



52 Kingfisher Lane, Whyanbeel
Lot 3 on RP742708

TOWN PLANNING REPORT

DWELLING HOUSE (INCLUDING
SECONDARY DWELLING AND ASSOCIATED
BUILDINGS / STRUCTURES)

Applicant:
Kaigui (David) Zheng
C/- wildPLAN Pty Ltd



A PROJECT CONTACT DETAILS

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B DOCUMENT INFORMATION

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SCHEDULES

Schedule 1	Searches
Schedule 2	SARA DA Report
Schedule 3	Proposal Plans
Schedule 4	Code Responses
Schedule 5	DA Form 1

1. SUMMARY

1.1 SITE DETAILS

Site address:	52 Kingfisher Lane, Whyanbeel Queensland
Real property description:	Lot 3 on RP742708
Site area:	122,990 m ²
Existing land use:	Dwelling House

1.2 KEY PARTIES TO DEVELOPMENT APPLICATION

Applicant:	Kaigui (David) Zheng C/- wildPLAN Pty Ltd
Owner(s):	Kaigui Zheng Refer Schedule 1 – Searches
Assessment manager:	Dougals Shire Council
Referral Agencies	N/A

1.3 DEVELOPMENT APPLICATION DETAILS

Proposed development:	Material Change of Use and Building Work Assessable Against the Planning Scheme (Dwelling House)
Type of approval sought:	Development Permit
Level of assessment:	Code Assessment ¹
Notification required:	No
Referral required:	No

1.4 STATE PLANNING INSTRUMENT MATTERS

State Matters of Interest	<ul style="list-style-type: none"> Regulated vegetation management map (Category A and B extract) (Refer Schedule 2 – SARA DA Report)
Applicable SDAP Codes	N/A
Regional Plan:	<i>Far North Queensland Regional Plan 2009–2031</i>
Regional Plan Designation:	Regional Landscape and Rural Production Area

¹ Dwelling House Development (as a Material Change of Use and/or Building Work) is 'Self Assessable' in the applicable Zone; however, the proposed development does not comply with all relevant assessment benchmarks of the applicable codes. The development application therefore triggers Code Assessment.

1.5 LOCAL PLANNING INSTRUMENT MATTERS

Planning Scheme:	Douglas Shire Planning Scheme 2018
Amendment:	N/A
TLPIs:	N/A
Zone:	Rural Zone
Local Plan:	N/A
Overlays²:	<p>Overlays affecting the site:</p> <ul style="list-style-type: none"> • Bushfire Hazard Overlay <ul style="list-style-type: none"> ◦ Potential Impact Buffer ◦ Very High Potential Bushfire Intensity ◦ High Potential Bushfire Intensity ◦ Medium Potential Bushfire Intensity • Flood and Storm Tide Inundation Overlay <ul style="list-style-type: none"> ◦ Floodplain Assessment Overlay – Daintree River • Hillslopes Overlay <ul style="list-style-type: none"> ◦ Area Affected by Hillslopes • Landscape Values Overlay <ul style="list-style-type: none"> ◦ High Landscape Values • Potential Landslide Hazard Overlay <ul style="list-style-type: none"> ◦ High & Medium Hazard Risk • Natural Areas Overlay <ul style="list-style-type: none"> ◦ MSES – Regulated Vegetation (intersecting a watercourse) ◦ MSES - Wildlife Habitat ◦ MSES Regulated Vegetation • Transport Road Hierarchy <ul style="list-style-type: none"> ◦ Minor Rural Road
Assessment requirements³:	<p>Applicable assessment benchmarks include:</p> <ul style="list-style-type: none"> • Rural zone code • Bushfire hazard overlay code • Flood and storm tide hazard overlay code • Hillslopes overly code • Natural areas overlay code • Potential landslide hazard overlay code • Dwelling house code • Access, parking and services code • Filling and Excavation code

² Overlays that affect the site. The applicability of overlays is discussed in the Planning Report (refer **Section 5.4**).

³ The applicability of codes is discussed in **Section 5.6** of this Town Planning Report.

1.6 APPLICABLE FEES AND CHARGES

The fee for the Development Application is identified to be **\$716.00**, pursuant to the Douglas Shire Council 2024/25 Fees and Charges Schedule. Refer **Table 1-6** for details.

TABLE 1-6 FEES AND CHARGES

Aspect of development	Development Type	Level of assessment	Fee	Discount	Fee Payable
Material Change of Use	Dwelling House, including any secondary dwelling (class 1 and class 10a buildings)	Code	\$358.00	No	\$358.00
Building Work Assessable Against the Planning Scheme	Domestic & Minor Development	Code	\$358.00	No	\$358.00
Total:					\$716.00

2. SITE DETAILS

Development is proposed on land located at 52 Kingfisher Lane, Whyanbeel. The site comprises a land area of 122,990m² (12.299 ha) and a frontage of approximately 30 metres to the terminus of Kingfisher Lane.

The site is presently improved by a Dwelling House⁴, which is situated within the western part of the site. The dwelling adjoins a turfed area to the west, which includes landscaping and scattered vegetation (not identified as remnant or significant).

Formal access to the dwelling is achieved via existing driveway and crossover from Kingfisher Lane. The eastern part of the site is dominated by significant (Category B) Regulated Vegetation. A natural ephemeral watercourse facilitates natural drainage from the upper elevations in the north toward Whyanbeel Creek in the southwest.

The site is not within the Priority Infrastructure Area (PIA), and is therefore not within an area serviced by Council's reticulated water supply or sewer networks.

Whyanbeel is a rural locality characterised by low-lying, narrow tracts of land, predominantly developed for agricultural and residential purposes. Adjoining the site to the north and east is the densely vegetated, mountainous terrain of the Daintree National Park (Cape York Peninsula Aboriginal Land). To the south and west of the site, numerous other residential lifestyle lots are noted to exist along Kingfisher Lane and Whyanbeel Road.

The site is located 7.7 kilometres (direct route) west of the Mossman Daintree Road. Mossman, being the closest township, is located approximately 9 kilometres southeast of the site.



FIGURE 1 **SITE LOCATION**
SOURCE: GOOGLE, 2024

⁴ The existing Dwelling House comprises four (4) bedrooms, three (3) bathrooms, single car garage and a swimming pool.



FIGURE 2 **AERIAL IMAGE OF SITE**
SOURCE: QUEENSLAND GLOBE, 2024

2.1 SITE FEATURES

TABLE 2-1 SITE CHARACTERISTICS AND SUPPORTING INFRASTRUCTURE

Site Characteristic	Description
Site area	122,990m ²
Existing land use	Dwelling House
Infrastructure	
• Access	Access to the site is achieved via Kingfisher Lane, which is a Minor Rural Road. An access driveway, approximately 280 metres in length, facilitates internal access to the dwelling on the premises.
• Services	The site is connected to the electricity and telecommunication networks. The site is not within an area that is serviced by Council's reticulated water and sewer networks.

Site Characteristic	Description
Environment	
<ul style="list-style-type: none"> Topography 	<p>The site is characterised by a steeply sloping terrain that falls toward the southwest. A ridgeline with a maximum elevation of approximately 151 metres Australian Height Datum (AHD) (forming part of the broader topographical context of the Daintree National Park) exits toward the eastern boundary. This part of the terrain is shaped by gullies and tributaries to the Whyanbeel Creek, which are centrally located within the site.</p> <p>The gradient decreases to a gentle slope toward the western part of the site, where existing residential uses are located. The lowest elevation of the land is approximately 25 metres AHD at the southwestern boundary.</p>
<ul style="list-style-type: none"> Vegetation 	<p>The site is densely vegetated, most of which is native vegetation regulated by the <i>Vegetation Management Act 1999</i>. Category B Regulated Vegetation dominates in the central and eastern parts of the site. Two small pockets of Category X and Category R Vegetation are located toward the western site boundary, including areas cleared for existing residential development.</p> <p>Refer Figure 2 and Schedule 2 – SARA DA Report.</p>
<ul style="list-style-type: none"> EMR/CLR 	<p>The site is not listed on the EMR / CLR (refer Schedule 1 – Searches)</p>
Other	
<ul style="list-style-type: none"> Easements 	<p>The site is not burdened, nor benefitted, by any easements.</p> <p>Refer Schedule 1 – Searches</p>

3. PROPOSED DEVELOPMENT

3.1 PROPOSED DEVELOPMENT

The Applicant seeks a Development Permit for Material Change of Use and Building Work (Assessable Against the Planning Scheme) to facilitate Dwelling House development at the site, as further described below.

Relevant Planning Scheme definitions for the proposed development are as follows:

Dwelling House

A residential use of premises for one household that contains a single dwelling.

The use includes domestic outbuildings and works normally associated with a dwelling and may include a secondary dwelling.

Secondary Dwelling⁵

A dwelling used in conjunction with, and subordinate to, a dwelling house on the same lot.

A secondary dwelling may be constructed under a dwelling house, be attached to a dwelling house or be free standing.

Household*⁶

An individual or a group of two or more related or unrelated people who reside in the dwelling, with the common intention to live together on a long-term basis and who make common provision for food or other essentials for living.

Domestic outbuilding*

A Class 10a building, as defined in the Building Code of Australia, that is ancillary to a residential use on the same premises and is limited to nonhabitable buildings for the purpose of a shed, garage and carport.

*Note – * Denotes a Queensland Planning Provisions (QPP) mandatory administrative definition.*

3.1.1 DWELLING HOUSE

A detailed description of the proposed Dwelling House development is provided following:

Bedrooms 5 – 8

The proposal seeks to facilitate Dwelling House extensions in the form of four (4), single bedroom detached pavilions (36m² GFA each), located adjacent to (and southeast of) the existing dwelling, and directly accessible from the existing driveway. Each bedroom includes an ensuite and balcony with views to the southwest.

⁵ The *Planning Regulation 2017* definition for 'secondary dwelling' prevails to the extent of any inconsistency: **secondary dwelling** means a dwelling on a lot that is used in conjunction with, but subordinate to, another dwelling on the lot, whether or not the dwelling is— (a) attached to the other dwelling; or (b) occupied by individuals who are related to, or associated with, the household of the other dwelling.

⁶ The *Planning Regulation 2017* definition for household prevails to the extent of any inconsistency: **household** means 1 or more individuals who live together in a dwelling

Secondary Dwelling

A Secondary Dwelling is also proposed within the turfed area, to the southwest of the existing dwelling. The Secondary Dwelling comprises a single bedroom with ensuite, indoor and outdoor living and dining spaces, kitchen, double garage and landscaped areas.

Recreation Spaces

Further to the southwest, multiple ancillary recreation spaces are proposed. The recreation room includes an indoor entertainment area with a cooking and washup area, bathroom facilities (one with a sauna and spa, and one designated for persons with disabilities) and multiple storage spaces. An internal staircase facilitates access to a ceiling cavity providing additional storage space. Bifold doors on the north and western side of the building provide opportunity to open the internal space to an adjoining covered outdoor area that also includes barbecue facilities.

An outdoor sand volleyball court and tennis court are also proposed, directly in front of the recreation room.

Shed

A new shed (class 10a building) is proposed to be constructed adjacent to the southern boundary of the site. The shed comprises a workshop space, inclusive of a triple car garage and bathroom facilities, and is adjoined by a triple car port and undercover work area.

3.1.2 PARKING AND ACCESS

The existing driveway is proposed to be retained as the primary point of access from Kingfisher Lane to the existing Dwelling House and the proposed additional bedrooms. Opportunities for car parking are provided via a single car garage (forming part of the existing dwelling), and tandem parking within the driveway.

The development requires the construction of several bitumen extensions from the main driveway to provide vehicular access to the Secondary Dwelling, recreation room and shed.

Additional opportunities for car parking are provided within the double garage forming part of the Secondary Dwelling, and the shed, which has the capacity to accommodate six (6) additional vehicles. Refer to **Schedule 3 – Proposal Plans** for further detail.

3.1.3 SITE WORKS

The development follows the natural contours of the site, via the siting of buildings and structures within areas of reduced gradient, in seeking to limit the requirement for earthworks to the greatest extent practicable. Excavation and filling will however be required to facilitate level building pads for construction of the Secondary Dwelling, recreation room, outdoor courts and shed. Approximate extents of earthworks proposed are identified on the Proposal Plans within **Schedule 3**.

The development requires the clearing of some vegetation, which will be limited to select trees as identified on the Proposal Plans. The removal of significant vegetation (as regulated by the State) is not proposed⁷.

Existing vegetation on the site, comprising remnant and non-remnant vegetation, fruit trees and landscaping will otherwise be retained. Additional landscaping is proposed attending to the Secondary Dwelling only.

⁷ Notwithstanding, the proposed development involves exempt clearing: residential clearing.

3.1.4 STAGING

The development is proposed to be carried out over four (4) consecutive stages as detailed in **Table 3-1**.

Refer to **Figure 3, Figure 4, Figure 5, Table 3-1** and **Schedule 3** for further detail.



FIGURE 3 **PROPOSAL PLAN EXTRACT: SITE PLAN**
SOURCE MARK DAVIES DESIGN AND DRAFTING, 2025



FIGURE 4 **PROPOSAL PLAN EXTRACT: PAVILIONS – SOUTH WEST ELEVATION**
 SOURCE MARK DAVIES DESIGN AND DRAFTING, 2025



FIGURE 5 **PROPOSAL PLAN EXTRACT: ISOMETRIC CONCEPT**
 SOURCE MARK DAVIES DESIGN AND DRAFTING, 2025

3.2 DEVELOPMENT SUMMARY

TABLE 3-1 DEVELOPMENT SUMMARY

Material Change of Use / Building Work (Dwelling House)	
Stage 1	Shed
GFA	246m ²
Max. Building Height	5.6 metres
Min. Setback	6 metres from southern site boundary
Access	Eastward extension (~50 metres) from southern section of driveway proposed
Stage 2	Bedrooms 5 – 8
Bedrooms	Four (4)
GFA	36m ² per standalone bedroom (144 m ² total)
Max. Building Height	4.11 metres
Min. Setback	~100 metres from western site boundary
Access	Existing driveway to Dwelling House (no change)
Stage 3	Secondary Dwelling
Bedrooms	One (1)
GFA	80.4m ²
Max. Building Height	3.62 metres
Min. Setback	~83 metres from western site boundary
Access	Northwest extension (~30 metres) from upper section of driveway proposed
Stage 4	Recreation Room
GFA	248m ²
Max. Building Height	6.9 metres
Min. Setback	~67 metres from western site boundary
Access	Northwest extension (~50 metres) from upper/mid section of driveway proposed

3.3 INFRASTRUCTURE CHARGES

Douglas Shire Council levies infrastructure charges under its *Infrastructure Charges Resolution (No. 2) 2021* ('the Resolution'), which came into effect 1 March 2021.

Infrastructure Charges are identified in Table 1 of the Resolution.

Infrastructure Charges are not applicable to the proposed development.

4. STATE PLANNING MATTERS

4.1 PLANNING ACT 2016

The current version of the *Planning Act 2016* is **29 November 2024**.

4.2 PLANNING REGULATION 2017

The current version of the *Planning Regulation 2017* ('the Regulation') is **3 February 2025**.

4.2.1 PROHIBITED DEVELOPMENT

Schedule 10 of the Regulation identifies development that is prohibited development.

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

TABLE 4-1 PROHIBITED DEVELOPMENT IDENTIFIED IN PLANNING REGULATION 2017

Prohibited Development	Prohibition Description (Schedule 10)	Applicable (Y/N)
Brothels	Part 2, Division 1	N
Development in Caboolture West Investigation Area	Part 2A, Division 1	N
Clearing native vegetation other than for a relevant purpose	Part 3, Division	N
Environmentally relevant activities – development in North Stradbroke Island Region	Part 5, Division 1	N
Development interfering with koala habitat in koala priority area and koala habitat area	Part 10, Division 1	N
Noise sensitive place on noise attenuation land	Part 11	N
SEQ regional landscape and rural production area and SEQ rural living area – Reconfiguring a Lot	Part 16, Division 1	N
SEQ regional landscape and rural production area and SEQ rural living area (Community activity) – Residential Care Facility	Part 16, Division 3, Subdivision 1	N
SEQ regional landscape and rural production area and SEQ rural living area (Residential development)	Part 16, Division 5	N
SEQ regional landscape and rural production area and SEQ rural living area (Urban activity - Shopping Centre)	Part 16, Division 6, Subdivision 1	N
Wetland Protection Area – operational work in wetland protection area	Part 20, Division 1	N

4.2.2 REFERRALS

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

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

Table 4-2 and **Table 4-3** are referral checklists against the requirements of Schedule 9 and Schedule 10 and identifies that the subject development application is not subject to any referrals.

TABLE 4-2 REFERRALS IDENTIFIED IN SCHEDULE 9 OF THE PLANNING REGULATION 2017

Referral Aspect	Referral Requirement (Schedule 9)	Aspect of Development Trigger				Jurisdiction		Assessment Matter	Applicable (Y/N)
		OPW	ROL	MCU	BW	State	Other		
Premises seaward of coastal building line	Part 3, Division 1, Table 1, Item 1				•	•		SDAP	N
Declared fish habitat area	Part 3, Division 1, Table 2, Item 1				•	•		SDAP	N
State transport corridor	Part 3, Division 1, Table 3, Item 1				•	•		SDAP	N
Future State transport corridor	Part 3, Division 1, Table 4, Item 1				•	•		SDAP	N
Particular class 1 and 10 buildings and structures involving possible amenity and aesthetic impacts	Part 3, Division 2, Table 1, Item 1				•		•	Other ⁸	N
Particular buildings for residential purposes	Part 3, Division 2, Table 2, Item 1				•		•	Other ⁹	N
Design and siting	Part 3, Division 2, Table 3, Item 1				•		•	Other ¹⁰	N
Fire safety in particular budget accommodation buildings	Part 3, Division 2, Table 4, Item 1				•		•	Other ¹¹	N
Higher risk personal appearance services	Part 3, Division 2, Table 5, Item 1				•		•	Other ¹²	N
Building work for residential services	Part 3, Division 2, Table 6, Item 1				•		•	Other ¹³	N
Building work for removal or rebuilding	Part 3, Division 2, Table 7, Item 1				•		•	Other ¹⁴	N

⁸ Whether the building or structure will impact on the amenity or aesthetics of the locality, including, for example, whether the building or structure complies with a matter stated in a local instrument that regulates impacts on amenity or aesthetics

⁹ Whether the building is suitable for residential purposes

¹⁰ Whether the proposed building or structure complies with the performance criteria or qualitative statement stated in the paragraph

¹¹ Whether, after the building work is completed, the building will comply with the fire safety standard under the Building Act

¹² Whether the building work complies with the performance criteria stated in the Queensland Development Code, part 5.2 that are relevant to the acceptable solution

¹³ Whether, if the building work is carried out, the premises would comply with the Queensland Development Code, part 5.7

¹⁴ (a) Whether the local government should require security, of no more than the value of the building work, for the performance of the work (b) If security is required, the amount and form of security that is appropriate for the development

Referral Aspect	Referral Requirement (Schedule 9)	Aspect of Development Trigger				Jurisdiction		Assessment Matter	Applicable (Y/N)
		OPW	ROL	MCU	BW	State	Other		
Building work for particular class 1 buildings relating to Material Change of Use	Part 3, Division 2, Table 8, Item 1				•		•	Other ¹⁵	N
Temporary accommodation buildings	Part 3, Division 2, Table 9, Item 1				•		•	Other ¹⁶	N
Building work relating to end of trip facilities for Queensland Development Code, part 4.1	Part 3, Division 2, Table 10, Item 1				•		•	Other ¹⁷	N
Building work for class 1 building on premises with on-site wastewater management system	Part 3, Division 2, Table 11, Item 1				•		•	Other ¹⁸	N
Flood hazard area	Part 3, Division 2, Table 12, Item 1				•		•	Other ¹⁹	N

¹⁵ The relevant provisions of a local instrument that would apply for the application if schedule 6, part 2, section 2(2) did not apply for the material change of use

¹⁶ Whether the building work complies with performance criteria 1 of the Queensland Development Code, part 3.3

¹⁷ Whether the building work complies with performance criteria P12 of the Queensland Development Code, part 4.1

¹⁸ Whether the building work complies with the Queensland Plumbing and Wastewater Code, part 1, performance criteria P2

¹⁹ Matters stated in Part 3, Division 2, Table 12, Item 4

TABLE 4-3 REFERRALS IDENTIFIED IN SCHEDULE 10 OF THE PLANNING REGULATION 2017

Referral Aspect	Referral Requirement (Schedule 10)	Aspect of Development Trigger				Jurisdiction		SDAP Code / Assessment Matter	Applicable (Y/N)
		OPW	ROL	MCU	BW	State	Other		
Airport Land	Part 1, Division 3, Table 1, Item 1 - Column 2	•	•	•	•		•	Other ²⁰	N
Clearing native vegetation	Part 1, Division 4, Table 1-3, Item 1 – Column 2	•	•	•		•		16	N
Contaminated land	Part 4, Division 3, Table 1, Item 1 - Column 2		•	•		•		13 ²¹	N
Environmentally relevant activities	Part 5, Division 4, Table 1, Item 1 - Column 2			•			•	22	N
Fisheries (Aquaculture)	Part 6, Division 1, Subdivision 3, Table 1, Item 1 - Column 2			•		•		17	N
Fisheries (Declared Fish Habitat)	Part 6, Division 2, Subdivision 3, Table 1, Item 1 - Column 2	•				•		12	N
Fisheries (Marine Plants)	Part 6, Division 3, Subdivision 3, Table 1-2, Item 1 – Column 2	•	•	•		•		11	N
Fisheries (Waterway barrier works)	Part 6, Division 4, Subdivision 3, Table 1, Item 1 - Column 2	•				•		18	N
Hazardous chemical facilities	Part 7, Division 3, Table 1, Item 1 - Column 2			•		•		21	N
Heritage Places (Local heritage places)	Part 8, Division 1, Subdivision 3, Table 1, Item 1 - Column 2				•		•	Other ²²	N
Heritage Places (Queensland heritage place)	Part 8, Division 2, Subdivision 3, Table 1-2, Item 1 – Column 2	•	•	•	•	•		14	N

²⁰ The matters the Local Government as referral agency must be against include the impacts of the proposed development, identified by the local government, on land in its local government area, other than airport land.

²¹ Where for other than contamination because of unexploded ordnance, the Single Assessment Referral Agency (SARA) will assess contaminated land applications against the criteria in the Regulation.

²² For a local heritage place on the local government's local heritage register under the Heritage Act – assessment must be against the code in the *Queensland Heritage Regulation 2015*, schedule 2. For a local heritage place identified in the local government's planning scheme – the assessment must be against the relevant provisions of a local categorising instrument.

Referral Aspect	Referral Requirement (Schedule 10)	Aspect of Development Trigger				Jurisdiction		SDAP Code / Assessment Matter	Applicable (Y/N)
		OPW	ROL	MCU	BW	State	Other		
Infrastructure-related referrals (Designated premises)	Part 9, Division 1, Table 1, Item 1 - Column 2 (Assessable Development)	•	•	•	•	•		Other ²³	N
Infrastructure-related referrals (Electricity infrastructure)	Part 9, Division 2, Table 1-3, Item 1 - Column 2	•	•	•			•	Other ²⁴	N
Infrastructure-related referrals (Oil and gas infrastructure)	Part 9, Division 3, Table 1 - 3, Item 1 - Column 2	•	•	•		•		Other ²⁵	N
Infrastructure-related referrals (State transport infrastructure generally)	Part 9, Division 4, Subdivision 1, Table 1, Item 1 - Column 2	•	•	•		•		6	N
Infrastructure-related referrals (State transport corridors and future State transport corridor)	Part 9, Division 4, Subdivision 2, Table 1-6, Item 1 - Column 2	•	•	•		•		1, 2, 3, 4	N
Infrastructure-related referrals (State-controlled transport tunnels and future State-controlled transport tunnels)	Part 9, Division 4, Subdivision 3, Table 1-3, Item 1 - Column 2	•	•	•		•		5	N
Ports (Brisbane core port land)	Part 13, Division 1, Subdivision 2, Table 1			•			•	Other ²⁶	N
Ports (Brisbane core port land)	Part 13, Division 1, Subdivision 2, Table 2-11	•	•	•	•	•		1 ²⁷ , 22, 8, 21, 10, 20, 12	N
Ports (Land within Port of Brisbane's port limits—referral agency's assessment)	Part 13, Division 2, Table 1, Item 1 - Column 2	•	•	•		•		8	N
Ports (Land within Port of Brisbane's port limits—referral agency's assessment)	Part 13, Division 2, Table 2, Item 1 - Column 2	•	•	•			•	Other ²⁸	N

²³ The referral agency's assessment must have regard to the designation.

²⁴ The referral agency's assessment must be against the purposes of the Electricity Act and the Electrical Safety Act.

²⁵ The referral agency's assessment must be against the purposes of the Petroleum and Gas Act.

²⁶ The matters Brisbane City Council assessment as referral agency must be against include the impacts of the proposed development, identified by the council, on land in its local government area, other than Brisbane core port land.

²⁷ Where involving development that is inconsistent with Brisbane port LUP for transport reasons the matters the referral agency must be against include 'the transport reasons'.

²⁸ The referral agency's assessment must be against the safety and operational integrity of the port.

Referral Aspect	Referral Requirement (Schedule 10)	Aspect of Development Trigger				Jurisdiction		SDAP Code / Assessment Matter	Applicable (Y/N)
		OPW	ROL	MCU	BW	State	Other		
Ports (Land within limits of another port – assessable development)	Part 13, Division 3, Table 1, Item 1 – Column 2	•	•	•			•	Other ²⁹	N
Ports (Strategic port land)	Part 13, Division 5, Subdivision 3, Table 1, Item 1 – Column 2	•	•	•		•		Other ³⁰	N
SEQ Development Area (Reconfiguring a lot – referral agency's assessment)	Part 15, Division 1, Table 1, Item 1 – Column 2		•			•		Other ³¹	N
SEQ Development Area (Material Change of Use)	Part 15, Division 2, Subdivision 3, Table 1, Item 1 – Column 2			•		•		Other ³²	N
SEQ regional landscape and rural production area and SEQ rural living area (Tourist or sport and recreation activity)	Part 16, Division 2, Subdivision 3, Table 1, Item 1 – Column 2			•		•		Other ³³	N
SEQ regional landscape and rural production area and SEQ rural living area (Community activity)	Part 16, Division 3, Subdivision 4, Table 1, Item 1 – Column 2			•		•		Other ³⁴	N
SEQ regional landscape and rural production area and SEQ rural living area (Indoor recreation)	Part 16, Division 4, Subdivision 3, Table 1, Item 1 – Column 2			•		•		Other ³⁵	N
SEQ regional landscape and rural production area and SEQ rural living area (Urban activity - biotechnology industry / service station / another urban activity)	Part 16, Division 6, Subdivision 4, Table 1, Item 1 – Column 2			•		•		Other ³⁶	N

²⁹ The referral agency's assessment must be against the port authority functions under the Transport Infrastructure Act, Chapter 8, part 3.

³⁰ The referral agency's assessment must be against the Transport Infrastructure Act, section 287A.

³¹ The referral agency's assessment must be against whether the development is consistent with the future planning intent for the area in which the premises are located.

³² As stated in Part 15, Division 2, Subdivision 3, Table 1, Item 4

³³ As stated in Part 16, Division 2, Subdivision 3, Table 1, Item 4

³⁴ As stated in Part 16, Division 3, Subdivision 4, Table 1, Item 4

³⁵ As stated in Part 16, Division 4, Subdivision 3, Table 1, Item 4

³⁶ As stated in Part 16, Division 6, Subdivision 4, Table 1, Item 4

Referral Aspect	Referral Requirement (Schedule 10)	Aspect of Development Trigger				Jurisdiction		SDAP Code / Assessment Matter	Applicable (Y/N)
		OPW	ROL	MCU	BW	State	Other		
SEQ regional landscape and rural production area and SEQ rural living area (Combined uses – community activity / indoor recreation / sport and recreation / tourist activity / urban activity)	Part 16, Division 7, Subdivision 3, Table 1, Item 1 – Column 2			•		•		Other ³⁷	N
Tidal works or work in a coastal management district	Part 17, Division 3, Table 1-6, Item 1 – Column 2	•	•	•		•		7, 8	N
Urban design	Part 18			•		•		24	N
Water related development (Taking or interfering with water)	Part 19, Division 1, Subdivision 3, Table 1, Item 1 – Column 2	•				•		10	N
Water related development (Removing quarry material)	Part 19, Division 2, Subdivision 3, Table 1, Item 1 – Column 2	•				•		15	N
Water related development (Referable dams)	Part 19, Division 3, Subdivision 3, Table 1, Item 1 – Column 2	•				•		20	N
Water related development (Levees)	Part 19, Division 4, Subdivision 3, Table 1, Item 1 – Column 2	•				•		19	N
Wetland Protection Area	Part 20, Division 4, Table 1-2, Item 1 – Column 2	•	•	•		•		9	N

³⁷ As stated in Part 16, Division 7, Subdivision 3, Table 1, Item 4

4.3 STATE PLANNING POLICY

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

The *Douglas Shire Planning Scheme 2018* is noted to appropriately integrate all state interests of the April 2016 SPP. Further assessment against the SPP is therefore not required.

