ASPIRE
Town Planning and Project Services

9 June 2026

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

Attn: Mr. Neil Beck (Team Leader Planning)

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

RE: DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE (DWELLING HOUSE) OVER LAND AT 18 HIBISCUS COURT, ROCKY POINT, MORE FORMALLY DESCRIBED AS LOT 28 ON RP749732

Aspire Town Planning and Project Services acts on behalf of Mandy Anne Newman and Todd Shane Newman (the Applicant and Land Owners) in relation to the above Development Application.

An application for an Alternative Design was previously lodged by Aspire Town Planning and Project Services on 12 November 2025. Following discussions and negotiations with Douglas Shire Council regarding proposed driveway structures within the road reserve and the need for associated design revisions, the Applicant elected to withdraw that application and pursue a revised development outcome. At the time of withdrawal, no request for a refund of the application fees was made.

Given the substantial overlap between the original and revised proposals, and noting that the current application represents a more modest development outcome, we respectfully request that Douglas Shire Council consider transferring the fees paid for the previous application to this new Development Application in recognition of the fees already paid and work previously undertaken.

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

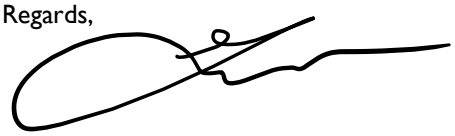
Accordingly, we enclose the following documentation in support of the application:

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

PO BOX 1040, MOSSMAN QLD 4873
M. 0418826560
E. admin@aspireqld.com
W. www.aspireqld.com
ABN. 79 851 193 691

Should Council require any further information in relation to this application, please do not hesitate to contact the undersigned.

Regards,



Daniel Favier
Senior Town Planner
ASPIRE Town Planning and Project Services

ASPIRE

Town Planning and Project Services

Attachment 1

Duly completed DA Form 1

DA Form 1 – Development application details

Approved form (version 1.6 effective 2 August 2024) made under section 282 of the Planning Act 2016.

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

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

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

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

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

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

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

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (*individual or company full name*)	Mandy Newman and Todd Newman
Contact name *(only applicable for companies)*	c/- Daniel Favier (Aspire Town Planning and Project Services)
Postal address *(P.O. Box or street address)*	PO Box 1040
Suburb	Mossman
State	QLD
Postcode	4873
Country	Australia
Contact number	0418 826 560
Email address *(non-mandatory)*	admin@aspireqld.com
Mobile number *(non-mandatory)*	
Fax number *(non-mandatory)*	
Applicant's reference number(s) *(if applicable)*	2026-06-62 - Newman - 18 Hibiscus Court, Rocky Point

1.1) Home-based business

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

2) Owner's consent

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

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

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

☒ Street address **AND** lot on plan (*all lots must be listed*), ***or***

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		18	Hibiscus Court	Rocky Point
	Postcode	Lot No.	Plan Type and Number *(e.g. RP, SP)*	Local Government Area(s)
	4873	28	RP749732	Douglas Shire
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number *(e.g. RP, SP)*	Local Government Area(s)

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

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

☐ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) *(if applicable)*
		☐ WGS84 ☐ GDA94 ☐ Other:	

☐ Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) *(if applicable)*
		☐ 54 ☐ 55 ☐ 56	☐ WGS84 ☐ GDA94 ☐ Other:	

3.3) Additional premises

☐ Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development application

☒ Not required

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

☐ In a tidal area

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

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

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

Dwelling House

e) Relevant plans

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

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

6.2) Provide details about the second development aspect

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

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

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

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

c) What is the level of assessment?

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

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

e) Relevant plans

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

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

6.3) Additional aspects of development
☐ Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application
☒ Not required
6.4) Is the application for State facilitated development?
☐ Yes - Has a notice of declaration been given by the Minister?
☒ No

Section 2 – Further development details

7) Does the proposed development application involve any of the following?	
Material change of use	☒ Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	☐ Yes – complete division 2
Operational work	☐ Yes – complete division 3
Building work	☐ Yes – complete *DA Form 2 – Building work details*

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition *(include each definition in a new row)*	Number of dwelling units *(if applicable)*	Gross floor area (m^2) *(if applicable)*
Construction of a new single Dwelling House within an existing cleared and benched area of the site.	Dwelling House	NA	Refer to Plans

8.2) Does the proposed use involve the use of existing buildings on the premises?
☐ Yes
☒ No

8.3) Does the proposed development relate to temporary accepted development under the Planning Regulation?	
☐ Yes – provide details below or include details in a schedule to this development application	
☒ No	
Provide a general description of the temporary accepted development	Specify the stated period dates under the Planning Regulation

Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?

9.2) What is the nature of the lot reconfiguration? *(tick all applicable boxes)*	
☐ Subdivision *(complete 10)*	☐ Dividing land into parts by agreement *(complete 11)*
☐ Boundary realignment *(complete 12)*	☐ Creating or changing an easement giving access to a lot from a constructed road *(complete 13)*

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

10.2) Will the subdivision be staged?	
☐ Yes – provide additional details below ☐ No	
How many stages will the works include?	
What stage(s) will this development application apply to?	

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

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m^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?		
☐ Road work	☐ Stormwater	☐ Water infrastructure
☐ Drainage work	☐ Earthworks	☐ Sewage infrastructure
☐ Landscaping	☐ Signage	☐ Clearing vegetation
☐ Other – please specify:		

14.2) Is the operational work necessary to facilitate the creation of new lots? *(e.g. subdivision)*	
☐ Yes – specify number of new lots:	
☐ No	

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

$

PART 4 – ASSESSMENT MANAGER DETAILS

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

Douglas Shire Council

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

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

PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements?
***Note**: A development application will require referral if prescribed by the* Planning Regulation 2017.

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

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

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

☐ SEQ northern inter-urban break – tourist activity or sport and recreation activity
☐ SEQ northern inter-urban break – community activity
☐ SEQ northern inter-urban break – indoor recreation
☐ SEQ northern inter-urban break – urban activity
☐ SEQ northern inter-urban break – combined use
☐ Tidal works or works in a coastal management district
☐ Reconfiguring a lot in a coastal management district or for a canal
☐ Erosion prone area in a coastal management district
☐ Urban design
☐ Water-related development – taking or interfering with water
☐ Water-related development – removing quarry material *(from a watercourse or lake)*
☐ Water-related development – referable dams
☐ Water-related development –levees *(category 3 levees only)*
☐ Wetland protection area

Matters requiring referral to the **local government:**
☐ Airport land
☐ Environmentally relevant activities (ERA) (*only if the ERA has been devolved to local government)*
☐ Heritage places – Local heritage places

Matters requiring referral to the **Chief Executive of the distribution entity or transmission entity:**
☐ Infrastructure-related referrals – Electricity infrastructure

Matters requiring referral to:
- The **Chief Executive of the holder of the licence**, if not an individual
- The **holder of the licence**, if the holder of the licence is an individual

☐ Infrastructure-related referrals – Oil and gas infrastructure

Matters requiring referral to the **Brisbane City Council:**
☐ Ports – Brisbane core port land

Matters requiring referral to the **Minister responsible for administering the *Transport Infrastructure Act 1994*:**
☐ Ports – Brisbane core port land *(where inconsistent with the Brisbane port LUP for transport reasons)*
☐ Ports – Strategic port land

Matters requiring referral to the **relevant port operator**, if applicant is not port operator**:**
☐ Ports – Land within Port of Brisbane's port limits *(below high-water mark)*

Matters requiring referral to the **Chief Executive of the relevant port authority:**
☐ Ports – Land within limits of another port *(below high-water mark)*

Matters requiring referral to the **Gold Coast Waterways Authority:**
☐ Tidal works or work in a coastal management district *(in Gold Coast waters)*

Matters requiring referral to the **Queensland Fire and Emergency Service:**
☐ Tidal works or work in a coastal management district *(involving a marina (more than six vessel berths))*

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

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

Referral requirement	Referral agency	Date of referral response

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

PART 6 – INFORMATION REQUEST

19) Information request under the DA Rules

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

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

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

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

Further advice about information requests is contained in the DA Forms Guide.

PART 7 – FURTHER DETAILS

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

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

☒ No

List of approval/development application references	Reference number	Date	Assessment manager
☐ Approval ☐ Development application			
☐ Approval ☐ Development application			

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

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

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

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

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

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

☐ Yes – show cause or enforcement notice is attached

☒ No

23) Further legislative requirements

Environmentally relevant activities

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

☐ Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below

☒ No

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

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

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

Hazardous chemical facilities

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

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

☒ No

***Note**: See www.business.qld.gov.au for further information about hazardous chemical notifications.*

Clearing native vegetation

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

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

☒ No

***Note**: 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development.*

2. See https://www.qld.gov.au/environment/land/vegetation/applying for further information on how to obtain a s22A determination.

Environmental offsets

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

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

☒ No

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

Koala habitat in SEQ Region

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

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

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

☒ No

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

Water resources

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

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

☒ No

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

DA templates are available from planning.statedevelopment.qld.gov.au. If the development application involves:

- *Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1*
- *Taking or interfering with water in a watercourse, lake or spring: complete DA Form1 Template 2*
- *Taking overland flow water: complete DA Form 1 Template 3.*

Waterway barrier works

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

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

☒ No

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

Marine activities

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

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

☒ No

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

Quarry materials from a watercourse or lake

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

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

☒ No

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

Quarry materials from land under tidal waters

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

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

☒ No

***Note**: Contact the Department of Environment, Science and Innovation at www.desi.qld.gov.au for further information.*

Referable dams

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

☐ Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the Water Supply Act is attached to this development application

☒ No

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

Tidal work or development within a coastal management district

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

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

☒ No

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

Queensland and local heritage places

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

☐ Yes – details of the heritage place are provided in the table below

☒ No

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

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

Name of the heritage place:		Place ID:	

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

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

☐ Yes – this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)

☒ No

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

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

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

☒ No

***Note**: See guidance materials at www.planning.statedevelopment.qld.gov.au for further information.*

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist	
I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17 ***Note**: See the Planning Regulation 2017 for referral requirements*	☒ Yes
If building work is associated with the proposed development, Parts 4 to 6 of *DA Form 2 – Building work details* have been completed and attached to this development application	☐ Yes ☒ Not applicable
Supporting information addressing any applicable assessment benchmarks is with the development application ***Note**: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see DA Forms Guide: Planning Report Template.*	☒ Yes
Relevant plans of the development are attached to this development application ***Note**: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.*	☒ Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued *(see 21)*	☐ Yes ☒ Not applicable

25) Applicant declaration
☒ By making this development application, I declare that all information in this development application is true and correct ☒ Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001* ***Note**: It is unlawful to intentionally provide false or misleading information.*
Privacy – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website. Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, Planning Regulation 2017 and the DA Rules except where: • such disclosure is in accordance with the provisions about public access to documents contained in the *Planning Act 2016* and the Planning Regulation 2017, and the access rules made under the *Planning Act 2016* and Planning Regulation 2017; or • required by other legislation (including the *Right to Information Act 2009*); or • otherwise required by law. This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002.*

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

Date received: | Reference number(s):

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

QLeave notification and payment *Note: For completion by assessment manager if applicable*			
Description of the work			
QLeave project number			
Amount paid ($)		Date paid (dd/mm/yy)	
Date receipted form sighted by assessment manager			
Name of officer who sighted the form			

ASPIRE

Town Planning and Project Services

Attachment 2

Town Planning Report

Town Planning Report

MATERIAL CHANGE OF USE (DWELLING HOUSE)

18 HIBISCUS COURT, ROCKY POINT

LOT 28 ON RP749732

9 June 2026

ASPIRE Town Planning and Project Services

Authored by: Daniel Favier

Ref: 2025-10-109 - 18 Hibiscus Court, Rocky Point

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

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

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

Executive Summary

Aspire Town Planning and Project Services has been engaged to act on behalf of Mandy Newman and Todd Newman (hereafter referred to as the 'Applicant' and 'Land Owner'). This report supports the Development Application for a Development Permit for a Material Change of Use (Dwelling House) over the land located at 18 Hibiscus Court, Rocky Point, formally described as Lot 28 on RP749732 (the 'subject site').

The subject site comprises an area of 11,550 m² and is generally pentagon in shape. Direct road access is provided via Hibiscus Court, approximately 57m of sealed road frontage. The proposed dwelling is positioned within an existing cleared and mostly benched area, thereby minimising any vegetation clearing and site disturbances. Minor engineered retaining walls are proposed above and below the dwelling are proposed to stabilise the land.

The proposal comprises a modestly scaled, single bedroom detached Dwelling House (described on the plans as a "cottage") designed to respond to the site's topography through combination of slab on ground and pole-home style construction. The dwelling is sited within an existing cleared area of the allotment and utilises the existing driveway access, minimising disturbance to the surrounding landscape and reducing the extent of earthworks required.

In accordance with the Douglas Shire Planning Scheme 2018 V1.0 (the 'planning scheme'), the subject site is situated within the Environmental Management Zone, where the development of a Dwelling House is Code Assessable.

This Town Planning Report provides a detailed assessment of the proposed development against the relevant Local Government Assessment Benchmarks, demonstrating that the proposal achieves compliance with the provisions of the planning scheme. All supporting documentation, including relevant plans and reports, have been provided as attachments to this submission.

We respectfully request that Douglas Shire Council (the 'Council') consider issuing 'without prejudice' draft conditions for review prior to the formal release of a Decision Notice, to facilitate an efficient approval process and ensure that all parties are aligned regarding the requirements for development.

1.0 Summary

Table 1: Application Summary.

Street Address	18 Hibiscus Court, Rocky Point
Lot and Plan	Lot 28 on RP749732
Land Owner	Mandy Anne Newman & Todd Shane Newman ***See Attachment 1 – Certificate of Title***
Size	11,550m^2
Road Frontages	Approx. 57m to Hibiscus Court (sealed)
Easements	Nil
Proposal	Dwelling House
Approvals Sought	Development Permit
Level of Assessment	Code
Planning Scheme Zone	Environmental Management
Local Plan	Nil
Regional Plan Designation	Regional Landscape and Rural Production Area
State Planning Policy	Appropriately integrated within the Planning Scheme
State Development Assessment Provisions	Not applicable
Referral	Not applicable

2.0 Site Description

The subject site described as Lot 28 on RP749732 is located at 18 Hibiscus Court, Rocky Point, approx. 8.66km north north-east of Mossman and approx. 415m north of Mossman Daintree Road, see **Image 1**. The site comprises a steeply sloping natural landform that is predominantly vegetated, with a cleared area located towards the road frontage, see **Image 2**. Access to the lot is gained via Hibiscus Court, which runs along the property's north-eastern boundary. The site offers a quiet setting within the hillslopes, with vistas of surrounding natural bushland, farmland, and beaches.

Image 1: Subject Site – Distance from Mossman (source: QLD Globe, 2026)

Image 2: Subject Site – Elevation (source: QLD Globe, 2026)

The site is improved by an existing shed, an on-site wastewater treatment system, and an established vehicle crossover with a sealed, benched driveway leading to the shed. A cleared and benched section extends along the road frontage boundary, providing a suitable and accessible area for development while minimising the need for additional vegetation removal or earthworks.

The site is located within the Environmental Management Zone and is surrounded by similarly zoned properties, most of which are developed with Dwelling Houses as the primary land use. The site is accessible from Hibiscus Court, which connects to Mossman Daintree Road, serving as the main thoroughfare connecting the area to nearby communities and the broader region. Nearby land uses include rural residential properties, agricultural land, and conservation land. The locality is known for its natural landscapes, and scenic views, providing a serene environment that characterises the broader Rocky Point area.

3.0 Proposal

This Development Application seeks approval for a Development Permit for a Material Change of Use for a Dwelling House.

The proposal comprises a modestly scaled, single bedroom detached Dwelling House (described on the plans as a "cottage") designed to respond to the site's topography through combination of slab on ground and pole-home style construction. The dwelling is sited within an existing cleared area of the allotment and utilises the existing driveway access, minimising disturbance to the surrounding landscape and reducing the extent of earthworks required.

The dwelling has a compact building footprint measuring approximately 12 metres in length by 4 metres in width and provides a simple residential layout comprising an open-plan living area, one bedroom, bathroom facilities, an entry deck and a covered outdoor deck area extending along the frontage of the dwelling. The design adopts a contemporary lightweight architectural form with a skillion roof and extensive glazing to maximise natural light, ventilation and outlook opportunities.

Given the benched terrain of the site, the dwelling includes a combination of slab on ground and elevated posts design, allowing the building to follow the natural terrain rather than requiring substantial cut and fill. Limited retaining walls are proposed behind and beneath the dwelling to facilitate drainage and provide structural stability where necessary. The plans indicate that retaining structures will be designed by a suitably qualified engineer.

The siting and design have been carefully selected to minimise impacts on the natural landform and existing vegetation. The dwelling is located adjacent to existing site improvements, including an existing shed and septic infrastructure, consolidating development within an already disturbed portion of the property. The proposal maintains the rural and natural character of the locality while providing a modest residential dwelling that is appropriately scaled to its setting.

Overall, the development represents a low-intensity residential use that responds sensitively to the site's constraints through an elevated design, limited earthworks and a compact building footprint, thereby preserving the visual and environmental qualities of the property.

The site is capable of and will be connected to Council's reticulated water supply and is serviced by an existing on-site wastewater treatment system, which will be connected to the proposed dwelling. Electricity infrastructure is available at the site frontage, and telecommunications services are readily accessible, ensuring that all essential utilities can be provided to the development efficiently.

Further refer to **Attachment 2 – Proposal Plans**.

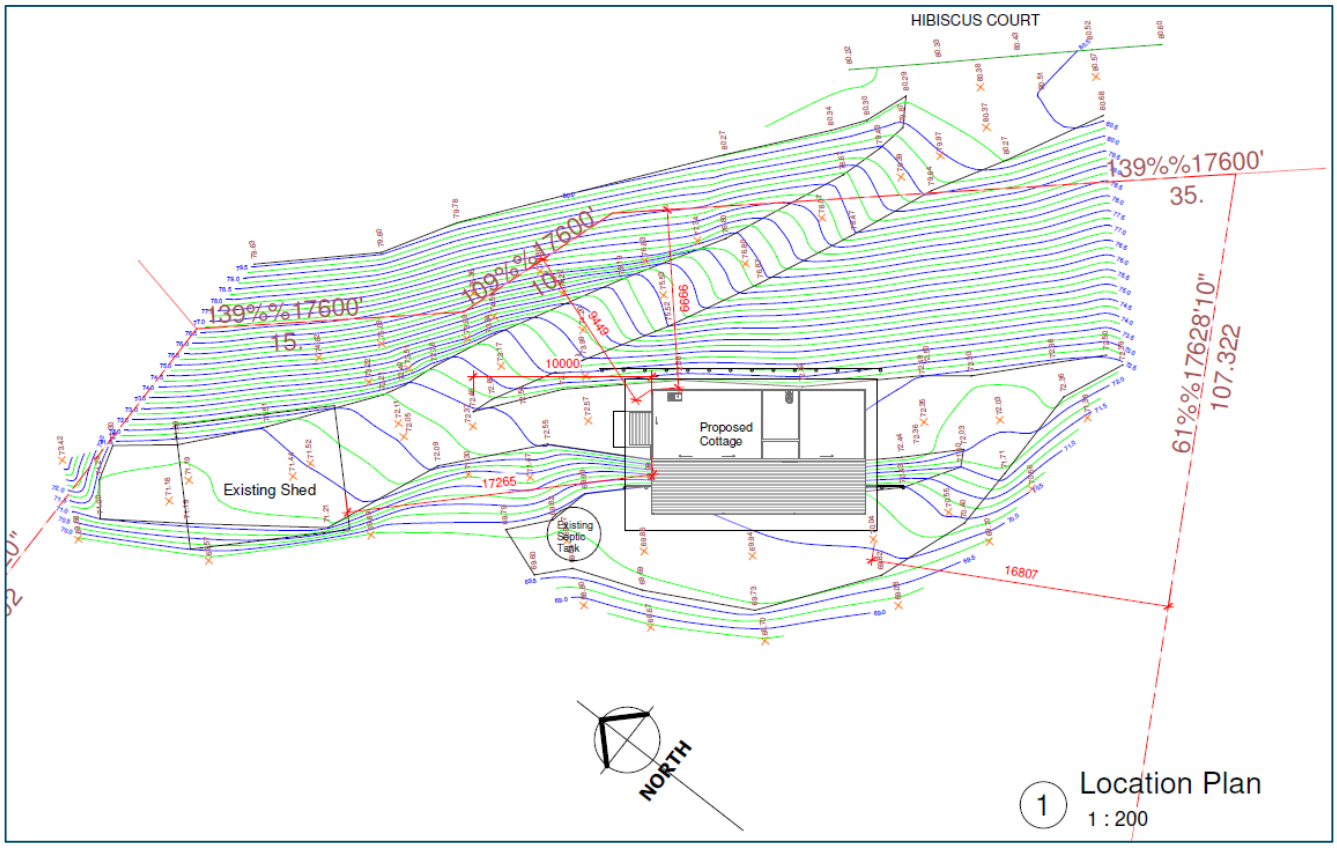


Image 3: Extract from the Proposal Plans (source: Lawson Design)

3.1 Summary of Key Issues

- **Site Condition**: The subject site does not contain an existing dwelling, however, is improved by an existing cleared and benched area toward the front of the property, an on-site wastewater treatment system, and an established vehicle crossover with a sealed benched driveway leading to the shed. The existing cleared and benched area provides a suitable and stable location for the proposed Dwelling House, minimising the need for additional vegetation removal or extensive earthworks. The remainder of the site is characterised by its natural topography and vegetated setting.
- **Proposed Dwelling Location & Clearing**: The proposed Dwelling House is strategically located within the existing cleared and benched area, ensuring minimal disturbance to surrounding vegetation.
- **Utility Connections**: The subject site is accessible via a sealed road and is capable of and will be connected to Council's reticulated water supply. It is serviced by an existing on-site wastewater treatment system, which will be connected to the proposed dwelling. Electricity infrastructure is available at the site, and telecommunications services are readily accessible.

- **Dwelling Colour Theme**: The external colour scheme has not been selected at this stage, however, it will complement the natural surroundings through the use of neutral and earthy tones. If Council has any concerns in this regard the external colour scheme, they may impose a reasonable condition requiring that these specific details be provided prior to the issuance of a Development Permit for Building Works.
- **Bushfire**: The subject site is partly covered by the 'Very High Potential Bushfire Intensity'; 'High Potential Bushfire Intensity'; and 'Potential Impact Buffer' overlay. While a site specific A Bushfire Attack Level (BAL) Assessment has not been carried out for the subject site, a recent BAL assessment has been carried out been carried out by Litoria Consulting in relation to 14 Hibiscus Court, Rocky Point, a lot approx. 70m south-east, that is also partly covered by the same overlays, topographical, vegetative, and access conditions. A copy of the report sourced from public record is included under **Attachment 3 – BAL Assessment**, and included an assessment of the subject land, and the land within 150m, found that most of the vegetation "comprised of rainforest vegetation and other non-hazardous (or low threat) vegetation", stating that "it is improbable that the vegetation would support a running wildfire or significant intensity" and "As such the proposed dwellings are not located within a bushfire prone area and planning or building design measures to mitigate the risk of bushfire attack are not required".
- **Geotech Investigation:** The site is largely covered by the hillslopes overlay. A development-specific geotechnical investigation has not been undertaken for this proposal; however, a site-specific geotechnical report prepared in 2006, included under **Attachment 4 – Geotech Investigation**, was carried out, which included an assessment of site suitability, slope stability analysis, and engineering commentary relating to drainage, cut and fill earthworks, retaining structures, and footing design. The findings of that report provide a sound basis for informing the proposed development, and all future earthworks and construction will be undertaken strictly in accordance with engineer-certified design and construction plans to ensure ongoing slope stability and structural integrity.

4.0 Statutory Town Planning Framework

4.1 Planning Act 2016

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

4.1.1 Approval and Development

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

4.1.2 Application

The proposed development is:

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

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

4.1.3 Referral

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

4.1.4 Public Notification

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

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

4.1.5 Assessment Framework

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

"(3) A code assessment is an assessment that must be carried out only—

(a) against the assessment benchmarks in a categorising instrument for the development; and

(b) having regard to any matters prescribed by regulation for this paragraph."

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

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

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

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

(a) the assessment benchmarks stated in—

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

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

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

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

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

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

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

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

…

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

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

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

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

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

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

(g) the common material.

(2) However—

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

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

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

4.2 Far North Queensland Regional Plan 2026

The Far North Queensland Regional Plan 2026 (the 'Regional Plan') is intended to guide and manage the region's development and to address key regional environmental, social, economic and urban objectives. The site falls within the Regional Landscape and Rural Production Area under the Regional Plan and although the Planning Scheme does not currently reflect current Regional Plan, the provisions relating to the site are not substantially different to the superseded Regional Plan which was integrated

within the Planning Scheme. Therefore, further detailed assessment of the proposed development is not considered necessary against the Regional Plan.

4.3 State Planning Policy

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

4.4 Temporary State Planning Policies

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

4.5 Douglas Shire Planning Scheme 2018 v1.0

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

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

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

4.5.1 Zone

The subject site is located within the Environmental Management Zone where it is noted that:

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

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

(2) The local government purpose of the code is to:

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

(i) Theme 2 : Environment and landscape values, Element 3.5.3 – Biodiversity, Element 3.5.5 – Scenic amenity.

(b) protect and buffer areas of environmental significance from inappropriate development.

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

(a) Development is generally restricted to a dwelling house;

(b) Adverse impacts on natural systems, both on-site and on adjoining land are minimised through the location, design and management of development;

(c) Development reflects and responds to the natural features and environmental values of the area;

(d) Visual impacts are minimised through the location and design of development;

(e) Development does not adversely affect water quality;

(f) Development responds to land constraints, including but not limited to topography, vegetation, bushfire, landslide and flooding."

The proposed development involves the construction of a single Dwelling House, which does not conflict with the intended purpose of the zone, and is considered an appropriate and accepted use within the Environmental Management Zone. Furthermore, the Dwelling House aligns with the zone's intent, by minimising impacts on natural systems, both on-site and on adjoining land, reflecting and responding to the natural features and land constraints. The development maintains the character of the area and is consistent with the overall objectives of the planning scheme for this zone.

A full assessment of the proposed development against the Environmental Management Code is included within **Attachment 5 – Code Assessment**.

