

TOWN PLANNING REPORT

for and on behalf of

**MARK RALPH PETERS AND
JANE ELIZABETH PETERS**

**MATERIAL CHANGE OF USE
- IMPACT ASSESSMENT FOR EXTRACTIVE INDUSTRY
(SAND EXTRACTION AND SCREENING)**

on land described as

LOT 692 ON SP311025

situated at

PICKFORD ROAD AND FISHER ROAD, BIBOOHRA

**VGF – C1140
JANUARY 2020**



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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) <i>(individual or company full name)</i>	Mark Ralph Peters and Jane Elizabeth Peters
Contact name <i>(only applicable for companies)</i>	Nick Hardy
Postal address <i>(P.O. Box or street address)</i>	c/- Victor G Feros Town Planning Consultants PO Box 1256
Suburb	CAIRNS
State	QLD
Postcode	4870
Country	AUSTRALIA
Contact number	(07) 4031 3663
Email address <i>(non-mandatory)</i>	nick@ferosplanning.com.au
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	C1140

2) Owner's consent
2.1) Is written consent of the owner required for this development application?
<input checked="" type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application
<input type="checkbox"/> No – proceed to 3)

PART 2 – LOCATION DETAILS

3) Location of the premises (complete 3.1) or 3.2), and 3.3) as applicable)

Note: Provide details below and attach a site plan for any or all premises part of the development application. For further information, see DA Forms Guide: Relevant plans.

3.1) Street address and lot on plan

Street address **AND** lot on plan (all lots must be listed), **or**

Street address **AND** lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon; all lots must be listed).

a)	Unit No.	Street No.	Street Name and Type	Suburb
			Pickford Road and Fisher Road	Biboohra
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
		692	SP311025	Mareeba
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:

Four Mile Creek

On strategic port land under the *Transport Infrastructure Act 1994*

Lot on plan description of strategic port land:

Name of port authority for the lot:

In a tidal area

Name of local government for the tidal area (if applicable):

Name of port authority for tidal area (if applicable):

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

Name of airport:

<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

6.1) Provide details about the first development aspect	
a) What is the type of development? <i>(tick only one box)</i>	
<input checked="" 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 checked="" 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 checked="" 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>	
Extractive Industry (Sand Extraction and Screening)	
e) Relevant plans <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms guide: Relevant plans.</i>	
<input checked="" type="checkbox"/> Relevant plans of the proposed development are attached to the development application	
6.2) Provide details about the second development aspect	
a) What is the type of development? <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>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>	
<input 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	<input checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use

Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
Refer to Section 5.00 of the Town Planning Report dated January 2020			

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

<input type="checkbox"/> Yes		
<input checked="" type="checkbox"/> No		

Division 2 – Reconfiguring a lot

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

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

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

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

10.2) Will the subdivision be staged?

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

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

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

12) Boundary realignment

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

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

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

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: <table border="1" style="display: inline-table; width: 300px; height: 20px;"></table> | | |

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)

\$

PART 4 – ASSESSMENT MANAGER DETAILS

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

Mareeba Shire Council

16) Has the local government agreed to apply a superseded planning scheme for this development application?

- Yes – a copy of the decision notice is attached to this development application
- Local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- No**

PART 5 – REFERRAL DETAILS

17) Do any aspects of the proposed development require referral for any referral requirements?

Note: A development application will require referral if prescribed by the Planning Regulation 2017.

No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6

Matters requiring referral to the **Chief Executive of the Planning Regulation 2017:**

- Clearing native vegetation
- Contaminated land (*unexploded ordnance*)
- Environmentally relevant activities (ERA) (*only if the ERA have not been devolved to a local government*)
- Fisheries – aquaculture
- Fisheries – declared fish habitat area
- Fisheries – marine plants
- Fisheries – waterway barrier works
- Hazardous chemical facilities
- Queensland heritage place (*on or near a Queensland heritage place*)
- Infrastructure – designated premises
- Infrastructure – state transport infrastructure
- Infrastructure – state transport corridors and future state transport corridors
- Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels
- Infrastructure – near a state-controlled road intersection
- On Brisbane core port land near a State transport corridor or future State transport corridor
- On Brisbane core port land – ERA
- On Brisbane core port land – tidal works or work in a coastal management district
- On Brisbane core port land – hazardous chemical facility
- On Brisbane core port land – taking or interfering with water
- On Brisbane core port land – referable dams
- On Brisbane core port land - fisheries
- Land within Port of Brisbane's port limits
- SEQ development area
- SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- SEQ regional landscape and rural production area or SEQ rural living area – community activity
- SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- SEQ regional landscape and rural production area or SEQ rural living area – combined use
- Tidal works or works in a coastal management district
- Reconfiguring a lot in a coastal management district or for a canal
- Erosion prone area in a coastal management district
- Urban design
- Water-related development – taking or interfering with water
- Water-related development – removing quarry material (*from a watercourse or lake*)
- Water-related development – referable dams
- Water-related development – construction of new levees or modification of existing levees (*category 3 levees only*)
- Wetland protection area

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

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

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

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

19) Information request under Part 3 of the DA Rules
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application
<input type="checkbox"/> I do not agree to accept an information request for this development application
Note: <i>By not agreeing to accept an information request I, the applicant, acknowledge:</i>
<ul style="list-style-type: none"> • that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties • Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.
<i>Further advice about information requests is contained in the <u>DA Forms Guide</u>.</i>

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)			
<input checked="" type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input type="checkbox"/> No			
List of approval/development application references	Reference number	Date	Assessment manager
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Development application	RAL/18/0013	26 April 2018 (Decision Date: 26 April 2018)	Mareeba Shire Council
<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)		
<input type="checkbox"/> Yes – a copy of the receipted QLeave form is attached to this development application <input type="checkbox"/> 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 <input checked="" type="checkbox"/> 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?
<input type="checkbox"/> Yes – show cause or enforcement notice is attached <input checked="" type="checkbox"/> No

23) Further legislative requirements			
<u>Environmentally relevant activities</u>			
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 <i>Environmental Protection Act 1994</i> ?			
<input type="checkbox"/> 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 <input checked="" type="checkbox"/> No <i>Note: Application for an environmental authority can be found by searching “ESR/2015/1791” as a search term at www.qld.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.</i>			
Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			
<input type="checkbox"/> Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.			
<u>Hazardous chemical facilities</u>			
23.2) Is this development application for a hazardous chemical facility ?			
<input type="checkbox"/> Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application <input checked="" type="checkbox"/> No <i>Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.</i>			

Clearing native vegetation

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

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

No

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

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

Environmental offsets

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

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

No

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

Koala conservation

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

Yes

No

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

Water resources

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

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

No

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au for further information.

DA templates are available from <https://planning.dsdmip.qld.gov.au/>. If the development application involves:

- Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1
- Taking or interfering with water in a watercourse, lake or spring: complete DA Form 1 Template 2
- Taking overland flow water: complete DA Form 1 Template 3.

Waterway barrier works

23.7) Does this application involve **waterway barrier works**?

Yes – the relevant template is completed and attached to this development application

No

DA templates are available from <https://planning.dsdmip.qld.gov.au/>. For a development application involving waterway barrier works, complete DA Form 1 Template 4.

Marine activities

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

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

No

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

Quarry materials from a watercourse or lake

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

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

Note: Contact the Department of Natural Resources, Mines and Energy at www.dnrme.qld.gov.au and www.business.qld.gov.au for further information.

Quarry materials from land under tidal waters

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

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

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

Referable dams

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

- Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the Water Supply Act is attached to this development application
 No

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

Tidal work or development within a coastal management district

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

- Yes – the following is included with this development application:
- Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)
 - A certificate of title
- No**

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

Queensland and local heritage places

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

- Yes – details of the heritage place are provided in the table below
 No

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

Name of the heritage place:		Place ID:	
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Brothels

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

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

Decision under section 62 of the Transport Infrastructure Act 1994

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

- Yes - this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)
 No

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist	
I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17 <i>Note: See the Planning Regulation 2017 for referral requirements</i>	<input checked="" type="checkbox"/> Yes
If building work is associated with the proposed development, Parts 4 to 6 of <i>DA Form 2 – Building work details</i> have been completed and attached to this development application	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
Supporting information addressing any applicable assessment benchmarks is with development application <i>Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see DA Forms Guide: Planning Report Template.</i>	<input checked="" type="checkbox"/> Yes
Relevant plans of the development are attached to this development application <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.</i>	<input checked="" type="checkbox"/> Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (<i>see 21</i>)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable

25) Applicant declaration	
<input checked="" type="checkbox"/> By making this development application, I declare that all information in this development application is true and correct	
<input checked="" type="checkbox"/> Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the <i>Electronic Transactions Act 2001</i>	
<i>Note: It is unlawful to intentionally provide false or misleading information.</i>	
<p>Privacy – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.</p> <p>Personal information will not be disclosed for a purpose unrelated to the <i>Planning Act 2016</i>, <i>Planning Regulation 2017</i> and the <i>DA Rules</i> except where:</p> <ul style="list-style-type: none"> such disclosure is in accordance with the provisions about public access to documents contained in the <i>Planning Act 2016</i> and the <i>Planning Regulation 2017</i>, and the access rules made under the <i>Planning Act 2016</i> and <i>Planning Regulation 2017</i>; or required by other legislation (including the <i>Right to Information Act 2009</i>); or otherwise required by law. <p>This information may be stored in relevant databases. The information collected will be retained as required by the <i>Public Records Act 2002</i>.</p>	

PART 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	
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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 received form sighted by assessment manager	
Name of officer who sighted the form	

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

Dear Sir

RE: APPLICATION TO MAREEBA SHIRE COUNCIL FOR DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR EXTRACTIVE INDUSTRY (SAND EXTRACTION AND SCREENING) ON LAND DESCRIBED AS LOT 692 ON SP311025 AND LOCATED AT PICKFORD ROAD AND FISHER ROAD, BIBOOHRA, QLD

We, the undersigned, as the Applicants for the above described matter and the registered owners of Lot 692 on SP311025, consent to the lodgement of the attached Application and supporting documents prepared by Victor G Feros Town Planning Consultants.

Yours faithfully



Mark Ralph Peters

Signed on the 13 day of JANUARY ²⁰²⁰ ~~2019~~ MKP



Jane Elizabeth Peters

Signed on the 13 day of January ²⁰²⁰ ~~2019~~ JP

CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 32903306

Search Date: 20/12/2019 10:14

Title Reference: 51184745

Date Created: 24/05/2019

Previous Title: 51058079

51112263

REGISTERED OWNER

Dealing No: 719418828 22/05/2019

MARK RALPH PETERS

JANE ELIZABETH PETERS JOINT TENANTS

ESTATE AND LAND

Estate in Fee Simple

LOT 692 SURVEY PLAN 311025

Local Government: MAREEBA

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20341137 (POR 3)
Deed of Grant No. 40073972 (Lot 69 on CP DA118)
2. EASEMENT No 700084791 05/07/1994 at 10:58
burdening the land to
THE FAR NORTH QUEENSLAND ELECTRICITY BOARD
OVER EASEMENT A ON RP817861

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

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Requested By: D-ENQ PROPERTY & TITLE SEARCH

TOWN PLANNING REPORT

for and on behalf of

**MARK RALPH PETERS AND
JANE ELIZABETH PETERS**

**MATERIAL CHANGE OF USE
- IMPACT ASSESSMENT FOR EXTRACTIVE INDUSTRY
(SAND EXTRACTION AND SCREENING)**

on land described as

LOT 692 ON SP311025

situated at

PICKFORD ROAD AND FISHER ROAD, BIBOOHRA

**VGF – C1140
JANUARY 2020**



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TOWN PLANNING REPORT

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- APPENDIX E PROPOSED EXTRACTION / DISTURBANCE AREA
AND INTERNAL HAUL ROUTE PLAN
- APPENDIX F RESPONSE TO CODES

Amended 15/01/2020 (2PM)

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TOWN PLANNING REPORT FOR MATERIAL CHANGE OF USE – IMPACT ASSESSMENT FOR EXTRACTIVE INDUSTRY (SAND EXTRACTION AND SCREENING)

LOT 692 ON SP311025

PICKFORD ROAD AND FISHER ROAD, BIBOOHRA

1.00 INTRODUCTION

We act on behalf of Mark Ralph Peters and Jane Elizabeth Peters, the land owners and Applicants in relation to the proposal to establish an Extractive Industry (Sand Extraction and Screening) on the subject land described as Lot 692 on SP311025 and located at Pickford Road and Fisher Road, Biboohra.

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

This Report addresses the Application and the merits upon which Mareeba Shire Council's (Council) support is requested in terms of the Mareeba Shire Council Planning Scheme (2016) and is based on the combined investigations and researches of this practice in relation to statutory and land use planning and Twine Surveys in relation to boundary identification.

The preparation of this Report has had regard to Pre-lodgement discussions and written advices dated 15 April 2019 provided by Council and further discussions and written advices provided by the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) dated 18 April, 3 July and 4 July 2019.

Pre-lodgement Advices are attached as **Appendix A**.

For clarification purposes, it is noted that the subject site was previously described as Lot 331 on SP 287199 and part of Lot 69 on DA118.

IN CONTINUOUS PRACTICE SINCE 1976

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2.00 THE SITE

2.01 Description

The subject site is described as Lot 692 on SP311025 and contains an area of 72.86ha. The site has a frontage of 20m (approx.) to Pickford Road via a 962.2m long access extension forming part of the site. It is noted this access extension provides lawful access to Pickford Road however this access is not used for practical access to the site. The 8.3m wide frontage to Fisher Road is used for practical access to the site. The site also has a “corner frontage” to an unnamed road to the southwest.

Four Mile Creek extends in a south-to-north direction across the site.

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

2.02 Current Use

The subject site is presently fully fenced and is used for cattle grazing.

Approximately 21ha (28.8%) of the site has been cleared as part of the previous use of the site for tobacco cropping.

The remaining vegetation on the site includes:-

- a) riparian vegetation located on both sides of Four Mile Creek;
- b) vegetation located in the north western and northern sections of the site. The vegetation in the northwest of the site contains an area identified as wetland;
- c) vegetation located in the eastern section of the site in the vicinity of Fisher Road;
- d) vegetation located in the southern section of the site; and
- e) other isolated stands of trees distributed across the site.

The remaining vegetation located on the site generally aligns with the Regulated Vegetation Mapping identified for the site.



A 72.115m wide easement for a high-voltage transmission line traverses the eastern extent of the subject site (Refer to **Appendix B – Survey Plan**).

With the exception of areas immediately adjacent to Four Mile Creek, the site is generally flat and drains to the north and northeast.

Significantly for the current proposal, the area nominated for extraction / disturbance does not drain towards Four Mile Creek or the adjacent wetland.

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

3.00 RECENT APPROVAL

A Decision Notice dated 26 April 2018 approving the realignment of a boundary between lots previously described as Lot 331 on SP287199 and Lot 69 on DA118 was issued by Council on 26 April 2018 (Council Reference: RAL/18/0013).

The approval of this boundary realignment has no impact upon the proposal to establish the proposed Extractive Industry (Sand Extraction and Screening) on the subject site.

A copy of the Decision Notice is attached as **Appendix C - Reconfiguring a Lot Decision Notice**.

4.00 SURROUNDING USES

The subject site is located within an area containing large-scale rural activities including cattle grazing and sugar cane production.

In addition to rural activities, and in response to a readily accessible sand resource, land to the northeast of the site presently includes “active” sand extraction uses. Dwellings are also located within the area surrounding the subject site.

The location of these features are shown in **Figure 4 – Surrounding Land Uses**.



5.00 PROPOSED DEVELOPMENT

5.01 General

It is proposed to establish a “stand-alone” sand extraction and screening activity on the predominately cleared section of the subject site.

The underlying principle for the identification of the extraction/disturbance area is to minimise the requirement to clear existing vegetation.

The extraction rate will be limited to less than 5,000 tonnes per annum.

Access to the extraction area will be via the 8.3m wide frontage to Fisher Road.

5.02 Design and Siting Principles

The following design principles have been adopted for the proposal in relation to the identification of the proposed extraction / disturbance area:-

- a) on-site clearing of existing vegetation is to be minimised and the clearing of areas mapped as Category B and Category C vegetation will be avoided;
- b) suitable setbacks will be provided to the existing watercourse, wetland and vegetation;
- c) suitable setbacks will be provided to allow access for machinery to enable rehabilitation works to be undertaken on the extremities of the extraction / disturbance area;
- d) the haul route and access for the proposed extraction/disturbance area will be located within the existing and cleared 10m wide vehicle access presently servicing the rural use of the land. No further clearing will be required to establish the haul route.
- e) seek to ensure that there are no stormwater or wastewater discharges from the proposed extraction or screening activity into a waterway or wetland.



5.03 Vegetation Considerations

In order to identify the extent of the proposed extraction / disturbance area, and to avoid the requirement to clear vegetation identified by the Regulated Vegetation Mapping, the extent of the vegetation allocations has been transposed onto an aerial photograph. A copy of the Vegetation Management Report is attached as **Appendix - D**.

The extent of Category B (Remnant Vegetation), Category C (High Value Regrowth Vegetation), Wetland and Essential Habitat are shown in **Figure 5 – Vegetation Allocations**.

These vegetation features are described as follows:-

- a) Essential Habitat located in the northeastern corner of the site;
- b) Wetland located in the northwestern corner of the site;
- c) the identification of Four Mile Creek as a Watercourse (Category 4) within the Coastal Bioregion of Module 8;
- d) the identification of the “high bank” of Four Mile Creek is based on the edge of the existing canopy line; and
- e) the extent of Category B (Remnant Vegetation) and C (High Value Regrowth Vegetation) distributed across the site

The following features are also shown in **Figure 5**:-

- a) the extent of the 10m wide clearing permitted within the Category B and C Vegetation to allow for the establishment and maintenance of a property boundary fence; and
- b) the extent of the 10m wide haul route connecting the extraction/disturbance area with Fisher Road via an existing cleared alignment extending through land identified as Category B (Remnant Vegetation).

The cleared alignment was established as part of the routine management for the existing grazing use.



5.04 Development Details

a) Extraction / Disturbance Area

Having regard to vegetation considerations, and the design and siting principles, the proposed sand extraction and screening activity will incorporate a nominated extraction / disturbance area of 12.5ha (approx.).

The boundary of the nominated extraction / disturbance area is shown in **Appendix E – Proposed Extraction / Disturbance Area and Internal Haul Route Plan** and is defined as follows:-

Location	Nominated Setback	Comment
Western Boundary	25m	Setback measured from the nominated high bank of Four Mile Creek. It is noted that the western section of the extraction / disturbance area is also located within the wetlands and waterway buffers.
Southern Boundary	5m	Setback measured from the mapped Category B Vegetation to provide machinery access for rehabilitation purposes.
Eastern Boundary	5m	Setback measured from the mapped Category B Vegetation to provide machinery access for rehabilitation purposes.
Northern and Eastern Boundaries adjacent to Lot 341 on SP287199	20m	Setback measured from boundary and will provide for an internal haul route and will also be used for machinery access for rehabilitation purposes.
North Eastern Boundary	20m	Setback measured from the Category C Vegetation.
Northern Boundary	N/A	Boundary defined by the practical extent of the extraction / disturbance area.



b) Internal Haul Route

The internal haul route connecting the extraction/disturbance area with Fisher Road will be provided via the existing 10m wide access currently provided as part of routine management for the existing grazing area.

It is noted that this existing access extends from the Fisher Road frontage in a north westerly direction to the northern fence line and extends along the northern fence line in a westerly direction to the extraction/disturbance area.

As this access presently exists and there is no requirement to undertake any clearing within the mapped Category B Vegetation to establish the internal haul route.

The location of the proposed internal haul route is shown in **Appendix E – Proposed Extraction / Disturbance Area and Internal Haul Route Plan**.

c) External Haul Route

The nominated External Haul Route connecting the subject site with the Mulligan Highway includes Fisher Road, Peters Road and Adil Road and is shown by **Figure 6 –External Haul Route**.

It is submitted that given the low vehicle generation rates and the current standard of the roads to be used for the external haul route, there would be no requirement to undertake external road works or any requirement to provide contributions towards trunk infrastructure.

5.05 Operation Arrangements

The proposed sand extraction and screening activity will be operated by Mareeba Sands. This business is experienced in the operation and management of sand extraction and screening uses.

In particular, Mareeba Sands operates an existing sand extraction activity on adjoining land described as Lot 341 on SP287199, and is familiar with the nature of the sand resource available on the site and the techniques required to extract the material from the site in an efficient and rational manner while protecting the environmental values of the surrounding area.



The following specific operational arrangements are proposed:-

- a) topsoil and other overburden will be removed from an extraction area and stockpiled for future rehabilitation works;
- b) sand will be extracted by the use of a tracked excavator with the material loaded onto a "pit truck";
- c) the maximum excavation depth will be 3m with a 1:3 batter to be established on the edge of all extraction areas. It is noted that the high side of such batters will be defined by the boundary of the nominated extraction / disturbance areas;
- d) the extracted materials will be transported by the "pit truck" to a central stockpile area adjacent to the mobile screening plant. This central stockpile area will also enable the "blending" of extracted material to be undertaken if required; and
- e) the extracted material will be loaded into the screening plant by a frontend loader to allow for the removal of unsuitable material.

Further, the following extraction arrangements are proposed:-

- a) based on field investigations, it is known that the sand resource is not available within the entire area nominated for extraction / disturbance;
- b) the sand deposits are dissected by other deposits containing soil;
- c) the extraction technique will include the excavation of sand from "pockets" defined by the other soil deposits;
- d) it is expected that the sand quality will vary across the site. Therefore it will be necessary to "blend" sand extracted from multiple extraction areas to ensure a sand supply taken from the site meet the necessary industry standards;
- e) further to item d) above, it is proposed that a number of extraction locations within the nominated extraction / disturbance area will be operated simultaneously. In addition, not all of the area within the extraction / disturbance area will be subject to extraction.

The mobile screening plant and associated conveyor elevator can be positioned at multiple locations within the extraction / disturbance area;



- f) water to operate the screening plant will be drawn from the extraction pits via a motorised pump;
- g) all tailings from the screening process will be directed into the extraction pits. Significantly there will be no discharge of waste water containing tailings to areas outside the site and all discharges will be fully contained within the on-site extraction pits;
- h) the screened material will be stockpiled on-site and as required, loaded on the haulage truck to be delivered off site;
- i) upon depletion of sand within an extraction area, rehabilitation of each area will be undertaken including the shaping of batters surrounding the extraction pits, replacement of previously removed topsoil and revegetation as required;

It is noted that the extraction activities and subsequent site rehabilitation will be undertaken in accordance with a Site Rehabilitation Management Plan to be approved by Council.

- j) the hours of operation for the use will be limited to the hours between 7am to 6pm Monday to Fridays and 7:00am to 12 noon Saturday and excluding Sundays and Public Holidays;
- k) the following machinery will be used on-site:-
 - i) 21 tonne tracked excavator;
 - ii) 10 m³ capacity "pit truck";
 - iii) mobile screening plant with a screen area of 8 feet by 4 feet and conveyor elevator;
 - iv) 3.5m³ capacity wheeled front end loader; and
 - v) 27 tonne body truck and dog trailer for deliveries.

In addition, the following on-site arrangements will be undertaken in relation to the machinery:-

- i) no fuel will be stored on-site. All refuelling of machinery will be undertaken by the use of a self-bunded mobile tanker; and
- ii) all major machinery servicing and repairs will be undertaken off-site.



- l) given that the annual extraction rate will be limited to 5,000 tonnes per annum. Traffic generation is expected to average one (1) truck movement per day during a yearly period; and
- m) during the use of the site for sand extraction and screening, the site will continue to be used for cattle grazing purposes. Upon completion of the sand extraction and screening activity, the site will revert to the sole use for cattle grazing purposes;

Where required, the operational arrangements for the proposal will be undertaken in accordance with an approved Site Rehabilitation Plan and an Environmental Management Plan.

6.00 STATUTORY TOWN PLANNING ALLOCATIONS

6.01 Mareeba Shire Council (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
a) Strategic Framework	<p>Land Use Category:</p> <ul style="list-style-type: none"> • Rural Other • Rural Agricultural Area <p>Natural Environment Elements:</p> <ul style="list-style-type: none"> • Biodiversity Areas (includes Regulated Vegetation, Species Habitat, State Conservation and Wetlands) <p>Infrastructure Elements</p> <ul style="list-style-type: none"> • Major Electrical Infrastructure <p>(Refer to Figure 7 – Strategic Framework)</p>
b) Zoning	<p>Rural</p> <p>(Refer to Figure 8 - Zoning)</p>



c) Overlays	<p>Agricultural Land Overlay:</p> <ul style="list-style-type: none"> • Class A Agricultural Land <p>(Refer to Figure 9 – Agricultural Land Overlay)</p>
	<p>Airport Environs Overlay:</p> <ul style="list-style-type: none"> • Area of Interest (15000 metre buffer)
	<p>Bushfire Hazard Overlay:</p> <ul style="list-style-type: none"> • Medium Potential Bushfire Intensity • Potential Impact Buffer (100 metres) <p>(Refer to Figure 10 – Bushfire Hazard Overlay)</p>
	<p>Environmental Significance Overlay:</p> <ul style="list-style-type: none"> • Wildlife Habitat • Regulated Vegetation • High Ecological Significance Wetlands • High Ecological Significance Wetlands 200 metre Buffer <p>(Refer to Figure 11 – Environmental Significance Overlay)</p>
	<p>Environmental Significance – Waterways Overlay:</p> <ul style="list-style-type: none"> • Waterway • Waterway 100 metre Buffer <p>(Refer to Figure 12– Environmental Significance Waterways Overlay)</p>
	<p>Regional Infrastructure Corridors and Substations Overlay:</p> <ul style="list-style-type: none"> • Major Electricity Infrastructure – High Voltage Powerline <p>(Refer to Figure 13 – Regional Infrastructure Corridors and Substations Overlay)</p>
	<p>Transport Infrastructure Overlay:</p> <ul style="list-style-type: none"> • Major Rural Road (Pickford Road) <p>(Refer to Figure 14 – Transport Infrastructure Overlay).</p>



6.02 Use Description

The proposed use of the land is defined as:-

Use	Definition	Examples include	Does not include the following examples
Extractive Industry	Premises used for the extraction and/or processing of extractive resources and associated activities, including their transportation to market	Quarry	

Within the Rural Zone, an Extractive Industry use that is “*involving the expansion of an existing facility*” is a Code Assessable use. It is submitted that the proposal use does not involve “the expansion of an existing facility” and is therefore an Impact Assessable Use.

On this basis the proposal is described as:-

“Development Permit for Material Change of Use – Impact Assessment for Extractive Industry (Sand Extraction and Screening)”

6.03 Applicable Codes

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

- a) Zone Code
 - Rural Zone Code;
- b) Overlay Codes
 - Environmental Significance Overlay Code;
 - Regional Infrastructure Corridors and Substations Overlay Code;
- c) Development Codes
 - Industrial Activities Code;
 - Landscaping Code;
 - Parking and Access Code;
 - Works, Services and Infrastructure Code;

A detailed response to the Codes identified as being to the subject site and the proposal is provided by the assessment attached as **Appendix F - Response to Codes**.



7.00 REFERRAL TRIGGERS

Reference is made to the following advices received as part of the pre-lodgement process:-

- a) Council Pre-lodgement Advice dated 15 April 2019

Council identified the following Referral triggers as part of its pre-lodgement assessment:-

- i) Clearing Native Vegetation – Schedule 10, Part 3, Division 4, Table 3, Item 1 on the basis that the proposed Extraction / Disturbance Area and the internal haul route ; and
- ii) State transport infrastructure generally - Schedule 10, Part 9, Division 4, Subdivision 1 Table 1, Item 1 (if using machinery having an annual throughput of product of 10,000t)

- b) DSDMIP Pre-lodgement Advice dated 8 April 2019

DSDMIP identified the following Referral triggers as part of its pre-lodgement assessment:-

- i) Clearing Native Vegetation – Schedule 10, Part 3, Division 4, Table 3, Item 1

The Department acknowledged that on the basis that the annual throughput is not proposed to exceed 5,000 tonnes that referral is not required to DSDMIP for State Transport Infrastructure.