4.4 REGIONAL PLAN

The *Far North Queensland Regional Plan 2009 - 2031* ('the Regional Plan') is relevant to the site. The site is identified as being within the 'Regional Landscape and Rural Production Area' ('RLRPA') regional land use designation. The Regional Plan states the following in relation to the intent of the RLRPA:

"The regional landscape and rural production area (RLRPA) includes lands that have regional landscape, rural production or other non-urban values, and protects these areas from encroachment by inappropriate development, particularly urban or rural residential development."

Regional Plan mapping identifies that the Douglas Shire predominantly comprises the RLRPA land use designation, with the exception of Port Douglas, Mossman and several coastal localities identified within the Urban Footprint.

The proposal is not considered to be in conflict with the intent of the RLRPA, since the development:

- Does not change the existing residential (Dwelling House) use of the site;
- Does propose fragmentation of the land;
- Does not involve clearing of significant vegetation or essential habitat; and
- Is not expected to adversely impact the landscape values of the site and surrounding locality.

Section 2.2 of the Planning Scheme states that *"The minister has identified that the planning scheme appropriately advances the Far North Queensland Regional Plan 2009-2031, as it applies in the planning scheme area."* Therefore, further assessment of the proposed development against the Regional Plan has not been undertaken.

5. LOCAL PLANNING MATTERS

The *Douglas Shire Planning Scheme 2018* ('the Planning Scheme') is the current local planning instrument applicable within the Douglas Shire. The current version of the Planning Scheme is version 1.0, which commenced 2 January 2018.

5.1 COUNCIL PRE-LODGEEMENT ADVICE

wildPLAN sought advice and feedback from Council Officers in respect to a preliminary concept of the proposed development, prior to lodgement of the Development Application. In correspondence dated 12 December 2024 Council noted (among other matters) the following points of relevance:

- *"As the Dwelling house preceded the 2018 Planning Scheme, the continuing use rights as a Dwelling House, is considered by Council, to be maintained provided such use is consistent with the 2016 Planning Scheme definition of a household. In this circumstance, where there is no short-term accommodation use, a Development Permit for Building Work Made Assessable Against the Planning Scheme is required."*
And
- *"No overall concern has been identified with the proposed development."*

Whilst Council advice identified that assessment of the proposed development could fall under an application for Building Work (Assessable Against the Planning Scheme), wildPLAN considers that the development aligns with the Planning Act definition of Material Change of Use (emphasis added):

"material change of use, of premises, means any of the following that a regulation made under section 284(2)(a) does not prescribe to be minor change of use—

- (a) the start of a new use of the premises;*
- (b) the re-establishment on the premises of a use that has been abandoned;*
- (c) a material increase in the intensity or scale of the use of the premises."*

Accordingly, the Development Application seeks a combined approval for Building Work and Material Change of Use, as further detailed in Section 5.5 below.

5.2 ZONE

The site is located within the Rural Zone.

5.3 LOCAL PLAN

The site is not located within a Local Plan area

5.4 OVERLAYS

The site is subject to the following overlays:

- Bushfire Hazard Overlay
 - Potential Impact Buffer
 - Very High Potential Bushfire Intensity
 - High Potential Bushfire Intensity
 - Medium Potential Bushfire Intensity
- Flood and Storm Tide Inundation Overlay
 - Floodplain Assessment Overlay – Daintree River
- Hillslopes Overlay

- Area Affected by Hillslopes
- Landscape Values Overlay
 - High Landscape Values
- Potential Landslide Hazard Overlay
 - High & Medium Hazard Risk
- Natural Areas Overlay
 - MSES – Regulated Vegetation (intersecting a watercourse)
 - MSES - Wildlife Habitat
 - MSES Regulated Vegetation
- Transport Road Hierarchy
 - Minor Rural Road.

5.5 CATEGORIES OF DEVELOPMENT AND ASSESSMENT

Pursuant to Table 5.6.j of the Planning Scheme, Dwelling house development (whether as a Material Change of Use or for Building Work) is categorised as Self-Assessable (Accepted) development within the Rural Zone, subject to the requirements of the applicable codes.

The proposed development does not comply with a number of self-assessable Acceptable Outcomes of the relevant codes, therefore the Development Application triggers Code Assessment.

5.6 CODE COMPLIANCE

The following codes apply to the assessment of the proposed development:

- Rural zone code;
- Bushfire hazard overlay code;
- Flood and storm tide hazard overlay code;
- Hillslopes overly code;
- Natural areas overlay code;
- Potential landslide hazard overlay code;
- Dwelling house code;
- Access, parking and services code; and
- Filling and Excavation code.

A detailed assessment against the applicable codes is provided in **Schedule 4**.

5.6.1 ALTERNATIVE SOLUTIONS

Alternative Solutions (Performance Solutions) provided in respect to Acceptable Outcomes are detailed in **Table 5-1**.

TABLE 5-1 ALTERNATIVE SOLUTIONS

Acceptable Outcome	Performance Solution
--------------------	----------------------

8.2.2 Bushfire Hazard Overlay Code

AO10

Buildings or building envelopes are separated from hazardous vegetation by a distance that:

- achieves a radiant heat flux level of at any point on the building or envelope respectively, of 10kW/m² for a vulnerable use or 29kW/m² otherwise; and
- is contained wholly within the development site.

Performance Solution (Complies)

Proposed bedrooms 5 – 8 will be located at the perimeter of hazardous vegetation (identified as being very high potential bushfire intensity on the Bushfire Hazard Overlay). We note that the siting of the additional bedrooms is a similar distance to the vegetation of concern as the existing dwelling.

A Bushfire Attack Level (BAL) rating will be assigned to the relevant components of the development at the building certification stage. The development will incorporate the necessary building design principles and materials and will comply with the relevant construction standards as applicable to the BAL rating. The Applicant is willing to accept a condition of approval to this effect.

Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation.

For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages.

Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.

PO10

Development is located and designed to ensure proposed buildings or building envelopes achieve a radiant heat flux level at any point on the building or envelope respectively, of:

- 10kW/m² where involving a vulnerable use; or
- 29kW/m² otherwise.

Acceptable Outcome	Performance Solution
<p>The radiant heat flux level is achieved by separation unless this is not practically achievable.</p> <p>Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.</p> <p>A011</p> <p>Development sites are separated from hazardous vegetation by a public road or fire trail which has:</p> <ul style="list-style-type: none"> (a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (f) a maximum gradient of 12.5%; (g) a cross fall of no greater than 10 degrees; (h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy; (i) vehicular access at each end which is connected to the public road network which is connected to the public road network at intervals of no more than 500m; (j) designated fire trail signage; (k) if used, has gates locked with a system authorised 	<p>Performance Solution (Complies)</p> <p>The existing driveway is proposed to be retained to facilitate safe evacuation and emergency vehicle access to/from the developed (and developable) part of the site.</p> <p>The existing driveway comprises a bitumen-sealed width of approximately 4 metres and is therefore understood to be capable of accommodating fire-fighting appliances that service the area.</p> <p>We note that hazardous vegetation on the site is predominantly located along the northern site boundary and within the eastern (upper elevations) of the site. The existing driveway therefore forms a buffer between existing and proposed development on the site, and is understood to comply with PO11 on this basis.</p>

Acceptable Outcome	Performance Solution
(l) by Queensland Fire and Emergency Services; and if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.	

PO11

A formed, all weather fire trail is provided between the hazardous vegetation and the site boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area.

However, a fire trail will not be required where it would not serve a practical fire management purpose.

Note - Fire trails are unlikely to be required where a development site involves less than 2.5ha

AO12

Private driveways:

- do not exceed a length of 60m from the street to the building;
- do not exceed a gradient of 12.5%;
- have a minimum width of 3.5m;
- have a minimum of 4.8m vertical clearance;
- accommodate turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and
- serve no more than 3 dwellings or buildings.

Performance Solution (Complies)

The existing driveway (approximately 280 metres in length) that provides access from Kingfisher Lane to the existing dwelling is proposed to be retained without alteration. The development also incorporates several minor driveway extensions of varying lengths to facilitate access to aspects of the development as proposed by this application.

The proposed extensions to the driveway will comply with the gradient, width, vertical clearance, vehicle turning requirements and number of serviceable buildings specified by AO12.

Vehicular access is considered to comply with PO12 given the location of hazardous vegetation relevant to proposed development, the siting of development, existing site conditions, and the form of the driveway (existing and proposed).

PO12

All premises are provided with vehicular access that enables safe evacuation for occupants and easy access by fire fighting appliances.

Acceptable Outcome	Performance Solution
8.2.4 Flood and Storm Tide Hazard Overlay Code	
<p>AO1.1</p> <p>Development is sited on parts of the land that is not within the Flood and Storm tide hazards overlay maps contained in Schedule 2;</p> <p>PO1</p> <p>Development is located and designed to:</p> <p>ensure the safety of all persons;</p> <p>minimise damage to the development and contents of buildings;</p> <p>provide suitable amenity;</p> <p>minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events.</p> <p>Note – For assessable development within the flood plain assessment sub-category, a flood study by a suitably qualified professional is required to identify compliance with the intent of the acceptable outcome.</p> <p>AO1.3</p> <p>New buildings are:</p> <ol style="list-style-type: none"> not located within the overlay area; located on the highest part of the site to minimise entrance of flood waters; provided with clear and direct pedestrian and vehicle evacuation routes off the site. <p>AO1.4</p> <p>In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.</p>	<p>Performance Solution (Complies)</p> <p>The development proposes to establish non-habitable buildings/structures only within the mapped flood hazard area (being the Floodplain Assessment Overlay):</p> <ul style="list-style-type: none"> Recreation room; Outdoor courts; and Shed. <p>Regarding the above we advise:</p> <ul style="list-style-type: none"> The development will not have an impact on the safety of people, as the buildings and structures are non-habitable and for recreation purposes only; The buildings and recreation spaces will be constructed to a high standard with durable materials designed to reasonably withstand potential flood impacts; Internal shelving and ample storage spaces (including a ceiling cavity within the recreation room) within the buildings will facilitate the storage of goods at an appropriate height above ground level (and the defined inundation event). <p>We also note that a portion of the secondary dwelling (i.e. the balcony) is identified within the flood hazard area. However, the affected part of the building will be elevated on posts so that the finished floor level is equivalent to that of the unaffected part of the building (39.6 metres AHD).</p> <p>Performance Solution (Complies)</p> <p>The development proposes to establish a number of non-habitable buildings and structures within the flood hazard overlay as discussed in R1.1 above. Of relevance, we note that the site is affected by the Floodplain Assessment Overlay and is not within the 100 Year ARI Flood Zone (Defined Flood Event).</p> <p>Notwithstanding, habitable buildings are sited on higher parts of the land outside of the overlay area and/or are elevated to provide clearance from potential flood impacts.</p> <p>The existing driveway and proposed extensions provide clear and direct vehicle and pedestrian evacuation routes off the site.</p> <p>The development complies with PO1 on this basis.</p> <p>Performance Solution (Complies)</p> <p>The shed is proposed to be located approximately 30 metres from the riparian corridor within the site that drains to the Whyanbeel Creek, west of the site. Notwithstanding, adequate separation is considered to exist between the watercourse and the shed, which is also buffered by the driveway and existing vegetation.</p> <p>The siting of the shed is not expected to have any impact on the natural function of the watercourse.</p> <p>The development is considered to comply with PO1 on this</p>

Acceptable Outcome	Performance Solution
<p>AO5.4</p> <p>In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.</p> <p>Note – Fences and irrigation infrastructure (e.g. irrigation tape) in rural areas should be managed to minimise adverse the impacts that they may have on downstream properties in the event of a flood.</p> <p>PO5</p> <p>Development directly, indirectly and cumulatively avoids any increase in water flow velocity or flood level and does not increase the potential flood damage either on site or on other properties.</p> <p>Note – Berms and mounds are considered to be an undesirable built form outcome and are not supported.</p>	<p>basis.</p> <p>Performance Solution (Complies)</p> <p>Refer response R1.4 above.</p>
8.2.5 Hillslopes Overlay Code	
<p>AO1.1</p> <p>(g) Development is located on parts of the site that are not within the Hillslopes constraint sub-category as shown on the Hillslopes overlay Maps contained in schedule 2.</p> <p>PO1</p> <p>The landscape character and visual amenity quality of hillslopes areas is retained to protect the scenic backdrop to the region.</p>	<p>Performance Solution (Complies)</p> <p>The following components of the development are proposed within the Hillslopes constraint area:</p> <ul style="list-style-type: none"> • Bedrooms 5 – 8; • Secondary Dwelling; and • Recreation room. <p>Notwithstanding, the development has been designed in such a way as to complement the existing built characteristics of the site and surrounds and retain the landscape quality of the area, since:</p> <ul style="list-style-type: none"> • The development follows the natural contours of the site, via the siting of buildings and structures within areas of reduced gradient, in seeking to limit the requirement for earthworks to the greatest extent practicable; • Bedrooms 5 – 8 will utilise post and beam construction design to minimise extensive modifications to the natural terrain; • Buildings and structures will incorporate colours and finishes to match the existing dwelling, or can alternatively be conditioned to comply with Council requirements;

Acceptable Outcome	Performance Solution
	<ul style="list-style-type: none"> Existing vegetation and landscaping on the site provide extensive screening when viewed from the public domain. <p>The development is considered to comply with PO1 on this basis.</p>

8.2.7 Natural Areas Overlay Code

AO3.2

A buffer for an area of state environmental significance is applied and maintained, the width of which is supported by an evaluation of environmental values, including the function and threats to matters of environmental significance.

PO3

An adequate buffer to areas of state environmental significance is provided and maintained.

Performance Solution (Complies)

The proposal seeks to facilitate low impact (Dwelling House) development, consistent with the established use of the site and surrounding area. A buffer area is not proposed, however we note that development will be undertaken within areas not identified as comprising remnant vegetation per the *Vegetation Management Act 1999*, which is taken to supersede Council's Natural Areas Overlay in practical terms.

The development is considered to comply with PO3 on this basis.

8.2.9 Potential Landslide Hazard Overlay Code

AO1.1

Development is located on that part of the site not affected by the Potential landslide hazard overlay.

or

AO1.2

Development is on an existing stable, benched site and requires no further earthworks or

AO1.3

A competent person certifies that:

- the stability of the site, including associated buildings and infrastructure, will be maintained during the course of the development and will remain stable for the life of the development;
- development of the site will not increase the risk of landslide hazard activity on other land, including land above the site;
- the site is not subject to the risk of landslide activity on other land;

Performance Solution (Complies)

Proposed bedrooms 5 – 7 are located on part of the site affected by the Potential landslide hazard overlay. It is noted that the existing Dwelling House (approximate age = 35+ years) is located within the same area identified to be affected by potential landslide risk.

Notwithstanding, earthworks or complex engineering solutions are not proposed nor required to facilitate construction of the single bedroom pavilions. The rear of the buildings, where accessed from the driveway, will be established on a level area of land. Posts and beams will be utilised to support the western (balcony) side of the buildings.

On the basis of the above and given the apparent slope stability at this location (as ascertained by the dwelling), a geotechnical report is not understood to be required. A condition of approval would however be accepted in relation to geotechnical assessment.

Acceptable Outcome	Performance Solution
<p>(d) any measures identified in a site-specific geotechnical report for stabilising the site or development have been fully implemented;</p> <p>(e) development does not concentrate existing ground water and surface water paths;</p> <p>(f) development does not incorporate on-site waste water disposal.</p>	

Note – Planning scheme policy SC6.9 – Natural hazards provides guidance on preparing a site specific geo-technical assessment.

Note – Development may alter the conditions of ground water and surface water paths in accordance with a site-specific geotechnical report, but should ensure that its final disbursement is as-per pre-developed conditions.

Consideration for location, velocity, volume and quality should be given

PO1

An The siting and design of development does not involve complex engineering solutions and does not create or increase the potential landslide hazard risk to the site or adjoining premises through:

- (a) building design;
- (b) increased slope;
- (c) removal of vegetation;
- (d) stability of soil;
- (e) earthworks;
- (f) alteration of existing ground water or surface water paths;
- (g) waste disposal areas.

9.3.8 Dwelling House Code

AO1

The secondary dwelling:

- (a) has a total gross floor area of not more than 80m², excluding a single carport or garage;
- (b) is occupied by 1 or more members of the same household as the dwelling house.

Performance Solution (Complies)

The Secondary Dwelling has a gross floor area (GFA) of 80.4m², being only marginally greater than the 80m² required by AO1.

Notwithstanding, the Secondary Dwelling will remain subordinate to, and appropriately separated from, the primary dwelling on the site (GFA ~230m²).

No adverse impacts are expected to arise, given the site area, existing vegetation (providing screening) and distance to adjoining properties.

Acceptable Outcome	Performance Solution
<p>PO1</p> <p>Secondary dwellings:</p> <ul style="list-style-type: none"> (a) are subordinate, small-scaled dwellings; (b) contribute to a safe and pleasant living environment; (c) are established on appropriate sized lots; (d) do not cause adverse impacts on adjoining properties. 	<p>Note – Acceptable Outcome AO1(b) is in conflict with the interacting definitions for ‘secondary dwelling’ and ‘household’ under the <i>Planning Regulation 2017</i> and has no effect pursuant to application of section 8(2) of the <i>Planning Regulation 2017</i>.</p>
<p>9.4.4 Filling and Excavation Code</p>	
<p>AO2.1</p> <p>The extent of filling and excavation does not exceed 40% of the site area, or 500m² whichever is the lesser, except that AO2.1 does not apply to reconfiguration of 5 lots or more.</p> <p>PO2</p> <p>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>Performance Solution (Complies)</p> <p>Earthworks will not exceed 40% of the site area, however the extent of required earthworks does exceed 500m².</p> <p>Notwithstanding, filling and excavation will be limited to establishing building pads on the lower elevations of the site, where the gradient is reduced (refer Cut/Fill Plan and Elevation Plans in Schedule 3). Filling and excavation is not expected to impact on the scenic amenity of the area due to the limited volume of earthworks required and extensive vegetation on the site which provides a visual buffer.</p>

6. CONCLUSION

Kaigui (David) Zheng (the Applicant) proposes Dwelling House development on land located at 52 Kingfisher Lane, Whyanbeel (Lot 3 on RP742708).

The proposed development constitutes extensions to the existing Dwelling House on the site, including additional bedrooms, a Secondary Dwelling, a shed and ancillary recreation facilities.

This Town Planning Report demonstrates that the proposed development is compliant with the State and Local planning framework, as applicable to the subject land.

Where development does not comply with a specific Acceptable Outcome, development complies with the relevant Performance Outcome of the Code, and therefore the purpose and overall outcomes of the respective Codes.

In accordance with the above, it is considered that the subject development advances the purpose of the *Planning Act 2016*; and on this basis, wildPLAN respectfully requests that Council approve the subject development application subject to reasonable and relevant conditions.

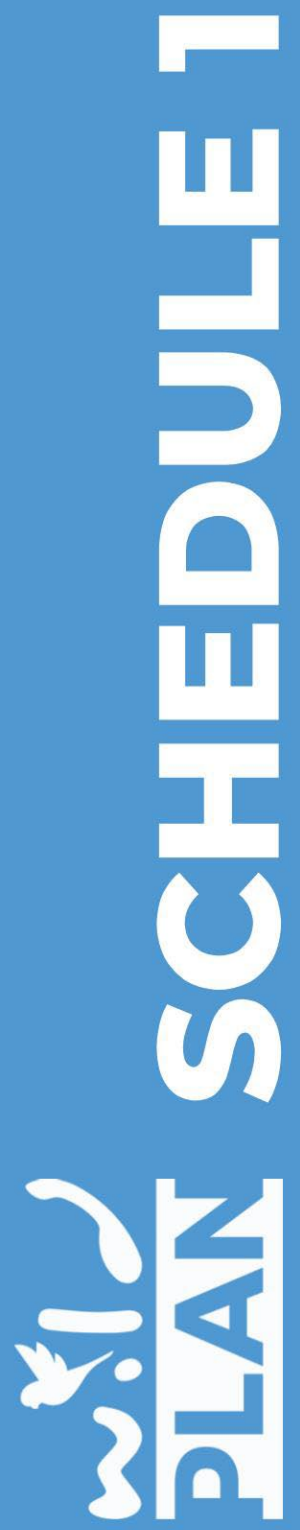


52 Kingfisher Lane, Whyanbeel | March 2025

7. SCHEDULES

SCHEDULE 1	SEARCHES
SCHEDULE 2	SARA DA REPORT
SCHEDULE 3	PROPOSAL PLANS
SCHEDULE 4	CODE RESPONSES
SCHEDULE 5	DA FORM 1 AND DA FORM 2

**SCHEDULE 1 –
SEARCHES**



Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	21314028	Search Date:	03/12/2024 13:27
Date Title Created:	19/03/1986	Request No:	50229016
Previous Title:	21042021		

ESTATE AND LAND

Estate in Fee Simple

LOT 3 REGISTERED PLAN 742708

Local Government: DOUGLAS

REGISTERED OWNER

Dealing No: 723167055 03/04/2024

KAIGUI ZHENG

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20284130 (POR 299)
2. MORTGAGE No 723167056 03/04/2024 at 14:40
WELL NIGH CAPITAL FUNDING NO 1 PTY LTD A.C.N. 603 911 995

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **



Department of Environment, Science and Innovation (DESI)
ABN 46 640 294 485
GPO Box 2454, Brisbane QLD 4001, AUSTRALIA
www.des.qld.gov.au

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

Dye and Durham Terrain
GPO Box 1612
Brisbane QLD 4001

Transaction ID: 50996338 EMR Site Id: 09 March 2025
Cheque Number:
Client Reference:

This response relates to a search request received for the site:

Lot: 3 Plan: RP742708
52 KINGFISHER LANE
WHYANBEEL

EMR RESULT

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

CLR RESULT

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

ADDITIONAL ADVICE

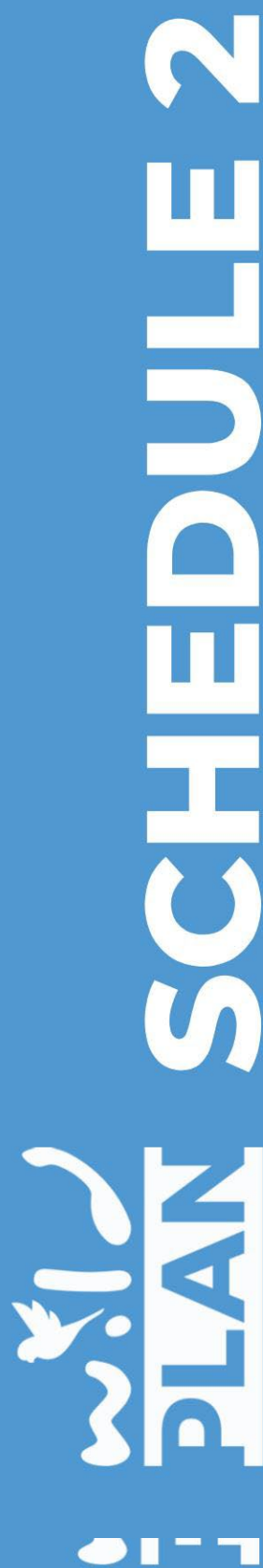
All search responses include particulars of land listed in the EMR/CLR when the search was generated.
The EMR/CLR does NOT include:-

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

If you have any queries in relation to this search please email emr.clr.registry@des.qld.gov.au

Administering Authority

SCHEDULE 2 –
SARA DA REPORT



State Assessment and Referral Agency - Matters of Interest Report

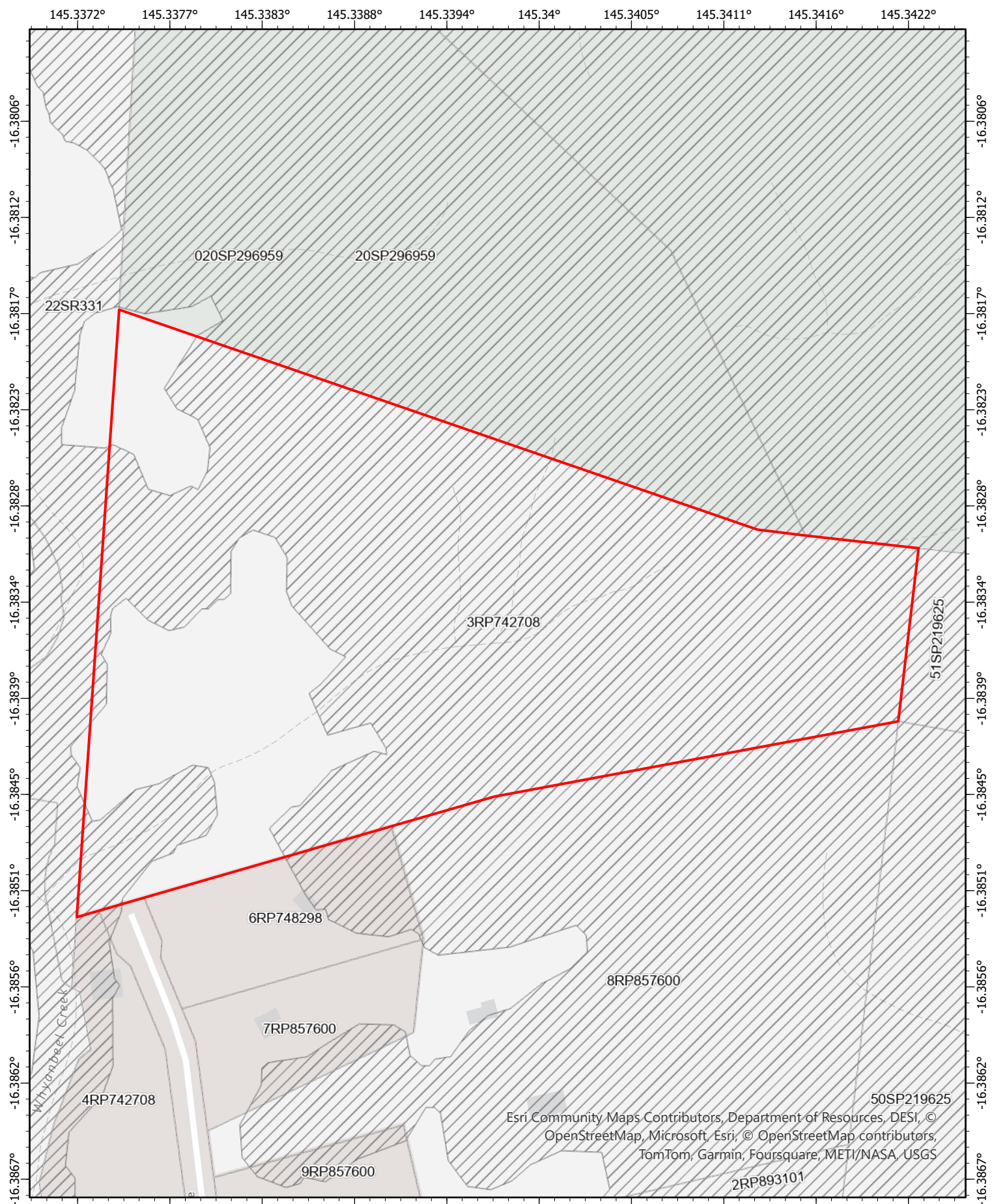
Matters of Interest for all selected Lot Plans

Regulated vegetation management map (Category A and B extract)

Matters of Interest by Lot Plan

Lot Plan: 3RP742708 (Area: 122990 m²)

Regulated vegetation management map (Category A and B extract)



Regulated vegetation management map (Category A and B extract)

Category B on the regulated vegetation management map

Disclaimer This map has been generated from the information supplied to the Queensland Government for the purposes of the Development Assessment Mapping System. The map generated has been prepared with due care based on the best available information at the time of publication. The State of Queensland holds no responsibility for any errors, inconsistencies or omissions within this document. Any decisions made by other parties based on this document are solely the responsibility of those parties. This information is supplied subject to the full terms and conditions available on the department's website.



