

# **TOWN PLANNING REPORT**

## **RECONFIGURATION OF A LOT (ONE (1) LOT INTO TWO (2) LOTS)**

**on land located at**

**8 DEBEL CLOSE, MAREEBA**

**on land described as**

**LOT 6 ON RP903630**

**on behalf of**

**Tanya D. Blake**

**VGf – C1149  
JUNE 2019**



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# 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) (individual or company full name)	Tanya D. Blake
Contact name (only applicable for companies)	Nick Hardy
Postal address (P.O. Box or street address)	Victor G Feros Town Planning Consultants PO Box 1256
Suburb	Cairns
State	QLD
Postcode	4870
Country	Australia
Contact number	(07) 4031 3663
Email address (non-mandatory)	<a href="mailto:cairns@ferosplanning.com.au">cairns@ferosplanning.com.au</a>
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	C1149

2) Owner's consent
2.1) Is written consent of the owner required for this development application?
<input checked="" type="checkbox"/> <b>Yes – the written consent of the owner(s) is attached to this development application</b>
<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
		8	Debel Close	Mareeba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	6	RP903630	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

Unnamed Low Order Seasonal Waterway as advised by Mareeba Shire Council

☐ 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:

<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>	
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

<b>6.1) Provide details about the first development aspect</b>			
a) What is the type of development? <i>(tick only one box)</i>			
<input type="checkbox"/> Material change of use	<input checked="" type="checkbox"/> <b>Reconfiguring a lot</b>	<input type="checkbox"/> Operational work	<input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>			
<input checked="" type="checkbox"/> <b>Development permit</b>	<input type="checkbox"/> Preliminary approval	<input type="checkbox"/> Preliminary approval that includes a variation approval	
c) What is the level of assessment?			
<input type="checkbox"/> Code assessment	<input checked="" type="checkbox"/> <b>Impact assessment</b> <i>(requires public notification)</i>		
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots)</i> :			
<b>One (1) Lot into Two (2) Lots</b>			
e) Relevant plans			
<i><b>Note:</b> Relevant plans are required to be submitted for all aspects of this development application. For further information, see <a href="#">DA Forms guide: Relevant plans</a>.</i>			
<input checked="" type="checkbox"/> <b>Relevant plans of the proposed development are attached to the development application</b>			
<b>6.2) Provide details about the second development aspect</b>			
a) What is the type of development? <i>(tick only one box)</i>			
<input type="checkbox"/> Material change of use	<input type="checkbox"/> Reconfiguring a lot	<input type="checkbox"/> Operational work	<input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>			
<input type="checkbox"/> Development permit	<input type="checkbox"/> Preliminary approval	<input type="checkbox"/> Preliminary approval that includes a variation approval	
c) What is the level of assessment?			
<input type="checkbox"/> Code assessment	<input type="checkbox"/> Impact assessment <i>(requires public notification)</i>		
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots)</i> :			
e) Relevant plans			
<i><b>Note:</b> Relevant plans are required to be submitted for all aspects of this development application. For further information, see <a href="#">DA Forms Guide: Relevant plans</a>.</i>			
<input type="checkbox"/> 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 ☐ Yes – complete division 1 if assessable against a local planning instrument

**Reconfiguring a lot** ☒ **Yes – complete division 2**

Operational work ☐ Yes – complete division 3

Building work ☐ Yes – complete *DA Form 2 – Building work details*

**Division 1 – Material change of use**

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

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

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

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

☐ Yes

☐ No

**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?**

**One (1)**

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

☒ **Subdivision (complete 10))**

☐ Dividing land into parts by agreement (complete 11))

☐ Boundary realignment (complete 12))

☐ Creating or changing an easement giving access to a lot from a construction road (complete 13))

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

Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created	<b>2</b>			

**10.2) Will the subdivision be staged?**

☐ Yes – provide additional details below

☒ **No**

How many stages will the works include?

**Not Applicable**

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

**Not Applicable**

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

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

12) Boundary realignment

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

Current lot		Proposed lot	
Lot on plan description	Area (m <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )

12.2) What is the reason for the boundary realignment?

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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
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**Refer to Section 4.3 of the Town Planning Report**

### 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)

<input type="checkbox"/> Yes – specify number of new lots:	
<input type="checkbox"/> No	

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

\$
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## 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?

<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application
<input type="checkbox"/> Local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
<input checked="" type="checkbox"/> <b>No</b>

## 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 <b>chief executive of the distribution entity or transmission entity</b> : <input type="checkbox"/> Electricity infrastructure
Matters requiring referral to: <ul style="list-style-type: none"> <li>• The <b>Chief executive of the holder of the licence</b>, if not an individual</li> <li>• The <b>holder of the licence</b>, if the holder of the licence is an individual</li> </ul> <input type="checkbox"/> Oil and gas infrastructure
Matters requiring referral to the <b>Brisbane City Council</b> : <input type="checkbox"/> Brisbane core port land
Matters requiring referral to the <b>Minister under the Transport Infrastructure Act 1994</b> : <input type="checkbox"/> Brisbane core port land (inconsistent with Brisbane port LUP for transport reasons) <input type="checkbox"/> Strategic port land
Matters requiring referral to the <b>relevant port operator</b> : <input type="checkbox"/> Land within Port of Brisbane's port limits (below high-water mark)
Matters requiring referral to the <b>Chief Executive of the relevant port authority</b> : <input type="checkbox"/> Land within limits of another port (below high-water mark)
Matters requiring referral to the <b>Gold Coast Waterways Authority</b> : <input type="checkbox"/> Tidal works, or work in a coastal management district in Gold Coast waters
Matters requiring referral to the <b>Queensland Fire and Emergency Service</b> : <input type="checkbox"/> Tidal works marina ( <i>more than six vessel berths</i> )

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

## PART 6 – INFORMATION REQUEST

<b>19) Information request under Part 3 of the DA Rules</b>
<input checked="" type="checkbox"/> <b>I agree to receive an information request if determined necessary for this development application</b>
<input type="checkbox"/> I do not agree to accept an information request for this development application
<p><b>Note:</b> By not agreeing to accept an information request I, the applicant, acknowledge:</p> <ul style="list-style-type: none"> <li>• 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</li> <li>• Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.</li> </ul> <p>Further advice about information requests is contained in the <u>DA Forms Guide</u>.</p>

## 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](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

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

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

### Hazardous chemical facilities

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

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

### **Clearing native vegetation**

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

☐ Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)

☒ **No**

**Note:** 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development.

2. See <https://www.qld.gov.au/environment/land/vegetation/applying> for further information on how to obtain a s22A determination.

### **Environmental offsets**

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

☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter

☒ **No**

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

### **Koala 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](http://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](http://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](http://www.daf.qld.gov.au) for further information.



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

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

- ☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development  
☒ **No**

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

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

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

- ☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development  
☒ **No**

**Note:** Contact the Department of Environment and Science at [www.des.qld.gov.au](http://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](http://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](http://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](http://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 <a href="#">DA Forms Guide: Planning Report Template</a>.</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 <a href="#">DA Forms Guide: Relevant plans</a>.</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
<input checked="" type="checkbox"/> <b>By making this development application, I declare that all information in this development application is true and correct</b> <input checked="" type="checkbox"/> <b>Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the <i>Electronic Transactions Act 2001</i></b> <i>Note: It is unlawful to intentionally provide false or misleading information.</i>
<b>Privacy</b> – 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 <i>Planning Act 2016</i> , Planning Regulation 2017 and the DA Rules except where: <ul style="list-style-type: none"> <li>• such disclosure is in accordance with the provisions about public access to documents contained in the <i>Planning Act 2016</i> and the Planning Regulation 2017, and the access rules made under the <i>Planning Act 2016</i> and Planning Regulation 2017; or</li> <li>• required by other legislation (including the <i>Right to Information Act 2009</i>); or</li> <li>• otherwise required by law.</li> </ul> This information may be stored in relevant databases. The information collected will be retained as required by the <i>Public Records Act 2002</i> .

## 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	
<i>Note: For completion by assessment manager if applicable</i>	
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	

Tanya Blake  
8 Debel Close  
Mareeba QLD 4880

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

Dear Sir

**RE: APPLICATION TO MAREEBA SHIRE COUNCIL FOR DEVELOPMENT PERMIT FOR  
RECONFIGURATION OF A LOT (ONE (1) LOT INTO TWO (2) LOTS) ON LAND DESCRIBED AS  
LOT 6 ON RP903630 AND LOCATED AT 8 DEBEL CLOSE, MAREEBA**

I, the undersigned, as the Applicant for the above described matter and the registered owner of Lot 6 on RP903630, consent to the lodgement of the attached Application and supporting documents prepared by Victor G Feros Town Planning Consultants.

Yours faithfully

Tanya D. Blake.  
TANYA D. BLAKE.

Signed on the 24<sup>th</sup> day of June 2019

# **TOWN PLANNING REPORT**

## **RECONFIGURATION OF A LOT (ONE (1) LOT INTO TWO (2) LOTS)**

**on land located at**

**8 DEBEL CLOSE, MAREEBA**

**on land described as**

**LOT 6 ON RP903630**

**on behalf of**

**Tanya D. Blake**

**VGf – C1149  
JUNE 2019**



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## TOWN PLANNING REPORT

TABLE OF CONTENTS	PAGE
<b>1.00 INTRODUCTION</b>	<b>1</b>
<b>2.00 THE SITE</b>	<b>2</b>
<b>3.00 SURROUNDING USES</b>	<b>3</b>
<b>4.00 PROPOSAL</b>	<b>4</b>
4.01 General	4
4.02 Lot Design Principles	4
4.03 Development Details	5
<b>5.00 TOWN PLANNING CONSIDERATIONS</b>	<b>8</b>
5.01 Mareeba Shire Council Planning Scheme (2016) Allocations	8
5.02 Applicable Codes	9
<b>6.00 SPECIFIC CODE RESPONSES</b>	<b>10</b>
6.01 Emerging Community Zone Code	10
6.02 Environmental Significance Overlay Code	14
6.03 Flood Hazard Overlay Code	15
6.04 Reconfiguring a Lot Code	16
6.05 State Vegetation Mapping	18
<b>7.00 AMENITY CONSIDERATIONS</b>	<b>18</b>
<b>8.00 CONCLUSIONS</b>	<b>19</b>
<b>9.00 RECOMMENDATIONS</b>	<b>20</b>

### **Amended 300PM 27/06/2019**

#### **FIGURES**

FIGURE 1	LOCATION
FIGURE 2	LOCALITY
FIGURE 3	SITE FEATURES
FIGURE 4	SURROUNDING LAND USES
FIGURE 5	STRATEGIC FRAMEWORK
FIGURE 6	ZONING
FIGURE 7	ENVIRONMENTAL SIGNIFICANCE OVERLAY
FIGURE 8	ENVIRONMENTAL SIGNIFICANCE – WATERWAYS OVERLAY
FIGURE 9	FLOOD HAZARD OVERLAY
FIGURE 10	FLOOD HAZARD OVERLAY COMPARISON



## **APPENDICES**

- APPENDIX A PRE-LODGE MENT ADVICE DATED 30 APRIL 2019**
- APPENDIX B SURVEY PLAN**
- APPENDIX C EASEMENT B**
- APPENDIX D WASTE WATER DISPOSAL**
- APPENDIX E PROPOSED LOT LAYOUT**
- APPENDIX F PROPOSED ACCESS STRIP PHOTOGRAPH**
- APPENDIX G RESPONSE TO CODES**
- APPENDIX H STATE VEGETATION MAPPING**

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### TOWN PLANNING REPORT

#### RECONFIGURATION OF A LOT APPLICATION (ONE (1) LOT INTO TWO (2) LOTS)

#### 8 DEBEL CLOSE, MAREEBA

---

#### 1.00 INTRODUCTION

We act on behalf of Tanya D. Blake, the landowner and applicant in relation to the proposal to subdivide an existing lot described as Lot 6 on RP903630 to create two (2) lots.

The applicant resides within one of the two existing dwellings located on the property.

This Report addresses the Application and the merits upon which the Mareeba Shire Council's ("Council") support for this Application is sought in terms of the Mareeba Shire Council Planning Scheme (2016 as amended).

The preparation of this Report has also had specific regard to the Pre-lodgement Advice (dated 30 April 2019) provided by Council and attached as **Appendix A**.

#### IN CONTINUOUS PRACTICE SINCE 1976

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GCSJ BA MUS FPIA CMILT LGTP(Q) CPP

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## 2.00 THE SITE

The subject site is located within a Rural Residential area located to the north of Mareeba and has access via McGrath Road adjoining eastern side of the Mulligan Highway.

The subject site is located at 8 Debel Close as shown in **Figure 1 – Location** and **Figure 2 – Locality**.

The subject site is described as Lot 6 on RP903630 and contains an area of 4,902m<sup>2</sup> and has a frontage of 31.955m to Debel Close.

A copy of the Survey Plan for the subject site is attached as **Appendix B – Survey Plan**.

The subject site contains the following existing features:-

- a) single storey five (5) bedroom dwelling, garage and outbuildings located adjacent to the Debel Close frontage of the subject site;
- b) single storey three (3) bedroom dwelling located in the central part of the subject site;
- c) single storey garage and laundry located at the rear of the subject site;
- d) extensive garden located within the eastern and lower part of the subject site;
- e) minor garden sheds located in the eastern section of the site.

The two (2) dwellings and associated outbuildings including single storey garages and laundry are located on the elevated western section of the site.

We have been advised by the proponent that all existing dwellings and associated outbuildings (excluding the garden sheds within the lower rear garden) have all relevant building approvals in place and that all existing structures (excluding the garden sheds within the lower rear garden) are lawful.

A drainage easement in favour of Council as shown by **Appendix C** is located along the north eastern boundary of the site and connects with another drainage easement on the adjoining lot described as Lot 5 on RP901433.

The general features of the site are shown in **Figure 3 - Site Features**.



### 3.00 SURROUNDING USES

The subject site is located within an established rural residential area located to the east of the Mulligan Highway located 2km to the north of the Mareeba town centre. Lot sizes within Debel Close range from 1,011m<sup>2</sup> to 6,412m<sup>2</sup>.

Further to the north and east is used for rural purposes.

To the south east and south, are rural residential lots accessed via Williams Close and Montagiani Close.

To the west and within Debel Close and nearby land with frontage to McGrath Road, includes four (4) lots with areas ranging from 1,011m<sup>2</sup> to 1,012m<sup>2</sup>.

To the west, across the Mulligan Highway are industrial uses.

To the south west, land described as Lots 10, 11 and 12 on SP168631 with frontage to Mulligan Highway and Williams Close, has a current approval for Tourist Park, Short-term Accommodation and Food and Drink Outlet, this development is currently under construction.

The location of the surrounding land uses are shown in **Figure 4 – Surrounding Land Uses**.



## **4.00 PROPOSAL**

### **4.01 General**

It is proposed to subdivide the subject site to create an additional residential lot to separate the existing two dwellings and outbuildings located on the subject site. This will allow two (2) dwellings and associated outbuildings to be located on separate lots under separate freehold title.

Proposed Lot 1 will contain the existing rear three (3) bedroom dwelling, swimming pool, garage and laundry and Proposed Lot 2 will contain the existing five (5) bedroom dwelling and outbuildings. Both dwellings are fully self contained.

Access to Proposed Lot 1 will be gained via an access strip located along the south western boundary of the subject site.

### **4.02 Lot Design Principles**

The following design principles have been adopted in relation to the proposed lot layout:-

- a) on-site clearing of existing mature vegetation is to be minimised;
- b) relocation of existing on-site infrastructure, including waste water disposal is to be avoided where possible;
- c) demolition or relocation of existing buildings or structure is to be avoided where possible; and
- d) suitable setbacks will be provided in accordance with the Queensland Development Code and Council requirements.



#### **4.03 Development Details**

##### **i) Proposed Lot 1**

Proposed Lot 1 is to contain the existing three (3) bedroom dwelling located in the southern part of the site, the in-ground pool, the garage and laundry and rear backyard located in the western part of the subject site and is to contain an area of 3,590m<sup>2</sup> (approx.).

Access is gained to Proposed Lot 1 via a 5.8m wide access strip with a length of approximately 40m extending along the western boundary of the subject site. Limited clearing of existing vegetation within the access strip may be required to establish the proposed sealed 3m wide driveway within the access strip.

##### **ii) Proposed Lot 2**

Proposed Lot 2, to contain the existing five (5) bedroom dwelling and adjacent outbuildings, and is to contain an area of 1,312m<sup>2</sup> (approx.).

Proposed Lot 2 is to have a frontage of 26.031m (approx.) to Debel Close and retain part of existing Easement B (for drainage purposes) on RP901433 located along the northern eastern boundary part of the subject site.

Access will be gained to Proposed Lot 2 via the existing frontage and driveway to Debel Close.

##### **iii) Proposed Lot Boundary and setbacks**

The proposed lot boundary between Proposed Lot 1 and Proposed Lot 2 has been determined on the basis of allowing sufficient setbacks to the existing five (5) bedroom dwelling and existing carport on Proposed Lot 2 adjoining the proposed access strip for Proposed Lot 1. Design consideration was also given to suitable setbacks to the existing waste water infrastructure and the existing inground pool to be located in Proposed Lot 1.



In this regard, the following proposed setbacks are noted:-

- a) to provide a setback of 0.5m between the carport adjoining the existing five (5) bedroom dwelling on Proposed Lot 2 and the access strip for Proposed Lot 1;
- b) to provide a setback of 6m between the existing five (5) bedroom dwelling on Proposed Lot 2 and the rear boundary of Proposed Lot 2;
- c) to provide a setback of 5.5m between the boundary with Proposed Lot 2 and the three (3) bedroom dwelling on Proposed Lot 1;
- d) other remaining setbacks will be retained.

#### **iv) Waste water disposal**

It is noted that as part of the proposal to subdivide the land it is necessary to demonstrate that the waste water disposal requirements for each proposed lot can be met and are fully contained within each proposed lot.

It is submitted that the existing trench areas and associated infrastructure maintain suitable setbacks from the proposed lot boundary.

The existing waste water disposal areas for each dwelling and setbacks are shown in **Appendix D – Waste Water Disposal**.

#### **v) Provision of urban services**

It is proposed to provide separate urban services including power, water and communications to Proposed Lot 1 and Lot 2. Services to Proposed Lot 1 are to be provided via the proposed access strip and services to Proposed Lot 2 will be provided via connections to services within Debel Close.

In particular, it is noted that the existing power connection to the dwelling on Proposed Lot 1 will be retained and a new connection will be provided to Proposed Lot 2.



**vi) Easement B on RP901433**

It is noted that the location of the proposed lot boundary will require the modification of the existing Easement B on RP901433 into two (2) separate easements to allow the purpose of the easement to continue. It is not proposed to remove this easement from the subject site and that the purpose of this easement for drainage will remain.

In this regard, the following advice provided in Council's Pre-lodgement Response is noted:-

*"Council officers have no objections to the separation of Easement B over the two proposed Lots."*

The modification to the easement can be undertaken as part of a suitably worded Condition.

The above described elements are shown by the proposed Lot Layout Plan is attached as **Appendix E - Proposed Lot Layout** and the photograph attached as **Appendix F – Proposed Access Strip**.



## 5.00 TOWN PLANNING CONSIDERATIONS

### 5.01 Mareeba Shire Council Planning Scheme (2016) Allocations

Within the provisions of the Mareeba Shire Council Planning Scheme (2016) the Town Planning designations relevant to the subject site are summarised by the following table:-

	Designation
<b>a) Strategic Framework</b>	<p>Land Use Category:</p> <ul style="list-style-type: none"> <li>Investigation Area</li> </ul> <p>Natural Environment Elements:</p> <ul style="list-style-type: none"> <li>Part of the eastern section of the site is included within the Biodiversity Areas designation</li> </ul> <p>(Refer to <b>Figure 5 - Strategic Framework</b>)</p>
<b>b) Zoning</b>	<p>Emerging Community</p> <p>(Refer to <b>Figure 6 - Zoning</b>)</p>
<b>c) Overlays</b>	<p>Environmental Significance Overlay:</p> <ul style="list-style-type: none"> <li>The eastern part of the site is included within the Regulated Vegetation designation</li> </ul> <p>(Refer to <b>Figure 7 – Environmental Significance Overlay</b>)</p> <p>Environmental Significance – Waterways Overlay:</p> <ul style="list-style-type: none"> <li>The eastern part of the site contains a mapped Waterway</li> <li>The subject site is included within the Waterway 100 metre Buffer allocation on the basis of the mapped waterway located within the eastern part of the site</li> </ul> <p>(Refer to <b>Figure 8 - Environmental Significance – Waterways Overlay</b>)</p>



	<p><b>Flood Hazard Overlay</b></p> <p>On the basis of the mapped waterway located within the eastern part of the site, the following allocations are relevant to the site:-</p> <ul style="list-style-type: none"> <li>• Extreme Flood Hazard</li> <li>• High Flood Hazard</li> <li>• Significant Flood Hazard</li> <li>• Low Flood Hazard</li> </ul> <p>(Refer to <b>Figure 9 - Flood Hazard Overlay</b>)</p>
	<p><b>Transport Infrastructure Overlay:</b></p> <ul style="list-style-type: none"> <li>• Minor Rural Road (Debel Close)</li> </ul>

## 5.02 Applicable Codes

It is submitted that the following Codes are applicable to the subject site and the proposal:-

### a) Zone Code

- Emerging Community Code

### b) Overlay Codes

- Environmental Significance Overlay
- Flood Hazard Overlay

### c) Development Codes

- Landscaping Code
- Reconfiguring a Lot Code
- Parking and Access Code
- Works, Services and Infrastructure Code

A detailed response to the Codes identified as being relevant to the subject site and the proposal is provided by the assessment attached as **Appendix G - Response to Codes** and the further specific responses included within **Section 6.00**.





## 6.00 SPECIFIC CODE RESPONSES

### 6.01 Emerging Community Zone Code

The stated purpose of Emerging Community Zone Code is to

*“provide for the sequenced release of land to meet community need and market demand for new urban development in designated urban growth areas.*

*Urban development may occur in the zone in accordance with an approved structure plan but the primary purpose of the zone and the code is to reserve land for future urban development, the majority of which is likely to occur beyond the life of the planning scheme.*

*Urban growth areas are identified within the towns of Kuranda and Mareeba. These areas are subject to Local plan codes which include further provisions.”*

It is submitted that the proposal represents appropriate current urban development of the land within the context of the surrounding residential uses. The following statement from the Council Pre-lodgement Response is considered relevant in this regard:-

*“The proposed development is infill development only in an existing built up urban area. The proposed 1 into 2 lot subdivision is not likely to compromise the future development potential of the immediate surrounding land. For this reason, it is considered that the development does not conflict with the overall purposes of the Emerging Communities zone.*

*As discussed in your request for pre-lodgement advice, although the proposed development may not comply with some Acceptable Outcomes contained within the development codes, in all cases it can be demonstrated that compliance with the higher order Performance Outcomes can be achieved.*

*For this reason, Council Officers are likely to recommend approval for the proposed development, subject to reasonable and relevant conditions.”*



Comments in response to the overall outcomes of the Code and the Performance Outcomes of the Code are provided below:-

### **Overall Outcomes**

*“(a) Land that has the potential for development for urban purposes although may contain pockets of land unsuitable for development due to scenic or environmental constraints is preserved until detailed planning studies have occurred;”*

### **Comment**

It is submitted that the proposed lot layout has been designed to ensure that there sufficient suitable land available for the existing dwellings and associated outbuildings for both proposed lots within the elevated section of the subject site. It is noted that part of Proposed Lot 1 and all of Proposed Lot 2 used for residential purposes is located within the elevated section of the subject site. It is further noted that the rear lower area of Proposed Lot 1 contains land within the Extreme Flood Hazard, High Flood Hazard, Significant Flood Hazard allocations of the Flood Hazard Overlay. This area is unsuitable for further development.

*“(b) Interim development does not compromise the future development potential of the land for urban purposes;”*

### **Comment**

Given the size, layout and constraints of the subject site, it is submitted that the proposal will achieve the future development potential of the subject site for urban purposes.

*“(c) Development of land is based upon the provision of infrastructure, consideration of environmental constraints and desired settlement pattern for the area;”*

### **Comment**

It is submitted that suitable infrastructure can be provided to the proposal via existing connections within Debel Close and that the proposed lot layout responds to environmental constraints, namely the allocations identified in the Environmental Significance Overlay and the Flood Hazard Overlay and represents the best outcome for urban development on the subject site within the context of the surrounding land uses.



- “(d) Development is supported by necessary transport infrastructure which is designed to provide and promote safe and efficient public transport use, walking and cycling;”*

**Comment**

It is submitted that the existing transport infrastructure contains sufficient capacity to support the proposal to create one (1) additional lot within Debel Close.

- “(e) Development is supported by an internal road network and does not compromise the safety or efficiency of State-controlled or Local government collector roads;”*

**Comment**

It is submitted that the proposal to create an additional one (1) lot with frontage to Debel Close will not compromise the safety or efficiency of the existing surrounding State-controlled or Local government collector roads.

- “(f) Land is developed in an orderly sequence and, for all but minor proposals, in accordance with a structure planning process;”*

**Comment**

It is submitted that the proposal to create an additional one (1) lot is a “minor proposal” and does not compromise the orderly development of the Emerging Community Zone and does not require the preparation of a structure plan.

- “(g) Land is developed in a sustainable manner to reflect the desired land use pattern of the local government area by integrating development sites, community infrastructure, open space and important natural features;”*

**Comment**

It is submitted that the proposed lot layout is consistent with the desired land use pattern of the land given the environmental constraints identified by the Environmental Significance Overlay and the Flood Hazard Overlay.



- “(h) Non-residential development may be supported where such uses directly support the day to day needs of the immediate residential community or the precinct is identified for non-residential uses and is planned for as part of a structure plan;”*

**Comment**

The proposal does not include non-residential development.

- “(i) Significant historical, architectural, topographic, landscape, scenic, social, recreational and cultural features, as well as natural habitat areas, wildlife corridors, wetlands and waterway corridors are protected and enhanced as part of the development of the zone; and”*

**Comment**

The proposed lot layout responds to the existing natural features by retaining the existing waterway allocation within the rear of Proposed Lot 1. It is noted that the existing dwellings are not located within this waterway allocation.

- “(j) Roads and other transport corridors are coordinated and interconnected to ensure pedestrian, cyclists, public transport and private vehicles have accessibility between neighbourhoods, centres and other locations.”*

**Comment**

It is not proposed to create any new roads or other transport corridors. The proposed lots will utilise the existing frontage to Debel Close providing access to surrounding neighbourhoods, centres and other locations.

It is submitted that the proposal complies or is capable of showing compliance with the intent of the Emerging Community Zone Code.



## 6.02 Environmental Significance Overlay Code

It is noted that the part of the subject site along the eastern boundary contains land within the Regulated Vegetation allocation of the Environmental Significance Overlay as shown by **Figure 7**. It is noted that the existing dwellings are not located within this allocation and that Proposed Lot 1 will contain this entire allocation. It is noted that no vegetation clearing is proposed within this area as part of this application.

It is also noted that the subject site contains a “waterway” allocation along the eastern boundary in a north to south orientation as shown by **Figure 8**. It is submitted that the subject site does not contain a watercourse as mapped in the Overlay. In this regard, the following advice in Council’s Pre-lodgement Response is noted:-

*“Council officers have no issues with the presence of the low order seasonal waterway which does not run through the centre of the site (as shown on Council’s mapping) but instead runs adjacent the eastern boundary of the lot. Both dwellings on the site have been deemed to achieve immunity from a 100 ARI flood event (refer to building classification documents for the rear dwelling which should be obtainable from the landowner).”*

As a consequence of the watercourse allocation the subject site is also located within the Waterway 100m Buffer allocation. It is reiterated that the existing dwellings and associated outbuildings (excluding garden sheds) are located on the elevated section of the subject site and that no new buildings or structures are proposed as part of this application.

The number of lots containing the Waterway allocation and the Regulated Vegetation allocation will not increase as they are both allocations are contained within Proposed Lot 1.

It is submitted that the proposal achieves the purpose of the Environmental Significance Overlay Code to protect existing biodiversity areas and waterways from unsuitable development.



### 6.03 Flood Hazard Overlay Code

The following observations are made in relation to the relevant designations identified for the subject site:-

- a) the eastern part of the subject site is identified as containing Extreme Flood Hazard Designation with an approximate area of 1,304m<sup>2</sup> or 26% of the subject site;
- b) a narrow strip adjoining the western length of the Extreme Flood Hazard Designation identified in a) above, includes High Flood Hazard and Significant Flood Hazard Designations;
- c) the remaining part of the subject site, containing approximately 3,598m<sup>2</sup> or 73% includes the two (2) existing dwellings, is identified as containing the Low Flood Hazard Designation;

These designations are shown by **Figure 9 – Flood Hazard Overlay, Figure 10 – Flood Hazard Overlay Comparison and Appendix E - Proposed Lot Layout Plan.**

The following comments in relation to the Flood Hazard Overlay Code are relevant to the consideration of establishing an additional lot effected by the Flood Hazard Overlay Mapping:-

- a) the existing approved dwellings and associated outbuildings (other than existing garden sheds) are excluded from the Extreme Flood Hazard Area, High Flood Hazard Area, Significant Flood Hazard Area Designations as identified by the Flood Hazard Overlay Mapping;
- b) no new buildings are proposed as part of this application;
- c) no additional lots are proposed within the Extreme Flood Hazard Area, High Flood Hazard Area, Significant Flood Hazard Area Designations as identified by the Flood Hazard Overlay Mapping;
- d) the elevated sections of the proposed lots containing the existing approved dwellings outbuildings are located within the Low Flood Hazard Designation;

It is submitted that the proposal achieves the purpose of the Flood Hazard Overlay Code to minimise “risk life, property, community and the environment during flood events” and “to ensure that development does not increase the potential for flood damage on site or to other properties”.



#### 6.04 Reconfiguring a Lot Code

It is noted that within the Reconfiguring a Lot Code the minimum lot size within the Emerging Communities Zone is 10 hectares. The subject site has a total lot size of 4,902m<sup>2</sup> and that Proposed Lot 1 has an area of 3,590m<sup>2</sup> and Proposed Lot 2 has an area of 1,312m<sup>2</sup>.

It is significant to note for this proposal that Debel Close and nearby McGrath Road contain existing lots with areas ranging from 1,011m<sup>2</sup> to 6,412m<sup>2</sup>. Specific reference is made to Lots 4 and 5 on SP222308 which each have an area of 1,011m<sup>2</sup> and Lots 1 and 2 on RP719276 which each contain an area of 1,012m<sup>2</sup> shown in **Figure 4 – Surrounding Land Uses**. It is submitted that the proposed Lot sizes are consistent within the context of Debel Close and McGrath Road. In addition, the lot sizes represent the full subdivision potential of the land and that the proposed lot boundaries can provide the existing dwellings with suitable access and services.

It is further noted that as part of Council's Pre-lodgement Response dated 30 April 2019 that the following advice was provided:-

*"Council has no objections to the proposed lot layout or proposed lot sizes. Setbacks between new property boundaries and existing structures should comply with the Queensland Development Codes."*

Given that it is proposed to establish a "rear lot", the following comment are made in relation to the relevant Performance Outcomes and Acceptable Outcomes of the Reconfiguring a Lot Code:-

Performance Outcomes	Acceptable Outcomes
For accepted development subject to requirements and assessable development	
<b>Rear lots</b>	
<b>PO8</b> Rear lots are designed to: <ul style="list-style-type: none"> <li>(a) provide a high standard of amenity for residents and other users of the site;</li> <li>(b) provide a high standard of amenity for adjoining properties; and</li> <li>(c) not adversely affect the safety and efficiency of the road from which access is gained.</li> </ul>	<b>AO8.1</b> Rear lots are designed to facilitate development that adjoins or overlooks a park or open space.
	<b>AO8.2</b> No more than two rear lots are created behind any lot with a road frontage.
	<b>AO8.3</b> Access to lots is via an access strip with a minimum width of: <ul style="list-style-type: none"> <li>(a) 4 metres where in the Low density residential zone or Medium density residential zone; or</li> <li>(b) 8 metres otherwise.</li> </ul>
	<b>AO8.4</b> 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.
	<b>AO8.5</b> No more than 1 in 10 lots created in a new subdivision are rear lots.
	<b>AO8.6</b> Rear lots are not created in the Centre zone or the Industry zone.

#### **Response to AO8.1**

It is noted that the existing three (3) bedroom dwelling on Proposed Lot 1 is orientated towards the rear of the site containing substantial on-site gardens and has a suitable separation from the existing five (5) bedroom dwelling on Proposed Lot 2.

#### **Response to AO8.2**

It is proposed to create one (1) rear lot as part of this application. There is no potential to create a further rear lot.

#### **Response AO8.3 – AO8.4**

On the basis that the subject site is within the Emerging Community Zone it is noted that the Acceptable Outcome identifies a minimum width for an access strip of 8 metres.

It is submitted that given the residential nature of the subject site and the adjoining and adjacent lots within Debel Close and McGrath Road, it is suitable to allow a reduction in the width of the access strip to be consistent with the urban residential zones that allow a minimum width of 4 metres.

It is noted that as part of the Request for Pre-lodgement Advice that an access strip with a width of 4m metres was original noted. On further consideration, including verbal advice provided to the proponent by Council Officers, the need to avoid the demolition of any existing buildings or structures and to minimise the clearing of existing mature screening vegetation it is submitted that an access strip width of 5.8m is suitable in this instance. It is further submitted that an access strip width of 5.8m will allow the establishment of a 3m wide driveway and will allow the existing structures and buildings, in particular the existing carport on Proposed Lot 2, to be retained with a minimum setback of 0.5m.

The access strip is shown in **Appendix E – Lot Layout Plan** and **Appendix F – Proposed Access Strip**.





It is submitted that the proposal complies or is capable of showing compliance with the intent of the Reconfiguration of a Lot Code.

#### **6.05 State Vegetation Mapping**

The Regulated Vegetation Management Mapping has included part of subject site adjacent to the eastern property boundary within the Category R Area (Reef Regrowth Watercourse Vegetation) designation.

A copy of the relevant mapping is attached as **Appendix H**.

Notwithstanding that part of the site is included within this designation, referral of an Application to the Department of State Development Manufacturing Infrastructure and Planning for Reconfiguration of a Lot is not required as the land is less than 5ha in area. Accordingly, matters in relation to vegetation are determined by Council.

### **7.00 AMENITY CONSIDERATIONS**

It is considered that the proposal will have minimal impact on the amenity of the surrounding area given that:-

- a) the proposed lots are consistent in terms of size and general configuration to other existing lots in the surrounding area;
- b) the proposal is limited to creating suitable lots to contain the existing approved residential uses on the subject site; and
- c) the proposed subdivision complies or is capable of showing compliance with the relevant Planning Scheme Codes.



## 8.00 CONCLUSIONS

The following conclusions are drawn in relation to the proposal:-

- a) the subject site is located at 8 Debel Close, Mareeba;
- b) the site is described as Lot 6 on RP903630;
- c) Lot 6 contains an area of 4,902m<sup>2</sup> and has a frontage of 31.955m to Debel Close;
- d) the site is located within an existing rural residential area and presently contains two dwelling houses and associated outbuildings;
- e) it is proposed to subdivide Lot 6 into two (2) lots to create Proposed Lot 1 containing an area of 3,590m<sup>2</sup> and Proposed Lot 2 containing an area of 1,312m<sup>2</sup>. This will require the modification to existing Easement B on RP901433 (for drainage purposes) due to the location of the proposed boundary;
- f) the creation of two (2) lots will enable the existing self-contained two dwellings and associated outbuildings to be contained within each proposed lot;
- g) the site is included within the Emerging Community Zone;
- h) the reconfiguration of a lot application to create Proposed Lot 1 and 2 within the Emerging Community Zone is Impact Assessable Development;
- i) the proposal to create Lots 1 and 2 either complies or can show compliance with the intent of the relevant codes having regard to the constraints imposed by the site and appropriate conditions of approval applied to the reconfiguration of a lot; and
- j) the proposal to create Proposed Lots 1 and 2 is consistent with the land uses in the general vicinity, allows for full development potential of the land to be achieved and will have minimal impact on the amenity of the surrounding area.



## **9.00 RECOMMENDATIONS**

Having regard to the above facts, considerations and circumstances addressed in this Report for the subject site described as Lot 6 on RP903630 and located at 8 Debel Close, Mareeba for a Reconfiguration of a Lot (One (1) Lot into Two (2) Lots), is supportable in Town Planning related terms and is supported.

Council's favourable consideration of this Application is commended.