- c) DSDMIP Further Pre-lodgement Meeting Record dated 3 July 2019

Further discussions were held with the DSDMIP on 1 July 2019 regarding the specific trigger thresholds for requiring referral of the application to the Department for Clearing Native Vegetation – Schedule 10, Part 3, Division 4, Table 3, Item 1.

As part of these discussions amendments were made to the proposed Extraction / Disturbance Area Plan to exclude land located within the Category B – Remnant Vegetation allocation.

DSDMIP also confirmed that the proponent can undertake vegetation clearing as part of “routine management” for the current grazing use to establish access via Fisher Road. DSDMIP also confirmed that this access can be utilised for the internal haul route for the proposed extraction use. Accordingly there is no referral trigger to DSDMIP in relation to the current application.



d) DSDMIP email dated 4 July 2019

The DSDMIP Officer provided the following advice:-

"I confirm that regardless of option 2 or option 3, routine management can occur under the current land use.

I also confirm once cleared for the current land use, the road alignment as shown by Option 2 can be used for the extractive industry haul route without referral to SARA for vegetation matters as no clearing would be required as a result of the MCU for the extractive industry."
(emphasis added)

These Pre-lodgement Advices are attached as **Appendix A**.

It is confirmed that the landowner has undertaken routine management to create a 10 metre wide access track through the mapped Category B Vegetation to provide a practical vehicular access from the existing grazing areas to the Fisher Road frontage.

The internal haul route for the extraction use will utilise the existing cleared access. Accordingly referral to the DSDMIP in relation to vegetation clearing is not required in relation to either the Extraction / Disturbance Area or the internal haul route.

The location of the access track is shown by **Appendix E – Proposed Extraction / Disturbance Area and Internal Haul Route Plan**.

It is submitted that referral of the Development Application is limited to Ergon Energy for the purposes of "Material Change of Use of premises near a substation site or subject to an easement" (Schedule 10, Part 9, Division 2, Table 2, Item 1) on the basis that an electricity easement containing infrastructure is located within the eastern part of the subject site adjoining the Fisher Road frontage.



8.00 FAR NORTH QUEENSLAND REGIONAL PLAN (2009-2031)

The subject site is located within the Regional Landscape and Rural Production Area allocation of the Far North Queensland Regional Plan (2009-2031). The subject site is adjoined by land also in this allocation.

It is noted that the subject site represents the “*natural resources such as mineral and extractive resources and native and plantation forests*” value of the Regional Landscape and Rural Production Area (emphasis added). Accordingly, the proposal is consistent with the intent of the Regional Plan.

The location of the subject site and surrounding land uses are shown in **Figure 15 – Far North Queensland Regional Plan (2009-2031)**.

9.00 AMENITY CONSIDERATIONS

The following aspects are noted in relation to amenity considerations for the proposed development:-

- a) the proposed development is located on a large rural lot adjoining other large rural lots containing rural and extractive industry uses;
- b) the proposed extraction / disturbance area is located within a defined area with suitable setbacks to adjoining properties and substantial setbacks to the Pickford Road and Fisher Road frontages;
- c) the nearest dwelling, located on Lot 74 on DA448 and adjoining the subject site to the west, is located over 800 metres from the Disturbance / Extraction area on the subject site.

Figure 4 – Surrounding Land Uses show this dwelling and other dwellings within the locality of the subject site; and

- d) the proposed development complies or is capable of demonstrating compliance with the relevant Planning Scheme Codes.



10.00 CONCLUSIONS

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

- a) the subject site is located at Pickford Road and Fisher Road, Biboohra;
- b) the site is described as Lot 692 on SP311025;
- c) Lot 692 contains an area of 72.86ha;
- d) the subject site is located within an existing rural area;
- e) it is proposed to establish an Extractive Industry (Sand Extraction and Screening) with an annual extraction rate of 5,000 tonnes;
- f) the subject site is located within the Rural Zone;
- g) the Development Permit for Material Change of Use for Extractive Industry (Sand Extraction and Screening) within the Rural Zone is Impact Assessable Development on the basis that it is not an expansion to an existing facility; and
- h) the proposal demonstrates or is capable of demonstrating 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 proposal.

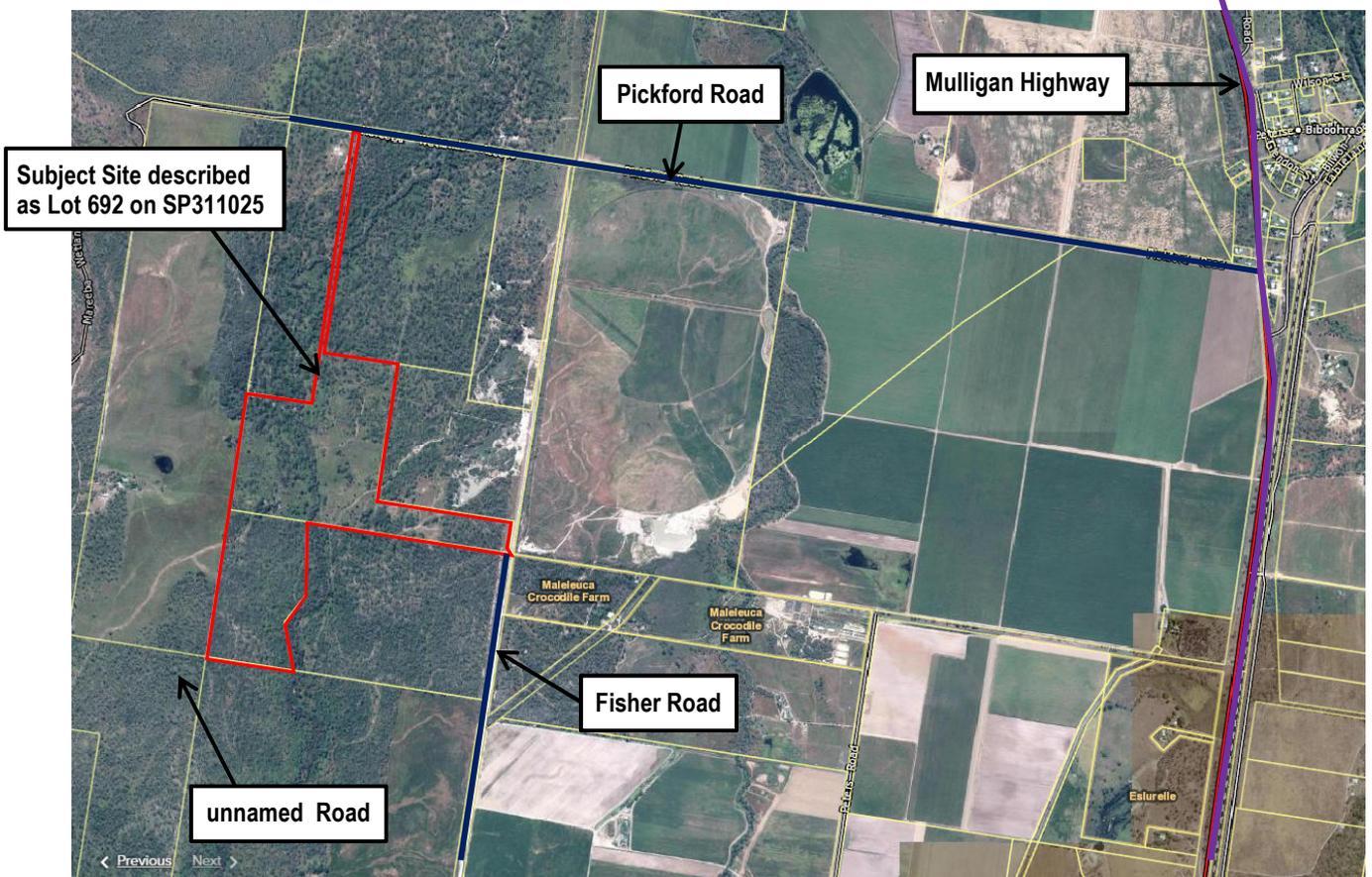
11.00 RECOMMENDATIONS

Having regard to the above facts, considerations and circumstances addressed in this Report for the subject site described as Lot 692 on SP311025 and located at Pickford Road and Fisher Road, Biboohra for Development Permit for Material Change of Use – Impact Assessment for Extractive Industry (Sand Extraction and Screening), is supportible in Town Planning related terms and is fully supported.

Council's favourable consideration of this Application is accordingly commended.

Victor G Feros Town Planning Consultants
January 2020

FIGURES



**MATERIAL CHANGE OF USE FOR
EXTRACTIVE INDUSTRY (SAND
EXTRACTION AND SCREENING)**

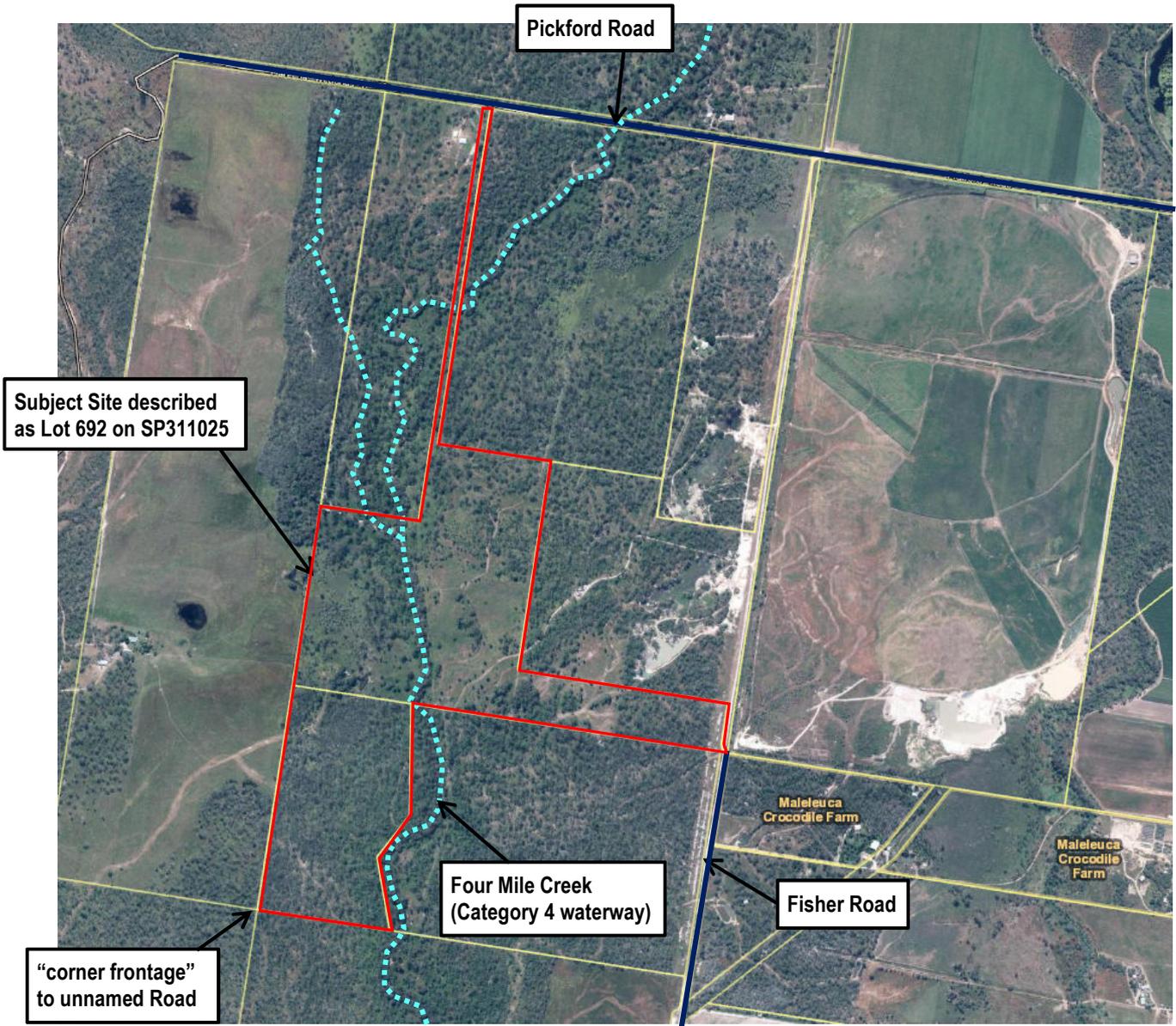
**MARK RALPH PETERS AND
JANE ELIZABETH PETERS**

**PICKFORD ROAD AND FISHER
ROAD, BIBOOHRA**

LOCATION



FIGURE 1 JANUARY 2020 ✓



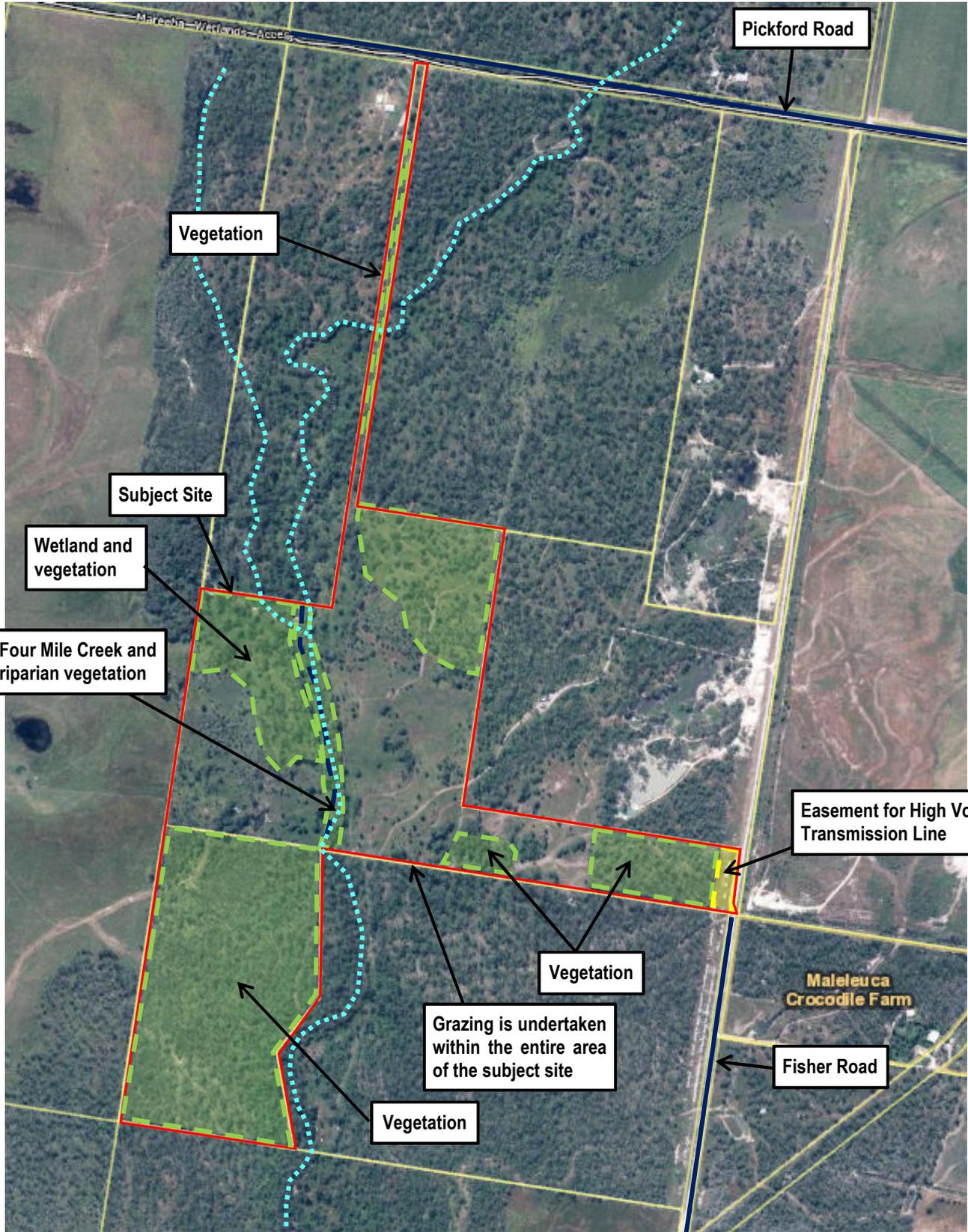
**MATERIAL CHANGE OF USE FOR
EXTRACTIVE INDUSTRY (SAND
EXTRACTION AND SCREENING)**

**MARK RALPH PETERS AND
JANE ELIZABETH PETERS**

**PICKFORD ROAD AND FISHER
ROAD, BIBOOHRA**

LOCALITY





**MATERIAL CHANGE OF USE FOR
EXTRACTIVE INDUSTRY (SAND
EXTRACTION AND SCREENING)**

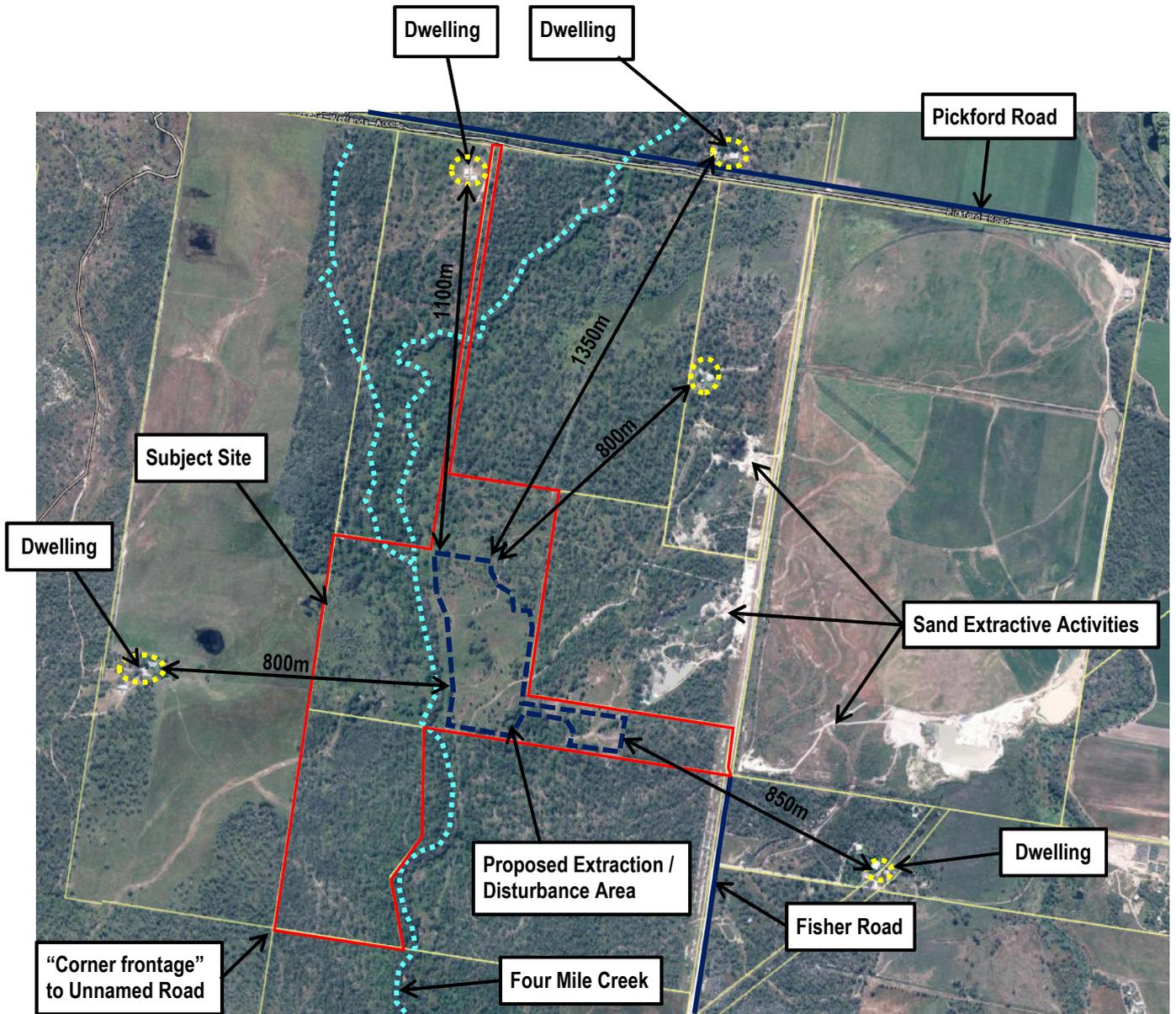
**MARK RALPH PETERS AND
JANE ELIZABETH PETERS**

**PICKFORD ROAD AND FISHER
ROAD, BIBOOHRA**

SITE FEATURES

FIGURE 3 JANUARY 2020 





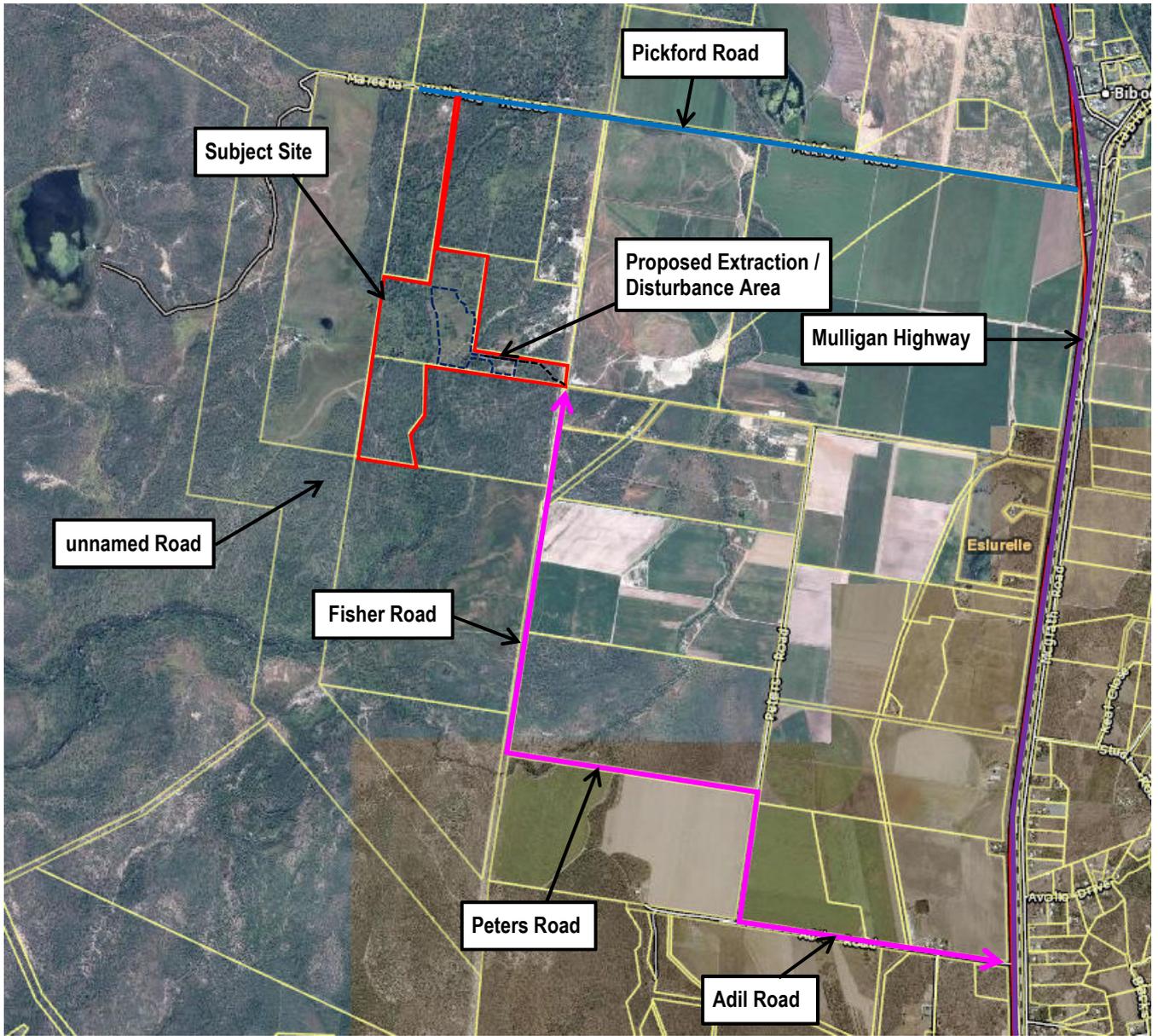
**MATERIAL CHANGE OF USE FOR
EXTRACTIVE INDUSTRY (SAND
EXTRACTION AND SCREENING)**

**MARK RALPH PETERS AND
JANE ELIZABETH PETERS**

**PICKFORD ROAD AND FISHER
ROAD, BIBOOhRA**

SURROUNDING LAND USES





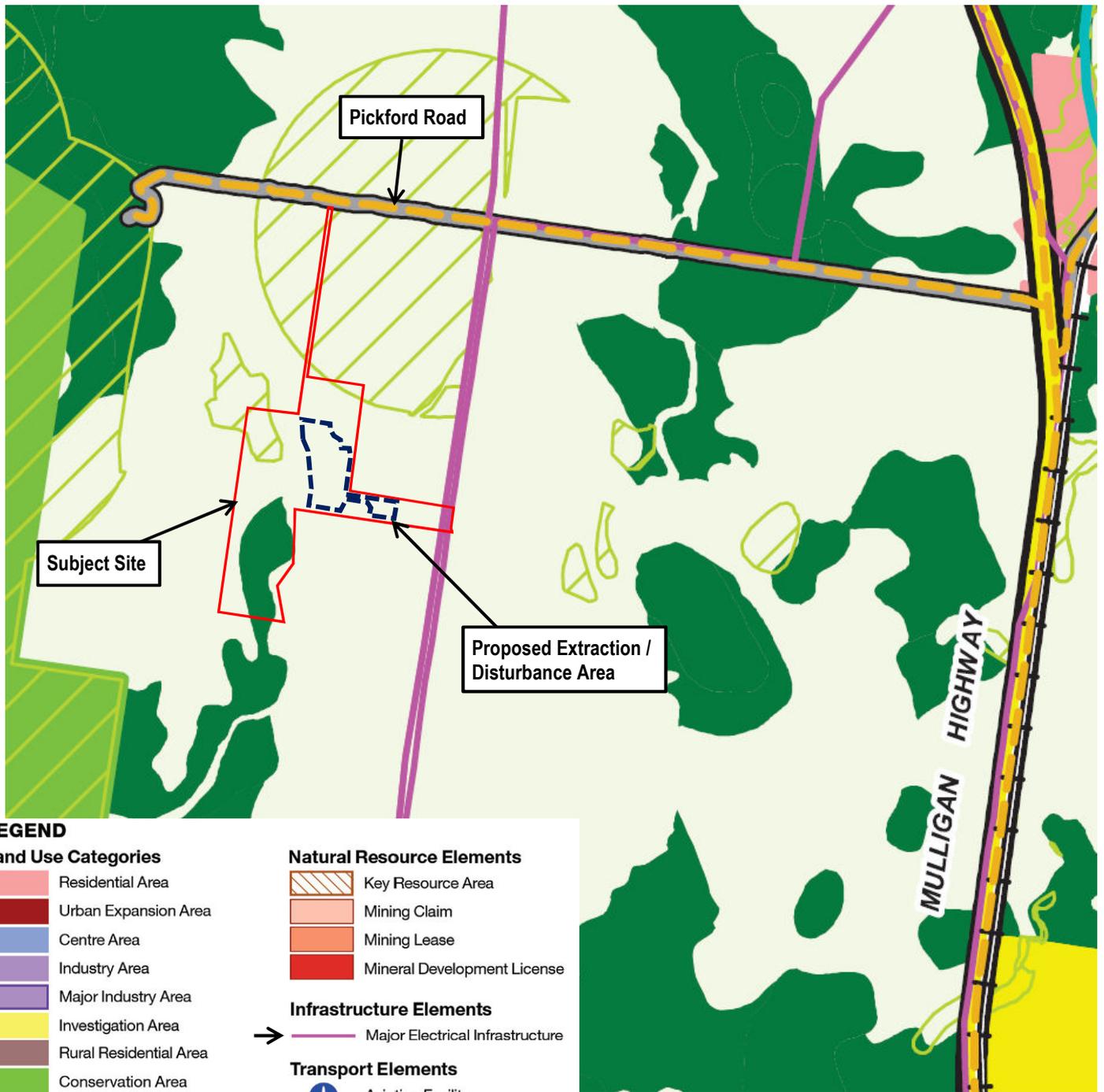
**MATERIAL CHANGE OF USE FOR
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**PICKFORD ROAD AND FISHER
ROAD, BIBOOHRA**