4.5.3 Overlays

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

Overlay	Sub-category	Applicability
Bushfire Hazard Overlay	Potential Impact Buffer, Very High Potential Bushfire Intensity, and High Potential Bushfire Intensity.	The site is partly affected by the Bushfire Hazard Overlay. While a site-specific BAL Assessment has not been undertaken for this property, a recent assessment prepared by Litoria Consulting for 14 Hibiscus Court (approximately 70 m south-east of the site and subject to similar vegetation, topographical, and access conditions) included an analysis of all land within 150 m of that property. The assessment determined that the surrounding vegetation primarily comprises rainforest and other low-threat vegetation, concluding that it is improbable the area would support a running wildfire or significant intensity. Accordingly, the provisions of the Bushfire Hazard Overlay Code are satisfied, and no additional site-specific BAL assessment is considered necessary for this development. A copy of the

		report is included under **Attachment 3 – BAL Assessment.**
Hillslopes Overlay	Area Affected by Hillslopes	The site is substantially covered by the Hillslopes Overlay. The proposed dwelling is located within an existing cleared and benched portion of the property, representing the most stable and least visually prominent area. The design on footings minimises the need for cut and fill and preserving the site's natural landform and visual character. The provisions of the Hillslopes Overlay Code have been addressed in this report.
Natural Areas Overlay	MSES - Regulated Vegetation (Intersecting a Watercourse) MSES - Wildlife Habitat	The site is affected by the Natural Areas Overlay, primarily due to mapped vegetation and potential habitat values. The proposed dwelling is located within an existing cleared and benched area near the road frontage, ensuring no significant impact on environmental or ecological values. There will be nil vegetation disturbance necessary for the building footprint, essential services, and access, with the balance of the site to be retained under natural vegetation. The provisions of the code have been addressed through design and demonstrate protection of environmental values.
Potential Landslide Hazard Overlay	Landslide Hazard (High & Medium Hazard Risk)	The overlay mapping identifies areas of potential landslide hazard across much of the site. The dwelling is sited within an existing cleared and benched area, representing the most stable location available and requiring only minor earthworks. A 2006 geotechnical report previously undertaken for the site provides a sound basis for development, addressing slope stability, drainage, retaining, and footing design, and can be found at **Attachment 4 – Geotech Investigation.** All works will be undertaken in accordance with engineer-certified design and construction plans to ensure ongoing slope stability and structural integrity. The provisions of the Potential Landslide Hazard Overlay Code have been addressed within this report.

4.5.4 Category of Assessment

Pursuant to Part 5 of the Planning Scheme, a Development Application for Material Change of Use for a Dwelling House in the Environmental Management Zone is identified as Code assessable development.

4.5.5 Assessment Criteria

As determined by the Environmental Management Zone Table of Assessment and as discussed in part under s4.5.3 of this report, the following Planning Scheme Codes are applicable in the assessment of the Development Application:

Zone Code

- Environmental Management Zone

Local Area Plan Code

- Nil

Overlay Codes

- Refer to discussion under s4.5.3 of this report. Code provisions are appropriately addressed or may be conditioned by Council if concerns remain.

Development Codes

- Dwelling House Code
- Access, Parking and Servicing Code
- Filling and Excavation Code
- Infrastructure Works Code
- Vegetation Management Code

A detailed assessment against the other relevant assessment criteria is provided in **Attachment 5 – Code Assessment**.

5.0 Conclusion

This report is submitted in support of a Development Application for a Material Change of Use (Dwelling House) over the land on 18 Hibiscus Court, Rocky Point, formally described as Lot 28 on RP749732. The application is made under sections 49, 50, and 51 of the *Planning Act 2016*.

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

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

Attachment 1

Certificate of Title

Current Title Search

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	**21442158**	**Search Date:**	10/11/2025 08:11
Date Title Created:	02/07/1990	**Request No:**	54023642
Previous Title:	21427113		

ESTATE AND LAND

Estate in Fee Simple

LOT 28 REGISTERED PLAN 749732
Local Government: DOUGLAS

REGISTERED OWNER

Dealing No: 722743445 13/09/2023

MANDY ANNE NEWMAN
TODD SHANE NEWMAN JOINT TENANTS

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20313054 (POR 14V)

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

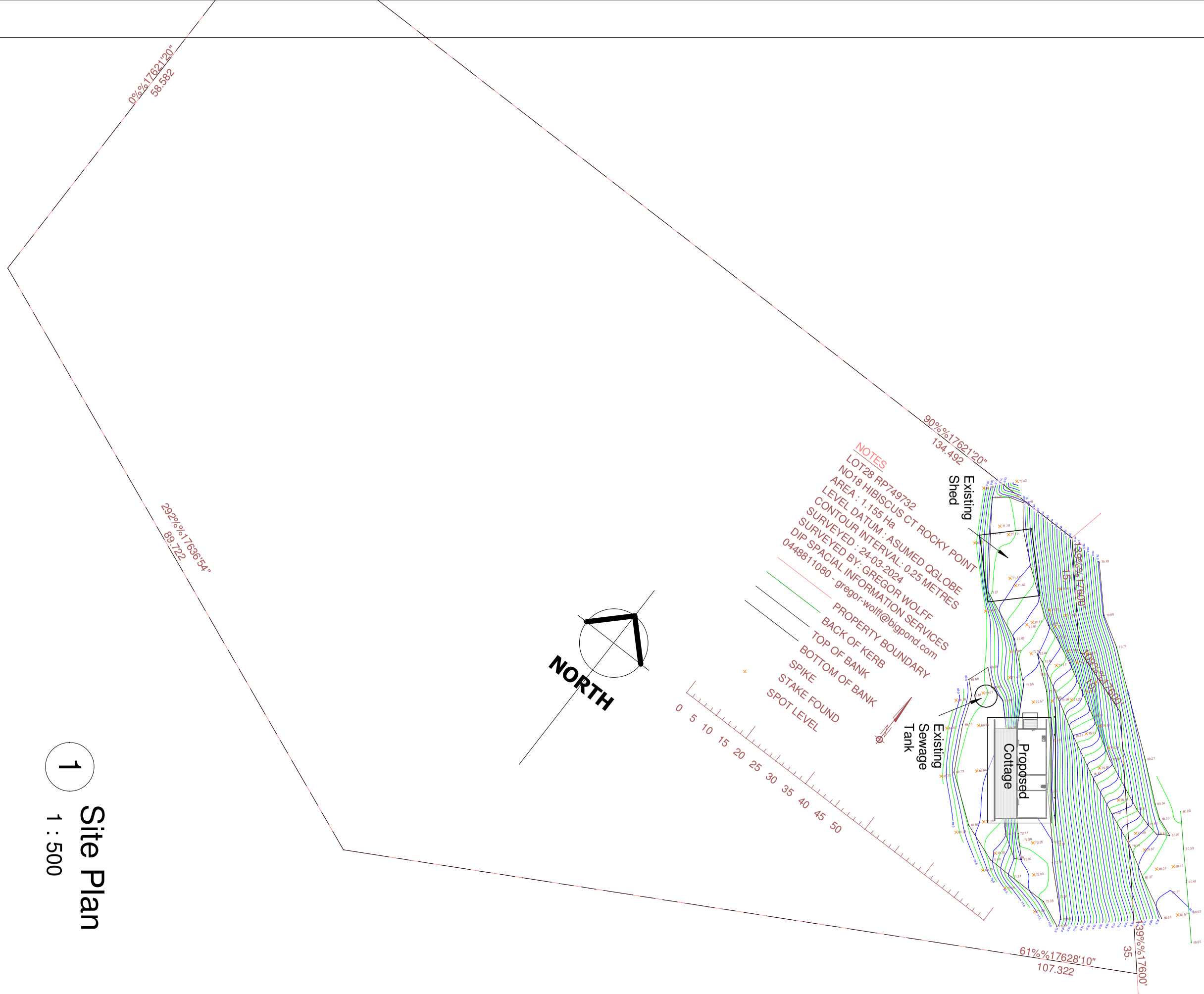
** End of Current Title Search **

COPYRIGHT QUEENSLAND TITLES REGISTRY PTY LTD [2025]
Requested by: D-ENQ TITLES QUEENSLAND

Attachment 2

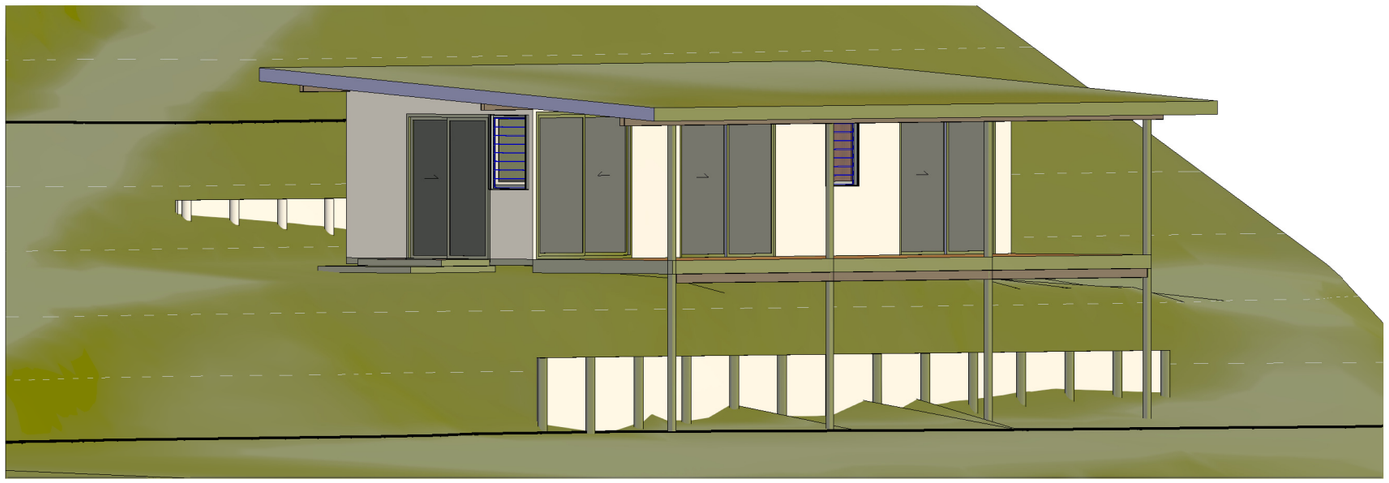
Proposal Plans

Prepared by Lawson Design



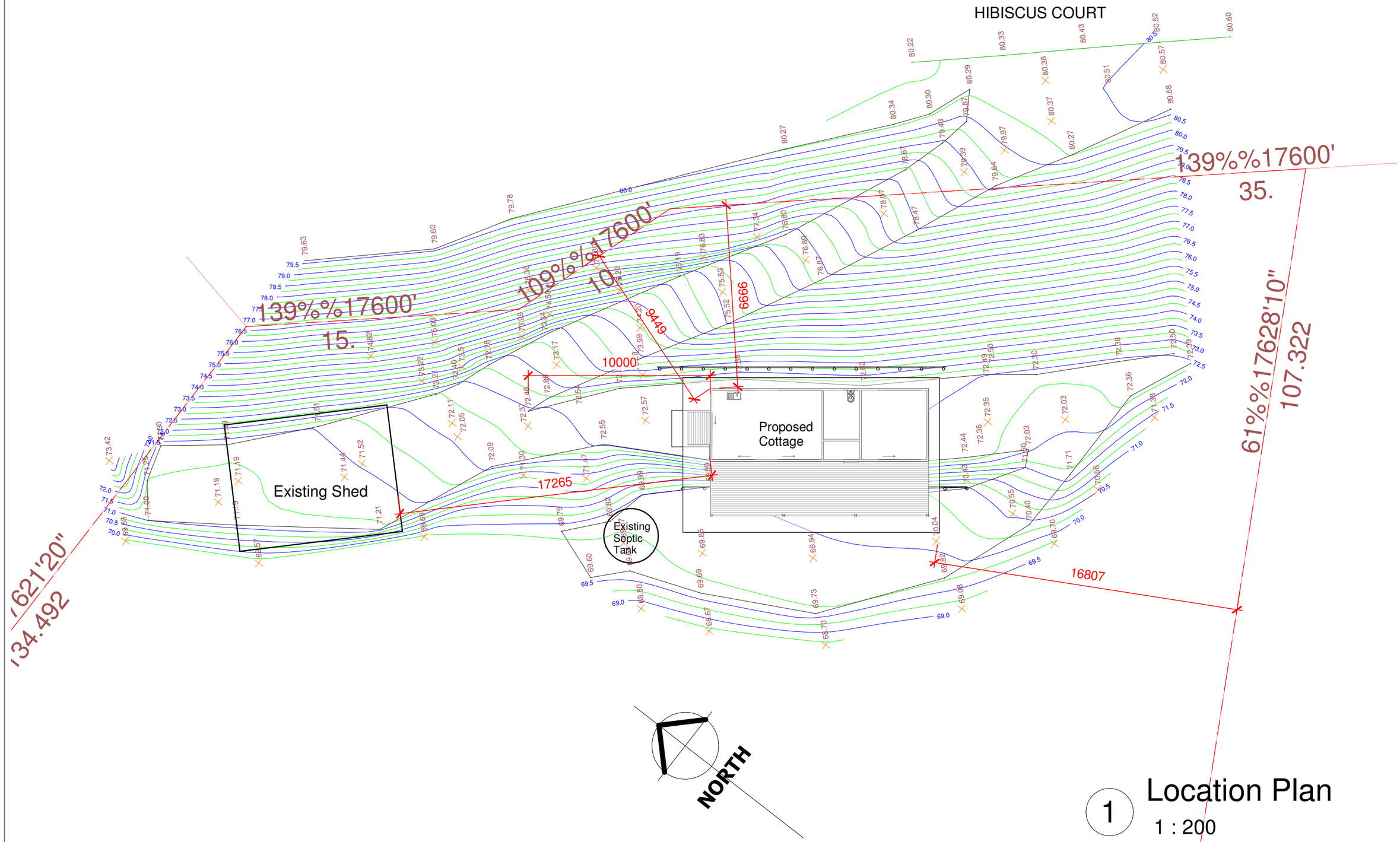
1 Site Plan
1 : 500

RODGERS Consulting Engineers Ph. 40 519 466	These drawings are copyright and must not be copied or retained. Do not scale from drawings. The contractor & sub-contractors are to verify all dimensions before commencing work and bring to the attention of the designer any discrepancies they may find.	Todd & Mandy Newman 18 (Lot 28) Hibiscus Ct. Rocky Point Proposed Cottage	LAWSON DESIGN PH. 40 532 058 M. 0412 592 900 P.O. Box 349 EDGE HILL 4870 Building Designers Assoc. Qld. QBSA no. 24590	Site Classification Class S Design Wind Speed C2	Date 22/5/26 Ammendments	JOB No. 2603 DWG. No. 02 P



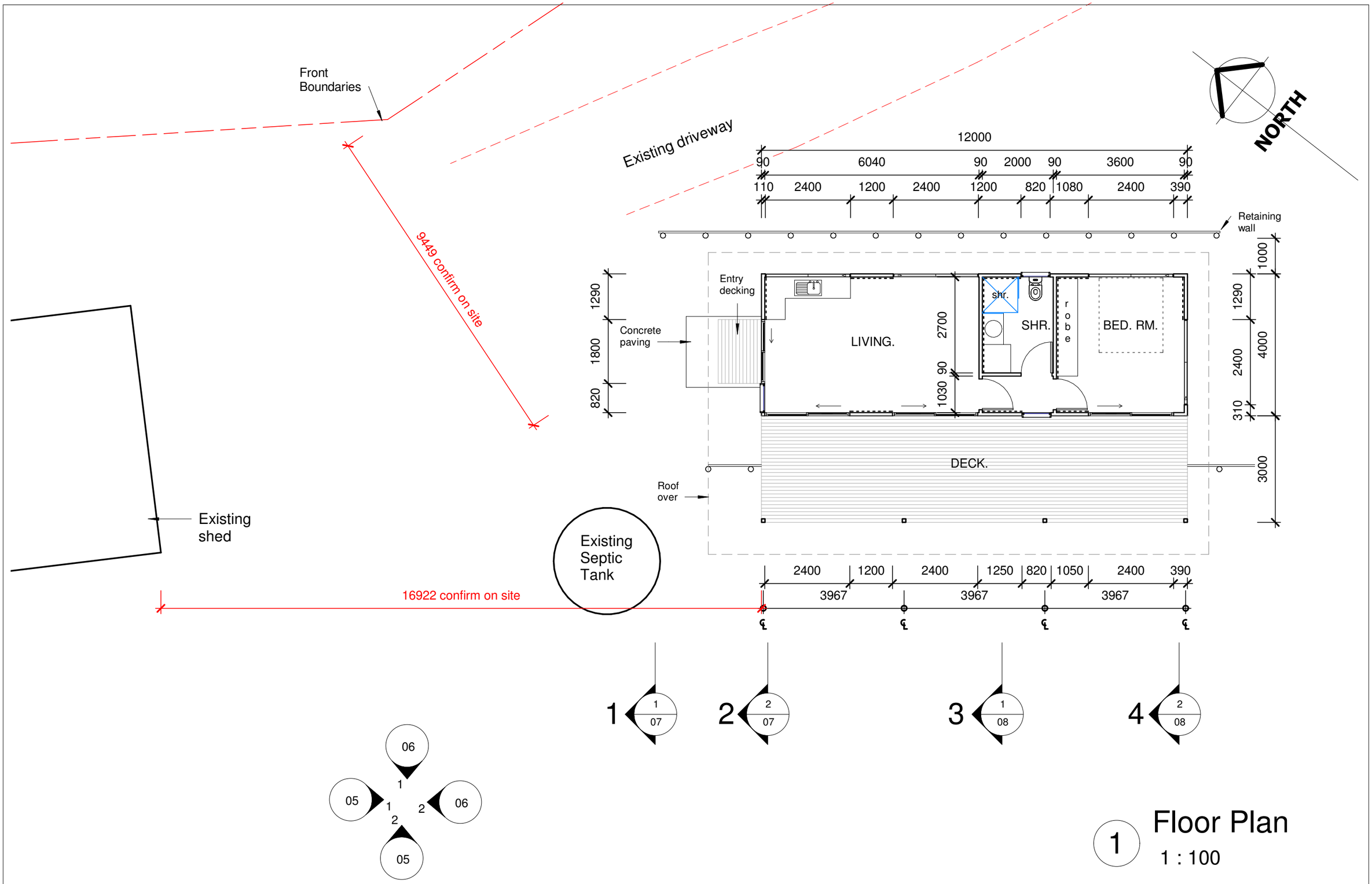
1 3D from West

RODGERS Consulting Engineers Ph. 40 519 466	These drawings are copyright and must not be copied or retained. Do not scale from drawings. The contractor & sub-contractors are to verify all dimensions before commencing work and bring to the attention of the designer any discrepancies they may find.	Todd & Mandy Newman 18 (Lot 28) Hibiscus Ct. Rocky Point Proposed Cottage	LAWSON DESIGN PH. 40 532 058 M. 0412 592 900 P.O. Box 349 EDGE HILL 4870 Building Designers Assoc. Qld. QBSA no. 24590	Site Classification Class S Design Wind Speed C2	Date 22/5/26 Ammendments	JOB No. 2603 DWG. No. 01



1 Location Plan
1 : 200

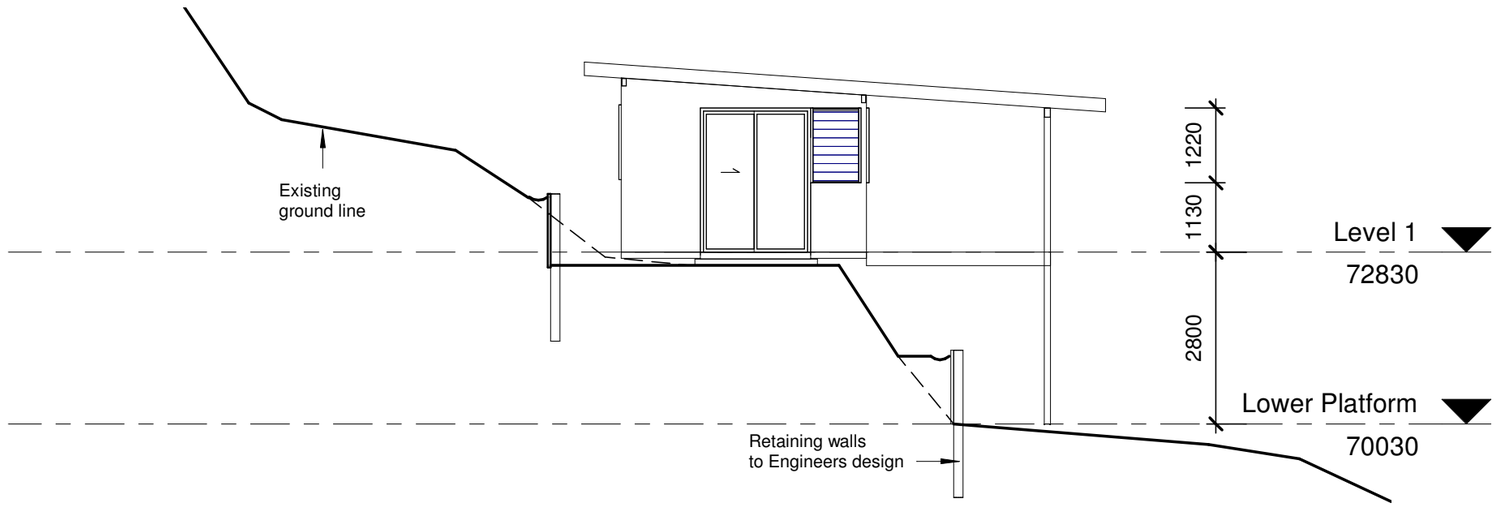
RODGERS Consulting Engineers Ph. 40 519 466	These drawings are copyright and must not be copied or retained. Do not scale from drawings. The contractor & sub-contractors are to verify all dimensions before commencing work and bring to the attention of the designer any discrepancies they may find.	Todd & Mandy Newman 18 (Lot 28) Hibiscus Ct. Rocky Point Proposed Cottage	LAWSON DESIGN PH. 40 532 058 M. 0412 592 900 P.O. Box 349 EDGE HILL 4870 Building Designers Assoc. Qld. QBSA no. 24590	Site Classification Class S	Date 22/5/26	JOB No. 2603
				Design Wind Speed C2	Ammendments	DWG. No. 03



1 Floor Plan

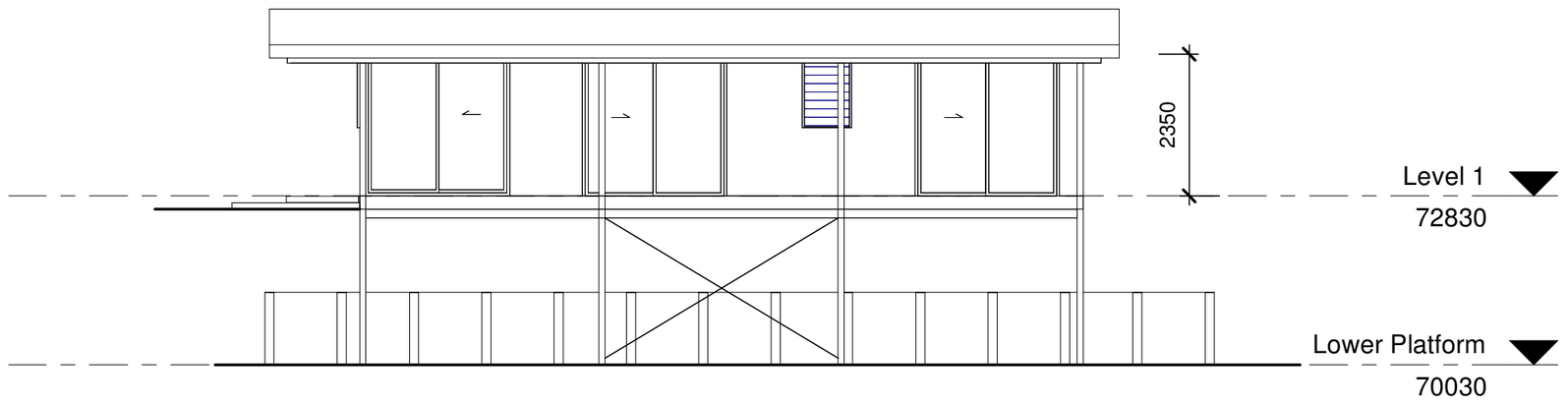
1 : 100

RODGERS Consulting Engineers Ph. 40 519 466	These drawings are copyright and must not be copied or retained. Do not scale from drawings. The contractor & sub-contractors are to verify all dimensions before commencing work and bring to the attention of the designer any discrepancies they may find.	Todd & Mandy Newman 18 (Lot 28) Hibiscus Ct. Rocky Point Proposed Cottage	LAWSON DESIGN PH. 40 532 058 M. 0412 592 900 P.O. Box 349 EDGE HILL 4870 Building Designers Assoc. Qld. QBSA no. 24590	Site Classification Class S	Date 22/5/26	JOB No. 2603
				Design Wind Speed C2	Ammendments	DWG. No. 04