**Victor G Feros Town Planning Consultants**  
**June 2019**

# FIGURES



# RECONFIGURATION OF A LOT

TANYA D. BLAKE

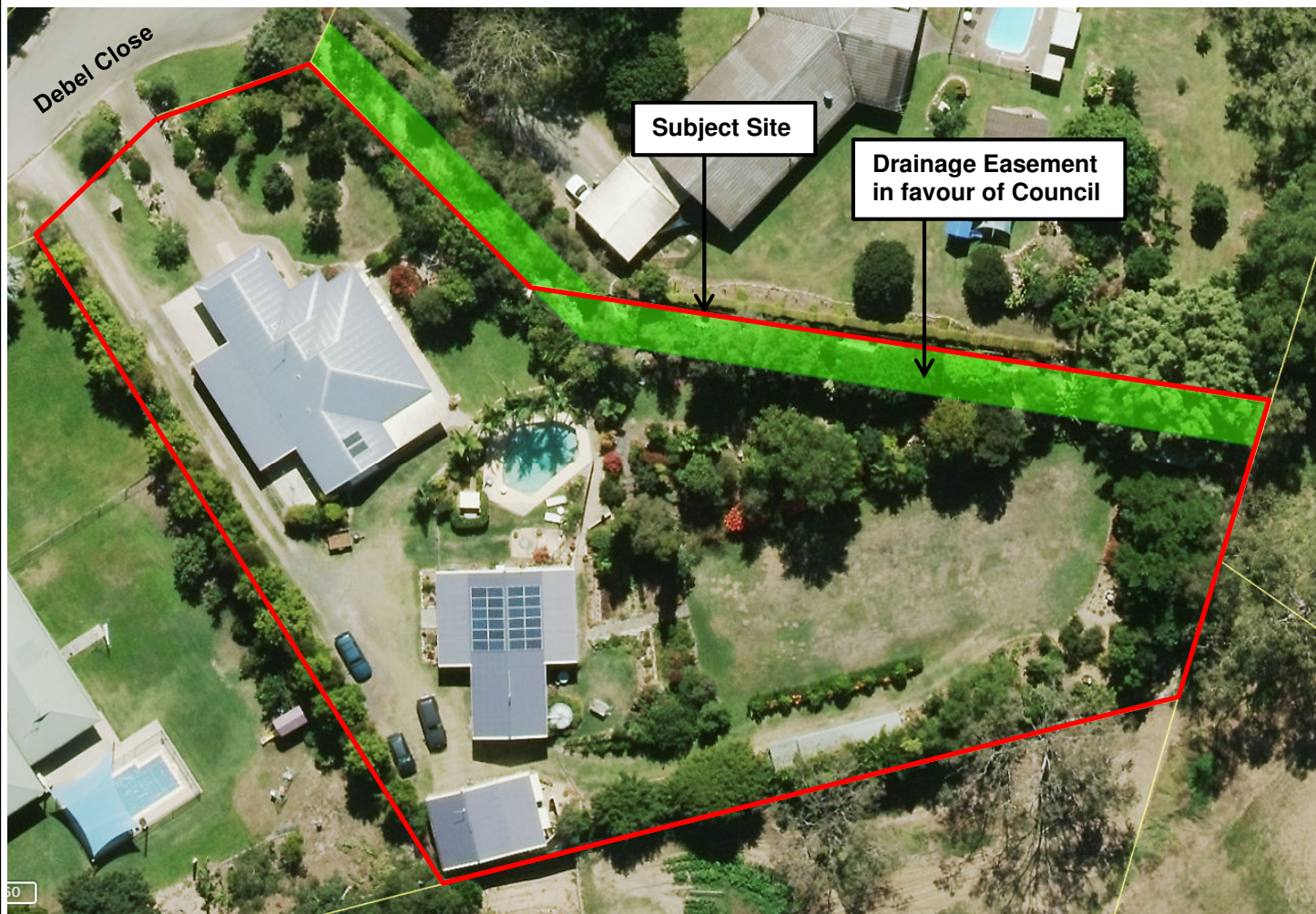
8 DEBEL CLOSE, MAREEBA

LOCATION

FIGURE 1 JUNE 2019 ✓







RECONFIGURATION OF A LOT

TANYA D. BLAKE

8 DEBEL CLOSE, MAREEBA

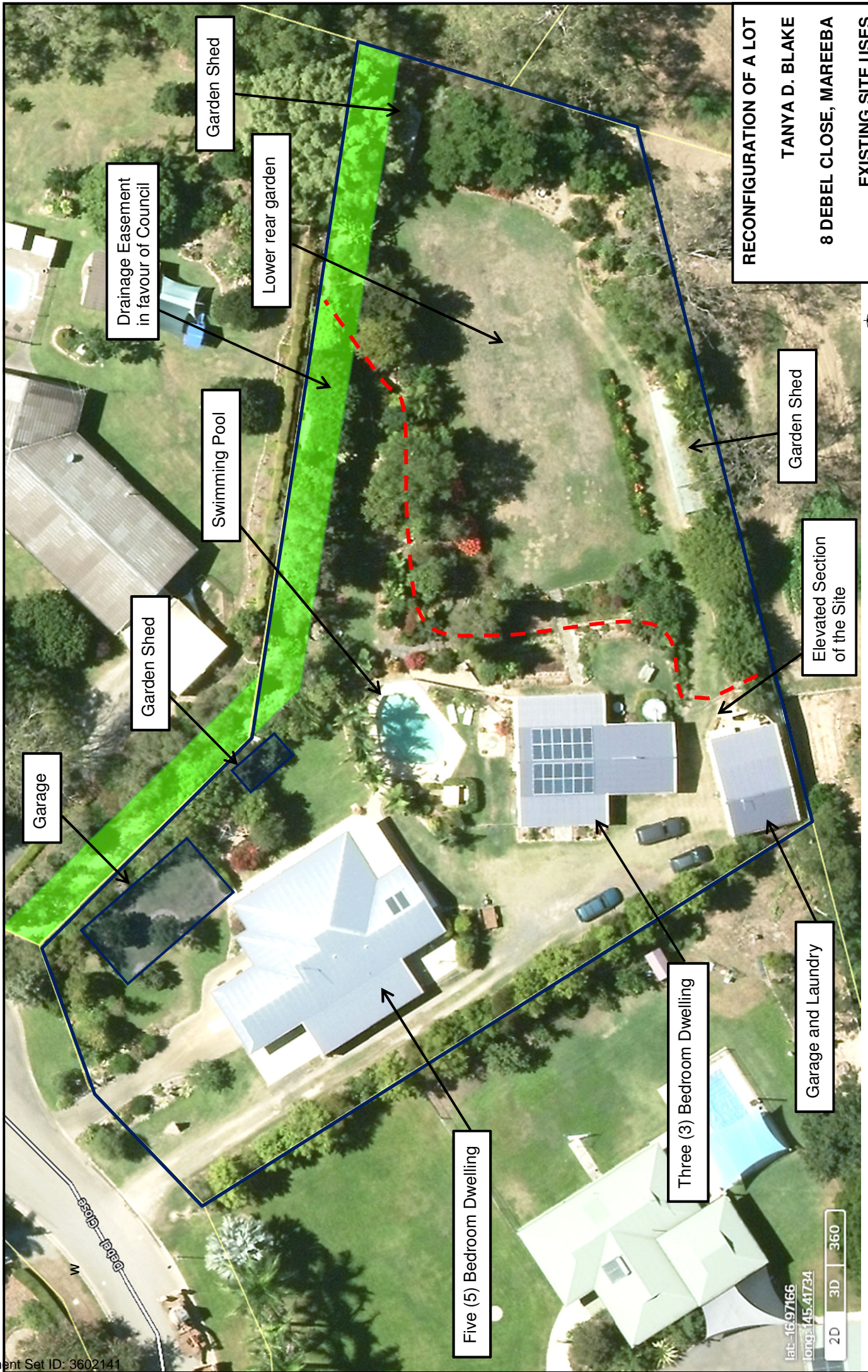
LOCALITY

FIGURE 2

JUNE 2019 ✓







RECONFIGURATION OF A LOT

TANYA D. BLAKE

8 DEBEL CLOSE, MAREEBA

EXISTING SITE USES

FIGURE 3 JUNE 2019

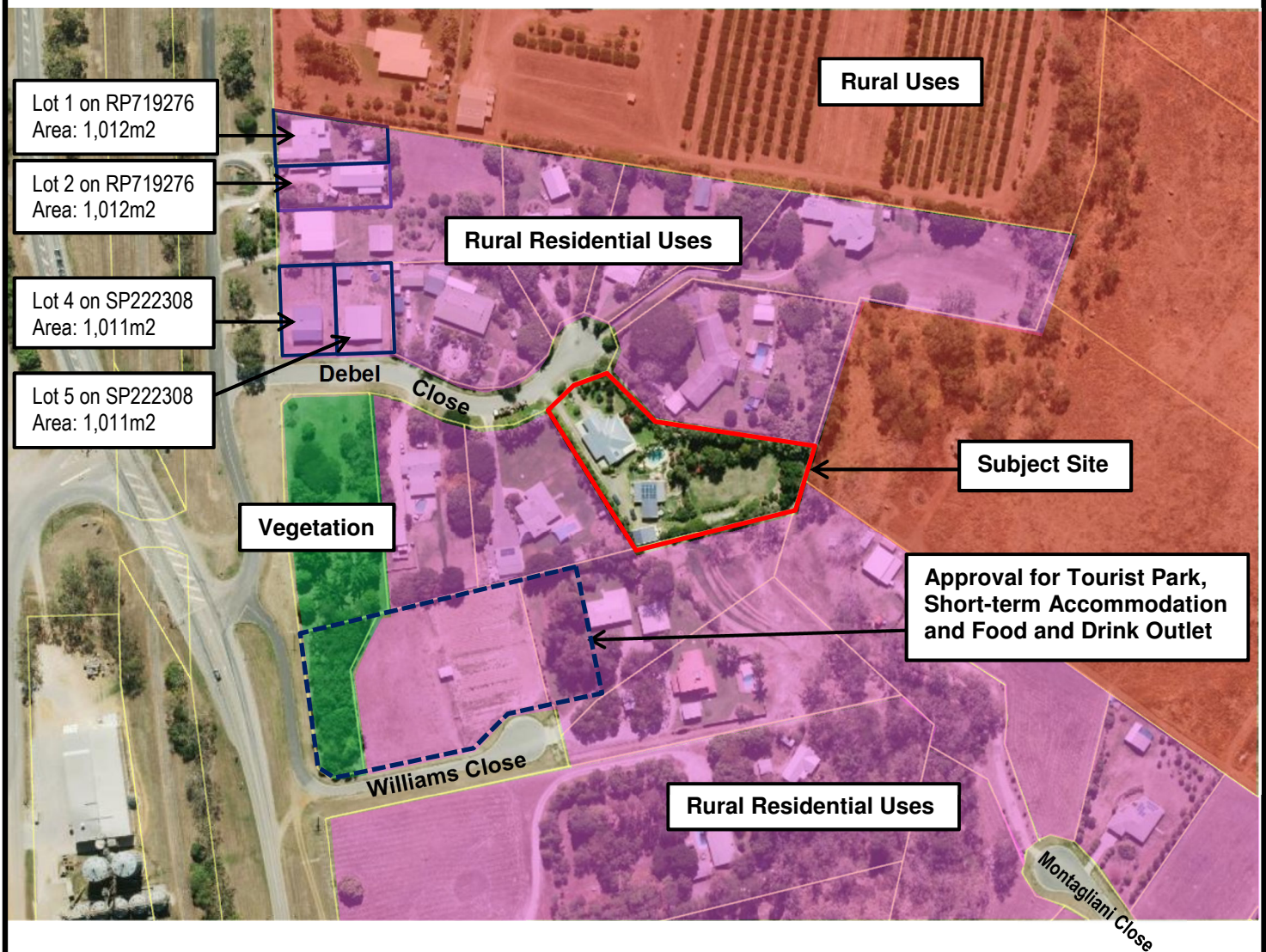


lat: -16.97166

long: 145.41734

2D 3D 360





## RECONFIGURATION OF A LOT

TANYA D. BLAKE

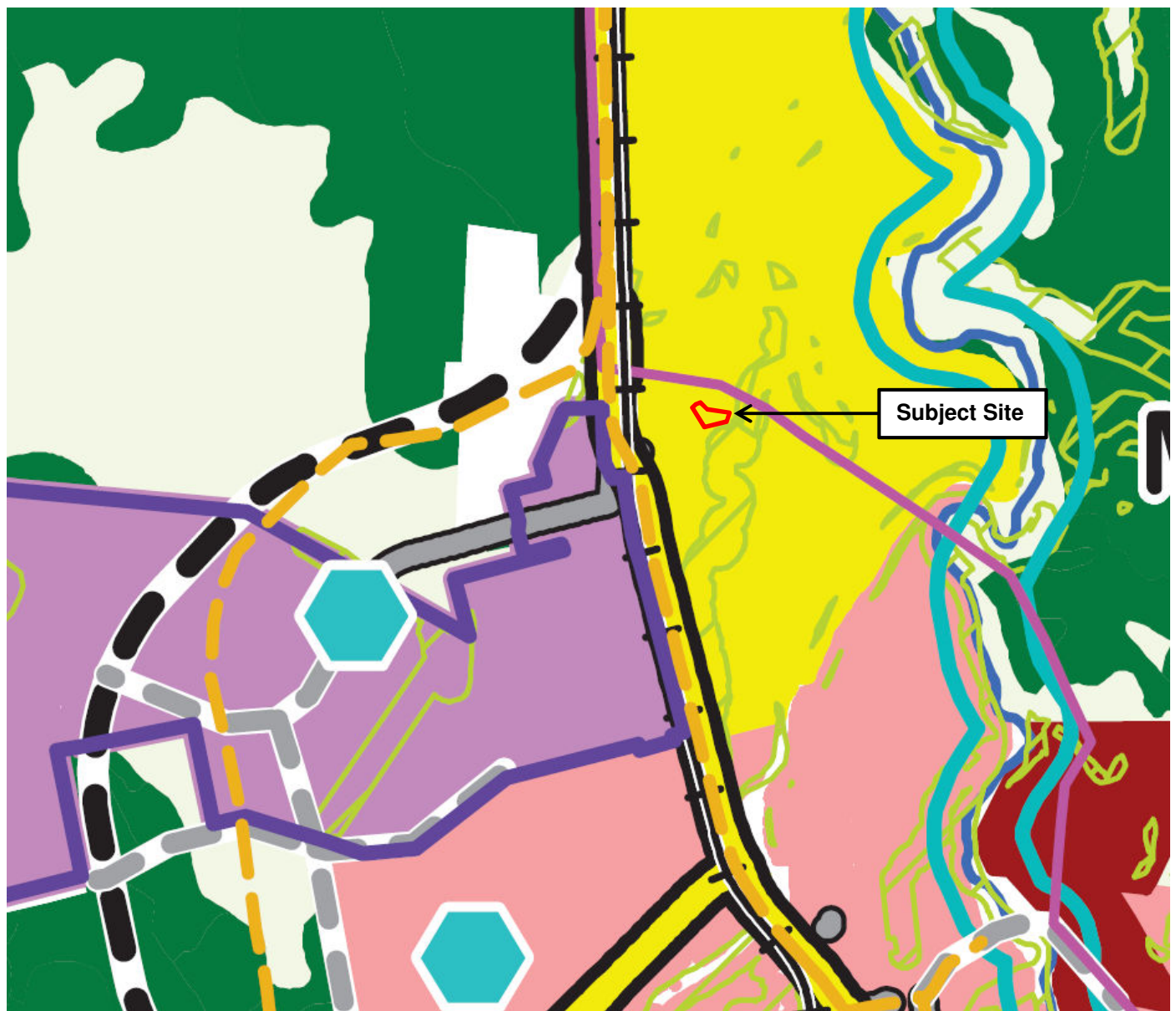
8 DEBEL CLOSE, MAREEBA

SURROUNDING LAND USES

FIGURE 4 JUNE 2019







## LEGEND

### Land Use Categories

- Residential Area
- Urban Expansion Area
- Centre Area
- Industry Area
- Major Industry Area
- Investigation Area
- Rural Residential Area
- Conservation Area
- Rural Area
- Rural Agricultural Area
- Rural Other

### Community Identity Elements

- Energy Generation
- Enterprise and Employment
- Iconic Landscape Feature
- Tourism

### Natural Environment Elements

- Biodiversity Areas (includes Regulated Vegetation, Species Habitat, State Conservation and Wetlands)
- Ecological Corridor
- Habitat Linkage

### Natural Resource Elements

- Key Resource Area
- Mining Claim
- Mining Lease
- Mineral Development License

### Infrastructure Elements

- Major Electrical Infrastructure

### Transport Elements

- Aviation Facility
- State Controlled Road
- Local Collector Road
- B-double Route
- Future State Controlled Road
- Future Local Connection Road
- Scenic Route
- Principal Cycle Routes
- Railway Network

### Other Elements

- Major Waterbody
- Major Watercourse
- Mareeba Shire Council Boundary

## RECONFIGURATION OF A LOT

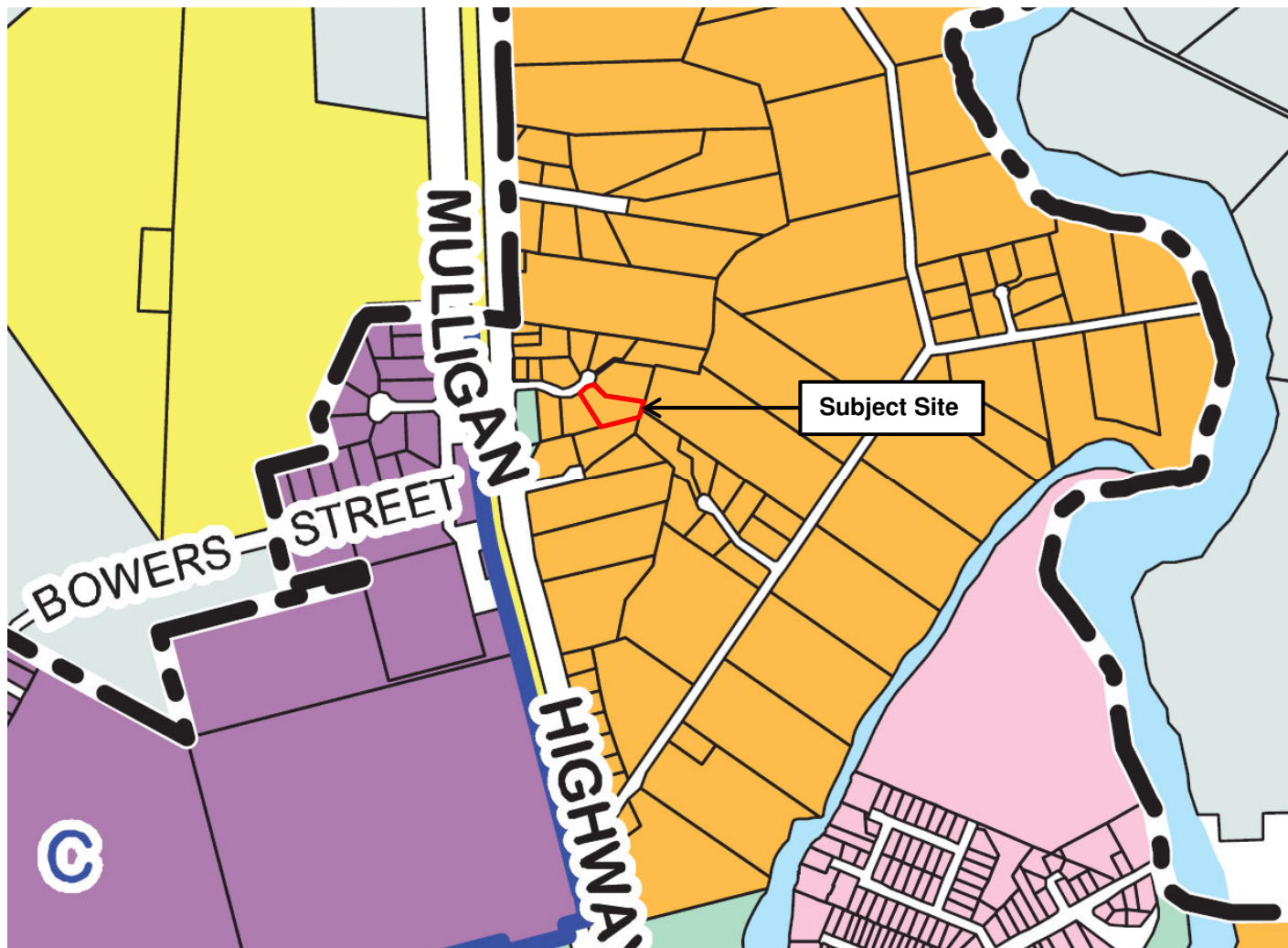
TANYA D. BLAKE

8 DEBEL CLOSE, MAREEBA

MAREEBA SHIRE PLANNING  
SCHEME (2016) –  
STRATEGIC FRAMEWORK

FIGURE 5 JUNE 2019





# LEGEND

## Zones

- Centre
- Community Facilities
- Conservation
- Emerging Community
- Industry
  - A Trades and Services Precinct
  - B General Industry Precinct
  - C Heavy Industry Precinct
- Low Density Residential
- Medium Density Residential
- Recreation and Open Space
- Rural
- Rural Residential
- A 4,000 Square Metre Precinct
- B 1 Hectare Precinct
- C 2 Hectare Precinct

## Other Elements

- Cadastre
- Local Plan Boundary
- Mareeba Shire Council Boundary
- Watercourse

## RECONFIGURATION OF A LOT

TANYA D. BLAKE

8 DEBEL CLOSE, MAREEBA

MAREEBA SHIRE PLANNING  
SCHEME (2016) - ZONING

FIGURE 6 JUNE 2019








## LEGEND

-  Ecological Corridor
-  Habitat Linkage

## Matters of State Environmental Significance

-  Protected Area
-  Wildlife Habitat
-  Regulated Vegetation<sup>(1)</sup>
-  High Ecological Significance Wetlands
-  High Ecological Significance Wetlands 200 metre Buffer
-  Legally Secured Offset Areas

## Other Elements

-  Cadastre
-  Mareeba Shire Council Boundary
-  Watercourse<sup>(2)</sup>



## RECONFIGURATION OF A LOT

TANYA D. BLAKE

8 DEBEL CLOSE, MAREEBA

## MAREEBA SHIRE PLANNING SCHEME (2016) – ENVIRONMENTAL SIGNIFICANCE OVERLAY

FIGURE 7 JUNE 2019



(1) 'Regulated Vegetation Intersecting a Watercourse' is identified spatially on 'Environmental Significance - Waterways' Overlay Maps OM004p to OM004z.

(2) Waterways and Waterway Buffers are identified spatially on 'Environmental Significance - Waterways' Overlay Maps OM004p to OM004z.





## LEGEND

### Matters of State Environmental Significance<sup>(1)</sup>

- Waterway<sup>(2)</sup>
- Waterway 100 metre Buffer

### Other Elements

- Cadastre
- Mareeba Shire Council Boundary

(1) Refer to 'Environmental Significance' Overlay Maps OM004a to OM004o for all other Matters of Environmental Significance.

(2) 'Regulated Vegetation Intersecting a Watercourse' is captured within the 'Waterway' and 'Waterway 100 metre Buffer' elements identified spatially on 'Environmental Significance - Waterways' Overlay Maps OM004p to OM004z.



## RECONFIGURATION OF A LOT

TANYA D. BLAKE

8 DEBEL CLOSE, MAREEBA

## MAREEBA SHIRE PLANNING SCHEME (2016) – ENVIRONMENTAL SIGNIFICANCE OVERLAY

FIGURE 8 JUNE 2019





## LEGEND

### Modelled Flood Hazard Levels<sup>(1)</sup>

1% AEP Defined Flood Event (DFE):

- Extreme Flood Hazard
- High Flood Hazard
- Significant Flood Hazard
- Low Flood Hazard
- General Extent of Modelled Flood Hazard Levels

### Queensland Floodplain Assessment Overlay Mapping<sup>(2)</sup>

Potential Flood Hazard Area

### Other

- Cadastre
- Watercourse

(1) The Modelled Flood Hazard Levels are sourced from the Queensland Reconstruction Authority - Flood Hazard Mapping - Mareeba, Kuranda, Bibbohra, Bilwon and Koah, 12 April 2013 which models the predicted flood impact of the Defined Flood Event (DFE).

(2) In areas outside the limits of the specific flood modelling undertaken in (1) above Flood Hazard Areas are sourced from the State Wide Queensland Floodplain Overlay mapping. These maps have been derived from various state-wide datasets and the result is a spatial extent of where flooding has previously or has the potential to occur. **These maps are not based on any flood model and do not represent a particular flood event.**



## RECONFIGURATION OF A LOT

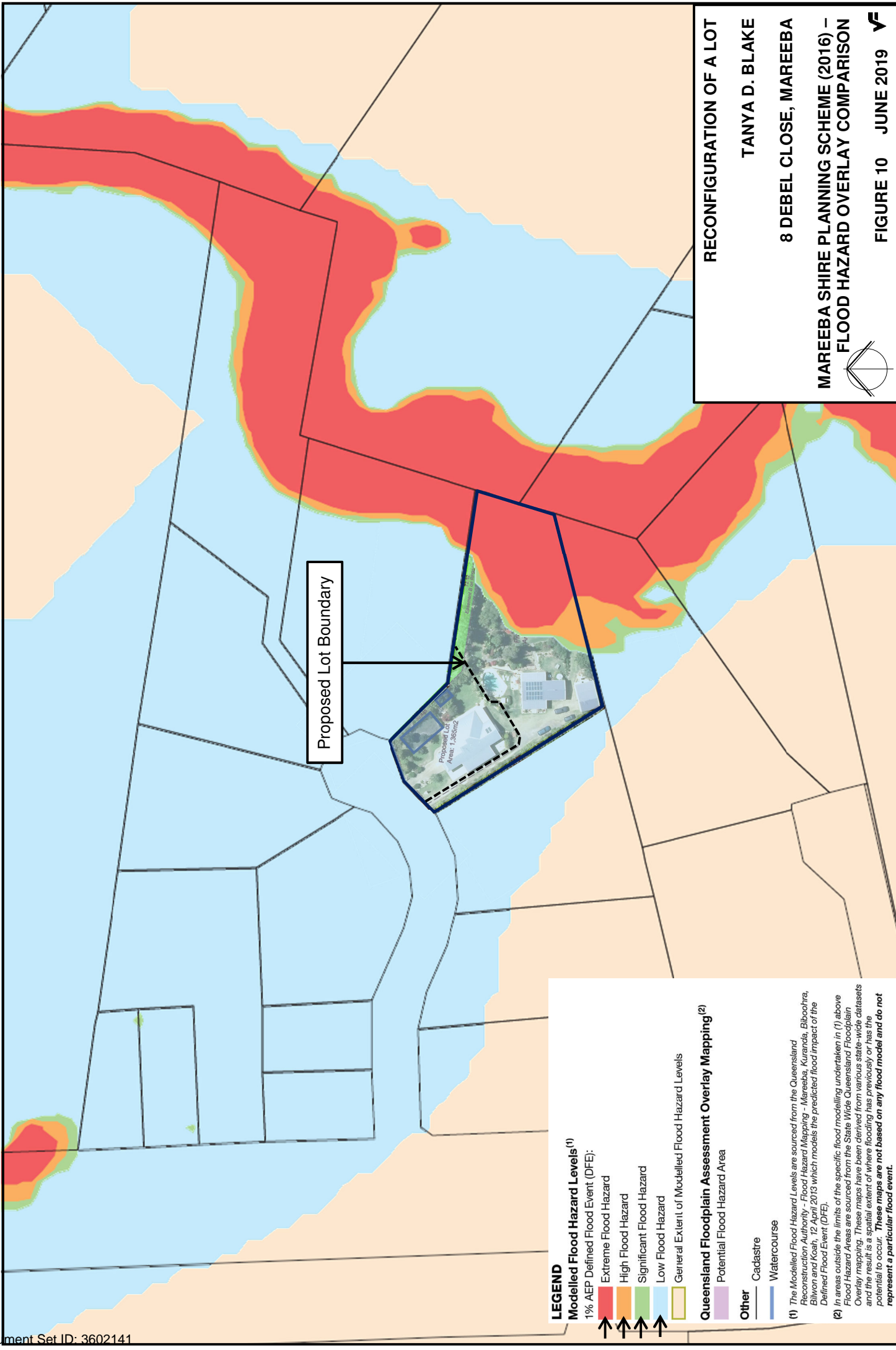
TANYA D. BLAKE

8 DEBEL CLOSE, MAREEBA

MAREEBA SHIRE PLANNING SCHEME (2016) –  
FLOOD HAZARD OVERLAY

FIGURE 9 JUNE 2019





**RECONFIGURATION OF A LOT**

**TANYA D. BLAKE**

**8 DEBEL CLOSE, MAREEBA**

**MAREEBA SHIRE PLANNING SCHEME (2016) – FLOOD HAZARD OVERLAY COMPARISON**

**FIGURE 10 JUNE 2019**

<sup>(1)</sup> The Modelled Flood Hazard Levels are sourced from the Queensland Reconstruction Authority - Flood Hazard Mapping - Mareeba, Kuranda, Bibbohra, Bilvon and Koah, 12 April 2013 which models the predicted flood impact of the Defined Flood Event (DFE).

<sup>(2)</sup> In areas outside the limits of the specific flood modelling undertaken in (1) above Flood Hazard Areas are sourced from the State Wide Queensland Floodplain Overlay mapping. These maps have been derived from various state-wide datasets and the result is a spatial extent of where flooding has previously or has the potential to occur. **These maps are not based on any flood model and do not represent a particular flood event.**

# APPENDIX A

30 April 2019

Council Ref: Preenq/19/0003

Our Ref: BM:CE:nj

Your Ref: VGF-C1140

## PRE-LODGE MENT ADVICE

**TO:** Tanya Blake  
C/- Victor G Feros Town Planning Consultants  
PO Box 1256  
CAIRNS QLD 4870

**EMAIL ADDRESS:** [cairns@ferosplanning.com.au](mailto:cairns@ferosplanning.com.au)

**PROPOSED DEVELOPMENT:** Reconfiguring a Lot - Subdivision (1 into 2 Lots)

**SUBJECT SITE:** Lot 6 on RP903630  
Situated at 8 Debel Close, Mareeba  
Area of 4,902m<sup>2</sup>

**MEETING DATE:** n/a

**MEETING LOCATION:** n/a

**ATTENDEES:** n/a

**PLANNING SCHEME:** Mareeba Shire Council Planning Scheme 2016

---

### PROPOSAL:

Extract from Victor G Feros Town Planning Report for Pre-Lodgement Enquiry dated April 2019:

*"It is proposed to subdivide the subject site to create an additional residential lot to separate the existing two dwellings and outbuildings located on the subject site. This will allow two (2) dwellings to be located on separate lots under separate freehold title."*



*Proposed Lot 1 will contain the existing main four (4) bedroom dwelling and outbuildings and Proposed Lot 2 will contain the existing rear two (2) bedroom secondary dwelling, swimming pool, garage and laundry. Both dwellings are fully self-contained.*

*Access to Proposed Lot 2 will be gained via an access strip located along the south western boundary of the subject site."*

#### TYPE OF APPLICATION REQUIRED:

Application for a development permit for Reconfiguring a Lot - Subdivision (1 into 2 Lots) (Impact Assessment).

*If the reconfiguring a lot application is approved, the following related applications/approvals may also be required:*

- *Access approval arising from the conditions of approval.*

#### SUPPORTING INFORMATION PROVIDED BY APPLICANT:

- **Attachment 1** - Town Planning Report for Pre-Lodgement for and on behalf of Tanya Blake.

#### RELEVANT SITE HISTORY:

There are no relevant town planning approvals over the subject site. The two dwellings on the subject site are considered to be lawfully established.

#### APPLICABLE PLANNING INSTRUMENTS, APPLICATION PROCESS AND FEES:

FNQ2031 Regional Plan:	Appropriately reflected with the Mareeba Shire Council Planning Scheme 2016
Relevant State Planning Policies:	Appropriately reflected with the Mareeba Shire Council Planning Scheme 2016
Planning Scheme:	Mareeba Shire Council Planning Scheme 2016 <a href="https://msc.qld.gov.au/building-planning/planning/">https://msc.qld.gov.au/building-planning/planning/</a>
Strategic Framework:	<b>Investigation Area</b> <b>Natural Environment Elements - Biodiversity Areas</b>
Zone:	Emergency Communities zone
Applicable Overlays:	<b>Environmental significance overlay</b> - Eastern portion of the site mapped as containing Regulated Vegetation. <b>Environmental significance waterway overlay</b> - Subject site is mapped as containing a waterway and being situated within the waterway 100m buffer. Stream Order data held by Council indicates a Stream Order of 1. <b>Flood hazard overlay</b> - Subject site mapped as being situated within the low, significant, high and extreme flood hazard areas. <b>Transport infrastructure overlay</b> - Minor Rural Road (Debel Close).

Other Relevant Mapping:	State Assessment and Referral Agency mapping <a href="https://planning.dsdmip.qld.gov.au/">https://planning.dsdmip.qld.gov.au/</a>
Applicable Planning Scheme Policies:	Policy 4 - FNQROC Regional Development Manual
Level of Assessment:	<p>An aspect of the proposed development will require <b>Impact Assessment</b>.</p> <p>The impact assessable aspects will be assessed against all relevant provisions of the Mareeba Shire Council Planning Scheme 2016. Impact assessable development will be assessed against the whole Planning Scheme including the Strategic Framework, the purpose and requirements for the particular zone and all Codes as deemed relevant to the proposal. Where Codes are applicable for impact assessment, the acceptable outcomes provide one means for achieving the Performance Outcome. While there may be other ways of complying with the Performance Outcome and still meeting the Code's purpose, it is up to the applicant to demonstrate that any alternative solution is appropriate. Impact assessable applications will also require public notification in accordance with the provisions of the Planning Act 2016.</p>
Applicable Planning Scheme Codes:	<p>Emerging Communities Zone Code</p> <p>Environmental Significance Overlay Code</p> <p>Flood Hazard Overlay Code</p> <p>Reconfiguring a Lot Code</p> <p>Works, Services and Infrastructure Code</p>
Minimum Public Notification Period:	15 business days
Referral Agencies:	<p><b>Nil</b></p> <p>The above is provided as preliminary advice only, it is the Applicant's responsibility to ensure that the correct referral agencies are identified upon lodgement of the development application.</p>
Probable infrastructure (additional payment) condition:	<p>In accordance with Section 130 of the <i>Planning Act 2016</i>, an additional payment condition may be imposed on the proposed development for trunk infrastructure for 1 additional lot only (water, parks and transport infrastructure networks only).</p> <p>The payment required under this condition is expected to be <b>\$13,755.00</b>.</p>
Application Forms	<p>DA Form 1</p> <p>Application forms and general information about the planning application system can be downloaded from the Department of State Development, Manufacturing, Infrastructure and Planning's website: <a href="https://planning.dsdmip.qld.gov.au/planning/resources?query=DA%20form">https://planning.dsdmip.qld.gov.au/planning/resources?query=DA%20form</a></p>



Council application fee: (2018/2019 financial year):	\$1,015.00
--	------------

#### ISSUES IDENTIFIED BY THE APPLICANT FOR DISCUSSION:

The following general and specific responses are sought from Council in relation to the proposed development of the site:

- a) *Council support for creation of an additional lot on the subject site described as Lot 6 on RP903630 and located at 8 Debel Close, Mareeba;*

##### Advice

The subject site is situated within the Emerging Communities zone. The purpose of the Emerging Communities zone is to:

- (a) *identify land that is suitable for urban purposes and protect land that may be suitable for urban development in the future;*
- (b) *manage the timely conversion of non-urban land to urban purposes; and*
- (c) *prevent or discourage development that is likely to compromise appropriate longer term land use.*

The proposed development is infill development only in an existing built up urban area. The proposed 1 into 2 lot subdivision is not likely to compromise the future development potential of the immediate surrounding land. For this reason, it is considered that the development does not conflict with the overall purposes of the Emerging Communities zone.

As discussed in your request for pre-lodgement advice, although the proposed development may not comply with some Acceptable Outcomes contained within the development codes, in all cases it can be demonstrated that compliance with the higher order Performance Outcomes can be achieved.

For this reason, Council officers are likely to recommend approval for the proposed development, subject to reasonable and relevant conditions.

- b) *Council support for the proposed lot layout shown by **Appendix C - proposed Lot Layout** and the proposed access strip shown by **Appendix D - Access Strip** having regard to the relevant site considerations including proposed lot sizes, building setbacks, existing waste water disposal area and property boundaries and in particular the waterway and flood hazard area overlays.*

##### Advice

Council has no objections to the proposed lot layout or proposed lot sizes. Setbacks between new property boundaries and existing structures should comply with the Queensland Development Codes.

Each dwelling on either lot will need to be serviced by a separate wastewater disposal system which will need to be entirely contained on the lot that it services. Likewise, all other service arrangements will need to be separate.

