

20 January 2019

Our Ref: P61841

Chief Executive Officer
Mareeba Shire Council
PO Box 154
Mareeba QLD 4880

Via email: info@msc.qld.gov.au

Attention: Planning Department

Dear Brian and Carl,

**Reconfiguring of a lot (boundary realignment)
at 3727 Mareeba-Dimbulah Road, Mutchilba
Lot 225HG293 and 62SP167299**

I am pleased to lodge this application for a Reconfiguring of a lot (boundary realignment) located at 3727 Mareeba-Dimbulah Road, Mutchilba, formally described as Lot's 225HG293 and 62SP167299

The subject site is mapped for Fish habitat areas, Water resources, Native vegetation clearing, State transport corridor - State controlled road and Railway corridor, and Areas within 25m of a State transport corridor.

Referral to SARA would typically be required to:

- Reconfigure a lot near a State transport corridor (Schedule 10, Part 9, Division 4, Subdivision 2, Table 1); and
- Reconfigure a lot near a State-controlled road intersection (Schedule 10, Part 9, Division 4, Subdivision 2, Table 3)

Planz have obtained pre-lodgement advice from SARA who have carried out a review of the proposal.

In the pre-lodgement response (dated 8 January 2019) SARA acknowledged that the proposed development would not result in new or changed accesses and no additional lots being created.

Based on the above, SARA have advised that referral is therefore not required for:

- Impacts on the railway; and
- Impacts on the State-Controlled Road.

Therefore, the proposal does not trigger any referrals to SARA.

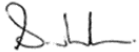
The pre-lodgement advice letter from SARA, dated 8 January 2019 is attached in Appendix 2 of the Planning Report.

The relevant information for the application is:

Applicant: Jandre Wessel
c/- Planz Town Planning
Mailing address: PO Box 181
Edge Hill QLD 4870
Landowner: KVN Aus Trust
Application Fee: **\$1,015.00**

If you require any further information please do call me.

Yours faithfully,



Susie Lord
Planz Town Planning Pty Ltd

Att. DA form 1
Planning Report with Appendices
Land Owners Consent

DA Form 1 – Development application details

Approved form (version 1.1 effective 22 JUNE 2018) 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 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) <i>(individual or company full name)</i>	Jandre Wessel
Contact name <i>(only applicable for companies)</i>	C/- Planz Town Planning
Postal address <i>(P.O. Box or street address)</i>	PO Box 181
Suburb	Edge Hill
State	QLD
Postcode	4870
Country	Australia
Contact number	07 4041 0445
Email address <i>(non-mandatory)</i>	info@planztp.com
Mobile number <i>(non-mandatory)</i>	0447 323 384
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	P61841

2) Owner's consent
2.1) Is written consent of the owner required for this development application?
<input checked="" type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application
<input type="checkbox"/> 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
		3727	Mareeba-Dimbulah Road	Mutchilba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4872	225	HG293	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
		3727	Mareeba-Dimbulah Road	Mutchilba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4872	62	SP167299	Mareeba Shire Council

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. Only one set of coordinates is required for this part.

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 their details have been attached in a schedule to this 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:

Price Creek, Walsh 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):

On airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*

Name of airport:

Listed on the Environmental Management Register (EMR) under the *Environmental Protection Act 1994*

EMR site identification:	
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>	
CLR site identification:	

5) Are there any existing easements over the premises?

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

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

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

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

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

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

c) What is the level of assessment?

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

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

Boundary realignment

e) Relevant plans

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

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

6.2) Provide details about the second development aspect

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

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

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

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

c) What is the level of assessment?

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

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

e) Relevant plans

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

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

6.3) Additional aspects of development

Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application

- Not required

Section 2 – Further development details

7) Does the proposed development application involve any of the following?	
Material change of use	<input type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input checked="" type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

Division 1 – Material change of use

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

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

8.2) Does the proposed use involve the use of existing buildings on the premises?		
<input type="checkbox"/> Yes		
<input type="checkbox"/> No		

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?	
2	

9.2) What is the nature of the lot reconfiguration? <i>(tick all applicable boxes)</i>	
<input type="checkbox"/> Subdivision <i>(complete 10))</i>	<input type="checkbox"/> Dividing land into parts by agreement <i>(complete 11))</i>
<input checked="" type="checkbox"/> Boundary realignment <i>(complete 12))</i>	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a construction road <i>(complete 13))</i>

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

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

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

12) Boundary realignment

12.1) What are the current and proposed areas for each lot comprising the premises?

Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot on plan description	Area (m ²)
225 HG293	541,000m ²	225 HG293	135,000m ²
62 SP167299	283,000m ²	62 SP167299	689,000m ²

12.2) What is the reason for the boundary realignment?

The lots have the same owners. Lot 225 is currently divided into three sections due to being split by Mareeba-Dimbulah road, and Price creek. The Applicant wants to realign boundaries of lot 225 and 62 to combine the sections with the mango orchards and formally facilitate the separation of the northern section of lot 225 to have the ability to operate independently. The Applicant will proceed to submit a Planning Application for a MCU (Packing shed) at a later date, on the newly formed lot 225 pending the success of the RoL.

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

Mareeba 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
- Local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- No

PART 5 – REFERRAL DETAILS

17) Do any aspects of the proposed development require referral for 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 Regulation 2017:

- Clearing native vegetation
- Contaminated land (*unexploded ordnance*)
- Environmentally relevant activities (ERA) (*only if the ERA have not been devolved to a local government*)
- Fisheries – aquaculture
- Fisheries – declared fish habitat area
- Fisheries – marine plants
- Fisheries – waterway barrier works
- Hazardous chemical facilities
- Queensland heritage place (*on or near a Queensland heritage place*)
- Infrastructure – designated premises
- Infrastructure – state transport infrastructure
- Infrastructure – state transport corridors and future state transport corridors
- Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels
- Infrastructure – near a state-controlled road intersection
- On Brisbane core port land near a State transport corridor or future State transport corridor
- On Brisbane core port land – ERA
- On Brisbane core port land – tidal works or work in a coastal management district
- On Brisbane core port land – hazardous chemical facility
- On Brisbane core port land – taking or interfering with water
- On Brisbane core port land – referable dams
- On Brisbane core port land - fisheries
- Land within Port of Brisbane's port limits
- 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
- 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 – construction of new levees or modification of existing 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 have been devolved to local government*)

Local heritage places

Matters requiring referral to the **chief executive of the distribution entity or transmission entity**:

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

Oil and gas infrastructure

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

Brisbane core port land

Matters requiring referral to the **Minister under the Transport Infrastructure Act 1994**:

Brisbane core port land (inconsistent with Brisbane port LUP for transport reasons)

Strategic port land

Matters requiring referral to the **relevant port operator**:

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

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

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 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
Schedule 10, Part 9, Division 4, Subdivision 2, Table 1 –Reconfiguring a lot near a State transport corridor (if applicable)	DTMR	8 January 2019
Schedule 10, Part 9, Division 4, Subdivision 2, Table 3 – Reconfiguring a lot near a State-controlled road intersection (if applicable)	DTMR	8 January 2019

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

The proposal as is was presented to DTMR. SARA responded with written advice on 8 January 2019 stating that referral as per **Schedule 10, Part 9, Division 4, Subdivision 2, Table 1 & Table 3** would not be required as the proposal did not involve the new or altered access arrangements, and the proposal does not result in new lots being created. The letter from SARA is attached in Appendix 2 of the Planning Report.

PART 6 – INFORMATION REQUEST

19) 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](#).

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
\$		

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 69: 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 conservation

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

- Yes
 No

Note: See guidance materials at www.des.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 Natural Resources, Mines and Energy at www.dnrme.qld.gov.au for further information.

DA templates are available from <https://planning.dsdmip.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 <https://planning.dsdmip.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 Natural Resources, Mines and Energy at www.dnrme.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 and Science at www.des.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.dnrme.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.des.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.des.qld.gov.au for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
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Brothels

23.14) Does this development application involve a **material change of use for a brothel?**

- Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*
 No

Decision under section 62 of the Transport Infrastructure Act 1994

23.15) 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

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
<i>Note: See the Planning Regulation 2017 for referral requirements</i> | <input checked="" type="checkbox"/> Yes |
| If building work is associated with the proposed development, Parts 4 to 6 of <i>DA Form 2 – Building work details</i> have been completed and attached to this development application | <input type="checkbox"/> Yes
<input checked="" type="checkbox"/> Not applicable |
| Supporting information addressing any applicable assessment benchmarks is with development application
<i>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.</i> | <input checked="" type="checkbox"/> Yes |
| Relevant plans of the development are attached to this development application
<i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i> | <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 (<i>see 21</i>) | <input type="checkbox"/> Yes
<input checked="" type="checkbox"/> Not applicable |

25) Applicant declaration

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

PART 9 – FOR 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	
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	

Client Authority Form

Project Title: 3727 Burke Development Road, Mutchilba on Lot 225 HG293

Professional Fee: \$2,750.00 as per quote
 Or
 \$3,850 (code assessment) (inc. GST, excl application fees) as per quote

Client Details

Client: KVN Aus Trust

Invoice Address: 130 Leedingham Creek Road, Dimbulah, QLD, 4872

Phone: +27 83 297 0690

Email: jandre@kvnb.co.za.

Accounts Contact:* Jakkie Roos ; j.roos@kvnb.co.za

*The name and contact details of administration person responsible for payment of the invoice.

Landowner Details

Landowner Name/s:** KVN Aus Trust

Address: 130 Leedingham Creek Rd, Dimbulah, QLD, 4872

Property Description: Farm

**As shown on rates notice

Contractual Undertaking and Agreement

I / we, the party named below (the Client), confirm the commission of Planz Town Planning Pty Ltd (the Consultant), in relation to the project referenced above and accept all terms and conditions of the Quote and in particular confirm responsibility for payment of fees generated by this commission and payable to the Consultant strictly prior to lodgement of the Application and in other cases within 14 days of the date of invoice. A Deposit of \$990.00 is payable when the Client signs and returns this offer. Please arrange for electronic funds transfer of the Deposit:

Bank: Westpac

Account Name: Planz Town Planning Pty Ltd

BSB: 034167

Account No: 339685

Signed:  Date: 2018-09-28

Name: Jandre Wessels



APPLICATION FOR A DEVELOPMENT PERMIT

RECONFIGURING A LOT (BOUNDARY REALIGNMENT)
3727 MAREEBA DIMBULAH ROAD, MUTCHILBA

21 JANUARY 2019

PREPARED BY

PLANZ TOWN PLANNING PTY LTD

on behalf of

KVN AUS TRUST

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Application Summary

Application details	
Proposal	Reconfiguring a lot (Boundary Realignment)
Applicant	KVN Aus Trust
Property Owners	KVN Aus Trust
Address	3727 Mareeba Dimbulah Road, Mutchilba 4872
Real Property Description	Lot 225 HG293 & Lot 62 SP167299
Lot Size	Lot 225 HG293 - 54.1ha Lot 62 SP167299 – 28.3ha
Zone	Rural
Current Use	Farming – Mango Orchard
Level of Assessment	Code
Applicable Codes	Rural zone code Agricultural land overlay code Bushfire hazard overlay code Environmental significance overlay code Flood hazard overlay code Hill and slope overlay code Transport infrastructure code Landscaping code Parking and access code Works, services and infrastructure code
Referral Triggers	Not applicable (See Appendix 2 for pre-lodgement advice from SARA)

1 INTRODUCTION

1.1 Nature of the Proposal

This application is to facilitate the reconfiguring of a lot (boundary realignment) between lot 225 and lot 62, both owned by KVN Aus Trust. The site is located within the Rural zone (**figure 1**). The Mareeba-Dimbulah Road (state controlled road) separates the northern and southern sections of lot 225, while lot 62 shares a boundary along the south-eastern section of lot 225 (**figure 2**).

The boundary realignment seeks to separate the northern section of lot 225 (north of Mareeba-Dimbulah Road), and merge the southern sections of lot 225 with lot 62. This will result in one large lot with all the mango orchards and one smaller lot on the northern side of Mareeba-Dimbulah Road (**figure 3**). The application will result in lots with the following characteristics:

Table 1: Proposed lot characteristics

Lot Number	Current Area	Proposed area	Current Frontage	Proposed frontage
Lot 225	54.1ha	13.5ha	1.3km - Mareeba-Dimbulah Rd (northern section) & 1.6km - Mareeba-Dimbulah Rd (southern section)	1.3km - Mareeba-Dimbulah Rd
Lot 62	28.3ha	68.9ha	360m - Mutchilba Road	360m - Mutchilba Rd & 1.6km - Mareeba Dimbulah Rd
Total	82.4ha	82.4ha	Not applicable	Not applicable

The boundary realignment results in no actual physical change on the ground to how the two lots are used. Access to the lots are already existent. The section of lot 225 north of Mareeba-Dimbulah Road is fallow and grassed land. The southern sections of lot 225 and lot 62 is for a mango orchard of 17,000 trees. The boundary realignment will facilitate the operational separation that exists within lot 225.

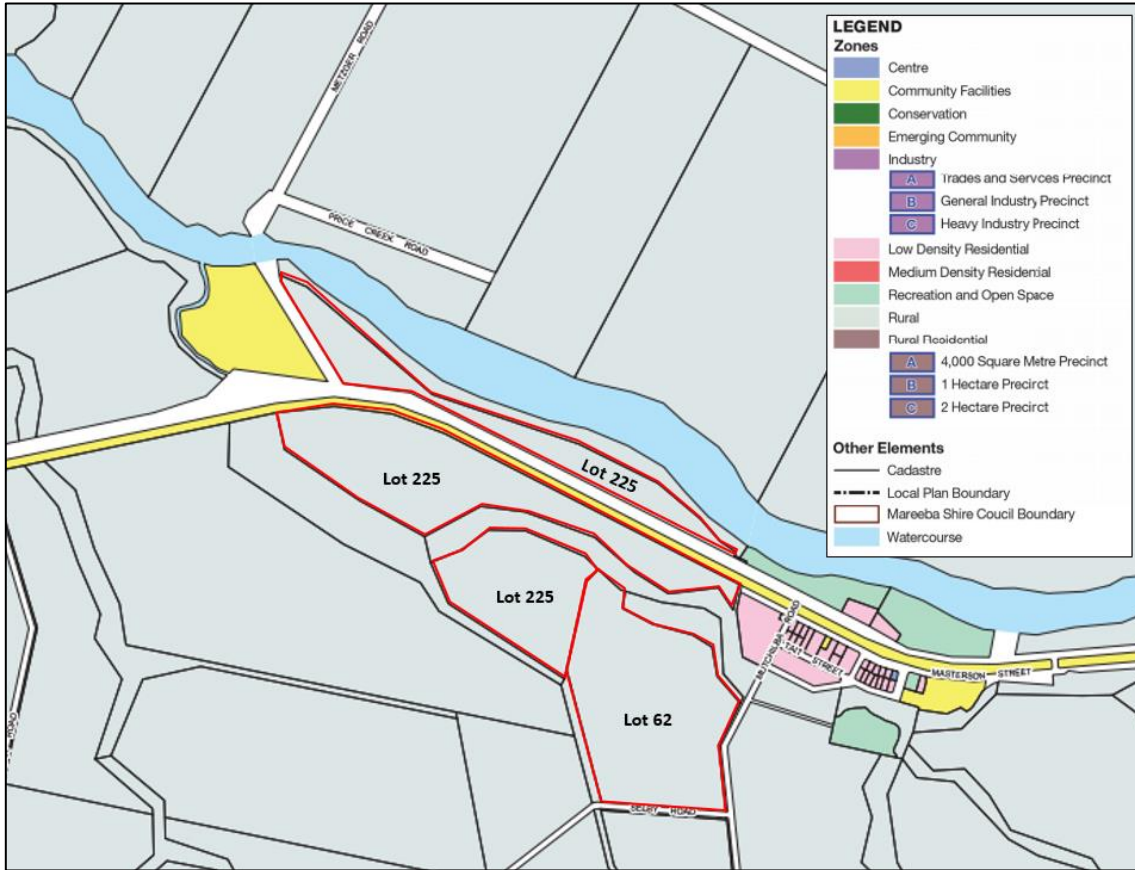


Figure 1: Zoning map

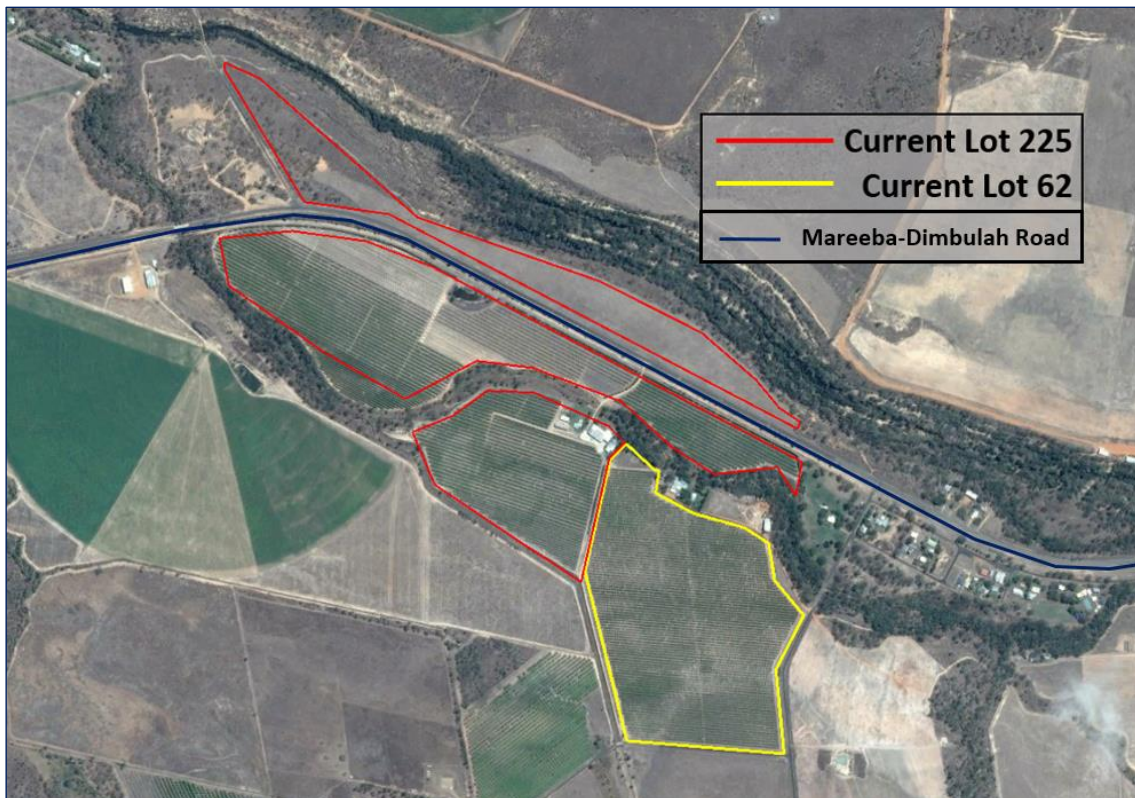


Figure 2: Current Lot 225 and 62 arrangement

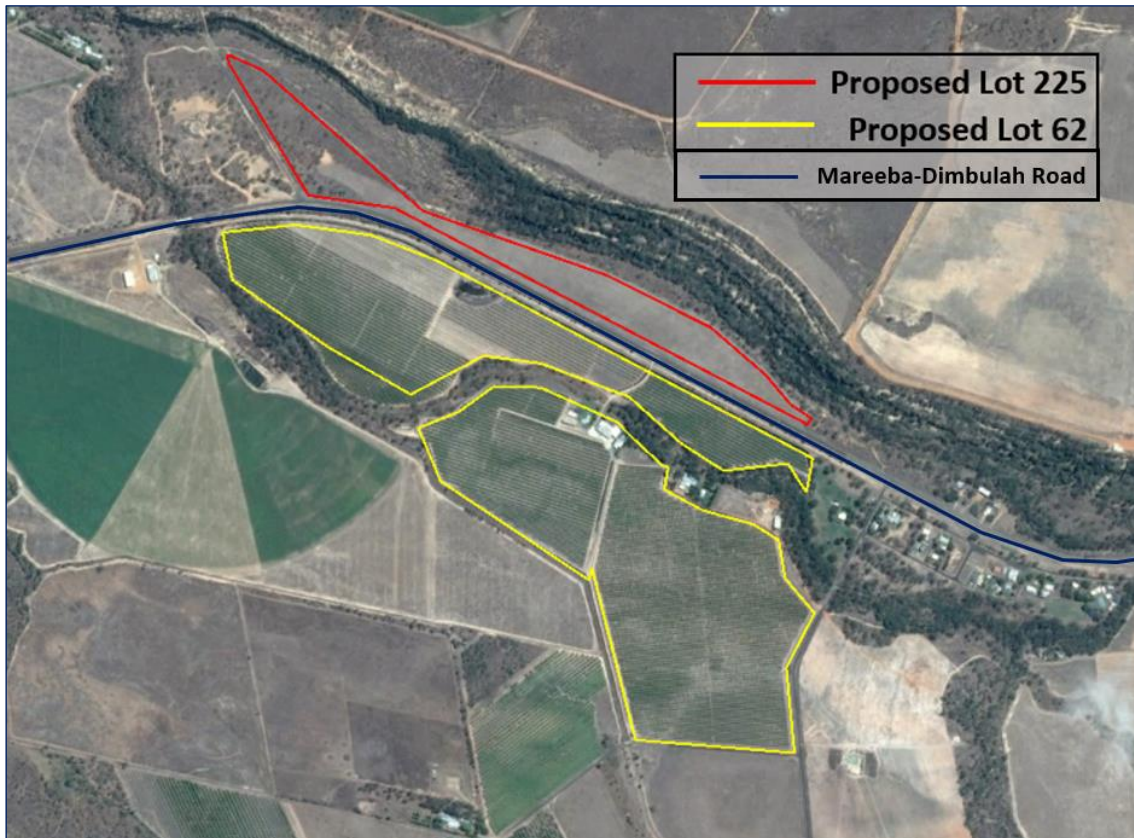


Figure 3: Proposed lot 225 and 62 arrangement

1.2 Background

The applicant was originally going to apply for a Material Change of Use for Rural Industry (Packing Shed) on the section of lot 225 that is on the northern side of Mareeba-Dimbulah Road. This development is Code assessable development under the scheme with referral to SARA.

On 7 November 2018 Planz met with the Applicant and DTMR to discuss DTMR requirements for a packing shed, a separate proposal to be dealt with in a future Planning Application. The meeting was regarding access and setbacks via Mareeba-Dimbulah Road (State controlled road). DTMR and the Applicant discussed that the lot would be increasingly functional and viable if this section of the lot was reconfigured into a separate lot, a proposal of which the Applicant was already considering to undertake

The Applicant has since decided to apply for a RoL (Boundary Realignment) application as the first stage of the overall development, under the notion that obtaining the boundary realignment is integral to the business success of the packing shed. The Applicant intends to apply for a MCU - Rural Industry (Packing Shed) at a later stage.

For indicative drawings of the packing shed refer to **Appendix 4**.

1.3 The Site

The site is located at 3727 Mareeba-Dimbulah Road, Mutchilba. The site has a combined area of 82.4ha. The land is currently separated over two lots. Lot 225 is 54.1ha and lot 62 is 28.3ha. The site is being farmed for a Mango orchard of 17,000 trees with existing buildings and structures ancillary to the farming use. Adjoining land, east of the site is zoned Low Density Residential, and Community Facilities. Land north west of the site is zoned Community Facilities (**figure 1**).

Lot 225 has three separate sections to the lot (**figure 4**).

1. The north-eastern section (north of Mareeba-Dimbulah Road) is approximately 13.5ha, has a 1.3km frontage to Mareeba-Dimbulah Road, and existing access via Price Creek Road. This section of the site is predominantly fallow and grassed land. Walsh Creek runs adjacent to the north of this section of the site and separated from the southern sections of the lot by Mareeba-Dimbulah Road, and a railway. According to previous owners, there are mains that are still intact under the Mareeba-Dimbulah Road which can be used in the future to supply irrigation water to the northern side.
2. The middle section of lot 225 (adjoining the southern side of Mareeba-Dimbulah Road) is approximately 26.5ha, obtains access and has a frontage of 1.6km to Mareeba-Dimbulah Road. This section of the site is currently a mango orchard. Within this section of lot 225 there is an old pump and holding dam, which have since been decommissioned. This section of lot 225 is bound by a railway line to the north-east, which runs parallel to Mareeba-Dimbulah Road, and Price Creek to the south.
3. The southernmost section of lot 225 is approximately 14.8ha, the site benefits from one access via Mareeba-Dimbulah Road, traversing Lot 388 HG293. This section of Lot 225 does not have a direct road frontage. This section of the lot contains a primary dwelling, carport, secondary dwelling, 270m² machinery shed, 196m² old machinery shed, and 1,620m² packing shed to support a mango orchard. Price creek separates this section of lot 225 from the middle section of the lot. The eastern boundary of this section of lot 225 adjoins lot 62.

Lot 62 is 28.3ha and benefits from a 360m wide road frontage and vehicle access via Mutchilba Road. As stated above, the western boundary of lot 62 adjoins the southern section of lot 225. Lot 62 is a mango orchard

The current lot boundaries are unconditional due to the lots being split by roads, railways, and creeks. The boundary realignment will see the transferring of the middle (26.5ha) and southern (14.8ha) sections of lot 225 transferred into lot 62. The boundary realignment will provide an increasingly functional layout to the lots, by separating the northern section of lot 225 to allow for the future construction and operation of a packing shed (a separate planning application will be lodged for a packing shed).

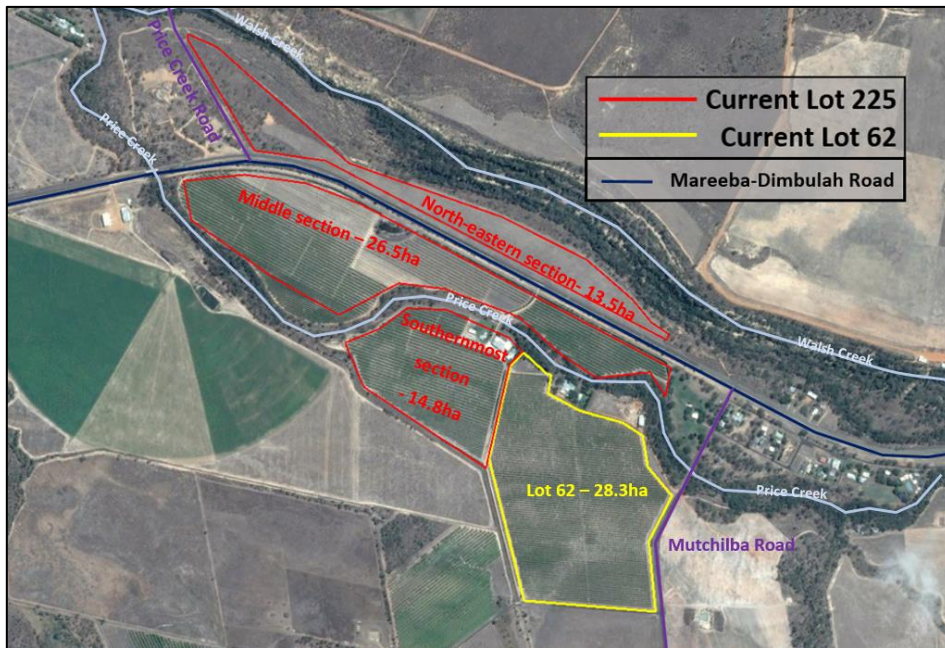


Figure 4: Site location of lot 225 and 62

3 PLANNING CONSIDERATIONS

3.1 State Interest

The *Planning Regulations* and State Development Assessment Provisions (SDAP) set out the matters of interest to the state for development assessment. The site is mapped as having the following state interests:

1. Fish habitat areas
2. Water resources
3. Native vegetation clearing
4. State transport corridor - State controlled road, and Railway corridor
5. Areas within 25m of a State transport corridor

The development is for a RoL (boundary realignment) and does not include, building work, operational work, waterway barrier works, and the clearing of vegetation.

Pre-lodgment advice was obtained from SARA. In a letter to Planz dated 8 January 2019 (See **Appendix 2**), SARA advised that the proposal did not require referral to SARA regarding the vicinity of the rail corridor or State-Controlled Road, as the proposal will not result in altered access arrangements or additional lots being created.

Therefore, the proposal will not trigger referral to SARA.