EXTERNAL HAUL ROUTE





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
- Mareeaba Shire Council Boundary

MATERIAL CHANGE OF USE FOR EXTRACTIVE INDUSTRY (SAND EXTRACTION AND SCREENING)

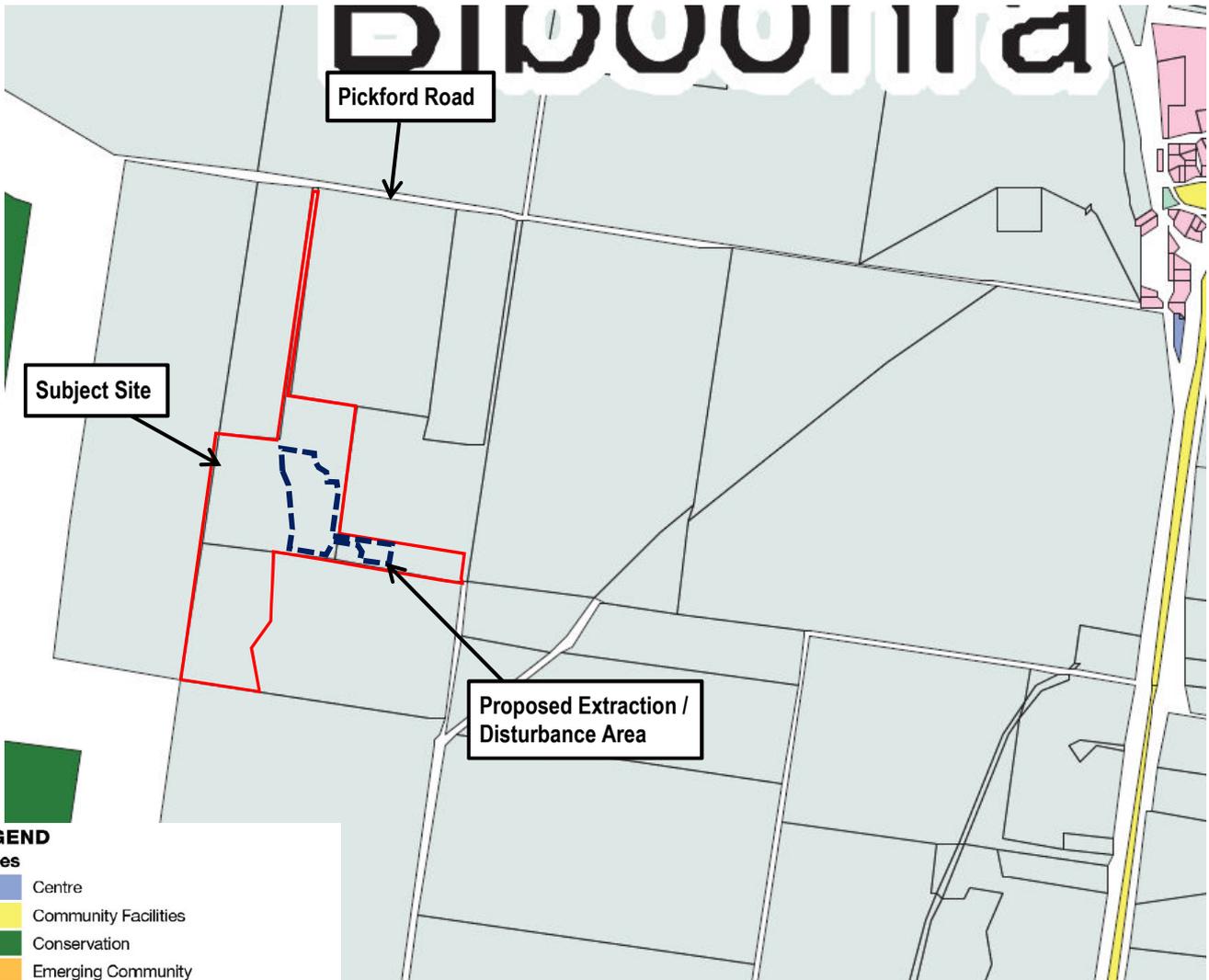
MARK RALPH PETERS AND JANE ELIZABETH PETERS

PICKFORD ROAD AND FISHER ROAD, BIBOOHRA

STRATEGIC FRAMEWORK MAREEBA SHIRE COUNCIL PLANNING SCHEME (2016)

FIGURE 7 JANUARY 2020





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

**MATERIAL CHANGE OF USE FOR
EXTRACTIVE INDUSTRY (SAND
EXTRACTION AND SCREENING)**

**MARK RALPH PETERS AND
JANE ELIZABETH PETERS**

**PICKFORD ROAD AND FISHER
ROAD, BIBBOHRA**

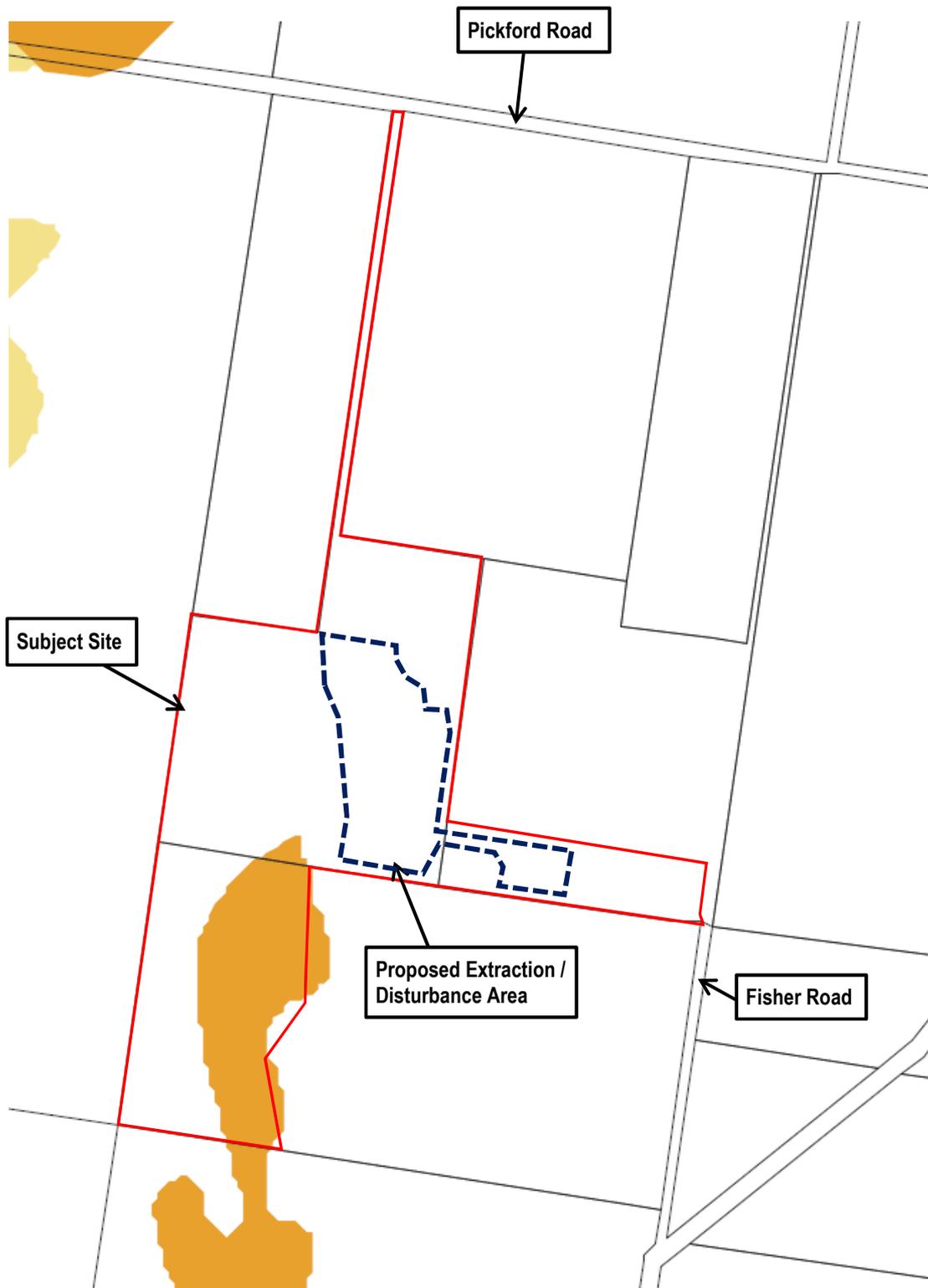
**ZONING
MAREEBA SHIRE COUNCIL
PLANNING SCHEME (2016)**



FIGURE 8

JANUARY 2020





**MATERIAL CHANGE OF USE FOR
EXTRACTIVE INDUSTRY (SAND
EXTRACTION AND SCREENING)**

**MARK RALPH PETERS AND
JANE ELIZABETH PETERS**

**PICKFORD ROAD AND FISHER ROAD,
BIBOOHRA**

**AGRICULTURAL LAND OVERLAY
MAREEBA SHIRE COUNCIL PLANNING
SCHEME (2016)**

FIGURE 9

JANUARY 2020 ✓

LEGEND

Agricultural Land

- Class A
- Class B
- Broadhectare Rural

Other Elements

- Cadastre
- Mareeba Shire Council Boundary
- Watercourse





LEGEND

Bushfire Hazard

- Very High Potential Bushfire Intensity
- High Potential Bushfire Intensity
- Medium Potential Bushfire Intensity
- Potential Impact Buffer (100 metres)

Other Elements

- Cadastre
- Mareeba Shire Council Boundary
- Watercourse

**MATERIAL CHANGE OF USE FOR
EXTRACTIVE INDUSTRY (SAND
EXTRACTION AND SCREENING)**

**MARK RALPH PETERS AND
JANE ELIZABETH PETERS**

**PICKFORD ROAD AND FISHER ROAD,
BIBOOHRA**

**BUSHFIRE HAZARD OVERLAY
MAREEBA SHIRE COUNCIL PLANNING
SCHEME (2016)**





LEGEND

-  Ecological Corridor
-  Habitat Linkage

Matters of State Environmental Significance

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

Other Elements

-  Cadastre
-  Mareeba Shire Council Boundary
-  Watercourse⁽²⁾

(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.

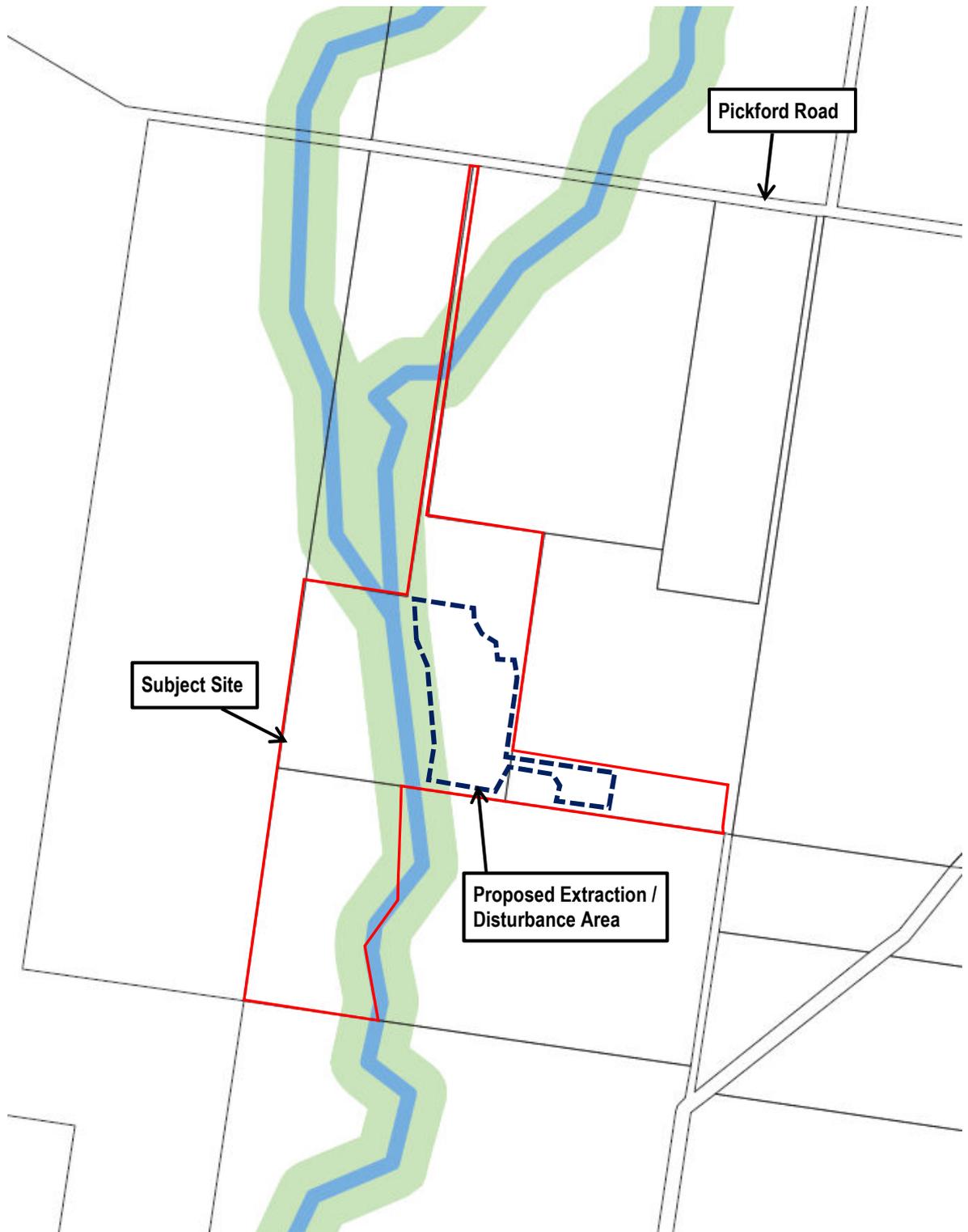
**MATERIAL CHANGE OF USE FOR
EXTRACTIVE INDUSTRY (SAND
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**MARK RALPH PETERS AND
JANE ELIZABETH PETERS**

**PICKFORD ROAD AND FISHER
ROAD, BIBOOHRA**

**ENVIRONMENTAL SIGNIFICANCE
OVERLAY
MAREEBA SHIRE COUNCIL
PLANNING SCHEME (2016)**





LEGEND

Matters of State Environmental Significance⁽¹⁾

- Waterway⁽²⁾
- Waterway 100 metre Buffer

Other Elements

- Cadastre
- ▭ Mareeба 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.

MATERIAL CHANGE OF USE FOR EXTRACTIVE INDUSTRY (SAND EXTRACTION AND SCREENING)

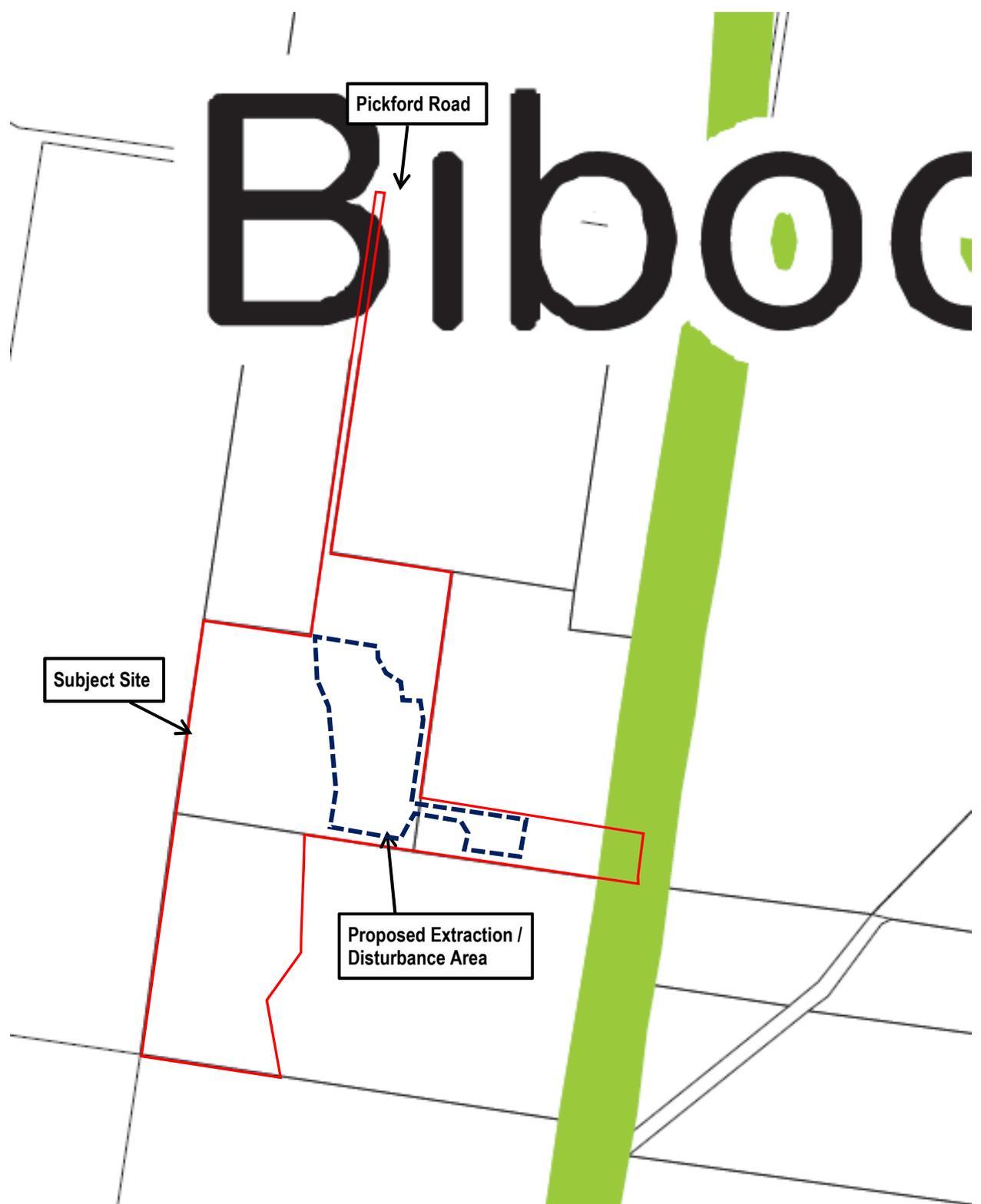
MARK RALPH PETERS AND JANE ELIZABETH PETERS

PICKFORD ROAD AND FISHER ROAD, BIBOOHRA

ENVIRONMENTAL SIGNIFICANCE – WATERWAYS OVERLAY MAREEBA SHIRE COUNCIL PLANNING SCHEME (2016)



Biboo



**MATERIAL CHANGE OF USE FOR
EXTRACTIVE INDUSTRY (SAND
EXTRACTION AND SCREENING)**

**MARK RALPH PETERS AND
JANE ELIZABETH PETERS**

**PICKFORD ROAD AND FISHER ROAD,
BIBOOHRA**

**REGIONAL INFRASTRUCTURE CORRIDORS
AND SUBSTATIONS OVERLAY
MAREEBA SHIRE COUNCIL PLANNING
SCHEME (2016)**

LEGEND

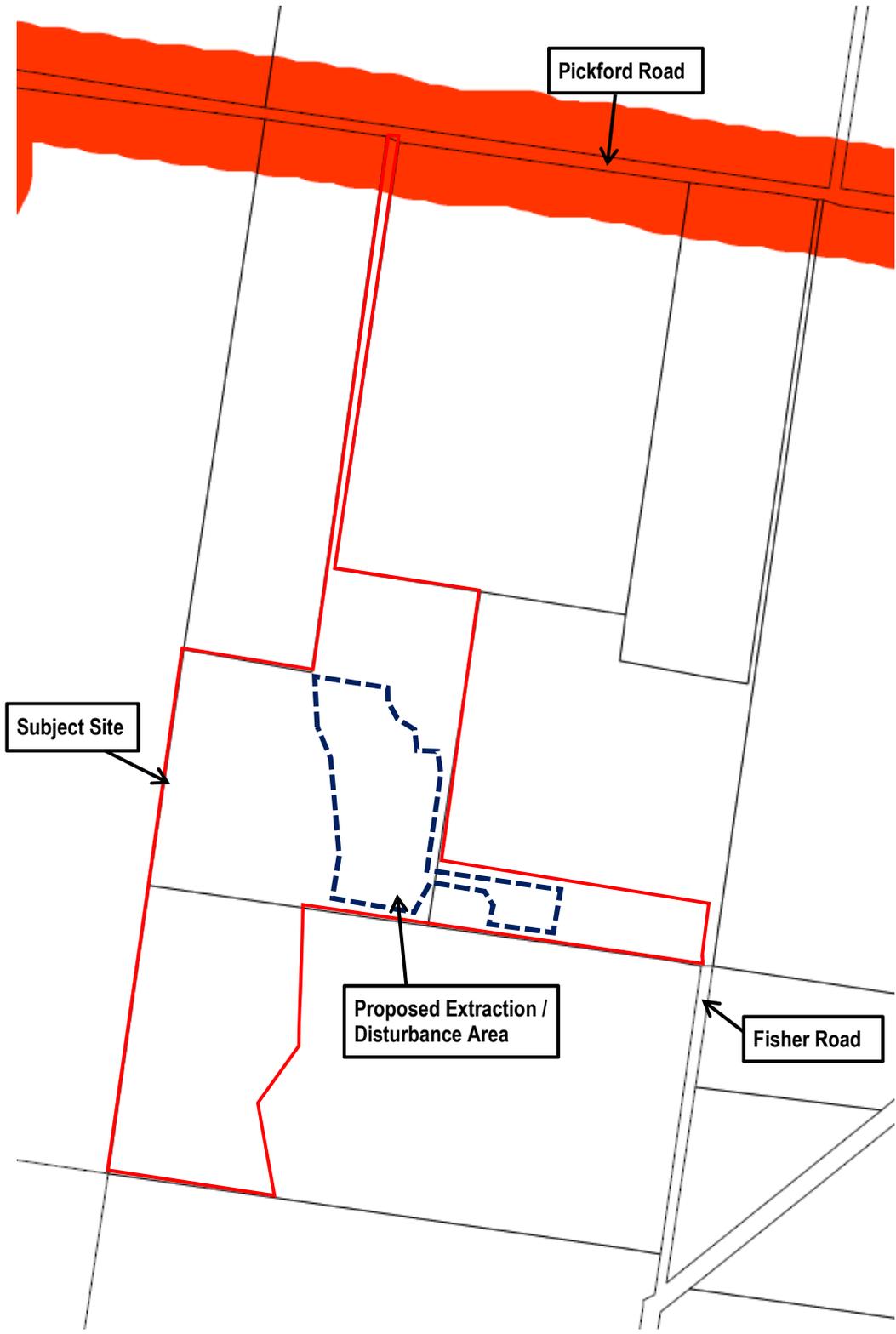
Regional Infrastructure

- Major Electricity Infrastructure - High Voltage Powerline
- ★ Major Electricity Infrastructure - Substation
- Stock Route

Other Elements

- Cadastre
- Mareeba Shire Council Boundary
- Watercourse





**MATERIAL CHANGE OF USE FOR
EXTRACTIVE INDUSTRY (SAND
EXTRACTION AND SCREENING)**

**MARK RALPH PETERS AND
JANE ELIZABETH PETERS**

**PICKFORD ROAD AND FISHER ROAD,
BIBOOHRA**

**TRANSPORT INFRASTRUCTURE OVERLAY
MAREEBA SHIRE COUNCIL PLANNING
SCHEME (2016)**

- LEGEND**
- Transport Infrastructure**
-  Rail Corridor
- Road Hierarchy**
-  State Controlled Road
 -  Collector Road
 -  Access Road
 -  Major Rural Road
 -  Minor Rural Road
- Other Elements**
-  Cadastre
 -  Mareeba Shire Council Boundary
 -  Watercourse



FIGURE 14

JANUARY 2020 



Map legend

- Urban Footprint *
- Rural Living Area *
- Regional Landscape and Rural Production Area *
- Digital Cadastral Database (DCDB) August 2008
- Local Government Areas
- FNQ Regional Plan Boundary

* For the planning intent of these areas refer to the FNQ Regional Plan 2009-2031

MATERIAL CHANGE OF USE FOR EXTRACTIVE INDUSTRY (SAND EXTRACTION AND SCREENING)

MARK RALPH PETERS AND JANE ELIZABETH PETERS

FNQ REGIONAL PLAN (2009-2031)

FIGURE 15 JANUARY 2020



APPENDIX A

65 Rankin Street
PO Box 154 MAREEBA QLD 4880

P: 07 4086 4657

F: 07 4086 4733

W: www.msc.qld.gov.au

E: info@msc.qld.gov.au

15 April 2019

Council Ref: Preenq/19/0002

Our Ref: BM:nj

Your Ref: VGF-C1140

PRE-LODGE MENT ADVICE

TO: MR & JE Peters
C/- Victor G Feros Town Planning Consultants
PO Box 1256
CAIRNS QLD 4870

EMAIL ADDRESS: cairns@ferosplanning.com.au

PROPOSED DEVELOPMENT: Material Change of Use - Extractive Industry (sand extraction and screening)

SUBJECT SITE: Lot 331 on SP287199
Situated at Pickford Road and Fisher Road, Biboohra
Area of 50.08 hectares

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 establish a "stand alone" sand extraction and screening activity on the predominately cleared section of the subject site.

The extraction rate will be limited to less than 5,000 tonnes per annum.

Access to the extraction area will be via the 8.3m wide frontage to Fisher Road."

TYPE OF APPLICATION REQUIRED:

Application for a development permit for Material Change of Use - Extractive Industry (Impact Assessment).

If the material change of use 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 Mark Ralph Peters and Jane Elizabeth Peters *(Not included as part of this application)*

RELEVANT SITE HISTORY:

On the 26 April 2018, Council approved an application (RAL/18/0013) for reconfiguring a lot - boundary realignment (2 into 2 lots) of land described as Lot 69 on DA118 & Lot 331 on SP287199, situated at Pickford Road and Fisher Road, Bibbohra.

This development approval is yet to be finalised, however a preliminary copy of the proposed survey plan was provided to Council on 9 April 2019. A copy of proposed survey plan SP311025 is included as **Attachment 2**. *(Not included as part of this application)*

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 https://msc.qld.gov.au/building-planning/planning/
Strategic Framework:	Rural Area - Rural Other and Rural Agricultural Area Natural Environment Elements - Biodiversity Areas Infrastructure Elements - Major Electrical Infrastructure
Zone:	Rural zone
Applicable Overlays:	Environmental significance overlay - (proposed extraction/disturbance area is partly within the High Ecological Wetlands 200 metre buffer) Environmental significance overlay - (proposed extraction/disturbance area is partly within the waterway buffer for Fourmile Creek). Stream Order data held by Council indicates a Stream Order of 0. Regional infrastructure corridors and substation overlay
Other Relevant Mapping:	State Assessment and Referral Agency mapping https://planning.dsdmip.qld.gov.au/
Applicable Planning Scheme Policies:	Policy 4 - FNQROC Regional Development Manual

Planning Scheme Land Use definition:	Extractive Industry
Level of Assessment:	<p>An aspect of the proposed development will require Impact Assessment.</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>Rural Zone Code</p> <p>Industrial Activities Code</p> <p>Environmental Significance Overlay Code</p> <p>Regional Infrastructure Corridors and Substations Overlay Code</p> <p>Landscaping Code</p> <p>Parking and Access Code</p> <p>Works, Services and Infrastructure Code</p>
Minimum Public Notification Period:	15 business days
Referral Agencies:	<p>State Assessment & Referral Agency (SARA) Department of State Development, Manufacturing, Infrastructure and Planning PO Box 2358 Cairns QLD 4870 CairnsSARA@dsmip.qld.gov.au</p> <ul style="list-style-type: none"> • Clearing native vegetation - Schedule 10, Part 3, Division 4, Table 3, Item 1 • State transport infrastructure generally - Schedule 10, Part 9, Division 4, Subdivision 1 Table 1, Item 1 (if using machinery having an annual throughput of product of 10,000t) <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	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 (transport infrastructure network only).