1 North Elevation

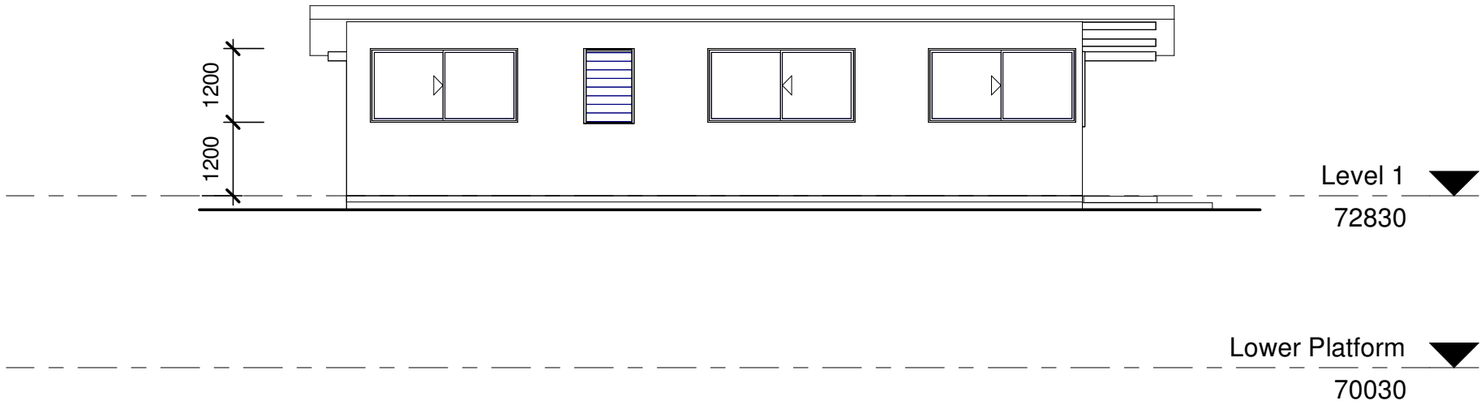
1 : 100



2 East Elevation

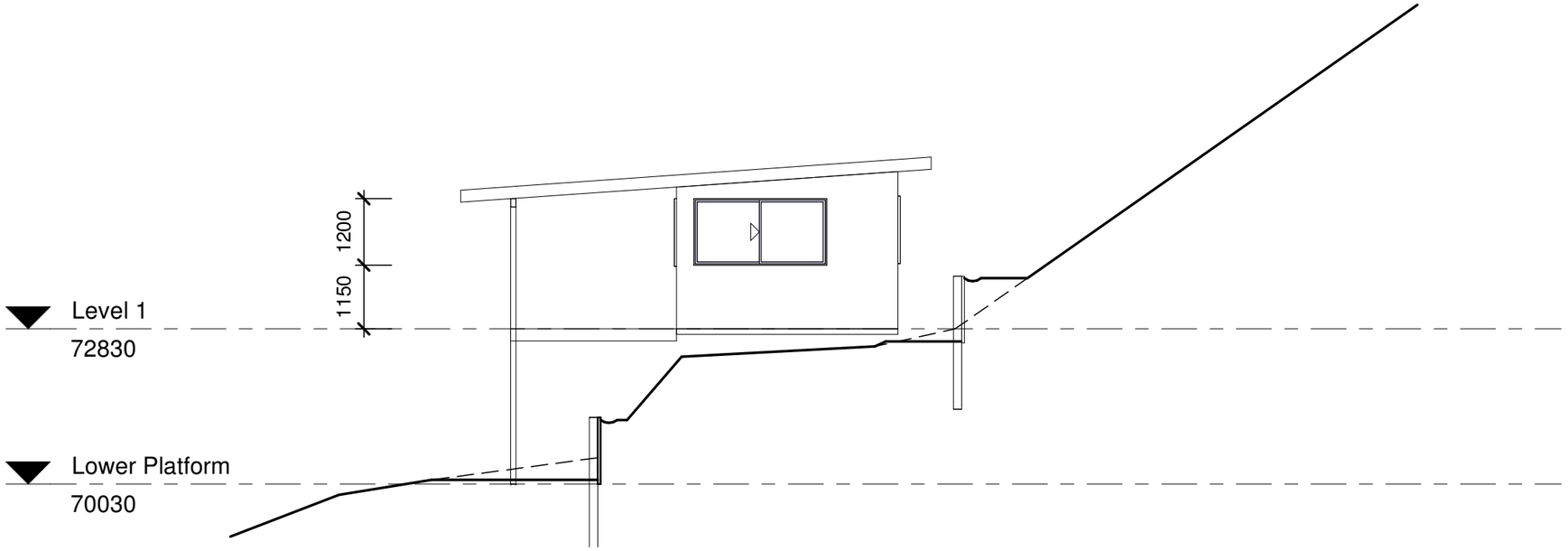
1 : 100

RODGERS Consulting Engineers Ph. 40 519 466	These drawings are copyright and must not be copied or retained. Do not scale from drawings. The contractor & sub-contractors are to verify all dimensions before commencing work and bring to the attention of the designer any discrepancies they may find.	Todd & Mandy Newman 18 (Lot 28) Hibiscus Ct. Rocky Point Proposed Cottage	LAWSON DESIGN PH. 40 532 058 M. 0412 592 900 P.O. Box 349 EDGE HILL 4870 Building Designers Assoc. Qld. QBSA no. 24590	Site Classification Class S	Date 22/5/26	JOB No. 2603
				Design Wind Speed C2	Ammendments	DWG. No. 05



1 West Elevation

1 : 100



2 South Elevation

1 : 100

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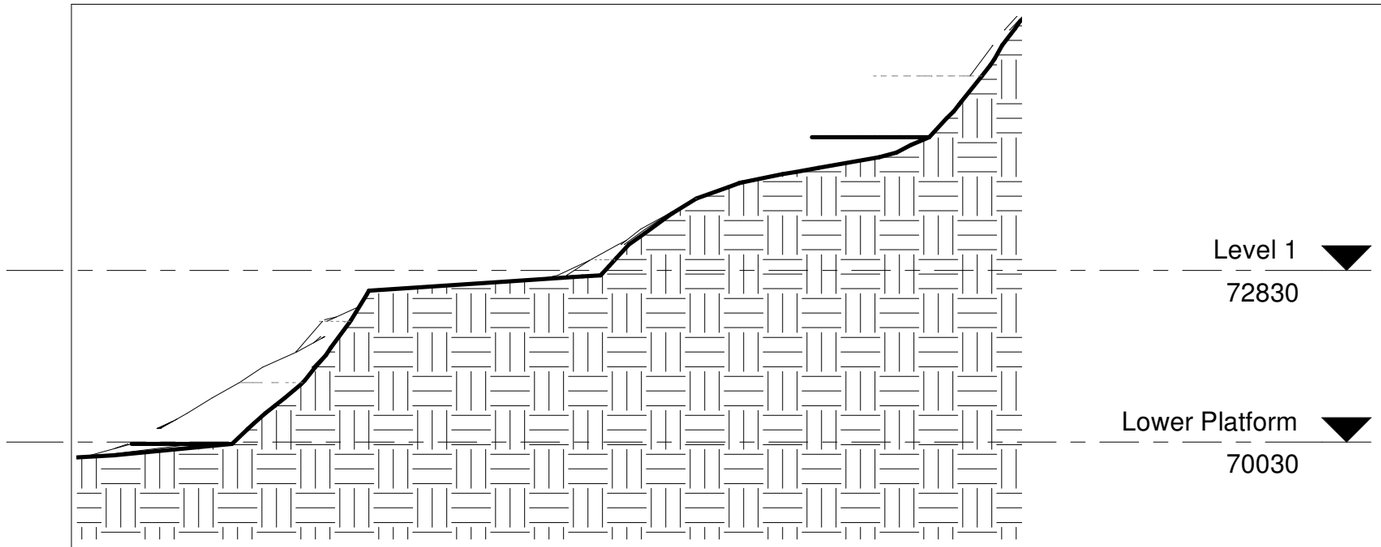
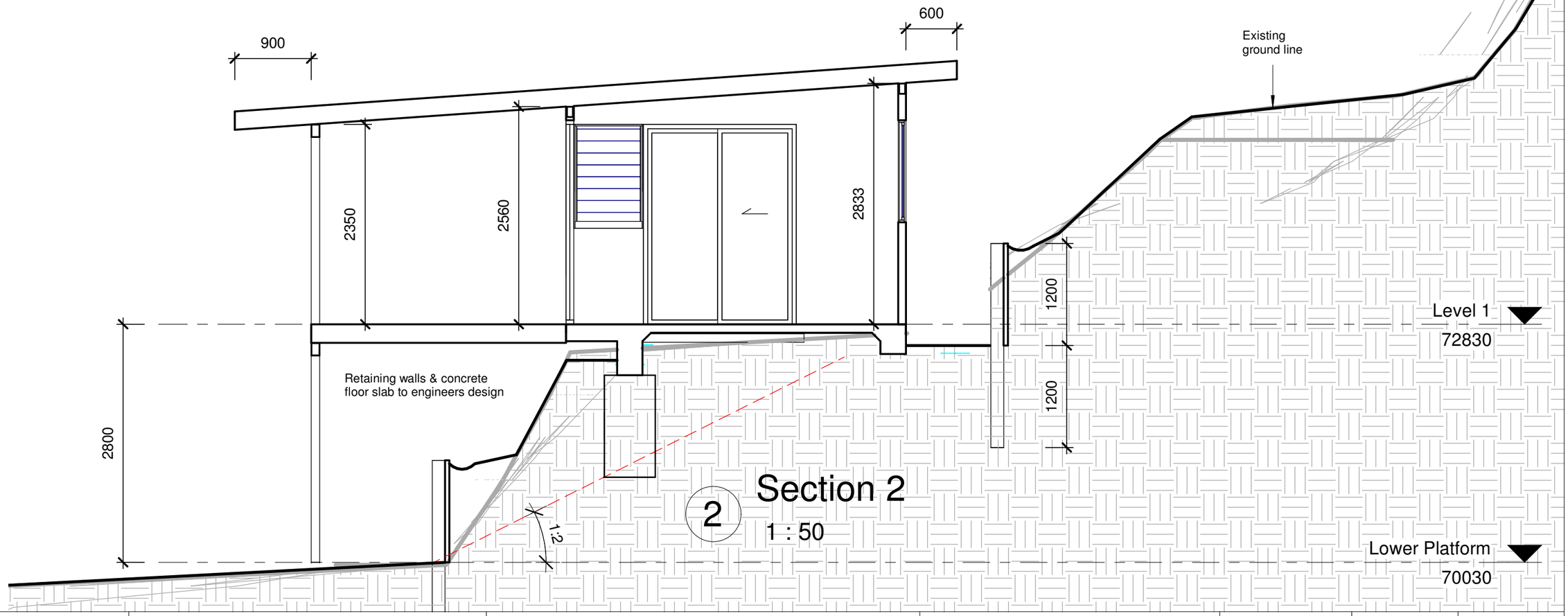
				Design Wind Speed C2	Ammendments	DWG. No. 06



1 Section 1

1 : 100



2 Section 2

1 : 50

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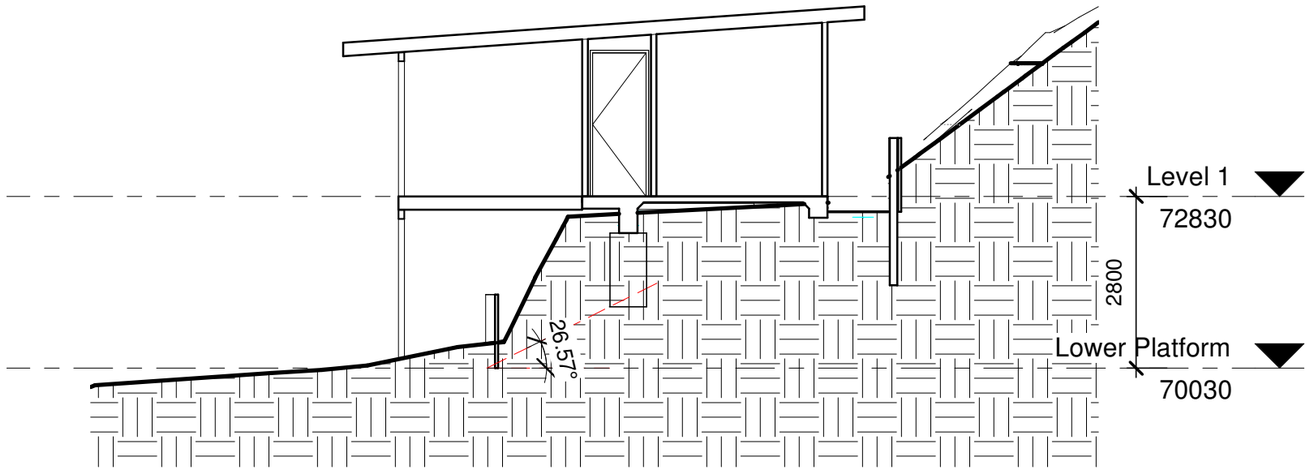
Todd & Mandy Newman
18 (Lot 28) Hibiscus Ct. Rocky Point
Proposed Cottage

LAWSON DESIGN
PH. 40 532 058 M. 0412 592 900
P.O. Box 349 EDGE HILL 4870
Building Designers Assoc. Qld. QBSA no. 24590

Site Classification: Class S	Date: 22/5/26	JOB No.	2603
Design Wind Speed: C2	Ammendments	DWG. No.	07



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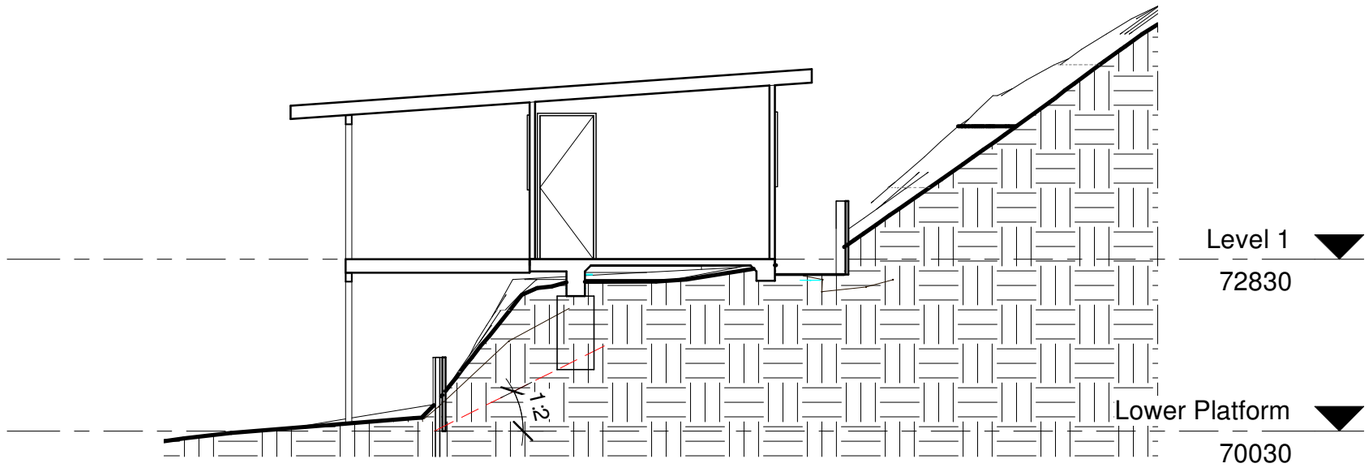
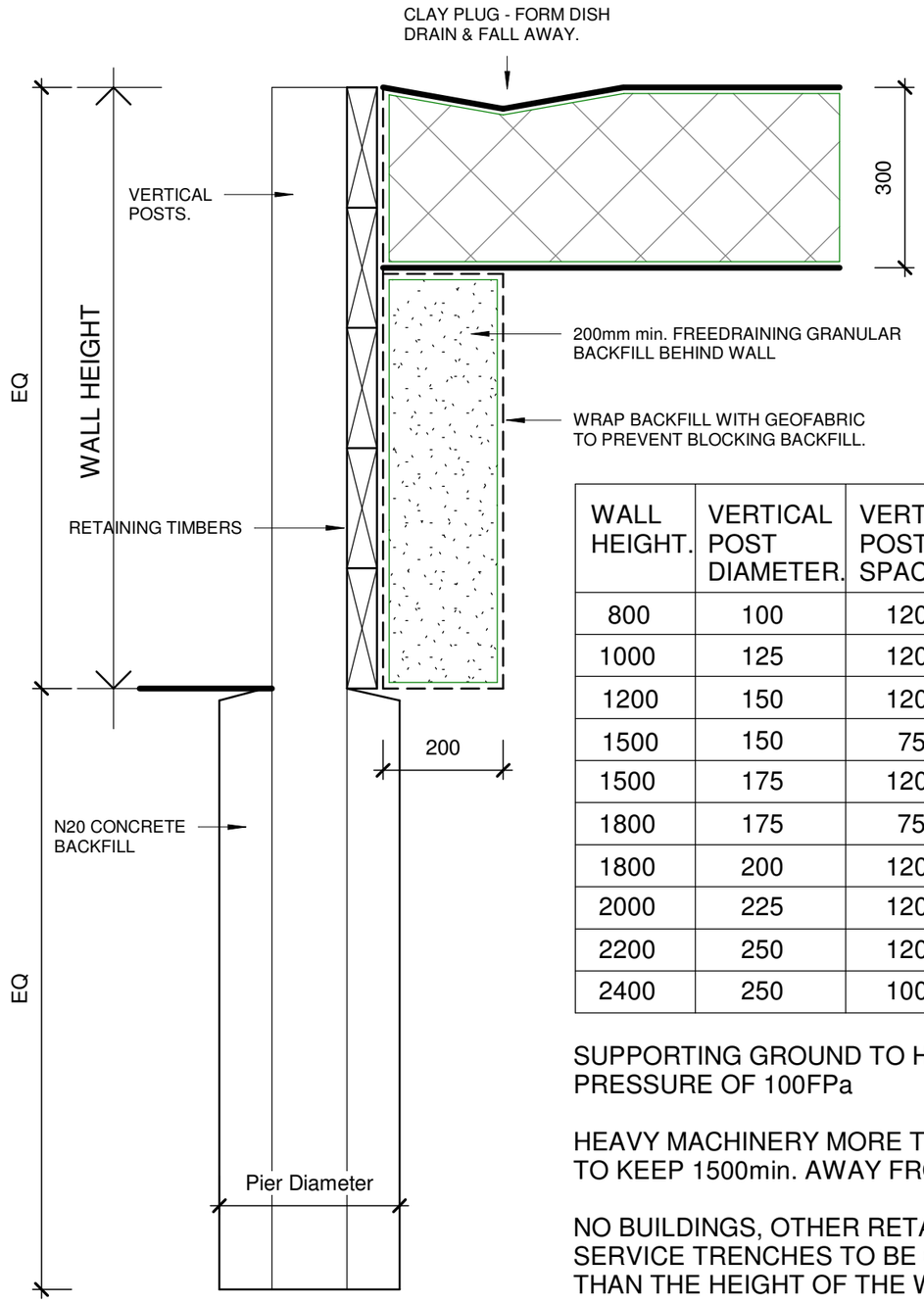


2 Section 4

1 : 100

RODGERS Consulting Engineers Ph. 40 519 466	These drawings are copyright and must not be copied or retained. Do not scale from drawings. The contractor & sub-contractors are to verify all dimensions before commencing work and bring to the attention of the designer any discrepancies they may find.	Todd & Mandy Newman 18 (Lot 28) Hibiscus Ct. Rocky Point Proposed Cottage	LAWSON DESIGN PH. 40 532 058 M. 0412 592 900 P.O. Box 349 EDGE HILL 4870 Building Designers Assoc. Qld. QBSA no. 24590	Site Classification Class S	Date 22/5/26	JOB No. 2603
				Design Wind Speed C2	Ammendments	DWG. No. 08



WALL HEIGHT.	VERTICAL POST DIAMETER.	VERTICAL POST SPACINGS	POST TIMBER GRADE	CONC> PIER DIAMETER
800	100	1200	F8	200
1000	125	1200	F8	300
1200	150	1200	F8	300
1500	150	750	F8	300
1500	175	1200	F14	450
1800	175	750	F14	300
1800	200	1200	F14	450
2000	225	1200	F14	450
2200	250	1200	F14	450
2400	250	1000	F14	450

SUPPORTING GROUND TO HAVE MINIMUM SAFE BEARING PRESSURE OF 100FPa

HEAVY MACHINERY MORE THAN 1 TONNE STATIC WEIGHT TO KEEP 1500min. AWAY FROM WALL TOP.

NO BUILDINGS, OTHER RETAINING STRUCTURES OR SERVICE TRENCHES TO BE CLOSER TO THE RETAINING WALL THAN THE HEIGHT OF THE WALL.

ALL TIMBERS TO BE H5 TREATED HAZARD LEVEL.

1 Timber Retaining Wall

1 : 10

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Todd & Mandy Newman
18 (Lot 28) Hibiscus Ct. Rocky Point
Proposed Cottage

LAWSON DESIGN
PH. 40 532 058 M. 0412 592 900
P.O. Box 349 EDGE HILL 4870
Building Designers Assoc. Qld. QBCC No. 24590

Site Classification: Class S
Design Wind Speed: C2
Date: 22/5/26
Ammendments:
JOB No. 2603
DWG. No. 12

Attachment 3

BAL Assessment – Relating to 14 Hibiscus Court, Rocky Point

Prepared by Litoria Consulting and sourced from public record

BUSHFIRE ATTACK LEVEL ASSESSMENT

14 Hibiscus Court, Rocky Point

7 March 2023

Litoria Consulting
PO Box 461
Paddington Qld 4064
Level 3/22 Wandoo Street
Fortitude Valley Q 4006
T 07 3852 4855
info@litoria.com.au
litoria.com.au

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Client:	Steve Marriott
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CONTENTS

1 INTRODUCTION

The following Bushfire Attack Level (BAL) Assessment has been prepared by Litoria Consulting on behalf of Steve Marriott for land described as 14 Hibiscus Court, Rocky Point (Lot 26 on RP749732) (the subject land). Figure 1 shows an aerial photo of the site.

The BAL Assessment has been prepared in response to Council's information request (Council ref: MCUC 2022_4956/1, dated 30 August 2022), specifically the following:

Bushfire Hazard

1. *Provide a bushfire hazard assessment of the proposed house and demonstrate that the development is located and designed to ensure the house achieves a radiant heat flux level at any point on the building, of 29kW/m2.*

   The radiant heat flux level is achieved by separation to fuel. Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.Clearing the hillslope is considered to not be an option for lowering radiant heat levels.

The BAL Assessment has been prepared in accordance with Method 2 of *Australian Standard 3959:2018 Construction of buildings in bushfire-prone areas.*

The BAL Assessment is divided into the following sections:

i. Proposed development;
ii. Regulatory requirements;
iii. BAL assessment methods;
iv. BAL assessment results; and,
v. Summary.

FIGURE 1: RECTIFIED DIGITAL AERIAL PHOTOGRAPH OF THE SITE (SOURCE: STATE OF QUEENSLAND).

2 PROPOSED DEVELOPMENT

The subject land is located within the Douglas Shire Council local government area and is subject to the provisions of the Douglas Shire Planning Scheme (2018).

The proposed development seeks to establish a residential dwelling. Figure 2 shows the proposed development plan for the site.

A copy of the proposed plans is provided in Appendix 1.

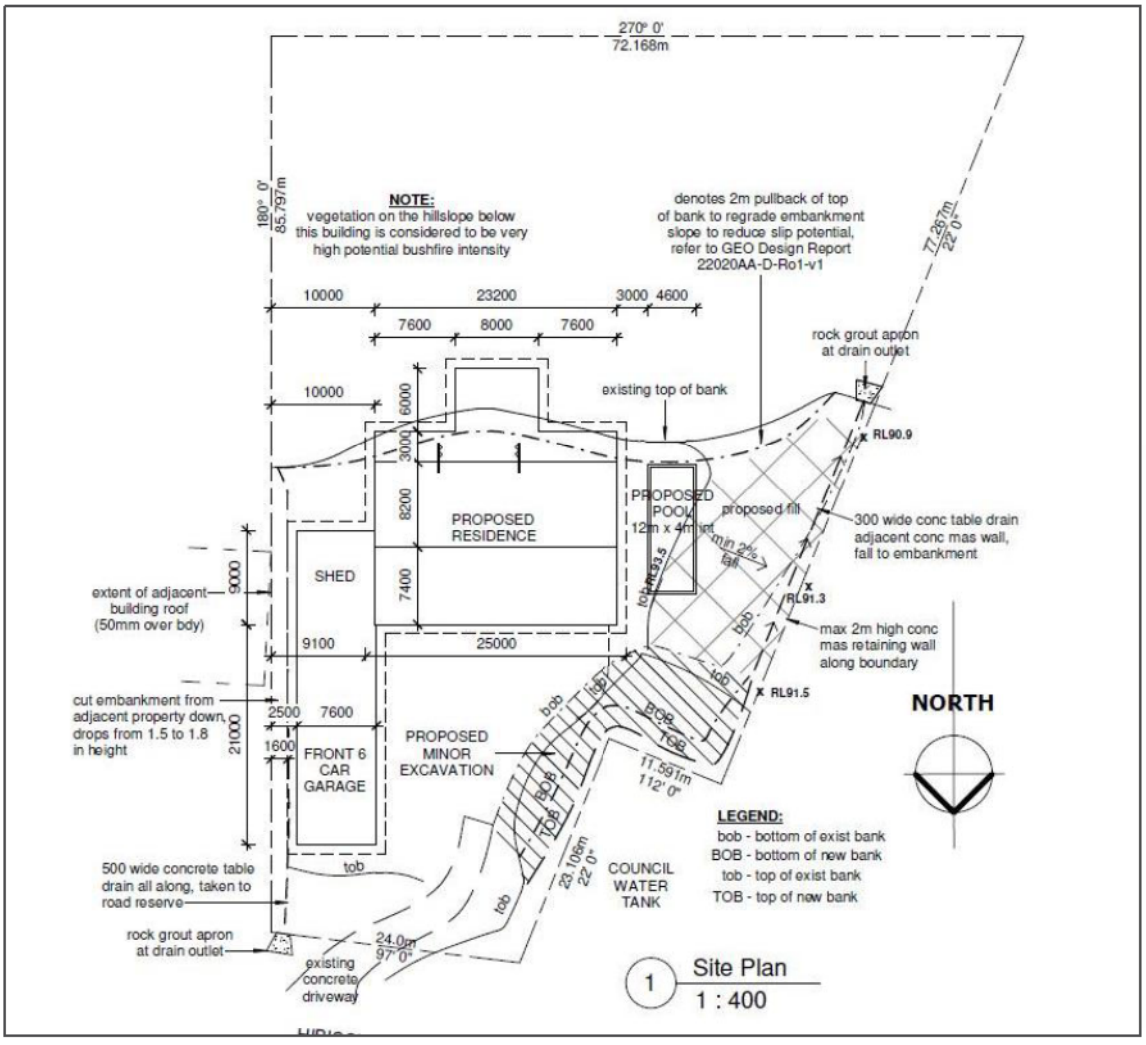

FIGURE 2: PROPOSED DEVELOPMENT (SOURCE: SITE PLAN, GREK SKYRING DESIGN AND DRAFTING, 211-21).

3 REGULATORY REQUIREMENTS

3.1 STATE PLANNING POLICY

Management of bushfire hazard in Queensland is considered an integral component of land use planning and development decisions given the potential significant impact on people, social wellbeing, property, the economy, the environment and infrastructure.