For avoidance of doubt SDAP Codes 1 and 2 have been addressed to clearly demonstrate to Officers the low-level nature of the Boundary Realignment.

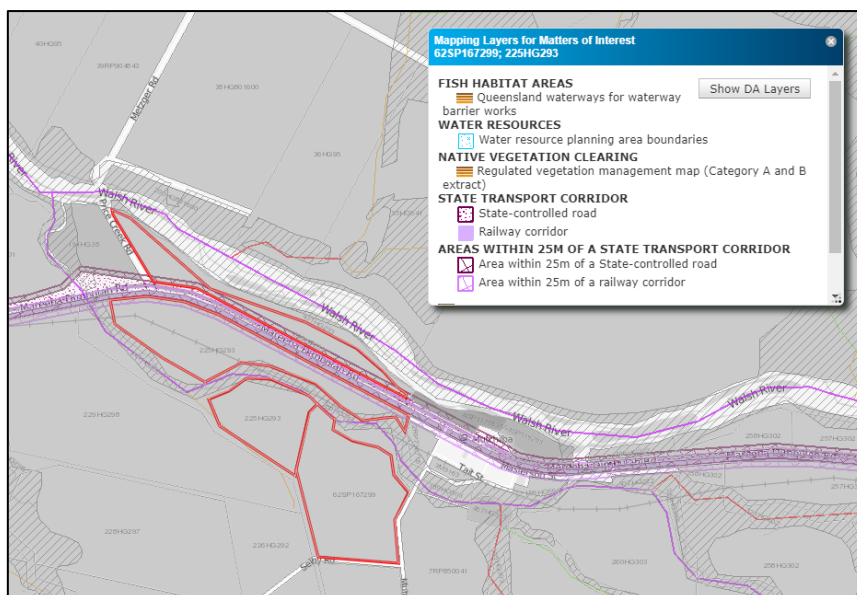


Figure 5: Map of State Interests

3.2 Mareeba Shire Planning Scheme Assessment

The proposed use is Code Assessable Development against the Mareeba Shire Planning Scheme. In considering the proposal against the relevant codes, there are Performance Outcomes and Acceptable Outcomes which are to be considered:

1. Assessable development must demonstrate that the Performance Outcomes can be achieved.
2. The Acceptable Outcomes that are nominated in the Codes are just one means by which the Performance Outcomes may be achieved.

The proposal satisfies the Purpose and Overall Outcomes of the Planning Scheme Codes, as identified in **Appendix 1**. The assessment and compliance table for this development is shown below.

Planning Scheme Assessment Table Codes		Applicability
Zone Code	Rural zone	✓
Local Plan	n/a	n/a
Overlay Codes	Agricultural land	✓
	Airport environs	n/a
	Bushfire hazard	✓
	Environmental significance	✓
	Extractive Resources	n/a
	Flood hazard	✓
	Heritage	n/a
	Hill and slope	✓
	Regional infrastructure corridors and substations	n/a
	Residential dwelling house and outbuilding	n/a
	Scenic amenity	n/a
	Transport infrastructure	✓
Use Codes	n/a	n/a
Other Development Codes	Advertising devices	n/a
	Landscaping	✓
	Parking and access	✓
	Reconfiguring a lot	✓
	Works, services and infrastructure	✓

3.3 Compliance

The main compliance issue with the boundary realignment is the sizes of the lots in the rural area. The reconfiguring of a lot code sets out the minimum area and dimensions for reconfiguring a lot in the rural zone. The minimum area of lots in a rural area is 60ha and a minimum frontage of 400m (**Appendix 1- 9.4.4 Reconfiguring a lot code**). The current and proposed compliance issues are summarised in the table below:

Table 2: Compliance with the current and proposed RoL dimensions of the Planning scheme.

Lot Number	Current	Current Compliance	Proposed	Proposed Compliance	Planning Scheme AO's.
Area					
225	54.1ha	Non-compliant	13.5ha	Non-compliant	60ha
62	28.3ha	Non-compliant	68.9ha	Compliant	
Frontage					
225	1.6km - Mareeba-Dimbulah Rd (southern section)	Compliant	1.3km - Mareeba-Dimbulah Rd	Compliant	400m
62	360m - Mutchilba Road	Non-compliant	1.6km - Mareeba Dimbulah Rd	Compliant	
Total Current Compliant		1/4	Total Proposed Compliant	3/4	

Current compliance with the Planning Scheme

Currently lot 225 is 54.1ha and lot 62 is 28.3ha. Both of the lots are under the 60ha area required in the rural area. Both frontages to lot 225 are more than the 400m required in the Rural zone. However, lot 62 only has a 360m frontage to Dimbulah Road, which is 40m less than the 400m required in the Rural zone. Therefore, at present there are currently three non-compliances with *Table 9.4.4.3B—Minimum area and dimensions for Reconfiguring a lot in the Rural zone*

Proposed Compliance with the Planning Scheme

The boundary realignment will allow the southern sections of lot 225 to be transferred over to lot 62 (**refer to figures 2 & 3**). Lot 225 will have an area of approximately 13.5ha, which is under the minimum area required in the Rural zone. Although, the boundary realignment will increase the area of lot 62. Lot 62 will have an area of approximately 68.9ha, which is 8.9ha more than the 60ha required in the Rural zone. The boundary realignment will also allow lot 225 to retain the 1.3km frontage along Mareeba-Dimbulah Road, and allowing the transfer of the 1.6km frontage to lot 62. This will result in both lots having a exceeding the 400m minimum frontage in the Rural zone. The proposed layout will have one non-compliance with *Table 9.4.4.3B—Minimum area and dimensions for Reconfiguring a lot in the Rural zone*.

Therefore, the proposed layout will result in an improved layout that is increasingly compliant with *Table 9.4.4. 3B* when compared to the existing layout.

Surrounding lot sizes

The boundary realignment, particularly affecting lot 225, will still be consistent with the amenity and lot sizes of the surrounding area. The proposed lot 225 will have an area of approximately 13.5ha. There are multiple lots that are adjacent to Mareeba-Dimbulah Road, within a 7km distance east of lots 225 and 62 that are under 10ha (**figure 6a & 6b**). The proposed lot 225:

1. is consistent with the design of lots in the surrounding area;
2. allows the desired amenity of the zone to be achieved;
3. is able to accommodate all buildings, structures and works associated with the intended land use;
4. has existing sufficient access;
5. does not cause an adverse effect on surrounding environmental features; and
6. accommodates site constraints.

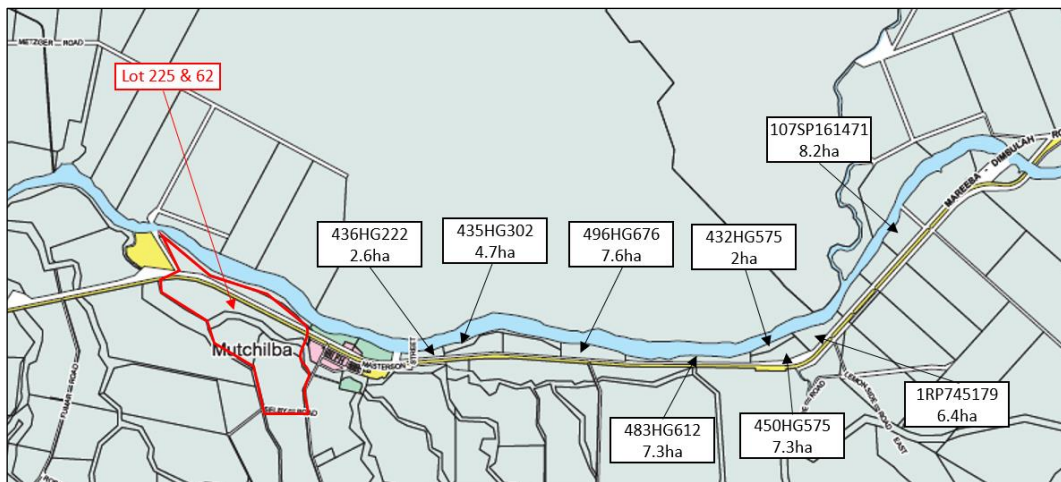


Figure 6a: Surrounding lot sizes within 7km

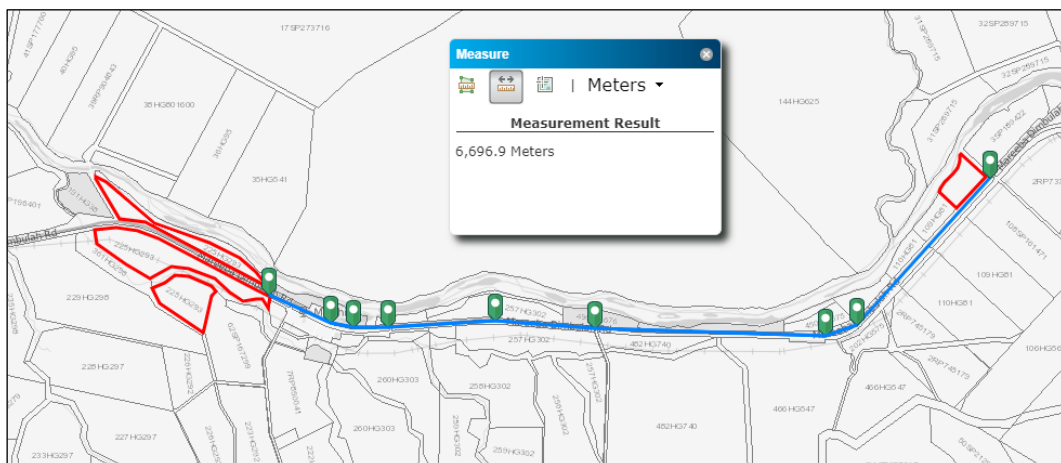


Figure 6b: Surrounding lot sizes within 7km

4 INFRASTRUCTURE

4.1 Water supply

Irrigation system

Water is supplied from the Mutchilba relift Sunwater channel/pipe system and gravity fed to the mango orchards. Water is delivered to three offtakes located around the farm. There are no pumps used as the water is gravity fed to the offtakes. The irrigation system is fully computer automated and can be operated off farm if required. Located at the offtake areas are filter and flow metres. The irrigation system around the farm is via PVC mains and sub-mains, poly pipes running along the orchard rows with under tree sprinklers delivering the water to the trees.

According to previous owners, there are mains that are still intact under the Mareeba-Dimbulah Road which can be used in the future to supply irrigation water to the northern side

Dwellings

The existing dwellings are connected to onsite water tanks.

4.2 Effluent disposal

An onsite effluent treatment system is installed that adequately protects water quality and ecological values of the locality.

APPENDIX 1: ASSESSMENT AGAINST THE PLANNING SCHEME

6.2.9 Rural zone code

The purpose of the Rural zone code is to:

- (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 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.

Mareeba Shire Council's purpose of the Rural zone code is to recognise the importance of primary production to the economy of the region and to maintain and strengthen the range of primary industries which contribute to the rural economy.

The purpose of the Rural zone code is to:

- (a) recognise the diversity of rural uses that exists throughout the region;
- (b) protect the rural character of the region;
- (c) provide facilities for visitors and tourists that are accessible and offer a unique experience;
- (d) protect the infrastructure of the Mareeba-Dimbulah Irrigation Scheme Area from development which may compromise long term use for primary production;
- (e) maintain distinct boundaries between the rural areas and the villages, towns and urban areas of the region;

- (f) provide for a range of uses, compatible and associated with rural or ecological values including recreational pursuits and tourist activities;
- (g) prevent adverse impacts of development on ecological values;
- (h) preserve land in large holdings; and
- (i) facilitate the protection of strategic corridors across the landscape which link remnant areas of intact habitat and transport corridors.

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

- (a) Areas for use for primary production are conserved and fragmentation below economically viable lot sizes is avoided;
- (b) The establishment of a wide range of rural pursuits is facilitated, including cropping, intensive horticulture, forestry, intensive animal industries, animal husbandry and animal keeping and other compatible primary production uses;
- (c) The establishment of extractive industries, mining and associated activities and alternative forms of energy generation is appropriate where environmental impacts and land use conflicts are minimised;
- (d) Uses that require isolation from urban areas as a consequence of their impacts such as noise or odour may be appropriate where land use conflicts are minimised;
- (e) Development is reflective of and responsive to the environmental constraints of the land;
- (f) Residential and other development is appropriate only where directly associated with the rural nature of the zone;
- (g) Low-impact tourism and recreation activities do not compromise the long-term use of the land for rural purposes;
- (h) The viability of both existing and future rural uses and activities is protected from the intrusion of incompatible uses;
- (i) Visual impacts of clearing, building, materials, access ways and other aspects of development are minimised or appropriately managed;
- (j) Adverse impacts of development both on-site and from adjoining areas are avoided and any impacts are minimised through location, design, operation and management; and
- (k) Natural features such as creeks, gullies, waterways, wetlands and bushland are retained, managed, enhanced and separated from adjacent development.

Table 6.2.9.3—Rural zone code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Applicant Response
For accepted development subject to requirements and assessable development		
Height		
<p>PO1 Building height takes into consideration and respects the following:</p> <ul style="list-style-type: none"> (a) the height of existing buildings on adjoining premises; (b) the development potential, with respect to height, on adjoining premises; (c) the height of buildings in the vicinity of the site; (d) access to sunlight and daylight for the site and adjoining sites; (e) privacy and overlooking; and (f) site area and street frontage length. 	<p>AO1.1 Development, other than buildings used for rural activities, has a maximum building height of:</p> <ul style="list-style-type: none"> (a) 8.5 metres; and (b) 2 storeys above ground level. 	<p>Not applicable Development is for a RoL (boundary realignment).</p>
	<p>AO1.2 Buildings and structures associated with a rural activity including machinery, equipment, packing or storage buildings do not exceed 10 metres in height.</p>	<p>Not applicable Development is for a RoL (boundary realignment).</p>
Siting, where not involving a Dwelling house		
<p>Note—Where for Dwelling house, the setbacks of the Queensland Development Code apply.</p>		
<p>PO2 Development is sited in a manner that considers and respects:</p> <ul style="list-style-type: none"> (a) the siting and use of adjoining premises; (b) access to sunlight and daylight for the site and adjoining sites; (c) privacy and overlooking; (d) air circulation and access to natural breezes; (e) appearance of building bulk; and (f) relationship with road corridors. 	<p>AO2.1 Buildings and structures include a minimum setback of:</p> <ul style="list-style-type: none"> (a) 40 metres from a frontage to a State-controlled road; and (b) 10 metres from a boundary to an adjoining lot. 	<p>Complies</p>
	<p>AO2.2 Buildings and structures, where for a Roadside stall, include a minimum setback of 0 metres from a frontage to a road that is not a State-controlled road.</p>	<p>Not applicable Development is for a RoL (boundary realignment).</p>

	<p>AO2.3 Buildings and structures, except where a Roadside stall, include a minimum setback of:</p> <p>(a) 10 metres from a frontage to a sealed road that is not a State-controlled road; and</p> <p>(b) 100 metres from a frontage to any other road that is not a State-controlled road;</p>	<p>Not applicable Development is for a RoL (boundary realignment).</p>
Accommodation density		
<p>PO3 The density of Accommodation activities:</p> <p>(a) respects the nature and density of surrounding land use;</p> <p>(b) is complementary and subordinate to the rural and natural landscape values of the area; and</p> <p>(c) is commensurate to the scale and frontage of the site.</p>	<p>AO3.1 Residential density does not exceed one dwelling house per lot.</p>	<p>Not applicable Development is for a RoL (boundary realignment).</p>
	<p>AO3.2 Residential density does not exceed two dwellings per lot and development is for:</p> <p>(a) a secondary dwelling; or</p> <p>(b) Caretaker's accommodation and includes building work or minor building work with a maximum gross floor area of 100m²; or</p> <p>(c) Rural worker's accommodation.</p>	<p>Not applicable Development is for a RoL (boundary realignment).</p>
For assessable development		
Site cover		
<p>PO4 Buildings and structures occupy the site in a manner that:</p> <p>(a) makes efficient use of land;</p> <p>(b) is consistent with the bulk and scale of buildings in the surrounding area; and</p> <p>(c) appropriately balances built and natural features.</p>	<p>AO4 No acceptable outcome is provided.</p>	<p>Complies with PO</p>

<p>PO5 Development complements and integrates with the established built character of the Rural zone, having regard to:</p> <ul style="list-style-type: none"> (a) roof form and pitch; (b) eaves and awnings; (c) building materials, colours and textures; and (d) window and door size and location. 	<p>A05 No acceptable outcome is provided.</p>	<p>Complies with PO Development is for a RoL (boundary realignment). Buildings and structures are already existent on the site.</p>
<p>Amenity</p>		
<p>PO6 Development must not detract from the amenity of the local area, having regard to:</p> <ul style="list-style-type: none"> (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions. 	<p>A06 No acceptable outcome is provided.</p>	<p>Complies with PO Development is for a RoL (boundary realignment). Buildings and structures are already existent on the site.</p>
<p>PO7 Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to:</p> <ul style="list-style-type: none"> (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions. 	<p>A07 No acceptable outcome is provided.</p>	<p>Will be complied with</p>

8.2.1 Agricultural land overlay code

The purpose of the Agricultural land overlay code is to protect or manage important agricultural areas, resources, and processes which contribute to the shire's capacity for primary production.

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

- (a) The alienation, fragmentation or reduction in primary production potential of land within the 'Class A' area or 'Class B' area is avoided, except where:
 - (i) an overriding need exists for the development in terms of public benefit,
 - (ii) no suitable alternative site exists; and
 - (iii) the fragmentation or reduced production potential of agricultural land is minimised;
- (b) 'Class A' areas and 'Class B' areas continue to be used primarily for more intensive agricultural activities which utilise the land quality provided in these areas;
- (c) Grazing on very large land holdings is maintained as the dominant rural activity in the 'Broadhectare rural' area; and
- (d) Land with the 'Broadhectare rural' area is maintained in its current configuration.

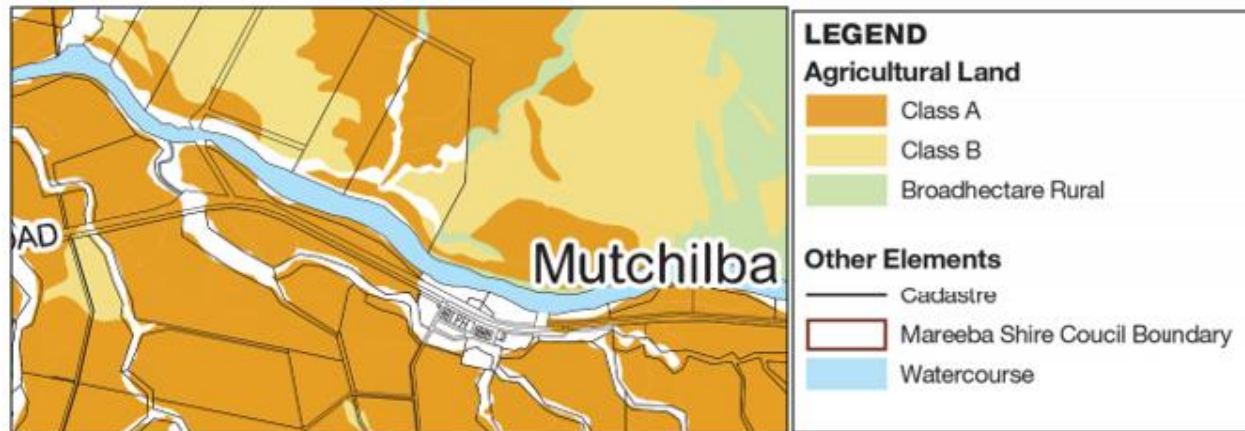


Table 8.2.1.3 – Agricultural land overlay code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Applicant Response
For accepted development subject to requirements and assessable development		
<p>PO1 The fragmentation or loss of productive capacity of land within the 'Class A' area or 'Class B' area identified on the Agricultural land overlay maps (OM-001a-n) is avoided unless:</p> <ul style="list-style-type: none"> (a) an overriding need exists for the development in terms of public benefit; (b) no suitable alternative site exists; and (c) loss or fragmentation is minimised to the extent possible. 	<p>AO1 Buildings and structures are not located on land within the 'Class A' area or 'Class B' area identified on the Agricultural land overlay maps (OM-001a-n) unless they are associated with:</p> <ul style="list-style-type: none"> (a) animal husbandry; or (b) animal keeping; or (c) cropping; or (d) dwelling house; or (e) home based business; or (f) intensive animal industry (only where for feedlotting); or (g) intensive horticulture; or (h) landing; or (i) roadside stalls; or (j) winery. 	<p>Complies Development is for a RoL (boundary realignment). Buildings and structures are already existent on the site.</p>
For assessable development		

Performance outcomes	Acceptable outcomes	Applicant Response
<p>PO2 Sensitive land uses in the 'Class A' area, 'Class B' area or the 'Broadhectare rural' area identified on the Agricultural land overlay maps (OM-001a-n) are designed and located to:</p> <ul style="list-style-type: none"> (a) avoid land use conflict; (b) manage impacts from agricultural activities, including chemical spray drift, odour, noise, dust, smoke and ash; (c) avoid reducing primary production potential; and (d) not adversely affect public health, safety and amenity. 	<p>AO2 No acceptable outcome is provided.</p>	<p>Complies with PO Development is for a RoL (boundary realignment). Buildings and structures are already existent on the site. The boundary realignment is designed to:</p> <ol style="list-style-type: none"> 1. maintain large lots viable for rural /farming purposes 2. avoid further fragmentation of agricultural land 3. avoid land use conflict;
<p>PO3 Development in the 'Class A' area or 'Class B' area identified on the Agricultural land overlay maps (OM-001a-n):</p> <ul style="list-style-type: none"> (a) ensures that agricultural land is not permanently alienated; (b) ensures that agricultural land is preserved for agricultural purposes; and (c) does not constrain the viability or use of agricultural land. 	<p>AO3 No acceptable outcome is provided.</p>	<p>Complies with PO Development is for a RoL (boundary realignment). Buildings and structures are already existent on the site. The boundary realignment is designed to : Amalgamate land being used for an existing Mango orchard Ensure no further alienation of Landscape values overlay code</p> <ol style="list-style-type: none"> 1. ensures that agricultural land is not permanently alienated; 2. ensures that agricultural land is preserved for agricultural purposes; and 3. does not constrain the viability or use of agricultural land.
<p>If for Reconfiguring a lot</p>		

Performance outcomes	Acceptable outcomes	Applicant Response
<p>PO4 The 'Broadhectare rural area' identified on the Agricultural land overlay maps (OM-001a-n) is retained in very large rural holdings viable for broad scale grazing and associated activities.</p>	<p>AO4 Development does not involve the creation of a new lot within the 'Broadhectare rural' area identified on the Agricultural land overlay maps (OM-001a-n).</p>	<p>Not applicable The site is not located in the 'Broadhectare rural' area.</p>
<p>PO5 Reconfiguring a lot in the 'Class A' area, 'Class B' area or the 'Broadhectare rural' area identified on the Agricultural land overlay maps (OM-001a-n) that is severed by a gazetted road occurs only where it does not fragment land used for agricultural purposes.</p>	<p>AO5 No acceptable outcome is provided.</p>	<p>Complies with PO The boundary realignment will not see the creation of any new lots. Buildings, and structures on site, and access to the sites are already existent. Existing lot 225 is currently fragmented by Mareeba- Dilmbulah Road. The proposal would not result in any further fragmentation of the land north of Mareeba-Dimbulah Road.</p>
<p>PO6 Any Reconfiguring a lot in the 'Class A' area, 'Class B' area or the 'Broadhectare rural' area identified on the Agricultural land overlay maps (OM-001a-n), including boundary realignments, only occurs where it: (a) improves agricultural efficiency; (b) facilitates agricultural activity; or (c) facilitates conservation outcomes; or (d) resolves boundary issues where a structure is built over the boundary line of two lots.</p>	<p>AO6 No acceptable outcome is provided.</p>	<p>Complies with PO Development is for a RoL(boundary realignment). Buildings and structures are already existent on the site. The boundary realignment is designed to improve agricultural efficiency by consolidating land south of Mareeba-Dimbulah Road to support a Mango orchard of 17,000 trees.</p>

8.2.3 Bushfire hazard overlay code

The purpose of the Bushfire hazard overlay code is to minimise the threat of bushfire to people and property.

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

- (a) Development in a Bushfire hazard area is compatible with the nature of the hazard;
- (b) The number of people and properties subject to bushfire hazards are minimised through appropriate building design and location;
- (c) Development does not result in a material increase in the extent, duration or severity of bushfire hazard; and
- (d) Appropriate infrastructure is available to emergency services in the event of a bushfire.