Council officers have no issues with the presence of the low order seasonal waterway which does not run through the centre of the site (as shown on Council's mapping) but instead runs adjacent the eastern boundary of the lot. Both dwellings on the site have been deemed to achieve immunity from a 100 ARI flood event (refer to building reclassification documents for the rear dwelling which should be obtainable from the landowner).

- c) *Council has no objection to the separation of Easement B as shown by **Appendix C - Proposed Lot Layout**;*

Advice

Council officers have no objections to the separation of Easement B over the two proposed Lots.

- d) *The standard of construction required for the vehicle access within the proposed access drive for Proposed Lot 2.*

Advice

A condition will be attached to any approval requiring the construction of a minimum 3-metre-wide access driveway for the full length of the access handle servicing Proposed Lot 2. The access driveway will need to be constructed of either concrete or asphalt (not bitumen) and must include one-way crossfall so that all stormwater is discharged within the access handle and not into any adjoining lot.

- (e) *External works (if any) applicable to the proposed subdivision.*

Advice

It is unlikely that any external works will be required as part of any approval.

- (f) *Infrastructure charges applicable to the creation of the additional lot.*

Advice

In accordance with Section 130 of the *Planning Act 2016*, an additional payment condition may be imposed on the proposed development for trunk infrastructure for 1 additional lot only (water, parks and transport infrastructure networks only).

The payment required under this condition is expected to be **\$13,755.00**. This amount is likely to increase slightly on 1 July 2019 and any subsequent start to a financial year.

- (g) *The specific codes Council will require to be addressed as part of any supporting information included within an application to be lodged with Council.*

Advice

The specific codes to be addressed as part of an application are as follows:

- Emerging Communities Zone Code
- Environmental Significance Overlay Code
- Flood Hazard Overlay Code
- Reconfiguring a Lot Code

- Works, Services and Infrastructure Code

Should you require any further information, please contact Council's **Planning Officer, Carl Ewin** on the above telephone number.

Yours faithfully



**BRIAN MILLARD**  
**SENIOR PLANNER**

**DISCLAIMER:**

*This advice and information is provided on a 'without prejudice' basis. The pre-lodgement advice provided during and subsequent to pre-lodgement meetings should NOT be taken as a commitment as to whether an application would be approved with conditions or refused by council. The pre-lodgement process cannot override council's duty of care and legislative responsibilities in the assessment of development applications, including the consideration of matters raised by possible submitters and referral agencies during the detailed assessment process.*

*The proponent should seek their own independent professional advice on this pre-lodgement advice.*

**ATTACHMENT 1**

**TOWN PLANNING REPORT FOR  
PRE-LODGE MENT ENQUIRY**

for and on behalf of

**TANYA BLAKE**

**RECONFIGURATION OF A LOT (1 LOT INTO 2 LOTS)**

on land described as

**LOT 6 ON RP903630**

situated at

**8 DEBEL CLOSE, MAREEBA**

**VG F – C1149  
APRIL 2019**

**Victor G Feros Town Planning Consultants**



195 Domech Terrace  
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Highgate Hill Brisbane 4101  
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Telephone 07 3644 2602  
Facsimile 07 3646 1840  
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127 Abbott Street  
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Queensland Australia  
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calmesferosplanning.com.au

TOWN PLANNING REPORT FOR PRE-LODGE MENT ENQUIRY  
8 DEBEL CLOSE, MAREEBA

VICTOR G FEROS  
TOWN PLANNING CONSULTANTS



## TOWN PLANNING REPORT FOR PRE-LODGE MENT ENQUIRY

### TABLE OF CONTENTS

### PAGE

1.00 INTRODUCTION	1
2.00 THE SITE	2
3.00 SURROUNDING USES	3
4.00 RELEVANT DOCUMENTS	3
5.00 PROPOSED DEVELOPMENT	4
5.01 General	4
5.02 Lot Design Principles	4
5.03 Development Details	5
6.00 TOWN PLANNING CONSIDERATIONS	7
6.01 Town Planning Considerations	7
6.02 Level of Assessment	8
6.03 Applicable Codes	8
7.00 TOWN PLANNING CONSIDERATIONS	19

Amended 18/4/2019 (415pm)

### FIGURES

FIGURE 1	LOCATION
FIGURE 2	LOCALITY
FIGURE 3	SITE FEATURES
FIGURE 4	SURROUNDING LAND USES
FIGURE 5	STRATEGIC FRAMEWORK
FIGURE 6	ZONING
FIGURE 7	ENVIRONMENTAL SIGNIFICANCE OVERLAY
FIGURE 8	ENVIRONMENTAL SIGNIFICANCE – WATERWAYS OVERLAY
FIGURE 9	FLOOD HAZARD OVERLAY

### APPENDICES

APPENDIX A	SURVEY PLAN
APPENDIX B	DRAINAGE PLAN
APPENDIX C	PROPOSED LOT LAYOUT
APPENDIX D	PROPOSED ACCESS STRIP

**Victor G Feros Town Planning Consultants**

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Queensland Australia  
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Facsimile 07 4031 2238  
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**TOWN PLANNING REPORT FOR PRE-LODGE MENT ENQUIRY**

**LOT 3 ON SP903630**

**8 DEBEL CLOSE, MAREEBA**

**1.00 INTRODUCTION**

We act on behalf of Tanya Blake, the land owner, in relation to the proposal to subdivide the subject site described as Lot 3 on SP903630 and located at 8 Debel Close, Mareeba.

The location of the subject site is shown in **Figure 1 – Location** and **Figure 2 – Locality**.

The purpose of this Pre-lodgement Enquiry is to:-

- a) describe the features of the site and the proposed reconfiguration;
- b) define the specific matters requiring Council consideration within the context of the Mareeba Shire Council Planning Scheme (2016); and
- c) gain a written response from Council on the suitability of the proposed lot layout and other specific and likely development requirements.

The written responses provided by Council will be used to inform the decision by the land owner to undertake further action to proceed with the preparation of a Town Planning Application to subdivide the land.

**IN CONTINUOUS PRACTICE SINCE 1976**

Principal  
**Victor G Feros**  
QCSP BA MAUS IPA CMILT LUTPPL CPP

Adjunct Professor  
School of Geography, Planning  
and Environmental Management  
University of Queensland

UG Bicentennial Fellowship Award 1976

Administrative Director  
**Marion C Feros**  
B Plan MA MPS ASA AFAP

Associate & Office Manager, Cairns  
**Nick Hardy**  
BMP Plan MPALUTPPL

Senior Consultant Planner  
**Ken Todd**  
BMP Plan MPALUTPPL

**Victor G Feros**  
Town Planning  
Consultant Pty Ltd  
ABN 51 030 417 302

[www.ferosplanning.com.au](http://www.ferosplanning.com.au)





## 2.00 THE SITE

The subject site is described as Lot 6 on RP903630 and contains an area of 4,902m<sup>2</sup>. The site has a frontage of 31.955m to Debel Close.

A copy the Survey Plan for the subject site is attached as **Appendix A – Survey Plan**.

The subject site contains the following existing features:-

- a) single storey four (4) bedroom main dwelling, garage and outbuildings located adjacent to the Debel Close frontage of the subject site;
- b) single storey two (2) bedroom secondary dwelling located in the central part of the subject site;
- c) single storey garage and laundry located at the rear of the subject site;
- d) extensive garden located within the eastern and lower part of the subject site;
- e) minor garden sheds located in the eastern section of the site.

The two (2) dwellings and single storey garage and laundry are located on the elevated western section of the site.

We have been advised by the proponent that all existing dwellings and associated outbuildings (excluding the garden sheds within the lower rear garden) have all relevant building approvals in place and that all existing structures (excluding the garden sheds within the lower rear garden) are lawful.

A drainage easement in favour of Council is located along the north eastern boundary of the site and connects with another drainage easement on the adjoining lot.

The general features of the site are shown in **Figure 3 - Site Features**.



### 3.00 SURROUNDING USES

The subject site is located within an established rural residential area located to the east of the Mulligan Highway located 2km to the north of the Mareeba town centre. Lot sizes within Debel Close range from 1,011m<sup>2</sup> to 6,412m<sup>2</sup>.

Further to the north and east is rural land.

To the south east and south, are rural residential lots accessed via Williams Close and Montagiani Close.

To the west, within Debel Close and nearby land with frontage to the McGrath Road, includes four (4) lots with areas ranging from 1,011m<sup>2</sup> to 1,012m<sup>2</sup>.

To the west, across the Mulligan Highway are industrial uses.

To the south west, land described as Lots 10, 11 and 12 on SP168631 with frontage to Mulligan Highway and Williams Close, has a current approval for Tourist Park, Short-term Accommodation and Food and Drink Outlet, that is currently under construction.

The location of the surrounding land uses are shown in **Figure 4 – Surrounding Land Uses**.

### 4.00 RELEVANT DOCUMENTS

As part of the investigations undertaken for the preparation of this Pre-lodgement Enquiry, the following documents have been identified as being relevant to the subject site and the proposed reconfiguration of a lot:-

- a) Mareeba Shire Council Planning Scheme (2016) and in particular the Reconfiguration of a Lot Code, the Environmental Significance Code and the Flood Hazard Overlay Code; and
- b) Queensland Development Code and in particular the requirements for building setbacks.



## **5.00 PROPOSED DEVELOPMENT**

### **5.01 General**

It is proposed to subdivide the subject site to create an additional residential lot to separate the existing two dwellings and outbuildings located on the subject site. This will allow two (2) dwellings to be located on separate lots under separate freehold title.

Proposed Lot 1 will contain the existing main four (4) bedroom dwelling and outbuildings and Proposed Lot 2 will contain the existing rear two (2) bedroom secondary dwelling, swimming pool, garage and laundry. Both dwellings are fully self contained.

Access to Proposed Lot 2 will be gained via an access strip located along the south western boundary of the subject site.

### **5.02 Lot Design Principles**

The following design principles have been adopted in relation to the proposed lot layout:-

- a) on-site clearing of existing mature vegetation is to be minimised;
- b) relocation of existing on-site infrastructure, including waste water disposal is to be avoided where possible;
- c) demolition of existing buildings or structure is to be avoided where possible; and
- d) suitable setbacks will be provided in accordance with the Queensland Development Code.



### 5.03 Development Details

#### i) Proposed Lot 1

Proposed Lot 1, to contain the existing four (4) bedroom dwelling and adjacent outbuildings, and is to contain an area of 1,365m<sup>2</sup> (approx.).

Proposed Lot 1 is to have a frontage of 27.359m to Debel Close and retain part of existing Easement B (for drainage purposes) on RP901433 located along the northern eastern boundary part of the subject site.

Access will be gained to Proposed Lot via the existing frontage and driveway to Debel Close.

#### ii) Proposed Lot 2

Proposed Lot 2 is to contain the existing two (2) bedroom secondary dwelling located in the southern part of the site, the in-ground pool, the garage and laundry and rear backyard located in the western part of the subject site and is to contain an area of 3,537m<sup>2</sup> (approx.).

Access is gained to Proposed Lot 2 via a 4.5m wide access strip with a length of approximately 40m extending along the western boundary of the subject site. Selected clearing of existing vegetation within the access strip will be required to establish the proposed driveway.

#### iii) Proposed Lot Boundary and setbacks

The proposed lot boundary between Proposed Lot 1 and Proposed Lot 2 has been determined on the basis of allowing sufficient setbacks to the existing four (4) bedroom dwelling and existing carport on Proposed Lot 1 adjoining the proposed access strip for Proposed Lot 2. Design consideration was also given to suitable setbacks to the existing waste water infrastructure and the existing inground pool to be located on Proposed Lot 2. In this regard, the following proposed setbacks are noted:-

- a) to provide a setback of 1.5m between the existing main dwelling on Proposed Lot 1 and the access strip for Proposed Lot 2;
- b) to provide a setback of 6m between the existing main dwelling on Proposed Lot 1 and the rear boundary of Proposed Lot 1;

TOWN PLANNING REPORT FOR PRE-LODGE MENT ENQUIRY  
8 DEBEL CLOSE, MAREEBA

VICTOR G FEROS  
TOWN PLANNING CONSULTANTS



c) to provide a setback of 5.5m between the boundary with Proposed Lot 1 and the secondary dwelling on Proposed Lot 2;

d) other remaining setbacks will be retained.

iv) Waste water disposal

It is noted that as part of the proposal to subdivide the land it is necessary to demonstrate that the waste water disposal requirements for each proposed lot can be met and are fully contained within each proposed lot.

It is submitted that the existing trench areas and associated infrastructure maintain suitable setbacks from the proposed lot boundary.

The existing waste water disposal areas for each dwelling and setbacks are shown in **Appendix B – Waste Water Disposal**.

v) Provision of urban services to proposed Lot 2

It is proposed to provide separate urban services including power, water and communications to Proposed Lot 2 via the proposed access strip located along the western boundary of the subject site.

vi) Easement B on RP901433

It is noted that the location of the proposed lot boundary will require the modification of the existing Easement B on RP901433 into two (2) separate easements to allow the purpose of the easement to continue. It is not proposed to remove this easement from the subject site and the purpose of this easement for drainage will remain.

These elements are shown by the proposed Lot Layout Plan is attached as **Appendix C - Proposed Lot Layout** and the photograph attached as **Appendix D – Proposed Access Strip**.



## 6.00 TOWN PLANNING CONSIDERATIONS

### 6.01 Town Planning Considerations

Within the provisions of the Mareeba Shire Council Planning Scheme (2016) the Town Planning designations relevant to the subject site are summarised by the following table:-

	Designation
a) Strategic Framework	<p>Land Use Category:</p> <ul style="list-style-type: none"><li>Investigation Area</li></ul> <p>Natural Environment Elements:</p> <ul style="list-style-type: none"><li>Part of the eastern section of the site is included within the Biodiversity Areas designation</li></ul> <p>(Refer to <b>Figure 5 - Strategic Framework</b>)</p>
b) Zoning	<p>Emerging Community</p> <p>(Refer to <b>Figure 6 - Zoning</b>)</p>
c) Overlays	<p>Environmental Significance Overlay:</p> <ul style="list-style-type: none"><li>The eastern part of the site is included within the Regulated Vegetation designation</li></ul> <p>(Refer to <b>Figure 7 – Environmental Significance Overlay</b>)</p>
	<p>Environmental Significance – Waterways Overlay:</p> <ul style="list-style-type: none"><li>Waterway</li><li>Waterway 100 metre Buffer</li></ul> <p>(Refer to <b>Figure 8 - Environmental Significance – Waterways Overlay</b>)</p>
	<p>Flood Hazard Overlay</p> <ul style="list-style-type: none"><li>Extreme Flood Hazard</li><li>High Flood Hazard</li><li>Significant Flood Hazard</li></ul>

7

TOWN PLANNING REPORT FOR PRE-LODGEEMENT ENQUIRY  
6 DEBEL CLOSE, MAREEBA

VICTOR G FEROS  
TOWN PLANNING CONSULTANTS



	<ul style="list-style-type: none"><li>• Low Flood Hazard</li><li>• General Extent of Modelled Flood Hazard Levels</li></ul> <p>(Refer to <b>Figure 9 - Flood Hazard Overlay</b>)</p>
	<p>Transport Infrastructure Overlay:</p> <ul style="list-style-type: none"><li>• Minor Rural Road (Debel Close)</li></ul>

#### 6.02 Level of Assessment

The proposed Reconfiguration of a Lot (one (1) into two (2) lots) is Impact Assessable Development within the Emerging Community Zone. This requires the lodgement of a Town Planning Application assessed against all provisions of the Mareeba Shire Planning Scheme and requires Public Notification.

#### 6.03 Applicable Codes

It is submitted that the following Codes have relevance to the subject site and the proposed use:-

- a) Emerging Community Zone Code;
- b) Environmental Significance Overlay Code;
- c) Flood Hazard Overlay Code; and
- d) Reconfiguring a Lot Code.



Review of the stated purpose of the Codes indicates that the Environmental Significance Overlay Code and the Flood Hazard Overlay have particular reference to the subject site and the proposed subdivision and as shown by **Figure 7 - Environmental Significance Overlay, Figure 8 - Environmental Significance – Waterways Overlay, Figure 9 - Flood Hazard Overlay, Figure 10 – Flood Hazard Overlay Comparison.**

In this regard, the following mapping allocations are relevant:-

a) Environmental Significance Overlay Map

i) Regulated Vegetation

This allocation is located within the eastern part of the subject site. It is submitted that no clearing is proposed within this area as part of the Reconfiguration of a Lot application.

b) Environmental Significance – Waterways Overlay Plan

i) Waterway

The Overlay includes a mapped Waterway within the eastern part of the subject site.

This waterway is identified as a Category 1 Waterway within the Coastal Bioregion of Module 8.

It is noted that the location of the waterway is indicative and does not align with the position of the unnamed creek or the modelled levels identified in the Flood Hazard Overlay Plan.

ii) Waterway 100m Buffer

The entire site including the existing dwellings and outbuildings are located within the 100m Buffer.

It is noted that the existing dwellings are to be retained and no other building work is proposed.

The existing dwellings are located above known flood levels.





c) Flood Hazard Overlay Plan

The following observations are made in relation to the relevant designations identified for the subject site:-

- a) the eastern part of the subject site is identified as containing Extreme Flood Hazard with an approximate area of 1,304m<sup>2</sup> or 31% of the subject site;
- b) a narrow strip adjoining the western length of the Extreme Flood Hazard designation identified in a) above, includes High Flood Hazard and Significant Flood Hazard designations;
- c) the remaining parts of the subject site, including the two (2) existing dwellings are identified as containing Low Flood Hazard;

The following Performance Outcomes and associated Acceptable Outcomes for Flood Hazard Overlay Code are relevant to the consideration of establishing an additional lot within the Waterway Buffer allocation.

Comments in response to the Performance and Acceptable Outcomes are provided below:-

Performance Outcomes	Acceptable Outcomes
For accepted development subject to requirements and assessable development	
<b>Extreme flood hazard area</b>	
<b>PO3</b> Development, where involving a Material change of use within an 'Extreme flood hazard area' on the <b>Flood hazard overlay maps (OM006a-o)</b> , is appropriate to the flood hazard risk having regard to the: <ul style="list-style-type: none"> <li>(a) likelihood and frequency of flooding;</li> <li>(b) flood risk acceptability of development;</li> <li>(c) vulnerability of and safety risk to persons associated with the use;</li> <li>(d) associated consequences of flooding in regard to impacts on proposed buildings, structures, and supporting infrastructure; and</li> </ul> associated consequences of flooding in respect to undue burden on disaster response recovery capacity and capabilities.	<b>AO3.1</b> Uses within the following activity groups are not located within an 'Extreme flood hazard area identified' on the <b>Flood hazard overlay maps (OM006a-o)</b> : <ul style="list-style-type: none"> <li>(a) Accommodation activities;</li> <li>(b) Commercial activities;</li> <li>(c) Community activities except where for a Club with a maximum gross floor area of 100m<sup>2</sup>;</li> <li>(d) Industrial activities;</li> </ul> Rural activities, except where for Animal husbandry, Cropping, or Permanent plantation.

**Response to AO3.1**

The existing dwellings and outbuildings (other than existing garden sheds) are not located with the Extreme Flood Hazard Area as shown by **Figure 10 – Flood Hazard Overlay Comparison**.



Performance Outcomes	Acceptable Outcomes
For accepted development subject to requirements and assessable development	
<b>Extreme flood hazard area</b>	
<b>PO4</b> Development is located and designed to: (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.  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 AO4.1-AO4.4 is also demonstrated.  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: i. gross floor area; or the number of dwellings or bedrooms on the premises.	<b>AO4.1</b> Buildings, including extensions to existing buildings, are: (a) not located within an 'Extreme flood hazard area' identified on the <b>Flood hazard overlay maps (OM006a-o)</b> ; 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.  <b>AO4.2</b> All building work must be high set and retains the flood storage and conveyance capacity of the premises.  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.  <b>AO4.3</b> New buildings are provided with flood free pedestrian and vehicle evacuation access between the building and a flood safe accessible road.  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 <b>Flood hazard overlay maps (OM006a-o)</b> .  <b>AO4.4</b> Development does not increase the number of lots in the 'Extreme flood hazard area' identified on the <b>Flood hazard overlay maps (OM006a-o)</b> except where for the purposes of public open space.

#### Response to AO4.1 – AO4.3

No new building are proposed as part of this Reconfiguration of a Lot and no existing buildings (other than existing garden sheds) are located within the Extreme Flood Hazard Area as shown by **Figure 10 – Flood Hazard Overlay Comparison**.

#### Response to AO4.4

The proposed Lot Layout does not create any additional lots within the Extreme Flood Hazard Area as shown by **Figure 10 – Flood Hazard Overlay Comparison**.





Performance Outcomes	Acceptable Outcomes
For accepted development subject to requirements and assessable development	
<b>High flood hazard area</b>	
<b>PO6</b> Development, where for a Material change of use within a 'High flood hazard area' identified on the <b>Flood hazard overlay maps (OM-006a-o)</b> , is appropriate to the flood hazard risk having regard to the: <ul style="list-style-type: none"> <li>(a) likelihood and frequency of flooding;</li> <li>(b) flood risk acceptability of development;</li> <li>(c) vulnerability of and safety risk to persons associated with the use;</li> <li>(d) associated consequences of flooding in regard to impacts on proposed buildings, structures and supporting infrastructure; and</li> <li>(e) associated consequences of flooding in respect to undue burden on disaster response recovery capacity and capabilities.</li> </ul>	<b>AO6.1</b> Uses within the following activity groups are not located within a 'High flood hazard area' identified on the <b>Flood hazard overlay maps (OM006a-o)</b> : <ul style="list-style-type: none"> <li>(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;</li> <li>(b) Community activities except where for a Club with a maximum gross floor area of 100m<sup>2</sup>;</li> <li>(c) Rural activities, except where for Animal husbandry, Cropping or Permanent plantation.</li> </ul>
<b>PO7</b> Development is located and designed to: <ul style="list-style-type: none"> <li>(a) maintain hydrological function of the premises;</li> <li>(b) not increase the number of people calculated to be at risk from flooding;</li> <li>(c) minimises the flood impact on adjoining premises;</li> <li>(d) ensure the safety of all persons by ensuring that an appropriate proportion of buildings are set above the defined flood level;</li> <li>(e) reduce the carriage of debris in flood waters;</li> <li>(f) reduce property damage; and</li> <li>(g) provide flood immune access to buildings.</li> </ul> <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 AO6.1-AO6.9 is also demonstrated.</p>	<b>AO7.1</b> Buildings, including extensions to existing buildings are: <ul style="list-style-type: none"> <li>(a) not located within the 'High flood hazard area' identified on the <b>Flood hazard overlay maps (OM006a-o)</b>; or</li> <li>(b) elevated above the defined flood level, with 0.3 metres freeboard from the defined flood level provided for habitable rooms within a dwelling.</li> </ul> <p>OR</p> <b>AO7.2</b> 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: <ul style="list-style-type: none"> <li>(a) administrative areas; or</li> <li>(b) services, plant and equipment associated with the building.</li> </ul> <p>Note—AO6.2 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> <b>AO7.3</b> 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. <b>AO7.4</b> New buildings are provided with flood free pedestrian and vehicle evacuation access between the building and a flood safe accessible road.

TOWN PLANNING REPORT FOR PRE-LODGEEMENT ENQUIRY  
8 DEBEL CLOSE, MAREEBA

VICTOR G FEROS  
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	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 <b>Flood hazard overlay maps (OM006a-o)</b> .
	<b>AO7.5</b> New temporary, relocatable or impermanent buildings and structures are to be anchored with the ability to withstand transportation by floodwater.  Note—Building work must be certified by a qualified structural engineer.
	<b>AO7.6</b> Dwellings do not exceed four bedrooms.
	<b>AO7.7</b> Building work on an existing dwelling does not comprise additional bedrooms.
	<b>AO7.8</b> 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.
	<b>AO7.9</b> Development does not increase the number of lots in the 'High flood hazard area; as identified on the <b>Flood hazard overlay maps (OM006a-o)</b> except where for the purposes of public open space.

#### Response to AO6.1 – AO7.1

No new building are proposed as part of this Reconfiguration of a Lot and no existing dwellings (other than existing garden sheds) are located within the High Flood Hazard Area as shown by **Figure 10 – Flood Hazard Overlay Comparison**.

#### Response to AO7.2

Commercial uses are not proposed as part of this Reconfiguration of a Lot application.

#### Response to AO7.9

The proposed Lot Layout does not create any additional lots within the High Flood Hazard Area as shown by **Figure 10 – Flood Hazard Overlay Comparison**.

TOWN PLANNING REPORT FOR PRE-LODGE MENT ENQUIRY  
8 DEBEL CLOSE, MAREEBA

VICTOR G FEROS  
TOWN PLANNING CONSULTANTS



Performance Outcomes	Acceptable Outcomes
For accepted development subject to requirements and assessable development	
<b>Significant flood hazard area</b>	
<b>PO9</b> Development, involving a Material change of use, within a 'Significant flood hazard area' on the <b>Flood hazard overlay maps (OM006a-o)</b> is appropriate to the flood hazard risk having regard to the: <ul style="list-style-type: none"> <li>(a) likelihood and frequency of flooding;</li> <li>(b) flood risk acceptability of development;</li> <li>(c) vulnerability of and safety risk to persons associated with the use;</li> <li>(d) associated consequences of flooding in regard to impacts on proposed buildings, structures and supporting infrastructure; and</li> <li>(e) associated consequences of flooding in respect to undue burden on disaster response recovery capacity and capabilities.</li> </ul>	<b>AO9</b> The following uses are not located within a 'Significant flood hazard area' identified on the <b>Flood hazard overlay maps (OM006a-o)</b> : <ul style="list-style-type: none"> <li>(a) Residential care facility;</li> <li>(b) Retirement facility;</li> <li>(c) Child care centre;</li> <li>(d) Hospital; or</li> <li>(e) Community use.</li> </ul>

#### Response to AO9

Uses (a) – (e) are not located on the subject site.



TOWN PLANNING REPORT FOR PRE-LODGE MENT ENQUIRY  
8 DEBEL CLOSE, MAREEBA

VICTOR G FEROS  
TOWN PLANNING CONSULTANTS



Performance Outcomes	Acceptable Outcomes
For accepted development subject to requirements and assessable development	
<b>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.</b>	
<b>PO12</b> 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: (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.  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 <b>Flood hazard overlay map (OM006a-a)</b> 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.	<b>AO12</b> No acceptable outcome is provided.

#### Response to PO12

The existing dwellings and outbuildings and the proposed access to these dwellings are located within the Low Flood Hazard designation as shown by **Figure 10 – Flood Hazard Overlay Comparison**.

TOWN PLANNING REPORT FOR PRE-LODGE MENT ENQUIRY  
6 DEBEL CLOSE, MAREEBA

VICTOR G FEROS  
TOWN PLANNING CONSULTANTS



Performance Outcomes	Acceptable Outcomes
For accepted development subject to requirements and assessable development	
<b>Significant flood hazard area, Low flood hazard area or Potential flood hazard area</b>	
<b>PO13</b> Development, where involving Reconfiguring a lot, is located and designed to: (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 a 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.  Note—Where the development is located in a 'Potential flood hazard area' identified on the <b>Flood hazard overlay maps (OM006a-o)</b> 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.	<b>AO13</b> No acceptable outcome is provided.

#### Response to PO13

The proposed Lot Layout design addresses items (a) – (g) above.





### Response to the Reconfiguring a Lot Code

It is noted that within the Reconfiguring a Lot Code the minimum lot size within the Emerging Communities Zone is 10 hectares. The subject site has a total lot size of 4,902m<sup>2</sup> and that Proposed Lot 1 has an area of 1,365m<sup>2</sup> and Proposed Lot 2 has an area of 3,537m<sup>2</sup>.

It is significant to note for this proposal that Debel Close and nearby McGrath Road contain existing lots with areas ranging from 1,011m<sup>2</sup> to 6,412m<sup>2</sup>. Specific reference is made to Lots 4 and 5 on SP222308 which each have an area of 1,011m<sup>2</sup> and Lots 1 and 2 on RP719276 which each contain an area of 1,012m<sup>2</sup> shown in **Figure 4 – Surrounding Land Uses**. It is submitted that the proposed Lot sizes are consistent within the context of Debel Close and McGrath Road and that the proposed lots can support the existing dwellings with suitable access and services.

Given that it is proposed to establish a "rear lot", the following comment are made in relation to the relevant Performance Outcomes and Acceptable Outcomes of the Reconfiguring a Lot Code:-

Performance Outcomes	Acceptable Outcomes
For accepted development subject to requirements and assessable development	
<b>Rear lots</b>	
<b>PO8</b> Rear lots are designed to: (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.	<b>AO8.1</b> Rear lots are designed to facilitate development that adjoins or overlooks a park or open space.
	<b>AO8.2</b> No more than two rear lots are created behind any lot with a road frontage.
	<b>AO8.3</b> 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.
	<b>AO8.4</b> 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.
	<b>AO8.5</b> No more than 1 in 10 lots created in a new subdivision are rear lots.
	<b>AO8.6</b> Rear lots are not created in the Centre zone or the Industry zone.



#### **Response to AO8.1**

It is noted that the existing secondary dwelling on Proposed Lot 2 is orientated towards the rear of the site containing substantial on-site gardens and separated from the existing dwelling on Proposed Lot 1.

#### **Response to AO8.2**

It is proposed to create one (1) rear lot as part of this application.

#### **Response AO8.3 – AO8.4**

On the basis that the subject site is within the Emerging Community Zone it is noted that the Acceptable Outcome identifies a minimum width for an access strip of 8 metres.

It is submitted that given the urban residential nature of the subject site and the adjoining and adjacent lots within Debel Close and McGrath Road that it is suitable to allow a reduction in the width of the access strip to be consistent with the urban residential zones that allow a minimum width of 4 metres.

On the basis of the above, given the constraints of the site and to avoid the need to for the demolition of any existing buildings or structures, the removal of existing mature screening vegetation and the relocation of existing waste water disposal areas that an access strip width of 4.5m is suitable in this instance. It is further submitted that an access strip width of 4.5m will allow the existing structures and buildings on Proposed Lot 1 to be retained with a suitable setback of 1.5m.

The access strip is shown in **Appendix C – Lot Layout Plan** and **Appendix D – Proposed Access Strip**.

#### **Response to AO8.5**

It is proposed to create one (1) rear lot as part of this application.

#### **Response to AO8.5**

The subject site is not located within the Centre or Industrial Zones.

TOWN PLANNING REPORT FOR PRE-LODGE MENT ENQUIRY  
8 DEBEL CLOSE, MAREEBA

VICTOR G FEROS  
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## 7.00 TOWN PLANNING CONSIDERATIONS

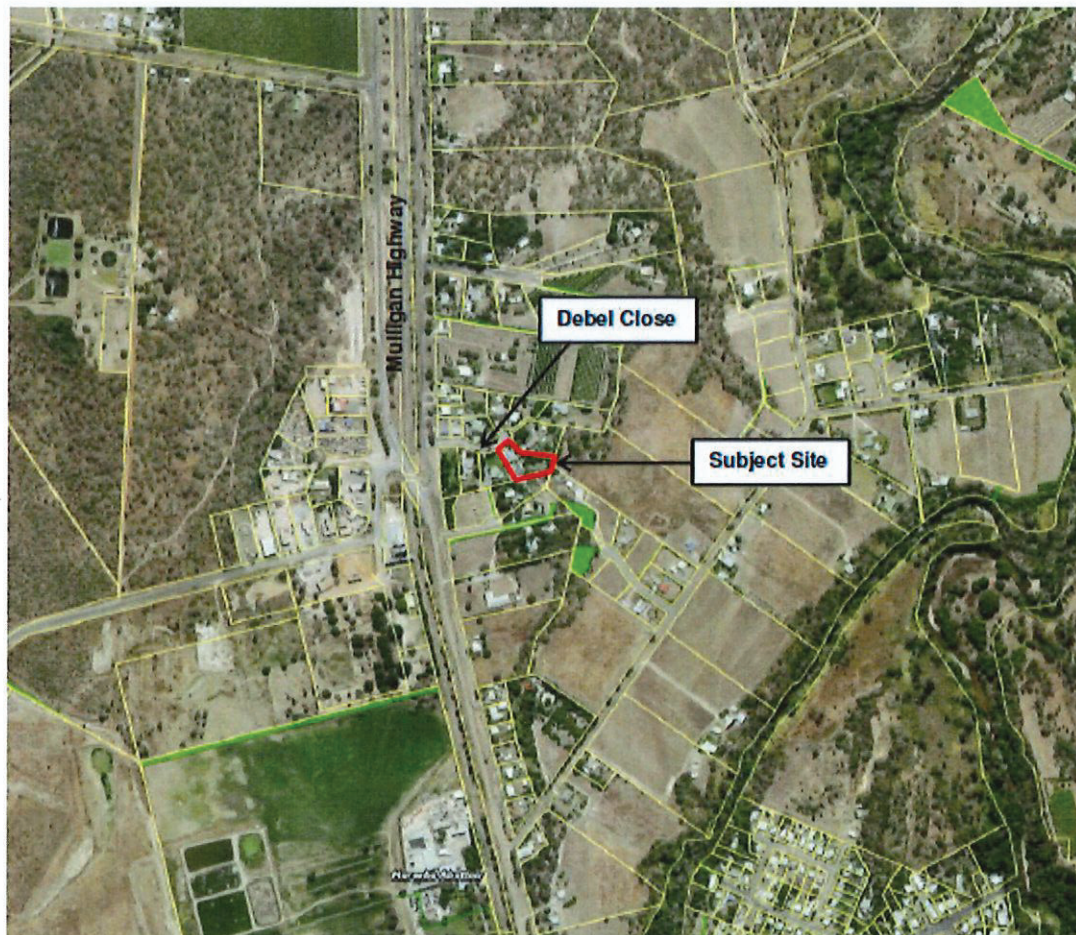
In response to this Pre-lodgement Enquiry, Council is respectfully requested to provide a response to the following matters:-

- a) Council support for creation of an additional lot on the subject site described as Lot 6 on RP903630 and located at 8 Debel Close, Mareeba;
- b) Council support for the proposed lot layout shown by **Appendix C - Proposed Lot Layout** and the proposed access strip shown by **Appendix D – Access Strip** having regard to the relevant site considerations including proposed lot sizes, building setbacks, existing waste water disposal area and property boundaries and in particular the waterway and flood hazard area overlays;
- c) Council has no objection to the separation of Easement B as shown by **Appendix C – Proposed Lot Layout**;
- d) The standard of construction required for the vehicle access within the proposed access drive for Proposed Lot 2;
- e) External works (if any) applicable to the proposed subdivision;
- f) Infrastructure charges applicable to the creation of the additional lot; and
- g) the specific codes Council will require to be addressed as part of any supporting information included within an application to be lodged with Council.

We await Council's response.