Scale: 1:3,300

0 30 60 90 120
Metres

Queensland Government



SCHEDULE 3 –
PROPOSAL PLANS

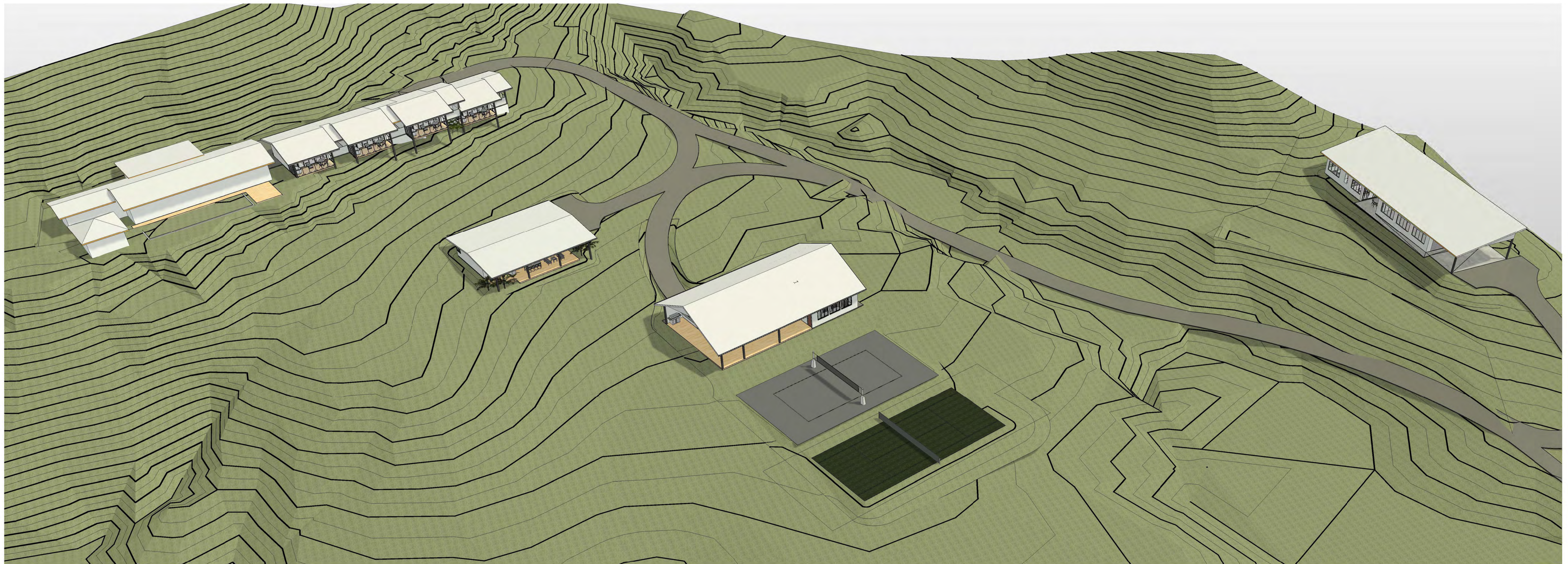
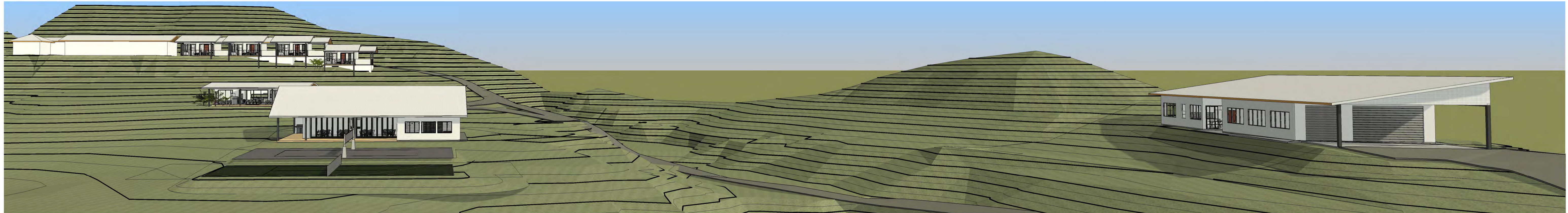




MARK DAVIES DESIGN & DRAFTING

NEW RESIDENCE

for:
KAIGUI ZHENG
at:
LOT 3, No 52 KINGFISHER LANE WHYAMBEEL 4873



Job No.- **0003 KING**

PRINT DATE: 6/03/2025 11:35:09 AM

LOT DESCRIPTION:	LOT 3 SP 742708
LAND SIZE:	12.2651 Ha
ADDRESS:	52 KINGFISHER LANE WHYANBEEL 4873
WIND CLASSIFICATION:	C2
SOIL CLASSIFICATION:	P
ZONED:	RURAL

GFA SCHEDULES:

SHED:	246m²
OUTDOOR LIVING PAVILLION:	248.02m²
2ND DWELLING:	80.4m²
BEDS 4-7:	50.4m²
TOTAL:	624.82m²



mrmkadavies@gmail.com
0455 356 570

WHERE AND IF DISCREPANCIES
OCCUR BETWEEN THE PLAN AND
SPECIFICATION SCHEDULE, THE
SPECIFICATION SCHEDULE WILL
ALWAYS HAVE PRECEDENCE.

HOUSE STYLE:- Project Status

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AMENDMENTS->	DESCRIPTION
DATE	

CLIENT:-
KAIGUI ZHENG

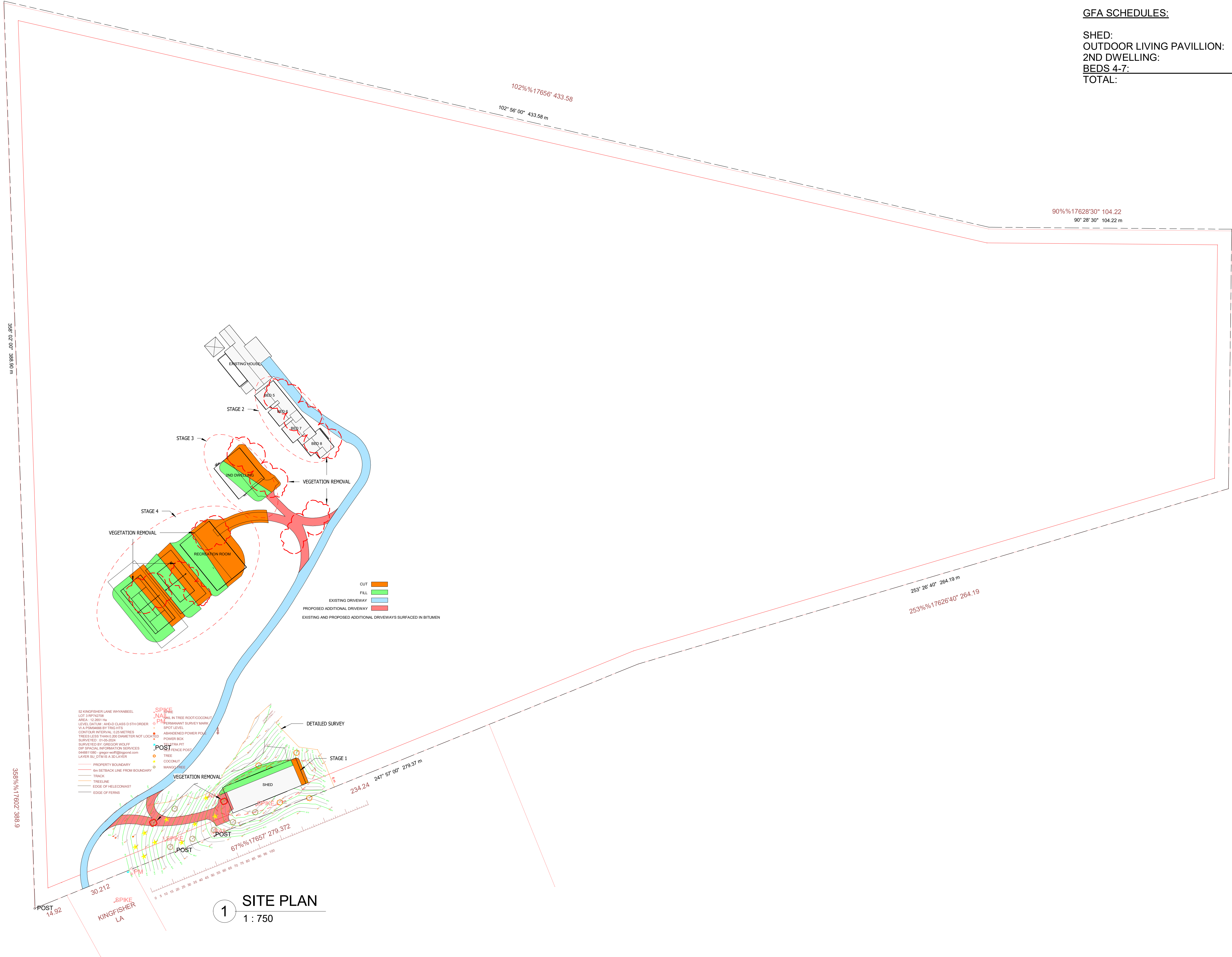
ADDRESS:-
LOT 3, No 52 KINGFISHER LANE
WHYAMBEEL 4873

DATE:- Issue Date
DRAWN: JOB No.

Author
CHECKED: 0003 KING
Checker SHEET No.
DA-01/


WE HEREBY CERTIFY THE STRUCTURAL DETAILS
AS SHOWN ON THESE DRAWINGS FOR
CONSTRUCTION IN WIND CLASSIFICATION C2

C.M.G CONSULTING
ENGINEERS PTY LTD
208 BUCHAN ST,
CAIRNS QLD, 4870
PH: (07) 4031 2775
FAX: (07) 4031 9013





1 SITE PLAN IMAGE
1 : 750



MARK DAVIES DESIGN & DRAFTING

mrmarkdavies@gmail.com
0455 356 570

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CLIENT:-
KAIGUI ZHENG

ADDRESS:-
LOT 3, No 52 KINGFISHER LANE
WHYAMBEEL 4873

DATE:-	Issue Date
DRAWN:	JOB No.

Author	0003 KING
CHECKED:	SHEET No.
Checker	DA-02/

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C.M.G CONSULTING ENGINEERS	208 BUCHAN ST, CAIRNS QLD, 4870 PH: (07) 4031 2776 FAX: (07) 4031 9013
--------------------------------------	---

LOT DESCRIPTION:	LOT 3 SP 742708
LAND SIZE:	12.2651 Ha
ADDRESS:	52 KINGFISHER LANE WHYANBEEL 4873
WIND CLASSIFICATION:	C2
SOIL CLASSIFICATION:	P
ZONED:	RURAL



mrmrkadavies@gmail.com
0455 356 570

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AMENDMENTS:-	DESCRIPTION
DATE	

CLIENT:-
KAIGUI ZHENG

ADDRESS:-

LOT 3, No 52 KINGFISHER LANE
WHYAMBEEL 4873

DATE:- Issue Date

DRAWN: *JOB No.*

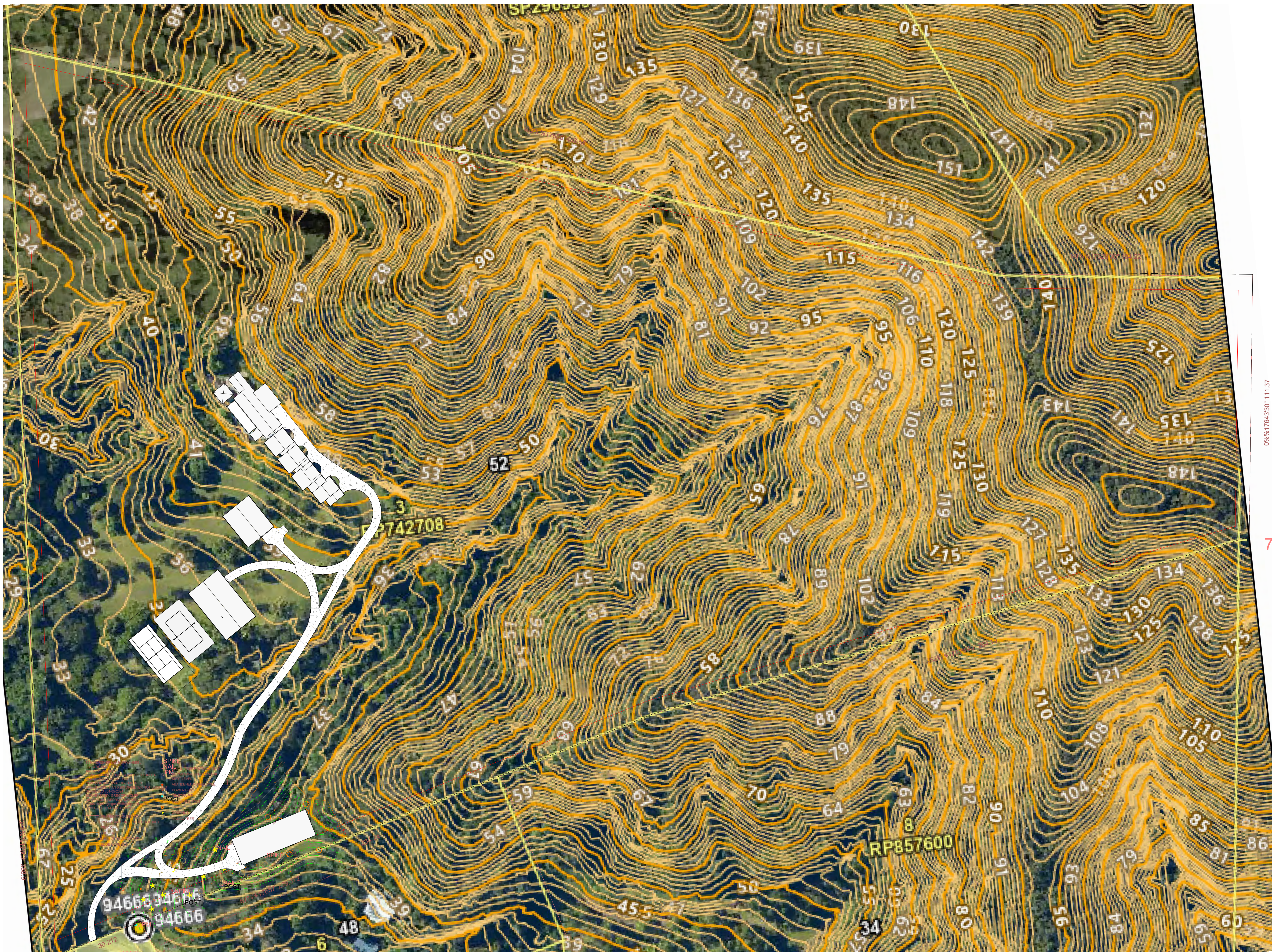
Author	0003 KING
CHECKED:	SHEET No
Checker	DA-03/

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AS SHOWN ON THESE DRAWINGS FOR
CONSTRUCTION IN WIND CLASSIFICATION C2

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A.C.N. 911 065 275

208 BUCHAN ST,
CAIRNS QLD, 4870
PH. (07) 4031 2775
FAX. (07) 4031 9013

LOT DESCRIPTION:	LOT 3 SP 742708
LAND SIZE:	12.2651 Ha
ADDRESS:	52 KINGFISHER LANE WHYANBEEL 4873
WIND CLASSIFICATION:	C2
SOIL CLASSIFICATION:	P
ZONED:	RURAL

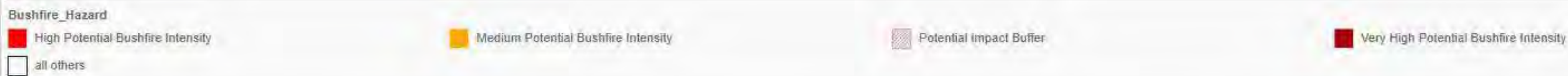


00%17643'30" 111.37

7



1 SITE PLAN BUSHFIRE
1 : 750





MARK DAVIES DESIGN & DRAFTING

mrmarkdavies@gmail.com
0455 356 570

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PRINT DATE:
6/03/2025 11:35:20 AM

AMENDMENTS-> DATE	DESCRIPTION

CLIENT:-
KAIGUI ZHENG

ADDRESS:-
LOT 3, No 52 KINGFISHER LANE
WHYAMBEEL 4873

DATE:-	Issue Date
DRAWN:-	JOB No.

Author	0003 KING
CHECKED:	SHEET No.
Checker	DA-04/

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C.M.G CONSULTING
ENGINEERS

208 BUCHAN ST,
CAIRNS QLD. 4870
PH. (07) 4031 2775
FAX. (07) 4031 9013

LOT DESCRIPTION:	LOT 3 SP 742708
LAND SIZE:	12.2651 Ha
ADDRESS:	52 KINGFISHER LANE WHYANBEEL 4873
WIND CLASSIFICATION:	C2
SOIL CLASSIFICATION:	P
ZONED:	RURAL





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ADDRESS:-
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WHYAMBEEL 4873

DATE:-	Issue Date
DRAWN:	JOB No.

Author	0003 KING
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Checker	DA-05/


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LOT DESCRIPTION:	LOT 3 SP 742708
LAND SIZE:	12.2651 Ha
ADDRESS:	52 KINGFISHER LANE WHYAMBEEL 4873
WIND CLASSIFICATION:	C2
SOIL CLASSIFICATION:	P
ZONED:	RURAL



1 SITE PLAN HILLSLOPES
1 : 750



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0455 356 570

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ADDRESS:-
LOT 3, No 52 KINGFISHER LANE
WHYAMBEEL 4873

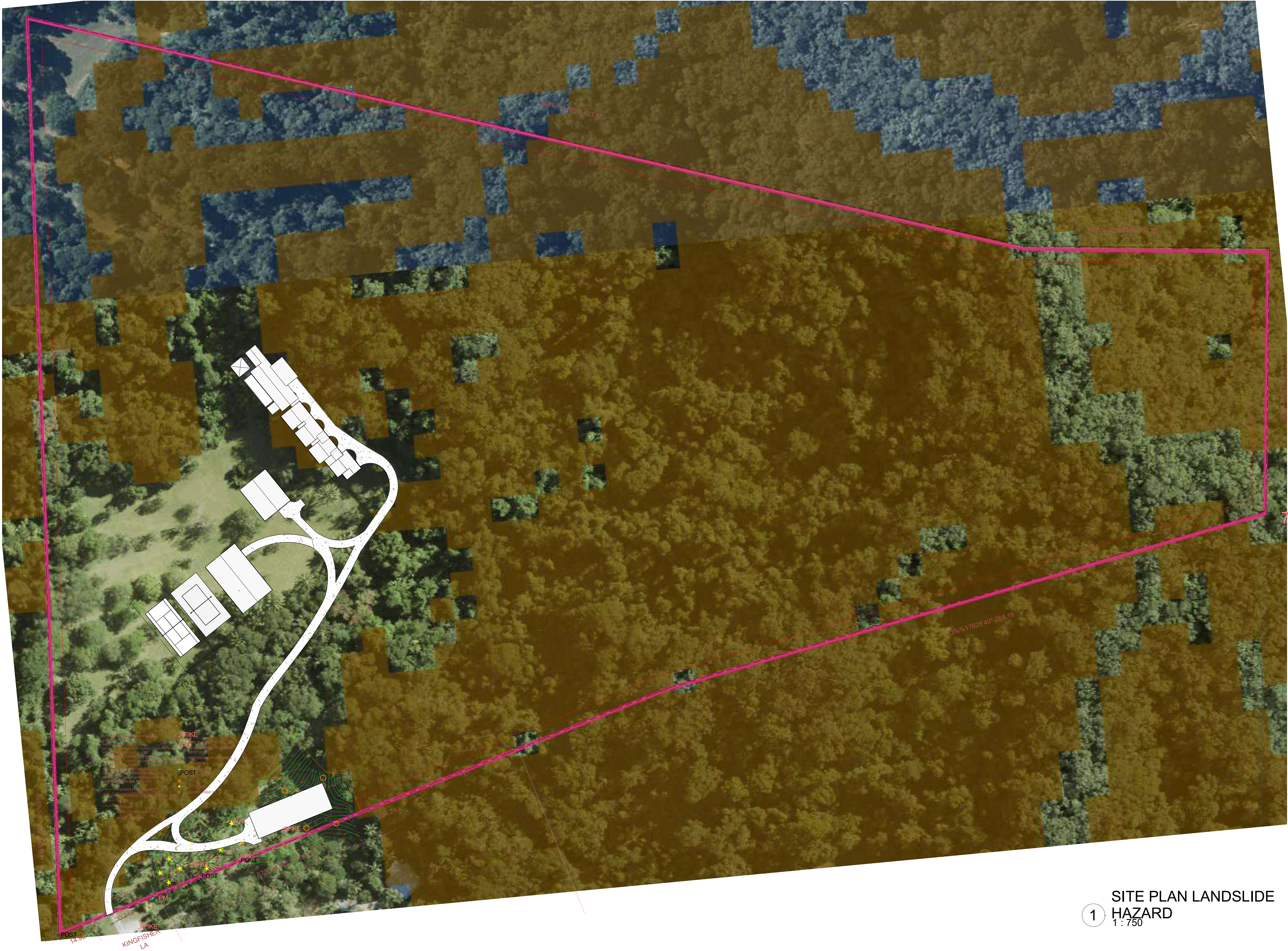
DATE:-	Issue Date
DRAWN:-	JOB No.

Author	0003 KING
CHECKED:	SHEET No.
Checker	DA-06/

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C.M.G CONSULTING A.C.N. 911 988 375	ENGINEERS Pty. Ltd. 208 BUCHAN ST, CAIRNS QLD. 4870 PH. (07) 4031 2775 FAX. (07) 4031 9013
---	---

LOT DESCRIPTION:	LOT 3 SP 742708
LAND SIZE:	12.2651 Ha
ADDRESS:	52 KINGFISHER LANE WHYAMBEEL 4873
WIND CLASSIFICATION:	C2
SOIL CLASSIFICATION:	P
ZONED:	RURAL



1 SITE PLAN LANDSLIDE HAZARD 1:750

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ADDRESS:-
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DATE:- Issue Date
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Author CHECKED: Checker	0003 KING SHEET No. DA-07/
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PH: (07) 4031 2775 FAX: (07) 4031 9013

LOT DESCRIPTION:	LOT 3 SP 742708
LAND SIZE:	12.2651 Ha
ADDRESS:	52 KINGFISHER LANE WHYAMBEEL 4873
WIND CLASSIFICATION:	C2
SOIL CLASSIFICATION:	P
ZONED:	RURAL



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DATE	

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KAIGUI ZHENG

ADDRESS:-
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WHYAMBEEL 4873

DATE:- Issue Date

DRAWN: JOB No.

Author	0003 KING
CHECKED:	SHEET No.
Checker	DA-08/

WE HEREBY CERTIFY THE STRUCTURAL DETAILS
AS SHOWN ON THESE DRAWINGS FOR
CONSTRUCTION IN WIND CLASSIFICATION C2

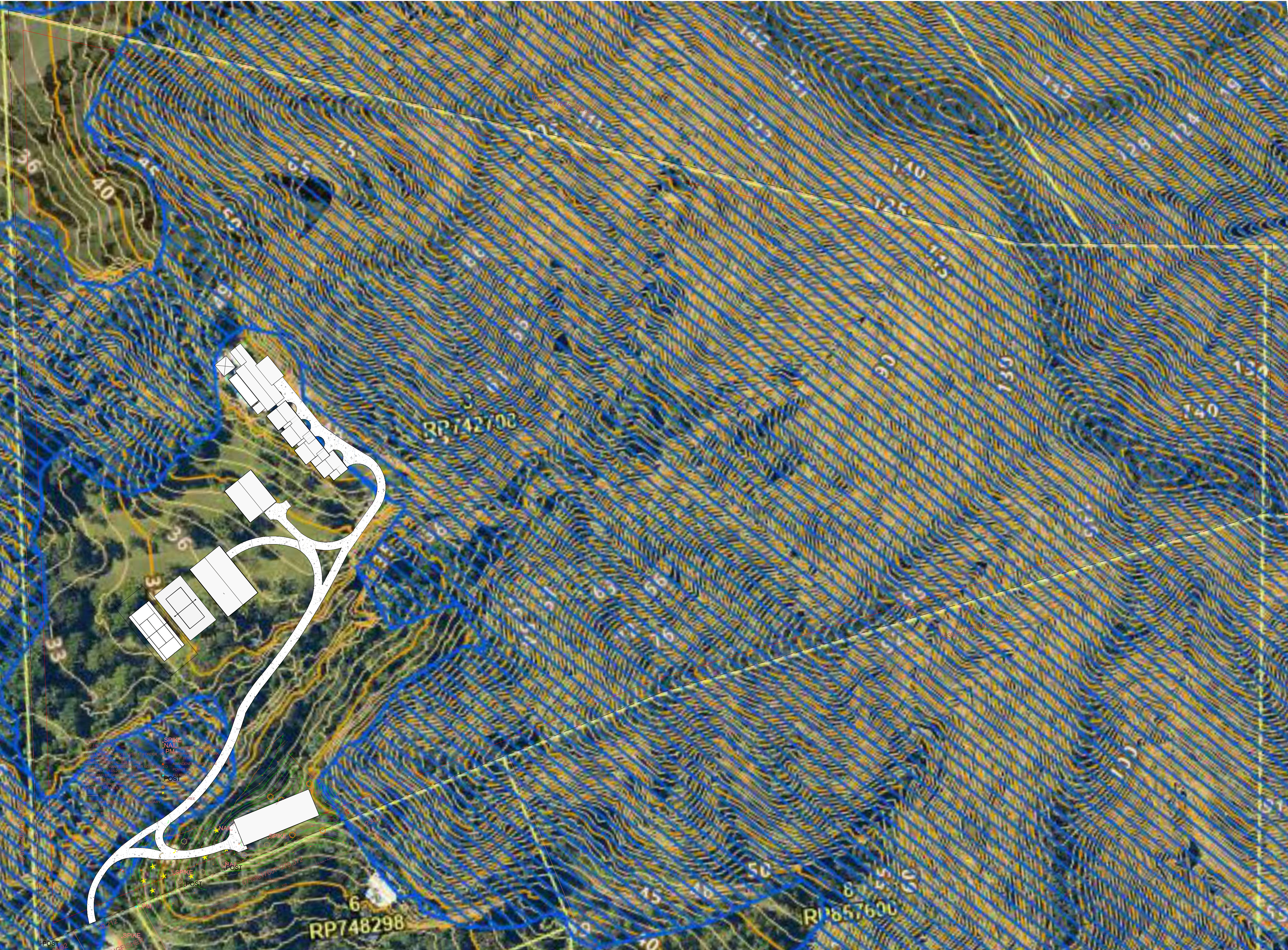
C.M.G. CONSULTING ENGINEERS PTY. LTD.
A.C.N. 911 065 275


208 BUCHAN ST,
CAIRNS QLD, 4870
PH. (07) 4031 2775
FAX. (07) 4031 9013

LOT DESCRIPTION:	LOT 3 SP 742708
LAND SIZE:	12.2651 Ha
ADDRESS:	52 KINGFISHER LANE WHYANBEEL 4873
WIND CLASSIFICATION:	C2
SOIL CLASSIFICATION:	P
ZONED:	RURAL



1 SITE PLAN REGULATED
VEGETATION LOCAL
1:750





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mrmarkdavies@gmail.com
0455 356 570

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ADDRESS:-
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WHYAMBEEL 4873

DATE:-	Issue Date
DRAWN:-	JOB No.

Author CHECKED: Checker	0003 KING SHEET No. DA-09/
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LOT DESCRIPTION:	LOT 3 SP 742708
LAND SIZE:	12.2651 Ha
ADDRESS:	52 KINGFISHER LANE WHYAMBEEL 4873
WIND CLASSIFICATION:	C2
SOIL CLASSIFICATION:	P
ZONED:	RURAL

LOT DESCRIPTION:	LOT 3 SP 742708
LAND SIZE:	12.2651 Ha
ADDRESS:	52 KINGFISHER LANE WHYANBEEL 4873
WIND CLASSIFICATION:	C2
SOIL CLASSIFICATION:	P
ZONED:	RURAL



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DATE	

CLIENT:-
KAIGUI ZHENG

ADDRESS:-
LOT 3, No 52 KINGFISHER LANE
WHYAMBEEL 4873

DATE:- Issue Date
DRAWN: JOB No.

Author
CHECKED: 0003 KING
Checker SHEET No.
DA-10/

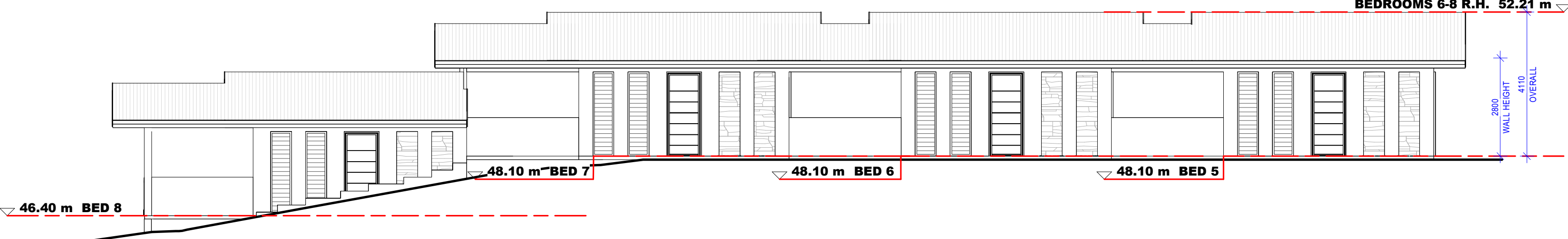
WE HEREBY CERTIFY THE STRUCTURAL DETAILS AS SHOWN ON THESE DRAWINGS FOR CONSTRUCTION IN WIND CLASSIFICATION C2.

