



112 Barnwell Road, Kuranda (Myola)
Lot 22 SP304952 / Lot 17 SP296830)

TOWN PLANNING REPORT

MATERIAL CHANGE OF USE

NATURE-BASED TOURISM

Applicant:
Reever & Ocean Pty Ltd



A PROJECT CONTACT DETAILS

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1. SUMMARY

1.1 SITE DETAILS

Site address:	Barnwell Road Kuranda QLD 4881
Real property description:	Lot 17 on SP296830 and Lot 22 on SP304952
Site area:	170.82 hectares (Lot 17: 63.12 ha, Lot 22: 107.7 ha)
Existing land use(s):	Animal Husbandry Animal Keeping Tourist Attraction (MCU/18/0006)

1.2 KEY PARTIES TO DEVELOPMENT APPLICATION

Applicant:	Reever and Ocean Pty Ltd C/- wildPLAN Pty Ltd
Owner:	Reever and Ocean Pty Ltd A.C.N. 168 166 416
Assessment manager:	Mareeba Shire Council
Referral Agencies	Not Applicable

1.3 DEVELOPMENT APPLICATION DETAILS

Proposed development:	Nature-based tourism, for the use of existing land and premises for a tourism activity, that is intended for the conservation, interpretation and appreciation of areas of environmental and heritage value, local ecosystem and attributes of the natural environment. The land use is proposed for a period of six (6) months and for up-to a maximum of 70 people per day ¹ . However, the land use excludes tourist and visitor short-term accommodation ²
Type of approval sought:	Development Permit for Material Change of Use (Nature-based tourism)
Level of assessment:	Code Assessment
Notification required:	Not Applicable
Referral required:	Not Applicable

¹ 70 people per day as a maximum average visitor attendance

² Nature-based tourism, tourist and visitor short-term accommodation is subject to separate approval MCU/19/0018

1.4 STATE PLANNING INSTRUMENT MATTERS

State Matters of Interest	Nil relevant to proposed development ³
Applicable SDAP Codes	N/A
Regional Plan:	Far North Queensland Regional Plan 2009-2031
Regional Plan Designation:	Regional Landscape and Rural Production Area

1.5 LOCAL PLANNING INSTRUMENT MATTERS

Planning Scheme:	Mareeba Shire Council Planning Scheme 2016
Amendment:	Alignment Amendment 2017
TLPIs:	None Applicable
Strategic Framework:	<p>Elements of the Strategic Framework relevant to the proposed development include:</p> <ul style="list-style-type: none"> • 3.3 Settlement Pattern and Built Environment • 3.4 Natural Resources and Environment • 3.5 Community Identity and Diversity • 3.6 Transport and Infrastructure • 3.7 Economic Development
Zone:	Rural Zone
Local plan:	Not Applicable
Overlays⁴:	<p>Overlays affecting the site:</p> <ul style="list-style-type: none"> • Hill and Slope Overlay⁵ • Environmental Significance Overlay • Transport Infrastructure Overlay
Assessment requirements⁶:	<p>The Planning Scheme, including:</p> <ul style="list-style-type: none"> • Strategic Framework • Rural Zone Code • Environmental Significance Overlay • Transport Infrastructure Overlay • Parking and Access Code • Works, Services and Infrastructure Code

³ The site is noted to contain Queensland waterways for waterway barrier works and regulated vegetation (per regulated vegetation management map (Category A and B extract)), however no physical development is proposed on land affected by either State interest.

⁴ Overlays that affect the site. The applicability of overlays is discussed in the Planning Report (refer Section 5.3).

⁵ An assessment of the proposed land use has not been undertaken against the Hill and Slope Overlay Code because no physical development is proposed.

⁶ The applicability of codes is discussed in the Planning Report (refer Section 5.5).

2. SITE DETAILS

The site is located west of the Kuranda township and accessed via Barnwell Road, Kuranda. Relevant to the proposed Nature-based tourism development, the site is benefitted by an approval for Material Change of Use (Tourist Attraction), for KUR-Cow Barnwell Farm (refer **Figure 1, Figure 2**).

2.1 LOCATION

TABLE 2-1 SITE LOCATION

Site address:	Barnwell Road Kuranda QLD 4881
Real property description:	Lot 17 on SP296830 and Lot 22 on SP304952

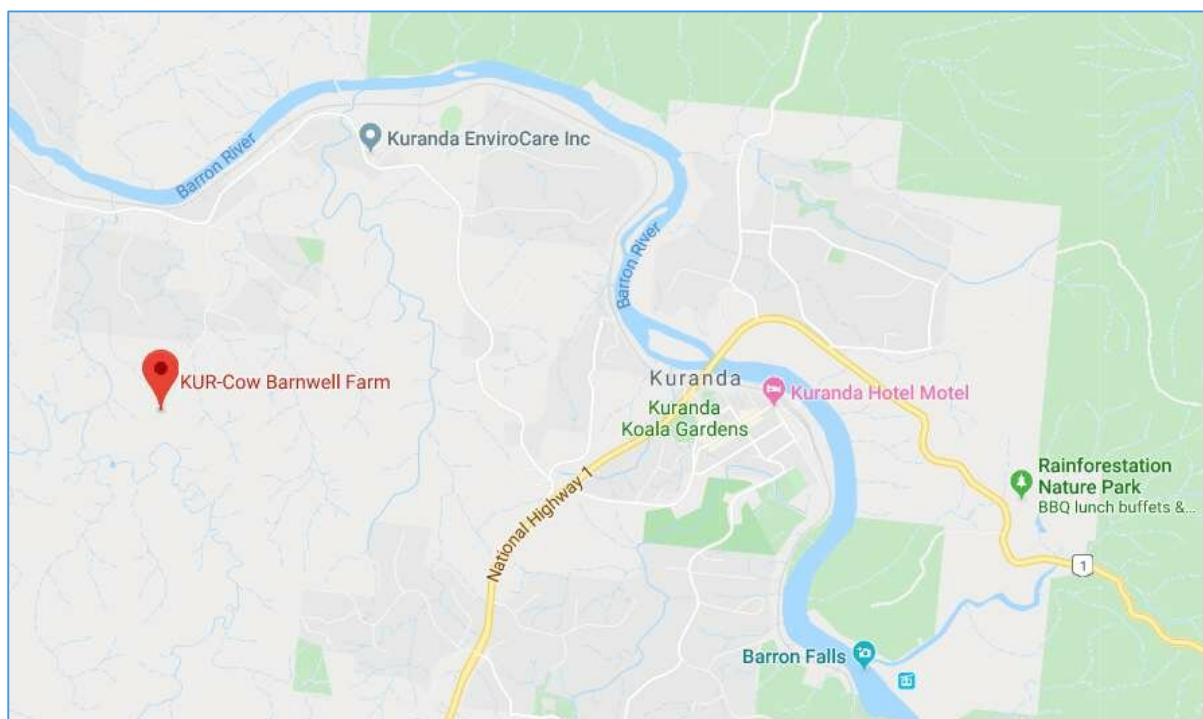


FIGURE 1
SOURCE: **SITE LOCATION**
GBRMPA, 2019 (VIA GOOGLE MAPS)

2.2 SITE FEATURES

TABLE 2-2 SITE CHARACTERISTICS AND SUPPORTING INFRASTRUCTURE

Site characteristic	Description
Site area	170.82 hectares (Lot 17: 63.12 ha, Lot 22: 107.7 ha)
Existing land use	KUR-Cow Barnwell Farm: <ul style="list-style-type: none"> • Animal Husbandry • Animal Keeping • Tourist Attraction
Infrastructure	
• Services	The site is connected to electricity. Water supply is provided by bores. Wastewater treatment is provided on-site utilising bio-cycle systems.
• Access	Accessed via Barnwell Road
Environment	
• Topography	The site is noted to contain Hill and Slope Area, as mapped on Council's Hill and Slope overlay mapping.
• Existing vegetation	The site contains regulated vegetation. The proposed land use does not require the clearing of any regulated or native vegetation
• EMR/CLR	The site is not identified on the Contaminated Land Register ('CLR'), or the Environmental Management Register ('EMR')
Other	
• Easements	The site is not burdened by any easements.

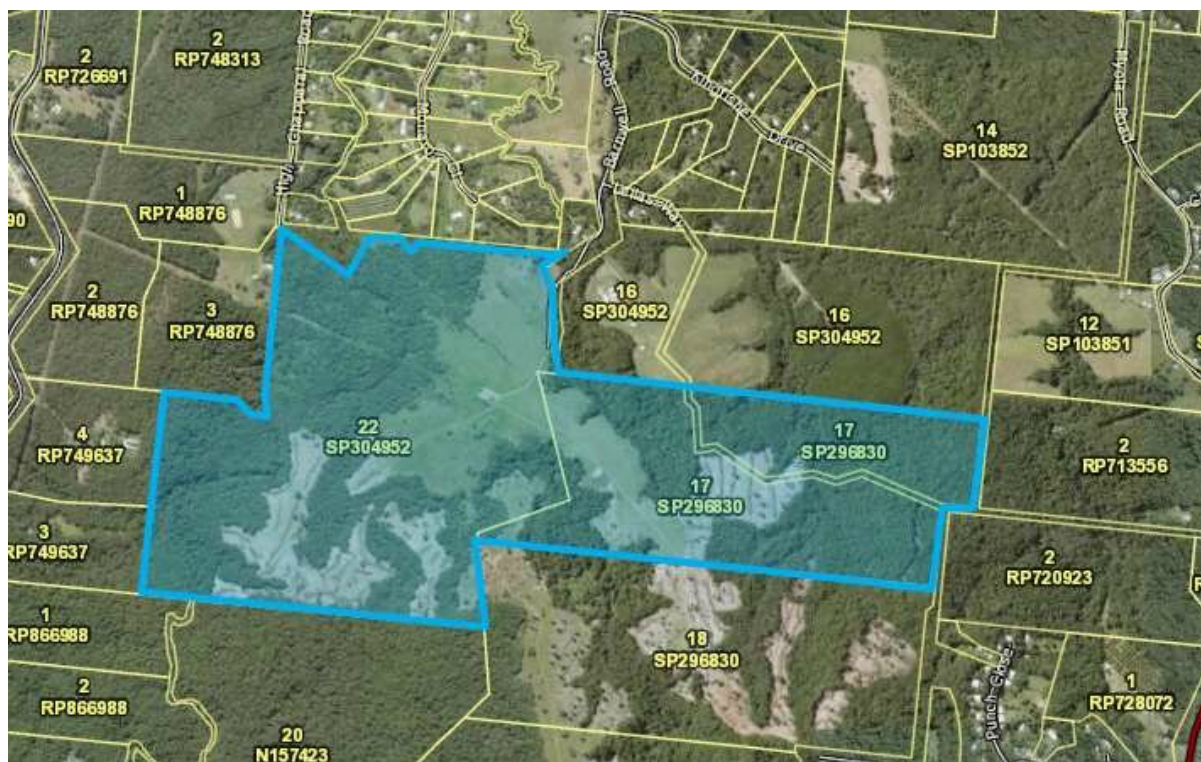


FIGURE 2 AERIAL IMAGE OF SITE
SOURCE THE STATE OF QUEENSLAND, 2019 (VIA QUEENSLAND GLOBE)

2.3 SURROUNDING LAND USES

Surrounding Land Uses	
North	Land to the North of the site is predominated by rural residential development interspersed with tracts of riparian vegetation. Further North is the Barron River.
South	Land to the South of the site is owned by Reeve and Ocean Pty Ltd (the Applicant) and is used for cattle grazing (Animal Husbandry) in the cleared parts of the site. Land to the South is otherwise dominated by native vegetation. Further South exists The Billabong, which is a tourist activity accessed by Mount Haren Road.
East	Land to the immediate East is dominated by the presence of native vegetation, and includes Warril Creek (which runs in a south-north direction). Further East includes Kuranda Raw Materials (Bulk Landscape Supplies) and Kuranda Landscape Supplies (Bulk Landscape Supplies). Land to the South-East is populated by rural residential development serviced by Warril Drive and its subsidiary road network.
West	Land to the West is predominantly in a natural state, dominated by native vegetation with very low density rural residential development and select developments such as the Cairns Hinterland Steiner School (Education Establishment) and Kuranda Pet Resort (Animal Keeping).

