

Leaders in Building Certification Services



Port Douglas P: 07 4098 5150 E: adminpd@gmacert.com.au Unit 5 "Craiglie Business Centre" Owen Street, Port Douglas, QLD, 4877 P.O. Box 2760, Nerang Qld 4211

3 August 2022

Chief Executive Officer Douglas Shire Council PO Box 723 Mossman QLD 4873

Attention: Building Services / Development Assessment

Dear Sir/Madam,

Re: Application for Alternative Siting Assessment – Shed, Lot 44 SP204468, 10 Julia Close, Wonga Beach

It is acknowledged that the proposed patio does not comply with the rear boundary clearance identified under the acceptable solutions of the *Queensland Development Code MP1.2* Acceptable Solution A2. The proposed encroachment is:

• The outermost projection of the shed is proposed to be built up to left-hand side boundary.

As a consequence, in providing a concurrence agency response the Council is required to have regard to Performance Outcome P2. In particular, the Council would have to determine that the proposed development would adversely affect the provision of adequate daylight and ventilation and the amenity and privacy of the adjoining residents.

It is submitted that, in this instance and in the context of the existing development of the site and area, the proposed patio would not have any adverse impacts on adjoining residents. The table below provides a detailed assessment against these applicable assessment benchmarks.



TownsvilleCairnsPort DouglasChildersLimited Liability By a Scheme Approved Under Professional Standards Legislation
Member Australian Institute of Building Surveyors Professional Standards Scheme

Table 1 Queensland Development Code MP 1.2.

Performance Criteria	Acceptable Solutions	Compliance
Buildings and Structures		
P2	A2	Complies with P2
 Buildings and structures – (a) provide adequate daylight and ventilation to habitable rooms; and (b) allow adequate light and ventilation to habitable rooms of buildings on adjoining lots. (c) do not adversely impact on the amenity and privacy of residents on adjoining lots. Table A2 <u>Noad Frontage Side and Rear Height in metres in 1500 - 1200 - 1</u>	 (a) The side and rear boundary clearance for a part of the building or structure is – (i) where the height of that part is 4.5m or less - 1.5m; and (ii) where the height of that part is greater than 4.5m but not more than 7.5m - 2m; and (iii) where the height is greater that 7.5m - 2m; and (iii) where the height is greater that 7.5m - 2m plus 0.5m for every 3m or part exceeding 7.5m. (b) For a rectangular or near rectangular narrow lot with a 15m or less frontage, the minimum side and rear setbacks for that part are – (i) where the height is not more than 7.5m – in accordance with Table 	The shed, exhibiting an outermost projection height of 3.00 metres within the allowable 1.5 metre side setback encroachment, will be located more than the minimum required 1.5 metres from neighbouring habitable rooms. With this, the proposal would no overshadow or adversely impact the adjoining residence in terms of daylight or ventilation, The shed, being a 10a, is classified for non-habitable purposes. Therefore, the proposal would not be considered to unduly impact the privacy nor amenity of the adjoining residents.
	 A2; and (ii) where the height is more than 7.5m – 2m plus 0.5m for every 3m or part of 3m by which the height exceeds 7.5m. (c) Structures may be exempted from A2 (a) and (b) where – (i) the structure is not a deck, patio, pergola, verandah, gazebo or the like other than one permitted under A2 (c) 	With the above considered, the proposed development would not result in a development that is inconsistent with the requirements of the Performance Outcome. Additional key points by Owner for Council's consideration include: - proposal allows a 2-bay parking space for protecting boat and 4x4

 (ii) the structure is not used for entertainment, recreational purposes or the like (iii) a screen, fence or retaining wall or a combination of screens, fences or retaining walls is not more than 2m in height or (iv) a rainwater tank, including any supporting structure such as a stand, is not more than 2.4m high. (v) subject to (ii), it is a pergola or other structure which is- A. not enclosed by walls or roofed; and B. not more than 2.4m in height at the boundary; and C. primarily
<pre>ornamental or for horticultural purposes. (d) Subject to A2(c), class 10a buildings or parts may be within the boundary clearances nominated in A2(a) and (b) where - (i) the height of a part within the boundary clearance is not more than 4.5m and has a mean height of not more than 3.5m; and</pre>

