



Town Planning and Project Services

4 August 2025

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](mailto:enquiries@douglas.qld.gov.au)

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**RE: DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT (1 LOT INTO 2 LOTS AND ACCESS EASEMENT) OVER LAND AT 14-16 NANCY CLOSE, OAK BEACH, MORE FORMALLY DESCRIBED AS LOT 2 ON RP747243**

Aspire Town Planning and Project Services has been engaged to act on behalf of Jimmy John Astill and Lana Mies Maria Van Hulst (the *Applicant* and *Landowner*) in relation to the proposed development over land at 14-16 Nancy Close, Oak Beach, and formally described as Lot 2 on RP747243.

The proposed development involves the reconfiguration of the site into two new lots, Proposed Lot 49 (8,869m<sup>2</sup>) and Proposed Lot 50 (5,432m<sup>2</sup>). The plan includes the provision of new access and services easements (4m and 6m wide) to support vehicular and infrastructure connections to Proposed Lot 50.

This configuration has been designed to respond to the site's physical characteristics, existing development, and available infrastructure while ensuring orderly and efficient land use in accordance with the Planning Scheme.

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*. The application seeks a Development Permit for Reconfiguring a Lot (1 into 2 Lots).

In support of this application, please find enclosed the following:

- DA Form 1, duly completed and signed (*Attachment 1*); and
- Town Planning Report, addressing the relevant assessment benchmarks and detailing the proposal (*Attachment 2*).

Based on the Douglas Shire Council 2025/2026 Fees and Charges Schedule, the applicable application fee has been calculated at \$1,584.00. We respectfully request that Council issues an invoice to enable the Applicant to make the required payment directly.

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PO BOX 1040, MOSSMAN QLD 4873  
M. 0418826560  
E. [admin@aspireqld.com](mailto:admin@aspireqld.com)  
W. [www.aspireqld.com](http://www.aspireqld.com)  
ABN. 79 851 193 691

We trust the information provided is sufficient to allow Council to proceed with its assessment of the application. Should you require any further information or clarification, please do not hesitate to contact the undersigned.

Regards,

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal line and a small flourish.

Daniel Favier

**Senior Town Planner**

**ASPIRE Town Planning and Project Services**

## **Attachment I**

**Duly completed DA Form I**

# DA Form 1 – Development application details

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

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

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

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

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

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

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

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

## PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Jimmy John Astill and Lana Mies Maria Van Hulst
Contact name (only applicable for companies)	c/- Daniel Favier T/A Aspire Town Planning and Project Services
Postal address (P.O. Box or street address)	PO Box 1040
Suburb	Mossman
State	QLD
Postcode	4873
Country	Australia
Contact number	0418 826 560
Email address (non-mandatory)	admin@aspireqld.com
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	2025-05-48 - Astill - 14-16 Nancy CLoose, Oak Beach

### 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
		14-16	Nancy Close	Oak Beach
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4877	2	RP747243	Douglas Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- ☐ Coordinates of premises by longitude and latitude

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

- ☐ Coordinates of premises by easting and northing

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

#### 3.3) Additional premises

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

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

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

Name of water body, watercourse or aquifer: Unnamed Watercourse

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

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

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

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

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

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

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

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

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

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

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

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

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

c) What is the level of assessment?

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

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

1 Lot into 2 Lots and Access Easement

e) Relevant plans

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

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

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

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

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

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

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

c) What is the level of assessment?

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

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

e) Relevant plans

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

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

**6.3) Additional aspects of development**

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

**6.4) Is the application for State facilitated development?**

- ☐ Yes - Has a notice of declaration been given by the Minister?
- ☒ No

**Section 2 – Further development details****7) Does the proposed development application involve any of the following?**

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

**Division 1 – Material change of use**

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

**8.1) Describe the proposed material change of use**

Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m <sup>2</sup> ) (if applicable)

**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?**

1

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

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

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created	2			

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

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

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

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)				
Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement
Proposed	4m – 6m	154m	Access and Services	Benefits Proposed Lot 50

### Division 3 – Operational work

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

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



## PART 4 – ASSESSMENT MANAGER DETAILS

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

Douglas Shire Council

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

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

## PART 5 – REFERRAL DETAILS

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

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

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

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

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

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

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

## PART 6 – INFORMATION REQUEST

### 19) Information request under the DA Rules

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

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

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

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

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

## PART 7 – FURTHER DETAILS

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

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

☒ No

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

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

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

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

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

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

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

☐ Yes – show cause or enforcement notice is attached

☒ No

## 23) Further legislative requirements

### Environmentally relevant activities

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

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

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

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

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

### Hazardous chemical facilities

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

- ☐ Yes – *Form 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](http://www.business.qld.gov.au) for further information about hazardous chemical notifications.

### Clearing native vegetation

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

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

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

### Environmental offsets

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

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

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

### Koala habitat in SEQ Region

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

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

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

DA templates are available from [planning.statedevelopment.qld.gov.au](http://planning.statedevelopment.qld.gov.au). If the development application involves:

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

### **Waterway barrier works**

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

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

☒ No

DA templates are available from [planning.statedevelopment.qld.gov.au](http://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](http://www.daf.qld.gov.au) for further information.

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

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

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

☒ No

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

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

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

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

☒ No

**Note:** Contact the Department of Environment, Science and Innovation at [www.desi.qld.gov.au](http://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](http://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](http://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](http://www.desi.qld.gov.au) for information requirements regarding development of Queensland heritage places. For a heritage place that has cultural heritage significance as a local heritage place and a Queensland heritage place, provisions are in place under the Planning Act 2016 that limit a local categorising instrument from including an assessment benchmark about the effect or impact of, development on the stated cultural heritage significance of that place. See guidance materials at [www.planning.statedevelopment.qld.gov.au](http://www.planning.statedevelopment.qld.gov.au) for information regarding assessment of Queensland heritage places.

Name of the heritage place:		Place ID:	
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### **Decision under section 62 of the Transport Infrastructure Act 1994**

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

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

☒ No

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

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

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

☒ No

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

## **PART 8 – CHECKLIST AND APPLICANT DECLARATION**

### **24) Development application checklist**

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

☒ Yes

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

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

☐ Yes

☒ Not applicable

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

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

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

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

☐ Yes

☒ Not applicable



**Queensland  
Government**

## 25) Applicant declaration

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

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

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

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

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

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

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

Date received:  Reference number(s):

### Notification of engagement of alternative assessment manager

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

### QLeave notification and payment

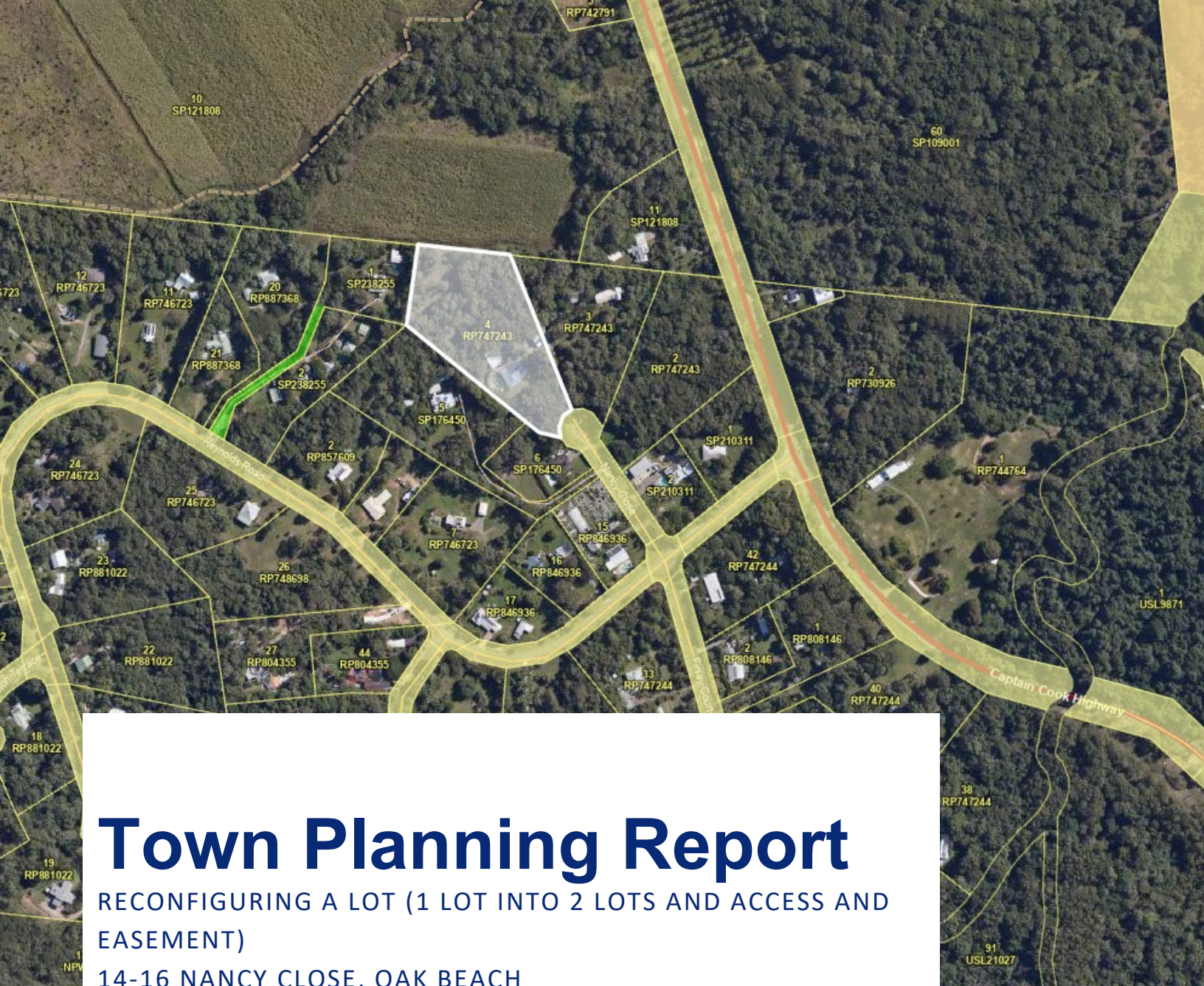
**Note:** For completion by assessment manager if applicable

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

## **Attachment 2**

# **Town Planning Report**





# Town Planning Report

RECONFIGURING A LOT (1 LOT INTO 2 LOTS AND ACCESS AND EASEMENT)

14-16 NANCY CLOSE, OAK BEACH

**4 August 2025**

**ASPIRE Town Planning and Project Services**

**Authored by: Daniel Favier**

**Ref: 2025-05-48 - Astill - 14-16 Nancy Close, Oak Beach**

This Town Planning Report is intended for the exclusive use of our Client “Jimmy John Astill and Lana Mies Maria Van Hulst” 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 and act on behalf of Jimmy John Astill and Lana Mies Maria Van Hulst (the *Applicant* and *Landowners*) in relation to a Development Application seeking approval for a Development Permit for Reconfiguring a Lot (1 into 2 Lots and Access Easement) over land located at 14-16 Nancy Close, Oak Beach, more formally described as Lot 4 on RP747243 (the *subject site*).