(additional payment) condition:	<p>The payment required under this condition is expected to be \$4,480.00 per 167 haul truck movement (exit only).</p> <p>The applicant's obligations under this condition will be waived whilst Council continues to levy the special charge for extractive industries in accordance with Council's adopted annual budget.</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:</p> <p>https://planning.dsdmip.qld.gov.au/planning/resources?query=DA%20form</p>
Council application fee: (2018/2019 financial year):	\$6,145.00

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) *the suitability and Council support for the proposal to establish an extractive industry (sand extraction and screening) on the subject site described as Lot 331 on SP287199 and located at Pickford Road and Fisher Road Bibbohra;*

Advice

Whilst the subject land is not within an extractive industry key resource area, Council acknowledges the presence of a large sand resource which is of regional importance.

The general locality has an extensive history of development approvals being granted for the extraction of sand. Three (3) extractive industry approvals remain in effect over Lot 341 on SP287199, Lot 35 on SP230966 and Lot 1 on RP708157. Other historic extractive industry approvals on Peters Road have been abandoned.

To date, Council has not received any reports of land use conflict between the established extractive industries and sensitive land uses.

Based on the submitted pre-lodgement report and the applicable provisions of the Mareeba Shire Council Planning Scheme 2016, Council officers are likely to recommend approval for the proposed development, subject to conditions.

- b) *the suitability of the extent of the proposed extraction / disturbance area shown by **Figure 6 - Proposed Extraction / Disturbance Area and Internal Haul Route** having regard to the relevant site considerations including existing vegetation, watercourses and property boundaries and in particular the waterway and wetland buffer areas;*

Advice

The extent of the proposed extraction/disturbance area reasonably responds to the areas of remnant vegetation and waterway (Four Mile Creek).

The proposed boundary setbacks are reasonable for sand extraction. Council may condition screening plant and stockpiles to achieve a greater setback from boundaries.

The planning scheme's Environmental Significance Overlay identifies Four Mile Creek and maps a waterway buffer along its length. Stream Order mapping gives Four Mile Creek a Stream Order of 0. Accordingly, the Environmental Significance Overlay Code does not nominate a development setback from this waterway. Water and wastewater associated with the proposed development must be appropriately treated and discharged.

The proposed extraction/disturbance area falls partly within the High Ecological Significance Wetlands 200 metre buffer. Four Mile Creek separates the proposed extraction/disturbance area from the High Ecological Significance Wetlands. Subject to the reasonable management of water and wastewater, Council officers are not significantly concerned about the encroachment into the 200 metre buffer.

- c) *the suitability of the proposed operational arrangements for the proposal as described by Section 6.04;*

Advice

The proposed operational arrangements, including the proposed hours of operation are generally in accordance with other recent extractive industry proposals.

Council will condition all operations pursuant to the extractive industry to be carried out in accordance with an Environmental Management Plan. Council will also condition the preparation of a Site Rehabilitation Management Plan.

- d) *confirm that the proposed haul route shown by **Figure 7 – External Haul Route** is suitable and given the low traffic generation rate resulting from the proposal that no external road upgrading is required and that the proposal does not warrant the imposition of a trunk infrastructure condition;*

Advice

The proposed haul route will be acceptable given the low daily traffic movements.

In accordance with Section 130 of the Planning Act 2016, an additional payment condition may be imposed on the proposed development for trunk infrastructure (transport infrastructure network only). The payment required under this condition is expected to be \$4,480.00 per 167 haul truck movement (exit only).

The applicant's obligations under this condition will be waived whilst Council continues to levy the special charge for extractive industries in accordance with Council's adopted annual budget.

- e) *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:

- Rural Zone Code
- Industrial Activities Code
- Environmental Significance Overlay Code
- Regional Infrastructure Corridors and Substations Overlay Code
- Landscaping Code
- Parking and Access Code
- Works, Services and Infrastructure Code

Should you require any further information, please contact Council's Senior Planner Brian Millard 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.

Our reference: 1904-10536 SPL
Your reference: VGF – C1140

18 April 2019

Mark Ralph and Jane Elizabeth Peters
C/- Victor G Feros Town Planning Consultants
PO Box 1256
Cairns QLD 4870
cairns@ferosplanning.com.au

Attention: Nick Hardy

Dear Sir/Madam

Pre-lodgement advice

Thank you for your correspondence received on 2 April 2019 in which you sought pre-lodgement advice from the Department of State Development, Manufacturing, Infrastructure and Planning regarding the proposed development described below.

Reference information

Departmental role:	Referral agency
Departmental jurisdiction:	Schedule 10, Part 3, Division 4, Table 3, Item 1 – Clearing native vegetation

Location details

Street address:	Pickford Road and Fisher Road, Bibbohra
Real property description:	Lot 331 on SP287199
Local government area:	Mareeba Shire Council
Existing use:	Rural

Details of proposal

Development type:	Material change of use
Development description:	Extractive industry (sand extraction and screening)

Supporting information

Drawing/report title	Prepared by	Date	Reference no.	Version/issue
----------------------	-------------	------	---------------	---------------

Pre-lodgement Request	Victor G Feros Town Planning Consultants	2 April 2019	-	-
Town Planning Report for Pre-Lodgement Enquiry (Proposed Extractive Industry (Sand Extraction and Screening))	Victor G Feros Town Planning Consultants	April 2019	VGF-C1140	-

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

Item	Advice
Proposal	
1.	<p>The subject site is 50.08 hectares in area and is located in the rural zone in the Mareeba Shire planning scheme.</p> <p>The pre-lodgement material states the proposed development:</p> <ul style="list-style-type: none"> • is for an extractive industry, sand extraction and screening of <5,000 tonnes per annum • is to be extracted from a disturbance area of approximately 13.5 hectares • on-site vegetation clearing is to be minimised and where possible areas mapped as category B vegetation will be avoided. <p>The pre-lodgement request is seeking confirmation of the relevant state referral triggers.</p>
Clearing native vegetation	
2.	<p>The subject site has an area of 50.08 hectares and is mapped as containing:</p> <ul style="list-style-type: none"> • Category B area (containing least concern and of concern regional ecosystems) • Category C area (containing least concern regional ecosystems) • Category X area • A watercourse/drainage feature as shown on the vegetation management watercourse and drainage feature map with a stream order 4; and • Wetlands as shown on the vegetation management wetlands map. <p>The proposed development will result in the clearing of about 1.35ha of least concern vegetation in a Category B area.</p> <p>The proposed sand extraction development footprint will impact on the following vegetation types:</p> <ul style="list-style-type: none"> • Category B area containing least concern vegetation <p>The application will require referral to SARA under Schedule 10 of the Planning Regulation 2017 for the clearing of native vegetation given the application involves:</p> <ul style="list-style-type: none"> • clearing of native vegetation, other than regulated regrowth vegetation (category C and / or category R areas), that is assessable development under the <i>Planning Act 2016</i>, • clearing of native vegetation, other than regulated regrowth vegetation (category C and / or category R areas), that will become Exempt Clearing Work under Schedule 21 of the Planning Regulation 2017 if the development application is approved.

Item	Advice
	<p><u>Category C or Category R areas</u></p> <p>Clearing vegetation to the extent the clearing is in any category C or category R areas, is not for a relevant purpose under the <i>Vegetation Management Act 1999</i>. Accordingly clearing of vegetation in these areas cannot be approved under a development approval.</p> <p>If the proposed development includes clearing vegetation in any category C or category R areas, you should ensure this clearing can be undertaken as exempt clearing work or in accordance with an Accepted Development Vegetation Clearing Code (ADVCC). Clearing vegetation in any category C or category R areas that is not exempt or in accordance with an ADVCC is prohibited development. Information on exempt clearing work or ADVCCs is available online at www.qld.gov.au (search 'exempt clearing work' or 'accepted development vegetation clearing codes').</p> <p><u>Clearing for a relevant purpose – Section 22A</u></p> <p>Prior to submitting the development application to clear native vegetation, the applicant must first obtain written confirmation from the Department of Natural Resource, Mines and Energy (DNRME) that the proposed development is for a relevant purpose under section 22A of the <i>Vegetation Management Act 1999</i>. Requests for a 'relevant purpose determination' must be lodged in writing directly to DNRME, and can be sent to either Vegetation Management, PO Box 5318, Townsville, 4810 or northvegetation@dnrme.qld.gov.au.</p> <p>The Relevant Purpose Determination Application Form and further information and assistance to apply for a section 22A is available online at clearing for a relevant purpose.</p> <p>If DNRME determines that the clearing is for a relevant purpose under section 22A of the <i>Vegetation Management Act 1999</i>, a development application may then be lodged with the Assessment Manager.</p> <p><u>State Development Assessment Provisions (SDAP)</u></p> <p>Based on the material provided, no significant assessment issues have been identified.</p> <p>Please address the relevant performance outcomes of State code 16: Native vegetation clearing of the SDAP when submitting a development application. The application should address PO1 – PO4, PO7, PO11, PO16, PO22 - PO24, PO27 - PO28.</p> <p>Guidance on how to comply with this code is provided in State Development Assessment Provisions Guidance Material: State code 16: Native vegetation clearing, Department of Natural Resource, Mines and Energy, 2018. Appendix 2 of this guideline provides details on the standard application information for all development applications involving the clearing of native vegetation.</p>
	State transport thresholds
3.	<p>The proposed development for an extractive industry – sand extraction and screening (less than 5,000 tonnes per annum) does not trigger referral under the Planning Regulation 2017, Schedule 20, Item 17, extractive industry is using machinery having an annual throughput of product of 10,000t.</p>

Item	Advice
	<p><u>Mulligan Highway / Pickford Road intersection</u></p> <p>The Mulligan Highway / Pickford Road intersection can adequately accommodate a heavy vehicle no larger than 19 metres.</p> <p>The applicant has indicated that a 27-tonne truck and dog combination vehicle will be utilised for deliveries. To ensure that the function of the Mulligan Highway / Pickford Road intersection is not compromised by the proposed development, the applicant should ensure that the 27-tonne truck and dog combination vehicle is no longer than 19m.</p>
Environmentally relevant activities (ERA)	
4.	The development proposal does not trigger a threshold for an ERA if kept under 5,000 tonne per year. If there are any proposed changes to the proposed extraction rates per year that may trigger an ERA, please seek further pre-lodgement advice.
Planning Act forms	
5.	Any development application lodged with the assessment manager will need to include DA Form 1 . To assist in completing DA Form 1, the department has prepared the DA forms guide: Forms 1 and 2 .
State Development Assessment Provisions	
6.	<p>State Development Assessment Provisions (SDAP) version 2.4 took effect on 16 November 2018. To assist applicants in preparing a development application, the department has prepared SDAP version 2.4 response templates.</p> <p>Please note, the SDAP is continually amended to reflect updates to legislation and policies. It is recommended that you check the department's website to ensure you are addressing the current SDAP version when preparing your application.</p> <p>An application that complies with all applicable acceptable outcomes is considered to satisfy the corresponding performance outcome. If an application does not comply with one or more of the applicable acceptable outcomes, compliance with the performance outcome should be demonstrated.</p>
Development assessment fees	
7.	<p>Based on the information provided, the applicable fee under the Planning Regulation 2017 for the proposed development is:</p> <p>Cleating native vegetation – material change of use</p> <ul style="list-style-type: none"> Schedule 10, Part 3, Division 4, Table 3, Item 8(b) – \$6,479.00
Further pre-lodgement advice	
8.	<p>This pre-lodgement advice is conditional upon the extent of the development shown in the Town Planning Report for Pre-Lodgement Enquiry, Mark Ralph Peters and Jane Elizabeth Peters, Figure 6: “Proposed Extraction/Disturbance Area and Internal Haul Route, April 2019”. Should an amended development be proposed, this advice may be invalid.</p> <p>To request further pre-lodgement advice please use the ‘related actions’ tab in the 1904-10536 SPL MyDAS2 record and select ‘Request more pre-lodgement advice from SARA’. You will be given an option to select either a meeting or written advice.</p>

The above advice is valid for a period of nine (9) months from the date of issue, unless a change in legislation or policy occurs that would affect the pre-lodgement advice.

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

For further information please contact Sue Lockwood, Senior Planning Officer, on 40373215 or via email CairnsSARA@dsgmp.qld.gov.au who will be pleased to assist.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Brett Nancarrow', written in a cursive style.

Brett Nancarrow
Manager (Planning)

Our reference: 1904-10536 SPL
Your reference: VGF – C1140

3 July 2019

Mark Ralph Peters and Jane Elizabeth Peters
C/- Victor G Feros Town Planning Consultants
PO Box 1256
CAIRNS QLD 4870
cairns@ferosplanning.com.au

Attention: Nick Hardy

Dear Sir/Madam

(further) Pre-lodgement meeting record

This pre-lodgement record provides a summary of the matters discussed at the (further) pre-lodgement meeting. This record provides advice regarding the likely major issues relevant to the development proposal to assist in the timely processing of a development application. While this advice is provided in good faith, if the proposal is changed from that which was discussed with the department during the pre-application meeting, this advice is not binding.

Reference information

Departmental role: Referral agency
Departmental jurisdiction: Schedule 10, Part 3, Division 4, Table 3 – Material change of use for clearing native vegetation
Pre-lodgement meeting date: 1 July 2019

Meeting attendees:

Name	Position	Organisation
Nick Hardy	Associate and Office Manager	Victor G Feros Town Planning Consultants
Andrew Date	Senior Natural Resources Management Officer	Department of Natural Resources, Mines and Energy
Brett Nancarrow	Manager (Planning)	Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP)
Sue Lockwood	Senior Planning Officer	DSDMIP

Location details

Street address:	Pickford Road and Fisher Road, Bibbohra
Real property description:	Lot 692 on SP311025 (previously Lot 331 on SP287199)
Local government area:	Mareeba Shire Council
Existing use:	Rural

Details of proposal

Development type:	Material change of use
Development description:	Extractive industry (sand extraction and screening)

Supporting information

Drawing/report title	Prepared by	Date	Reference no.	Version/issue
Request for further pre-lodgement request (email)	Victor Feros	25 June 2019	-	-
190621 Proposed extraction/disturbance area and internal haul route, Option 3	Victor Feros	21 June 2019	-	-

Meeting minutes

Item	Advice
Proposal	
1.	<p><u>Option 1</u> Pre-lodgement advice issued 18 April 2019 advised that the development proposal would require referral to SARA for clearing native vegetation for an area of approximately 1.35ha of least concern vegetation in a Category B area.</p> <p><u>Option 2</u> The amended plan: 'Proposed extraction/disturbance area and internal haul route, VGF – C1140, Option 2, prepared by Victor Feros Town Planning Consultants, dated 11 June 2019' proposed to remove the 1.35ha of vegetation from the extraction area.</p> <p>However, pre-lodgement advice issued 20 June 2019 advised that the development proposal would still require referral to SARA for the vegetation clearing of the proposed haul route (in a Category B area of least concern) as it is assessable development for clearing as a result of a material change of use development (a new use).</p> <p>Clearing for the haul route as part of a development application is not exempt clearing work as the clearing is not considered to be necessary for routine management as per Schedule 21, Part 2, Item 2 (h) of the Planning Regulation 2017 (PR).</p> <p><u>Option 3</u> An amended plan 'Proposed extraction/disturbance area and internal haul route, Option 3, prepared by Victor Feros Town Planning Consultants, dated 21 June 2019' proposes to relocate the proposed haul route to be outside of the Category B area of least concern and then continue along the cleared area of the northern fence line. The cleared area is approximately 4 to 5m wide long this part of the fence line.</p>

Item	Advice
Clearing native vegetation	
2.	<p>Clearing for the proposed haul route as part of a material change of use (MCU) development application is not exempt clearing work as the clearing is not considered to be necessary for routine management as per Schedule 21, Part 2, Item 2 (h) of the Planning Regulation 2017 (PR).</p> <p>However, routine management can occur under the <u>current</u> land use. If clearing were to occur under the current land use there is no requirement to notify the Department of Natural Resources, Mines and Energy (DNRME) as clearing for routine management is conducted under the jurisdiction of the Planning Regulation 2017.</p> <p>Please note: when clearing native vegetation under the jurisdiction of an accepted development vegetation clearing code notification is required to DNRME.</p> <p>When clearing for routine management for a necessary fence, road or vehicular track a further buffer area is not required between the cleared area and the vegetation.</p> <p>When lodging a material change of use (MCU) development application, and where there is <u>no</u> proposed vegetation clearing as a result of the MCU, referral to SARA would not be required.</p>

It is considered that the above summary is an accurate record of the matters discussed at the pre-lodgement meeting.

For further information please contact Sue Lockwood, Senior Planning Officer, on 40373215 or via email CairnsSARA@dsmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Brett Nancarrow
Manager (Planning)

----- Forwarded Message -----

Subject:RE: Pickford Road and Fisher Road, Biboohra (1904-10536 SPL) (C1140)

Date:Thu, 4 Jul 2019 15:02:37 +0000

From:Sue Lockwood <Sue.Lockwood@dsmip.qld.gov.au>

To:Victor G Feros Town Planning Consultants <nick@ferosplanning.com.au>, Brett Nancarrow <Brett.Nancarrow@dsmip.qld.gov.au>

Hello Nick,

I confirm that regardless of option 2 or option 3, routine management can occur under the current land use.

I also confirm once cleared for the current land use, the road alignment as shown by Option 2 can be used for the extractive industry haul route without referral to SARA for vegetation matters as no clearing would be required as a result of the MCU for the extractive industry.

With kind regards,

Sue

Sue Lockwood
Senior Planning Officer
Planning & Development Services
Far North Queensland
Department of State Development,
Manufacturing, Infrastructure and Planning

P 07 4037 3215
Ground floor, Port Authority building
Crn Grafton & Hartley Sts, Cairns QLD 4870
PO Box 2358, Cairns QLD 4870
www.dsmip.qld.gov.au

LET'S CONNECT

From: Victor G Feros Town Planning Consultants <nick@ferosplanning.com.au>

Sent: Thursday, 4 July 2019 12:07 PM

To: Sue Lockwood <Sue.Lockwood@dsmip.qld.gov.au>; Brett Nancarrow

<Brett.Nancarrow@dsmip.qld.gov.au>

Subject: Pickford Road and Fisher Road, Biboohra (1904-10536 SPL) (C1140)

Good Afternoon Brett and Sue,

Thank you for the meeting on Monday 1 July 2019 and the further Pre-lodgement Meeting Record dated 3 July 2019.

As a point of clarification and to remove any doubt, the discussions at the meeting also noted that as an alternative to Option 3, the haul route alignment shown by Option 2 (copy **attached**) can also be cleared as routine management under the current land use under the jurisdiction of the Planning Regulation (2017).

Once cleared for the current land use, the road alignment as shown by Option 2 can be used for the

extractive industry haul route without referral to SARA for vegetation matters as no clearing would be required as a result of the MCU for the extractive industry.

Your confirmation of this matter would be appreciated to allow the proponent to be fully aware of the procedural options available.

--

Regards

Nick Hardy

Associate and Office Manager

Victor G Feros Town Planning Consultants

Level 1, 127 Abbott Street, CAIRNS QLD, 4870

PO Box 1256 CAIRNS QLD 4870

Telephone 07 4031 3663

Mobile 0412 756 622

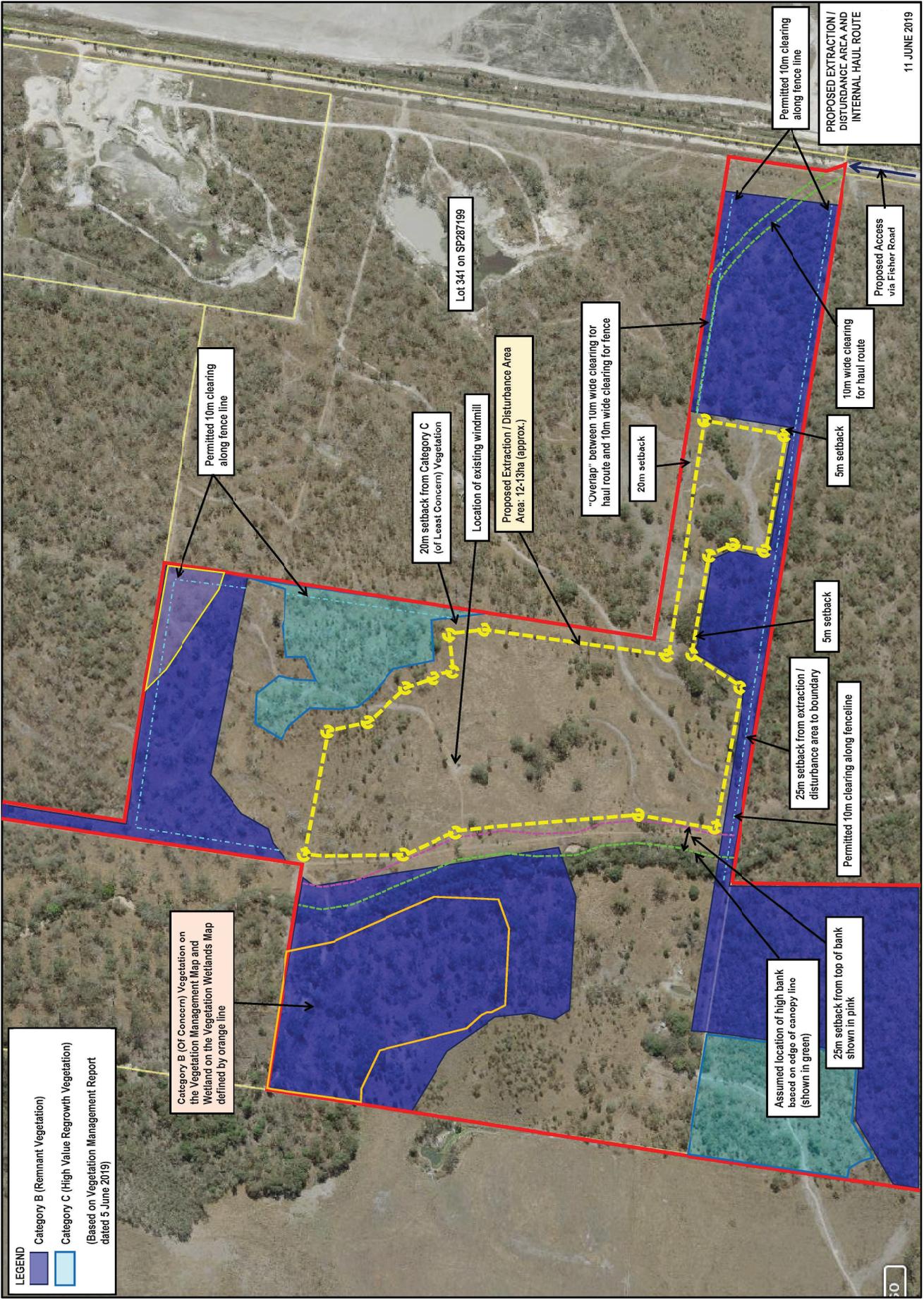
nick@ferosplanning.com.au

www.ferosplanning.com.au

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!DSPAM:1141,5d48b477268592065417178!



OPTION 2

11 JUNE 2019

LEGEND
 Category B (Remnant Vegetation)
 Category C (High Value Regrowth Vegetation)
 (Based on Vegetation Management Report dated 5 June 2019)

Category B (Of Concern) Vegetation on the Vegetation Management Map and Wetland on the Vegetation Wetlands Map defined by orange line

20m setback from Category C (of Least Concern) Vegetation

Location of existing windmill
 Proposed Extraction / Disturbance Area
 Area: 12-13ha (approx.)

"Overlap" between 10m wide clearing for haul route and 10m wide clearing for fence

20m setback

25m setback from extraction / disturbance area to boundary

Permitted 10m clearing along fence line

Assumed location of high bank based on edge of canopy line (shown in green)

25m setback from top of bank shown in pink

Permitted 10m clearing along fence line

Lot 341 on SP287199

"Overlap" between 10m wide clearing for haul route and 10m wide clearing for fence

20m setback

25m setback from extraction / disturbance area to boundary

Permitted 10m clearing along fence line

Assumed location of high bank based on edge of canopy line (shown in green)

25m setback from top of bank shown in pink

Proposed Access via Fisher Road

Permitted 10m clearing along fence line

PROPOSED EXTRACTION / DISTURBANCE AREA AND INTERNAL HAUL ROUTE

Proposed Access via Fisher Road

10m wide clearing for haul route

5m setback

5m setback

50

APPENDIX B

SURVEY REPORT

Plans searched: DA118, DA394,
CP817859, RP817861, CP817897,
SP230966 and SP287199.

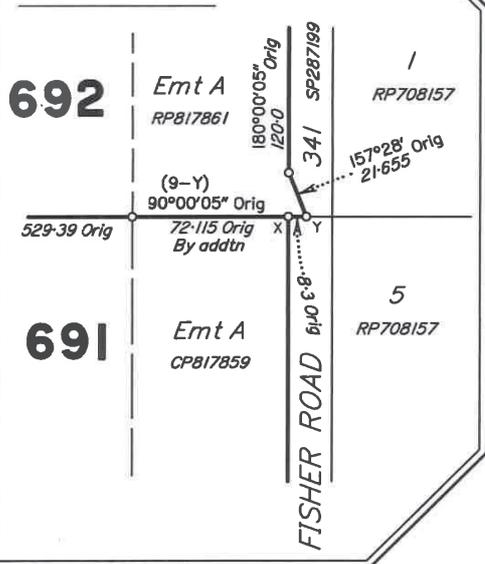
Original reference marks found at stations 1, 2, 5 and 9 agreed with previous surveys and were used to reinstate the original corners.

The meridian was adopted from using the difference observed between SP287199 and CP817859.