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208 BUCHAN ST, CAIRNS QLD, 4870
PH: (07) 4031 2776 FAX: (07) 4031 9013

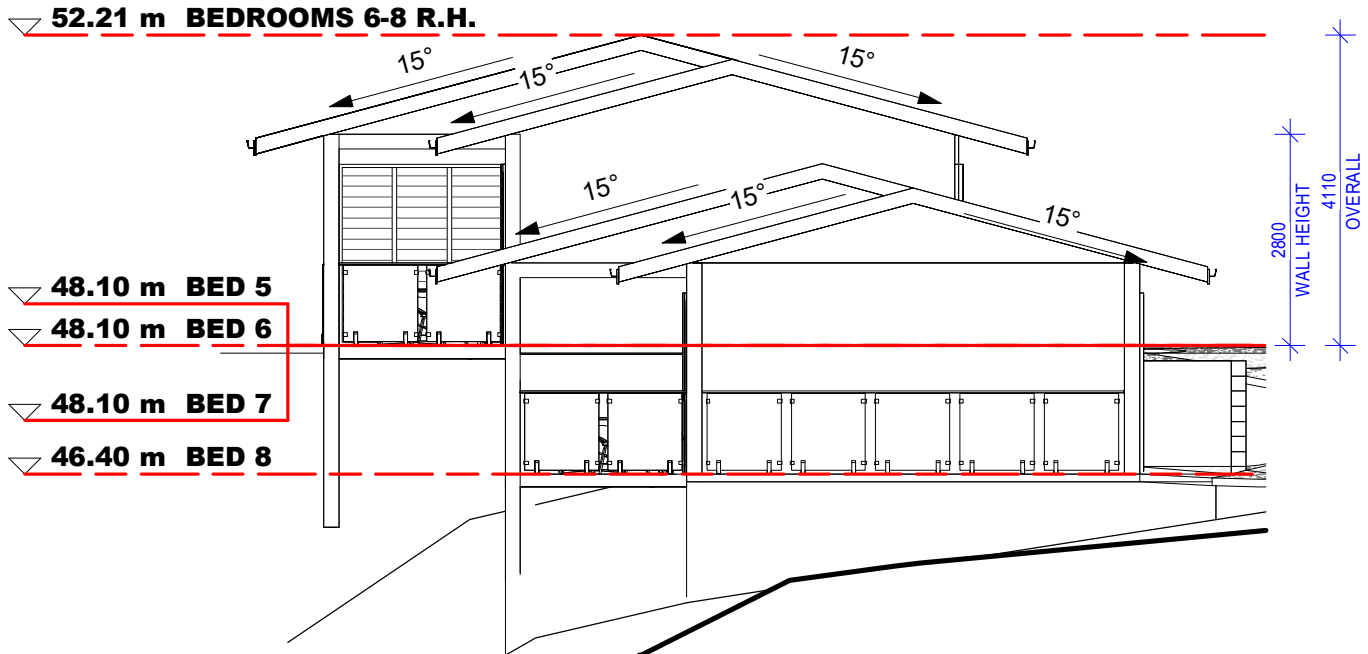
FLOOR AREAS:

LIVING: 36m²
BALCONY: 14.08m²
TOTAL: 69.28m²

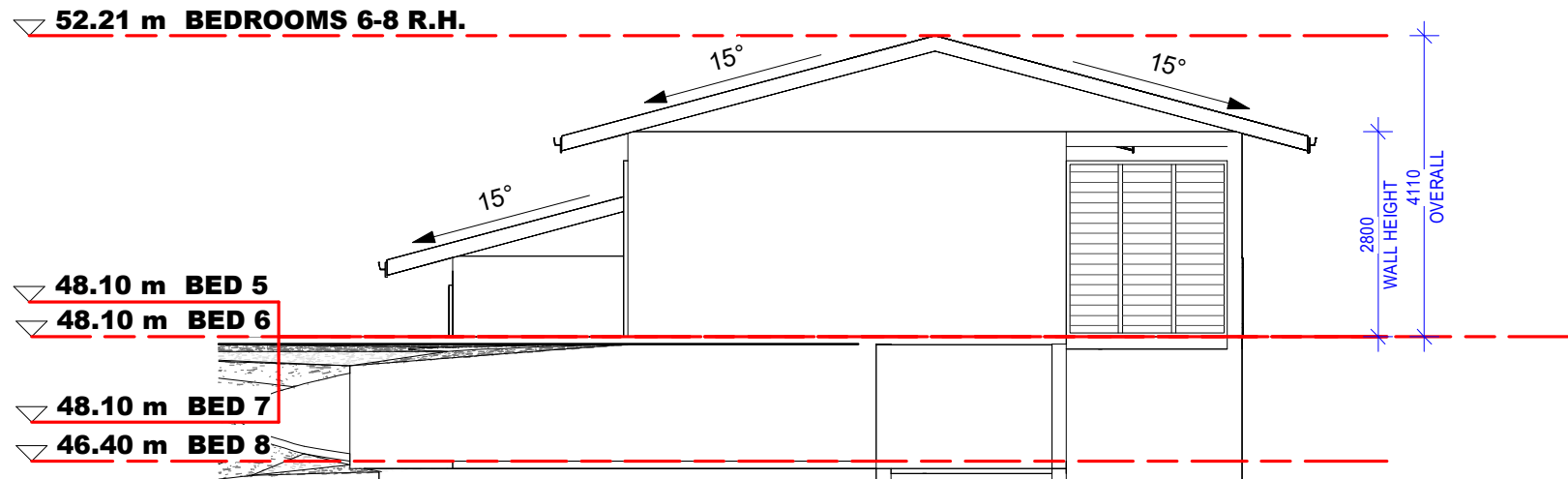
STAGE 2



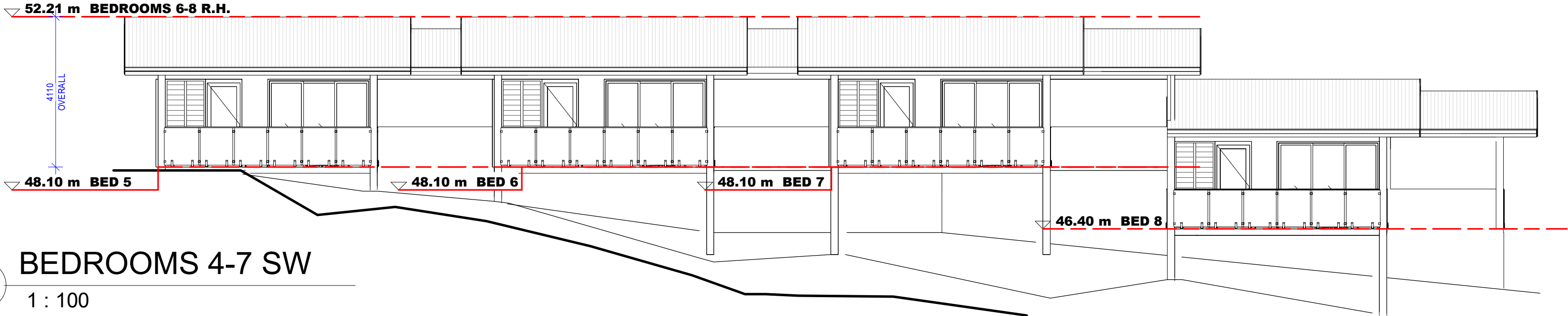
2 BEDROOMS 4-7 NE
1 : 100



3 BEDROOMS 4-7 SE
1 : 100



4 BEDROOMS 4-7 NW
1 : 100



5 BEDROOMS 4-7 SW
1 : 100

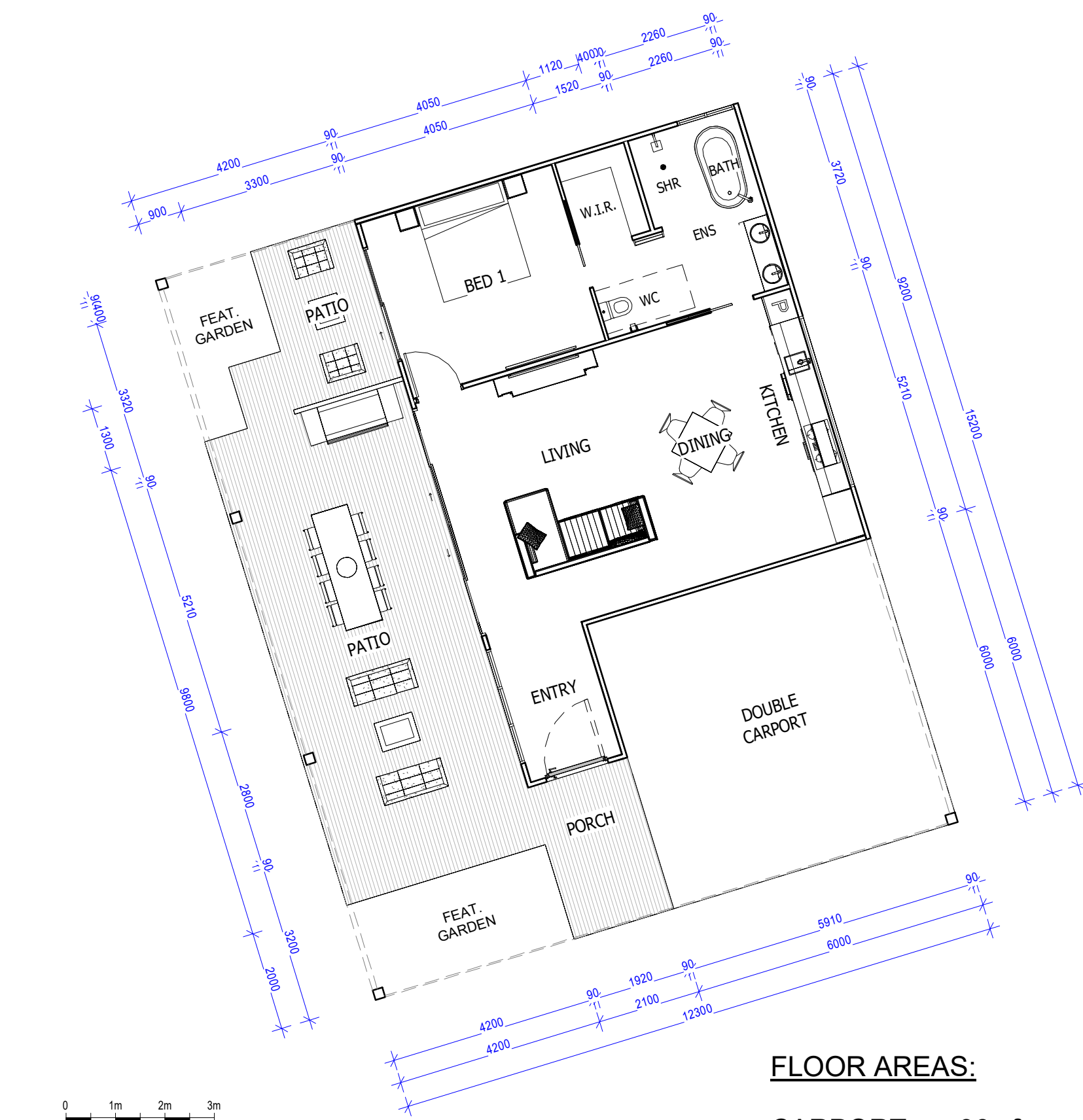


NOTE:

BUILDING MATERIALS AND COLOURS TO MATCH EXISTING DWELLING
MATCHING RENDERED FINISH TO EXTERNAL WALLS
COLORBOND CUSTOM ORB ROOF
POWDER COATED ALUMINIUM GLAZING



BEDROOMS 4-7



1 2ND DWELLING
1 : 100



NOTE:

BUILDING MATERIALS AND COLOURS TO MATCH
EXISTING DWELLING
MATCHING RENDERED FINISH TO EXTERNAL WALLS
COLORBOND CUSTOM ORB ROOF
POWDER COATED ALUMINIUM GLAZING

FLOOR AREAS:

CARPORT 36m²
LIVING: 80.4m²
PATIO: 63.84m²
TOTAL: 180.24m²

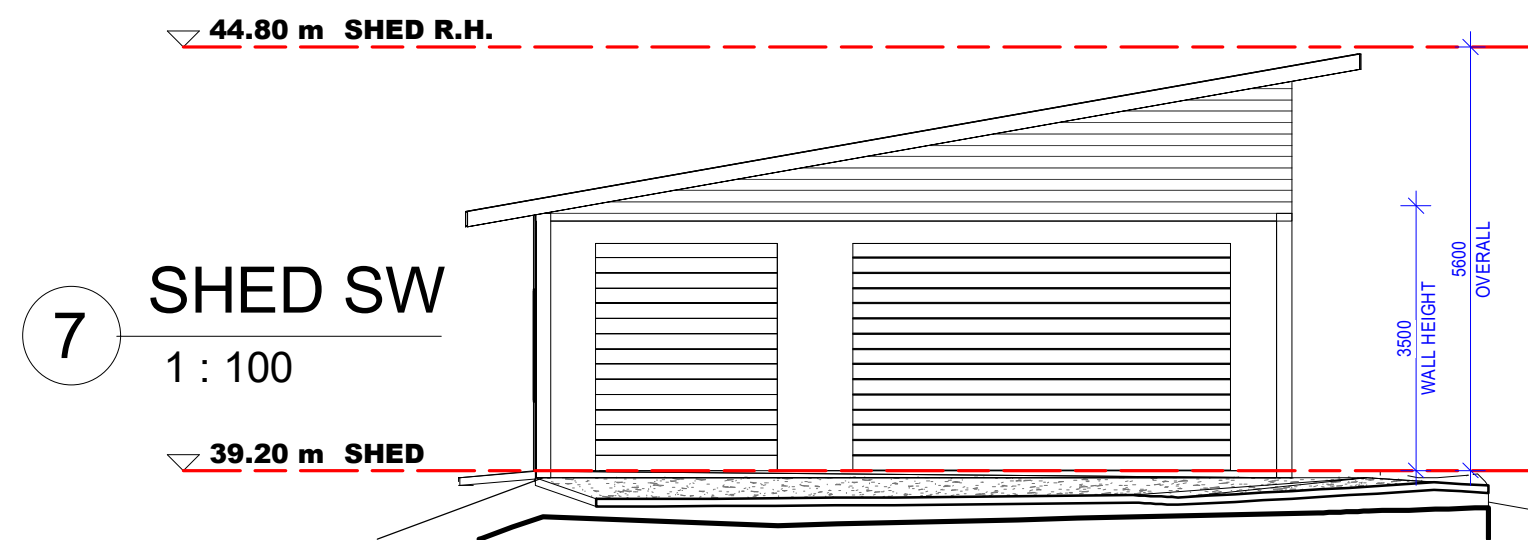
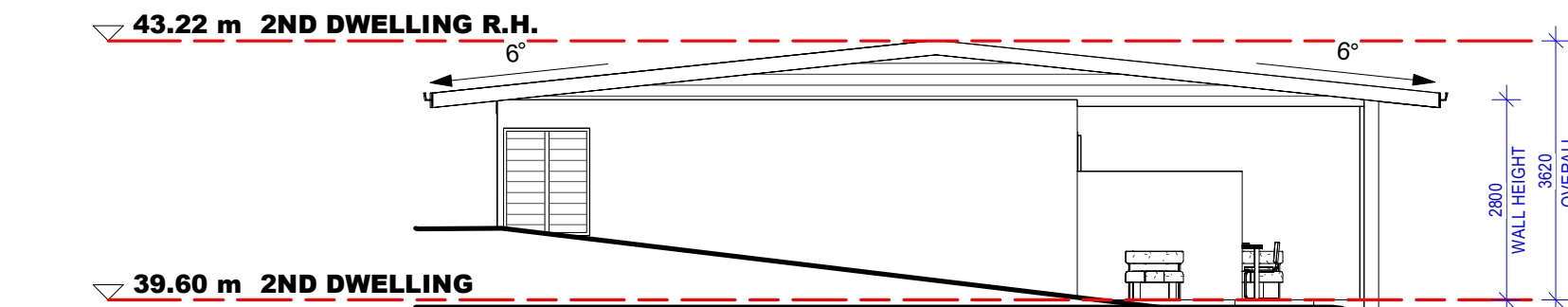
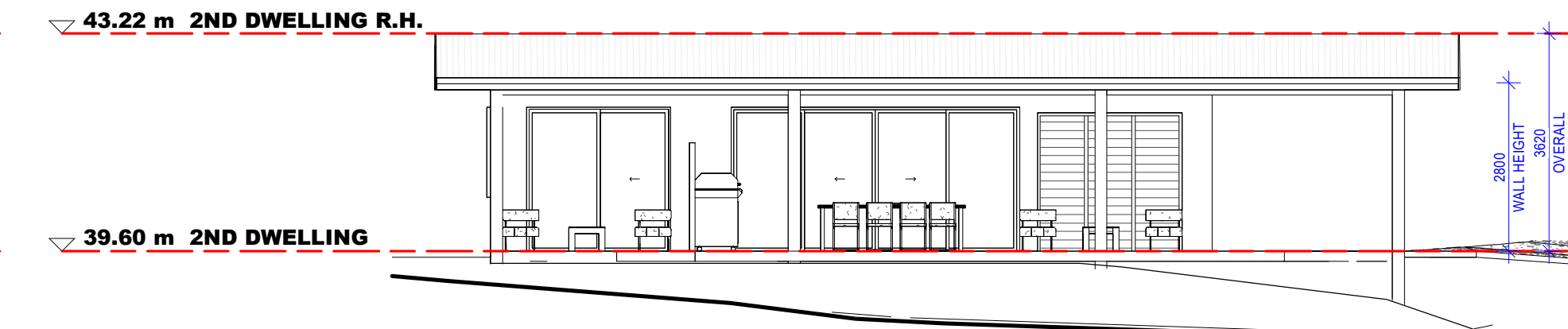
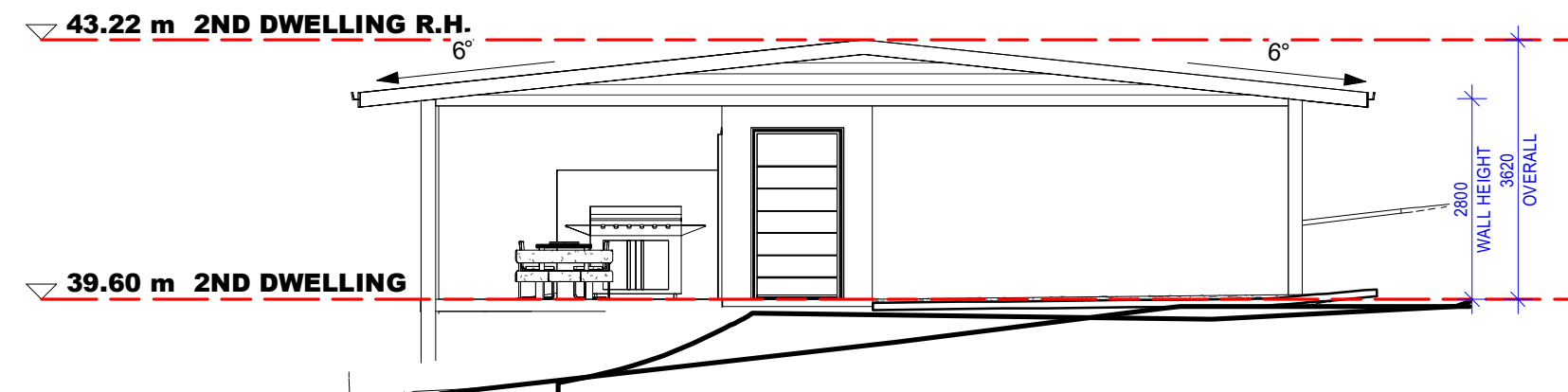
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1 : 100

4 2ND DWELLING NW
1 : 100

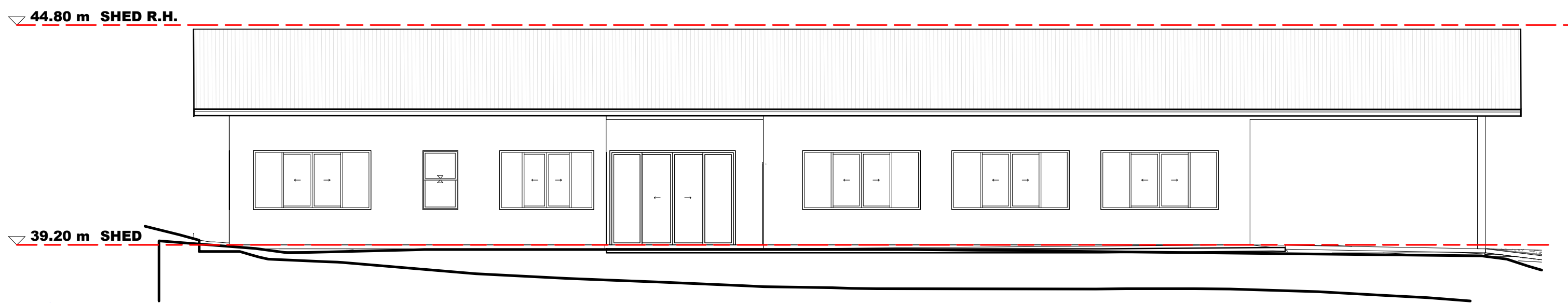
3 2ND DWELLING SW
1 : 100

5 2ND DWELLING NE
1 : 100

STAGE 3

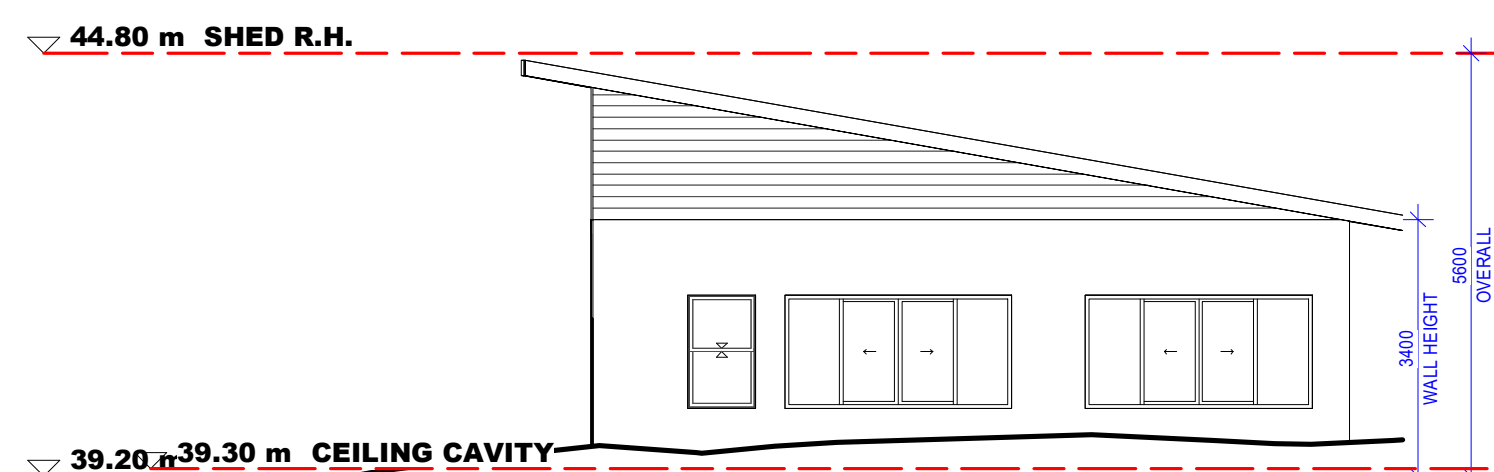


7 SHED SW
1 : 100

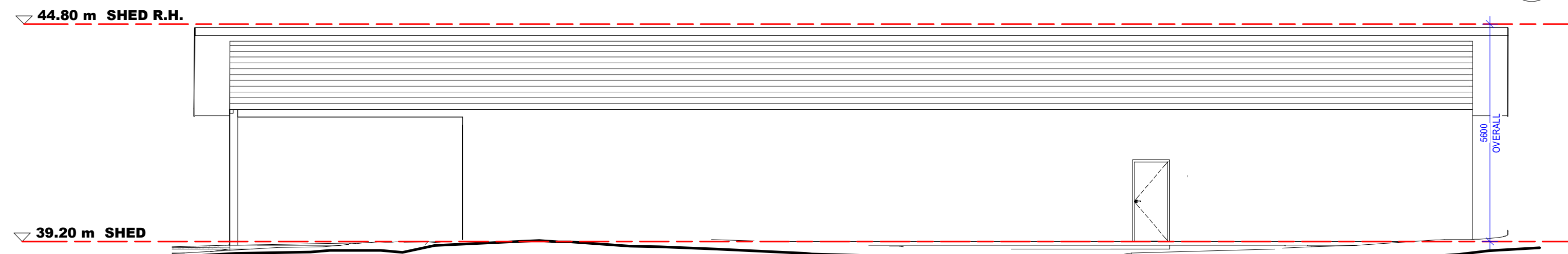


8 SHED NW
1 : 100

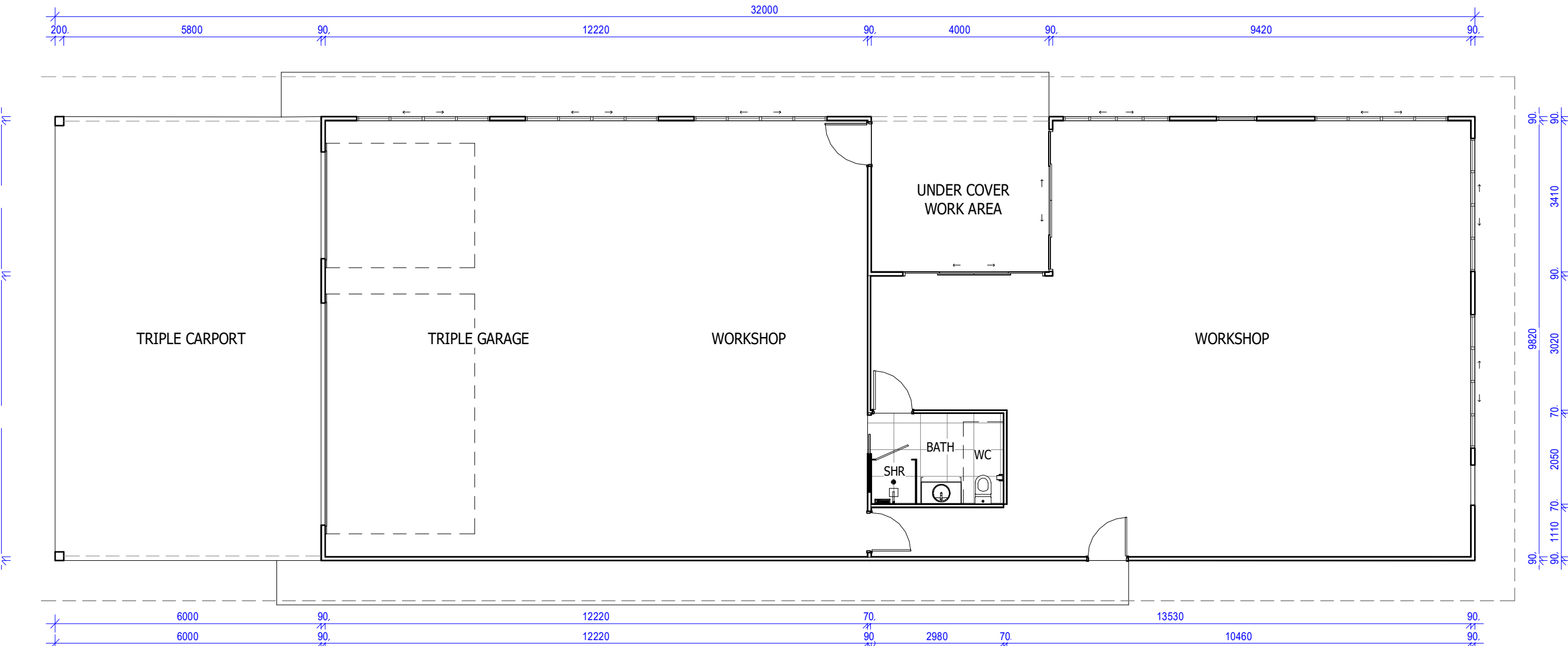
STAGE 1



9 SHED NE
1 : 100



10 SHED SE
1 : 100



FLOOR AREAS:

SHED: 246m²
CARPORT: 60m²
U/C WORK: 14m²
TOTAL: 320m²

6 SHED
1 : 100

mrmrkadvies@gmail.com
0455 356 570

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AMENDMENTS>	DESCRIPTION
DATE	

CLIENT:-
KAIGUI ZHENG

ADDRESS:-
LOT 3, No 52 KINGFISHER LANE
WHYAMBEEL 4873

DATE:- Issue Date
DRAWN: JOB No.