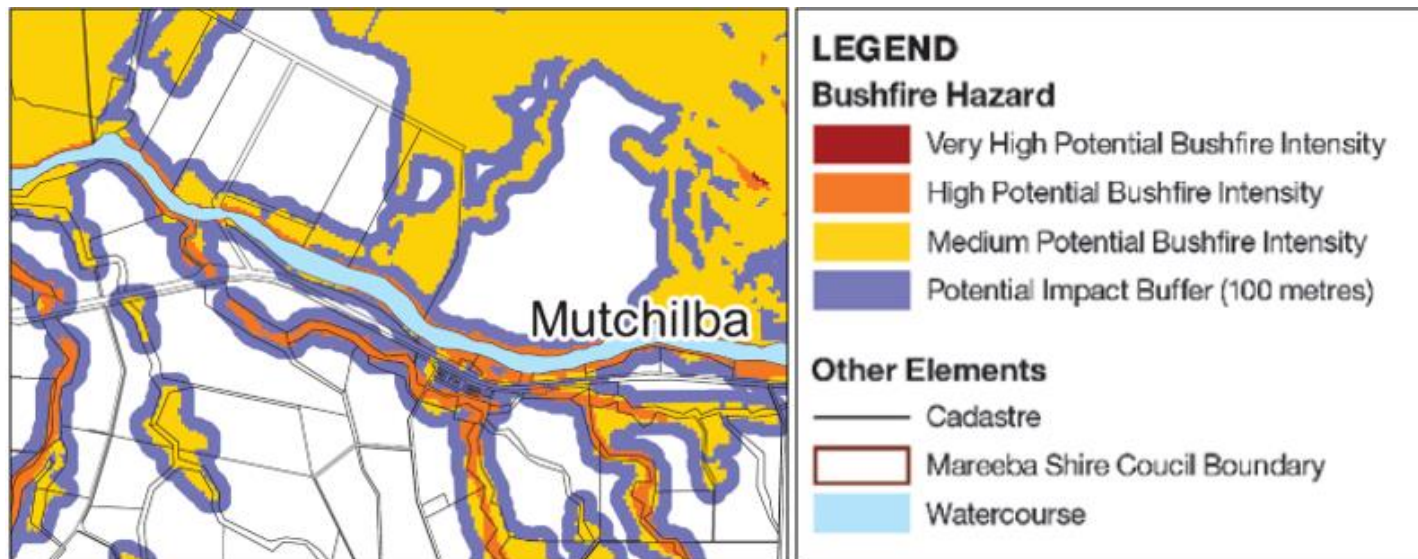


Table 8.2.3.3—Bushfire hazard overlay code — For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Applicant Response
For accepted development subject to requirements and assessable development		
Water supply for fire-fighting purposes		
<p>PO1 Development where within a ‘Bushfire hazard area’ and ‘Potential impact buffer (100 metres)’ identified on the Bushfire hazard overlay maps (OM-003a-o) maintains the safety of people and property by providing an adequate, accessible and reliable water supply for fire-fighting purposes which is safely located and has sufficient flow and pressure characteristics.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p>Where within a ‘Bushfire hazard area’ and ‘Potential impact buffer (100 metres)’ identified on the Bushfire hazard overlay maps (OM-003a-o)</p> <p>AO1.1 Where in a reticulated water service area, the on-site water supply has flow and pressure characteristics of 10 litres a second at 200 kPa. OR</p> <p>AO1.2 Where access to the reticulated water network is not available, a minimum on site water storage of 5,000 litres is provided that must comprise:</p> <ul style="list-style-type: none"> (a) a separate tank; or (b) a reserve section in the bottom part of the main water supply tank; or (c) a dam; or (d) a swimming pool. <p>Note—Where a water tank is provided for fire-fighting purposes it is fitted with standard rural fire brigade fittings and the tank is provided with a hardstand area for heavy vehicles.</p>	<p>Not applicable</p> <p>Will comply with where applicable Development is for a RoL (boundary realignment) and will not create any additional lots. Building and structures are already existent on site. No new buildings or structures are proposed with this application.</p> <p>Water tanks are present on the property.</p> <p>Although, there will be no increase in bushfire risk to what it is currently.</p>
For assessable development		
Land use		
<p>PO2 Development within a ‘Bushfire hazard area’ and ‘Potential impact buffer (100 metres)’ identified on the Bushfire hazard overlay</p>	<p>AO2 All buildings, structures, infrastructure and facilities associated with the following uses are located outside any area of the site</p>	<p>Not applicable Development is for a RoL (boundary realignment) and will not create any additional lots. Building and structures are</p>

Performance outcomes	Acceptable outcomes	Applicant Response
<p>maps (OM-003a-o) is appropriate to the bushfire hazard risk having regard to the:</p> <ul style="list-style-type: none"> (a) the bushfire risk compatibility of development; (b) the vulnerability of and safety risk to persons associated with the use; and (c) consequences of bushfire in regard to impacts on essential infrastructure, buildings and structures. <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p>located within a ‘Bushfire hazard area’ and a ‘Potential impact buffer (100 metres)’ identified on the Bushfire hazard overlay maps (OM-003a-o):</p> <ul style="list-style-type: none"> (a) child care centre; or (b) community care centre; or (c) correctional facility; or (d) educational establishment; or (e) emergency services; or (f) hospital; or (g) residential care facility; or (h) retirement facility; or (i) rooming accommodation; or (j) shopping centre; or (k) tourist park; or (l) tourist attraction. 	<p>already existent on site. No new buildings or structures are proposed with this application.</p>
Lot design		
<p>PO3 Reconfiguring a lot within a ‘Bushfire hazard area’ and ‘Potential impact buffer (100 metres)’ identified on the Bushfire hazard overlay maps (OM-003a-o) minimises the potential adverse impacts of bushfire on the safety of people, property and the environment through lot design that:</p> <ul style="list-style-type: none"> (a) is responsive to the nature and extent of bushfire risk; and (b) allows efficient emergency access to buildings for fire-fighting appliances. <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p>Where within a ‘Bushfire hazard area’ and ‘Potential impact buffer (100 metres)’ identified on the Bushfire hazard overlay maps (OM-003a-o)</p> <p>AO3.1 No new lots are created.</p> <p>OR</p> <p>AO3.2 All lots include a building envelope that achieves a radiant heat flux level of 29kW/m² at the perimeter of the building envelope.</p> <p>Note—Where a radiant heat flux of 29kW/m² is achieved and this relies on cleared or maintained land</p>	<p>Complies No new lots will be created from the RoL (boundary realignment).</p> <p>Not applicable</p>

Performance outcomes	Acceptable outcomes	Applicant Response
	external to the land the subject of the development application it must be demonstrated that land external to the site will be maintained to a standard that does not exceed the level of bushfire hazard identified in a Bushfire hazard management plan.	
Firebreaks and access		
<p>PO4 In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o), vehicular access is designed to mitigate against bushfire hazard by:</p> <ul style="list-style-type: none"> (a) ensuring adequate access for fire-fighting and other emergency vehicles; (b) ensuring adequate access for the evacuation of residents and emergency personnel in an emergency situation, including alternative safe access routes should access in one direction be blocked in the event of a fire; and (c) providing for the separation of developed areas and adjacent bushland. <p>Note—Where it is not practicable to provide firebreaks in accordance with A04.2 Fire Maintenance Trails are provided in accordance with the following:</p> <ul style="list-style-type: none"> i. located as close as possible to the boundaries of the lot and the adjoining hazardous vegetation; 	<p>AO4.1 In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o), roads are designed and constructed:</p> <ul style="list-style-type: none"> (a) with a maximum gradient of 12.5%; (b) to not use cul-de-sacs; and (c) a constructed road width and weather standard complying with Planning Scheme Policy 4 - FNQROC Regional Development Manual. 	<p>Not applicable Development is for a RoL (boundary realignment) and does not require the creation of new roads. Roads are already existent with access to the sites.</p>
	<p>AO4.2 In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o), firebreaks are provided:</p> <ul style="list-style-type: none"> (a) consisting of a perimeter road that separates lots from areas of bushfire hazard; (b) a minimum cleared width of 20 metre; (c) a maximum gradient of 12.5%; and (d) a constructed road width and weather standard complying with Planning Scheme Policy 4 - FNQROC Regional Development Manual. 	<p>Will comply with where applicable Development is for a RoL (boundary realignment). The boundary realignment will formally separate the northern section of Lot 225 (north of Mareeba-Dimbulah Road), to allow for the southern section of Lot 225 to be merged with Lot 62 (on the southern side of Mareeba-Dimbulah Road).</p> <p>The proposal would pose no greater risk to fire risk for said property.</p> <p>Refer to figure 3 & 4.</p>

Performance outcomes	Acceptable outcomes	Applicant Response
<p>ii. the minimum cleared width not less than 6 metres;</p> <p>iii. the formed width is not less than 2.5 metres;</p> <p>iv. the formed gradient is not greater than 15%;</p> <p>v. vehicular access is provided at both ends;</p> <p>vi. passing bays and turning areas are provided for fire-fighting appliances located on public land.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>		
Hazardous materials		
<p>PO5 Public safety and the environment are not adversely affected by the detrimental impacts of bushfire of hazardous materials manufactured or stored in bulk.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p>AO5 The processing or storage of dangerous goods or hazardous materials is not undertaken in a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o).</p>	<p>Not applicable Development is for a RoL (boundary realignment). The proposal does not involve the processing or storage of dangerous goods or hazardous materials.</p>
Landscaping		
<p>PO6 Landscaping within a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) does not result in a material increase in the extent, duration or severity of bushfire hazard having regard to:</p> <p>(a) fire ecology;</p> <p>(b) slope of site; and</p> <p>(c) height and mix of plant species.</p>	<p>AO6 No acceptable outcome is provided.</p>	<p>Complies with PO Development is for a RoL (boundary realignment). No additional landscaping is proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant Response
<p>Note—Frost hollows and the associated grass kill facilitates a rapid curing of fuel and exacerbates bushfire hazard.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>		
Infrastructure		
<p>PO7 Infrastructure services located in a ‘Bushfire hazard area’ and a ‘Potential impact buffer (100 metres)’ identified on the Bushfire hazard overlay maps (OM-003a-o) are protected from damage or destruction in the event of a bushfire.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p>AO7 The following infrastructure services are located below ground:</p> <ul style="list-style-type: none"> (a) water supply; (b) sewer; (c) electricity; (d) gas; and (e) telecommunications 	<p>Will be complied with where applicable Infrastructure services are already located and operational on-site. Development is for a RoL (boundary realignment) and no alteration to the existing services is proposed.</p>
Private driveways		
<p>PO8 All premises located in a ‘Bushfire hazard area’ and a ‘Potential impact buffer (100 metres)’ identified on the Bushfire hazard overlay maps (OM-003a-o) are provided with vehicular access that enables safe evacuation for occupants and easy access by fire-fighting appliances.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p>AO8 Private driveways:</p> <ul style="list-style-type: none"> (a) do not exceed a length of 60 metres from the street frontage; (b) do not exceed a gradient of 12.5%; (c) have a minimum width of 3.5 metres; (d) have a minimum vertical clearance of 4.8 metres; (e) accommodate turning areas for fire-fighting appliances in accordance with the Queensland Fire and Emergency Services’ Fire Hydrant and Vehicle Access Guidelines; and 	<p>Not applicable Development is for a RoL (boundary realignment) site access is already existent. No additional vehicular accesses are proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant Response
	(f) serve no more than three dwellings or buildings.	

9.2.4 Environmental significance overlay code

The purpose of the Environmental significance overlay code is to identify and protect matters of environmental significance, which include matters of state environmental significance (MSES) as defined under the state planning policy.

The Environmental significance overlay code ensures that:

- (a) waterways and high ecological significance wetlands are protected and enhanced to maintain ecosystem services and hydrological processes and provide aquatic habitat for flora and fauna; and
- (b) the environmental values of regulated vegetation, wildlife habitat, protected areas and legally secured offset areas are protected and managed.

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

- (a) the biodiversity values, ecosystem services and climate change resilience of areas of environmental significance are protected, managed, enhanced and rehabilitated;
- (b) the biodiversity values of protected areas and legally secured offset areas are protected from development unless overriding community need is demonstrated;
- (c) development is located, designed and managed to minimise the edge effects of development on areas of regulated vegetation and wildlife habitat;
- (d) areas of regulated vegetation and wildlife habitat are managed to minimise biodiversity losses;
- (e) development maintains, protects and enhances a regional network of vegetated corridors that assist in wildlife movement and contribute to the maintenance of habitat and biological diversity;
- (f) development is appropriately setback from waterways and high ecological significance wetlands to minimise direct and indirect impacts on water quality and biodiversity; and

- (g) riparian vegetation and vegetation associated with high ecological significance wetlands is protected and enhanced to improve water quality and natural ecosystem function.

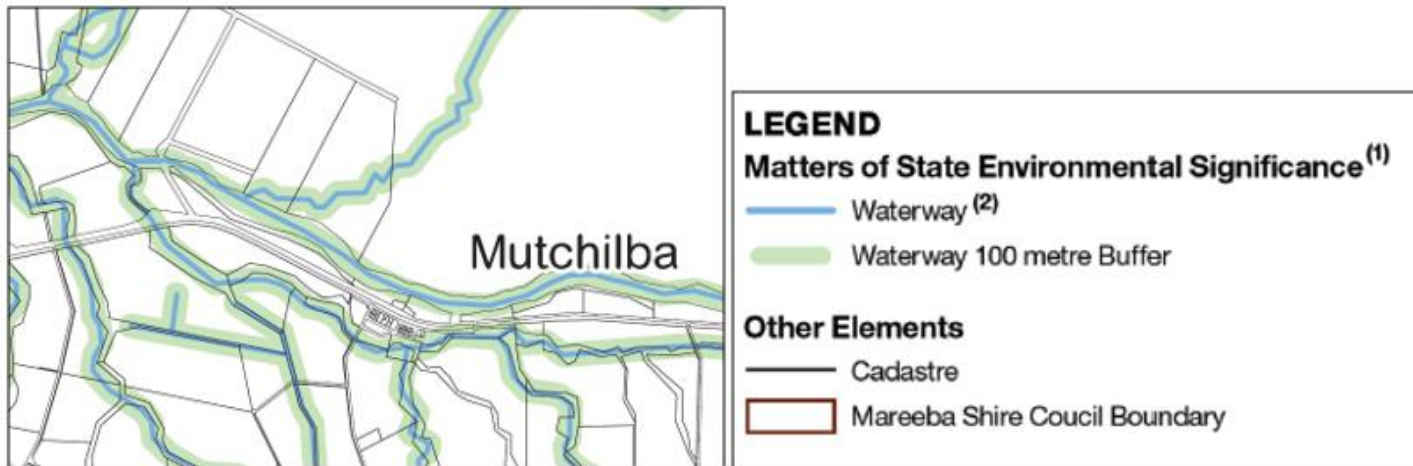


Table 8.2.4.3A - Environmental significance overlay code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Applicant Response
For accepted development subject to requirements and assessable development		
Regulated vegetation		

Performance outcomes	Acceptable outcomes	Applicant Response
<p>PO1 Vegetation clearing in areas mapped as 'Regulated vegetation' identified on the Environmental Significance Overlay Maps (OM-004a-o) is avoided unless:</p> <ul style="list-style-type: none"> (a) it is demonstrated that the area does not support regulated vegetation as mapped; (b) the loss or reduction in regulated vegetation is for community infrastructure and associated access facilities that cannot be avoided; (c) wildlife interconnectivity is maintained or enhanced at a local and regional scale; and (d) the loss or reduction in regulated vegetation is minimised and any residual impacts are offset. <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>AO1.1 No clearing of native vegetation is undertaken within areas of 'Regulated vegetation' identified on the Environmental Significance Overlay Maps (OM-004a-o).</p>	<p>Not applicable Development is for a RoL (boundary realignment). No clearing is proposed.</p>
<p>PO2 Development on sites adjacent to areas of 'Regulated vegetation' identified on the Environmental Significance Overlay Maps (OM-004a-o) protects the environmental significance of regulated vegetation and:</p> <ul style="list-style-type: none"> (a) does not interrupt, interfere, alter or otherwise impact on underlying natural ecosystem processes such as water quality, hydrology, 	<p>AO2 Development (excluding roads, earthworks, drainage infrastructure and underground infrastructure) is not located within 20 metres of 'Regulated vegetation' areas identified on the Environmental Significance Overlay Maps (OM-004a-o).</p>	<p>Not applicable Development is for a RoL (boundary realignment). No clearing, no new buildings or structures are proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant Response
<p>geomorphology and biophysical processes;</p> <p>(b) does not negatively impact the movement of wildlife at a local or regional scale; and</p> <p>(c) avoids noise, light, vibration or other edge affects, including weed and pest incursion on identified environmental values.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>		
Regulated vegetation intersecting a watercourse		
<p>PO3 Vegetation clearing in areas mapped as ‘Regulated vegetation intersecting a watercourse’, identified as ‘Waterway’ and ‘Waterway buffer’ on the Environmental Significance - Waterway Overlay Maps (OM-004p-z) is avoided unless wildlife interconnectivity between habitats is maintained or enhanced at a local and regional scale, to the extent that migration or normal movement of significant species between habitats or normal gene flow between populations is not inhibited.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>Where within a ‘Waterway buffer’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</p> <p>AO3.1 A minimum setback in accordance with Table 8.2.4.3B is provided between development and the top of the high bank of a ‘Waterway’ identified on the Environmental Significance - Waterway Overlay Maps (OM-004p-z).</p>	<p>Not applicable Development is for a RoL (boundary realignment). No clearing, no buildings or structures are proposed.</p>
	<p>Where within a ‘Waterway buffer’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</p> <p>AO3.2 No clearing of native vegetation is undertaken within the minimum setback identified at AO3.1.</p>	<p>Not applicable Development is for a RoL (boundary realignment). No clearing, no buildings or structures are proposed.</p>
Waterways and wetlands		

Performance outcomes	Acceptable outcomes	Applicant Response
<p>PO4 'High ecological significance wetlands' identified on the Environmental Significance Overlay Maps (OM-004a-o) and 'Waterways' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) and are protected by:</p> <ul style="list-style-type: none"> (a) maintaining adequate separation distances between waterways/wetlands and development; (b) maintaining and enhancing aquatic and terrestrial habitat including vegetated corridors to allow for native fauna (terrestrial and aquatic) movement; (c) maintaining waterway bank stability by minimising bank erosion and slumping; (d) maintaining water quality by providing buffers to allow filtering of sediments, nutrients and other pollutants; and (e) retaining and improving existing riparian vegetation and existing vegetation associated with a wetland. <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) AO4.1 A minimum setback in accordance with Table 8.2.4.3B is provided between development and the top of the high bank of a 'Waterway' identified on the Environmental Significance - Waterway Overlay Maps (OM-004p-z).</p>	<p>Not applicable Development is for a RoL (boundary realignment). No clearing, no buildings or structures are proposed.</p>
	<p>Where within a 'High ecological significance wetland buffer' on Environmental Significance Overlay Maps (OM-004a-o) AO4.2 A minimum buffer of 200 metres is provided between development and the edge of a 'High ecological significance wetland' identified on the Environmental Significance Overlay Maps (OM-004a-o).</p>	<p>Not applicable Development is for a RoL (boundary realignment). No clearing, no buildings or structures are proposed.</p>
	<p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland buffer' on Environmental Significance Overlay Maps (OM-004a-o) AO4.3 No stormwater is discharged to a 'Waterway' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland' identified on the Environmental Significance Overlay Maps (OM-004a-o).</p> <p>Note— An alternative outcome is required to demonstrate that the ecological impacts of stormwater</p>	<p>Not applicable Development is for a RoL (boundary realignment). No clearing, no buildings or structures are proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant Response
	<p>discharge to a 'Waterway' or 'High ecological significance wetland' are mitigated in accordance with PO3 through appropriate stormwater management / treatment (where possible).</p> <p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland buffer' on Environmental Significance Overlay Maps (OM-004a-o)</p> <p>AO4.4</p> <p>No wastewater is discharged to a 'Waterway' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland' identified on the Environmental Significance Overlay Map (OM-004a-z).</p> <p>Note— A alternative outcome is required to demonstrate that the ecological impacts of wastewater discharge to a 'Waterway' or 'High ecological significance wetland' are mitigated in accordance with PO3 through appropriate wastewater management / treatment (where possible).</p>	<p>Not applicable</p> <p>Development is for a RoL (boundary realignment). No clearing, no buildings or structures are proposed.</p>
For assessable development		
Wildlife Habitat		
<p>PO5</p> <p>Development within a 'Wildlife habitat' area identified on the Environmental Significance Overlay Maps (OM-004a-o):</p> <p>(a) protects and enhances the habitat of Endangered, Vulnerable and Near Threatened (EVNT) species and local species of significance;</p> <p>(b) incorporates siting and design measures to protect and retain identified ecological values and</p>	<p>AO5</p> <p>No acceptable outcome is provided</p>	<p>Not applicable</p> <p>The site is not identified as having 'Wildlife habitat' on site.</p>

Performance outcomes	Acceptable outcomes	Applicant Response
<p>underlying ecosystem processes within or adjacent to the development site;</p> <p>(c) maintains or enhances wildlife interconnectivity at a local and regional scale; and</p> <p>(d) mitigates the impact of other forms of potential disturbance (such as presence of vehicles, pedestrian use, increased exposure to domestic animals, noise and lighting impacts) to protect critical life stage ecological processes (such as feeding, breeding or roosting).</p> <p>Note—Development applications must identify any EVNT species or their habitats that may be affected by the proposal. In particular, applications are to identify and describe how the development avoids adverse impacts on ecological processes within or adjacent to the development area.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>		
Legally secured offset areas		
<p>PO6 Development within a ‘Legally secured offset area’ identified on the Environmental Significance Overlay Maps (OM-004a-o) or other known Legally Secured Offset Area is consistent with the binding requirements of the offset and does not prejudice, undermine, or negatively impact the inherent ecological values, including all naturally occurring native flora, fauna and</p>	<p>AO6 No acceptable outcome is provided.</p>	<p>Not applicable Site is not within a ‘Legally secured offset area’.</p>

Performance outcomes	Acceptable outcomes	Applicant Response
<p>their habitat within the Legally Secured Offset Area.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>		
Protected areas		
<p>PO7 Development within a ‘Protected area’ identified on the Environmental Significance Overlay Maps (OM-004a-o) is consistent with the values of the Protected Area and:</p> <ul style="list-style-type: none"> (a) supports the inherent ecological and community values of the Protected Area asset; (b) maintains or enhances wildlife interconnectivity at a local and regional scale; and (c) does not prejudice, undermine, or negatively impact the inherent ecological values, including all naturally occurring native flora, fauna and their habitat within the Protected Area. <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>AO7 No acceptable outcome is provided</p>	<p>Not applicable Development is not located within a ‘Protected area’.</p>
Ecological corridors and Habitat linkages		
<p>PO8 Development located:</p> <ul style="list-style-type: none"> (a) in the Conservation zone, Emerging community zone, Recreation and 	<p>AO8 No acceptable outcome is provided</p>	<p>Not applicable Development is not located within an ‘Ecological corridor’ or a ‘Habitat linkage’ area.</p>

Performance outcomes	Acceptable outcomes	Applicant Response
<p>open space zone, Rural zone or Rural residential zone; and</p> <p>(b) within an 'Ecological corridor' or a 'Habitat linkage' identified on the Environmental Significance Overlay Maps (OM-004a-o)</p> <p>does not compromise the provision of habitat connectivity of the corridor/linkage, having regard to:</p> <p>(a) the environmental values of the area of the site identified in the 'Ecological corridor' or 'Habitat linkage';</p> <p>(b) the environmental values of adjoining and nearby land within the 'Ecological corridor' or 'Habitat linkage';</p> <p>(c) the extent of any modification proposed to the natural environment including (but not limited to) vegetation and topography;</p> <p>(d) the location and design of proposed improvements that may impact on the functions of the 'Ecological corridor' or 'Habitat linkage' including (but not limited to) buildings, structures, fences, lighting, vehicle movement areas and infrastructure services; and</p> <p>(e) the ability for the 'Ecological corridor' or 'Habitat linkage' to be enhanced to improve ecological connectivity.</p> <p>Note—A supporting Ecological Assessment Report prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports may be appropriate to demonstrate compliance with PO8.</p>		
Biodiversity and Connectivity		

Performance outcomes	Acceptable outcomes	Applicant Response
<p>PO9 Development includes measures that minimises impacts of development on biodiversity and connectivity and provides ongoing protection to biodiversity and connectivity values.</p>	<p>AO9.1 Land mapped as Ecological Corridors, Habitat Links and Matters of State Environmental Significance are included within: (a) a covenant under the Land Titles Act 1994; or (b) dedicated to Council or State Government. Land required for bushfire hazard mitigation may be excluded from the covenant.</p>	<p>Not applicable Development is not mapped as being affected by an Ecological Corridor, Habitat Link or Matters of State Environmental Significance</p>
	<p>AO9.2 Development: (a) retains native vegetation to the greatest extent possible; and (b) demonstrates retained biodiversity areas are large enough to maintain ecological values, functions and processes; and (c) avoids alterations to natural landforms, hydrology and drainage patterns on the development site.</p>	<p>Complies Development is for a RoL (boundary realignment) and no clearing is required.</p>
	<p>AO9.3 Landscaping and rehabilitation planting: (a) is undertaken with local provenance plants in undeveloped areas of the site where practicable before, during or immediately following completion of the development to achieve a net gain of revegetation of impacted values; and (b) maximises ecological connectivity between vegetation on the subject</p>	<p>Will be complied with</p>

Performance outcomes	Acceptable outcomes	Applicant Response
	site and vegetation located on adjacent properties; and (c) provides for the requirements for native flora and fauna known to occur in the locality.	
PO10 Development incorporates measures that avoid or minimise the disruption of wildlife and wildlife habitat and allows for safe movement of wildlife through the site.	AO10.1 Where appropriate, development incorporates: (a) vegetated buffers; and (b) fauna friendly fencing; and (c) wildlife overpasses.	Will be complied with
	AO10.2 Development minimises the use of fencing for internal activities and for property boundaries.	Will be complied with where applicable

Table 8.2.4.3B - Setback and buffer distances from waterways

Stream order	Setback and buffer from waterways
1	10 metres from top of high bank
2-4	25 metres from top of high bank
5 or more	50 metres from top of high bank

8.2.6 Flood hazard Overlay code

The purpose of the Flood hazard overlay code is to manage development outcomes in flood hazard areas identified on the **Flood hazard overlay maps (OM-006a-o)** so that risk to life, property, community and the environment during flood events is minimised, and to ensure that development does not increase the potential for flood damage on site or to other property.

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

- (a) Development in the 'Extreme flood hazard area':
 - i. maintains and enhances the hydrological function of the land;
 - ii. does not involve filling (earthworks) or changes to existing landform or drainage lines that results in a loss of the flood conveyance and flood storage capacity of the land;
 - iii. is limited to:
 - A. flood proofed Sport and recreation activities;
 - B. Rural activities where for Animal husbandry, Cropping or Permanent plantation;
 - C. flood proofed Utility installations, Substations or Major electricity infrastructure;
 - D. conservation and natural area management; and
 - E. replacement of existing lawful development, including Accommodation activities where habitable rooms are elevated above the defined flood level and include freeboard;

Where there is no increase to the number of persons at risk of flood and where development reduces existing or potential risks to life and property.

(b) Development in the 'High flood hazard area':

- i. maintains the hydrological function of the land;
- ii. does not involve filling (earthworks) or changes to the existing landform or drainage lines that results in a loss of the flood conveyance and flood storage capacity of the land;
- iii. is limited to:
 - A. flood proofed Sport and recreation activities and Club uses;
 - B. Non-resident workforce accommodation, Relocatable home park, Resort complex, Rooming accommodation, Short term accommodation and Tourist park uses where these uses comprise permanent on-site management and a flood evacuation management plan ensures the health and safety of persons during a flood event;
 - C. a Dwelling house only where the lot existed or had a lawful reconfiguring a lot approval at the commencement of the planning scheme and the land is included in a Residential zone or the Centre zone or where for minor intensification of existing Dwelling houses;
 - D. Rural activities where for Animal husbandry, Cropping or Permanent plantation;
 - E. Industrial activities and Commercial activities where it is accepted development that flood damage is incurred as an operational cost and where flood sensitive elements of the development or use are elevated above the defined flood level, including freeboard;
 - F. flood proofed Utility installations, Substations or Major electricity infrastructure;
 - G. conservation and natural area management; and
 - H. replacement of existing lawful development;

Where there is no increase to the number of persons at risk of flood and where development reduces existing or potential risks to life and property.

- iv. protects surrounding land and land uses from increased flood hazard impacts;

- v. elevates habitable rooms for all accommodation activities (including where for minor building work) above the defined flood level, including freeboard.
- (c) Development in the 'Significant flood hazard area':
- i. minimises risk to life and property from flood events;
 - ii. involves changes to the existing landform and drainage lines in this area only where detrimental impacts to the flood hazard risk of surrounding areas is avoided;
 - iii. is limited to:
 - A. Sport and recreation activities;
 - B. Industrial activities and Commercial activities where it is accepted development that flood damage is incurred as an operational cost and where flood sensitive elements of the development or use are elevated above the defined flood level, including freeboard;
 - C. Rural activities;
 - D. Accommodation activities, excluding Residential care facility and Retirement facility;
 - E. flood proofed Community activities, excluding Child care centre, Hospital and Community use where a flood emergency evacuation plan ensures the safety of people during a flood event;
 - F. flood proofed Utility installations, Substations or Major electricity infrastructure;
 - G. conservation and natural area management;
 - iv. locates habitable rooms for all accommodation activities above the defined flood level, including freeboard; and
 - v. locates the minimum floor level for all buildings other than accommodation activities, industrial activities and business activities above the defined flood level.
- (d) Development in the 'Low flood hazard area':

- i. minimises risk to life and property from flood events;
 - ii. locates habitable rooms for all Accommodation activities above the defined flood level, including freeboard; and
 - iii. locates the minimum floor level for all buildings other than Accommodation activities above the defined flood level, including freeboard.
- (e) Development in the 'Potential flood hazard area':
- i. maintains the safety of people on the development site from flood events and minimises the potential damage from flooding to property;
 - ii. does not result in adverse impacts on people's safety, the environment or the capacity to use land within the floodplain;
 - iii. locates habitable rooms for all Accommodation activities above a 1% Annual Exceedance Probability (AEP), including freeboard; and
 - iv. locates the minimum floor level for all building work other than Accommodation activities above the 1% AEP flood level, including freeboard.