The proposed development seeks to subdivide the existing parcel into two (2) lots, with the following intent:

- Excise the existing Dwelling House and associated structures on a standalone lot with direct frontage to Nancy Close, retaining the existing residential use (Proposed Lot 49); and
- Create one additional vacant lot (Proposed Lot 50), suitable for future residential development and located immediately to the north, which benefits from an Access and Services Easement that extends parallel to the western boundary of Proposed Lot 49.

The layout has been designed to make efficient use of existing infrastructure while responding to site topography and existing land use patterns. The proposal supports a logical and orderly pattern of subdivision consistent with the intent of the zone and surrounding development.

Under the provisions of the *Douglas Shire Planning Scheme 2016 v1*, the site is located within the Rural Residential Zone, where Reconfiguring a Lot is subject to Code Assessment. This application has been prepared to demonstrate compliance with the relevant assessment benchmarks under the Planning Scheme.

This Town Planning Report provides a comprehensive assessment of the proposed development against the applicable local planning framework and demonstrates that the proposed subdivision:

- Represents an efficient and appropriate use of the land;
- Is consistent with the desired character and intent of the zone; and
- Provides suitable access and servicing opportunities for all proposed lots.

All relevant supporting documentation, including subdivision plans and application form, are included as attachments to this submission.

We respectfully request that Douglas Shire Council consider the information provided and, where appropriate, issue 'without prejudice' draft conditions for review prior to the formal release of a Decision Notice. This process will assist in streamlining the final stages of assessment and ensure alignment between all parties regarding development outcomes and conditions of approval.

# 1.0 Summary

Table 1: Application Summary.

<b>Street Address</b>	14-16 Nancy Close, Oak Beach	
<b>Lot and Plan</b>	Lot 4 on RP747243	
<b>Land Owner</b>	Jimmy John Astill and Lana Mies Maria Van Hulst <i>See Attachment 1 – Certificate of Title</i>	
<b>Size</b>	1.43ha or 14,300m <sup>2</sup>	
<b>Road Frontages</b>	30m to Nancy Close	
<b>Easements</b>	Nil	
<b>Other Relevant Encumbrances</b>	Nil	
<b>Current Use</b>	<p>The land is currently used for low-intensity rural residential purposes, consistent with the intent of the zone.</p> <p>The site is improved by an existing Dwelling House, which is setback approximately 50m from the Nancy Close. In addition to the dwelling, there are ancillary structures including a pool, shed and Secondary Dwelling.</p>	
<b>Proposal</b>	Reconfiguration of a Lot (1 Lot into 2 Lots and Access Easement)	
<b>Approvals Sought</b>	Development Permit	
<b>Level of Assessment</b>	Code	
<b>Planning Scheme Zone</b>	Rural Residential	
<b>Local Plan</b>	Nil	
<b>Regional Plan Designation</b>	Regional Landscape and Rural Production Area	
<b>State Planning Policy</b>	Appropriately integrated within the Planning Scheme	
<b>State Development Assessment Provisions</b>	Not applicable	
<b>Referral</b>	Not applicable	



## 2.0 Site Description

The subject site is located at 14–16 Nancy Close, Oak Beach, and is formally described as Lot 4 on RP747243. The site is situated within the Douglas Shire Council local government area and forms part of the Oak Beach locality, approximately 13.5 kilometres south of Port Douglas and 45 kilometres north of Cairns. The site is accessed via Nancy Close, a local cul-de-sac that intersects with Reynolds Road, providing convenient access to the Captain Cook Highway and surrounding coastal communities. Refer to Image 1.

The site has an irregular configuration with a narrow frontage to Nancy Close. The site extends south, north over a gentle undulating terrain. The total site area is 1.43ha. The land is developed and currently used for residential purposes consistent with the intent of the Low Density Residential Zone under the Douglas Shire Planning Scheme 2018 v1.

Improvements on the site include a single Dwelling House setback located centrally within the property and setback approximately 50m from Nancy Close. The Dwelling House includes ancillary domestic structures including a pool, shed and Secondary Dwelling. The balance of the site is grassed and landscaped with mixture of ornamental plantings and native vegetation. A Level 2 Waterway traverses the site to the rear of the Dwelling House on a general east – west alignment.

Surrounding land uses are summarised as follows:

- **North:** Adjoins agricultural land, currently used for sugar cane cultivation.
- **East:** Comparable residential properties and vegetated land.
- **South:** Fronts Nancy Close.
- **West:** Comparable residential properties and vegetated land.

The surrounding area is characterised by existing low density, rural residential development. The locality enjoys a coastal rural-residential character, which is well established and consistent with the planning intent for the zone. The subject site's size, configuration, and existing use support its ongoing residential function and its suitability for the proposed development.



Image 1: Subject Site – Wider Locality Context (source: QLD Globe, 2025)





Image 2: Subject Site Overview including Contours (source: QLD Globe, 2025)

# 3.0 Proposal

This Development Application seeks a Development Permit for Reconfiguring a Lot (1 Lot into 2 Lots and Access and Services Easement) over land located at 14–16 Nancy Close, Oak Beach, formally described as Lot 4 on RP747243.

The proposal involves subdividing the existing parcel, currently comprising a total area of 14,300m<sup>2</sup>—into two (2) freehold lots, along with the creation of an Access and Services Easement to ensure legal and practical access to the newly created rear lot.

The reconfiguration is described as follows:

- Proposed Lot 49 will comprise the front portion of the site and will retain the existing Dwelling House. This lot is proposed to have a triangular configuration with a site area of approximately 8,869m<sup>2</sup>. The lot will maintain direct frontage and access to Nancy Close.
- Proposed Lot 50 will be located to the rear of the site and will be vacant at the time of subdivision. This lot will have an approximate area of 5,432m<sup>2</sup> and will be serviced via a proposed Access and Services Easement burdening Lot 49, providing lawful access from Nancy Close. The easement will also accommodate required infrastructure connections.

Both proposed lots are appropriately sized and shaped to accommodate compliant building envelopes, private open space, and required infrastructure, consistent with the Rural Residential Zone provisions under the Douglas Shire Planning Scheme 2018 (Version 1).

The subdivision design has been prepared to ensure a logical and efficient layout that responds to the site's existing development footprint, natural topography, and surrounding residential context. The proposal represents a minor and orderly infill subdivision outcome and will not materially alter the established character or function of the local area.

It is anticipated that all required infrastructure connections can be achieved either independently or via shared arrangements within the easement. Further detail regarding servicing is addressed in the accompanying engineering plans and servicing report.

The proposal supports the ongoing residential use of the land in a manner consistent with the intent of the zone and represents a low-impact, code-assessable subdivision that contributes to housing diversity and availability within the Oak Beach locality.

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

# 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 Reconfiguring a Lot (1 Lot into 4 Lots).

### 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 Reconfiguring a Lot,

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, as the applicable local categorising instrument, is discussed in greater detail in the following sections of this report.

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

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

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

- (a) the assessment benchmarks stated in—*
  - (i) the regional plan for a region, to the extent the regional plan is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
  - (ii) the State Planning Policy, part E, to the extent part E is not identified in the planning scheme as being appropriately integrated in the planning scheme; and*
  - (iii) any temporary State planning policy applying to the premises;*
- (b) if the local government is an infrastructure provider—the local government’s LGIP.*

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

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

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

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

*...*

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

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

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

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

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

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

*(g) the common material.*

*(2) However—*

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

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

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

## 4.2 Far North Queensland Regional Plan 2009-2031

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

## 4.3 State Planning Policy

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

## 4.4 Temporary State Planning Policies

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

## 4.5 Douglas Shire Planning Scheme 2018 V1

The *Douglas Shire Planning Scheme 2018 V1* (the 'Planning Scheme') is the current version of the Planning Scheme.

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 Rural Residential Zone. The purpose of land within this zone is to:

*"...provide for rural residential development on large lots where infrastructure and services may not be provided on the basis that the intensity of development within the zone is dispersed."*

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

*"(a) Development is predominantly for detached dwelling houses on large lots catering for hobby-farm living requiring limited infrastructure and services."*

*(b) Development preserves the environmental, scenic amenity and topographical features of the land by integrating an appropriate scale of residential activities among these features.*

*(c) Development provides a high level of residential amenity.*

*(d) Development provides for the safe use of on-site wastewater treatment systems for effluent disposal with systems designed for varied soil type, slopes and prolonged periods of wet weather.”*

The proposed development complies with the zone purpose and achieves the overall outcomes of the Rural Residential Zone Code for the following reasons:

(a) The proposed reconfiguration will result in two large rural residential lots, each exceeding 4,000m<sup>2</sup> in area, which is consistent with the intent for low-density detached housing on large lots. One lot will retain the existing Dwelling House and associated outbuildings, while the second lot will be vacant and suitable for a future dwelling house and rural lifestyle use. The lot sizes are sufficient to accommodate a range of hobby-farming activities, such as fruit trees, gardens, or small livestock, without placing unreasonable demand on infrastructure.

(b) The development appropriately responds to existing vegetation, watercourse, and other environmental features. The subdivision layout retains the existing development footprint and proposes no changes to the landscape character or visual amenity. The scale and configuration of the proposed lots are compatible with the surrounding rural residential pattern of development.

(c) The proposed layout provides for a high level of residential amenity through generous lot sizes, separation between potential building sites, and maintenance of privacy. The retained dwelling on Lot 49 will not be adversely affected by the creation of the new lot, and sufficient separation will be maintained through lot boundary setbacks and the location of the shared access easement. The future dwelling on Lot 50 can be sited to optimise natural light and ventilation, while also ensuring privacy and access to usable open space

(d) The site is not serviced by reticulated sewer infrastructure. Both proposed lots are of sufficient size and slope to accommodate on-site effluent treatment and disposal systems in accordance with relevant standards and guidelines. The future dwelling on Lot 50 will be subject to site-specific

wastewater design at the building approval stage to ensure safe and effective operation year-round, including during wet weather.

In summary, the proposal represents a logical and low-impact infill subdivision that reinforces the intent of the Rural Residential Zone and supports the ongoing use of the land for rural residential living.