Performance Criteria	Acceptable Solutions	Compliance
	 not more than 9m along any one boundary; and (iii) the class 10a buildings or parts within the boundary clearance are located no closer than 1.5m to a required window in a habitable room of an adjoining dwelling. (e) Swimming pools may be 	
	within the boundary clearances nominated in A2(a) and (b) where –	
	 (i) a solid wall or fence, constructed to prevent water entry onto adjoining lots, at least 1.8m high above finished ground level, is erected between the swimming pool and the boundary of the lot; and 	
	(ii) the top of the wall or fence is at least 1.0m above the top of the coping of the pool	

On the basis of the above assessment, it is considered that the development is able to satisfy the Performance Outcomes and therefore satisfies the Assessment Benchmarks. On that basis, Council is obligated, in accordance with the requirements of the *Planning Act 2016* to provide a positive concurrence agency response.

Should you require any further information or wish to discuss the application, please contact me on 4771 6532 or by email <u>daniel.c@gmacert.com.au</u>

Kind Regards

Daniel Cobain GMA Certification Group Encl.

DA Form 2 – Building work details

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

This form must be used to make a development application involving building work.

For a development application involving **building work only**, use this form (*DA Form 2*) only. The DA Forms Guide provides advice about how to complete this form.

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

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.

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Leigh Wiggins
Contact name (only applicable for companies)	Leigh Wiggins
Postal address (PO Box or street address)	Lot 44, Julia Cl
Suburb	WONGA BEACH
State	QLD
Postcode	4873
Country	Australia
Contact number	na
Email address (non-mandatory)	leiwig12@gmail.com
Mobile number (non-mandatory)	0487 941 931
Fax number (non-mandatory)	na
Applicant's reference number(s) (if applicable)	

PART 2 – LOCATION DETAILS

2) Location of the premises (complete 2.1 and/or 2.2 if applicable) Note: Provide details below and attach a site plan for any or all premises part of the development application. For further information, see <u>DA Forms</u> <u>Guide: Relevant plans</u>.

2.1) Street address and lot on plan

I 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).



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).

Unit No.	Street No.	Street Name and Type	Suburb	
	10	Julia Cl	WONGA BEACH	
Postcode	Lot No.	Plan Type and Number (e.g. RP,	SP) Local Government	Area(s)
4873	44	SP 204468	Douglas Shire Cou	ncil
2.2) Additional	premises			
		ant to this development applicati	on and the details of these prer	nises have been
attached in	a schedule to this	development application		
X Not require	d			
Note: Easement u	ses vary throughout Q	ents over the premises? ueensland and are to be identified corre	ctly and accurately. For further informa	tion on easements and how
		ent, see the <u>DA Forms Guide</u>		
	sement locations,	types and dimensions are inclu-	ded in plans submitted with this	development
X No	Sation			
PARI 3 – F	URTHER DE	ETAILS		
4) Is the applic	ation only for build	ing work assessable against the	building assessment provision	s?
🗆 Yes – (proc	eed to 8)			
🗷 No				
5) Identify the a	assessment mana	ger(s) who will be assessing this	development application	
Douglas Shire			development application	
			ing achome for this day closer	at application?
		eed to apply a superseded plann		
Yes – a copy of the decision notice is attached to this development application				
□ I he local go attached	5 7 7 7 5 7			
7) Information	request under Par	t 3 of the DA Rules		
□ I agree to re	eceive an informat	ion request if determined necess	sary for this development applic	ation
□ I do not agree to accept an information request for this development application				
 that this deve 	lopment application w	mation request I, the applicant, acknowl ill be assessed and decided based on th	e information provided when making th	
		ny referral agencies relevant to the deve by the applicant for the development ap		
Part 3 of the L	 any additional information provided by the applicant for the development application unless agreed to by the relevant parties. Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules. Further advice about information requests is contained in the <u>DA Forms Guide</u>. 			
8) Are there any associated development applications or current approvals?				
🗆 Yes – provi	de details below o	r include details in a schedule to	this development application	
🗆 No		1		
List of approva application	l/development	Reference	Date	Assessment manager
Approval				
Developme	nt application			
Approval				
Developme	nt application			
		·		
9) Has the port	able long service	leave levy been paid?		