Reference Marks

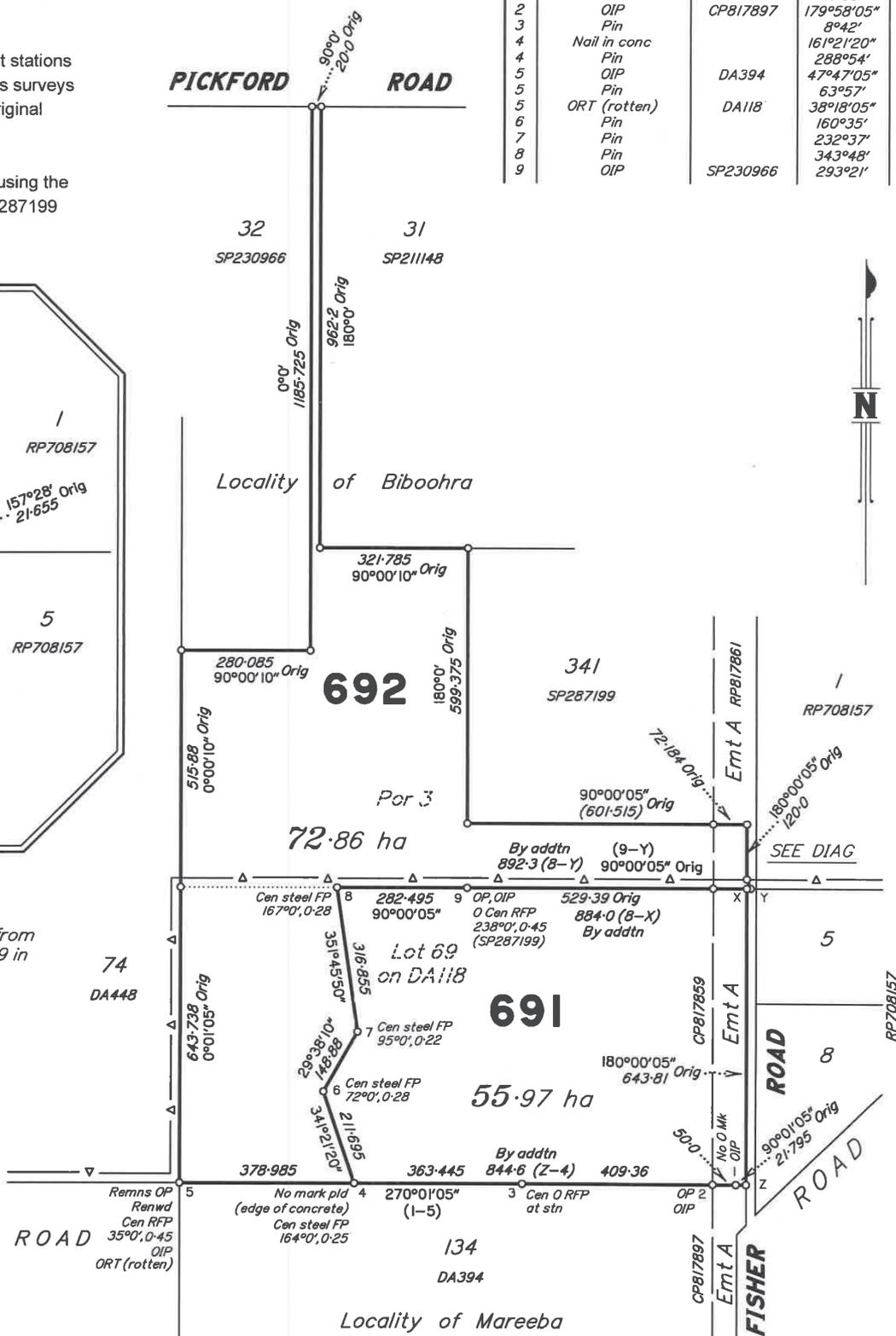
Stn	To	Origin	Bearing	Dist
1	OIP	CP817897	179°58'25"	0.15
1	Pin		41°09'	1.648
2	OIP	CP817897	179°58'05"	1.0
3	Pin		8°42'	2.138
4	Nail in conc		161°21'20"	0.05
4	Pin		288°54'	3.132
5	OIP	DA394	47°47'05"	1.045
5	Pin		63°57'	4.327
5	ORT (rotten)	DA118	38°18'05"	11.104
6	Pin		160°35'	1.32
7	Pin		232°37'	1.165
8	Pin		343°48'	5.414
9	OIP	SP230966	293°21'	1.339

DIAGRAM
Scale - 1:2500



Original information compiled from DA118, CP817859 and SP287199 in the Department of Natural Resources, Mines and Energy.

Peg pld at stations 5-8.



Twine Surveys Pty Ltd ACN 109 476 422 hereby certify that the land comprised in this plan was surveyed by the corporation, by Brendan Peter Twine, Registered Surveyor, for whose work the corporation accepts responsibility, under the supervision of Ivan Mervyn Luscombe, Cadastral Surveyor and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 18-03-2019.

Ivan Mervyn Luscombe
Director and
Cadastral Surveyor

Roger Lloyd Twine
Director
Date: 18.3.2019

0 500m 1km 1.5 km State copyright reserved.

Plan of Lots 691 & 692

Cancelling Lot 69 on DA118
and Lot 331 on SP287199

Scale: 1:10 000

Format: STANDARD



SP311025

LOCAL GOVERNMENT: Mareeba Shire Council LOCALITY: Mareeba & Bibbohra

Meridian: SP287199

Survey Records No

**WARNING : Folded or Mutilated Plans will not be accepted.
Plans may be rolled.
Information may not be placed in the outer margins.**

(Dealing No.)

5. Lodged by

(Include address, phone number, reference, and Lodger Code)

1. Certificate of Registered Owners or Lessees.

1/We Mark Ralph Peters & Jane Elizabeth Peters

(Names in full)

* as Registered Owners of this land agree to this plan and dedicate the Public Use Land as shown hereon in accordance with Section 50 of the Land Title Act 1994.

~~* as Lessees of this land agree to this plan~~

Signature of *Registered Owners *Lessees



J Peters

* Rule out whichever is inapplicable

2. Planning Body Approval.

* Mareeba Shire Council

hereby approves this plan in accordance with the :

% Planning Act 2016

Dated this 24th day of April 2019



Peter Franks
Chief Executive Officer

* Insert the name of the Planning Body.
Insert designation of signatory or delegation

% Insert applicable approving legislation.

3. Plans with Community Management Statement :

CMS Number :

Name :

4. References :

Dept File :
Local Govt : RAL/18/0013
Surveyor : 19/8108

6. Existing

Title Reference	Description	New Lots	Road	Secondary Interests
51058079	Lot 331 on SP287199	692	-	-
51112263	Lot 69 on DA118	691 & 692	-	-

Mortgage Allocations

Mortgage	Lots partially encumbered
702753705	692
711550994	692

Easement Allocations

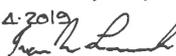
Easement	Lots to be burdened
700084791 Easement A on RP817861	692
700911277 Easement A on CP817859	691

691 Lot 69 on DA118
692 Portion 3 & Lot 69 on DA118

Lots Orig

7. Orig Grant Allocation :

8. Passed & Endorsed :

By : Twine Surveys Pty Ltd
Date : 18.4.2019
Signed : 
Designation : Cadastral Surveyor

9. Building Format Plans only.

I certify that :
* As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or road.
* Part of the building shown on this plan encroaches onto adjoining * lots and road

Cadastral Surveyor/Director * Date
* delete words not required

10. Lodgement Fees :

Survey Deposit \$
Lodgement \$
..... New Titles \$
Photocopy \$
Postage \$
TOTAL \$

11. Insert Plan Number

SP311025

APPENDIX C



26 April 2018

Planning Officer: Carl Ewin
Direct Phone: 4086 4656
Our Reference: BM:CE:nj
Your Reference: 8108

Jane & Mark Peters
PO Box 1923
MAREEBA QLD 4880

Dear Sir/Madam

Decision Notice

Planning Act 2016

I refer to your application and advise that on 26 April 2018 under delegated authority, Council decided to approve the application in full subject to conditions.

Details of the decision are as follows:

APPLICATION DETAILS

Application No: RAL/18/0013
Street Address: Pickford Road & Fisher Road, Bibbohra
Real Property Description: Lot 69 on DA118 & Lot 331 on SP287199
Planning Scheme: Mareeba Shire Council Planning Scheme 2016

DECISION DETAILS

Type of Decision: Approval
Type of Approval: Development Permit for Reconfiguration of a Lot (Boundary Realignment)
Date of Decision: 26 April 2018

CURRENCY PERIOD OF APPROVAL

The currency period for this development approval is four (4) years starting the day that this development approval takes effect. (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*.)

INFRASTRUCTURE

Where conditions relate to the provision of infrastructure, these are non-trunk infrastructure conditions unless specifically nominated as a “*necessary infrastructure condition*” for the provision of trunk infrastructure as defined under Chapter 4 of the *Planning Act 2016*.

ASSESSMENT MANAGER CONDITIONS

(A) ASSESSMENT MANAGER’S CONDITIONS (COUNCIL)

(a) Development assessable against the Planning Scheme

1. Development must be carried out substantially in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, subject to any alterations:

- found necessary by Council’s delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
- to ensure compliance with the following conditions of approval.

2. Timing of Effect

The conditions of the development permit must be complied with to the satisfaction of Council’s delegated officer prior to the endorsement of the plan of survey, except where specified otherwise in these conditions of approval.

3. General

- 3.1 The development approval would not have been issued if not for the conditions requiring the construction of infrastructure or the payment of infrastructure charges/contributions contained within the conditions of approval.
- 3.2 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.
- 3.3 All payments required to be made to the Council (including contributions, charges and bonds) pursuant to any condition of this approval must be made prior the endorsement of the plan of survey and at the rate applicable at the time of payment.

- 3.4 The developer must relocate (in accordance with FNQROC standards) any services such as water, sewer, drainage, telecommunications and electricity that are not wholly located within the lots that are being created/serviced where required by the relevant authority unless approved by Council’s delegated officer.
- 3.5 Where utilities (such as sewers on non-standard alignments) traverse lots to service another lot, easements must be created in favour of Council for access and maintenance purposes. The developer is to pay all costs (including Council’s legal expenses) to prepare and register the easement documents.
- 3.6 Where approved existing buildings and structures are to be retained, setbacks to any new property boundaries are to be in accordance with Planning Scheme requirements for the relevant structure and/or Queensland Development Code. Where existing building/s are in proximity to new property boundaries, a plan demonstrating compliance with the required setback must be submitted prior to endorsement of the plan of survey.
- 3.7 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements and to the satisfaction of Council’s delegated officer.
- 3.8 Charges

All outstanding rates, charges and expenses pertaining to the land are to be paid in full.

REFERRAL AGENCIES

The referral agencies applicable to this application are:

Reconfiguring a lot subject to an easement or near a substation site		
Development application for reconfiguring a lot that is assessable development under section 21, if—	Schedule 10, Part 9, Division 2, Table 1	Town Planning Ergon Energy PO Box 264 Fortitude Valley QLD 4006 townplanning@ergon.com.au
(a) all or part of the lot is subject to an easement—		
(i) for the benefit of a distribution entity, or transmission entity, under the Electricity Act; and		
(ii) for a transmission grid or supply network; or		
(b) part of the lot is within 100m of a substation site.		

A copy of any referral agency conditions are attached.

APPROVED PLANS

The following plans are Approved plans for the development:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
8108-LL1 Rev A	Proposed Reconfiguration of a Lot (2 lots into 2 lots)	Twine Surveys Pty Ltd	05.3.2018

REFERENCED DOCUMENTS

Not Applicable.

ADVISORY NOTES

The following notes are included for guidance and information purposes only and do not form part of the assessment manager conditions:

(A) ASSESSMENT MANAGER'S ADVICE

(a) A number of other charges or payments may be payable as conditions of approval. The applicable fee is set out in Council's Fees & Charges Schedule for each respective financial year.

(b) Endorsement Fees

Council charges a fee for the endorsement of a Survey Plan, Community Management Statements, easement documents, and covenants. The fee is set out in Council's Fees & Charges Schedule applicable for each respective financial year.

(c) Compliance with applicable codes/policies

The development must be carried out to ensure compliance with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they have not been varied by a condition of this approval.

(d) Notation on Rates Record

A notation will be placed on Council's Rate record with respect to each lot regarding the following conditions:

- a registered easement over the subject site

(e) Environmental Protection and Biodiversity Conservation Act 1999

The applicant is advised that referral may be required under the *Environmental Protection and Biodiversity Conservation Act 1999* if the proposed activities are likely to have a significant impact on a matter of national environmental significance. Further information on these matters can be obtained from www.environment.gov.au.

(f) Cultural Heritage

In carrying out the activity the applicant must take all reasonable and practicable measures to ensure that no harm is done to Aboriginal cultural heritage (the "cultural heritage duty of care"). The applicant will comply with the cultural heritage duty of care if the applicant acts in accordance with gazetted cultural heritage duty of care guidelines. An assessment of the proposed activity against the duty of care guidelines will determine whether or to what extent Aboriginal cultural heritage may be harmed by the activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from www.datsip.qld.gov.au.

PROPERTY NOTES

Not Applicable.

VARIATION APPROVAL

Not Applicable.

FURTHER DEVELOPMENT PERMITS REQUIRED

Not Applicable.

SUBMISSIONS

Not Applicable.

RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

During the appeal period, you as the applicant may suspend your appeal period and make written representations to council about the conditions contained within the development approval. If council agrees or agrees in part with the representations, a "negotiated decision notice" will be issued. Only one "negotiated decision notice" may be given. Taking this step will defer your appeal period, which will commence again from the start the day after you receive a "negotiated decision notice".

OTHER DETAILS

If you wish to obtain more information about Council's decision, electronic copies are available on line at www.msc.qld.gov.au, or at Council Offices.

Yours faithfully



BRIAN MILLARD
SENIOR PLANNER

Enc: Approved Plans/Documents
Referral Agency Response
Appeal Rights

Copy: Ergon Energy
townplanning@ergon.com.au

	Referral Agency Response
--	---------------------------------



420 Flinders Street, Townsville QLD 4810
PO Box 1090, Townsville QLD 4810
ergon.com.au

23 April 2018

Mareeba Shire Council
info@msc.qld.gov.au

Attention: Brian Millard

cc Jane Peters
pickfordpark1@bigpond.com

Dear Brian,

Development Application – Reconfiguration of a Lot (Boundary Realignment)
located at Pickford Road & Fishers Road Bibbohra, described as Lots 69 on
DA118 & Lot 3311 on SP287199.
Council Ref: RAL18/0013
Our Ref: HBD 6124941

We refer to the above reference Development Application which has been referred to
Ergon Energy in accordance with the *Planning Act 2016*.

In accordance with Schedule 10, Part 9, Division 2 of the *Planning Regulation 2017*, the
application has been assessed against the purposes of the *Electricity Act 1994* and
Electrical Safety Act 2002. The below response is provided in accordance with section
56(1) of the *Planning Act 2016*.

Should the Assessment Manager decide to approve the proposed Boundary
Realignment, as an Advice Agency for the Application, Ergon requires any approval be
consistent with the following submitted plans of development.

Approved Plans			
Title	Plan No.	Issue	Date
Proposed Reconfiguration of a Lot (2 Lots into 2 Lots)	8108-LL1	A	5/3/2018

Any alterations to these plans before the development application is decided are to be
resubmitted to Ergon for comment.

Should you require any further information on the above matter, please contact
the undersigned on (07) 3664 4815.

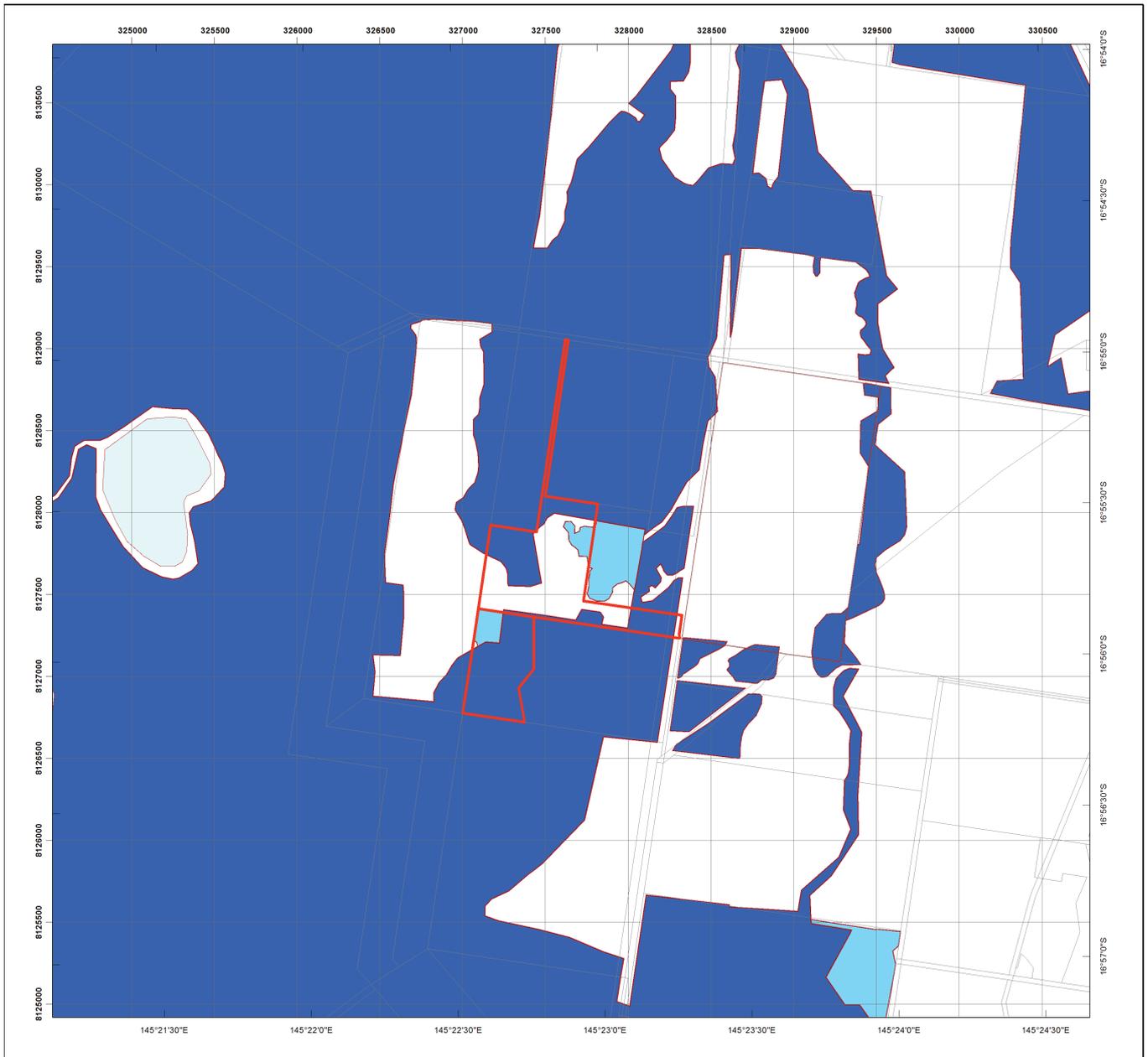
Yours faithfully

Kirsten Sellers
Senior Town Planner

Ergon Energy Corporation Limited ABN 50 087 646 062

APPENDIX D

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

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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.

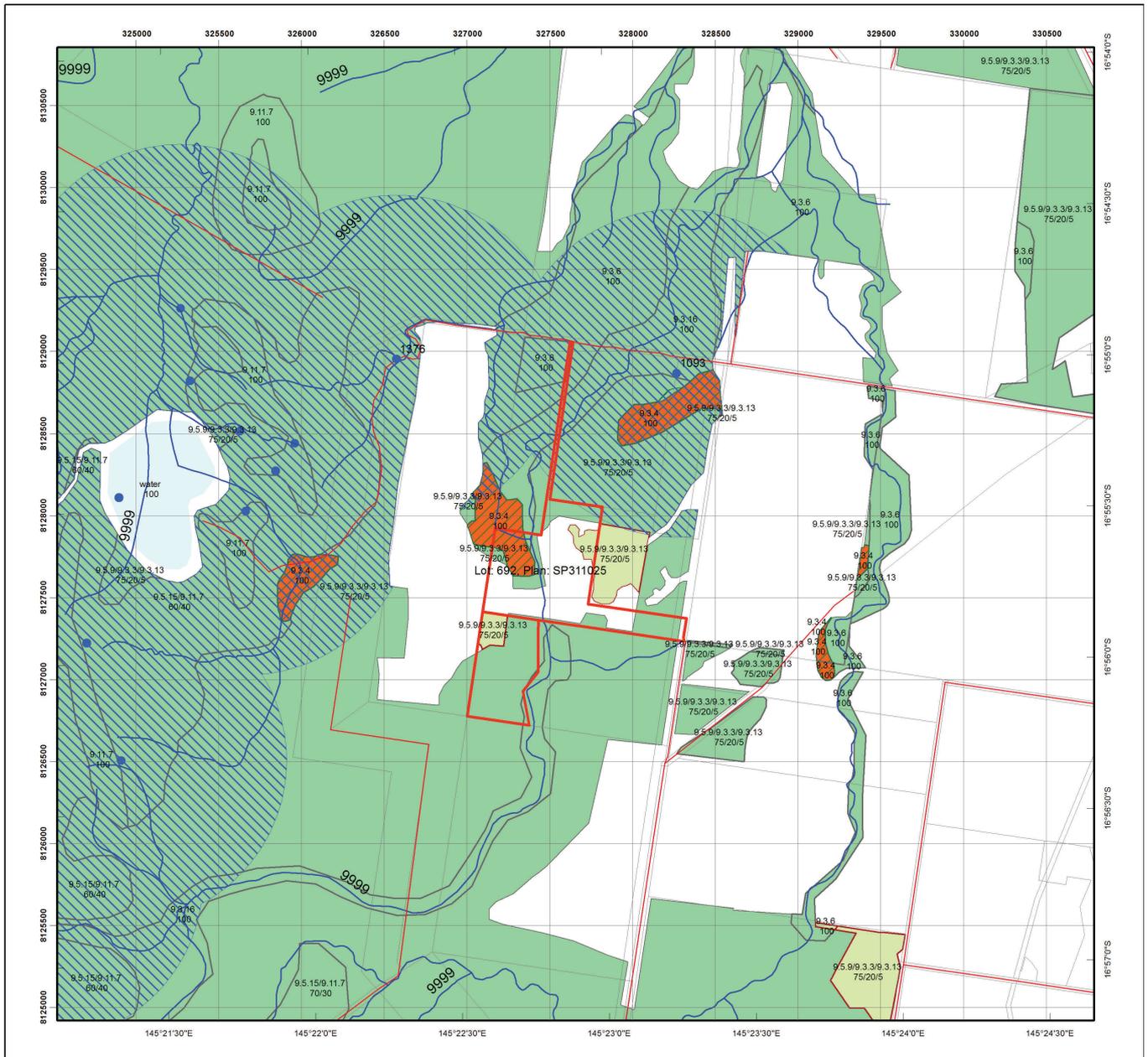
Additional information required for the assessment of vegetation values is provided in the accompanying "Vegetation Management Supporting map". For further information go to the web site: www.dnrme.qld.gov.au or contact the Department of Natural Resources, Mines and Energy.

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.



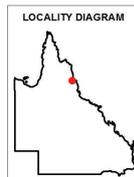
5.2 Vegetation management supporting map



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 or R area containing endangered regional ecosystems
- Category C or R area containing of concern regional ecosystems
- Category C or R 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
- Category X area
- 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



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.

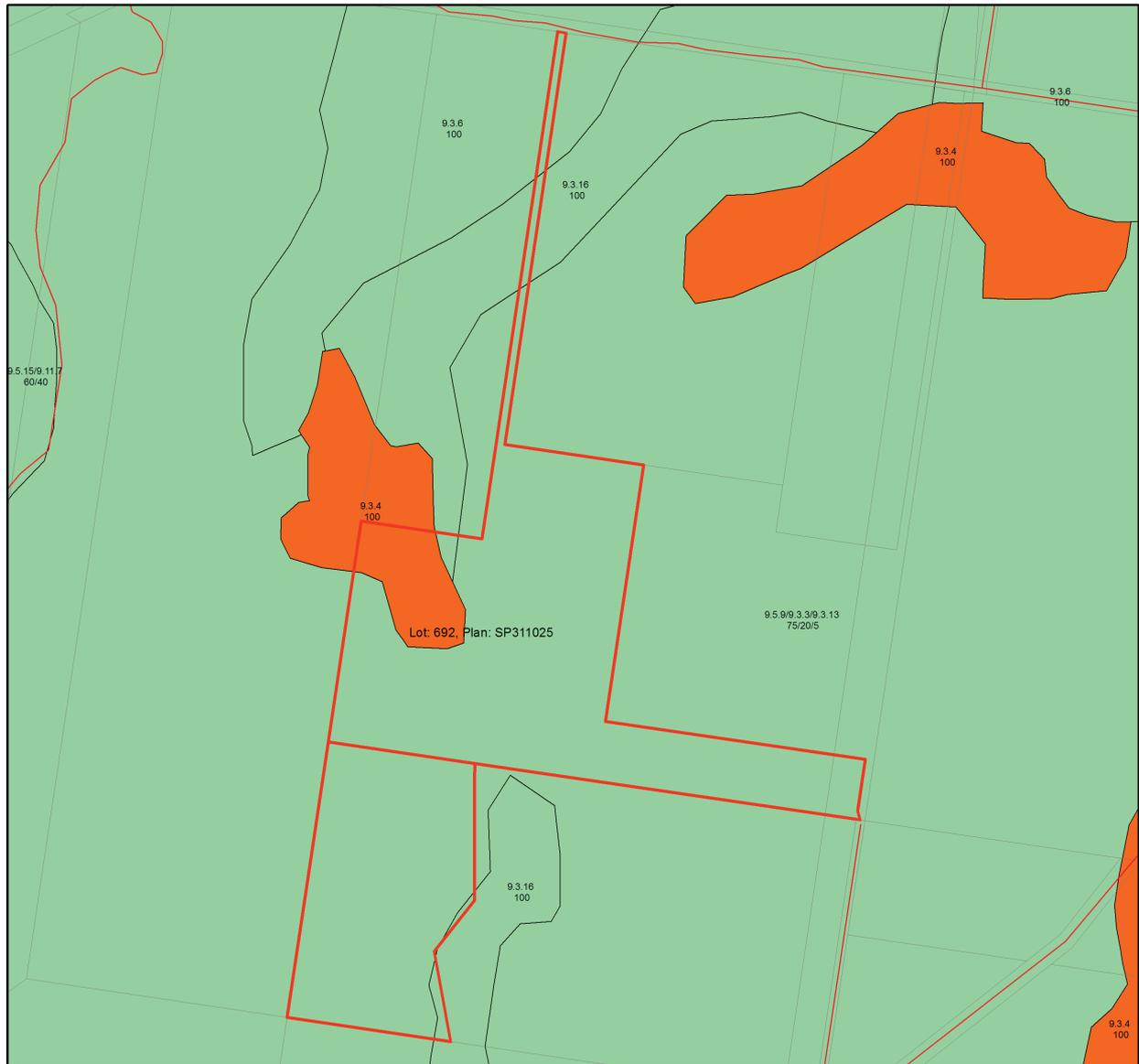
Disclaimer:
While every care is taken to ensure the accuracy of this product, the Department of Natural Resources, Mines and Energy makes no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (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.dnrme.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/>



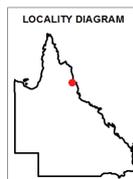
5.3 Pre-clear map



Vegetation Management Pre-clear Regional Ecosystem Map

Legend

- Lot and Plan
- Pre-clearing area containing Endangered RE
- Pre-clearing area containing Of Concern RE
- Pre-clearing area that is a Least Concern RE
- Water
- Roads
- Cadastral line
- Property boundaries shown are provided as a locational aid only



0 100 200 300 400 500 m

This product is projected into:
GDA 1994 MGA Zone 55

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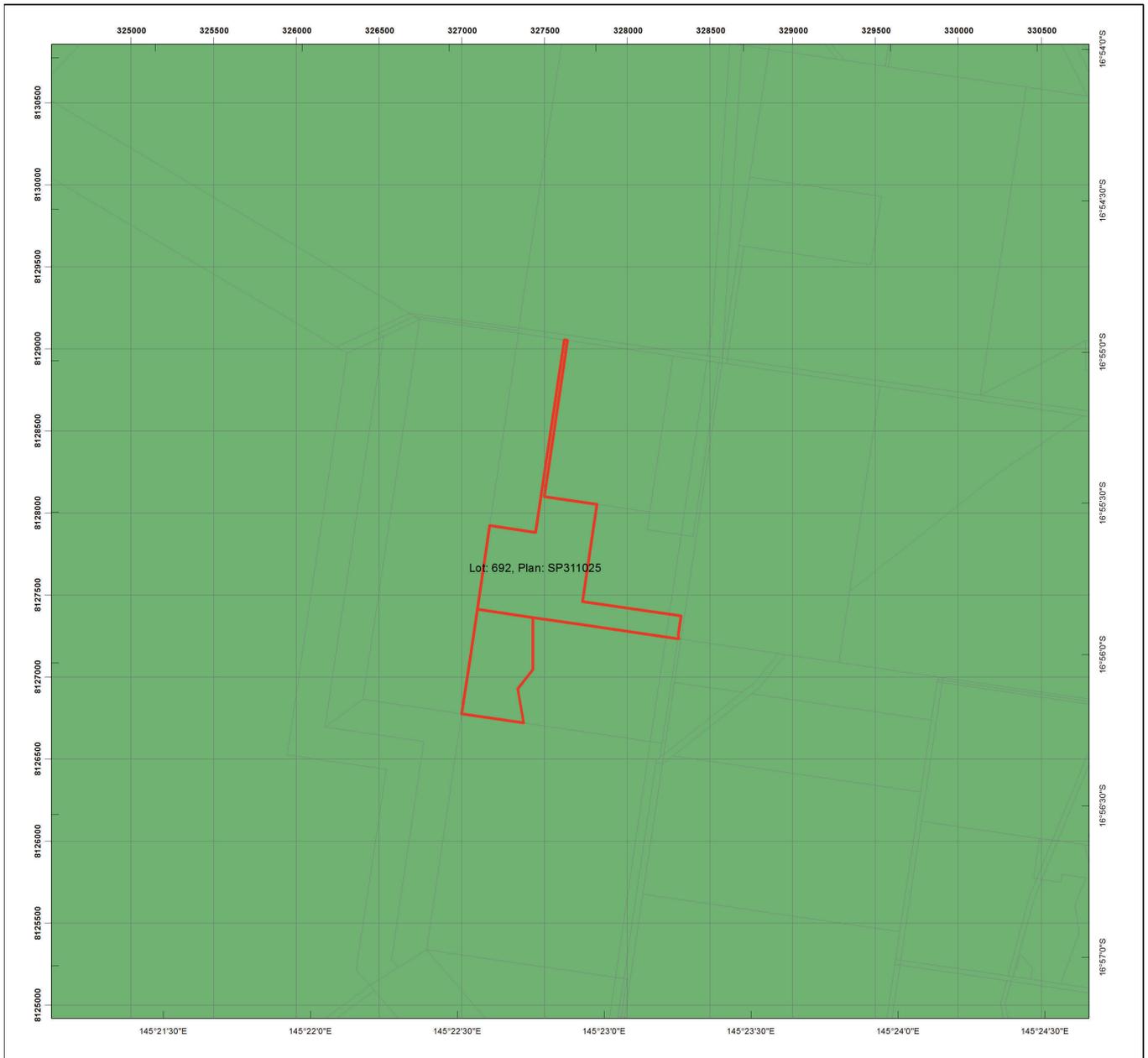
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Digital data for the Pre-clearing regional ecosystem map is available from the Queensland Spatial Portal at <http://www.information.qld.gov.au/>



