876 Folio 165

at 9-46 a.m.

28 JAN 1983

REGISTRAR OF TITLES

Acting Dir. REGISTER
NORTHERN DISTRICT

Fees Payable

25-00	Postal fee and Postage
213-00	Lodgt, Exam. & Ass.
	Entd. on Docs.
	New Title
8-00	Entd. on Deeds
6-00	Photo Fee
100-00	Total
315-00	Short Fees Paid

REGISTERED PLAN 739002



Department of Environment and Science (DES)
ABN 46 640 294 485
400 George St Brisbane, Queensland 4000
GPO Box 2454, Brisbane QLD 4001, AUSTRALIA
www.des.qld.gov.au

SEARCH RESPONSE
ENVIRONMENTAL MANAGEMENT REGISTER (EMR)
CONTAMINATED LAND REGISTER (CLR)

Angus Scown
GPO Box 2746
Brisbane QLD 4001

Transaction ID: 50766048 EMR Site Id: 17 March 2022
Cheque Number:
Client Reference:

This response relates to a search request received for the site:
Lot: 358 Plan: RP739002
47 HICKORY RD
COW BAY

EMR RESULT

The above site is NOT included on the Environmental Management Register.

CLR RESULT

The above site is NOT included on the Contaminated Land Register.

ADDITIONAL ADVICE

All search responses include particulars of land listed in the EMR/CLR when the search was generated.
The EMR/CLR does NOT include:-

1. land which is contaminated land (or a complete list of contamination) if DES has not been notified
2. land on which a notifiable activity is being or has been undertaken (or a complete list of activities) if DES has not been notified

If you have any queries in relation to this search please phone 13QGOV (13 74 68)

Administering Authority

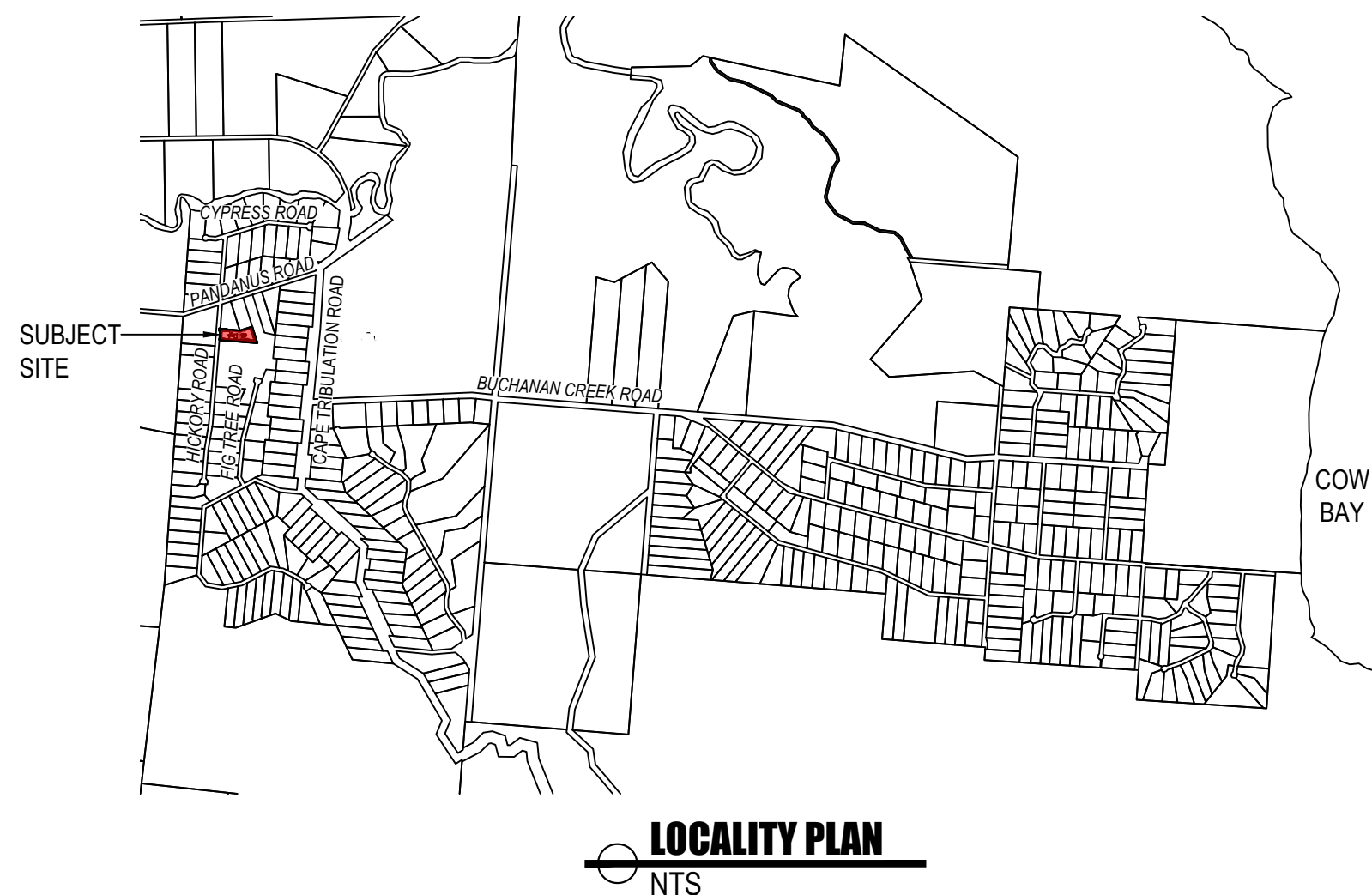
SCHEDULE 2

PROPOSAL PLANS



LIST OF DRAWINGS:

COVER SHEET
SITE PLAN
FLOOR PLAN - MAIN RESIDENCE
ELEVATIONS - MAIN RESIDENCE
FLOOR PLAN - GRANNY FLAT
ELEVATIONS - GRANNY FLAT

[illegible]

DATE PLOTTED: 01 April, 2022 - 1:31pm

CAD FILE: C:\Users\Kurt\Desktop\Cow Bay Project\GEOFF & KAYLAS.dwg

REAL PROPERTY DESCRIPTION				
LOT No.	-	358		
RP No.	-	739002		
AREA	-	1.153 ha.		
PARISH	-	ALEXANDRA		
COUNTY	-	SOLANDER		
LOCAL AUTHORITY	-	DOUGLAS SHIRE		

PLANTING SCHEDULE

PRIMARY SPECIES

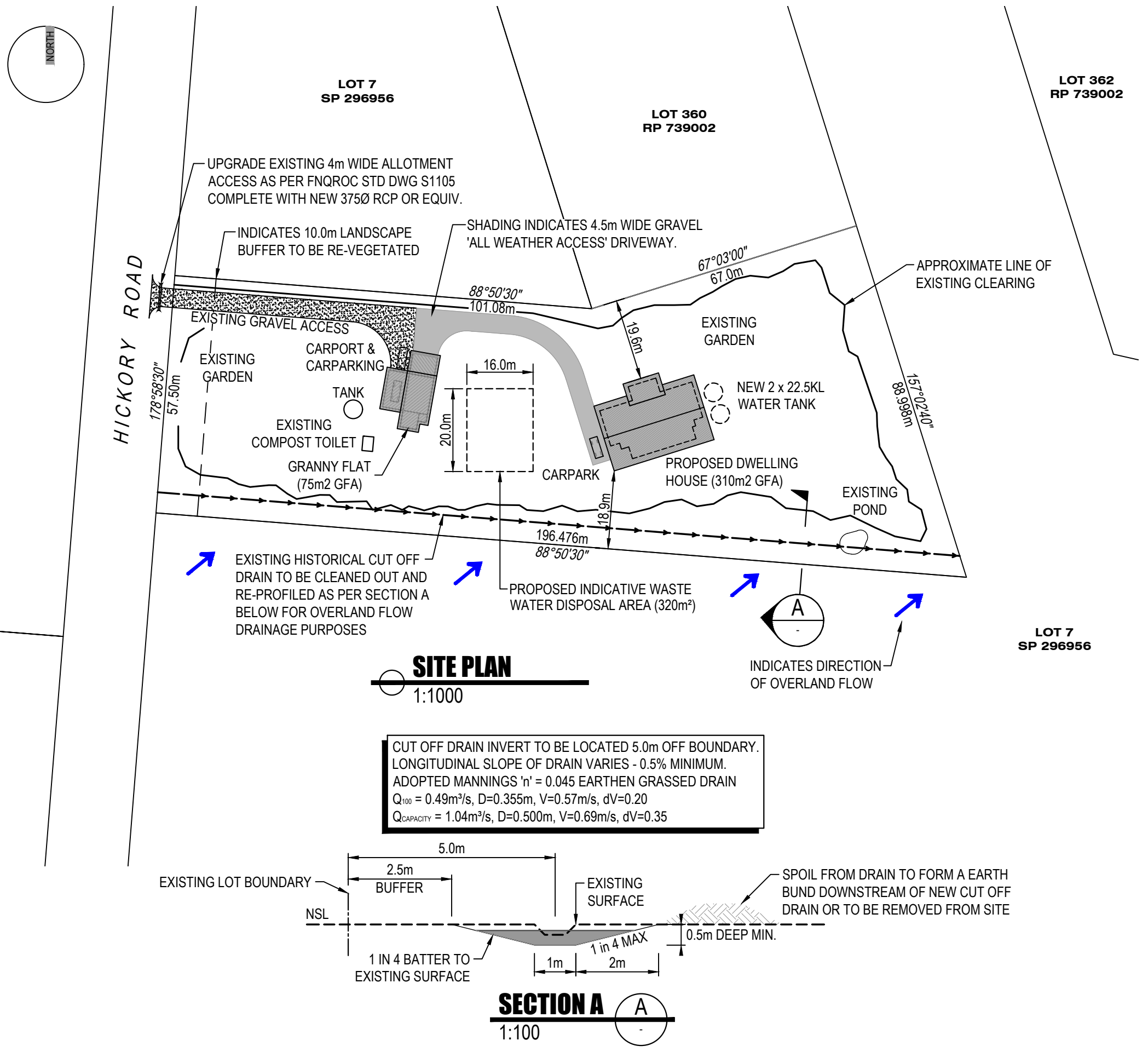
- Agathis Robusta - South Queensland Kauri
- Castanospermum Australe - Black Bean
- Elaeocarpus Grandis - Blue Quandong
- Ficus Superba - Deciduous Fig
- Melicope Elleryana - Pink Euodia
- Stenocarpus Sinuatus - Firewheel Tree
- Syzygium Francisii - Giant Water Gum
- Syzygium Mooreii - Coolamon
- Toona Ciliata - Red Cedar

SECONDARY SPECIES

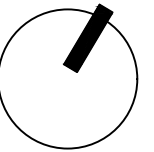
- Araucaria Bidwilli - Bunya Pine
- Araucaria Cunninghamii - Hoop Pine
- Archontophoenix Alexandre - Alexander Palm
- Brachychiton Acerifolius - Flame Tree
- Ficus Obliqua - Small Leaved Fig
- Xanthostemon Chrysanthus - Golden Penda
- Normanbya Normanbyi - Black Palm

UNDERSTORY PLANTS

- Alpinia Caerulea - Native Ginger
- Bowenia Spectabilis - Zamia Fern
- Cyathea Cooperi - Tree Fern
- Lepidozamia Hopei - Hope's Cycad
- Licuala Ramsayi - Australian Fan Palm



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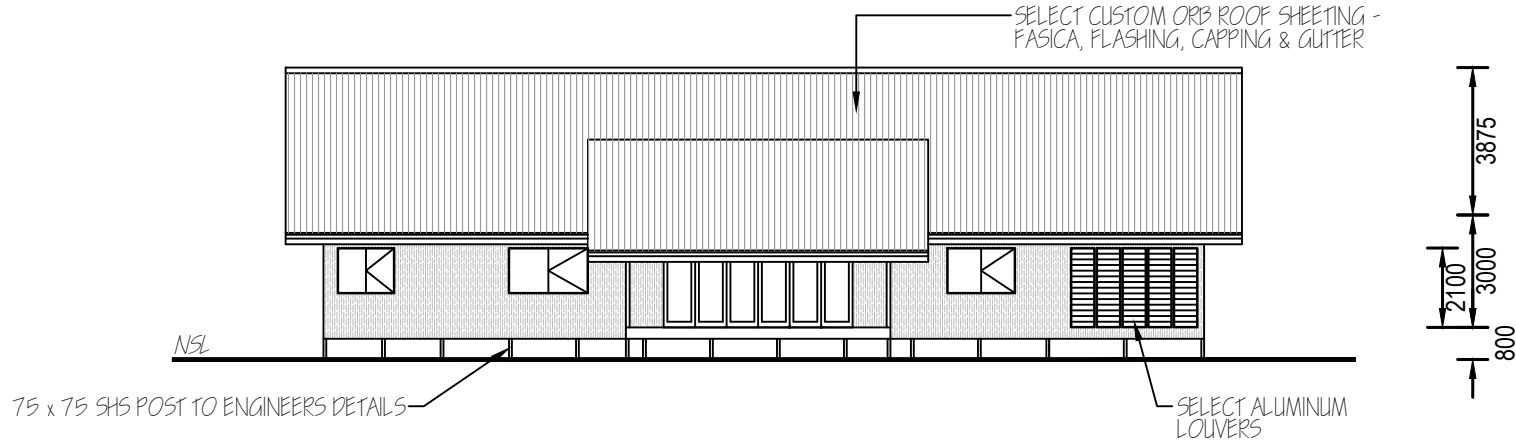
1:100

GFA	-	310m ²
Roof Area	-	442m ²
Site Coverage	-	2.7%

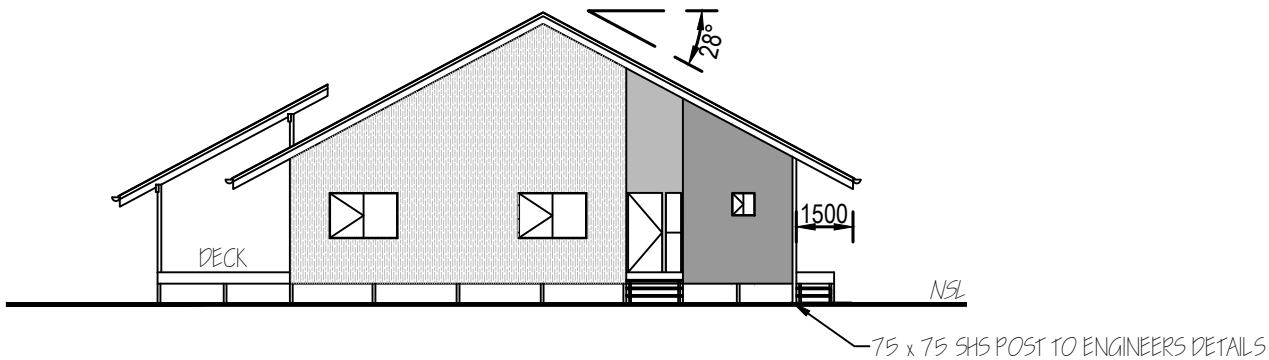
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Bv.	DATE	REVISIONS			KE
				REC.	APPR.

DESIGNED: KE	A3	DATUM: A.H.D.
DRAWN: KE		
CHECKED:		
RECOMMENDED: PROJ. MAN.	APPROVED: PROJ. DIR.	

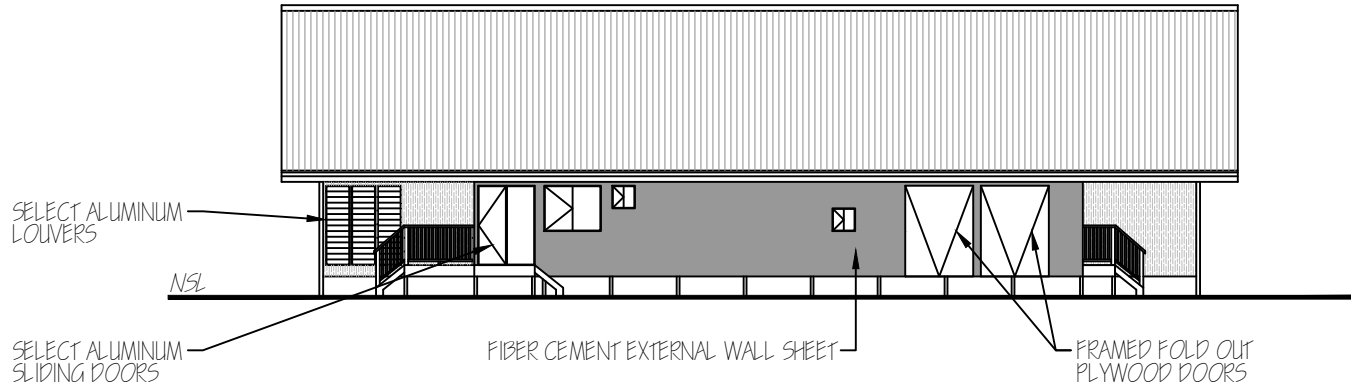
THE MILLER FAMILY RESIDENCE		
PROPOSED DWELLING HOUSE LOT 358 on RP 739002 HICKORY ROAD, COW BAY FLOOR PLAN - MAIN RESIDENCE	DATE: NOVEMBER 2021 DRAWING No: DA-2021-01.02	Rev.: A



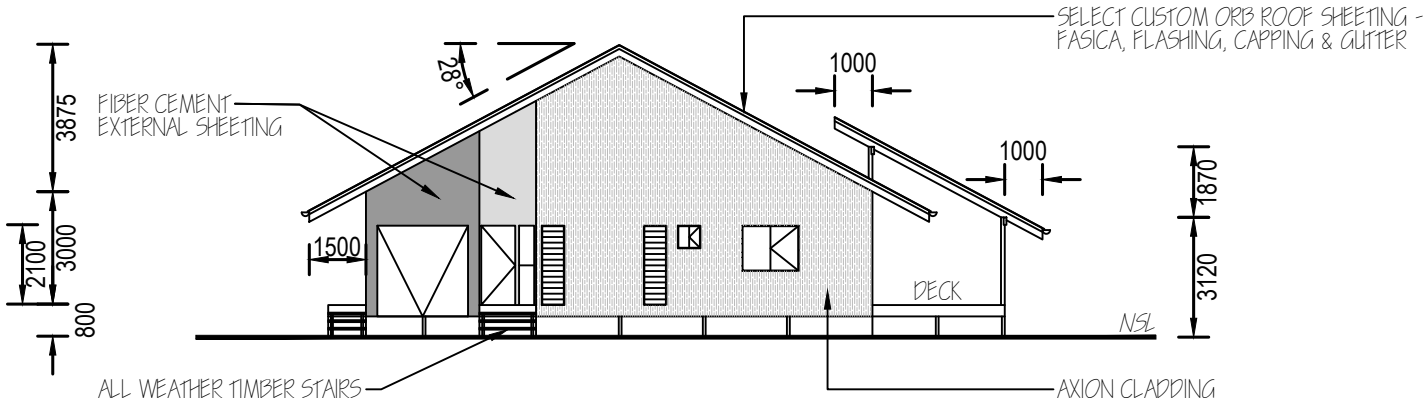
elevation 1
1:200



elevation 2
1:200



elevation 3
1:200

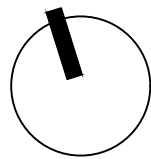


elevation 4
1:200

XREF's:			
A	NOV 21	ISSUED FOR COUNCIL APPROVAL	KE KE
Rv	DATE	REVISIONS	REC. APPR.