Author
CHECKED: 0003 KING
Checker SHEET No.
DA-11/

WE HEREBY CERTIFY THE STRUCTURAL DETAILS
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CONSTRUCTION IN WIND CLASSIFICATION C2.

C.M.G CONSULTING
ENGINEERS PTY LTD
208 BUCHAN ST,
CAIRNS QLD, 4870
PH: (07) 4031 2775
FAX: (07) 4031 9013

LOT DESCRIPTION:	LOT 3 SP 742708
LAND SIZE:	12.2651 Ha
ADDRESS:	52 KINGFISHER LANE WHYAMBEEL 4873
WIND CLASSIFICATION:	C2
SOIL CLASSIFICATION:	P
ZONED:	RURAL

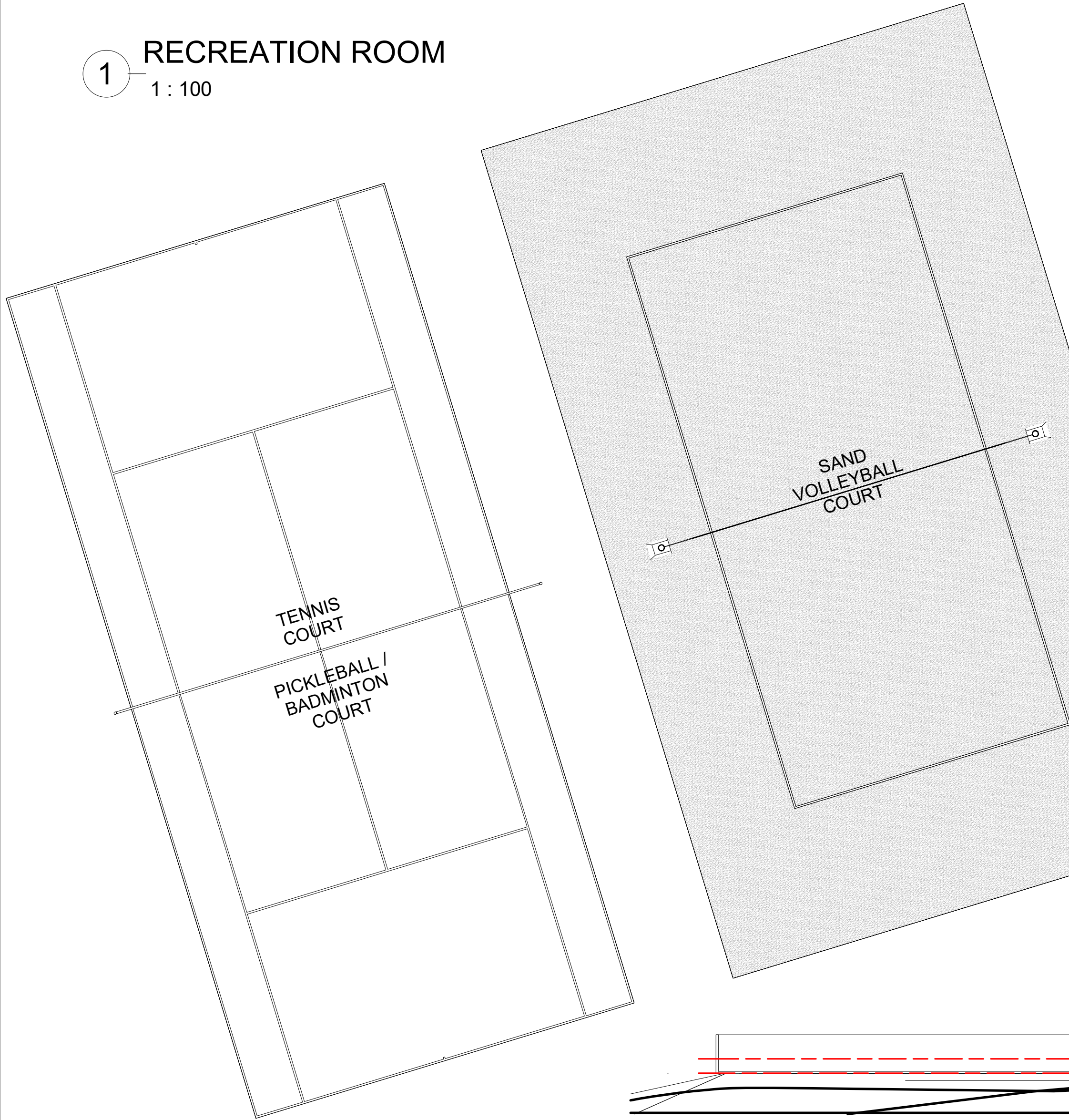
LOT DESCRIPTION:	LOT 3 SP 742708
LAND SIZE:	12.2651 Ha
ADDRESS:	52 KINGFISHER LANE WHYAMBEEL 4873
WIND CLASSIFICATION:	C2
SOIL CLASSIFICATION:	P
ZONED:	RURAL

FLOOR AREAS:

INTERNAL: 248.02m²
OUTDOOR: 87.1m²
TOTAL: 335.12m²

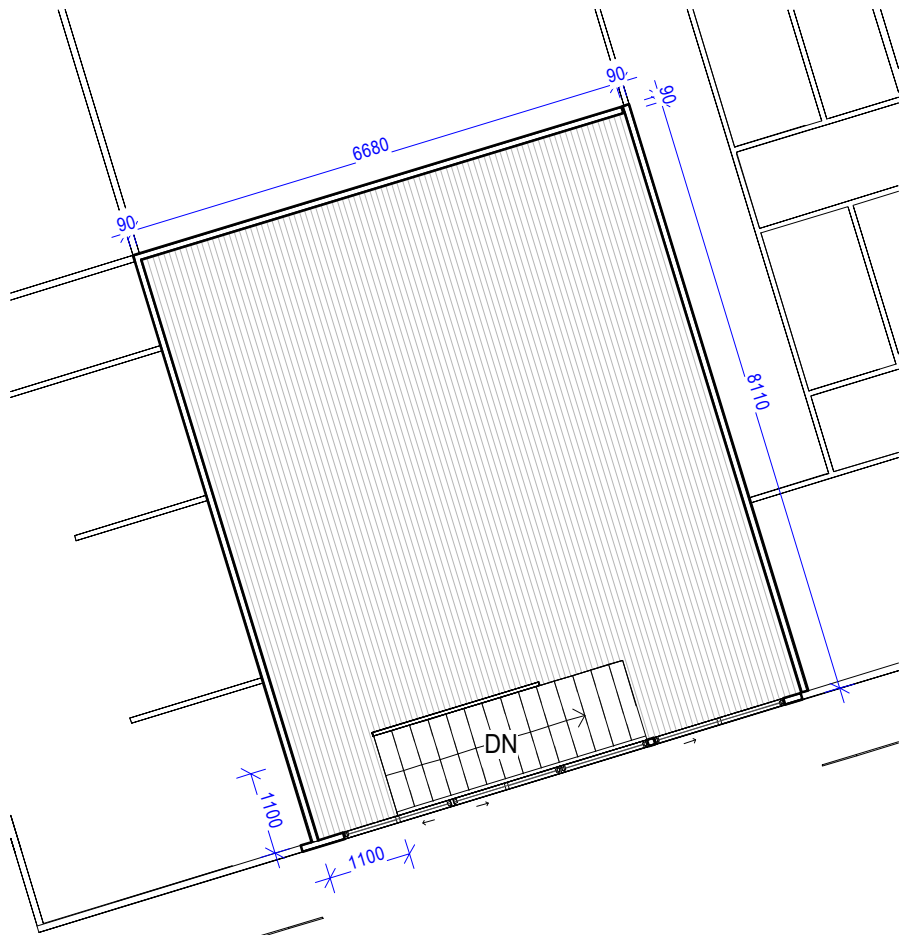
STAGE 4

1 RECREATION ROOM
1 : 100

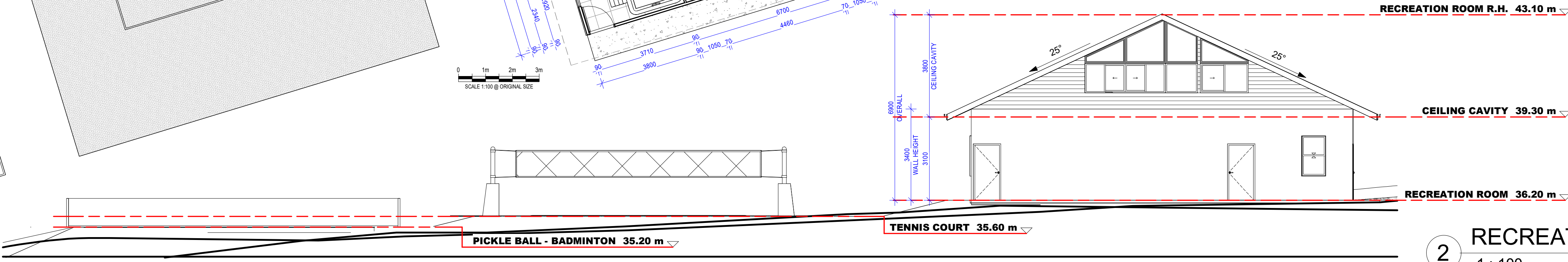


LOT DESCRIPTION:	LOT 3 SP 742708
LAND SIZE:	12.2651 Ha
ADDRESS:	52 KINGFISHER LANE WHYAMBEEL 4873
WIND CLASSIFICATION:	C2
SOIL CLASSIFICATION:	P
ZONED:	RURAL

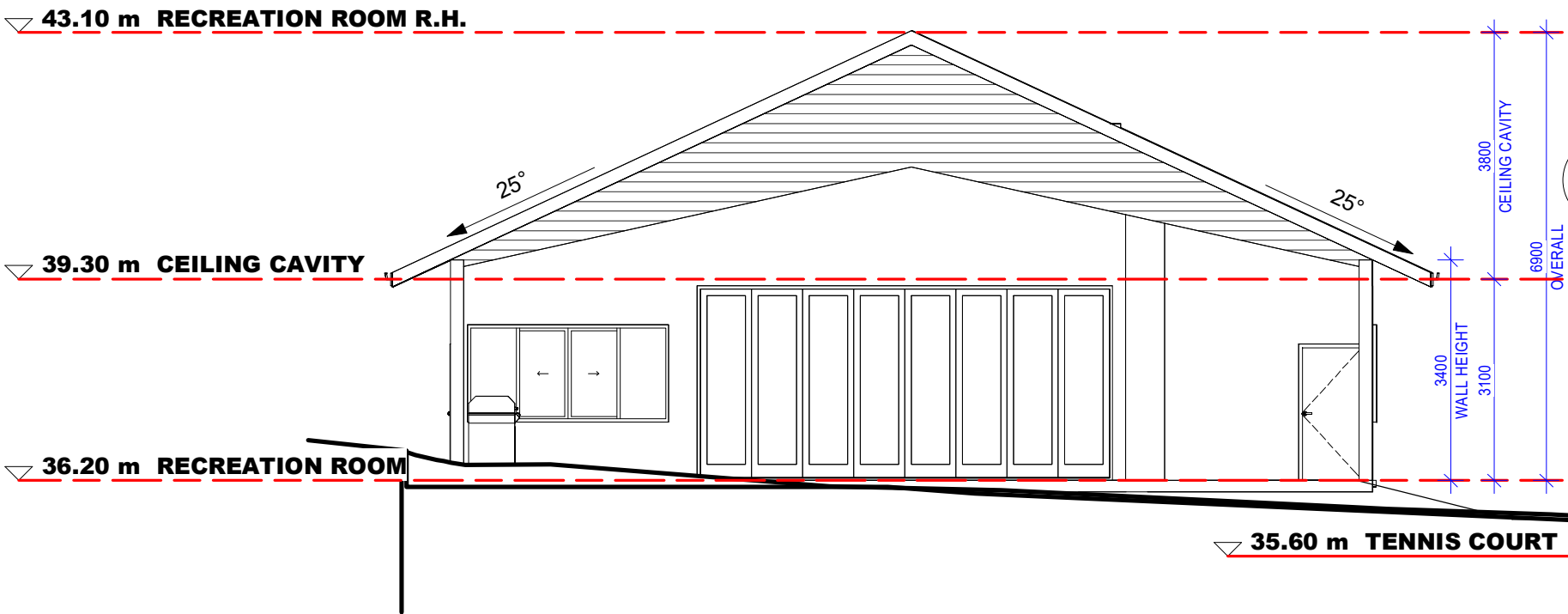
NOTE:
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MATCHING RENDERED FINISH TO EXTERNAL WALLS
COLORBOND CUSTOM ORB ROOF
POWDER COATED ALUMINIUM GLAZING



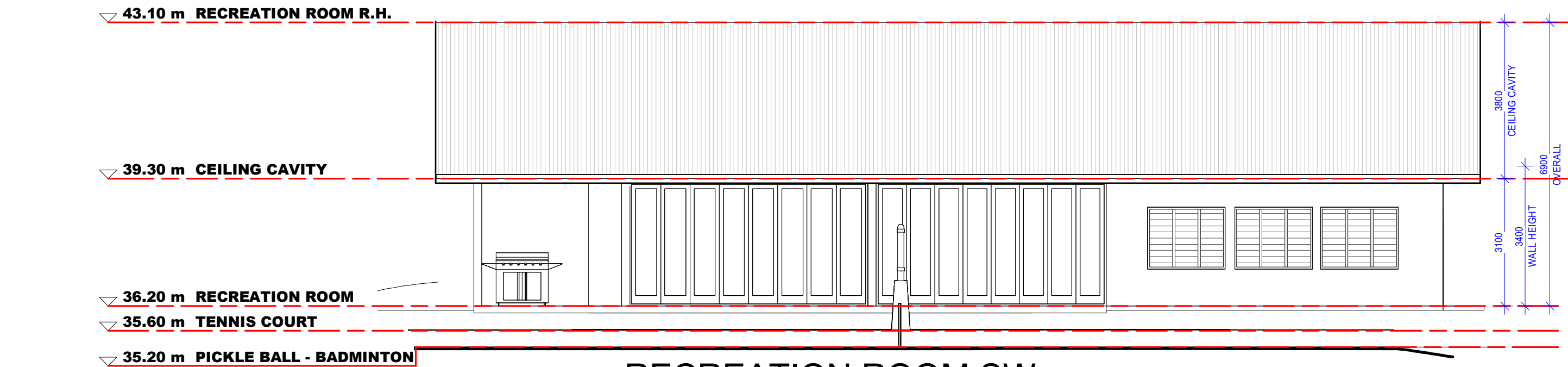
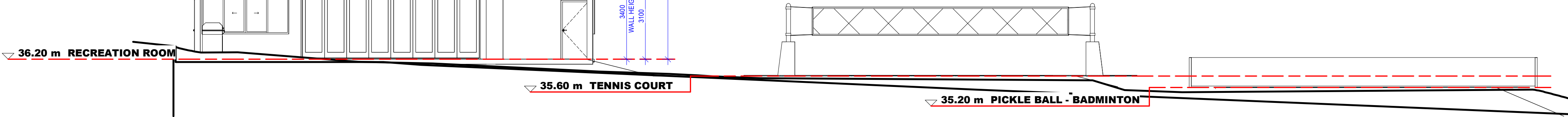
6 CEILING CAVITY
1 : 100



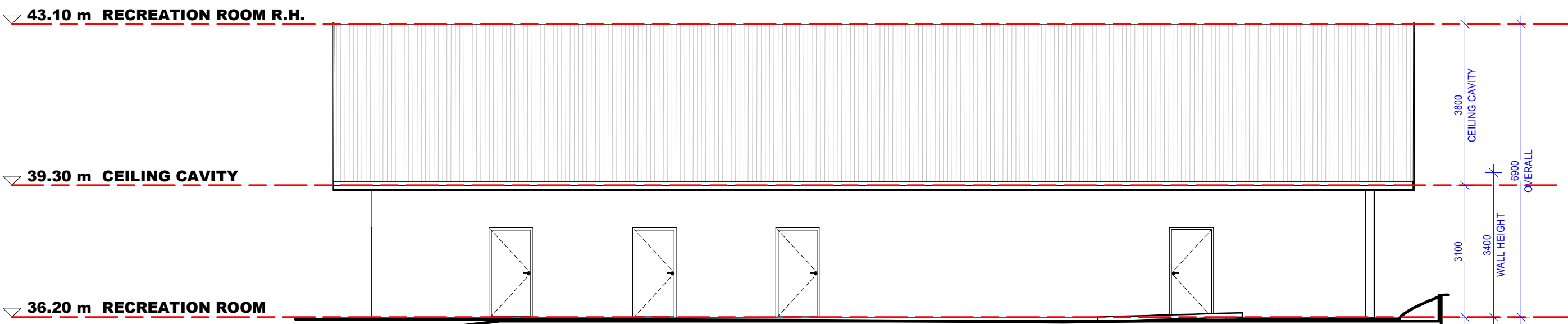
2 RECREATION ROOM SE
1 : 100



3 RECREATION ROOM NW
1 : 100



4 RECREATION ROOM SW
1 : 100



5 RECREATION ROOM NE
1 : 100

mrmrkadavies@gmail.com
0455 356 570

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PRINT DATE:
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AMENDMENTS:-	DESCRIPTION
DATE	

CLIENT:-
KAIGUI ZHENG

ADDRESS:-
LOT 3, No 52 KINGFISHER LANE
WHYAMBEEL 4873

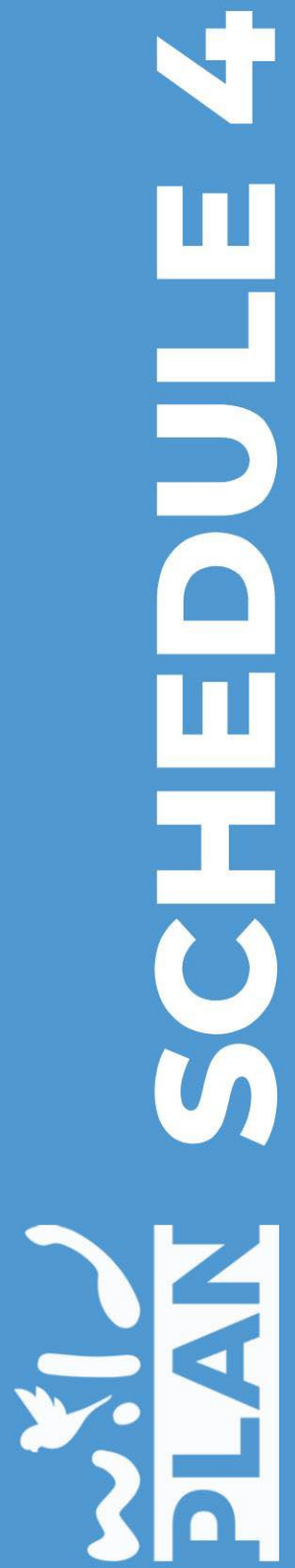
DATE:-	Issue Date
DRAWN:-	JOB No.

Author CHECKED: Checker	0003 KING SHEET No. DA-12/
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WE HEREBY CERTIFY THE STRUCTURAL DETAILS AS SHOWN ON THESE DRAWINGS FOR CONSTRUCTION IN WIND CLASSIFICATION C2.

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SCHEDULE 4 –
CODE RESPONSES



6.2.10 Rural zone code

6.2.10.1 Application

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

6.2.10.2 Purpose

- (1) The purpose of the Rural zone code is to provide for:
 - (a) provide for rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other primary production activities;
 - (b) provide opportunities for non-rural uses, such as ancillary tourism activities that are compatible with agriculture, the environmental features, and landscape character of the rural area where the uses do not compromise the long-term use of the land for rural purposes;
 - (c) protect or manage significant natural resources and processes to maintain the capacity for primary production.
- (2) The local government purpose of the code is to:
 - (a) implement the policy direction set in the Strategic Framework, in particular:
 - (i) Theme 2 : Environment and landscape values, Element 3.5.5 – Scenic amenity.
 - (ii) Theme 3 : Natural resource management, Element 3.6.2 – Land and catchment management, Element 3.6.3 Primary production, forestry and fisheries, Element 3.6.4 – Resource extraction.
 - (iii) Theme 5 Economy, Element 3.8.2 – Economic growth and diversification, Element 3.8.4 – Primary production.
 - (iv) Theme 6 : Infrastructure and transport, Element 3.9.4 – Transport.
 - (b) recognise the primacy of rural production, in particular sugar cultivation, and other farming practices in rural areas;
 - (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) Areas for use for primary production are conserved and fragmentation is avoided.
 - (b) Development embraces sustainable land management practices and contributes to the amenity and landscape of the area.
 - (c) Adverse impacts of land use, both on-site and on adjoining areas, are avoided and any unavoidable impacts are minimised through location, design, operation and management.
 - (d) Areas of remnant and riparian vegetation are retained or rehabilitated.

Criteria for assessment**Table 6.2.10.3.a – Rural zone code assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
PO1 The height of buildings is compatible with the rural character of the area and must not detrimentally impact on visual landscape amenity.	AO1.1 Dwelling houses are not more than 8.5 metres in height. Note – Height is inclusive of roof height. AO1.2 Rural farm sheds and other rural structures are not more than 10 metres in height.	R1.1 Complies The development includes the following heights, as measured from Ground Level: <ul style="list-style-type: none"> • Bedrooms 5 – 8: 4.11 metres • Secondary Dwelling: 3.62 metres. • R1.2 Complies The proposed shed is 5.6 metres above Ground Level; The recreation room is 6.9 metres above Ground Level.
Setbacks		
PO2 Buildings and structures are setback to maintain the rural character of the area and achieve separation from buildings on adjoining properties.	AO2 Buildings are setback not less than: <ol style="list-style-type: none"> 40 metres from the property boundary and a State-controlled road; 25 metres from the property boundary adjoining Cape Tribulation Road; 20 metres from the boundary with any other road; 6 metres from side and rear property boundaries. 	R2 Complies The proposed shed is setback 6 meters to the southern site boundary (at its closest point). All other proposed buildings exceed the setback requirements prescribed by AO2.
PO3 Buildings/structures are designed to maintain the rural character of the area.	AO3 White and shining metallic finishes are avoided on external surfaces of buildings.	R3 Can Comply White and shining surfaces are not proposed. The Applicant is willing to accept a condition of approval regarding finishes on external surfaces of buildings.
For assessable development		
PO4	AO4	R4 Complies

Performance outcomes	Acceptable outcomes	Applicant response
The establishment of uses is consistent with the outcomes sought for the Rural zone and protects the zone from the intrusion of inconsistent uses.	Uses identified in Table 6.2.10.3.b are not established in the Rural zone.	The proposed development is for Dwelling house (being the existing lawful land use at the premises), which is not inconsistent with the outcomes sought for the Rural Zone.

Performance outcomes	Acceptable outcomes	Applicant response
P05 Uses and other development include those that: <ul style="list-style-type: none"> (a) promote rural activities such as agriculture, rural enterprises and small scale industries that serve rural activities; or (b) promote low impact tourist activities based on the appreciation of the rural character, landscape and rural activities; or (c) are compatible with rural activities. 	A05 No acceptable outcomes are prescribed.	R5 Performance Outcome (No Acceptable Outcomes) The proposal entails extensions and additions to the existing Dwelling house at the site. The development does not seek to change the use of the premises and is therefore understood to be compatible with surrounding rural activities.
P06 Existing native vegetation along watercourses and in, or adjacent to areas of environmental value, or areas of remnant vegetation of value is protected.	A06 No acceptable outcomes are prescribed.	R6 Performance Outcome (No Acceptable Outcomes) The design of the development has sought to avoid works within mapped areas of native vegetation. Existing native vegetation on the site will be retained and protected.
P07 The minimum lot size is 40 hectares, unless <ul style="list-style-type: none"> (a) the lot reconfiguration results in no additional lots (e.g. amalgamation, boundary realignments to resolve encroachments); or (b) the reconfiguration is limited to one additional lot to accommodate: <ul style="list-style-type: none"> (i) Telecommunications facility; (ii) Utility installation. 	A07 No acceptable outcomes are prescribed.	R7 Not Applicable Reconfiguring a Lot is not proposed.

Table 6.2.10.3.b - Inconsistent uses within the Rural zone.

Inconsistent uses		
<ul style="list-style-type: none">• Adult store• Bar• Brothel• Car wash• Child care centre• Club• Community care centre• Community residence• Detention facility,• Dual occupancy• Dwelling unit• Food and drink outlet• Hardware and trade supplies• Health care services• High impact industry	<ul style="list-style-type: none">• Hotel• Indoor sport and recreation• Low impact industry• Medium impact industry• Multiple dwelling• Nightclub entertainment facility• Non-resident workforce accommodation• Office• Outdoor sales• Parking station• Permanent plantation• Port services• Relocatable home park• Renewable energy facility, being a wind farm	<ul style="list-style-type: none">• Residential care facility• Resort complex• Retirement facility• Rooming accommodation• Sales office• Service station• Shop• Shopping centre• Short-term accommodation• Showroom• Special industry• Theatre• Warehouse

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.

8.2.2 Bushfire hazard overlay code

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

8.2.2.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational works or building work in the Bushfire hazard overlay, if:
 - (a) self-assessable or assessable where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
 - (b) impact assessable development.
- (2) Land in the Bushfire hazard overlay is identified on the Bushfire hazard overlay map in Schedule 2 and includes the following sub-categories:
 - (a) Medium bushfire risk sub-category;
 - (b) High bushfire risk sub-category;
 - (c) Very high bushfire risk sub-category;
 - (d) Potential impact buffer sub-category.
- (3) When using this code, reference should be made to Part 5.

8.2.2.2 Purpose

- (1) The purpose of the Bushfire overlay code is to:
 - (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 1 Settlement pattern: Element 3.4.7 Mitigation of hazards;
 - (ii) Theme 6 Infrastructure and transport: Element 3.9.2 Energy.
 - (b) enable an assessment of whether development is suitable on land within the Bushfire risk overlay sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) development avoids the establishment or intensification of vulnerable activities within or near areas that are subject to bushfire hazard;
 - (b) development is designed and located to minimise risks to people and property from bushfires;
 - (c) bushfire risk mitigation treatments are accommodated in a manner that avoids or minimises impacts on the natural environment and ecological processes;

- (d) development involving the manufacture or storage of hazardous materials does not increase the risk to public safety or the environment in a bushfire event;
- (e) development contributes to effective and efficient disaster management response and recovery capabilities.

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

Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
Compatible development		
P01 A vulnerable use is not established or materially intensified within a bushfire hazard area (bushfire prone area) unless there is an overriding need or other exceptional circumstances. Note - See the end of this code for examples of vulnerable uses.	A01 Vulnerable uses are not established or expanded. Note – Where, following site inspection and consultation with Council, it is clear that the mapping is in error in identifying a premises as being subject to a medium, high, very high bushfire hazard or potential impact buffer sub-category, Council may supply a letter exempting the need for a Bushfire Management Plan. Note – Where the assessment manager has not previously approved a Bushfire Management Plan (either by condition of a previous development approval), the development proponent will be expected to prepare such a plan. Note – Planning scheme policy SC6.9 - Natural hazards, provides a guide to the preparation of a Bushfire Management Plan.	R1 Complies The development does not seek to establish or expand a vulnerable use, as defined by this code.
P02 Emergency services and uses providing community support services are able to function effectively during and immediately after a bushfire hazard event.	A02 Emergency Services and uses providing community support services are not located in a bushfire hazard sub-category and have direct access to low hazard evacuation routes.	R2 Not Applicable Emergency Services and uses providing community support services are not proposed.
P03 Development involving hazardous materials manufactured or stored in bulk is not located in bushfire hazard sub-category.	A03 The manufacture or storage of hazardous material in bulk does not occur within bushfire hazard sub-category.	R3 Not Applicable The development is for Dwelling House.