3. PROPOSED DEVELOPMENT

3.1 BACKGROUND

Tourism is one of Queensland's most significant employers, supporting almost 10% of all Queensland jobs through more than 52,000 tourism businesses (61% of those in regional areas)⁷. However, the Coronavirus (COVID-19) emergency has had an alarming impact on tourism in Queensland, heightened by the current ban on travel between mainland China and Australia, these impacts have also affected the existing Tourist Attraction on the site, which to date, has been heavily reliant on Chinese tourists.

Accordingly, a Nature-based tourism land use is proposed for a limited period, that allows free and independent travel to the site, with a maximum number of 70 tourists per day in an effort to sustain the operation and maintain local employment.

At its meeting on 19 February 2020, the Mareeba Shire Council made the following resolution in recognition of the impacts of the Coronavirus (COVID-19) on the existing Tourist Attraction:

RESOLUTION 2020/25

Moved: Cr Tom Gilmore

Seconded: Cr Alan Pedersen

That in response to the Coronavirus emergency and the effect on the tourism industry, Council as a matter of urgency, delegate authority to the Chief Executive Officer to make a decision, after consultation with the Councillors, in respect to Reeve & Ocean Pty Ltd's proposed code assessable Material Change of Use application for a temporary Nature-based Tourism development, which would allow for self-drive tourists for a period not to exceed six (6) months. This delegation may not be further delegated.

In Favour: Crs Tom Gilmore, Alan Pedersen, Angela Toppin and Lenore Wyatt

Against: Crs Edward (Nipper) Brown, Kevin Davies and Mary Graham

CARRIED

Nature-based tourism is defined in the Mareeba Shire Planning Scheme 2016 as follows:

Nature-based tourism

The use of land or premises for a tourism activity, including tourist and visitor short-term accommodation, that is intended for the conservation, interpretation and appreciation of areas of environmental, cultural or heritage value, local ecosystem and attributes of the natural environment.

Nature-based tourism activities typically:

- *Maintain a nature based focus or product*
- *Promote environmental awareness, education and conservation*
- *Carry out sustainable practices.*

Examples include: Environmentally responsible accommodation facilities including lodges, cabins, huts and tented camps.

⁷ Tourism Research Australia. State Tourism Satellite Accounts: 2014–15 Tourism Research Australia & Tourism businesses in Australia: June 2011 to June 2015. Australian Bureau of Statistics.

Nature-based tourism is defined in the *Planning Regulations 2017* as follows:

nature-based tourism means the use of premises for a tourism activity, including accommodation for tourists, for the appreciation, conservation or interpretation of—
 (a) an area of environmental, cultural or heritage value; or
 (b) a local ecosystem; or
 (c) the natural environment.

Examples of nature-based tourism—

environmentally responsible accommodation facilities including cabins, huts, lodges and tents.

The *Planning Regulations 2017* definition prevails to the extent of any inconsistency; however, despite the differences between the definitions, there is not considered to be any inconsistencies.

Nature-based tourism is considered eminently suitable for the site, which is characterised by open pasture, remnant and regrowth eucalypt woodland and open forest interspersed with waterways and natural drainage channels, which is important habitat for a range of high profile threatened species that have been recorded on or near to the site, including:

- Kuranda Tree Frog (*Litoria myola*)
- Bare-rumped Sheathtail Bat (*Saccolaimus saccolaimus*)
- Greater Large-eared Horseshoe Bat (*Rhinolophus philippinensis*)
- Spectacled Flying-fox (*Pteropus conspicillatus*)
- Tapping Green-eyed Frog (*Litoria serrata*)
- Macleay's Fig-parrot (*Cyclopsitta diophthalma macleayana*)
- Tube-nosed Insectivorous Bat (*Murina florium*).

The site also includes likely habitat for the Southern Cassowary (*Casuarius casuarius johnsonii*) and Red Goshawk (*Erythrotriorchis radiatus*).

In addition to the ecological attributes of the site, the site is of heritage significance, owing to:

- The former Barnwell residence, constructed in the mid 1900's, which remains in its original location (Thorp, 2017)
- A stand of mango trees, with at least two trees to be approximately 100 years old (Thorp, 2017)
- The grave of James Hamilton, a coffee grower in Myola in the late 1800's to early 1900's (Thorp, 2017).

3.2 THE PROPOSED LAND USE

Nature-based tourism, for the use of existing land and premises for a tourism activity, that is intended for the conservation, interpretation and appreciation of areas of environmental, heritage value.

Nature-based tourism activities are to include, but are not limited to the following:

- Heritage appreciation, including tours and/or access to the former Barnwell residence, the grave of James Hamilton, the stand of historic mango trees and the lush open pastures, that are representative of the historic pastoral practices that have occurred on the site for over 100 years

- The appreciation of nature, including environmental education activities such as tree planting and the raising of awareness of the celebrated Kuranda Tree Frog (*Litoria myola*)
- Sustainability awareness, as represented by the organic farm and sustainable land management practices such as sustainable groundwater harvesting and sustainable grazing and pasture management.

The Nature-based tourism development is proposed for a period of six (6) months. It is respectfully requested that in the event Council approves the development, a condition of approval limits the period of operation of the Nature-based tourism development

The Nature-based tourism land use is proposed to have a maximum of 70 persons per day⁸.

The Nature-based tourism land use is proposed to operate between the hours of 7am and 7pm, 7 days per week.

The Nature-based tourism land use is proposed to use the existing premises, including all current facilities on site.

No physical development, whether Building Work, Plumbing and Drainage Work or Operational Works is proposed.

The Nature-based tourism development excludes tourist and visitor short-term accommodation⁹.

⁸ 70 persons per day as a maximum average visitor attendance

⁹ Nature-based tourism, tourist and visitor short-term accommodation is subject to separate approval MCU/19/0018

4. STATE PLANNING MATTERS

4.1 PLANNING ACT 2016

The current version of the *Planning Act 2016* is **1 July 2019**.

4.2 PLANNING REGULATION 2017

The current version of the *Planning Regulation 2017* ('the Regulation') is **7 February 2020**.

4.2.1 REFERRALS

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

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

Table 4-1 and **Table 4-2** are referral checklists against the requirements of Schedule 9 and Schedule 10 and identifies that the subject development application is not subject to any referrals.

TABLE 4-1 REFERRALS IDENTIFIED IN SCHEDULE 9 OF THE *PLANNING REGULATION 2017*

Referral Aspect	Referral Requirement (Schedule 9)	Aspect of Development Trigger				Jurisdiction		Assessment Matter	Applicable (Y/N)
		OPW	ROL	MCU	BW	State	Other		
Premises seaward of coastal building line	Part 3, Division 1, Table 1, Item 1				•	•		SDAP	N
Declared fish habitat area	Part 3, Division 1, Table 2, Item 1				•	•		SDAP	N
State transport corridor	Part 3, Division 1, Table 3, Item 1				•	•		SDAP	N
Future State transport corridor	Part 3, Division 1, Table 4, Item 1				•	•		SDAP	N
Particular class 1 and 10 buildings and structures involving possible amenity and aesthetic impacts	Part 3, Division 2, Table 1, Item 1				•		•	Other ¹⁰	N
Particular buildings for residential purposes	Part 3, Division 2, Table 2, Item 1				•		•	Other ¹¹	N
Design and siting	Part 3, Division 2, Table 3, Item 1				•		•	Other ¹²	N
Fire safety in particular budget accommodation buildings	Part 3, Division 2, Table 4, Item 1				•		•	Other ¹³	N
Higher risk personal appearance services	Part 3, Division 2, Table 5, Item 1				•		•	Other ¹⁴	N
Building work for residential services	Part 3, Division 2, Table 6, Item 1				•		•	Other ¹⁵	N
Building work for removal or rebuilding	Part 3, Division 2, Table 7, Item 1				•		•	Other ¹⁶	N

¹⁰ Whether the building or structure will impact on the amenity or aesthetics of the locality, including, for example, whether the building or structure complies with a matter stated in a local instrument that regulates impacts on amenity or aesthetics

¹¹ Whether the building is suitable for residential purposes

¹² Whether the proposed building or structure complies with the performance criteria or qualitative statement stated in the paragraph

¹³ Whether, after the building work is completed, the building will comply with the fire safety standard under the Building Act

¹⁴ Whether the building work complies with the performance criteria stated in the Queensland Development Code, part 5.2 that are relevant to the acceptable solution

¹⁵ Whether, if the building work is carried out, the premises would comply with the Queensland Development Code, part 5.7

¹⁶ (a) Whether the local government should require security, of no more than the value of the building work, for the performance of the work (b) If security is required, the amount and form of security that is appropriate for the development

Referral Aspect	Referral Requirement (Schedule 9)	Aspect of Development Trigger				Jurisdiction		Assessment Matter	Applicable (Y/N)
		OPW	ROL	MCU	BW	State	Other		
Building work for particular class 1 buildings relating to Material Change of Use	Part 3, Division 2, Table 8, Item 1				•		•	Other ¹⁷	N
Temporary accommodation buildings	Part 3, Division 2, Table 9, Item 1				•		•	Other ¹⁸	N
Building work relating to end of trip facilities for Queensland Development Code, part 4.1	Part 3, Division 2, Table 10, Item 1				•		•	Other ¹⁹	N
Building work for class 1 building on premises with on-site wastewater management system	Part 3, Division 2, Table 11, Item 1				•		•	Other ²⁰	N
Flood hazard area	Part 3, Division 2, Table 12, Item 1				•		•	Other ²¹	N

¹⁷ The relevant provisions of a local instrument that would apply for the application if schedule 6, part 2, section 2(2) did not apply for the material change of use

¹⁸ Whether the building work complies with performance criteria 1 of the Queensland Development Code, part 3.3

¹⁹ Whether the building work complies with performance criteria P12 of the Queensland Development Code, part 4.1

²⁰ Whether the building work complies with the Queensland Plumbing and Wastewater Code, part 1, performance criteria P2

²¹ Matters stated in Part 3, Division 2, Table 12, Item 4

TABLE 4-2 REFERRALS IDENTIFIED IN SCHEDULE 10 OF THE *PLANNING REGULATION 2017*

Referral Aspect	Referral Requirement (Schedule 10)	Aspect of Development Trigger				Jurisdiction		SDAP Code / Assessment Matter	Applicable (Y/N)
		OPW	ROL	MCU	BW	State	Other		
Airport Land	Part 1, Division 3, Table 1, Item 1 - Column 2	•	•	•	•		•	Other ²²	N
Clearing native vegetation	Part 1, Division 4, Table 1-3, Item 1 - Column 2	•	•	•		•		16	N
Contaminated land	Part 4, Division 3, Table 1, Item 1 - Column 2		•	•		•		13 ²³	N
Environmentally relevant activities	Part 5, Division 4, Table 1, Item 1 - Column 2			•			•	22	N
Fisheries (Aquaculture)	Part 6, Division 1, Subdivision 3, Table 1, Item 1 - Column 2			•		•		17	N
Fisheries (Declared Fish Habitat)	Part 6, Division 2, Subdivision 3, Table 1, Item 1 - Column 2	•				•		12	N
Fisheries (Marine Plants)	Part 6, Division 3, Subdivision 3, Table 1-2, Item 1 - Column 2	•	•	•		•		11	N
Fisheries (Waterway barrier works)	Part 6, Division 4, Subdivision 3, Table 1, Item 1 - Column 2	•				•		18	N
Hazardous chemical facilities	Part 7, Division 3, Table 1, Item 1 - Column 2			•		•		21	N
Heritage Places (Local heritage places)	Part 8, Division 1, Subdivision 3, Table 1, Item 1 - Column 2				•		•	Other ²⁴	N
Heritage Places (Queensland heritage place)	Part 8, Division 2, Subdivision 3, Table 1-2, Item 1 - Column 2	•	•	•	•	•		14	N

²² The matters the Local Government as referral agency must be against include the impacts of the proposed development, identified by the local government, on land in its local government area, other than airport land.

²³ Where for other than contamination because of unexploded ordnance, the Single Assessment Referral Agency (SARA) will assess contaminated land applications against the criteria in the Regulation.

²⁴ For a local heritage place on the local government's local heritage register under the Heritage Act - assessment must be against the code in the *Queensland Heritage Regulation 2015*, schedule 2. For a local heritage place identified in the local government's planning scheme - the assessment must be against the relevant provisions of a local categorising instrument.