A full assessment of the proposed development against the Rural Residential Zone Code is included within **Attachment 3 – Code Assessment**.

## 4.5.2 Overlays

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

Overlay	Sub-category	Applicability
<b>Acid Sulfate Soils Overlay</b>	5-20m AHD	<p>In accordance with the Overlay Code, development is required to avoid disturbance of acid sulfate soils unless it can be demonstrated that such disturbance will not result in environmental harm.</p> <p>The proposed development involves a reconfiguration of a lot (1 lot into 2 lots) and the creation of an Access and Services Easement. No substantial earthworks are proposed as part of this application, and no excavation or filling to a depth below 5 metres AHD, or involving more than 100m<sup>3</sup> of material, is anticipated.</p> <p>Future construction of a dwelling on the newly created lot (Lot 50) will be subject to standard building approval processes, at which point any site-specific requirements related to acid sulfate soils can be appropriately addressed. However, based on the site's elevation and the absence of any known disturbance triggers, it is not expected that the development will result in the exposure or mobilisation of acid sulfate soils.</p> <p>As such, the proposed development does not involve operational works that would disturb acid sulfate soils, and will not result in any adverse environmental impacts in relation to the Overlay. The proposal is therefore considered to comply with the purpose and performance outcomes of the Acid Sulfate Soils Overlay Code. A further full assessment against the code is not included in the report.</p>
<b>Bushfire Hazard Overlay</b>	Medium and High Potential Bushfire	<p>The proposed development involves the reconfiguration of one lot into two lots and the creation of an Access and Services Easement. The existing dwelling on proposed Lot 49 will remain unaffected by the development. Proposed Lot 50</p>

	Potential Buffer	Impact	<p>is currently vacant and, while partially affected by the Medium and High Potential Bushfire Hazard areas, the lot is of sufficient size and configuration to accommodate a future building envelope outside of the mapped hazard areas.</p> <p>Preliminary analysis confirms that suitable areas exist within Lot 50 for the siting of a future Dwelling House that achieves compliance with bushfire hazard mitigation measures. A future building application will ensure further assessment of building siting, construction standards, and provision of adequate asset protection zones in accordance with relevant bushfire resilience requirements.</p> <p>Furthermore:</p> <ul style="list-style-type: none"> <li>• Safe access and egress is available via Nancy Close, which is a constructed public road that connects to Oak Beach Road and the broader road network.</li> <li>• Future development on Lot 50 can be conditioned to ensure sufficient on-site water supply for firefighting purposes, as required by the Bushfire Hazard Overlay Code.</li> <li>• The reconfiguration will not increase the intensity of development beyond what is anticipated within the Rural Residential Zone and does not propose vulnerable land uses.</li> </ul> <p>Accordingly, the proposed subdivision layout demonstrates compliance with the purpose and performance outcomes of the Bushfire Hazard Overlay Code by ensuring that future development can be located, designed, and constructed to mitigate bushfire risk to people, property, and emergency services.</p> <p>A further full assessment against the code is not included in the report.</p>
<b>Natural Areas Overlay</b>	MSES – Regulated Vegetation		<p>The subject site is partially affected by the Natural Areas Overlay, specifically Regulated Vegetation (Intersecting a Watercourse) as mapped under the <i>Douglas Shire Planning Scheme 2018</i>. The overlay is confined to a portion of the site and does not cover the entirety of the proposed rear lot (Lot 50).</p> <p>The proposed development involves the reconfiguration of one lot into two, with no operational works or clearing of vegetation proposed as part of this application. Importantly, suitable areas exist within Lot 50 for the future construction</p>

		<p>of a Dwelling House outside of the mapped regulated vegetation and watercourse area, thereby avoiding direct impact on the identified natural values.</p> <p>Any future development on Lot 50 can be appropriately sited and designed to avoid interference with regulated vegetation and ensure compliance with relevant provisions regarding environmental protection, building setbacks, and stormwater management.</p> <p>As such, the proposed development is considered to comply with the purpose and performance outcomes of the Natural Areas Overlay Code.</p>
<b>Transport Network Overlay</b>	Access Road	<p>The proposed development is accessed via Nancy Close, which is a constructed and dedicated public road maintained by Douglas Shire Council. Nancy Close connects to Oak Beach Road, which in turn provides direct access to the Captain Cook Highway, forming part of the regional road network.</p> <p>The reconfiguration proposes the creation of two lots, with:</p> <ul style="list-style-type: none"> <li>• Proposed Lot 49 retaining direct frontage to and access from Nancy Close; and</li> <li>• Proposed Lot 50 gaining legal and practical access via a proposed Access and Services Easement over Lot 49.</li> </ul> <p>The existing road network is suitable to accommodate the low-intensity residential use associated with the proposed subdivision. No new road construction or upgrade is required to facilitate access to either lot.</p> <p>Accordingly, the development is consistent with the intent of the Rural Residential Zone and complies with the relevant provisions regarding access road designation, ensuring safe and lawful access is available to each proposed lot.</p>

### **4.5.3 Category of Assessment**

Pursuant to Part 5 of the Planning Scheme, a Development Application for Reconfiguration of a Lot (1 Lot into 2 Lots) within the Rural Residential Zone is Code Assessable.

### **4.5.4 Assessment Criteria**

As determined by Table 5.6 under the planning scheme, and subsequent to discussion under s4.5.2 of this report, the following Planning Scheme Codes are applicable in the assessment of the Development Application:

#### Zone Code

- Rural Residential Zone Code

#### Local Area Plan Code

- Nil

#### Overlay Codes

- Refer to discussion under s4.5.2 of this report.

#### Development Codes

- Access and Parking Code
- Environmental Performance Code
- Filling and Excavation Code
- Infrastructure Works Code
- Landscaping Code
- Reconfiguring a Lot Code
- Vegetation Management Code

Given the nature of the proposed development and locality, no landscaping is proposed or considered necessary. Furthermore, no native vegetation is proposed to be cleared under the proposal, therefore



it is submitted that the Landscaping Code and Vegetation Management Code are not relevant to the development and therefore not applicable to the assessment.

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

# 5.0 Conclusion

This Town Planning Report has been prepared in support of a Development Application for a Development Permit for Reconfiguring a Lot (1 Lot into 2 Lots and Access Easement) over land located at 14–16 Nancy Close, Oak Beach. The proposed development seeks to create two rural residential lots that are well aligned with the planning intent for the Rural Residential Zone under the Douglas Shire Planning Scheme 2018 v1.

The reconfiguration retains the existing Dwelling House on a new front lot (Proposed Lot 49) with direct access to Nancy Close, while creating a new vacant rear lot (Proposed Lot 50) which will be serviced via a proposed Access and Services Easement. This layout responds to the site's existing physical features, infrastructure availability, and established development pattern in the surrounding Oak Beach locality.

The proposed lot sizes of 8,869m<sup>2</sup> and 5,432m<sup>2</sup> respectively exceed the minimum lot size requirements and are consistent with the low-density, semi-rural character of the locality. The subdivision layout ensures that both lots are capable of accommodating future dwelling houses with sufficient private open space, servicing, and compliance with applicable overlays.

The application has demonstrated compliance with the relevant assessment benchmarks, including the Rural Residential Zone Code, relevant Overlay Codes, and applicable Development Codes. Specifically, the development:

- Maintains consistency with the established rural residential character of the area;
- Ensures legal and practical access is available to both proposed lots; and
- Delivers a low-impact, logical and orderly infill subdivision outcome.

Given the minor scale of the reconfiguration, the code-assessable nature of the application, and the absence of any significant constraints, the proposal is considered to represent a sound and supportable planning outcome.

We respectfully request that Douglas Shire Council support the application and issue a Development Permit subject to reasonable and relevant conditions. To assist in progressing the application in a timely and coordinated manner, we also welcome the opportunity to review draft conditions 'without prejudice' prior to the formal issue of a Decision Notice.

All supporting documentation, including the proposed subdivision plan and completed application materials, have been provided as part of this submission.

# **Attachment 1**

## **Certificate of Title**

# **Attachment 2**

## **Proposal Plan**

# **Attachment 3**

## **Code Assessment**

Queensland Titles Registry Pty Ltd  
ABN 23 648 568 101

<b>Title Reference:</b>	<b>21371231</b>	<b>Search Date:</b>	24/07/2025 11:53
<b>Date Title Created:</b>	09/08/1988	<b>Request No:</b>	52716535
<b>Previous Title:</b>	21346068		

**ESTATE AND LAND**

Estate in Fee Simple

LOT 4 REGISTERED PLAN 747243

Local Government: DOUGLAS

**REGISTERED OWNER**

Dealing No: 721549928 16/03/2022

JIMMY JOHN ASTILL

LANA MIES MARIA VAN HULST

JOINT TENANTS

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 20449130 (POR 60)
2. MORTGAGE No 721549929 16/03/2022 at 14:26  
COMMONWEALTH BANK OF AUSTRALIA A.C.N. 123 123 124

**ADMINISTRATIVE ADVICES**

NIL

**UNREGISTERED DEALINGS**

NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

# **Attachment 2**

## **Proposal Plan**





# **Attachment 3**

## **Code Assessment**

## 6.2.11 Rural residential zone code

### 6.2.11.1 Application

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

### 6.2.11.2 Purpose

- (1) The purpose of the Rural residential zone code is to provide for rural residential development on large lots where infrastructure and services may not be provided on the basis that the intensity of development within the zone is dispersed.
- (2) The local government purpose of the code is to:
  - (a) implement the policy direction set in the Strategic Framework, in particular:
    - (i) Theme 1 : Settlement pattern, Element 3.4.6 – Rural residential areas, Element 3.4.7 – Mitigation of hazards.
    - (ii) Theme 2 : Environment and landscape values, Element 3.5.5 – Scenic amenity.
    - (iii) Theme 6 : Infrastructure and transport, Element 3.9.2 – Energy, Element 3.9.3 – Water and waste management.
  - (b) provide for dwellings on lots generally larger than 4000m<sup>2</sup>;
  - (c) provide protection to areas of ecological significance and scenic amenity significance where present.
- (3) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Development is predominantly for detached dwelling houses on large lots catering for hobby-farm living requiring limited infrastructure and services.
  - (b) Development preserves the environmental, scenic amenity and topographical features of the land by integrating an appropriate scale of residential activities among these features.
  - (c) Development provides a high level of residential amenity.
  - (d) Development provides for the safe use of on-site wastewater treatment systems for effluent disposal with systems designed for varied soil type, slopes and prolonged periods of wet weather.