The SPP identifies the Queensland Government's policies about matters of state interest in land use planning and development (Department of Infrastructure Local Government and Planning 2017). The SPP is a broad and comprehensive statutory planning instrument which sits above regional plans, standard planning scheme provisions and local government planning schemes within the hierarchy of planning instruments outlined in the *Planning Act 2016* (Qld).

The SPP identifies the State interest in relation to bushfire hazard planning and management outcomes for development in bushfire prone areas. It sets out, *inter alia*, development assessment requirements for certain applications where a local planning scheme has not yet appropriately integrated the SPP and includes a State-wide map of bushfire prone areas. The State-wide map of bushfire prone areas (SPP map) is based on modelled potential fire line intensity according to the method described by Leonard *et al.* (2014). The SPP identifies land that could support a significant bushfire or be subject to significant bushfire attack. It includes areas of hazardous vegetation with a Very High, High or Medium Potential Bushfire Intensity, together with land within 100m of *bushfire prone areas* as a *potential impact buffer*. The potential impact buffer identifies land that may be subject to significant flame attack, radiant heat or ember attack. Research indicates that not only does a very high intensity bushfire have the potential to cause injury from radiant heat exposure up to 100m away, but over 80% of housing loss and human life loss occurs within 100m of bushland (Leonard *et al.* 2014). The subject land does not occur within a bushfire prone area or the potential impact buffer on the SPP map of bushfire prone areas (Refer to Figure 3).

The SPP is supported by:

- State Planning Policy - state interest guideline - Natural hazards, risk and resilience (SPP Guidance Material) (Department of State Development 2019) which contains the relevant assessment benchmarks, and
- Bushfire Resilient Communities (Queensland Fire and Emergency Services 2019) which includes Queensland-specific potential fuel loads for the purposes of assessing bushfire hazard and, if required, bushfire attack level (BAL) under the *Building Act 1975* (Qld).

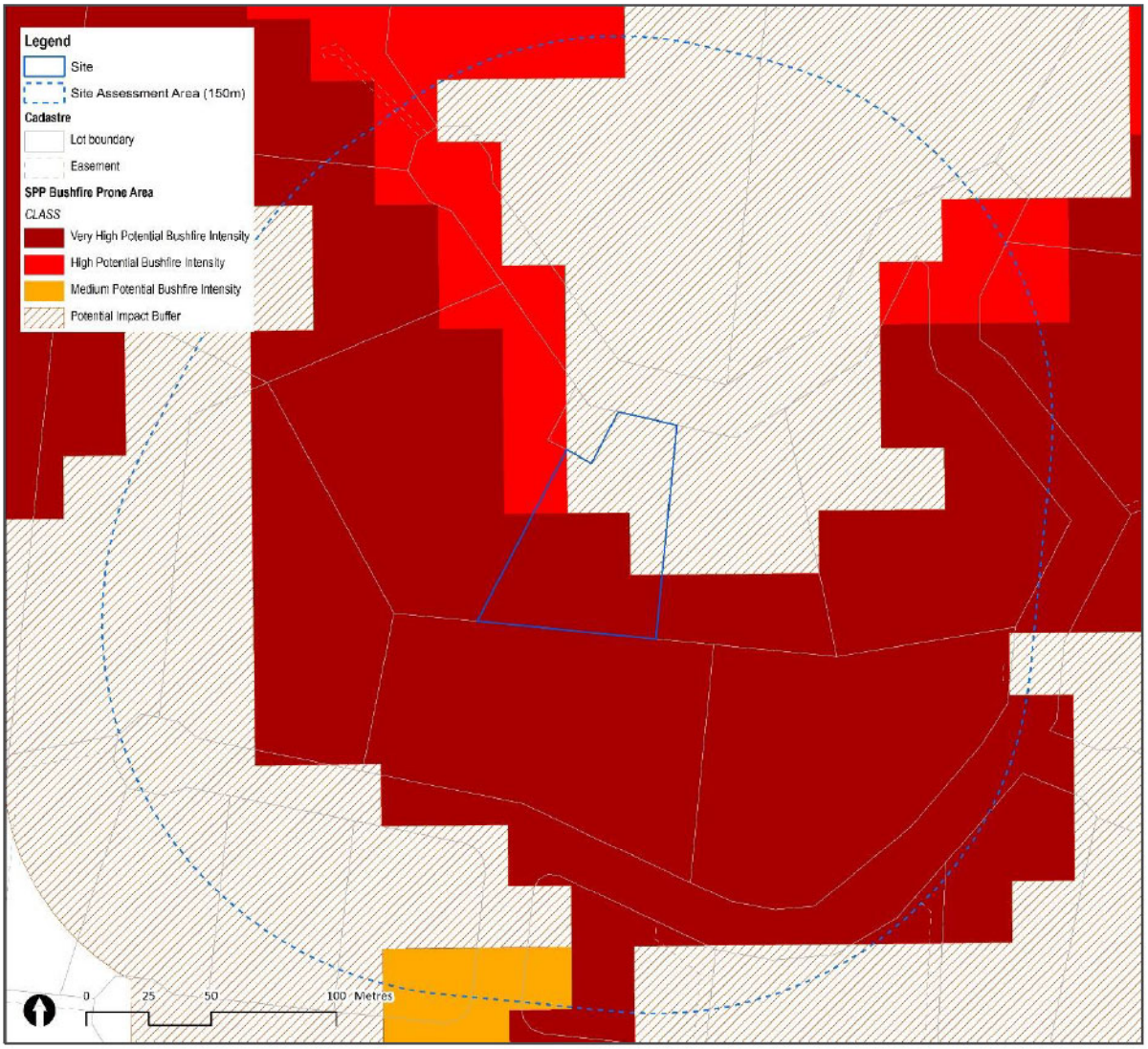

FIGURE 3: EXCERPT FROM STATE PLANNING POLICY (SPP) MAP OF BUSHFIRE PRONE AREAS (STATE DEVELOPMENT INFRASTRUCTURE LOCAL GOVERNMENT AND PLANNING 2020).

3.2 DOUGLAS SHIRE PLANNING SCHEME

The Douglas Shire Planning Scheme 2018 identifies areas subject to bushfire hazard on the Bushfire overlay. An extract from the Bushfire overlay map for the site is indicated in Figure 4.

Certain assessable development in areas subject to the Bushfire overlay requires assessment against the Bushfire overlay code (8.2.2). The purpose of the Bushfire overlay code is to, *inter alia*, provide for the assessment of the suitability of development in the Bushfire overlay. The purpose is achieved by ensuring that development does not expose people and property to an unacceptable risk of bushfire attack and, where applicable, provide treatments which reduce bushfire risk and provide for a safe environment for emergency services. Amongst other things, the Bushfire overlay code requires the preparation of a site-specific bushfire hazard assessment and management plan, prepared in accordance with the Planning Scheme Policy (PSP) – Natural Hazards (SC6.9.4.2). The PSP identifies the methodology for undertaking bushfire hazard assessment using the qualitative methodology prescribed in the superseded SPP 1/03: Mitigating the Adverse Impacts of Flood, Bushfire and Landslide.

The Bushfire overly code prescribes the assessment benchmarks for development subject to the Bushfire overlay. The Bushfire overlay code is supported by the Planning Scheme Policy (PSP) – Natural Hazards which provides guidance on the preparation of a bushfire hazard assessment and/or management plan. The current PSP was developed after the State Planning Policy and incorporates State mapping and requirements into the code.

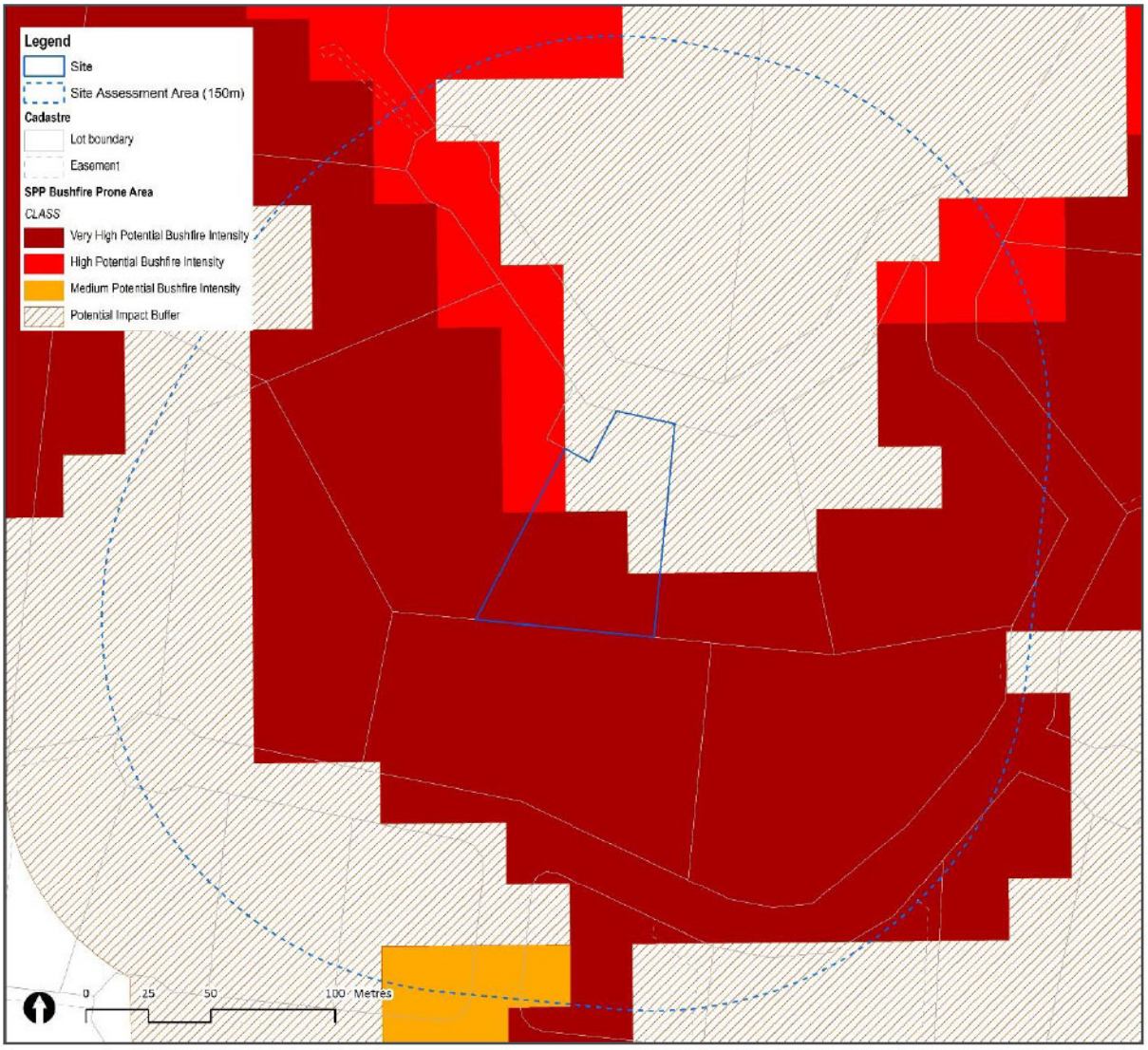

FIGURE 4: EXCERPT FROM DOUGLAS SHIRE COUNCIL PLANNING SCHEME 2018 BUSHFIRE HAZARD OVERLAY (DOUGLAS SHIRE COUNCIL, 2018).

3.3 BUILDING ACT

Certain new buildings within *designated bushfire prone areas* require assessment against the National Construction Code (NCC) pursuant to section 12 of the *Building Regulation 2006* (Qld). In the Douglas Shire local government area, *designated bushfire prone areas* are areas mapped as medium, high or very high bushfire risk areas on the Douglas Shire Planning Scheme 2018 Bushfire Hazard overlay, together with potential impact buffers around hazard areas.

The NCC performance requirements relating to construction of buildings in bushfire prone areas apply to Class 1, 2, 3 and 10a buildings and structures. The performance requirements are deemed to have been met where the building complies with either *AS 3959:2018 Construction of buildings in bushfire prone areas* (AS 3959:2018) or the *NASH Standard - Steel Framed Construction in Bushfire Areas*[1] (NASH Standard) (National Association of Steel Framed Housing 2014). Both AS 3959:2018 and the NASH Standard contain provisions which can be used for construction to resist bushfires in order to reduce the risk of bushfire attack. These provisions include requirements for burning debris and ember protection, controls on the combustibility of exterior materials, and the protection of openings, such as windows and doors. The NCC requirements do not apply to non-residential buildings (Class 4-9) such as offices, shops, hospitals and schools.

Both AS 3959:2018 and the NASH Standard are concerned with improving the ability of buildings in designated bushfire-prone areas to better withstand attack from bushfire, thus giving a measure of protection to the building occupants (until the fire front passes) as well as to the building itself. Table 1 outlines current Bushfire Attack Levels, radiant heat flux thresholds and relevant sections of AS 3959:2018 which specifies building design and construction features. Figure 5 illustrates the relationship between BAL, radiant heat and bushfire attack mechanisms.

[1] Applies to steel-framed construction only.

TABLE 1: BALS AND REPRESENTATIVE HEAT FLUX THRESHOLDS, LEVELS OF EXPOSURE AND RELEVANT SECTIONS OF AS 3959:2018 OUTLINING RELEVANT CONSTRUCTION REQUIREMENTS (STANDARDS AUSTRALIA 2018).

Bushfire Attack Level (BAL)	Heat flux exposure thresholds	Relevant sections of AS 3959:2018
BAL 12.5	< 12.5kW/ m2	3 and 5
BAL 19	>12.5 kW/m2 to 19 kW/m2	3 and 6
BAL 29	>19 kW/m2 to 29 kW/m2	3 and 7
BAL 40	>29 kW/m2 to 40 kW/m2	3 and 8
BAL FZ	>40 kW/m2	3 and 9

FIGURE 5: BAL/RADIANT HEAT LEVEL AND BUSHFIRE ATTACK MECHANISMS (SOURCE: COUNTRY FIRE AUTHORITY 2012).

The subject land is located within the *Very High Potential Bushfire Intensity* area, the *High Potential Bushfire Intensity* area and the *Potential Impact Buffer* area on the Douglas Shire Council Planning Scheme Mapping 2018 Bushfire Hazard overlay (Figure 4) and includes a Class 1 structure (Appendix 1). As such, assessment of BAL is required in accordance with AS 3959:2018.

4 BAL ASSESSMENT

4.1 METHODS

An assessment of BAL was undertaken by a tertiary-qualified environmental scientist and experienced bushfire science practitioner. The assessment included the subject land and all land within 150m of the subject land. The assessment was carried out in accordance with procedures described in Method 2 of AS 3959:2018 (Standards Australia 2018), including:

- **Step 1:** Fire weather severity (FFDI) in accordance with Bushfire Resilient Communities (Queensland Fire and Emergency Services 2019).
- **Step 2:** Classification of vegetation according to Clause 2.2.3 of AS 3959:2018 (Standards Australia 2018) according to potential fuel load based on site-based assessment of vegetation hazard classes (VHCs) according to Bushfire Resilient Communities (Queensland Fire and Emergency Services 2019).
- **Steps 3 and 4:** Site and effective slope values used in the assessment derived from contour mapping.
- **Step 5:** Assessment of separation distance(s) between the closest edge of the proposed building extension and adjacent hazardous vegetation in accordance with Clause 2.2.4 and Method 2 of AS 3959:2018. Distance was measured in plan using GIS to ensure a high level of precision.
- Method 2 parameterisation in accordance with Bushfire Resilient Communities (Queensland Fire and Emergency Services 2019)[2] including:
  - Ambient temperature (T_a): 308 K (35 degrees C)
  - Heat of combustion: 18,600 kJ/kg
  - Flame temperature (T): 1200K
  - Flame emissivity (ε): 0.95
  - Flame width (W_f): 100 m

Where proposed buildings were located within 100m of bushfire prone areas, radiant heat flux (kW/m^2), flame length (m), flame angle (degrees) and elevation of the receiver (m) was calculated according to the View Factor Method (**Steps 6-9**), utilising the input data described above. For each potential combination of attack vectors, the maximum view factor and radiant heat exposure was calculated i.e. the combination of fuel, FFDI and site and effective slopes which maximise radiant heat flux.

[2] The parameterisation adopted by Bushfire Resilient Communities is more conservative than AS 3959:2018.

4.2 RESULTS

4.2.1 STEP 1: FIRE WEATHER SEVERITY

Fire behaviour and intensity is influenced by a range of weather variables such as wind speed, relative humidity, temperature and atmospheric conditions, as well preceding drought conditions[3].

These variables are summarised as an index value which can be used by proxy to estimate and predict fire behaviour: Fire Weather Severity (FWS). The McArthur Forest Fire Danger Index (FFDI) (McArthur 1967) is the most widely used proxy of fire weather severity in Australia and is used for both bushfire hazard assessment, emergency management and in regulations such as in AS 3959:2018 *Construction of buildings in bushfire-prone areas*. Unlike AS 3959:2018, which adopts a single FFDI for all of Queensland (40), fire weather conditions vary spatially according to temperature, wind, relative humidity and precipitation. Although FWS is equivalent to the Forest Fire Danger Index (FFDI) defined in AS 3959:2018; spatially explicit FWS values for Queensland have been calibrated by Leonard *et al.* (2014) based on a gridded prediction of the FFDI from long term spatial weather products produced by the Australian Bureau of Meteorology. Adopted FWS values reflect a 1:20 year or 5% annual exceedance probability (AEP) weather event.

Climate change projections suggest that the likelihood, intensity and extent of bushfires are likely to increase, together with longer, hotter and drier fire seasons (Bureau of Meteorology 2019). The gridded fire weather severity values for Queensland have been adjusted to reflect the expected climate in 2050 using the Intergovernmental Panel on Climate Change A1FI climate scenario[4] (Queensland Fire and Emergency Services 2019).

The fire weather severity used for the purpose of calculating fireline intensity was based on 1 in 20 year weather conditions (i.e. 5% annual exceedance probability) to reflect the severity of fires and events suited to mitigation through land use planning in Queensland and was based on advice from the Queensland Fire and Emergency Services.

An FFDI of 47 was adopted based on the 5% AEP event as per Leonard *et al.* (2014).

4.2.2 STEP 2: VEGETATION HAZARD CLASS AND POTENTIAL FUEL LOAD

Fuel load was derived from an estimate of potential fuel load (tonnes/ha) for 25 grouped *vegetation hazard classes* (VHCs). VHCs have been categorised from a combination of regional ecosystem maps, pre-clearing regional ecosystem maps (where no remnant

[3] Days since last rainfall.

[4] The SRES A1FI scenario is most similar to the current RCP 8.5 scenario.

vegetation is mapped), foliage projection cover maps, land use maps, water body maps, air photo interpretation (API) and tree plantation maps (Leonard *et al.* 2014).

As per Leonard *et al.* (2014), the *Potential Fuel Load assigned to each Vegetation Hazard Class is generally representative of the higher fuel load expected for the typical vegetation types, landscape and site conditions within each Vegetation Hazard Class. This Potential Fuel Load of each Vegetation Hazard Class would approximate the 80th percentile fuel load of the "long unburnt condition" for the class (generally greater than 10 years without burning).* Modelled fuel loads for each of the amended VHCs were unchanged from the loads recommended by Bushfire Resilient Communities (Queensland Fire and Emergency Services 2019). Fuel loads for modelled VHCs were as per the Bushfire Resilient Communities (Queensland Fire and Emergency Services 2019); with hybrid or complex communities receiving the sum of the proportional fuel load of each constituent VHC (e.g. remnant vegetation containing a mix of regional ecosystems). Areas containing unmanaged regrowth or revegetation were mapped according to *"long unburnt condition" for the class* i.e. the potential fuel load of the vegetation type at maturity.

The results of the site-based assessment of vegetation hazard classes and classification of vegetation within 100m of the lot boundaries in accordance with Clause 2.2.3 of AS 3959:2018 indicated the following:

- Land within 100m of the proposed dwellings contained a mixture of vegetation hazard classes including:
  - Non-hazardous vegetation comprised of cultivated gardens and lawns and other non-remnant vegetation which showed evidence of disturbance e.g. exotic palms in cultivated gardens adjacent to established dwellings. The latter vegetation types are classified as low-threat vegetation in accordance with AS 3959:2018 Clause 2.2.3.2 Exclusions—Low threat vegetation and non-vegetated areas.
  - Remnant vegetation comprised of:
    - rainforest vegetation located within depressions and gullies equivalent to RE 7.11.1a.
    - mesophyll vine forest with eucalypt emergents equivalent to RE 7.11.5b.

  Figure 6 shows an extract from the current Vegetation Management Regional Ecosystem map for the subject land and areas within 150m of the subject land.
- In terms of Vegetation Hazard Class and potential fuel loads:
  - RE 7.11.1a is classified as VHC *2.1 Mesophyll vine forest on very wet and wet lowlands and foothills on metamorphics* and has a potential fuel load of 3.5 tonnes per hectare. VHC 2.1 is a non-bushfire prone vegetation hazard class i.e. does not contribute to bushfire hazard (Queensland Fire and Emergency Services 2019).
  - RE 7.11.5b is classified as *VHC 9.1 Moist to dry eucalypt open forests on coastal lowlands and ranges* and has a potential fuel load of 24.2 tonnes per hectare (Queensland Fire and Emergency Services 2019).

  Figure 7 shows an extract from the current SPP VHC input map for the subject land and areas within 150m of the subject land.
- Desktop and site-based investigations indicated that the observed distribution of Vegetation Hazard Classes (Figure 8) differed from the extents indicated by the

current State Government regional ecosystem mapping and the SPP VHC input map (c.f. Figure 6, Figure 7 and Figure 8). In particular:
  - the extent of RE 7.11.1a / VHC 2.1 was greater than the extent indicated by the current State Government regional ecosystem mapping and the SPP VHC input map.
  - the extent of RE 7.11.5b / VHC 9.1 was less than the extent indicated by the current State Government regional ecosystem mapping and the SPP VHC input map.
  - to the west and south of the proposed dwelling, the vegetation is more of a hybrid of RE 7.11.1a (80%) and RE 7.11.5b (20%); whereas to the east and southeast of the proposed dwelling, the vegetation was predominantly RE 7.11.5b (80%), with elements of RE 7.11.1a (20%).
- The observed extents of RE 7.11.1a and RE 7.11.5b were classified as low-threat vegetation in accordance with AS 3959:2018 Clause 2.2.3.2 Exclusions—Low threat vegetation and non-vegetated areas. Although RE 7.11.5b / VHC 9.1 is classified as a bushfire prone vegetation type according Bushfire Resilient Communities (Queensland Fire and Emergency Services 2019), evidence indicated the vegetation community within 100m of the proposed dwellings was comprised of mesophyll vine forest as the ecologically dominant layer (EDL) with *Eucalyptus pellita* and *Corymbia intermedia* as emergents only. Site observations indicated that the areas of RE 7.11.5b were not likely to be bushfire prone as:
  - the vegetation community is predominantly comprised of mesophyll vine forest.
  - bark fuels were minimal and generally restricted to eucalypt emergents only.
  - near-surface vegetation was sparse and comprised predominantly of woody vines, ferns and palms which do not support running fires.
  - although the patch contained significant leaf litter there was no evidence of fine fuel accumulation or significant surface fuel i.e. characteristic sclerophyllous fine fuel was absent.
  - the combination of mesic elements is such that even if a fire was to establish within the patch, the ability of the fire to achieve a sufficient length and breadth such that it resulted in a significant fireline intensity is extremely low.

Consequently, it is improbable that the vegetation would support a running wildfire of significant intensity. Any wildfire which was to occur within RE 7.11.5b (80%) / RE 7.11.1a (20%) to the south east of the proposed building, e.g., via lightning strike/arson, is unlikely to reach a fireline intensity such that the vegetation could be considered bushfire prone.

Overall, results of the assessment of vegetation indicated that the proposed development is not located within 100m of hazardous vegetation in accordance with Clause 2.2.3.2 Exclusions—Low threat vegetation and non-vegetated areas of AS 3959:2018. As such, the proposed dwellings are not located within a bushfire prone area and planning or building design measures to mitigate the risk of bushfire attack are not required.

Further assessment of site slopes (Steps 3-4), calculation of separation distances (Step 5) and calculation of radiant heat flux and BAL (Steps 6-10) is not required.

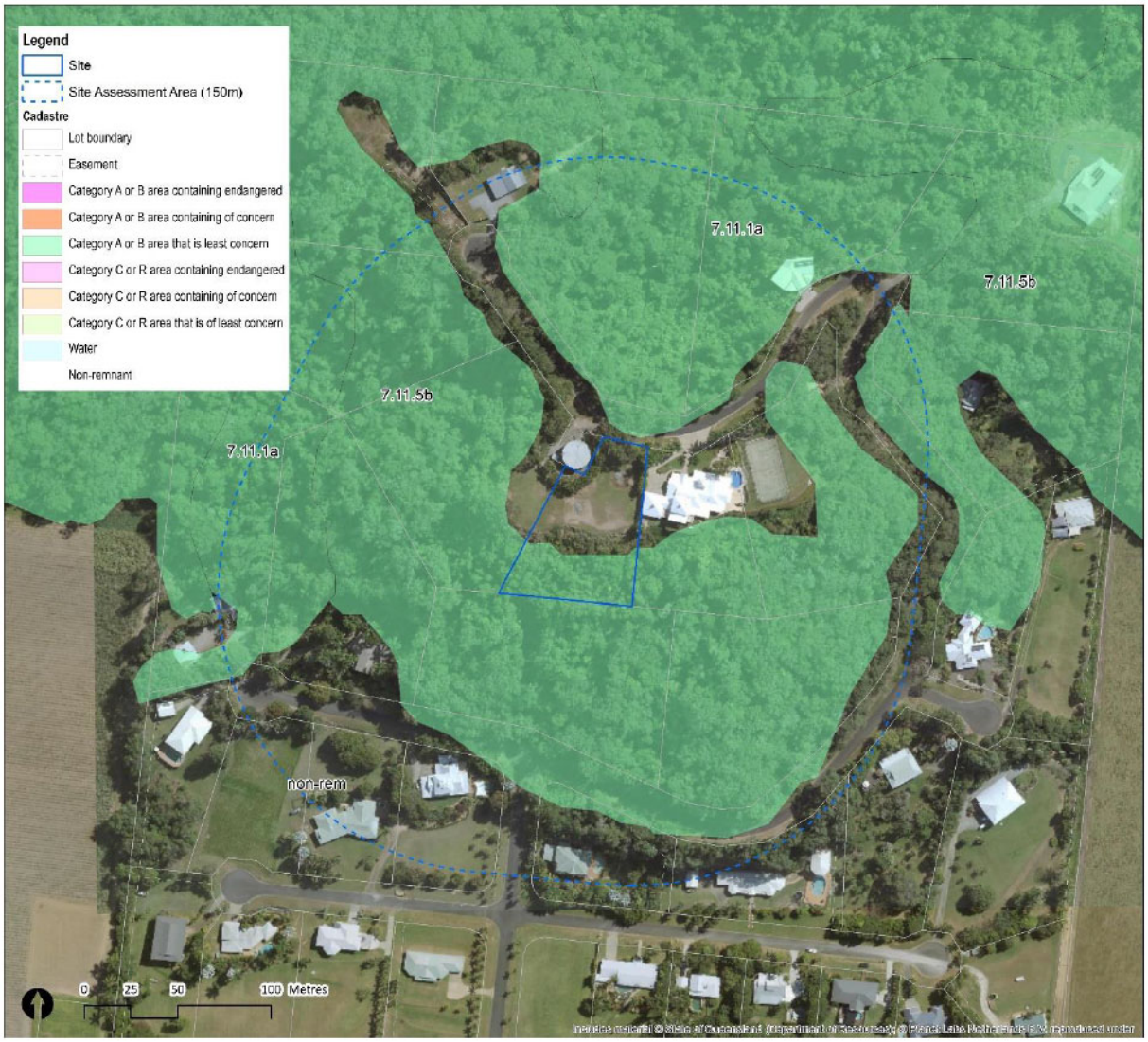

FIGURE 6: VEGETATION MANAGEMENT REGIONAL ECOSYSTEM MAP V.12.0 (STATE OF QUEENSLAND (DEPARTMENT OF RESOURCES) 2021).