DESIGNED: KE	A3	DATUM: A.H.D.
DRAWN: KE		
CHECKED: -		
RECOMMENDED: PROJ. MAN.	APPROVED: PROJ. DIR.	

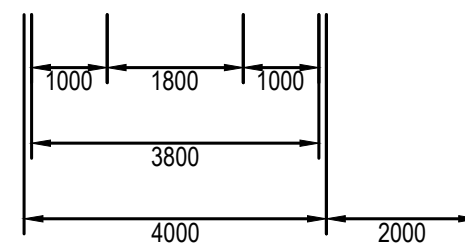
THE MILLER FAMILY RESIDENCE		
PROPOSED DWELLING HOUSE		DATE: NOVEMBER 2021
LOT 358 on RP 739002		DRAWING No:
HICKORY ROAD, COW BAY		DA-2021-01.03
ELEVATIONS - MAIN RESIDENCE		Rv. A



lower level

floor plan

1:100

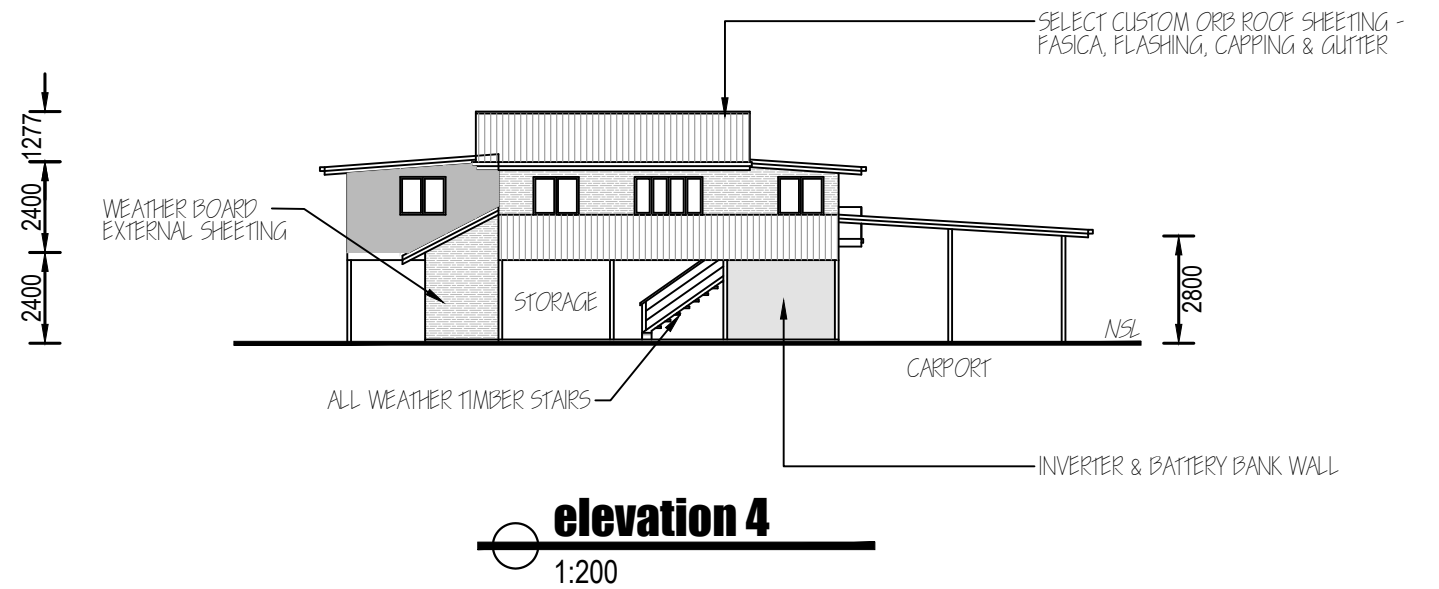
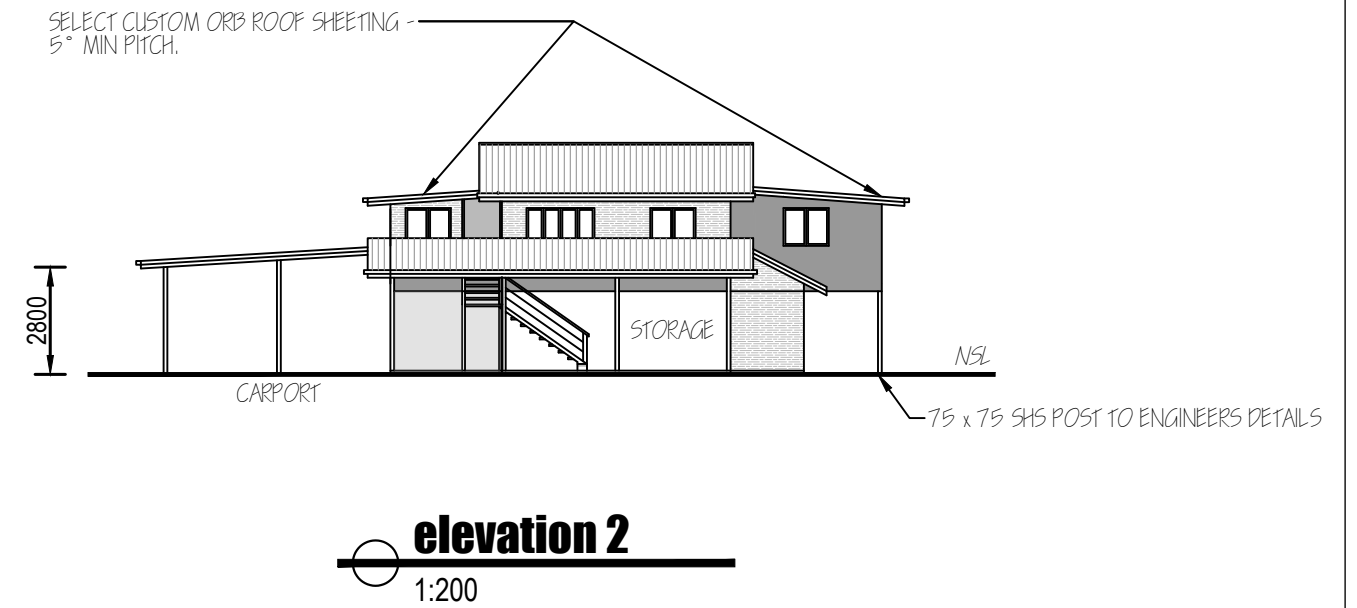


upper level

DESIGNED: KE	A3	DATUM: A.H.D.
DRAWN: KE		
CHECKED:		
RECOMMENDED: PROJ. MAN.	APPROVED: PROJ. DIR.	

PROPOSED DWELLING HOUSE
LOT 358 on RP 739002
HICKORY ROAD, COW BAY
FLOOR PLAN - GRANNY FLAT

DATE: NOVEMBER 2021	Rv
DRAWING No: DA-2021-01.04	B

[illegible]

SCHEDULE 3

PLANNING SCHEME COMPLIANCE



6.2.3 Conservation zone code

6.2.3.1 Application

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

6.2.3.2 Purpose

- (1) The purpose of the Conservation zone code is to provide for the protection, restoration and management of areas identified as supporting significant biological diversity and ecological integrity.
- (2) The local government purpose of the code is to:
 - (a) implement the policy direction set in the Strategic Framework, in particular:
 - (i) Theme 2 : Environmental and landscape values, Element 3.5.2 – Aboriginal cultural heritage values, Element 3.5.3 – Biodiversity, Element 3.5.3 – Coastal zones.
 - (ii) Theme 3 – Natural resource management, Element 3.6.2 – Land and catchment management.
 - (iii) Theme 4 – Strong communities and identity, Element 3.7.8 – Strengthening indigenous communities.
 - (b) conserve and maintain the integrity of biodiversity values, wildlife, habitats and other significant ecological assets and processes over time, across public and private lands.
- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Biological diversity, ecological integrity and scenic amenity are protected;
 - (b) Any recreational or other uses of areas that are in the control of the Crown, or the Council, such as reserves, national parks and the Wet Tropics World Heritage Area or areas adjacent to these areas, are consistent with the management plans of the controlling authority so that conservation and scenic values of these areas are not adversely affected;
 - (c) Any use of land in private ownership does not affect the environmental, habitat, conservation or scenic values of that land or surrounding area;
 - (d) Any low intensity facilities based on the appreciation of the natural environment or nature based recreation only establish where there is a demonstrated need and provided they have a minimal impact on the environmental and scenic amenity values of the site or surrounding area.
 - (e) The provisions of the Return to Country Local Plan facilitate economic and social opportunities on traditional Indigenous lands;
 - (f) Further lot reconfigurations other than amalgamations, boundary realignments to resolve encroachments, or for the practical needs of essential community infrastructure, or to facilitate Return to Country outcomes do not occur.

6.2.3.3 Criteria for assessment**Table 6.2.3.3.a – Conservation zone – assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
For assessable development		
PO1 The establishment of uses is consistent with the outcomes sought for the Conservation zone and protects the zone from the intrusion of inconsistent uses.	AO1 Uses identified in Table 6.2.3.3.b are not established in the Conservation zone.	R1 Complies Dwelling House development is not identified as an 'inconsistent use' within the Conservation Zone. An existing Dwelling House is established on the premises. It is understood that the proposed Dwelling House does not require the clearing of vegetation. On this basis, the proposed development is considered consistent with the outcomes sought for the Conservation zone; including that the biological diversity, ecological integrity and scenic amenity of the locality will not be unduly impacted by the development. Contextually, the locality is characterised by Dwelling Houses on large land holdings. Such development co-exists alongside lots held in National Park tenure. The proposed development does not prevent the protection, restoration and management of biological diversity, ecological integrity and scenic amenity. Development complies with PO1 on this basis.
PO2 The height of buildings is compatible with the character of the area and does not adversely affect the amenity of the area.	AO2 Buildings and structures are not more than 8.5 metres in height and two storeys. Note - Height is inclusive of roof height.	R2 Complies The proposed development is single storey and has a maximum building height of approximately 7.675 metres.
PO3 Development is setback from site boundaries so they are screened from view from the boundaries of adjoining	AO3 Buildings and structures are setback not less than: (a) 40 metres from the frontage of a State-controlled road, existing or proposed arterial road, existing or proposed	R3 Complies The proposed Secondary Dwelling (being the building nearest the road frontage) will be setback

Performance outcomes	Acceptable outcomes	Applicant response
properties and adjoining roads to maintain the scenic values of the area.	sub-arterial road, as identified on the Transport network overlay maps contained in Schedule 2; (b) 25 metres from Cape Tribulation Road frontage; (c) 20 metres from any other road frontage (d) 10 metres from side and rear boundaries.	approximately 52 metres from the road frontage boundary. Side and rear boundary setbacks exceed the prescribed 10 metres.
PO4 The site coverage of all buildings and structures does not have an adverse effect on the conservation or scenic amenity values of the site and surrounding area and buildings are subservient to the natural environment.	AO4 Development is sited in an existing cleared area or an area approved for clearing, but which is not yet cleared until a development permit to carry out Building Works is issued. Any clearing is limited to a maximum area of 700m ² and is sited clear of the high bank of any watercourse. Note – The 700m ² area of clearing does not include an access driveway.	R4 Complies It is understood that development is proposed within an existing cleared area (refer Site Plan in Schedule 2 and Figure 4 in the Town Planning Report).
PO5 Development is consistent with the overall outcomes sought for the Conservation zone.	AO5 No acceptable outcomes are prescribed.	R5 Performance Solution (no Acceptable Outcome prescribed) Dwelling House development is not identified as an 'inconsistent use' within the Conservation Zone. In addition, it is understood that the proposed Dwelling House does not require the clearing of vegetation. On this basis, the proposed development is considered consistent with the outcomes sought for the Conservation zone. Relevantly, the proposed development will not unduly impact upon biological diversity, ecological integrity and/or scenic amenity. In addition, the proposed development (a single storey Dwelling House on private land) will not affect the environmental, habitat, conservation or scenic values of that land or surrounding area. Development complies with PO5 on this basis.

Performance outcomes	Acceptable outcomes	Applicant response
P06 Development complements, and is subservient to the surrounding environment and is in keeping with the ecological, landscape and scenic values of the area.	A06 The exterior finishes and colours of all development are non-reflective and consist of colours that blend easily with surrounding native vegetation and view-shed.	R6 Will Comply The Applicant is willing to accept a condition of approval requiring that exterior finishes and colours of all development are non-reflective and consist of colours that blend easily with surrounding native vegetation and view-shed.
P07 Development is screened from view from adjoining roads and properties with a dense screen of endemic/native landscape which: (a) is informal in character and complementary to the existing natural environment; (b) provides screening; (c) enhances the visual appearance of the development. Note – Planning scheme policy – Landscaping provides further guidance on meeting the performance outcome.	A07.1 For any development, the balance area of the site not built upon, including all setback areas must be landscaped/revegetated with dense three tier, endemic planting which is maintained to ensure successful screening is achieved. A07.2 Endemic palm species, where used, are planted as informal accent features and not as avenues and not in a regular pattern.	R7.1 Performance Solution (Complies) Existing vegetation located on the site is proposed to be retained. The Applicant also intends to revegetate a 10.0 metre wide landscape buffer alongside the driveway, to achieve an appropriate level of screening. Development therefore complies with PO1, in that development is screened from view from adjoining roads and properties with a dense screen of endemic/native landscape which: (a) is informal in character and complementary to the existing natural environment; (b) provides screening; (c) enhances the visual appearance of the development. R7.2 Complies A variety of plant species are proposed, as indicated on the provided 'Planting Schedule' (refer Sheet DA-2021-01.01 – Site Plan of Schedule 2 – Proposal plans).
P08 Development is complementary to the surrounding environment.	A08.1 Development harmonises with the surrounding environment, for example, through suspended, light-weight construction on sloping sites, which requires minimal excavation or fill. A08.2 A driveway or parking areas are constructed and maintained to: (a) minimise erosion, particularly in the wet season;	R8.1 Complies A suspended built form is proposed (pole construction) versus slab on ground. The nature and form of development is considered to be appropriate relevant to the site context. R8.2 Complies / Will Comply The proposed Dwelling House will be accessed via a 4.5 metre wide gravel 'all weather access' driveway. It is understood that no vegetation

Performance outcomes	Acceptable outcomes	Applicant response
	(b) minimise cut and fill; (c) follow the natural contours of the site; (d) minimise vegetation clearing. A08.3 Buildings and structures are erected on land not exceeding a maximum gradient of 1 in 6 (16.6%). or	clearing is required in respect of the development. The Applicant intends to revegetate a 10.0 metre wide landscape buffer alongside the driveway, to achieve an appropriate level of screening. R8.3 Complies Development is not proposed on land with a gradient of greater than 1:6.
	On land steeper than 1 in 6 (16.6%) gradient: (a) A split level building form is utilised; (b) A single plane concrete slab is not utilised; (c) Any voids between building and ground level, or between outdoor decks and ground level are screened from view using lattice/battens and/or landscaping. and (d) is accompanied by a Geotechnical Report prepared by a qualified engineer at development application stage which includes certification that the site can be stabilised, followed by a certificate upon completion of works. A08.4 Buildings and structures are sited below any ridgelines and are sited to avoid protrusion above the surrounding tree-level canopy.	R8.4 Complies Development on a ridgeline is not proposed.
PO9 Development is located to: (a) protect the ecological values of the site and surrounding land; (b) maintain the scenic values of the area; (c) maintain appropriate setbacks to waterways, watercourses, wetlands, tidal areas and overland flow paths; (d) avoid areas that are vulnerable to natural hazards;	A09 No acceptable outcomes are prescribed.	R9 Performance Solution (no Acceptable Outcome) proposed It is understood that development is proposed within an already cleared area of the site and requires no additional clearing. On this basis, the proposed development will not impact upon native vegetation and fauna habitat and is not expected to detrimentally impact upon the ecological values of the site.

Performance outcomes	Acceptable outcomes	Applicant response
<p>(e) minimise to the greatest extent possible on site excavation and filling;</p> <p>(f) provide buffers to cultural, historical or ecological features;</p> <p>(g) minimise visibility from external sites or public viewing points;</p> <p>(h) minimises to the greatest extent possible the loss of native vegetation and fauna habitat.</p>		<p>A suspended built form is proposed (pole construction) versus slab on ground. The nature and form of development is considered to be appropriate relevant to the site context and will not impact upon scenic values.</p> <p>Additional revegetation is proposed, screening development to an appropriate degree from external sites. The balance of the site will remain vegetated. In accordance with the above, development complies with PO9.</p>
<p>PO10 Development does not result in adverse impacts on:</p> <p>(a) ecological function or features;</p> <p>(b) on-site or surrounding waterways and wetlands.</p>	<p>AO10 No acceptable outcomes are prescribed.</p>	<p>R10 Performance Solution (no Acceptable Outcome) proposed It is understood that development is proposed within an already cleared area of the site and requires no additional clearing. Stormwater infrastructure is proposed to manage overland flow. The proposed development therefore will not result in adverse impacts on ecological function or features.</p>
<p>PO11 Rehabilitation of natural processes on disturbed sites is undertaken to improve the environmental integrity of the area.</p>	<p>AO11 No acceptable outcomes are prescribed</p>	<p>R11 Performance Solution (no Acceptable Outcome) proposed A 10.0 metre wide landscape buffer alongside the driveway is proposed to be revegetated. The balance of the site will remain vegetated in seeking to maintain and improve the environmental integrity of the area.</p>
<p>PO12 Fencing is designed to not impede the free movement of native fauna through the site.</p>	<p>AO12 No acceptable outcomes are prescribed.</p>	<p>R11 Performance Solution (no Acceptable Outcome) proposed No additional fencing is proposed relevant to the proposed development.</p>
<p>PO13 New lots contain a minimum lot size of 200 hectares, unless:</p>	<p>AO13 No acceptable outcomes are prescribed.</p>	<p>R13 Not Applicable No new lots are proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>(a) the lot reconfiguration results in no additional lots (e.g. amalgamation, boundary realignments);</p> <p>(b) the reconfiguration is limited to one additional lot to accommodate an existing or approved:</p> <p>(i) Telecommunications facility;</p> <p>(ii) Utility installation;</p> <p>(c) the lot reconfiguration facilitates and outcome consistent with the Return to Country local plan.</p> <p>Note – Boundary realignments must result in an improved environmental outcome or resolve encroachments.</p>		

8.2.4 Flood and storm tide hazard overlay code

8.2.4.1 Application

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

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

8.2.4.2 Purpose

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



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

Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
<p>PO1 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 Development is sited on parts of the land that is not within the Flood and Storm tide hazards overlay maps contained in Schedule 2;</p> <p>or</p> <p>For dwelling houses,</p> <p>AO1.2 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 plus a freeboard of 300mm.</p>	<p>R1.1 Not Applicable Refer response to AO1.3 below.</p> <p>R1.2 Not Applicable The site is included within the Floodplain Assessment Overlay sub-category.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>AO1.3 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>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.</p>	<p>R1.3 Performance Solution (Complies) Development is proposed within the Floodplain Assessment Overlay sub-category. The site is relatively flat, however slopes to the rear of the premises.</p> <p>The proposed Dwelling House will be elevated, with a finished floor level (FFL) approximately 800mm above natural ground level. In addition, the proposed 4.5 metre wide gravel driveway will provide 'all weather access' to the proposed Dwelling House.</p> <p>The existing crossover is proposed to be upgraded to include a 375Ø concrete pipe to facilitate the conveyance of stormwater. The existing cut off drain located to the southern boundary of the premises will be re-profiled to provide for the conveyance of overland flow to appropriate discharge points.</p> <p>Development has therefore been designed in consideration of the safety of all persons, and to minimise damage to the development and contents of buildings and minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events.</p> <p>Development complies with PO1 on this basis.</p> <p>R1.4 Complies Development is not proposed within 50 metres of a natural riparian corridor.</p>
For assessable development		



Performance outcomes	Acceptable outcomes	Applicant response
PO2 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.	R2 Complies Development for a use listed in AO2 is not proposed.
PO3 Development siting and layout responds to flooding potential and maintains personal safety	For Material change of use AO3.1 New buildings are: (a) not located within the overlay area; (b) located on the highest part of the site to minimise entrance of flood waters; (c) provided with clear and direct pedestrian and vehicle evacuation routes off the site. or AO3.2 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. or AO3.3 Where involving an extension to an existing dwelling house that is situated below DFE /Storm tide, the maximum size of the extension does not exceed 70m ² gross floor area.	R3.1 – R3.7 Not Applicable Refer response to AO3.8 below.