5.4 Coastal/non coastal map



Coastal/Non Coastal Map

Legend

-  Lot and Plan
-  Coastal
-  Non Coastal
-  Cadastral line
-  Property boundaries shown are provided as a locational aid only



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5.5 Agricultural Land Class A or B map



Agricultural Land Class A or B

Legend

- Lot and Plan
- Towns
- Arterial roads
- Rivers and creeks
- Agricultural land class A or B
- A
- B
- Not class A or B



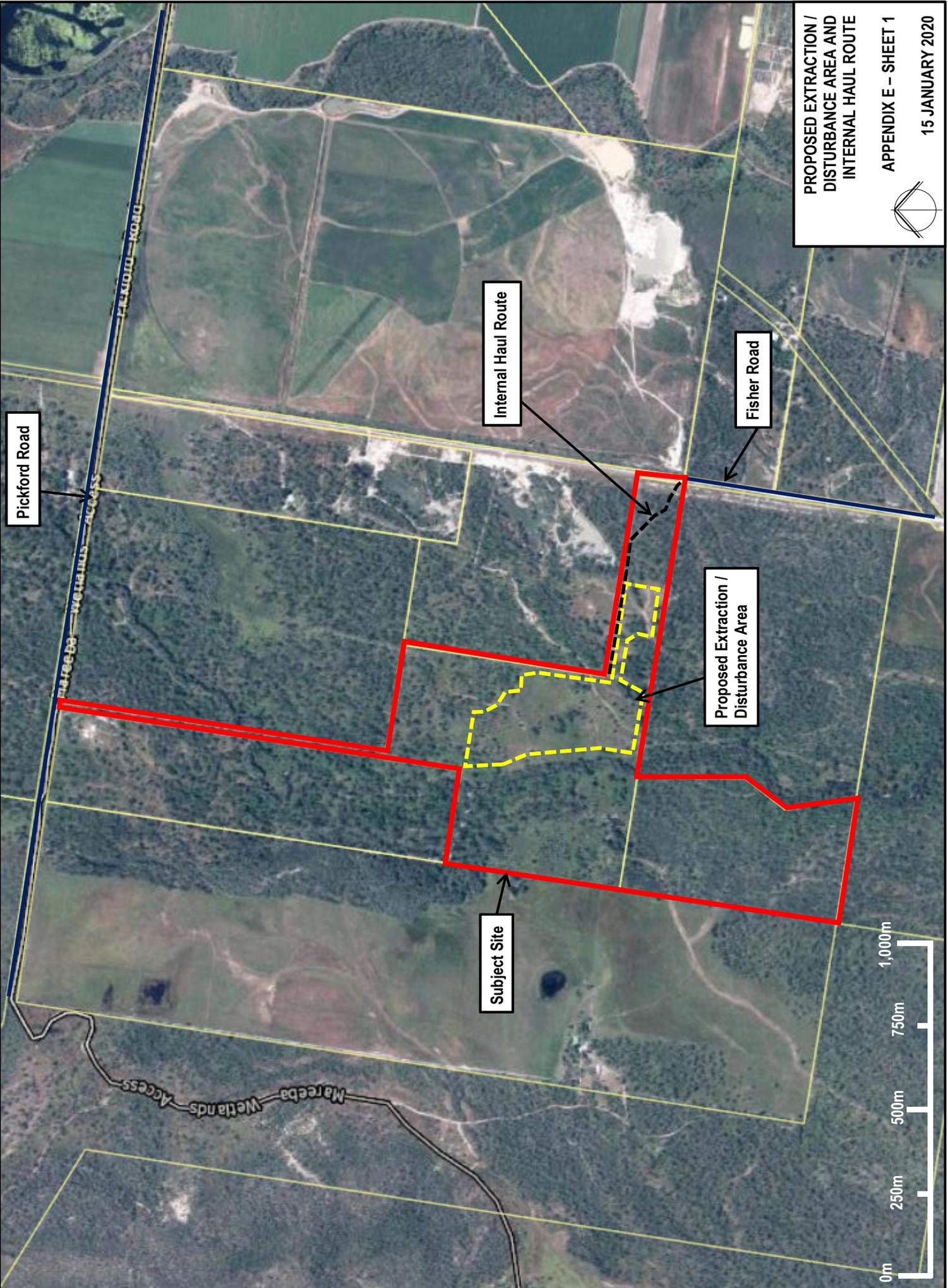
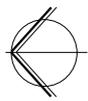
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APPENDIX E



Pickford Road

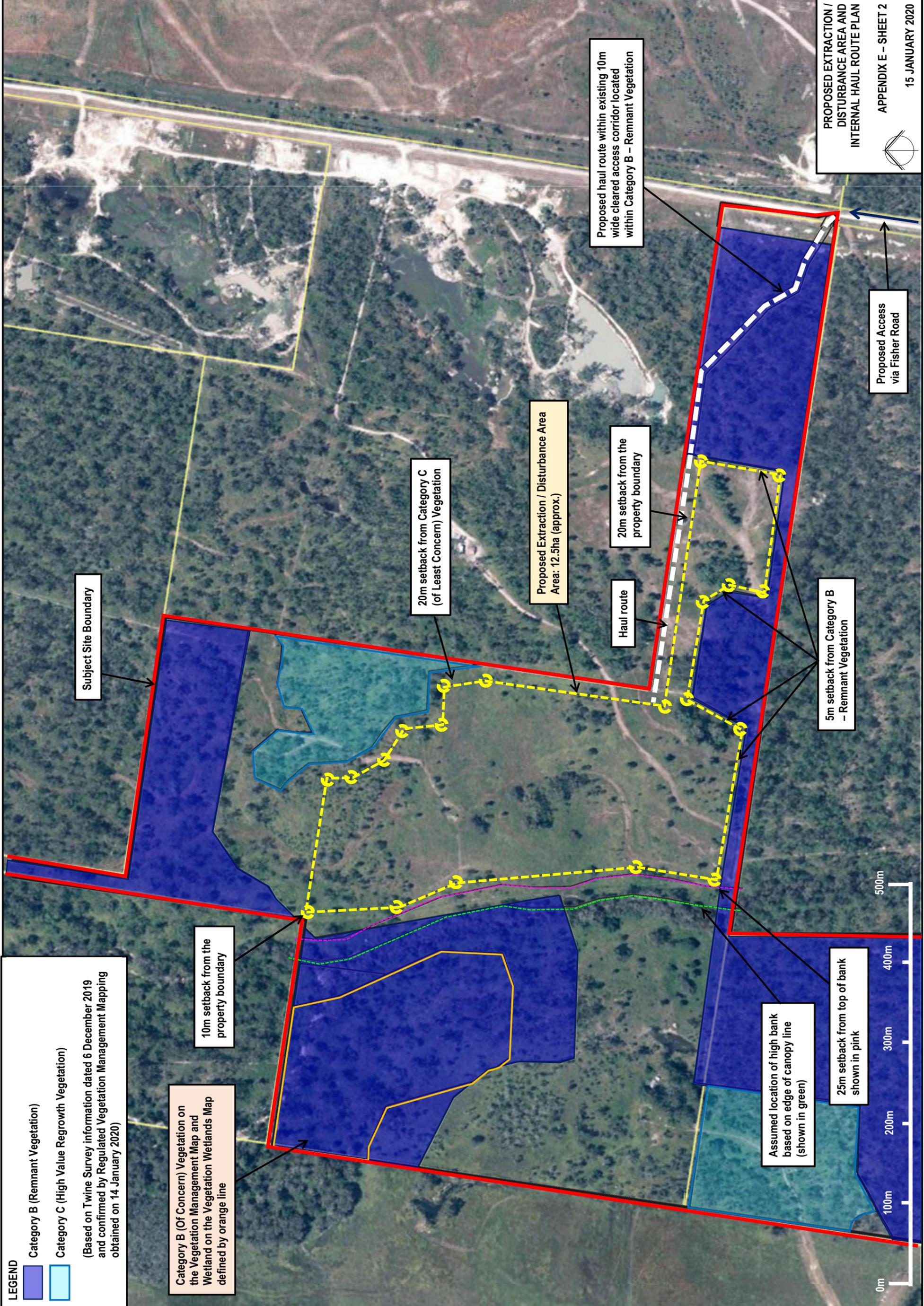
Internal Haul Route

Fisher Road

Proposed Extraction /
Disturbance Area

Subject Site





LEGEND

Category B (Remnant Vegetation)

Category C (High Value Regrowth Vegetation)

(Based on Twine Survey information dated 6 December 2019 and confirmed by Regulated Vegetation Management Mapping obtained on 14 January 2020)

Category B (Of Concern) Vegetation on the Vegetation Management Map and Wetland on the Vegetation Wetlands Map defined by orange line

10m setback from the property boundary

20m setback from Category C (of Least Concern) Vegetation

Proposed Extraction / Disturbance Area Area: 12.5ha (approx.)

Haul route

20m setback from the property boundary

5m setback from Category B - Remnant Vegetation

Assumed location of high bank based on edge of canopy line (shown in green)

25m setback from top of bank shown in pink

Proposed haul route within existing 10m wide cleared access corridor located within Category B - Remnant Vegetation



Subject Site Boundary

Proposed Access via Fisher Road

PROPOSED EXTRACTION / DISTURBANCE AREA AND INTERNAL HAUL ROUTE



APPENDIX E - SHEET 3
15 JANUARY 2020

APPENDIX F

6.2.9 Rural zone code

6.2.9.1 Application

- (1) This code applies to assessing development where:
 - (a) located in the Rural 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.

6.2.9.2 Purpose

- (1) The purpose of the Rural zone code is to:
 - (a) provide for rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other primary production activities;
 - (b) provide opportunities for non-rural uses that are compatible with agriculture, the environmental features, and landscape character of the rural area where the uses do not compromise the long-term use of the land for rural purposes;
 - (c) protect or manage significant natural resources and processes to maintain the capacity for primary production.
- (2) Mareeba Shire Council's purpose of the Rural zone code is to recognise the importance of primary production to the economy of the region and to maintain and strengthen the range of primary industries which contribute to the rural economy.

The purpose of the Rural zone code is to:

- (a) recognise the diversity of rural uses that exists throughout the region;
 - (b) protect the rural character of the region;
 - (c) provide facilities for visitors and tourists that are accessible and offer a unique experience;
 - (d) protect the infrastructure of the Mareeba-Dimbulah Irrigation Scheme Area from development which may compromise long term use for primary production;
 - (e) maintain distinct boundaries between the rural areas and the villages, towns and urban areas of the region;
 - (f) provide for a range of uses, compatible and associated with rural or ecological values including recreational pursuits and tourist activities;
 - (g) prevent adverse impacts of development on ecological values;
 - (h) preserve land in large holdings; and
 - (i) facilitate the protection of strategic corridors across the landscape which link remnant areas of intact habitat and transport corridors.
- (3) The purpose of the Rural zone code will be achieved through the following overall outcomes:
 - (a) Areas for use for primary production are conserved and fragmentation below economically viable lot sizes is avoided;
 - (b) The establishment of a wide range of rural pursuits is facilitated, including cropping, intensive horticulture, forestry, intensive animal industries, animal husbandry and animal keeping and other compatible primary production uses;
 - (c) The establishment of extractive industries, mining and associated activities and alternative forms of energy generation is appropriate where environmental impacts and land use conflicts are minimised;
 - (d) Uses that require isolation from urban areas as a consequence of their impacts such as noise or odour may be appropriate where land use conflicts are minimised;
 - (e) Development is reflective of and responsive to the environmental constraints of the land;
 - (f) Residential and other development is appropriate only where directly associated with the rural nature of the zone;
 - (g) Low-impact tourism and recreation activities do not compromise the long-term use of the land for rural purposes;
 - (h) The viability of both existing and future rural uses and activities is protected from the intrusion of incompatible uses;
 - (i) Visual impacts of clearing, building, materials, access ways and other aspects of development are minimised or appropriately managed;
 - (j) Adverse impacts of development both on-site and from adjoining areas are avoided and any impacts are minimised through location, design, operation and management; and
 - (k) Natural features such as creeks, gullies, waterways, wetlands and bushland are retained, managed, enhanced and separated from adjacent development.

6.2.9.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Response
For accepted development subject to requirements and assessable development		
Height		
PO1 Building height takes into consideration and respects the following: <ul style="list-style-type: none"> (a) the height of existing buildings on adjoining premises; (b) the development potential, with respect to height, on adjoining premises; (c) the height of buildings in the vicinity of the site; (d) access to sunlight and daylight for the site and adjoining sites; (e) privacy and overlooking; and (f) site area and street frontage length. 	AO1.1 Development, other than buildings used for rural activities, has a maximum building height of: <ul style="list-style-type: none"> (a) 8.5 metres; and (b) 2 storeys above ground level. 	Complies
	AO1.2 Buildings and structures associated with a rural activity including machinery, equipment, packing or storage buildings do not exceed 10 metres in height.	Complies
Siting, where not involving a Dwelling house		
Note—Where for Dwelling house, the setbacks of the Queensland Development Code apply.		
PO2 Development is sited in a manner that considers and respects: <ul style="list-style-type: none"> (a) the siting and use of adjoining premises; (b) access to sunlight and daylight for the site and adjoining sites; (c) privacy and overlooking; (d) air circulation and access to natural breezes; (e) appearance of building bulk; and (f) relationship with road corridors. 	AO2.1 Buildings and structures include a minimum setback of: <ul style="list-style-type: none"> (a) 40 metres from a frontage to a State-controlled road; and (b) 10 metres from a boundary to an adjoining lot. 	Complies – No buildings or structures are proposed within the identified minimum setbacks.
	AO2.2 Buildings and structures, where for a Roadside stall, include a minimum setback of 0 metres from a frontage to a road that is not a State-controlled road.	Not Applicable
	AO2.3 Buildings and structures, except where a Roadside stall, include a minimum setback of: <ul style="list-style-type: none"> (a) 10 metres from a frontage to a sealed road that is not a State-controlled road; and (b) 100 metres from a frontage to any other road that is not a State-controlled road; 	Not Applicable

Performance outcomes	Acceptable outcomes	Response
Accommodation density		
PO3 The density of Accommodation activities: (a) respects the nature and density of surrounding land use; (b) is complementary and subordinate to the rural and natural landscape values of the area; and (c) is commensurate to the scale and frontage of the site.	AO3.1 Residential density does not exceed one dwelling house per lot.	Not Applicable
	AO3.2 Residential density does not exceed two dwellings per lot and development is for: (a) a secondary dwelling; or (b) Caretaker's accommodation and includes building work or minor building work with a maximum gross floor area of 100m ² ; or (c) Rural worker's accommodation.	Not Applicable
For assessable development		
Site cover		
PO4 Buildings and structures occupy the site in a manner that: (a) makes efficient use of land; (b) is consistent with the bulk and scale of buildings in the surrounding area; and (c) appropriately balances built and natural features.	AO4 No acceptable outcome is provided.	The proposal is limited to Sand Extraction and Screening and it is submitted that no buildings or structures are proposed.
PO5 Development complements and integrates with the established built character of the Rural zone, having regard to: (a) roof form and pitch; (b) eaves and awnings; (c) building materials, colours and textures; and (d) window and door size and location.	AO5 No acceptable outcome is provided.	The proposal is limited to Sand Extraction and Screening and it is submitted that no buildings or structures are proposed.

Performance outcomes	Acceptable outcomes	Response
Amenity		
<p>PO6 Development must not detract from the amenity of the local area, having regard to:</p> <ul style="list-style-type: none"> (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions. 	<p>AO6 No acceptable outcome is provided.</p>	<p>Complies – The proposal is consistent with surrounding rural uses and will not adversely detract from the amenity of the local area.</p>
<p>PO7 Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to:</p> <ul style="list-style-type: none"> (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions. 	<p>AO7 No acceptable outcome is provided.</p>	<p>Complies – The proposal is consistent with the surrounding rural uses and it is submitted that the operators of the sand extraction and screening activity will manage any adverse environmental impacts and maintain compliance with relevant conditions of approval and approved Site Rehabilitation Management Plan and Environmental Management Plan.</p>

9.3.5 Industrial activities code

9.3.5.1 Application

- (1) This code applies to assessing development where:
 - (a) involving Industrial activities; 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.

9.3.5.2 Purpose

- (1) The purpose of the Industrial activities code is to ensure Industrial activities are:
 - (a) appropriately located within designated industrial areas;
 - (b) established and operated in an efficient manner with minimal impact on the character, scale, amenity and environmental values of the surrounding area; and
 - (c) managed to allow for progressive rehabilitation where involving Extractive industry.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Industrial activities are appropriately located having regard to topography, surrounding land uses, natural environment, accessibility, local character and potential social and community impacts;
 - (b) Industrial activities meet the needs of the local community and the local economy through well located, safe and convenient points of service;
 - (c) Industrial activities are designed to have minimal impact on the character, amenity and environment of the surrounding area;
 - (d) Industrial activities provide a safe working environment;
 - (e) Industrial activities are designed to promote sustainability and energy efficiency;
 - (f) Industrial activities are co-located with complimentary and compatible uses;
 - (g) External impacts associated with Extractive industry operations do not impact on the character and amenity of the surrounding area and the safety and wellbeing of the community;
 - (h) Extractive industry operations are adequately separated from potentially incompatible land uses; and
 - (i) Extractive industry sites are progressively rehabilitated.

9.3.5.3 Criteria for assessment

Table 9.3.5.3—Industrial activities code– For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
Separation			
<p>PO1 Industrial activities are appropriately separated from sensitive uses to ensure their amenity is maintained, having regard to:</p> <ul style="list-style-type: none"> (a) noise; (b) odour; (c) light; and (d) emissions. <p>Note—Development proposed to be located closer than the separation distances specified in AO2 requires supporting investigations to demonstrate that the expected impacts from the industry use have been adequately mitigated in consideration of the local context.</p>	<p>AO1 Development is separated from sensitive uses as follows:</p> <ul style="list-style-type: none"> (a) medium impact industry—250 metres; or (b) high impact industry—500 metres; or (c) special industry— 1.5 kilometres. 	Complies – The proposal is located within a rural area containing other Extractive Industries and has sufficient setbacks to sensitive uses. It is further noted that the closed sensitive use is a residence located 800 metres to the west of the Extraction / Disturbance Area as shown by Figure 4 – Surrounding Land Uses .	
For assessable development			
Amenity			
<p>PO2 Industrial activities protect and enhance the character and amenity of the locality and streetscape through the appropriate location and screening of:</p> <ul style="list-style-type: none"> (a) air conditioning; (b) refrigeration plant; (c) mechanical plant; and (d) refuse bin storage areas. 	<p>AO2 No acceptable outcome is provided.</p>	Complies - It is submitted that the proposal is located within a rural area and will not adversely impact the amenity of the locality.	
<p>PO3 Development avoids and, where unavoidable, mitigates impacts on ground water, particularly where ground water is heavily drawn upon for irrigation or domestic purposes.</p>	<p>AO3 No acceptable outcome is provided.</p>	Complies - It is submitted that the proposal is located within a rural area and will not adversely impact the amenity of the locality.	

Performance outcomes	Acceptable outcomes	Complies	Comments
If for Extractive industry			
<p>PO4 The site has sufficient area and dimensions to safely accommodate:</p> <ul style="list-style-type: none"> (a) the extractive use; (b) vehicular access and on site vehicular movements; (c) buildings including staff facilities; (d) parking areas for visitors and employees; (e) storage areas and stockpiles; (f) any environmentally significant land; and (g) landscaping and buffer areas. <p>Note—Refer to Planning Scheme Policy 3 - Extractive Industry.</p>	<p>AO4 No acceptable outcome is provided.</p>	<p>Complies – Refer to Section 5.00 of the Town Planning Report dated January 2020 and Appendix E – Proposed Extraction / Disturbance Area and Internal Haul Route Plan.</p>	
<p>PO5 Extractive industry is established and operated in a way that does not impact on public safety.</p>	<p>AO5 Safety fencing is provided for the full length of the perimeter of the site and is appropriately signed with warning signs advising of the nature of the use and any danger or hazard.</p>	<p>Complies – Refer to Section 5.00 of the Town Planning Report dated January 2020 and Appendix E – Proposed Extraction / Disturbance Area and Internal Haul Route Plan.</p>	
<p>PO6 Extractive industry is appropriately located to adequately mitigate visual, noise, vibration and dust impacts on sensitive uses.</p>	<p>AO6 All aspects of the Extractive industry are setback from all boundaries:</p> <ul style="list-style-type: none"> (a) 200 metres where not involving blasting or crushing; and (b) 1,000 metres for where involving blasting or crushing. <p>Note—Refer to Planning Scheme Policy 3 - Extractive Industry.</p>	<p>Complies – The subject site is located adjoining and adjacent to land used for Extractive Industry purposes and other rural uses. It is submitted that the proposed Extraction / Disturbance Area is suitably located within the site. It is noted that the closest sensitive use, a residence is located a minimum of 800 metres to the west from the Extraction / Disturbance Area as shown by Figure 4 – Surrounding Land Uses. It is submitted that the limited extraction rate for the proposal combined with compliance with an approved Environmental Management Plan will mitigate the impact of the proposal on surrounding uses. Refer to Section 5.00 of the Town Planning Report dated January 2020 and Appendix E – Proposed Extraction / Disturbance Area and Internal Haul Route Plan.</p>	
<p>PO7 The Extractive industry is designed and managed to appropriately address its interface with the natural environment and landscape, having regard to:</p> <ul style="list-style-type: none"> (a) water quality; (b) existing vegetation; and (c) declared plants. 	<p>AO7.1 The Extractive industry does not cause a reduction in the quality of ground water or receiving surface waters.</p>	<p>Complies – Refer to Section 5.00 of the Town Planning Report dated January 2020 and Appendix E – Proposed Extraction / Disturbance Area and Internal Haul Route Plan.</p>	
	<p>AO7.2 Vegetation is retained on site that contributes towards alleviating the impact of the development on the visual amenity of surrounding sensitive land uses.</p>	<p>Complies – Refer to Section 5.00 of the Town Planning Report dated January 2020 and Appendix E – Proposed Extraction / Disturbance Area and Internal Haul Route Plan.</p>	

Performance outcomes	Acceptable outcomes	Complies	Comments
	<p>AO7.3 No declared plants are transported from the site.</p>	<p>Complies – Refer to Section 5.00 of the Town Planning Report dated January 2020 and Appendix E – Proposed Extraction / Disturbance Area and Internal Haul Route Plan.</p>	
<p>PO8 Extractive industry actively integrates rehabilitation into the ongoing operations on the site to progressively restore the site to its original (or an improved) condition, having regard to matters of:</p> <ul style="list-style-type: none"> (a) locally prevalent plant species; (b) plant spacing; (c) local climatic conditions; (d) locations of waterways and wetlands; (e) ongoing maintenance; (f) potential habitat opportunities; (g) erosion and sediment control; and (h) fencing. <p>Note—A revegetation plan must be prepared by a suitably experienced person in the field of natural area revegetation and rehabilitation, at a standard acceptable to Council, which addresses the items identified in Performance Outcome PO8.</p>	<p>AO8 No acceptable outcome is provided.</p>	<p>Complies – Refer to Section 5.00 of the Town Planning Report dated January 2020 and Appendix E – Proposed Extraction / Disturbance Area and Internal Haul Route Plan.</p> <p>The rehabilitation of the site will be undertaken in accordance with a Site Rehabilitation Management Plan in accordance with Council's requirements.</p>	

8.2.4 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
For accepted development subject to requirements and assessable development		
Regulated vegetation		
<p>PO1 Vegetation clearing in areas mapped as 'Regulated vegetation' identified on the Environmental Significance Overlay Maps (OM-004a-o) is avoided unless:</p> <ul style="list-style-type: none"> (a) it is demonstrated that the area does not support regulated vegetation as mapped; (b) the loss or reduction in regulated vegetation is for community infrastructure and associated access facilities that cannot be avoided; (c) wildlife interconnectivity is maintained or enhanced at a local and regional scale; and (d) the loss or reduction in regulated vegetation is minimised and any residual impacts are offset. <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>AO1.1 No clearing of native vegetation is undertaken within areas of 'Regulated vegetation' identified on the Environmental Significance Overlay Maps (OM-004a-o).</p>	<p>Complies – Refer to Section 5.00 of the Town Planning Report dated January 2020, Figure 11 – Environmental Significance Overlay and Appendix E – Proposed Extraction / Disturbance Area and Internal Haul Route Plan.</p>
<p>PO2 Development on sites adjacent to areas of 'Regulated vegetation' identified on the Environmental Significance Overlay Maps (OM-004a-o) protects the environmental significance of regulated vegetation and:</p> <ul style="list-style-type: none"> (a) does not interrupt, interfere, alter or otherwise impact on underlying natural ecosystem processes such as water quality, hydrology, geomorphology and biophysical processes; (b) does not negatively impact the movement of wildlife at a local or regional scale; and (c) avoids noise, light, vibration or other edge affects, including weed and pest incursion on identified environmental values. <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme</p>	<p>AO2 Development (excluding roads, earthworks, drainage infrastructure and underground infrastructure) is not located within 20 metres of 'Regulated vegetation' areas identified on the Environmental Significance Overlay Maps (OM-004a-o).</p>	<p>Complies – Refer to Section 5.00 of the Town Planning Report dated January 2020, Figure 11 – Environmental Significance Overlay and Appendix E – Proposed Extraction / Disturbance Area and Internal Haul Route Plan.</p>