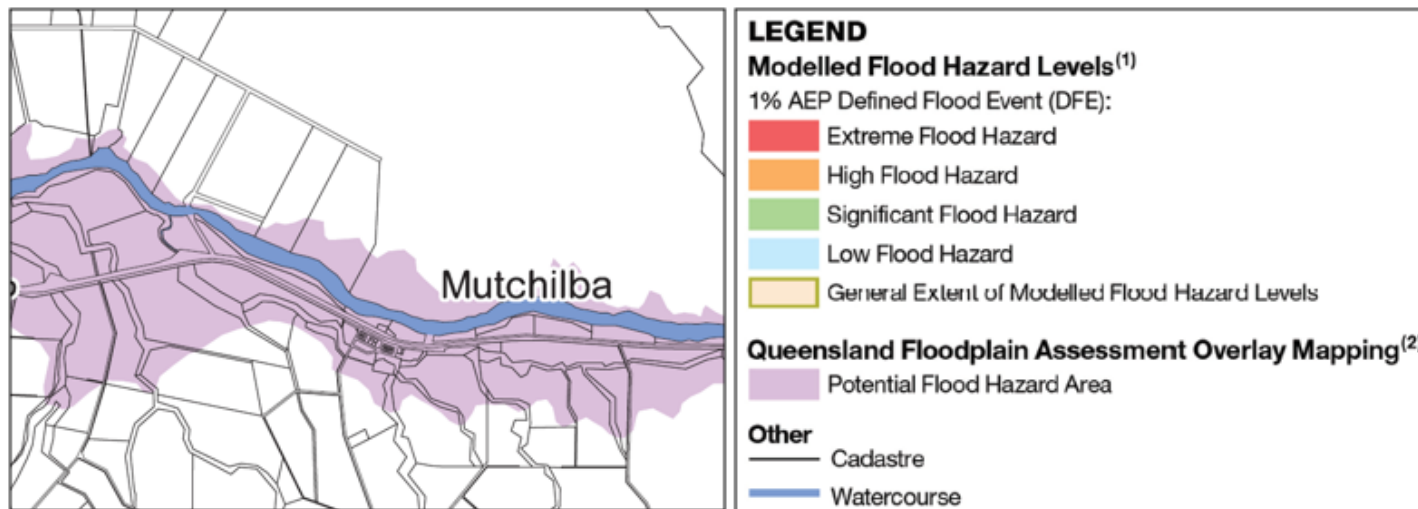


Table 8.2.6.3A - Flood hazard overlay code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For accepted development subject to requirements and assessable development		
All flood hazard areas		
<p>PO1 Development prevents the carriage or dispersal of contaminants or pollutants into the receiving environment.</p>	<p>AO1 The processing or storage of dangerous goods or hazardous materials is: (a) not undertaken in a flood hazard area identified on the Flood hazard overlay maps (OM-006a-o); or (b) is located above the defined flood level plus 0.3 metre freeboard.</p>	<p>Not applicable Development is for a RoL (boundary realignment). The proposal will not involve processing or storage of dangerous goods or hazardous materials.</p>
<p>PO2 Essential community infrastructure is able to function effectively during and immediately after flood events.</p>	<p>AO2 Design levels for buildings must comply with the flood immunity standards specified in Table 8.2.6.3.B and Table 8.2.6.3.C where within a flood hazard area identified on the Flood hazard overlay maps (OM-006a-o).</p>	<p>Not applicable Development is for a RoL (boundary realignment). The proposal is not for essential community infrastructure</p>
Extreme flood hazard area		
<p>PO3 Development, where involving a Material change of use within an 'Extreme flood hazard area' on the Flood hazard overlay maps (OM006a-o), is appropriate to the flood hazard risk having regard to the: (a) likelihood and frequency of flooding; (b) flood risk acceptability of development; (c) vulnerability of and safety risk to persons associated with the use; (d) associated consequences of flooding in regard to impacts on proposed</p>	<p>AO3.1 Uses within the following activity groups are not located within an 'Extreme flood hazard area identified' on the Flood hazard overlay maps (OM006a-o): (a) Accommodation activities; (b) Commercial activities; (c) Community activities except where for a Club with a maximum gross floor area of 100m²; (d) Industrial activities; (e) Rural activities, except where for Animal husbandry, Cropping, or Permanent plantation.</p>	<p>Not applicable Development is for a RoL (boundary realignment) and is not located in the identified 'Extreme flood hazard area'.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>(e) buildings, structures, and supporting infrastructure; and associated consequences of flooding in respect to undue burden on disaster response recovery capacity and capabilities.</p>	<p>AO3.2 Sport and recreation activities are not located within an 'Extreme flood hazard area' identified on the Flood hazard overlay maps (OM006a-o) except where for:</p> <ul style="list-style-type: none"> (a) Environment facility; (b) Park; or (c) Outdoor sport and recreation (excluding the provision of ancillary facilities or amenities conducted within a building). 	<p>Not applicable Development is for a RoL (boundary realignment) and is not located in the identified 'Extreme flood hazard area'.</p>
<p>PO4 Development is located and designed to:</p> <ul style="list-style-type: none"> (a) maintain and enhance the flood conveyance capacity of the premises; (b) not increase the number of people calculated to be at risk from flooding; (c) not increase the flood impact on adjoining premises; (d) ensure the safety of all persons by ensuring that development levels are set above the defined flood level; (e) reduce property damage; and (f) provide flood immune access to buildings. <p>Note—Buildings may be constructed from flood resistant, waterproof materials below the defined flood level where certified by a qualified structural engineer to be flood proof (including the ability to withstand</p>	<p>AO4.1 Buildings, including extensions to existing buildings, are:</p> <ul style="list-style-type: none"> (a) not located within an 'Extreme flood hazard area' identified on the Flood hazard overlay maps (OM006a-o); or (b) elevated above the defined flood level, with 0.3 metres freeboard from the defined flood level provided for habitable rooms within a dwelling. 	<p>Not applicable Development is for a RoL (boundary realignment) and is not located in the identified 'Extreme flood hazard area'.</p>
	<p>AO4.2 All building work must be high set and retains the flood storage and conveyance capacity of the premises.</p> <p>Note—Building work must be certified by a qualified structural engineer to be flood proof including the ability to withstand damage from floodwater and debris.</p>	<p>Not applicable Development is for a RoL (boundary realignment) and is not located in the identified 'Extreme flood hazard area'.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>damage from floodwater and debris) and where an alternative outcome to AO4.1-AO4.4 is also demonstrated.</p> <p>Note—In the event that a lawful building or structure is destroyed by flood or other event the building may be replaced in situ where there is no increase in:</p> <ul style="list-style-type: none"> i. gross floor area; or ii. the number of dwellings or bedrooms on the premises. 	<p>AO4.3 New buildings are provided with flood free pedestrian and vehicle evacuation access between the building and a flood safe accessible road.</p> <p>Note—A flood safe accessible road includes a road where identified as outside a flood hazard area or within a ‘Low flood hazard area’, ‘Potential flood hazard area’ or ‘Significant flood hazard area’ on the Flood hazard overlay maps (OM006a-o).</p>	<p>Not applicable Development is for a RoL (boundary realignment) and is not located in the identified ‘Extreme flood hazard area’.</p>
	<p>AO4.4 Development does not increase the number of lots in the ‘Extreme flood hazard area’ identified on the Flood hazard overlay maps (OM006a-o) except where for the purposes of public open space.</p>	<p>Not applicable Development is for a RoL (boundary realignment) and is not located in the identified ‘Extreme flood hazard area’.</p>
<p>PO5 Development involving earthworks in a Flood hazard area below the defined flood level must protect life and property on premises and off premises through maintaining:</p> <ul style="list-style-type: none"> (a) flood storage capacity of land; (b) flood conveyance function of land; (c) flood and drainage channels; (d) overland flow paths; and (e) flood warning times. 	<p>AO5 Filling above ground level is not undertaken in the ‘Extreme flood hazard area’ identified on the Flood hazard overlay maps (OM006a-o).</p>	<p>Not applicable Development is for a RoL (boundary realignment) and is not located in the identified ‘Extreme flood hazard area’.</p>
<p>High flood hazard area</p>		

Performance outcomes	Acceptable outcomes	Applicant response
<p>PO6 Development, where for a Material change of use within a ‘High flood hazard area’ identified on the Flood hazard overlay maps (OM-006a-o), is appropriate to the flood hazard risk having regard to the:</p> <ul style="list-style-type: none"> (a) likelihood and frequency of flooding; (b) flood risk acceptability of development; (c) vulnerability of and safety risk to persons associated with the use; (d) associated consequences of flooding in regard to impacts on proposed buildings, structures and supporting infrastructure; and (e) associated consequences of flooding in respect to undue burden on disaster response recovery capacity and capabilities. 	<p>AO6.1 Uses within the following activity groups are not located within a ‘High flood hazard area’ identified on the Flood hazard overlay maps (OM006a-o):</p> <ul style="list-style-type: none"> (a) Accommodation activities, except where for Dwelling house and only where the lot existed or had a lawful reconfiguring a lot approval at the commencement of the planning scheme and the land is included in a Residential zone or the Centre zone; (b) Community activities except where for a Club with a maximum gross floor area of 100m²; (c) Rural activities, except where for Animal husbandry, Cropping or Permanent plantation. 	<p>Not applicable Development is for a RoL (boundary realignment) and is not located in the identified ‘High flood hazard area’.</p>
	<p>AO6.2 Sport and recreation activities are not located within a ‘High flood hazard area’ identified on the Flood hazard overlay maps (OM006a-o) except where for:</p> <ul style="list-style-type: none"> (a) Environment facility; (b) Park; or (c) Outdoor sport and recreation (excluding the provision of ancillary facilities or amenities conducted within a building). 	<p>Not applicable Development is for a RoL (boundary realignment) and is not located in the identified ‘High flood hazard area’.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>PO7 Development is located and designed to:</p> <ul style="list-style-type: none"> (a) maintain hydrological function of the premises; (b) not increase the number of people calculated to be at risk from flooding; (c) minimises the flood impact on adjoining premises; (d) ensure the safety of all persons by ensuring that an appropriate proportion of buildings are set above the defined flood level; (e) reduce the carriage of debris in flood waters; (f) reduce property damage; and (g) provide flood immune access to buildings. <p>Note—Buildings may be constructed from flood resistant, waterproof materials below the defined flood level where certified by a qualified structural engineer to be flood proof (including the ability to withstand damage from floodwater and debris) and where an alternative outcome to AO8.1-AO8.9 is also demonstrated.</p>	<p>AO7.1 Buildings, including extensions to existing buildings are:</p> <ul style="list-style-type: none"> (a) not located within the ‘High flood hazard area’ identified on the Flood hazard overlay maps (OM006a-o); or (b) elevated above the defined flood level, with 0.3 metres freeboard from the defined flood level provided for habitable rooms within a dwelling. <p>OR</p>	<p>Not applicable Development is for a RoL (boundary realignment) and is not located in the identified ‘High flood hazard area’.</p>
	<p>AO7.2 Buildings used for Commercial activities or Industrial activities include a minimum floor level of 0.3 metres above the defined flood level where for the following components of the use:</p> <ul style="list-style-type: none"> (a) administrative areas; or (b) services, plant and equipment associated with the building. <p>Note—AO8.2 accepts that the cost of flood impact is an operational cost of the Commercial activity or Industrial activity.</p> <p>Note—Building work must be certified by a qualified structural engineer to be flood proof including the ability to withstand damage from floodwater and debris.</p>	<p>Not applicable Development is for a RoL (boundary realignment) and is not located in the identified ‘High flood hazard area’.</p>
	<p>AO7.3 All building work below the defined flood level must be high set (comprising pier and beam construction) and retains the flood storage and conveyance capacity of the premises.</p>	<p>Not applicable Development is for a RoL (boundary realignment) and is not located in the identified ‘High flood hazard area’.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>AO7.4 New buildings are provided with flood free pedestrian and vehicle evacuation access between the building and a flood safe accessible road.</p> <p>Note—A flood safe accessible road includes a road where identified as outside a flood hazard area or within a ‘Low flood hazard area’, ‘Potential flood hazard area’ or ‘Significant flood hazard area’ on the Flood hazard overlay maps (OM006a-o).</p>	<p>Not applicable Development is for a RoL (boundary realignment) and is not located in the identified ‘High flood hazard area’.</p>
	<p>AO7.5 New temporary, relocatable or impermanent buildings and structures are to be anchored with the ability to withstand transportation by floodwater.</p> <p>Note—Building work must be certified by a qualified structural engineer.</p>	<p>Not applicable Development is for a RoL (boundary realignment) and is not located in the identified ‘High flood hazard area’.</p>
	<p>AO7.6 Dwellings do not exceed four bedrooms.</p>	<p>Not applicable Development is for a RoL (boundary realignment) and is not located in the identified ‘High flood hazard area’.</p>
	<p>AO7.7 Building work on an existing dwelling does not comprise additional bedrooms.</p>	<p>Not applicable Development is for a RoL (boundary realignment) and is not located in the identified ‘High flood hazard area’.</p>
	<p>AO7.8 Building work on an existing dwelling is limited to a maximum increase of 20 percent of the lawfully approved gross floor area of the existing dwelling.</p>	<p>Not applicable Development is for a RoL (boundary realignment) and is not located in the identified ‘High flood hazard area’.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>AO7.9 Development does not increase the number of lots in the 'High flood hazard area; as identified on the Flood hazard overlay maps (OM006a-o) except where for the purposes of public open space.</p>	<p>Not applicable Development is for a RoL (boundary realignment) and is not located in the identified 'High flood hazard area'.</p>
<p>PO8 Development involving earthworks in a Flood hazard area below the defined flood level must protect life and property on premises and off premises through maintaining:</p> <ul style="list-style-type: none"> (a) flood storage capacity of land; (b) flood conveyance function of land; (c) flood and drainage channels; (d) overland flow paths; and (e) flood warning times. 	<p>AO8 Filling above ground level is not undertaken in the 'High flood hazard area' identified on the Flood hazard overlay maps (OM006a-o).</p>	<p>Not applicable Development is for a RoL (boundary realignment) and is not located in the identified 'High flood hazard area'.</p>
<p>Significant flood hazard area</p>		

Performance outcomes	Acceptable outcomes	Applicant response
<p>PO9 Development, involving a Material change of use, within a 'Significant flood hazard area' on the Flood hazard overlay maps (OM006a-o) is appropriate to the flood hazard risk having regard to the:</p> <ul style="list-style-type: none"> (a) likelihood and frequency of flooding; (b) flood risk acceptability of development; (c) vulnerability of and safety risk to persons associated with the use; (d) associated consequences of flooding in regard to impacts on proposed buildings, structures and supporting infrastructure; and (e) associated consequences of flooding in respect to undue burden on disaster response recovery capacity and capabilities. 	<p>AO9 The following uses are not located within a 'Significant flood hazard area' identified on the Flood hazard overlay maps (OM006a-o):</p> <ul style="list-style-type: none"> (a) Residential care facility; (b) Retirement facility; (c) Child care centre; (d) Hospital; or (e) Community use. 	<p>Not applicable Development is for a RoL (boundary realignment) and is not located in the identified 'Significant flood hazard area'.</p>
Significant flood hazard area, Low flood hazard area or Potential flood hazard area		
<p>PO10 Development, where involving a Material change of use or Building work, is located and designed to:</p> <ul style="list-style-type: none"> (a) maintain hydrological function of the premises; (b) not increase the number of people calculated to be at risk from flooding; (c) minimises the flood impact on adjoining premises; 	<p>AO10.1 Buildings, including extensions to existing buildings are:</p> <ul style="list-style-type: none"> (a) elevated above the defined flood level; and (b) the defined flood event does not exceed a depth of 600mm; and (c) elevated above the defined flood level plus 0.3 metres freeboard where for habitable rooms within a dwelling. <p>OR</p>	<p>Will comply with where applicable Development is for a RoL (boundary realignment) not MCU or Building Work.</p> <p>Buildings and structures are already existent on site. No additional buildings or structures are proposed with this planning application.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>(d) ensure the safety of all persons by ensuring that a proportion of buildings are set above the defined flood level;</p> <p>(e) reduce the carriage of debris in flood waters;</p> <p>(f) reduce property damage; and</p> <p>(g) provide flood immune access to buildings.</p> <p>Note—Where the development is located in a ‘Potential flood hazard area’ identified on the Flood hazard overlay maps (OM006a-o) and there is no defined flood level a hydraulic (flood hazard assessment) report prepared by a RPEQ is required in substantiation of an alternative outcome is required or the defined flood level from the adjacent representative hazard zone is used.</p>	<p>AO10.2 Buildings used for Commercial activities or Industrial activities include a minimum floor level of 0.3 metres above the defined flood where for the following components of the use:</p> <p>(a) administrative areas; or</p> <p>(b) services, plant and equipment associated with the building.</p> <p>Note—AO10.2 accepts that the cost of flood impact is an operational cost of the Commercial activity or Industrial activity.</p> <p>Note—Building work must be certified by a qualified structural engineer to be flood proof including the ability to withstand damage from floodwater and debris.</p> <p>AO10.3 All building work below the defined flood level must be high set (comprising pier and beam construction) and retains the flood storage and conveyance capacity of the premises.</p> <p>Note—Building work must be certified by a qualified structural engineer to be flood proof including the ability to withstand damage from floodwater and debris.</p>	<p>Will be complied with where applicable Development is for a RoL (boundary realignment). Buildings and structures are already existent on site. There is no MCU associated with this planning application.</p> <p>Not applicable Development is not for building work.</p>
<p>PO11 Development involving earthworks in a Flood hazard area below the defined flood level must protect life and property on premises and off premises through maintaining:</p> <p>(a) flood storage capacity of land;</p> <p>(b) flood conveyance function of land;</p> <p>(c) flood and drainage channels;</p> <p>(d) overland flow paths; and</p> <p>(e) flood warning times.</p>	<p>AO11 Development does not involve in excess of 50m³ of fill above ground level per 1,000m² of site area.</p>	<p>Not applicable Development is for a RoL (boundary realignment) and fill is not required.</p>

Performance outcomes	Acceptable outcomes	Applicant response
For assessable development		
Where for Material change of use or Reconfiguring a lot that involves new gross floor area or increases the number of persons living, working or residing in the Extreme flood hazard area, High flood hazard area or Significant flood hazard area other than a Dwelling house.		
<p>PO12 Flood risk management minimises the impact on property and appropriately protects the health and safety of persons at risk of Extreme, high or significant flood hazard, and:</p> <ul style="list-style-type: none"> (a) indicates the position and path of all safe evacuation routes off the site; and (b) if the site contains or is within 100 metres of a flood hazard area, hazard warning signage and depth indicators are provided at key hazard points, such as at floodway crossings. <p>Note—A Material change of use or Reconfiguring a lot that involves new gross floor area or increases the number of persons living, working or residing in the 'Extreme flood hazard area' identified on the Flood hazard overlay map (OM006a-o) is supported by a Flood Emergency Evacuation Plan prepared by suitably qualified persons having regard to Floodplain Management in Australia: Best Practice Principles and Guidelines (2000), prepared by Standing Committee on Agriculture and Resource Management (SCARM), CSIRO.</p>	<p>AO12 No acceptable outcome is provided.</p>	<p>Not applicable The site is located in the 'Potential Flood Hazard Area' and will not see an increase in the number of people living, working or residing on the sites.</p> <p>The proposal does not involve an increase in GFA.</p>
Significant flood hazard area, Low flood hazard area or Potential flood hazard area		

Performance outcomes	Acceptable outcomes	Applicant response
<p>PO13 Development, where involving Reconfiguring a lot, is located and designed to:</p> <ol style="list-style-type: none"> (1) maintain hydrological function of the premises; (2) not increase the number of people calculated to be at risk from flooding; (3) minimises the flood impact on adjoining premises; (4) ensure the safety of all persons by ensuring that a proportion of buildings are set above the defined flood level; (5) reduce the carriage of debris in flood waters; (6) reduce property damage; and (7) provide flood immune access to buildings. <p>Note—Where the development is located in a ‘Potential flood hazard area’ identified on the Flood hazard overlay maps (OM006a-o) and there is no defined flood level a hydraulic (flood hazard assessment) report prepared by a RPEQ is required in substantiation of an alternative outcome is required or the defined flood level from the adjacent representative hazard zone is used.</p>	<p>AO13 No acceptable outcome is provided.</p>	<p>Complies with PO Development is for a RoL (boundary realignment) which will not see an increase in the total area of Lots 225 and 62, and the amount of lots. Buildings and structures are already existent on the sites.</p> <p>The site is located in the ‘Potential Flood Hazard Area’.</p> <p>The boundary realignment is located and designed to ensure that there is no worsening of / increase to :</p> <ol style="list-style-type: none"> (1) hydrological function of the premises; (2) the number of people calculated to be at risk from flooding; (3) the flood impact on adjoining premises; (4) the safety of all persons (5) the carriage of debris in flood waters; (6) property damage; and (7) flood immune access to buildings.

8.2.8 Hill and slope overlay code

The purpose of the Hill and slope overlay code is to ensure the ongoing stability of land within a hill and slope area to prevent risk to people or property.

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

- (a) Development is located to avoid sloping land where practical; and
- (b) Development on sloping land maintains slope stability and does not increase the potential for erosion or landslide.



Table 8.2.8.3 – Hill and slope overlay code - For assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For assessable development		

Performance outcomes	Acceptable outcomes	Applicant response
Slope stability		
<p>PO1 Where clearing of vegetation, building work or filling or excavation occurs on land within a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o), a geotechnical report is prepared in accordance with Planning Scheme Policy 5 - Preparation of Geotechnical Reports that demonstrates:</p> <ul style="list-style-type: none"> (a) the long term stability of the development site; (b) development will not be adversely affected by landslide activity originating on sloping land above the development site; and (c) development will not adversely affect other property outside the development site through landslide activity or alterations to surface or groundwater. 	<p>AO1 No acceptable outcome is provided.</p>	<p>Not applicable Development is for a RoL (boundary realignment) and does not involve the clearing of vegetation, filling, or excavation.</p>
<p>PO2 Development is designed and located to ensure that the use can appropriately function in the 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o) having regard to:</p> <ul style="list-style-type: none"> (a) the nature and scale of the proposed use; (b) the gradient of the land; 	<p>AO2.1 Development for a Child care centre or Educational establishment is not located on land in a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o).</p>	<p>Not applicable Development is not for a Child care centre or Educational establishment.</p>
	<p>AO2.2 Development is not located on land with a gradient of greater than 25%.</p>	<p>Not applicable Development is for a RoL (boundary realignment)</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>(c) the extent of land disturbance proposed;</p> <p>(d) stormwater discharge and its potential for erosion.</p>	<p>AO2.3 No lot less than 2,000m² is created in a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o).</p> <p>Note – Where a minimum lot size of less than 2,000m² applies under the Reconfiguring a lot code, the lot size requirements of the Hill and slope overlay code prevail.</p>	<p>Complies The RoL (boundary realignment) will create two lots, both more than 13ha.</p>
Community infrastructure and essential services		
<p>PO3 Community infrastructure and essential services located within a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o) are able to function effectively during and immediately after landslide events.</p>	<p>AO3 No acceptable outcome is provided.</p>	<p>Not applicable Development is not for a Community infrastructure and essential services.</p>

8.2.12 Transport infrastructure code

The purpose of the Transport infrastructure overlay code is to promote the ongoing and expanded use of rail corridors within the shire for the transportation of passengers and freight.

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

- (a) Active 'Rail corridors' are protected from adjoining land uses which may prejudice their ongoing and expanded use;
- (b) Inactive 'Rail corridors' are preserved and protected for potential reuse for passenger or freight movements;
- (c) Non-residential development adjoining a 'Rail corridor' does not prevent the future use of the rail corridor by the site; and
- (d) Development compliments the use of 'Rail corridors' for tourist activities.

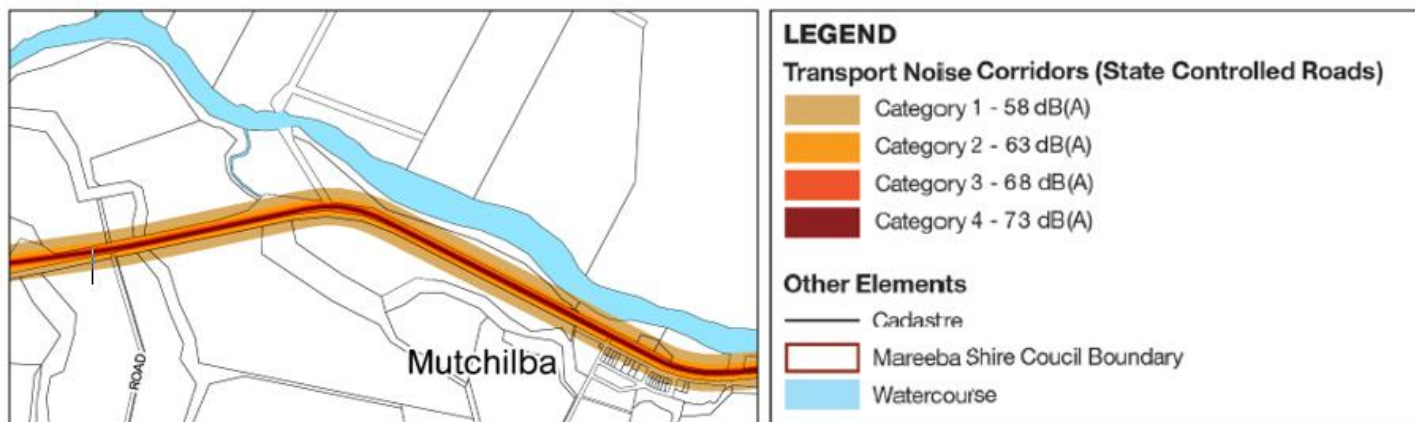


Table 8.2.12.3 – Transport infrastructure overlay code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For accepted development subject to requirements and assessable development		
<p>PO1 Development does prejudice the:</p> <p>(a) ongoing operation of an active ‘Rail corridor’ identified on the Transport infrastructure overlay maps (OM-012a-j); or</p> <p>(b) the potential future use of an inactive ‘Rail corridor’ identified on the Transport infrastructure overlay maps (OM-012a-j).</p>	<p>AO1 Buildings and structures are setback from a boundary with an active or inactive ‘Rail corridor’ identified on the Transport infrastructure overlay maps (OM-012a-j) a minimum of:</p> <p>(a) 40 metres where:</p> <p>(i) in the Rural zone; and</p> <p>(ii) on a site with an area of 2 hectares or greater; or</p> <p>(b) 5 metres otherwise.</p>	<p>Complies Development is for a RoL. Buildings and structures are already existent. The proposed development will not result in any new buildings and structures being created.</p>
For assessable development		
<p>PO2 Non-residential development adjoining a rail corridor identified on the Transport infrastructure overlay maps (OM-012a-j) is designed to allow for the future use of the ‘Rail corridor’ by the land use.</p>	<p>AO2 No acceptable outcome is provided</p>	<p>Complies with PO Development is for a RoL (boundary realignment). Development will not compromise the ‘Rail corridor’</p>
<p>PO3 Development adjoining a ‘Rail corridor’ identified on the Transport infrastructure overlay maps (OM-012a-j) used for the transportation of tourists is designed to:</p> <p>(a) provide visual interest;</p> <p>(b) screen or enhance areas of limited visual interest; and</p> <p>(c) complement and enhance the character of the shire.</p>	<p>AO3 No acceptable outcome is provided</p>	<p>Not applicable Use will not involve the transportation of tourists.</p>

9.4.2 Landscaping code

The purpose of the Landscaping code is to ensure all development is landscaped to a standard that:

- (a) complements the scale and appearance of the development;
- (b) protects and enhances the amenity and environmental values of the site;
- (c) complements and enhances the streetscape and local landscape character; and
- (d) ensures effective buffering of incompatible land uses to protect local amenity.

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

- (a) Landscaping is a functional part of development design and is commensurate with the intended use;
- (b) Landscaping accommodates the retention of existing significant on site vegetation where appropriate and practical;
- (c) Landscaping treatments complement the scale, appearance and function of the development;
- (d) Landscaping contributes to an attractive streetscape;
- (e) Landscaping enhances the amenity and character of the local area;
- (f) Landscaping enhances natural environmental values of the site and the locality;
- (g) Landscaping provides effective screening both on site, if required, and between incompatible land uses;
- (h) Landscaping provides shade in appropriate circumstances;
- (i) Landscape design enhances personal safety and reduces the potential for crime and vandalism; and
- (j) Intensive land uses incorporate vegetated buffers to provide effective screening of buildings, structures and machinery associated with the use.