□ 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
- IN 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)
\$		

10) 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

11) Identify any of the following further legislative requirements that apply to any aspect of this development application			
The proposed development is on a place entered in the Queensland Heritage Register or in a local government's Local Heritage Register . See the guidance provided at <u>www.des.qld.gov.au</u> about the requirements in relation to the development of a Queensland heritage place			
Name of the heritage place:		Place ID:	

PART 4 – REFERRAL DETAILS

12) Does this development application include any building work aspects that have any referral requirements?

- □ Yes the Referral checklist for building work is attached to this development application
- No proceed to Part 5

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

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

Referral requirement	Referral agency	Date referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and the development application the subject of this form, or include details in a schedule to this development application <i>(if applicable)</i>		

PART 5 – BUILDING WORK DETAILS

14) Owner's details		
□ Tick if the applicant is also the owner and proceed to 15). Otherwise, provide the following information.		
Name(s) (individual or company full name)	Leigh Wiggins	
Contact name (applicable for companies)	Leigh Wiggins	
Postal address (P.O. Box or street address)	Lot 44, Julia Cl	
Suburb	WONGA BEACH	
State	QLD	
Postcode	4873	
Contact number	na	
Email address (non-mandatory)	leiwig12@gmail.com	
Mobile number (non-mandatory)	0487 941 931	
Fax number (non-mandatory)	na	

15) Builder's details

Tick if a builder has not yet b information.	een engaged to undertak	e the work and proceed to 16)	. Otherwise provide the following	
Name(s) (individual or company full n	ame) Leigh Wig	ıgins		
Contact name (applicable for compa	anies) Leigh Wig	Igins		
QBCC licence or owner – builde	er number			
Postal address (P.O. Box or street a	address) Lot 44, Ju	lia Cl		
Suburb	WONGA	BEACH		
State	QLD			
Postcode	4873			
Contact number	na			
Email address (non-mandatory)	leiwig12@)gmail.com		
Mobile number (non-mandatory)	0487 941	931		
Fax number (non-mandatory)	na			
16) Provide details about the proa) What type of approvals is be	· · · · · · · · · · · · · · · · · · ·			
Development permit	<u> </u>			
Preliminary approval				
b) What is the level of assessment?				
X Code assessment				
□ Impact assessment (requires public notification)				
c) Nature of the proposed building work (tick all applicable boxes)				
I New building or structure	☑ New building or structure □ Repairs, alterations or additions			
□ Change of building classification (involving building work) □ Swimming pool and/or pool fence				
□ Demolition □ Relocation or removal				
d) Provide a description of the work below or in an attached schedule.				
New Construction of Shed				
e) Proposed construction materials				
External walls	Double brick	☑ Steel	Curtain glass	
	□ Brick veneer	□ Timber		
	□ Stone/concrete	□ Fibre cement	□ Other	
Frame				
		I Steel	Aluminium	
	□ Other			
Floor	I Concrete	□ Timber	□ Other	
Roof covering	□ Slate/concrete	□ Tiles	□ Fibre cement	
	Aluminium	I Steel	□ Other	
f) Existing building use/classifica	ation? (if applicable)			

g) New building use/classification	on? (if applicable)		
10a			
h) Relevant plans <i>Note:</i> Relevant plans are required to b <u>Relevant plans.</u>	e submitted for all aspects of this development a	oplication. For further information, see <u>DA Forms Guide:</u>	
Relevant plans of the proposed works are attached to the development application			
17) What is the monetary value	e of the proposed building work?		
\$60,000.00			
18) Has Queensland Home Wa	arranty Scheme Insurance been paid?		
□ Yes – provide details below			
🗆 No			
A second second at	Data waid (ddd/wawa (ww)	Defense a number	

Amount paid	Date paid (dd/mm/yy)	Reference number
\$		

PART 6 – CHECKLIST AND APPLICANT DECLARATION

19) Development application checklist	
The relevant parts of Form 2 – Building work details have been completed	🗶 Yes
This development application includes a material change of use, reconfiguring a lot or operational work and is accompanied by a completed <i>Form 1 – Development application details</i>	□ Yes ℤ Not applicable
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 <u>DA Forms Guide: Relevant plans</u>	🗷 Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued	□ Yes ℤ Not applicable

20) 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 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 7 –FOR COMPLETION BY THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