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

**Criteria for assessment****Table 6.2.11.3.a – Rural residential zone code – assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
<b>For self-assessable and assessable development</b>		
<b>PO1</b> The height of buildings is compatible with the rural residential character of the area and must not detrimentally impact on visual landscape amenity.	<b>AO1</b> Dwelling houses are not more than 8.5 metres and two storeys in height.  Note – Height is inclusive of roof height.	<b>Not Applicable.</b> No new buildings are proposed.
<b>PO2</b> Buildings and structures are setback to maintain the rural residential character of the area and achieve separation from buildings on adjoining properties.	<b>AO2</b> Buildings are setback not less than: (a) 40 metres from a property adjoining a State-controlled road; (b) a minimum of 25 metres from the property boundary adjoining Cape Tribulation Road; (c) 20 metres from front boundaries; (d) 6 metres from side and rear property boundaries.	<b>Not Applicable.</b> No new buildings are proposed. Furthermore, the proposed boundary does not result in creation of a building encroachment.
<b>PO3</b> Building scale is compatible with the rural residential character of the area and must not detrimentally impact on visual landscape amenity.	<b>AO3.1</b> The maximum building footprint of all buildings and structures (including outbuildings) contained on a lot does not exceed 500m <sup>2</sup> .  <b>AO3.2</b> An outbuilding used for purposes ancillary to a dwelling house has maximum site coverage not greater than 20% of the total building footprint specified in AO3.1 above.	<b>Not Applicable.</b> No new buildings are proposed.
<b>PO4</b> Buildings/structures are designed to maintain the rural residential character of the area.	<b>AO4</b> White and shining metallic finishes are avoided on external surfaces of buildings.	<b>Not Applicable.</b> No new buildings are proposed.



Performance outcomes	Acceptable outcomes	Applicant response
<b>For assessable development</b>		
<b>P05</b> The establishment of uses is consistent with the outcomes sought for the Rural residential zone and protects the zone from the intrusion of inconsistent uses.	<b>A05</b> Uses identified in Table 6.2.11.3.b are not established in the Rural residential zone.	<b>Complies with P05.</b> It is submitted that the proposed Reconfiguration is consistent with the outcomes sought under the zone.
<b>P06</b> Existing native vegetation along watercourses and, in or adjacent to areas of environmental value, or areas of remnant vegetation of value is protected.	<b>A06</b> No acceptable outcomes are prescribed.	<b>Complies with P06.</b> No vegetation clearing or environmental disturbance is proposed as part of this application. The proposed access easement follows an existing informal track, thereby minimising impacts on the natural landscape. While the majority of the alignment avoids environmental features, a formalised crossing will be required over a seasonal waterway to facilitate access to the rear lot. Appropriate measures will be implemented at the detailed design stage to ensure that the crossing is constructed in an environmentally sensitive manner, consistent with relevant best practice standards and regulatory requirements.
<b>P07</b> Development is located, designed, operated and managed to respond to the characteristics, features and constraints of the site and surrounds.  Note- planning scheme policy – site assessments provides guidance on identifying the characteristics, features and constraints of a site and its surrounds.	<b>A07</b> No acceptable outcomes are prescribed.	<b>Complies with P07.</b> The proposed development has been carefully located, designed, and configured to respond sensitively and appropriately to the characteristics, features, and constraints of the site and its surrounds.  The subdivision layout has been informed by the site's topography, vegetation cover, existing development, and infrastructure opportunities. The proposed front lot (Lot 49) retains the existing Dwelling House and maintains direct access to Nancy Close. The

Performance outcomes	Acceptable outcomes	Applicant response
		<p>proposed rear lot (Lot 50) will be accessed via an easement that utilises an existing informal access track, thereby reducing the need for additional vegetation clearing and earthworks. No vegetation removal is proposed as part of this application.</p> <p>While a formalised crossing over a seasonal waterway will be required to provide legal access to Lot 50, the alignment of the easement has been selected to minimise disturbance. The crossing will be designed and constructed in accordance with best practice standards to ensure environmental impacts are appropriately managed.</p> <p>The proposed lot sizes exceed the minimum requirements of the Rural Residential Zone and are consistent with the established pattern of rural lifestyle lots in the Oak Beach locality. Each lot is of a sufficient size and configuration to accommodate existing / future dwelling houses while maintaining the low-density, semi-rural character of the area.</p> <p>Overlay constraints, including Bushfire Hazard and Regulated Vegetation (Watercourse), have been appropriately addressed through siting, layout, and design. Sufficient building areas on Lot 50 are located outside of mapped hazard areas, with ample separation from the waterway and vegetated areas. Future development can be sited and constructed in accordance with applicable overlay codes and without requiring additional</p>

Performance outcomes	Acceptable outcomes	Applicant response
		clearing or excavation within constrained areas.  Overall, the proposal represents a logical and site-responsive subdivision outcome that respects the environmental and planning context of the land and its surrounds.
<b>PO8</b> Development does not adversely impact on the Rural residential character and amenity of the area in terms of traffic, noise, dust, odour, lighting or other physical or environmental impacts.	<b>AO8</b> No acceptable outcomes are prescribed.	<b>Complies with PO8</b> The proposed development will not adversely impact the rural residential character or amenity of the area. The creation of one additional lot is of a minor scale and will not generate significant increases in traffic, noise, dust, odour, or lighting. Access is provided via an internal easement that utilises an existing informal track, minimising the need for new infrastructure. The low-density nature of the proposal is consistent with the surrounding rural lifestyle lots and will maintain the existing quiet, spacious, and vegetated character of the locality.
<b>PO9</b> New lots contain a minimum area of 4000m <sup>2</sup> , incorporating: (a) a minimum of contiguous area of 2000m <sup>2</sup> exclusive of 1 in 6 (16.6%) gradients, with a minimum dimension of 20 metres; (b) sufficient area to cater for on-site waste water management systems.  Note – Acceptable on-site waste disposal is to be demonstrated in a report prepared by a suitably qualified professional.	<b>AO9</b> No acceptable solutions are prescribed.	<b>Complies with PO9.</b> Proposed Lot 49 is 8,869m <sup>2</sup> and contains the existing Dwelling House and onsite waste water treatment system, whilst proposed Lot 50 is 5,432m <sup>2</sup> is vacant and has appropriate areas to provide for a future Dwelling House and onsite waste water treatment.
<b>PO10</b> New lots have a minimum road frontage of 30 metres.	<b>AO10</b> No acceptable outcomes are prescribed.	<b>Alternative Solution.</b> The proposed development involves a rear lot accessed via an easement.



Performance outcomes	Acceptable outcomes	Applicant response
<b>PO11</b> New lots contain a 40 metre x 50 metre rectangle.	<b>AO11</b> No acceptable outcomes are prescribed.	<b>Complies with PO11.</b>

**Table 6.2.11.3.b - Inconsistent uses within the Rural residential zone**

Inconsistent uses		
<ul style="list-style-type: none"> <li>• Adult store</li> <li>• Air services</li> <li>• Agricultural supplies store</li> <li>• Bar</li> <li>• Brothel</li> <li>• Bulk landscape supplies</li> <li>• Car wash</li> <li>• Cemetery</li> <li>• Community care centre</li> <li>• Community residence</li> <li>• Crematorium</li> <li>• Club</li> <li>• Detention facility</li> <li>• Dual occupancy</li> <li>• Educational establishment</li> <li>• Food and drink outlet</li> <li>• Funeral parlour</li> <li>• Garden centre</li> <li>• Hardware and trade supplies</li> <li>• Health care services</li> <li>• High impact industry</li> <li>• Hospital</li> <li>• Hotel</li> </ul>	<ul style="list-style-type: none"> <li>• Indoor sport and recreation</li> <li>• Intensive animal industry</li> <li>• Intensive horticulture</li> <li>• Low impact industry</li> <li>• Major electricity infrastructure</li> <li>• Major sport, recreation and entertainment facility</li> <li>• Marine industry</li> <li>• Market</li> <li>• Medium impact industry</li> <li>• Motor sport facility</li> <li>• Multiple dwelling</li> <li>• Nightclub entertainment facility</li> <li>• Non-resident workforce accommodation</li> <li>• Office</li> <li>• Outdoor sales</li> <li>• Outstation</li> <li>• Parking station</li> <li>• Outdoor sport and recreation</li> <li>• Parking station</li> <li>• Permanent plantation</li> <li>• Place of worship</li> </ul>	<ul style="list-style-type: none"> <li>• Port services</li> <li>• Relocatable home park</li> <li>• Renewable energy facility</li> <li>• Research and technology industry</li> <li>• Residential care facility</li> <li>• Resort complex</li> <li>• Retirement facility</li> <li>• Rooming accommodation</li> <li>• Rural industry</li> <li>• Rural workers accommodation</li> <li>• Service industry</li> <li>• Service Station</li> <li>• Shop</li> <li>• Shopping centre</li> <li>• Short-term accommodation</li> <li>• Showroom</li> <li>• Special industry</li> <li>• Theatre</li> <li>• Tourist attraction</li> <li>• Tourist park</li> <li>• Transport depot</li> <li>• Warehouse,</li> <li>• Winery</li> </ul>

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.



## 9.4.7 Reconfiguring a lot code

### 9.4.7.1 Application

- (1) This code applies to assessing reconfiguring a lot 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.

### 9.4.7.2 Purpose

- (1) The purpose of the Reconfiguring a lot code is to regulate development for reconfiguring a lot.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) development results in a well-designed pattern of streets supporting walkable communities;
  - (b) lots have sufficient areas, dimensions and shapes to be suitable for their intended use taking into account environmental features and site constraints;
  - (c) road networks provide connectivity that is integrated with adjoining existing or planned development while also catering for the safe and efficient access for pedestrians, cyclists and for public transport;
  - (d) lots are arranged to front all streets and parkland such that development enhances personal safety, traffic safety, property safety and security; and contributes to streetscape and open space quality;
  - (e) development does not diminish environmental and scenic values, and where relevant, maintains and enhances public access and use of natural areas, rivers, dams, creeks and the foreshore, in a way that protects natural resources;
  - (f) people and property are not placed at risk from natural hazards;
  - (g) a range of functional parkland, including local and district parks, major areas of parkland with a region-wide focus and open space links are available for the use and enjoyment of residents and visitors to the region;
  - (h) the appropriate standard of infrastructure is provided.

### 9.4.7.3 Criteria for assessment

Table 9.4.7.3.a – Reconfiguring a lot code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
<b>General lot design standards</b>		
<b>PO1</b> Lots comply with the lot reconfiguration outcomes of the applicable Zone code in Part 5.	<b>AO1</b> No acceptable outcomes are prescribed.	<b>Complies with PO1.</b> Refer to compliance discussion under the Rural Residential Code.