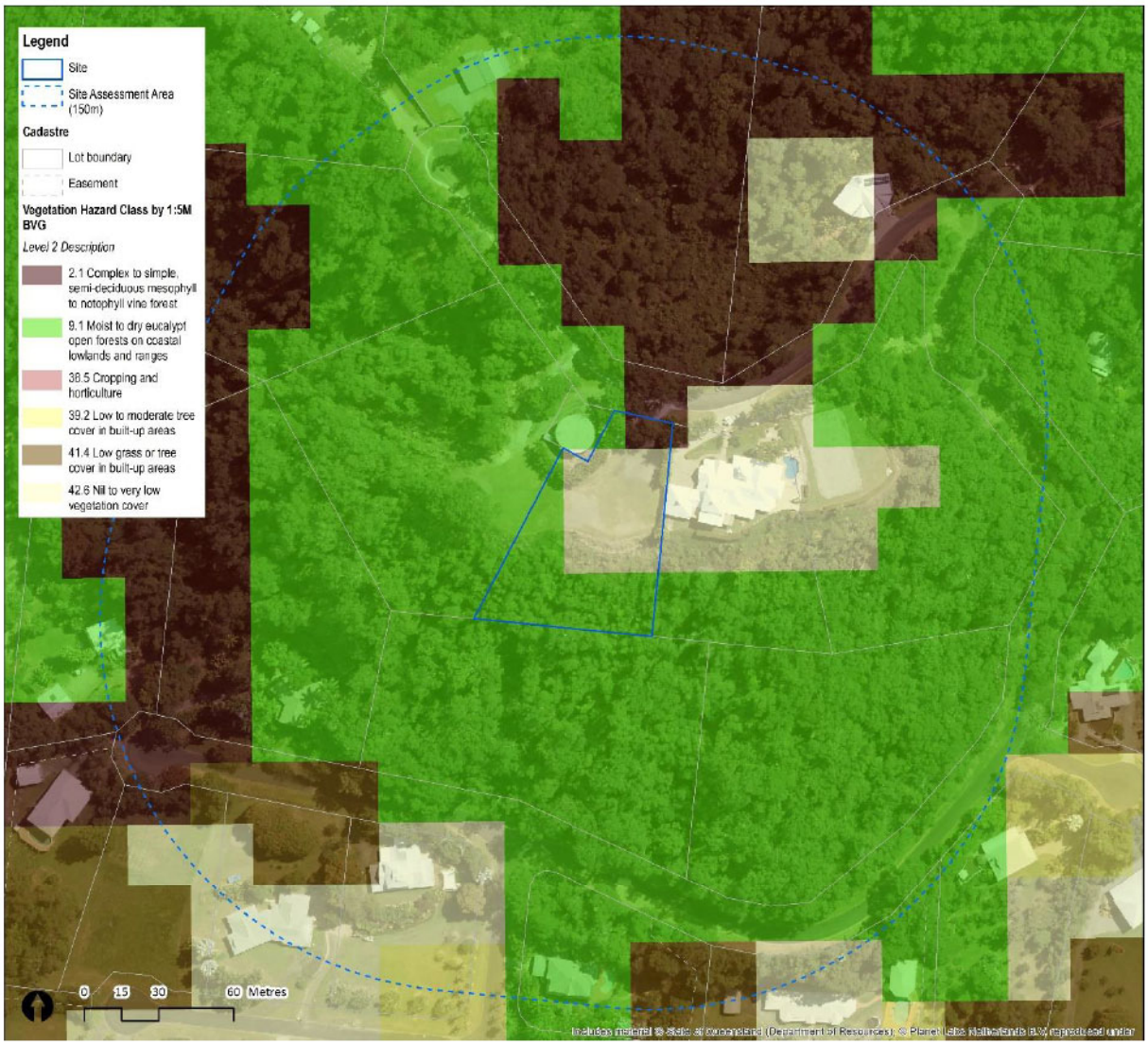

FIGURE 7: SPP VEGETATION HAZARD CLASS INPUT MAP (PUBLIC SAFETY BUSINESS AGENCY 2014).

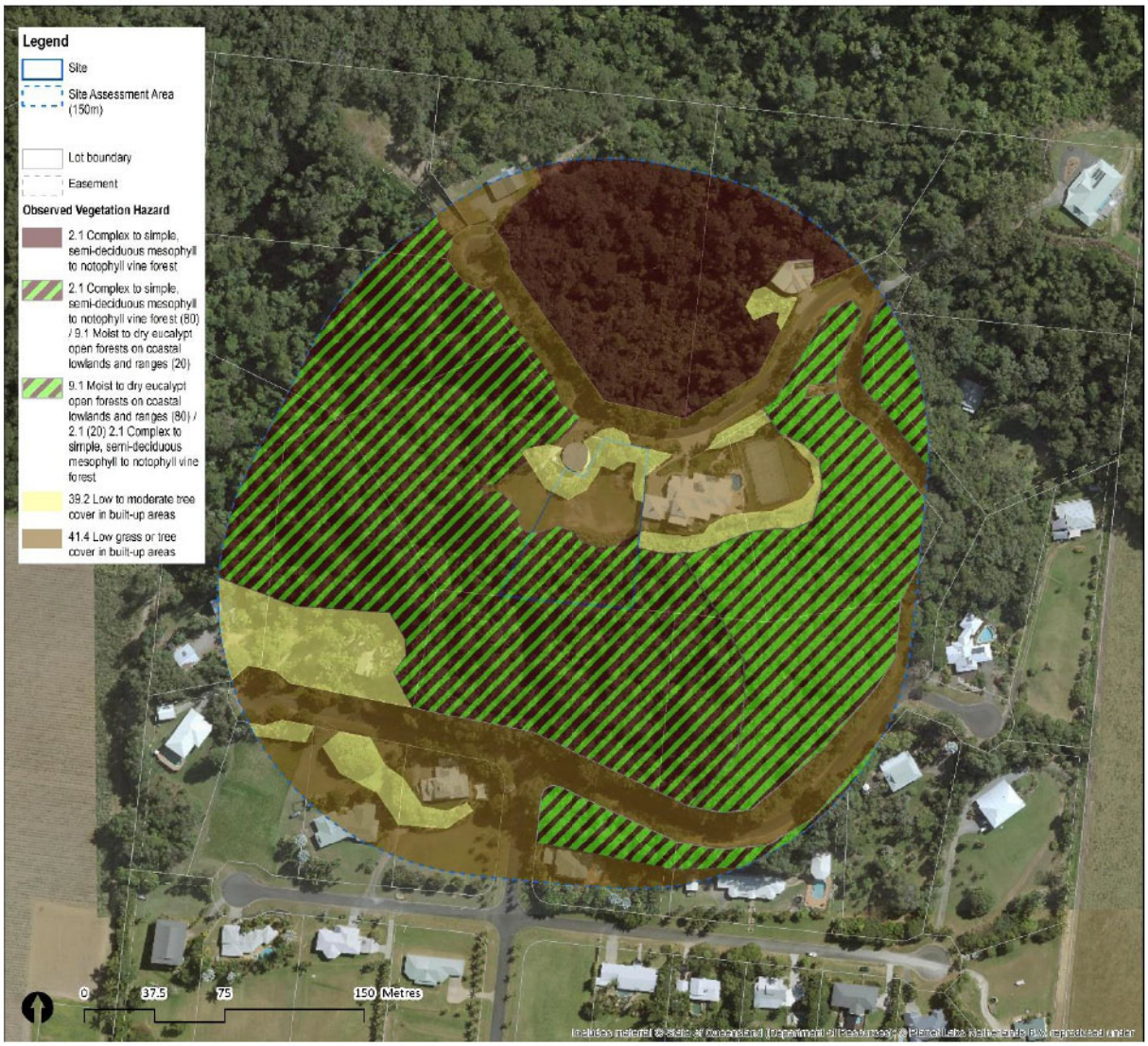

FIGURE 8: OBSERVED VEGETATION HAZARD CLASSES WITHIN SITE ASSESSMENT AREA.

5 SUMMARY

The Bushfire Attack Level (BAL) Assessment was prepared by Litoria Consulting on behalf of Steve Marriott for land described as 14 Hibiscus Court, Rocky Point (Lot 26 on RP749732).

The BAL assessment included the subject land and all land within 150m of the subject land and was carried out in accordance with procedures described in Method 2 of AS 3959:2018 (Standards Australia 2018); having regard to parameterisation prescribed in Queensland by Bushfire Resilient Communities (Queensland Fire and Emergency Services 2019).

The BAL assessment included assessment of vegetation hazard classes for land within 150m of the subject land. Results indicated that most of the vegetation within 150m of the subject land was comprised of rainforest vegetation and other non-hazardous (or low threat) vegetation in accordance with Clause 2.2.3.2 of AS 3959:2018.

Whilst hazardous vegetation is present within the landscape, it occurs as part of a heterogeneous mosaic with, or predominantly comprised of, mesophyll vine forest. Consequently, it is improbable that the vegetation would support a running wildfire of significant intensity.

As such the proposed dwellings are not located within a bushfire prone area and planning or building design measures to mitigate the risk of bushfire attack are not required.

6 REFERENCES

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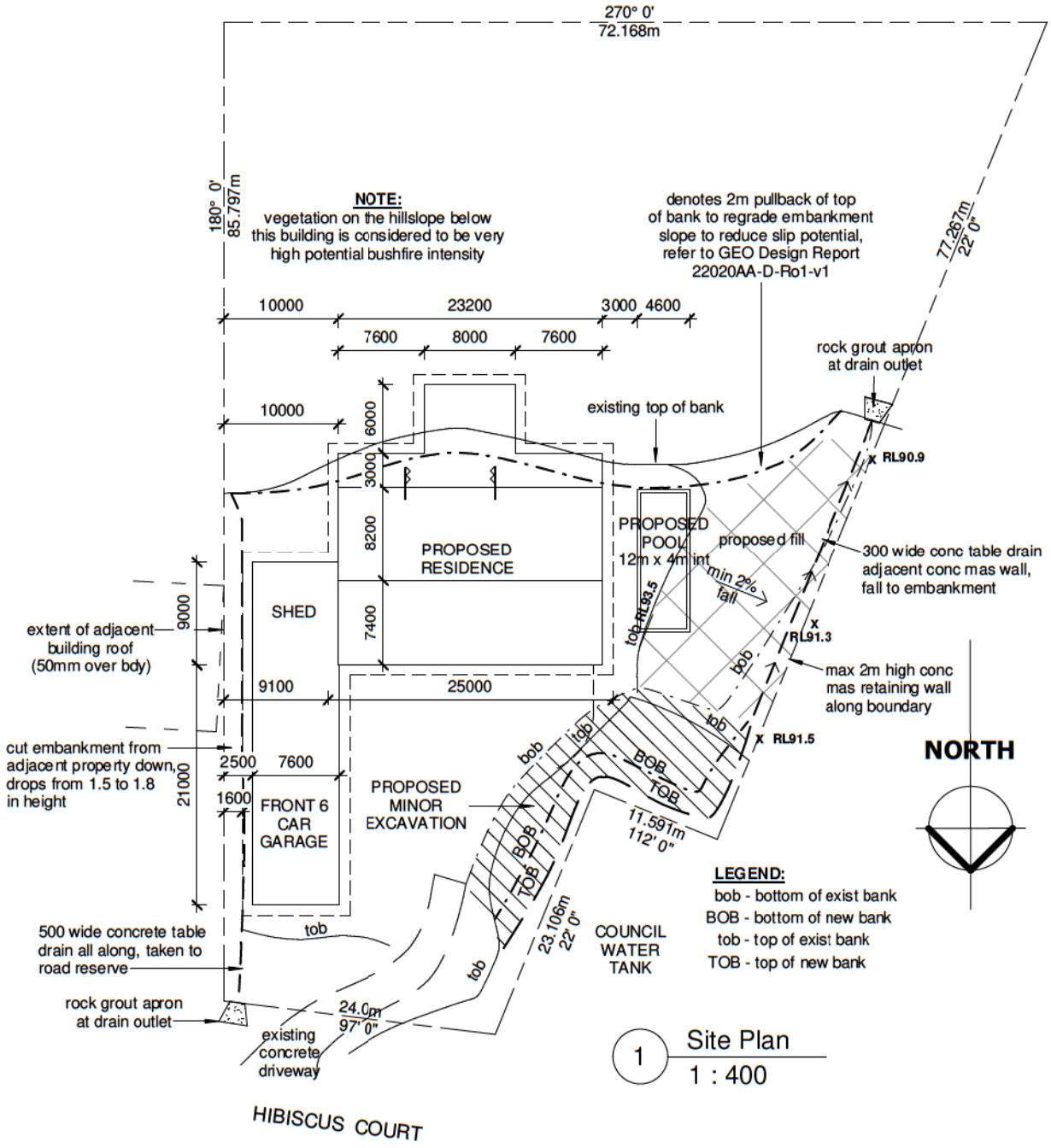
APPENDIX 1: PROPOSED DEVELOPMENT



REV	DATE	DESCRIPTION

GREG SKYRING Design and DRAFTING Pty. Ltd.
Lic Under QBSA Act 1991 - No 1040371
11 Noli Close,
Mossman Q. 4873
Phone/Fax: (07) 40982061
Mobile: 0419212652
Email: greg@skyringdesign.com.au

PROJECT

Proposed Residence,
L26 RP749732,
14 Hibiscus Court,
ROCKY POINT

PLAN TITLE

Site Plan

CLIENT

S. Marriott

SCALES	WIND CLASS	PLAN NO	SHEET NO
1 : 400	C3	211-21	2 of 7
		REV.	

Attachment 4

Geotech Investigation

Prepared by CETS

CAIRNS ENGINEERING TESTING SERVICES

GEOTECHNICAL INVESTIGATION

PROJECT NO: C06-028

KEVIN BOWDITCH

PROPOSED RESIDENCE

LOT 28 HIBISCUS DRIVE ROCKY POINT

APRIL 2006

PO Box 252, Bungalow Qld 4870
Ph: (07) 4031 1122 Fax: (07) 4051 9480 Mob: 0407 181 622 Email: info@ganza.com.au

CAIRNS ENGINEERING
TESTING SERVICES

REPORT ON

GEOTECHNICAL INVESTIGATION
PROPOSED RESIDENCE
LOT 28 HIBISCUS DRIVE
PORT VIEWS ESTATE
ROCKY POINT, QUEENSLAND

Submitted to:

Kevin Bowditch
17 Snapper Island Drive
Wonga Beach
Queensland 4873

DISTRIBUTION:

2 Copies - Kevin Bowditch
1 Copy - CETS Engineering

April, 2006

C06-028REV(1)

CAIRNS ENGINEERING TESTING SERVICES

- Excavation of a hand auger (AH1) to a depth of about 1.0 m.

An engineering geologist carried out the walkover survey, positioned the tests, logged the materials encountered, recovered samples and carried out field tests. The approximate test locations are shown on Figure 1. The results of the fieldwork are presented in Appendix A.

3.0 INVESTIGATION FINDINGS

3.1 *Surface Conditions*

The site of the proposed development is located on the downhill side of Hibiscus Drive covering an area of about 1.155 Hectares. The site of the proposed residence is located in the upper portion of the allotment and is accessed by a small access track extending from Hibiscus Drive. A near vertical small cut batter generally up to about 1.5 m in height extends along the uphill side of the track.

The area of the proposed residence is dominated by two level cut benches with associated cut batters. The benches are generally about 20 to 25 m in length and between about 5 m to 6.5 m in width. The associated cut batters are generally about 2.5 m in height and have been formed nearly vertical. At the time of fieldwork the surface of the existing benches were generally covered by low level grass. At the time of fieldwork an open excavation was present at the northern end of the uppermost bench. Small drainage gullies bound the cut benches to the north and south. Based on site observations it appears that the cut benches have been formed on a natural ridgeline.

A small levelled area also exists to the south of the proposed residence area. This area is also accessed by the small track. At the time of fieldwork this area was generally covered by low level vegetation.

The natural surface of the site generally slopes between about 20° to 32°, with some locally steeper sections. At the time of fieldwork the natural surface of the site was covered by dense forest vegetation.

No signs of major instability was observed during the walkover survey. However, small areas of slumping and erosion were noted in some of the cut batters.

Subsurface Conditions

Subsurface conditions observed in the existing cut batters and the open excavation, and inferred from the DCP results, generally comprised stiff to very stiff sandy/gravelly clay "residual soil" to depths of between about 1.8 m to 2.4 m, over highly weathered, very low to low strength argillite rock.

The subsurface conditions encountered in AH1 generally comprised soft to firm sandy clay material to a depth of about 0.4 m over the clayey residual soils to a depth of about 1.0 m, the maximum depth investigated. Discussions with Kevin Bowditch indicate that some filling was placed at the surface and edge of the lower bench during initial earthworks.

Groundwater was not encountered during the fieldwork to the depths investigated.

4.0 STABILITY ANALYSIS

Stability analyses were carried out for Section A-A as shown on Figure 1. The stability analyses assumed that the existing cut batters associated with the cut benches and the access track are supported by engineered designed retaining walls.

Based on judgement and previous experience with similar materials, the following strength parameters were adopted for the stability analyses:

Material Type	Strength Parameters	
Fill	c' = 3 kPa	ϕ' = 30°
Residual Soil	c' = 5 kPa	ϕ' = 30°
Very Low Strength Argillite	c' = 7 kPa	ϕ' = 35°
Low to Moderate Strength Argillite	c' =15 kPa	ϕ' = 35°
Retaining Walls	c' =100 kPa	ϕ' = 0°

Analyses were initially performed for what were considered to be dry or "normal" conditions. Analyses were then performed for what were considered to be wet or "extreme" conditions. A pore water pressure co-efficient (R_u= 0.1-0.2) was used to simulate seepage/water infiltration for "extreme" conditions.

The analyses were carried out for a potential circular failure using the proprietary computer software SLIDE V5.0. The results of the stability analyses are presented in Appendix B and summarised as follows:

Case Analysed	Calculated Factor of Safety (FOS)	
	Dry Conditions	Wet Conditions
Section A-A	1.58	1.30

5.0 ENGINEERING COMMENTS

5.1 *Proposed Development*

It is understood that the proposed residence will be up to a two level structure constructed over the existing cut benches with associated sealed driveway, swimming pool and landscaped areas. It is further understood that the existing cut batters will be supported by suitable engineer designed retaining walls.

It is further understood that a carport or shed may be constructed at the location of the cleared bench located to the south of the proposed residence.

Engineering comments regarding stability, cut and fill earthworks, retaining structures, and footings are presented in the following sections.

5.2 Stability

For the purposes of assessing stability we provide the following guidelines which are appropriate to the conditions at this site:

- A calculated factor of safety > 1.5 indicates the profile is likely to be stable;
- A calculated factor of safety from 1.0 – 1.5 indicates a marginally stable profile;
- A calculated factor of safety < 1.0 indicates the profile is likely to be unstable.

In general terms the factor of safety is calculated by dividing the forces resisting instability (ie. the strength of the soil/rock or the strength of discontinuities within the soil/rock) by the forces driving instability (ie. the weight of the soil/rock, plus groundwater/seepage, plus surcharges/loads on the slope). A calculated factor of safety of 1.0 indicates the forces are balanced, whereas a calculated factor of safety <1.0 indicates instability will likely occur.

For this site we consider that a calculated factor of safety >1.3 should be achieved for the wet or "extreme" conditions modelled, and that a calculated Factor of Safety >1.5 should be achieved for the dry or "normal" conditions modelled.

The results of the stability analyses for Section A-A indicates the existing slope would be stable under the dry conditions modelled and marginally stable under the wet conditions modelled.

With the adoption of standard engineering practices relevant to hillslope construction (ie. those outlined in the following sections), the overall slope following development will be stable. However, as is the case for all hillslope developments in the Rocky Point area, some minor instability should be expected. This instability is expected to be in the form of relatively minor slips and slumps on the slopes or unsupported batters and to occur during or after prolonged periods of heavy rainfall. This instability is generally accepted in the Rocky Point area and must be accepted by all parties involved in the project.

5.3 Drainage

Drainage measures that should be implemented include:

- provision of concrete lined cut-off drains (or similarly lined drains) to intercept run-off on the uphill side of retaining walls and unsupported batters greater than 1.5 m high.
- provision of subsurface drainage behind retaining walls.
- provision of kerbing on access driveways.

All stormwater should be collected and discharged from the site via pipes or discharged into the natural drainage gullies via flow spreaders rather than be allowed to flow directly on to the ground.

5.4 Cut and Fill Earthworks

As outlined previously, the existing cut batters at the site should be supported by engineer designed retaining walls. However, if further cutting is required, it is considered that permanently unsupported cut batters formed predominantly in the stiff clayey residual soils and highly weathered argillite rock could be formed up to a maximum height of 3 m at 1V:1H. Higher or steeper cut batters should be supported by engineer designed retaining walls.

Filling should be limited to areas where the natural slope is no steeper that 20°. Fill batters should be limited to a maximum of 1.5 m in height at no steeper than 1V:1.5H. Higher or steeper fill batters, or filling proposed in areas steeper than 20° should be supported by engineer designed retaining walls.

The fill located near the downhill crest of the lower cut bench is considered to be uncontrolled fill and should be removed and replaced as engineered fill if required.

If filling is required, site preparation and earthworks procedures should involve the following:-

- Strip and remove topsoil and soil containing significant amounts of organic materials;

- Compact the subgrade with a heavy roller to reveal soft or loose materials. Soft or loose material that can not be improved by compaction should be removed and replaced with engineered fill;

- Place fill where required in uniform horizontal layers not exceeding 200 mm loose thickness and compact to achieve a density ratio of at least 95% using Standard Compaction. Each layer of filling should be keyed into natural ground. Filling should be placed at least 2 m beyond the design profile and then trimmed to the design profile.

If required, it is considered that the natural clayey residual soils and weathered argillite rock at the site should be suitable for use as engineered fill subject to the removal of any organic material and material greater than 150 mm in size. Compaction levels should be checked by field density testing during filling.

5.5 Retaining Structures

Retaining walls where they form part of the residence or other structures such as swimming pools can be designed using an earth pressure coefficient of 0.6, plus surcharge loads imposed on the wall. Other stand alone retaining walls where they form a boundary or for landscape purposes can be designed using an earth pressure coefficient of 0.4, plus surcharge loads imposed on the walls. Footings for retaining walls should be founded at least 0.5 m into the highly weathered argillite rock unless otherwise approved by a geotechnical engineer. Footings for retaining walls founded in this manner can be designed using allowable bearing pressures up to 250 kPa. All retaining walls should be engineer designed structures.

5.6 Footings

It is considered that the proposed residence and other structures located on the formed cut benches can be supported on pad and/or strip or bored pier footings. Pad and strip footings should be founded at least 0.5 m into the highly weathered argillite rock unless otherwise approved by a geotechnical engineer. Pad and strip footings founded in this manner can be designed using allowable bearing pressures up to 200 kPa. A set back distance of at least 2 m from the crest of any unsupported batters should be adopted for all footings.

Bored pier footings should extend at least three times their diameter into the highly weathered argillite rock. Bored pier footings constructed in this manner can be designed using an allowable end bearing pressure of 300 kPa and an allowable shaft adhesion of up to 40 kPa, neglecting the contribution of the upper 1.0 m of the shaft.

It is considered that any structure not to be located on the cut benches but over the natural slopes or on fill should be supported on bored pier footings.

It is recommended that footing excavations be inspected by a geotechnical engineer to confirm that founding conditions are consistent with those on which the design guidelines are based.

6.0 LIMITATIONS

We have prepared this report for the use of **Kevin Bowditch**, for design purposes in accordance with generally accepted geotechnical engineering practices. No other warranty, expressed or implied, is made as to the professional advice included in this report. This report has not been prepared for use by parties other than **Kevin Bowditch** or his design consultants, ie. Architect & Civil/Structural Engineers. It may not contain sufficient information for purposes of other parties or for other uses.

Your attention is drawn to the document - "Important Information About Your Geotechnical Engineering Report", which is included in Appendix D of this report. This document has been prepared by the ASFE *(Professional Firms Practicing in the Geosciences)*. The statements presented in this document are intended to advise you of what your realistic expectations of this report should be, and to present you with recommendations on how to minimise the risks associated with the groundworks for this project. The document is not intended to reduce the level of responsibility accepted by CETS, but rather to ensure that all parties who may rely on this report are aware of the responsibilities each assumes in so doing.