Performance outcomes	Acceptable outcomes	Applicant response
Development design and separation from bushfire hazard – reconfiguration of lots		
<p>PO4.1 Where reconfiguration is undertaken in an urban area or is for urban purposes or smaller scale rural residential purposes, a separation distance from hazardous vegetation is provided to achieve a radiant heat flux level of 29kW/m² at the edge of the proposed lot(s).</p> <p>Note - "Urban purposes" and "urban area" are defined in the <i>Sustainable Planning Regulations 2009</i>. Reconfiguration will be taken to be for rural residential purposes where proposed lots are between 2000m² and 2ha in area. "Smaller scale" rural residential purposes will be taken to be where the average proposed lot size is 6000m² or less.</p> <p>Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.</p> <p>PO4.2 Where reconfiguration is undertaken for other purposes, a building envelope of reasonable dimensions is provided on each lot which achieves radiant heat flux level of 29kW/m² at any point.</p>	<p>AO4.1 No new lots are created within a bushfire hazard sub-category.</p> <p>or</p> <p>AO4.2 Lots are separated from hazardous vegetation by a distance that:</p> <ul style="list-style-type: none"> (a) achieves radiant heat flux level of 29kW/m² at all boundaries; and (b) is contained wholly within the development site. <p>Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation. For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages.</p> <p>Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.</p>	<p>R4 Not Applicable Reconfiguring a Lot is not proposed.</p>
<p>PO5 Where reconfiguration is undertaken in an urban area or is for urban purposes, a constructed perimeter road with reticulated water supply is established between the lots and the hazardous vegetation and is readily accessible at all times for urban fire fighting vehicles.</p> <p>The access is available for both fire fighting and maintenance/defensive works.</p>	<p>AO5.1 Lot boundaries are separated from hazardous vegetation by a public road which:</p> <ul style="list-style-type: none"> (a) has a two lane sealed carriageway; (b) contains a reticulated water supply; (c) is connected to other public roads at both ends and at intervals of no more than 500m; (d) accommodates geometry and turning radii in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; 	<p>R5 Not Applicable Reconfiguring a Lot is not proposed.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>(e) has a minimum of 4.8m vertical clearance above the road;</p> <p>(f) is designed to ensure hydrants and water access points are not located within parking bay allocations; and</p> <p>(g) incorporates roll-over kerbing.</p> <p>A05.2 Fire hydrants are designed and installed in accordance with AS2419.1 2005, unless otherwise specified by the relevant water entity.</p> <p>Note - Applicants should have regard to the relevant standards set out in the reconfiguration of a lot code and works codes in this planning scheme.</p>	
<p>PO6 Where reconfiguration is undertaken for smaller scale rural residential purposes, either a constructed perimeter road or a formed, all weather fire trail is established between the lots and the hazardous vegetation and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p> <p>The access is available for both fire fighting and maintenance/hazard reduction works.</p>	<p>A06 Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has:</p> <p>(a) a reserve or easement width of at least 20m;</p> <p>(b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation;</p> <p>(c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path;</p> <p>(d) a minimum of 4.8m vertical clearance;</p> <p>(e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</p> <p>(f) a maximum gradient of 12.5%;</p> <p>(g) a cross fall of no greater than 10 degrees;</p> <p>(h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;</p>	<p>R6 Not Applicable Reconfiguring a Lot is not proposed.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<ul style="list-style-type: none"> (i) vehicular access at each end which is connected to the public road network at intervals of no more than 500m; (j) designated fire trail signage; (k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and (l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services. 	
<p>P07 Where reconfiguration is undertaken for other purposes, a formed, all weather fire trail is provided between the hazardous vegetation and either the lot boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p> <p>However, a fire trail will not be required where it would not serve a practical fire management purpose.</p>	<p>A07 Lot boundaries are separated from hazardous vegetation by a public road or fire trail which has:</p> <ul style="list-style-type: none"> (a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; (f) a maximum gradient of 12.5%; (g) a cross fall of no greater than 10 degrees; (h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy; (i) vehicular access at each end which is connected to the public road network; (j) designated fire trail signage; 	<p>R7 Not Applicable Reconfiguring a Lot is not proposed.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	(k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and (l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.	
P08 The development design responds to the potential threat of bushfire and establishes clear evacuation routes which demonstrate an acceptable or tolerable risk to people.	A08 The lot layout: (a) minimises the length of the development perimeter exposed to, or adjoining hazardous vegetation; (b) avoids the creation of potential bottle-neck points in the movement network; (c) establishes direct access to a safe assembly /evacuation area in the event of an approaching bushfire; and (d) ensures roads likely to be used in the event of a fire are designed to minimise traffic congestion. Note - For example, developments should avoid finger-like or hour-glass subdivision patterns or substantive vegetated corridors between lots. In order to demonstrate compliance with the performance outcome, a bushfire management plan prepared by a suitably qualified person may be required. The bushfire management plan should be developed in accordance with the Public Safety Business Agency (PSBA) guideline entitled "Undertaking a Bushfire Protection Plan. Advice from the Queensland Fire and Emergency Services (QFES) should be sought as appropriate	R8 Not Applicable Reconfiguring a Lot is not proposed.
P09 Critical infrastructure does not increase the potential bushfire hazard.	A09 Critical or potentially hazardous infrastructure such as water supply, electricity, gas and telecommunications are placed underground.	R9 Not Applicable Reconfiguring a Lot is not proposed.



Performance outcomes	Acceptable outcomes	Applicant response
Development design and separation from bushfire hazard – material change of use		
<p>PO10 Development is located and designed to ensure proposed buildings or building envelopes achieve a radiant heat flux level at any point on the building or envelope respectively, of:</p> <p>(a) 10kW/m² where involving a vulnerable use; or (b) 29kW/m² otherwise.</p> <p>The radiant heat flux level is achieved by separation unless this is not practically achievable.</p> <p>Note - The radiant heat levels and separation distances are to be established in accordance with method 2 set out in AS3959-2009.</p>	<p>AO10 Buildings or building envelopes are separated from hazardous vegetation by a distance that:</p> <p>(a) achieves a radiant heat flux level of at any point on the building or envelope respectively, of 10kW/m² for a vulnerable use or 29kW/m² otherwise; and (b) is contained wholly within the development site.</p> <p>Note - Where a separation distance is proposed to be achieved by utilising existing cleared developed areas external to the site, certainty must be established (through tenure or other means) that the land will remain cleared of hazardous vegetation.</p> <p>For staged developments, temporary separation distances, perimeter roads or fire trails may be absorbed as part of subsequent stages.</p> <p>Note - The achievement of a cleared separation distance may not be achievable where other provisions within the planning scheme require protection of certain ecological, slope, visual or character features or functions.</p>	<p>R10 Performance Solution Proposed bedrooms 5 – 8 will be located at the perimeter of hazardous vegetation (identified as being very high potential bushfire intensity on the Bushfire Hazard Overlay). We note that the siting of the additional bedrooms is a similar distance to the vegetation of concern as the existing dwelling.</p> <p>A Bushfire Attack Level (BAL) rating will be assigned to the relevant components of the development at the building certification stage. The development will incorporate the necessary building design principles and materials and will comply with the relevant construction standards as applicable to the BAL rating. The Applicant is willing to accept a condition of approval to this effect.</p>
<p>PO11 A formed, all weather fire trail is provided between the hazardous vegetation and the site boundary or building envelope, and is readily accessible at all times for the type of fire fighting vehicles servicing the area.</p> <p>However, a fire trail will not be required where it would not serve a practical fire management purpose.</p> <p>Note - Fire trails are unlikely to be required where a development site involves less than 2.5ha</p>	<p>AO11 Development sites are separated from hazardous vegetation by a public road or fire trail which has:</p> <p>(a) a reserve or easement width of at least 20m; (b) a minimum trafficable (cleared and formed) width of 4m capable of accommodating a 15 tonne vehicle and which is at least 6m clear of vegetation; (c) no cut or fill embankments or retaining walls adjacent to the 4m wide trafficable path; (d) a minimum of 4.8m vertical clearance; (e) turning areas for fire-fighting appliances in accordance with Queensland Fire and</p>	<p>R11 Performance Solution The existing driveway is proposed to be retained to facilitate safe evacuation and emergency vehicle access to/from the developed (and developable) part of the site.</p> <p>The existing driveway comprises a bitumen-sealed width of approximately 4 metres and is therefore understood to be capable of accommodating fire-fighting appliances that service the area.</p> <p>We note that hazardous vegetation on the site is predominantly located along the</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>Emergency Services' Fire Hydrant and Vehicle Access Guidelines;</p> <p>(f) a maximum gradient of 12.5%;</p> <p>(g) a cross fall of no greater than 10 degrees;</p> <p>(h) drainage and erosion control devices in accordance with the standards prescribed in a planning scheme policy;</p> <p>(i) vehicular access at each end which is connected to the public road network which is connected to the public road network at intervals of no more than 500m;</p> <p>(j) designated fire trail signage;</p> <p>(k) if used, has gates locked with a system authorised by Queensland Fire and Emergency Services; and</p> <p>(l) if a fire trail, has an access easement that is granted in favour of Council and Queensland Fire and Emergency Services.</p>	<p>northern site boundary and within the eastern (upper elevations) of the site. The existing driveway therefore forms a buffer between existing and proposed development on the site, and is understood to comply with PO11 on this basis.</p>
All development		
<p>PO12</p> <p>All premises are provided with vehicular access that enables safe evacuation for occupants and easy access by fire fighting appliances.</p>	<p>AO12</p> <p>Private driveways:</p> <p>(a) do not exceed a length of 60m from the street to the building;</p> <p>(b) do not exceed a gradient of 12.5%;</p> <p>(c) have a minimum width of 3.5m;</p> <p>(d) have a minimum of 4.8m vertical clearance;</p> <p>(e) accommodate turning areas for fire-fighting appliances in accordance with Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and</p> <p>(f) serve no more than 3 dwellings or buildings.</p>	<p>R12 Performance Solution</p> <p>The existing driveway (approximately 280 metres in length) that provides access from Kingfisher Lane to the existing dwelling is proposed to be retained without alteration. The development also incorporates several minor driveway extensions of varying lengths to facilitate access to aspects of the development as proposed by this application.</p> <p>The proposed extensions to the driveway will comply with the gradient, width, vertical clearance, vehicle turning requirements and</p>

Performance outcomes	Acceptable outcomes	Applicant response
		<p>number of serviceable buildings specified by AO12.</p> <p>Vehicular access is considered to comply with PO12 given the location of hazardous vegetation relevant to proposed development, the siting of development, existing site conditions, and the form of the driveway (existing and proposed).</p>



Performance outcomes	Acceptable outcomes	Applicant response
PO13 Development outside reticulated water supply areas includes a dedicated static supply that is available solely for fire fighting purposes and can be accessed by fire fighting appliances.	AO13 A water tank is provided within 10m of each building (other than a class 10 building) which: <ul style="list-style-type: none"> (a) is either below ground level or of non-flammable construction; (b) has a take off connection at a level that allows the following dedicated, static water supply to be left available for access by fire fighters: <ul style="list-style-type: none"> (i) 10,000l for residential buildings Note – A minimum of 7,500l is required in a tank and the extra 2,500l may be in the form of accessible swimming pools or dams. <ul style="list-style-type: none"> (ii) 45,000l for industrial buildings; and (iii) 20,000l for other buildings; (c) includes shielding of tanks and pumps in accordance with the relevant standards; (d) includes a hardstand area allowing medium rigid vehicle (15 tonne fire appliance) access within 6m of the tank; (e) is provided with fire brigade tank fittings – 50mm ball valve and male camlock coupling and, if underground, an access hole of 200mm (minimum) to accommodate suction lines; and (f) is clearly identified by directional signage provided at the street frontage. 	R14 Will Comply The proposed development can/will comply with water storage tank requirements in accordance with AO13 or as otherwise required by Council. A condition of approval would be accepted to this effect.
PO14 Landscaping does not increase the potential bushfire risk.	AO14 Landscaping uses species that are less likely to exacerbate a bushfire event, and does not increase fuel loads within separation areas.	R14 Complies Minimal Landscaping is proposed attending to the Secondary Dwelling only. Proposed landscaping is not expected to exacerbate a bushfire event. The Applicant is willing to accept a condition of approval in relation to species selection.



Performance outcomes	Acceptable outcomes	Applicant response
P015 The risk of bushfire and the need to mitigate that risk is balanced against other factors (such as but not limited to, biodiversity or scenic amenity).	A015 Bushfire risk mitigation treatments do not have a significant impact on the natural environment or landscape character of the locality where this has value.	R15 Complies Bushfire risk mitigation treatments will be limited to building design and materials and driveway construction and are therefore not expected to have a significant impact on the natural environment o landscape character of the locality.

Note – 'Vulnerable activities' are those involving:

- (1) the accommodation or congregation of vulnerable sectors of the community such as child care centres, community care centre, educational establishments, detention facilities, hospitals, rooming accommodation, retirement facilities or residential care facilities; or
- (2) the provision of essential services including community uses, emergency services, utility installation, telecommunications facility, substations and major electricity infrastructure.

8.2.4 Flood and storm tide hazard overlay code

8.2.4.1 Application

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

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

8.2.4.2 Purpose

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

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

Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
<p>PO1 Development is located and designed to: ensure the safety of all persons; minimise damage to the development and contents of buildings; provide suitable amenity; minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events.</p> <p>Note – For assessable development within the flood plain assessment sub-category, a flood study by a suitably qualified professional is required to identify compliance with the intent of the acceptable outcome.</p>	<p>AO1.1 Development is sited on parts of the land that is not within the Flood and Storm tide hazards overlay maps contained in Schedule 2;</p> <p>or</p> <p>For dwelling houses,</p> <p>AO1.2 Development within the Flood and Storm Tide hazards overlay maps (excluding the Flood plain assessment sub-category) is designed to provide immunity to the Defined Inundation Event as outlined within Table 8.2.4.3.b plus a freeboard of 300mm.</p>	<p>R1.1 Performance Solution The development proposes to establish non-habitable buildings/structures only within the mapped flood hazard area (being the Floodplain Assessment Overlay):</p> <ul style="list-style-type: none"> • Recreation room; • Outdoor courts; and • Shed. <p>Regarding the above we advise:</p> <ul style="list-style-type: none"> • The development will not have an impact on the safety of people, as the buildings and structures are non-habitable and for recreation purposes only; • The buildings and recreation spaces will be constructed to a high standard with durable materials designed to reasonably withstand potential flood impacts;

Performance outcomes	Acceptable outcomes	Applicant response
		<ul style="list-style-type: none"> Internal shelving and ample storage spaces (including a ceiling cavity within the recreation room) within the buildings will facilitate the storage of goods at an appropriate height above ground level (and the defined inundation event). <p>We also note that a portion of the secondary dwelling (i.e. the balcony) is identified within the flood hazard area. However, the affected part of the building will be elevated on posts so that the finished floor level is equivalent to that of the unaffected part of the building (39.6 metres AHD).</p> <p>R1.2 Not Applicable Development is within the Flood plain assessment sub-category.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>AO1.3 New buildings are:</p> <ul style="list-style-type: none"> (a) not located within the overlay area; (b) located on the highest part of the site to minimise entrance of flood waters; (c) provided with clear and direct pedestrian and vehicle evacuation routes off the site. <p>AO1.4 In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.</p>	<p>R1.3 Performance Solution The development proposes to establish a number of non-habitable buildings and structures within the flood hazard overlay as discussed in R1.1 above. Of relevance, we note that the site is affected by the Floodplain Assessment Overlay and is not within the 100 Year ARI Flood Zone (Defined Flood Event).</p> <p>Notwithstanding, habitable buildings are sited on higher parts of the land outside of the overlay area and/or are elevated to provide clearance from potential flood impacts.</p> <p>The existing driveway and proposed extensions provide clear and direct vehicle and pedestrian evacuation routes off the site.</p> <p>The development complies with PO1 on this basis.</p> <p>R1.4 Performance Solution The shed is proposed to be located approximately 30 metres from the riparian corridor within the site that drains to the Whyanbeel Creek, west of the site. Notwithstanding, adequate separation is considered to exist between the watercourse and the shed, which is also buffered by the driveway and existing vegetation.</p> <p>The siting of the shed is not expected to have any impact on the natural function of the watercourse.</p>



Performance outcomes	Acceptable outcomes	Applicant response
		The development complies with PO1 on this basis.
For assessable development		
PO2 The development is compatible with the level of risk associated with the natural hazard.	AO2 The following uses are not located in land inundated by the Defined Flood Event (DFE) / Storm tide: (a) Retirement facility; (b) Community care facility; (c) Child care centre.	R2 Complies Uses identified left are not proposed.
PO3 Development siting and layout responds to flooding potential and maintains personal safety	For Material change of use AO3.1 New buildings are: (a) not located within the overlay area; (b) located on the highest part of the site to minimise entrance of flood waters; (c) provided with clear and direct pedestrian and vehicle evacuation routes off the site. or AO3.2 The development incorporates an area on site that is at least 300mm above the highest known flood inundation level with sufficient space to accommodate the likely population of the development safely for a relatively short time until flash flooding subsides or people can be evacuated. or AO3.3	R3.1 Not Applicable The development complies with AO3.2. R3.2 Complies The site comprises a sloping terrain and includes sufficient area located well above any potential flood affected land to accommodate the likely population of the development safely for a relatively short time until flash flooding subsides or people can be evacuated. R3.3 Not Applicable The development complies with AO3.2.



Performance outcomes	Acceptable outcomes	Applicant response
	<p>Where involving an extension to an existing dwelling house that is situated below DFE /Storm tide, the maximum size of the extension does not exceed 70m² gross floor area.</p> <p>Note – If part of the site is outside the Hazard Overlay area, this is the preferred location of all buildings.</p> <p>For Reconfiguring a lot</p> <p>A03.4</p> <p>Additional lots:</p> <ul style="list-style-type: none"> (a) are not located in the hazard overlay area; or (b) are demonstrated to be above the flood level identified for the site. <p>Note - If part of the site is outside the Hazard Overlay area, this is the preferred location for all lots (excluding park or other open space and recreation lots).</p> <p>Note – Buildings subsequently developed on the lots will need to comply with the relevant building assessment provisions under the <i>Building Act 1975</i>.</p> <p>A03.5</p> <p>Road and/or pathway layout ensures residents are not physically isolated from adjacent flood free urban areas and provides a safe and clear evacuation route path:</p> <ul style="list-style-type: none"> (a) by locating entry points into the reconfiguration above the flood level and avoiding culs-de-sac or other non-permeable layouts; and (b) by direct and simple routes to main carriageways. 	<p>R3.4 – 3.7 Not Applicable</p> <p>Reconfiguring a Lot is not proposed.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>AO3.6 Signage is provided on site (regardless of whether the land is in public or private ownership) indicating the position and path of all safe evacuation routes off the site and if the site contains, or is within 100m of a floodable waterway, hazard warning signage and depth indicators are also provided at key hazard points, such as at floodway crossings or entrances to low-lying reserves.</p> <p>or</p> <p>AO3.7 There is no intensification of residential uses within the flood affected areas on land situated below the DFE/Storm tide.</p>	



Performance outcomes	Acceptable outcomes	Applicant response
	<p>For Material change of use (Residential uses) AO3.8 The design and layout of buildings used for residential purposes minimise risk from flooding by providing: (a) parking and other low intensive, non-habitable uses at ground level;</p> <p>Note - The high-set 'Queenslander' style house is a resilient low-density housing solution in floodplain areas. Higher density residential development should ensure only non-habitable rooms (e.g. garages, laundries) are located on the ground floor.</p>	<p>R3.8 Complies The development siting and layout responds to flooding potential by locating habitable buildings on higher parts of the land (outside of the overlay area) and/or elevating structures to provide clearance from potential flood impacts.</p>
<p>PO4 Development is resilient to flood events by ensuring design and built form account for the potential risks of flooding.</p>	<p>For Material change of use (Non-residential uses) AO4.2 Non residential buildings and structures allow for the flow through of flood waters on the ground floor. Note - Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site). Note - The relevant building assessment provisions under the <i>Building Act 1975</i> apply to all building work within the Hazard Area and need to take into account the flood potential within the area. AO4.3 Materials are stored on-site: (a) are those that are readily able to be moved in a flood event; (b) where capable of creating a safety hazard by being shifted by flood waters, are contained in order to minimise movement in times of flood.</p> <p>Notes - (a) Businesses should ensure that they have the necessary contingency plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off site).</p>	<p>R4 Not Applicable A residential use is proposed.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	(b) Queensland Government Fact Sheet 'Repairing your House after a Flood' provides information about water resilient products and building techniques.	
<p>P05 Development directly, indirectly and cumulatively avoids any increase in water flow velocity or flood level and does not increase the potential flood damage either on site or on other properties.</p> <p>Note – Berms and mounds are considered to be an undesirable built form outcome and are not supported.</p>	<p>For Operational works</p> <p>A05.1 Works in urban areas associated with the proposed development do not involve:</p> <ul style="list-style-type: none"> (a) any physical alteration to a watercourse or floodway including vegetation clearing; or (b) a net increase in filling (including berms and mounds). <p>A05.2 Works (including buildings and earthworks) in non urban areas either:</p> <ul style="list-style-type: none"> (a) do not involve a net increase in filling greater than 50m³; or (b) do not result in any reductions of on-site flood storage capacity and contain within the subject site any changes to depth/duration/velocity of flood waters; <p>or</p> <ul style="list-style-type: none"> (c) do not change flood characteristics outside the subject site in ways that result in: <ul style="list-style-type: none"> (i) loss of flood storage; (ii) loss of/changes to flow paths; (iii) acceleration or retardation of flows or any reduction in flood warning times elsewhere on the flood plain. 	<p>R5.1 – 5.2 Not Applicable Operational works are not proposed as part of this development application.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>For Material change of use</p> <p>AO5.3 Where development is located in an area affected by DFE/Storm tide, a hydraulic and hydrology report, prepared by a suitably qualified professional, demonstrates that the development maintains the flood storage capacity on the subject site; and</p> <p>(a) does not increase the volume, velocity, concentration of flow path alignment of stormwater flow across sites upstream, downstream or in the general vicinity of the subject site; and</p> <p>(b) does not increase ponding on sites upstream, downstream or in the general vicinity of the subject site.</p> <p>For Material change of use and Reconfiguring a lot</p> <p>AO5.4 In non urban areas, buildings and infrastructure are set back 50 metres from natural riparian corridors to maintain their natural function of reducing velocity of floodwaters.</p> <p>Note – Fences and irrigation infrastructure (e.g. irrigation tape) in rural areas should be managed to minimise adverse the impacts that they may have on downstream properties in the event of a flood.</p>	<p>R5.3 Not Applicable The development is not within an area affected by the Defined Flood Event or Storm tide.</p> <p>R5.4 Performance Solution Refer response R1.4 above.</p>
<p>PO6 Development avoids the release of hazardous materials into floodwaters.</p>	<p>For Material change of use</p> <p>AO6.1 Materials manufactured or stored on site are not hazardous or noxious, or comprise materials that may cause a detrimental effect on the environment if discharged in a flood event;</p>	<p>R6 Not Applicable The development does not involve a use associated with the manufacture or storage of hazardous materials.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>or</p> <p>AO6.2 If a DFE level is adopted, structures used for the manufacture or storage of hazardous materials are:</p> <ul style="list-style-type: none"> (a) located above the DFE level; or (b) designed to prevent the intrusion of floodwaters. <p>AO6.3 Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by the DFE.</p> <p>AO6.4 If a flood level is not adopted, hazardous materials and their manufacturing equipment are located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of floodwaters.</p> <p>Note – Refer to <i>Work Health and Safety Act 2011</i> and associated Regulation and Guidelines, the <i>Environmental Protection Act 1994</i> and the relevant building assessment provisions under the <i>Building Act 1975</i> for requirements related to the manufacture and storage of hazardous materials.</p>	
<p>P07 The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.</p>	<p>A07 Development does not:</p> <ul style="list-style-type: none"> (a) increase the number of people calculated to be at risk of flooding; (b) increase the number of people likely to need evacuation; (c) shorten flood warning times; and 	<p>R7 Complies The development does not increase the number of people calculated to be at risk of flood nor the number of people requiring evacuation since habitable buildings are sited outside the flood overlay.</p> <p>The proposed development is considered low impact (being for Dwelling House), and will</p>



Performance outcomes	Acceptable outcomes	Applicant response
	(d) impact on the ability of traffic to use evacuation routes, or unreasonably increase traffic volumes on evacuation routes.	not have any effect of flood warning times or trafficable evacuation routes.
PO8 Development involving community infrastructure: (a) remains functional to serve community need during and immediately after a flood event; is designed, sited and operated to avoid adverse impacts on the community or environment due to impacts of flooding on infrastructure, facilities or access and egress routes; retains essential site access during a flood event; is able to remain functional even when other infrastructure or services may be compromised in a flood event.	A08.1 The following uses are not located on land inundated during a DFE/Storm tide: (a) community residence; and (b) emergency services; and (c) residential care facility; and (d) utility installations involving water and sewerage treatment plants; and (e) storage of valuable records or items of historic or cultural significance (e.g. archives, museums, galleries, libraries). or A08.2 The following uses are not located on land inundated during a 1% AEP flood event: (a) community and cultural facilities, including facilities where an education and care service under the Education and care Services National law (Queensland) is operated or child care service under the <i>Child Care Act 2002</i> is conducted, (b) community centres; (c) meeting halls; (d) galleries; (e) libraries.	R8 Not Applicable The development does not involve community infrastructure.



Performance outcomes	Acceptable outcomes	Applicant response
	<p>The following uses are not located on land inundated during a 0.5% AEP flood event.</p> <ul style="list-style-type: none"> (a) emergency shelters; (b) police facilities; (c) sub stations; (d) water treatment plant <p>The following uses are not located on land inundated during a 0.2% AEP flood event:</p> <ul style="list-style-type: none"> (a) correctional facilities; (b) emergency services; (c) power stations; (d) major switch yards. <p>and/or</p> <p>AO8.3 The following uses have direct access to low hazard evacuation routes as defined in</p> <p>Table 8.2.4.3.c :</p> <ul style="list-style-type: none"> (a) community residence; and (b) emergency services; and (c) hospitals; and (d) residential care facility; and (e) sub stations; and (f) utility installations involving water and sewerage treatment plants. <p>AO8.4 Any components of infrastructure that are likely to fail to function or may result in contamination when inundated by flood, such as electrical switch gear and</p>	



Performance outcomes	Acceptable outcomes	Applicant response
	<p>motors, telecommunications connections, or water supply pipeline air valves are:</p> <p>(a) located above DFE/Storm tide or the highest known flood level for the site;</p> <p>(b) designed and constructed to exclude floodwater intrusion / infiltration.</p> <p>AO8.5 Infrastructure is designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by a flood.</p>	

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

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

Table 8.2.4.3.c - Degree of flood

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

Note: The evacuation times for various facilities or areas would (but not necessarily) be included in the Counter Disaster Plan.
Generally safe wading conditions assume even walking surfaces and no obstructions, steps, soft underfoot etc.

8.2.5 Hillslopes overlay code

8.2.5.1 Application

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

8.2.5.2 Purpose

- (1) The purpose of the Hillslopes overlay code is to:
 - (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 1 - Settlement pattern: Element 3.4.7 Mitigation of hazards;
 - (ii) Theme 2 – Environment and landscape values: Element 3.5.5 Scenic amenity.
 - (b) enable an assessment of whether development is suitable on land within the Hillslopes sub-categories.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) development on hillslopes is safe, serviceable and accessible;
 - (b) the ecological values, landscape character and visual quality of the hillslopes are protected from development so as to retain the scenic backdrop to the region;
 - (c) Development on hillslopes is appropriate, having regard to the topographic constraints and environmental characteristics of the land;
 - (d) Development responds to the constraints of the site including gradient and slope stability;
 - (e) Works do not involve complex engineering solutions.