<p><b>PO2</b> New lots are generally rectangular in shape with functional areas for land uses intended by the zone.</p>	<p><b>AO2</b> Boundary angles are not less than 45 degrees.</p>	<p><b>Complies with AO2.</b> The new boundary achieves appropriate and compliant angles.</p>
<p><b>PO3</b> Lots have legal and practical access to a public road.</p>	<p><b>AO3</b> Each lot is provided with: (a) direct access to a gazetted road reserve; or (b) access to a gazetted road via a formal access arrangement registered on the title.</p>	<p><b>Complies with AO3.</b> Proposed Lot 49 maintains direct frontage to Nancy Close, whilst proposed Lot 50 is accessed via an easement which extends along the western boundary of proposed Lot 49.</p>
<p><b>PO4</b> Development responds appropriately to its local context, natural systems and site features.</p>	<p><b>AO4</b> Existing site features such as: (a) significant vegetation and trees; (b) waterways and drainage paths; (c) vistas and vantage points are retained and/or are incorporated into open space, road reserves, near to lot boundaries or as common property.</p>	<p><b>Complies with AO4.</b> The proposed development creates Lot 50, which comprises an existing partially cleared area that is well-suited for the future siting of a Dwelling House. The subdivision layout has been purposefully designed to respond to the site's natural features and to ensure that these are appropriately retained and integrated within the overall development footprint.</p> <p>Significant vegetation and existing trees have been preserved through careful lot configuration, with no clearing proposed as part of this application. The alignment of the access easement follows an existing informal track, thereby avoiding disturbance to vegetated areas and maintaining the natural landscape character.</p> <p>A seasonal waterway traverses the site, and while a crossing is required to facilitate access to the rear lot, the waterway itself will remain undisturbed beyond the immediate crossing point. This watercourse is preserved within the internal lot layout, maintaining its function as a natural drainage feature and contributing to the broader environmental values of the area.</p> <p>The existing open and vegetated character of the site is maintained, with sufficient boundary setbacks and open space to preserve existing outlooks and</p>



		<p>maintain rural amenity. The proposed lot configuration ensures that vistas and visual connections to the surrounding rural setting are retained, and that development will remain consistent with the expectations of the Rural Residential Zone.</p> <p>In summary, the proposed subdivision effectively retains and responds to the site's existing features, incorporating them in a way that supports both environmental outcomes and rural residential living.</p>
<p><b>PO5</b> New lots which have the capability of being further reconfigured into smaller lots at a later date are designed to not compromise ultimate development outcomes permitted in the relevant zone.</p>	<p><b>AO5</b> The ability to further reconfigure land at a later date is demonstrated by submitting a concept plan that meets the planning scheme requirements for the applicable Zone.</p>	<p><b>Not Applicable.</b> It is not intended to further reconfigure the resulting lots.</p>
<p><b>PO6</b> Where existing buildings or structures are to be retained, development results in:</p> <ul style="list-style-type: none"> <li>(a) boundaries that offer regular lot shapes and usable spaces;</li> <li>(b) existing improvements complying with current building and amenity standards in relation to boundary setbacks.</li> </ul> <p>Note - This may require buildings or structures to be modified, relocated or demolished to meet setback standards, resolve encroachments and the like.</p>	<p><b>AO6</b> Development ensures setbacks between existing buildings or structures and proposed boundaries satisfy relevant building standards or zone code requirements, whichever is the greater.</p>	<p><b>Complies with AO6.</b> The proposed development does not create any issues with respect to existing buildings and setbacks.</p>

**PO7**

Where rear lots are proposed, development:

- (a) provides a high standard of amenity for residents and other users of the site and adjoining properties;
- (b) positively contributes to the character of adjoining properties and the area;
- (c) does not adversely affect the safety and efficiency of the road from which access is gained.

**A07.1**

Where rear lots are to be established:

- (a) the rear lot is generally rectangular in shape, avoiding contrived sharp boundary angles;
- (b) no more than 6 lots directly adjoin the rear lot;
- (c) no more than one rear lot occurs behind the road frontage lot;
- (d) no more than two access strips to rear lots directly adjoin each other;
- (e) access strips are located only on one side of the road frontage lot.

**A07.2**

Access strips to the rear lot have a minimum width dimension of:

- (a) 4.0 metres in Residential Zones.
- (b) 8.0 metres in Industrial Zones category.
- (c) 5.0 metres in all other Zones.

Note - Rear lots are generally not appropriate in non-Residential or non-Rural zones.

**A07.3**

Access strips are provided with a sealed pavement of sufficient width to cater for the intended traffic, but no less than:

- (a) 3.0 metres in Residential Zone.
- (b) 6.0 metres in an Industrial Zone.
- (c) 3.5 metres in any other Zone.

**Complies with A07.1.**

Proposed Lot 50 is a rear lot. The boundaries are as regular as possible given the existing boundary configuration.

**Alternative Solution**

The proposed access easement accommodates the existing gravel access driveway commencing at Nancy Close. The easement narrows to a minimum width of 4 metres where it runs alongside the existing pool fenced area and gradually widens to 6 metres as it extends toward the rear of the site and then tapers out wider again. This design ensures that the easement provides sufficient space to accommodate safe and practical vehicle movements, including access for standard passenger vehicles and service vehicles.

The configuration allows for adequate maneuverability while minimising the physical and visual impact of the access on the existing residential setting. The alignment of the easement has also been selected to utilise an existing informal track, further reducing the need for new clearing or significant earthworks and supporting a low-impact access solution consistent with the rural residential character of the area.



Performance outcomes		Acceptable outcomes
<b>Structure plans</b>		
<p>Additional requirements for:</p> <p>(a) a site which is more than 5,000m<sup>2</sup> in any of the Residential zones; or</p> <p>within these zones, and</p> <p>(b) creates 10 or more lots; or</p> <p>(c) involves the creation of new roads and/or public use land.</p> <p>or</p> <p>(d) For a material change of use involving:</p> <p>(i) preliminary approval to vary the effect of the planning scheme;</p> <p>(ii) establishing alternative Zones to the planning scheme.</p> <p>Note - This part is to be read in conjunction with the other parts of the code</p>		
<p><b>PO8</b></p> <p>A structure plan is prepared to ensure that neighbourhood design, block and lot layout, street network and the location and provision on any open space recognises previous planning for the area and its surroundings, and integrates appropriately into its surroundings.</p>	<p><b>AO8.1</b></p> <p>Neighbourhood design, lot and street layout, and open space provides for, and integrates with, any:</p> <p>(a) approved structure plan;</p> <p>(b) the surrounding pattern of existing or approved subdivision.</p> <p>Note - Planning scheme policy SC14– Structure planning provides guidance on meeting the performance outcomes.</p> <p><b>AO8.2</b></p> <p>Neighbourhood design, lot and street layouts enable future connection and integration with adjoining undeveloped land.</p>	<b>Not Applicable.</b>



<p><b>PO9</b> Neighbourhood design results in a connected network of walkable streets providing an easy choice of routes within and surrounding the neighbourhood.</p>	<p><b>AO9.1</b> Development does not establish cul-de-sac streets unless:</p> <ul style="list-style-type: none"> <li>(a) cul-de-sacs are a feature of the existing pattern of development in the area;</li> <li>(b) there is a physical feature or incompatible zone change that dictates the need to use a cul-de-sac streets.</li> </ul> <p><b>AO9.2</b> Where a cul-de-sac street is used, it:</p> <ul style="list-style-type: none"> <li>(a) is designed to be no longer than 150 metres in length;</li> <li>(b) is designed so that the end of the cul-de-sac is visible from its entrance;</li> <li>(c) provides connections from the top of the cul-de-sac to other streets for pedestrians and cyclists, where appropriate.</li> </ul> <p><b>AO9.3</b> No more than 6 lots have access to the turning circle or turning-tee at the end of a cul-de-sac street.</p>	<p><b>Not Applicable.</b></p>
<p><b>PO10</b> Neighbourhood design supports diverse housing choices through block sizes and lot design. In developing areas, significant changes in lot size and frontage occur at the rear of lots rather than on opposite sides of a street.</p>	<p><b>PO10</b> No acceptable outcomes are prescribed.</p>	<p><b>Not Applicable.</b></p>
<p><b>PO11</b> Provision of physical and social infrastructure in developing residential neighbourhoods is facilitated through the orderly and sequential development of land.</p> <p>Note - Part 4 – Local government infrastructure plan may identify specific levels of infrastructure to be provided within development sites.</p>	<p><b>AO11.1</b> New development adjoins adjacent existing or approved urban development.</p> <p><b>AO11.2</b> New development is not established beyond the identified Local government infrastructure plan area.</p>	<p><b>Not Applicable.</b></p>
<p><b>Urban parkland and environmental open space</b></p>		



<b>PO12</b> Where appropriate development maintains and enhances public access and use of natural areas, rivers, dams, creeks and the foreshore.	<b>AO12</b> No acceptable outcomes are prescribed.	<b>Not Applicable.</b>
<b>PO13</b> Development provides land to: (a) meet the recreation needs of the community; (b) provide an amenity commensurate with the structure of neighbourhoods and land uses in the vicinity; and adjacent to open space areas; (c) provide for green corridors and linkages.	<b>AO13</b> No acceptable outcomes are prescribed.  Note - Part 4 – Priority infrastructure plan and Planning scheme policy SC14 – Structure Plans provides guidance in providing open space and recreation land.	<b>Not Applicable.</b>



# **AO14**

Lot size, dimensions, frontage and orientation permits buildings to be established that will facilitate casual surveillance to urban parkland and environmental open space.

## **AO14.1**

Urban parkland is regular in shape.

## **AO14.2**

At least 75% of the urban parkland's frontage is provided as road.

## **AO14.3**

Urban parkland and environmental open space areas are positioned to be capable of being overlooked by surrounding development.

## **AO14.4**

Surrounding lots are orientated so that facades will front and overlook the urban parkland and environmental open space.

## **AO14.5**


The number of lots that back onto, or are side-orientated to the urban parkland and environmental open space is minimised.



Inconsistent design solution - low total number of lots complying with the acceptable outcomes.

**Not Applicable.**



 Lots orientated to front and overlook park to provide casual surveillance.  
Consistent design solution - high total number of lots complying with the acceptable outcomes.

#### Private subdivisions (gated communities)

##### PO15

Private subdivisions (gated communities) do not compromise the establishment of connected and integrated infrastructure and open space networks.

##### PO15

No acceptable outcomes are prescribed.

**Not Applicable.**

#### Additional requirements for reconfiguration involving the creation of public streets or roads

##### PO16

The function of new roads is clearly identified and legible and provides integration, safety and convenience for all users.