Yours faithfully,

STEPHEN FORD
Senior Geotechnical Engineer

MICHAEL GANZA (RPEQ 4449)
Director

for and on behalf of
CAIRNS ENGINEERING TESTING SERVICES

APPENDIX A

RESULTS OF FIELDWORK

CAIRNS ENGINEERING
TESTING SERVICES

DYNAMIC CONE PENETROMETER TEST -- REPORT

A.S. 1289 6.3.2

CLIENT	Kevin Bowditch 17 Snapper Island Drive Wonga Beach QLD 4873	**REPORT NUMBER**	C028-01
JOB NO	C06-028	**REPORT DATE**	19th April 2006
		TEST DATE	8th April 2006
PROJECT	Lot 28 Hibiscus Drive Port Views Estate, Rocky Point, QLD.	**TECHNICIAN**	SF
SAMPLE LOCATION (See Site Plan)		**CLIENT ORDER No.**	*
SAMPLE DESCRIPTION (Soil Profile)		**CLIENT JOB No.**	*

DEPTH (Metres)	*TEST COMMENCED AT 0.0 m BELOW SURFACE LEVEL									
	SITE: P1		SITE: P2		SITE: P3		SITE: P4		SITE:	
	No. Blows	Np	No. Blows	Np	No. Blows	Np	No. Blows	Np	No. Blows	Np
0.0 -- -- 0.1	4		5							
0.1 -- -- 0.2	4		3							
0.2 -- -- 0.3	8	16	5	13						
0.3 -- -- 0.4	8		4							
0.4 -- -- 0.5	6		8							
0.5 -- -- 0.6	7	21	8	20						
0.6 -- -- 0.7	6		8							
0.7 -- -- 0.8	9		5							
0.8 -- -- 0.9	9	24	7	20						
0.9 -- -- 1.0	10		9							
1.0 -- -- 1.1	10		14							
1.1 -- -- 1.2	8	28	18	41						
1.2 -- -- 1.3	7		10							
1.3 -- -- 1.4	7		10							
1.4 -- -- 1.5	9	23	13	33						
1.5 -- -- 1.6	13		15							
1.6 -- -- 1.7										
1.7 -- -- 1.8		13		15						
1.8 -- -- 1.9										
1.9 -- -- 2.0										
2.0 -- -- 2.1										
2.1 -- -- 2.2										
2.2 -- -- 2.3										
2.3 -- -- 2.4										
2.4 -- -- 2.5										

NATA Accredited Laboratory
Number 1833

NATA ENDORSED TEST REPORT
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WATER TABLE: 'Not encountered'

(Np) : Penetration Resistance
= blows per 300 mm

MOISTURE CONDITION Moist

R1289 6.3.2/to 2.5m REV (2) LJ 6.4.06

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SIGNED BY:

Leigh Jones
Manager

PO Box 252, BUNGALOW QLD 4870
Ph: (07) 4031 1122 Fax: (07) 4051 9480 Mob: 0407 181 622 Email: info@ganza.com.au

CAIRNS ENGINEERING
TESTING SERVICES

Site Investigation Report

Client:	Kevin Bowditch	**Report Number:**	C028-01
Job Number:	C06-028	**Report Date:**	19th April 2006
Project:	Lot 28 Hibiscus Drive	**Order Number:**	*
Location:	Port Views Estate, Rocky Point, QLD		**Page 1 of 1**

BOREHOLE NO: 1 **LAB NO: C028-01.1**

Depth (m)	Description of Subsoil	Consistency	Moisture Condition	Ground Water Level (m)	Sample Type & Depth (m)
0.0 - 0.4	Sandy CLAY (CL) low plasticity, grey, fine-medium sand (Fill).	Stiff	Moist	N/A	
0.4 - 1.0	Sandy Gravelly CLAY (CL) low plasticity, red/brown, fine-medium gravel, fine-medium sand.	Very Stiff	Moist	N/A	
1.0	Borehole Terminated.				

NATA

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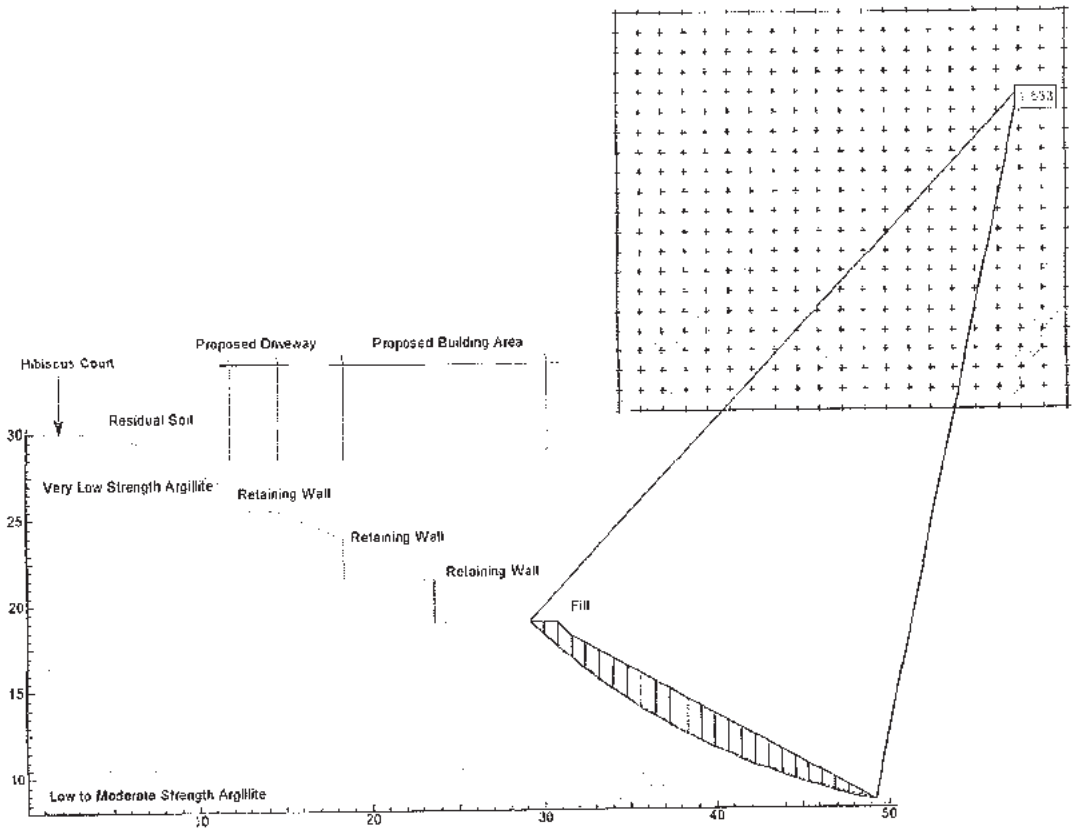
APPROVED SIGNATORY

Leigh Jones
Nata Accred. No: 1833

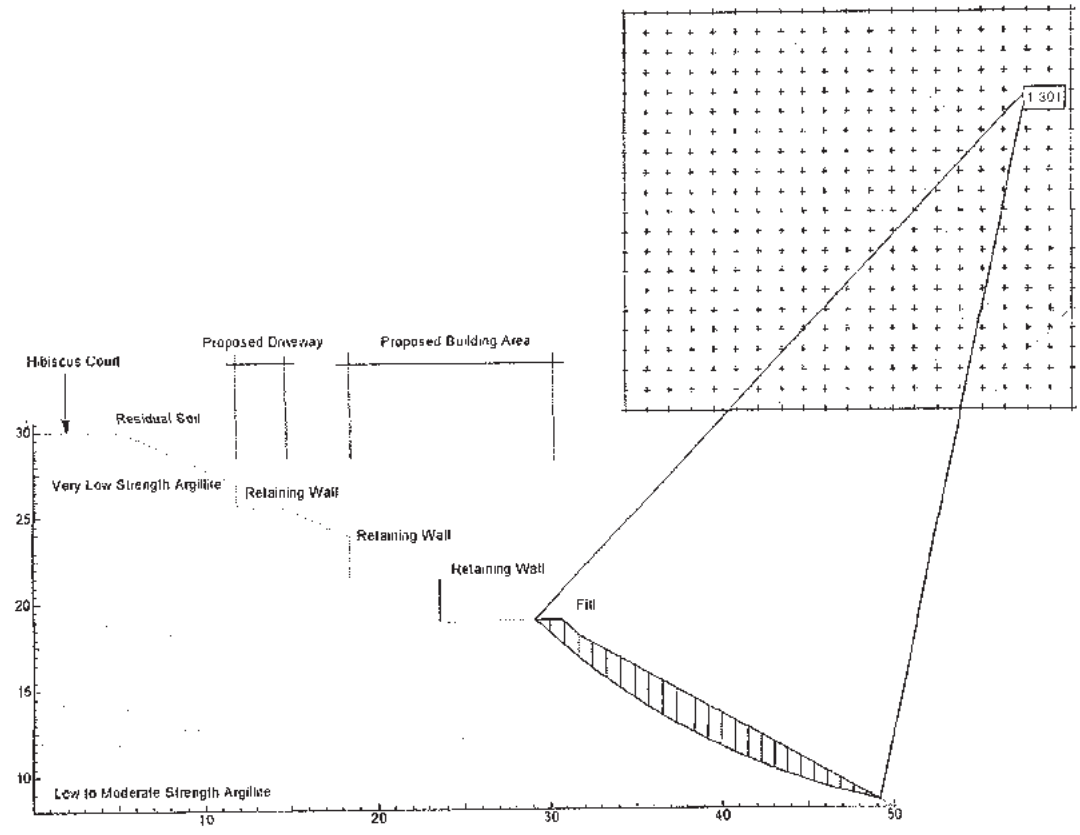
PO Box 252, BUNGALOW QLD 4870
Ph: (07) 4031 1122 Fax: (07) 4051 9480 Mob: 0407 181 622 Email: info@ganza.com.au

APPENDIX B

RESULTS OF STABILITY ANALYSIS



SECTION A-A (Dry Conditions)



SECTION A-A (Wet Conditions)

Project No.:		Computed In: *SLIDE* 5.0	RESULTS OF STABILITY ANALYSES
Computed By:	SRF	Checked By:	PROPOSED RESIDENCE
Date:	08/04/06	Date: 13/04/06	LOT 28 HIBISCUS DRIVE, ROCKY POINT

APPENDIX C

"IMPORTANT INFORMATION ABOUT YOUR GEOTECHNICAL ENGINEERING REPORT"

1.0 IMPORTANT INFORMATION

Your attention is drawn to the document - "Important Information About Your Geotechnical Engineering Report", which is included in Appendix D of this report. This document has been prepared by the ASFE *(Professional Firms Practicing in the Geosciences)*. The statements presented in this document are intended to advise you of what your realistic expectations of this report should be, and to present you with recommendations on how to minimise the risks associated with the groundworks for this project. The document is not intended to reduce the level of responsibility accepted by CETS, but rather to ensure that all parties who may rely on this report are aware of the responsibilities each assumes in so doing.

FIGURE 1

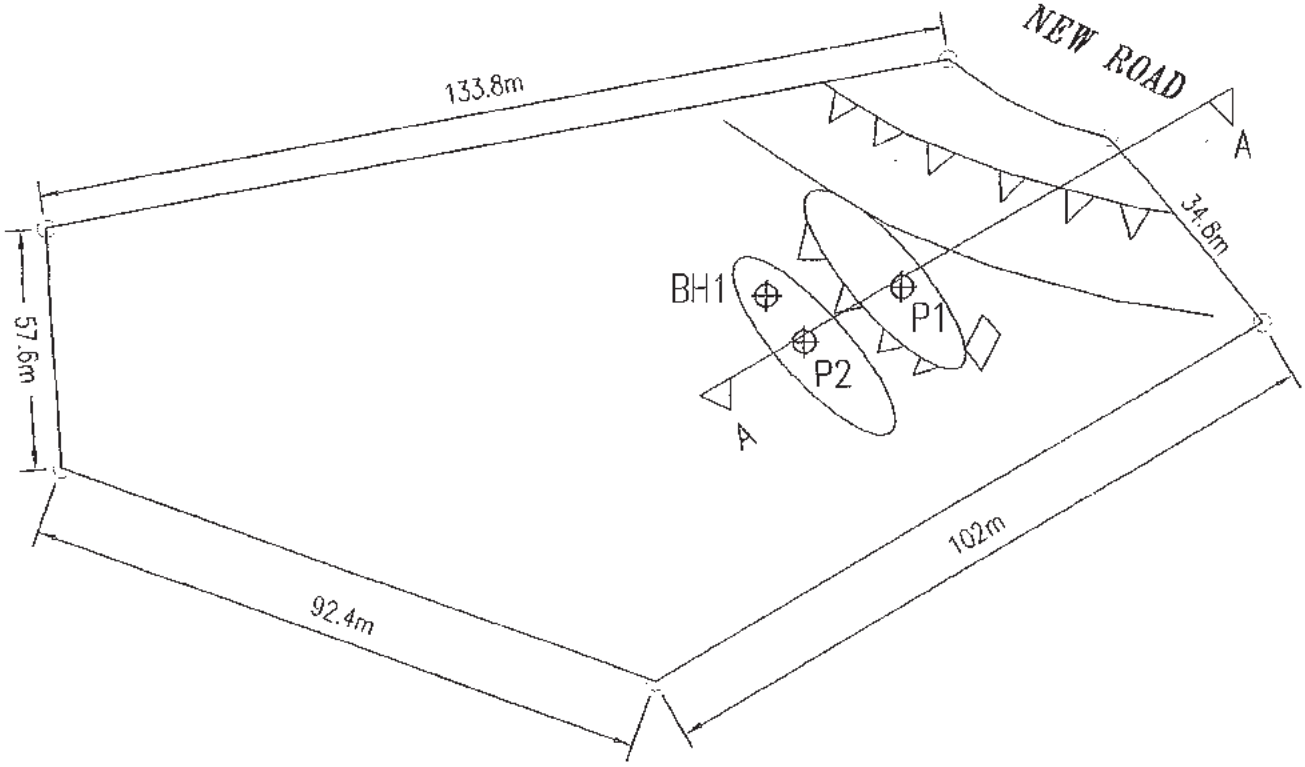
SITE PLAN

HAND SKETCH ONLY

AH1 ⊕ APPROXIMATE LOCATION AUGER HOLE

P1 ⊕ APPROXIMATE LOCATION OF DCP

A
A SECTION A-A USED FOR STABILITY ANALYSIS



DIMENSIONS ARE APPROXIMATE ONLY

CETS
CAIRNS ENGINEERING TESTING SERVICES

		SITE CLASSIFICATION SITE PLAN
		KEVIN BOWDITCH LOT 28 HIBISCUS DRIVE, ROCKY POINT
	SCALE N.T.S.	GCS06-001-01 A

Attachment 5

Code Assessment

Prepared by Aspire Town Planning and Project Services

6.2.4 Environmental management zone code

6.2.4.1 Application

(1) This code applies to assessing development in the Environmental management zone.

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

6.2.4.2 Purpose

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

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

(2) The local government purpose of the code is to:

- (a) implement the policy direction set in the Strategic Framework, in particular:
  - (i) Theme 2 : Environment and landscape values, Element 3.5.3 – Biodiversity, Element 3.5.5 – Scenic amenity.
- (b) protect and buffer areas of environmental significance from inappropriate development.

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

- (a) Development is generally restricted to a dwelling house;
- (b) Adverse impacts on natural systems, both on-site and on adjoining land are minimised through the location, design and management of development;
- (c) Development reflects and responds to the natural features and environmental values of the area;
- (d) Visual impacts are minimised through the location and design of development;
- (e) Development does not adversely affect water quality;
- (f) Development responds to land constraints, including but not limited to topography, vegetation, bushfire, landslide and flooding.

Criteria for assessment

Table 6.2.4.3.a – Environmental management zone – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
PO1 The height of all buildings and structures is in keeping with the natural characteristics of the site. Buildings and structures are low-rise and not unduly visible from external sites.	**AO1.1** Buildings and structures are not more than 8.5 metres and two storeys in height. Note – Height is inclusive of the roof height. **AO1.2** Buildings have a roof height not less than 2 metres.	**Complies with AO1.1** The proposed dwelling has been designed in direct response to the site's steep topography and constrained developable area, necessitating a combined slab on ground and pole design to ensure an efficient and practical use of the site while minimising excessive earthworks and site disturbance. This design maintains a building and structure height of less than 8.5 metres and two storeys in height. **Does not comply with AO1.2** The building roof is skillion design. Within the hillslopes locality this will result in an improved visual impact.
PO2 Buildings and structures are set back to: (a) maintain the natural character of the area; (b) achieve separation from neighbouring buildings and from road frontages.	**AO2** Buildings and structures are set back not less than: (a) 40 metres from the frontage of a state controlled road; (b) 25 metres from the frontage to Cape Tribulation Road; (c) 6 metres from any other road; (d) 6 metres from the side and rear boundaries of the site.	**Complies with AO2** The subject site presents steep topography constrains, influencing the placement and design of the Dwelling House. However, the design complies with the setback requirements
For assessable development		
PO3 Development is consistent with the purpose of the Environmental management zone and protects the zone from the intrusion of inconsistent uses.	**AO3** Inconsistent uses as identified in Table 6.2.4.3.b are not established in the Environmental management zone.	**Complies with AO3** The proposed Dwelling House is an acceptable Use.
PO4	**AO4** No acceptable outcomes are prescribed.	**Complies with PO4** The proposed scale of development is appropriate given the nature of the use and subject site. The

Performance outcomes	Acceptable outcomes	Applicant response
The site coverage of all buildings and structures and associated services do not have an adverse effect on the environmental or scenic values of the site.		modest design is proposed to minimise site disturbance, which also effectively reduces site coverage.
PO5 Development is located, designed, operated and managed to respond to the characteristics, features and constraints of the site and its surrounds. Note - Planning scheme policy – Site assessments provides guidance on identifying the characteristics, features and constraints of a site and its surrounds.	**AO5.1** Buildings, structures and associated access, infrastructure and private open space are sited: (a) within areas of the site which are already cleared; or (b) within areas of the site which are environmentally degraded; (c) to minimise additional vegetation clearing. **AO5.2** Buildings and structures and associated infrastructure are not located on slopes greater than 1 in 6 (16.6%) or on a ridgeline.	**Complies with PO5** The majority of the site remains in its natural state, with the exception of an existing cleared and benched area that provides a suitable and stable location for the proposed dwelling. The building has been sited entirely within this cleared footprint, thereby minimising the need for further vegetation removal or disturbance. The design appropriately responds to the site's steep topography through a combined slab on ground and pole style design, reducing the extent of cut and fill and allowing the structure to integrate naturally with the surrounding landform. The site is largely covered by the hillslopes overlay. A development-specific geotechnical investigation has not been undertaken for this proposal, however, a site-specific geotechnical report prepared in 2006 was carried out, which included an assessment of site suitability, slope stability analysis, and engineering commentary relating to drainage, cut and fill earthworks, retaining structures, and footing design. The findings of that report provide a sound basis for informing the proposed development, and all future earthworks and construction will be undertaken strictly in accordance with engineer-certified design and construction plans to ensure ongoing slope stability and structural integrity. The development has been carefully sited and designed to respond to the characteristics, features, and constraints, including vegetation, slop, the existing cleared and benched area, and appropriate vehicle access, ensuring a low-impact

Performance outcomes	Acceptable outcomes	Applicant response
		and contextually appropriate built form. It is therefore considered that the proposed complies with PO5.
PO6 Buildings and structures are responsive to steep slope through innovative construction techniques so as to: (a) maintain the geotechnical stability of slopes; (b) minimise cut and/or fill; (c) minimise the overall height of development.	**AO6.1** Where development on land steeper than 1 in 6 (16.6%) cannot be avoided, development follows the natural contours of the land and single plane concrete slab on-ground methods of construction are not utilised. **AO6.2** Access and vehicle manoeuvring and parking areas are constructed and maintained to: (a) minimise erosion; (b) minimise cut and fill; (c) follow the natural contours of the site.	**Complies with AO6.1** The proposed dwelling has been designed to respond to the site's steep topography. This construction method allows the building to follow the natural contours of the land, minimising the need for extensive excavation, filling, or alteration of the existing slope. **Complies with AO6.2** No new vehicle access is proposed.
PO7 The exterior finishes of buildings and structures are consistent with the surrounding natural environment.	**PO7** The exterior finishes and colours of buildings and structures are non-reflective and are moderately dark to darker shades of grey, green, blue and brown or the development is not visible external to the site.	**May be conditioned to comply.** The external colour scheme has not been selected at this stage.
PO8 Development does not adversely affect the amenity of the zone and adjoining land uses in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.	**AO8** No acceptable outcomes are prescribed.	**Complies with PO8** The proposed Dwelling House is an appropriate land use within the zone. Given the topography of the site, the proposed development would not adversely affect the amenity of the adjoining properties. It is noted that the many adjoining lots within this zone contain Dwelling Houses.
PO9 The density of development ensures that the environmental and scenic amenity values of the site and surrounding area are not adversely affected.	**AO9** The maximum residential density is one dwelling house per lot.	**Complies with AO9** The development consists of a single dwelling on a large, vegetated lot, ensuring a low density that preserves the site's natural character and maintains the environmental and scenic amenity of the surrounding area.
PO10	**AO10**	**Not applicable**

Performance outcomes	Acceptable outcomes	Applicant response
Lot reconfiguration results in no additional lots. Note - Boundary realignments to resolve encroachments and lot amalgamation are considered appropriate.	No acceptable outcomes are prescribed.	

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

Inconsistent uses		
• Adult store • Agricultural supplies store • Air services • Aquaculture • Bar • Brothel • Bulk landscape supplies • Car wash • Caretaker's accommodation • Cemetery • Child care centre • Club • Community care centre • Community residence • Community use • Crematorium • Cropping • Detention facility • Dual occupancy • Dwelling unit • Educational establishment • Food and drink outlet • Function facility • Garden centre	• Hardware and trade supplies • Health care services • High impact industry • Hospital • Hotel • Indoor sport and entertainment • Intensive animal industry • Intensive horticulture • Landing • Low impact industry • Major electricity infrastructure • Major sport, recreation and entertainment facility • Marine industry • Market • Motor sport facility • Multiple dwelling • Nightclub entertainment facility • Office • Outdoor sales • Outstation • Parking station • Place of worship • Port services	• Renewable energy facility • Relocatable home park • Research and technology industry • Residential care facility • Resort complex • Retirement facility • Rooming accommodation • Rural industry • Rural workers accommodation • Sales office • Service Station • Shop • Shopping centre • Short-term accommodation • Showroom • Special industry • Substation • Theatre • Transport depot • Utility installation • Veterinary services • Warehouse • Wholesale nursery • Winery

Note – This table does not imply that all other uses not listed in the table are automatically consistent uses within the zone. Assessable development must still demonstrate consistency through the assessment process.

9.3.8 Dwelling house code

9.3.8.1 Application

(1) This code applies to assessing development for a dwelling house if:
  (a) self-assessable development or assessable development where this code identified in the assessment criteria column of a table of assessment; or
  (b) impact assessable development.

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

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

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

9.3.8.2 Purpose

(1) The purpose of the Dwelling house code is to assess the suitability of development to which this code applies.

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

9.3.8.3 Criteria for assessment

Table 9.3.8.3.a – Dwelling house code –assessable development

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

8.2.2 Bushfire hazard overlay code

Note - Land shown on the bushfire hazard overlay map is designated as the bushfire prone area for the purposes of section 12 of the Building Regulations 2006. The bushfire hazard area (bushfire prone area) includes land covered by the high and medium hazard areas as well as the buffer area category on the overlay map.

8.2.2.1 Application

(1) This code applies to assessing a material change of use, reconfiguring a lot, operational works or building work in the Bushfire hazard overlay, if:

(a) self-assessable or assessable 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 Bushfire hazard overlay is identified on the Bushfire hazard overlay map in Schedule 2 and includes the following sub-categories:

(a) Medium bushfire risk sub-category;

(b) High bushfire risk sub-category;

(c) Very high bushfire risk sub-category;

(d) Potential impact buffer sub-category.

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

8.2.2.2 Purpose

(1) The purpose of the Bushfire 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 Bushfire risk overlay sub-categories.

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

(a) development avoids the establishment or intensification of vulnerable activities within or near areas that are subject to bushfire hazard;

(b) development is designed and located to minimise risks to people and property from bushfires;

(c) bushfire risk mitigation treatments are accommodated in a manner that avoids or minimises impacts on the natural environment and ecological processes;

(d) development involving the manufacture or storage of hazardous materials does not increase the risk to public safety or the environment in a bushfire event;

(e) development contributes to effective and efficient disaster management response and recovery capabilities.

Note - A site based assessment may ground-truth the extent of hazardous vegetation and extent and nature of the bushfire hazard area (bushfire prone area). Such assessments should be undertaken using the methodology set out in Planning scheme policy SC6.9 - Natural Hazards.

Criteria for assessment

Table 8.2.2.3.a – Bushfire hazard overlay code –assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
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. Note - See the end of this code for examples of vulnerable uses.	**AO1** Vulnerable uses are not established or expanded. Note – Where, following site inspection and consultation with Council, it is clear that the mapping is in error in identifying a premises as being subject to a medium, high, very high bushfire hazard or potential impact buffer sub-category, Council may supply a letter exempting the need for a Bushfire Management Plan. Note – Where the assessment manager has not previously approved a Bushfire Management Plan (either by condition of a previous development approval), the development proponent will be expected to prepare such a plan. Note – Planning scheme policy SC6.9 - Natural hazards, provides a guide to the preparation of a Bushfire Management Plan.	**Not applicable** Development is for a Dwelling House.
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.	**Not applicable** Development is for a Dwelling House.
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 material in bulk does not occur within bushfire hazard sub-category.	**Not applicable** Development is for a Dwelling House.