Referral Aspect	Referral Requirement (Schedule 10)	Aspect of Development Trigger				Jurisdiction		SDAP Code / Assessment Matter	Applicable (Y/N)
		OPW	ROL	MCU	BW	State	Other		
Infrastructure-related referrals (Designated premises)	Part 9, Division 1, Table 1, Item 1 - Column 2 (Assessable Development)	•	•	•	•	•		Other ²⁵	N
Infrastructure-related referrals (Electricity infrastructure)	Part 9, Division 2, Table 1-3, Item 1 - Column 2	•	•	•			•	Other ²⁶	N
Infrastructure-related referrals (Oil and gas infrastructure)	Part 9, Division 3, Table 1 - 3, Item 1 - Column 2	•	•	•		•		Other ²⁷	N
Infrastructure-related referrals (State transport infrastructure generally)	Part 9, Division 4, Subdivision 1, Table 1, Item 1 - Column 2	•	•	•		•		6	N
Infrastructure-related referrals (State transport corridors and future State transport corridor)	Part 9, Division 4, Subdivision 2, Table 1-6, Item 1 - Column 2	•	•	•		•		1, 2, 3, 4	N
Infrastructure-related referrals (State-controlled transport tunnels and future State-controlled transport tunnels)	Part 9, Division 4, Subdivision 3, Table 1-3, Item 1 - Column 2	•	•	•		•		5	N
Ports (Brisbane core port land)	Part 13, Division 1, Subdivision 2, Table 1			•			•	Other ²⁸	N
Ports (Brisbane core port land)	Part 13, Division 1, Subdivision 2, Table 2-11	•	•	•	•	•		1 ²⁹ , 22, 8, 21, 10, 20, 12	N
Ports (Land within Port of Brisbane's port limits—referral agency's assessment)	Part 13, Division 2, Table 1, Item 1 - Column 2	•	•	•		•		8	N
Ports (Land within Port of Brisbane's port limits—referral agency's assessment)	Part 13, Division 2, Table 2, Item 1 - Column 2	•	•	•			•	Other ³⁰	N

²⁵ The referral agency's assessment must have regard to the designation.

²⁶ The referral agency's assessment must be against the purposes of the Electricity Act and the Electrical Safety Act.

²⁷ The referral agency's assessment must be against the purposes of the Petroleum and Gas Act.

²⁸ The matters Brisbane City Council assessment as referral agency must be against include the impacts of the proposed development, identified by the council, on land in its local government area, other than Brisbane core port land.

²⁹ Where involving development that is inconsistent with Brisbane port LUP for transport reasons the matters the referral agency must be against include 'the transport reasons'.

³⁰ The referral agency's assessment must be against the safety and operational integrity of the port.

Referral Aspect	Referral Requirement (Schedule 10)	Aspect of Development Trigger				Jurisdiction		SDAP Code / Assessment Matter	Applicable (Y/N)
		OPW	ROL	MCU	BW	State	Other		
Ports (Land within limits of another port – assessable development)	Part 13, Division 3, Table 1, Item 1 – Column 2	•	•	•			•	Other ³¹	N
Ports (Strategic port land)	Part 13, Division 5, Subdivision 3, Table 1, Item 1 – Column 2	•	•	•		•		Other ³²	N
SEQ Development Area (Reconfiguring a lot – referral agency's assessment)	Part 15, Division 1, Table 1, Item 1 – Column 2		•			•		Other ³³	N
SEQ Development Area (Material Change of Use)	Part 15, Division 2, Subdivision 3, Table 1, Item 1 – Column 2			•		•		Other ³⁴	N
SEQ regional landscape and rural production area and SEQ rural living area (Tourist or sport and recreation activity)	Part 16, Division 2, Subdivision 3, Table 1, Item 1 – Column 2			•		•		Other ³⁵	N
SEQ regional landscape and rural production area and SEQ rural living area (Community activity)	Part 16, Division 3, Subdivision 4, Table 1, Item 1 – Column 2			•		•		Other ³⁶	N
SEQ regional landscape and rural production area and SEQ rural living area (Indoor recreation)	Part 16, Division 4, Subdivision 3, Table 1, Item 1 – Column 2			•		•		Other ³⁷	N
SEQ regional landscape and rural production area and SEQ rural living area (Urban activity - biotechnology industry / service station / another urban activity)	Part 16, Division 6, Subdivision 4, Table 1, Item 1 – Column 2			•		•		Other ³⁸	N

³¹ The referral agency's assessment must be against the port authority functions under the Transport Infrastructure Act, Chapter 8, part 3.

³² The referral agency's assessment must be against the Transport Infrastructure Act, section 287A.

³³ The referral agency's assessment must be against whether the development is consistent with the future planning intent for the area in which the premises are located.

³⁴ As stated in Part 15, Division 2, Subdivision 3, Table 1, Item 4

³⁵ As stated in Part 16, Division 2, Subdivision 3, Table 1, Item 4

³⁶ As stated in Part 16, Division 3, Subdivision 4, Table 1, Item 4

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

³⁸ As stated in Part 16, Division 6, Subdivision 4, Table 1, Item 4

Referral Aspect	Referral Requirement (Schedule 10)	Aspect of Development Trigger				Jurisdiction		SDAP Code / Assessment Matter	Applicable (Y/N)
		OPW	ROL	MCU	BW	State	Other		
SEQ regional landscape and rural production area and SEQ rural living area (Combined uses – community activity / indoor recreation / sport and recreation / tourist activity / urban activity)	Part 16, Division 7, Subdivision 3, Table 1, Item 1 – Column 2			•		•		Other ³⁹	N
Tidal works or work in a coastal management district	Part 17, Division 3, Table 1-6, Item 1 – Column 2	•	•	•		•		7, 8	N
Urban design	Part 18			•		•		24	N
Water related development (Taking or interfering with water)	Part 19, Division 1, Subdivision 3, Table 1, Item 1 – Column 2	•				•		10	N
Water related development (Removing quarry material)	Part 19, Division 2, Subdivision 3, Table 1, Item 1 – Column 2	•				•		15	N
Water related development (Referable dams)	Part 19, Division 3, Subdivision 3, Table 1, Item 1 – Column 2	•				•		20	N
Water related development (Levees)	Part 19, Division 4, Subdivision 3, Table 1, Item 1 – Column 2	•				•		19	N
Wetland Protection Area	Part 20, Division 4, Table 1-2, Item 1 – Column 2	•	•	•		•		9	N

³⁹ As stated in Part 16, Division 7, Subdivision 3, Table 1, Item 4

4.2.2 STATE DEVELOPMENT ASSESSMENT PROVISIONS

The current version of SDAP is **version 2.5** that commenced **1 July 2019**.

There are no SDAP State Codes that apply to the assessment of the subject development application.

4.2.3 PROHIBITED DEVELOPMENT

Schedule 10 of the *Planning Regulation 2017* identifies development that is prohibited development.

Table 4-3 provides a checklist against Schedule 10 and identifies that the development the subject of this development application does not include prohibited development.

TABLE 4-3 PROHIBITED DEVELOPMENT IDENTIFIED IN *PLANNING REGULATION 2017*

Prohibited Development	Prohibition Description (Schedule 10)	Applicable (Y/N)
Brothels	Part 2, Division 1	N
Clearing native vegetation	Part 3, Division	N
Environmentally relevant activities	Part 5, Division 1	N
Koala habitat area	Part 10, Division 1	N
Noise sensitive place on noise attenuation land	Part 11	N
SEQ regional landscape and rural production area and SEQ rural living area	Part 16, Division 1	N
SEQ regional landscape and rural production area and SEQ rural living area (Community activity)	Part 16, Division 3, Subdivision 1	N
SEQ regional landscape and rural production area and SEQ rural living area (Residential development)	Part 16, Division 5	N
SEQ regional landscape and rural production area and SEQ rural living area (Urban activity - Shopping Centre)	Part 16, Division 6, Subdivision 1	N
Wetland Protection Area	Part 20, Division 1	N

4.3 STATE PLANNING POLICY

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

The local planning instrument referred to in section 5.0 of this Planning Report is identified by the then Minister to appropriately reflect the version of the SPP in effect at the date of commencement of the Planning Scheme.

In that the provisions of the SPP as relevant to the site have not changed substantially in the time since commencement of the Planning Scheme, assessment of the proposed development against the current version of the SPP has not been undertaken.

4.4 REGIONAL PLAN

The Far North Queensland Regional Plan 2009-2031 (FNQRP) is relevant to the site.

The Minister has identified that the Planning Scheme, specifically the strategic framework, appropriately advances the Regional Plan, as it applies in the planning scheme area.

The site is located within the Regional Landscape and Rural Production Area (RLRPA).

The RLRPA is intended to '*support diversification of rural economies by allowing a range of developments, including: small to medium scale tourist activities...*'⁴⁰ such as the proposed Nature-based tourism development, particularly where the regional landscape values are protected. In this regard it is noted that the Nature-based tourism development is not located in:

- An area of high ecological significance, as mapped from a State Interest perspective
- An area of good quality agricultural land, as mapped from a State Interest perspective.

The proposed Nature-based tourism land use is complementary to the Tourist Attraction and Animal Husbandry (cattle grazing) operations that occur on site, which consistent with the FNQRP represents the diversification of the rural economy.

⁴⁰ FNQRP (2009) p.32.

5. LOCAL PLANNING MATTERS

The Mareeba Shire Planning Scheme 2016 is the current in force local planning instrument within the Mareeba Shire Council Local Government Area.

The current version of the Mareeba Shire Planning Scheme 2016 is 'alignment amendment', effective 3 July 2017.

5.1 STRATEGIC FRAMEWORK

Elements of the strategic framework as relevant to the application, and an assessment against those matters, is provided in **Table 5-1**.

TABLE 5-1 STRATEGIC FRAMEWORK

3.3 Settlement Pattern and Built Environment

The proposed land use, being for Nature-based tourism is proposed for the appreciation of the natural environment heritage existing on site, will not compromise or fragment existing primary industries on the site. Additionally, the proposed land use will not impact upon the valued, relaxed rural lifestyle, character or scenic qualities of the rural area. The proposed land use will not detract from the ability of the site to perform as a viable agricultural holding, as sought by part 3.3 of the Strategic Framework, for rural (and specifically 'other rural') areas. Further discussion regarding the proposed development, with respect to settlement pattern and the built environment, is provided below.

Element	Response
3.3.11 - Rural Areas	<p>KUR-Cow farm is a working cattle station that is open to the general public (accessed only via KUR-Cow bus transport) in its capacity as a Tourist Attraction. The proposed development the subject of this application (Nature-based tourism) seeks to provide for a limited number of free and independent travellers to the site to appreciate the natural environment and heritage on the site.</p> <p>The Nature-based tourism land use is not proposed to include any physical development and will therefore not impede or conflict with agricultural activities and production, as sought by parts 3.3.11.1(2) and 3.3.11.1(3a) of the Strategic Framework.</p> <p>No clearing of regulated or native vegetation is required to facilitate the proposed development. Therefore, the proposed development will not impact upon ecological or biodiversity values, as sought by part 3.3.11.1(3c).</p> <p>In that the site is improved for agricultural and tourism purposes, the Nature-based tourism land use will not compromise the rural character or scenic qualities of the area, as sought by part 3.3.11.1(3b).</p> <p>The site continues to present as a viable holding (per part 3.3.11.1(6)). Additionally, the proposed Nature-based tourism land use appropriate in the context of part 3.3.11.1(5), which supports the establishment of tourism land uses within 'other rural areas'.</p> <p>In that no physical development is proposed the Nature-based tourism land use will not adversely impact upon landscape and rural production values (3.3.11.1(2)). The land use is therefore in</p>

	accordance with the specific outcomes prescribed for Rural areas.
3.3.14 – Natural Hazard Mitigation	The existing premises, as represented by existing facilities is not mapped as being subject to flood or bushfire hazards. Development does not conflict with part 3.3.14 of the Strategic Framework.
3.3.15 – Indigenous Communities	Development is not proposed on land subject to a native title determination. Part 3.3.15(1) and (2) of the Strategic Framework (with reference to aboriginal communities and aspirations to return to their traditional country) are not directly relevant to the subject application.