##### AO16

No acceptable outcomes are prescribed.

Note - The design and construction standards are set out in Planning scheme policy SC5 – FNQROC Regional Development Manual, with reference to the specifications set out in Sections D1 and D3.

**Not Applicable.**

##### PO17

Street design supports an urban form that creates walkable neighbourhoods. Street design:

- (a) is appropriate to the function(s) of the street;
- (b) meets the needs of users and gives priority to the needs of vulnerable users.

##### AO17

No acceptable outcomes are prescribed.

**Not Applicable.**

#### Public transport network



<b>PO18</b> Development provides a street pattern that caters for the extension of public transport routes and infrastructure including safe pedestrian pick-up and set-down up facilities.	<b>AO18</b> No acceptable outcomes are prescribed.	<b>Not Applicable.</b>
<b>Pest plants</b>		
<b>PO19</b> Development activities and sites provide for the removal of all pest plants and implement ongoing measures to ensure that pest plants do not reinfest the site or nearby sites.  Editor's note - This does not remove or replace all land owner's obligations or responsibilities under the Land Protection (Pest and Stock Route Management) Act 2002.	<b>AO19</b> Pest plants detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person prior to earthworks commencing.  Note - A declaration from an appropriately qualified person validates the land being free from pest plants. Declared pest plants include locally declared and State declared pest plants.	<b>May be Conditioned to Comply.</b> Pest plants are managed as result of agricultural activities on Proposed Lot 1. Given the nature of the proposed development this is not likely to result in infestation or spread of pest plants.

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



<p><b>PO3</b> Access points are designed and constructed:</p> <ul style="list-style-type: none"> <li>(a) to operate safely and efficiently;</li> <li>(b) to accommodate the anticipated type and volume of vehicles</li> <li>(c) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate;</li> <li>(d) so that they do not impede traffic or pedestrian movement on the adjacent road area;</li> <li>(e) so that they do not adversely impact upon existing intersections or future road or intersection improvements;</li> <li>(f) so that they do not adversely impact current and future on-street parking arrangements;</li> <li>(g) so that they do not adversely impact on existing services within the road reserve adjacent to the site;</li> <li>(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).</li> </ul>	<p><b>AO3.1</b> Access is limited to one access cross over per site and is an access point located, designed and constructed in accordance with:</p> <ul style="list-style-type: none"> <li>(a) Australian Standard AS2890.1;</li> <li>(b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers.</li> </ul> <p><b>AO3.2</b> Access, including driveways or access crossovers:</p> <ul style="list-style-type: none"> <li>(a) are not placed over an existing: <ul style="list-style-type: none"> <li>(i) telecommunications pit;</li> <li>(ii) stormwater kerb inlet;</li> <li>(iii) sewer utility hole;</li> <li>(iv) water valve or hydrant.</li> </ul> </li> <li>(b) are designed to accommodate any adjacent footpath;</li> <li>(c) adhere to minimum sight distance requirements in accordance with AS2980.1.</li> </ul> <p><b>AO3.3</b> Driveways are:</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(b) constructed such that where there is a grade shift to 1 in 4 (25%), there is an area with a grade of no more than 1 in 6 (16.6%) prior to this area, for a distance of at least 5 metres;</li> <li>(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;</li> </ul>	<p><b>Complies with AO3.1</b> The development is limited to a single crossover per lot.</p> <p><b>Complies with AO3.2</b> The development utilises an existing crossover and driveway which is unobstructed.</p> <p><b>Complies with AO3.3</b> The access easement follows an existing formalised access track to the rear lot.</p>
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	<p>(d) constructed such that the transitional change in grade from the road to the lot is fully contained within the lot and not within the road reserve;</p> <p>(e) designed to include all necessary associated drainage that intercepts and directs storm water runoff to the storm water drainage system.</p> <p><b>AO3.4</b> Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.</p>	<p><b>Alternative Solution</b> The existing driveway to Proposed Lot 50 is intended to remain as a gravel driveway. It is considered that the driveway is suitable for the intended purpose and consistent with character and standard in the locality.</p>
<p><b>P04</b> Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.</p>	<p><b>AO4</b> The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.</p>	<p><b>Not Applicable</b></p>
<p><b>P05</b> Access for people with disabilities is provided to the building from the parking area and from the street.</p>	<p><b>AO5</b> Access for people with disabilities is provided in accordance with the relevant Australian Standard.</p>	<p><b>Not Applicable</b></p>
<p><b>P06</b> Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development.</p>	<p><b>AO6</b> The number of on-site bicycle parking spaces complies with the rates specified in Table 9.4.1.3.b.</p>	<p><b>Not Applicable</b></p>



<p><b>PO7</b> Development provides secure and convenient bicycle parking which:</p> <ul style="list-style-type: none"> <li>(a) for visitors is obvious and located close to the building's main entrance;</li> <li>(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;</li> <li>(c) is easily and safely accessible from outside the site.</li> </ul>	<p><b>AO7.1</b> Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers);</p> <p><b>AO7.2</b> Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street.</p> <p><b>AO7.3</b> Development provides visitor bicycle parking which does not impede pedestrian movement.</p>	<p><b>Not Applicable</b></p> <p><b>Not Applicable</b></p> <p><b>Not Applicable</b></p>
<p><b>PO8</b> Development provides walking and cycle routes through the site which:</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(b) encourage walking and cycling;</li> <li>(c) ensure pedestrian and cyclist safety.</li> </ul>	<p><b>AO8</b> Development provides walking and cycle routes which are constructed on the carriageway or through the site to:</p> <ul style="list-style-type: none"> <li>(a) create a walking or cycle route along the full frontage of the site;</li> <li>(b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site.</li> </ul>	<p><b>Not Applicable</b></p>
<p><b>PO9</b> Access, internal circulation and on-site parking for service vehicles are designed and constructed:</p> <ul style="list-style-type: none"> <li>(a) in accordance with relevant standards;</li> </ul>	<p><b>AO9.1</b> Access driveways, vehicle manoeuvring and on-site parking for service vehicles are designed and constructed in accordance with AS2890.1 and</p>	<p><b>Not Applicable</b></p>



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

**Table 9.4.1.3.b – Access, parking and servicing requirements**

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

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

## **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
<b>For self-assessable and assessable development</b>		
<b>Filling and excavation - General</b>		
<p><b>PO1</b> All filling and excavation work does not create a detrimental impact on the slope stability, erosion potential or visual amenity of the site or the surrounding area.</p>	<p><b>AO1.1</b> The height of cut and/or fill, whether retained or not, does not exceed 2 metres in height.</p> <p>and</p> <p>Cuts in excess of those stated in A1.1 above are separated by benches/ terraces with a minimum width of 1.2 metres that incorporate drainage provisions and screen planting.</p> <p><b>AO1.2</b> Cuts are supported by batters, retaining or rock walls and associated benches/terraces are capable of supporting mature vegetation.</p> <p><b>AO1.3</b> Cuts are screened from view by the siting of the building/structure, wherever possible.</p>	<p><b>Complies with PO1</b></p> <p>No earthworks are proposed as part of this reconfiguration of a lot application. The proposed subdivision layout has been designed to work with the site's natural topography, and each resulting lot includes existing cleared or partially cleared areas that are suitable for the future siting of a Dwelling House without the need for substantial site modification.</p> <p>While access to Lot 50 requires a crossing over a seasonal waterway, it is proposed that this crossing be constructed at the time a future Dwelling House is established. This approach allows for site-specific design and construction of the crossing in conjunction with building works, ensuring that any necessary approvals and environmental management measures are addressed in a coordinated and efficient manner. Delaying the construction of the crossing until a future building phase also avoids unnecessary disturbance to the site in the interim and ensures that the works are proportionate to actual development needs.</p>



	<p><b>AO1.4</b> Topsoil from the site is retained from cuttings and reused on benches/terraces.</p> <p><b>AO1.5</b> No crest of any cut or toe of any fill, or any part of any retaining wall or structure is closer than 600mm to any boundary of the property, unless the prior written approval of the adjoining landowner has been obtained.</p> <p><b>AO1.6</b> Non-retained cut and/or fill on slopes are stabilised and protected against scour and erosion by suitable measures, such as grassing, landscaping or other protective/aesthetic measures.</p>	
<b>Visual Impact and Site Stability</b>		
<p><b>PO2</b> 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.</p>	<p><b>AO2.1</b> The extent of filling and excavation does not exceed 40% of the site area, or 500m<sup>2</sup> whichever is the lesser,  except that AO2.1 does not apply to reconfiguration of 5 lots or more.</p> <p><b>AO2.2</b> Filling and excavation does not occur within 2 metres of the site boundary.</p>	<p><b>Complies with PO2.</b> No earthworks are proposed. The site is generally screened from external views.</p>
<b>Flooding and drainage</b>		



<p><b>PO3</b> Filling and excavation does not result in a change to the run off characteristics of a site which then have a detrimental impact on the site or nearby land or adjacent road reserves.</p>	<p><b>AO3.1</b> Filling and excavation does not result in the ponding of water on a site or adjacent land or road reserves.</p> <p><b>AO3.2</b> Filling and excavation does not result in an increase in the flow of water across a site or any other land or road reserves.</p> <p><b>AO3.3</b> Filling and excavation does not result in an increase in the volume of water or concentration of water in a watercourse and overland flow paths.</p> <p><b>AO3.4</b> Filling and excavation complies with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.</p>	<p><b>Complies with PO3 and may be Conditioned to Comply.</b> The drainage regime across the property remains generally unchanged.</p>
<b>Water quality</b>		
<p><b>PO4</b> Filling and excavation does not result in a reduction of the water quality of receiving waters.</p>	<p><b>AO4</b> Water quality is maintained to comply with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.</p>	<p><b>Will comply</b> Any concerns in this regard may be conditioned under a Development Permit.</p>
<b>Infrastructure</b>		
<p><b>PO5</b> Excavation and filling does not impact on Public Utilities.</p>	<p><b>AO5</b> Excavation and filling is clear of the zone of influence of public utilities.</p>	<p><b>Not applicable</b></p>

## **9.4.3 Environmental performance code**

### **9.4.3.1 Application**

- (1) This code applies to assessing:
  - (a) building work for outdoor lighting;
  - (b) a material change of use or reconfiguring a lot if:
    - (i) assessable development where the code is identified in the assessment criteria column of a table of assessment; or
    - (ii) impact assessable development, to the extent relevant.

Note – Where for the purpose of lighting a tennis court in a Residential zone, a compliance statement prepared by a suitably qualified person must be submitted to Council with the development application for building work.