**Victor G Feros Town Planning Consultants**  
**April 2019**

## FIGURES



**PRE-LODGE MENT ENQUIRY**

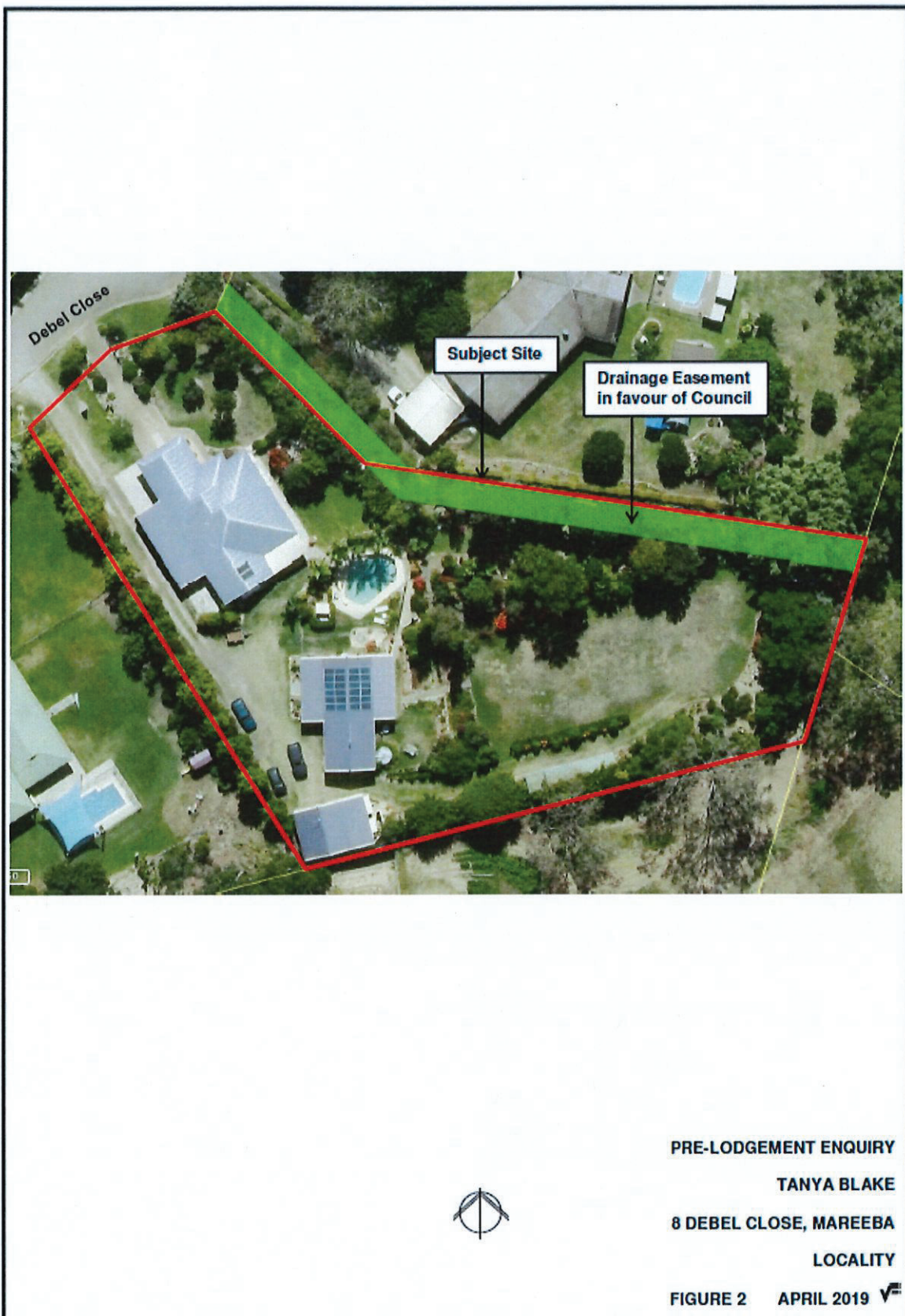
**TANYA BLAKE**

**8 DEBEL CLOSE, MAREEBA**

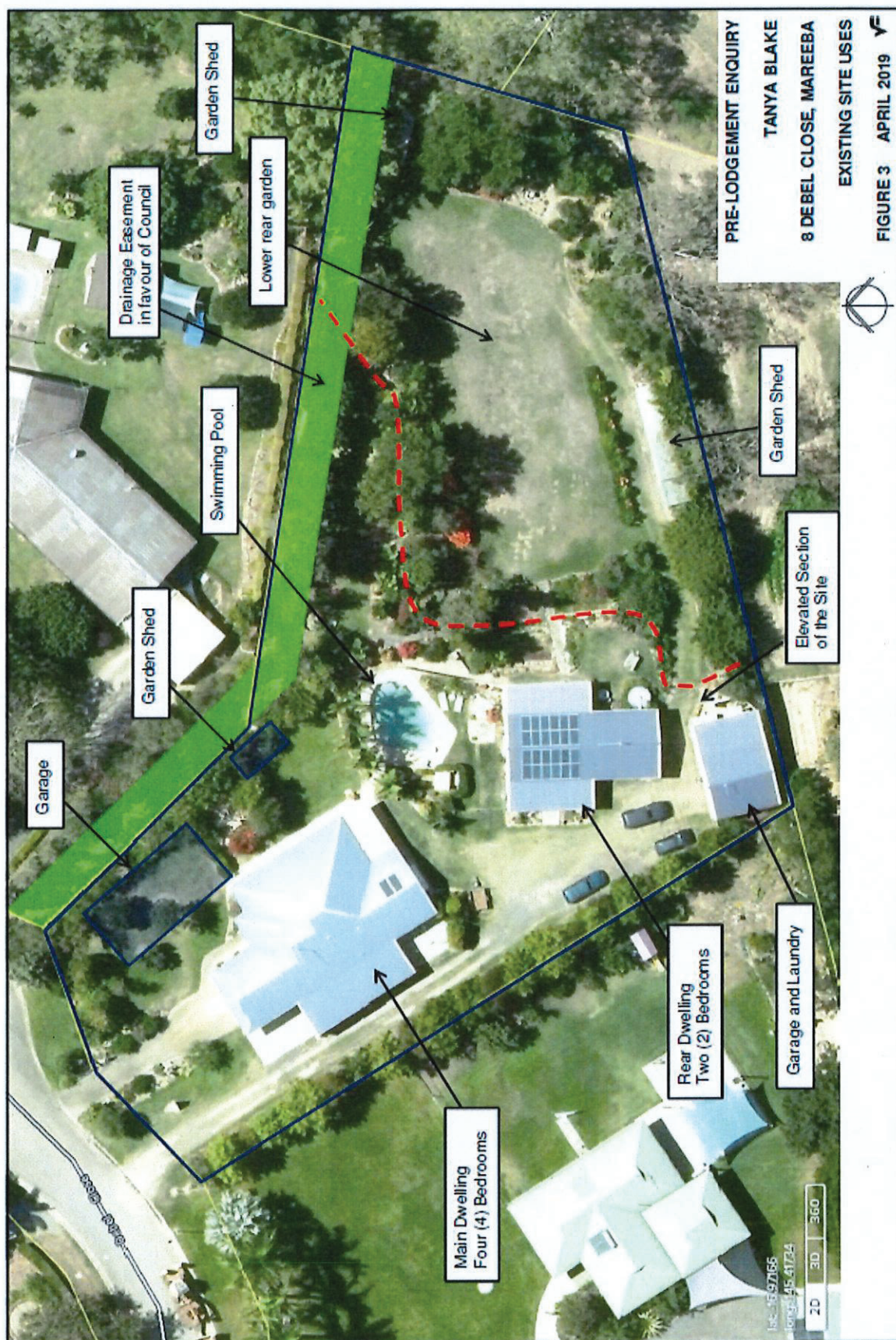
**LOCATION**

**FIGURE 1    APRIL 2019 <sup>VF</sup>**

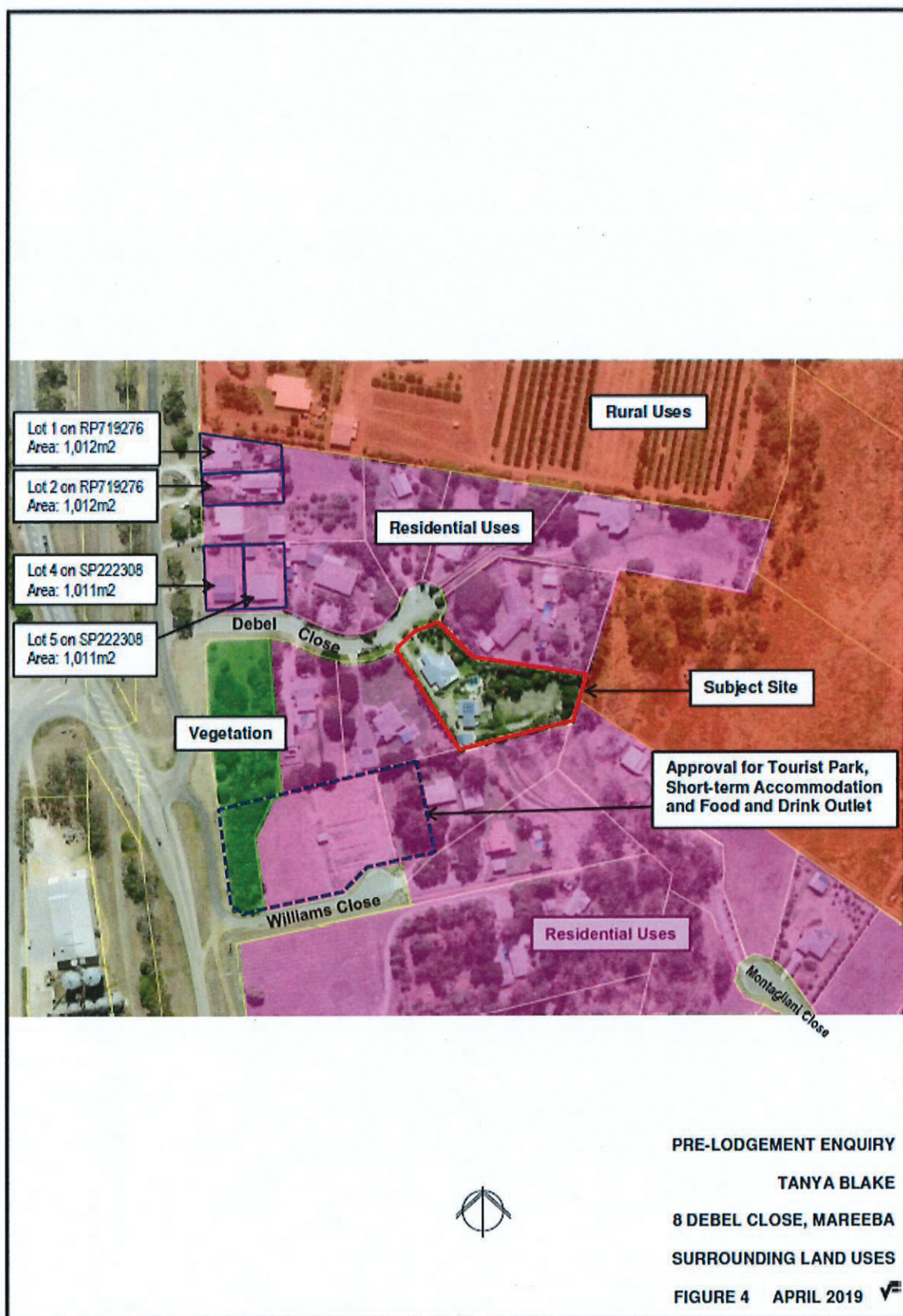




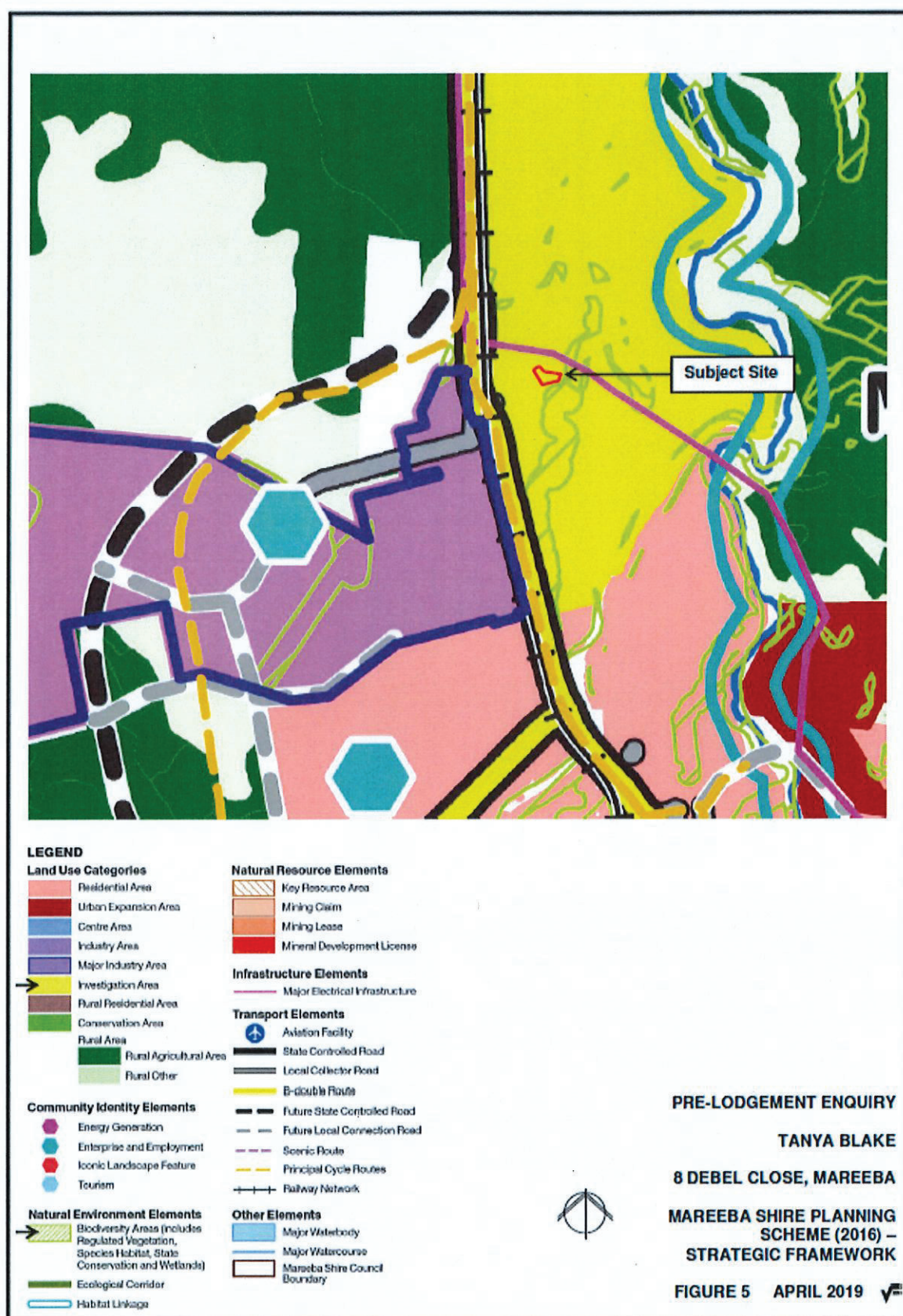




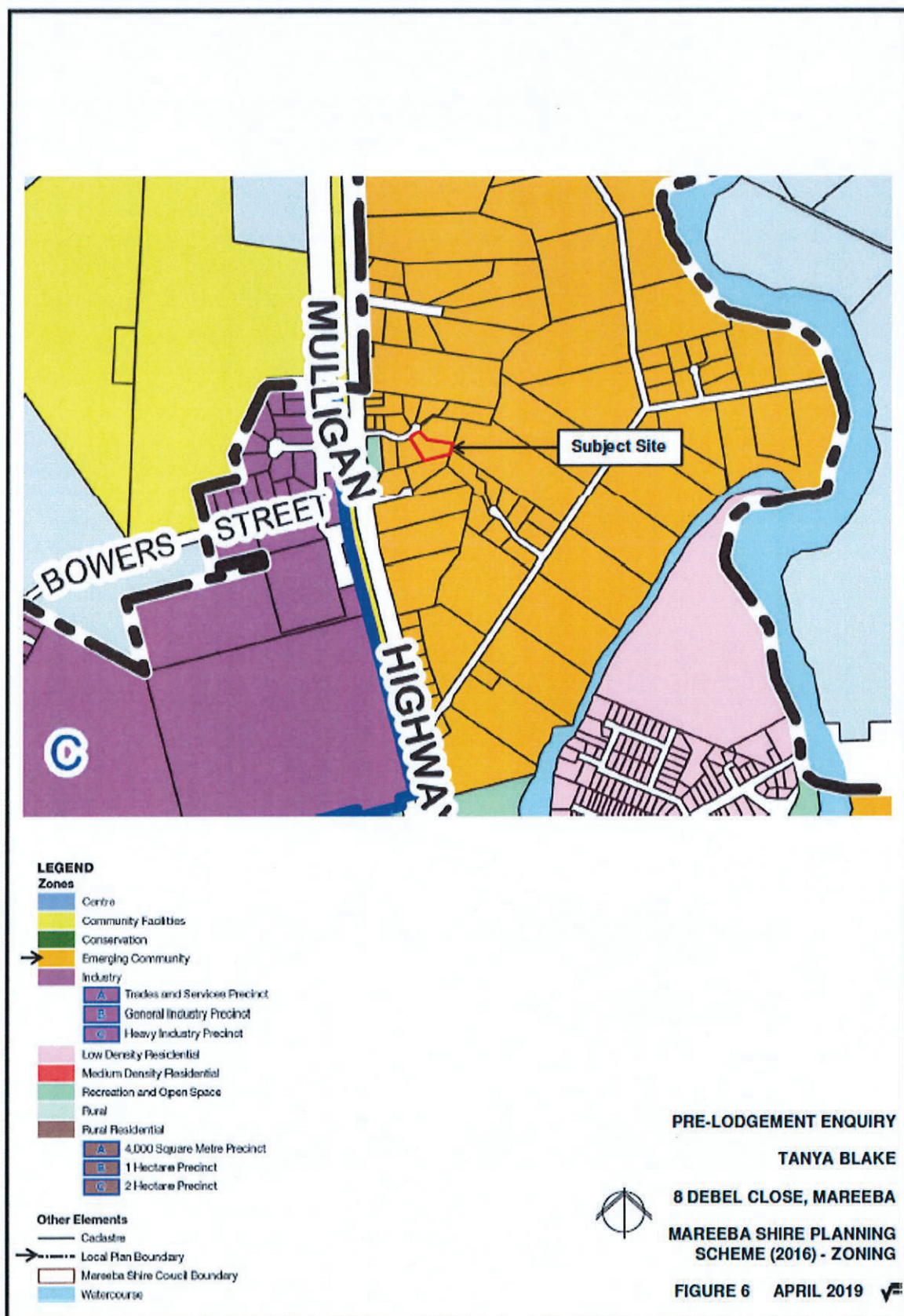


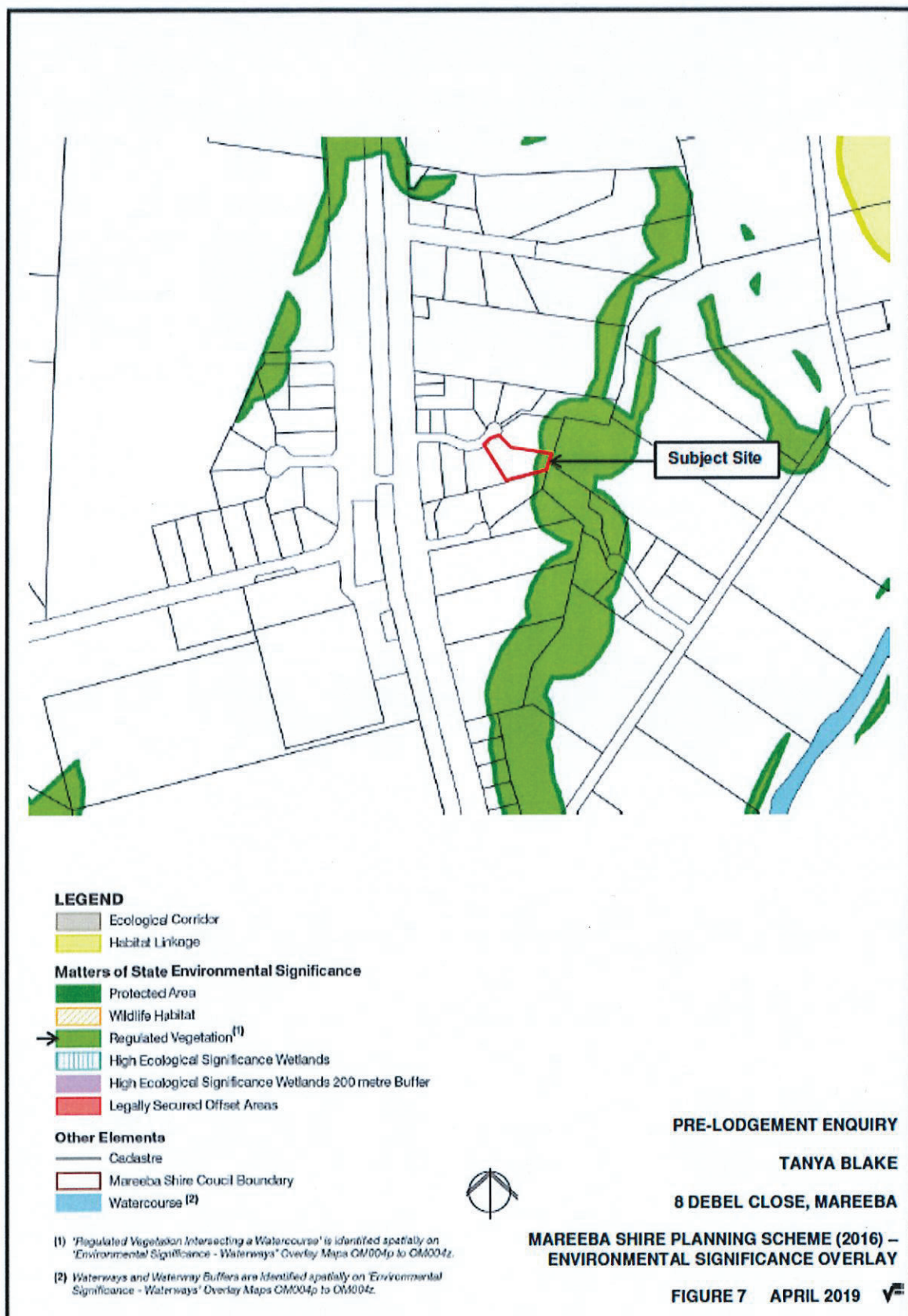




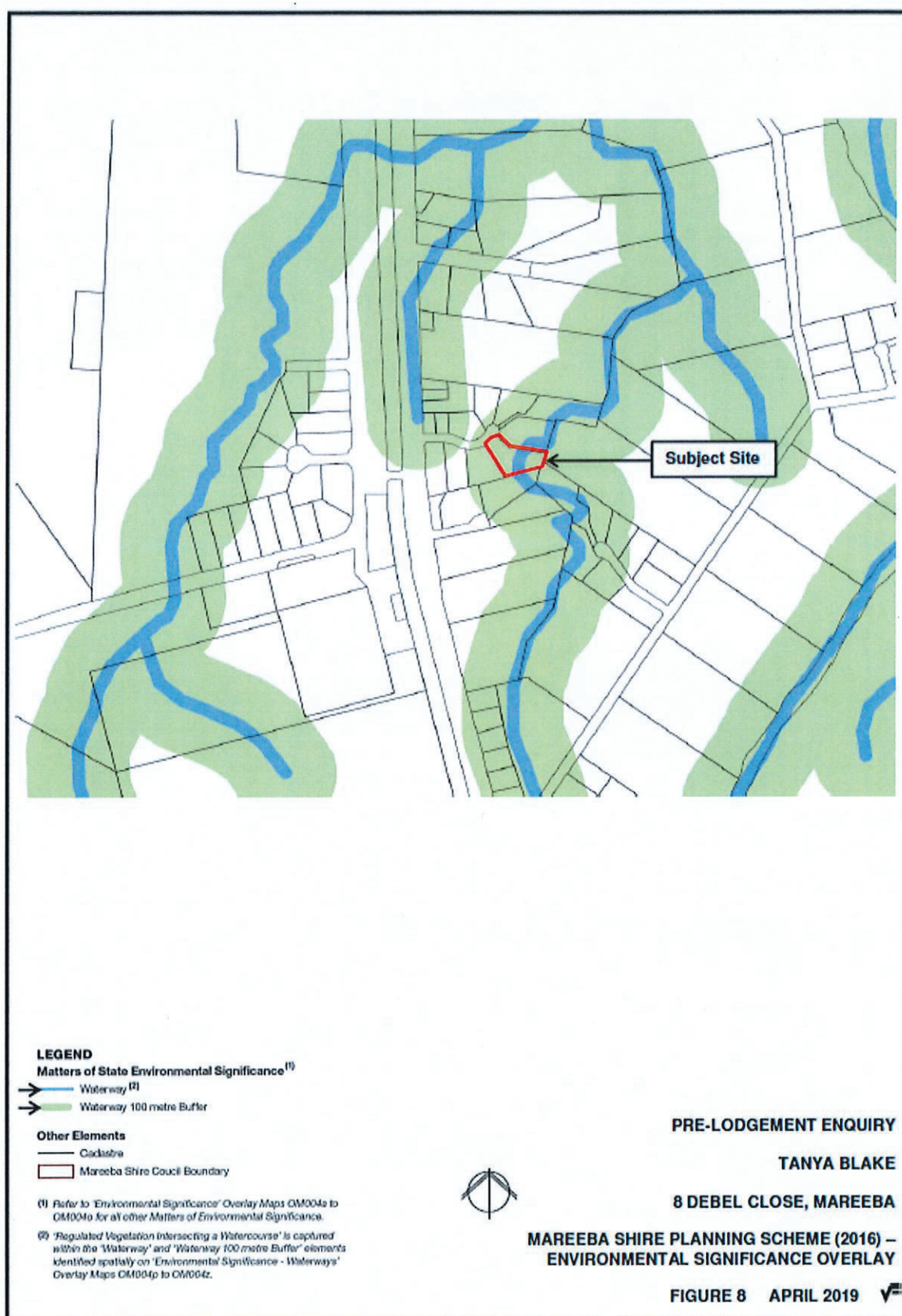


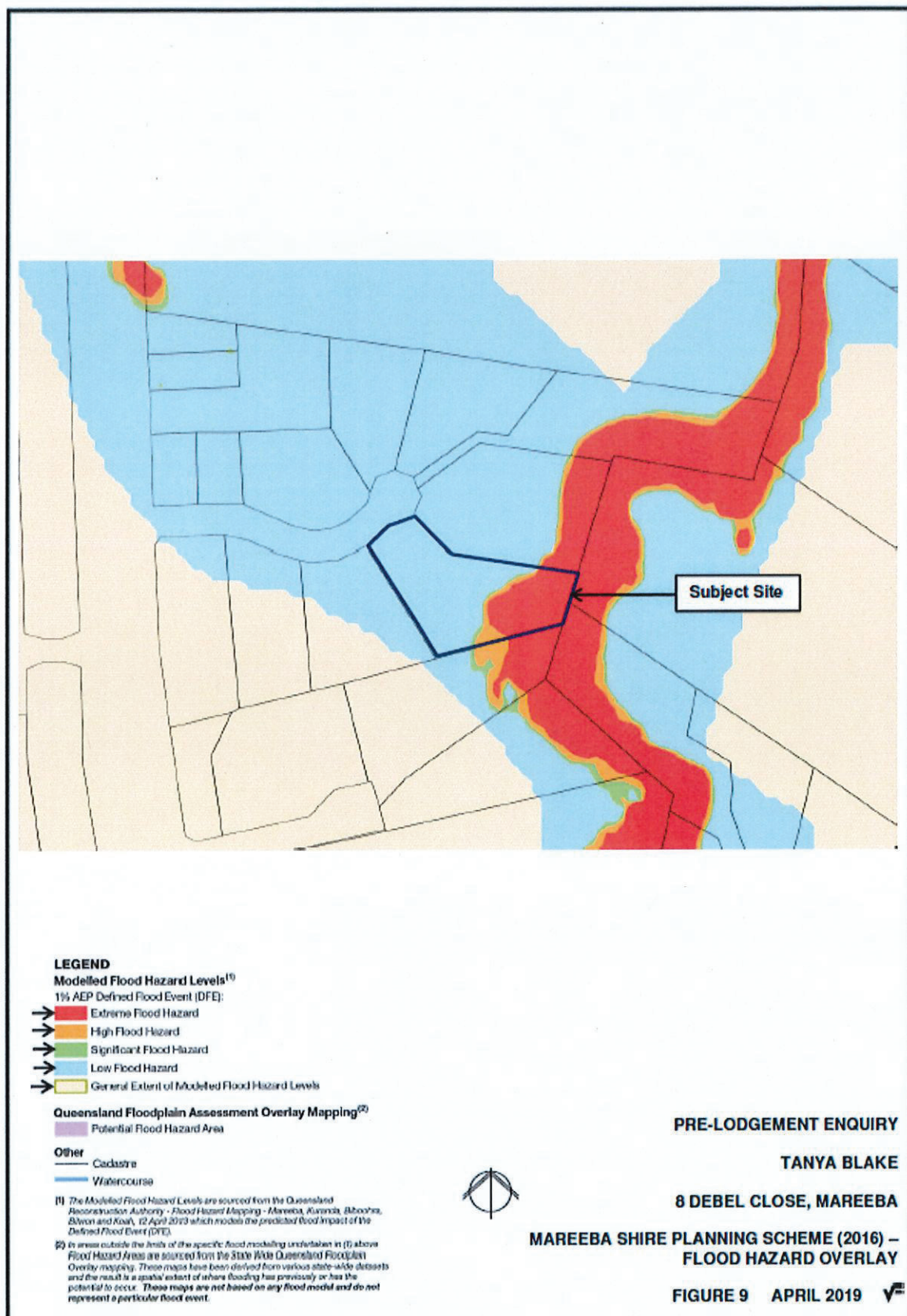




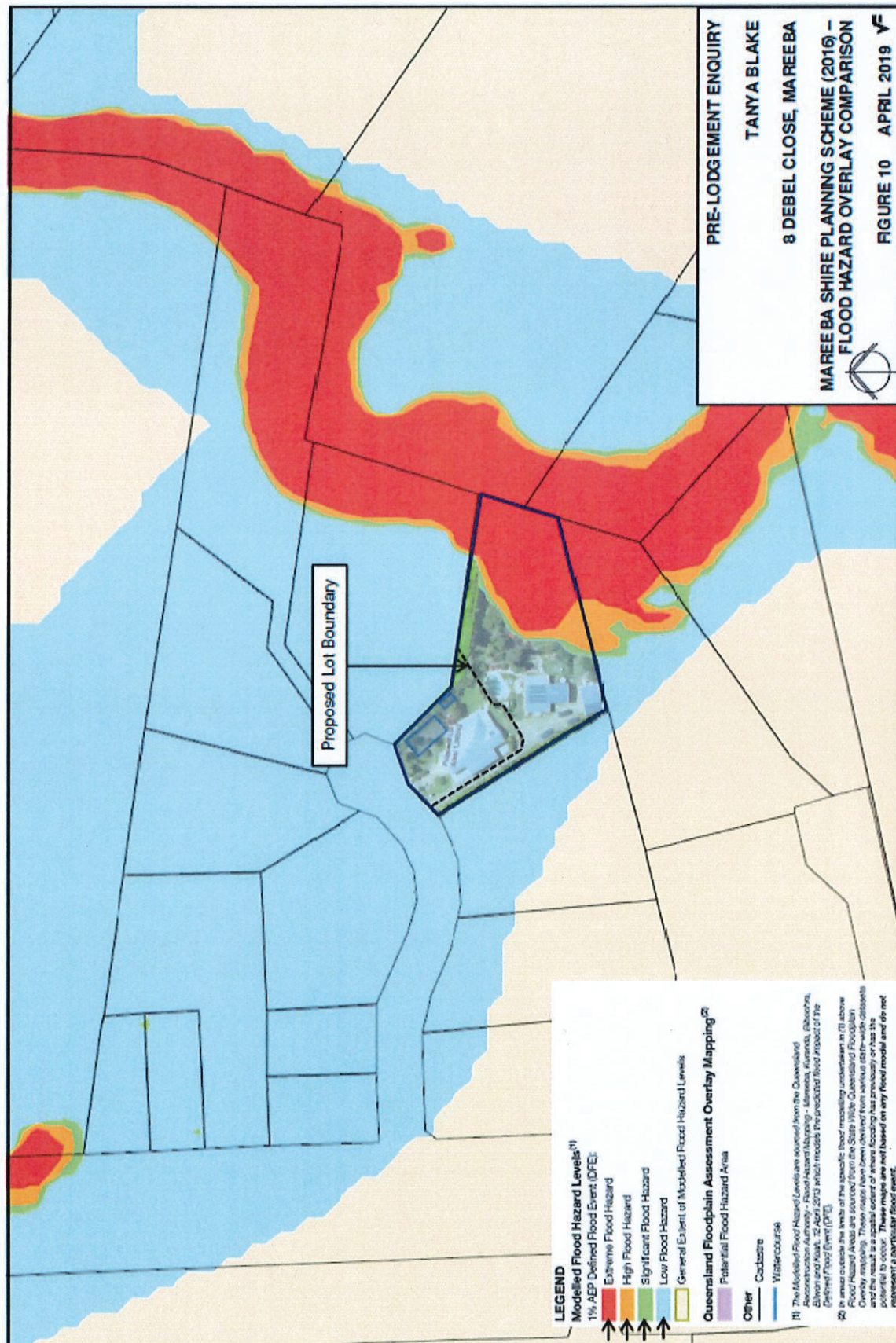














## **APPENDIX A**

300 V0 REGISTERED Recorded Date 18/06/1996 14:58 Page 1 of 2 Not To Scale  
LAND TITLE ACT 1994

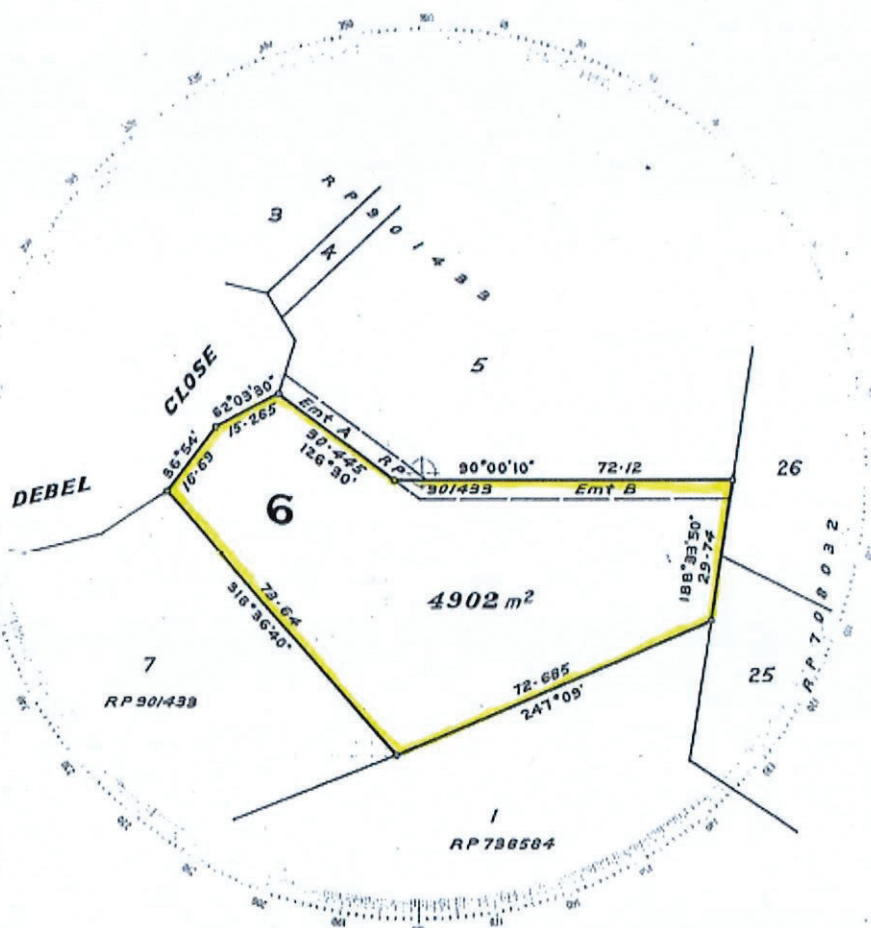
903630

PLAN MUST BE DRAWN WITHIN BLACK LINES

903630

903630

WARNING - PLAN MAY BE ROLLED - A FOLDED OR MUTILATED PLAN WILL NOT BE ACCEPTED 903630



I, Lloyd Stanley Twine hereby  
certify that I have made this  
plan pursuant to Section 25  
of the Surveyors Regulation  
1992 and that the plan is  
accurate, and compiled from  
RP901433 in the Department  
of Natural Resources

L. S. Twine  
Licensed Surveyor Date 7.6.1996

PLAN OF Lot 6

Cancelling balance of Lot 6 on RP720555

ORIGINAL P.O.R. 48V

MERIDIAN  
RP901433

MAP REF  
PM

SCALE  
1:800

ENDORSED  
3-7-26  
ACCREDITED

ARCHIVED  
Northern

PARISH...TINAROO  
COUNTY...Nares  
TOWN/LOCALITY...Mareeba  
LOCAL GOVERNMENT...Mareeba S.C.  
LANDS REGION...Far North  
MINING DISTRICT

REGISTERED PLAN 903630

0 10 20 30 40 50 60 70 80 90 100m

CROWN COPYRIGHT RESERVED

CISP

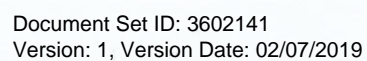
Copyright protects the plan/s being ordered by you. Unauthorized reproduction or amendments are not permitted.