3.4 Natural Resources and Environment

The site is noted to contain ‘natural environment elements’ (as identified on Strategic Framework Map SFM-004), including biodiversity areas, an ecological corridor and habitat linkage. Notwithstanding, the proposed land use does not require the clearing of regulated or native vegetation, which provides valuable ecological and habitat functions. On this basis, the proposed development is taken to not adversely impact upon the Shire’s natural environment, ecological processes and biodiversity values, as sought by part 3.4 of the Strategic Framework. Development is therefore consistent with strategic outcomes articulated in respect of Natural Resources and Environment.

3.5 Community Identity and Diversity

In that no physical development is proposed in association with the Nature-based tourism, the land use will not diminish the visual and aesthetic values of the landscape, as sought by part 3.5(3) of the Strategic Framework. The land use is therefore consistent with strategic outcomes articulated in respect of Community Identity and Diversity.

3.6 Transport and Infrastructure

The proposed Nature-based tourism land use is proposed to have a maximum visitation of 70 persons per day⁴¹.

The Applicant is willing to accept a condition of approval limiting the number of Free and Independent travellers (FIT) to the site, up to a maximum number of 70 persons per day⁴². At an average vehicle occupancy of 2.5 persons per vehicle, the total number of vehicles (on average) arriving and departing the site is 28. Barnwell Road (south) is intended to be managed with temporary road signage for the duration of the approval.

The following signage is proposed on section(s) of Barnwell Road (South):



1. Reduce Speed



2. Do not overtake



3. Road Narrows

⁴¹ 70 persons per day as a maximum average visitor attendance

The following condition is proposed to attend the approval:

- The Applicant must erect and maintain temporary road signage, to the satisfaction of the Chief Executive Officer for the duration of the approval.

Further, the Applicant is willing to accept a condition of approval that limits the cumulative maximum number tourists to 150 per day, having regard to potential Tourist Attraction⁴² visitation whereby Tourists are to be delivered to the site via bus only and are not permitted to access or be delivered to the approved use via a passenger-car of 5.2 metres length (or lesser length vehicle)). On this basis, the proposed development will not detrimentally impact upon the efficient and convenient movement of goods, services and people on the local road network, as sought by part 3.6.1(1). The Applicant is also willing to accept a condition of approval that requires monthly reporting of the number of free and independent visitors to the site.

The proposed Nature-based tourism land use relies on existing infrastructure.

The proposed Nature-based tourism land use is therefore consistent with strategic outcomes articulated in respect of Transport and Infrastructure.

3.7 Economic Development

The proposed Nature-based tourism land use is proposed ancillary to primary industry activities and has the potential to contribute to and enhance the Shire's economy, as sought by part 3.7.1(2) of the Strategic Framework, by preventing further job losses incurred as a consequence of the Coronavirus (COVID-19). Further, the proposed Nature-based tourism land use adds to the sustainability of the enterprise established on-site and provides for the conservation, interpretation and appreciation of areas of the natural environment, in accordance with 3.7.1(4).

Element	Response
3.7.1 – Tourism	The proposed development recognises and seeks to provide for the appreciation of the scenic qualities of the regional landscape, in accordance with part 3.7.7.1(4) of the Strategic Framework. The proposed Nature-based tourism land use does not include any physical development and therefore does not compromise the natural landscape values and agricultural values of the shire, as sought by 3.7.7.1(6). The establishment of small-scale, low impact, Nature-based Tourism facilities across the rural landscape is supported in part 3.7.7.1(5).

5.2 ZONE

The site is located in the Rural Zone.

5.3 OVERLAYS

The site is subject to the following overlays:

- Environmental Significance Overlay
- Transport Infrastructure Overlay

⁴² Subject to the requirements of Tourist Attraction approval MCU/18/0006.

5.4 CATEGORIES OF DEVELOPMENT AND ASSESSMENT

Nature-based Tourism is considered to be the Planning Scheme definition that most appropriately reflects the proposed land use.

The Planning Scheme definition is repeated as follows:

Nature-based Tourism

The use of land or premises for a tourism activity, including tourist and visitor short-term accommodation, that is intended for the conservation, interpretation and appreciation of areas of environmental, cultural or heritage value, local ecosystem and attributes of the natural environment.

Nature-based tourism activities typically:

- *Maintain a nature based focus or product*
- *Promote environmental awareness, education and conservation*
- *Carry out sustainable practices.*

Examples include: Environmentally responsible accommodation facilities including lodges, cabins, huts and tented camps.

The development application is subject to code assessment, pursuant to Table 5.5.9 of the Planning Scheme by virtue of:

- The land use being proposed on a lot greater than 15 hectares;
- The land use does not include visitor accommodation i.e. no visitors are proposed to be accommodated on site
- The setbacks of the existing facilities to be utilised by the Nature-based tourism land use are in excess of 100 metres from a property boundary.

5.5 CODE COMPLIANCE

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

- Rural Zone Code
- Environmental Significance Overlay
- Transport Infrastructure Overlay
- Parking and Access Code
- Works, Services and Infrastructure Code

A detailed assessment against each of the identified codes is provided in **Schedule 2**.

5.6 INFRASTRUCTURE CHARGES

In accordance with the Infrastructure Charges Resolution (No.2) 2019, we identify that Infrastructure Charges will apply to the development in accordance with **Table 5-3** below.

TABLE 5-2 INFRASTRUCTURE CHARGES

Material Change of Use	
Nature-based Tourism	<p><i>Council will calculate an infrastructure charge on the approved uses at the time the decision is made, the charge will be recalculated at the time of payment.</i></p> <p>In that no additional trunk infrastructure demand for traffic, sewer, water or stormwater will be generated by the proposed development, our expectation is that infrastructure charges will not apply in respect to the proposed development.</p>

6. CONCLUSION

Reever and Ocean Pty Ltd (the Applicant) proposes a Nature-based tourism land use on land at 112 Barnwell Road, Kuranda (Lot 17 on SP296830 and Lot 22 on SP304952).

The Nature-based tourism land use is for the use of existing land and premises for a tourism activity, that is intended for the conservation, interpretation and appreciation of areas of environmental and heritage value. The land use is proposed for a period of six (6) months and for up-to a maximum of 70 persons per day⁴³. However, the land use is proposed to **exclude** tourist and visitor short-term accommodation⁴⁴.

This Town Planning Report demonstrates that the proposed development is compliant with the State and Local planning framework.

The development proposes no vegetation clearing, or physical development and does not trigger referral to any referral agency for any matter.

The proposed Nature-based tourism development provides a critical life-line to allow for free and independent travel to the site for a limited period.

The proposed Nature-based tourism land use advances the purpose of the *Planning Act 2016* and is recommended for approval with reasonable and relevant conditions.

⁴³ 70 people per day as a maximum average visitor attendance

⁴⁴ Nature-based tourism, tourist and visitor short-term accommodation is subject to separate approval MCU/19/0018



Barnwell Road, Kuranda | February 2020

7. APPENDICES

SCHEDULE 1 PROPOSAL PLANS

SCHEDULE 2 PLANNING SCHEME COMPLIANCE

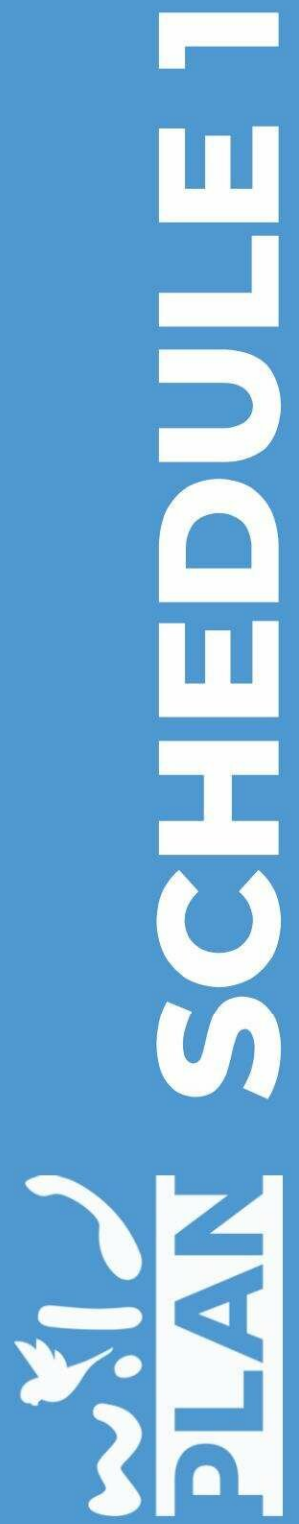
SCHEDULE 3 TITLE SEARCH

SCHEDULE 4 SURVEY PLAN

SCHEDULE 5 EMR / CLR SEARCH

SCHEDULE 6 DA FORM 1

SCHEDULE 1 – PROPOSAL PLANS





EXISTING PREMISES/FACILITIES

BARNWELL ROAD

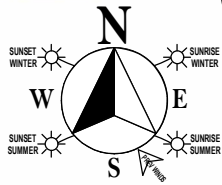
LOT 22

LOT 17

1

NATURE BASED TOURISM SITE PLAN FEB 2020

1 : 4000



DEVELOPMENT APPLICATION

2/24/2020 1:09:51 PM



REVISIONS

No.	Description	Date
H	NBT SITE PLAN FEB 2020	24/02/2020

DESIGNED BY: Designer CHECKED BY: Checker

DATE:

STRUCTURAL STAMP

DIMENSIONS TAKE PRECEDENCE OVER SCALING ON DRAWINGS. CONTRACTOR MUST VERIFY ALL DIMENSIONS AND APPLIANCES SETOUT ON SITE BEFORE CONSTRUCTION. INCONSISTENCIES SHALL BE REPORTED TO THE DESIGNER IMMEDIATELY. THIS DRAWING IS SUBJECT TO COPYRIGHT AND REMAINS THE PROPERTY OF DEVELOP NORTH.

SHEET NAME

NATURE BASED TOURISM, FEB 2020

PROJECT ADDRESS:

112 BARNWELL RD, KURANDA

PROJECT NAME:

TOURISM ACCOMMODATION

PROJECT NUMBER

HC24

ISSUE DATE

SCALE 1 : 4000 @ A3

SHEET NUMBER

AA-GL01a

SCHEDULE 2 – PLANNING SCHEME COMPLIANCE



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.

Response:

Development complies with all applicable Acceptable Outcomes. Where no Acceptable Outcome is prescribed, development proposed complies with the corresponding Performance Outcome.

The proposed development represents an opportunity for the establishment of a non-rural use that is compatible with agriculture, the environmental features, and landscape character of the rural area, as supported by purpose statement 1(b). The proposed development will not compromise the long-term use of the land for rural purposes, as sought by purpose statement 1(b) and overall outcome 3(g)

Additionally, per 2(c), the proposed development provides facilities for visitors and tourists that are accessible and offer a unique experience, whilst preserving the land holding.

Development as proposed does not require any clearing of regulated or native vegetation, and will not adversely impact on ecological values, in accordance with purpose statement 2(g). Natural features such as creeks, gullies, waterways, wetlands and bushland will be retained, per overall outcome 3(k).

Development is reflective of and responsive to the environmental constraints of the land, in accordance with overall outcome 3(k).

Development complies with the purpose and overall outcomes of the Rural Zone Code.

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	Complies	Comments
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. 	✓	R1.1 Complies No Building Work is proposed.
	AO1.2 Buildings and structures associated with a rural activity including machinery, equipment, packing or storage buildings do not exceed 10 metres in height.	N/A	R1.2 Not Applicable No Building Work is proposed.
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. 	✓	R2.1 Complies No Building Work is proposed.
	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.	N/A	R2.2 Not Applicable Development for a Roadside Stall is not proposed.
	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; 	✓	R2.3 Complies No Building Work is proposed.
Accommodation density			
PO3 The density of Accommodation activities:	AO3.1 Residential density does not exceed one dwelling house per lot.	N/A	R3.1 Not Applicable Development for a Dwelling House is not proposed.