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

### **9.4.3.2 Purpose**

- (1) The purpose of the Environmental performance code is to ensure development is designed and operated to avoid or mitigate impacts on sensitive receiving environments.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) activities that have potential to cause an adverse impact on amenity of adjacent and surrounding land, or environmental harm is avoided through location, design and operation of the development;
  - (b) sensitive land uses are protected from amenity related impacts of lighting, odour, airborne particles and noise, through design and operation of the development;
  - (c) stormwater flowing over, captured or discharged from development sites is of a quality adequate to enter receiving waters and downstream environments;
  - (d) development contributes to the removal and ongoing management of weed species.



### 9.4.3.3 Criteria for assessment

Table 9.4.3.3.a – Environmental performance code – assessable development

Performance outcomes	Acceptable outcomes	Applicant Response
<b>Lighting</b>		
<b>PO1</b> Lighting incorporated within development does not cause an adverse impact on the amenity of adjacent uses and nearby sensitive land uses.	<b>AO1.1</b> Technical parameters, design, installation, operation and maintenance of outdoor lighting comply with the requirements of Australian standard AS4282-1997 Control of the obtrusive effects of outdoor lighting.  <b>AO1.2</b> Development that involves flood lighting is restricted to a type that gives no upward component of light where mounted horizontally.  <b>AO1.3</b> Access, car parking and manoeuvring areas are designed to shield nearby residential premises from impacts of vehicle headlights.	<b>Not applicable</b> No external lighting is proposed at this stage other than domestic lighting.
<b>Noise</b>		
<b>PO2</b> Potential noise generated from the development  is avoided through design, location and operation of the activity. Note – Planning Scheme Policy SC6.4 – Environmental	<b>AO2.1</b> Development does not involve activities that  would cause noise related environmental harm or nuisance; or	<b>Complies with AO2.</b> The proposed development is for residential purpose and is not of a nature that will cause noise related environmental harm.





<p>management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p><b>AO2.2</b> Development ensures noise does not emanate from the site through the use of materials, structures and architectural features to not cause an adverse noise impact on adjacent uses.</p> <p><b>AO2.3</b> The design and layout of development ensures car parking areas avoid noise impacting directly on adjacent sensitive land uses through one or more of the following:</p> <ul style="list-style-type: none"> <li>(a) car parking is located away from adjacent sensitive land uses;</li> <li>(b) car parking is enclosed within a building;</li> <li>(c) a noise ameliorating fence or structure is established adjacent to car parking areas where the fence or structure will not have a visual amenity impact on the adjoining premises;</li> <li>(d) buffered with dense landscaping.</li> </ul> <p>Editor's note - The <i>Environmental Protection (Noise) Policy 2008</i>, Schedule 1 provides guidance on acoustic quality objectives to ensure environmental harm (including nuisance) is avoided.</p>	<p><b>Not applicable</b></p> <p><b>Complies with AO2.3</b> Vehicle access and parking is not likely to cause a nuisance for adjoining uses.</p>
<b>Airborne particles and other emissions</b>		
<p><b>PO3</b> Potential airborne particles and emissions generated from the development are avoided through design, location and operation of the activity.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p><b>AO3.1</b> Development does not involve activities that will result in airborne particles or emissions being generated;</p> <p>or</p> <p><b>AO3.2</b> The design, layout and operation of the development activity ensures that no airborne particles or emissions cause environmental harm or nuisance.</p>	<p><b>Not applicable</b> The proposed use does not involve activities that result in airborne emissions.</p>



	<p>Note - examples of activities which generally cause airborne particles include spray painting, abrasive blasting, manufacturing activities and car wash facilities.</p> <p>Examples of emissions include exhaust ventilation from basement or enclosed parking structures, air conditioning/refrigeration ventilation and exhaustion.</p> <p>The <i>Environmental Protection (Air) Policy 2008</i>, Schedule 1 provides guidance on air quality objectives to ensure environmental harm (including nuisance) is avoided.</p>	
<b>Odours</b>		
<p><b>PO4</b> Potential odour causing activities associated with the development are avoided through design, location and operation of the activity.</p> <p>Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.</p>	<p><b>A04.1</b> The development does not involve activities that create odorous emissions;</p> <p>or</p> <p><b>A04.2</b> The use does not result in odour that causes environmental harm or nuisance with respect to surrounding land uses.</p>	<p><b>Not applicable</b> The proposed use does not involve activities that result in odour emissions.</p>
<b>Waste and recyclable material storage</b>		

**PO5**

Waste and recyclable material storage facilities are located and maintained to not cause adverse impacts on adjacent uses.

Note – Planning Scheme Policy SC6.4 – Environmental management plans provides guidance on preparing a report to demonstrate compliance with the purpose and outcomes of the code.

**AO5.1**

The use ensures that all putrescent waste is stored in a manner that prevents odour nuisance and is disposed of at regular intervals.

**AO5.2**

Waste and recyclable material storage facilities are located, designed and maintained to not cause an adverse impact on users of the premises and adjacent uses through consideration of:

- (a) the location of the waste and recyclable material storage areas in relation to the noise and odour generated;
- (b) the number of receptacles provided in relation to the collection, maintenance and use of the receptacles;
- (c) the durability of the receptacles, sheltering and potential impacts of local climatic conditions;
- (d) the ability to mitigate spillage, seepage or leakage from receptacles into adjacent areas and sensitive receiving waters and environments.

Editor's note - the *Environmental Protection (Waste Management) Policy 2008* provides guidance on the design of waste containers (receptacles) to ensure environmental harm (including nuisance) is avoided.

**Complies with AO5.1 and AO5.2**

Waste will be stored appropriately onsite so not to impact adjoining land uses.

**Sensitive land use activities**



<p><b>PO6</b> Sensitive land use activities are not established in areas which will receive potentially incompatible impacts on amenity from surrounding, existing development activities and land uses.</p>	<p><b>A06.1</b> Sensitive land use activities are not established in areas that will be adversely impacted upon by existing land uses, activities and potential development possible in an area;</p> <p>or</p> <p><b>A06.2</b> Sensitive land activities are located in areas where potential adverse amenity impacts mitigate all potential impacts through layout, design, operation and maintenance.</p>	<p><b>Not Applicable.</b></p>
<p><b>Stormwater quality</b></p>		
<p><b>PO7</b> The quality of stormwater flowing over, through or being discharged from development activities into watercourses and drainage lines is of adequate quality for downstream environments, with respect to:</p> <ul style="list-style-type: none"> <li>(a) the amount and type of pollutants borne from the activity;</li> <li>(c) maintaining natural stream flows;</li> <li>(d) the amount and type of site disturbance;</li> <li>(e) site management and control measures.</li> </ul>	<p><b>A07.1</b> Development activities are designed to ensure stormwater over roofed and hard stand areas is directed to a lawful point of discharge.</p> <p><b>A07.2</b> Development ensures movement of stormwater over the site is not impeded or directed through potentially polluting activities.</p> <p><b>A07.3</b> Soil and water control measures are incorporated into the activity's design and operation to control sediment and erosion potentially entering watercourses, drainage lines and downstream receiving waters.</p> <p>Note - Planning scheme policy - FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i>.</p> <p>During construction phases of development, contractors and builders are to have consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.</p>	<p><b>May be Conditioned to Comply.</b></p>



Pest plants (for material change of use on vacant land over 1,000m <sup>2</sup> )		
<p><b>PO8</b> Development activities and sites provide for the removal of all pest plants and implement ongoing measures to ensure that pest plants do not reinfest the site or nearby sites.</p> <p>Editor's note - This does not remove or replace all land owner's obligations or responsibilities under the <i>Land Protection (Pest and Stock Route Management) Act 2002</i>.</p>	<p><b>AO8.1</b> The land is free of declared pest plants before development establishes new buildings, structures and practices;</p> <p>or</p> <p><b>AO8.2</b> Pest plants detected on a development site are removed in accordance with a management plan prepared by an appropriately qualified person prior to construction of buildings and structures or earthworks.</p> <p>Note - A declaration from an appropriately qualified person validates the land being free from pest plants.</p> <p>Declared pest plants include locally declared and State declared pest plants.</p>	<p><b>Not applicable.</b></p>

## **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			
<p><b>PO1</b></p> <p>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.</p>	<p><b>AO1.1</b></p> <p>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.</p> <p><b>AO1.2</b></p> <p>Kerb ramp crossovers are constructed in accordance with Planning scheme policy SC 5 – FNQROC Regional Development Manual.</p> <p><b>AO1.3</b></p> <p>New pipes, cables, conduits or other similar infrastructure required to cross existing footpaths:</p> <p>(a) are installed via trenchless methods; or</p> <p>(b) where footpath infrastructure is removed to install infrastructure, the new section of footpath is installed to the standard detailed</p>	<p><b>Not Applicable.</b></p>	



	<p>in the Planning scheme policy SC5 – FNQROC Regional Development Manual, and is not less than a 1.2 metre section.</p> <p><b>AO1.4</b> Where existing footpaths are damaged as a result of development, footpaths are reinstated ensuring:</p> <ul style="list-style-type: none"> <li>(a) similar surface finishes are used;</li> <li>(b) there is no change in level at joins of new and existing sections;</li> <li>(c) new sections are matched to existing in terms of dimension and reinforcement.</li> </ul> <p>Note – Figure 9.4.5.3.a provides guidance on meeting the outcomes.</p> <p><b>AO1.5</b> Decks, verandahs, stairs, posts and other structures located in the road reserve do not restrict or impede pedestrian movement on footpaths or change the level of the road verges.</p>	
<b>Accessibility structures</b>		
<p><b>PO2</b> Development is designed to ensure it is accessible for people of all abilities and accessibility features do not impact on the efficient and safe use of footpaths.</p> <p>Note – Accessibility features are those features required to ensure access to premises is provided for people of all abilities and include ramps and lifts.</p>	<p><b>AO2.1</b> Accessibility structures are not located within the road reserve.</p> <p><b>AO2.2</b> Accessibility structures are designed in accordance with AS1428.3.</p> <p><b>AO2.3</b> 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.</p>	<b>Not Applicable.</b>
<b>Water supply</b>		



**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.

**May be Conditioned to Comply.**

The subject site is serviced via bore water supply. The existing bore and water storage will continue to service Lot 49. A new water supply will be required to Lot 50.