## **APPENDIX B**



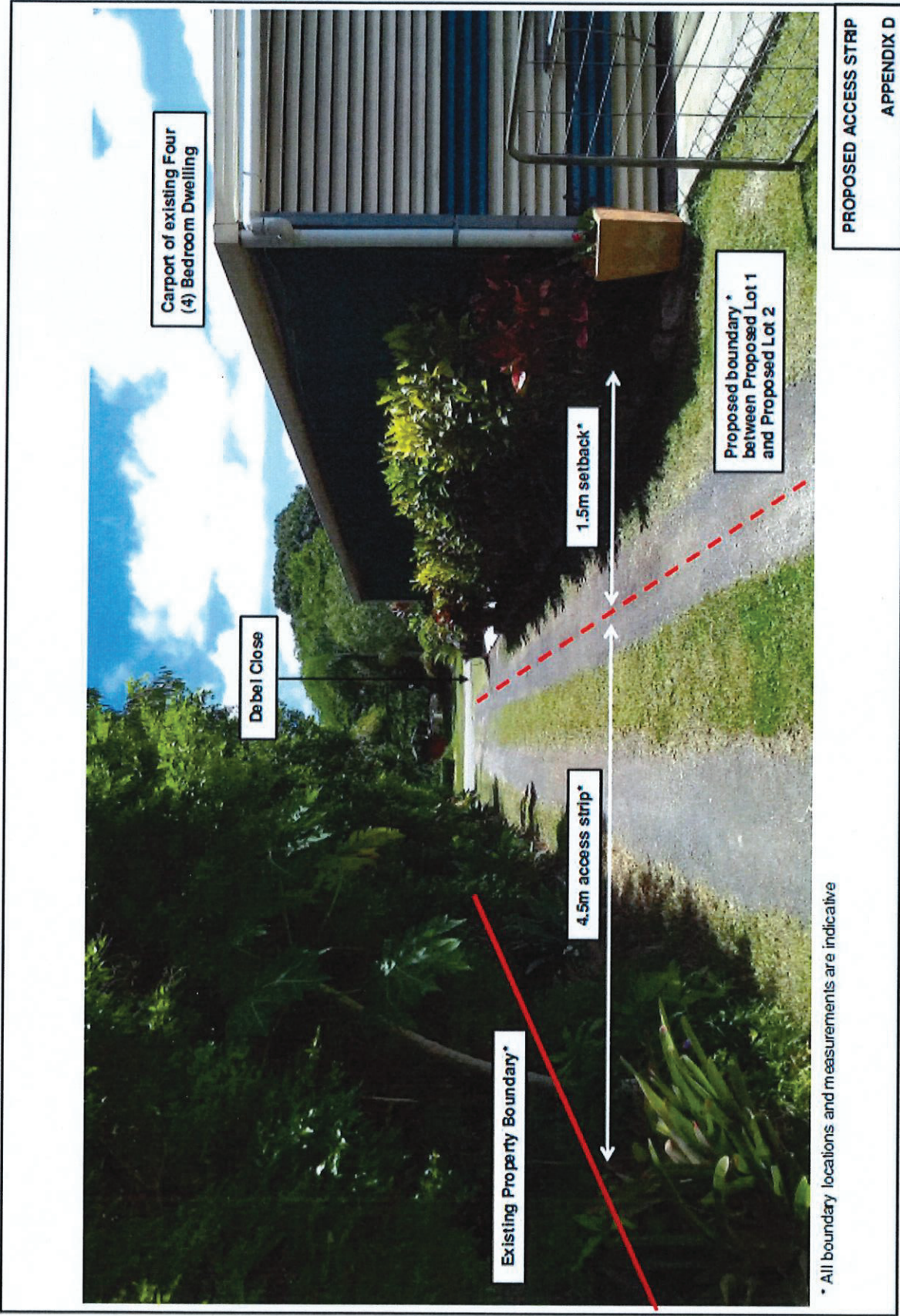
## **APPENDIX C**





## **APPENDIX D**





# **APPENDIX B**



903650

WARNING - PLAN MAY BE ROLLED - A FOLDED OR MUTILATED PLAN WILL NOT BE ACCEPTED 9036630



L. S. Swine  
.....  
Licensed Surveyor

0 10 20 30 40 50 60 70 80 90 100mm CROWN COPYRIGHT RESERVED

**CISP**

# APPENDIX C



## FORM 9 Version 2

Land Title Act 1994 and Land Act 1962

## EASEMENT IN GROSS

QUEENSLAND LAND REGISTRY

[@]

Dealing No.

Stamp Duty Imprint



701316748

CS 601

EAS IN GROSS

20/05/1996 14:01 \$87.00

QUEENSLAND STAMP DUTY PAID
CCR : 25
6/1/96
\$1.50

## 1. Grantor

Leslie DEBEL and Lillian Heather DEBEL

Lodger Name, address &amp; phone number

Lodger Code

MACDONALD'S Solicitors 7 St  
~~Pamela Dickenson & Associates~~ 708  
~~227 Byrnes Street, Mareeba - 4880~~  
~~PH: 070-922388~~ level 6 National Mutual Tower  
 15 LAKE ST., CAIRNS

2. Description of Easement/Lot  
Servient Tenement (burdened land)

County

Parish

Title Reference

Easement A in Lot 5 on RP 901433

Nares

Tinaroo

50125683  
 To Issue

## \*Dominant Tenement (benefited land)

\* not applicable if easement in gross

## 3. Interest being burdened

Fee Simple

## \*4. Interest being benefited

\* not applicable if easement in gross

REGISTERED

24 MAY 1996

EXAM. INITS.....

## 5. Grantee

Given names

Surname/Company name and number

(Include tenancy if more than one)

MAREEBA SHIRE COUNCIL

## 6. Consideration

ONE DOLLAR (\$1.00)

## 7. Purpose of easement

Drainage

## 8. Grant/Execution

The Grantor for the above consideration grants to the Grantee the easement over the servient tenement for the purpose stated in item 7 and the Grantor and Grantee covenant with each other in terms of the attached schedule.

## Witnessing Officer

Execution Date

Grantor's Signature

*[Signature]* J.R. (EVAL) 8063 ... signature

28/3/96

*[Signature]* Leslie Debel

SHERIFE MULLA ... full name

JUSTICE OF THE PEACE (QUAL) 8063

... qualification  
 as per Schedule 1 of Land Title Act 1994 (eg Legal Practitioner, JP, CDec)

## Witnessing Officer

Execution Date

Grantee's Signature

... signature

11/4/96

... full name

... qualification

as per Schedule 1 of Land Title Act 1994 (eg Legal Practitioner, JP, CDec)



CISP NOTED 27-5-96 H.



This is the Schedule referred to in Easement in Gross dated the 11<sup>th</sup> day of *April*, 1996.

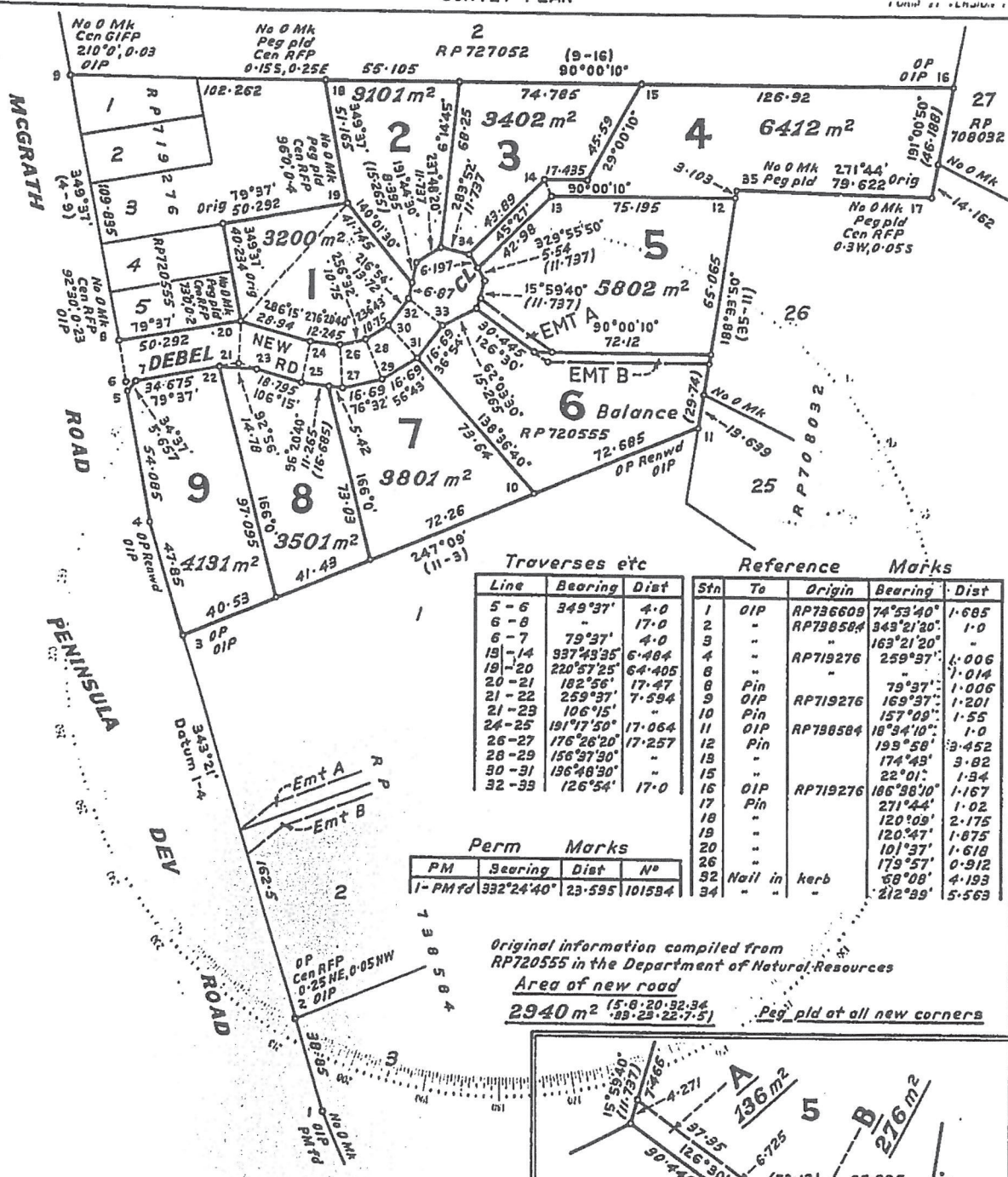
The Grantors **LESLIE DEBEL and LILLIAN HEATHER DEBEL** HEREBY COVENANTS with the Grantee, **COUNCIL OF THE SHIRE OF MAREEBA**, that the Grantee shall have the free right and liberty of using the Servient Tenements or any part of parts thereof for drainage purposes AND all that the full and free right and liberty at all times and from time to time to receive and convey upon the Servient Tenement rainwater and drainage of all kinds inclusive of stormwater runoff flowing continuously intermittently or occasionally into over and along the Servient Tenement from lands adjoining the Servient Tenement and/or any other lands whatsoever and whether flowing naturally or by way of drains pipelines or other artificial means AND all that the free right and liberty of filling in the Servient Tenements or any part of parts thereof and of excavating therein and erecting constructing and maintaining above or below or partly above and partly below the surface of the same drains and/or pipelines and all appurtenances thereof for the passage or conveyance of water sewage filling material and all kinds of waste and other matter AND with liberty to the Grantee and its successors by its or their officers servants agents workmen with or without plant and materials to enter upon the Servient Tenements at all times for the purpose of removing and disposing of spoil constructing extending deepening widening maintaining and repairing the said drains and/or pipelines and all appurtenances thereof and for the purpose of keeping the same in good order and condition and for all other lawful purposes incidental thereto PROVIDED THAT the Grantee and its successors shall not be obliged to use the Servient Tenement for the purposes aforesaid nor to exercise or do any or all the powers or things herein mentioned but shall be at liberty to do so from time to time at its or their pleasure and to such extent as it or they may think fit AND THE GRANTORS HEREBY FURTHER COVENANTS and agrees with the Grantee and that Grantor shall at all times keep any drain or drains now or hereafter constructed on the Servient Tenement clear of debris and all other obstructions without the Grantee being liable to contribute towards any costs in respect thereof PROVIDED ALWAYS that the Grantor shall at all times have the right to the flow of surface roof and other water from the said land of the Grantor into the Servient Tenement and to any drains now or hereafter to be constructed or maintained thereon PROVIDED that the Grantor will not execute or construct any excavations drains channels or other works of any kind on the Servient Tenement nor remove from or interfere with any existing drainage works or any retaining walls howsoever constructed or any other works within the area of the Servient Tenement without the prior approval in writing of the local government within whose area the lands are situated.



901433

PLAN MUST BE DRAWN WITHIN BLACK LINES

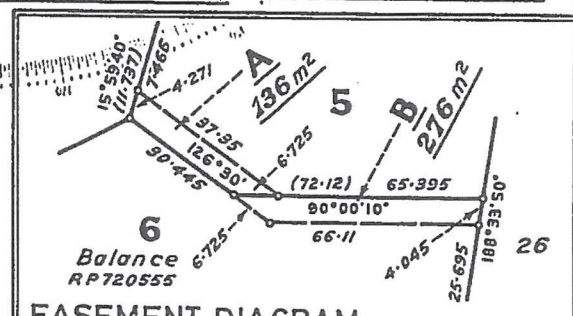
901433



Traverses etc			Reference Marks				
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6-8	"	17.0	2	"	RP738584	343°21'30"	1.0
6-7	79°37'	4.0	3	"	"	163°21'20"	"
13-14	337°43'35"	5.484	4	"	RP719276	259°37'	1.006
19-20	220°57'25"	64.405	8	"	"	"	1.014
20-21	182°56'	17.47	9	OIP	RP719276	79°37'	1.006
21-22	259°37'	7.594	10	Pin	"	169°37'	1.201
22-23	106°15'	"	11	OIP	RP738584	157°09'	1.55
24-25	191°47'50"	17.064	12	Pin	"	18°34'10"	1.0
26-27	176°26'20"	17.257	13	"	"	195°58'	3.452
28-29	156°37'30"	"	14	"	"	174°43'	3.82
30-31	136°48'30"	"	15	"	"	22°01'	1.34
32-33	126°54'	17.0	16	OIP	RP719276	186°38'10"	1.167
			17	Pin	"	271°44'	1.02
			18	"	"	120°09'	2.175
			19	"	"	120°47'	1.075
			20	"	"	101°37'	1.618
			26	"	"	179°57'	0.912
			32	Nail in	kerb	68°08'	4.193
			34	"	"	212°39'	5.563

Perm Marks			
PM	Bearing	Dist	Nº
1-PMfd	332°24'40"	23.595	101594

Original information compiled from  
RP720555 in the Department of Natural Resources  
Area of new road  
2940 m² (5.8.20.32.34  
89.23.22.7.5) Peg pld at all new corners



I, Lloyd Stanley Twine, hereby certify that I have surveyed the land comprised in this plan personally and by Roger Lloyd Twine, Surveying Associate, for whose work I accept responsibility and that the plan is accurate, that the said survey was performed in accordance with the Surveyors Act 1937 and the Surveyors Regulation 1982 and that the said survey was completed on 27.2.1996  
L. S. Twine Licensed Surveyor

PLAN OF Lots 1-5 & 7-9 & proposed emts A in Lot 5 & B in balance of Lot 6 on RP720555  
Cancelling part of Lot 6 on RP720555  
ORIGINAL POR 48V  
MERIDIAN RP720555 MAP REF PM SCALE 1:1500  
NO SURVEY RECORDS DEPOSITED  
ENDORSED ARCHIVED Northern

PARISH TINAROO  
COUNTY Nares  
LOCALITY Mareeba  
LOCAL GOVERNMENT Mareeba SC  
LANDS REGION Far North  
MINING DISTRICT  
PLAN 901433

901433 WARNING - PLAN MAY BE ROLLED - A FOLDED OR MUTILATED PLAN WILL NOT BE ACCEPTED 901433





## FORM 9 Version 2

Land Title Act 1994 and Land Act 1962

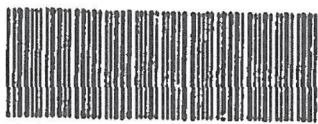
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QUEENSLAND LAND REGISTRY

101

Dealing No.

Stamp, Duty Imprint



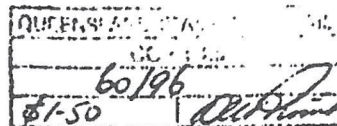
701316751

\$87.00

20/05/1996 14:02

CS 601

EAS IN GROSS



## 1. Grantor

Leslie DEBEL and Lillian Heather DEBEL

Lodger Name, address &amp; phone

Lodger Code

number MacDonnell's 200/000

754

- Pamela Dickson &amp; Associates

700

- 237 Byrnes Street, Marooch

- PH: 070-922244

Lovel &amp; Norman Marooch

15 Lake St CAIRNS

## 2.

Description of Easement/Lot  
Servient Tenement (burdened land)

County

Parish

Title Reference

Easement B in Lot 6 on RP 901433

Nares

Tinaroo

2105-9022

To issue

(Balance) on RP 720555

on RP 901433

Dominant Tenement (benefited land)

\* not applicable if easement in gross

## 3. Interest being burdened

Fee Simple

## \*4. Interest being benefited

\* not applicable if easement in gross

REGISTERED

24 MAY 1996

EXAM INITS

## 5. Grantee

Given names

Surname/Company name and number

(include tenancy if more than one)

MAREEBA SHIRE COUNCIL

## 6.

Consideration

ONE DOLLAR (\$1.00)

## 7.

Purpose of easement

Drainage

## 8.

Grant/Execution

The Grantor for the above consideration grants to the Grantee the easement over the servient tenement for the purpose stated in item 7 and the Grantor and Grantee covenant with each other in terms of the attached schedule.

Witnessing Officer

Execution Date

Grantor's Signature

*[Signature]* signature

20/5/96

*[Signature]* Leslie Debel

SHERIFF MULLA full name

JUSTICE OF THE PEACE

(QUAL) 2003 qualification

as per Schedule 1 of Land Title Act 1994 (eg Legal Practitioner, JP, C.Dec)

Witnessing Officer

Execution Date

Grantee's Signature

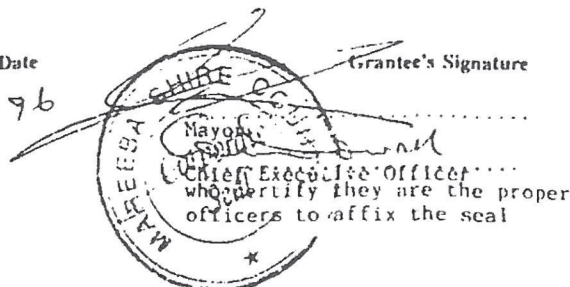
*[Signature]* signature

11/4/96

full name

qualification

as per Schedule 1 of Land Title Act 1994 (eg Legal Practitioner, JP, C.Dec)



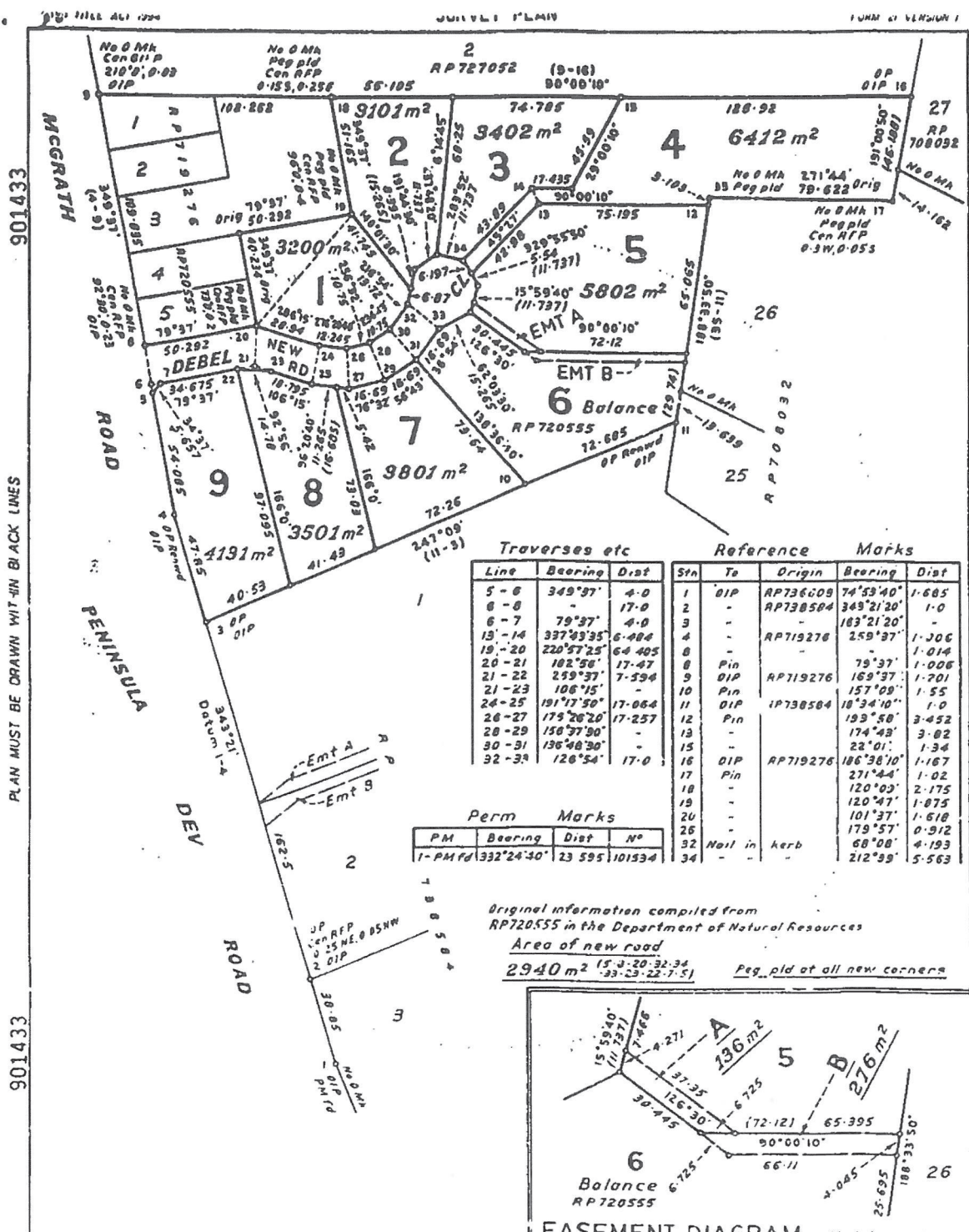
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CISA NOTED 24-5-96

This is the Schedule referred to in Easement in Gross dated the 11th day of April, 1996.

The Grantors **LESLIE DEBEL and LILLIAN HEATHER DEBEL** HEREBY COVENANTS with the Grantee, **COUNCIL OF THE SHIRE OF MAREEBA**, that the Grantee shall have the free right and liberty of using the Servient Tenements or any part of parts thereof for drainage purposes AND all that the full and free right and liberty at all times and from time to time to receive and convey upon the Servient Tenement rainwater and drainage of all kinds inclusive of stormwater runoff flowing continuously intermittently or occasionally into over and along the Servient Tenement from lands adjoining the Servient Tenement and/or any other lands whatsoever and whether flowing naturally or by way of drains pipelines or other artificial means AND all that the free right and liberty of filling in the Servient Tenements or any part of parts thereof and of excavating therein and erecting constructing and maintaining above or below or partly above and partly below the surface of the same drains and/or pipelines and all appurtenances thereof for the passage or conveyance of water sewage filling material and all kinds of waste and other matter AND with liberty to the Grantee and its successors by its or their officers servants agents workmen with or without plant and materials to enter upon the Servient Tenements at all times for the purpose of removing and disposing of spoil constructing extending deepening widening maintaining and repairing the said drains and/or pipelines and all appurtenances thereof and for the purpose of keeping the same in good order and condition and for all other lawful purposes incidental thereto **PROVIDED THAT** the Grantee and its successors shall not be obliged to use the Servient Tenement for the purposes aforesaid nor to exercise or do any or all the powers or things herein mentioned but shall be at liberty to do so from time to time at its or their pleasure and to such extent as it or they may think fit **AND THE GRANTORS HEREBY FURTHER COVENANTS** and agrees with the Grantee and that Grantor shall at all times keep any drain or drains now or hereafter constructed on the Servient Tenement clear of debris and all other obstructions without the Grantee being liable to contribute towards any costs in respect thereof **PROVIDED ALWAYS** that the Grantor shall at all times have the right to the flow of surface roof and other water from the said land of the Grantor into the Servient Tenement and to any drains now or hereafter to be constructed or maintained thereon **PROVIDED** that the Grantor will not execute or construct any excavations drains channels or other works of any kind on the Servient Tenement nor remove from or interfere with any existing drainage works or any retaining walls howsoever constructed or any other works within the area of the Servient Tenement without the prior approval in writing of the local government within whose area the lands are situated.

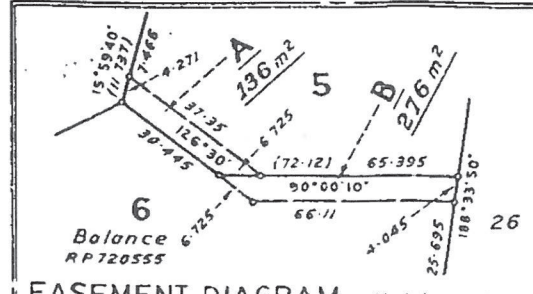




Traverses etc			Reference Marks				
Line	Bearing	Dist	Stn	To	Origin	Bearing	Dist
5-6	349°37'	4.0	1	OIP	RP736609	74°53'40"	1.685
6-8	-	17.0	2	-	RP738504	349°21'30"	1.0
6-7	79°37'	4.0	3	-	-	183°21'20"	-
15-14	337°43'35"	6.484	4	-	RP719276	259°37'	1.306
19-20	220°57'25"	6.405	8	-	-	79°37'	1.014
20-21	182°58'	17.47	9	Pin	RP719276	169°37'	1.006
21-22	259°37'	7.534	9	OIP	RP719276	157°09'	1.701
21-23	106°15'	-	10	Pin	-	157°09'	1.55
24-25	191°17'50"	17.064	11	OIP	RP738504	18°34'10"	1.0
26-27	175°20'20"	17.257	12	Pin	-	193°50'	3.452
28-29	158°37'30"	-	13	-	-	174°43'	3.02
30-31	136°48'30"	-	15	-	-	22°01'	1.34
32-33	126°54'	17.0	16	OIP	RP719276	186°38'10"	1.167
			17	Pin	-	271°44'	1.02
			18	-	-	120°03'	2.175
			19	-	-	120°47'	1.875
			20	-	-	101°37'	1.618
			25	-	-	179°57'	0.912
			32	Nail in herb	-	68°08'	4.193
			34	-	-	212°39'	5.563

Perm Marks			
PM	Bearing	Dist	Nº
1-PM fd	332°24'30"	23.595	101534

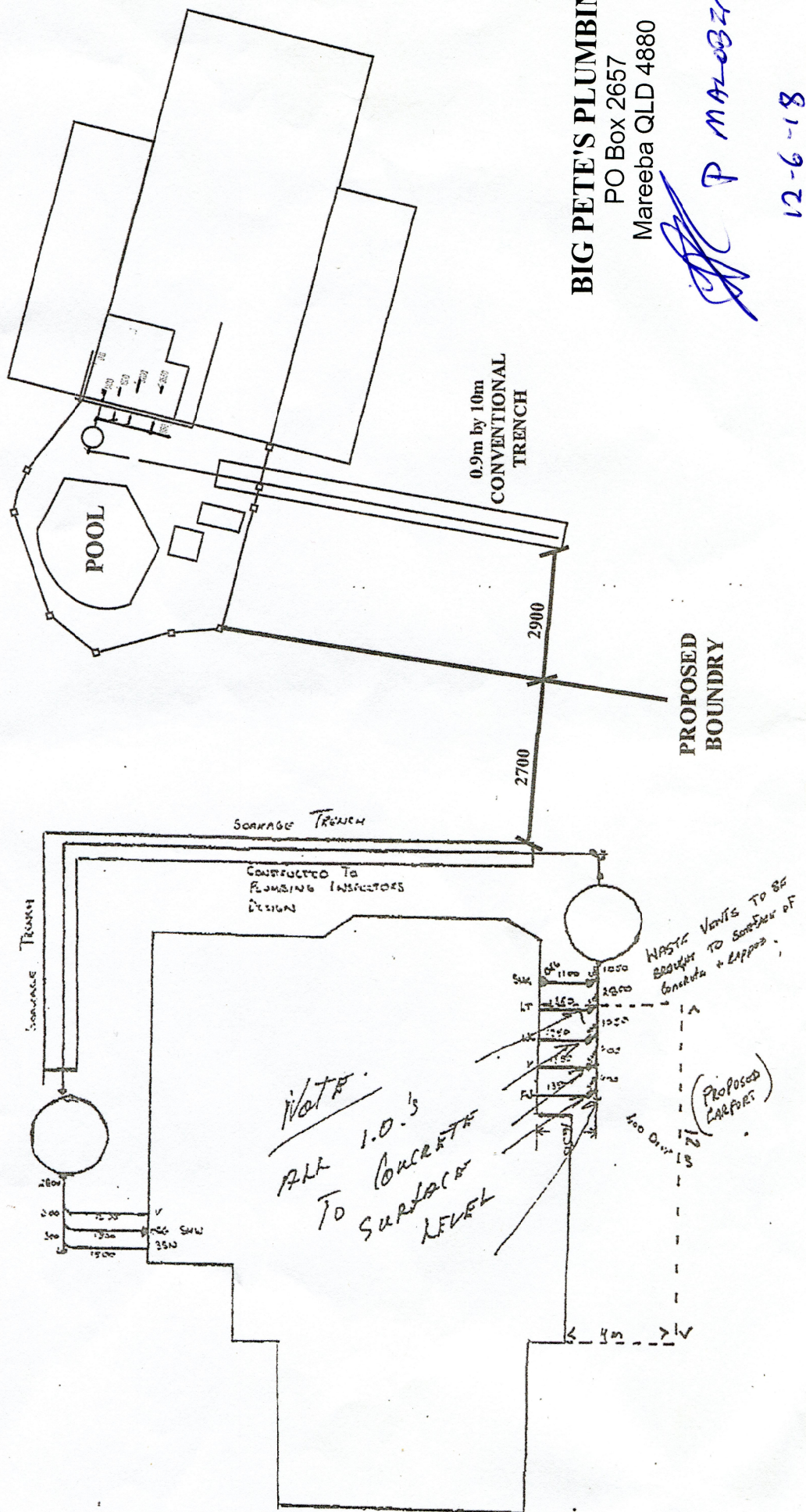
Original information compiled from  
 RP720555 in the Department of Natural Resources  
 Area of new road  
 2940 m² (53°20'32"34  
 33°23'22"7.5) Peg. pld at all new corners



I, Lloyd Stanley Twine hereby certify that I have purchased the land comprised in this plan personally by Roger Lloyd Twine, Surveying Associate for and on behalf of the applicant, and that the plan is accurate and that the land survey was performed in accordance with the Surveyors Act 1971 and the Surveyors Regulations 1992 and that the land survey was completed on 27-2-1996.		<b>PLAN OF Lots 1-5 &amp; 7-9 &amp; proposed emts A in Lot 5 &amp; B in balance of Lot 6 on RP720555</b> Cancelling part of Lot 6 on RP720555		PARISH <b>TINAROO</b> COUNTY <b>Nares</b> FORMER LOCALITY <b>Mareeba</b> LOCAL GOVERNMENT <b>Mareeba SC</b> LANDS REGION <b>Far North</b> DIVISION <b>DISTRICT</b>	
ORIGINAL <b>POR 48V</b> REF <b>720555</b> MAP REF <b>PM</b> SCALE <b>1:1500</b> ENJOINED <b>Northern</b>	NO SURVEY RECORDS LOCATED ARCHIVED <b>Northern</b> PLAN <b>901433</b>				

# APPENDIX D





BIG PETE'S PLUMBING

PO Box 2657

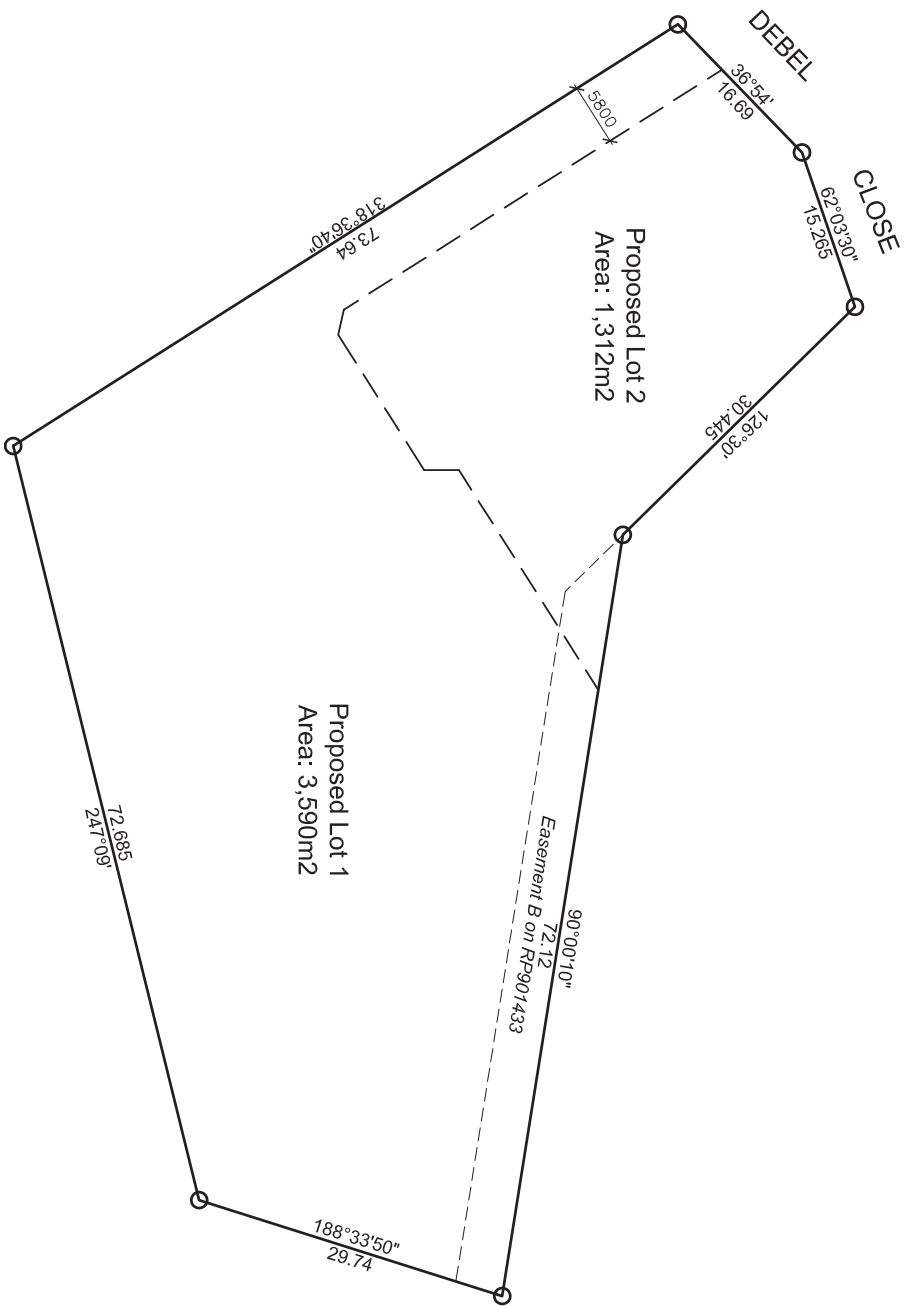
Mareeba QLD 4880

P MAZ03217

12-6-18

# APPENDIX E





Note: Proposed Lot Boundaries and  
Easements subject to detailed survey

**SITE DATA**

**ADDRESS:**

8 DEBEL CLOSE, MAREEBA

**REAL PROPERTY DESCRIPTION:**

LOT 6 ON RP903630

**CLIENT:**

TANYA D. BLAKE



Victor G Ferros  
Town Planning Consultants  
Level 1, 127 Abbott Street, C/tns, Q4870  
Telephone 07 4031 3853

**SHEET 1 - SITE PLAN**

0m 5m 10m  
SCALE: 1:500 (A3)



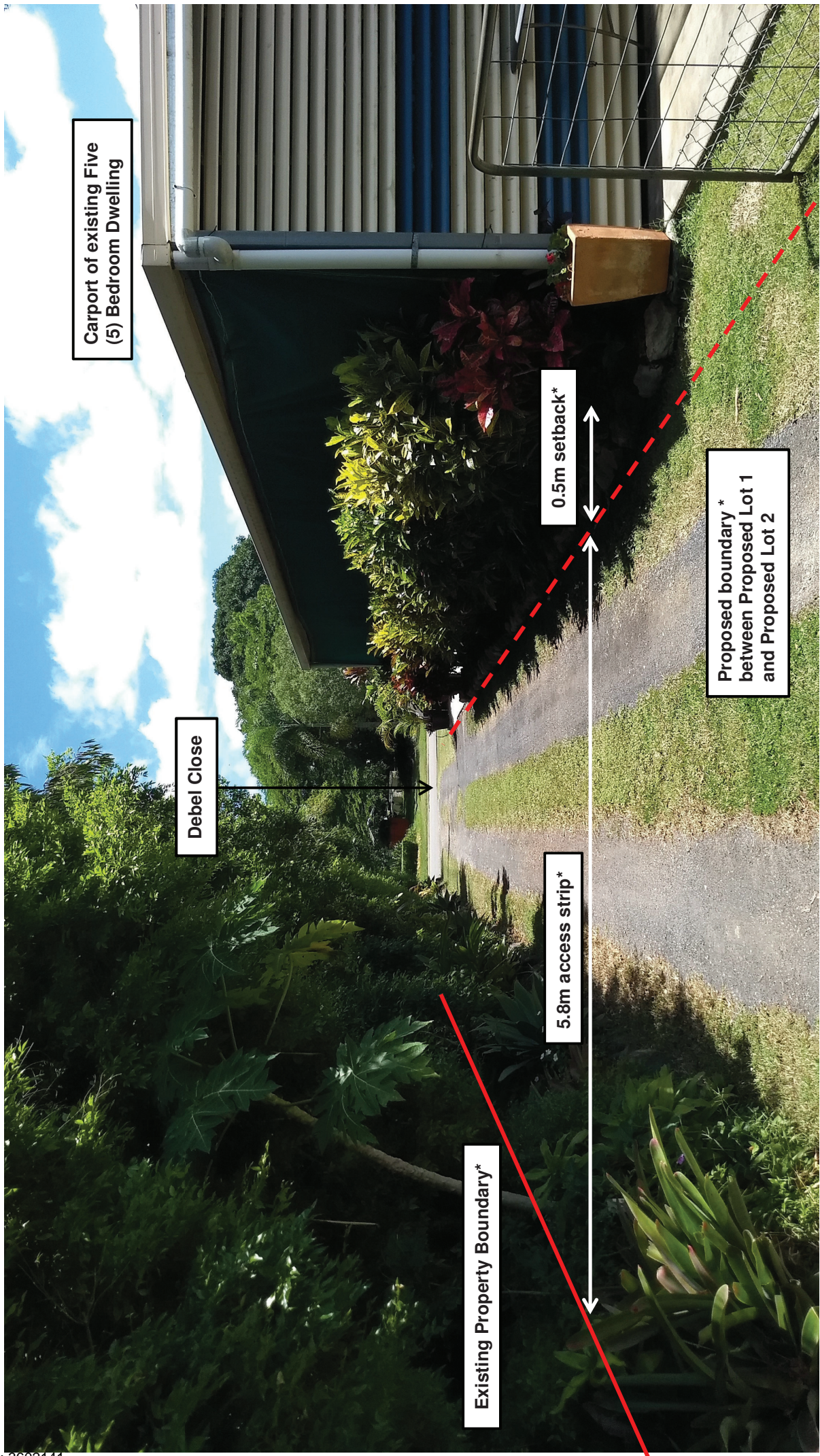
REF: VGF-C1149 25 JUNE 2019





# APPENDIX F





Carport of existing Five  
(5) Bedroom Dwelling

Debel Close

Existing Property Boundary\*

5.8m access strip\*

0.5m setback\*

Proposed boundary\*  
between Proposed Lot 1  
and Proposed Lot 2

\* All boundary locations and measurements are indicative



# APPENDIX G

## Emerging community zone code

### 6.2.4.1 Application

- (1) This code applies to assessing development where:
  - (a) located in the Emerging community zone; and
  - (b) it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

### 6.2.4.2 Purpose

- (1) The purpose of the Emerging community zone code is to:
  - (a) identify land that is suitable for urban purposes and protect land that may be suitable for urban development in the future
  - (b) manage the timely conversion of non-urban land to urban purposes.
  - (c) prevent or discourage development that is likely to compromise appropriate longer term land use.