Performance outcomes	Acceptable outcomes	Applicant response
	<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 Additional lots:</p> <ul style="list-style-type: none"> (a) are not located in the hazard overlay area; or (b) are demonstrated to be above the flood level identified for the site. <p>Note - If part of the site is outside the Hazard Overlay area, this is the preferred location for all lots (excluding park or other open space and recreation lots).</p> <p>Note – Buildings subsequently developed on the lots will need to comply with the relevant building assessment provisions under the <i>Building Act 1975</i>.</p> <p>AO3.5 Road and/or pathway layout ensures residents are not physically isolated from adjacent flood free urban areas and provides a safe and clear evacuation route path:</p> <ul style="list-style-type: none"> (a) by locating entry points into the reconfiguration above the flood level and avoiding culs-de-sac or other non-permeable layouts; and (b) by direct and simple routes to main carriageways. <p>AO3.6 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</p>	



Performance outcomes	Acceptable outcomes	Applicant response
	<p>points, such as at floodway crossings or entrances to low-lying reserves.</p> <p>or</p> <p>A03.7 There is no intensification of residential uses within the flood affected areas on land situated below the DFE/Storm tide.</p>	
	<p>For Material change of use (Residential uses)</p> <p>A03.8 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;</p> <p>Note - The high-set 'Queenslander' style house is a resilient low-density housing solution in floodplain areas. Higher density residential development should ensure only non-habitable rooms (e.g. garages, laundries) are located on the ground floor.</p>	<p>Complies The proposed Dwelling House will be elevated, with a finished floor level approximately 800mm above natural ground level, therefore reducing the risk of flooding.</p> <p>In addition, the proposed driveway will provide 'all weather access' to the Dwelling House.</p>
<p>PO4 Development is resilient to flood events by ensuring design and built form account for the potential risks of flooding.</p>	<p>For Material change of use (Non-residential uses)</p> <p>A04.2 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>R4.2 – 4.3 – Not Applicable A residential use is proposed.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>AO4.3 Materials are stored on-site:</p> <ul style="list-style-type: none"> (a) are those that are readily able to be moved in a flood event; (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>Notes -</p> <ul style="list-style-type: none"> (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). (b) Queensland Government Fact Sheet 'Repairing your House after a Flood' provides information about water resilient products and building techniques. 	
<p>PO5 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 Works in urban areas associated with the proposed development do not involve:</p> <ul style="list-style-type: none"> (a) any physical alteration to a watercourse or floodway including vegetation clearing; or (b) a net increase in filling (including berms and mounds). <p>AO5.2 Works (including buildings and earthworks) in non urban areas either:</p> <ul style="list-style-type: none"> (a) do not involve a net increase in filling greater than 50m³; or (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>or</p>	<p>R5.1 Not Applicable Operational Work is not proposed.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<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 Where development is located in an area affected by DFE/Storm tide, a hydraulic and hydrology report, prepared by a suitably qualified professional, demonstrates that the development maintains the flood storage capacity on the subject site; and</p> <ul style="list-style-type: none"> (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 (b) does not increase ponding on sites upstream, downstream or in the general vicinity of the subject site. <p>For Material change of use and Reconfiguring a lot</p> <p>AO5.4 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.</p>	<p>R5.3 Not Applicable The site is not known to have a DFE and is not subject to storm tide.</p> <p>The proposed development (for a Dwelling House) will be elevated, with a FFL of approximately 800mm above ground level. On this basis, development is not expected to impact upon flood behaviour. Additional stormwater infrastructure is proposed to appropriately channel overland flow.</p> <p>R5.4 Complies The proposed development is not located within 50 metres of a natural riparian corridor.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	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.	<p>For Material change of use</p> <p>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</p> <p>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; or (b) designed to prevent the intrusion of floodwaters.</p> <p>AO6.3 Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE.</p> <p>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.</p> <p>Note – Refer to <i>Work Health and Safety Act 2011</i> and associated Regulation and Guidelines, the <i>Environmental Protection Act 1994</i> and the relevant building assessment provisions under the <i>Building Act 1975</i> for requirements related to the manufacture and storage of hazardous materials.</p>	R6.1 – R6.4 Not Applicable No hazardous or noxious materials are associated with the proposed development.



Performance outcomes	Acceptable outcomes	Applicant response
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. 	Performance Solution (Complies) A Dwelling House is proposed at the premises. The existing Dwelling will be retained as a Secondary Dwelling. The proposed Dwelling will have finished floor levels of approximately 800mm above natural ground level. Stormwater infrastructure will assist in the conveyance of overland flow, including within the upgraded crossover to the site. On this basis, the proposed development is not expected to unduly burden disaster management response or recovery. Development complies with P07 on this basis.
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; is designed, sited and operated to avoid adverse impacts on the community or environment due to impacts of flooding on infrastructure, facilities or access and egress routes; <ul style="list-style-type: none"> retains essential site access during a flood event; is able to remain functional even when other infrastructure or services may be compromised in a flood event. 	A08.1 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 (e) storage of valuable records or items of historic or cultural significance (e.g. archives, museums, galleries, libraries). or A08.2 The following uses are not located on land inundated during a 1% AEP flood event:	R8.1 Complies Development for a land use listed in AO8.1 is not proposed. R8.2 Complies Development for a land use listed in AO8.2 is not proposed.



Performance outcomes	Acceptable outcomes	Applicant response
	<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> <p>(a) emergency shelters;</p> <p>(b) police facilities;</p> <p>(c) sub stations;</p> <p>(d) water treatment plant</p> <p>The following uses are not located on land inundated during a 0.2% AEP flood event:</p> <p>(a) correctional facilities;</p> <p>(b) emergency services;</p> <p>(c) power stations;</p> <p>(d) major switch yards.</p> <p>and/or</p> <p>AO8.3</p>	<p>AO8.3 Not Applicable Development for a use listed in AO8.3 is not proposed.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>The following uses have direct access to low hazard evacuation routes as defined in Error! Reference source not found.:</p> <ul style="list-style-type: none"> (a) community residence; and (b) emergency services; and (c) hospitals; and (d) residential care facility; and (e) sub stations; and (f) utility installations involving water and sewerage treatment plants. <p>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:</p> <ul style="list-style-type: none"> (a) located above DFE/Storm tide or the highest known flood level for the site; (b) designed and constructed to exclude floodwater intrusion / infiltration. <p>AO8.5 Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by a flood.</p>	<p>AO8.4 Not Applicable Infrastructure that may fail or result in contamination when inundated by flood is not proposed.</p> <p>AO8.5 Not Applicable Infrastructure that may fail or result in contamination when inundated by flood is not proposed.</p>

8.2.6 Landscape values overlay code

8.2.6.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Landscape values 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 Landscape values overlay is identified on the Landscape values overlay map in Schedule 2 and includes in following sub-categories:
 - (a) High landscape value sub-category;
 - (b) Medium landscape value sub-category;
 - (c) Scenic route buffer / view corridor area sub-category;
 - (d) Coastal scenery area sub-category.
- (3) When using this code, reference should be made to Part 5.

8.2.6.2 Purpose


- (1) The purpose of the Landscape values overlay code is to:
 - (a) implement the policy direction of the Strategic Framework, in particular:
 - (i) Theme 2: Environment and landscape values Element 3.5.5 Scenic amenity;
 - (ii) Theme 3: Natural resource management Element 3.6.4 – Resource extraction.
 - (b) enable an assessment of whether development is suitable on land within the Landscape values overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) areas of High landscape value are protected, retained and enhanced;
 - (b) areas of Medium landscape value are managed to integrate and limit the visual impact of development;
 - (c) the landscape values of the Coastal scenery area are managed to integrate and limit the visual impact of development;
 - (d) development maintains and enhances the significant landscape elements and features which contribute to the distinctive character and identity of Douglas Shire;
 - (e) ridges and vegetated hillslopes are not developed in a way that adversely impacts on landscape values;

- (f) watercourses, forested mountains and coastal landscape character types remain predominantly natural in appearance in order to maintain the region's diverse character and distinctive tropical image, in particular:
 - (i) areas in the coastal landscape character type which are predominantly natural and undeveloped in appearance retain this natural landscape character;
 - (ii) watercourses which are predominantly natural and undeveloped in appearance retain this natural landscape character;
 - (iii) the rural character of cane fields and lowlands landscape character types which are predominantly rural or natural in appearance are maintained;
 - (iv) landscape values are maintained when viewed from lookouts, scenic routes, gateways and public places.
- (g) views towards High landscape value areas and the Coral Sea are not diminished;
- (h) development is consistent with the prevailing landscape character of its setting, and is neither visually dominant nor visually intrusive;
- (i) advertising devices do not detract from the landscape values, character types or amenity of an area.

Criteria for assessment

Table 8.2.6.3.z – Landscape values overlay code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For assessable development		
Development in a High landscape value area		
PO1 Development within High landscape value areas identified on the Landscape values overlay maps contained in Schedule 2: <ul style="list-style-type: none"> (a) avoids detrimental impacts on the landscape values of forested skylines, visible hillslopes, ridgelines, the coastal foreshore or the shoreline of other water bodies through the loss of vegetation; (b) is effectively screened from view from a road, lookout or other public place by an existing natural landform or native vegetation, or will be effectively screened by 	AO1.1 Buildings and structures are not more than 8.5 metres and two storeys in height. Note - Height is inclusive of roof height. AO1.2 Buildings and structures are setback not less than 50 metres from ridgelines or peaks. AO1.3 Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer.	R1.1 Complies The proposed development is single storey and has a maximum building height of approximately 7.675 metres. R1.2 Complies Development is not proposed within 50 metres of a ridgeline or peak. R1.3 Complies / Will Comply Vegetation exists to the frontage of the site (refer Figure a) and a landscaped buffer (10 metres wide) is proposed alongside the

Performance outcomes	Acceptable outcomes	Applicant response
native vegetation within 3 years of construction;		<p>driveway, which will further screen the development.</p> <p>In addition, the proposed Dwelling House complies with height requirements for the zone and per AO1.1.</p>  <p>Figure a. Site frontage looking south.</p>
<p>(c) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements;</p> <p>(d) incorporates development of a scale, design, height, position on site, construction materials and external finishes that are compatible with the landscape values of the locality;</p> <p>(e) avoids detrimental impacts on landscape values and excessive changes to the natural landform as a result of the location, position on site, scale, design, extent and alignment of earthworks, roads, driveways, retaining</p>	<p>AO1.4 Where development on land steeper than 1 in 6 (16.6%) cannot be avoided: (a) development follows the natural; contours of the site; buildings are split level or suspended floor construction, or a combination of the two; lightweight materials are used to areas with suspended floors.</p> <p>Note - Examples of suitable lightweight materials include timber or fibre cement boards or sheeting for walls and factory treated metal sheeting for walls and roofs.</p>	<p>R1.4 Not Applicable Development is not proposed on land steeper than 1 in 6.</p>



Performance outcomes	Acceptable outcomes	Applicant response
<p>walls and other on-ground or in-ground infrastructure;</p> <p>(f) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment of telecommunications facilities, electricity towers, poles and lines and other tall infrastructure;</p> <p>(g) extractive industry operations are avoided.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>AO1.5 The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette.</p> <p>Note - Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow.</p> <p>AO1.6 No clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.5%).</p> <p>AO1.7 Where for accommodation activities or reconfiguration of a lot in a High landscape value area, development demonstrates that the height, design, scale, positioning on-site, proposed construction materials and external finishes are compatible with the landscape values.</p> <p>Note - A visual impact assessment undertaken in accordance with Planning scheme policy SC6.6 – Landscape values may be required.</p> <p>AO1.8 Advertising devices do not occur.</p>	<p>R1.5 Will Comply The Applicant is willing to accept a condition of approval requiring that exterior finishes and colours of all development are non-reflective and subdued, in accordance with AO1.5.</p> <p>R1.6 Complies No clearing of native vegetation is proposed on land with a slope greater than 1 in 6.</p> <p>R1.7 Complies The proposed development has a maximum height of approximately 7.675 metres. In addition, existing and proposed vegetation will further screen the development. The Applicant is willing to accept a condition of approval relevant to external finishes. Development complies with AO1.7.</p> <p>R1.8 Complies Advertising devices are not proposed.</p>
Development within the Medium landscape value area		
<p>PO2 Development within Medium landscape value areas identified on the Landscape values overlay maps contained in Schedule 2:</p> <p>(a) avoids detrimental impacts on the landscape values of forested skylines, visible hillslopes, ridgelines, the coastal foreshore or the shoreline of other water bodies through the loss of vegetation;</p>	<p>AO2.1 Buildings and structures are not more than 8.5 metres and two storeys in height.</p> <p>Note - Height is inclusive of the roof height.</p> <p>AO2.2</p>	<p>Not Applicable The site is not mapped as containing Medium landscape value area.</p>



Performance outcomes	Acceptable outcomes	Applicant response
<p>(b) is effectively screened from view from a road, lookout or other public place by an existing natural landform or native vegetation, or will be effectively screened by native vegetation within 5 years of construction;</p> <p>(c) retains existing vegetation and incorporates new landscaping to enhance existing vegetation and visually soften built form elements;</p> <p>(d) incorporates development of a scale, design, height, position on site, construction materials and external finishes that are compatible with the landscape values of the locality;</p> <p>(e) avoids detrimental impacts on landscape values and excessive changes to the natural landform as a result of the location, position on site, scale, design and alignment of earthworks, roads, driveways, retaining walls and other on-ground or in-ground infrastructure;</p> <p>(f) avoids detrimental impacts on landscape values and views as a result of the location, position on site, scale, design and alignment of telecommunications facilities, electricity towers, poles and lines and other tall infrastructure;</p> <p>(g) extractive industry operations are avoided, or where they cannot be avoided, are screened from view.</p> <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>Development is screened from view from roads or other public places by an existing natural landform or an existing native vegetation buffer.</p> <p>AO2.3 Where development on land steeper than 1 in 6 (16.6%) cannot be avoided:</p> <p>(a) development follows the natural; contours of the site;</p> <p>(b) buildings are split level or suspended floor construction, or a combination of the two;</p> <p>(c) lightweight materials are used to areas with suspended floors.</p> <p>Note - Examples of suitable lightweight materials include timber or fibre cement boards or sheeting for walls and factory treated metal sheeting for walls and roofs.</p> <p>AO2.4 The external features, walls and roofs of buildings and structures have a subdued and non-reflective palette.</p> <p>Note - Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow.</p> <p>AO2.5 No clearing of native vegetation occurs on land with a slope greater than 1 in 6 (16.6%).</p> <p>AO2.6 Advertising devices do not occur.</p>	
Development within a Scenic route buffer / view corridor area		



Performance outcomes	Acceptable outcomes	Applicant response
<p>PO3 Development within a Scenic route buffer / view corridor area as identified on the Landscape values overlay maps contained in Schedule 2:</p> <ul style="list-style-type: none"> (a) retains visual access to views of the surrounding landscape, the sea and other water bodies; (b) retains existing vegetation and incorporates landscaping to visually screen and soften built form elements whilst not impeding distant views or view corridors; (c) incorporates building materials and external finishes that are compatible with the visual amenity and the landscape character; (d) minimises visual impacts on the setting and views in terms of: (e) the scale, height and setback of buildings; (f) the extent of earthworks and impacts on the landform including the location and configuration of access roads and driveways; (g) the scale, extent and visual prominence of advertising devices. <p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>AO3.1 Where within a Scenic route buffer / view corridor area, the height of buildings and structures is not more than identified within the acceptable outcomes of the applicable zone code.</p> <p>AO3.2 No clearing of native vegetation is undertaken within a Scenic route buffer area.</p> <p>AO3.3 Where within a Scenic route buffer / view corridor area development is set back and screened from view from a scenic route by existing native vegetation with a width of at least 10 metres and landscaped in accordance with the requirements of the landscaping code.</p> <p>AO3.4 Development does not result in the replacement of, or creation of new, additional, or enlarged advertising devices.</p>	<p>Not Applicable The site is not mapped as being proximate to a scenic route buffer or view corridor area.</p>
Development within the Coastal scenery area		
<p>PO4 The landscape values of the Coastal scenery zone as identified on the Landscape values overlay maps contained in Schedule 2 are managed to integrated and limit the visual impact of development.</p>	<p>AO4.1 The dominance of the natural character of the coast is maintained or enhanced when viewed from the foreshore.</p> <p>AO4.2 Where located adjacent to the foreshore buildings and structures are setback:</p>	<p>Not Applicable The site is not mapped as containing Coastal scenery landscape value area.</p>



Performance outcomes	Acceptable outcomes	Applicant response
<p>Note - A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in order to satisfy performance outcomes.</p>	<p>(a) Where no adjoining development, a minimum of 50 metres from the coastal high water mark and the setback area is landscaped with a native vegetation buffer that has a minimum width of 25 metres; or</p> <p>(b) Where there is adjoining development, setbacks will be consistent with that of adjoining buildings and structures, but not less than 10 metres from the coastal high water mark. The setback area is landscaped in accordance with the requirements of the Landscaping code.</p> <p>AO4.3 Where separated from the foreshore by land contained within public ownership (e.g. unallocated State land, esplanade or other public open space), buildings and structures area setback:</p> <p>(a) where no adjoining development, a minimum of 6 metres from the coastward property boundary. The setback area is landscaped in accordance with the requirements of the Landscaping code; or</p> <p>(b) where there is adjoining development, setbacks will be consistent with that of adjoining buildings and structures. The setback area is landscaped in accordance with the requirements of the Landscaping code.</p>	
<p>PO5 Development is to maximise opportunities to maintain and/or enhance natural landscape values through the maintenance and restoration of</p>	<p>AO5 No clearing of native vegetation is undertaken within a Coastal scenery area zone, except for exempt vegetation damage undertaken in accordance with the Vegetation management code</p>	



Performance outcomes	Acceptable outcomes	Applicant response
<p>vegetated buffers between development and coastal waters, where practical.</p> <p>Note – A visual impact assessment is undertaken in accordance with Planning scheme policy SC6.6 – Landscape values in satisfaction of a performance outcome.</p>		

8.2.7 Natural areas overlay code

8.2.7.1 Application

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

Note – MSES = Matters of State Environmental Significance.

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

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;
 - (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.

Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
Protection of matters of environmental significance		
PO1 Development protects matters of environmental significance.	AO1.1 Development avoids significant impact on the relevant environmental values. or AO1.2 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. or AO1.3 Development is located, designed and operated to mitigate significant impacts on environmental values. For example, a report certified by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, how the proposed development mitigates impacts, including on water quality, hydrology and biological processes.	R1.1 Complies It is understood that development is proposed within a cleared area (refer Site Plan (Schedule 2) and Figure 4 in the Town Planning Report). Development will not have a significant impact on environmental values on this basis.
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:	R2 Complies It is understood that development is proposed within a cleared area of the site (refer Site Plan (Schedule 2) and Figure 4 in the Town



Performance outcomes	Acceptable outcomes	Applicant response
	<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; (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. 	Planning Report); no additional clearing is proposed. In addition, a revegetated landscape buffer is proposed alongside the gravel access. The proposed Dwelling House will be elevated, with stormwater discharged via existing drainage channels. The proposed development therefore minimises adverse impacts on ecologically important areas and complies with AO2.
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: <ul style="list-style-type: none"> (a) 100 metres where the area is located outside Urban areas; or (b) 50 metres where the area is located within a Urban areas. Or AO3.2 A buffer for an area of state environmental significance is applied and maintained, the width of which is supported by an evaluation of environmental values, including the function and threats to matters of environmental significance.	R3.1 Not Applicable The site is not located proximate to a wetland protection area. R3.2 Not Applicable The site is not understood to be located proximate to an area of state environmental significance.
PO4 Wetland and wetland buffer areas are maintained, protected and restored.	AO4.1 Native vegetation within wetlands and wetland buffer areas is retained.	R4.1 – R4.2 Not Applicable The site is not located proximate to a wetland protection area.



Performance outcomes	Acceptable outcomes	Applicant response
Note – Wetland buffer areas are identified in AO3.1.	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.	
PO5 Development avoids the introduction of non-native pest species (plant or animal), that pose a risk to ecological integrity.	AO5.1 Development avoids the introduction of non-native pest species. AO5.2 The threat of existing pest species is controlled by adopting pest management practices for long-term ecological integrity.	R5.1 Complies An existing Dwelling is located on the premises. A Dwelling House is proposed to be established on the premises. The proposed development is not expected to provide for the introduction of non-native pest species. R5.2 Will Comply Pest management will be undertaken by the landholder on an as required basis.
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 AO6.3 Development within a conservation corridor mitigates adverse impacts on native fauna, feeding, nesting, breeding and roosting sites and native fauna movements.	R6.1 Complies Native vegetation is proposed to be retained. R6.2 Not Applicable The site is not known to be located within an ecological corridor. R6.3 Not Applicable The site is not known to be located within a conservation corridor.



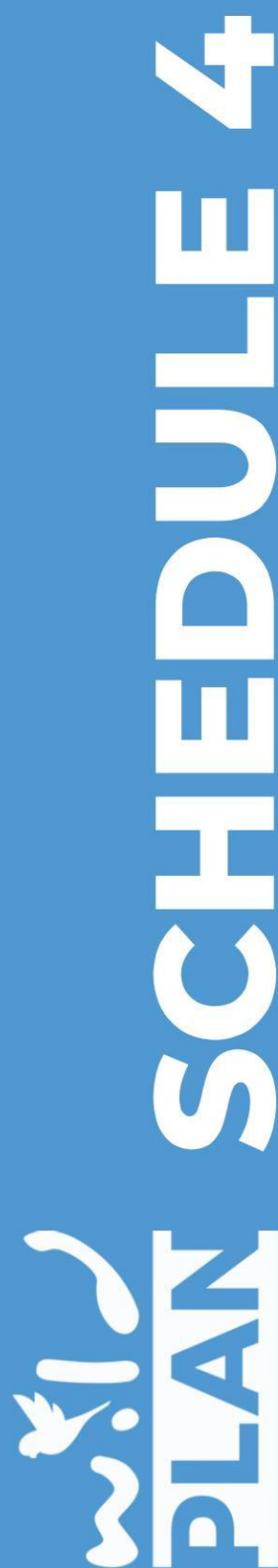
Performance outcomes	Acceptable outcomes	Applicant response
P07 Development minimises disturbance to matters of state environmental significance (including existing ecological corridors).	A07.1 Development avoids shading of vegetation by setting back buildings by a distance equivalent to the height of the native vegetation. and A07.2 Development does not encroach within 10 metres of existing riparian vegetation and watercourses.	R7.1 Performance Solution The proposed development has a maximum height of approximately 7.675 metres; and therefore, is not expected to unduly shade vegetation. It is understood that no clearing is required and therefore, development minimises disturbance to matters of environmental significance. Development complies with P07 on this basis. R7.2 Complies Development is not proposed within 10 metres of existing riparian vegetation and watercourses.
Waterways in an urban area		
P08 Development is set back from waterways to protect and maintain: (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	A08.1 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 A08.2 Development does not occur on the part of the site affected by the waterway corridor. Note – Waterway corridors are identified within Error! Reference source not found..	R8.1 Not Applicable Development does not involve a waterway in an urban area.
Waterways in a non-urban area		
P09 Development is set back from waterways to protect and maintain: (a) water quality; (b) hydrological functions; (c) ecological processes; (d) biodiversity values;	A09 Development does not occur on that part of the site affected by a waterway corridor. Note – Waterway corridors are identified within Error! Reference source not found..	R9 Not Applicable Development does not involve a waterway in a non-urban area.



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

SCHEDULE 4

BUSHFIRE HAZARD ASSESSMENT & MANAGEMENT PLAN



15 March 2022

File Ref: S522024EL001_v1.0

Contact: Tessa Horgan

Kayla S Miller & Geoff J Miller
C/- Barlow and Shelley Consulting Engineers
47 Hickory Road, Cow Bay QLD
C/- kurt@barlowshelley.com.au

Attention: Mr Kurt Eisling

47 HICKORY ROAD, COW BAY (MCUC 2021_4516/1) – RESPONSE TO INFORMATION REQUEST – BUSHFIRE HAZARD OVERLAY CODE

I refer to the above Douglas Shire Council (DSC) issued Information Request letter regarding the proposed Material Change of Use for a Dwelling house, on land situated at 47 Hickory Road, Cow Bay, and dated 9^h December, 2021. Specifically, this response letter relates to Item 1 of the Information Request.

S5 Environmental's responses on behalf of the proponent are as follows:

Bushfire Hazard Overlay Code

- 1) The subject parcel of land (Lot 358 on RP739002) is considered to comply with Acceptable Outcome AO18. Therefore, the proposal is considered as Code Assessable development requiring assessment against the relevant codes. The codes relevant to the development can be identified through the 2018 Douglas Shire Planning Scheme, Part 5-Tables of Assessment- Table 5.6.c-Conservation zone.***

Please provide:

- 1. A Planning report that addresses the codes applicable to the Material Change of Use- Dwelling House development.***

Response: S5 Environmental have prepared a site-specific Bushfire Hazard Assessment and Management Plan (including a Bushfire Attack Level Assessment, Method 2 in accordance with the AS 3959-2018 *Construction of Buildings in Bushfire-prone Areas*) to address the mapped DSC Bushfire Hazard Overlay over the subject site, refer to **Appendix A**.

Should you wish to discuss the above advice, please do not hesitate to contact me on the number or email address below.

Yours sincerely,



E: tessa@s5consulting.com.au

W: www.s5consulting.com.au

Enc: **Appendix A** Bushfire Hazard Assessment and Management Plan (S522024_BHA_v1.0)

Tessa Horgan
Senior Environmental Planner
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BUSHFIRE HAZARD ASSESSMENT & MANAGEMENT PLAN

47 Hickory Road, Cow Bay

Client	Kayla S Miller & Geoff J Miller C/- Barlow and Shelley Consulting Engineers
File Ref	S522024BHA001v1.0
Date	15 March 2022

Quality Control

Prepared for	Kayla S Miller & Geoff J Miller C/- Barlow and Shelley Consulting Engineers
Prepared by	S5 Consulting Pty Ltd (ACN 600 187 844) 2/265 Sandgate Road, Albion T 3505 3053 www.s5consulting.com.au
Date	15 March 2022

Version Control

Version	Description	Date	Author	Reviewer	Approver
1.0	For submission	15 March 2022	TH (Senior Environmental Planner)	RS (Director)	RS (Director)

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Disclaimer

S5 Consulting Pty Ltd trading as S5 Environmental has developed this Bushfire Hazard and Bushfire Attack Level Assessment, taking into consideration the Australian Standards (AS3959-2018) - Construction of buildings in bushfire-prone areas, the State Planning Policy and relevant local authority policies and guidelines. However, there can be no guarantee that following the recommendations made in this assessment can guarantee safety of property and human life.

Fire is an element of nature, and as such fire events (small or large) can have disastrous outcomes even with the best planning in place. The authors of this report and S5 Consulting Pty Ltd accept no responsibility for any harm to property or human life caused by fire or any other cause to persons utilising property or structures.

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ABBREVIATIONS

AHD	Australian Height Datum
AS 3959-2018	<i>Australian Standard 3959-2018 Construction of Buildings in Bushfire Prone Areas</i>
BAL	Bushfire Attack Level
BMP	Bushfire Management Plan
CFA	Country Fire Authority
DEM	Digital Elevation Model
DNRME	Department of Natural Resources, Mines and Energy
DSC	Douglas Shire Council
FDI	Fire Danger Index
FFDI	Forest Fire Danger Index
GFDI	Grassland Fire Danger Index
Ha	Hectares
RE	Regional Ecosystem
SEQ	South East Queensland
SPP	<i>State Planning Policy, 2017</i>
VHC	Vegetation Hazard Class

1.0 INTRODUCTION

S5 Environmental was commissioned by Barlow and Shelley Consulting Engineers, on behalf of their clients Kayla S Miller & Geoff J Miller, to conduct a Bushfire Hazard Assessment and Management Plan, as well as a Bushfire Attack Level (BAL) Assessment in response to the Douglas Shire Council (DSC) issued Information Request relating to the proposed Development Application for a Material Change of Use (Dwelling house, Application No. MCUC 2021_4516/1), on land situated at 47 Hickory Road, Cow Bay. Refer to **Table 1**.

The aim of this Bushfire Hazard Assessment is to undertake a site-specific “fit for purpose” assessment in accordance with the State Planning Policy (SPP) *Natural Hazards Risk and Resilience – Technical Manual – A ‘fit for purpose’ approach in undertaking natural hazard studies and risk assessments* (April, 2016). This fit for purpose approach focuses on the actual hazard status of vegetation adjacent to the proposed dwelling footprint and utilises the *New Methodology for State-wide Mapping of Bushfire Prone Areas in Queensland* (Leonard *et al.* 2014) and the CSIRO’s *Estimating the Potential Bushfire Hazard of Vegetation Patches and Corridors An Enhancement of Queensland’s Methodology for State-wide Mapping of Bushfire Prone Areas* (Leonard *et al.* 2014).

This approach in undertaking a site-specific Bushfire Hazard Assessment involved a quantitative assessment of the site including a review of the vegetation communities, fuel loads and slope. S5 Environmental’s Senior Environmental Planner completed a detailed desktop assessment utilising recent high-resolution aerial photography, available datasets and mapping to survey existing vegetation and land features of the site and surrounding area.

1.1 SITE DESCRIPTION

Table 1. Site Description

Address	47 Hickory Road, Cow Bay	RPD	Lot 358 on RP739002
LGA	Douglas Shire Council	Site Area	1.154 ha
Zone	Conservation	Tenure	Freehold
Current State	Lot 358 on RP739002, herein referred to as the ‘subject site’ has undergone historical clearing whereby the clearing extent has been spatially shown in Figure 2 . Few retained canopy trees remain within the cleared area of the subject site. Within the site is an existing granny flat (to be approved as a secondary dwelling) surrounded by maintained mown grass and an unsealed internal access. Native vegetation has been retained along the outskirts of the subject site boundaries. Elevations across the subject site gently fall from the western frontage to eastern rear extent, with elevations decreasing from 18 m Australian Height Datum (AHD) to 16 m AHD. The proposed development works will be sited between 17 m AHD and 18 m AHD. Refer to Figure 1 .		

Proposed Development

S5 Environmental understand the client is proposing a new dwelling, ancillary 4.5 m wide gravel 'all weather access' driveway and two water tanks, within the eastern half of the subject site. The proposed dwelling will be single storey and has total dimensions of 23.3 m by 13.4 m. The proposed dwelling will be sited amongst a cleared area, including a recommended surrounding 20 m wide essential management buffer for bushfire mitigation (explained further within the prepared Bushfire Management Plan). The existing granny flat (to be approved as a secondary dwelling) has also been considered within the findings of this Bushfire Hazard Assessment and Management Plan. Refer to **Figure 1**, below.

Potentially Hazardous Vegetation

Potentially hazardous vegetation exists across all development aspects and is associated with the mapped Regional Ecosystems (RE) 7.3.4, 7.3.5, 7.3.7, 7.3.8, 7.3.10 and 7.3.20, as described below:

Regional Ecosystem	VMA Class	Description
7.3.4	Of Concern	Mesophyll vine forest with <i>Licuala ramsayi</i> on poorly drained alluvial plains and alluvial areas of uplands
7.3.5	Least Concern	<i>Melaleuca quinquenervia</i> and/or <i>Melaleuca cajuputi subsp. platyphylla</i> closed forest to shrubland on poorly drained alluvial plains
7.3.7	Endangered	<i>Eucalyptus pellita</i> and <i>Corymbia intermedia</i> open forest to woodland (or vine forest with emergent <i>E. pellita</i> and <i>C. intermedia</i>) on poorly drained alluvial plains
7.3.8	Least Concern	<i>Melaleuca viridiflora</i> +/- <i>Eucalyptus</i> spp. +/- <i>Lophostemon suaveolens</i> open forest to open woodland on poorly drained alluvial plains
7.3.10	Of Concern	Simple-complex mesophyll to notophyll vine forest on moderate to poorly-drained alluvial plains of moderate fertility
7.3.20	Of Concern	<i>Corymbia intermedia</i> and <i>Syncarpia glomulifera</i> , or <i>C. intermedia</i> and <i>Eucalyptus pellita</i> , or <i>S. glomulifera</i> and <i>Allocasuarina</i> spp., or <i>E. cloeziana</i> , or <i>C. torelliana</i> open forest (or vine forest with these emergents) on alluvial fans at the base of ranges

Each of these communities have been investigated as a component of this technical Bushfire Hazard Assessment.



Figure 1. Site Aerial

Source: Queensland Globe

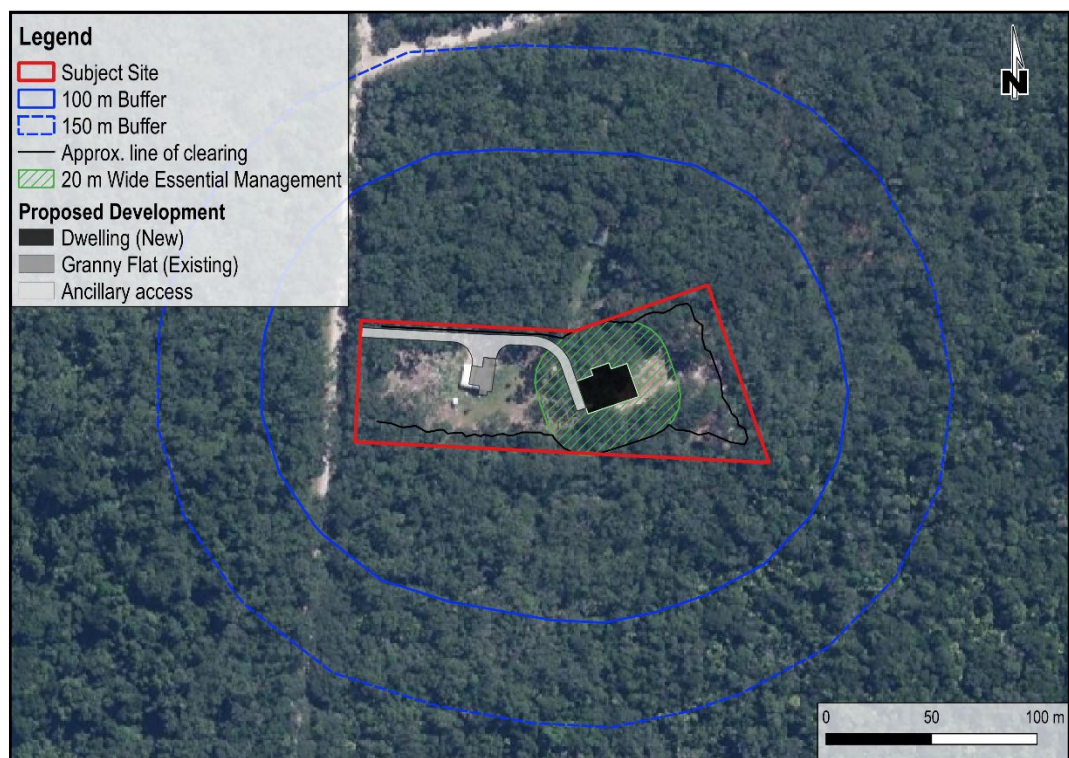


Figure 2. Proposed Development, with an associated 100 m and 150 m Buffer

Source: Queensland Globe

2.0 STATUTORY REQUIREMENTS

2.1 BUSHFIRE PRONE AREAS

Bushfire Prone Areas are identified at both the State and Local Government Level. The State Planning Policy Bushfire Prone Area map was developed by the CSIRO to map areas with Very High, High, and Medium Potential Bushfire Intensity. The SPP further maps a 100 m Potential Impact Buffer.

The *Douglas Shire Planning Scheme 2018* (V1.0) implements the Bushfire Hazard Overlay Code which acts as a development constraint within the DSC locality. It is understood that the DSC has appropriately integrated all aspects of the SPP, including the Safety and Resilience to Hazards (Natural Hazards, Risk and Resilience – Bushfire Prone Areas) State Interest.

The DSC Bushfire Hazard Overlay, alongside the SPP Bushfire Prone Areas map, were consulted to determine the preliminary bushfire hazard ratings of the proposed development footprint and locality (within 150 m). The DSC Bushfire Hazard Overlay map and the SPP Bushfire Prone Area map provided 'like for like' results whereby, the entire subject site is identified within areas of High Potential Bushfire Intensity. Areas of Medium Potential Bushfire Intensity and a Potential Impact Buffer were further identified externally (within 150 m) to the subject site. Refer to **Figures 3 and 4**, below.

Nonetheless, and due to the SPP Bushfire Prone Areas and DSC Bushfire Hazard Overlay being mapped within, and surrounding (within 150 m) the proposed new dwelling and existing secondary dwelling, further investigation of the site-specific bushfire hazard characteristics have been undertaken to determine the actual hazard of the subject site and locality, in accordance with DSC and the SPP.