Criteria for assessment**Table 8.2.5.3.a – Hillslopes overlay code –assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable development		
PO1 The landscape character and visual amenity quality of hillslopes areas is retained to protect the scenic backdrop to the region.	AO1.1 Development is located on parts of the site that are not within the Hillslopes constraint sub-category as shown on the Hillslopes overlay Maps contained in schedule 2.	R1 Performance Solution The following components of the development are proposed within the Hillslopes constraint area: <ul style="list-style-type: none">• Bedrooms 5 – 8;• Secondary Dwelling; and• Recreation room. Notwithstanding, the development has been designed in such a way as to complement the existing built characteristics of the site and surrounds and retain the landscape quality of the area, since: <ul style="list-style-type: none">• The development follows the natural contours of the site, via the siting of buildings and structures within areas of reduced gradient, in seeking to limit the requirement for earthworks to the greatest extent practicable;• Bedrooms 5 – 8 will utilise post and beam construction design to minimise extensive modifications to the natural terrain;• Buildings and structures will incorporate colours and finishes to match the existing dwelling, or can alternatively be conditioned to comply with Council requirements;• Existing vegetation and landscaping on the site provide extensive



Performance outcomes	Acceptable outcomes	Applicant response
		<p>screening when viewed from the public domain.</p> <p>The development is considered to comply with PO1 on this basis.</p>
For assessable development		
<p>PO2 The landscape character and visual amenity quality of hillslopes areas is retained to protect the scenic backdrop to the region.</p>	<p>AO2.1 Development does not occur on land with a gradient in excess of 1 in 6 (16.6%)</p> <p>or</p> <p>AO2.2 Where development on land steeper than 1 in 6 (16.6%) cannot be avoided, development follows the natural contours of the site.</p> <p>AO2.3 Access ways and driveways are:</p> <ul style="list-style-type: none"> (a) constructed with surface materials that blend with the surrounding environment; (b) landscaped with dense planting to minimise the visual impact of the construction; (c) provided with erosion control measures immediately after construction. <p>AO2.4 The clearing or disturbance of vegetation is limited to clearing and disturbance that:</p> <ul style="list-style-type: none"> (a) is necessary for the construction of driveways; 	<p>R2.1 Not Applicable The development complies with AO2.2.</p> <p>R2.2 Complies The proposed development follows the natural contours of the site, achieved via the siting of buildings and structures within areas of reduced gradient and by utilising existing levelled areas for building pads to the greatest extent practicable (refer to the Isometric Concept, Contour Plan and Elevation Plans within Schedule 2).</p> <p>R2.3 Complies / Will Comply Proposed driveway extensions will be sealed with bitumen to match the existing driveway and blend with the surrounding environment.</p> <p>It is understood that existing vegetation on the site affords an appropriate level of landscaping to the development, and therefore no additional landscaping is proposed relevant to site access.</p> <p>The design of the driveway will incorporate appropriate drainage and erosion control measures, to be assessed and confirmed at the civil works stage of the development.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>(b) is necessary to contain the proposed development;</p> <p>(c) minimises canopy clearing or disturbance;</p> <p>(d) minimises riparian clearing or disturbance.</p> <p>AO2.5 On land with slopes greater than 1 in 6 (16.6%) or greater, alternative construction methods to concrete slab on ground are utilised (i.e. split level or post and beam constructed buildings that minimise modification to the natural terrain of the land).</p> <p>AO2.6 Development does not alter the sky line.</p> <p>AO2.7 Buildings and structures:</p> <p>(a) are finished predominantly in the following exterior colours or surfaces:</p> <p>(b) moderately dark to darker shades of olive green, brown, green, blue, or charcoal; or</p> <p>(c) moderately dark to darker wood stains that blend with the colour and hues of the surrounding vegetation and landscape;</p> <p>(d) are not finished in the following exterior colours or surfaces:</p> <p>(e) pastel or terracotta colours, reds, yellows, shades of white or beige, or other bright colours that do not blend with the surrounding vegetation and landscape;</p> <p>(f) reflective surfaces.</p> <p>AO2.8 Exterior colour schemes limit the use of white or other light colours to exterior trim and highlighting of architectural features</p>	<p>The Applicant is willing to accept a condition of approval regarding driveway treatments required by AO2.3, if necessary.</p> <p>R2.4 Complies Vegetation clearing will be limited to the select trees identified on the Proposal Plans (refer Schedule 2).</p> <p>The vegetation identified for removal is not classified as significant or remnant. Vegetation proposed to be cleared is necessary for the construction of driveways and other components of the development, the removal of which will not have a significant effect on existing the canopy prevailing over the site. Further, we note that riparian clearing is not proposed.</p> <p>R2.5 Complies The proposed development follows the natural contours of the site to the greatest extent practicable (refer to response R2.2 above).</p> <p>Bedrooms 5 – 8 will utilise post and beam construction design to minimise extensive modifications to the natural terrain.</p> <p>R2.6 Complies The development incorporates low set buildings that follow the contours of the land. The development will not encroach into the skyline as viewed from the public domain.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	<p>AO2.9 Areas between the first floor (including outdoor deck areas) and ground level are screened from view.</p> <p>AO2.10 Recreational or ornamental features (including tennis courts, ponds or swimming pools) do not occur on land:</p> <ul style="list-style-type: none"> (a) with a gradient of 1 in 6 (16.6%) or more; (b) are designed to be sited and respond to the natural constraints of the land and require minimal earthworks 	<p>R2.7 – R2.8 Complies / Can Comply The Applicant proposes to utilise colours and finishes to match the existing Dwelling House (refer Proposal Plans). A condition of approval would however be accepted in relation to Council's preference for building colours / surfaces.</p> <p>R2.9 Not Applicable Multi-level buildings that require screening are not proposed.</p> <p>R2.10 Complies The outdoor courts are proposed to be sited on parts of the land with a reduced gradient, in seeking to minimise earthworks requirements. Limited earthworks will be required to facilitate a level ground for construction of the outdoor courts (refer Schedule 2).</p>
<p>PO3 Excavation or filling does not have an adverse impact on the amenity, safety, stability or function of the site or adjoining premises through:</p> <ul style="list-style-type: none"> (a) loss of privacy; (b) loss of access to sunlight; (c) intrusion of visual or overbearing impacts; (d) complex engineering solutions. 	<p>AO3 Excavation or fill:</p> <ul style="list-style-type: none"> (a) is not more than 1.2 metres in height for each batter or retaining wall; (b) is setback a minimum of 2 metres from property boundaries; (c) is stepped with a minimum 2 metre wide berm to incorporate landscaping in accordance with Planning scheme policy SC6.7 – Landscaping; (d) does not exceed a maximum of 3 batters and 3 berms (i.e. not greater than 3.6 metres in height) on any one lot. 	<p>R3 Complies The extent of earthworks required to facilitate the development is identified on the Proposal Plans. We note that the development has been designed and sited to follow the natural contours of the land and limit earthworks to the greatest extent practicable.</p> <p>Retaining walls (if/where required), will not exceed 1.2 metres in height.</p> <p>Earthworks are not proposed within 2 metres of any site boundary.</p>



Performance outcomes	Acceptable outcomes	Applicant response
		The development complies with AO3.



Performance outcomes	Acceptable outcomes	Applicant response
Lot reconfiguration		
<p>PO4 For development that involves reconfiguring a lot, lot layout and design is responsive to the natural constraints of the land and each lot is capable of being used for its intended purpose.</p>	<p>AO4.1 The frontage and depth of all lots is of sufficient width to:</p> <ul style="list-style-type: none"> (a) allow driveways to follow the natural contours of the site and not exceed a gradient of 1 in 6 (16.6%); (b) accommodate any changes in gradient between the road and lot within the lot boundary and not within the road reserve. <p>AO4.2 Development does not create new lots containing land of greater than 1 in 6 (16.6%), except where a rectangular area of land of lesser grade is contained within the new lots to accommodate the intended land use, with the balance left in its natural state to the greatest extent possible.</p> <p>Note – The size of rectangular areas is outlined within each zone code.</p> <p>AO4.3 Development does not alter ridgelines.</p> <p>AO4.4 Lots are designed to ensure rooflines of future buildings and structures do not protrude above a ridgeline.</p>	<p>R4 Not Applicable Reconfiguring a Lot is not proposed.</p>

8.2.7 Natural areas overlay code

8.2.7.1 Application

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

Note – MSES = Matters of State Environmental Significance.

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

8.2.7.2 Purpose

- (1) The purpose of the Natural areas overlay code is to:
 - (a) implement the policy direction in the Strategic Framework, in particular:
 - (i) Theme 2: Environment and landscape values, Element 3.5.3 Biodiversity, Element 3.5.4 Coastal zones;
 - (ii) Theme 3: Natural resource management Element 3.6.2 Land and catchment management, Element 3.6.3 Primary production, forestry and fisheries.
 - (b) enable an assessment of whether development is suitable on land within the Biodiversity area overlay sub-categories.

- (2) The purpose of the code will be achieved through the following overall outcomes:
- (a) development is avoided within:
 - (i) areas containing matters of state environmental significance (MSES);
 - (ii) other natural areas;
 - (iii) wetlands and wetland buffers;
 - (iv) waterways and waterway corridors.
 - (b) where development cannot be avoided, development:
 - (i) protects and enhances areas containing matters of state environmental significance;
 - (ii) provides appropriate buffers;
 - (iii) protects the known populations and supporting habitat of rare and threatened flora and fauna species, as listed in the relevant State and Commonwealth legislation;
 - (iv) ensures that adverse direct or indirect impacts on areas of environmental significance are minimised through design, siting, operation, management and mitigation measures;
 - (v) does not cause adverse impacts on the integrity and quality of water in upstream or downstream catchments, including the Great Barrier Reef World Heritage Area;
 - (vi) protects and maintains ecological and hydrological functions of wetlands, waterways and waterway corridors;
 - (vii) enhances connectivity across barriers for aquatic species and habitats;
 - (viii) rehabilitates degraded areas to provide improved habitat condition, connectivity, function and extent;
 - (ix) protects areas of environmental significance from weeds, pests and invasive species.
 - (c) strategic rehabilitation is directed to areas on or off site, where it is possible to achieve expanded habitats and increased connectivity.

Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
Protection of matters of environmental significance		
PO1 Development protects matters of environmental significance.	AO1.1 Development avoids significant impact on the relevant environmental values. or AO1.2 A report is prepared by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, that the development site does not contain any matters of state and local environmental significance. or AO1.3 Development is located, designed and operated to mitigate significant impacts on environmental values. For example, a report certified by an appropriately qualified person demonstrating to the satisfaction of the assessment manager, how the proposed development mitigates impacts, including on water quality, hydrology and biological processes.	R1.1 Complies The Natural Areas Overlay identifies the following environmental values relevant to development proposed at the site: MSES – Regulated Vegetation mapped as being on parts of the site where driveway extensions, the shed, recreation room, outdoor courts, and bedroom 8 are proposed. MSES – Wildlife Habitat mapped as being on part of the site where a portion of the access to the shed is proposed. In relation to Regulated Vegetation, we note that the Planning Scheme mapping is inconsistent with the State Development Assessment mapping, and the State mapping prevails over any inconsistency. State mapping identifies that Wildlife Habitat mirrors the extent of Regulated Vegetation. State mapping also identifies that the development as proposed is not within any area of Regulated Vegetation or Wildlife Habitat, with the exception of a portion of the proposed access to the shed. No vegetation is proposed to be removed within this area. The development is therefore not



Performance outcomes	Acceptable outcomes	Applicant response
		expected to have any significant impact on the relevant environmental values.




Performance outcomes	Acceptable outcomes	Applicant response
Management of impacts on matters of environmental significance		
PO2 Development is located, designed and constructed to avoid significant impacts on matters of environmental significance.	AO2 The design and layout of development minimises adverse impacts on ecologically important areas by: <ul style="list-style-type: none"> (a) focusing development in cleared areas to protect existing habitat; (b) utilising design to consolidate density and preserve existing habitat and native vegetation; (c) aligning new property boundaries to maintain ecologically important areas; (d) ensuring that alterations to natural landforms, hydrology and drainage patterns on the development site do not negatively affect ecologically important areas; (e) ensuring that significant fauna habitats are protected in their environmental context; and (f) incorporating measures that allow for the safe movement of fauna through the site. 	R2 Complies The development has been designed to avoid adverse impacts on ecologically important areas to the greatest extent practicable through siting of proposed buildings and structures within areas <u>not</u> identified as comprising matters of environmental significance (refer response R1.1 above). The development is predominantly sited within cleared areas, therefore limited vegetation removal is required. Development has also been designed to follow the natural contours of the site, via the siting of buildings and structures within areas of reduced gradient, in seeking to limit the requirement for earthworks. The development is not expected to have any adverse impacts of fauna habitats or the movement of fauna through the site, given the scale and location of the development relevant to mapped wildlife Habitat.
PO3 An adequate buffer to areas of state environmental significance is provided and maintained.	AO3.1 A buffer for an area of state environmental significance (Wetland protection area) has a minimum width of: <ul style="list-style-type: none"> (a) 100 metres where the area is located outside Urban areas; or (b) 50 metres where the area is located within a Urban areas. or	R3.1 Not Applicable The development is not proximate to a wetland of state environmental significance.

Performance outcomes	Acceptable outcomes	Applicant response
	A03.2 A buffer for an area of state environmental significance is applied and maintained, the width of which is supported by an evaluation of environmental values, including the function and threats to matters of environmental significance.	R3.2 Performance Solution The proposal seeks to facilitate low impact (Dwelling House) development, consistent with the established use of the site and surrounding area. A buffer area is not proposed, however we note that development will be undertaken within areas not identified as comprising remnant vegetation per the Vegetation Management Act 1999, which is taken to supersede Council's Natural Areas Overlay in practical terms. The development is considered to comply with PO3 on this basis.
PO4 Wetland and wetland buffer areas are maintained, protected and restored. Note – Wetland buffer areas are identified in A03.1.	A04.1 Native vegetation within wetlands and wetland buffer areas is retained. A04.2 Degraded sections of wetlands and wetland buffer areas are revegetated with endemic native plants in patterns and densities which emulate the relevant regional ecosystem.	R4 Not Applicable The development is not proximate to a wetland or wetland buffer area.
PO5 Development avoids the introduction of non-native pest species (plant or animal), that pose a risk to ecological integrity.	A05.1 Development avoids the introduction of non-native pest species. A05.2 The threat of existing pest species is controlled by adopting pest management practices for long-term ecological integrity.	R5.1 Complies Non-native pest species (plant or animal) will not be introduced in association with the development. The Applicant is willing to accept a condition of approval in relation to pest species. R5.2 Not Applicable Pest species are not known to exist on the site.
Ecological connectivity		



Performance outcomes	Acceptable outcomes	Applicant response
P06 Development protects and enhances ecological connectivity and/or habitat extent.	A06.1 Development retains native vegetation in areas large enough to maintain ecological values, functions and processes. and A06.2 Development within an ecological corridor rehabilitates native vegetation. and A06.3 Development within a conservation corridor mitigates adverse impacts on native fauna, feeding, nesting, breeding and roosting sites and native fauna movements.	R6.1 Complies Native vegetation on the site is proposed to be retained. Vegetation requiring removal is not within areas understood to comprise significant ecological values or processes. R6.2 Not Applicable Development within an ecological corridor is not proposed. R6.3 Not Applicable Development within a conservation corridor is not proposed.
P07 Development minimises disturbance to matters of state environmental significance (including existing ecological corridors).	A07.1 Development avoids shading of vegetation by setting back buildings by a distance equivalent to the height of the native vegetation. and A07.2 Development does not encroach within 10 metres of existing riparian vegetation and watercourses.	R7.1 Complies Bedrooms 5 – 8 are proposed to be sited approximately 10-12 metres from mapped native vegetation, which is located to the rear of the proposed buildings on the eastern side of the driveway (see aerial imagery in figure below). The proposed bedrooms will be of a low-set scale with a maximum height of 4.11 metres, as measured from the natural ground level of the driveway (refer Proposal Plans). Contour mapping identifies that the vegetation of concern is located on a relatively steep slope that rises toward the east.



Performance outcomes	Acceptable outcomes	Applicant response
		<p>Whilst the exact height of the native vegetation at this location is not known, it is anticipated that given the slope of the land, the height of the proposed buildings and distance to the vegetation, shading of native vegetation (to a significant degree) is not expected to occur.</p>  <p>R7.2 Complies Development is not proposed within 10 metres of existing riparian vegetation or a watercourse.</p>
Waterways in an urban area		
<p>P08 Development is set back from waterways to protect and maintain:</p>	<p>A08.1</p>	<p>R8 Not Applicable The site is not within an urban area.</p>



Performance outcomes	Acceptable outcomes	Applicant response
(a) water quality; (b) hydrological functions; (c) ecological processes; (d) biodiversity values; (e) riparian and in-stream habitat values and connectivity; (f) in-stream migration	Where a waterway is contained within an easement or a reserve required for that purpose, development does not occur within the easement or reserve; or A08.2 Development does not occur on the part of the site affected by the waterway corridor. Note – Waterway corridors are identified within Table 8.2.7.3.b.	
Waterways in a non-urban area		
PO9 Development is set back from waterways to protect and maintain: (a) water quality; (b) hydrological functions; (c) ecological processes; (d) biodiversity values; (e) riparian and in-stream habitat values and connectivity; (f) in-stream migration.	A09 Development does not occur on that part of the site affected by a waterway corridor. Note – Waterway corridors are identified within Table 8.2.7.3.b.	R9 Complies Development is setback greater than 10 metres from the top of the high bank of the waterway corridor.

Table 8.2.7.3.b — Widths of waterway corridors for waterways

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

8.2.9 Potential landslide hazard overlay code

8.2.9.1 Application

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

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

8.2.5.2 Purpose

- (1) The purpose of the Potential landslide hazard overlay code is:
 - (a) implement the policy direction of the Strategic Framework, in particular:
 - (i) Theme 1: Settlement pattern Element 3.4.7 Mitigation of hazards.
 - (b) enable an assessment of whether development is suitable on land within the Potential landslip hazard overlay.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) development is located, designed and constructed to not put at risk the safety of people, property and the environment;
 - (b) development is not at risk from and does not pose a risk to adjacent and nearby sites from landslides;
 - (c) ensures that community infrastructure is protected from the effects of potential landslides;
 - (d) ensures that vegetation clearing, stormwater management and filling and/or excavation does not create a landslide hazard and/or rectifies potential pre-existing landslide risks;

- (e) development does not occur where works to provide a solution for safety of people, property or the environment involves complex engineering solutions to overcome the risk, or would result in a built form or outcome that causes an adverse visual impact on the Hillslopes or Landscape values of Douglas Shire.

Criteria for assessment

Table 8.2.9.20a – Potential landslide hazard overlay code – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
<p>PO1 The siting and design of development does not involve complex engineering solutions and does not create or increase the potential landslide hazard risk to the site or adjoining premises through:</p> <ul style="list-style-type: none"> (a) building design; (b) increased slope; (c) removal of vegetation; (d) stability of soil; (e) earthworks; (f) alteration of existing ground water or surface water paths; (g) waste disposal areas. 	<p>AO1.1 Development is located on that part of the site not affected by the Potential landslide hazard overlay. or AO1.2 Development is on an existing stable, benched site and requires no further earthworks or AO1.3 A competent person certifies that:</p> <ul style="list-style-type: none"> (a) the stability of the site, including associated buildings and infrastructure, will be maintained during the course of the development and will remain stable for the life of the development; (b) development of the site will not increase the risk of landslide hazard activity on other land, including land above the site; (c) the site is not subject to the risk of landslide activity on other land; (d) any measures identified in a site-specific geotechnical report for stabilising the site or development have been fully implemented; (e) development does not concentrate existing ground water and surface water paths; (f) development does not incorporate on-site waste water disposal. 	<p>R1 Performance Solution Proposed bedrooms 5 – 7 are located on part of the site affected by the Potential landslide hazard overlay. It is noted that the existing Dwelling House (approximate age = 35+ years) is located within the same area identified to be affected by potential landslide risk.</p> <p>Notwithstanding, earthworks or complex engineering solutions are not proposed nor required to facilitate construction of the single bedroom pavilions. The rear of the buildings, where accessed from the driveway, will be established on a level area of land. Posts and beams will be utilised to support the western (balcony) side of the buildings.</p> <p>On the basis of the above and given the apparent slope stability at this location (as ascertained by the dwelling), a geotechnical report is not understood to be required. A condition of approval would however be accepted in relation to geotechnical assessment.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	Note – Planning scheme policy SC6.9 – Natural hazards provides guidance on preparing a site specific geo-technical assessment. Note – Development may alter the conditions of ground water and surface water paths in accordance with a site-specific geotechnical report, but should ensure that its final disbursement is as-per pre-developed conditions. Consideration for location, velocity, volume and quality should be given	
P02 The siting and design of necessary retaining structures does not cause an adverse visual impact on landscape character or scenic amenity quality of the area.	AO2 Excavation or fill: (a) is not more than 1.2 metres in height for each batter or retaining wall; (b) is setback a minimum of 2 metres from property boundaries; (c) is stepped with a minimum 2 metre wide berm to incorporate landscaping in accordance with Planning scheme policy SC6.7 – Landscaping; (d) does not exceed a maximum of 3 batters and 3 berms (i.e. Not greater than 3.6 metres in height) on any one lot.	R2 Complies The extent of earthworks required to facilitate the development is identified on the Proposal Plans. We note that the development has been designed and sited to follow the natural contours of the land and limit earthworks to the greatest extent practicable. Retaining walls (if/where required), will not exceed 1.2 metres in height. Earthworks are not proposed within 2 metres of any site boundary. The development complies with AO2.
Additional requirements for Community infrastructure		
P03 Development for community infrastructure: (a) is not at risk from the potential landslide hazard areas; (b) will function without impediment from a landslide; (c) provides access to the infrastructure without impediment from the effects of a landslide; (d) does not contribute to an elevated risk of a landslide to adjoining properties.	AO3 Development is designed in accordance with the recommendations of a site-specific geotechnical assessment which makes reference to the community infrastructure and its needs and function. Note - A site specific geotechnical assessment will detail requirements that will address the Acceptable Outcomes of this Performance Outcome. Planning scheme policy SC6.9 – Natural hazards provides guidance on preparing a site specific geotechnical assessment.	R3 Not Applicable Community Infrastructure is not proposed.

9.3.8 Dwelling house code

9.3.8.1 Application

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

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

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

9.3.8.2 Purpose

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

9.3.8.3 Criteria for assessment**Table 9.3.8.3.a – Dwelling house code – assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
PO1 Secondary dwellings: (a) are subordinate, small-scaled dwellings; (b) contribute to a safe and pleasant living environment; (c) are established on appropriate sized lots; (d) do not cause adverse impacts on adjoining properties.	AO1 The secondary dwelling: (a) has a total gross floor area of not more than 80m ² , excluding a single carport or garage; (b) is occupied by 1 or more members of the same household as the dwelling house.	R1 Performance Solution The Secondary Dwelling has a gross floor area (GFA) of 80.4m ² , being only marginally greater than the 80m ² required by AO1. Notwithstanding, the Secondary Dwelling will remain subordinate to, and appropriately separated from, the primary dwelling on the site (GFA ~230m ²). No adverse impacts are expected to arise, given the site area, existing vegetation (providing screening) and distance to adjoining properties. Note – Acceptable Outcome AO1(b) is in conflict with the interacting definitions for 'secondary dwelling' and 'household' under the Planning Regulation 2017 and has no effect pursuant to application of section 8(2) of the Planning Regulation 2017.
PO2 Resident's vehicles are accommodated on- site.	AO2 Development provides a minimum number of on-site car parking spaces comprising: (a) 2 car parking spaces which may be in tandem for the dwelling house; (b) 1 car parking space for any secondary dwelling on the same site.	R3 Complies Car parking arrangements for the existing Dwelling House include a single carport/garage and tandem parking in the driveway behind the dwelling. The Secondary Dwelling includes a double garage.
PO3 Development is of a bulk and scale that:	AO3	R3 Complies



Performance outcomes	Acceptable outcomes	Applicant response
<p>(a) is consistent with and complements the built form and front boundary setbacks prevailing in the street and local area;</p> <p>(b) does not create an overbearing development for adjoining dwelling houses and their private open space;</p> <p>(c) does not impact on the amenity and privacy of residents in adjoining dwelling houses;</p> <p>(d) ensures that garages do not dominate the appearance of the street.</p>	<p>Development meets the acceptable outcome for building height in the applicable Zone code associated with the site.</p>	<p>Development complies with AO1.1 and AO1.2 of the Rural Zone Code.</p>

9.4 Other development codes

9.4.1 Access, parking and servicing code

9.4.1.1 Application

- (1) This code applies to:
 - (a) operational work which requires a compliance assessment as a condition of a development permit; or
 - (b) a material change of use or reconfiguring a lot if:
 - (i) self-assessable or assessable development where this code is identified in the assessment criteria column of the table of assessment;
 - (ii) impact assessable development, to the extent relevant.
- (2) When using this code, reference should be made to Part 5.

9.4.1.2 Purpose

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

9.4.1.3 Criteria for assessment**Table 9.4.1.3.a – Access, parking and servicing code – assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
PO1 Sufficient on-site car parking is provided to cater for the amount and type of vehicle traffic expected to be generated by the use or uses of the site, having particular regard to: <ul style="list-style-type: none"> (a) the desired character of the area; (b) the nature of the particular use and its specific characteristics and scale; (c) the number of employees and the likely number of visitors to the site; (d) the level of local accessibility; (e) the nature and frequency of any public transport serving the area; (f) whether or not the use involves the retention of an existing building and the previous requirements for car parking for the building (g) whether or not the use involves a heritage building or place of local significance; (h) whether or not the proposed use involves the retention of significant vegetation. 	AO1.1 The minimum number of on-site vehicle parking spaces is not less than the number prescribed in Error! Reference source not found. for that particular use or uses. Note - Where the number of spaces calculated from the table is not a whole number, the number of spaces provided is the next highest whole number. AO1.2 Car parking spaces are freely available for the parking of vehicles at all times and are not used for external storage purposes, the display of products or rented/sub-leased. AO1.3 Parking for motorcycles is substituted for ordinary vehicle parking to a maximum level of 2% of total ordinary vehicle parking. AO1.4 For parking areas exceeding 50 spaces parking, is provided for recreational vehicles as a substitute for ordinary vehicle parking to a maximum of 5% of total ordinary vehicle parking rate.	R1.1 Complies The development provides one garage space plus tandem parking within the driveway for the primary dwelling. The Secondary Dwelling includes a double garage. R1.2 Complies Car parking spaces are freely available for the parking of vehicles at all times. R1.3 Complies The development is capable of accommodating motorcycle parking if required. R1.4 Not Applicable Parking areas exceeding 50 spaces is not proposed.



Performance outcomes	Acceptable outcomes	Applicant response
PO3 Access points are designed and constructed: <ul style="list-style-type: none"> (a) to operate safely and efficiently; (b) to accommodate the anticipated type and volume of vehicles (c) to provide for shared vehicle (including cyclists) and pedestrian use, where appropriate; (d) so that they do not impede traffic or pedestrian movement on the adjacent road area; (e) so that they do not adversely impact upon existing intersections or future road or intersection improvements; (f) so that they do not adversely impact current and future on-street parking arrangements; (g) so that they do not adversely impact on existing services within the road reserve adjacent to the site; (h) so that they do not involve ramping, cutting of the adjoining road reserve or any built structures (other than what may be necessary to cross over a stormwater channel). 	AO3.1 Access is limited to one access cross over per site and is an access point located, designed and constructed in accordance with: <ul style="list-style-type: none"> (a) Australian Standard AS2890.1; (b) Planning scheme policy SC6.5 – FNQROC Regional Development Manual - access crossovers. AO3.2 Access, including driveways or access crossovers: <ul style="list-style-type: none"> (a) are not placed over an existing: <ul style="list-style-type: none"> (i) telecommunications pit; (ii) stormwater kerb inlet; (iii) sewer utility hole; (iv) water valve or hydrant. (b) are designed to accommodate any adjacent footpath; (c) adhere to minimum sight distance requirements in accordance with AS2980.1. AO3.3 Driveways are: <ul style="list-style-type: none"> (a) designed to follow as closely as possible to the existing contours, but are no steeper than the gradients outlined in Planning scheme policy SC6.5 – FNQROC Regional Development Manual; (b) constructed such that where there is a grade shift to 1 in 4 (25%), there is an area with a grade of no more than 1 in 6 (16.6%) prior to this area, for a distance of at least 5 metres; (c) on gradients greater than 1 in 6 (16.6%) driveways are constructed to ensure the cross-fall of the driveway is one way and directed into the hill, for vehicle safety and drainage purposes; 	R3.1 Complies The existing access and crossover to the site will be retained without alteration. No additional points of access are proposed. R3.2 Complies The existing access and primary driveway will be retained without alteration. Extensions to the driveway will not be constructed over any existing infrastructure. R3.3 Complies Extensions to the driveway have been designed and sited in consideration of the terrain. The proposal is understood to comply with AO3.3.



Performance outcomes	Acceptable outcomes	Applicant response
	<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>AO3.4 Surface construction materials are consistent with the current or intended future streetscape or character of the area and contrast with the surface construction materials of any adjacent footpath.</p>	<p>R3.4 Complies Driveway extensions will be constructed with bitumen to match the surface treatment of the existing driveway.</p>
<p>P04 Sufficient on-site wheel chair accessible car parking spaces are provided and are identified and reserved for such purposes.</p>	<p>AO4 The number of on-site wheel chair accessible car parking spaces complies with the rates specified in AS2890 Parking Facilities.</p>	<p>R4 Not Applicable Accessible car parking spaces are not required.</p>
<p>P05 Access for people with disabilities is provided to the building from the parking area and from the street.</p>	<p>AO5 Access for people with disabilities is provided in accordance with the relevant Australian Standard.</p>	<p>R5 Not Applicable Accessible car parking spaces are not required.</p>
<p>P06 Sufficient on-site bicycle parking is provided to cater for the anticipated demand generated by the development.</p>	<p>AO6 The number of on-site bicycle parking spaces complies with the rates specified in Table 9.4.1.3.b.</p>	<p>R6 Not Applicable Bicycle parking spaces are not required.</p>



Performance outcomes	Acceptable outcomes	Applicant response
P07 Development provides secure and convenient bicycle parking which: <ul style="list-style-type: none"> (a) for visitors is obvious and located close to the building's main entrance; (b) for employees is conveniently located to provide secure and convenient access between the bicycle storage area, end-of-trip facilities and the main area of the building; (c) is easily and safely accessible from outside the site. 	A07.1 Development provides bicycle parking spaces for employees which are co-located with end-of-trip facilities (shower cubicles and lockers); A07.2 Development ensures that the location of visitor bicycle parking is discernible either by direct view or using signs from the street. A07.3 Development provides visitor bicycle parking which does not impede pedestrian movement.	R7 Not Applicable Bicycle parking spaces are not required.
P08 Development provides walking and cycle routes through the site which: <ul style="list-style-type: none"> (a) link to the external network and pedestrian and cyclist destinations such as schools, shopping centres, open space, public transport stations, shops and local activity centres along the safest, most direct and convenient routes; (b) encourage walking and cycling; (c) ensure pedestrian and cyclist safety. 	A08 Development provides walking and cycle routes which are constructed on the carriageway or through the site to: <ul style="list-style-type: none"> (a) create a walking or cycle route along the full frontage of the site; (b) connect to public transport and existing cycle and walking routes at the frontage or boundary of the site. 	R8 Not Applicable The development is for Dwelling House.
P09 Access, internal circulation and on-site parking for service vehicles are designed and constructed: <ul style="list-style-type: none"> (a) in accordance with relevant standards; (b) so that they do not interfere with the amenity of the surrounding area; (c) so that they allow for the safe and convenient movement of pedestrians, cyclists and other vehicles. 	A09.1 Access driveways, vehicle manoeuvring and on-site parking for service vehicles are designed and constructed in accordance with AS2890.1 and AS2890.2. A09.2 Service and loading areas are contained fully within the site.	R9 Not Applicable The development is for Dwelling House. Access, parking and manoeuvring areas (existing and proposed) is suitable for the intended land use.