Table 9.4.2.3A—Landscaping code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For accepted development subject to requirements and assessable development		
<p>PO1 Development, other than in the Rural zone, includes landscaping that:</p> <ul style="list-style-type: none"> (a) contributes to the landscape character of the Shire; (b) compliments the character of the immediate surrounds; (c) provides an appropriate balance between built and natural elements; and (d) provides a source of visual interest. 	<p>AO1 Development, other than in the Rural zone, provides:</p> <ul style="list-style-type: none"> (a) a minimum of 10% of the site as landscaping; (b) planting in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species; (c) for the integration of retained significant vegetation into landscaping areas; (d) on-street landscaping works in accordance with the Design Guidelines set out in Section D9 Landscaping, of the Planning Scheme Policy 4 - FNQROC Regional Development Manual. <p>Note—Where development exceeds a site cover of 90%, areas of landscaping may be provided above ground level to achieve a total supply of landscaping equivalent to 10% of the site area.</p>	<p>Not applicable Development is located in the Rural zone.</p>
<p>PO2 Development, other than in the Rural zone, includes landscaping along site frontages that:</p> <ul style="list-style-type: none"> (a) creates an attractive streetscape; (b) compliments the character of the immediate surrounds; (c) assists to break up and soften elements of built form; (d) screen areas of limited visual interest or servicing; (e) provide shade for pedestrians; and (f) includes a range and variety of planting. 	<p>AO2 Development, other than in the Rural zone, includes a landscape strip along any site frontage:</p> <ul style="list-style-type: none"> (a) with a minimum width of 2 metres where adjoining a car parking area; (b) with a minimum width of 1.5 metres in all other locations; and (c) in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species. <p>Note—Where development is setback from a frontage less than 1.5 metres, the setback area is provided as a landscape strip</p>	<p>Not applicable Development is located in the Rural zone.</p>
<p>PO3</p>	<p>AO3.1</p>	

Performance outcomes	Acceptable outcomes	Applicant response
<p>Development includes landscaping and fencing along side and rear boundaries that:</p> <ul style="list-style-type: none"> (a) screens and buffer land uses; (b) assists to break up and soften elements of built form; (c) screens areas of limited visual interest; (d) preserves the amenity of sensitive land uses; and (e) includes a range and variety of planting. 	<p>Development provides landscape treatments along side and rear boundaries in accordance with Table 9.4.2.3B.</p>	<p>Complies Development is for a RoL (boundary realignment) on an existing Mango orchard.</p> <p>Boundary planting is present on the southern side of Mareeba-Dimbulah Road, this screens and buffers the land use.</p>
	<p>AO3.2 Shrubs and trees provided in landscape strips along side and rear boundaries:</p> <ul style="list-style-type: none"> (a) are planted at a maximum spacing of 1 metre; (b) will grow to a height of at least 2 metres; (c) will grow to form a screen of no less than 2 metres in height; and (d) are mulched to a minimum depth of 0.1 metres with organic mulch. 	<p>Complies Development is for a RoL (boundary realignment) on an existing Mango orchard.</p> <p>See above.</p>
	<p>AO3.3 Any landscape strip provided along a side or rear boundary is designed in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.</p>	<p>Will be complied with Development is for a RoL (boundary realignment) on an existing Mango orchard</p>
<p>PO4 Car parking areas are improved with a variety of landscaping that:</p> <ul style="list-style-type: none"> (a) provides visual interest; (b) provides a source of shade for pedestrians; (c) assists to break up and soften elements; and (d) improves legibility. 	<p>AO4.1 Landscaping is provided in car parking areas which provides:</p> <ul style="list-style-type: none"> (a) a minimum of 1 shade tree for every 4 parking spaces, or part thereof, where the car parking area includes 12 or more spaces; (b) a minimum of 1 shade tree for every 6 parking spaces, or part thereof, otherwise; and (c) where involving a car parking area in excess of 500m²: 	<p>Will be complied with Development is for a RoL (boundary realignment) on an existing Mango orchard. There is no proposed car park.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>(i) shade structures are provided for 50% of parking spaces; and</p> <p>(ii) a minimum of 10% of the parking area as landscaping.</p> <p>Note—Where a shade structure is provided over part of a car parking area, shade tree planting is not required in this area of the car parking area.</p>	
	<p>AO4.2 Landscaping in car parking areas is designed in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.</p>	<p>Will be complied with Development is for a RoL (boundary realignment) on an existing Mango orchard. No carpark is proposed.</p>
<p>PO5 Landscaping areas include a range and variety of planting that:</p> <p>(a) is suitable for the intended purpose and local conditions;</p> <p>(b) contributes to the natural character of the Shire;</p> <p>(c) includes native species;</p> <p>(d) includes locally endemic species, where practical; and</p> <p>(e) does not include invasive plants or weeds.</p>	<p>AO5.1 Plant species are selected from the Plant Schedule in Planning Scheme Policy 6 - Landscaping and preferred plant species.</p>	<p>Will be complied with Development is for a RoL (boundary realignment) on an existing Mango orchard.</p>
	<p>AO5.2 A minimum of 25% of (new and existing) plants is provided as larger, advanced stock with a minimum plant height of 0.7 metres and mulched to a minimum depth of 0.1 metres with organic mulch.</p>	<p>Will be complied with Development is for a RoL (boundary realignment) on an existing Mango orchard.</p>
<p>PO6 Landscaping does not impact on the ongoing provision of infrastructure and services to the Shire.</p>	<p>AO6.1 Tree planting is a minimum of</p> <p>(a) 2 metres from any underground water, sewer, gas, electricity or telecommunications infrastructure; and</p> <p>(b) 4 metres from any inspection chamber.</p>	<p>Complies with performance criteria Landscaping will not affect the ongoing provision of infrastructure and services to the Shire.</p> <p>Existing landscaping is to be retained.</p>
	<p>AO6.2 Vegetation below or within 4 metres of overhead electricity lines and power poles has a maximum height of 3.5 metres at maturity.</p>	<p>Complies with performance criteria Landscaping will not affect the ongoing provision of infrastructure and services to the Shire.</p> <p>Existing landscaping is to be retained.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>AO6.3 Vegetation adjoining an electricity substation boundary, at maturity, will have:</p> <p>(a) a height of less than 4 metres; and</p> <p>(b) no foliage within 3 metres of the substation boundary, unless the substation has a solid wall along any boundary.</p>	<p>Complies with performance criteria Landscaping will not affect the ongoing provision of infrastructure and services to the Shire. Existing landscaping is to be retained.</p>
For assessable development		
<p>PO7 Landscaping areas are designed to:</p> <p>(a) be easily maintained throughout the ongoing use of the site;</p> <p>(b) allow sufficient area and access to sunlight and water for plant growth;</p> <p>(c) not cause a nuisance to occupants of the site or members of the public; and</p> <p>(d) maintain or enhance the safety of pedestrians through the use of Crime Prevention Through Environmental Design principles.</p>	<p>AO7 No acceptable outcome is provided.</p>	<p>Will be complied with Development is for a RoL (boundary realignment) on an existing Mango orchard. Buildings and structures are already existent on the sites. Existing landscaping is to be retained.</p>

Table 9.4.2.3B—Side and rear boundary landscape treatments

Location or use	Landscape Strip Minimum Width	Screen Fencing Minimum Height	Extent of treatment
Where car parking, servicing or manoeuvring areas adjoin a side or rear boundary	1 metre	Not applicable	To the extent these areas adjoin the boundary
Where involving a use other than a dwelling house on a site with a common	1.5 metres	1.8 metres	Along the common boundary.

boundary with land in the Low density residential zone, the Medium density residential zone or the Rural residential zone:			
Development for an industrial activity which has a common boundary with land not within the Industry zone	2 metres	1.8 metres	Along the common boundary
Development involving (a) Tourist park not in the Rural zone (b) Sales office (c) Multiple dwelling (d) Residential care facility; or (e) Dual occupancy	Not applicable	1.8 metres	Along all side and rear boundaries and between dwellings for a Dual occupancy.
Development involving (a) Tourist park in the Rural zone (b) Service station (c) Car wash; or (d) Utility installation	2 metres	Not applicable	Along all side and rear boundaries
For: (a) waste storage; (b) equipment; (c) servicing areas; and (d) private open space and site facilities associated with Caretaker's accommodation.	Not applicable	1.8 metres	To prevent visibility

Note—Where more than one landscape treatment is applicable to a development in the above table, the development is to provide a landscape treatment that satisfies all applicable minimum specifications.

9.4.3 Parking and access code

The purpose of the Parking and access code is to ensure:

- (a) parking areas are appropriately designed, constructed and maintained;
- (b) the efficient functioning of the development and the local road network; and
- (c) all development provides sufficient parking, loading/service and manoeuvring areas to meet the demand generated by the use.

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

- (a) Land uses have a sufficient number of parking and bicycle spaces designed in a manner to meet the requirements of the user;
- (b) Parking spaces and associated manoeuvring areas are safe, functional and provide equitable access;
- (c) Suitable access for all types of vehicles likely to utilise a parking area is provided in a way that does not compromise the safety and efficiency of the surrounding road network;
- (d) Premises are adequately serviced to meet the reasonable requirements of the development; and
- (e) End of trip facilities are provided by new major developments to facilitate alternative travel modes.

Table 9.4.3.3A—Parking and access code – For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For accepted development subject to requirements and assessable development		
Car parking spaces		

Performance outcomes	Acceptable outcomes	Applicant response
<p>PO1 Development provides sufficient car parking to accommodate the demand likely to be generated by the use, having regard to the:</p> <ul style="list-style-type: none"> (a) nature of the use; (b) location of the site; (c) proximity of the use to public transport services; (d) availability of active transport infrastructure; and (e) accessibility of the use to all members of the community. 	<p>AO1 The number of car parking spaces provided for the use is in accordance with Table 9.4.3.3B.</p> <p>Note—Car parking spaces provided for persons with a disability are to be considered in determining compliance with AO1.</p>	<p>Will be complied with where applicable Development is for a RoL (boundary realignment).</p> <p>There will be no increase to the scale and intensity of the use, thus no additional car parking will be provided.</p>
Vehicle crossovers		
<p>PO2 Vehicle crossovers are provided to::</p> <ul style="list-style-type: none"> (a) ensure safe and efficient access between the road and premises; (b) minimize interference with the function and operation of roads; and (c) minimise pedestrian to vehicle conflict. 	<p>AO2.1 Vehicular access to/from Council roads is designed and constructed in accordance with the Standard drawings in Planning Scheme Policy 4 - FNQROC Regional Development Manual.</p>	<p>Complies Development is for a RoL (boundary realignment) vehicle access to the lots are already existent.</p>
	<p>AO2.2 Development on a site with two or more road frontages provides vehicular access from:</p> <ul style="list-style-type: none"> (a) the primary frontage where involving Community activities or Sport and recreation activities, unless the primary road frontage is a State-controlled road; or (b) from the lowest order road in all other instances. 	<p>Complies Development is for a RoL (boundary realignment) vehicle access to the lots are already existent</p>
	<p>AO2.3 Vehicular access for particular uses is provided in accordance with Table 9.4.3.3E.</p>	<p>Will be complied with where applicable Development is for a RoL (boundary realignment) vehicle access to the lots are already existent</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>PO3 Access, manoeuvring and car parking areas include appropriate pavement treatments having regard to:</p> <ul style="list-style-type: none"> (a) the intensity of anticipated vehicle movements; (b) the nature of the use that they service; and (c) the character of the surrounding locality. 	<p>AO3 Access, manoeuvring and car parking areas include pavements that are constructed in accordance with Table 9.4.3.3C.</p>	<p>Will be complied with where applicable Development is for a RoL (boundary realignment) vehicle access to the lots are already existent</p>
For assessable development		
Parking area location and design		
<p>PO4 Car parking areas are located and designed to:</p> <ul style="list-style-type: none"> (a) ensure safety and efficiency in operation; and (b) be consistent with the character of the surrounding locality. 	<p>AO4.1 Car parking spaces, access and circulation areas have dimensions in accordance with AS/NZS 2890.1 Off-street car parking.</p>	<p>Will be complied with where applicable Development is for a RoL (boundary realignment) on an existing Mango orchard.</p>
	<p>AO4.2 Disabled access and car parking spaces are located and designed in accordance with AS/NZS 2890.6 Parking facilities - Off-street parking for people with disabilities.</p>	<p>Will be complied with where applicable Development is for a RoL (boundary realignment) on an existing Mango orchard.</p>
	<p>AO4.3 The car parking area includes designated pedestrian routes that provide connections to building entrances.</p>	<p>Will be complied with where applicable Development is for a RoL (boundary realignment) on an existing Mango orchard.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>AO4.4 Parking and any set down areas are:</p> <ul style="list-style-type: none"> (a) wholly contained within the site; (b) visible from the street where involving Commercial activities, Community activities, Industrial activities or a use in the Recreation and open space zone; (c) are set back behind the main building line where involving a Dual occupancy, Multiple dwelling, Residential care facility or Retirement facility; and (d) provided at the side or rear of a building in all other instances. 	<p>Will be complied with where applicable Development is for a RoL (boundary realignment) on an existing Mango orchard.</p>
Site access and manoeuvring		
<p>PO5 Access to, and manoeuvring within, the site is designed and located to:</p> <ul style="list-style-type: none"> (a) ensure the safety and efficiency of the external road network; (b) ensure the safety of pedestrians; (c) provide a functional and convenient layout; and (d) accommodate all vehicles intended to use the site. 	<p>AO5.1 Access and manoeuvrability is in accordance with :</p> <ul style="list-style-type: none"> (a) AS28901 – Car Parking Facilities (Off Street Parking); and (b) AS2890.2 – Parking Facilities (Off-street Parking) Commercial Vehicle Facilities. <p><small>Note—Proposal plans should include turning circles designed in accordance with AP34/95 (Austroads 1995) Design Vehicles and Turning Path Templates.</small></p>	<p>Will be complied with where applicable Development is for a RoL (boundary realignment) on an existing Mango orchard.</p>
	<p>AO5.2 Vehicular access has a minimum sight distance in accordance with Part 5 of AUSTRROADS.</p>	<p>Will be complied with where applicable Development is for a RoL (boundary realignment) and vehicle access to the site is already existent.</p>
	<p>AO5.3 Vehicular access is located and designed so that all vehicles enter and exit the site in a forward gear.</p>	<p>Will be complied with where applicable Development is for a RoL (boundary realignment) and vehicle access to the site is already existent.</p>
	<p>AO5.4 Pedestrian and cyclist access to the site:</p> <ul style="list-style-type: none"> (a) is clearly defined; (b) easily identifiable; and 	<p>Will be complied with where applicable Development is for a RoL (boundary realignment).</p>

Performance outcomes	Acceptable outcomes	Applicant response
	(c) provides a connection between the site frontage and the entrance to buildings and end of trip facilities (where provided).	
<p>PO6 Development that involves an internal road network ensures that it's design:</p> <p>(a) ensure safety and efficiency in operation;</p> <p>(b) does not impact on the amenity of residential uses on the site and on adjoining sites, having regard to matters of:</p> <p>(i) hours of operation;</p> <p>(ii) noise</p> <p>(iii) light; and</p> <p>(iv) odour;</p> <p>(c) accommodates the nature and volume of vehicle movements anticipated to be generated by the use;</p> <p>(d) allows for convenient access to key on-site features by pedestrians, cyclists and motor vehicles; and</p> <p>(e) in the Rural zone, avoids environmental degradation.</p>	<p>AO6.1 Internal roads for a Tourist park have a minimum width of:</p> <p>(a) 4 metres if one way; or</p> <p>(b) 6 metres if two way.</p>	<p>Not applicable Development does not involve a tourist park.</p>
	<p>AO6.2 For a Tourist park, internal road design avoids the use of cul-de-sacs in favour of circulating roads, where unavoidable, cul-de-sacs provide a full turning circle for vehicles towing caravans having:</p> <p>(a) a minimum approach and departure curve radius of 12 metres; and</p> <p>(b) a minimum turning circle radius of 8 metres.</p>	<p>Not applicable Development does not involve a tourist park.</p>
	<p>AO6.3 Internal roads are imperviously sealed and drained, apart from those for an Energy and infrastructure activity or Rural activity.</p>	<p>Not applicable Development is for a RoL (boundary realignment).</p>
	<p>AO6.4 Speed control devices are installed along all internal roads, apart from those for an Energy and infrastructure activity or Rural activity, in accordance with Complete Streets.</p>	<p>Not applicable Development is for a RoL (boundary realignment).</p>
	<p>AO6.5 Internal roads, apart from those for an Energy and infrastructure activity or Rural activity, are illuminated in accordance with AS 4282 (as amended) - Control of Obtrusive effects of outdoor lighting.</p>	<p>Not applicable Development is for a RoL (boundary realignment).</p>
	<p>AO6.6 Where involving an accommodation activity, internal roads facilitate unobstructed access to</p>	<p>Not applicable Development does not involve an accommodation activity.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	every dwelling, accommodation unit, accommodation site and building by emergency services vehicles.	
	<p>AO6.7 For an Energy and infrastructure activity or Rural activity, internal road gradients:</p> <ul style="list-style-type: none"> (a) are no steeper than 1:5; or (b) are steeper than 1:5 and are sealed. 	<p>Not applicable Development is for a RoL (boundary realignment).</p>
Servicing		
<p>PO7 Development provides access, maneuvering and servicing areas on site that:</p> <ul style="list-style-type: none"> (a) accommodate a service vehicle commensurate with the likely demand generated by the use; (b) do not impact on the safety or efficiency of internal car parking or maneuvering areas; (c) do not adversely impact on the safety or efficiency of the road network; (d) provide for all servicing functions associated with the use; and (e) are located and designed to minimise their impacts on adjoining sensitive land uses and streetscape quality. 	<p>AO7.1 All unloading, loading, service and waste disposal areas are located:</p> <ul style="list-style-type: none"> (a) on the site; (b) to the side or rear of the building, behind the main building line; (c) not adjacent to a site boundary where the adjoining property is used for a sensitive use. 	<p>Not applicable Development is for a RoL (boundary realignment).</p>
	<p>AO7.2 Unloading, loading, service and waste disposal areas allow service vehicles to enter and exit the site in a forward gear.</p>	<p>Not applicable Development is for a RoL (boundary realignment).</p>
	<p>AO7.3 Development provides a servicing area, site access and maneuvering areas to accommodate the applicable minimum servicing vehicle specified in Table 9.4.3.3B.</p>	<p>Not applicable Development is for a RoL (boundary realignment).</p>
Maintenance		

Performance outcomes	Acceptable outcomes	Applicant response
PO8 Parking areas are used and maintained for their intended purpose.	AO8.1 Parking areas are kept and used exclusively for parking and are maintained in a suitable condition for parking and circulation of vehicles.	Not applicable Development is for a RoL (boundary realignment).
	AO8.2 All parking areas will be compacted, sealed, drained, line marked and maintained until such time as the development ceases.	Not applicable Development is for a RoL (boundary realignment).
End of trip facilities		
PO9 Development within the Centre zone; Industry zone or Emerging community zone provides facilities for active transport users that: <ul style="list-style-type: none"> (a) meet the anticipated demand generated from the use; (b) comprise secure and convenient bicycle parking and storage; and (c) provide end of trip facilities for all active transport users. 	AO9.1 The number of bicycle parking spaces provided for the use is in accordance with Table 9.4.3.3D .	Not applicable Development is for a RoL (boundary realignment).
	AO9.2 End of trip facilities are provided in accordance with Table 9.4.3.3D .	Not applicable Development is for a RoL (boundary realignment).
If for Educational establishment or Child care centre where involving more than 100 vehicle movements per day or Renewable energy facility, Sport and recreation activities or Tourist park		
PO10 The level of traffic generated by the development on the surrounding local road network must not result in unacceptable impacts on adjacent land and local road users.	AO10 A traffic impact report is prepared by a suitably qualified person that identifies: <ul style="list-style-type: none"> (a) the expected traffic movements to be generated by the facility; (b) any associated impacts on the road network; and any works that will be required to address the identified impacts.	Not applicable Development is not for an Educational establishment or Child care centre or Renewable energy facility, Sport and recreation activities or Tourist park.
If for Educational establishment or Child care centre where involving more than 100 vehicle movements per day or Renewable energy facility, Sport and recreation activities or Tourist park		

Performance outcomes	Acceptable outcomes	Applicant response
<p>PO11 The level of traffic generated by the development on the surrounding local road network must not result in unacceptable impacts on adjacent land and local road users.</p>	<p>AO11 A traffic impact report is prepared by a suitably qualified person that identifies: (c) the expected traffic movements to be generated by the facility; (d) any associated impacts on the road network; and any works that will be required to address the identified impacts.</p>	<p>Not applicable Development is not for an Educational establishment or Child care centre or Renewable energy facility, Sport and recreation activities or Tourist park.</p>

9.4.4 Reconfiguring a lot code

The purpose of the Reconfiguring a lot code is to ensure that land is:

- (a) arranged in a manner which is consistent with the intended scale and intensity of development within the area;
- (b) provided with access to appropriate movement and open space networks; and
- (c) contributes to housing diversity and accommodates a range of land uses.

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

- (a) Subdivision of land achieves the efficient use of land and the efficient provision of infrastructure and transport services;
- (b) Lots are of a suitable size and shape for the intended or potential use having regard to the purpose and overall outcomes of the relevant zone or precinct.
- (c) Subdivision of land creates lots with sufficient area and dimensions to accommodate the ultimate use, meet user requirements, protect environmental features and account for site constraints;
- (d) A range and mix of lot sizes is provided to facilitate a variety of industry and housing types;
- (e) Subdivision design incorporates a road network that provides connectivity and circulation for vehicles and provide safe and efficient access for pedestrians, cyclists and public transport;
- (f) Subdivision design provides opportunities for walking and cycling for recreation and as alternative methods of travel;
- (g) Subdivision of land provides and integrates a range of functional parkland, including local and district parks and open space links for the use and enjoyment of the residents of the locality and the shire;
- (h) Subdivision of land contributes to an open space network that achieves connectivity along riparian corridors and between areas with conservation values;
- (i) Subdivision within the Rural zone maintains rural landholdings in viable parcels;

- (j) Land in historical townships is not reconfigured to be used for urban purposes; and
- (k) Residential subdivision and greenfield development is designed to consider and respect:
 - (i) topography;
 - (ii) climate responsive design and solar orientation;
 - (iii) efficient and sustainable infrastructure provision;
 - (iv) environmental values;
 - (v) water sensitive urban design;
 - (vi) good quality agricultural land; and
 - (vii) the character and scale of surrounding development.

Table 9.4.4.3A—Reconfiguring a lot code – For assessable development

Performance outcomes	Acceptable outcomes	Applicant response
Area and frontage of lots		

Performance outcomes	Acceptable outcomes	Applicant response
<p>PO1 Lots include an area and frontage that:</p> <ul style="list-style-type: none"> (a) is consistent with the design of lots in the surrounding area; (b) allows the desired amenity of the zone to be achieved; (c) is able to accommodate all buildings, structures and works associated with the intended land use; (d) allow the site to be provided with sufficient access; (e) considers the proximity of the land to: <ul style="list-style-type: none"> (i) centres; (ii) public transport services; and (iii) open space; and (f) allows for the protection of environmental features; and (g) accommodates site constraints. 	<p>AO1.1 Lots provide a minimum area and frontage in accordance with Table 9.4.4.3B.</p>	<p>Complies with PO In the Rural zone, the minimum acceptable area and frontages are a 400m frontage and an area of 60ha.</p> <p>The boundary realignment will allow lot 62 to have a 1.6km frontage and 68.9ha area which complies with the AO.</p> <p>The boundary realignment will result in lot 225 having a frontage of 1.3km complying with acceptable frontage requirements of the scheme, although the boundary realignment will result in a reduced lot size for lot 225 to 13.5ha.</p> <p>The boundary realignment does not adversely affect the functionality of the lots. The lots have existing access, and are of an area and frontage that:</p> <ol style="list-style-type: none"> 1. supports the ongoing operation of the Mango orchard 2. is consistent with the design of lots in the surrounding area; 3. allows the desired amenity of the zone to be achieved; 4. is able to accommodate all buildings, structures and works associated with the intended future land use; 5. does not adversely affect environmental features. <p>See section 3.3 of report - Compliance</p>
Existing buildings and easements		
<p>PO2 Reconfiguring a lot which contains existing land uses or existing buildings and structures ensures:</p>	<p>AO2.1 Each land use and associated infrastructure is contained within its individual lot.</p>	<p>Complies No new lots are to be created.</p> <p>The proposal will support the ongoing operation of the Mango orchard</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>(a) new lots are of sufficient area and dimensions to accommodate existing land uses, buildings and structures; and</p> <p>(b) any continuing use is not compromised by the reconfiguration.</p>	<p>AO2.2 All lots containing existing buildings and structures achieve the setback requirements of the relevant zone.</p>	<p>Complies Boundaries for existing sections of existing lot 225 will remain the same.</p> <p>Therefore, the future reconfigured lots containing existing buildings and structures will achieve the same setbacks as currently achieved</p>
<p>PO3 Reconfiguring a lot which contains an existing easement ensures:</p> <p>(a) future buildings, structures and accessways are able to be sited to avoid the easement; and</p> <p>(b) the reconfiguration does not compromise the purpose of the easement or the continued operation of any infrastructure contained within the easement.</p>	<p>AO3 No acceptable outcome is provided.</p>	<p>Not applicable Site does not contain existing easements.</p>
Boundary realignment		
<p>PO4 The boundary realignment retains all attendant and existing infrastructure connections and potential connections.</p>	<p>AO4 No acceptable outcome is provided.</p>	<p>Will be complied with.</p>
Access and road network		
<p>PO5 Access to a reconfigured lot (including driveways and paths) must not have an adverse impact on:</p> <p>(a) safety;</p> <p>(b) drainage;</p> <p>(c) visual amenity;</p> <p>(d) privacy of adjoining premises; and</p> <p>(e) service provision.</p>	<p>AO5 No acceptable outcome is provided.</p>	<p>Complies with PO Access to the sites are already existent.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>PO6 Reconfiguring a lot ensures that access to a lot can be provided that:</p> <ul style="list-style-type: none"> (a) is consistent with that provided in the surrounding area; (b) maximises efficiency and safety; and (c) is consistent with the nature of the intended use of the lot. <p>Note—The Parking and access code should be considered in demonstrating compliance with PO6.</p>	<p>AO6 Vehicle crossover and access is provided in accordance with the design guidelines and specifications set out in Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	<p>Complies Vehicular access is already existent to the sites.</p>
<p>PO7 Roads in the Industry zone are designed having regard to:</p> <ul style="list-style-type: none"> (a) the intended use of the lots; (b) the existing use of surrounding land; (c) the vehicular servicing requirements of the intended use; (d) the movement and turning requirements of B-Double vehicles. <p>Note—The Parking and access code should be considered in demonstrating compliance with PO7.</p>	<p>AO7 No acceptable outcome is provided.</p>	<p>Not applicable Site is in the rural zone.</p>
Rear lots		
<p>PO8 Rear lots are designed to:</p>	<p>AO8.1 Rear lots are designed to facilitate development that adjoins or overlooks a park or open space.</p>	<p>Not applicable The development is for a boundary realignment, and there will not be rear lots created. Access to the sites are already existent.</p>

Performance outcomes	Acceptable outcomes	Applicant response
(a) provide a high standard of amenity for residents and other users of the site; (b) provide a high standard of amenity for adjoining properties; and (c) not adversely affect the safety and efficiency of the road from which access is gained.	AO8.2 No more than two rear lots are created behind any lot with a road frontage.	Not applicable The development is for a boundary realignment, and there will not be rear lots created. Access to the sites are already existent.
	AO8.3 Access to lots is via an access strip with a minimum width of: (a) 4 metres where in the Low density residential zone or Medium density residential zone; or (b) 8 metres otherwise.	Not applicable The development is for a boundary realignment, and there will not be rear lots created. Access to the sites are already existent.
	AO8.4 A single access strip is provided to a rear lot along one side of the lot with direct frontage to the street. Note—Figure A provides further guidance in relation to the desired outcome.	Not applicable The development is for a boundary realignment, rear lots will not be created. Access to the sites are already existent.
	AO8.5 No more than 1 in 10 lots created in a new subdivision are rear lots.	Not applicable The development is for a boundary realignment, and no rear lots will be created. Access to the sites are already existent.
	AO8.6 Rear lots are not created in the Centre zone or the Industry zone.	Not applicable The site is located in the Rural zone.
Crime prevention and community safety		

Performance outcomes	Acceptable outcomes	Applicant response
<p>PO9 Development includes design features which enhance public safety and seek to prevent opportunities for crime, having regard to:</p> <ul style="list-style-type: none"> (a) sightlines; (b) the existing and intended pedestrian movement network; (c) the existing and intended land use pattern; and (d) potential entrapment locations. 	<p>AO9 No acceptable outcome is provided.</p>	<p>Will comply with PO The development is for a boundary realignment, and is located in the Rural zone. Access to the sites are already existent.</p>
Pedestrian and cycle movement network		
<p>PO10 Reconfiguring a lot must assist in the implementation of a Pedestrian and cycle movement network to achieve safe, attractive and efficient pedestrian and cycle networks.</p>	<p>AO10 No acceptable outcome is provided.</p>	<p>Will comply with PO The development is for a boundary realignment, and is located in the Rural zone. Access to the sites are already existent.</p>
Public transport network		

Performance outcomes	Acceptable outcomes	Applicant response
<p>PO11 Where a site includes or adjoins a future public transport corridor or future public transport site identified through a structure planning process, development:</p> <ul style="list-style-type: none"> (a) does not prejudice the future provision of the identified infrastructure; (b) appropriately treats the common boundary with the future corridor; and (c) provides opportunities to integrate with the adjoining corridor where a it will include an element which will attract pedestrian movement. 	<p>AO11 No acceptable outcome is provided.</p>	<p>Not applicable Site does not include public transport corridor or future public transport</p>
Residential subdivision		
<p>PO12 Residential lots are:</p> <ul style="list-style-type: none"> (a) provided in a variety of sizes to accommodate housing choice and diversity; and (b) located to increase variety and avoid large areas of similar lot sizes. 	<p>AO12 No acceptable outcome is provided.</p>	<p>Not applicable Development is not creating a residential subdivision.</p>
Rural residential zone		
<p>PO13 New lots are only created in the Rural residential zone where land is located within the 4,000m² precinct, the 1 hectare precinct or the 2 hectare precinct.</p>	<p>AO13 No acceptable outcome is provided.</p>	<p>Not applicable Development is not located in the Rural residential area.</p>
Additional provisions for greenfield development only		

Performance outcomes	Acceptable outcomes	Applicant response
<p>PO14 The subdivision design provides the new community with a local identity by responding to:</p> <ul style="list-style-type: none"> (a) site context (b) site characteristics (c) setting (d) landmarks (e) natural features; and (f) views. 	<p>AO14 No acceptable outcome provided.</p>	<p>Not applicable</p>
<p>PO15 The road network is designed to provide a high level of connectivity, permeability and circulation for local vehicles, public transport, pedestrians and cyclists.</p>	<p>AO15 No acceptable outcome provided.</p>	<p>Not applicable</p>
<p>PO16 The road network is designed to:</p> <ul style="list-style-type: none"> (a) minimise the number of cul-de-sacs; (b) provide walkable catchments for all residents in cul-de-sacs; and (c) include open cul-de-sacs heads. <p>Note—Figure B provides further guidance in relation to the desired outcome.</p>	<p>AO16 No acceptable outcome provided.</p>	<p>Not applicable</p>
<p>PO17 Reconfiguring a lot provides safe and convenient access to the existing or future public transport network.</p>	<p>AO17 The subdivision locates 90% of lots within 400 metres walking distance of a future public transport route.</p>	<p>Not applicable</p>
<p>PO18 The staging of the lot reconfiguration prioritises delivery of link roads to facilitate efficient bus routes.</p>	<p>AO18 No acceptable outcome provided.</p>	<p>Not applicable</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>PO19 Provision is made for sufficient open space to:</p> <ul style="list-style-type: none"> (a) meet the needs of the occupiers of the lots and to ensure that the environmental and scenic values of the area are protected; (b) retain riparian corridors, significant vegetation and habitat areas and provides linkages between those areas; and (c) meet regional, district and neighbourhood open space requirements. 	<p>AO19.1 A minimum of 10% of the site area is dedicated as open space.</p>	<p>Not applicable</p>
	<p>AO19.2 A maximum of 30% of the proposed open space can consist of land identified as significant vegetation or riparian corridor buffer.</p>	<p>Not applicable</p>
<p>PO20 A network of parks and community land is provided:</p> <ul style="list-style-type: none"> (a) to support a full range of recreational and sporting activities; (b) to ensure adequate pedestrian, cycle and vehicle access; (c) which is supported by appropriate infrastructure and embellishments; (d) to facilitate links between public open spaces; (e) which is co-located with other existing or proposed community infrastructure; (f) which is consistent with the preferred open space network; and (g) which includes a diversity of settings; 	<p>AO20 No acceptable outcome is provided.</p>	<p>Not applicable</p>

Table 9.4.4.3B—Minimum area and dimensions for Reconfiguring a lot

Zone	Type	Minimum area	Minimum frontage
Rural	All lots	60 hectares	400 metres

9.4.5 Works, services and infrastructure code

The purpose of the Works, services and infrastructure code is to ensure that all development is appropriately serviced by physical infrastructure, public utilities and services and that work associated with development is carried out in a manner that does not adversely impact on the surrounding area.