- (2) Mareeba Shire Council's purpose of the Emerging community zone code is to provide for the sequenced release of land to meet community need and market demand for new urban development in designated urban growth areas.

Urban development may occur in the zone in accordance with an approved structure plan but the primary purpose of the zone and the code is to reserve land for future urban development, the majority of which is likely to occur beyond the life of the planning scheme.

Urban growth areas are identified within the towns of Kuranda and Mareeba. These areas are subject to Local plan codes which include further provisions.

- (3) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Land that has the potential for development for urban purposes although may contain pockets of land unsuitable for development due to scenic or environmental constraints is preserved until detailed planning studies have occurred;
  - (b) Interim development does not compromise the future development potential of the land for urban purposes;
  - (c) Development of land is based upon the provision of infrastructure, consideration of environmental constraints and desired settlement pattern for the area;
  - (d) Development is supported by necessary transport infrastructure which is designed to provide and promote safe and efficient public transport use, walking and cycling;
  - (e) Development is supported by an internal road network and does not compromise the safety or efficiency of State-controlled or Local government collector roads;
  - (f) Land is developed in an orderly sequence and, for all but minor proposals, in accordance with a structure planning process;
  - (g) Land is developed in a sustainable manner to reflect the desired land use pattern of the local government area by integrating development sites, community infrastructure, open space and important natural features;
  - (h) Non-residential development may be supported where such uses directly support the day to day needs of the immediate residential community or the precinct is identified for non-residential uses and is planned for as part of a structure plan;
  - (i) Significant historical, architectural, topographic, landscape, scenic, social, recreational and cultural features, as well as natural habitat areas, wildlife corridors, wetlands and waterway corridors are protected and enhanced as part of the development of the zone; and
  - (j) Roads and other transport corridors are coordinated and interconnected to ensure pedestrian, cyclists, public transport and private vehicles have accessibility between neighbourhoods, centres and other locations.

### 6.2.4.3 Criteria for assessment

**Table 6.2.4.3—Emerging community zone code - For accepted development subject to requirements and assessable development**

Performance outcomes	Acceptable outcomes	Response
<b>For accepted development subject to requirements and assessable development</b>		
<b>Height</b>		
<b>PO1</b> Building height takes into consideration and respects the following: (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.	<b>AO1.1</b> Development, except where involving industrial activities, has a maximum building height of: (a) 8.5 metres; and (b) 2 storeys above ground level.	<b>Complies</b>  The existing one storey dwellings on proposed Lot 1 and Lot 2 have heights of less than 8.5 metres.
	<b>AO1.2</b> Industrial development has a maximum building height of 10 metres.	<b>Not Applicable</b>
<b>Outbuildings and residential scale</b>		
<b>PO2</b> Domestic outbuildings: (a) do not dominate the lot on which they are located; and (b) are in scale with the character and amenity of the area.	<b>AO2.1</b> On lots less than 2 hectares, domestic outbuildings do not exceed: (a) 150m <sup>2</sup> in gross floor area; and (b) 5.5 metres above natural ground level.	<b>Complies</b>
	<b>AO2.2</b> On lots greater than 2 hectares, domestic outbuildings do not exceed 200m <sup>2</sup> in gross floor area.	<b>Not Applicable</b>
<b>Siting, where not involving a Dwelling House</b>		
Note—Where for Dwelling house, the setbacks of the Queensland Development Code apply.		
<b>PO3</b>	<b>AO3.1</b> Buildings and structures are setback from a State controlled road a minimum of 40 metres where a site is 2 hectares or larger.  Note—Where on a site with an area of less than 2 hectares, the setbacks of the Queensland Development Code apply.	<b>Not Applicable</b>

Performance outcomes	Acceptable outcomes	Response
<p>Development is sited in a manner that considers and respects:</p> <ul style="list-style-type: none"> <li>(a) the siting and use of adjoining premises;</li> <li>(b) access to sunlight and daylight for the site and adjoining sites;</li> <li>(c) privacy and overlooking;</li> <li>(d) opportunities for casual surveillance of adjoining public spaces;</li> <li>(e) air circulation and access to natural breezes;</li> <li>(f) appearance of building bulk; and</li> <li>(g) relationship with road corridors.</li> </ul>	<p><b>AO3.2</b> Buildings and structures include a minimum setback of:</p> <ul style="list-style-type: none"> <li>(a) 6 metres from a frontage to a sealed road that is not a State-controlled road;</li> <li>(b) 20 metres from a frontage to any other road; and</li> <li>(c) 10 metres from a boundary to an adjoining lot.</li> </ul>	<p>Refer to <b>Section 4.00</b> for response and <b>Appendix E - Proposed Lot Layout Plan</b>.</p>
<b>Accommodation density</b>		
<p><b>PO4</b> The density of Accommodation activities does not preclude the future re-development of the land for urban purposes consistent with Structure Plans approved in accordance it PO7.</p>	<p><b>AO4</b> Development provides a minimum density for Accommodation activities of 1 dwelling or accommodation unit per 1,250m<sup>2</sup> site area.</p> <p>Note—Calculation of Accommodation density excludes areas not developed as a result of provisions of an overlay.</p>	<p><b>Complies</b></p> <p>Each proposed lot contains one dwelling.</p> <p>Proposed Lot 1 has an area of 3,590m<sup>2</sup> and Proposed Lot 2 has an area of 1,312m<sup>2</sup>.</p> <p>Refer to <b>Appendix E - Proposed Lot Layout Plan</b></p>
<b>For assessable development</b>		
<p><b>PO5</b> Development where not involving urban purposes:</p> <ul style="list-style-type: none"> <li>(a) does not compromise the future development potential of the land for urban purposes; and</li> <li>(b) is compatible with residential uses.</li> </ul>	<p><b>AO5</b> Non-urban development is limited to Animal husbandry or Cropping.</p>	<p><b>Not Applicable</b></p>
<p><b>PO6</b> Development involving urban purposes provides:</p> <ul style="list-style-type: none"> <li>(a) residential areas with a mix of lot sizes to allow for housing mix; and</li> <li>(b) industrial areas with a mix of industrial uses.</li> </ul>	<p><b>AO6</b> No acceptable outcome provided.</p>	<p><b>Complies</b></p> <p>Refer to <b>Section 4.00</b>.</p>
<b>Structure planning</b>		



Performance outcomes	Acceptable outcomes	Response
<p><b>PO7</b> Development occurs as outlined in a Structure Plan that:</p> <ul style="list-style-type: none"> <li>(a) is prepared in accordance with Planning Scheme Policy 8 Structure Planning;</li> <li>(b) takes into consideration land use need and the type, scale, density of proposed urban development;</li> <li>(c) includes a road network that: <ul style="list-style-type: none"> <li>(i) is logically designed;</li> <li>(ii) can be delivered sequentially;</li> <li>(iii) includes an urban morphology that is consistent with the surrounding area;</li> <li>(iv) provides pedestrian links to centres and open space;</li> </ul> </li> <li>(d) locates any non-residential development: <ul style="list-style-type: none"> <li>(i) on major roads;</li> <li>(ii) where not introducing non-residential traffic to residential streets; and</li> <li>(iii) to provide the day to day needs of the immediate residential community;</li> </ul> </li> <li>(e) scales any non-residential development to: <ul style="list-style-type: none"> <li>(i) be consistent with the scale of surrounding residential development;</li> <li>(ii) not undermine the viability of nearby centres or the centres network; and</li> <li>(iii) not unduly detract from the amenity of nearby residences.</li> </ul> </li> </ul>	<p><b>AO7</b> No acceptable outcome provided.</p>	<p><b>Not Applicable</b></p> <p>It is submitted that due to the low-scale nature of the proposal that a Structure Plan is not required in this instance.</p>
<b>Building design</b>		

Performance outcomes	Acceptable outcomes	Response
<b>PO8</b> Development assists in the establishment of a consistent built character in the Emerging community zone, having regard to: <ul style="list-style-type: none"> <li>(a) roof form and pitch;</li> <li>(b) eaves and awnings;</li> <li>(c) building materials, colours and textures; and</li> <li>(d) window and door size and location.</li> </ul>	<b>AO8</b> No acceptable outcome is provided.	<b>Not Applicable</b>  No development is proposed as part of this proposal, however the existing dwellings are consistent with the surrounding residential uses.
<b>Amenity</b>		
<b>PO9</b> Development must not detract from the amenity of the local area, having regard to: <ul style="list-style-type: none"> <li>(a) noise;</li> <li>(b) hours of operation;</li> <li>(c) traffic;</li> <li>(d) advertising devices;</li> <li>(e) visual amenity;</li> <li>(f) privacy;</li> <li>(g) lighting;</li> <li>(h) odour; and</li> <li>(i) emissions.</li> </ul>	<b>AO9</b> No acceptable outcome is provided.	<b>Complies</b>  It is submitted that the proposal to create an additional lot to contain the existing dwellings on the subject site will not detract from the amenity of the local area and that the intent of this Performance Outcome can met with suitably worded conditions.
<b>PO10</b> Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to: <ul style="list-style-type: none"> <li>(a) noise;</li> <li>(b) hours of operation;</li> <li>(c) traffic;</li> <li>(d) advertising devices;</li> <li>(e) visual amenity;</li> <li>(f) privacy;</li> <li>(g) lighting;</li> <li>(h) odour; and</li> <li>(i) emissions.</li> </ul>	<b>AO10</b> No acceptable outcome is provided.	<b>Complies</b>  It is submitted that the proposal to create an additional lot to contain the existing dwellings on the subject site will not detract from the amenity of the local area and that the intent of this Performance Outcome can met with suitably worded conditions.

## Environmental significance overlay code

### 8.2.4.1 Application

- (1) This code applies to assessing development where:
  - (a) land the subject of development is affected by a constraint category identified on the **Environmental significance overlay maps (OM-004a-z)**; and
  - (b) it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

Note—Biodiversity and Water quality are appropriately reflected in Overlay Map 4 and is required to be mapped by State Government in response to Environment and Heritage State Interests.

### 8.2.4.2 Purpose

- (1) 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.
- (2) 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.

### 8.2.4.3 Criteria for assessment

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

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



Performance outcomes	Acceptable outcomes	Response
<p>(b) geomorphology and biophysical processes; 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>		
<b>Regulated vegetation intersecting a watercourse</b>		
<p><b>PO3</b> Vegetation clearing in areas mapped as 'Regulated vegetation intersecting a watercourse', identified as 'Waterway' and 'Waterway buffer' on the <b>Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b> 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><b>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b></p> <p><b>AO3.1</b> A minimum setback in accordance with <b>Table 8.2.4.3B</b> is provided between development and the top of the high bank of a 'Waterway' identified on the <b>Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b>.</p> <p><b>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b></p> <p><b>AO3.2</b> No clearing of native vegetation is undertaken within the minimum setback identified at <b>AO3.1</b>.</p>	<p><b>Complies</b></p> <p>Development is not proposed as part of this application and it is noted that existing dwellings and outbuildings will be retained.</p> <p><b>Complies</b></p> <p>No clearing is proposed within the areas of "Regulated Vegetation".</p>

Performance outcomes	Acceptable outcomes	Response
<b>Waterways and wetlands</b>		
<p><b>PO4</b> ‘High ecological significance wetlands’ identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b> and ‘Waterways’ on <b>Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b> and are protected by:</p> <p>(a) maintaining adequate separation distances between waterways/wetlands and development;</p> <p>(b) maintaining and enhancing aquatic and terrestrial habitat including vegetated corridors to allow for native fauna (terrestrial and aquatic) movement;</p> <p>(c) maintaining waterway bank stability by minimising bank erosion and slumping;</p> <p>(d) maintaining water quality by providing buffers to allow filtering of sediments, nutrients and other pollutants; and</p> <p>(e) retaining and improving existing riparian vegetation and existing vegetation associated with a wetland.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p><b>Where within a ‘Waterway buffer’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b> <b>AO4.1</b> A minimum setback in accordance with <b>Table 8.2.4.3B</b> is provided between development and the top of the high bank of a ‘Waterway’ identified on the <b>Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b>.</p>	<p><b>Complies</b></p> <p>Development is not proposed as part of this application and it is noted that existing dwellings and outbuildings will be retained.</p>
	<p><b>Where within a ‘High ecological significance wetland buffer’ on Environmental Significance Overlay Maps (OM-004a-o)</b> <b>AO4.2</b> A minimum buffer of 200 metres is provided between development and the edge of a ‘High ecological significance wetland’ identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b>.</p>	<p><b>Complies</b></p> <p>Development is not proposed as part of this application and it is noted that existing dwellings and outbuildings will be retained.</p>
	<p><b>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)</b> <b>AO4.3</b> No stormwater is discharged to a ‘Waterway’ on <b>Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b> or ‘High ecological significance wetland’ identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b>.</p> <p>Note— An alternative outcome is required to demonstrate that the ecological impacts of stormwater discharge to a ‘Waterway’ or ‘High</p>	<p>Existing stormwater arrangements will be retained.</p>

Performance outcomes	Acceptable outcomes	Response
	ecological significance wetland' are mitigated in accordance with PO3 through appropriate stormwater management / treatment (where possible).	
	<p><b>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) AO4.4</b></p> <p>No wastewater is discharged to a 'Waterway' on <b>Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b> or 'High ecological significance wetland' identified on the <b>Environmental Significance Overlay Map (OM-004a-z)</b>.</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><b>Complies</b></p> <p>No wastewater will be discharged to a waterway. Refer to <b>Appendix D - Wastewater Treatment Plan</b>.</p>
<b>For assessable development</b>		
<b>Wildlife Habitat</b>		
<p><b>PO5</b></p> <p>Development within a 'Wildlife habitat' area identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b>:</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 underlying ecosystem processes within or adjacent to the development site;</p> <p>(c) maintains or enhances wildlife interconnectivity</p>	<p><b>AO5</b></p> <p>No acceptable outcome is provided</p>	<p><b>Not Applicable</b></p>

Performance outcomes	Acceptable outcomes	Response
<p>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>		
<b>Legally secured offset areas</b>		
<p><b>PO6</b></p> <p>Development within a 'Legally secured offset area' identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b> 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 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>	<p><b>AO6</b></p> <p>No acceptable outcome is provided.</p>	<b>Not Applicable</b>
<b>Protected areas</b>		
<p><b>PO7</b></p> <p>Development within a 'Protected area' identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b> is consistent with the values of the Protected Area and:</p>	<p><b>AO7</b></p> <p>No acceptable outcome is provided</p>	<b>Not Applicable</b>



Performance outcomes	Acceptable outcomes	Response
<p>(a) supports the inherent ecological and community values of the Protected Area asset;</p> <p>(b) maintains or enhances wildlife interconnectivity at a local and regional scale; and</p> <p>(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> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>		

Performance outcomes	Acceptable outcomes	Response
<b>Ecological corridors and Habitat linkages</b>		
<p><b>PO8</b> Development located:</p> <p>(a) in the Conservation zone, Emerging community zone, Recreation and open space zone, Rural zone or Rural residential zone; and</p> <p>(b) within an 'Ecological corridor' or a 'Habitat linkage' identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b></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</p>	<p><b>AO8</b> No acceptable outcome is provided</p>	<p><b>Not Applicable</b></p>

Performance outcomes	Acceptable outcomes	Response
Policy 2 – Ecological Assessment Reports may be appropriate to demonstrate compliance with PO8.		

**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

Note—The stream order of a 'waterway' is to be determined on a case by case basis.

## Flood hazard overlay code

### 8.2.6.1 Application

- (1) This code applies to assessing development where:
  - (a) land the subject of development is located within a Flood hazard area identified on the **Flood hazard overlay maps (OM-006a-o)**; and
  - (b) it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

Note—Natural hazards are appropriately reflected in Overlay Maps 3, 6 and 8 and are required to be mapped by State Government in response to Hazard and Safety State Interests.

Note—where new information, including flood studies or flood modelling supersedes the Flood hazard overlay maps (OM-006a-o) Council may have regard to this new information in the application of the Flood hazard overlay code in the interests of the precautionary principle and the safety of persons and property.

### 8.2.6.2 Purpose

- (1) 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.
- (2) 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.

### 8.2.6.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Response
<b>For accepted development subject to requirements and assessable development</b>		
<b>All flood hazard areas</b>		
<b>PO1</b> Development prevents the carriage or dispersal of contaminants or pollutants into the receiving environment.	<b>AO1</b> The processing or storage of dangerous goods or hazardous materials is: (a) not undertaken in a flood hazard area identified on the <b>Flood hazard overlay maps (OM-006a-o)</b> ; or (b) is located above the defined flood level plus 0.3 metre freeboard.	<b>Not Applicable</b>  The processing or storage of dangerous goods or hazardous materials is not proposed as part of this application.
<b>PO2</b> Essential community infrastructure is able to function effectively during and immediately after flood events.	<b>AO2</b> Design levels for buildings must comply with the flood immunity standards specified in <b>Table 8.2.6.3.B</b> and <b>Table 8.2.6.3.C</b> where within a flood hazard area identified on the <b>Flood hazard overlay maps (OM-006a-o)</b> .	The proposal does not include any Essential Community Infrastructure.
<b>Extreme flood hazard area</b>		
<b>PO3</b> Development, where involving a Material change of use within an 'Extreme flood hazard area' on the <b>Flood hazard overlay maps (OM006a-o)</b> , 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;	<b>AO3.1</b> Uses within the following activity groups are not located within an 'Extreme flood hazard area identified' on the <b>Flood hazard overlay maps (OM006a-o)</b> : (a) Accommodation activities; (b) Commercial activities; (c) Community activities except where for a Club with a maximum gross floor area of 100m <sup>2</sup> ; (d) Industrial activities; (e) Rural activities, except where for Animal husbandry, Cropping, or Permanent plantation.	Refer to <b>Section 6.03</b> for response.

Performance outcomes	Acceptable outcomes	Response
<p>(d) associated consequences of flooding in regard to impacts on proposed buildings, structures, and supporting infrastructure; and</p> <p>(e) associated consequences of flooding in respect to undue burden on disaster response recovery capacity and capabilities.</p>	<p><b>AO3.2</b> Sport and recreation activities are not located within an 'Extreme flood hazard area' identified on the <b>Flood hazard overlay maps (OM006a-o)</b> except where for:</p> <p>(a) Environment facility; (b) Park; or (c) Outdoor sport and recreation (excluding the provision of ancillary facilities or amenities conducted within a building).</p>	<p><b>Not Applicable</b></p>
<p><b>PO4</b> Development is located and designed to:</p> <p>(a) maintain and enhance the flood conveyance capacity of the premises;</p> <p>(b) not increase the number of people calculated to be at risk from flooding;</p> <p>(c) not increase the flood impact on adjoining premises;</p> <p>(d) ensure the safety of all persons by ensuring that development levels are set above the defined flood level;</p> <p>(e) reduce property damage; and</p> <p>(f) provide flood immune access to buildings.</p> <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 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>	<p><b>AO4.1</b> Buildings, including extensions to existing buildings, are:</p> <p>(a) not located within an 'Extreme flood hazard area' identified on the <b>Flood hazard overlay maps (OM006a-o)</b>; or</p> <p>(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> <p><b>AO4.2</b> 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><b>AO4.3</b> 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 <b>Flood hazard overlay maps (OM006a-o)</b>.</p>	<p>No new buildings are proposed as part of this Reconfiguration of a Lot and no existing buildings (other than existing garden sheds) are located within the Extreme Flood Hazard Area as shown by <b>Figure 10 – Flood Hazard Overlay Comparison</b>.</p> <p>No new buildings are proposed as part of this Reconfiguration of a Lot and no existing buildings (other than existing garden sheds) are located within the Extreme Flood Hazard Area as shown by <b>Figure 10 – Flood Hazard Overlay Comparison</b>.</p> <p>No new buildings are proposed as part of this Reconfiguration of a Lot and no existing buildings (other than existing garden sheds) are located within the Extreme Flood Hazard Area as shown by <b>Figure 10 – Flood Hazard Overlay Comparison</b>.</p>

Performance outcomes	Acceptable outcomes	Response
<ul style="list-style-type: none"> <li>i. gross floor area; or</li> <li>ii. the number of dwellings or bedrooms on the premises.</li> </ul>	<b>AO4.4</b> Development does not increase the number of lots in the 'Extreme flood hazard area' identified on the <b>Flood hazard overlay maps (OM006a-o)</b> except where for the purposes of public open space.	<b>Complies</b>  The proposal does not increase the number of lots within the Extreme Flood Hazard Area.
<b>PO5</b> 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: <ul style="list-style-type: none"> <li>(a) flood storage capacity of land;</li> <li>(b) flood conveyance function of land;</li> <li>(c) flood and drainage channels;</li> <li>(d) overland flow paths; and</li> <li>(e) flood warning times.</li> </ul>	<b>AO5</b> Filling above ground level is not undertaken in the 'Extreme flood hazard area' identified on the <b>Flood hazard overlay maps (OM006a-o)</b> .	<b>Not Applicable</b>  No filling is proposed as part of this application.
<b>High flood hazard area</b>		
<b>PO6</b> Development, where for a Material change of use within a 'High flood hazard area' identified on the <b>Flood hazard overlay maps (OM-006a-o)</b> , is appropriate to the flood hazard risk having regard to the: <ul style="list-style-type: none"> <li>(a) likelihood and frequency of flooding;</li> <li>(b) flood risk acceptability of development;</li> <li>(c) vulnerability of and safety risk to persons associated with the use;</li> <li>(d) associated consequences of flooding in regard to impacts on proposed buildings, structures and supporting infrastructure; and</li> <li>(e) associated consequences of</li> </ul>	<b>AO6.1</b> Uses within the following activity groups are not located within a 'High flood hazard area' identified on the <b>Flood hazard overlay maps (OM006a-o)</b> : <ul style="list-style-type: none"> <li>(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;</li> <li>(b) Community activities except where for a Club with a maximum gross floor area of 100m<sup>2</sup>;</li> <li>(c) Rural activities, except where for Animal husbandry, Cropping or Permanent plantation.</li> </ul>	No new buildings are proposed as part of this Reconfiguration of a Lot and no existing dwellings (other than existing garden sheds) are located within the High Flood Hazard Area as shown by <b>Figure 10 – Flood Hazard Overlay Comparison</b> .



Performance outcomes	Acceptable outcomes	Response
flooding in respect to undue burden on disaster response recovery capacity and capabilities.	<b>AO6.2</b> Sport and recreation activities are not located within a 'High flood hazard area' identified on the <b>Flood hazard overlay maps (OM006a-o)</b> except where for: <ul style="list-style-type: none"> <li>(a) Environment facility;</li> <li>(b) Park; or</li> <li>(c) Outdoor sport and recreation (excluding the provision of ancillary facilities or amenities conducted within a building).</li> </ul>	<b>Not Applicable</b>
<b>P07</b> Development is located and designed to: <ul style="list-style-type: none"> <li>(a) maintain hydrological function of the premises;</li> <li>(b) not increase the number of people calculated to be at risk from flooding;</li> <li>(c) minimises the flood impact on adjoining premises;</li> <li>(d) ensure the safety of all persons by ensuring that an appropriate proportion of buildings are set above the defined flood level;</li> <li>(e) reduce the carriage of debris in flood waters;</li> <li>(f) reduce property damage; and</li> <li>(g) provide flood immune access to buildings.</li> </ul> <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>	<b>AO7.1</b> Buildings, including extensions to existing buildings are: <ul style="list-style-type: none"> <li>(a) not located within the 'High flood hazard area' identified on the <b>Flood hazard overlay maps (OM006a-o)</b>; or</li> <li>(b) elevated above the defined flood level, with 0.3 metres freeboard from the defined flood level provided for habitable rooms within a dwelling.</li> </ul> OR	No new buildings are proposed as part of this Reconfiguration of a Lot and no existing dwellings (other than existing garden sheds) are located within the High Flood Hazard Area as shown by <b>Figure 10 – Flood Hazard Overlay Comparison</b> .
	<b>AO7.2</b> 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: <ul style="list-style-type: none"> <li>(a) administrative areas; or</li> <li>(b) services, plant and equipment associated with the building.</li> </ul> <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>	<b>Not Applicable</b>
	<b>AO7.3</b> 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.	<b>Not Applicable</b>  No Building Work is proposed as part of this application.

Performance outcomes	Acceptable outcomes	Response
	<p><b>AO7.4</b> 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 <b>Flood hazard overlay maps (OM006a-o)</b>.</p>	<p><b>Not Applicable</b></p> <p>No new buildings are proposed as part of this application.</p>
	<p><b>AO7.5</b> 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><b>Not Applicable</b></p> <p>No temporary, relocatable or impermanent buildings or structures are proposed as part of this application.</p>
	<p><b>AO7.6</b> Dwellings do not exceed four bedrooms.</p>	<p><b>Not Applicable</b></p> <p>No dwellings are located within the High flood hazard area. However it is noted that the dwellings located within the Low Flood Hazard area contain 3 bedrooms for Proposed Lot 1 and 5 bedrooms for Proposed Lot 2.</p>
	<p><b>AO7.7</b> Building work on an existing dwelling does not comprise additional bedrooms.</p>	<p><b>Not Applicable</b></p> <p>No Building Work is proposed as part of this application to create additional bedrooms.</p>
	<p><b>AO7.8</b> 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><b>Not Applicable</b></p> <p>No Building Work is proposed as part of this application.</p>
	<p><b>AO7.9</b> Development does not increase the number of lots in the 'High flood hazard area; as identified on the <b>Flood hazard overlay maps (OM006a-o)</b> except where for the purposes of public open space.</p>	<p><b>Complies</b></p> <p>The proposed Lot Layout does not create any additional lots within the High Flood Hazard Area as shown by <b>Figure 10 – Flood Hazard Overlay Comparison</b>.</p>

Performance outcomes	Acceptable outcomes	Response
<p><b>PO8</b></p> <p>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"> <li>(a) flood storage capacity of land;</li> <li>(b) flood conveyance function of land;</li> <li>(c) flood and drainage channels;</li> <li>(d) overland flow paths; and</li> <li>(e) flood warning times.</li> </ul>	<p><b>AO8</b></p> <p>Filling above ground level is not undertaken in the 'High flood hazard area' identified on the <b>Flood hazard overlay maps (OM006a-o)</b>.</p>	<p><b>Not Applicable</b></p> <p>No filling is proposed as part of this application.</p>
<b>Significant flood hazard area</b>		
<p><b>PO9</b></p> <p>Development, involving a Material change of use, within a 'Significant flood hazard area' on the <b>Flood hazard overlay maps (OM006a-o)</b> is appropriate to the flood hazard risk having regard to the:</p> <ul style="list-style-type: none"> <li>(a) likelihood and frequency of flooding;</li> <li>(b) flood risk acceptability of development;</li> <li>(c) vulnerability of and safety risk to persons associated with the use;</li> <li>(d) associated consequences of flooding in regard to impacts on proposed buildings, structures and supporting infrastructure; and</li> <li>(e) associated consequences of flooding in respect to undue burden on disaster response recovery capacity and capabilities.</li> </ul>	<p><b>AO9</b></p> <p>The following uses are not located within a 'Significant flood hazard area' identified on the <b>Flood hazard overlay maps (OM006a-o)</b>:</p> <ul style="list-style-type: none"> <li>(a) Residential care facility;</li> <li>(b) Retirement facility;</li> <li>(c) Child care centre;</li> <li>(d) Hospital; or</li> <li>(e) Community use.</li> </ul>	<p><b>Not Applicable</b></p> <p>The uses (a)-(e) identified in AO9 are not located on the subject site.</p>

Performance outcomes	Acceptable outcomes	Response
<b>Significant flood hazard area, Low flood hazard area or Potential flood hazard area</b>		
<p><b>PO10</b> Development, where involving a Material change of use or Building work, is located and designed to:</p> <ul style="list-style-type: none"> <li>(a) maintain hydrological function of the premises;</li> <li>(b) not increase the number of people calculated to be at risk from flooding;</li> <li>(c) minimises the flood impact on adjoining premises;</li> <li>(d) ensure the safety of all persons by ensuring that a proportion of buildings are set above the defined flood level;</li> <li>(e) reduce the carriage of debris in flood waters;</li> <li>(f) reduce property damage; and</li> <li>(g) provide flood immune access to buildings.</li> </ul> <p>Note—Where the development is located in a 'Potential flood hazard area' identified on the <b>Flood hazard overlay maps (OM006a-o)</b> 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><b>AO10.1</b> Buildings, including extensions to existing buildings are:</p> <ul style="list-style-type: none"> <li>(a) elevated above the defined flood level; and</li> <li>(b) the defined flood event does not exceed a depth of 600mm; and</li> <li>(c) elevated above the defined flood level plus 0.3 metres freeboard where for habitable rooms within a dwelling.</li> </ul> <p>OR</p>	Existing dwellings and outbuildings will be retained. It is noted that no development or extensions to existing buildings are proposed as part of this application.
	<p><b>AO10.2</b> 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> <ul style="list-style-type: none"> <li>(a) administrative areas; or</li> <li>(b) services, plant and equipment associated with the building.</li> </ul> <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>	<b>Not Applicable</b>
	<p><b>AO10.3</b> 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>	No Building Work is proposed as part of this application.



Performance outcomes	Acceptable outcomes	Response
<b>PO11</b> 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: <ul style="list-style-type: none"> <li>(a) flood storage capacity of land;</li> <li>(b) flood conveyance function of land;</li> <li>(c) flood and drainage channels;</li> <li>(d) overland flow paths; and</li> <li>(e) flood warning times.</li> </ul>	<b>AO11</b> Development does not involve in excess of 50m <sup>3</sup> of fill above ground level per 1,000m <sup>2</sup> of site area.	<b>Not Applicable</b>
<b>For assessable development</b>		
<b>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.</b>		
<b>PO12</b> 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: <ul style="list-style-type: none"> <li>(a) indicates the position and path of all safe evacuation routes off the site; and</li> <li>(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.</li> </ul> <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 <b>Flood hazard overlay map (OM006a-o)</b> 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>	<b>AO12</b> No acceptable outcome is provided.	<b>Not Applicable</b>

Performance outcomes	Acceptable outcomes	Response
<b>Significant flood hazard area, Low flood hazard area or Potential flood hazard area</b>		
<b>PO13</b> Development, where involving Reconfiguring a lot, is located and designed to: <ul style="list-style-type: none"> <li>(a) maintain hydrological function of the premises;</li> <li>(b) not increase the number of people calculated to be at risk from flooding;</li> <li>(c) minimises the flood impact on adjoining premises;</li> <li>(d) ensure the safety of all persons by ensuring that a proportion of buildings are set above the defined flood level;</li> <li>(e) reduce the carriage of debris in flood waters;</li> <li>(f) reduce property damage; and</li> <li>(g) provide flood immune access to buildings.</li> </ul> <p>Note—Where the development is located in a 'Potential flood hazard area' identified on the <b>Flood hazard overlay maps (OM006a-o)</b> 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>	<b>AO13</b> No acceptable outcome is provided.	<b>Complies</b> <p>It is submitted that the Proposed Lot Layout Plan addresses items (a) – (g) of Performance Outcome 13.</p> <p>Refer to <b>Figure 10 – Flood Hazard Overlay Comparison</b> and <b>Appendix E - Proposed Lot Layout Plan</b>.</p>

**Table 8.2.6.3B Flood immunity levels**

Development Category	Minimum design floor or pavement levels (mAHD)
Category A	1% AEP + 0.5 metres
Category B	1% AEP + 0.3 metres
Category C	1% AEP
Category D	1% AEP
Category E	2% AEP

Note—Refer Table 8.2.6.3D for building classification by Category.

**Table 8.2.6.3C Community infrastructure flood immunity levels**

Development Type	Minimum design floor or pavement levels (mAHD)
Emergency services, where for:	
<ul style="list-style-type: none"> <li>• Emergency Shelters</li> </ul>	0.1% AEP

Development Type	Minimum design floor or pavement levels (mAHD)
• Police facilities	0.5% AEP
• Other Emergency services	0.1% AEP + 0.5 metres
Hospital	0.1% AEP+ 0.5 metres
Community use (where for the storage of valuable records or items of historic or cultural significance including libraries and museums)	0.5% AEP
Special industry (where for power station)	0.5% AEP
Substations	0.5% AEP
Utility installation (where for a sewage treatment plant)	Defined flood level
Utility installation (where for a water treatment plant)	0.5% AEP
Utility installation (other)	Alternative outcome required.
Air services	Alternative outcome required.