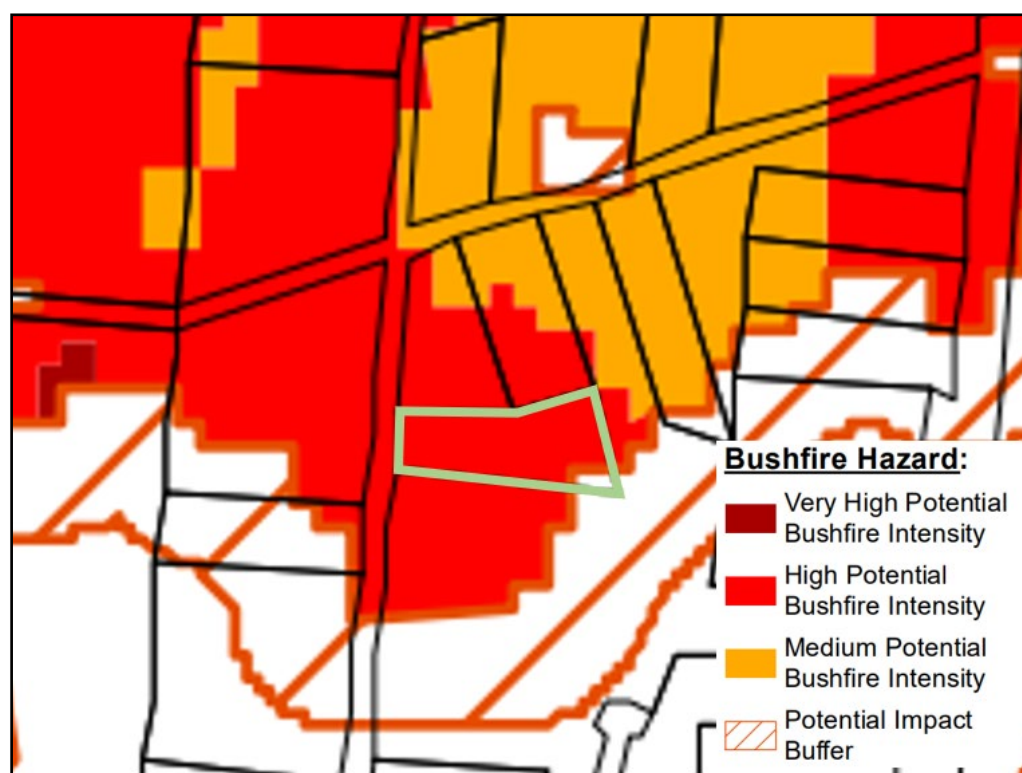


Figure 3. Extract of the Douglas Shire Council Bushfire Hazard Overlay

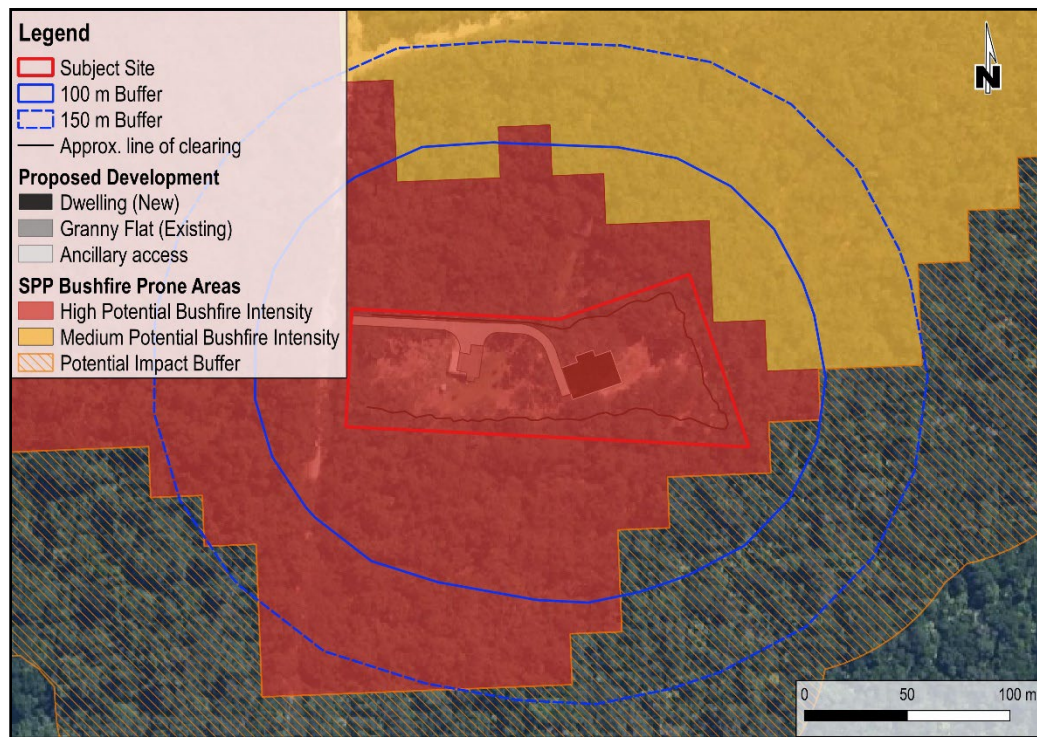


Figure 4. Extract of the SPP Bushfire Prone Areas Mapping

2.2 AS 3959-2018 CONSTRUCTION OF BUILDINGS IN BUSHFIRE PRONE AREAS

The BCA triggers bushfire assessment in accordance with the Australian Standard (AS) 3959-2018 *Construction of Buildings in Bushfire Prone Areas* for Class 1, 2, 3 and associated Class 10a buildings that are proposed to be constructed in Bushfire Prone Areas, refer to **Table 2**.

The proposal is for a dwelling, which S5 Environmental understand, can best be categorised as a Class 1a building. Therefore, the proposed dwelling must adhere to the relevant AS 3959-2018 Construction Standard requirements. It is S5 Environmental's understanding that BAL Construction Standards will not apply for existing buildings, being in this case, the existing granny flat (to be approved as a Secondary dwelling).

Table 2. Summary of Building Classes 1, 2, 3, and 10a

Class	Description
Class 1	Class 1a: A single dwelling being – <ul style="list-style-type: none"> (i) A detached house, or (ii) One of a group of two more attached dwellings, each being a building, separated by fire resisting wall, including a row house, terrace house, town house or villa unit
	Class 1b: <ul style="list-style-type: none"> (i) A boarding house, guest house, hostel or the like – <ul style="list-style-type: none"> a) With a total area of all floors not exceeding 300 m² measured over the enclosing walls of the Class 1b; and b) In which not more than 12 persons would ordinarily be resident, or

Class	Description
	(ii) Or more single dwellings located on one allotment and used for short-term holiday accommodation
Class 2	A building containing two or more sole-occupancy units each being a separate dwelling
Class 3	<p>A residential building, other than a building of class 1 or 2, which is a common place of long term or transient living for several unrelated persons, including –</p> <ul style="list-style-type: none"> a) A boarding house, guest house, lodging house or backpacker's accommodation; or b) A residential part of a hotel or motel; or c) A residential part of a school; d) Or accommodation for the aged, children or people with disabilities; or e) A residential part of a health-care building which accommodates members or staff; or f) A residential part of a detention centre.
Class 10a	<p>A non-habitable building or structure –</p> <ul style="list-style-type: none"> a) A non-habitable building being a private garage, carport, shed, or the like.

Source: Modified from Building Code of Australia

3.0 METHODOLOGY

3.1 POTENTIAL FIRE-LINE INTENSITY CALCULATION

The SPP Potential Bushfire Intensity classifications are based on the *New Methodology for State-wide Mapping of Bushfire Prone Areas in Queensland* (Leonard *et al.* 2014). This new State-wide mapping methodology was developed to identify Bushfire Prone Areas in support of bushfire hazard provisions of Queensland's SPP. The new methodology scales bushfire hazard based on the Potential Fire-line Intensity (PFLI) of a severe bushfire and can be used to predict the radiation profile of areas located adjacent to potentially hazardous vegetation and an associated Potential Impact Buffer.

Accordingly, the classification of an area's PFLI is calculated as a combination of the following three metrics, using the below equation (Leonard *et al.* 2014):

- Total fuel load (W);
- The McArthur Forest Fire Danger Index (FFDI); and
- Maximum Landscape Slope (θ in $^{\circ}$).

$$FI = 0.62 W^2 FFDI \exp(0.069 \theta) \quad \text{Equation 1}$$

S5 Environmental have utilised data from the Queensland Fire and Emergency Services (QFES) "redi-PORTAL" for Fuel Load and FFDI values. Redi-PORTAL (Risk Evaluation and Disaster Information) provides access to current vegetation and fire management data, mapping and analytical tools to be utilised to "*prepare consistent and comparable information about who, what and where is at risk from natural disasters*". The main aim of the redi-PORTAL is to "*improve the integration of risk assessments and natural disaster mitigation, preparedness, response and recovery planning*." Redi-PORTAL is now maintained within the QFES Catalyst mapping system.

3.2 BAL ASSESSMENT

The Flamesol Bushfire Attack Level Model was developed by the Fire Protection Association of Australia in 2017 to simplify the calculation of Bushfire Attack Levels (BAL) scores and required setbacks in accordance with AS 3959-2018. This online calculator has been used to determine the required setbacks to achieve a suitable BAL Score for the proposed dwelling. Inputs to the BAL Assessment include the following parameters, summarised in **Table 3**, below.

Table 3. BAL Modelling Input Variable Source

Variable	Source
FFDI	Forest Fire Danger Index from QFES Catalyst Mapping.
Surface Fuel Load	Taken from dominant VHC with highest fuel load within 100 m of the development site.
Overall Fuel Load	
Effective Slope	Measured as the slope under Classifiable Vegetation. A slope of 0° is applied for all upslope and flat land.
Site Slope	Measured as the slope between Classifiable Vegetation and the proposed dwelling. A slope of 0° is applied for all upslope and flat land.
Flame Width	Flame width is assumed to be 100 m (AS 3959-2018).

4.0 BUSHFIRE HAZARD ASSESSMENT

4.1 VEGETATION TYPES AND FUEL LOADS

In accordance with the *New Methodology for State-Wide Mapping of Bushfire Prone Areas in Queensland* (Leonard *et al.* 2014), potential fuel loads are assigned to vegetation categories (Vegetation Hazard Classes – VHC) formed by amalgamating land use and vegetation types with a moderately consistent fuel load and structure.

The Potential Fuel Load assigned to each VHC is generally representative of the higher fuel load expected for the typical vegetation types, landscape and site conditions within each VHC and approximates the **80th percentile (%) fuel load of the “long unburnt condition”** for the class (generally greater than 10 years without burning).

Using QFES Catalyst Mapping, numerous VHCs were mapped within and adjacent to the proposed dwelling. An extract of the Catalyst Mapping is shown below in **Figure 5**.

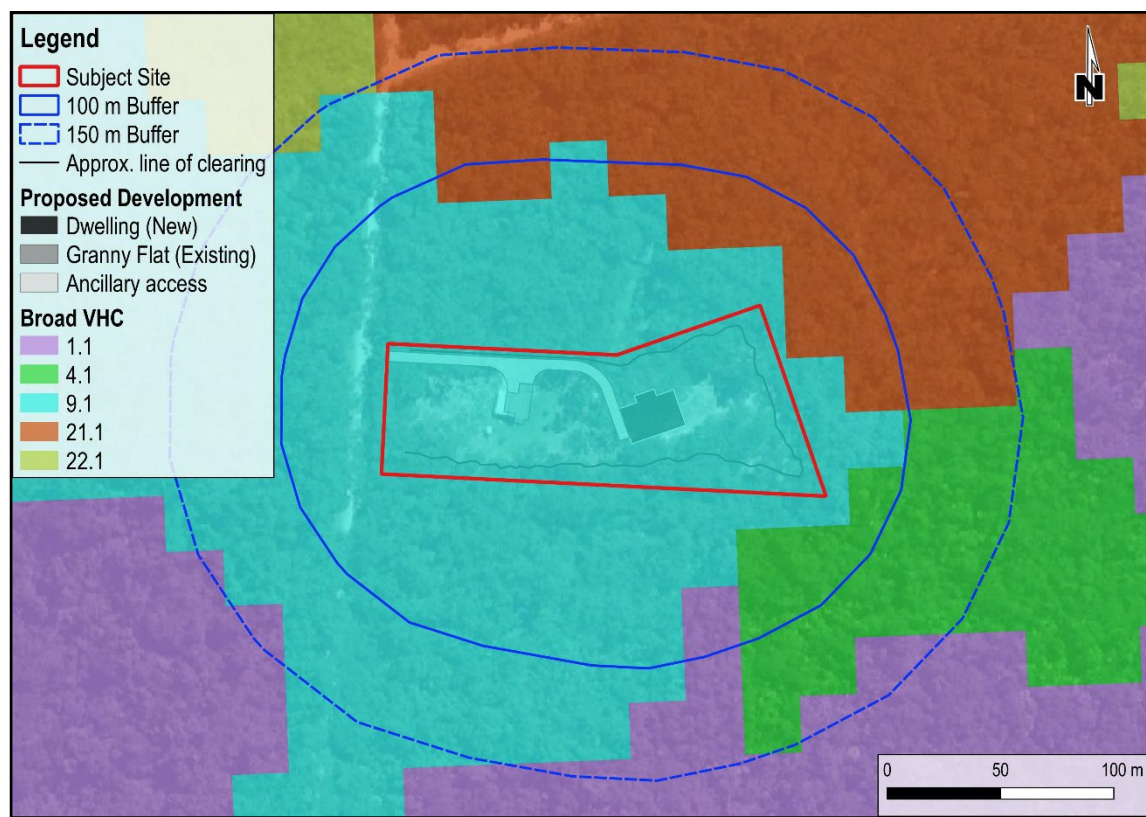


Figure 5. Extract of Vegetation Hazard Classes from Catalyst

4.1.1 VEGETATION ASSESSMENT

To confirm and ground-truth the Catalyst VHCs mapped within and adjacent to the development footprint, S5 Environmental's Senior Environmental Planner undertook a Reliability Assessment comparing the Local and State Government mapping with on-ground conditions. The reliability assessment incorporated a review of current hazard mapping and a comprehensive review of available aerial mapping of the site, including a 150 m buffered area, external to the proposed development footprint.

The modified VHCs have been adjusted and refined to reflect the mapped Regional Ecosystems within 150 m of the proposed development footprint (**Figure 6** and **Table 4**). As shown in **Plates 1 and 2**, the historically cleared area (including the recommended 20 m wide essential management exemption) within the subject site has been modified to VHC 40.4 *Continuous low grass or tree cover*. These areas fall within the indicative 'approx. line of clearing' in **Figure 6**, below.

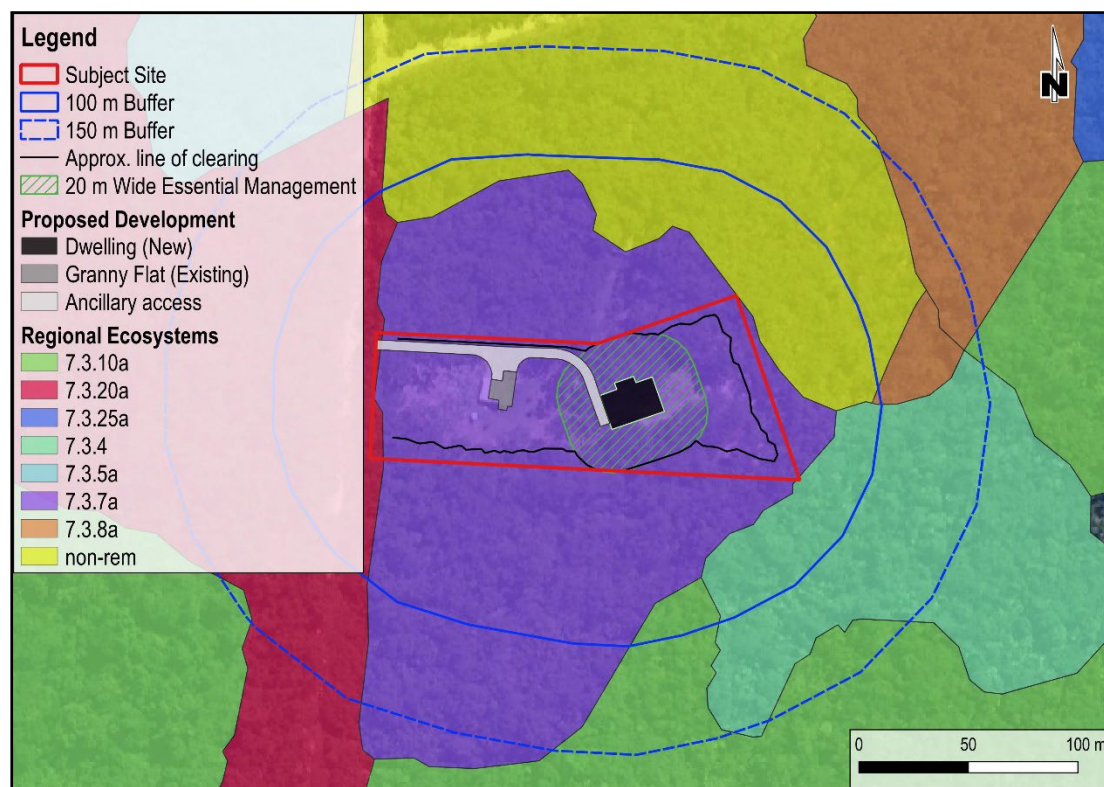


Figure 6. Mapped Regional Ecosystems in relation to the Proposed Development

Table 4. RE and VHC Association

Regional Ecosystem	Related Vegetation Hazard Class
7.3.4	4.1 <i>Notophyll</i> and <i>notophyll</i> palm or vine forest
7.3.5	22.1 <i>Melaleuca</i> open forests on seasonally inundated lowland coastal swamps
7.3.7	9.1 Moist to dry eucalypt open forests on coastal lowlands and ranges
7.3.8	21.1 <i>Melaleuca</i> dry open forest on sandplains or depositional plains
7.3.10	1.1 Complex <i>mesophyll</i> to <i>notophyll</i> vine forests
7.3.20	9.1 Moist to dry eucalypt open forests on coastal lowlands and ranges

The VHC mapping has, therefore, been modified to reflect the on-ground conditions more accurately, and to reflect the post-development state of the subject site and locality. To note, the modified VHCs have been restricted to the 150 m buffer from the proposed development footprint, as the more distant areas are not relevant for the purposes of this Bushfire Hazard Assessment.



Plate 1. View of the existing granny flat (to be approved as a secondary dwelling) surrounded by the VHC 41.4 *Discontinuous low grass or tree cover*.