<p>(a) respects the nature and density of surrounding land use;</p> <p>(b) is complementary and subordinate to the rural and natural landscape values of the area; and</p> <p>(c) is commensurate to the scale and frontage of the site.</p>	<p>AO3.2 Residential density does not exceed two dwellings per lot and development is for:</p> <p>(a) a secondary dwelling; or</p> <p>(b) Caretaker's accommodation and includes building work or minor building work with a maximum gross floor area of 100m²; or</p> <p>(c) Rural worker's accommodation.</p>	N/A	<p>R3.2 Not Applicable Development for a dwelling / Dwelling House is not proposed.</p>
For assessable development			
Site cover			
<p>PO4 Buildings and structures occupy the site in a manner that:</p> <p>(a) makes efficient use of land;</p> <p>(b) is consistent with the bulk and scale of buildings in the surrounding area; and</p> <p>(c) appropriately balances built and natural features.</p>	<p>AO4 No acceptable outcome is provided.</p>	Complies with PO	<p>R4 Performance Solution (no Acceptable Outcome prescribed) No Building Work is proposed.</p>

<p>PO5 Development complements and integrates with the established built character of the Rural zone, having regard to:</p> <ul style="list-style-type: none"> (a) roof form and pitch; (b) eaves and awnings; (c) building materials, colours and textures; and (d) window and door size and location. 	<p>AO5 No acceptable outcome is provided.</p>	<p>Complies with PO</p>	<p>R5 Performance Solution (no Acceptable Outcome prescribed) No Building Work is proposed.</p>
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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>Can comply with PO</p>	<p>R6 Performance Solution (no Acceptable Outcome prescribed) The proposed Nature-based tourism land use is proposed to use existing facilities and is intended to operate within the amenity expectations of the Rural Zone. The Applicant is willing to accept conditions of approval requiring the maintenance of suitable amenity on-site at all times, in accordance with PO6.</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>Can comply with PO</p>	<p>R7 Performance Solution (no Acceptable Outcome prescribed) The environmental impacts associated with existing operations are not expected to negatively impact upon the amenity of Nature-based tourism visitors. That is to say that existing operations (in terms of agricultural activities) will be consistent with visitor expectations.</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.

Response:

Development complies with all applicable Acceptable Outcomes. Where no Acceptable Outcome is prescribed, development proposed complies with the corresponding Performance Outcome.

Development is not proposed within a waterway buffer area and therefore will not impact upon a waterway or wetland, in accordance with purpose statement 1(a). No clearing of regulated or native vegetation is required in respect of the proposed development.

Regarding overall outcome 2(e), it is noted that development is proposed within an 'Ecological corridor', as identified on the Environmental Significance Overlay Maps (OM-004a-o).

Notwithstanding this, the proposed development will both maintain existing vegetated corridors (in that no clearing is required to facilitate the proposed development) and can provide for the enhancement of part of the ecological corridor (subject to reasonable and relevant conditions, as discussed within the response to PO8 below), therefore maintaining wildlife movement and contributing to the maintenance of habitat and biological diversity.

Development is not proposed within a 'Habitat linkage' identified on the Environmental Significance Overlay Maps (OM-004a-o).

In accordance with the above and purpose statement 1(b), the proposed development will not adversely impact upon environmental values.

Development complies with the purpose and overall outcomes of the Environmental Significance Overlay Code.

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	Complies	Comments
For accepted development subject to requirements and assessable development			
Regulated vegetation			
PO1 Vegetation clearing in areas mapped as 'Regulated vegetation' identified on the Environmental Significance Overlay Maps (OM-004a-o) is avoided unless: <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 	AO1.1 No clearing of native vegetation is undertaken within areas of 'Regulated vegetation' identified on the Environmental Significance Overlay Maps (OM-004a-o) .	✓	R1.1 Complies The proposed Nature-based tourism land use does not require the clearing of any regulated or native vegetation.

<p>residual impacts are offset.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>			
<p>PO2</p> <p>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> <p>(a) does not interrupt, interfere, alter or otherwise impact on underlying natural ecosystem processes such as water quality, hydrology, geomorphology and biophysical processes;</p> <p>(b) does not negatively impact the movement of wildlife at a local or regional scale; and</p> <p>(c) avoids noise, light, vibration or other edge affects,</p>	<p>AO2</p> <p>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>✓</p>	<p>R2 Complies</p> <p>Regulated vegetation is mapped as existing in the south-west of Lot 22. The proposed Nature-based tourism land use does not involve any physical development works, and relies only on infrastructure existing on the premises.</p>

including weed and pest incursion on identified environmental values.			
Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.			
Regulated vegetation intersecting a watercourse			
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.	Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) 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 -	N/A	R3 Not Applicable Development is not proposed within a waterway buffer area.

<p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>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>N/A</p>	<p>R3 Not Applicable Development is not proposed within a waterway buffer area.</p>
<p>Waterways and wetlands</p>			
<p>PO4 'High ecological significance wetlands' identified on the Environmental Significance Overlay Maps (OM-004a-o) and 'Waterways' on Environmental</p>	<p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</p> <p>AO4.1</p>	<p>N/A</p>	<p>R4.1 Not Applicable Development is not proposed within a waterway buffer area.</p>

<p>Significance - Waterway Overlay Maps (OM-004p-z) and are protected by:</p> <ul style="list-style-type: none"> (a) maintaining adequate separation distances between waterways/wetlands and development; (b) maintaining and enhancing aquatic and terrestrial habitat including vegetated corridors to allow for native fauna (terrestrial and aquatic) movement; (c) maintaining waterway bank stability by minimising bank erosion and slumping; (d) maintaining water quality by providing buffers to allow filtering of sediments, nutrients and other pollutants; and (e) retaining and improving existing riparian vegetation and existing vegetation associated with a wetland. 	<p>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 '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</p>	<p>N/A</p>	<p>R4.2 Not Applicable</p> <p>Development is not proposed within a High ecological significance wetland buffer.</p>

<p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>Environmental Significance Overlay Maps (OM-004a-o).</p>		
	<p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland buffer' on Environmental Significance Overlay Maps (OM-004a-o)</p> <p>AO4.3</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>N/A</p>	<p>R4.3 Not Applicable</p> <p>Development is not proposed within a waterway buffer area.</p>

	Note— An alternative outcome is required to demonstrate that the ecological impacts of stormwater discharge to a 'Waterway' or 'High ecological significance wetland' are mitigated in accordance with PO3 through appropriate stormwater management / treatment (where possible).		
	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)	N/A	R4.4 Not Applicable Development is not proposed within a waterway buffer area.

	<p>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</p>		
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	(where possible).		
For assessable development			
Wildlife Habitat			
PO5 Development within a 'Wildlife habitat' area identified on the Environmental Significance Overlay Maps (OM-004a-o) : (a) protects and enhances the habitat of Endangered, Vulnerable and Near Threatened (EVNT) species and local species of significance; (b) incorporates siting and design measures to protect and retain identified ecological values and underlying ecosystem processes within or adjacent to the development site; (c) maintains or enhances wildlife interconnectivity at a local and regional scale; and (d) mitigates the impact of other forms of potential	AO5 No acceptable outcome is provided	N/A	R5 Not Applicable Development within a wildlife habitat area is not proposed.

<p>disturbance (such as presence of vehicles, pedestrian use, increased exposure to domestic animals, noise and lighting impacts) to protect critical life stage ecological processes (such as feeding, breeding or roosting).</p> <p>Note—Development applications must identify any EVNT species or their habitats that may be affected by the proposal. In particular, applications are to identify and describe how the development avoids adverse impacts on ecological processes within or adjacent to the development area.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>			
Legally secured offset areas			

<p>PO6 Development within a 'Legally secured offset area' identified on the Environmental Significance Overlay Maps (OM-004a-o) or other known Legally Secured Offset Area is consistent with the binding requirements of the offset and does not prejudice, undermine, or negatively impact the inherent ecological values, including all naturally occurring native flora, fauna and 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>N/A</p>	<p>R6 Not Applicable Development within a legally secured offset area is not proposed.</p>
<p>Protected areas</p>			
<p>PO7 Development within a 'Protected area' identified on the Environmental Significance Overlay Maps</p>	<p>AO7 No acceptable outcome is provided</p>	<p>N/A</p>	<p>R7 Not Applicable Development within a Protected Area is not proposed.</p>

<p>(OM-004a-o) is consistent with the values of the Protected Area and:</p> <ul style="list-style-type: none"> (a) supports the inherent ecological and community values of the Protected Area asset; (b) maintains or enhances wildlife interconnectivity at a local and regional scale; and (c) does not prejudice, undermine, or negatively impact the inherent ecological values, including all naturally occurring native flora, fauna and their habitat within the Protected Area. <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>			
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Ecological corridors and Habitat linkages			
<p>PO8</p> <p>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</p>	<p>AO8</p> <p>No acceptable outcome is provided</p>	<p>N/A</p>	<p>R8 Performance Solution (no Acceptable Outcome prescribed)</p> <p>The proposed development is located in the Rural Zone.</p> <p>The Nature-based tourism land use is proposed within an 'Ecological corridor', as identified on the Environmental Significance Overlay Maps (OM-004a-o); however, it does not involve any physical development and relies only on existing infrastructure on the premises.</p> <p>Development is not proposed within a 'Habitat linkage' identified on the Environmental Significance Overlay Maps (OM-004a-o).</p> <p>The planning scheme does not include a definition for 'Ecological corridor'. The Strategic Framework refers to 'Ecological corridors' as follows:</p> <p><i>3.4.5 Element – Strategic rehabilitation and ecological corridors</i></p> <p><i>3.4.5.1 Specific outcomes</i></p> <p><i>Ecological corridors are major existing habitat corridors that link key biodiversity areas within Mareeba Shire and greater Far North Queensland region. Development does not compromise the habitat connectivity of ecological corridors.</i></p> <p>The following definitions are also of relevance to 'ecological corridors', in the context of the assessment benchmarks of the Planning Scheme:</p> <ul style="list-style-type: none"> The planning scheme defines 'connectivity' as: '<i>The extent to which a place or area is connected to other places and areas through a variety of transport means, or the ease with which connection with other places can be made.</i>' The planning scheme defines 'biodiversity' as: '<i>The natural diversity of fauna and flora, together with the environmental conditions necessary for their survival. The four levels of biodiversity are genetic, species, ecosystem and regional diversity.</i>' The planning scheme defines 'habitat' as: '<i>The place where an organism lives, a physical area, some specific part of the</i>

<p>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><i>earth's surface, air, soil, water, or another organism. More than one animal may live in a particular habitat.'</i></p> <p>In that no acceptable outcome is prescribed, the following is provided in direct response to the Performance Outcome:</p> <ul style="list-style-type: none"> • The development does not impact on the environmental values of the site (within the identified in the 'Ecological corridor') in that no physical development, and no vegetation clearing is proposed. Therefore, the development complies with PO8(a). • The development does not impact on the environmental values of adjoining and nearby land within the 'Ecological corridor' in that no physical development, and no vegetation clearing is proposed. Moreover, vegetated parts of the Ecological corridor are not impacted by the land use, in so much as these vegetated parts of the site continue to contribute to fauna conveyance through the site. Therefore, the development complies with PO8(b). • The development does not modify the natural environment in that no physical development, and no vegetation clearing is proposed. Therefore, the development complies with PO8(c). • The development does not interfere with the functions of the Ecological corridor, which is approximately 6 kilometres wide at this location, and includes rural residential subdivisions and is bisected by the Kennedy Highway (to the east of the site). Therefore, the development complies with PO8(d). • The development as proposed does not preclude the ability for the 'Ecological Corridor' to enhance or improve ecological connectivity; and given the temporary nature of the land use and that no physical development is proposed, it is not considered relevant that any condition relating to the enhancement of the 'Ecological Corridor' attend any approval of the development.
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8.2.12 Transport infrastructure overlay code

8.2.12.1 Application

- (1) This code applies to assessing development where:
- (a) land the subject of development adjoins a rail corridor identified on the **Transport infrastructure overlay maps (OM-012a-j)**; 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—State transport infrastructure is appropriately reflected in Overlay Map 12 and is required to be mapped by State Government in response to Infrastructure State Interests.

Note—The Transport infrastructure overlay includes mapped Transport Noise Corridors in accordance with section 246ZA of the Building Act. These corridors are mapped on **Transport infrastructure overlay maps (OM-012i-s)** for information purposes only. Development on land within a mapped corridor is not subject to any specific provisions under this planning scheme. The Queensland Development Code should be consulted in this respect.