**Table 8.2.6.3D Development category**

Building Code of Australia Building classification <sup>(1)</sup>	Development types and design levels, assigned design floor or pavement levels	Category – refer to Table 8.2.6.3B for flood planning levels
Class 1–4	Habitable room	Category A
	Non-habitable room including patio and courtyard	Category B
	Non-habitable part of a Class 2 or Class 3 building excluding the essential services <sup>(2)</sup> control room	Category B
	Parking located in the building undercroft of a multiple dwelling	Category C
	Carport, unroofed car park; vehicular manoeuvring area	Category D
	Essential electrical services <sup>(2)</sup> of a Class 2 or Class 3 building only	Category A
	Basement parking entry	Category C + 0.3 metres
Class 5, Class 6, or Class 8	Building floor level	Category C
	Garage or car park located in the building undercroft	Category C
	Carport or unroofed car park	Category D
	Vehicular access and manoeuvring areas	Category D
	Basement parking entry	Category C
	Essential electrical services <sup>(2)</sup>	Class 8 – Category Class 5 & 6 – Category A
Class 7a	Refer to the relevant building class specified in this table	
Class 7b	Building floor level	Category C
	Vehicular access and manoeuvring area	Category D
	Essential electrical services <sup>(2)</sup>	Category C
Class 9	Building floor level	Category A
	Building floor level for habitable rooms in Class 9a or 9c where for a Residential care facility	0.2% AEP flood

Building Code of Australia Building classification <sup>(1)</sup>	Development types and design levels, assigned design floor or pavement levels	Category – refer to Table 8.2.6.3B for flood planning levels
	Building floor level for habitable rooms in Class 9b where involving children, such as a child care centre	0.2% AEP flood
	Garage or car park located in the building undercroft	Category C
	Carport or unroofed car park	Category D
	Vehicular access and manoeuvring areas	Category D
	Essential electrical services <sup>(2)</sup>	Category A
Class 10a	Car parking facility	Refer to the relevant building class specified in this table
	Shed or the like	Category D
Class 10b	Swimming pool	Category E
	Associated mechanical and electrical pool equipment	Category C
	Other structures	Flood planning levels do not apply

<sup>(1)</sup> Refer to the Building Code of Australia for definitions of building classifications.

<sup>(2)</sup> Essential electrical services include any area or room used for fire control panel, telephone PABX, sensitive substation equipment including transformers, low voltage switch gear, high voltage switch gear, battery chargers, protection control and communication equipment, low voltage cables, high voltage cables, and lift or pump controls.



## Landscaping code

### 9.4.2.1 Application

This code applies where it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

### 9.4.2.2 Purpose

- (1) 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.
- (2) 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.

### 9.4.2.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Response
<b>For accepted development subject to requirements and assessable development</b>		
<b>PO1</b> Development, other than in the Rural zone, includes landscaping that: <ul style="list-style-type: none"> <li>(a) contributes to the landscape character of the Shire;</li> <li>(b) compliments the character of the immediate surrounds;</li> <li>(c) provides an appropriate balance between built and natural elements; and</li> <li>(d) provides a source of visual interest.</li> </ul>	<b>AO1</b> Development, other than in the Rural zone, provides: <ul style="list-style-type: none"> <li>(a) a minimum of 10% of the site as landscaping;</li> <li>(b) planting in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species;</li> <li>(c) for the integration of retained significant vegetation into landscaping areas;</li> <li>(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.</li> </ul> <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>	<b>Complies</b> Existing substantial mature on-site landscaping will be retained.
<b>PO2</b> Development, other than in the Rural zone, includes landscaping along site frontages that: <ul style="list-style-type: none"> <li>(a) creates an attractive streetscape;</li> <li>(b) compliments the character of the immediate surrounds;</li> <li>(c) assists to break up and soften elements of built form;</li> <li>(d) screen areas of limited visual interest or servicing;</li> <li>(e) provide shade for pedestrians; and</li> <li>(f) includes a range and variety of planting.</li> </ul>	<b>AO2</b> Development, other than in the Rural zone, includes a landscape strip along any site frontage: <ul style="list-style-type: none"> <li>(a) with a minimum width of 2 metres where adjoining a car parking area;</li> <li>(b) with a minimum width of 1.5 metres in all other locations; and</li> <li>(c) in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.</li> </ul> <p>Note—Where development is setback from a frontage less than 1.5 metres, the setback area is provided as a landscape strip</p>	<b>Complies</b> Existing substantial mature on-site landscaping will be retained.
<b>PO3</b> Development includes landscaping and fencing along side and rear boundaries that:	<b>AO3.1</b> Development provides landscape treatments along side and rear boundaries in accordance with <b>Table 9.4.2.3B</b> .	<b>Complies</b> Existing substantial mature on-site landscaping will be retained.

Performance outcomes	Acceptable outcomes	Response
(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.	<b>AO3.2</b> Shrubs and trees provided in landscape strips along side and rear boundaries: (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.	<b>Complies</b> Existing substantial mature on-site landscaping will be retained.
	<b>AO3.3</b> Any landscape strip provided along a side or rear boundary is designed in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.	<b>Complies</b> Existing substantial mature on-site landscaping will be retained.
<b>PO4</b> Car parking areas are improved with a variety of landscaping that: (a) provides visual interest; (b) provides a source of shade for pedestrians; (c) assists to break up and soften elements; and (d) improves legibility.	<b>AO4.1</b> Landscaping is provided in car parking areas which provides: (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 500m <sup>2</sup> : (i) shade structures are provided for 50% of parking spaces; and (ii) a minimum of 10% of the parking area as landscaping.  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.	<b>Not Applicable</b>
	<b>AO4.2</b> Landscaping in car parking areas is designed in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.	<b>Not Applicable</b>

Performance outcomes	Acceptable outcomes	Response
<b>PO5</b> Landscaping areas include a range and variety of planting that: <ul style="list-style-type: none"> <li>(a) is suitable for the intended purpose and local conditions;</li> <li>(b) contributes to the natural character of the Shire;</li> <li>(c) includes native species;</li> <li>(d) includes locally endemic species, where practical; and</li> <li>(e) does not include invasive plants or weeds.</li> </ul>	<b>AO5.1</b> Plant species are selected from the Plant Schedule in Planning Scheme Policy 6 - Landscaping and preferred plant species.	<b>Complies</b> Existing substantial mature on-site landscaping will be retained.
	<b>AO5.2</b> 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.	<b>Complies</b> Existing substantial mature on-site landscaping will be retained.
<b>PO6</b> Landscaping does not impact on the ongoing provision of infrastructure and services to the Shire.	<b>AO6.1</b> Tree planting is a minimum of <ul style="list-style-type: none"> <li>(a) 2 metres from any underground water, sewer, gas, electricity or telecommunications infrastructure; and</li> <li>(b) 4 metres from any inspection chamber.</li> </ul>	<b>Complies</b> Existing substantial mature on-site landscaping will be retained and where appropriate will be setback from existing urban services.
	<b>AO6.2</b> Vegetation below or within 4 metres of overhead electricity lines and power poles has a maximum height of 3.5 metres at maturity.	<b>Complies</b> Existing substantial mature on-site landscaping will be retained and where appropriate will be setback from existing urban services.
	<b>AO6.3</b> Vegetation adjoining an electricity substation boundary, at maturity, will have: <ul style="list-style-type: none"> <li>(a) a height of less than 4 metres; and</li> <li>(b) no foliage within 3 metres of the substation boundary, unless the substation has a solid wall along any boundary.</li> </ul>	<b>Not Applicable</b>



Performance outcomes	Acceptable outcomes	Response
<b>For assessable development</b>		
<b>PO7</b> Landscaping areas are designed to: <ul style="list-style-type: none"> <li>(a) be easily maintained throughout the ongoing use of the site;</li> <li>(b) allow sufficient area and access to sunlight and water for plant growth;</li> <li>(c) not cause a nuisance to occupants of the site or members of the public; and</li> <li>(d) maintain or enhance the safety of pedestrians through the use of Crime Prevention Through Environmental Design principles.</li> </ul>	<b>AO7</b> No acceptable outcome is provided.	<b>Complies</b> Existing substantial mature on-site landscaping will be retained.

**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 boundary with land in the Low density residential zone, the Medium density residential zone or the Rural residential zone:	1.5 metres	1.8 metres	Along the common boundary.
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.

## Parking and access code

### 9.4.3.1 Application

This code applies to assessing development where it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

### 9.4.3.2 Purpose

- (1) 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.
- (2) 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.

### 9.4.3.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Response
<b>For accepted development subject to requirements and assessable development</b>		
<b>Car parking spaces</b>		
<b>PO1</b> Development provides sufficient car parking to accommodate the demand likely to be generated by the use, having regard to the: <ol style="list-style-type: none"> <li>(a) nature of the use;</li> <li>(b) location of the site;</li> <li>(c) proximity of the use to public transport services;</li> <li>(d) availability of active transport infrastructure; and</li> <li>(e) accessibility of the use to all members of the community.</li> </ol>	<b>AO1</b> The number of car parking spaces provided for the use is in accordance with <b>Table 9.4.3.3B</b> .  Note—Car parking spaces provided for persons with a disability are to be considered in determining compliance with AO1.	<b>Complies</b>

Performance outcomes	Acceptable outcomes	Response
<b>Vehicle crossovers</b>		
<b>PO2</b> Vehicle crossovers are provided to: <ul style="list-style-type: none"> <li>(a) ensure safe and efficient access between the road and premises;</li> <li>(b) minimize interference with the function and operation of roads; and</li> <li>(c) minimise pedestrian to vehicle conflict.</li> </ul>	<b>AO2.1</b> 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.	<b>Complies</b>
	<b>AO2.2</b> Development on a site with two or more road frontages provides vehicular access from: <ul style="list-style-type: none"> <li>(a) the primary frontage where involving Community activities or Sport and recreation activities, unless the primary road frontage is a State-controlled road; or</li> <li>(b) from the lowest order road in all other instances.</li> </ul>	<b>Not Applicable</b>
	<b>AO2.3</b> Vehicular access for particular uses is provided in accordance with <b>Table 9.4.3.3E</b> .	<b>Complies</b>
<b>PO3</b> Access, manoeuvring and car parking areas include appropriate pavement treatments having regard to: <ul style="list-style-type: none"> <li>(a) the intensity of anticipated vehicle movements;</li> <li>(b) the nature of the use that they service; and</li> <li>(c) the character of the surrounding locality.</li> </ul>	<b>AO3</b> Access, manoeuvring and car parking areas include pavements that are constructed in accordance with <b>Table 9.4.3.3C</b> .	<b>Complies</b>
<b>For assessable development</b>		
<b>Parking area location and design</b>		
<b>PO4</b> Car parking areas are located and designed to: <ul style="list-style-type: none"> <li>(a) ensure safety and efficiency in operation; and</li> </ul>	<b>AO4.1</b> Car parking spaces, access and circulation areas have dimensions in accordance with AS/NZS 2890.1 Off-street car parking.	<b>Capable of showing compliance</b>

Performance outcomes	Acceptable outcomes	Response
(b) be consistent with the character of the surrounding locality.	<b>AO4.2</b> 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.	<b>Capable of showing compliance</b>
	<b>AO4.3</b> The car parking area includes designated pedestrian routes that provide connections to building entrances.	<b>Not Applicable</b>
	<b>AO4.4</b> Parking and any set down areas are: (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.	<b>Complies</b>
<b>Site access and manoeuvring</b>		
<b>PO5</b> Access to, and manoeuvring within, the site is designed and located to: (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.	<b>AO5.1</b> Access and manoeuvrability is in accordance with : (a) AS28901 – Car Parking Facilities (Off Street Parking); and (b) AS2890.2 – Parking Facilities (Off-street Parking) Commercial Vehicle Facilities.  Note—Proposal plans should include turning circles designed in accordance with AP34/95 (Austroads 1995) Design Vehicles and Turning Path Templates.	<b>Complies</b>



Performance outcomes	Acceptable outcomes	Response
	<b>AO5.2</b> Vehicular access has a minimum sight distance in accordance with Part 5 of AUSTROADS.	<b>Capable of showing compliance</b>
	<b>AO5.3</b> Vehicular access is located and designed so that all vehicles enter and exit the site in a forward gear.	<b>Complies</b>
	<b>AO5.4</b> Pedestrian and cyclist access to the site: (a) is clearly defined; (b) easily identifiable; and (c) provides a connection between the site frontage and the entrance to buildings and end of trip facilities (where provided).	<b>Capable of showing compliance</b>
<b>PO6</b> Development that involves an internal road network ensures that it's design: (a) ensure safety and efficiency in operation; (b) does not impact on the amenity of residential uses on the site and on adjoining sites, having regard to matters of: (i) hours of operation; (ii) noise (iii) light; and (iv) odour; (c) accommodates the nature and volume of vehicle movements anticipated to be generated by the use; (d) allows for convenient access to key on-site features by pedestrians, cyclists and motor vehicles; and (e) in the Rural zone, avoids environmental degradation.	<b>AO6.1</b> Internal roads for a Tourist park have a minimum width of: (a) 4 metres if one way; or (b) 6 metres if two way.	<b>Not Applicable</b>
	<b>AO6.2</b> 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: (a) a minimum approach and departure curve radius of 12 metres; and (b) a minimum turning circle radius of 8 metres.	<b>Not Applicable</b>
	<b>AO6.3</b> Internal roads are imperviously sealed and drained, apart from those for an Energy and infrastructure activity or Rural activity.	<b>Not Applicable</b>

Performance outcomes	Acceptable outcomes	Response
	<b>AO6.4</b> 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.	Not Applicable
	<b>AO6.5</b> 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.	Not Applicable
	<b>AO6.6</b> Where involving an accommodation activity, internal roads facilitate unobstructed access to every dwelling, accommodation unit, accommodation site and building by emergency services vehicles.	Not Applicable
	<b>AO6.7</b> For an Energy and infrastructure activity or Rural activity, internal road gradients: (a) are no steeper than 1:5; or (b) are steeper than 1:5 and are sealed.	Not Applicable
<b>Servicing</b>		
<b>PO7</b> Development provides access, maneuvering and servicing areas on site that: (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;	<b>AO7.1</b> All unloading, loading, service and waste disposal areas are located: (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.	Not Applicable

Performance outcomes	Acceptable outcomes	Response
(c) do not adversely impact on the safety or efficiency of the road network;	<b>AO7.2</b> Unloading, loading, service and waste disposal areas allow service vehicles to enter and exit the site in a forward gear.	<b>Not Applicable</b>
(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.	<b>AO7.3</b> Development provides a servicing area, site access and maneuvering areas to accommodate the applicable minimum servicing vehicle specified in <b>Table 9.4.3.3B</b> .	<b>Not Applicable</b>
<b>Maintenance</b>		
<b>PO8</b> Parking areas are used and maintained for their intended purpose.	<b>AO8.1</b> Parking areas are kept and used exclusively for parking and are maintained in a suitable condition for parking and circulation of vehicles.	<b>Capable of showing compliance</b>
	<b>AO8.2</b> All parking areas will be compacted, sealed, drained, line marked and maintained until such time as the development ceases.	<b>Capable of showing compliance</b>
<b>End of trip facilities</b>		
<b>PO9</b> Development within the Centre zone; Industry zone or Emerging community zone provides facilities for active transport users that: (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.	<b>AO9.1</b> The number of bicycle parking spaces provided for the use is in accordance with <b>Table 9.4.3.3D</b> .	<b>Not Applicable</b>
	<b>AO9.2</b> End of trip facilities are provided in accordance with <b>Table 9.4.3.3D</b> .	<b>Not Applicable</b>

Performance outcomes	Acceptable outcomes	Response
<b>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</b>		
<b>PO10</b> 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.	<b>AO10</b> A traffic impact report is prepared by a suitably qualified person that identifies: <ul style="list-style-type: none"> <li>(a) the expected traffic movements to be generated by the facility;</li> <li>(b) any associated impacts on the road network; and</li> <li>(c) any works that will be required to address the identified impacts.</li> </ul>	<b>Not Applicable</b>
<b>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</b>		
<b>PO11</b> 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.	<b>AO11</b> A traffic impact report is prepared by a suitably qualified person that identifies: <ul style="list-style-type: none"> <li>(d) the expected traffic movements to be generated by the facility;</li> <li>(e) any associated impacts on the road network; and</li> <li>(f) any works that will be required to address the identified impacts.</li> </ul>	<b>Not Applicable</b>

**Table 9.4.3.3B—Vehicle Parking and Service Vehicle Space Requirements**

Definition	Minimum number of Car parking spaces	Minimum Vehicle Provision	Service Space
<b>Adult store</b>	<p><u>Inside the Centre zone:</u> One space per 50m<sup>2</sup> or part thereof of GFA up to 400m<sup>2</sup> GFA, and one space per 20m<sup>2</sup> or part thereof of GFA above 400m<sup>2</sup>.</p> <p><u>Outside the Centre zone:</u> One space per 25m<sup>2</sup> or part thereof of GFA up to 400m<sup>2</sup> GFA, and one space per 10m<sup>2</sup> or part thereof of GFA above 400m<sup>2</sup>.</p>	One SRV space.	
<b>Agricultural supplies store</b>	<p><u>Inside the Centre zone:</u> One space per 50m<sup>2</sup> or part thereof of GFA up to 400m<sup>2</sup> GFA, and one space per 15m<sup>2</sup> or part thereof of GFA above 400m<sup>2</sup>.</p> <p><u>Outside the Centre zone:</u> One space per 30m<sup>2</sup> or part thereof of GFA up to 400m<sup>2</sup> GFA, and one space per 10m<sup>2</sup> or part thereof of GFA above 400m<sup>2</sup>.</p> <p>Queuing for 3 vehicles should be supplied where a GFA is greater than 600m<sup>2</sup>.</p>	One HRV space.	
<b>Air services</b>	<p><u>If accepted development subject to requirements development:</u> One space per 90m<sup>2</sup> or part thereof of net lettable area; or</p> <p><u>If Assessable development:</u> As determined by Council.</p>	<p><u>If accepted development subject to requirements:</u> One space per 200m<sup>2</sup> or part thereof of net lettable area.</p> <p><u>If assessable development:</u> As determined by Council.</p>	
<b>Animal husbandry</b>	<p><u>If accepted development subject to requirements:</u> One space.</p> <p><u>If assessable development:</u> As determined by Council.</p>	<p><u>If accepted development subject to requirements:</u> Nil.</p> <p><u>If assessable development:</u> As determined by Council.</p>	
<b>Animal keeping</b>	Minimum of three spaces or one space per 200m <sup>2</sup> of use area, whichever is greater.	One SRV space.	
<b>Aquaculture</b>	<p><u>If accepted development subject to requirements:</u></p> <ul style="list-style-type: none"> <li>In the rural or rural residential zones - two spaces; or</li> <li>Enclosed within a building - one space per 90m<sup>2</sup> of net lettable area.</li> </ul> <p><u>If assessable development:</u> As determined by Council.</p>	<p><u>If accepted development subject to requirements:</u> Nil.</p> <p><u>If assessable development:</u> As determined by Council.</p>	
<b>Brothel</b>	As determined by Council.	As determined by Council.	



Definition	Minimum number of Car parking spaces	Minimum Vehicle Provision	Service Space
<b>Bulk landscape supplies</b>	Minimum of five spaces or one space per 250m <sup>2</sup> of use area, whichever is greater.	One AV if the site has an area of greater than 2,000m <sup>2</sup> ; or One HRV space.	
<b>Car wash</b>	Minimum of two parking spaces plus 1 car queuing space for each car wash or service bay and parking at rates applicable to ancillary use/s.	One AV space.	
<b>Caretaker's accommodation</b>	One space per dwelling unit.	Nil.	
<b>Cemetery</b>	As determined by Council.	As determined by Council.	
<b>Child care centre</b>	A minimum of 3 spaces will be required to be used for setting down and picking up of children, plus one space per 10 children for staff parking.	One SRV space.	
<b>Club</b>	Minimum of 5 spaces per use or one space per 25m <sup>2</sup> or part thereof of GFA, whichever is greater.	One SRV space; and One HRV space if greater than 500m <sup>2</sup> .	
<b>Community care centre</b>	Minimum of 5 spaces per use or one space per 25m <sup>2</sup> or part thereof of GFA, whichever is greater.	One SRV space.	
<b>Community residence</b>	Three spaces.	Nil.	
<b>Community use</b>	Minimum of 5 spaces per use or one space per 50m <sup>2</sup> or part thereof of GFA, whichever is greater.	One SRV space if greater than 500m <sup>2</sup> GFA.	
<b>Crematorium</b>	One space per 30m <sup>2</sup> GFA or part thereof.	As determined by Council.	
<b>Cropping</b>	<u>If accepted development subject to requirements:</u> Two spaces.  <u>If assessable development:</u> As determined by Council.	<u>If accepted development subject to requirements:</u> Nil.  <u>If assessable development:</u> As determined by Council.	
<b>Detention facility</b>	As determined by Council.	As determined by Council.	
<b>Dual occupancy</b>	One covered space per dwelling; and One visitor space.	Nil.	
<b>Dwelling house</b>	One covered space per dwelling house. One space per secondary dwelling.	Nil.	
<b>Dwelling unit</b>	One covered space per dwelling unit.  A minimum of 0.25 spaces per dwelling is to remain in common property for visitor use.	Nil	

Definition	Minimum number of Car parking spaces	Minimum Vehicle Provision	Service Space
<b>Educational establishment</b>	<p><u>For all establishments:</u> 1 space per every 10 students plus 1 space per employee, and</p> <p>Provision for 3 vehicles for loading and unloading of passengers in addition to the requirements above.</p>	<p><u>For accepted development subject to requirements:</u> One HRV space; and One SRV space; and A minimum of 3 Bus / coach parking / set down areas.</p> <p><u>For assessable development:</u> As determined by Council.</p>	
<b>Emergency services</b>	Minimum of 5 spaces per use or one space per 25m <sup>2</sup> or part thereof of GFA, whichever is greater.	As determined by Council.	
<b>Environment facility</b>	As determined by Council.	As determined by Council.	
<b>Extractive industry</b>	As determined by Council.	As determined by Council.	
<b>Food and drink outlet</b>	<p>Accepted in an existing building within the Centre zone.</p> <p><u>Inside the Centre zone:</u> One space per 50m<sup>2</sup> or part thereof of GFA up to 400m<sup>2</sup> GFA and one space per 15m<sup>2</sup> or part thereof of GFA above 400m<sup>2</sup>.</p> <p><u>Outside the Centre zone:</u> One space per 25m<sup>2</sup> or part thereof of GFA up to 400m<sup>2</sup> GFA and one space per 10m<sup>2</sup> or part thereof of GFA above 400m<sup>2</sup>.</p> <p><u>Drive-through:</u> Queuing spaces for 6 passenger vehicles within the site boundaries.</p> <p>One service vehicle space per use or one service vehicle space per 1,000m<sup>2</sup> GFA, whichever is greater.</p>	One HRV space.	
<b>Function facility</b>	One space per 30m <sup>2</sup> or part thereof of GFA.	One SRV space.	
<b>Funeral parlour</b>	<p>Accepted in an existing building within the Centre zone.</p> <p><u>Inside the Centre zone:</u> One space per 20m<sup>2</sup> or part thereof of GFA up to 400m<sup>2</sup> GFA, and one space per 10m<sup>2</sup> or part thereof of GFA above 400m<sup>2</sup>.</p> <p><u>Outside the Centre zone:</u> One space per 25m<sup>2</sup> or part thereof of GFA up to 400m<sup>2</sup> GFA, and one space per 15m<sup>2</sup> or part thereof of GFA above 400m<sup>2</sup>.</p>	One SRV space.	
<b>Garden centre</b>	<p>A minimum of 5 spaces for customer parking or one space per 150m<sup>2</sup> or part thereof of use area, whichever is greater.</p> <p>One service vehicle space per use or one service vehicle space per 800m<sup>2</sup> use area, whichever is greater.</p>	<p>One AV if the site has an area of greater than 2,000m<sup>2</sup>, otherwise</p> <p>One HRV space.</p>	

Definition	Minimum number of Car parking spaces	Minimum Vehicle Provision	Service Space
<b>Hardware and trade supplies</b>	Accepted in an existing building within the Centre zone.  <u>Inside the Centre zone:</u> One space per 50m <sup>2</sup> or part thereof of GFA up to 400m <sup>2</sup> GFA, and one space per or part thereof of GFA above 400m <sup>2</sup> . <u>Outside the Centre zone:</u> One space per or part thereof of GFA up to 400m <sup>2</sup> GFA, and one space per 15m <sup>2</sup> or part thereof of GFA above 400m <sup>2</sup> .	One AV if the site has an area of greater than 2,000m <sup>2</sup> , otherwise One HRV space.	
<b>Health care services</b>	Accepted in an existing building within the Centre zone.  <u>Inside the Centre zone:</u> One space per 40m <sup>2</sup> or part thereof of net lettable area. <u>Outside the Centre zone:</u> One space per 20m <sup>2</sup> of or part thereof of net lettable area.	One SRV space per 500m <sup>2</sup> GFA.	
<b>High impact industry</b>	One space per 90m <sup>2</sup> GFA or part thereof.	One AV space if the site has an area greater than 2,000m <sup>2</sup> , otherwise One HRV.	
<b>Home based business</b>	<u>Bed and breakfasts:</u> One space per guest room.  <u>Other home based business:</u> One space for home based business and one covered space for the dwelling.	Nil.	
<b>Hospital</b>	One space per 6 residential care beds. One space per 4 hostel unit beds. Visitor parking at 30% of resident parking requirements.	One HRV space. One SRV for every 800m <sup>2</sup> of GFA and part thereof; and One space for an emergency vehicle.	
<b>Hotel</b>	One space per 10m <sup>2</sup> or part thereof of GFA per bar, beer garden and other public area. One space per 50m <sup>2</sup> or part thereof of GFA per bulk liquor sales area. One space per guest room.	One HRV space.	
<b>Indoor sport and recreation</b>	<u>If accepted development subject to requirements:</u> One space per 25m <sup>2</sup> of net lettable area. <u>If assessable development:</u> As determined by Council.	An internal bus set down and pick up area that enables the bus to be in a forward motion at all times whilst onsite  Internal dedicated taxi bays provided within 200 metres of the site entrance.	
<b>Intensive animal industries</b>	<u>If accepted development subject to requirements:</u> Two spaces.  <u>If assessable development:</u> As determined by Council.	One SRV space.	

Definition	Minimum number of Car parking spaces	Minimum Vehicle Provision	Service Space
<b>Intensive horticulture</b>	<p><u>If accepted development subject to requirements:</u> Two spaces.</p> <p><u>If assessable development:</u> As determined by Council.</p>	<p><u>If accepted development subject to requirements:</u> Nil.</p> <p><u>If assessable development:</u> As determined by Council.</p>	
<b>Landing</b>	As determined by Council.	As determined by Council.	
<b>Low impact industry</b>	One space per 90m <sup>2</sup> GFA or part thereof.	One AV space if the site has an area greater than 2,000m <sup>2</sup> , otherwise One HRV.	
<b>Major electricity infrastructure</b>	As determined by Council.	As determined by Council.	
<b>Major sport, recreation and entertainment facility</b>	As determined by Council.	As determined by Council.	
<b>Marine industry</b>	One space per 90m <sup>2</sup> GFA or part thereof.	One HRV space if the site has an area greater than 1,000m <sup>2</sup> , otherwise One SRV space.	
<b>Market</b>	As determined by Council.	As determined by Council.	
<b>Medium impact industry</b>	One space per 90m <sup>2</sup> GFA or part thereof.	One AV space if the site has an area greater than 2,000m <sup>2</sup> , otherwise One HRV.	
<b>Motor sport facility</b>	As determined by Council.	As determined by Council.	
<b>Multiple dwelling</b>	<p>One covered space per dwelling.</p> <p>One dedicated vehicle wash-down bay for premises containing 5 or more dwellings.</p> <p>A minimum of 0.25 spaces per dwelling is to remain in common property for visitor use.</p>	Nil.	
<b>Nature-based tourism</b>	One space per dwelling; or 0.75 spaces per guest room if in dormitory or shared facilities.	As determined by Council.	
<b>Nightclub entertainment facility</b>	One space per 60m <sup>2</sup> GFA or part thereof.	Nil.	
<b>Non-resident workforce accommodation</b>	One space per dwelling unit.	Nil.	

Definition	Minimum number of Car parking spaces	Minimum Vehicle Provision	Service Space
<b>Office</b>	Accepted in an existing building within the Centre zone.  <u>Inside the Centre zone:</u> One space per 20m <sup>2</sup> or part thereof of GFA up to 400m <sup>2</sup> GFA, and one space per 10m <sup>2</sup> or part thereof of GFA above 400m <sup>2</sup> . <u>Outside the Centre zone:</u> One space per 25m <sup>2</sup> or part thereof of GFA up to 400m <sup>2</sup> GFA, and one space per 15m <sup>2</sup> or part thereof of GFA above 400m <sup>2</sup> .	One SRV space.	
<b>Outdoor sales</b>	A minimum of 5 spaces for customer parking or one space per 150m <sup>2</sup> of use area, whichever is greater.  One service vehicle space per use or one service vehicle space per 800m <sup>2</sup> , whichever is greater.	One AV if the site has an area of greater than 2,000m <sup>2</sup> , otherwise One HRV space.	
<b>Outdoor sport and recreation</b>	Coursing, horse racing, pacing or trotting: <ul style="list-style-type: none"> <li>One space per five seated spectators; plus</li> <li>One space per 5m<sup>2</sup> of other spectator areas.</li> </ul> Football: <ul style="list-style-type: none"> <li>50 spaces per field.</li> </ul> Lawn bowls: <ul style="list-style-type: none"> <li>30 spaces per green.</li> </ul> Swimming pool: <ul style="list-style-type: none"> <li>15 spaces; plus</li> <li>One space per 100m<sup>2</sup> of useable site area.</li> </ul> Tennis or other Court: <ul style="list-style-type: none"> <li>Four spaces per court.</li> </ul> Golf Course: <ul style="list-style-type: none"> <li>Four spaces per tee on the course; plus</li> <li>One space per 50m<sup>2</sup> of net lettable area.</li> </ul> <u>Any other use:</u> As determined by council.	An internal bus set down and pick up area that enables the bus to be in a forward motion at all times whilst onsite  Internal dedicated taxi bays provided within 200 metres of the site entrance.	
<b>Park</b>	As determined by Council.	As determined by Council.	
<b>Parking station</b>	Not applicable	Nil.	
<b>Permanent plantation</b>	<u>If accepted development subject to requirements:</u> Two spaces.  <u>If assessable development:</u> As determined by Council.	<u>If accepted development subject to requirements:</u> Nil.  <u>If assessable development:</u> As determined by Council.	
<b>Place of worship</b>	Minimum of 5 spaces per use or one space per 25m <sup>2</sup> or part thereof of GFA, whichever is greater.	One SRV space.	
<b>Port services</b>	As determined by Council.	As determined by Council.	
<b>Relocatable home park</b>	One space for each home site plus 1 space for each 5 home sites or part thereof for visitors.	One HRV space.	
<b>Renewable energy facility</b>	As determined by Council.	As determined by Council.	



Definition	Minimum number of Car parking spaces	Minimum Vehicle Provision	Service Space
<b>Research and technology industry</b>	One space per 90m <sup>2</sup> GFA or part thereof.	One HRV space if the site has an area greater than 1,000m <sup>2</sup> , otherwise One SRV space.	
<b>Residential care facility</b>	One space per 4 hostel unit beds. Visitor parking at 30% of resident parking requirements.	One SRV space; and One space for an emergency vehicle.	
<b>Resort complex</b>	As determined by Council.	As determined by Council.	
<b>Retirement facility</b>	One covered space per unit and 0.5 spaces for visitors parking.	One SRV space; and One space for an emergency vehicle.	
<b>Roadside stall</b>	One space per stall.	Nil.	
<b>Rooming accommodation</b>	<u>Inside the Centre zone:</u> One space per 15 beds. <u>Outside the Centre zone:</u> One space per 8 beds.	One SRV space. One space for a 20 seater bus.	
<b>Rural industry</b>	One space per 90m <sup>2</sup> GFA or part thereof.	One AV space.	
<b>Rural workers' accommodation</b>	<u>If accepted development subject to requirements:</u> Nil  <u>If Assessable development:</u> As determined by Council.	<u>If accepted development subject to requirements:</u> Nil  <u>If Assessable development:</u> As determined by Council.	
<b>Sales office</b>	One space per 25m <sup>2</sup> GFA or part thereof.	Nil.	
<b>Service industry</b>	Accepted where in an existing building within the Centre zone.  <u>Inside the Centre zone:</u> One space per 50m <sup>2</sup> or part thereof of GFA up to 400m <sup>2</sup> GFA, and one space per 10m <sup>2</sup> or part thereof of GFA above 400m <sup>2</sup> . <u>Outside the Centre zone:</u> One space per 25m <sup>2</sup> or part thereof of GFA up to 400m <sup>2</sup> GFA, and one space per 15m <sup>2</sup> or part thereof of GFA above 400m <sup>2</sup> .	One HRV space if the site is greater than 2,000m <sup>2</sup> , otherwise One SRV space.	
<b>Service station</b>	Minimum of four spaces plus car parking at rates applicable to ancillary use/s.	One AV space.	
<b>Shop</b>	Accepted where in an existing building within the Centre zone.  <u>Inside the Centre zone:</u> One space per 50m <sup>2</sup> or part thereof of GFA up to 400m <sup>2</sup> GFA, and one space per 10m <sup>2</sup> or part thereof of GFA above 400m <sup>2</sup> . <u>Outside the Centre zone:</u> One space per 25m <sup>2</sup> or part thereof of GFA up to 400m <sup>2</sup> GFA, and one space per 15m <sup>2</sup> or part thereof of GFA above 400m <sup>2</sup> .	One HRV space if the site is greater than 2,000m <sup>2</sup> , otherwise One SRV space.	

Definition	Minimum number of Car parking spaces	Minimum Vehicle Provision	Service Space
<b>Shopping centre</b>	<u>Inside the Centre zone:</u> One space per 50m <sup>2</sup> or part thereof of GFA up to 400m <sup>2</sup> GFA and one space per 25m <sup>2</sup> or part thereof of GFA above 400m <sup>2</sup> . <u>Outside the Centre zone:</u> One space per 25m <sup>2</sup> or part thereof of GFA up to 400m <sup>2</sup> GFA and one space per 15m <sup>2</sup> or part thereof of GFA above 400m <sup>2</sup> .	One AV space per 1,000m <sup>2</sup> ; and One SRV space per 500m <sup>2</sup> ; or One SRV space per every 2 specialty uses, whichever the greater.	
<b>Short-term accommodation</b>	One space per unit.	One HRV space if involves the serving of food or beverage; otherwise One SRV space.	
<b>Showroom</b>	Accepted in an existing building within the Centre zone.  <u>Inside the Centre zone:</u> One space per 25m <sup>2</sup> or part thereof of GFA up to 400m <sup>2</sup> GFA, and one space per 10m <sup>2</sup> or part thereof of GFA above 400m <sup>2</sup> . <u>Outside the Centre zone:</u> One space per 50m <sup>2</sup> or part thereof of GFA up to 400m <sup>2</sup> GFA, and one space per 15m <sup>2</sup> or part thereof of GFA above 400m <sup>2</sup> .	One AV space and One SRV space if the site is greater than 2,000m <sup>2</sup> ; or One HRV space; and One SRV Space.	
<b>Special industry</b>	One space per 90m <sup>2</sup> GFA or part thereof.	One AV space if the site has an area greater than 2,000m <sup>2</sup> , otherwise One HRV.	
<b>Substation</b>	<u>If assessable development:</u> As determined by Council.	As determined by Council.	
<b>Telecommunications facility</b>	<u>If accepted development subject to requirements:</u> Nil.  <u>If assessable development:</u> As determined by Council.	<u>If accepted development subject to requirements:</u> Nil.  <u>If assessable development:</u> As determined by Council.	
<b>Theatre</b>	One space per 15m <sup>2</sup> or part thereof of net lettable area, or one space per 5 seated spectators whichever is the greater.	One SRV space.	
<b>Tourist attraction</b>	As determined by Council.	As determined by Council.	
<b>Tourist park</b>	One space within each accommodation site plus 1 additional visitor space per 10 accommodation sites.  Queuing for 2 vehicles towing caravans and 1 holding bay for a vehicle towing a caravan plus additional queuing for 1 vehicle towing a caravan per 40 accommodation sites.	One HRV space.	
<b>Transport depot</b>	One space per 125m <sup>2</sup> GFA or part thereof.	One AV space if the site has an area greater than 2,000m <sup>2</sup> , otherwise One HRV.	

Definition	Minimum number of Car parking spaces	Minimum Vehicle Provision	Service Space
<b>Utility installation</b>	<p><u>If accepted development subject to requirements:</u> Nil.</p> <p><u>If assessable development:</u> As determined by Council.</p>	<p><u>If accepted development subject to requirements:</u> Nil.</p> <p><u>If assessable development:</u> As determined by Council.</p>	
<b>Veterinary services</b>	<p>Accepted in an existing building within the Centre zone.</p> <p><u>Inside Centre zone:</u> One space per 40m<sup>2</sup> or part thereof of net lettable area.</p> <p><u>Outside Centre zone:</u> One space per 20m<sup>2</sup> or part thereof of net lettable area.</p>	<p>One HRV space if greater than 500m<sup>2</sup> GFA; and One SRV space per 500m<sup>2</sup> GFA.</p>	
<b>Warehouse</b>	One space per 90m <sup>2</sup> GFA or part thereof.	One AV space if the site has an area greater than 2,000m <sup>2</sup> , otherwise One HRV.	
<b>Wholesale nursery</b>	As determined by Council.	As determined by Council.	
<b>Winery</b>	As determined by Council.	As determined by Council.	