Performance outcomes	Acceptable outcomes	Applicant response
	AO9.3 The movement of service vehicles and service operations are designed so they: (a) do not impede access to parking spaces; (b) do not impede vehicle or pedestrian traffic movement.	
PO10 Sufficient queuing and set down areas are provided to accommodate the demand generated by the development.	AO10.1 Development provides adequate area on-site for vehicle queuing to accommodate the demand generated by the development where drive through facilities or drop-off/pick-up services are proposed as part of the use, including, but not limited to, the following land uses: (a) car wash; (b) child care centre; (c) educational establishment where for a school; (d) food and drink outlet, where including a drive-through facility; (e) hardware and trade supplies, where including a drive-through facility; (f) hotel, where including a drive-through facility; (g) service station. AO10.2 Queuing and set-down areas are designed and constructed in accordance with AS2890.1.	R10 Not Applicable The development is for Dwelling House. Queuing and set down areas are not required.

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.



Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Agricultural supplies store	1 space per 50m ² of GFA and outdoor display area.	1 space per 200m ² of GFA.	n/a	LRV
Air services	1 car space per 20m ² of covered reception area, plus 1 car space per 2 staff, plus a covered bus set down area adjacent to the entry of the reception area and 2 bus parking spaces.	n/a	n/a	LRV
Bulk landscape supplies	1 space per 50m ² GFA and outdoor display area.	1 space per 200m ² of GFA.	n/a	MRV
Caretaker's accommodation	A minimum of 1 space	n/a	n/a	n/a
Child care centre	1 space per 10 children to be used for setting down and picking up of children, with a minimum of 3 car spaces to be provided for set down and collection; plus 1 space per employee. Any drive-through facility can provide tandem short term parking for 3 car spaces for setting down/picking up of children, on the basis that a passing lane is provided and line-marked to be kept clear of standing vehicles at all times.	n/a	n/a	VAN
Club	Unlicensed clubrooms: 1 space per 45m ² of GFA. Licensed clubrooms: 1 space per 15m ² of GFA.	1 space per 4 employees.	n/a	Licensed and equal or greater than 1500m ² : RCV Other: VAN
Community care centre	1 space per 20m ² of GFA.	A minimum of 1 space.	n/a	RCV



Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Community residence	A minimum of 2 spaces.	A minimum of 1 space.	n/a	VAN
Community use	1 space per 15m ² GFA.	1 space per 100m ² of GFA.	n/a	RCV
Dual occupancy	A minimum of 2 spaces per dwelling unit which may be in tandem with a minimum of 1 covered space per dwelling unit.	n/a	n/a	n/a
Dwelling house	A minimum of 2 spaces which may be in tandem plus 1 space for a secondary dwelling	n/a	n/a	n/a
Dwelling unit	1.5 spaces per one or two bedroom unit; or 2 spaces per three bedroom unit.	n/a	n/a	n/a
Educational establishment	Primary school or secondary schools: 1 car space per 2 staff members, plus provision of space to be used for setting down and picking up of students. Tertiary and further education: 1 car space per 2 staff members, plus 1 car space per 10 students, plus provision of space to be used for setting down and picking up of students.	Primary school or secondary schools: 1 space per 5 students over year 4. Tertiary and further education: 2 spaces per 50 full time students.	Required for all educational establishments with a GFA greater than 2000m ² .	RCV
Food and drink outlet	1 space per 25m ² GFA and outdoor dining area. or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m ² of GFA, and outdoor dining area.	1 space per 100m ² of GFA, and outdoor dining area.	n/a	See Table 9.4.1.3.d
Function facility	1 space per 15m ² GFA.	1 space per 100m ² of GFA.	n/a	RCV



Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Funeral parlour	1 space per 15m ² GFA.	n/a	n/a	RCV
Garden centre	1 space per 50m ² GFA and outdoor display area	1 space per 200m ² of GFA.	n/a	AV
Hardware and trade supplies	1 space per 50m ² GFA and outdoor display area	1 space per 200m ² of GFA.	n/a	AV
Health care services	1 space per 20m ² of GFA.	1 space per 100m ² of GFA.	Required for all health care services with a GFA greater than 2000m ² .	VAN
High impact industry	1 space per 90m ² of GFA.	n/a	n/a	AV
Home based business	The parking required for the dwelling house, plus 1 space per bedroom where the Home based business involves the provision of accommodation; or 1 space per 25m ² GFA for any other Home Based Business.	n/a	n/a	n/a
Hospital	The greater of 1 space per 2 bedrooms or 1 space per 4 beds; plus 1 car space for ambulance parking, designated accordingly.	1 space per 100m ² of GFA.	Required for all hospitals with a GFA greater than 2000m ² .	RCV
Hotel	1 space per 10m ² GFA and licensed outdoor area; plus For 1 space per 50m ² GFA of floor area of liquor barn or bulk liquor sales area; plus, if a drive in bottle shop is provided, queuing lane/s on site for 12 vehicles. Note - Use standard for any Short Term Accommodation for hotel accommodation use.	1 space per 100m ² of GFA.	n/a	LRV



Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Indoor sport and recreation	Squash court or another court game: 4 spaces per court. Basketball, netball, soccer, cricket: 25 spaces per court / pitch. Ten pin bowling: 3 spaces per bowling lane. Gymnasium: 1 space per 15m ² of GFA.	1 space per 4 employees.	n/a	RCV
Low impact industry	1 space per 90m ² of GFA.	n/a	n/a	AV
Marine industry	1 space per 90m ² of GFA.	n/a	n/a	AV
Medium impact industry	1 space per 90m ² of GFA.	n/a	n/a	AV
Multiple dwelling	If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie Local plan: 1 car space per dwelling unit. If outside Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie Local plan: 1.5 car spaces per dwelling unit In all cases 60% of the car parking area is to be covered.	1 bicycle space per 3 units and 1 visitor bicycle space per 12 units.	n/a	RCV (over 10 units)
Office	1 space per 25m ² of GFA or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m ² of GFA	1 space per 200m ² GFA	Required for all office development with a GFA greater than 2000m ² .	See Table 9.4.1.3.e

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Outdoor sales	1 space per 50m ² GFA and outdoor display area	1 space per 200m ² of GFA.	n/a	AV
Outdoor sport and recreation	<p>Coursing, horse racing, pacing, trotting: 1 space per 5 seated spectators, plus 1 space per 5m² of other spectator areas.</p> <p>Football: 50 spaces per field.</p> <p>Lawn bowls: 30 spaces per green.</p> <p>Swimming pool: 15 spaces; plus 1 space per 100m² of useable site area.</p> <p>Tennis court or other court game: 4 spaces per court.</p> <p>Golf course: 4 spaces per tee on the course.</p> <p>Note - Use standard for Club for clubhouse component.</p>	<p>Football: 5 space per field.</p> <p>Lawn bowls: 5 spaces per green.</p> <p>Swimming pool: 1 space per swimming lane.</p> <p>Tennis court or other court game: 4 space per court.</p> <p>Golf course: 1 space per 15m² of GFA for clubhouse component.</p>	n/a	RCV
Place of worship	1 space per 15m ² of GFA.	1 space per 100m ² of GFA.	n/a	LRV
Relocatable home park	1 space per relocatable home site; plus	n/a	n/a	LRV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
	0.1 space per relocatable home site for visitor parking; plus 1 space for an on-site manager			
Research and technology industry	1 space per 90m ² of GFA.	n/a	n/a	MRV
Residential care facility	1 visitor car space per 5 bedroom units; plus 1 car space per 2 staff members	n/a	n/a	LRV
Resort complex	Use standard for relevant standard for each component. For example: Use Short Term Accommodation standard for accommodation component and Food and Drink Outlet for restaurant component.	Use standard for relevant standard for each component. For example: Use Short Term Accommodation standard for accommodation component and Food and Drink Outlet for restaurant component.	n/a	RCV
Retirement facility	1 space per dwelling unit; plus 1 visitor space per 5 dwelling units; plus 1 visitor car space per 10 hostel units, nursing home or similar beds, plus 1 car space per 2 staff members; plus 1 car parking space for ambulance parking.	n/a	n/a	LRV
Sales office	A minimum of 1 space.	n/a	n/a	n/a
Service industry	1 space per 90m ² of GFA.	n/a	n/a	SRV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
Service station	1 space per 25m ² of GFA	n/a	n/a	AV
Shop	1 space per 25m ² of GFA. or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m ² of GFA.	1 space per 100m ² of GFA.	Required for all shops with a GFA greater than 2000m ² .	See Table 9.4.1.3.d
Shopping centre	1 space per 25m ² of GFA. or If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan or if with Precinct 5: Town centre precinct in the Mossman local plan: 1 space per 50m ² of GFA.	1 space per 200m ² GFA.	Required for all shopping centres with a GFA greater than 2000m ² .	See Table 9.4.1.3.d
Short term accommodation	If within Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan: 0.5 car spaces per dwelling unit. If outside Precinct 1 : Port Douglas precinct in the Port Douglas / Craiglie local plan: For up to 5 units: 1 car space per dwelling unit, plus 1 space for visitors and 1 service/staff spaces. For 5 – 10 units: 1 car space per dwelling unit, plus 2 spaces for visitors and 1 service/staff spaces. For over 10 units: 0.75 car spaces per dwelling unit, plus 3 spaces for visitors and 2 service/staff parking for the first 10 units and 0.5 additional service/staff space per 10 units, there-above.	1 space per 10 rooms	n/a	SRV

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
	In all cases 60% of the car parking area is to be covered. Note: Where Short term accommodation is to be inter-changeable with a Multiple dwelling land use, multiple dwelling parking rates apply.			
Showroom	1 space per 50m ² GFA.	1 space per 200m ² GFA.	n/a	AV
Special industry	1 space per 90m ² of GFA.	n/a	n/a	AV
Tourist park	1 car space per caravan site, tent site or cabin; plus 1 visitor car space per 10 caravan sites, tent sites or cabins; plus 1 car space for an on-site manager.	n/a	n/a	LRV
Theatre	Indoor: 1 space per 15m ² of GFA. Outdoor cinema: 1 space per 5m ² of designated viewing area, plus 1 car space per 2 employees.	1 space per 200m ² GFA.	n/a	VAN
Veterinary services	1 space per 50m ² of GFA.	n/a	n/a	VAN
Warehouse	1 space per 90m ² of GFA.	n/a	n/a	Where self-storage: RCV Other: AV
Any use not otherwise specified in this table.	Sufficient spaces to accommodate number of vehicles likely to be parked at any one time.	Sufficient spaces to accommodate number		To be determined

Land use	Minimum number of ordinary vehicle parking spaces	Minimum number of bicycle spaces	End of trip facilities	Minimum standard design service vehicle (refer to Table 9.4.1.3c)
		of vehicles likely to be parked at any one time.		

Table 9.4.1.3.c – Design vehicles

VAN	A 99.8th percentile vehicle equivalent to a large car.
SRV	Small rigid vehicle as in AS2890.2-2002 parking facilities – Off-street commercial vehicle facilities, but incorporating a body width of 2.33m
MRV	Medium rigid vehicle equivalent to an 8-tonne truck.
LRV	Large rigid vehicle described by AS2890.2-2002 parking facilities – Off-street commercial vehicle facilities as heavy rigid vehicle.
RCV	Industrial refuse collection vehicle
AV	19 metre articulated vehicle from AUSTROADS

Table 9.4.1.3.d – Standard number of service bays required for Food and drink outlet, Shop or Shopping centre

Gross floor area (m ²)	Service bays required			
	VAN	SRV	MRV	LRV
0-199	-	1	-	-
200 – 599	1	-	1	-
600 – 999	1	1	1	-
1000 – 1499	2	1	1	-
1500 – 1999	2	2	1	-
2000 – 2799	2	2	2	-
2800 – 3599	2	2	2	1
3600 and over	To be determined via a parking study.			

Table 9.4.1.3.e – Standard number of service bays required for Office

Gross floor area (m ²)	Service bays required			
	VAN	SRV	MRV	LRV
0-999	-	1	-	-
1000 – 2499	1	-	1	-
2500 – 3999	2	1	1	-
4000 – 5999	3	1	1	-
6000 – 7999	4	1	1	-
8000 – 9999	4	2	1	-
10000 and over	To be determined via a parking study.			

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 – assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For self-assessable and assessable development		
Filling and excavation - General		
<p>PO1 All filling and excavation work does not create a detrimental impact on the slope stability, erosion potential or visual amenity of the site or the surrounding area.</p>	<p>AO1.1 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>AO1.2 Cuts are supported by batters, retaining or rock walls and associated benches/terraces are capable of supporting mature vegetation.</p> <p>AO1.3 Cuts are screened from view by the siting of the building/structure, wherever possible.</p> <p>AO1.4 Topsoil from the site is retained from cuttings and reused on benches/terraces.</p> <p>AO1.5 No crest of any cut or toe of any fill, or any part of any retaining wall or structure is closer than 600mm to any boundary of the property, unless the prior written approval of the adjoining landowner has been obtained.</p>	<p>R1.1 Complies Cut or fill will not exceed 2 metres in height.</p> <p>R1.2 Complies Cuts will be retained if/as appropriate. Benched areas will be capable of supporting mature vegetation if required.</p> <p>R1.3 Complies Cuts will be screened by the siting of buildings and the outdoor courts.</p> <p>R1.4 Complies Topsoil from cuts will be utilised for filling.</p> <p>R1.5 Complies Earthworks proposed will be setback a minimum of 6 metres from the property boundary.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	AO1.6 Non-retained cut and/or fill on slopes are stabilised and protected against scour and erosion by suitable measures, such as grassing, landscaping or other protective/aesthetic measures.	R1.3 Complies Cuts will be retained if/as appropriate and stabilised according to site conditions.
Visual Impact and Site Stability		
PO2 Filling and excavation are carried out in such a manner that the visual/scenic amenity of the area and the privacy and stability of adjoining properties is not compromised.	AO2.1 The extent of filling and excavation does not exceed 40% of the site area, or 500m ² whichever is the lesser, except that AO2.1 does not apply to reconfiguration of 5 lots or more. AO2.2 Filling and excavation does not occur within 2 metres of the site boundary.	R2.1 Performance Solution Earthworks will not exceed 40% of the site area, however the extent of required earthworks does exceed 500m ² . Notwithstanding, filling and excavation will be limited to establishing building pads on the lower elevations of the site, where the gradient is reduced (refer Cut/Fill Plan and Elevation Plans in Schedule 2). Filling and excavation is not expected to impact on the scenic amenity of the area due to the limited volume of earthworks required and extensive vegetation on the site which provides a visual buffer. R2.2 Complies Earthworks is not proposed within 2 metres of a site boundary.
Flooding and drainage		
PO3 Filling and excavation does not result in a change to the run off characteristics of a site which then have a detrimental impact on the site or nearby land or adjacent road reserves.	AO3.1 Filling and excavation does not result in the ponding of water on a site or adjacent land or road reserves. AO3.2 Filling and excavation does not result in an increase in the flow of water across a site or any other land or road reserves.	R3.1 Complies Filling and excavation is not expected to result in ponding. A condition of approval would be accepted to this effect. R3.2 -3.3 Complies Filling and excavation will be limited to establishing building pads on the lower elevations of the site (refer Schedule 2). On-

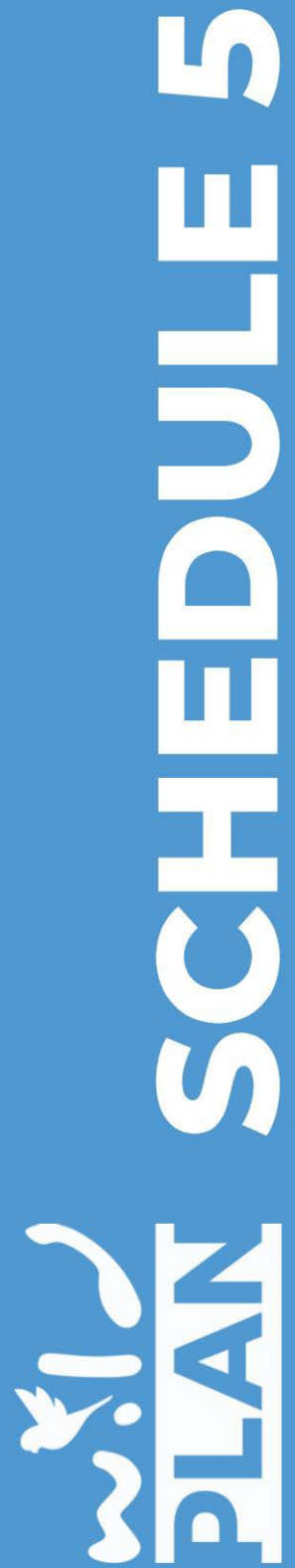


Performance outcomes	Acceptable outcomes	Applicant response
	A03.3 Filling and excavation does not result in an increase in the volume of water or concentration of water in a watercourse and overland flow paths.	site drainage and run off is naturally managed by grassed/vegetated areas and the watercourse. Filling and excavation proposed is not expected to affect existing stormwater management nor increase the flow of water across the site or within overland flow paths.



Performance outcomes	Acceptable outcomes	Applicant response
	A03.4 Filling and excavation complies with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	R3.4 Can Comply Filling and excavation can be conditioned to comply with the relevant standards and specifications.
Water quality		
P04 Filling and excavation does not result in a reduction of the water quality of receiving waters.	A04 Water quality is maintained to comply with the specifications set out in Planning Scheme Policy No SC5 – FNQROC Development Manual.	R4 Complies Earthworks will be carried out to a depth that would affect water quality.
Infrastructure		
P05 Excavation and filling does not impact on Public Utilities.	A05 Excavation and filling is clear of the zone of influence of public utilities.	R5 Complies Public utilities are not within the vicinity of the site.

SCHEDULE 5 –
DA FORM 1
DA FORM 2



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)	Kaigui Zheng
Contact name (only applicable for companies)	C/- wildPLAN Pty Ltd
Postal address (P.O. Box or street address)	PO Box 8028
Suburb	Cairns
State	QLD
Postcode	4870
Country	Australia
Contact number	0487 967 533
Email address (non-mandatory)	dominic@wildplan.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	WP24 023 ZHE

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
		52	Kingfisher Lane	Whyanbeel
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4873	3	RP742708	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: Whyanbeel Creek

- ☐ 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):*

Dwelling House development including extensions (additional bedrooms), a secondary dwelling, a shed (class 10a structure) and ancillary recreation facilities.

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):*

Dwelling House development including extensions (additional bedrooms), a secondary dwelling, a shed (class 10a structure) and ancillary recreation facilities.

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

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use

Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
Dwelling House extensions	Dwelling House	N/A	N/A

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

☒ Yes

☐ No

8.3) Does the proposed development relate to temporary accepted development under the Planning Regulation?

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

☒ No

Provide a general description of the temporary accepted development	Specify the stated period dates under the Planning Regulation

Division 2 – Reconfiguring a lot

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

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

--

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

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

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

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

10.2) Will the subdivision be staged?

- ☐ Yes – provide additional details below
- ☐ No

How many stages will the works include?

What stage(s) will this development application apply to?

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

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

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

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

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

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

Division 3 – Operational work**Note:** This division is only required to be completed if any part of the development application involves operational work.**14.1) What is the nature of the operational work?**

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

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

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

\$

PART 4 – ASSESSMENT MANAGER DETAILS

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

Douglas Shire Council

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



Queensland
Government

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

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

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

Matters requiring referral to the **Chief Executive of the distribution entity or transmission entity**:

- ☐ Infrastructure-related referrals – Electricity infrastructure

Matters requiring referral to:

- The **Chief Executive of the holder of the licence**, if not an individual
- The **holder of the licence**, if the holder of the licence is an individual
- ☐ Infrastructure-related referrals – Oil and gas infrastructure

Matters requiring referral to the **Brisbane City Council**:

- ☐ Ports – Brisbane core port land

Matters requiring referral to the **Minister responsible for administering the *Transport Infrastructure Act 1994***:

- ☐ Ports – Brisbane core port land *(where inconsistent with the Brisbane port LUP for transport reasons)*
- ☐ Ports – Strategic port land

Matters requiring referral to the **relevant port operator**, if applicant is not port operator:

- ☐ Ports – Land within Port of Brisbane's port limits *(below high-water mark)*

Matters requiring referral to the **Chief Executive of the relevant port authority**:

- ☐ Ports – Land within limits of another port *(below high-water mark)*

Matters requiring referral to the **Gold Coast Waterways Authority**:

- ☐ Tidal works or work in a coastal management district *(in Gold Coast waters)*

Matters requiring referral to the **Queensland Fire and Emergency Service**:

- ☐ Tidal works or work in a coastal management district *(involving a marina (more than six vessel berths))*

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

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

Referral requirement	Referral agency	Date of referral response

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

PART 6 – INFORMATION REQUEST

19) Information request under the DA Rules

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

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

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

- that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties
- Part 3 under Chapter 1 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules or
- Part 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. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.

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

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

Hazardous chemical facilities

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

- ☐ Yes – Form 536: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application
- ☒ No

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

Clearing native vegetation

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

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

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

Environmental offsets

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

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

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

Koala habitat in SEQ Region

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

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

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

Water resources

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

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

☒ No

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

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

- Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1
- Taking or interfering with water in a watercourse, lake or spring: complete DA 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. For a development application involving waterway barrier works, complete DA Form 1 Template 4.

Marine activities

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

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

☒ No

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

Quarry materials from a watercourse or lake

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

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

☒ No

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

Quarry materials from land under tidal waters

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

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

☒ No

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

Referable dams

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

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

☒ No

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



Tidal work or development within a coastal management district

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

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

☒ No

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

Queensland and local heritage places

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

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

☒ No

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

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

Name of the heritage place:

Place ID:

Decision under section 62 of the Transport Infrastructure Act 1994

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

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

☒ No

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

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

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

☒ No

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

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

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

☒ 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



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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	

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.

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)	
Contact name (only applicable for companies)	
Postal address (PO Box or street address)	
Suburb	
State	
Postcode	
Country	
Contact number	
Email address (non-mandatory)	
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	

PART 2 – LOCATION DETAILS

2) Location of the premises (complete 2.1 and 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 DA Forms Guide: Relevant plans .	
2.1) Street address and lot on plan	
<input type="checkbox"/> Street address AND lot on plan (all lots must be listed), or	
<input type="checkbox"/> 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).	

Unit No.	Street No.	Street Name and Type	Suburb
Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

2.2) 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

3) 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 the [DA Forms Guide](#)

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

PART 3 – FURTHER DETAILS

4) Is the application only for building work assessable against the building assessment provisions?

- ☐ Yes – proceed to 8)
- ☐ No

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

Dougals Shire Council

6) 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

7) Information request under Part 3 of the DA Rules

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

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

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

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

8) Are there any associated development applications or current approvals?

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

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

9) Has the portable 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
- ☐ 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 www.des.qld.gov.au about the requirements in relation to the development of a Queensland heritage place

Name of the heritage place:		Place ID:	
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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 this development application, or include details in a schedule to this development application (if applicable)

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)	
Contact name (applicable for companies)	
Postal address (P.O. Box or street address)	
Suburb	
State	

Postcode	
Country	
Contact number	
Email address <i>(non-mandatory)</i>	
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	

15) Builder's details

☒ Tick if a builder has not yet been engaged to undertake the work and proceed to 16). Otherwise provide the following information.

Name(s) <i>(individual or company full name)</i>	
Contact name <i>(applicable for companies)</i>	
QBCC licence or owner – builder number	
Postal address <i>(P.O. Box or street address)</i>	
Suburb	
State	
Postcode	
Contact number	
Email address <i>(non-mandatory)</i>	
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	

16) Provide details about the proposed building work

What type of approval is being sought?

- ☒ Development permit
☐ Preliminary approval

b) What is the level of assessment?

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

c) Nature of the proposed building work (tick all applicable boxes)

- | | |
|---|--|
| <input checked="" type="checkbox"/> New building or structure | <input type="checkbox"/> Repairs, alterations or additions |
| <input type="checkbox"/> Change of building classification <i>(involving building work)</i> | <input type="checkbox"/> Swimming pool and/or pool fence |
| <input type="checkbox"/> Demolition | <input type="checkbox"/> Relocation or removal |

d) Provide a description of the work below or in an attached schedule.

Dwelling House development including extensions (additional bedrooms), a secondary dwelling, a shed (class 10a structure) and ancillary recreation facilities.

e) Proposed construction materials

External walls	<input type="checkbox"/> Double brick	<input type="checkbox"/> Steel	<input type="checkbox"/> Curtain glass
	<input checked="" type="checkbox"/> Brick veneer	<input type="checkbox"/> Timber	<input type="checkbox"/> Aluminium
	<input type="checkbox"/> Stone/concrete	<input type="checkbox"/> Fibre cement	<input type="checkbox"/> Other
Frame	<input checked="" type="checkbox"/> Timber	<input type="checkbox"/> Steel	<input type="checkbox"/> Aluminium
	<input type="checkbox"/> Other		
Floor	<input checked="" type="checkbox"/> Concrete	<input checked="" type="checkbox"/> Timber	<input type="checkbox"/> Other
Roof covering	<input type="checkbox"/> Slate/concrete	<input type="checkbox"/> Tiles	<input type="checkbox"/> Fibre cement
	<input type="checkbox"/> Aluminium	<input checked="" type="checkbox"/> Steel	<input type="checkbox"/> Other

f) Existing building use/classification? *(if applicable)*

Class 1
g) New building use/classification? (if applicable)
Class 1 and class 10a
h) 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 .
<input checked="" type="checkbox"/> Relevant plans of the proposed works are attached to the development application

17) What is the monetary value of the proposed building work?
\$To be Confirmed

18) Has Queensland Home Warranty Scheme Insurance been paid?		
<input type="checkbox"/> Yes – provide details below		
<input checked="" type="checkbox"/> No		
Amount paid	Date paid (dd/mm/yy)	Reference number
\$		

PART 6 – CHECKLIST AND APPLICANT DECLARATION

19) Development application checklist	
The relevant parts of <i>Form 2 – Building work details</i> have been completed	<input checked="" type="checkbox"/> 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>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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 DA Forms Guide: Relevant plans .	<input checked="" type="checkbox"/> Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 9)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable

20) Applicant declaration
<input checked="" type="checkbox"/> By making this development application, I declare that all information in this development application is true and correct
<input checked="" type="checkbox"/> Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the <i>Electronic Transactions Act 2001</i> Note: It is unlawful to intentionally provide false or misleading information.
<p>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 <i>Planning Act 2016</i>, Planning Regulation 2017 and the DA Rules except where:</p> <ul style="list-style-type: none"> such disclosure is in accordance with the provisions about public access to documents contained in the <i>Planning Act 2016</i> and the Planning Regulation 2017, and the access rules made under the <i>Planning Act 2016</i> and Planning Regulation 2017; or required by other legislation (including the <i>Right to Information Act 2009</i>); or otherwise required by law. <p>This information may be stored in relevant databases. The information collected will be retained as required by the <i>Public Records Act 2002</i>.</p>

PART 7 – FOR COMPLETION BY THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

Date received: Reference numbers:

For completion by the building certifier		
Classification(s) of approved building work		
Name	QBCC Certification Licence number	QBCC Insurance receipt number

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	

Additional information required by the local government			
Confirm proposed construction materials:			
External walls	<input type="checkbox"/> Double brick	<input type="checkbox"/> Steel	<input type="checkbox"/> Curtain glass
	<input type="checkbox"/> Brick veneer	<input type="checkbox"/> Timber	<input type="checkbox"/> Aluminium
	<input type="checkbox"/> Stone/concrete	<input type="checkbox"/> Fibre cement	<input type="checkbox"/> Other
Frame	<input type="checkbox"/> Timber	<input type="checkbox"/> Steel	<input type="checkbox"/> Aluminium
	<input type="checkbox"/> Other		
Floor	<input type="checkbox"/> Concrete	<input type="checkbox"/> Timber	<input type="checkbox"/> Other
Roof covering	<input type="checkbox"/> Slate/concrete	<input type="checkbox"/> Tiles	<input type="checkbox"/> Fibre cement
	<input type="checkbox"/> Aluminium	<input type="checkbox"/> Steel	<input type="checkbox"/> Other

QLeave notification and payment			
<i>Note: For completion by assessment manager if applicable</i>			
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			

Additional building details required for the Australian Bureau of Statistics			
Existing building use/classification? (if applicable)			
New building use/classification?			
Site area (m ²)		Floor area (m ²)	