8.2.12.2 Purpose

- (1) The purpose of the Transport infrastructure overlay code is to promote the ongoing and expanded use of rail corridors within the shire for the transportation of passengers and freight.
- (2) The purpose of the code will be achieved through the following overall outcomes:
- (a) Active 'Rail corridors' are protected from adjoining land uses which may prejudice their ongoing and expanded use;
 - (b) Inactive 'Rail corridors' are preserved and protected for potential reuse for passenger or freight movements;
 - (c) Non-residential development adjoining a 'Rail corridor' does not prevent the future use of the rail corridor by the site; and
 - (d) Development compliments the use of 'Rail corridors' for tourist activities.

Response:

No Acceptable Outcomes are relevant to the proposed development. Development as proposed does not conflict with the purpose or overall outcomes of the Transport Infrastructure Overlay Code; particularly, the site is not noted to be located within proximity to an active or inactive rail corridor.

8.2.12.3 Criteria for assessment

Table 8.2.12.3 – Transport infrastructure 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			
PO1 Development does prejudice the: (a) ongoing operation of an active 'Rail corridor' identified on the Transport infrastructure overlay maps (OM-012a-j) ; or (b) the potential future use of an inactive 'Rail corridor' identified on the Transport infrastructure overlay maps (OM-012a-j) .	AO1 Buildings and structures are setback from a boundary with an active or inactive 'Rail corridor' identified on the Transport infrastructure overlay maps (OM-012a-j) a minimum of: (a) 40 metres where: (i) in the Rural zone; and (ii) on a site with an area of 2 hectares or greater; or (b) 5 metres otherwise.	N/A	R1 Not Applicable Development is not proposed within proximity to an active or inactive 'Rail Corridor'
For assessable development			
PO2 Non-residential development adjoining a rail corridor identified on the Transport infrastructure overlay maps (OM-012a-j) is designed to allow for the future use of the 'Rail corridor' by the land use.	AO2 No acceptable outcome is provided	N/A	R2 Not Applicable Development is not proposed within proximity to an active or inactive 'Rail Corridor'
PO3 Development adjoining a 'Rail corridor' identified on the Transport infrastructure overlay maps (OM-012a-j)	AO3 No acceptable outcome is provided	N/A	R3 Not Applicable Development is not proposed within proximity to an active or inactive 'Rail Corridor'

<p>used for the transportation of tourists is designed to:</p> <ul style="list-style-type: none"> (a) provide visual interest; (b) screen or enhance areas of limited visual interest; and (c) complement and enhance the character of the shire. 			
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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.

Response:

A Performance Solution is provided in respect of AO1.1 (Car parking spaces), due to the ancillary nature of the development and the limitations in place regarding access to the site by visitors. Development as proposed however, is considered to comply with PO1, noting that no new car parking spaces are proposed. Development therefore complies with purpose statement 1(c) and overall outcome 2(a).

Development otherwise complies with all applicable Acceptable Outcomes. Where no Acceptable Outcome is prescribed, development proposed complies with the corresponding Performance Outcome.

No new car parking or maneuvering areas are proposed in relation to the proposed development, which seeks to provide for the overnight accommodation of visitors attending the site. Existing car parking and maneuvering areas are understood to be safe, functional, and accessible as required, per overall outcomes 2(b) – (c). Access to the site is safe and efficient and the site is adequately serviced to meet the needs of the proposed development, per overall outcome 2(d).

Development complies with the purpose and overall outcomes of the Parking and Access Code.

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	Complies	Comments
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: <ul style="list-style-type: none"> (a) nature of the use; (b) location of the site; (c) proximity of the use to public transport services; (d) availability of active transport infrastructure; and (e) accessibility of the use to all members of the community. 	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 with PO	R1 Performance Outcome Car parking for Nature-based tourism development is required to be provided at a rate of one space per dwelling. Thus, pursuant to AO1, zero car parking spaces are required as no dwellings or accommodation facilities are proposed. Notwithstanding, existing car parking is more than sufficient to accommodate the anticipated car parking demand.
Vehicle crossovers			
PO2 Vehicle crossovers are provided to: <ul style="list-style-type: none"> (a) ensure safe and efficient access between the road and premises; 	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.	✓	R2.1 Complies No changes to site access are proposed. Notwithstanding, existing vehicular access to the site is understood to be in accordance with the relevant standards.

<p>(b) minimize interference with the function and operation of roads; and</p> <p>(c) minimise pedestrian to vehicle conflict.</p>	<p>AO2.2 Development on a site with two or more road frontages provides vehicular access from:</p> <p>(a) the primary frontage where involving Community activities or Sport and recreation activities, unless the primary road frontage is a State-controlled road; or</p> <p>(b) from the lowest order road in all other instances.</p>	N/A	<p>R2.3 Not Applicable The site does not have two or more road frontages.</p>
	<p>AO2.3 Vehicular access for particular uses is provided in accordance with Table 9.4.3.3E.</p>	N/A	<p>R2.3 Not Applicable The proposed development is not a listed 'particular use'.</p>
<p>PO3 Access, manoeuvring and car parking areas include appropriate pavement treatments having regard to:</p> <p>(a) the intensity of anticipated vehicle movements;</p> <p>(b) the nature of the use that they service; and</p> <p>(c) the character of the surrounding locality.</p>	<p>AO3 Access, manoeuvring and car parking areas include pavements that are constructed in accordance with Table 9.4.3.3C.</p>	✓	<p>R3 Complies Table 9.4.3.3C requires that surfacing of access, maneuvering and car parking areas is of minimum 150mm thickness compacted gravel suitable for all weather and dust free. No changes to access, maneuvering and car parking areas are proposed, in that the proposed development relies on existing on-site infrastructure. Notwithstanding, existing access, maneuvering and car parking areas are understood to comply with AO3.</p>
For assessable development			
Parking area location and design			

PO4 Car parking areas are located and designed to: <ul style="list-style-type: none"> (a) ensure safety and efficiency in operation; and (b) be consistent with the character of the surrounding locality. 	AO4.1 Car parking spaces, access and circulation areas have dimensions in accordance with AS/NZS 2890.1 Off-street car parking.	✓	R4.1 Complies No changes to car parking spaces, access and circulation areas are proposed. Notwithstanding, existing car parking spaces, access and circulation areas are understood to comply with AO4.1.
	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.	✓	R4.2 Complies No changes to disabled access and car parking spaces are proposed. Notwithstanding, existing arrangements are understood to comply with AO4.2.
	AO4.3 The car parking area includes designated pedestrian routes that provide connections to building entrances.	✓	R4.3 Complies No changes to car parking areas are proposed. Notwithstanding, existing car parking areas are understood to comply with AO4.3.
	AO4.4 Parking and any set down areas are: <ul style="list-style-type: none"> (a) wholly contained within the site; (b) visible from the street where involving Commercial activities, Community activities, Industrial activities or a use in the Recreation and open space zone; (c) are set back behind the main building 	✓	R4.4 Complies No changes to parking and set down areas are proposed. Notwithstanding, existing parking and set down areas are understood to comply with AO4.4.

	<p>line where involving a Dual occupancy, Multiple dwelling, Residential care facility or Retirement facility; and</p> <p>(d) provided at the side or rear of a building in all other instances.</p>		
Site access and manoeuvring			
<p>PO5 Access to, and manoeuvring within, the site is designed and located to:</p> <p>(a) ensure the safety and efficiency of the external road network;</p> <p>(b) ensure the safety of pedestrians;</p> <p>(c) provide a functional and convenient layout; and</p> <p>(d) accommodate all vehicles intended to use the site.</p>	<p>AO5.1 Access and manoeuvrability is in accordance with :</p> <p>(a) AS28901 – Car Parking Facilities (Off Street Parking); and</p> <p>(b) AS2890.2 – Parking Facilities (Off-street Parking) Commercial Vehicle Facilities.</p> <p>Note—Proposal plans should include turning circles designed in accordance with AP34/95 (Austroads 1995) Design Vehicles and Turning Path Templates.</p>	✓	<p>R5.1 Complies No changes to access and maneuverability are proposed. Notwithstanding, existing access and maneuverability is understood to comply with AO5.1.</p>
	<p>AO5.2 Vehicular access has a minimum sight distance in accordance with Part 5 of AUSTROADS.</p>	✓	<p>R5.2 Complies No changes to vehicular access are proposed. Notwithstanding, existing vehicular access is understood to comply with AO5.2.</p>
	<p>AO5.3 Vehicular access is located and designed so that all</p>	✓	<p>R5.3 Complies No changes to vehicular access are proposed.</p>

	vehicles enter and exit the site in a forward gear.		Notwithstanding, vehicular access as it exists provides for the entry and exit of vehicles in a forward gear, as required by AO5.3.
	AO5.4 Pedestrian and cyclist access to the site: (a) is clearly defined; (b) easily identifiable; and (c) provides a connection between the site frontage and the entrance to buildings and end of trip facilities (where provided).	N/A	R5.4 Not Applicable Pedestrian and cyclist access to the site is not facilitated or encouraged, due to the working nature of the operation and safety considerations.
PO6 Development that involves an internal road network ensures that it's design: (a) ensure safety and efficiency in operation; (b) does not impact on the amenity of residential uses on the site and on adjoining sites, having regard to matters of: (i) hours of operation; (ii) noise (iii) light; and (iv) odour; (c) accommodates the nature and volume of vehicle movements anticipated to be generated by the use;	AO6.1 Internal roads for a Tourist park have a minimum width of: (a) 4 metres if one way; or (b) 6 metres if two way.	N/A	R6.1 Not Applicable Development for a Tourist Park is not proposed.
	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: (a) a minimum approach and departure curve radius of 12 metres; and	N/A	R6.2 Not Applicable Development for a Tourist Park is not proposed.

<p>(d) allows for convenient access to key on-site features by pedestrians, cyclists and motor vehicles; and</p> <p>(e) in the Rural zone, avoids environmental degradation.</p>	(b) a minimum turning circle radius of 8 metres.		
	AO6.3 Internal roads are imperviously sealed and drained, apart from those for an Energy and infrastructure activity or Rural activity.	N/A	R6.3 Not Applicable Internal roads are not proposed in respect of the proposed development.
	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.	N/A	R6.4 Not Applicable Internal roads are not proposed in respect of the proposed development.
	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.	N/A	R6.5 Not Applicable Internal roads are not proposed in respect of the proposed development.
	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.	N/A	R6.6 Not Applicable Development for an accommodation activity is not proposed.