Performance outcomes	Acceptable outcomes	Applicant response
Development design and separation from bushfire hazard – reconfiguration of lots		
PO4.1 Where reconfiguration is undertaken in an urban area or is for urban purposes or smaller scale rural residential purposes, a separation distance from hazardous vegetation is provided to achieve a radiant heat flux level of 29kW/m^2 at the edge of the proposed lot(s). Note - "Urban purposes" and "urban area" are defined in the *Sustainable Planning Regulations 2009*. Reconfiguration will be taken to be for rural residential purposes where proposed lots are between 2000m^2 and 2ha in area. "Smaller scale" rural residential purposes will be taken to be where the average proposed lot size is 6000m2 or less. Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009. **PO4.2** Where reconfiguration is undertaken for other purposes, a building envelope of reasonable dimensions is provided on each lot which achieves radiant heat flux level of 29kW/m^2 at any point.	**AO4.1** No new lots are created within a bushfire hazard sub-category. or **AO4.2** Lots are separated from hazardous vegetation by a distance that: (a) achieves radiant heat flux level of 29kW/m^2 at all boundaries; and (b) is contained wholly within the development site. Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation. For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages. Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.	**Not applicable** Development is for a Dwelling House.
PO5 Where reconfiguration is undertaken in an urban area or is for urban purposes, a constructed perimeter road with reticulated water supply is established between the lots and the hazardous vegetation and is readily accessible at all times for urban fire fighting vehicles. The access is available for both fire fighting and maintenance/defensive works.	**AO5.1** Lot boundaries are separated from hazardous vegetation by a public road which: (a) has a two lane sealed carriageway; (b) contains a reticulated water supply; (c) is connected to other public roads at both ends and at intervals of no more than 500m; (d) accommodates geometry and turning radii in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;	**Not applicable** Development is for a Dwelling House.

Performance outcomes	Acceptable outcomes	Applicant response
	(e) has a minimum of 4.8m vertical clearance above the road; (f) is designed to ensure hydrants and water access points are not located within parking bay allocations; and (g) incorporates roll-over kerbing. **AO5.2** Fire hydrants are designed and installed in accordance with AS2419.1 2005, unless otherwise specified by the relevant water entity. Note - Applicants should have regard to the relevant standards set out in the reconfiguration of a lot code and works codes in this planning scheme.	
PO6 Where reconfiguration is undertaken for smaller scale rural residential purposes, either a constructed perimeter road or a formed, all weather fire trail is established between the lots and the hazardous vegetation and is readily accessible at all times for the type of fire fighting vehicles servicing the area. The access is available for both fire fighting and maintenance/hazard reduction works.	**AO6** Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has: (a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (f) a maximum gradient of 12.5%; (g) a cross fall of no greater than 10 degrees; (h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;	**Not applicable** Development is for a Dwelling House.

Performance outcomes	Acceptable outcomes	Applicant response
	(i) vehicular access at each end which is connected to the public road network at intervals of no more than 500m; (j) designated fire trail signage; (k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and (l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.	
PO7 Where reconfiguration is undertaken for other purposes, a formed, all weather fire trail is provided between the hazardous vegetation and either the lot 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.	**AO7** Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has: (a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (f) a maximum gradient of 12.5%; (g) a cross fall of no greater than 10 degrees; (h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy; (i) vehicular access at each end which is connected to the public road network; (j) designated fire trail signage;	**Not applicable** Development is for a Dwelling House.

Performance outcomes	Acceptable outcomes	Applicant response
	(k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and (l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.	
PO8 The development design responds to the potential threat of bushfire and establishes clear evacuation routes which demonstrate an acceptable or tolerable risk to people.	**AO8** The lot layout: (a) minimises the length of the development perimeter exposed to, or adjoining hazardous vegetation; (b) avoids the creation of potential bottle-neck points in the movement network; (c) establishes direct access to a safe assembly /evacuation area in the event of an approaching bushfire; and (d) ensures roads likely to be used in the event of a fire are designed to minimise traffic congestion. Note - For example, developments should avoid finger-like or hour-glass subdivision patterns or substantive vegetated corridors between lots. In order to demonstrate compliance with the performance outcome, a bushfire management plan prepared by a suitably qualified person may be required. The bushfire management plan should be developed in accordance with the Public Safety Business Agency (PSBA) guideline entitled “Undertaking a Bushfire Protection Plan. Advice from the Queensland Fire and Emergency Services (QFES) should be sought as appropriate	**Not applicable** Development is for a Dwelling House.
PO9 Critical infrastructure does not increase the potential bushfire hazard.	**AO9** Critical or potentially hazardous infrastructure such as water supply, electricity, gas and telecommunications are placed underground.	**Not applicable** Development is for a Dwelling House.

Performance outcomes	Acceptable outcomes	Applicant response
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 building or envelope respectively, of: (a) 10kW/m^2 where involving a vulnerable use; or (b) 29kW/m^2 otherwise. The radiant heat flux level is achieved by separation unless this is not practically achievable. Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.	**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 10kW/m^2 for a vulnerable use or 29kW/m^2 otherwise; and (b) is contained wholly within the development site. Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation. For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages. Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.	**Complies with AO10** The subject site is partly covered by the 'Very High Potential Bushfire Intensity'; 'High Potential Bushfire Intensity'; and 'Potential Impact Buffer' overlay. While a site specific A Bushfire Attack Level (BAL) Assessment has not been carried out for the subject site, a recent BAL assessment has been carried out been carried out by Litoria Consulting in relation to 14 Hibiscus Court, Rocky Point, a lot approx. 70m south-east, that is also partly covered by the same overlays, topographical, vegetative, and access conditions. A copy of the report, included under **Attachment 3 – BAL Assessment**, included an assessment of the subject land, and all land within 150m, found that most of the vegetation "comprised of rainforest vegetation and other non-hazardous (or low threat) vegetation", stating that "it is improbable that the vegetation would support a running wildfire or significant intensity" and "As such the proposed dwellings are not located within a bushfire prone area and planning or building design measures to mitigate the risk of bushfire attack are not required. On this basis, the proposed development at 18 Hibiscus Court achieves compliance with AO10.
PO11 A formed, all weather fire trail is provided between the hazardous vegetation and the site boundary or	**AO11** Development sites are separated from hazardous vegetation by a public road or fire trail which has:	**Not applicable** Refer to commentary provided under AO10.

Performance outcomes	Acceptable outcomes	Applicant response
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. Note - Fire trails are unlikely to be required where a development site involves less than 2.5ha	(a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (f) a maximum gradient of 12.5%; (g) a cross fall of no greater than 10 degrees; (h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy; (i) vehicular access at each end which is connected to the public road network which is connected to the public road network at intervals of no more than 500m; (j) designated fire trail signage; (k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and (l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.	
All development		
PO12 All premises are provided with vehicular access that enables safe evacuation for occupants and easy access by fire fighting appliances.	**AO12** Private driveways: (a) do not exceed a length of 60m from the street to the building;	**Complies with AO12** The site currently provides a single private driveway with direct access from Hibiscus Court. The driveway is well under 60m in

Performance outcomes	Acceptable outcomes	Applicant response
	(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.	length, with a manageable gradient that does not exceed 12.5%, and a minimum width of 3.5m. Adequate vertical clearance exceeding 4.8m will be provided, and the design allows for vehicle turning and access consistent with the QFES Fire Hydrant and Vehicle Access Guidelines. The driveway will serve only one dwelling, satisfying all requirements of AO12.

Performance outcomes	Acceptable outcomes	Applicant response
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: (i) 10,000l for residential buildings 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. (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 – 50mm ball valve and male camlock coupling and, if underground, an access hole of 200mm (minimum) to accommodate suction lines; and (f) is clearly identified by directional signage provided at the street frontage.	**Not applicable** The development will be connected to Council's reticulated water supply.
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.	**Complies with AO14** Future landscaping will utilise low-fuel species that are less likely to exacerbate a bushfire event and may be conditioned accordingly.

Performance outcomes	Acceptable outcomes	Applicant response
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 environment or landscape character of the locality where this has value.	**Complies with AO15** Any future bushfire risk mitigation measures will be limited to essential vegetation management within the cleared development area and along access paths, ensuring minimal disturbance to the natural environment.

Note – 'Vulnerable activities' are those involving:

(1) the accommodation or congregation of vulnerable sectors of the community such as child care centres, community care centre, educational establishments, detention facilities, hospitals, rooming accommodation, retirement facilities or residential care facilities; or

(2) the provision of essential services including community uses, emergency services, utility installation, telecommunications facility, substations and major electricity infrastructure.

8.2.5 Hillslopes overlay code

8.2.5.1 Application

(1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Hillslopes 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 Hillslopes overlay is identified on the Hillslopes overlay map in Schedule 2 and includes the following sub-categories:

(a) Hillslopes constraint sub-category.

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

8.2.5.2 Purpose

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

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

(i) Theme 1 - Settlement pattern: Element 3.4.7 Mitigation of hazards;

(ii) Theme 2 – Environment and landscape values: Element 3.5.5 Scenic amenity.

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

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

(a) development on hillslopes is safe, serviceable and accessible;

(b) the ecological values, landscape character and visual quality of the hillslopes are protected from development so as to retain the scenic backdrop to the region;

(c) Development on hillslopes is appropriate, having regard to the topographic constraints and environmental characteristics of the land;

(d) Development responds to the constraints of the site including gradient and slope stability;

(e) Works do not involve complex engineering solutions.

Criteria for assessment

Table 8.2.5.3.a – Hillslopes overlay code –assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable development		
PO1 The landscape character and visual amenity quality of hillslopes areas is retained to protect the scenic backdrop to the region.	**AO1.1** Development is located on parts of the site that are not within the Hillslopes constraint sub-category as shown on the Hillslopes overlay Maps contained in schedule 2.	**Not applicable** Development is assessable development.
For assessable development		
PO2 The landscape character and visual amenity quality of hillslopes areas is retained to protect the scenic backdrop to the region.	**AO2.1** Development does not occur on land with a gradient in excess of 1 in 6 (16.6%) or **AO2.2** Where development on land steeper than 1 in 6 (16.6%) cannot be avoided, development follows the natural contours of the site. **AO2.3** Access ways and driveways are: (a) constructed with surface materials that blend with the surrounding environment; (b) landscaped with dense planting to minimise the visual impact of the construction; (c) provided with erosion control measures immediately after construction.	**Complies with AO2.2, AO2.4 - AO2.6** **Able to comply with AO2.7, AO2.8, AO2.9** **Not applicable with AO2.3, AO2.10** AO2.2 The proposed dwelling will be sited within the existing cleared and benched area, however, the design generally follows the natural contours of the site. AO2.3 Not Applicable.

Performance outcomes	Acceptable outcomes	Applicant response
	AO2.4 The clearing or disturbance of vegetation is limited to clearing and disturbance that: (a) is necessary for the construction of driveways; (b) is necessary to contain the proposed development; (c) minimises canopy clearing or disturbance; (d) minimises riparian clearing or disturbance. **AO2.5** On land with slopes greater than 1 in 6 (16.6%) or greater, alternative construction methods to concrete slab on ground are utilised (i.e. split level or post and beam constructed buildings that minimise modification to the natural terrain of the land). **AO2.6** Development does not alter the sky line. **AO2.7** Buildings and structures: (a) are finished predominantly in the following exterior colours or surfaces: (b) moderately dark to darker shades of olive green, brown, green, blue, or charcoal; or (c) moderately dark to darker wood stains that blend with the colour and hues of the surrounding vegetation and landscape; (d) are not finished in the following exterior colours or surfaces: (e) pastel or terracotta colours, reds, yellows, shades of white or beige, or other bright colours that do not blend with the surrounding vegetation and landscape;	AO2.4 The proposed dwelling will be sited within the existing cleared and benched area. No vegetation clearing is required. AO2.5 The design includes combined slab on ground and post and beam construction methods. AO2.6 The proposed dwelling will maintain a low-profile building height and will not project above the natural skyline when viewed from surrounding areas, ensuring the development remains visually recessive within the landscape. AO2.7 Able to comply.

Performance outcomes	Acceptable outcomes	Applicant response
	(f) reflective surfaces. **AO2.8** Exterior colour schemes limit the use of white or other light colours to exterior trim and highlighting of architectural features **AO2.9** Areas between the first floor (including outdoor deck areas) and ground level are screened from view. **AO2.10** Recreational or ornamental features (including tennis courts, ponds or swimming pools) do not occur on land: (a) with a gradient of 1 in 6 (16.6%) or more; (b) are designed to be sited and respond to the natural constraints of the land and require minimal earthworks	AO2.8 Able to comply. AO2.9 Given the size of the subject site, scale of development and vegetation cover, the exposed under croft will not be readily visible from public vantage points. AO2.10 Not applicable. No recreational or ornamental features
PO3 Excavation or filling does not have an adverse impact on the amenity, safety, stability or function of the site or adjoining premises through: (a) loss of privacy; (b) loss of access to sunlight; (c) intrusion of visual or overbearing impacts; (d) complex engineering solutions.	**AO3** Excavation or fill: (a) is not more than 1.2 metres in height for each batter or retaining wall; (b) is setback a minimum of 2 metres from property boundaries; (c) is stepped with a minimum 2 metre wide berm to incorporate landscaping in accordance with Planning scheme policy SC6.7 – Landscaping; (d) does not exceed a maximum of 3 batters and 3 berms (i.e. not greater than 3.6 metres in height) on any one lot.	**Complies with AO3** Retaining walls shown on the plans are 1.2m in height.
Lot reconfiguration		
PO4	**AO4.1**	**Not applicable**

Performance outcomes	Acceptable outcomes	Applicant response
For development that involves reconfiguring a lot, lot layout and design is responsive to the natural constraints of the land and each lot is capable of being used for its intended purpose.	The frontage and depth of all lots is of sufficient width to: (a) allow driveways to follow the natural contours of the site and not exceed a gradient of 1 in 6 (16.6%); (b) accommodate any changes in gradient between the road and lot within the lot boundary and not within the road reserve. **AO4.2** Development does not create new lots containing land of greater than 1 in 6 (16.6%), except where a rectangular area of land of lesser grade is contained within the new lots to accommodate the intended land use, with the balance left in its natural state to the greatest extent possible. Note – The size of rectangular areas is outlined within each zone code. **AO4.3** Development does not alter ridgelines. **AO4.4** Lots are designed to ensure rooflines of future buildings and structures do not protrude above a ridgeline.	

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.

8.2.7.3 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.	**Complies with AO1** The proposed dwelling will be sited within the existing cleared and benched area to avoid significant impact on environmental values. All surrounding native vegetation on the lot will be retained and protected, ensuring that the development maintains the site's ecological values and natural character. The design and siting of the dwelling have been guided by the existing topography and vegetation patterns to minimise disturbance to soil, drainage, and ecological processes, ensuring that the matters of environmental significance on the site are protected and the development remains consistent with the intent of the Natural Areas Overlay Code.

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: (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.	**Complies** Refer to comments above.

Performance outcomes	Acceptable outcomes	
PO3 An adequate buffer to areas of state environmental significance is provided and maintained.	**AO3.1** A buffer for an area of state environmental significance (Wetland protection area) has a minimum width of: (a) 100 metres where the area is located outside Urban areas; or (b) 50 metres where the area is located within 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.	**Not applicable**
PO4 Wetland and wetland buffer areas are maintained, protected and restored. Note – Wetland buffer areas are identified in AO3.1.	**AO4.1** Native vegetation within wetlands and wetland buffer areas is retained. **AO4.2** Degraded sections of wetlands and wetland buffer areas are revegetated with endemic native plants in patterns and densities which emulate the relevant regional ecosystem.	**Not applicable**
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.	**Complies** Weeds will be managed during construction. However, given the nature of construction it is not expected that the type of machinery and vehicles used pose a significant risk to spreading weeds.
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.	**Complies** The proposed development has been carefully sited within an existing cleared and benched portion of the property, ensuring that areas of established native vegetation are retained and ecological connectivity across the site is maintained. No vegetation removal is required, and the surrounding vegetation corridors will remain intact to support habitat continuity.
PO7 Development minimises disturbance to matters of state environmental significance (including existing ecological corridors).	**AO7.1** Development avoids shading of vegetation by setting back buildings by a distance equivalent to the height of the native vegetation. and **AO7.2** Development does not encroach within 10 metres of existing riparian vegetation and watercourses.	**Complies** The proposed building is appropriately setback from vegetation and is a modest structure with minimal risk of overshadowing. The development does not encroach within 10 metres of existing riparian vegetation and watercourses.
Waterways in an urban area		

PO8 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.	**AO8.1** Where a waterway is contained within an easement or a reserve required for that purpose, development does not occur within the easement or reserve; or **AO8.2** Development does not occur on the part of the site affected by the waterway corridor. Note – Waterway corridors are identified within Table 8.2.7.3.b.	**Not applicable**
Waterways in a non-urban area		
PO9 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.	**AO9** Development does not occur on that part of the site affected by a waterway corridor. Note – Waterway corridors are identified within Table 8.2.7.3.b.	**Not applicable**

Table 8.2.7.3.b — Widths of waterway corridors for waterways

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

8.2.9 Potential landslide hazard overlay code

8.2.9.1 Application

(1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Potential landslide hazard overlay; if
  (a) self-assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
  (b) impact assessable development.

(2) Land in the Potential landslip hazard overlay is identified on the Potential landslide hazard overlay maps in Schedule 2 and includes the following sub-categories:
  (a) Places of potential landslide hazard sub-category.

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

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

8.2.9.2 Purpose

(1) The purpose of the Potential landslide hazard overlay code is:
  (a) implement the policy direction of the Strategic Framework, in particular:
    (i) Theme 1: Settlement pattern Element 3.4.7 Mitigation of hazards.
  (b) enable an assessment of whether development is suitable on land within the Potential landslip hazard overlay.

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

8.2.9.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
PO1 The siting and design of development does not involve complex engineering solutions and does not create or increase the potential landslide hazard risk to the site or adjoining premises through: (a) building design; (b) increased slope; (c) removal of vegetation; (d) stability of soil; (e) earthworks; (f) alteration of existing ground water or surface water paths; (g) waste disposal areas.	**AO1.1** Development is located on that part of the site not affected by the Potential landslide hazard overlay. or **AO1.2** Development is on an existing stable, benched site and requires no further earthworks	**Complies with PO1** The proposed development has been sited and designed to avoid complex engineering works and to ensure that the development does not create or increase any potential landslide hazard risk to the site or adjoining properties. The dwelling will be located within an existing cleared and benched portion of the property, representing the most stable area available and requiring only minor earthworks for footings and access formation. The building design incorporates a combined slab on ground and post and beam construction, allowing it to follow the natural contours of the land and reducing the need for substantial excavation or filling. Minor retaining walls are proposed to provide for drainage and site stability Existing vegetation outside the benched area will be retained to maintain slope stability and minimise erosion. Appropriate drainage and surface water management measures will ensure that stormwater is directed safely away from slopes, avoiding concentration or alteration of natural flow paths. The development does not include waste disposal areas other than the existing on-site wastewater treatment system, which is located on stable ground and will continue to operate in accordance with environmental health and engineering standards. Overall, the proposal represents a low-impact design solution that maintains slope stability, protects soil structure, and ensures that no increased landslide risk is introduced to the site or adjoining land.

	or **AO1.3** A competent person certifies that: (a) the stability of the site, including associated buildings and infrastructure, will be maintained during the course of the development and will remain stable for the life of the development; (b) development of the site will not increase the risk of landslide hazard activity on other land, including land above the site; (c) the site is not subject to the risk of landslide activity on other land; (d) any measures identified in a site-specific geotechnical report for stabilising the site or development have been fully implemented; (e) development does not concentrate existing ground water and surface water paths; (f) development does not incorporate on-site waste water disposal. Note – Planning scheme policy SC6.9 – Natural hazards provides guidance on preparing a site specific geo-technical assessment. Note – Development may alter the conditions of ground water and surface water paths in accordance with a site-specific geotechnical report, but should ensure that its final disbursement is as-per pre-developed conditions. Consideration for location, velocity, volume and quality should be given.	

PO2 The siting and design of necessary retaining structures does not cause an adverse visual impact on landscape character or scenic amenity quality of the area.	**AO2** Excavation or fill: (a) is not more than 1.2 metres in height for each batter or retaining wall; (b) is setback a minimum of 2 metres from property boundaries; (c) is stepped with a minimum 2 metre wide berm to incorporate landscaping in accordance with Planning scheme policy SC6.7 – Landscaping; (d) does not exceed a maximum of 3 batters and 3 berms (i.e. Not greater than 3.6 metres in height) on any one lot.	**Complies with AO2** The proposed development is located within an existing cleared and benched portion of the site, with only minor earthworks and limited to what is necessary for the building foundations, essential services, and minor retaining structures. Any excavation or fill will be less than 1.2m in height and set back a minimum of 2m from property boundaries.
PO3 Development for community infrastructure: (a) is not at risk from the potential landslide hazard areas; (b) will function without impediment from a landslide; (c) provides access to the infrastructure without impediment from the effects of a landslide; (d) does not contribute to an elevated risk of a landslide to adjoining properties.	**AO3** Development is designed in accordance with the recommendations of a site-specific geotechnical assessment which makes reference to the community infrastructure and its needs and function. Note - A site specific geotechnical assessment will detail requirements that will address the Acceptable Outcomes of this Performance Outcome. Planning scheme policy SC6.9 – Natural hazards provides guidance on preparing a site specific geotechnical assessment.	**Not applicable** The development is not for Community Infrastructure.

9.4 Other development codes

9.4.1 Access, parking and servicing code

9.4.1.1 Application

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

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

9.4.1.2 Purpose

(1) The purpose of the Access, parking and servicing code is to assess the suitability of access, parking and associated servicing aspects of a development.

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

9.4.1.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant Response
For self-assessable and assessable development		
PO1 Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected to be generated by the use or uses of the site, having particular regard to: (a) the desired character of the area; (b) the nature of the particular use and its specific characteristics and scale; (c) the number of employees and the likely number of visitors to the site; (d) the level of local accessibility; (e) the nature and frequency of any public transport serving the area; (f) whether or not the use involves the retention of an existing building and the previous requirements for car parking for the building (g) whether or not the use involves a heritage building or place of local significance; (h) whether or not the proposed use involves the retention of significant vegetation.	**AO1.1** The minimum number of on-site vehicle parking spaces is not less than the number prescribed in Table 9.4.1.3.b for that particular use or uses. Note - Where the number of spaces calculated from the table is not a whole number, the number of spaces provided is the next highest whole number. **AO1.2** Car parking spaces are freely available for the parking of vehicles at all times and are not used for external storage purposes, the display of products or rented/sub-leased. **AO1.3** Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking. **AO1.4** For parking areas exceeding 50 spaces parking, is provided for recreational vehicles as a substitute for ordinary vehicle parking to a maximum of 5% of total ordinary vehicle parking rate.	**Complies with AO1.1** Minimum 2 onsite parking spaces are provided within the existing Shed. **Not applicable** **Not applicable** **Not applicable**
PO2 Vehicle parking areas are designed and constructed in accordance with relevant standards.	**AO2** Vehicle parking areas are designed and constructed in accordance with Australian Standard: (a) AS2890.1; (b) AS2890.3; (c) AS2890.6.	**Able to comply**

PO3 Access points are designed and constructed: (a) to operate safely and efficiently; (b) to accommodate the anticipated type and volume of vehicles (c) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate; (d) so that they do not impede traffic or pedestrian movement on the adjacent road area; (e) so that they do not adversely impact upon existing intersections or future road or intersection improvements; (f) so that they do not adversely impact current and future on-street parking arrangements; (g) so that they do not adversely impact on existing services within the road reserve adjacent to the site; (h) so that they do not involve ramping, cutting of the adjoining road reserve or any built structures (other than what may be necessary to cross over a stormwater channel).	**AO3.1** Access is limited to one access cross over per site and is an access point located, designed and constructed in accordance with: (a) Australian Standard AS2890.1; (b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers. **AO3.2** Access, including driveways or access crossovers: (a) are not placed over an existing: (i) telecommunications pit; (ii) stormwater kerb inlet; (iii) sewer utility hole; (iv) water valve or hydrant. (b) are designed to accommodate any adjacent footpath; (c) adhere to minimum sight distance requirements in accordance with AS2980.1. **AO3.3** Driveways are: (a) designed to follow as closely as possible to the existing contours, but are no steeper than the gradients outlined in Planning scheme policy SC6.5 – FNQROC Regional Development Manual; (b) constructed such that where there is a grade shift to 1 in 4 (25%), there is an area with a grade of no more than 1 in in 6 (16.6%) prior to this area, for a distance of at least 5 metres; (c) on gradients greater than 1 in 6 (16.6%) driveways are constructed to ensure the cross-fall of the driveway is one way and directed into the hill, for vehicle safety and drainage purposes;	**Not applicable** The proposed development utilises the existing concrete vehicle crossover and driveway.

	(d) constructed such that the transitional change in grade from the road to the lot is fully contained within the lot and not within the road reserve; (e) designed to include all necessary associated drainage that intercepts and directs storm water runoff to the storm water drainage system. **AO3.4** Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.	
PO4 Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.	**AO4** The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.	**Not applicable**
PO5 Access for people with disabilities is provided to the building from the parking area and from the street.	**AO5** Access for people with disabilities is provided in accordance with the relevant Australian Standard.	**Not applicable**
PO6 Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development.	**AO6** The number of on-site bicycle parking spaces complies with the rates specified in Table 9.4.1.3.b.	**Not applicable**

PO7 Development provides secure and convenient bicycle parking which: (a) for visitors is obvious and located close to the building's main entrance; (b) for employees is conveniently located to provide secure and convenient access between the bicycle storage area, end-of-trip facilities and the main area of the building; (c) is easily and safely accessible from outside the site.	**AO7.1** Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers); **AO7.2** Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street. **AO7.3** Development provides visitor bicycle parking which does not impede pedestrian movement.	**Not applicable** **Not applicable** **Not applicable**
PO8 Development provides walking and cycle routes through the site which: (a) link to the external network and pedestrian and cyclist destinations such as schools, shopping centres, open space, public transport stations, shops and local activity centres along the safest, most direct and convenient routes; (b) encourage walking and cycling; (c) ensure pedestrian and cyclist safety.	**AO8** Development provides walking and cycle routes which are constructed on the carriageway or through the site to: (a) create a walking or cycle route along the full frontage of the site; (b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site.	**Not applicable**
PO9 Access, internal circulation and on-site parking for service vehicles are designed and constructed: (a) in accordance with relevant standards;	**AO9.1** Access driveways, vehicle manoeuvring and on-site parking for service vehicles are designed and constructed in accordance with AS2890.1 and	**Not applicable**

(b) so that they do not interfere with the amenity of the surrounding area; (c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles.	AS2890.2. **AO9.2** Service and loading areas are contained fully within the site. **AO9.3** The movement of service vehicles and service operations are designed so they: (a) do not impede access to parking spaces; (b) do not impede vehicle or pedestrian traffic movement.	
PO10 Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.	**AO10.1** Development provides adequate area on-site for vehicle queuing to accommodate the demand generated by the development where drive through facilities or drop-off/pick-up services are proposed as part of the use, including, but not limited to, the following land uses: (a) car wash; (b) child care centre; (c) educational establishment where for a school; (d) food and drink outlet, where including a drive-through facility; (e) hardware and trade supplies, where including a drive-through facility; (f) hotel, where including a drive-through facility; (g) service station. **AO10.2** Queuing and set-down areas are designed and constructed in accordance with AS2890.1.	**Not applicable**

Table 9.4.1.3.b – Access, parking and servicing requirements

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

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

9.4.4 Filling and excavation code

9.4.4.1 Application

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

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

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

9.4.4.2 Purpose

(1) The purpose of the Filling and excavation code is to assess the suitability of development for filling or excavation.