Plate 2. View to the east of the proposed dwelling, which represents VHC 40.4 adjoining onto VHC 9.1 *Moist to dry eucalypt open forests on coastal lowlands and ranges.*

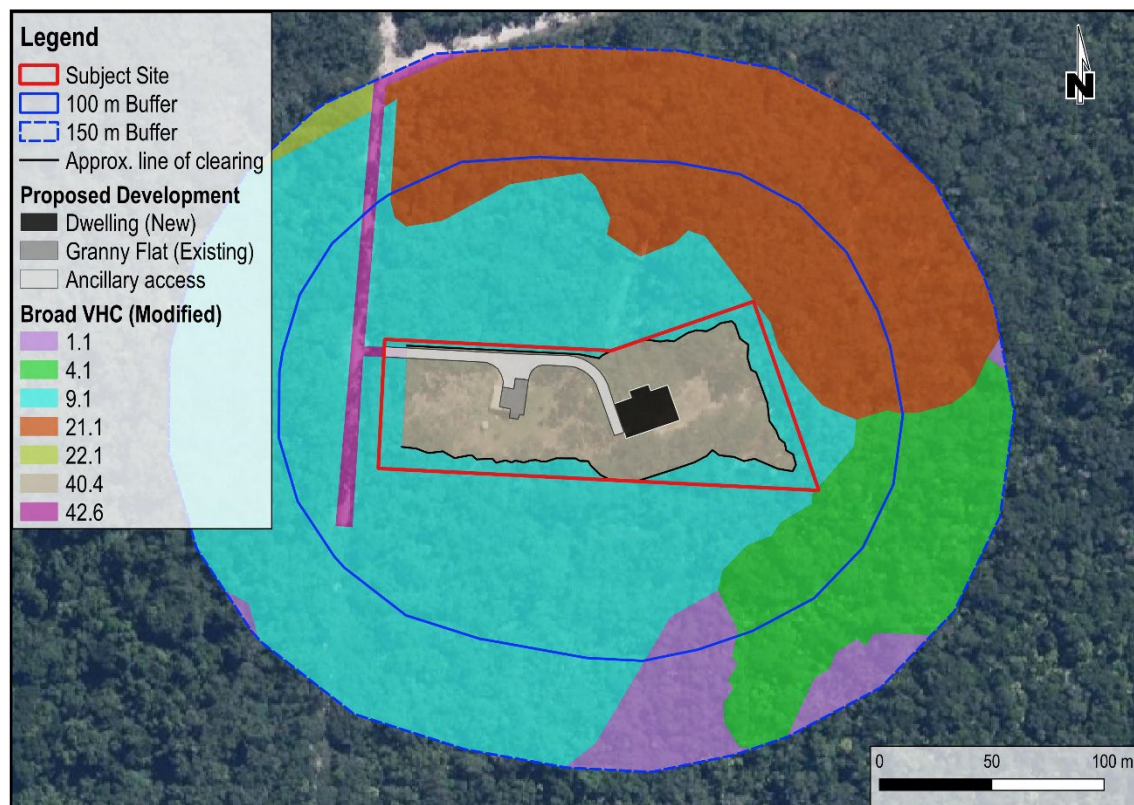


Figure 7. Ground-truthed and post-development Vegetation Hazard Classes

4.1.2 Fuel-loads

Table 5, below, summarises the associated fuel-loads of the final VHCs after they have been aerial-truthed.

Table 5. Summary of Vegetation Communities and their respective VHC and Fuel Loads

VHC	VHC Description	Fuel Continuity	Potential Fuel Load * (t/ha)	
			Surface Fuel Load**	Total
1.1	Complex mesophyll to notophyll vine forests	Discontinuous	2.6	2.6
4.1	Notophyll and notophyll palm or vine forest	Discontinuous	4.5	4.5
9.1	Moist to dry eucalypt open forests on coastal lowlands and ranges	Continuous	21	24.2
21.1	Melaleuca dry open forest on sandplains or depositional plains	Continuous	11.5	14.9
22.1	Melaleuca open forests on seasonally inundated lowland coastal swamps	Continuous	23.4	28.4
40.4	Continuous low grass or tree cover	Continuous	4.5	5
42.6	Nil to very low vegetation cover	Discontinuous	2	2

*CSIRO A methodology for State-wide mapping of annual fuel load and bushfire hazard in Queensland Glenn Newnham, Kimberley Opie, Justin Leonard CSIRO Land and Water, 2017.

** In accordance with BRC, 2019, Surface Fuel Load is the sum of surface and near surface fuel load.

4.2 SLOPE ASSESSMENT

The slope of vegetated land over which a bushfire passes has a strong influence on both the intensity and rate of spread of the bushfire. From a Bushfire Hazard Assessment perspective, the relevant slopes to consider are the slopes of land beneath areas of Classifiable Vegetation, defined as “Effective Slope” within the AS 3959-2018, that would be retained within or adjacent to the proposed development.

Also relevant, is whether the vegetated land is situated upslope or downslope of the proposed development. As fire travels upslope, there is a significant reduction in risk and fire-line intensity for sites that sit below the vegetation.

Slope has been calculated in GIS from a 25 m resolution Digital Elevation Model (DEM). The maximum slope (in degrees) was calculated from the central point in a pixel in a group of 9 x 9 cells to the eight adjoining cells in that group, refer to **Figure 8 and Appendix A**.

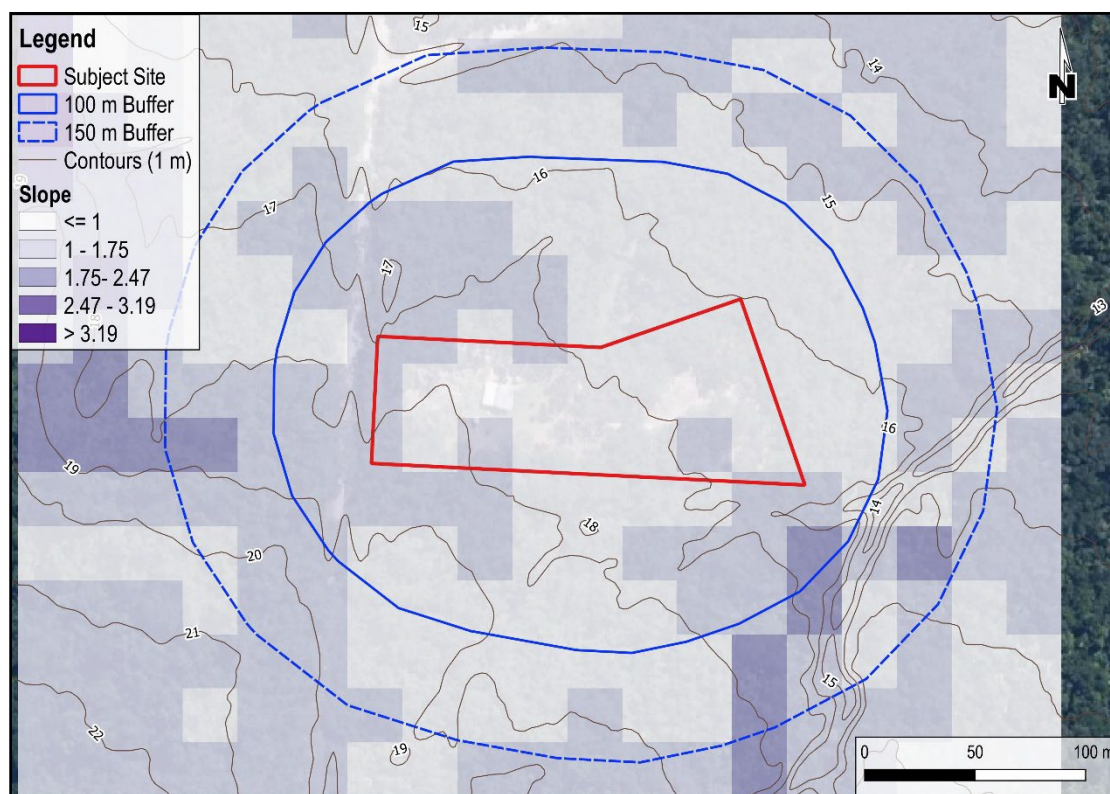


Figure 8. Slope (degrees) of the site

4.3 FOREST FIRE DANGER INDEX

In accordance with the AS 3959-2018 *Construction of Buildings in Bushfire-prone Areas*, the Fire Danger Index (FDI) indicates the chance of a fire starting, its intensity, rate of spread and the difficulty of its suppressions, according to a number of combinations of relative humidity, air temperature, wind speed as well as long and short-term drought effects. The QFES Catalyst Mapping indicates that the site-specific Forest Fire Danger Index (FFDI) for the subject site is **50**.

4.4 PROCESSING STAGES

The SPP Technical Reference Guide - Bushfire Resilient Communities (2019) summarises research by Leonard and Opie (2017) which categorises corridor and patch mapping into four stages. Firstly, Step 1 is applied to the VHC mapping within the site and locality. A temporary Potential Fire-line Intensity (PFLI) layer, or Bushfire Hazard Class layer, is then calculated following the application of Step 1, if relevant to the subject site and locality. Steps 2 to 4 are then applied to the temporary PFLI layer, only if the VHC mapping correlates with the Criteria description of each step.

S5 Environmental have investigated the application of the Processing Stages however, in this instance, they could not be applied to the development footprint and locality (within 150 m), as the overall size and fuel continuity of the modified VHCs did not meet the Criteria descriptions indicated in **Table 6**, below.

Table 6. Steps to Downgrade Bushfire Intensity

Step	Description
1	Remove small isolated patches of continuous fuel (< 1ha) surrounded completely by either discontinuous fuel or no fuel. These patches must be further than 100 m from other continuous fuel patches greater than 2 ha in area.
Calculate the Temporary PFLI layer, or Bushfire Hazard Class layer	
2	Downgrade intensity of small patches (0.5 to 3 ha) of continuous vegetation surrounded completely by either discontinuous or no fuel, which is more than 100 m from other continuous fuel patches greater than 2 ha in area.
3	Remove narrow corridors of continuous fuel (50 m, or less in width). The process erodes, then dilates by 25 m in width all continuous fuel patches in relation to discontinuous areas.
4	Remove small fragments (<0.5 ha) of shrub-dominated or hazardous tree vegetation.
Calculate the Final PFLI layer	

4.5 POST-DEVELOPMENT POTENTIAL BUSHFIRE (FIRE-LINE) INTENSITY

A bushfire hazard rating has been derived for Classifiable Vegetation in accordance with the State-wide Mapping Methodology for Bushfire Prone Areas in Queensland, described in **Section 3.1** (Leonard *et al.* 2014). Using *Equation 1*, calculations have been undertaken using GIS Raster Calculator, with the rasterised inputs for Fuel Load (**Figure 7**), Slope (**Figure 8**) and FFDI. **Figure 9**, below, summarises the output of the Bushfire Hazard Calculations at 25 m resolution.

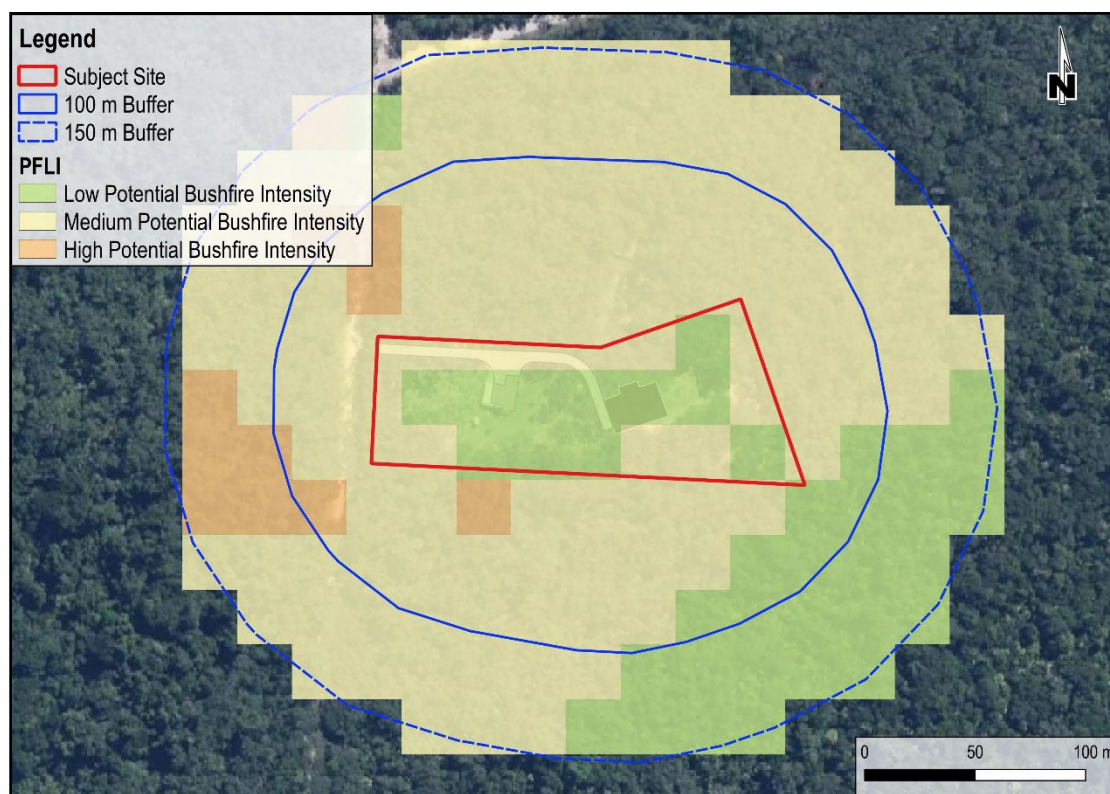


Figure 9. Summary of the Potential Fire-line Intensity

In accordance with the *New State-Wide Mapping Methodology for Bushfire Prone Areas in Queensland* (Leonard et al. 2014), Potential Bushfire Intensity Classes are described as:

- Very high (potential intensity) > 40,000kW/m;
- **High (potential intensity) 20,000 – 40,000kW/m;**
- **Medium (potential intensity) 4,000 – 20,000kW/m; and**
- **Low (potential intensity) < 4,000kW/m.**

Post development, and with the inclusion of the existing cleared area and recommended 20 m wide essential management, the entire subject site will contain areas of Low and Medium Potential Bushfire Intensity. Extensive areas of Medium Potential Bushfire Intensity have been identified to the north, south and west of the subject site. Refer to **Figure 9**, above.

4.6 BAL ASSESSMENT

Classifiable Vegetation in accordance with the Australian Standard and therefore, the subject of this assessment, was determined to be the vegetation (outside of the recommended essential management area) across all aspects of the proposed dwelling. Section 2.2.3.2 *Exclusions* of the AS 3959-2018 stipulates that vegetation of any type and situated more than 100 m from the proposed dwelling and vegetation regarded as **low threat** (Low Potential Bushfire Intensity and/or grassland managed in a minimal fuel condition and maintained lawns), is considered 'excluded vegetation'. This exclusion (f) of the AS 3959-2018 has been applied to the recommended essential management area and maintained mown grass areas throughout the subject site. Therefore, the BAL assessment has focused on the potential impact of a fire event in the Classifiable Vegetation (identified as posing a Medium and High Potential Bushfire Intensity) located within 100 m.

Accordingly, a Method 2 Assessment utilising the Flamesol Minimum Distance Calculator and Bushfire Attack Level Calculator was undertaken to determine the required setbacks from Classifiable Vegetation.

Tables 7 and 8, below, summaries the input parameters for modelling the required BAL setbacks for Classifiable Vegetation to the north and south of the proposed dwelling, with the BAL results summarised in **Plates 3 and 4**.

Table 7. Summary of Input Parameters for Classifiable Vegetation to the North of the Proposed Dwelling

Parameter	Input	Note
FFDI	50	Source: QFES Catalyst Mapping
Surface Fuel Load	21 t/ha	Surface Load – QFES VHC 9.1 Surface Fuel Loads
Overall Fuel Load	24.2 t/ha	Total Load – QFES VHC 9.1 Total Fuel Load
Effective Slope	0.91°	Classifiable Vegetation is downslope from the proposed dwelling, in this direction. Refer to Appendix A .
Site Slope	0°	The Classifiable Vegetation is at level with the proposed dwelling. Refer to Appendix A .
Flame Width	100 m	Standard input, in accordance with the AS 3959-2018.

Table 8. Summary of Input Parameters for Classifiable Vegetation to the South of the Proposed Dwelling

Parameter	Input	Note
FFDI	50	Source: QFES Catalyst Mapping
Surface Fuel Load	21 t/ha	Surface Load – QFES VHC 9.1 Surface Fuel Loads
Overall Fuel Load	24.2 t/ha	Total Load – QFES VHC 9.1 Total Fuel Load
Effective Slope	0°	Classifiable Vegetation is predominantly at level, or upslope of the proposed dwelling. In this instance, 0° has been applied for at level, or upslope land (as per the AS 3959-2018). Refer to Appendix A .
Site Slope	0°	
Flame Width	100 m	Standard input, in accordance with the AS 3959-2018.


			
Calculated February 28, 2022, 10:47 am (MDC v.4.9)			
BAL Minimum Setback Distances from Classifiable Vegetation to the North			
Minimum Distance Calculator - AS3959-2018 (Method 2)			
Inputs		Outputs	
Fire Danger Index	50	Rate of spread	1.34 km/h
Vegetation classification	Forest	Flame length	11.62 m
Understorey fuel load	21 t/ha	Flame angle	53 °, 63 °, 72 °, 76 °, 78 ° & 83 °
Total fuel load	24.2 t/ha	Elevation of receiver	4.64 m, 5.17 m, 5.52 m, 5.63 m, 5.68 m & 5.76 m
Vegetation height	n/a	Fire intensity	16,775 kW/m
Effective slope	0.91 °	Transmissivity	0.878, 0.862, 0.838, 0.8139999999999999, 0.8 & 0.735
Site slope	0 °	Viewfactor	0.5986, 0.4418, 0.2977, 0.2015, 0.1637 & 0.0446
Flame width	100 m	Minimum distance to < 40 kW/m ²	9.6 m
Windspeed	n/a	Minimum distance to < 29 kW/m ²	13 m
Heat of combustion	18,600 kJ/kg	Minimum distance to < 19 kW/m ²	19.2 m
Flame temperature	1,090 K	Minimum distance to < 12.5 kW/m ²	27.5 m
		Minimum distance to < 10 kW/m ²	32.9 m
Rate of Spread - Mcarthur, 1973 & Noble et al., 1980			
Flame length - NSW Rural Fire Service, 2001 & Noble et al., 1980			
Elevation of receiver - Douglas & Tan, 2005			
Flame angle - Douglas & Tan, 2005			
Radiant heat flux - Drysdale, 1999, Sullivan et al., 2003, Douglas & Tan, 2005			

Plate 3. Output of the BAL Modelling for Classifiable Vegetation to the North of the proposed Dwelling


			
Calculated February 28, 2022, 12:36 pm (MDc v.4.9)			
BAL Minimum Setback Distances from Classifiable Vegetation to the South			
Minimum Distance Calculator – AS3959-2018 (Method 2)			
Inputs		Outputs	
Fire Danger Index	50	Rate of spread	1.26 km/h
Vegetation classification	Forest	Flame length	11.09 m
Understorey fuel load	21 t/ha	Flame angle	53 °, 64 °, 72 °, 77 °, 78 ° & 84 °
Total fuel load	24.2 t/ha	Elevation of receiver	4.43 m, 4.98 m, 5.27 m, 5.4 m, 5.42 m & 5.51 m
Vegetation height	n/a	Fire intensity	15,754 kW/m
Effective slope	0 °	Transmissivity	0.879, 0.863, 0.84, 0.8159999999999999, 0.803 & 0.736
Site slope	0 °	Viewfactor	0.5959, 0.4385, 0.2954, 0.2004, 0.1632 & 0.0445
Flame width	100 m	Minimum distance to < 40 kW/m ²	9.199999999999999 m
Windspeed	n/a	Minimum distance to < 29 kW/m ²	12.5 m
Heat of combustion	18,600 kJ/kg	Minimum distance to < 19 kW/m ²	18.4 m
Flame temperature	1,090 K	Minimum distance to < 12.5 kW/m ²	26.5 m
		Minimum distance to < 10 kW/m ²	31.7 m
Rate of Spread - McArthur, 1973 & Noble et al., 1980			
Flame length - NSW Rural Fire Service, 2001 & Noble et al., 1980			
Elevation of receiver - Douglas & Tan, 2005			
Flame angle - Douglas & Tan, 2005			
Radiant heat flux - Drysdale, 1999, Sullivan et al., 2003, Douglas & Tan, 2005			

Plate 4. Output of the BAL Modelling for Classifiable Vegetation to the South of the proposed Dwelling

Tables 9 and 10, and Figure 10, below, summarise the required setbacks for each BAL score for the proposed dwelling (Class 1a building).