	AO6.7 For an Energy and infrastructure activity or Rural activity, internal road gradients: (a) are no steeper than 1:5; or (b) are steeper than 1:5 and are sealed.	N/A	R6.7 Not Applicable Development for an Energy and Infrastructure activity, or Rural activity, is not proposed.
Servicing			
PO7 Development provides access, maneuvering and servicing areas on site that: (a) accommodate a service vehicle commensurate with the likely demand generated by the use; (b) do not impact on the safety or efficiency of internal car parking or maneuvering areas; (c) do not adversely impact on the safety or efficiency of the road network; (d) provide for all servicing functions associated with the use; and (e) are located and designed to minimise their impacts on adjoining sensitive land uses and streetscape quality.	AO7.1 All unloading, loading, service and waste disposal areas are located: (a) on the site; (b) to the side or rear of the building, behind the main building line; (c) not adjacent to a site boundary where the adjoining property is used for a sensitive use.	✓	R7.1 Complies No changes to service and waste disposal areas are proposed. Notwithstanding, existing service and waste disposal areas are located on the site and in accordance with AO7.1.
	AO7.2 Unloading, loading, service and waste disposal areas allow service vehicles to enter and exit the site in a forward gear.	✓	R7.2 Complies Vehicular access as it exists provides for the entry and exit of all vehicles in a forward gear, as required by AO7.2.
	AO7.3 Development provides a servicing area, site access and maneuvering areas to accommodate the applicable minimum	✓	R7.3 Complies No changes to servicing area, site access and maneuvering areas are proposed. Notwithstanding, existing servicing area, site access and maneuvering areas are understood to comply with AO7.3.

	servicing vehicle specified in Table 9.4.3.3B .		
Maintenance			
PO8 Parking areas are used and maintained for their intended purpose.	AO8.1 Parking areas are kept and used exclusively for parking and are maintained in a suitable condition for parking and circulation of vehicles.	✓	R8.1 Will Comply No changes to existing areas are proposed. Parking areas will be kept and used exclusively for parking, and maintained in a suitable condition for parking and circulation of vehicles.
	AO8.2 All parking areas will be compacted, sealed, drained, line marked and maintained until such time as the development ceases.	N/A	R8.2 Not Applicable No changes to existing parking areas are proposed.
End of trip facilities			
PO9 Development within the Centre zone; Industry zone or Emerging community zone provides facilities for active transport users that: <ul style="list-style-type: none"> (a) meet the anticipated demand generated from the use; (b) comprise secure and convenient bicycle parking and storage; and (c) provide end of trip facilities for all active transport users. 	AO9.1 The number of bicycle parking spaces provided for the use is in accordance with Table 9.4.3.3D .	N/A	R9.1 Not Applicable Bicycle parking spaces are not required to be provided for Nature-based tourism development.
	AO9.2 End of trip facilities are provided in accordance with Table 9.4.3.3D .	N/A	R9.2 Not Applicable End of trip facilities are not required to be provided for Nature-based tourism development.
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			

<p>PO10</p> <p>The level of traffic generated by the development on the surrounding local road network must not result in unacceptable impacts on adjacent land and local road users.</p>	<p>AO10</p> <p>A traffic impact report is prepared by a suitably qualified person that identifies:</p> <ul style="list-style-type: none"> (a) the expected traffic movements to be generated by the facility; (b) any associated impacts on the road network; and (c) any works that will be required to address the identified impacts. 	<p>N/A</p>	<p>R10 Not Applicable</p> <p>Development for an Educational Establishment, Child Care Centre, Renewable Energy Facility, Sport and Recreation Activities or Tourist Park is not proposed.</p>
<p>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</p>			
<p>PO11</p> <p>The level of traffic generated by the development on the surrounding local road network must not result in unacceptable impacts on adjacent land and local road users.</p>	<p>AO11</p> <p>A traffic impact report is prepared by a suitably qualified person that identifies:</p> <ul style="list-style-type: none"> (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. 	<p>N/A</p>	<p>R11 Not Applicable</p> <p>Development for an Educational Establishment, Child Care Centre, Renewable Energy Facility, Sport and Recreation Activities or Tourist Park is not proposed.</p>

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

Response:

Development complies with all applicable Acceptable Outcomes. Where no Acceptable Outcome is prescribed, development proposed complies with the corresponding Performance Outcome.

The development will be appropriately serviced by physical infrastructure, utilities and services. Works will be undertaken in a manner that does not adversely impact upon the surrounding area (as required by purpose statement (1)).

All services will be provided to the site, as required by overall outcomes 2(a) – (c), and (e)-(f). Development complies with the purpose and overall outcomes of the Works, Services and Infrastructure Code.

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	Complies	Comments
For accepted development subject to requirements and assessable development			
Water supply			
PO1 Each lot has an adequate volume and supply of water that: <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. 	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: <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated water supply service area. 	N/A	R1.1 Not Applicable Refer to R1.2 below.
	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: <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: 	✓	R1.2 Complies Water supply to the site is provided by bores, which are understood to comply with AO1.2(a).

	<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. 		
Wastewater disposal			
PO2 Each lot provides for the treatment and disposal of effluent and other waste water that: <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. 	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: <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. 	N/A	R2.1 Not Applicable Refer to R1.2 below.
	AO2.2 An effluent disposal system is provided in accordance with ASNZ 1547 On-Site Domestic Wastewater Management (as amended) where development is located: <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area. 	✓	R2.2 Complies Wastewater treatment is provided on-site via bio-cycle systems, which are understood to be in accordance AO2.2.

Stormwater infrastructure			
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.	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.	N/A	R3.1 Not Applicable The site is not located within a PIA.
	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.	N/A	R3.2 Not Applicable No changes to on-site drainage is proposed, which is understood to comply with AO3.2.
Electricity supply			
PO4 Each lot is provided with an adequate supply of electricity	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	✓	R4 Complies The site is connected to electricity.

	<p>service the development (at near average energy demands associated with the use) may be provided as an alternative to reticulated electricity where:</p> <ul style="list-style-type: none"> (i) it is approved by the relevant regulatory authority; and (ii) it can be demonstrated that no air or noise emissions; and (iii) it can be demonstrated that no adverse impact on visual amenity will occur. 		
Telecommunications infrastructure			
PO5 Each lot is provided with an adequate supply of telecommunication infrastructure	AO5 Development is provided with a connection to the national broadband network or telecommunication services.	✓	R5 Complies Development is connected to telecommunication services.
Existing public utility services			
PO6 Development and associated works do not affect the efficient functioning of public utility mains, services or installations.	AO6 Public utility mains, services are relocated, altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	N/A	R6 Not Applicable Public utility mains, services are not expected to require to be relocated, altered or repaired in association with the proposed development.
Excavation or filling			

PO7 Excavation or filling must not have an adverse impact on the: (a) streetscape; (b) scenic amenity; (c) environmental values; (d) slope stability; (e) accessibility; or (f) privacy of adjoining premises.	AO7.1 Excavation or filling does not occur within 1.5 metres of any site boundary.	✓	R7.1. Complies Site works will not be undertaken within 1.5 metres of site boundaries.
	AO7.2 Excavation or filling at any point on a lot is to be no greater than 1.5 metres above or below natural ground level.	N/A	R7.2 Not Applicable Excavation or filling at greater than 1.5 metres above/below natural ground level is not required in relation to the proposed development.
	AO7.3 Earthworks batters: (a) are no greater than 1.5 metres in height; (b) are stepped with a minimum width 2 metre berm; (c) do not exceed a maximum of two batters and two berms (not greater than 3.6 metres in total height) on any one lot; (d) have a slope no greater than 1 in 4; and (e) are retained.	N/A	R7.3 Not Applicable Earthworks batters greater than 1.5 metres in height are not expected to be required in relation to the proposed development.
	AO7.4 Soil used for filling or spoil from excavation is not stockpiled in locations that can be viewed from: (a) adjoining premises; or (b) a road frontage, for a period exceeding 1 month from the commencement of the filling or excavation.	N/A	R7.4 Not Applicable Fill / spoil will not be required to be stockpiled in relation to the proposed development.
	AO7.5	N/A	R7.5 Not Applicable

	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.		Batters or berms are not required in relation to the proposed development.
	A07.6 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.	✓	R7.6 Will Comply No retaining walls are required in relation to the proposed development.
	A07.7 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.	N/A	R7.7 Not Applicable Excavation or filling within proximity to trees will not be required.
For assessable development			
Transport network			
PO8 The development has access to a transport network of adequate standard to provide for the safe and	A08.1 Vehicle access, crossovers, road geometry, pavement, utilities and landscaping to the frontage/s of the site are designed and	✓ / x	R8.1 Not Applicable No new vehicle access, crossovers or roads are proposed.

efficient movement of vehicles, pedestrians and cyclists.	constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.		
	A08.2 Development provides footpath pavement treatments in accordance with Planning Scheme Policy 9 – Footpath Paving.	N/A	R8.2 Not Applicable No new roads or footpaths are proposed.
Public infrastructure			
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.	A09 Development is in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	✓	R9 Not Applicable No physical development is proposed.
Stormwater quality			
PO10 Development has a non-worsening effect on the site and surrounding land and is designed to: (a) optimise the interception, retention and removal of waterborne pollutants, prior to the discharge to receiving waters; (b) protect the environmental values of waterbodies	A010.1 The following reporting is prepared for all Material change of use or Reconfiguring a lot proposals: (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 –	N/A	R10.1 Not Applicable Stormwater will continue to drain per existing arrangements.

<p>affected by the development, including upstream, on-site and downstream waterbodies;</p> <p>(c) achieve specified water quality objectives;</p> <p>(d) minimise flooding;</p> <p>(e) maximise the use of natural channel design principles;</p> <p>(f) maximise community benefit; and</p> <p>(g) minimise risk to public safety.</p>	<p>FNQROC Regional Development Manual; and</p> <p>(b) an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation Control Guidelines (Institute of Engineers Australia), including:</p> <p>(i) drainage control;</p> <p>(ii) erosion control;</p> <p>(iii) sediment control; and</p> <p>(iv) water quality outcomes.</p>		
	<p>AO10.2</p> <p>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> <p>(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;</p> <p>(b) is consistent with any local area stormwater water management planning;</p>	<p>N/A</p>	<p>R10.2 Not Applicable</p> <p>Stormwater will continue to drain per existing arrangements.</p>

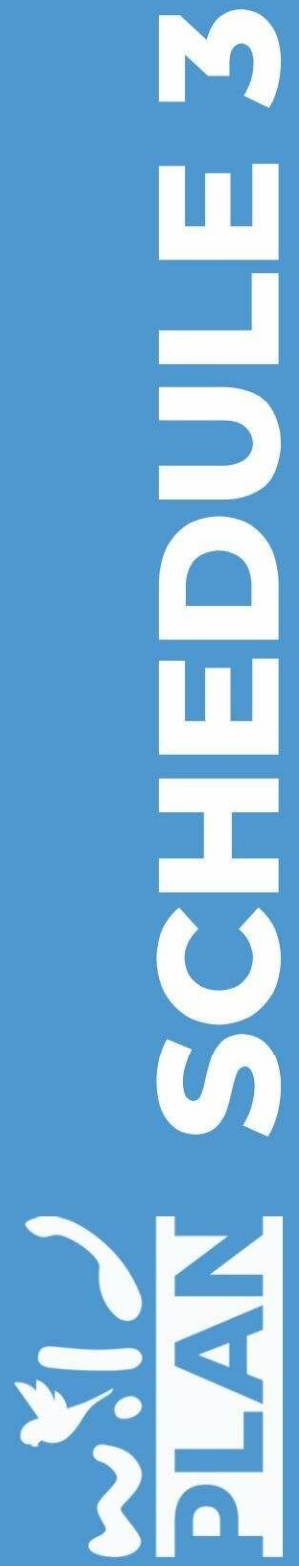
	<p>(c) accounts for development type, construction phase, local climatic conditions and design objectives; and</p> <p>(d) provides for stormwater quality treatment measures reflecting land use constraints, such as soil type, landscape features (including landform), nutrient hazardous areas, acid sulfate soil and rainfall erosivity.</p>		
<p>PO11 Storage areas for stormwater detention and retention:</p> <p>(a) protect or enhance the environmental values of receiving waters;</p> <p>(b) achieve specified water quality objectives;</p> <p>(c) where possible, provide for recreational use;</p> <p>(d) maximise community benefit; and</p> <p>(e) minimise risk to public safety.</p>	<p>AO11 No acceptable outcome is provided.</p>	N/A	<p>R10.1 Not Applicable Stormwater will continue to drain per existing arrangements. No additional storage areas for detention and/or retention are required.</p>
Excavation or filling			
<p>PO12 Traffic generated by filling or excavation does not impact on the amenity of the surrounding area.</p>	<p>AO12.1 Haul routes used for transportation of fill to or from the site only use major roads and avoid residential areas.</p>	N/A	<p>R12.1 Not Applicable Filling and/or excavation is not required in respect of the proposed development.</p>
	AO12.2	N/A	R12.2 Not Applicable

	<p>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>Filling and/or excavation is not required in respect of the proposed development.</p>
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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.	✓	R13.1 Will Comply The Applicant is willing to accept a condition of approval with respect to dust emissions. However, it is relevant to note that no construction is proposed.
	AO13.2 No other air pollutants, including odours, are detectable at the boundary of the site.	✓	R13.2 Will Comply The proposed development, for Nature-based Tourism, will not emit other air pollutants or odours.
	AO13.3 A management plan for control of dust and air pollutants is prepared and implemented.	N/A	R13.3 Not Applicable The proposed development, for Nature-based Tourism, will not emit other air pollutants or odours.
PO14 Access to the premises (including driveways and paths) does not have an adverse impact on: (a) safety; (b) drainage; (c) visual amenity; and (d) privacy of adjoining premises.	AO14 Access to the premises (including all works associated with the access): (a) must follow as close as possible to the existing contours; (b) be contained within the premises and not the road reserve, and (c) are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	✓	R14 Complies Access to the site will be via existing arrangements, which are understood to comply with AO14.
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 with PO	R15. Performance Solution (no Acceptable Outcome provided) The Nature-based tourism land use does not involve construction or activities that will facilitate the spread of weeds, seeds or other pests.