(2) The purpose of the code will be achieved through the following overall outcomes:
- (a) filling or excavation does not impact on the character or amenity of the site and surrounding areas;
- (b) filling and excavation does not adversely impact on the environment;
- (c) filling and excavation does not impact on water quality or drainage of upstream, downstream or adjoining properties;
- (d) filling and excavation is designed to be fit for purpose and does not create land stability issues;
- (e) filling and excavation works do not involve complex engineering solutions.

9.4.4.3 Criteria for assessment

Table 9.4.4.3.a – Filling and excavation code – for self-assessable and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
Filling and excavation - General		
PO1 All filling and excavation work does not create a detrimental impact on the slope stability, erosion potential or visual amenity of the site or the surrounding area.	**AO1.1** The height of cut and/or fill, whether retained or not, does not exceed 2 metres in height. and Cuts in excess of those stated in A1.1 above are separated by benches/ terraces with a minimum width of 1.2 metres that incorporate drainage provisions and screen planting. **AO1.2** Cuts are supported by batters, retaining or rock walls and associated benches/terraces are capable of supporting mature vegetation. **AO1.3** Cuts are screened from view by the siting of the building/structure, wherever possible.	**Complies with PO1** The proposed dwelling will be sited within an existing cleared and benched portion of the site, minimising the need for additional excavation and filling, with earthworks limited to what is necessary for stable foundations and safe access. The use of combined slab on ground and post and beam construction allows the dwelling to follow the natural contours of the land, significantly reducing disturbance to the slope and surrounding environment. Filling and excavation is limited to the two minor and engineered retaining walls behind and beneath the dwelling. The finished works will be visually unobtrusive, blending with the existing landform and ensuring no adverse impact on the visual amenity of the site or the broader area.

	AO1.4 Topsoil from the site is retained from cuttings and reused on benches/terraces. **AO1.5** No crest of any cut or toe of any fill, or any part of any retaining wall or structure is closer than 600mm to any boundary of the property, unless the prior written approval of the adjoining landowner has been obtained. **AO1.6** Non-retained cut and/or fill on slopes are stabilised and protected against scour and erosion by suitable measures, such as grassing, landscaping or other protective/aesthetic measures.	
Visual Impact and Site Stability		
PO2 Filling and excavation are carried out in such a manner that the visual/scenic amenity of the area and the privacy and stability of adjoining properties is not compromised.	**AO2.1** The extent of filling and excavation does not exceed 40% of the site area, or 500m^2 whichever is the lesser, except that AO2.1 does not apply to reconfiguration of 5 lots or more. **AO2.2** Filling and excavation does not occur within 2 metres of the site boundary.	**Complies with AO2.1** The proposed dwelling is to be sited in an existing cleared and benched portion of the site. The extent of filling and excavation relation to the development does not exceed 500m^2. **Complies with AO2.2** Filling and excavation does not occur within 2 metres of the site boundary.
Flooding and drainage		

PO3 Filling and excavation does not result in a change to the run off characteristics of a site which then have a detrimental impact on the site or nearby land or adjacent road reserves.	**AO3.1** Filling and excavation does not result in the ponding of water on a site or adjacent land or road reserves. **AO3.2** Filling and excavation does not result in an increase in the flow of water across a site or any other land or road reserves. **AO3.3** Filling and excavation does not result in an increase in the volume of water or concentration of water in a watercourse and overland flow paths. **AO3.4** Filling and excavation complies with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	**Complies with AO3.1** Filling and excavation will be designed and graded to ensure that stormwater drains freely from all disturbed areas, preventing any ponding of water on the site, adjoining land, or road reserves. **Complies with AO3.2** The proposed earthworks will maintain existing natural drainage patterns and will not increase the flow of water across the site or onto adjoining land or road reserves. **Complies with AO3.3** Filling and excavation will be minor in scale and designed to avoid any increase in water volume, concentration, or flow entering nearby watercourses or overland flow paths, ensuring no off-site impacts. **Complies with AO3.4** All filling and excavation works will be carried out in accordance with the FNQROC Development Manual.
Water quality		
PO4 Filling and excavation does not result in a reduction of the water quality of receiving waters.	**AO4** Water quality is maintained to comply with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	**Complies with AO4** All works associated with water quality will be carried out in accordance with the FNQROC Development Manual
Infrastructure		
PO5 Excavation and filling does not impact on Public Utilities.	**AO5** Excavation and filling is clear of the zone of influence of public utilities.	**Not applicable**

9.4.5 Infrastructure works code

9.4.5.1 Application

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

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

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

9.4.5.2 Purpose

(1) The purpose of the Infrastructure works code is to ensure that development is safely and efficiently serviced by, and connected to, infrastructure.

(2) The purpose of the code will be achieved through the following overall outcomes:
  (a) the standards of water supply, waste water treatment and disposal, stormwater drainage, local electricity supply, telecommunications, footpaths and road construction meet the needs of development and are safe and efficient;
  (b) development maintains high environmental standards;
  (c) development is located, designed, constructed and managed to avoid or minimise impacts arising from altered stormwater quality or flow, wastewater discharge, and the creation of non-tidal artificial waterways;
  (d) the integrity of existing infrastructure is maintained;
  (e) development does not detract from environmental values or the desired character and amenity of an area.

9.4.5.3 Criteria for assessment

Table 9.4.5.3.a – Infrastructure works code –assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
Works on a local government road		
PO1 Works on a local government road do not adversely impact on footpaths or existing infrastructure within the road verge and maintain the flow, safety and efficiency of pedestrians, cyclists and vehicles.	**AO1.1** Footpaths/pathways are located in the road verge and are provided for the hierarchy of the road and located and designed and constructed in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual. **AO1.2** Kerb ramp crossovers are constructed in accordance with Planning scheme policy SC 5 – FNQROC Regional Development Manual. **AO1.3** New pipes, cables, conduits or other similar infrastructure required to cross existing footpaths: are installed via trenchless methods; or where footpath infrastructure is removed to install infrastructure, the new section of footpath is installed to the standard detailed	**Not applicable** The proposed dwelling will utilises an existing crossover. There are no obstructions proposed within the road reserve.

	in the Planning scheme policy SC5 – FNQROC Regional Development Manual, and is not less than a 1.2 metre section. **AO1.4** Where existing footpaths are damaged as a result of development, footpaths are reinstated ensuring: similar surface finishes are used; (b) there is no change in level at joins of new and existing sections; (c) new sections are matched to existing in terms of dimension and reinforcement. Note – Figure 9.4.5.3.a provides guidance on meeting the outcomes. **AO1.5** Decks, verandahs, stairs, posts and other structures located in the road reserve do not restrict or impede pedestrian movement on footpaths or change the level of the road verges.	
Accessibility structures		
PO2 Development is designed to ensure it is accessible for people of all abilities and accessibility features do not impact on the efficient and safe use of footpaths. Note – Accessibility features are those features required to ensure access to premises is provided for people of all abilities and include ramps and lifts.	**AO2.1** Accessibility structures are not located within the road reserve. **AO2.2** Accessibility structures are designed in accordance with AS1428.3. **AO2.3** When retrofitting accessibility features in existing buildings, all structures and changes in grade are contained within the boundaries of the lot and not within the road reserve.	**Not applicable**
Water supply		

PO3 An adequate, safe and reliable supply of potable, fire fighting and general use water is provided.	**AO3.1** The premises is connected to Council's reticulated water supply system in accordance with the Design Guidelines set out in Section D6 of the Planning scheme policy SC5 – FNQROC Regional Development Manual; or **AO3.2** Where a reticulated water supply system is not available to the premises, on site water storage tank/s with a minimum capacity of 10,000 litres of stored water, with a minimum 7,500 litre tank, with the balance from other sources (e.g. accessible swimming pool, dam etc.) and access to the tank/s for fire trucks is provided for each new house or other development. Tank/s are to be fitted with a 50mm ball valve with a camlock fitting and installed and connected prior to occupation of the house and sited to be visually unobtrusive.	**Complies with AO3.1** The site is connected to reticulated water.

Treatment and disposal of effluent		
PO4 Provision is made for the treatment and disposal of effluent to ensure that there are no adverse impacts on water quality and no adverse ecological impacts as a result of the system or as a result of increasing the cumulative effect of systems in the locality.	**AO4.1** The site is connected to Council's sewerage system and the extension of or connection to the sewerage system is designed and constructed in accordance with the Design Guidelines set out in Section D7 of the Planning scheme policy SC5 – FNQROC Regional Development Manual; or **AO4.2** Where not in a sewerage scheme area, the proposed disposal system meets the requirements of Section 33 of the *Environmental Protection Policy (Water) 1997* and the proposed on site effluent disposal system is designed in accordance with the *Plumbing and Drainage Act (2002).*	**Complies with AO4.1** The site is serviced by an existing on-site wastewater treatment system, which will be retained and connected to the proposed dwelling in accordance with relevant requirements.
Stormwater quality		
PO5 Development is planned, designed, constructed and operated to avoid or minimise adverse impacts on stormwater quality in natural and developed catchments by: achieving stormwater quality objectives; protecting water environmental values; maintaining waterway hydrology.	**AO5.1** A connection is provided from the premises to Council's drainage system; or **AO5.2** An underground drainage system is constructed to convey stormwater from the premises to Council's drainage system in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	**Will comply** Stormwater will be appropriately directed to a lawful point of discharge.

	AO5.3 A stormwater quality management plan is prepared, and provides for achievable stormwater quality treatment measures meeting design objectives listed in Table 9.4.5.3.b and Table 9.4.5.3.c, reflecting land use constraints, such as: erosive, dispersive and/or saline soil types; landscape features (including landform); acid sulfate soil and management of nutrients of concern; rainfall erosivity. **AO5.4** Erosion and sediment control practices are designed, installed, constructed, monitored, maintained, and carried out in accordance with an erosion and sediment control plan. **AO5.5** Development incorporates stormwater flow control measures to achieve the design objectives set out in Table 9.4.5.3.b and Table 9.4.5.3.c, including management of frequent flows, peak flows, and construction phase hydrological impacts. Note – Planning scheme policy SC5 – FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the *Environmental Protection Act 1994*. Note – During construction phases of development, contractors and builders are to	

	have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.	
Non-tidal artificial waterways		
PO6 Development involving non-tidal artificial waterways is planned, designed, constructed and operated to: protect water environmental values; be compatible with the land use constraints for the site for protecting water environmental values; be compatible with existing tidal and non-tidal waterways; perform a function in addition to stormwater management; achieve water quality objectives.	**AO6.1** Development involving non-tidal artificial waterways ensures: environmental values in downstream waterways are protected; any ground water recharge areas are not affected; the location of the waterway incorporates low lying areas of the catchment connected to an existing waterway; existing areas of ponded water are included. **AO6.2** Non-tidal artificial waterways are located: outside natural wetlands and any associated buffer areas; to minimise disturbing soils or sediments; to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas. **AO6.3** Non-tidal artificial waterways located adjacent to, or connected to a tidal waterway by means of a weir, lock, pumping system or similar ensures: there is sufficient flushing or a tidal range of >0.3 m; or any tidal flow alteration does not adversely impact on the tidal waterway; or	**Not applicable**

	there is no introduction of salt water into freshwater environments. **AO6.4** Non-tidal artificial waterways are designed and managed for any of the following end-use purposes: amenity (including aesthetics), landscaping or recreation; or flood management, in accordance with a drainage catchment management plan; or stormwater harvesting plan as part of an integrated water cycle management plan; or aquatic habitat. **AO6.5** The end-use purpose of the non-tidal artificial waterway is designed and operated in a way that protects water environmental values. **AO6.6** Monitoring and maintenance programs adaptively manage water quality to achieve relevant water quality objectives downstream of the waterway. **AO6.7** Aquatic weeds are managed to achieve a low percentage of coverage of the water surface area, and pests and vectors are managed through design and maintenance.	
Wastewater discharge		

PO7 Discharge of wastewater to waterways, or off site: meets best practice environmental management; is treated to: meet water quality objectives for its receiving waters; avoid adverse impact on ecosystem health or waterway health; maintain ecological processes, riparian vegetation and waterway integrity; offset impacts on high ecological value waters.	**AO7.1** A wastewater management plan is prepared and addresses: wastewater type; climatic conditions; water quality objectives; best practice environmental management. **AO7.2** The waste water management plan is managed in accordance with a waste management hierarchy that: avoids wastewater discharge to waterways; or if wastewater discharge cannot practicably be avoided, minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and ground water. **AO7.3** Wastewater discharge is managed to avoid or minimise the release of nutrients of concern so as to minimise the occurrence, frequency and intensity of algal blooms. **AO7.4** Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and: avoids lowering ground water levels where potential or actual acid sulfate soils are present; manages wastewater so that: the pH of any wastewater discharges is maintained between 6.5 and 8.5 to avoid mobilisation of acid, iron,	**Not applicable**

	aluminium and other metals; holding times of neutralised wastewater ensures the flocculation and removal of any dissolved iron prior to release; visible iron floc is not present in any discharge; precipitated iron floc is contained and disposed of; wastewater and precipitates that cannot be contained and treated for discharge on site are removed and disposed of through trade waste or another lawful method.	

Electricity supply		
PO8 Development is provided with a source of power that will meet its energy needs.	**AO8.1** A connection is provided from the premises to the electricity distribution network; or **AO8.2** The premises is connected to the electricity distribution network in accordance with the Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual. Note - Areas north of the Daintree River have a different standard.	**Will to comply with AO8.1** The site is connected to electricity distribution network.
PO9 Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.	**AO9.1** Pad-mount electricity infrastructure is: not located in land for open space or sport and recreation purposes; screened from view by landscaping or fencing; accessible for maintenance. **AO9.2** Pad-mount electricity infrastructure within a building, in a Town Centre is designed and located to enable an active street frontage. Note – Pad-mounts in buildings in activity centres should not be located on the street frontage.	**Not applicable**
Telecommunications		
PO10 Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.	**AO10** The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.	**Will comply with AO10** The site is connected to telecommunications.

PO11 Provision is made for future telecommunications services (e.g. fibre optic cable).	**AO11** Conduits are provided in accordance with Planning scheme policy SC5 – FNQROC Regional Development Manual.	**Not applicable**
Road construction		
PO12 The road to the frontage of the premises is constructed to provide for the safe and efficient movement of: pedestrians and cyclists to and from the site; pedestrians and cyclists adjacent to the site; vehicles on the road adjacent to the site; vehicles to and from the site; emergency vehicles.	**AO12.1** The road to the frontage of the site is constructed in accordance with the Design Guidelines set out in Sections D1 and D3 of the Planning scheme policy SC5 – FNQROC Regional Development Manual, for the particular class of road, as identified in the road hierarchy. **AO12.2** There is existing road, kerb and channel for the full road frontage of the site. **AO12.3** Road access minimum clearances of 3.5 metres wide and 4.8 metres high are provided for the safe passage of emergency vehicles.	**Complies** The road frontages are constructed.
Alterations and repairs to public utility services		
PO13 Infrastructure is integrated with, and efficiently extends, existing networks.	**AO13** Development is designed to allow for efficient connection to existing infrastructure networks.	**Not applicable**

PO14 Development and works do not affect the efficient functioning of public utility mains, services or installations.	**AO14.1** Public utility mains, services and installations are not required to be altered or repaired as a result of the development; or **AO14.2** Public utility mains, services and installations are altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.	**Not applicable**
Construction management		
PO15 Work is undertaken in a manner which minimises adverse impacts on vegetation that is to be retained.	**AO15** Works include, at a minimum: installation of protective fencing around retained vegetation during construction; erection of advisory signage; no disturbance, due to earthworks or storage of plant, materials and equipment, of ground level and soils below the canopy of any retained vegetation; removal from the site of all declared noxious weeds.	**Able to comply with AO15** Any concerns in this regard, may be conditioned as part of any approval.
PO16 Existing infrastructure is not damaged by construction activities.	**AO16** Construction, alterations and any repairs to infrastructure is undertaken in accordance with the Planning scheme policy SC5 – FNQROC Regional Development Manual. Note - Construction, alterations and any repairs to State-controlled roads and rail corridors are undertaken in accordance with the Transport Infrastructure Act 1994.	**Able to comply with AO16** Any concerns in this regard, may be conditioned as part of any approval.

Performance outcomes	Acceptable outcomes	Applicant response
For assessable development		
High speed telecommunication infrastructure		
PO17 Development provides infrastructure to facilitate the roll out of high speed telecommunications infrastructure.	**AO17** No acceptable outcomes are prescribed.	**Not applicable**
Trade waste		
PO18 Where relevant, the development is capable of providing for the storage, collection treatment and disposal of trade waste such that: off-site releases of contaminants do not occur; the health and safety of people and the environment are protected; the performance of the wastewater system is not put at risk.	**AO18** No acceptable outcomes are prescribed.	**Not applicable**
Fire services in developments accessed by common private title		
PO19 Hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	**AO19.1** Residential streets and common access ways within a common private title places hydrants at intervals of no more than 120 metres and at each intersection. Hydrants may have a single outlet and be situated above or below ground. **AO19.2** Commercial and industrial streets and access ways within a common private title serving commercial properties such as factories and warehouses and offices are provided with above or below ground fire hydrants located at not more than 90 metre intervals and at each intersection. Above ground fire hydrants have dual-valved outlets.	**Not applicable**

PO20 Hydrants are suitable identified so that fire services can locate them at all hours. Note – Hydrants are identified as specified in the Department of Transport and Main Roads Technical Note: 'Identification of street hydrants for fire fighting purposes' available under 'Publications'.	**AO20** No acceptable outcomes are prescribed.	**Not applicable**

Table 9.4.5.3.b – Stormwater management design objectives (Construction phase).

Issue	Design objectives
Drainage control (Temporary drainage works)	(a) Design life and design storm for temporary drainage works: (i) Disturbed open area for <12 months – 1 in 2 year ARI event; (ii) Disturbed open area for 12-24 months – 1 in 5 year ARI event; (iii) Disturbed open area for >24 months – 1 in 10 year ARI event. (b) Design capacity excludes minimum 150mm freeboard. (c) Temporary culvert crossing – minimum of 1 in 1-year ARI hydraulic capacity.
Erosion control (Erosion control measures)	(a) Minimise exposure of disturbed soils at any time. (b) Divert water run-off from undisturbed areas around disturbed areas. (c) Determine erosion risk rating using local rainfall erosivity, rainfall depth, soil loss rate or other acceptable methods. (d) Implement erosion control methods corresponding to identified erosion risk rating.
Sediment control measures (sediment control measures, design storm for sediment control basins, Sediment basin dewatering)	(a) Determine appropriate sediment control measures using: (i) potential soil loss rate; or (ii) monthly erosivity; or (iii) average monthly rainfall. (b) Collect and drain stormwater from disturbed soils to sediment basin for design storm event: (i) design storm for sediment basin sizing is 80th% five-day event or similar. (c) Site discharge during sediment basin dewatering: (i) TSS < 50mg/L TSS; (ii) Turbidity not > 10% receiving water's turbidity; (iii) pH 6.5-8.5.

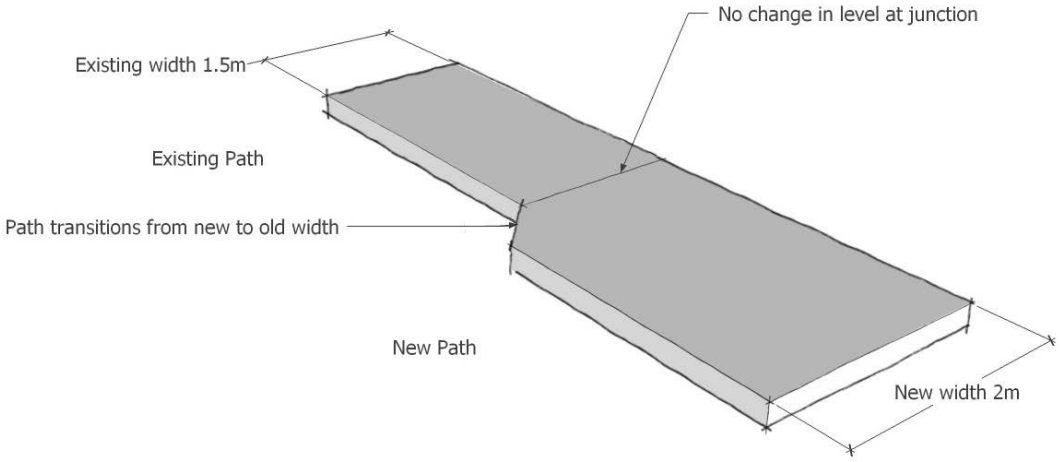
Water quality (Litter and other waste, hydrocarbons and other contaminants)	(a) Avoid wind-blown litter; remove grass pollutants. (b) Ensure there is no visible oil or grease sheen on released waters. (c) Dispose of waste containing contaminants at authorised facilities.
Waterway stability and flood flow management (Changes to the natural hydraulics and hydrology)	(a) For peak flow for the 100% AEP event and 1% AEP event, use constructed sediment basins to attenuate the discharge rate of stormwater from the site.

Table 9.4.5.3.c – Stormwater management design objectives (post-construction phase)

Design objectives **Minimum reductions in mean annual load from unmitigated development (%)**				**Application**
Total suspended solids (TSS)	Total phosphorus (TP)	Total nitrogen (TN)	Gross pollutants >5mm	
80	60	40	90	Development for urban purposes Excludes development that is less than 25% pervious. In lieu of modelling, the default bio-retention treatment area to comply with load reduction targets of 1.5% of contributing catchment area.

Water stability management (a) Limit peak 100% AEP event discharge within the receiving waterway to the pre-development peak 100% AEP event discharge.	Catchments contributing to un-lined receiving waterway. Degraded waterways may seek alternative discharge management objectives to achieve waterway stability. For peak flow for the 100% AEP event, use co-located storages to attenuate site discharge rate of stormwater.

Figure 9.4.5.3.a – New footpath sections



9.4.9 Vegetation management code

9.4.9.1 Application

(1) This code applies to assessing operational works for vegetation damage if:
- (a) assessable development where the code is an applicable code identified in the assessment criteria column of a table of assessment;
- (b) impact assessable development, to the extent relevant.

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

9.4.9.2 Purpose

(1) The purpose of the Vegetation management code is achieved through the overall outcomes.

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

9.4.9.3 Criteria for assessment

Table 9.4.9.3.a – Vegetation management –assessable development

Note – All vegetation damage is to have regard to the provisions of AS4373-2009 Pruning of Amenity Trees

Performance outcomes	Acceptable outcomes	Applicant Response
For self-assessable and assessable development		
PO1 Vegetation is protected to ensure that: (a) the character and amenity of the local area is maintained; (b) vegetation damage does not result in fragmentation of habitats; (c) vegetation damage is undertaken in a sustainable manner; (d) the Shire's biodiversity and ecological values are maintained and protected; (e) vegetation of historical, cultural and / or visual significance is retained; (f) vegetation is retained for erosion prevention and slope stabilisation.	**AO1.1** Vegetation damage is undertaken by a statutory authority on land other than freehold land that the statutory authority has control over; or **AO1.2** Vegetation damage is undertaken by or on behalf of the local government on land controlled, owned or operated by the local government; or **AO1.3** Vegetation damage, other than referenced in AO1.1 or AO1.2 is the damage of: (a) vegetation declared as a pest pursuant to the *Land Protection (Pest and Stock Route Management) Act 2002*; or (b) vegetation identified within the local government's register of declared plants pursuant to the local government's local laws; or (c) vegetation is located within a Rural zone and the trunk is located within ten metres of an existing building; or (d) vegetation is located within the Conservation zone or Environmental management zone	**Complies with PO1** The proposed development has been designed to retain and protect existing vegetation, ensuring the site's natural character and amenity are preserved. The dwelling is to be located within an existing cleared and benched area. No vegetation clearing or habitat fragmentation will occur, and the development maintains the biodiversity and ecological integrity of the site and surrounding area.

	and the trunk is located within three metres of an existing or approved structure, not including a boundary fence;. or **AO1.4** Vegetation damage that is reasonably necessary for carrying out work that is: (a) authorised or required under legislation or a local law; (b) specified in a notice served by the local government or another regulatory authority; or **AO1.5** Vegetation damage for development where the damage is on land the subject of a valid development approval and is necessary to give effect to the development approval; or **AO1.6** Vegetation damage is in accordance with an approved Property Map of Assessable Vegetation issued under the *Vegetation Management Act 1999;* or **AO1.7** Vegetation damage is essential to the maintenance of an existing fire break; or **AO1.8** Vegetation damage is essential to prevent interference to overhead service cabling;	

	or **AO1.9** Vegetation damage is for an approved Forest practice, where the lot is subject to a scheme approved under the *Vegetation Management Act 1999;* or **AO1.10** Vegetation damage is undertaken in accordance with section 584 of the *Sustainable Planning Act 2009.* **AO1.11** Vegetation damage where it is necessary to remove one tree in order to protect an adjacent more significant tree (where they are growing close to one another). **AO1.12** Private property owners may only remove dead, dying, structurally unsound vegetation following receipt of written advice from, at minimum, a fully qualified Certificate V Arborist. A copy of the written advice is to be submitted to Council for its records, a minimum of seven business days prior to the vegetation damage work commencing.	
PO2 Vegetation damaged on a lot does not result in a nuisance	**AO2.1** Damaged vegetation is removed and disposed of at an approved site; or **AO2.2** Damaged vegetation is mulched or chipped if used onsite.	**Not applicable.**
For assessable development		

PO3 Vegetation damage identified on the Places of significance overlay lot does not result in a negative impact on the site's heritage values.	**AO3** No acceptable outcomes are prescribed.	**Not applicable.**