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

- (a) Development provides an adequate, safe and reliable supply of potable, fire-fighting and general use water in accordance with relevant standards;
- (b) Development provides for the treatment and disposal of wastewater and ensures there are no adverse impacts on water quality, public health, local amenity or ecological processes;
- (c) Development provides for the disposal of stormwater and ensures that there are no adverse impacts on water quality or ecological processes;
- (d) Development connects to the road network and any adjoining public transport, pedestrian and cycle networks while ensuring no adverse impacts on the safe, convenient and efficient operation of these networks;
- (e) Development provides electricity and telecommunications services that meet its desired requirements;
- (f) Development is connected to a nearby electricity network with adequate capacity without significant environment, social or amenity impact;
- (g) Development does not affect the efficient functioning of public utility mains, services or installations;
- (h) Infrastructure dedicated to Council is cost effective over its life cycle;
- (i) Work associated with development does not cause adverse impacts on the surrounding area; and
- (j) Development prevents the spread of weeds, seeds or other pests.

Table 9.4.5.3 - Works, services and infrastructure code – For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Applicant response
For accepted development subject to requirements and assessable development		
Water supply		
<p>PO1 Each lot has an adequate volume and supply of water that:</p> <ul style="list-style-type: none"> (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment. 	<p>AO1.1 Development is connected to a reticulated water supply system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located:</p> <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated water supply service area. 	<p>Not applicable</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>AO1.2 Development, where located outside a reticulated water supply service area and in the Conservation zone, Rural zone or Rural residential zone is provided with:</p> <ul style="list-style-type: none"> (a) a bore or bores are provided in accordance with the Design Guidelines set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; or (b) on-site water storage tank/s: <ul style="list-style-type: none"> (i) with a minimum capacity of 90,000L; (ii) fitted with a 50mm ball valve with a camlock fitting; and (iii) which are installed and connected prior to the occupation or use of the development. 	<p>Will be complied with The site is already an operational Mango orchard and the RoL (boundary realignment) will not result in any changes to water supply for the lots.</p> <p>Water is supplied from the Mutchilba relief Sunwater channel/pipe system and gravity fed to the mango orchards. The existing dwellings have onsite water tanks.</p> <p>Refer to section 4.1.</p>
Wastewater disposal		
<p>PO2 Each lot provides for the treatment and disposal of effluent and other waste water that:</p> <ul style="list-style-type: none"> (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment. 	<p>AO2.1 Development is connected to a reticulated sewerage system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located:</p> <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area. 	<p>Not applicable</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>AO2.2 An effluent disposal system is provided in accordance with ASNZ 1547 On-Site Domestic Wastewater Management (as amended) where development is located:</p> <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area. 	<p>Will be complied with The site is already an operational Mango orchard and the RoL (boundary realignment) will not result in any changes to effluent disposal for the lots.</p> <p>The existing dwellings are connected to onsite effluent disposal system in the form of septic tanks.</p>
Stormwater infrastructure		
<p>PO3 Stormwater infrastructure is designed and constructed to collect and convey the design storm event to a lawful point of discharge in a manner that mitigates impacts on life and property.</p>	<p>AO3.1 Where located within a Priority infrastructure area or where stormwater infrastructure is available, development is connected to Council's stormwater network in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	<p>Not applicable</p>
	<p>AO3.2 On-site drainage systems are constructed:</p> <ul style="list-style-type: none"> (a) to convey stormwater from the premises to a lawful point of discharge; and (b) in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual. 	<p>Will be complied with The site is already operational and the RoL (boundary realignment) will not see any change to the operation of the site.</p>
Electricity supply		

Performance outcomes	Acceptable outcomes	Applicant response
<p>PO4 Each lot is provided with an adequate supply of electricity</p>	<p>AO4 The premises:</p> <ul style="list-style-type: none"> (a) is connected to the electricity supply network; or (b) has arranged a connection to the transmission grid; or (c) where not connected to the network, an independent energy system with sufficient capacity to service the development (at near average energy demands associated with the use) may be provided as an alternative to reticulated electricity where: <ul style="list-style-type: none"> (i) it is approved by the relevant regulatory authority; and (ii) it can be demonstrated that no air or noise emissions; and (iii) it can be demonstrated that no adverse impact on visual amenity will occur. 	<p>Will be complied where applicable The site is already operational and the RoL (boundary realignment) will not see any change to the operation of the site.</p>
Telecommunications infrastructure		
<p>PO5 Each lot is provided with an adequate supply of telecommunication infrastructure</p>	<p>AO5 Development is provided with a connection to the national broadband network or telecommunication services.</p>	<p>Will be complied with where applicable The site is already operational and the RoL (boundary realignment) will not see any change to the operation of the site.</p>
Existing public utility services		

Performance outcomes	Acceptable outcomes	Applicant response
<p>PO6 Development and associated works do not affect the efficient functioning of public utility mains, services or installations.</p>	<p>AO6 Public utility mains, services are relocated, altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	<p>Not applicable</p>
Excavation or filling		
<p>PO7 Excavation or filling must not have an adverse impact on the:</p> <ul style="list-style-type: none"> (a) streetscape; (b) scenic amenity; (c) environmental values; (d) slope stability; (e) accessibility; or (f) privacy of adjoining premises. 	<p>AO7.1 Excavation or filling does not occur within 1.5 metres of any site boundary.</p>	<p>Not applicable Development is for a RoL (boundary realignment) and excavation and filling is not required.</p>
	<p>AO7.2 Excavation or filling at any point on a lot is to be no greater than 1.5 metres above or below natural ground level.</p>	<p>Not applicable Development is for a RoL (boundary realignment) and excavation and filling is not required.</p>
	<p>AO7.3 Earthworks batters:</p> <ul style="list-style-type: none"> (a) are no greater than 1.5 metres in height; (b) are stepped with a minimum width 2 metre berm; (c) do not exceed a maximum of two batters and two berms (not greater than 3.6 metres in total height) on any one lot; (d) have a slope no greater than 1 in 4; and (e) are retained. 	<p>Not applicable Development is for a RoL (boundary realignment) and earthwork batters are not required.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>AO7.4 Soil used for filling or spoil from excavation is not stockpiled in locations that can be viewed from:</p> <ul style="list-style-type: none"> (a) adjoining premises; or (b) a road frontage, for a period exceeding 1 month from the commencement of the filling or excavation. 	<p>Not applicable Development is for a RoL (boundary realignment) and excavation and filling is not required.</p>
	<p>AO7.5 All batters and berms to be constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	<p>Not applicable Development is for a RoL (boundary realignment) and batters and berms are not required.</p>
	<p>AO7.6 Retaining walls have a maximum height of 1.5 metres and are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.</p>	<p>Not applicable Development is for a RoL (boundary realignment) and retaining walls are not required.</p>
	<p>AO7.7 Excavation or filling at any point on a lot is to include measures that protect trees at the foot or top of cut or fill batters by the use of appropriate retaining methods and sensitive earth removal or placement and in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.</p>	
<p>For assessable development</p>		

Performance outcomes	Acceptable outcomes	Applicant response
Transport network		
<p>PO8 The development has access to a transport network of adequate standard to provide for the safe and efficient movement of vehicles, pedestrians and cyclists.</p>	<p>AO8.1 Vehicle access, crossovers, road geometry, pavement, utilities and landscaping to the frontage/s of the site are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.</p>	<p>Will be complied with where applicable Development is for a RoL (boundary realignment) and vehicle access to the sites are already existent.</p>
	<p>AO8.2 Development provides footpath pavement treatments in accordance with Planning Scheme Policy 9 – Footpath Paving.</p>	<p>Will be complied with where applicable</p>
Public infrastructure		
<p>PO9 The design, construction and provision of any infrastructure that is to be dedicated to Council is cost effective over its life cycle and incorporates provisions to minimise adverse impacts.</p>	<p>AO9 Development is in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	<p>Not applicable</p>
Stormwater quality		

Performance outcomes	Acceptable outcomes	Applicant response
<p>PO10 Development has a non-worsening effect on the site and surrounding land and is designed to:</p> <ul style="list-style-type: none"> (a) optimise the interception, retention and removal of waterborne pollutants, prior to the discharge to receiving waters; (b) protect the environmental values of waterbodies affected by the development, including upstream, on-site and downstream waterbodies; (c) achieve specified water quality objectives; (d) minimise flooding; (e) maximise the use of natural channel design principles; (f) maximise community benefit; and (g) minimise risk to public safety. 	<p>AO10.1 The following reporting is prepared for all Material change of use or Reconfiguring a lot proposals:</p> <ul style="list-style-type: none"> (a) a Stormwater Management Plan and Report that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; and (b) an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation Control Guidelines (Institute of Engineers Australia), including: <ul style="list-style-type: none"> (i) drainage control; (ii) erosion control; (iii) sediment control; and (iv) water quality outcomes. 	<p>Will be complied with where applicable</p>
	<p>AO10.2 For development on land greater than 2,500m² or that result in more than 5 lots or more than 5 dwellings or accommodation units, a Stormwater Quality Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) is prepared that demonstrates that the development:</p> <ul style="list-style-type: none"> (a) meets or exceeds the standards of design and construction set out in the Urban Stormwater Quality Planning 	<p>Will be complied with where applicable</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>Guideline and the Queensland Water Quality Guideline;</p> <p>(b) is consistent with any local area stormwater water management planning;</p> <p>(c) accounts for development type, construction phase, local climatic conditions and design objectives; and</p> <p>(d) provides for stormwater quality treatment measures reflecting land use constraints, such as soil type, landscape features (including landform), nutrient hazardous areas, acid sulfate soil and rainfall erosivity.</p>	
<p>PO11 Storage areas for stormwater detention and retention:</p> <p>(a) protect or enhance the environmental values of receiving waters;</p> <p>(b) achieve specified water quality objectives;</p> <p>(c) where possible, provide for recreational use;</p> <p>(d) maximise community benefit; and</p> <p>(e) minimise risk to public safety.</p>	<p>AO11 No acceptable outcome is provided.</p>	<p>Will be complied with where applicable</p>
Excavation or filling		
<p>PO12 Traffic generated by filling or excavation does not impact on the amenity of the surrounding area.</p>	<p>AO12.1 Haul routes used for transportation of fill to or from the site only use major roads and avoid residential areas.</p>	<p>Not applicable Development is for a RoL (boundary realignment). Development does not involve excavation or fill.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p>AO12.2 Transportation of fill to or from the site does not occur:</p> <ul style="list-style-type: none"> (a) within peak traffic times; and (b) before 7am or after 6pm Monday to Friday; (c) before 7am or after 1pm Saturdays; and (d) on Sundays or Public Holidays. 	<p>Not applicable Development is for a RoL (boundary realignment).and does not require the transportation of fill.</p>
<p>PO13 Air pollutants, dust and sediment particles from excavation or filling, do not cause significant environmental harm or nuisance impacts.</p>	<p>AO13.1 Dust emissions do not extend beyond the boundary of the site.</p>	<p>Not applicable Development is for a RoL (boundary realignment). Development does not involve excavation or fill.</p>
	<p>AO13.2 No other air pollutants, including odours, are detectable at the boundary of the site.</p>	<p>Not applicable Development is for a RoL (boundary realignment). Development does not involve excavation or fill.</p>
	<p>AO13.3 A management plan for control of dust and air pollutants is prepared and implemented.</p>	<p>Not applicable Development is for a RoL (boundary realignment). Development does not involve excavation or fill.</p>
<p>PO14 Access to the premises (including driveways and paths) does not have an adverse impact on:</p> <ul style="list-style-type: none"> (a) safety; (b) drainage; (c) visual amenity; and (d) privacy of adjoining premises. 	<p>AO14 Access to the premises (including all works associated with the access):</p> <ul style="list-style-type: none"> (a) must follow as close as possible to the existing contours; (b) be contained within the premises and not the road reserve, and (c) are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual. 	<p>Not applicable Development is for a RoL (boundary realignment). Development does not involve excavation or fill.</p>

Performance outcomes	Acceptable outcomes	Applicant response
Weed and pest management		
PO15 Development prevents the spread of weeds, seeds or other pests into clean areas or away from infested areas.	AO15 No acceptable outcome is provided.	Will be complied with where applicable Development is for a RoL (boundary realignment).
Contaminated land		
PO16 Development is located and designed to ensure that users and nearby sensitive land uses are not exposed to unacceptable levels of contaminants	AO16 Development is located where: (a) soils are not contaminated by pollutants which represent a health or safety risk to users; or (b) contaminated soils are remediated prior to plan sealing, operational works permit, or issuing of building works permit.	Not applicable Development is for a RoL (boundary realignment).
Fire services in developments accessed by common private title		
PO17 Fire hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	AO17.1 Fire hydrants are located in accessways or private roads held in common private title at a maximum spacing of: (a) 120 metres for residential development; and (b) 90 metres for any other development.	Not applicable
	AO17.2 Fire hydrants are located at all intersections of accessways or private roads held in common private title.	Not applicable

APPENDIX 2: STATE DEVELOPMENT ASSESSMENT PROVISIONS

State Code 1: Development in a state-controlled road environment

Purpose statement

The purpose of this code is to protect state-controlled roads, future state-controlled roads and other infrastructure in state-controlled roads from adverse impacts of development. The purpose of this code is also to protect the safety of people using, and living and working near, state-controlled roads.

Specifically, this code seeks to ensure:

1. development does not create a safety hazard for users of a state-controlled road, by increasing the likelihood or frequency of fatality or serious injury
2. development does not compromise the structural integrity of state-controlled roads, road transport infrastructure or road works
3. development does not result in a worsening of the physical condition or operating performance of state-controlled roads and the surrounding road network
4. development does not compromise the state's ability to construct state-controlled roads and future state-controlled roads, or significantly increase the cost to construct state-controlled roads and future state-controlled roads
5. development does not compromise the state's ability to maintain and operate state-controlled roads, or significantly increase the cost to maintain and operate state-controlled roads
6. development does not compromise the structural integrity of public passenger transport infrastructure located on state-controlled roads or compromise the operating performance of public passenger transport services on state-controlled roads
7. the community is protected from significant adverse impacts resulting from environmental emissions generated by vehicles using state-controlled roads.

Table 1.2.1: Development in a state-controlled road environment

Performance outcomes	Acceptable outcomes	Response
Buildings and structures		
PO1 The location of buildings, structures, infrastructure, services and utilities does not create a safety hazard in a state-controlled road, or cause damage to, or obstruct road transport infrastructure.	AO1.1 Buildings, structures, infrastructure, services and utilities are not located in a state-controlled road. AND	Complies with AO Development is for a RoL (boundary realignment). The site is already operational farming land. No new buildings, structures, infrastructure, services and utilities are proposed for this development.
	AO1.2 Buildings, structures, infrastructure, services and utilities can be maintained without requiring access to a state-controlled road.	Complies with AO Development is for a RoL (boundary realignment). The site is already operational farming land. Existing buildings, structures, infrastructure, services and utilities can be maintained without access to a state-controlled road.
PO2 The design and construction of buildings and structures does not create a safety hazard by distracting users of a state-controlled road.	AO2.1 Facades of buildings and structures facing a state-controlled road are made of non-reflective materials. OR	Does not apply Development is for a RoL (boundary realignment). The site is already operational farming land. No new buildings, structures, infrastructure, services and utilities are proposed for this development.
	AO2.2 Facades of buildings and structures do not reflect point light sources into the face of oncoming traffic on a state-controlled road. AND	Does not apply Development is for a RoL (boundary realignment). The site is already operational farming land. No new buildings, structures, infrastructure, services and utilities are proposed for this development.
	AO2.3 External lighting of buildings and structures is not directed into the face of oncoming traffic on a state-controlled road and does not involve flashing or laser lights. AND	Does not apply Development is for a RoL (boundary realignment). The site is already operational farming land. No new buildings, structures, infrastructure, services and utilities are proposed for this development.
	AO2.4 Advertising devices visible from a state-controlled road are located and designed in accordance with the Roadside Advertising Guide, 2 nd Edition, Department of Transport and Main Roads, 2017.	Does not apply Development is for a RoL (boundary realignment). The site is already operational farming land. No new buildings, structures, infrastructure, services and utilities are proposed for this development.
PO3 Road, pedestrian and bikeway bridges over a state-controlled road are designed and constructed	AO3.1 Road, pedestrian and bikeway bridges over a state-controlled road include throw protection	Does not apply

Performance outcomes	Acceptable outcomes	Response
to prevent projectiles from being thrown onto a state-controlled road.	screens in accordance with section 4.9.3 of the Design Criteria for Bridges and Other Structures Manual, Department of Transport and Main Roads, 2018.	Development is for a RoL (boundary realignment) and does not require road, pedestrian and bikeway bridges.
Filling, excavation and retaining structures		
<p>PO4 Filling and excavation does not interfere with, or result in damage to, infrastructure or services in a state-controlled road.</p> <p>Note: Information on the location of services and public utility plants in a state-controlled road can be obtained from the Dial Before You Dig service.</p> <p>Where development will impact on an existing or future service or public utility plant in a state-controlled road such that the service or public utility plant will need to be relocated, the alternative alignment must comply with the standards and design specifications of the relevant service or public utility provider, and any costs of relocation are to be borne by the developer.</p> <p>Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	No acceptable outcome is prescribed.	<p>Does not apply</p> <p>Development is for a RoL (boundary realignment). Filling and excavation is not required.</p>
<p>PO5 Filling, excavation, building foundations and retaining structures do not undermine, or cause subsidence of, a state-controlled road.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended an RPEQ certified geotechnical assessment, prepared in accordance with the Road Planning and Design Manual 2nd Edition: Volume 3, Department of Transport and Main Roads, 2016, is provided.</p> <p>Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a geotechnical assessment.</p>	No acceptable outcome is prescribed.	<p>Does not apply</p> <p>Development is for a RoL (boundary realignment). Filling, excavation, building foundations and retaining structures is not required.</p>
<p>PO6 Filling, excavation, building foundations and retaining structures do not cause ground water disturbance in a state-controlled road.</p>	No acceptable outcome is prescribed.	<p>Does not apply</p> <p>Development is for a RoL (boundary realignment). Filling, excavation, building foundations and retaining structures is not required.</p>

Performance outcomes	Acceptable outcomes	Response
<p>Note: To demonstrate compliance with this performance outcome, it is recommended an RPEQ certified geotechnical assessment, prepared in accordance with the Road Planning and Design manual 2nd Edition: Volume 3, Department of Transport and Main Roads, 2016, is provided.</p> <p>Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a geotechnical assessment.</p>		
<p>PO7 Excavation, boring, piling, blasting or fill compaction during construction of a development does not result in ground movement or vibration impacts that would cause damage or nuisance to a state-controlled road, road transport infrastructure or road works.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended an RPEQ certified geotechnical assessment, prepared in accordance with Road Planning and Design Manual 2nd Edition: Volume 3, Department of Transport and Main Roads, 2016, is provided.</p> <p>Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a geotechnical assessment.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Does not apply Development is for a RoL (boundary realignment). Filling, excavation, building foundations and retaining structures is not required.</p>
<p>PO8 Development involving the haulage of fill, extracted material or excavated spoil material exceeding 10,000 tonnes per year does not damage the pavement of a state-controlled road.</p> <p>Note: It is recommended a pavement impact assessment is provided.</p> <p>Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, and the Guide to Traffic Impact Assessment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a pavement impact assessment.</p>	<p>AO8.1 Fill, extracted material and spoil material is not transported to or from the development site on a state-controlled road.</p>	<p>Does not apply Development is for a RoL (boundary realignment). Filling and excavation is not required.</p>

Performance outcomes	Acceptable outcomes	Response
<p>PO9 Filling and excavation associated with the construction of vehicular access to a development does not compromise the operation or capacity of existing drainage infrastructure for a state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	No acceptable outcome is prescribed.	<p>Does not apply Development is for a RoL (boundary realignment). Filling is not required</p>
<p>PO10 Fill material used on a development site does not result in contamination of a state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p>AO10.1 Fill material is free of contaminants including acid sulfate content.</p> <p>Note: Soils and rocks should be tested in accordance with AS 1289.0 – Methods of testing soils for engineering purposes and AS 4133.0-2005 – Methods of testing rocks for engineering purposes.</p> <p>AND</p>	<p>Does not apply Development is for a RoL (boundary realignment). Filling is not required</p>
	<p>AO10.2 Compaction of fill is carried out in accordance with the requirements of AS 1289.0 2000 – Methods of testing soils for engineering purposes.</p>	<p>Does not apply Development is for a RoL (boundary realignment). Filling is not required.</p>
<p>PO11 Filling and excavation does not cause wind-blown dust nuisance in a state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p>AO11.1 Compaction of fill is carried out in accordance with the requirements of AS 1289.0 2000 – Methods of testing soils for engineering purposes.</p> <p>AND</p>	<p>Does not apply Development is for a RoL (boundary realignment). Filling and excavation is not required.</p>
	<p>AO11.2 Dust suppression measures are used during filling and excavation activities such as wind breaks or barriers and dampening of ground surfaces.</p>	<p>Does not apply Development is for a RoL (boundary realignment). Filling and excavation is not required.</p>
<p>Stormwater and drainage</p>		
<p>PO12 Development does not result in an actionable nuisance, or worsening of, stormwater, flooding or drainage impacts in a state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of</p>	No acceptable outcome is prescribed.	<p>Complies with PO Development is for a RoL (boundary realignment) and will not result in an action that will create nuisance, or worsening of, stormwater, flooding or drainage impacts in a state-controlled road</p>

Performance outcomes	Acceptable outcomes	Response
<p>Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>		
<p>PO13 Run-off from the development site is not unlawfully discharged to a state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p>AO13.1 Development does not create any new points of discharge to a state-controlled road.</p> <p>AND</p>	<p>Complies with AO Development is for a RoL (boundary realignment) and does not create any new points of discharge to a state-controlled road.</p>
	<p>AO13.2 Stormwater run-off is discharged to a lawful point of discharge.</p> <p>Note: Section 3.9 of the Queensland Urban Drainage Manual, Institute of Public Works Engineering Australasia (Queensland Division) Fourth Edition, 2016, provides further information on lawful points of discharge.</p> <p>AND</p>	<p>Complies with AO Development is for a RoL (boundary realignment) and stormwater run-off does not create any unlawful discharge to a state-controlled road.</p>
	<p>AO13.3 Development does not worsen the condition of an existing lawful point of discharge to the state-controlled road.</p>	<p>Complies with AO Development is for a RoL (boundary realignment) and does not worsen the conditions of the existing lawful point of discharge to the state-controlled road.</p>
<p>PO14 Run-off from the development site during construction does not cause siltation of stormwater infrastructure affecting a state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p>AO14.1 Run-off from the development site during construction is not discharged to stormwater infrastructure for a state-controlled road.</p>	<p>Does not apply Development is for a RoL (boundary realignment) and construction is not required.</p>
<p>Vehicular access to a state-controlled road</p>		
<p>PO15 Vehicular access to a state-controlled road that is a limited access road is consistent with government policy for the management of limited access roads.</p> <p>Note: Refer to the SDAP Supporting Information: Vehicular access to a state-controlled road, Department of Transport and</p>	<p>AO15.1 Development does not require new or changed access to a limited access road.</p> <p>Note: Limited access roads are declared by the transport chief executive under section 54 of the <i>Transport Infrastructure Act 1994</i> and are identified in the DA mapping system.</p> <p>OR</p>	<p>Complies with AO Development is for a RoL (boundary realignment) and does not require a new or change of access to the site.</p>

Performance outcomes	Acceptable outcomes	Response
<p>Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p>AO15.2 A new or changed access to a limited access road is consistent with the limited access policy for the state-controlled road.</p> <p>Note: Limited access policies for limited access roads declared under the <i>Transport Infrastructure Act 1994</i> can be obtained by contacting the relevant Department of Transport and Main Roads regional office.</p> <p>AND</p>	<p>Does not apply Development is for a RoL (boundary realignment) and does not require a new or change of access to the site.</p>
	<p>AO15.3 Where a new or changed access is for a service centre, access is consistent with the Service centre policy, Department of Transport and Main Roads, 2013 and the Access policy for roadside service centre facilities on limited access roads, Department of Transport and Main Roads, 2013, and the Service centre strategy for the state-controlled road.</p> <p>Note: The Service centre policy, Department of Transport and Main Roads, 2013, Access policy for roadside service centre facilities, Department of Transport and Main Roads, 2013 and the relevant Service centre strategy for a state-controlled road can be accessed by contacting the relevant Department of Transport and Main Roads regional office.</p>	<p>Does not apply Development is for a RoL (boundary realignment) and does not require a new or change of access to the site.</p>
<p>PO16 The location and design of vehicular access to a state-controlled road (including access to a limited access road) does not create a safety hazard for users of a state-controlled road or result in a worsening of operating conditions on a state-controlled road.</p> <p>Note: Where a new or changed access between the premises and a state-controlled road is proposed, the Department of Transport and Main Roads will need to assess the proposal to determine if the vehicular access for the development is safe. An assessment can be made by Department of Transport and Main Roads as part of the development assessment process and a decision under section 62 of <i>Transport Infrastructure Act 1994</i> issued.</p>	<p>AO16.1 Vehicular access is provided from a local road.</p>	<p>Complies with PO/AO Development is for a RoL (boundary realignment). The boundary realignment will result in lot 225 to be accessed via Price Creek Road (local road).</p> <p>Lot 62 will be accessed via the already existing vehicle access on Mareeba Dimbulah Road.</p> <p>The access points are already existent. No changes are proposed to existing access arrangements.</p>
	<p>OR all of the following acceptable outcomes apply:</p>	<p>Complies with PO/AO</p>