Treatment and disposal of effluent		
<p><b>PO4</b> Provision is made for the treatment and disposal of effluent to ensure that there are no adverse impacts on water quality and no adverse ecological impacts as a result of the system or as a result of increasing the cumulative effect of systems in the locality.</p>	<p><b>AO4.1</b> The site is connected to Council's sewerage system and the extension of or connection to the sewerage system is designed and constructed in accordance with the Design Guidelines set out in Section D7 of the Planning scheme policy SC5 – FNQROC Regional Development Manual;</p> <p>or</p> <p><b>AO4.2</b> Where not in a sewerage scheme area, the proposed disposal system meets the requirements of Section 33 of the <i>Environmental Protection Policy (Water) 1997</i> and the proposed on site effluent disposal system is designed in accordance with the <i>Plumbing and Drainage Act (2002)</i>.</p>	<p><b>May be Conditioned to Comply.</b> The site is not connected to Council's sewer network. Wastewater will be treated and disposed onsite. Suitable area exists within Lot 50 to accommodate a future onsite waste water treatment system.</p>
Stormwater quality		
<p><b>PO5</b> Development is planned, designed, constructed and operated to avoid or minimise adverse impacts on stormwater quality in natural and developed catchments by:</p> <ul style="list-style-type: none"> <li>(a) achieving stormwater quality objectives;</li> <li>(b) protecting water environmental values;</li> <li>(c) maintaining waterway hydrology.</li> </ul>	<p><b>AO5.1</b> A connection is provided from the premises to Council's drainage system;</p> <p>or</p> <p><b>AO5.2</b> An underground drainage system is constructed to convey stormwater from the premises to Council's drainage system in accordance with the Design Guidelines set out in Sections D4 and D5 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p>	<p><b>Complies with PO5.</b> The proposed reconfiguration of a lot at Nancy Close has been planned and designed to avoid or minimise adverse impacts on stormwater quality, in accordance with the relevant planning scheme benchmarks.</p> <p>No operational works, vegetation clearing, or earthworks are proposed as part of this application. The subdivision layout utilises existing cleared areas for future building siting and an informal track for access, thereby minimising soil disturbance and runoff generation.</p> <p>While the proposed access easement will ultimately require a crossing over a seasonal waterway to service Lot 50,</p>



	<p><b>AO5.3</b> 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:</p> <ul style="list-style-type: none"> <li>(a) erosive, dispersive and/or saline soil types;</li> <li>(b) landscape features (including landform);</li> <li>(c) acid sulfate soil and management of nutrients of concern;</li> <li>(d) rainfall erosivity.</li> </ul> <p><b>AO5.4</b> Erosion and sediment control practices are designed, installed, constructed, monitored, maintained, and carried out in accordance with an erosion and sediment control plan.</p> <p><b>AO5.5</b> Development incorporates stormwater flow control measures to achieve the design objectives set out in Table 9.4.5.3.b and Table 9.4.5.3.c, including management of frequent flows, peak flows, and construction phase hydrological impacts.</p> <p>Note – Planning scheme policy SC5 – FNQROC Regional Development Manual provides guidance on soil and water control measures to meet the requirements of the <i>Environmental Protection Act 1994</i>.</p> <p>Note – During construction phases of development, contractors and builders are to have</p>	<p>construction of this crossing will be deferred until such time as a future Dwelling House is established. This staged approach ensures that any potential impacts on stormwater quality and hydrology can be appropriately managed through future development approvals, supported by detailed design and construction methodologies that address water quality objectives.</p> <p>The development layout maintains the natural drainage function of the site, avoids changes to waterway alignments, and protects downstream environmental values by preserving vegetated buffers and ensuring that impervious surfaces are minimised. As a result, the proposal maintains waterway hydrology and protects the ecological integrity of the site and its surrounds.</p> <p>Future development on Lot 50 will be subject to standard requirements for stormwater management through the building approval process, at which time any necessary treatment measures can be appropriately addressed in accordance with Council's stormwater quality objectives and best practice environmental design guidelines.</p>
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	consideration in their work methods and site preparation for their environmental duty to protect stormwater quality.	
<b>Non-tidal artificial waterways</b>		
<p><b>PO6</b> Development involving non-tidal artificial waterways is planned, designed, constructed and operated to:</p> <ul style="list-style-type: none"> <li>(a) protect water environmental values;</li> <li>(b) be compatible with the land use constraints for the site for protecting water environmental values;</li> <li>(c) be compatible with existing tidal and non-tidal waterways;</li> <li>(d) perform a function in addition to stormwater management;</li> <li>(e) achieve water quality objectives.</li> </ul>	<p><b>AO6.1</b> Development involving non-tidal artificial waterways ensures:</p> <ul style="list-style-type: none"> <li>(a) environmental values in downstream waterways are protected;</li> <li>(b) any ground water recharge areas are not affected;</li> <li>(c) the location of the waterway incorporates low lying areas of the catchment connected to an existing waterway;</li> <li>(d) existing areas of ponded water are included.</li> </ul> <p><b>AO6.2</b> Non-tidal artificial waterways are located:</p> <ul style="list-style-type: none"> <li>(a) outside natural wetlands and any associated buffer areas;</li> <li>(b) to minimise disturbing soils or sediments;</li> <li>(c) to avoid altering the natural hydrologic regime in acid sulfate soil and nutrient hazardous areas.</li> </ul> <p><b>AO6.3</b> Non-tidal artificial waterways located adjacent to, or connected to a tidal waterway by means of a weir, lock, pumping system or similar ensures:</p> <ul style="list-style-type: none"> <li>(a) there is sufficient flushing or a tidal range of &gt;0.3 m; or</li> <li>(b) any tidal flow alteration does not adversely impact on the tidal waterway; or</li> </ul>	<p><b>Not Applicable.</b></p>



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



<p><b>P07</b> Discharge of wastewater to waterways, or off site:</p> <ul style="list-style-type: none"> <li>(a) meets best practice environmental management;</li> <li>(b) is treated to: <ul style="list-style-type: none"> <li>(i) meet water quality objectives for its receiving waters;</li> <li>(ii) avoid adverse impact on ecosystem health or waterway health;</li> <li>(iii) maintain ecological processes, riparian vegetation and waterway integrity;</li> <li>(iv) offset impacts on high ecological value waters.</li> </ul> </li> </ul>	<p><b>AO7.1</b> A wastewater management plan is prepared and addresses:</p> <ul style="list-style-type: none"> <li>(a) wastewater type;</li> <li>(b) climatic conditions;</li> <li>(c) water quality objectives;</li> <li>(d) best practice environmental management.</li> </ul> <p><b>AO7.2</b> The waste water management plan is managed in accordance with a waste management hierarchy that:</p> <ul style="list-style-type: none"> <li>(a) avoids wastewater discharge to waterways; or</li> <li>(b) if wastewater discharge cannot practicably be avoided, minimises wastewater discharge to waterways by re-use, recycling, recovery and treatment for disposal to sewer, surface water and ground water.</li> </ul> <p><b>AO7.3</b> Wastewater discharge is managed to avoid or minimise the release of nutrients of concern so as to minimise the occurrence, frequency and intensity of algal blooms.</p> <p><b>AO7.4</b> Development in coastal catchments avoids or minimises and appropriately manages soil disturbance or altering natural hydrology and:</p> <ul style="list-style-type: none"> <li>(a) avoids lowering ground water levels where potential or actual acid sulfate soils are present;</li> <li>(b) manages wastewater so that: <ul style="list-style-type: none"> <li>(i) the pH of any wastewater</li> </ul> </li> </ul>	<p><b>Complies – Refer to Response to P05.</b></p>
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	<p>discharges is maintained between 6.5 and 8.5 to avoid mobilisation of acid, iron, aluminium and other metals;</p> <p>(ii) holding times of neutralised wastewater ensures the flocculation and removal of any dissolved iron prior to release;</p> <p>visible iron floc is not present in any discharge;</p> <p>(iv) precipitated iron floc is contained and disposed of;</p> <p>(iii) 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.</p>	
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Electricity supply		
<b>PO8</b> Development is provided with a source of power that will meet its energy needs.	<b>AO8.1</b> A connection is provided from the premises to the electricity distribution network;  or  <b>AO8.2</b> The premises is connected to the electricity distribution network in accordance with the Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.  Note - Areas north of the Daintree River have a different standard.	<b>Will Comply.</b> The site will be connected to mains electricity supply.
<b>PO9</b> Development incorporating pad-mount electricity infrastructure does not cause an adverse impact on amenity.	<b>AO9.1</b> Pad-mount electricity infrastructure is: (a) not located in land for open space or sport and recreation purposes; (b) screened from view by landscaping or fencing; (c) accessible for maintenance.  <b>AO9.2</b> Pad-mount electricity infrastructure within a building, in a Town Centre is designed and located to enable an active street frontage.  Note – Pad-mounts in buildings in activity centres should not be located on the street frontage.	<b>Not Applicable.</b>
Telecommunications		
<b>PO10</b> Development is connected to a telecommunications service approved by the relevant telecommunication regulatory authority.	<b>AO10</b> The development is connected to telecommunications infrastructure in accordance with the standards of the relevant regulatory authority.	<b>Will Comply.</b> The site will be connected to telecommunication.





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



<p><b>PO14</b> Development and works do not affect the efficient functioning of public utility mains, services or installations.</p>	<p><b>AO14.1</b> Public utility mains, services and installations are not required to be altered or repaired as a result of the development;</p> <p>or</p> <p><b>AO14.2</b> Public utility mains, services and installations are altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines set out in Section D8 of the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p>	<p><b>Not Applicable.</b></p>
<p><b>Construction management</b></p>		
<p><b>PO15</b> Work is undertaken in a manner which minimises adverse impacts on vegetation that is to be retained.</p>	<p><b>AO15</b> Works include, at a minimum:</p> <ul style="list-style-type: none"> <li>(a) installation of protective fencing around retained vegetation during construction;</li> <li>(b) erection of advisory signage;</li> <li>(c) no disturbance, due to earthworks or storage of plant, materials and equipment, of ground level and soils below the canopy of any retained vegetation;</li> <li>(d) removal from the site of all declared noxious weeds.</li> </ul>	<p><b>Not Applicable.</b></p>
<p><b>PO16</b> Existing infrastructure is not damaged by construction activities.</p>	<p><b>AO16</b> Construction, alterations and any repairs to infrastructure is undertaken in accordance with the Planning scheme policy SC5 – FNQROC Regional Development Manual.</p> <p>Note - Construction, alterations and any repairs to State-controlled roads and rail corridors are undertaken in accordance with the Transport Infrastructure Act 1994.</p>	<p><b>Will Comply.</b></p>



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



<b>PO20</b> 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'.	<b>AO20</b> No acceptable outcomes are prescribed.	<b>Not Applicable.</b>
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**Table 9.4.5.3.b – Stormwater management design objectives (Construction phase).**

Issue	Design objectives
<b>Drainage control</b> (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.
<b>Erosion control</b> (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.
<b>Sediment control measures</b> (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.

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

#### 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**