Table 9. Summary of the Bushfire Attack Level from Classifiable Vegetation to the North of the Dwelling

BAL Score	Minimum Setback
LOW	100 m
12.5	27.5 m
19	19.2 m
29	13 m
40	9.6 m

BAL Score	Minimum Setback
FZ	0 m

Table 10. Summary of the Bushfire Attack Level from Classifiable Vegetation to the South of the Dwelling

BAL Score	Minimum Setback
LOW	100 m
12.5	26.5 m
19	18.4 m
29	12.5 m
40	9.2 m
FZ	0 m

Based on the results of the BAL Assessment, the proposed dwelling (Class 1a building) can achieve a BAL 19 Score. Refer to **Figure 10**, below.

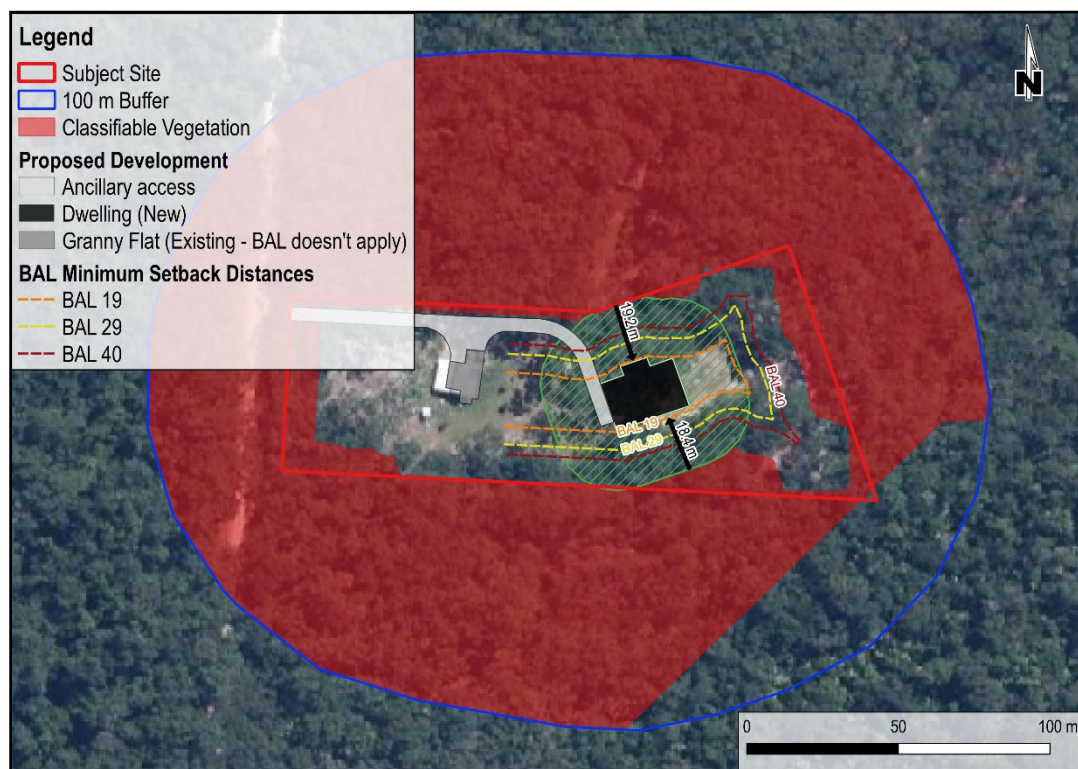


Figure 10. Summary of the BAL setbacks from Classifiable Vegetation

*BAL Scores 12.5 and Low were not indicated in Figure 9, above, as the dwelling was not able to achieve these scores.

5.0 BUSHFIRE MANAGEMENT PLAN

This Bushfire Management Plan (BMP) identifies management measures that must be implemented to ensure that the risk of bushfire attack is reduced to an acceptable level. It is first important to understand the processes that influence bushfire behaviour (**Section 5.1**), and the sources of damage that threaten people, infrastructure and property (**Section 5.2**).

5.1 BUSHFIRE BEHAVIOUR

Understanding bushfire behaviour is imperative when planning new development. There are three main factors which influence fire behaviour as follows:

1) Topography

Slope influences the speed and intensity of a fire. Fire is known to burn faster uphill as flames and radiant heat preheat the vegetation ahead of the fire, drying it out and making it increasingly flammable. As a rule of thumb, for every 10 degrees slope, fire doubles in speed. Refer to **Plate 5**, below.

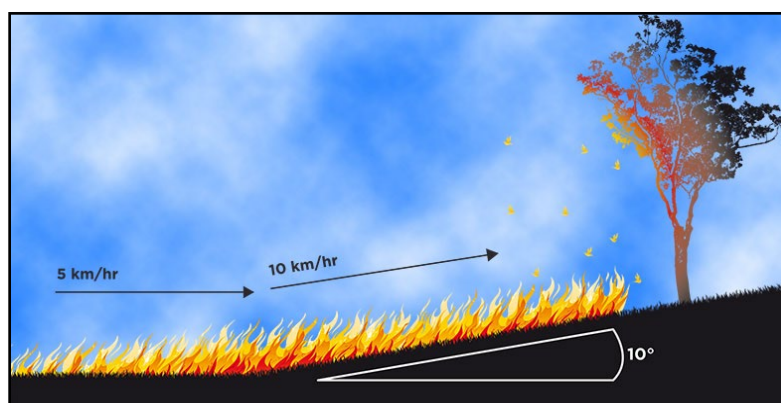


Plate 5 Effects of Topography on Bushfire

Source: Country Fire Authority

2) Weather Conditions

Bushfire weather conditions are fundamentally defined by temperature, humidity, wind, atmospheric conditions and past rainfall. For example, summer weather conditions increase the flammability of vegetation. Wind influences the speed and direction in which fire travels, fire intensity and possibility of spot fires from burning debris. A measure of weather conditions is the Forest Fire Danger Index (FFDI) and Grassland Fire Danger Index (GFDI). These measures are useful in determining the fire danger rating (refer to **Fire Danger Rating** in **Plate 6**, below).

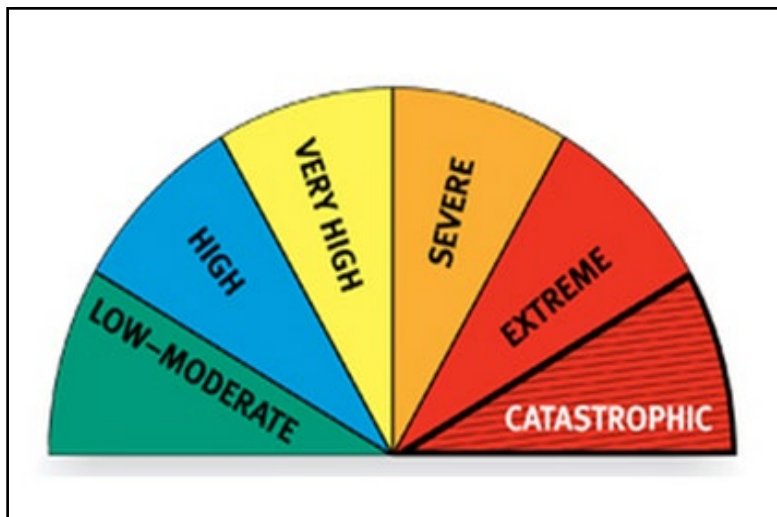


Plate 6 Fire Danger Rating

Source: Queensland Government, Emergency Services and Safety

3) Vegetation

Vegetation is the source of fuel for a bushfire. The amount of fuel surrounding a building can directly impact a buildings survival. Vegetation management, landscaping for bushfire and breaking the continuity of vegetation can limit the spread of fire.

5.2 BUSHFIRE DAMAGE SOURCES

The Country Fire Authority (2009) states, “*Bushfires can vary in intensity and scale across the landscape*”. As the past bushfire events throughout Australia have illustrated, bushfires can be devastating and lead to long-running fires which are difficult to suppress. Building survival is influenced by many interacting factors. The four main ways buildings are destroyed during a bushfire include:

- Ember attack;
- Radiant heat;
- Direct flame contact; and
- Fire-driven wind.

Ember Attack

Research indicates that the most common way buildings catch on fire is through ember attack (80% of house loss). Ember attack occurs when small burning twigs, bark, leaf are carried by wind and land in and around a building. Embers can ignite flammable plants, leaf litter, fences, outdoor furniture and sheds (refer to **Plate 7**, below). Ember attack is addressed within the AS 3959-2018 through Construction Standard requirements.

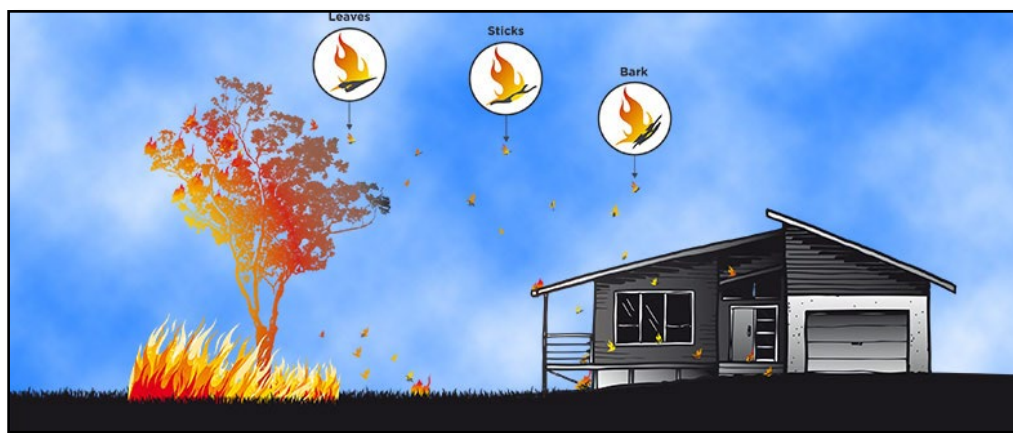


Plate 7 Ember Attack

Source: Country Fire Authority

Radiant Heat

Radiant heat is the heat created from burning fuel during a bushfire. Radiant heat can ignite surfaces without direct flame contact or ember attack, dry out vegetation ahead of the bushfire, crack glass (allowing embers to enter a building) and distort and melt materials (refer to **Plate 8**, below). The most common cause of loss of human life is via radiant heat (CFA, 2018).



Plate 8 Radiant Heat

Source: Country Fire Authority

Direct Flame Contact

Direct flame contact occurs when a fire front reaches a building, this is referred to as the 'Flame Zone'. Approximately 20% of house loss occurs when houses/buildings are directly adjacent to bushland.

Fire-driven Wind

Fire-driven wind can carry embers, cause trees to fall onto buildings, can break windows and destroy structures. The closer a building is to a fire front, the more severe the impact of fire-driven wind.

5.3 MANAGEMENT AND MITIGATION MEASURES – PERMANENT BUILDINGS

Management and mitigation measures are generally outlined in relevant planning instruments at both the State and Local Government level.

Mitigation measures emphasize resilience to bushfire and are categorised into the following groups for the permanent structures within the site.

- Layout Design (**Section 5.3.1**);
- Building and Construction Requirements (**Section 5.3.2**);
- Firefighting infrastructure (**Section 5.3.3**);
- Bushfire emergency plan (**Section 5.3.4**); and
- Vegetation management and landscaping (**Section 5.3.5**).

5.3.1 LAYOUT DESIGN

Access and Egress

The proposed dwelling will utilise an extension to the existing unsealed internal access from Hickory Road, situated to the west. The internal access to service the proposed dwelling (and existing granny flat) must maintain a minimum vertical clearance of 4.8 m, and a minimum formed width of 3.5 m to allow safe evacuation for occupants and accessibility for fire-fighting appliance vehicles. The existing access extends through continuous low grass or tree coverage areas along the northern property boundary which allows appropriate turning bays for firefighting appliance vehicles, in accordance with the QFES *Fire Hydrant and Vehicle Access Guidelines for Residential, Commercial and Industrial Lots*.

Siting of Development

With the inclusion of the recommended essential management firebreak (20 m width), the proposed dwelling can achieve a BAL Score of 19. Management of the setback surrounding the proposed dwelling is further explained below, in **Section 5.3.5**.

5.3.2 BUILDING AND CONSTRUCTION REQUIREMENTS

AS 3959 – 2018 Construction Standards

In accordance with the BCA, the AS 3959-2018 requirements for construction of buildings applies to any new Class 1, 2, 3 or 10a Building (when ancillary to a Class 1, 2, or 3 Building), whereby the dwelling is a Class 1a building. Based on the findings of this technical Bushfire Hazard Assessment, the proposed dwelling must adhere to **BAL 19** Construction Standards requirements. BAL Construction Standards cannot retrospectively be applied to the existing granny flat (Secondary dwelling).

Early Warning Systems

Smoke alarms should be installed in accordance with the Building Code of Australia and the AS 3786-1993 - *Smoke Alarms*. The Queensland Fire and Emergency Services recommends photoelectric

smoke alarms (not ionization alarms). Photoelectric smoke alarms are generally more effective than ionization types as they detect visible particles of combustion.

5.3.3 FIREFIGHTING INFRASTRUCTURE

The subject site is not connected to a reticulated water supply network. A dedicated static water supply, in the form of water tank/s, must be provided within 10 m of the dwelling and existing granny flat. The water tank/s must have a minimum water storage capacity of 10,000 litres for each building and must either be below ground or be made of non-flammable materials. A hardstand area (construction standard gravel or concrete) must surround the water tank/s to allow access for medium rigid vehicles (15 tonne fire appliance), within 6 m of the tank/s. Should the dedicated static water supply be serviced by the rural fire brigade, appropriate fittings (50 mm ball valve and male camlock coupling (above ground)), or a minimum access hole of 200 mm to accommodate suction lines (below ground) must be provided. Directional signage at the Hickory Road street frontage should be provided for fire-fighting appliances and vehicles to access the dedicated static water supply.

5.3.4 BUSHFIRE EMERGENCY

In the event of a Bushfire Emergency, the local QFES should be contacted immediately. The Mossman Fire Station is located approximately 42 km (by road) to the south of the subject site. The contact details for the Mossman Fire Station are:

- Address: 11 Thomas Street, Mossman
- Phone: (07) 4232 5470, **Please note that in fire emergencies the triple zero (000) emergency telephone number should be used.**

5.3.5 VEGETATION MANAGEMENT AND LANDSCAPING

The potentially hazardous vegetation is located across all development footprint aspects. The existing cleared, managed mown grass areas (including the unsealed internal access), as well as the recommended 20 m wide essential management area, surrounding the proposed dwelling and existing granny flat (secondary dwelling) must be utilised as an Asset Protection Zone, which must be maintained in a low fuel state with no shrub layer and a mown turf understorey, or non-flammable material, to minimise the risks to built form within the site.

Landscaping plays an important role in increasing a buildings' ability to endure bushfire attack. Landscaping for bushfire reduces the risk of ember attack which is the most common cause of building loss during bushfire. Any landscaping surrounding the proposed dwelling and existing granny flat (secondary dwelling) is strictly recommended to adhere to the requirements outlined in the SPP Technical Reference Guide – *Bushfire Resilient Communities, 2019*. This includes utilisation of low flammability treatments such as rock mulches, concrete retaining blocks, and appropriate plantings.

Appropriate plant attributes to consider implementing in landscape design to reduce bushfire risk include:

- High leaf moisture content;
- Lower volatile oil content;
- Higher leaf mineral content;
- Broad-leaved species;

- Resilience to pruning;
- Low ignition likelihood;
- A low volume of persistent dead leaves/branches;
- Smooth or tightly held bark; and,
- Leaves and twigs that do not regularly fall,

Management of landscaped areas should ensure that there is no accumulation of litter and woody debris on garden beds and should ensure that there is horizontal and vertical separation of plants. Any grass surrounding the proposed dwelling in the recommended firebreak areas should never exceed 10 cm in height. Irrigation of garden and greenery areas are recommended to ensure a well-watered, low flammability landscape.

The Victorian Country Fire Authority (CFA) have produced an online Plant Selection Key which facilitates landscape designers and property owners to select fire wise garden plants. The CFA have also produced the publication 'Landscaping for Bushfire: Garden Design and Plant Selection' (CFA, 2011). The publication outlines planning, designing, choosing suitable plants, maintaining gardens and provides a Plant Selection Key, and can be obtained from their website.

6.0 CONCLUSIONS

This technical Bushfire Hazard Assessment concluded that post development, the proposed dwelling is located predominantly within areas of Low Potential Bushfire Intensity, and in close proximity to areas of Medium Potential Bushfire Intensity. Patches of High Potential Bushfire Intensity were assessed to occur in external areas to the north-west, west and south of the subject site. Overall, S5 Environmental's results were generally consistent with the SPP Bushfire Prone Areas and DSC Bushfire Hazard Overlay and in addition, captured areas of Low Potential Bushfire Intensity over most of the existing cleared, managed areas within the site.

Due to the results of the technical Bushfire Hazard Assessment, a site-specific Bushfire Management Plan has been developed for the proposed dwelling and existing granny flat (secondary dwelling). The Bushfire Management Plan recommends key mitigation measures which should be implemented to ensure the risk to people, infrastructure and property is acceptable and minimised.

The BAL assessment concluded a **BAL 19** for the proposed habitable dwelling, with the implementation and ongoing management of the recommended 20 m wide essential management buffer. Construction Standard requirements are mandatory to be employed for the construction of the proposed Class 1a building and any future ancillary Class 10a building/s. Asset Protection Zones of at least 19.2 m to the north, and 18.4 m to the south (to achieve a BAL 19) of the proposed dwelling have been recommended and must be regularly maintained as per **Section 5.3.5** of the Management Plan.

Overall, S5 Environmental believe, with the implementation of the findings of this technical Bushfire Hazard Assessment and Management Plan, the proposed dwelling can comply with the provisions of the DSC Bushfire Hazard Overlay Code, refer to **Appendix B**.