Performance outcomes	Acceptable outcomes	Response
Policy 2 – Ecological Assessment Reports.		
Regulated vegetation intersecting a watercourse		
<p>PO3 Vegetation clearing in areas mapped as ‘Regulated vegetation intersecting a watercourse’, identified as ‘Waterway’ and ‘Waterway buffer’ on the Environmental Significance - Waterway Overlay Maps (OM-004p-z) is avoided unless wildlife interconnectivity between habitats is maintained or enhanced at a local and regional scale, to the extent that migration or normal movement of significant species between habitats or normal gene flow between populations is not inhibited.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>Where within a ‘Waterway buffer’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</p> <p>AO3.1 A minimum setback in accordance with Table 8.2.4.3B is provided between development and the top of the high bank of a ‘Waterway’ identified on the Environmental Significance - Waterway Overlay Maps (OM-004p-z).</p> <p>Where within a ‘Waterway buffer’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</p> <p>AO3.2 No clearing of native vegetation is undertaken within the minimum setback identified at AO3.1.</p>	<p>Complies – A minimum setback is provided from the top of the high bank of the four mile creek and the proposal. Refer to Section 5.00 of the Town Planning Report dated January 2020, Figure 12 – Environmental Significance – Waterways Overlay and Appendix E – Proposed Extraction / Disturbance Area and Internal Haul Route Plan.</p> <p>Complies – No clearing is proposed within the minimum setback. Refer to Section 5.00 of the Town Planning Report dated January 2020, Figure 12 – Environmental Significance – Waterways Overlay and Appendix E – Proposed Extraction / Disturbance Area and Internal Haul Route Plan.</p>
Waterways and wetlands		
<p>PO4 ‘High ecological significance wetlands’ identified on the Environmental Significance Overlay Maps (OM-004a-o) and ‘Waterways’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z) and are protected by:</p> <p>(a) maintaining adequate separation distances between waterways/wetlands and development;</p>	<p>Where within a ‘Waterway buffer’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</p> <p>AO4.1 A minimum setback in accordance with Table 8.2.4.3B is provided between development and the top of the high bank of a ‘Waterway’ identified on the Environmental Significance - Waterway Overlay Maps (OM-004p-z).</p>	<p>Complies – A minimum setback of 25 metres is maintained along the western boundary of the extraction / disturbance area. This accords with Table 8.2.4.3B for Stream Order 4 Waterways.</p> <p>Refer to Section 5.00 of the Town Planning Report dated January 2020, Figure 11 – Environmental Significance, Figure 12 – Environmental Significance – Waterways Overlay and Appendix E – Proposed Extraction / Disturbance Area and Internal Haul Route Plan.</p>

Performance outcomes	Acceptable outcomes	Response
<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>Where within a ‘High ecological significance wetland buffer’ on Environmental Significance Overlay Maps (OM-004a-o) AO4.2</p> <p>A minimum buffer of 200 metres is provided between development and the edge of a ‘High ecological significance wetland’ identified on the Environmental Significance Overlay Maps (OM-004a-o).</p>	<p>The western edge of the proposed extraction / disturbance area is located within the 200m wetland buffer. Refer to Figure 11 – Environmental Significance Overlay.</p> <p>In this regard, the following aspects are noted:-</p> <ul style="list-style-type: none"> a) the nominated extraction / disturbance area has a separation distance of a minimum of 65m to 70m (approx.) from the mapped High Ecological Significance Wetland; b) a minimum setback of 25m from the top of the high bank located adjacent to the wetland will be provided; c) no clearing within this setback will be required and in particular the existing riparian vegetation adjoining Four Mile Creek will be retained; d) the land encompassed by the proposed extraction / disturbance area slopes in a north easterly direction. <p>Accordingly overland waterflows for the proposed extraction / disturbance area are not directed towards the wetland.</p> <p>It is submitted that the protection measures a) to e) for PO4 can be achieved.</p>
	<p>Where within a ‘Waterway buffer’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or ‘High ecological significance wetland buffer’ on Environmental Significance Overlay Maps (OM-004a-o) AO4.3</p> <p>No stormwater is discharged to a ‘Waterway’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or ‘High ecological significance wetland’ identified on the Environmental Significance Overlay Maps (OM-004a-o).</p> <p>Note— An alternative outcome is required to demonstrate that the ecological impacts of stormwater discharge to a ‘Waterway’ or ‘High ecological significance wetland’</p>	<p>All stormwater associated with the extraction and screening will be discharged into the extraction pits and contained on site.</p> <p>On this basis there will be no stormwater discharge into the adjacent waterway or wetland.</p> <p>Refer to Section 5.00 of the Town Planning report dated January 2020.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>are mitigated in accordance with PO3 through appropriate stormwater management / treatment (where possible).</p> <p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland buffer' on Environmental Significance Overlay Maps (OM-004a-o) AO4.4 No wastewater is discharged to a 'Waterway' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland' identified on the Environmental Significance Overlay Map (OM-004a-z).</p> <p>Note— A alternative outcome is required to demonstrate that the ecological impacts of wastewater discharge to a 'Waterway' or 'High ecological significance wetland' are mitigated in accordance with PO3 through appropriate wastewater management / treatment (where possible).</p>	<p>It is submitted that it is not proposed to discharge waste water to a mapped waterway as part of the proposal. Refer to Section 5.00 of the Town Planning report dated January 2020.</p>
For assessable development		
Wildlife Habitat		
<p>PO5 Development within a 'Wildlife habitat' area identified on the Environmental Significance Overlay Maps (OM-004a-o):</p> <p>(a) protects and enhances the habitat of Endangered, Vulnerable and Near Threatened (EVNT) species and local species of significance;</p> <p>(b) incorporates siting and design measures to protect and retain identified ecological values and underlying ecosystem processes within or adjacent to the development site;</p> <p>(c) maintains or enhances wildlife interconnectivity at a local and regional scale; and</p> <p>(d) mitigates the impact of other forms of potential disturbance (such as presence of vehicles, pedestrian use, increased exposure to domestic animals, noise and lighting</p>	<p>AO5 No acceptable outcome is provided</p>	<p>Complies – The proposed Extraction / Disturbance Area is not located within a mapped Wildlife Habitat. Refer to Figure 11 - Environmental Significance Overlay.</p>

Performance outcomes	Acceptable outcomes	Response
<p>impacts) to protect critical life stage ecological processes (such as feeding, breeding or roosting).</p> <p>Note—Development applications must identify any EVNT species or their habitats that may be affected by the proposal. In particular, applications are to identify and describe how the development avoids adverse impacts on ecological processes within or adjacent to the development area.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>		
Legally secured offset areas		
<p>PO6 Development within a 'Legally secured offset area' identified on the Environmental Significance Overlay Maps (OM-004a-o) or other known Legally Secured Offset Area is consistent with the binding requirements of the offset and does not prejudice, undermine, or negatively impact the inherent ecological values, including all naturally occurring native flora, fauna and 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>AO6 No acceptable outcome is provided.</p>	<p>Not Applicable</p>
Protected areas		
<p>PO7 Development within a 'Protected area' identified on the Environmental Significance Overlay Maps (OM-004a-o) is consistent with the values of the Protected Area and:</p> <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</p>	<p>AO7 No acceptable outcome is provided</p>	<p>Not Applicable</p>

Performance outcomes	Acceptable outcomes	Response
<p>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
Ecological corridors and Habitat linkages		
<p>PO8 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 Environmental Significance Overlay Maps (OM-004a-o)</p> <p>does not compromise the provision of habitat connectivity of the corridor/linkage, having regard to:</p> <p>(a) the environmental values of the area of the site identified in the 'Ecological corridor' or 'Habitat linkage';</p> <p>(b) the environmental values of adjoining and nearby land within the 'Ecological corridor' or 'Habitat linkage';</p> <p>(c) the extent of any modification proposed to the natural environment including (but not limited to) vegetation and topography;</p> <p>(d) the location and design of proposed improvements that may impact on the functions of the 'Ecological corridor' or 'Habitat linkage' including (but not limited to) buildings, structures, fences, lighting, vehicle movement areas and infrastructure services; and</p> <p>(e) the ability for the 'Ecological corridor' or 'Habitat linkage' to be enhanced to improve ecological connectivity.</p> <p>Note—A supporting Ecological Assessment Report prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports may be appropriate to demonstrate compliance with PO8.</p>	<p>AO8 No acceptable outcome is provided</p>	<p>Not Applicable</p>

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.

8.2.9 Regional infrastructure corridors and substations overlay code

8.2.9.1 Application

- (1) This code applies to assessing development where:
- land the subject of development is affected by a constraint category identified on the **Regional infrastructure corridors and substations overlay maps (OM-009a-d)**; and
 - 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—Energy is appropriately reflected in Overlay Map 9 and is required to be mapped by State Government in response to Infrastructure State Interests.

8.2.9.2 Purpose

- (1) The purpose of the Regional infrastructure corridors and substations overlay code is to ensure that:
- 'Stock routes' facilitate the proper and safe movement of stock and maintain public health and safety; and
 - 'Major electricity infrastructure' and 'Substations' are protected from development that may prejudice its ongoing operation.
- (2) The purpose of the code will be achieved through the following overall outcomes:
- 'Stock routes' are maintained free of impediments, obstructions or diversions;
 - development, other than for rural activities, is not located where it will increase the health and safety risk of people by exposure to vector borne disease; and
 - 'Major electricity infrastructure' and 'Substations' are appropriately separated from other land uses.

8.2.9.3 Criteria for assessment

Table 8.2.9.3 – Regional infrastructure corridors and substations overlay code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
Where on land comprising or adjoining a stock route			
PO1 Development maintains: <ol style="list-style-type: none"> the operational efficiency and safety of a 'Stock route' identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d); and public health and safety. 	AO1.1 Buildings and structures are setback from a 'Stock route' identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d) : <ol style="list-style-type: none"> where in the Conservation zone, Rural zone or Rural residential zone and on a site with a land area of 2 hectares or greater, a minimum of: <ol style="list-style-type: none"> 50 metres where involving Accommodation activities; or 20 metres where not involving Accommodation activities; or a minimum of 6 metres otherwise. 	Not Applicable	

Performance outcomes	Acceptable outcomes	Complies	Comments
	<p>AO1.2 Any new access from a road servicing a 'Stock route' identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d) includes a gate or grid to prevent stock entry to premises.</p>	Not Applicable	
	<p>AO1.3 Boundary fencing to prevent stock entry to premises is maintained along a 'Stock route' identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d).</p>	Not Applicable	
Where on land comprising or adjoining major electricity infrastructure or a substation			
<p>PO2 Development: (a) allows for the continued operation of the 'Major electricity infrastructure' or 'Substation' identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d); and (b) is located and designed to ensure a high quality of amenity is achieved for the use.</p>	<p>AO2.1 Where involving Forestry for wood production, development is setback 1.5 times the maximum anticipated height of the tree at harvest from 'Major electricity infrastructure' identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d).</p>	Not Applicable	
	<p>AO2.2 Buildings and structures are setback a minimum of 20 metres from 'Major electricity infrastructure' or a 'Substation' identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d).</p>	Complies – Refer to Appendix E – Proposed Extraction / Disturbance Area and Internal Haul Route Plan.	

9.4.2 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
For accepted development subject to requirements and assessable development		
<p>PO1 Development, other than in the Rural zone, includes landscaping that:</p> <ul style="list-style-type: none"> (a) contributes to the landscape character of the Shire; (b) compliments the character of the immediate surrounds; (c) provides an appropriate balance between built and natural elements; and (d) provides a source of visual interest. 	<p>AO1 Development, other than in the Rural zone, provides:</p> <ul style="list-style-type: none"> (a) a minimum of 10% of the site as landscaping; (b) planting in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species; (c) for the integration of retained significant vegetation into landscaping areas; (d) on-street landscaping works in accordance with the Design Guidelines set out in Section D9 Landscaping, of the Planning Scheme Policy 4 - FNQROC Regional Development Manual. <p>Note—Where development exceeds a site cover of 90%, areas of landscaping may be provided above ground level to achieve a total supply of landscaping equivalent to 10% of the site area.</p>	Not Applicable
<p>PO2 Development, other than in the Rural zone, includes landscaping along site frontages that:</p> <ul style="list-style-type: none"> (a) creates an attractive streetscape; (b) compliments the character of the immediate surrounds; (c) assists to break up and soften elements of built form; (d) screen areas of limited visual interest or servicing; (e) provide shade for pedestrians; and (f) includes a range and variety of planting. 	<p>AO2 Development, other than in the Rural zone, includes a landscape strip along any site frontage:</p> <ul style="list-style-type: none"> (a) with a minimum width of 2 metres where adjoining a car parking area; (b) with a minimum width of 1.5 metres in all other locations; and (c) in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species. <p>Note—Where development is setback from a frontage less than 1.5 metres, the setback area is provided as a landscape strip</p>	Not Applicable
<p>PO3 Development includes landscaping and fencing along side and rear boundaries that:</p> <ul style="list-style-type: none"> (a) screens and buffer land uses; (b) assists to break up and soften elements of built form; 	<p>AO3.1 Development provides landscape treatments along side and rear boundaries in accordance with Table 9.4.2.3B.</p>	<p>It is not appropriate to provide landscape treatments along the side and rear boundaries.</p> <p>Existing vegetation will be retained where possible and it is noted that the extraction / disturbance area is setback from the property boundary.</p>

Performance outcomes	Acceptable outcomes	Response
(c) screens areas of limited visual interest; (d) preserves the amenity of sensitive land uses; and (e) includes a range and variety of planting.	<p>AO3.2 Shrubs and trees provided in landscape strips along side and rear boundaries:</p> <ul style="list-style-type: none"> (a) are planted at a maximum spacing of 1 metre; (b) will grow to a height of at least 2 metres; (c) will grow to form a screen of no less than 2 metres in height; and (d) are mulched to a minimum depth of 0.1 metres with organic mulch. <p>AO3.3 Any landscape strip provided along a side or rear boundary is designed in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.</p>	<p>Not Applicable – Existing vegetation will be retained where possible.</p> <p>Not Applicable - Existing vegetation will be retained where possible.</p>
<p>PO4 Car parking areas are improved with a variety of landscaping that:</p> <ul style="list-style-type: none"> (a) provides visual interest; (b) provides a source of shade for pedestrians; (c) assists to break up and soften elements; and (d) improves legibility. 	<p>AO4.1 Landscaping is provided in car parking areas which provides:</p> <ul style="list-style-type: none"> (a) a minimum of 1 shade tree for every 4 parking spaces, or part thereof, where the car parking area includes 12 or more spaces; (b) a minimum of 1 shade tree for every 6 parking spaces, or part thereof, otherwise; and (c) where involving a car parking area in excess of 500m²: <ul style="list-style-type: none"> (i) shade structures are provided for 50% of parking spaces; and (ii) a minimum of 10% of the parking area as landscaping. <p>Note—Where a shade structure is provided over part of a car parking area, shade tree planting is not required in this area of the car parking area.</p> <p>AO4.2 Landscaping in car parking areas is designed in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.</p>	<p>Not Applicable – On the basis that the subject site is within the Rural Zone and that the proposed development is for an Extractive Industry, it is submitted that the provision of additional landscaping in car parking areas is not required.</p> <p>Not Applicable</p>
<p>PO5 Landscaping areas include a range and variety of planting that:</p>	<p>AO5.1 Plant species are selected from the Plant Schedule in Planning Scheme Policy 6 - Landscaping and preferred plant species.</p>	<p>Not Applicable - Existing vegetation will be retained where possible</p>

Performance outcomes	Acceptable outcomes	Response
(a) is suitable for the intended purpose and local conditions; (b) contributes to the natural character of the Shire; (c) includes native species; (d) includes locally endemic species, where practical; and (e) does not include invasive plants or weeds.	AO5.2 A minimum of 25% of (new and existing) plants is provided as larger, advanced stock with a minimum plant height of 0.7 metres and mulched to a minimum depth of 0.1 metres with organic mulch.	Not Applicable - Existing vegetation will be retained where possible
PO6 Landscaping does not impact on the ongoing provision of infrastructure and services to the Shire.	AO6.1 Tree planting is a minimum of (a) 2 metres from any underground water, sewer, gas, electricity or telecommunications infrastructure; and (b) 4 metres from any inspection chamber.	Not Applicable – No tree planting is proposed as part of the development.
	AO6.2 Vegetation below or within 4 metres of overhead electricity lines and power poles has a maximum height of 3.5 metres at maturity.	Complies – Vegetation in proximity to the existing power infrastructure located within an existing easement in the eastern part of the subject site will be maintained by others.

Performance outcomes	Acceptable outcomes	Response
	<p>AO6.3 Vegetation adjoining an electricity substation boundary, at maturity, will have:</p> <ul style="list-style-type: none"> (a) a height of less than 4 metres; and (b) no foliage within 3 metres of the substation boundary, unless the substation has a solid wall along any boundary. 	<p>Not Applicable</p>
<p>For assessable development</p>		
<p>PO7 Landscaping areas are designed to:</p> <ul style="list-style-type: none"> (a) be easily maintained throughout the ongoing use of the site; (b) allow sufficient area and access to sunlight and water for plant growth; (c) not cause a nuisance to occupants of the site or members of the public; and (d) maintain or enhance the safety of pedestrians through the use of Crime Prevention Through Environmental Design principles. 	<p>AO7 No acceptable outcome is provided.</p>	<p>It is submitted that existing vegetation will be retained where possible and that the extraction / disturbance area is setback from the property boundary.</p>

9.4.3 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
For accepted development subject to requirements and assessable development		
Car parking spaces		
PO1 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"> (a) nature of the use; (b) location of the site; (c) proximity of the use to public transport services; (d) availability of active transport infrastructure; and (e) accessibility of the use to all members of the community. 	AO1 The number of car parking spaces provided for the use is in accordance with Table 9.4.3.3B . Note—Car parking spaces provided for persons with a disability are to be considered in determining compliance with AO1.	Complies – It is submitted that the subject site is capable of providing sufficient car parking spaces to meet the demand of the proposed development.

Performance outcomes	Acceptable outcomes	Response
Vehicle crossovers		
PO2 Vehicle crossovers are provided to:: (a) ensure safe and efficient access between the road and premises; (b) minimize interference with the function and operation of roads; and (c) minimise pedestrian to vehicle conflict.	AO2.1 Vehicular access to/from Council roads is designed and constructed in accordance with the Standard drawings in Planning Scheme Policy 4 - FNQROC Regional Development Manual.	Complies – suitable vehicular access is provided to the subject site from Fisher Road.
	AO2.2 Development on a site with two or more road frontages provides vehicular access from: (a) the primary frontage where involving Community activities or Sport and recreation activities, unless the primary road frontage is a State-controlled road; or (b) from the lowest order road in all other instances.	Complies – Access is gained to the subject site via the Fisher Road frontage. Refer to Figure 6 – External Haul Route
	AO2.3 Vehicular access for particular uses is provided in accordance with Table 9.4.3.3E .	Complies – Suitable vehicle access is gained to the subject site via the Fisher Road frontage. Refer to Figure 6 – External Haul Route
PO3 Access, manoeuvring and car parking areas include appropriate pavement treatments having regard to: (a) the intensity of anticipated vehicle movements; (b) the nature of the use that they service; and (c) the character of the surrounding locality.	AO3 Access, manoeuvring and car parking areas include pavements that are constructed in accordance with Table 9.4.3.3C .	Complies – sufficient access, manoeuvring and car parking areas can be provided on the subject site.
For assessable development		
Parking area location and design		
PO4 Car parking areas are located and designed to: (a) ensure safety and efficiency in operation; and	AO4.1 Car parking spaces, access and circulation areas have dimensions in accordance with AS/NZS 2890.1 Off-street car parking.	Complies – a suitable car parking area, access and circulation areas for the operators of the Extractive Industry can be provided for the proposed use during the operation of the Sand Extraction and Screening activities.

Performance outcomes	Acceptable outcomes	Response
<p>(b) be consistent with the character of the surrounding locality.</p>	<p>AO4.2 Disabled access and car parking spaces are located and designed in accordance with AS/NZS 2890.6 Parking facilities - Off-street parking for people with disabilities.</p>	<p>Not Applicable</p>
	<p>AO4.3 The car parking area includes designated pedestrian routes that provide connections to building entrances.</p>	<p>Not Applicable</p>
	<p>AO4.4 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.</p>	<p>Complies</p>
<p>Site access and manoeuvring</p>		
<p>PO5 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.</p>	<p>AO5.1 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.</p>	<p>Access to and manoeuvring within the site has been designed for extractive industry purposes. It is submitted that the proposal is capable of being consistent with the provisions of the relevant Australian Standards.</p>
	<p>AO5.2 Vehicular access has a minimum sight distance in accordance with Part 5 of AUSTROADS.</p>	<p>Access to and manoeuvring within the site has been designed for extractive industry purposes. It is submitted that the proposal is capable of being consistent with the provisions of Part 5 of AUSTROADS.</p>
	<p>AO5.3 Vehicular access is located and designed so that all vehicles enter and exit the site in a forward gear.</p>	<p>Complies</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AO5.4 Pedestrian and cyclist access to the site:</p> <ul style="list-style-type: none"> (a) is clearly defined; (b) easily identifiable; and (c) provides a connection between the site frontage and the entrance to buildings and end of trip facilities (where provided). 	Not Applicable
<p>PO6 Development that involves an internal road network ensures that it's design:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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. 	<p>AO6.1 Internal roads for a Tourist park have a minimum width of:</p> <ul style="list-style-type: none"> (a) 4 metres if one way; or (b) 6 metres if two way. 	Not Applicable
	<p>AO6.2 For a Tourist park, internal road design avoids the use of cul-de-sacs in favour of circulating roads, where unavoidable, cul-de-sacs provide a full turning circle for vehicles towing caravans having:</p> <ul style="list-style-type: none"> (a) a minimum approach and departure curve radius of 12 metres; and (b) a minimum turning circle radius of 8 metres. 	Not Applicable
	<p>AO6.3 Internal roads are imperviously sealed and drained, apart from those for an Energy and infrastructure activity or Rural activity.</p>	Not Applicable
	<p>AO6.4 Speed control devices are installed along all internal roads, apart from those for an Energy and infrastructure activity or Rural activity, in accordance with Complete Streets.</p>	Not Applicable
	<p>AO6.5 Internal roads, apart from those for an Energy and infrastructure activity or Rural activity, are illuminated in accordance with AS 4282 (as amended) - Control of Obtrusive effects of outdoor lighting.</p>	Not Applicable
	<p>AO6.6 Where involving an accommodation activity, internal roads facilitate unobstructed access to every dwelling, accommodation unit, accommodation site and building by emergency services vehicles.</p>	Not Applicable

Performance outcomes	Acceptable outcomes	Response
	<p>AO6.7 For an Energy and infrastructure activity or Rural activity, internal road gradients:</p> <p>(a) are no steeper than 1:5; or (b) are steeper than 1:5 and are sealed.</p>	<p>Complies – the proposed development is capable of showing compliance with this criterion.</p>
Servicing		
<p>PO7 Development provides access, maneuvering and servicing areas on site that:</p> <p>(a) accommodate a service vehicle commensurate with the likely demand generated by the use;</p> <p>(b) do not impact on the safety or efficiency of internal car parking or maneuvering areas;</p> <p>(c) do not adversely impact on the safety or efficiency of the road network;</p> <p>(d) provide for all servicing functions associated with the use; and</p> <p>(e) are located and designed to minimise their impacts on adjoining sensitive land uses and streetscape quality.</p>	<p>AO7.1 All unloading, loading, service and waste disposal areas are located:</p> <p>(a) on the site; (b) to the side or rear of the building, behind the main building line; (c) not adjacent to a site boundary where the adjoining property is used for a sensitive use.</p>	<p>Complies – the proposed development is capable of showing compliance with this criterion.</p>
	<p>AO7.2 Unloading, loading, service and waste disposal areas allow service vehicles to enter and exit the site in a forward gear.</p>	<p>Complies – the proposed development is capable of showing compliance with this criterion.</p>
	<p>AO7.3 Development provides a servicing area, site access and maneuvering areas to accommodate the applicable minimum servicing vehicle specified in Table 9.4.3.3B.</p>	<p>Complies – the proposed development is capable of showing compliance with this criterion.</p>
Maintenance		
<p>PO8 Parking areas are used and maintained for their intended purpose.</p>	<p>AO8.1 Parking areas are kept and used exclusively for parking and are maintained in a suitable condition for parking and circulation of vehicles.</p>	<p>Complies – the proposed development is capable of showing compliance with this criterion.</p>
	<p>AO8.2 All parking areas will be compacted, sealed, drained, line marked and maintained until such time as the development ceases.</p>	<p>Complies – the proposed development is capable of showing compliance with this criterion.</p>
End of trip facilities		
<p>PO9 Development within the Centre zone; Industry zone or Emerging community zone provides facilities for active transport users that:</p>	<p>AO9.1 The number of bicycle parking spaces provided for the use is in accordance with Table 9.4.3.3D.</p>	<p>Not Applicable</p>

Performance outcomes	Acceptable outcomes	Response
(a) meet the anticipated demand generated from the use; (b) comprise secure and convenient bicycle parking and storage; and (c) provide end of trip facilities for all active transport users.	AO9.2 End of trip facilities are provided in accordance with Table 9.4.3.3D .	Not Applicable
If for Educational establishment or Child care centre where involving more than 100 vehicle movements per day or Renewable energy facility, Sport and recreation activities or Tourist park		
PO10 The level of traffic generated by the development on the surrounding local road network must not result in unacceptable impacts on adjacent land and local road users.	AO10 A traffic impact report is prepared by a suitably qualified person that identifies: (a) the expected traffic movements to be generated by the facility; (b) any associated impacts on the road network; and (c) any works that will be required to address the identified impacts.	Not Applicable
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		
PO11 The level of traffic generated by the development on the surrounding local road network must not result in unacceptable impacts on adjacent land and local road users.	AO11 A traffic impact report is prepared by a suitably qualified person that identifies: (d) the expected traffic movements to be generated by the facility; (e) any associated impacts on the road network; and (f) any works that will be required to address the identified impacts.	Not Applicable

Table 9.4.3.3B—Vehicle Parking and Service Vehicle Space Requirements

Definition	Minimum number of Car parking spaces	Minimum Service Vehicle Space Provision
Adult store	<p><u>Inside the Centre zone:</u> One space per 50m² or part thereof of GFA up to 400m² GFA, and one space per 20m² or part thereof of GFA above 400m².</p> <p><u>Outside the Centre zone:</u> One space per 25m² or part thereof of GFA up to 400m² GFA, and one space per 10m² or part thereof of GFA above 400m².</p>	One SRV space.
Agricultural supplies store	<p><u>Inside the Centre zone:</u> One space per 50m² or part thereof of GFA up to 400m² GFA, and one space per 15m² or part thereof of GFA above 400m².</p> <p><u>Outside the Centre zone:</u> One space per 30m² or part thereof of GFA up to 400m² GFA, and one space per 10m² or part thereof of GFA above 400m².</p> <p>Queuing for 3 vehicles should be supplied where a GFA is greater than 600m².</p>	One HRV space.
Air services	<p><u>If accepted development subject to requirements development:</u> One space per 90m² 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 200m² or part thereof of net lettable area.</p> <p><u>If _____ assessable development:</u> As determined by Council.</p>
Animal husbandry	<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>
Animal keeping	Minimum of three spaces or one space per 200m ² of use area, whichever is greater.	One SRV space.
Aquaculture	<p><u>If accepted development subject to requirements:</u></p> <ul style="list-style-type: none"> • In the rural or rural residential zones - two spaces; or • Enclosed within a building - one space per 90m² of net lettable area. <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>
Brothel	As determined by Council.	As determined by Council.

