



Dwelling houses in the Hillslopes overlay

What is the purpose of the Hillslopes overlay?

The purpose of the Hillslopes overlay is to identify areas that provide a scenic backdrop for the region and ensure that development on hillslopes maintains the safety of people and property, and protects the natural environment.

Do I need to make an application for a Development Permit?

Dwelling houses are generally Self-assessable within a residential zone and the Hillslopes overlay. Self-assessable development must comply with all relevant Acceptable outcomes within the applicable codes of the CairnsPlan 2016. Refer to the fact sheet on Self-assessable development for guidance on undertaking the assessment.

The Self-assessable Acceptable outcomes within the Hillslopes overlay code in Part of the CairnsPlan 2016 are as follows:

- Excavation and filling does not exceed 50m³ and:
 - is not more than 1.8 metres in height for each batter or retaining wall;
 - is set back a minimum of 2 metres from property boundaries;
 - is stepped with a minimum 2 metre wide berm to incorporate landscaping in accordance with the requirements of Planning scheme policy - Landscaping;
 - does not exceed a maximum of 2 batters and 2 berms (i.e. not greater than 3.6 metres in total height) on any one lot.
- No vegetation damage occurs.
- Development is undertaken within 50m of the front boundary of the site.
- Development does not occur on land with a gradient in excess of 1 in 6 (16.6%).

It is important to note that there are other applicable codes within the CairnsPlan 2016 for Dwelling houses.

Where development does not comply with the relevant Acceptable outcomes, development becomes

Code assessable. Part 5 of the CairnsPlan 2016 identifies the level of assessment for a Dwelling house in each zone. Where development is Code or Impact assessable, a development application must be lodged with Council.

How do I make a development application for a Dwelling house?

Lodge your development application:

- In person at Council's Administration Building at 119-145 Spence Street, Cairns
- Online at <http://www.cairns.qld.gov.au/payments/da-online>
- By mail to:
Attention: Manager, Strategic Planning & Approvals
Cairns Regional Council
PO Box 359
Cairns Qld 4870

If you need assistance with your development application, a consultant town planner can assist in preparing and lodging the development application for you.

What is the application fee?

There is no application fee for a Dwelling house where it is Self-assessable and complies with the relevant Acceptable outcomes within the applicable codes of the CairnsPlan 2016.

Where the Dwelling house is Self-assessable but does not comply with 1-3 Acceptable outcomes within the applicable codes of the CairnsPlan 2016, the application fee is \$302.30.

Where the Dwelling house does not comply with 4 or more Acceptable outcomes within the applicable codes of the CairnsPlan 2016 or where the dwelling house is listed as Code or Impact assessable in Part 5 of the CairnsPlan 2016, the application fee is \$905.80.



For more information contact
townplanner@cairns.qld.gov.au or 4044 3044



Where a Dwelling house requires assessment under Section 1.8 of Part 1 of the CairnsPlan 2016 as part of the Building works application, the referral fee is \$302.30.

If approved, what conditions are generally applied to development within the Hillslopes overlay?

Any conditions of approval will depend on the scale, nature and location of the proposed development. However, conditions may relate to matters including, but not limited to:

- Access
- Extent of earthworks
- Extent of vegetation removal
- Exterior house colours
- Connection to services
- Infrastructure works
- Requirements for geotechnical certification

Will I have to pay infrastructure charges for a Dwelling house?

Infrastructure charges do not apply to Dwelling houses.

Do I need any other approvals?

In addition to any planning approvals, you will need to obtain a Building works approval for any Building works and an approval for Plumbing and drainage work. An Operational works permit may also be required for vegetation removal, excavation and filling or works on a Local government road.

What else do I need to know?

It is important that development in the Hillslopes overlay uses external colours, materials and surface treatments that blend with the surrounding natural environment and do not detract from the scenic amenity of the Hillslopes. An Amenity and Aesthetics Impact referral agency assessment must be undertaken to determine whether development will achieve this.

Where a Dwelling house within the Hillslopes overlay is Self-assessable, this referral agency assessment will be undertaken by Council as the referral agency during the Building works application process. Alternatively, this referral agency assessment can be undertaken early prior to lodging an application for Building works.

Section 1.8 within Part 1 of the CairnsPlan 2016 identifies the assessment criteria by which the development will be assessed.

The Buildings works application will need to be made to a private certifier. The private certifier will either refer the application on your behalf or require you to refer the application to Council for the assessment. The fee for this referral assessment is \$302.30.

The referral is a statutory process under the *Integrated Development Assessment System* of the *Sustainable Planning Act 2009* and has a maximum 10 business day turn around.

Where a Dwelling house within the Hillslopes overlay is Code assessable, this referral agency assessment will be undertaken during the Material Change of Use application process and the separate referral assessment fee of \$302.30 will not be applied.

Check with Council to see what other requirements may apply to your proposed development.

For more information

Phone: 1300 692 247

Visit: www.cairns.qld.gov.au

Email: townplanner@cairns.qld.gov.au

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