7.0 REFERENCES

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APPENDIX A

Slope Calculations

Project 47 Hickory Road, Cow Bay
Number: S522024



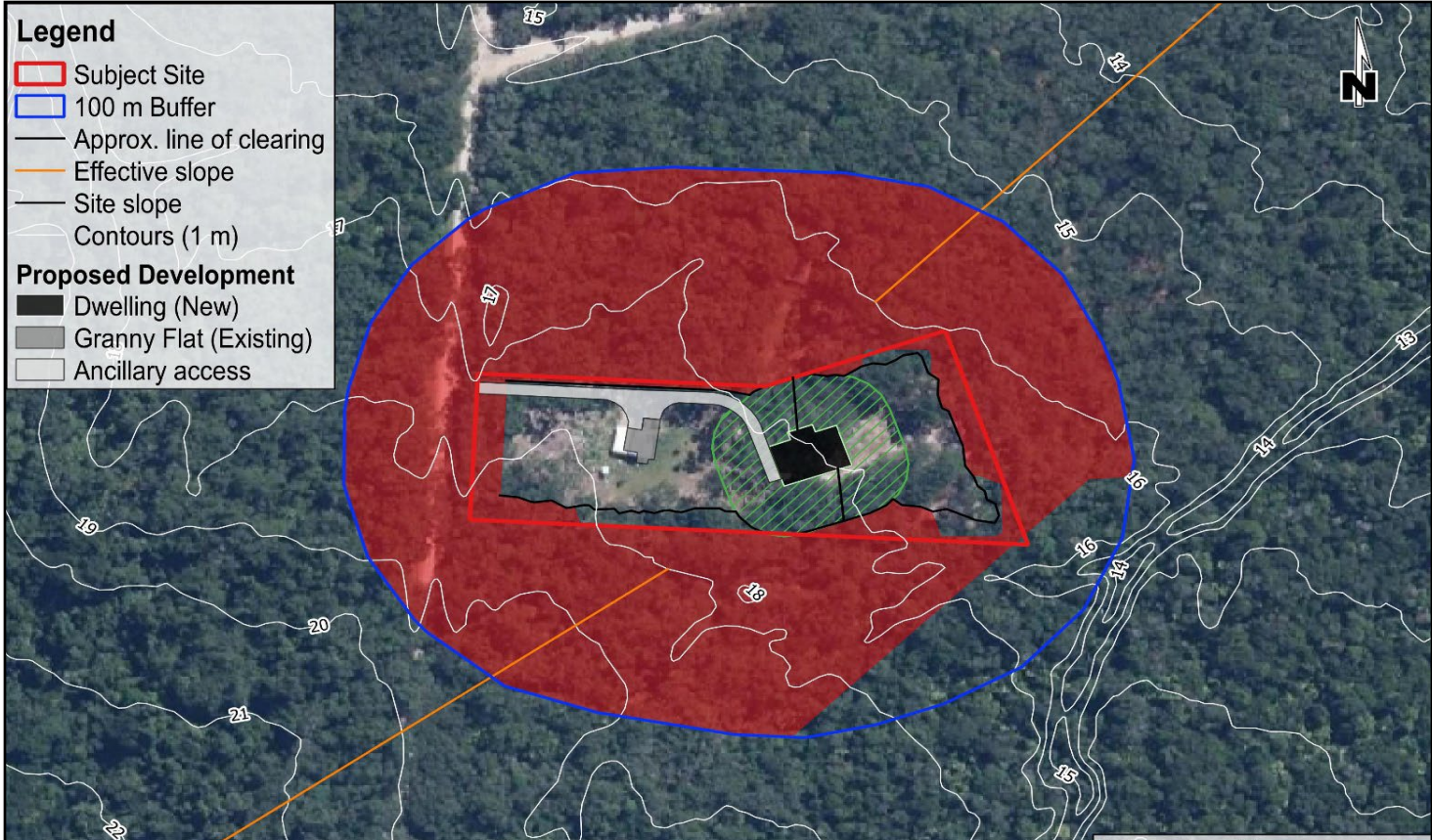
SLOPE CALCULATOR

Vegetation to the North of the proposed Dwelling

Effective Slope				Site Slope			
Direction	Downslope			Direction	At Level		
Top Elevation	16	m		Top Elevation	17	m	
Bottom Elevation	13	m	Slope % 1.60%	Bottom Elevation	17	m	Slope % 0.00%
Distance	188	m	Slope (°) 0.91	Distance	20	m	Slope (°) 0.00

Vegetation to the South of the proposed Dwelling

Effective Slope				Site Slope			
Direction	Upslope			Direction	At Level		
Top Elevation	24	m		Top Elevation	17	m	
Bottom Elevation	18	m	Slope % 0.00%	Bottom Elevation	17	m	Slope % 0.00%
Distance	309	m	Slope (°) 0.00	Distance	21	m	Slope (°) 0.00



APPENDIX B

DSC Bushfire Hazard Overlay Code

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	SOLUTIONS	COMMENTS
		✓ Complies X Non-Compliance PS Performance Solution NA Not Applicable	
Compatible development			
PO1 A vulnerable use is not established or materially intensified within a bushfire hazard area (bushfire prone area) unless there is an overriding need or other exceptional circumstances. <i>Note: See the end of this code for examples of vulnerable uses.</i>	AO1 Vulnerable uses are not established or expanded.	NA	The development does not involve a vulnerable use.
PO2 Emergency services and uses providing community support services are able to function effectively during and immediately after a bushfire hazard event.	AO2 Emergency Services and uses providing community support services are not located in a bushfire hazard sub-category and have direct access to low hazard evacuation routes.	NA	The proposed development does not involve emergency services and uses.
PO3 Development involving hazardous materials manufactured or stored in bulk is not located in bushfire hazard sub-category.	AO3 The manufacture or storage of hazardous materials in bulk does not occur within bushfire hazard sub-category.	NA	The proposed development is for a dwelling use and will not involve the manufacture or storage of hazardous materials in bulk.
Development design and separation from bushfire hazard – material change of use			
PO10 Development is located and designed to ensure proposed buildings or building envelopes achieve a radiant heat flux level at any point on the build or envelope respectively, of: a) 10 kW/m ² where involving a vulnerable use; or	AO10 Buildings or building envelopes are separated from hazardous vegetation by a distance that: a) Achieves a radiant heat flux level of at any point on the building or envelope respectively, of 10	✓	S5 Environmental have conducted a method 2 AS 3959-2018 assessment, which has concluded the proposed dwelling can achieve a BAL 19 (potential radiant heat flux exposure < 19 kW/m ²), with the inclusion and ongoing

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	SOLUTIONS	COMMENTS
		✓ Complies X Non-Compliance PS Performance Solution NA Not Applicable	
b) 29 kW/m ² otherwise. The radiant heat flux level is achieved by separation unless this is not practically achievable. <i>Note: The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.</i>	kW/m ² for a vulnerable use or 29 kW/m ² otherwise; and b) Is contained wholly within the development site.		management of the recommended 20 m wide managed firebreak (essential management). This buffer is effectively, already in place due to the historical clearing and modification of the land within the subject site.
PO11 A formed, all weather fire trail is provided between the hazardous vegetation and the site boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area. However, a fire trail will not be required where it would not serve a practical fire management purpose. <i>Note: Fire trails are unlikely to be required where a development site involves less than 2.5ha.</i>		NA	The subject site is 1.154 ha in area and S5 Environmental understand a fire trail is not required, as per the Note under PO11. Nonetheless, the existing cleared, managed maintained lawns throughout the subject site and access allow adequate space for fire-fighting appliance vehicles.
PO12 All premises are provided with vehicular access that enables safe evacuation for occupants and easy access by the firefighting appliances.	AO12 Private driveways: <ul style="list-style-type: none"> a) Do not exceed a length of 60 m from the street to the building; b) Do not exceed a gradient of 12.5%; c) Have a minimum width of 3.5m; d) Have a minimum of 4.8m vertical clearance; e) Accommodate turning areas for fire-fighting appliances in accordance with Queensland Fire 	✓/PS	a) The proposed driveway is approximately 124 m in length and therefore, exceeds the 60 m limit. As a performance solution, the access will adjoin onto already cleared areas and is currently used for the existing granny flat. The access will maintain the required minimum vertical and width clearances and will only be used by the residents of the proposed

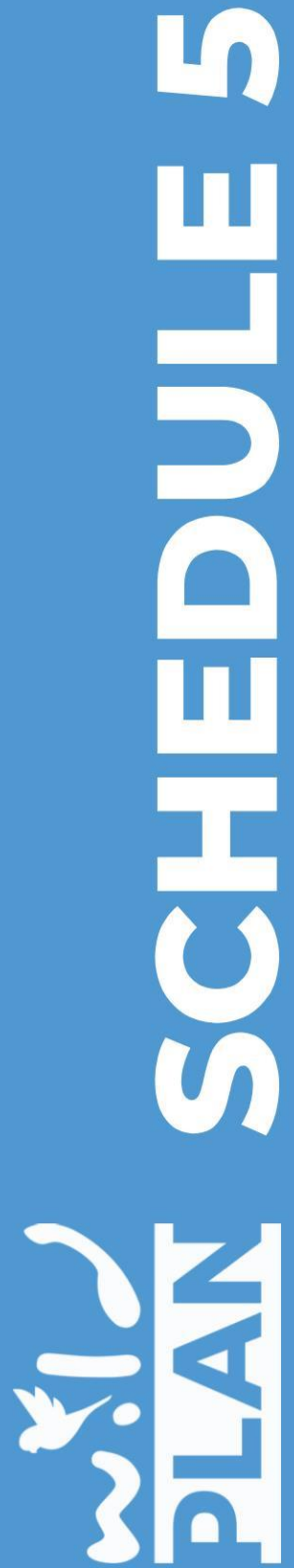
PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	SOLUTIONS	COMMENTS
		✓ Complies X Non-Compliance PS Performance Solution NA Not Applicable	
	and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and f) Serve no more than 3 dwellings or buildings.		dwelling and existing granny flat (secondary dwelling). b) The proposed driveway does not exceed a gradient of 12.5 %. c) The proposed driveway has an average width of 4.5 m, which exceeds the minimum of 3.5 m. d) The proposed driveway should maintain a minimum 4.8 m vertical clearance. e) The adjacent maintained mown grass areas can suitably accommodate turning areas for fire-fighting appliances. Overall, S5 Environmental are of the opinion that the existing and proposed extension to the driveway can achieve PO12, being immediately adjacent to historically cleared, and modified mown grass areas.
PO13 Development outside reticulated water supply areas includes a dedicated static supply that is available solely for fire fighting purposes and can be accessed by fire fighting appliances.	AO13 A water tank is provided within 10m of each building (other than a class 10 building) which: a) Is either below ground level or of non-flammable construction; b) Has a take off connection at a level that allows the following dedicated, static water supply to be left available for access by fire fighters:	✓	With compliance with the recommendations of the prepared Bushfire Management Plan, the proposed dwelling and existing granny flat (secondary dwelling) can comply with the water tank requirements of AO13.

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	SOLUTIONS	COMMENTS
		✓ Complies X Non-Compliance PS Performance Solution NA Not Applicable	
	i) 10,000l for residential buildings <i>Note – A minimum of 7,500l is required in a tank and the extra 2,500l may be in the form of accessible swimming pools or dams.</i> ii) 45,000l for industrial buildings; and iii) 20,000l for other buildings; c) Includes shielding of tanks and pumps in accordance with the relevant standards; d) Includes a hardstand area allowing medium rigid vehicle (15 tonne fire appliance) access within 6m of the tank; e) Is provided with fire brigade tank fittings – 50 mm ball valve and male camlock coupling and, if underground, an access hole of 200 mm (minimum) to accommodate suction lines; and f) Is clearly identified by directional signage provided at the street frontage.		
PO14 Landscaping does not increase the potential bushfire risk.	AO14 Landscaping uses species that are less likely to exacerbate a bushfire event, and does not increase fuel loads within separation areas.	✓	With compliance with the landscaping recommendations of the prepared Bushfire Management Plan, the proposed dwelling and existing granny flat (secondary dwelling) development can comply with AO14.
PO15 The risk of bushfire and the need to mitigate that risk is balanced against other factors (such as but not limited to, biodiversity or scenic amenity).	AO15 Bushfire risk mitigation treatments do not have a significant impact on the natural environmental or landscape character of the locality where this has value.	✓	A 20 m wide essential management buffer has been recommended to surround the proposed dwelling (<i>State Planning Regulation 2017</i>). This buffer is effectively, already present on the site

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	SOLUTIONS	COMMENTS
		✓ Complies X Non-Compliance PS Performance Solution NA Not Applicable	
			and consists of scattered canopy trees over maintained mown grass.

SCHEDULE 5

UPDATED DA FORM 1



DA Form 1 – Development application details

Approved form (version 1.0 effective 3 July 2017) 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 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**, 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)	Geoff & Kayla Miller
Contact name (only applicable for companies)	
Postal address (P.O. Box or street address)	47 Hickory Road
Suburb	Cow Bay
State	Qld
Postcode	4873
Country	Australia
Contact number	0411 819 913
Email address (non-mandatory)	Munddy1@hotmail.com
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	DA-2021-01.00 to DA-2021-01.03

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
		47	Hickory Road	Cow Bay
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	358	RP 739002	Douglas Shire Council
b)	Unit No.	Street No.		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. Only one set of coordinates is required for this part.

☒ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
16.222816	145.417653	<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	Douglas Shire Council

☐ Coordinates of premises by easting and northing

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

3.3) Additional premises

☐ Additional premises are relevant to this development application and their details have been attached in a schedule to this 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:

☐ Listed on the Environmental Management Register (EMR) under the *Environmental Protection Act 1994*

EMR site identification:

☐ Listed on the Contaminated Land Register (CLR) under the *Environmental Protection Act 1994*

CLR site identification:

5) Are there any existing easements over the premises?

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

☐ Yes – All easement locations, types and dimensions are included in plans submitted with this development application

☒ No

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

☒ Material change of use

☐ Reconfiguring a lot

☐ Operational work

☐ Building work

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

☒ Development permit

☐ Preliminary approval

☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

☒ Code assessment

☐ Impact assessment *(requires public notification)*

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

Proposed Dwelling House

e) Relevant plans

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

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

6.2) Provide details about the second development aspect

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

☒ Material change of use

☐ Reconfiguring a lot

☐ Operational work

☐ Building work

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

☒ Development permit

☐ Preliminary approval

☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

☒ Code assessment

☐ Impact assessment *(requires public notification)*

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

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

6.3) Additional aspects of development

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

☒ Not required

Section 2 – Further development details

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

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

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use

Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
Proposed Dwelling House	Dwelling House	1	310m ²
Granny Flat	Secondary Dwelling	1	75m ²

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

<input checked="" type="checkbox"/> Yes		
<input 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 construction road (complete 13))

10) Subdivision

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

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

10.2) Will the subdivision be staged?

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

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

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

12) Boundary realignment**12.1) What are the current and proposed areas for each lot comprising the premises?**

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

12.2) What is the reason for the boundary realignment?**13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)**

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

Division 3 – Operational work

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

14.1) What is the nature of the operational work?

- | | | |
|---|-------------------------------------|--|
| <input type="checkbox"/> Road work | <input type="checkbox"/> 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)

☐ Yes – specify number of new lots:

☐ No

14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)**PART 4 – ASSESSMENT MANAGER DETAILS****15) Identify the assessment manager(s) who will be assessing this development application**

Douglas Shire Council – Rebecca Toranto

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

- ☐ Yes – a copy of the decision notice is attached to this development application
- ☐ Local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- ☒ No

PART 5 – REFERRAL DETAILS**17) Do any aspects of the proposed development require referral for 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 Regulation 2017:**

- ☐ Clearing native vegetation
- ☐ Contaminated land (unexploded ordnance)

<input type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA have not been devolved to a local government)</i> <input type="checkbox"/> Fisheries – aquaculture <input type="checkbox"/> Fisheries – declared fish habitat area <input type="checkbox"/> Fisheries – marine plants <input type="checkbox"/> Fisheries – waterway barrier works <input type="checkbox"/> Hazardous chemical facilities <input type="checkbox"/> Queensland heritage place <i>(on or near a Queensland heritage place)</i> <input type="checkbox"/> Infrastructure – designated premises <input type="checkbox"/> Infrastructure – state transport infrastructure <input type="checkbox"/> Infrastructure – state transport corridors and future state transport corridors <input type="checkbox"/> Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels <input type="checkbox"/> Infrastructure – state-controlled roads <input type="checkbox"/> Land within Port of Brisbane's port limits <input type="checkbox"/> SEQ development area <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – community activity <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – indoor recreation <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – residential development <input type="checkbox"/> SEQ regional landscape and rural production area or SEQ Rural living area – urban activity <input type="checkbox"/> Tidal works or works in a coastal management district <input type="checkbox"/> Urban design <input type="checkbox"/> Water-related development – taking or interfering with water <input type="checkbox"/> Water-related development – removing quarry material <i>(from a watercourse or lake)</i> <input type="checkbox"/> Water-related development – referable dams <input type="checkbox"/> Water-related development – construction of new levees or modification of existing levees <i>(category 2 or 3 levees only)</i> <input type="checkbox"/> Wetland protection area
Matters requiring referral to the local government:
<input type="checkbox"/> Airport land <input type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA have been devolved to local government)</i> <input type="checkbox"/> Local heritage places
Matters requiring referral to the chief executive of the distribution entity or transmission entity:
<input type="checkbox"/> 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"/> Oil and gas infrastructure
Matters requiring referral to the Brisbane City Council:
<input type="checkbox"/> Brisbane core port land
Matters requiring referral to the Minister under the Transport Infrastructure Act 1994:
<input type="checkbox"/> Brisbane core port land <input type="checkbox"/> Strategic port land
Matters requiring referral to the relevant port operator:
<input type="checkbox"/> Brisbane core port land (below high-water mark and within port limits)
Matters requiring referral to the chief executive of the relevant port authority:
<input type="checkbox"/> Land within limits of another port
Matters requiring referral to the Gold Coast Waterways Authority:
<input type="checkbox"/> Tidal works, or development in a coastal management district in Gold Coast waters
Matters requiring referral to the Queensland Fire and Emergency Service:
<input type="checkbox"/> Tidal works, or development in a coastal management district

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

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

Referral requirement	Referral agency	Date of referral response

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

PART 6 – INFORMATION REQUEST**19) Information request under Part 3 of the DA Rules**

- ☒ I agree to receive an information request if determined necessary for this development application
- ☐ I do not agree to accept an information request for this development application

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

- that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties
- Part 3 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)**

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

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

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

- ☐ Yes – the yellow local government/private certifier's copy of the receipted QLeave form is attached to this development application
- ☐ No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid
- ☒ Not applicable

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

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

- ☒ Yes – show cause or enforcement notice is attached
- ☐ No

23) Further legislative requirements**Environmentally relevant activities**

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

☐ Yes – the required attachment (form EM941) for an application for an environmental authority accompanies this development application, and details are provided in the table below

☒ No

Note: Application for an environmental authority can be found by searching “EM941” at www.qld.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.

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

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

Hazardous chemical facilities

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

☐ Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application

☒ No

Note: See www.justice.qld.gov.au for further information.

Clearing native vegetation

23.3) Does this development application involve **clearing native vegetation** that requires written confirmation 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 is accompanied by written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)

☒ No

Note: See www.qld.gov.au for further information.

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 conservation

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

☐ Yes

☒ No

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

Water resources

23.6) Does this development application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, taking overland flow water or waterway barrier works**?

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

☒ No

Note: DA templates are available from www.dilqp.qld.gov.au.

23.7) Does this application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water** under the *Water Act 2000*?

☐ Yes – I acknowledge that a relevant water authorisation under the *Water Act 2000* may be required prior to commencing development

☒ No

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

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 and Mines at www.dnrm.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 Heritage Protection at www.ehp.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.dews.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.ehp.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.ehp.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*

<input checked="" type="checkbox"/> No
<u>Decision under section 62 of the <i>Transport Infrastructure Act 1994</i></u>
23.15) Does this development application involve new or changed access to a state-controlled road?
<input type="checkbox"/> Yes - this application will be taken to be an application for a decision under section 62 of the <i>Transport Infrastructure Act 1994</i> (subject to the conditions in section 75 of the <i>Transport Infrastructure Act 1994</i> being satisfied)
<input checked="" type="checkbox"/> 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 <i>Form 2 – Building work details</i> 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 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 (<i>see 21</i>)	<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 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	
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	

The *Planning Act 2016*, the *Planning Regulation 2017* and the *DA Rules* are administered by the Department of Infrastructure, Local Government and Planning. This form and all other required development application materials should be sent to the assessment manager.