Date received:	Reference	numbers	:	
For completion by the building of	certifier			
Classification(s) of approved bu	uilding work			
10a		1		
		QBCC numbe	Certification Licence r	QBCC Insurance receipt number
GMA Certification Group				
Notification of engagement of a Prescribed assessment manag		sessmen	t manager	
Name of chosen assessment m				
Date chosen assessment manager engaged				
Contact number of chosen asse				
Relevant licence number(s) of a manager	chosen assessmen	t		
Additional information required		ment		
Confirm proposed construction	materials:			
	Double brick		IX Steel	Curtain glass
External walls	□ Brick veneer		□ Timber	🗆 Aluminium
	□ Stone/concrete		□ Fibre cement	□ Other
F	□ Timber		I Steel	Aluminium
Frame	□ Other			
Floor	I Concrete		□ Timber	□ Other
Roof covering	□ Slate/concrete	•	□ Tiles	Fibre cement
	Aluminium		I Steel	□ Other
QLeave notification and paym Note: For completion by assessment m				
Description of the work				
QLeave project number				
Amount paid (\$)			Date paid (dd/mm/yy)	
Date receipted form sighted by assessment manager				

Additional building details required for the Australian Bureau of Statistics				
Existing buildin	g use/classification? (if applicable)			
New building us	se/classification?	10a		
Site area (m ²)	1076	Floor area (m ²)	90	

Name of officer who sighted the form

Referral checklist for building work

This referral checklist is required where any aspect of building work for a development application requires referral as identified in *DA Form 2 – Building work details*.

All relevant referral requirements for the development application are to be identified on this checklist. This checklist is to accompany *DA Form 2 – Building work details* for all development applications for building work that require referral.

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

1) Referral requirements relevant to any building work identified on <i>DA Form 2 – Building work details</i> <i>Note:</i> The Planning Regulation 2017 will determine if referral is required for a development application.
Matters requiring referral to the Chief Executive of the Planning Act 2016:
Declared fish habitat area
State transport corridor
Future State transport corridor
Queensland heritage place
Koala habitat in SEQ region
Matters requiring referral to the local government :
Particular class 1 and 10 buildings and structures involving possible amenity and aesthetic impacts
Particular buildings for residential purposes
Design and siting
Fire safety in particular budget accommodation buildings
Higher risk personal appearance services
Building work for residential services
Building work for removal or rebuilding
Building work for particular class 1 buildings relating to material change of use
Temporary accommodation buildings
Building work relating to end of trip facilities for Queensland Development Code, part 4.1
Building work for class 1 building on premises with on-site wastewater management system
Flood hazard area
Local heritage place
Matters requiring referral to the Queensland Fire and Emergency Service:
Fire safety systems – special fire services required or alternative solution proposed
Fire safety systems – budget accommodation building
Fire safety systems – residential care building
Water-based fire safety installations
Fire safety for farm buildings
Matters requiring referral to Safe Food Production QLD:
Retail meat premises
Matters requiring referral to the Chief Health Officer under the Hospital and Health Boards Act 2011:
Private health facilities
Matters requiring referral to the Chief Executive of the Pastoral Workers' Accommodation Act 1980:
Pastoral workers' accommodation
Matters requiring referral to the relevant service provider:
Building work over or near relevant infrastructure relating to Queensland Development Code, part 1.4