Performance outcomes	Acceptable outcomes	Response
<p>Refer to the SDAP Supporting Information: Vehicular access to a state-controlled road, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p>AO16.2 Vehicular access for the development is consistent with the function and design of the state-controlled road. AND</p>	<p>Development is for a RoL (boundary realignment). The boundary realignment will result in lot 225 to be accessed via Price Creek Road (local road).</p> <p>Lot 62 will be accessed via the already existing vehicle access on Mareeba Dimbulah Road.</p> <p>The access points to the site are already existent.</p>
	<p>AO16.3 Development does not require new or changed access between the premises and the state-controlled road. Note: A decision under section 62 of the <i>Transport Infrastructure Act 1994</i> outlines the approved conditions for use of an existing vehicular access to a state-controlled road. Current section 62 decisions can be obtained from the relevant Department of Transport and Main Roads regional office. AND</p>	<p>Complies with PO/AO Development is for a RoL (boundary realignment). The boundary realignment will result in lot 225 to be accessed via Price Creek Road (local road).</p> <p>Lot 62 will be accessed via the already existing vehicle access on Mareeba Dimbulah Road.</p> <p>The access points are already existent.</p>
	<p>AO16.4 Use of any existing vehicular access to the development is consistent with a decision under section 62 of the <i>Transport Infrastructure Act 1994</i>. Note: The development which is the subject of the application must be of an equivalent use and intensity for which the section 62 approval was issued and the section 62 approval must have been granted no more than 5 years prior to the lodgement of the application. AND</p>	<p>Not applicable</p>
	<p>AO16.5 On-site vehicle circulation is designed to give priority to entering vehicles at all times so vehicles do not queue in a road intersection or on the state-controlled road.</p>	<p>Complies with AO The site is already a functioning farm and on-site vehicle circulation is already existent. Development is for a RoL (boundary realignment) which will result in a more efficient allocation of the land for the rural purpose.</p>
<p>Vehicular access to local roads within 100 metres of an intersection with a state-controlled road</p>		

Performance outcomes	Acceptable outcomes	Response
<p>PO17 The location and design of vehicular access to a local road within 100 metres of an intersection with a state-controlled road does not create a safety hazard for users of a state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Vehicular access to a state-controlled road, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p>AO17.1 Vehicular access is located as far as possible from the state-controlled road intersection. AND</p>	<p>Does not apply Vehicle access points to the site are not mapped as being within 100m of a state-controlled road intersection.</p>
	<p>AO17.2 Vehicular access is in accordance with parts, 3, 4 and 4A of the Road Planning and Design Manual, 2nd Edition: Volume 3, Department of Transport and Main Roads, 2016. AND</p>	<p>Does not apply Vehicle access points to the site are not mapped as being within 100m of a state-controlled road intersection.</p>
	<p>AO17.3 On-site vehicle circulation is designed to give priority to entering vehicles at all times so vehicles do not queue in the intersection or on the state-controlled road.</p>	<p>Does not apply Vehicle access points to the site are not mapped as being within 100m of a state-controlled road intersection.</p>
Public passenger transport infrastructure on state-controlled roads		
<p>PO18 Development does not damage or interfere with public passenger transport infrastructure, public passenger services or pedestrian or cycle access to public passenger transport infrastructure and public passenger services.</p> <p>Note: Refer to the SDAP Supporting Information: Vehicular access to a state-controlled road, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p>AO18.1 Vehicular access and associated road access works are not located within 5 metres of existing public passenger transport infrastructure. AND</p>	<p>Does not apply Site is not mapped as having Public passenger transport infrastructure.</p>
	<p>AO18.2 Development does not necessitate the relocation of existing public passenger transport infrastructure. AND</p>	<p>Does not apply Site is not mapped as having Public passenger transport infrastructure.</p>
	<p>AO18.3 On-site vehicle circulation is designed to give priority to entering vehicles at all times so vehicles using a vehicular access do not obstruct public passenger transport infrastructure and public passenger services or obstruct pedestrian or cycle access to public passenger transport infrastructure and public passenger services. AND</p>	<p>Does not apply Site is not mapped as having Public passenger transport infrastructure.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AO18.4 The normal operation of public passenger transport infrastructure or public passenger services is not interrupted during construction of the development.</p>	<p>Does not apply Site is not mapped as having Public passenger transport infrastructure.</p>
Planned upgrades		
<p>PO19 Development does not impede delivery of planned upgrades of state-controlled roads.</p>	<p>AO19.1 Development is not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road.</p> <p>Note: Land required for the planned upgrade of a state-controlled road is identified in the DA mapping system.</p> <p>OR</p>	<p>Complies with AO Development is not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road.</p>
	<p>AO19.2 Development is sited and designed so that permanent buildings, structures, infrastructure, services or utilities are not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road.</p>	<p>Does not apply Development is not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road.</p>
	<p>OR all of the following acceptable outcomes apply:</p> <p>AO19.3 Structures and infrastructure located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road are able to be readily relocated or removed without materially affecting the viability or functionality of the development.</p> <p>AND</p>	<p>Does not apply Development is not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road.</p>
	<p>AO19.4 Vehicular access for the development is consistent with the function and design of the planned upgrade of the state-controlled road.</p> <p>AND</p>	<p>Does not apply Development is not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AO19.5 Development does not involve filling and excavation of, or material changes to, land required for a planned upgrade to a state-controlled road.</p> <p>AND</p>	<p>Does not apply Development is not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road.</p>
	<p>AO19.6 Land is able to be reinstated to the pre-development condition at the completion of the use.</p>	<p>Does not apply Development is not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road.</p>
Network impacts		
<p>PO20 Development does not result in a worsening of operating conditions on the state-controlled road network.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended that an RPEQ certified traffic impact assessment is provided. Please refer to the Guide to Traffic Impact Assessment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Complies with PO Development is for a RoL (boundary realignment) and the site is already a functioning farm. Development will not result in a worsening of operation conditions, and will result in a more efficient allocation of the land for the rural purpose.</p>
<p>PO21 Development does not impose traffic loadings on a state-controlled road which could be accommodated on the local road network.</p>	<p>AO21.1 The layout and design of the development directs traffic generated by the development to the local road network.</p>	<p>Complies with AO Development is for a RoL (boundary realignment) and the site is already a functioning farm. Development will not result in changes to the traffic generation.</p>
<p>PO22 Upgrade works on, or associated with, a state-controlled road are built in accordance with Queensland road design standards.</p>	<p>AO22.1 Upgrade works required as a result of the development are designed and constructed in accordance with the <i>Road Planning and Design Manual</i>, 2nd edition, Department of Transport and Main Roads, 2016.</p> <p>Note: Road works in a state-controlled road require approval under section 33 of the <i>Transport Infrastructure Act 1994</i> before the works commence.</p>	<p>Does not apply Development is for a RoL (boundary realignment) an upgrade works are not required.</p>

State Code 2: Development in a railway environment

Purpose statement

The purpose of the code is to protect railways, future railways and other infrastructure in a railway corridor from adverse impacts of development. The purpose of this code is also to protect the safety of people using, and living and working near, railways. Specifically, this code seeks to ensure:

1. development does not create a safety hazard for users of a railway, by increasing the likelihood or frequency of loss of life or serious injury
2. development does not compromise the structural integrity of railways, rail transport infrastructure, other rail infrastructure or railway works
3. development does not result in a worsening of the physical condition or operating performance of railways and the rail network
4. development does not compromise the state’s ability to construct railways and future railways, or significantly increase the cost to construct railways and future railways
5. development does not compromise the state’s ability to maintain and operate railways, or significantly increase the cost to maintain and operate railways
6. the community is protected from significant adverse impacts resulting from environmental emissions generated by a railway.

Table 1.2.1: Development in a railway environment

Performance outcomes	Acceptable outcomes	Response
Buildings and structures		
All railways		
PO1 The location of buildings, structures, infrastructure, services and utilities does not create a safety hazard in a railway corridor or cause damage to, or obstruct, rail transport infrastructure or other rail infrastructure.	AO1.1 Buildings, structures, infrastructure, services and utilities are not located in a railway corridor. AND	Does not apply Development is for a RoL (boundary realignment). The site is already operational farming land. No new buildings, structures, infrastructure, services and utilities are proposed for this development.
	AO1.2 Buildings, structures, infrastructure, services and utilities can be maintained without requiring access to a railway corridor.	Does not apply Development is for a RoL (boundary realignment). The site is already operational farming land. Buildings, structures, infrastructure, services and

Performance outcomes	Acceptable outcomes	Response
	AND	utilities can be maintained without requiring access to a railway corridor.
	<p>AO1.3 Buildings, structures and infrastructure are set back horizontally a minimum of 3 metres from the outermost projection of overhead line equipment.</p> <p>Note: Section 2.3 of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015 provides guidance on how to comply with this acceptable outcome.</p>	<p>Does not apply Development is for a RoL (boundary realignment). The site is already operational farming land. No new buildings, structures, infrastructure, services and utilities are proposed for this development.</p>
	<p>AND</p> <p>AO1.4 The lowest part of development in or over a railway is a minimum of:</p> <ol style="list-style-type: none"> 1. 7.9 metres above the railway track where the proposed development extends along the railway for a distance of less than 40 metres 2. 9 metres above the railway track where the development extends along the railway for a distance of between 40 and 80 metres. 	<p>Does not apply Development is for a RoL (boundary realignment). The site is already operational farming land.</p>
	<p>AND</p> <p>AO1.5 Pipe work, services and utilities:</p> <ol style="list-style-type: none"> 1. are not attached to rail transport infrastructure or other rail infrastructure 2. do not penetrate through the side of any proposed building element or structure where built to boundary in, over or abutting a railway corridor. 	<p>Does not apply Development is for a RoL (boundary realignment). The site is already operational farming land. No new buildings, structures, infrastructure, services and utilities are proposed for this development.</p>
	<p>PO2 Buildings and structures are located to not interfere with, or impede access to, a railway bridge.</p>	<p>AO2.1 Buildings and structures are set back horizontally a minimum of 3 metres from a railway bridge.</p> <p>AND</p>
<p>AO2.2 Permanent structures are not located below or abutting a railway bridge.</p> <p>AND</p>		<p>Does not apply Development is for a RoL (boundary realignment). The site is already operational farming land. No new</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AO2.3 Temporary activities below or abutting a railway bridge do not impede access to a railway corridor.</p> <p>Note: Temporary activities below or abutting a railway bridge could include, for example, car parking or outdoor storage.</p>	<p>buildings, structures, infrastructure, services and utilities are proposed for this development.</p> <p>Does not apply Development is for a RoL (boundary realignment). The site is already operational farming land. No new buildings, structures, infrastructure, services and utilities are proposed for this development.</p>
<p>PO3 Development does not add or remove loading that will cause damage to rail transport infrastructure or a railway corridor.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended a RPEQ certified geotechnical assessment, prepared in accordance with the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads 2015 is provided.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Does not apply Development is for a RoL (boundary realignment). The site is already operational farming land. No new buildings, structures, infrastructure, services and utilities are proposed for this development.</p>
<p>PO4 Development above a railway is designed to enable natural ventilation and smoke dispersion in the event of a fire emergency.</p> <p>Note: To demonstrate compliance with the performance outcome it is recommended the applicant contact the Queensland Fire and Emergency Service and relevant railway manager to determine the fire scenarios to be used to inform ventilation design. Modelling of smoke dispersion should also be undertaken by a RPEQ to predict the spread of combustion products and inform the ventilation design. Section 5.1 – Development over a railway of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this acceptable outcome.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Does not apply Development is for a RoL (boundary realignment), and not above a railway.</p>
<p>PO5 Construction activities do not cause ground movement or vibration impacts in a railway corridor.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended a RPEQ certified geotechnical assessment, prepared in accordance with section 2.7 of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015 is provided.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Does not apply Development is for a RoL (boundary realignment) and construction activities is not required.</p>

Performance outcomes	Acceptable outcomes	Response
<p>PO6 Buildings and structures in a railway corridor are designed and constructed to protect persons from injury in the event of a derailed train.</p>	<p>AO6.1 Buildings and structures, in a railway corridor including piers or supporting elements, are designed and constructed in accordance with Civil Engineering Technical Requirement – CIVIL-SR-012 Collision protection of supporting elements adjacent to railways, Queensland Rail, 2011, AS5100 Bridge design and AS1170 Structural design actions.</p> <p>Note: Section 3.2 of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015 provides guidance on how to comply with this acceptable outcome.</p>	<p>Does not apply Development is for a RoL (boundary realignment) and construction is not required.</p>
<p>PO7 Buildings and structures in high risk locations and where also located within 10 metres of the centreline of the nearest railway track are designed and constructed to protect persons from injury in the event of a derailed train.</p>	<p>AO7.1 Buildings and structures, in a railway corridor including piers or supporting elements, are designed and constructed in accordance with Civil Engineering Technical Requirement CIVIL-SR-012 Collision protection of supporting elements adjacent to railways, Queensland Rail, 2011, AS5100 Bridge design and AS1170 Structural design actions.</p> <p>Note: Section 3.2 of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015 provides guidance on how to comply with this acceptable outcome.</p>	<p>Does not apply Development is for a RoL (boundary realignment) and construction is not required.</p>
<p>PO8 Buildings and structures over, or that have publicly accessible areas within 3 metres from the outermost projection of the overhead line, are designed and constructed to protect persons from electrocution.</p>	<p>AO8.1 Pedestrian and bikeway bridges over an electrified railway include electrification screens in accordance with the relevant provisions of the Civil Engineering Technical Requirement – CIVIL-SR-005 Design of buildings over or near railways, Queensland Rail 2011, and Civil Engineering Technical Requirement – CIVIL-SR-008 Protection screens, Queensland Rail 2017.</p> <p>AND</p>	<p>Does not apply Development is for a RoL (boundary realignment).</p>
	<p>AO8.2 Publicly accessible areas of buildings and structures (such as walkways, external stairs and ramps) located within 3 metres horizontally from the outermost projection of overhead line equipment include electrification screens in accordance with the</p>	<p>Does not apply Development is for a RoL (boundary realignment).</p>

Performance outcomes	Acceptable outcomes	Response
	<p>relevant provisions of the Civil Engineering Technical Requirement – CIVIL-SR-005 Design of buildings over or near railways, Queensland Rail 2011, and Civil Engineering Technical Requirement – CIVIL-SR-008 Protection screens, Queensland Rail 2017.</p>	
<p>PO9 Buildings and structures in a railway corridor are designed and constructed to prevent projectiles from being thrown onto a railway.</p>	<p>AO9.1 Buildings and structures in a railway corridor include throw protection screens in accordance with the relevant provisions of the Civil Engineering Technical Requirement – CIVIL-SR-005 Design of buildings over or near railways, Queensland Rail, 2011, and the Civil Engineering Technical Requirement – CIVIL-SR-008 Protection screens, Queensland Rail.</p> <p>AND</p> <p>AO9.2 Road, pedestrian and bikeway bridges over a railway include throw protection screens in accordance with the relevant provisions of the Civil Engineering Technical Requirement – CIVIL-SR-005 Design of buildings over or near railways, Queensland Rail, 2011, and the Civil Engineering Technical Requirement – CIVIL-SR-008 Protection screens, Queensland Rail.</p> <p>Note: Section 2.4 of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this outcome.</p>	<p>Does not apply Development is for a RoL (boundary realignment).</p> <p>Does not apply Development is for a RoL (boundary realignment).</p>
<p>PO10 Buildings, and structures, other than accommodation activities, are designed and constructed to prevent projectiles from being thrown onto a railway from any publicly accessible areas located within 20 metres from the centreline of the nearest railway track.</p>	<p>AO10.1 Publicly accessible areas located within 20 metres from the centreline of the nearest railway track do not directly overlook a railway.</p> <p>OR</p> <p>AO10.2 Buildings and structures are designed to ensure publicly accessible areas located within 20 metres of the centreline of the nearest railway track and that overlook the railway include throw protection screens in accordance with the relevant provisions of</p>	<p>Does not apply Development is for a RoL (boundary realignment).</p> <p>Does not apply Development is for a RoL (boundary realignment).</p>

Performance outcomes	Acceptable outcomes	Response
	<p>the Civil Engineering Technical Requirement – CIVIL-SR-005 Design of buildings over or near railways, Queensland Rail, 2011, and the Civil Engineering Technical Requirement – CIVIL-SR-008 Protection screens, Queensland Rail.</p> <p>Note: Section 2.4 of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this outcome.</p>	
Filling, excavation and retaining structures		
<p>PO11 Filling, excavation and retaining structure do not interfere with, or result in damage to, infrastructure or services in a railway corridor.</p> <p>Note: Information on the location of services and public utility plants railway corridor can be obtained from the railway manager. Where development will impact on an existing or future service or public utility plant in a railway corridor such that the service or public utility plant will need to be relocated, the alternative alignment must comply with the standards and design specifications of the relevant service or public utility provider, and any costs of relocation are to be borne by the developer.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Does not apply Development is for a RoL (boundary realignment). Filling, excavation and retaining structures is not required.</p>
<p>PO12 Filling, excavation, building foundations and retaining structures do not undermine, or cause subsidence of, a railway corridor.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended a RPEQ certified geotechnical assessment is provided, prepared in accordance with section 2.7 of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Does not apply Development is for a RoL (boundary realignment). Filling, excavation, building foundations and retaining structures is not required.</p>
<p>PO13 Filling and excavation, building foundations and retaining structures do not cause ground water disturbance in a railway corridor.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended a RPEQ certified geotechnical assessment is provided, prepared in accordance with section 2.7 of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015.</p>	<p>No acceptable solution is prescribed.</p>	<p>Does not apply Development is for a RoL (boundary realignment). Filling, excavation, building foundations and retaining structures is not required.</p>

Performance outcomes	Acceptable outcomes	Response
<p>PO14 Excavation, boring, piling, blasting or fill compaction during construction of a development does not result in ground movement or vibration impacts that would cause damage or nuisance to a railway corridor, rail transport infrastructure or railway works.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended a RPEQ certified geotechnical assessment is provided, prepared in accordance with section 2.7 of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015.</p>	No acceptable outcome is prescribed.	<p>Does not apply</p> <p>Development is for a RoL (boundary realignment). Excavation, boring, piling, blasting or fill compaction is not required.</p>
<p>PO15 Filling and excavation material does not cause an obstruction or nuisance in a railway corridor.</p>	AO15.1 Development does not store fill, spoil or any other material in, or adjacent to, a railway corridor.	<p>Does not apply</p> <p>Development is for a RoL (boundary realignment). Fill, spoil of any other material is not required.</p>
Stormwater and drainage		
<p>PO16 Development does not result in an actionable nuisance or worsening of stormwater, flooding or drainage impacts in a railway corridor.</p> <p>Note: Section 2.8 of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this performance outcome.</p>	No acceptable outcome is prescribed.	<p>Complies with PO</p> <p>Development is for a RoL (boundary realignment) and will not result in an action that will create nuisance, or worsening of, stormwater, flooding or drainage impacts in a railway corridor.</p>
<p>PO17 Run-off from the development site during construction of development does not cause siltation of stormwater infrastructure affecting a railway corridor.</p>	AO17.1 Run-off from the development site during construction of development is not discharged to stormwater infrastructure in a railway corridor.	<p>Complies with AO</p> <p>Development is for a RoL (boundary realignment) and construction is not required.</p>
Access		
<p>PO18 Development prevents unauthorised access to a railway corridor.</p>	<p>AO18.1 Where development is abutting a railway corridor fencing is provided along the property boundary with the railway corridor in accordance with the railway manager's standards.</p> <p>Note: It is recommended the applicant contact the railway manager for advice regarding applicable fencing standards. AND</p>	<p>Complies with purpose statement.</p> <p>The proposed development does not result in a worsening of the physical condition or operating performance of railways and the rail network</p>

Performance outcomes	Acceptable outcomes	Response
		create a safety hazard for users of a railway, by increasing the likelihood or frequency of loss of life or serious injury
	<p>AO18.2 A road barrier designed in accordance with Civil Engineering Technical Requirement – CIVIL-SR-007 Design and selection criteria for road/rail interface barriers, Queensland Rail 2011, and certified by an RPEQ, is installed along any roads abutting a railway corridor.</p> <p>AND</p>	<p>Not applicable The proposal is located in a Rural location. No changes are proposed to existing driveway, loading and carpark arrangements. The proposal will not result in any increase in scale or intensity of the existing land use.</p>
	<p>AO18.3 Proposed vehicle manoeuvring areas, driveways, loading areas or carparks abutting a railway corridor include rail interface barriers.</p> <p>Note: Section 2.4 of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015, provides guidance on how to comply with acceptable outcome 18.3.</p>	<p>Not applicable The proposal is located in a Rural location. No changes are proposed to existing driveway, loading and carpark arrangements. The proposal will not result in any increase in scale or intensity of the existing land use.</p>
<p>PO19 Development does not obstruct existing access to a railway corridor.</p>	<p>AO19.1 Development is sited and designed to ensure existing authorised access points and access routes for maintenance and emergency works to a railway corridor are clear from obstructions at all times.</p>	<p>Complies with AO Development is for a RoL (boundary realignment) and the existing authorised access points and access routes for maintenance and emergency works to a railway corridor will not obstructed.</p>
<p>PO20 Access to a railway corridor does not create a safety hazard for users of a railway, or result in a worsening of operating conditions on a railway.</p>	<p>AO20.1 Development does not require a new railway crossing.</p> <p>AND</p>	<p>Complies with AO Development is for a RoL (boundary realignment) and does not require a new railway crossing.</p>
	<p>AO20.2 Development does not propose new or temporary structures or works connecting to rail transport infrastructure or other rail infrastructure.</p> <p>AND</p>	<p>Complies with AO Development is for a RoL (boundary realignment) and does not propose new or temporary structures or works connecting to rail transport infrastructure or other rail infrastructure.</p>
	<p>AO20.3 Vehicle access points achieve sufficient clearance from a railway level crossing in accordance with AS1742.7:2016 – Manual of uniform traffic control devices, Part 7: Railway crossings, by</p>	<p>Complies with AO Development is for a RoL (boundary realignment) and vehicle access points are already existent.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>providing minimum 5 metres clearance from the edge running rail (outer rail), plus the length of the largest vehicle anticipated on-site.</p> <p>Note: Section 2.2 of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this acceptable outcome.</p>	
<p>PO21 Development does not damage or interfere with public passenger transport infrastructure, public passenger services or pedestrian and cycle access to public passenger transport infrastructure and public passenger services.</p>	<p>AO21.1 Development does not necessitate the relocation of existing public passenger transport infrastructure.</p> <p>AND</p>	<p>Does not apply Site is not mapped as having Public passenger transport infrastructure.</p>
	<p>AO21.2 Vehicular access and associated road access works for a development is not located within 5 metres of existing public passenger transport infrastructure.</p> <p>AND</p>	<p>Does not apply Site is not mapped as having Public passenger transport infrastructure.</p>
	<p>AO21.3 On-site vehicle circulation is designed give priority to entering vehicles at all times so vehicles using a vehicular access do not obstruct public passenger transport infrastructure and public passenger services or obstruct pedestrian or cyclist access to public passenger transport infrastructure and public passenger services.</p> <p>AND</p>	<p>Does not apply Site is not mapped as having Public passenger transport infrastructure.</p>
	<p>AO21.4 The normal operation of public passenger transport infrastructure or public passenger services is not interrupted during construction of the development.</p>	<p>Does not apply Site is not mapped as having Public passenger transport infrastructure.</p>
<p>Planned upgrades</p>		
<p>PO22 Development does not impede delivery of planned upgrades of rail transport infrastructure.</p>	<p>AO22.1 Development is not located on land identified by the Department of Transport and Main Roads as land required for planned upgrades to rail transport infrastructure.</p>	<p>Complies with AO Development is not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade to a rail transport infrastructure.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>Note: Land required for the planned upgrade of rail transport infrastructure is identified in the DA mapping system.</p> <p>OR</p>	
	<p>AO22.2 Development is sited and designed so that permanent buildings, structures, infrastructure, services or utilities are not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of rail transport infrastructure.</p> <p>OR all of the following acceptable outcomes apply:</p>	<p>Does not apply Development is not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade to a rail transport infrastructure.</p>
	<p>AO22.3 Structures and infrastructure located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a of rail transport infrastructure are able to be readily relocated or removed without materially affecting the viability or functionality of the development.</p> <p>AND</p>	<p>Does not apply Development is not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade to a rail transport infrastructure.</p>
	<p>AO22.4 Development does not involve filling and excavation of, or material changes to, land required for a planned upgrade of rail transport infrastructure.</p> <p>AND</p>	<p>Does not apply Development is not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade to a rail transport infrastructure.</p>
	<p>AO22.5 Land is able to be reinstated to the pre-development condition at the completion of the use.</p>	<p>Does not apply Development is not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade to a rail transport infrastructure.</p>
Network safety		
<p>PO23 Development involving dangerous goods adjacent to a railway corridor does not adversely impact on the safety or operations of a railway.</p> <p>Note: Development involving dangerous goods, or hazardous chemicals above the threshold quantities listed in table 5.2 of the</p>	<p>AO23.1 Development does not involve handling or storage of hazardous chemicals above the threshold quantities listed in table 5.2 of the Model Planning Scheme Development Code for Hazardous Industries and Chemicals, Office of Industrial Relations, Department of Justice and Attorney-General, 2016.</p>	<p>Complies with AO Development is for a RoL (boundary realignment) and does not involve handling or storage of hazardous chemicals.</p>

Performance outcomes	Acceptable outcomes	Response
<p>Model Planning Scheme Development Code for Hazardous Industries and Chemicals, Office of Industrial Relations, Department of Justice and Attorney-General, 2016, should demonstrate that impacts on a railway from a fire, explosion, spill, gas emission or dangerous goods incident can be appropriately mitigated.</p> <p>Section 2.6 – Dangerous goods and fire safety of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this performance outcome.</p>		
<p>PO24 Development does not adversely impact on the safety of a railway crossing.</p> <p>Note: It is recommended a traffic impact assessment be prepared to demonstrate compliance with this performance outcome. An impact on a level crossing may require an Australian Level Crossing Assessment Model (ALCAM) assessment to be undertaken. Section 2.2 – Railway crossing safety of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this performance outcome.</p>	<p>AO24.1 Development does not require a new railway crossing.</p> <p>OR</p>	<p>Complies with AO Development is for a RoL (boundary realignment) and no new railway crossings are required.</p>
	<p>AO24.2 A new railway crossing is grade separated. Note: It is recommended a traffic impact assessment be prepared to demonstrate compliance with this acceptable outcome. An impact on a level crossing may require an Australian Level Crossing Assessment Model (ALCAM) assessment to be undertaken. Section 2.2 – Railway crossing safety of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this acceptable outcome.</p> <p>OR all of the following acceptable outcomes apply:</p>	<p>Does not apply Development is for a RoL (boundary realignment) and no new railway crossings are required.</p>
	<p>AO24.3 Upgrades to a level crossing are designed and constructed in accordance with AS1742.7 – Manual of uniform traffic control devices, Part 7: Railway crossings and applicable railway manager’s standard drawings.</p> <p>AND</p>	<p>Does not apply Development is for a RoL (boundary realignment) and no upgrades to a level crossing are required.</p>
	<p>AO24.4 Vehicle access points achieve sufficient clearance from a level crossing in accordance with AS1742.7 – Manual of uniform traffic control devices, Part 7: Railway crossings by providing a minimum clearance of 5 metres from the edge running rail (outer rail) plus the length of the largest vehicle anticipated on-site.</p>	<p>Does not apply Development is for a RoL (boundary realignment) and vehicle access points are already existent.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AND</p> <p>AO24.5 On-site vehicle circulation is designed to give priority to entering vehicles at all times to ensure vehicles do not queue in a railway crossing.</p>	<p>Does not apply</p> <p>The site is already a functioning farm and on-site vehicle circulation is already existent. Development is for a RoL (boundary realignment) which will result in a more efficient allocation of the land for the rural purpose.</p>

APPENDIX 3: PLANZ PRE-LODGEMENT REQUEST AND SARA PRE-LODGEMENT ADVICE

Request for pre-lodgement advice form

For development applications under the *Planning Act 2016* where the Department of State Development, Manufacturing, Infrastructure and Planning is an assessment manager, referral agency for pre-application information, or for where third-party advice is being sought from the department.