Note—Any use not herein defined - as determined by Council.

## Reconfiguring a lot code

### 9.4.4.1 Application

- (1) This code applies to assessing development where:
  - (a) for Reconfiguring a lot; and
  - (b) it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

### 9.4.4.2 Purpose

- (1) 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.
- (2) 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.

### 9.4.4.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Response
<b>Area and frontage of lots</b>		
<b>PO1</b> Lots include an area and frontage that: <ul style="list-style-type: none"> <li>(a) is consistent with the design of lots in the surrounding area;</li> <li>(b) allows the desired amenity of the zone to be achieved;</li> <li>(c) is able to accommodate all buildings, structures and works associated with the intended land use;</li> <li>(d) allow the site to be provided with sufficient access;</li> <li>(e) considers the proximity of the land to:               <ul style="list-style-type: none"> <li>(i) centres;</li> <li>(ii) public transport services; and</li> <li>(iii) open space; and</li> </ul> </li> <li>(f) allows for the protection of environmental features; and</li> <li>(g) accommodates site constraints.</li> </ul>	<b>AO1.1</b> Lots provide a minimum area and frontage in accordance with <b>Table 9.4.4.3B</b> .	Refer to <b>Section 4.00</b> for Response and <b>Appendix E - Proposed Lot Layout Plan</b> .
<b>Existing buildings and easements</b>		
<b>PO2</b> Reconfiguring a lot which contains existing land uses or existing buildings and structures ensures: <ul style="list-style-type: none"> <li>(a) new lots are of sufficient area and dimensions to accommodate existing land uses, buildings and structures; and</li> <li>(b) any continuing use is not compromised by the reconfiguration.</li> </ul>	<b>AO2.1</b> Each land use and associated infrastructure is contained within its individual lot.	<b>Complies</b> Refer to <b>Section 4.00</b> for Response and <b>Appendix E - Proposed Lot Layout Plan</b> .
	<b>AO2.2</b> All lots containing existing buildings and structures achieve the setback requirements of the relevant zone.	<b>Complies</b> Refer to <b>Section 4.00</b> for Response and <b>Appendix E - Proposed Lot Layout Plan</b> .



Performance outcomes	Acceptable outcomes	Response
<b>PO3</b> Reconfiguring a lot which contains an existing easement ensures: <ul style="list-style-type: none"> <li>(a) future buildings, structures and accessways are able to be sited to avoid the easement; and</li> <li>(b) the reconfiguration does not compromise the purpose of the easement or the continued operation of any infrastructure contained within the easement.</li> </ul>	<b>AO3</b> No acceptable outcome is provided.	<b>Complies</b>  Refer to <b>Section 4.00</b> for Response and <b>Appendix E - Proposed Lot Layout Plan</b> .
<b>Boundary realignment</b>		
<b>PO4</b> The boundary realignment retains all attendant and existing infrastructure connections and potential connections.	<b>AO4</b> No acceptable outcome is provided.	<b>Not Applicable</b>
<b>Access and road network</b>		
<b>PO5</b> Access to a reconfigured lot (including driveways and paths) must not have an adverse impact on: <ul style="list-style-type: none"> <li>(a) safety;</li> <li>(b) drainage;</li> <li>(c) visual amenity;</li> <li>(d) privacy of adjoining premises; and</li> <li>(e) service provision.</li> </ul>	<b>AO5</b> No acceptable outcome is provided.	<b>Complies</b>  Refer to <b>Section 4.00</b> for Response and <b>Appendix E - Proposed Lot Layout Plan</b> .
<b>PO6</b> Reconfiguring a lot ensures that access to a lot can be provided that: <ul style="list-style-type: none"> <li>(a) is consistent with that provided in the surrounding area;</li> <li>(b) maximises efficiency and safety; and</li> <li>(c) is consistent with the nature of the intended use of the lot.</li> </ul> <p>Note—The Parking and access code should be considered in demonstrating compliance with PO6.</p>	<b>AO6</b> 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.	<b>Complies</b>  Existing vehicle access to the subject site will be retained.

Performance outcomes	Acceptable outcomes	Response
<b>PO7</b> Roads in the Industry zone are designed having regard to: <ul style="list-style-type: none"> <li>(a) the intended use of the lots;</li> <li>(b) the existing use of surrounding land;</li> <li>(c) the vehicular servicing requirements of the intended use;</li> <li>(d) the movement and turning requirements of B-Double vehicles.</li> </ul> <p>Note—The Parking and access code should be considered in demonstrating compliance with PO7.</p>	<b>AO7</b> No acceptable outcome is provided.	<b>Not Applicable</b>
<b>Rear lots</b>		
<b>PO8</b> Rear lots are designed to: <ul style="list-style-type: none"> <li>(a) provide a high standard of amenity for residents and other users of the site;</li> <li>(b) provide a high standard of amenity for adjoining properties; and</li> <li>(c) not adversely affect the safety and efficiency of the road from which access is gained.</li> </ul>	<b>AO8.1</b> Rear lots are designed to facilitate development that adjoins or overlooks a park or open space.	
	<b>AO8.2</b> No more than two rear lots are created behind any lot with a road frontage.	<b>Complies</b> It is proposed to create one (1) rear lot as part of this application. Refer to <b>Section 6.04</b> for Response and <b>Appendix E - Proposed Lot Layout Plan</b> .
	<b>AO8.3</b> Access to lots is via an access strip with a minimum width of: <ul style="list-style-type: none"> <li>(a) 4 metres where in the Low density residential zone or Medium density residential zone; or</li> <li>(b) 8 metres otherwise.</li> </ul>	Refer to <b>Section 6.04</b> for Response and <b>Appendix E - Proposed Lot Layout Plan</b> .
	<b>AO8.4</b> A single access strip is provided to a rear lot along one side of the lot with direct frontage to the street. <p>Note—Figure A provides further guidance in relation to the desired outcome.</p>	Refer to <b>Section 6.04</b> for Response and <b>Appendix E - Proposed Lot Layout Plan</b> .
	<b>AO8.5</b> No more than 1 in 10 lots created in a new subdivision are rear lots.	<b>Complies</b> The proposal is limited to one rear lot.

Performance outcomes	Acceptable outcomes	Response
	<b>AO8.6</b> Rear lots are not created in the Centre zone or the Industry zone.	<b>Complies</b>  The subject site is within the Emerging Community Zone.
<b>Crime prevention and community safety</b>		
<b>PO9</b> Development includes design features which enhance public safety and seek to prevent opportunities for crime, having regard to: (a) sightlines; (b) the existing and intended pedestrian movement network; (c) the existing and intended land use pattern; and (d) potential entrapment locations.	<b>AO9</b> No acceptable outcome is provided.	<b>Complies</b>  It is submitted that the proposal to create an additional lot does not adversely affect public safety.
<b>Pedestrian and cycle movement network</b>		
<b>PO10</b> 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.	<b>AO10</b> No acceptable outcome is provided.	Given that the proposal is limited to the creation one (1) additional lot and it is located within an existing rural residential area it is submitted that the proposal will not adversely affect the surrounding land uses in relation to pedestrian and cycle networks.
<b>Public transport network</b>		
<b>PO11</b> Where a site includes or adjoins a future public transport corridor or future public transport site identified through a structure planning process, development: (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.	<b>AO11</b> No acceptable outcome is provided.	<b>Not Applicable</b>

Performance outcomes	Acceptable outcomes	Response
<b>Residential subdivision</b>		
<b>PO12</b> Residential lots are: (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.	<b>AO12</b> No acceptable outcome is provided.	<b>Complies</b>  Proposed Lot 1 contains an area of 3,590m <sup>2</sup> and Proposed Lot 2 contains an area of 1,312m <sup>2</sup> . Refer to <b>Appendix E - Proposed Lot Layout Plan</b> .
<b>Rural residential zone</b>		
<b>PO13</b> New lots are only created in the Rural residential zone where land is located within the 4,000m <sup>2</sup> precinct, the 1 hectare precinct or the 2 hectare precinct.	<b>AO13</b> No acceptable outcome is provided.	<b>Not Applicable</b>
<b>Additional provisions for greenfield development only</b>		
<b>PO14</b> The subdivision design provides the new community with a local identity by responding to: (a) site context (b) site characteristics (c) setting (d) landmarks (e) natural features; and (f) views.	<b>AO14</b> No acceptable outcome provided.	<b>Not Applicable</b>
<b>PO15</b> The road network is designed to provide a high level of connectivity, permeability and circulation for local vehicles, public transport, pedestrians and cyclists.	<b>AO15</b> No acceptable outcome provided.	<b>Not Applicable</b>
<b>PO16</b> The road network is designed to: (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.  Note—Figure B provides further guidance in relation to the desired outcome.	<b>AO16</b> No acceptable outcome provided.	<b>Not Applicable</b>
<b>PO17</b> Reconfiguring a lot provides safe and convenient access to the existing or future public transport network.	<b>AO17</b> The subdivision locates 90% of lots within 400 metres walking distance of a future public transport route.	<b>Not Applicable</b>

Performance outcomes	Acceptable outcomes	Response
<b>PO18</b> The staging of the lot reconfiguration prioritises delivery of link roads to facilitate efficient bus routes.	<b>AO18</b> No acceptable outcome provided.	<b>Not Applicable</b>
<b>PO19</b> Provision is made for sufficient open space to: <ul style="list-style-type: none"> <li>(a) meet the needs of the occupiers of the lots and to ensure that the environmental and scenic values of the area are protected;</li> <li>(b) retain riparian corridors, significant vegetation and habitat areas and provides linkages between those areas; and</li> <li>(c) meet regional, district and neighbourhood open space requirements.</li> </ul>	<b>AO19.1</b> A minimum of 10% of the site area is dedicated as open space.	<b>Not Applicable</b>
	<b>AO19.2</b> A maximum of 30% of the proposed open space can consist of land identified as significant vegetation or riparian corridor buffer.	<b>Not Applicable</b>
<b>PO20</b> A network of parks and community land is provided: <ul style="list-style-type: none"> <li>(a) to support a full range of recreational and sporting activities;</li> <li>(b) to ensure adequate pedestrian, cycle and vehicle access;</li> <li>(c) which is supported by appropriate infrastructure and embellishments;</li> <li>(d) to facilitate links between public open spaces;</li> <li>(e) which is co-located with other existing or proposed community infrastructure;</li> <li>(f) which is consistent with the preferred open space network; and</li> <li>(g) which includes a diversity of settings;</li> </ul>	<b>AO20</b> No acceptable outcome is provided.	<b>Not Applicable</b>

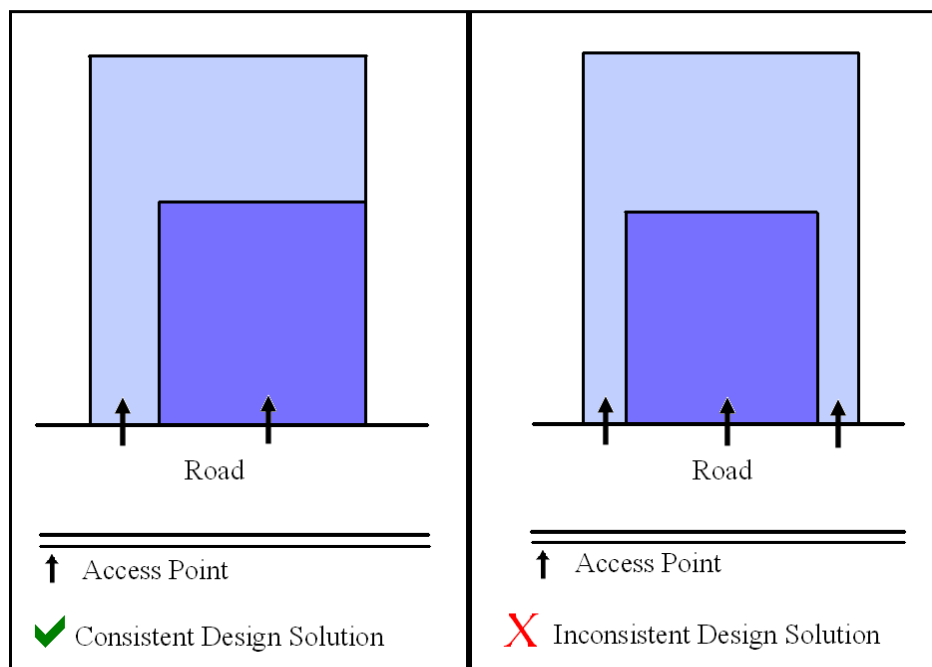
**Table 9.4.4.3B—Minimum area and dimensions for Reconfiguring a lot**

Zone	Type	Minimum area	Minimum frontage
Centre	All lots	800m <sup>2</sup>	20 metres
Community facilities	All lots	Not specified	Not specified
Conservation	All lots	Not specified	Not specified
Emerging community	All lots	10 hectares	100 metres
Low density residential	Where greenfield development and connected to reticulated water and sewerage		
	Rear lot	800m <sup>2</sup>	5 metres
	All other lots	350m <sup>2</sup>	10 metres

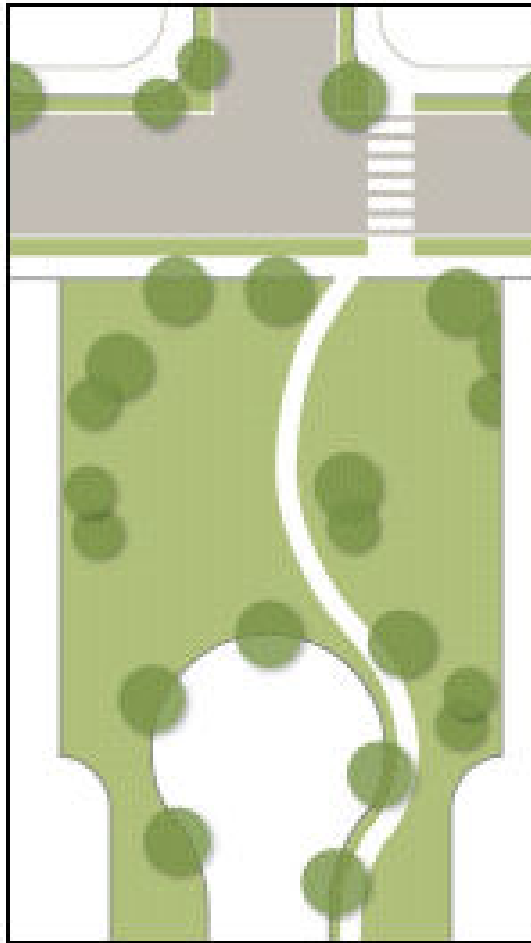


Zone	Type	Minimum area	Minimum frontage
	Where connected to reticulated water and sewerage		
	Rear lot	800m <sup>2</sup>	5 metres
	All other lots	600m <sup>2</sup>	16 metres
	Where connected to reticulated water		
	Rear lot	1,000m <sup>2</sup>	5 metres
	All other lots	800m <sup>2</sup>	16 metres
Medium density residential	Rear lot	600m <sup>2</sup>	5 metres
	All other lots	400m <sup>2</sup>	10 metres
Industry	All lots	1,500m <sup>2</sup>	45 metres
Recreation and open space	All lots	Not specified	Not specified
Rural	All lots	60 hectares	400 metres
Rural residential	2 hectare precinct		
	All lots	2 hectares	60 metres
	1 hectare precinct		
	All lots	1 hectare	40 metres
	4,000m <sup>2</sup> precinct		
	All lots	4,000m <sup>2</sup>	40 metres

**Figure A – Examples of access to rear lots**



**Figure B – Example of cul-de-sac design**



## Works, services and infrastructure code

### 9.4.5.1 Application

- (1) This code applies to assessing development where it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

### 9.4.5.2 Purpose

- (1) 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.
- (2) 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.

### 9.4.5.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Response
<b>For accepted development subject to requirements and assessable development</b>		
<b>Water supply</b>		
<b>PO1</b> Each lot has an adequate volume and supply of water that: <ul style="list-style-type: none"> <li>(a) meets the needs of users;</li> <li>(b) is adequate for fire-fighting purposes;</li> <li>(c) ensures the health, safety and convenience of the community; and</li> <li>(d) minimises adverse impacts on the receiving environment.</li> </ul>	<b>AO1.1</b> 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: <ul style="list-style-type: none"> <li>(a) in the Conservation zone, Rural zone or Rural residential zone; and</li> <li>(b) outside a reticulated water supply service area.</li> </ul>	<b>Complies</b>  The subject site is connected to the reticulated water supply system.  It is submitted that the both proposed lots can be separately connected to the water supply system.
	<b>AO1.2</b> Development, where located outside a reticulated water supply service area and in the Conservation zone, Rural zone or Rural residential zone is provided with: <ul style="list-style-type: none"> <li>(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</li> <li>(b) on-site water storage tank/s: <ul style="list-style-type: none"> <li>(i) with a minimum capacity of 90,000L;</li> <li>(ii) fitted with a 50mm ball valve with a camlock fitting; and</li> <li>(iii) which are installed and connected prior to the occupation or use of the development.</li> </ul> </li> </ul>	<b>Not Applicable</b>



Performance outcomes	Acceptable outcomes	Response
<b>Wastewater disposal</b>		
<b>PO2</b> Each lot provides for the treatment and disposal of effluent and other waste water that: <ul style="list-style-type: none"> <li>(a) meets the needs of users;</li> <li>(b) is adequate for fire-fighting purposes;</li> <li>(c) ensures the health, safety and convenience of the community; and</li> <li>(d) minimises adverse impacts on the receiving environment.</li> </ul>	<b>AO2.1</b> 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: <ul style="list-style-type: none"> <li>(a) in the Conservation zone, Rural zone or Rural residential zone; and</li> <li>(b) outside a reticulated sewerage service area.</li> </ul>	<b>Not Applicable</b>  Refer to Response to AO2.2.
	<b>AO2.2</b> An effluent disposal system is provided in accordance with ASNZ 1547 On-Site Domestic Wastewater Management (as amended) where development is located: <ul style="list-style-type: none"> <li>(a) in the Conservation zone, Rural zone or Rural residential zone; and</li> <li>(b) outside a reticulated sewerage service area.</li> </ul>	<b>Complies</b>  Both proposed lots are capable of being serviced by separate existing on-site waste water systems.  Refer to <b>Appendix D - Waste Water advice</b> .
<b>Stormwater infrastructure</b>		
<b>PO3</b> 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.	<b>AO3.1</b> 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.	<b>Not Applicable</b>
	<b>AO3.2</b> On-site drainage systems are constructed: <ul style="list-style-type: none"> <li>(a) to convey stormwater from the premises to a lawful point of discharge; and</li> <li>(b) in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</li> </ul>	<b>Complies</b>  No changes are proposed to the existing on-site drainage systems, including the drainage easement are proposed.

Performance outcomes	Acceptable outcomes	Response
<b>Electricity supply</b>		
<b>PO4</b> Each lot is provided with an adequate supply of electricity	<b>AO4</b> The premises: (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: (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.	<b>Complies</b> The subject site has an existing connection to the electricity supply network. It is noted that both lots are capable of being separately connected to the electricity supply network. Also refer to <b>Section 4.03 (v)</b> .
<b>Telecommunications infrastructure</b>		
<b>PO5</b> Each lot is provided with an adequate supply of telecommunication infrastructure	<b>AO5</b> Development is provided with a connection to the national broadband network or telecommunication services.	<b>Complies</b> The subject site has an existing connection to the telecommunication network. It is noted that both lots are capable of being separately connected to the telecommunication network.
<b>Existing public utility services</b>		
<b>PO6</b> Development and associated works do not affect the efficient functioning of public utility mains, services or installations.	<b>AO6</b> 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.	<b>Complies</b>

Performance outcomes	Acceptable outcomes	Response
<b>Excavation or filling</b>		
<b>P07</b> Excavation or filling must not have an adverse impact on the: (a) streetscape; (b) scenic amenity; (c) environmental values; (d) slope stability; (e) accessibility; or (f) privacy of adjoining premises.	<b>A07.1</b> Excavation or filling does not occur within 1.5 metres of any site boundary.	<b>Not Applicable</b>  No excavation or filling is proposed as part of this application.
	<b>A07.2</b> Excavation or filling at any point on a lot is to be no greater than 1.5 metres above or below natural ground level.	<b>Not Applicable</b>  No excavation or filling is proposed as part of this application.
	<b>A07.3</b> Earthworks batters: (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.	<b>Not Applicable</b>  No earthworks are proposed as part of this application.
	<b>A07.4</b> Soil used for filling or spoil from excavation is not stockpiled in locations that can be viewed from: (a) adjoining premises; or (b) a road frontage, for a period exceeding 1 month from the commencement of the filling or excavation.	<b>Not Applicable</b>  No excavation or filling is proposed as part of this application.
	<b>A07.5</b> 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.	<b>Not Applicable</b>  No excavation or filling is proposed as part of this application.
	<b>A07.6</b> 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.	<b>Not Applicable</b>  No retaining walls are proposed as part of this application.



Performance outcomes	Acceptable outcomes	Response
<b>Stormwater quality</b>		
<p><b>PO10</b> Development has a non-worsening effect on the site and surrounding land and is designed to:</p> <ul style="list-style-type: none"> <li>(a) optimise the interception, retention and removal of waterborne pollutants, prior to the discharge to receiving waters;</li> <li>(b) protect the environmental values of waterbodies affected by the development, including upstream, on-site and downstream waterbodies;</li> <li>(c) achieve specified water quality objectives;</li> <li>(d) minimise flooding;</li> <li>(e) maximise the use of natural channel design principles;</li> <li>(f) maximise community benefit; and</li> <li>(g) minimise risk to public safety.</li> </ul>	<p><b>AO10.1</b> The following reporting is prepared for all Material change of use or Reconfiguring a lot proposals:</p> <ul style="list-style-type: none"> <li>(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</li> <li>(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"> <li>(i) drainage control;</li> <li>(ii) erosion control;</li> <li>(iii) sediment control; and</li> <li>(iv) water quality outcomes.</li> </ul> </li> </ul>	<p><b>Complies</b></p> <p>It is submitted that the proposal subdivision will have a non-worsening effect on the site and the surrounding land.</p> <p>It is submitted that on the basis that the proposal is to subdivide an existing lot to separate two existing dwellings and outbuildings, that no earthworks or building works are proposed as part of this application that both an SMP and an ESCP are not required in this instance.</p>



Performance outcomes	Acceptable outcomes	Response
	<p><b>AO10.2</b> For development on land greater than 2,500m<sup>2</sup> 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"> <li>(a) meets or exceeds the standards of design and construction set out in the Urban Stormwater Quality Planning Guideline and the Queensland Water Quality Guideline;</li> <li>(b) is consistent with any local area stormwater water management planning;</li> <li>(c) accounts for development type, construction phase, local climatic conditions and design objectives; and</li> <li>(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.</li> </ul>	It is noted that the subject site has an area of 4,902m <sup>2</sup> , however given that the proposal is limited to subdividing the subject site to contain two existing dwellings and outbuildings that a SQMP is not required in this instance.
<p><b>PO11</b> Storage areas for stormwater detention and retention:</p> <ul style="list-style-type: none"> <li>(a) protect or enhance the environmental values of receiving waters;</li> <li>(b) achieve specified water quality objectives;</li> <li>(c) where possible, provide for recreational use;</li> <li>(d) maximise community benefit; and</li> <li>(e) minimise risk to public safety.</li> </ul>	<p><b>AO11</b> No acceptable outcome is provided.</p>	No changes are proposed to the existing stormwater arrangements on the subject site.
<b>Excavation or filling</b>		
<p><b>PO12</b> Traffic generated by filling or excavation does not impact on the amenity of the surrounding area.</p>	<p><b>AO12.1</b> Haul routes used for transportation of fill to or from the site only use major roads and avoid residential areas.</p>	<p><b>Not Applicable</b>  No excavation or filling is proposed as part of this application.</p>

Performance outcomes	Acceptable outcomes	Response
	<b>AO12.2</b> Transportation of fill to or from the site does not occur: (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.	<b>Not Applicable</b>  No excavation or filling is proposed as part of this application.

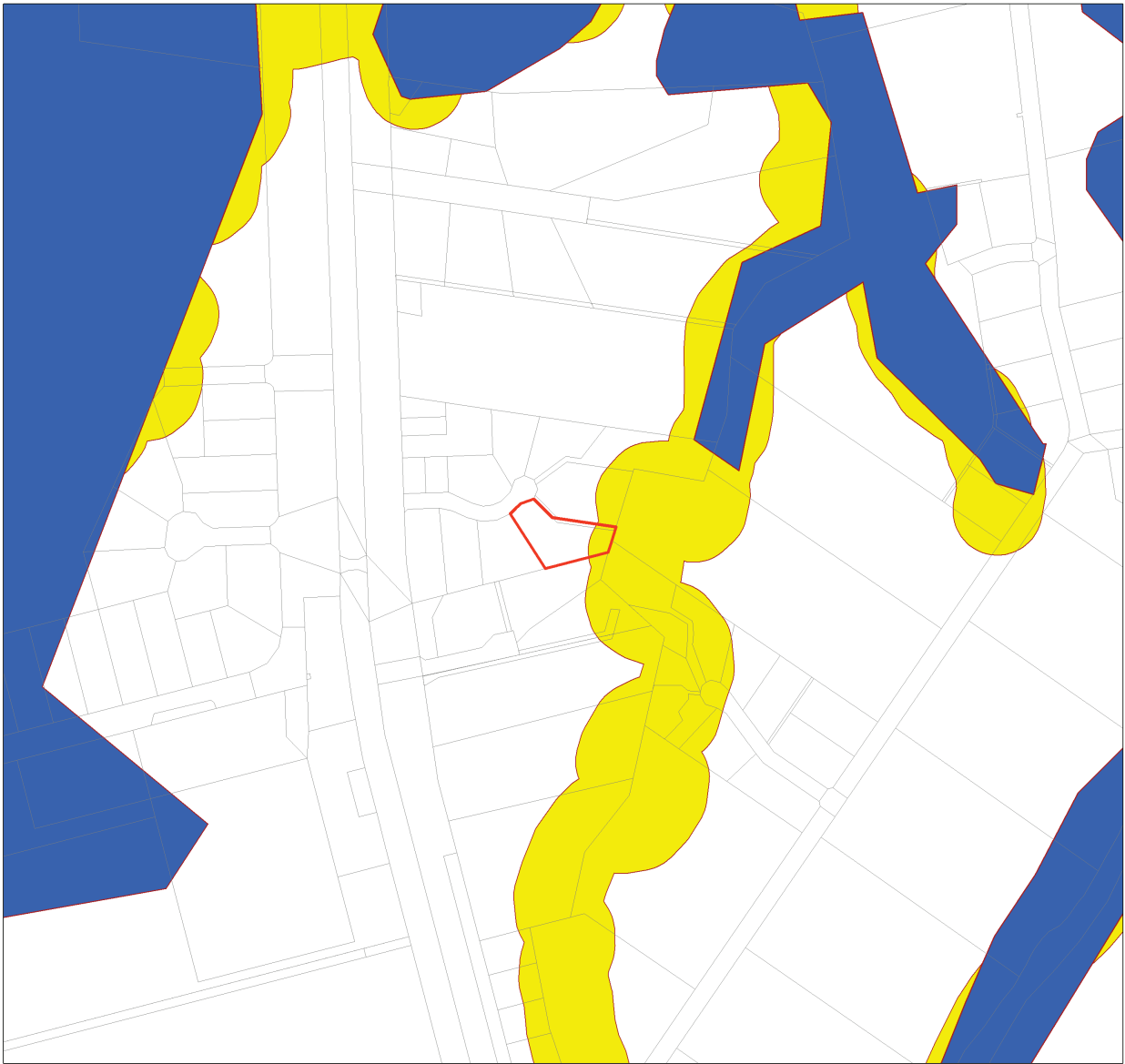
Performance outcomes	Acceptable outcomes	Response
<b>PO13</b> Air pollutants, dust and sediment particles from excavation or filling, do not cause significant environmental harm or nuisance impacts.	<b>AO13.1</b> Dust emissions do not extend beyond the boundary of the site.	<b>Not Applicable</b>  No excavation or filling is proposed as part of this application.
	<b>AO13.2</b> No other air pollutants, including odours, are detectable at the boundary of the site.	<b>Not Applicable</b>  No excavation or filling is proposed as part of this application.
	<b>AO13.3</b> A management plan for control of dust and air pollutants is prepared and implemented.	<b>Not Applicable</b>  No excavation or filling is proposed as part of this application.
<b>PO14</b> Access to the premises (including driveways and paths) does not have an adverse impact on: (a) safety; (b) drainage; (c) visual amenity; and (d) privacy of adjoining premises.	<b>AO14</b> Access to the premises (including all works associated with the access): (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.	<b>Not Applicable</b>  No excavation or filling is proposed as part of this application.
<b>Weed and pest management</b>		
<b>PO15</b> Development prevents the spread of weeds, seeds or other pests into clean areas or away from infested areas.	<b>AO15</b> No acceptable outcome is provided.	<b>Not Applicable</b>
<b>Contaminated land</b>		
<b>PO16</b> Development is located and designed to ensure that users and nearby sensitive land uses are not exposed to unacceptable levels of contaminants	<b>AO16</b> 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.	<b>Not Applicable</b>  The proposal is limited to subdivision to create an additional lot within a rural residential area.

Performance outcomes	Acceptable outcomes	Response
<b>Fire services in developments accessed by common private title</b>		
<b>PO17</b> Fire hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	<b>AO17.1</b> 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.	<b>Not Applicable</b>
	<b>AO17.2</b> Fire hydrants are located at all intersections of accessways or private roads held in common private title.	<b>Not Applicable</b>

# APPENDIX H



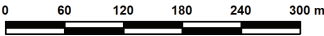
# 5.1 Regulated vegetation management map



Regulated Vegetation Management Map

Legend

- Lot and Plan
- Category A area (Vegetation offsets/compliance notices/VDecs)
- Category B area (Remnant vegetation)
- Category C area (High-value regrowth vegetation)
- Category R area (Reef regrowth watercourse vegetation)
- Category X area (Exempt clearing work on Freehold, Indigenous and Leasehold land)
- Water
- Area not categorised
- Cadastral line
- Property boundaries shown are provided as a locational aid only



This product is projected into:  
GDA 1994 MGA Zone 55

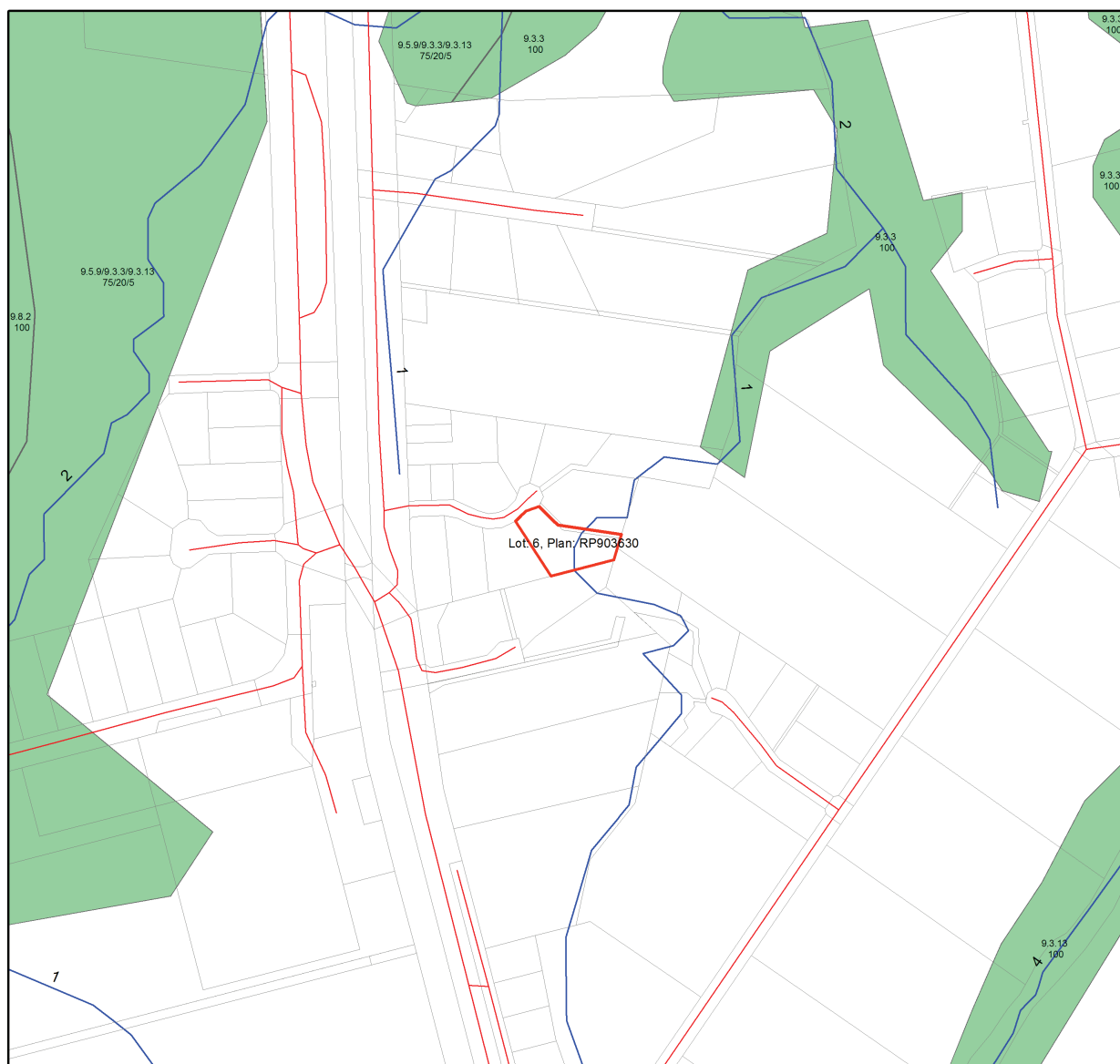
Disclaimer:  
While every care is taken to ensure the accuracy of this product, the Department of Natural Resources, Mines and Energy makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the product being inaccurate or incomplete in any way and for any reason.

Additional information required for the assessment of vegetation values is provided in the accompanying "Vegetation Management Supporting map". For further information go to the web site: [www.dnrme.qld.gov.au](http://www.dnrme.qld.gov.au) or contact the Department of Natural Resources, Mines and Energy.

Digital data for the regulated vegetation management map is available from the Queensland Spatial Portal at <http://www.information.qld.gov.au/>

This map is updated on a monthly basis to ensure new PMAVs are included as they are approved.

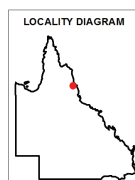
## 5.2 Vegetation management supporting map



### Vegetation Management Supporting Map

#### Legend

- Lot and Plan
- Category A or B area containing endangered regional ecosystems
- Category A or B area containing of concern regional ecosystems
- Category A or B area that is a least concern regional ecosystem
- Category A or B area under Section 20AH  
These areas are edged in yellow and filled with the remnant RE Status
- Category C area containing endangered regional ecosystems
- Category C area containing of concern regional ecosystems
- Category C area that is a least concern regional ecosystem
- Category C area under Section 20AI  
These areas are edged in purple and filled with the remnant RE Status
- Non Remnant
- Water
- Wetland on the vegetation management wetlands map
- Essential habitat on the essential habitat map
- Essential habitat species record
- Watercourses and drainage features on the vegetation management watercourse and drainage features map  
(Stream order shown as black number against stream where available)
- Roads
- National Parks, State Forest and other reserves
- Cadastral line
- Property boundaries shown are provided as a locational aid only



0 40 80 120 160 200 m

This product is projected into:  
GDA 1994 MGA Zone 55

Labels for Essential Habitat are centred on the area of enquiry.

Regional ecosystem linework has been compiled at a scale of 1:100 000, except in designated areas where a compilation scale of 1:50 000 is available. Linework should be used as a guide only. The positional accuracy of RE data mapped at a scale of 1:100 000 is +/- 100 metres.

#### Disclaimer:

While every care is taken to ensure the accuracy of this product, the Department of Natural Resources, Mines and Energy makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the product being inaccurate or incomplete in any way and for any reason.

Additional information may be required for the purposes of land clearing or assessment of a regional ecosystem map or PMAV applications. For further information go to the web site: [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au) or contact the Department of Natural Resources, Mines and Energy.

Digital data for the vegetation management watercourse and drainage feature map, vegetation management wetlands map, essential habitat map and the vegetation management remnant and regional ecosystem map are available from the Queensland Spatial Portal at <http://www.information.qld.gov.au/>