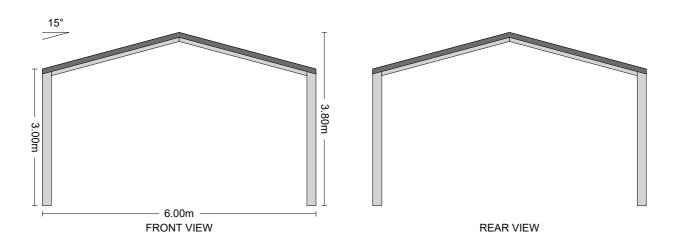


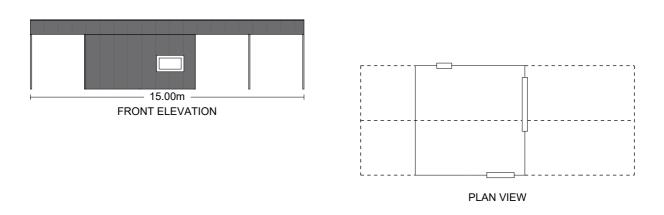
YOUR SHED

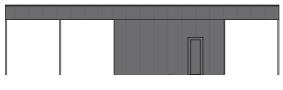


LEE WIGGIN QUOTE NO: 352037 DATE: 04/07/2022 VALID: 14 Days

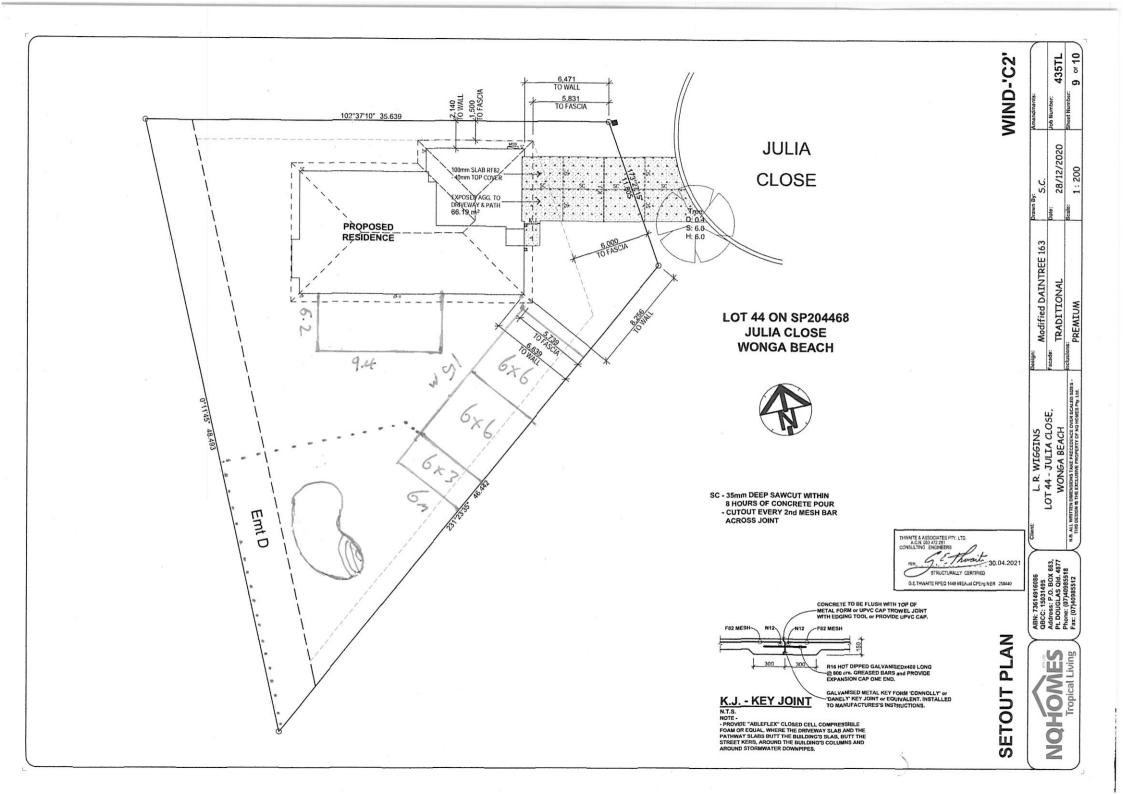
SHEDBOSS ATHERTON







REAR ELEVATION



BUILDING SURVEYORS A.C.N 150 435 617



Leaders in Building Certification Services

Port Douglas Office P: 07 4098 5150 F: 07 4098 5180 E: adminpd@gmacert.com.au Unit 5, Owen Street Craiglie Business Park Craiglie PO Box 2760 Nerang QLD 4211

03 Aug 2022

Leigh Wiggins Lot 44, Julia Cl WONGA BEACH QLD 4873

Dear Leigh

Confirmation notice

Re: GMA Certification Group Ref No. 20220596 Lot 44 on SP 204468 10 Julia CI WONGA BEACH 10 4873 Development Permit for Building Works for New Construction of Shed & New Construction of Patio

The development application described above was properly made to the GMA Certification Group on 14 Feb 2022

Public notification details

Part 4 of the Development Assessment Rules is not applicable to this development application.

Referral details

Part 2 of the Development Assessment Rules is applicable. GMA, as the assessment manager intent to make an information request (where applicable) and the applicant has not indicated that they do not wish to receive an information request.

The development application must be referred to all relevant referral agency(s) within 10 business days starting the day after receiving this notice, or a further period agreed with the assessment manager; otherwise the application will lapse under section 31 of the Development Assessment Rules.

Yours sincerely

Daniel Cobain