Definition	Minimum number of Car parking spaces	Minimum Service Vehicle Space Provision
Bulk landscape supplies	Minimum of five spaces or one space per 250m ² of use area, whichever is greater.	One AV if the site has an area of greater than 2,000m ² ; or One HRV space.
Car wash	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.
Caretaker's accommodation	One space per dwelling unit.	Nil.
Cemetery	As determined by Council.	As determined by Council.
Child care centre	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.
Club	Minimum of 5 spaces per use or one space per 25m ² or part thereof of GFA, whichever is greater.	One SRV space; and One HRV space if greater than 500m ² .
Community care centre	Minimum of 5 spaces per use or one space per 25m ² or part thereof of GFA, whichever is greater.	One SRV space.
Community residence	Three spaces.	Nil.
Community use	Minimum of 5 spaces per use or one space per 50m ² or part thereof of GFA, whichever is greater.	One SRV space if greater than 500m ² GFA.
Crematorium	One space per 30m ² GFA or part thereof.	As determined by Council.
Cropping	<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.
Detention facility	As determined by Council.	As determined by Council.
Dual occupancy	One covered space per dwelling; and One visitor space.	Nil.
Dwelling house	One covered space per dwelling house. One space per secondary dwelling.	Nil.
Dwelling unit	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
Educational establishment	<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>	
Emergency services	Minimum of 5 spaces per use or one space per 25m ² or part thereof of GFA, whichever is greater.	As determined by Council.	
Environment facility	As determined by Council.	As determined by Council.	
Extractive industry	As determined by Council.	As determined by Council.	
Food and drink outlet	<p>Accepted in an existing building within the Centre zone.</p> <p><u>Inside the Centre zone:</u> One space per 50m² or part thereof of GFA up to 400m² GFA and one space per 15m² or part thereof of GFA above 400m².</p> <p><u>Outside the Centre zone:</u> One space per 25m² or part thereof of GFA up to 400m² GFA and one space per 10m² or part thereof of GFA above 400m².</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 1,000m² GFA, whichever is greater.</p>	One HRV space.	
Function facility	One space per 30m ² or part thereof of GFA.	One SRV space.	
Funeral parlour	<p>Accepted in an existing building within the Centre zone.</p> <p><u>Inside the Centre zone:</u> One space per 20m² or part thereof of GFA up to 400m² GFA, and one space per 10m² or part thereof of GFA above 400m².</p> <p><u>Outside the Centre zone:</u> One space per 25m² or part thereof of GFA up to 400m² GFA, and one space per 15m² or part thereof of GFA above 400m².</p>	One SRV space.	
Garden centre	<p>A minimum of 5 spaces for customer parking or one space per 150m² or part thereof of use area, whichever is greater.</p> <p>One service vehicle space per use or one service vehicle space per 800m² use area, whichever is greater.</p>	One AV if the site has an area of greater than 2,000m ² , otherwise One HRV space.	

Definition	Minimum number of Car parking spaces	Minimum Vehicle Provision	Service Space
Hardware and trade supplies	Accepted in an existing building within the Centre zone. <u>Inside the Centre zone:</u> One space per 50m ² or part thereof of GFA up to 400m ² GFA, and one space per or part thereof of GFA above 400m ² . <u>Outside the Centre zone:</u> One space per or part thereof of GFA up to 400m ² GFA, and one space per 15m ² or part thereof of GFA above 400m ² .	One AV if the site has an area of greater than 2,000m ² , otherwise One HRV space.	
Health care services	Accepted in an existing building within the Centre zone. <u>Inside the Centre zone:</u> One space per 40m ² or part thereof of net lettable area. <u>Outside the Centre zone:</u> One space per 20m ² of or part thereof of net lettable area.	One SRV space per 500m ² GFA.	
High impact industry	One space per 90m ² GFA or part thereof.	One AV space if the site has an area greater than 2,000m ² , otherwise One HRV.	
Home based business	<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.	
Hospital	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 ² of GFA and part thereof; and One space for an emergency vehicle.	
Hotel	One space per 10m ² or part thereof of GFA per bar, beer garden and other public area. One space per 50m ² or part thereof of GFA per bulk liquor sales area. One space per guest room.	One HRV space.	
Indoor sport and recreation	<u>If accepted development subject to requirements:</u> One space per 25m ² 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.	
Intensive animal industries	<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
Intensive horticulture	<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>	
Landing	As determined by Council.	As determined by Council.	
Low impact industry	One space per 90m ² GFA or part thereof.	One AV space if the site has an area greater than 2,000m ² , otherwise One HRV.	
Major electricity infrastructure	As determined by Council.	As determined by Council.	
Major sport, recreation and entertainment facility	As determined by Council.	As determined by Council.	
Marine industry	One space per 90m ² GFA or part thereof.	One HRV space if the site has an area greater than 1,000m ² , otherwise One SRV space.	
Market	As determined by Council.	As determined by Council.	
Medium impact industry	One space per 90m ² GFA or part thereof.	One AV space if the site has an area greater than 2,000m ² , otherwise One HRV.	
Motor sport facility	As determined by Council.	As determined by Council.	
Multiple dwelling	<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.	
Nature-based tourism	One space per dwelling; or 0.75 spaces per guest room if in dormitory or shared facilities.	As determined by Council.	
Nightclub entertainment facility	One space per 60m ² GFA or part thereof.	Nil.	
Non-resident workforce accommodation	One space per dwelling unit.	Nil.	

Definition	Minimum number of Car parking spaces	Minimum Vehicle Provision	Service Space
Office	Accepted in an existing building within the Centre zone. <u>Inside the Centre zone:</u> One space per 20m ² or part thereof of GFA up to 400m ² GFA, and one space per 10m ² or part thereof of GFA above 400m ² . <u>Outside the Centre zone:</u> One space per 25m ² or part thereof of GFA up to 400m ² GFA, and one space per 15m ² or part thereof of GFA above 400m ² .	One SRV space.	
Outdoor sales	A minimum of 5 spaces for customer parking or one space per 150m ² of use area, whichever is greater. One service vehicle space per use or one service vehicle space per 800m ² , whichever is greater.	One AV if the site has an area of greater than 2,000m ² , otherwise One HRV space.	
Outdoor sport and recreation	Coursing, horse racing, pacing or trotting: <ul style="list-style-type: none"> One space per five seated spectators; plus One space per 5m² of other spectator areas. Football: <ul style="list-style-type: none"> 50 spaces per field. Lawn bowls: <ul style="list-style-type: none"> 30 spaces per green. Swimming pool: <ul style="list-style-type: none"> 15 spaces; plus One space per 100m² of useable site area. Tennis or other Court: <ul style="list-style-type: none"> Four spaces per court. Golf Course: <ul style="list-style-type: none"> Four spaces per tee on the course; plus One space per 50m² of net lettable area. <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.	
Park	As determined by Council.	As determined by Council.	
Parking station	Not applicable	Nil.	
Permanent plantation	<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.	
Place of worship	Minimum of 5 spaces per use or one space per 25m ² or part thereof of GFA, whichever is greater.	One SRV space.	
Port services	As determined by Council.	As determined by Council.	
Relocatable home park	One space for each home site plus 1 space for each 5 home sites or part thereof for visitors.	One HRV space.	
Renewable energy facility	As determined by Council.	As determined by Council.	

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

Definition	Minimum number of Car parking spaces	Minimum Service Vehicle Space Provision
Shopping centre	<p><u>Inside the Centre zone:</u> One space per 50m² or part thereof of GFA up to 400m² GFA and one space per 25m² or part thereof of GFA above 400m².</p> <p><u>Outside the Centre zone:</u> One space per 25m² or part thereof of GFA up to 400m² GFA and one space per 15m² or part thereof of GFA above 400m².</p>	One AV space per 1,000m ² ; and One SRV space per 500m ² ; or One SRV space per every 2 specialty uses, whichever the greater.
Short-term accommodation	One space per unit.	One HRV space if involves the serving of food or beverage; otherwise One SRV space.
Showroom	<p>Accepted in an existing building within the Centre zone.</p> <p><u>Inside the Centre zone:</u> One space per 25m² or part thereof of GFA up to 400m² GFA, and one space per 10m² or part thereof of GFA above 400m².</p> <p><u>Outside the Centre zone:</u> One space per 50m² or part thereof of GFA up to 400m² GFA, and one space per 15m² or part thereof of GFA above 400m².</p>	One AV space and One SRV space if the site is greater than 2,000m ² ; or One HRV space; and One SRV Space.
Special industry	One space per 90m ² GFA or part thereof.	One AV space if the site has an area greater than 2,000m ² , otherwise One HRV.
Substation	<u>If assessable development:</u> As determined by Council.	As determined by Council.
Telecommunications facility	<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>
Theatre	One space per 15m ² or part thereof of net lettable area, or one space per 5 seated spectators whichever is the greater.	One SRV space.
Tourist attraction	As determined by Council.	As determined by Council.
Tourist park	<p>One space within each accommodation site plus 1 additional visitor space per 10 accommodation sites.</p> <p>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.</p>	One HRV space.
Transport depot	One space per 125m ² GFA or part thereof.	One AV space if the site has an area greater than 2,000m ² , otherwise One HRV.

Definition	Minimum number of Car parking spaces	Minimum Vehicle Service Space Provision
Utility installation	<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>
Veterinary services	<p>Accepted in an existing building within the Centre zone.</p> <p><u>Inside Centre zone:</u> One space per 40m² or part thereof of net lettable area.</p> <p><u>Outside Centre zone:</u> One space per 20m² or part thereof of net lettable area.</p>	<p>One HRV space if greater than 500m² GFA; and One SRV space per 500m² GFA.</p>
Warehouse	One space per 90m ² GFA or part thereof.	One AV space if the site has an area greater than 2,000m ² , otherwise One HRV.
Wholesale nursery	As determined by Council.	As determined by Council.
Winery	As determined by Council.	As determined by Council.

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

Table 9.4.3.3C—Pavement Standards for Access, Manoeuvring and Car Parking areas

Zone	Compacted Gravel Base (minimum thickness)	Surfacing Options
All development other than dwelling house		
All zones other than the Conservation zone or the Rural zone	75mm	Reinforced concrete with a minimum thickness of: <ul style="list-style-type: none"> • 100mm for parking areas; and • 150mm for access ways.
	150mm	Asphalt with a minimum thickness of 25mm
	150mm	Two coat sprayed bitumen seal
	150mm	Concrete pavers
Conservation zone or Rural zone	Not applicable	Minimum 150mm thickness compacted gravel suitable for all weather and dust free
Dwelling house		
All zones	75mm	Reinforced concrete with a minimum thickness of: <ul style="list-style-type: none"> • 100mm for parking areas; and • 150mm for access ways.
	150mm	Asphalt with a minimum thickness of 25mm
	150mm	Two coat sprayed bitumen seal
	150mm	Concrete pavers
	Not applicable	Minimum 150mm thickness compacted gravel suitable for all weather and dust free

Note—Where more than one surfacing option is listed, any one of the treatments listed may be provided.

Table 9.4.3.3D—Bicycle Parking and End of Trip Facility Requirements

Definition	Minimum number of bicycle parking spaces	Minimum end of trip facilities
Commercial activities	<p>New or redeveloped commercial activities buildings (other than a shopping centre), provide:</p> <ul style="list-style-type: none"> • For employees - secure bicycle storage for 8% of building staff (based on one person per 60m² Gross leasable area). Secure bicycle parking involves a bicycle locker or bicycle rail in a locked compound/cage; and • visitor facilities: <ul style="list-style-type: none"> - one bicycle rack space per 750m² NLA or part thereof; and - bicycle parking, signposted; and adjacent to a major public entrance to the building. 	<p>New or redeveloped commercial activities buildings (other than a shopping centre), provide the following employee facilities, which are continually accessible to employees:</p> <ul style="list-style-type: none"> • accessible showers at the rate of one shower per 10 bicycle spaces provided or part thereof; • changing facilities adjacent to showers; and • secure lockers in the changing facilities for 20% of building staff (based on one person per 60m² GLA to cater for walkers, cyclists and other active users.
Community use	Four spaces per 1,500m ² GFA.	As determined by Council.
Educational establishment	<p>New or redeveloped education facilities, provide:</p> <ul style="list-style-type: none"> • For employees - secure bicycle storage for 8% of building staff (based on one person per 75m² GLA). Secure bicycle parking involves a bicycle locker or bicycle rail in a locked compound/cage; and • For students: <ul style="list-style-type: none"> - minimum of 8%of the peak number of students using the building at any one time (with 75% occupancy); and - bicycle storage within 100m of the building front entrance(s); or added to the campus central bicycle storage area. 	<p>New or redeveloped education facilities, provide the following employee facilities, which are continually accessible to employees:</p> <ul style="list-style-type: none"> • accessible showers at the rate of one per 10 bicycle spaces provided or part thereof; • changing facilities adjacent to showers; and • secure lockers in changing facilities for 20% of building staff (based on one person per 75m² GLA) to cater for cyclists, walkers and other active users.
Food & drink outlet	One space per 100m ² GFA.	As determined by Council.
Function facility	One space per 300m ² GFA.	As determined by Council.

Definition	Minimum number of bicycle parking spaces	Minimum end of trip facilities
Health care services	<p>New or redeveloped healthcare facilities, provide the following facilities:</p> <ul style="list-style-type: none"> • For employees - secure bicycle storage for 5% of building staff (based on one person per 75m² GLA). Secure bicycle parking involves a bicycle locker or bicycle rail in a locked compound/cage; and • For visitors: <ul style="list-style-type: none"> - facilities with in-patient accommodation provide one space per each 30 beds; - facilities without in-patient accommodation provide one space per each 4 practitioners; - aged care facilities provide one space per each 60 beds; - In every instance above, provide a minimum of 5 bicycle parking spaces; and - bicycle parking provided: in an accessible location, signposted and within 10m a major public entrance to the building. 	<p>New or redeveloped healthcare facilities, provide the following employee facilities, which are continually accessible to employees:</p> <ul style="list-style-type: none"> • accessible showers at the rate of one per 10 bicycle spaces provided or part thereof; • changing facilities adjacent to showers; and • secure lockers in changing facilities for 20% of building staff (based on one person per 75m² GLA) to cater for cyclists, walkers and other active users.
Hospital	As determined by Council.	As determined by Council.
Indoor sport and recreation	One space per employee plus 1 space per 200m ² GFA	As determined by Council.
Park	As determined by Council.	As determined by Council.
Rooming accommodation	One space per 4 letting rooms.	As determined by Council.
Short term accommodation	One space per 4 letting rooms.	As determined by Council.

Definition	Minimum number of bicycle parking spaces	Minimum end of trip facilities
Shop or Shopping centre	<p>New or redeveloped shopping centres, provide:</p> <ul style="list-style-type: none"> • For employees - secure bicycle storage for 8% of building staff (based on one person per 60m² Gross leasable area). Secure bicycle parking involves a bicycle locker or bicycle rail in a locked compound/cage; and • visitor facilities: <ul style="list-style-type: none"> - one space per 500m² GLA or part thereof for centres under 30,000m²; or - one space per 750m² GLA or part thereof for centres between 30,000m² and 50,000m²; and - bicycle parking is signposted and within 10m of a major public entrance to the building. 	<p>New or redeveloped shopping centres, provide the following employee facilities, which are continually accessible to employees:</p> <ul style="list-style-type: none"> • accessible showers at the rate of one shower per 10 bicycle spaces provided or part thereof; • changing facilities adjacent to showers; and • secure lockers in the changing facilities for 20% of building staff (based on one person per 60m² GLA to cater for walkers, cyclists and other active users.
Theatre	One space per 100m ² GFA.	As determined by Council.

Table 9.4.3.3E—Vehicular Access for Specific Uses

Use	Design
Dwelling house	A secondary dwelling shares a vehicle crossover with the Dwelling house.
Car wash	Site access involves:
Service station	(a) a maximum width of 9 metres of any vehicle crossover across a footpath; (b) a minimum separation of 12 metres between any vehicle crossover and a road intersection; (c) a separate entrance and exit; and (d) a minimum separation between vehicle crossovers of 14 metres.
Industrial activities	Each lot is provided with no more than one access point every 15 metres.
Roadside stall	A single vehicular access point is provided to the site.
Tourist park	(a) a single vehicular access point is provided to the site; and (b) no accommodation site has individual vehicular access.

9.4.5 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:
- Development provides an adequate, safe and reliable supply of potable, fire-fighting and general use water in accordance with relevant standards;
 - 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;
 - Development provides for the disposal of stormwater and ensures that there are no adverse impacts on water quality or ecological processes;
 - 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;
 - Development provides electricity and telecommunications services that meet its desired requirements;
 - Development is connected to a nearby electricity network with adequate capacity without significant environment, social or amenity impact;
 - Development does not affect the efficient functioning of public utility mains, services or installations;
 - Infrastructure dedicated to Council is cost effective over its life cycle;
 - Work associated with development does not cause adverse impacts on the surrounding area; and
 - 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
For accepted development subject to requirements and assessable development		
Water supply		
PO1 Each lot has an adequate volume and supply of water that: <ol style="list-style-type: none"> meets the needs of users; is adequate for fire-fighting purposes; ensures the health, safety and convenience of the community; and minimises adverse impacts on the receiving environment. 	AO1.1 Development is connected to a reticulated water supply system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located: <ol style="list-style-type: none"> in the Conservation zone, Rural zone or Rural residential zone; and outside a reticulated water supply service area. 	Not Applicable – The subject site is located within the Rural Zone.

Performance outcomes	Acceptable outcomes	Response
	<p>AO1.2 Development, where located outside a reticulated water supply service area and in the Conservation zone, Rural zone or Rural residential zone is provided with:</p> <ul style="list-style-type: none"> (a) a bore or bores are provided in accordance with the Design Guidelines set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; or (b) on-site water storage tank/s: <ul style="list-style-type: none"> (i) with a minimum capacity of 90,000L; (ii) fitted with a 50mm ball valve with a camlock fitting; and (iii) which are installed and connected prior to the occupation or use of the development. 	<p>Not Applicable to Extractive Industry use.</p>
Wastewater disposal		
<p>PO2 Each lot provides for the treatment and disposal of effluent and other waste water that:</p> <ul style="list-style-type: none"> (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment. 	<p>AO2.1 Development is connected to a reticulated sewerage system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located:</p> <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area. 	<p>Not Applicable – The subject site is located within the Rural Zone.</p>
	<p>AO2.2 An effluent disposal system is provided in accordance with ASNZ 1547 On-Site Domestic Wastewater Management (as amended) where development is located:</p> <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area. 	<p>Complies – Suitable on-site facilities can be provided in accordance with Council's requirements.</p>

Performance outcomes	Acceptable outcomes	Response
Stormwater infrastructure		
<p>PO3 Stormwater infrastructure is designed and constructed to collect and convey the design storm event to a lawful point of discharge in a manner that mitigates impacts on life and property.</p>	<p>AO3.1 Where located within a Priority infrastructure area or where stormwater infrastructure is available, development is connected to Council's stormwater network in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	Not Applicable
	<p>AO3.2 On-site drainage systems are constructed: (a) to convey stormwater from the premises to a lawful point of discharge; and (b) in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	Not Applicable – The subject site is located on a large lot within the Rural Zone and it is submitted that stormwater drainage will be managed as part of the operation of the proposal and stormwater associated with the extraction and screening will be discharged into the on-site extraction pits.
Electricity supply		
<p>PO4 Each lot is provided with an adequate supply of electricity</p>	<p>AO4 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.</p>	On the basis that the proposal is located on a rural lot and is utilised for an extractive industry purpose within a defined Extraction / Disturbance Area it is submitted that it is not appropriate or reasonable to provide a connection to the electricity supply network.
Telecommunications infrastructure		
<p>PO5 Each lot is provided with an adequate supply of telecommunication infrastructure</p>	<p>AO5 Development is provided with a connection to the national broadband network or telecommunication services.</p>	On the basis that the proposal is located on a rural lot and is utilised for an extractive industry purpose it is submitted that it is not appropriate to provide a connection to the national broadband network or telecommunication services.

Performance outcomes	Acceptable outcomes	Response
Existing public utility services		
PO6 Development and associated works do not affect the efficient functioning of public utility mains, services or installations.	A06 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.	Complies - The proposal is capable of showing compliance with this criterion.
Excavation or filling		
PO7 Excavation or filling must not have an adverse impact on the: <ul style="list-style-type: none"> (a) streetscape; (b) scenic amenity; (c) environmental values; (d) slope stability; (e) accessibility; or (f) privacy of adjoining premises. 	A07.1 Excavation or filling does not occur within 1.5 metres of any site boundary.	Complies – Refer to Section 5.00 of the Town Planning Report dated January 2020 and Appendix E – Proposed Extraction / Disturbance Area and Internal Haul Route Plan .
	A07.2 Excavation or filling at any point on a lot is to be no greater than 1.5 metres above or below natural ground level.	On the basis that the proposal is for an Extractive Industry, it is submitted that excavation and filling will exceed 1.5 above or below natural ground level. Refer to Section 5.00 of the Town Planning Report dated January 2020 .
	A07.3 Earthworks batters: <ul style="list-style-type: none"> (a) are no greater than 1.5 metres in height; (b) are stepped with a minimum width 2 metre berm; (c) do not exceed a maximum of two batters and two berms (not greater than 3.6 metres in total height) on any one lot; (d) have a slope no greater than 1 in 4; and (e) are retained. 	On the basis that the proposal is for an Extractive Industry, it submitted that earthworks batters may form part of the extracting of material from the extraction area. Refer to Section 5.00 of the Town Planning Report dated January 2020 .
	A07.4 Soil used for filling or spoil from excavation is not stockpiled in locations that can be viewed from: <ul style="list-style-type: none"> (a) adjoining premises; or (b) a road frontage, for a period exceeding 1 month from the commencement of the filling or excavation. 	On the basis that the proposal is for an Extractive Industry, it is submitted that stockpiles will be kept on the land as part of normal operations. It is submitted that these stockpiles will be located within the extraction / disturbance area of the subject site for periods exceeding one (1) month. Refer to Section 5.00 of the Town Planning Report dated January 2020 .

Performance outcomes	Acceptable outcomes	Response
	<p>AO7.5 All batters and berms to be constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	<p>On the basis that the proposal is for an Extractive Industry, it submitted that any required batters and berms would be established in accordance with the required standards as part of normal operations.</p> <p>Refer to Section 5.00 of the Town Planning Report dated January 2020.</p>
	<p>AO7.6 Retaining walls have a maximum height of 1.5 metres and are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.</p>	<p>On the basis that the proposal is for an Extractive Industry, it submitted that any required retaining walls would be established in accordance with the required standards as part of normal operations.</p> <p>Refer to Section 5.00 of the Town Planning Report dated January 2020.</p>
	<p>AO7.7 Excavation or filling at any point on a lot is to include measures that protect trees at the foot or top of cut or fill batters by the use of appropriate retaining methods and sensitive earth removal or placement and in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.</p>	<p>Suitable tree protection methods will be undertaken where required, in accordance with the required standards and the approved Site Rehabilitation Management Plan and the Environmental Management Plan.</p>
For assessable development		
Transport network		
<p>PO8 The development has access to a transport network of adequate standard to provide for the safe and efficient movement of vehicles, pedestrians and cyclists.</p>	<p>AO8.1 Vehicle access, crossovers, road geometry, pavement, utilities and landscaping to the frontage/s of the site are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.</p>	<p>Complies – Suitable access via the existing frontage to Fisher Road will be utilised.</p>
	<p>AO8.2 Development provides footpath pavement treatments in accordance with Planning Scheme Policy 9 – Footpath Paving.</p>	<p>Not Applicable – Given the rural location, it is submitted that it is not appropriate in this instance to provide footpath pavement treatments to Pickford Road or Fisher Road.</p>

Performance outcomes	Acceptable outcomes	Response
Public infrastructure		
<p>PO9 The design, construction and provision of any infrastructure that is to be dedicated to Council is cost effective over its life cycle and incorporates provisions to minimise adverse impacts.</p>	<p>AO9 Development is in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	<p>It is not anticipated that any infrastructure will be constructed that is to be dedicated to Council as part of the proposal.</p>
Stormwater quality		
<p>PO10 Development has a non-worsening effect on the site and surrounding land and is designed to:</p> <ul style="list-style-type: none"> (a) optimise the interception, retention and removal of waterborne pollutants, prior to the discharge to receiving waters; (b) protect the environmental values of waterbodies affected by the development, including upstream, on-site and downstream waterbodies; (c) achieve specified water quality objectives; (d) minimise flooding; (e) maximise the use of natural channel design principles; (f) maximise community benefit; and 	<p>AO10.1 The following reporting is prepared for all Material change of use or Reconfiguring a lot proposals:</p> <ul style="list-style-type: none"> (a) a Stormwater Management Plan and Report that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; and (b) an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation Control Guidelines (Institute of Engineers Australia), including: <ul style="list-style-type: none"> (i) drainage control; (ii) erosion control; (iii) sediment control; and (iv) water quality outcomes. 	<p>Complies – matters in relation to Stormwater Management and Erosion and Sediment Control can be addressed as part of an Environmental Management Plan in accordance with Council's requirements.</p>

Performance outcomes	Acceptable outcomes	Response
(g) minimise risk to public safety.	<p>AO10.2 For development on land greater than 2,500m² or that result in more than 5 lots or more than 5 dwellings or accommodation units, a Stormwater Quality Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) is prepared that demonstrates that the development:</p> <ul style="list-style-type: none"> (a) meets or exceeds the standards of design and construction set out in the Urban Stormwater Quality Planning Guideline and the Queensland Water Quality Guideline; (b) is consistent with any local area stormwater water management planning; (c) accounts for development type, construction phase, local climatic conditions and design objectives; and (d) provides for stormwater quality treatment measures reflecting land use constraints, such as soil type, landscape features (including landform), nutrient hazardous areas, acid sulfate soil and rainfall erosivity. 	<p>Complies – matters in relation to Stormwater Quality Management can be addressed by an Environmental Management Plan in accordance with Council's requirements.</p>
<p>PO11 Storage areas for stormwater detention and retention:</p> <ul style="list-style-type: none"> (a) protect or enhance the environmental values of receiving waters; (b) achieve specified water quality objectives; (c) where possible, provide for recreational use; (d) maximise community benefit; and (e) minimise risk to public safety. 	<p>AO11 No acceptable outcome is provided.</p>	<p>Complies - matters in relation to stormwater detention and retention can be addressed by an Environmental Management Plan in accordance with Council's requirements.</p>
Excavation or filling		
<p>PO12 Traffic generated by filling or excavation does not impact on</p>	<p>AO12.1 Haul routes used for transportation of fill to or from the site only use major roads and avoid residential areas.</p>	<p>Complies – Refer to Figure 6 – External Haul Route</p>

Performance outcomes	Acceptable outcomes	Response
the amenity of the surrounding area.	<p>AO12.2 Transportation of fill to or from the site does not occur:</p> <ul style="list-style-type: none"> (a) within peak traffic times; and (b) before 7am or after 6pm Monday to Friday; (c) before 7am or after 1pm Saturdays; and (d) on Sundays or Public Holidays. 	<p>It is not proposed to undertake the transportation of fill to or from the site outside these times.</p> <p>It is submitted that transportation of sand product will be in accordance with the operational hours of the extractive industry.</p> <p>Refer to Section 5.05 of the Town Planning Report dated January 2020.</p>

Performance outcomes	Acceptable outcomes	Response
PO13 Air pollutants, dust and sediment particles from excavation or filling, do not cause significant environmental harm or nuisance impacts.	AO13.1 Dust emissions do not extend beyond the boundary of the site.	Complies – operational arrangements will be undertaken to minimize dust emissions from the proposal.
	AO13.2 No other air pollutants, including odours, are detectable at the boundary of the site.	Complies – operational arrangements will be undertaken to minimize air pollutants from the proposal.
	AO13.3 A management plan for control of dust and air pollutants is prepared and implemented.	Complies – a management plan for control of dust and air pollutants can be provided in accordance with Council's requirements and an approved Environmental Management Plan.
PO14 Access to the premises (including driveways and paths) does not have an adverse impact on: <ul style="list-style-type: none"> (a) safety; (b) drainage; (c) visual amenity; and (d) privacy of adjoining premises. 	AO14 Access to the premises (including all works associated with the access): <ul style="list-style-type: none"> (a) must follow as close as possible to the existing contours; (b) be contained within the premises and not the road reserve, and (c) are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual. 	Complies – Access to the Extraction Area / Disturbance Area will be via an existing access track via Fisher Road.
Weed and pest management		
PO15 Development prevents the spread of weeds, seeds or other pests into clean areas or away from infested areas.	AO15 No acceptable outcome is provided.	Complies – The operation of the Extractive Industry in relation to weed and pest management will be in accordance with required standards.
Contaminated land		
PO16 Development is located and designed to ensure that users and nearby sensitive land uses are not exposed to unacceptable levels of contaminants	AO16 Development is located where: <ul style="list-style-type: none"> (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. 	Complies
Fire services in developments accessed by common private title		
PO17 Fire hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	AO17.1 Fire hydrants are located in accessways or private roads held in common private title at a maximum spacing of: <ul style="list-style-type: none"> (a) 120 metres for residential development; and (b) 90 metres for any other development. 	Not Applicable

Performance outcomes	Acceptable outcomes	Response
	AO17.2 Fire hydrants are located at all intersections of accessways or private roads held in common private title.	Not Applicable