Pre-lodgement advice provides initial guidance on likely major issues relevant to a development proposal to assist in the timely processing of a development application. While pre-lodgement advice is provided in good faith, if the proposal changes to that which was discussed with the department during the pre-lodgement discussions, the initial advice will not be binding.

The department requires sufficient information about the proposed development in order to provide pre-lodgement advice.

Applicant details	
Applicant name:	KVN Australia Ctc. Jandre Wessels
Contact name:	C/ Planz Town Planning Ctc. Susie Lord
Address:	PO Box 181 Egde Hill QLD 4870
Phone number:	07 4041 0445
E-mail address:	info@planztp.com
Applicant reference number:	P61841

Site details	
Street address:	3727 Mareeba Dimbulah Road, Mutchilba QLD 4872
Real property description:	Lot 225 HG293 Lot 62 SP167299.
Site area:	Lot 225 HG293 - 54.1ha Lot 62 SP167299 – 28.3ha
Local government area:	Mareeba Shire Council
Local government zone:	Rural Zone
Existing use:	Lot 225 HG293 - Farm Land – Mango Orchard Lot 62 SP167299 – Fallow and Grasslands
Relevant site history:	Lot 225 HG293 - Farm Land – Mango Orchard Lot 62 SP167299 – Fallow and Grasslands

Proposed development details	
Development type: (e.g. material change of use, reconfiguring a lot etc.)	Reconfiguring a lot (Boundary Realignment)
Development description: (e.g. land use, size or scale e.g. number of lots, GFA etc.)	No increase in GFA, no buildings or structures are proposed No proposed change to existing access arrangements. No increase to the number of lots.

Reference information	
DSDMIP (SARA) role: (e.g. assessment manager, referral agency etc.)	Referral Agency
Departmental jurisdiction: (e.g. Planning Regulation 2017 triggers etc.)	The site is within 25m of a State transport corridor. Schedule 10, Part 9, Div 4, Sub-div 2, Table 1.1 (a) and (b)(ii)

Supporting information

Plan / Report title	Author	Reference no.	Version and date
Existing and Proposed Site Plan – 3227 Mareeba-Dimbulah Rd, Mutchilba	Gregory G Terzi	Job No.: 0507 Sheet No.: DA1-01	Issue: A Date: Nov 2018

Advice requested

Please identify and detail the matter(s) you are seeking pre-lodgement advice about, or that you intend to discuss during the pre-lodgement meeting (information can be attached to this form where there is not sufficient space provided).

Item	Advice requested
Subheading: Proposed Use	

1.	<p>The boundary realignment seeks to separate the northern section of lot 225 either side of Mareeba-Dimbulah Road, and merge the southern sections of lot 225 with lot 62. This will result in one large lot with all the mango orchards and one smaller lot on the northern side of Mareeba-Dimbulah Road (See proposed plan).</p> <p>The boundary realignment will result in no actual physical change on the ground to how the two lots are used. There are no proposed changes to the existing access arrangements.</p> <p>The section of lot 225 north of Mareeba-Dimbulah Road is fallow and grassed land. The southern sections of lot 225 and lot 62 are used for a mango orchard of 17,000 trees. The boundary realignment will facilitate the operational separation that exists within lot 225.</p> <p>The boundary realignment will provide an increasingly functional layout to the lots, by separating the northern section of lot 225 to allow for the future construction and operation of a packing shed (a separate planning application will be lodged for a packing shed).</p> <p>The applicant is undertaking the Boundary Realignment on the notion that obtaining the boundary realignment is integral to the business success of the packing shed. The applicant intends to apply for a MCU - Rural Industry (Packing Shed) at a later stage. The packing shed would be located on the land north of Mareeba-Dimbulah Road, although the future use of this land is not pertaining to this application.</p>
Subheading: Size of the development	
2.	<p>No increase in GFA, No buildings or structures are proposed No proposed change to existing access arrangements. No increase to the number of lots.</p> <p>Combined lot area: 82.4ha</p>

Form of advice requested

Item	Advice requested
Subheading: Compliance	
3.	<p>In the first instance please advise as to whether the proposal will require referral to SARA as per the <i>Planning regulation 2017</i>.</p> <p>If referral to SARA is technically required:</p> <p>We would like SARA to consider waiving the referral taking into account that there would be no increase to the scale and intensity of the existing development.</p>

Meeting x Written advice

Preferred date(s) for meeting if applicable: _____

Proposed attendees for meeting if applicable:

Name	Position / Organisation
N/A	N/A

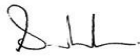
Please submit this application form, including any attachments, to your local Department of State Development, Manufacturing, Infrastructure and Planning regional office.

KVN Australia

C/ Planz Town Planning

Name of applicant: _____

Signature of applicant:



Date:

17 December 2018

Privacy Statement: The Department of State Development, Manufacturing, Infrastructure and Planning (the department) is collecting the information on this form so that you may request pre-lodgement advice (with or without a meeting). This information will be kept by the department and not used by or disclosed to a third party without your consent unless required or authorised to do so by law.

Our reference: 1812-8943 SPL
Your reference: P61841

8 January 2019

KVN Australia
C/- Planz Town Planning
PO Box 181
Edge Hill QLD 4870
info@planztp.com

Attention: Susie Lord

Dear Sir/Madam

Pre-lodgement advice

Thank you for your correspondence received on 17 December 2018 in which you sought pre-lodgement advice from the Department of State Development, Manufacturing, Infrastructure and Planning regarding the proposed development described below.

Reference information

Departmental role:	Referral agency
Departmental jurisdiction:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 1 – Reconfiguring a lot near a State transport corridor (if applicable) Schedule 10, Part 9, Division 4, Subdivision 2, Table 3 – Reconfiguring a lot near a State-controlled road intersection (if applicable)

Location details

Street address:	3727 Mareeba Dimbulah Road and Mutchilba Road, Mutchilba
Real property description:	Lot 225 on HG293 and Lot 62 on SP167299
Local government area:	Mareeba Shire Council
Existing use:	Agriculture and vacant

Details of proposal

Development type:	Reconfiguring a lot
Development description:	Boundary realignment (2 lots into 2 lots)

Supporting information

Drawing/report title	Prepared by	Date	Reference no.	Version/issue
Request for pre-lodgement advice	Planz Town Planning	17/12/2018	-	-
Site Plan	Gregory G Terzi Building Design & Drafting	Nov 2018	DA1-01	A
Proposed Site Plan detailing Access Points	Planz Town Planning	4 January 2019	-	-
State Assessment and Referral Agency Lot plan report	Queensland Government (Department of State Development, Manufacturing, Infrastructure and Planning)	17/12/2018	Lot Plan 225HG293 62SP167299	-

The department has carried out a review of the information provided and the impacts of the proposal. The following advice outlines the matters of interest to the department and matters that should be addressed if you lodge your development application with the assessment manager.

Please note the pre-lodgement advice is valid for a period of nine months from the date of issue, unless a change in legislation or policy occurs that would affect the pre-lodgement advice.

Item	Advice
Proposal	
1.	<p>The proposed reconfiguration is for a boundary realignment that seeks to separate the section of Lot 225 on HG293 that is north of Mareeba-Dimbulah Road (proposed Lot B) and amalgamate the two sections of Lot 225 that are south of the Mareeba-Mungana Railway with Lot 62 on SP167299 (proposed Lot A). Proposed Lot A has an area of 68.53 hectares, and proposed Lot B, 13.9678 hectares.</p> <p>The proposed boundary realignment seeks to increase the functional layout of the subject site and does not intend to change the use of, or access arrangements to, the premises.</p>
State transport corridors	
2.	<p>The department's Development Assessment Mapping System maps the premises within 25 metres of Mareeba-Dimbulah Road and within 25 metres of the Mareeba-Mungana Railway, both being state transport corridors.</p> <p>The southern part of Lot 225 on HG293 (proposed Lot A) has an existing unsealed direct access to Mareeba-Dimbulah Road via a railway level crossing, however the northern part of Lot 225 (proposed Lot B) does not have an approved access location via Mareeba-Dimbulah Road.</p> <p>The pre-lodgement request material provided to the department indicates that no new or changed accesses are proposed between the premises and the state transport corridors or Price Creek Road. A new or changed access as defined in Schedule 24 of the Planning Regulation 2017 includes the use of a new access location; the construction of a new, or extension of an existing, access; or an increase in the volume, or change in the type, of vehicles using the access.</p>

Item	Advice
	<p><u>Railway</u></p> <p>As proposed Lot A has existing direct access to Mareeba-Dimbulah Road via a railway level crossing, no new or changed access(es) is proposed, and no additional lots are being created adjacent to the railway, referral agency assessment is not required for impacts on the railway.</p> <p><u>State-controlled road</u></p> <p>As proposed Lot B utilises an existing access via Price Creek Road, as shown on Proposed Site Plan detailing Access Points dated 4 January 2019 (Attachment 1), no new or changed access(s) is proposed, and no additional lots are being created adjacent to Mareeba-Dimbulah Road, referral agency assessment is not required for impacts on the state-controlled road.</p> <p>If the proposed reconfiguration is amended to involve a new or changed access between the premises and a state transport corridor, referral agency assessment will be required, and the department recommends seeking further pre-lodgement advice in this circumstance.</p>
Further pre-lodgement advice	
3.	<p>If the reconfiguration plans change from that detailed in Proposed Site Plan detailing Access Points dated 4 January 2019, you may wish to seek further pre-lodgement advice from the department.</p> <p>To request further pre-lodgement advice please use the 'related actions' tab in the 1812-8943 SPL MyDAS2 record and select 'Request more pre-lodgement advice from SARA'. You will be given an option to select either a meeting or written advice.</p>

This pre-lodgement advice does not constitute an approval or an endorsement that the department supports the development proposal. Additional information may be required to allow the department to properly assess the development proposal when a formal application has been lodged.

For further information please contact Joanne Manson, Principal Planning Officer, SARA Far North QLD on 40373228 or via email CairnsSARA@dsmip.qld.gov.au who will be pleased to assist.

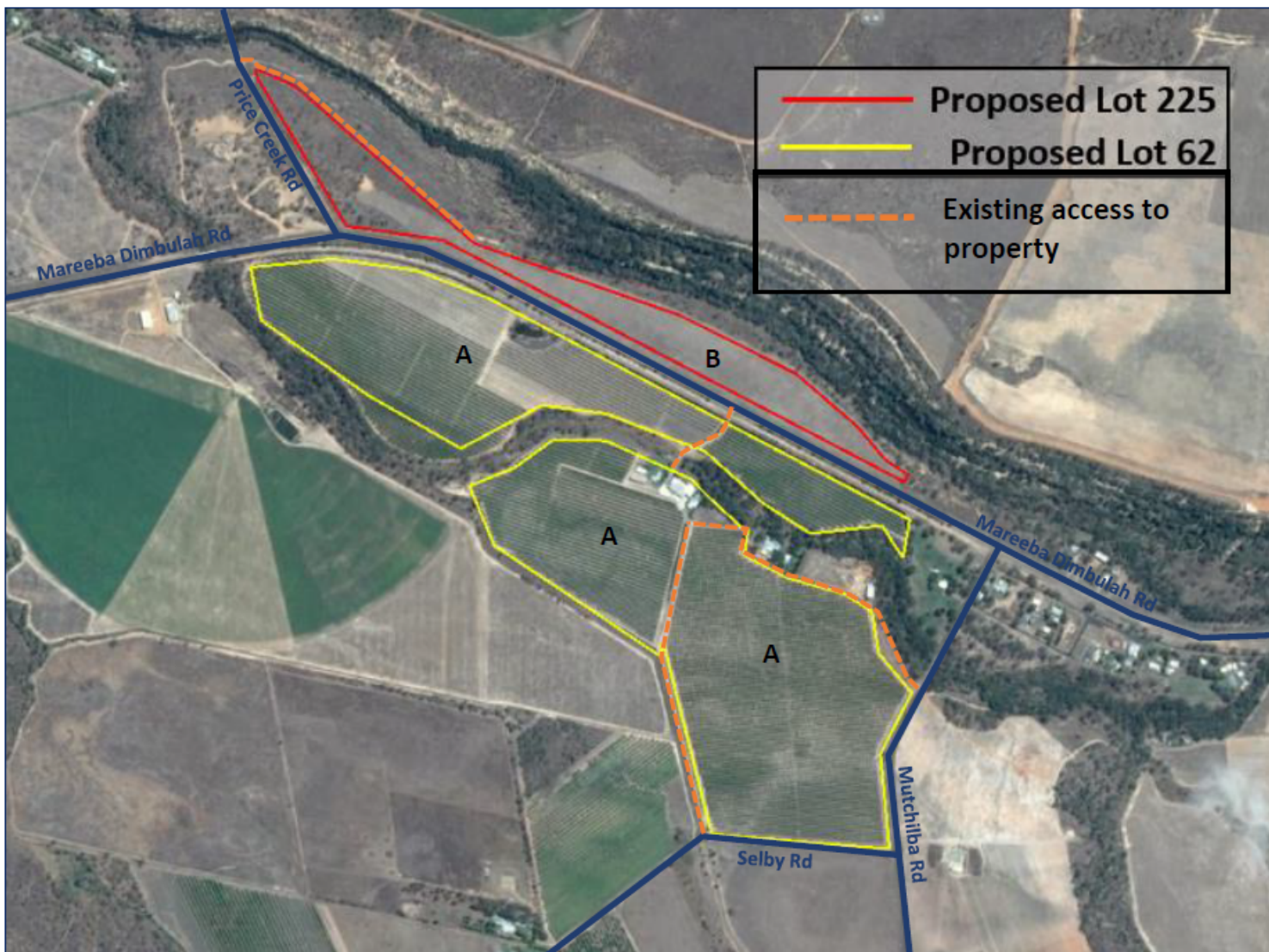
Yours sincerely



Brett Nancarrow
Manager (Planning)

Attachment 1

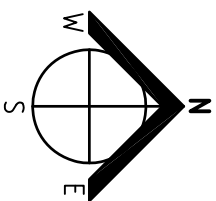
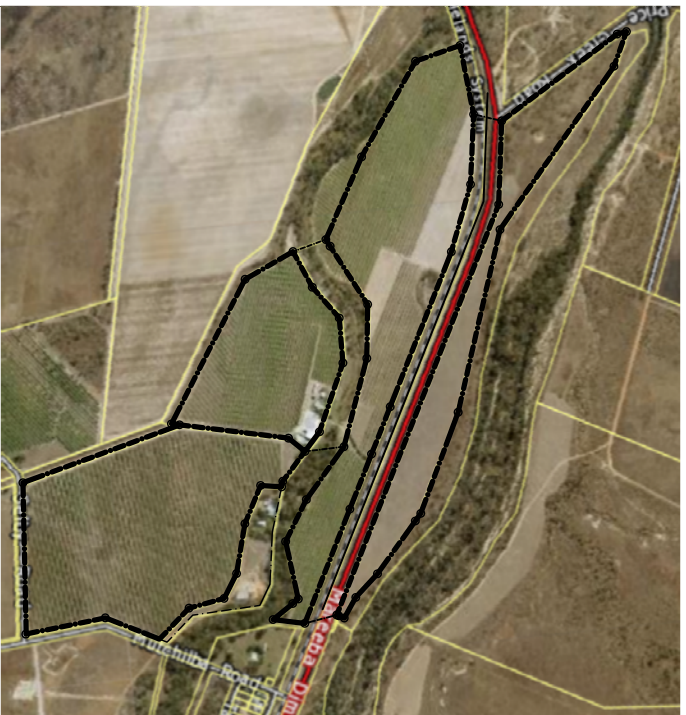
Proposed Site Plan detailing Access Points



Date prepared: 4 January 2019

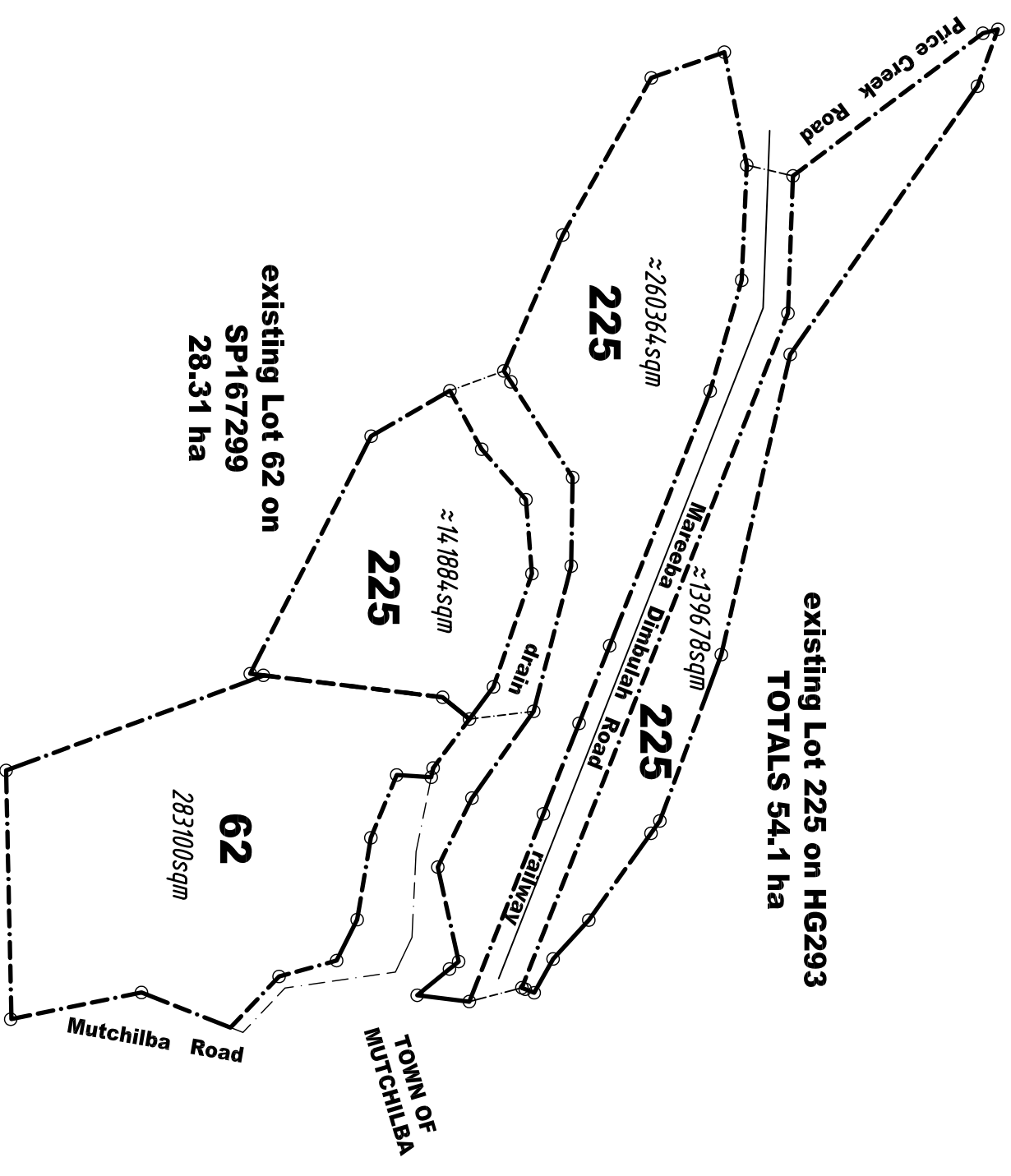
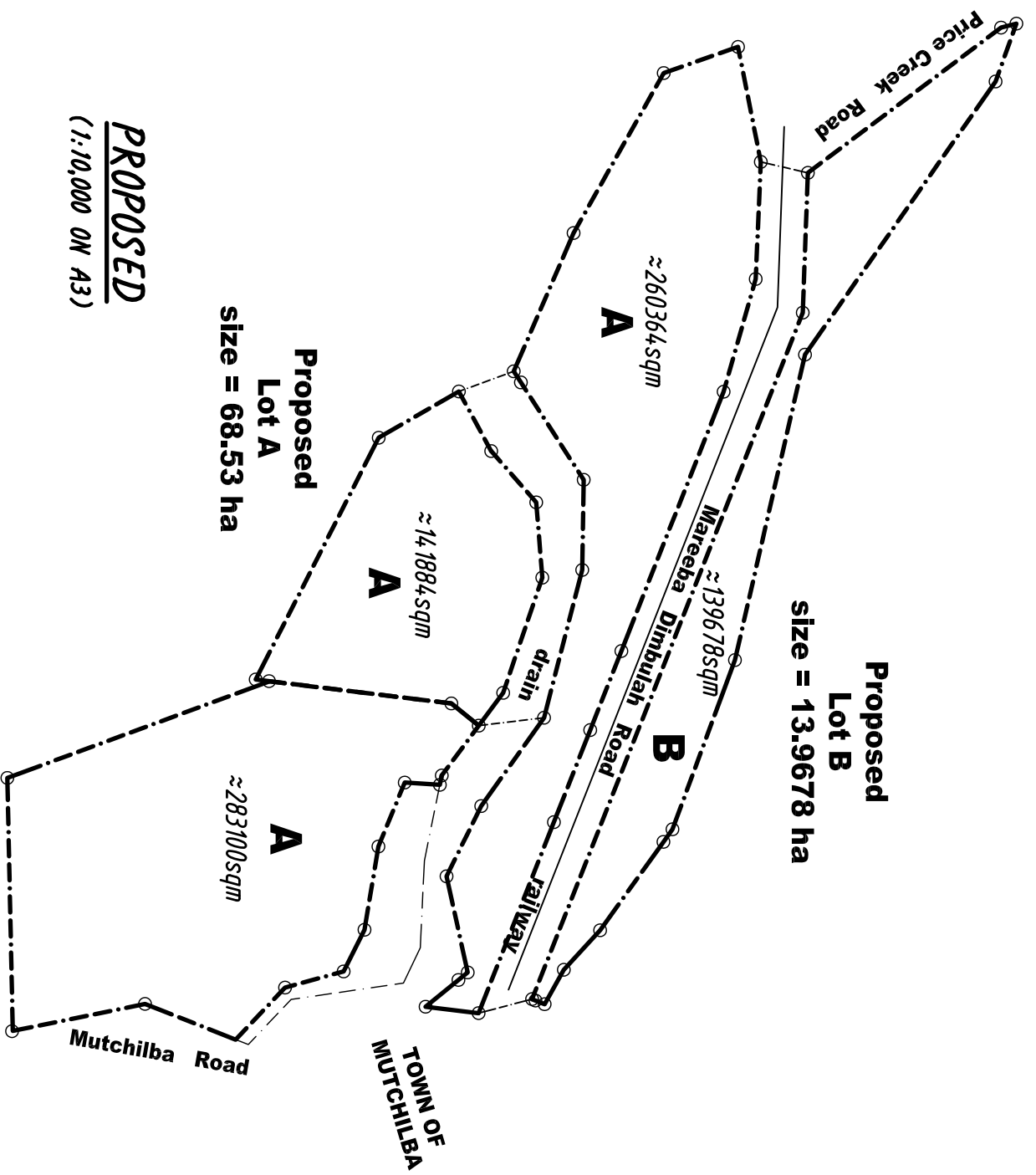
APPENDIX 4: PROPOSAL PLANS

Drawing or Document	Reference	Date
Site Plan - Existing and proposed – property boundaries re-alignment	Job No.: 0507 Sheet No.: DA1-01 Issue: A Prepared by Gregory G Terzi	November 2018
Proposed Site Plan detailing access points	Prepared by Planz Town Planning	4 January 2019



existing AERIAL VIEW

QLD GLOBE EXTRACT
(approx. 1:20,000 ON A3)



EXISTING
(1:10,000 ON A3)

existing Lot 62 on
SP167299
28.31 ha

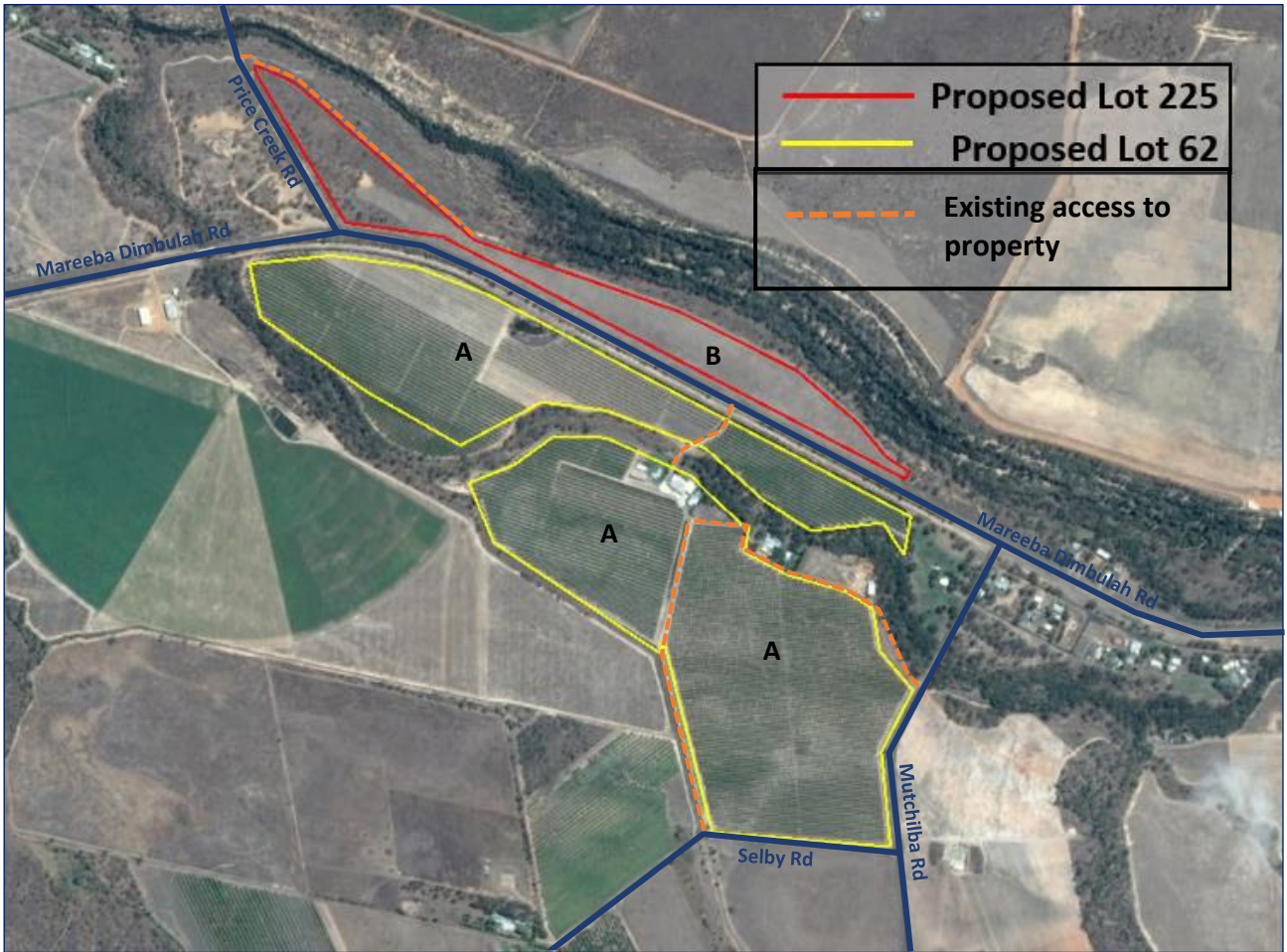
existing Lot 225 on HG293
TOTALS 54.1 ha

PROPOSED
(1:10,000 ON A3)

Proposed
Lot A
size = 68.53 ha

phone: 04/28 294 235 EDMONTON 4869. QUEENSLAND	
GREGORY G TERZI Associate Diploma Building Design & Drafting	
-Building Designer - -Medium Rise- -QBCC LICENCE: 1117048-	
PROJECT:	DATE: NOV 2018
3227	SCALE: AS SHOWN ON 'A3' SHEET
MAREEBA DIMBULAH RD	DRAWING TITLE:
MUTCHILBA 4872	SITE PLAN
-RURAL- PROPERTY BOUNDARIES	JOB NO. 0507
RE-ALIGNMENT	SHEET No. DA1-01
	ISSUE A

Proposed Site Plan detailing Access Points



Date prepared: 4 January 2019

APPENDIX 5: SUPPORTING DRAWING –PACKING SHED (INDICATIVE DRAWING)