Contaminated land			
PO16 Development is located and designed to ensure that users and nearby sensitive land uses are not exposed to unacceptable levels of contaminants	AO16 Development is located where: (a) soils are not contaminated by pollutants which represent a health or safety risk to users; or (b) contaminated soils are remediated prior to plan sealing, operational works permit, or issuing of building works permit.	✓	R16 Complies The site is not known to contain contaminated land.
Fire services in developments accessed by common private title			
PO17 Fire hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	AO17.1 Fire hydrants are located in accessways or private roads held in common private title at a maximum spacing of: (a) 120 metres for residential development; and (b) 90 metres for any other development.	N/A	R17.1 Not Applicable Development accessed by common private title is not proposed.
	AO17.2 Fire hydrants are located at all intersections of accessways or private roads held in common private title.	N/A	R17.2 Not Applicable Development accessed by common private title is not proposed.

SCHEDULE 3 – TITLE SEARCH



CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 32567468

Search Date: 11/11/2019 19:25

Title Reference: 51172590

Date Created: 24/01/2019

Previous Title: 21287024

51131989

REGISTERED OWNER

Dealing No: 719123227 23/11/2018

REEVER AND OCEAN PTY LTD A.C.N. 168 166 416

ESTATE AND LAND

Estate in Fee Simple

LOT 22 SURVEY PLAN 304952

Local Government: MAREEBA

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20112035 (POR 22V)
Deed of Grant No. 20115003 (POR 21V)
Deed of Grant No. 20250110 (POR 16V)
2. MORTGAGE No 717992137 02/05/2017 at 10:10
KA HOU LOI
OVER PART OF THE LAND FORMERLY LOT 22 ON SP296830
3. MORTGAGE No 719123230 23/11/2018 at 13:56
KA HOU LOI

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

COPYRIGHT THE STATE OF QUEENSLAND (NATURAL RESOURCES, MINES AND ENERGY) [2019]

Requested By: D-ENQ GLOBALX TERRAIN

CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 32567466

Search Date: 11/11/2019 19:24

Title Reference: 51131992

Date Created: 29/01/2018

Previous Title: 40074596

REGISTERED OWNER

Dealing No: 718543088 29/01/2018

REEVER AND OCEAN PTY LTD A.C.N. 168 166 416

ESTATE AND LAND

Estate in Fee Simple

LOT 17 SURVEY PLAN 296830
Local Government: MAREEBA

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20164038 (POR 17V)
2. MORTGAGE No 717992137 02/05/2017 at 10:10
KA HOU LOI

ADMINISTRATIVE ADVICES - NIL

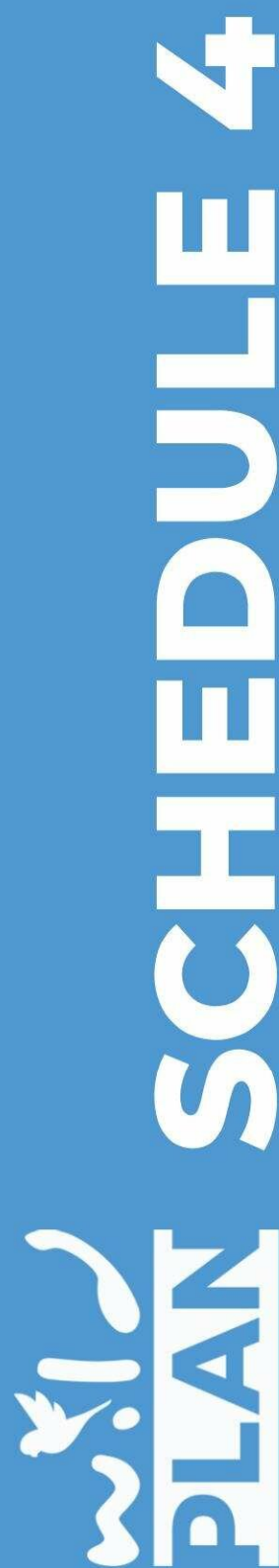
UNREGISTERED DEALINGS - NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

COPYRIGHT THE STATE OF QUEENSLAND (NATURAL RESOURCES, MINES AND ENERGY) [2019]
Requested By: D-ENQ GLOBALX TERRAIN

SCHEDULE 4 – SURVEY PLAN



Land Title Act 1994 ; Land Act 1994
Form 21 Version 4

SURVEY PLAN

Sheet 1 of 2

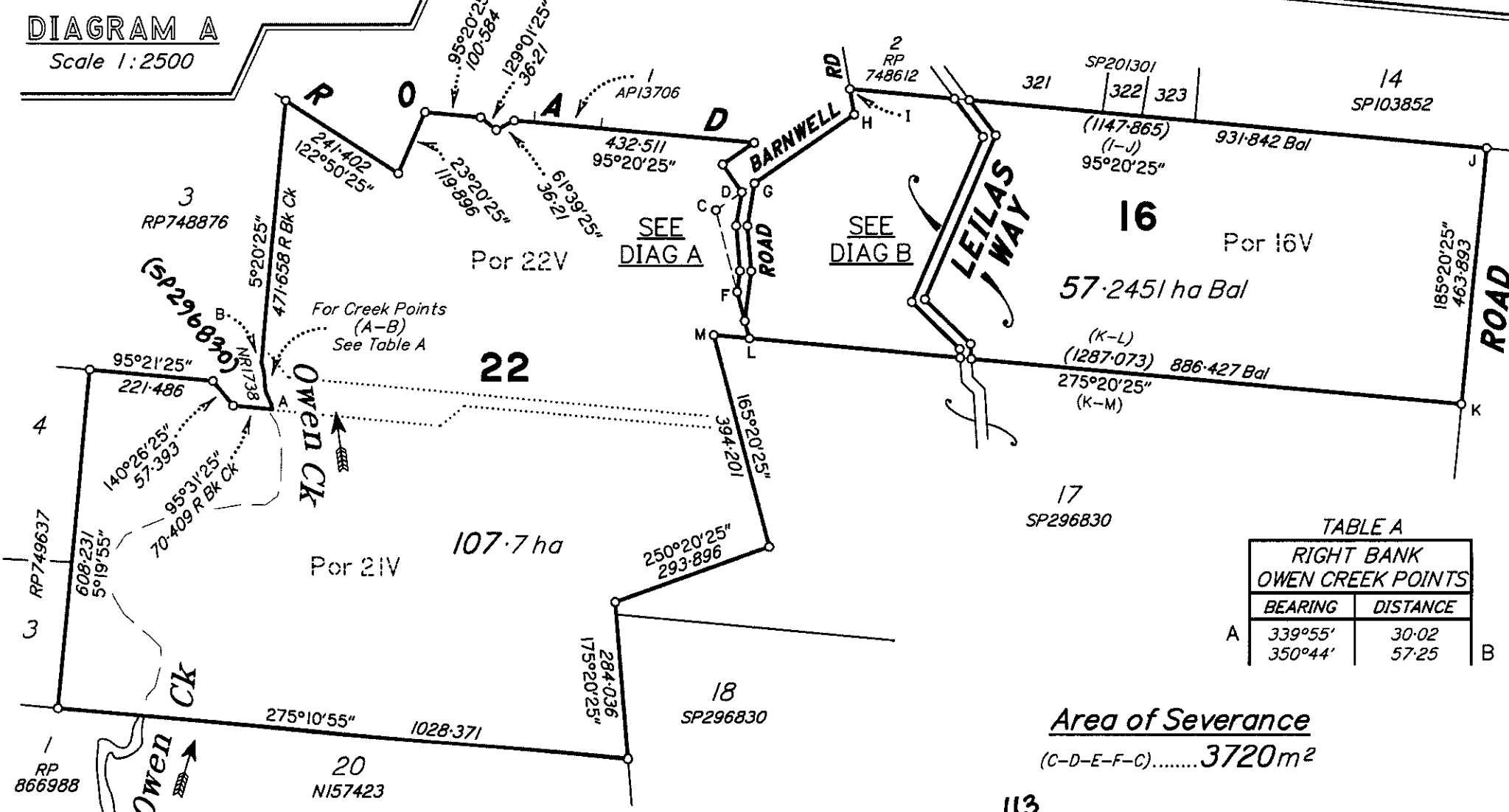
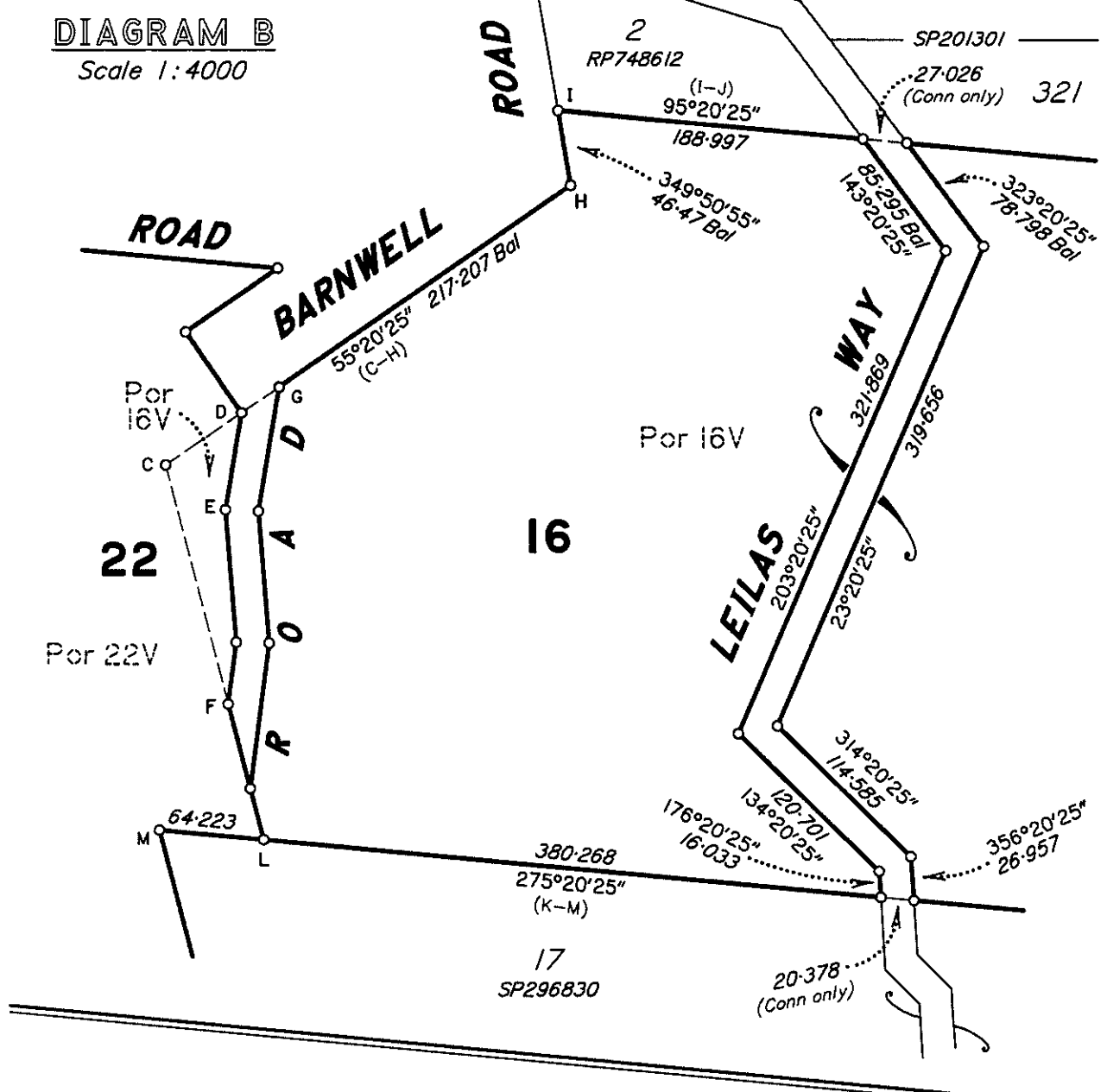
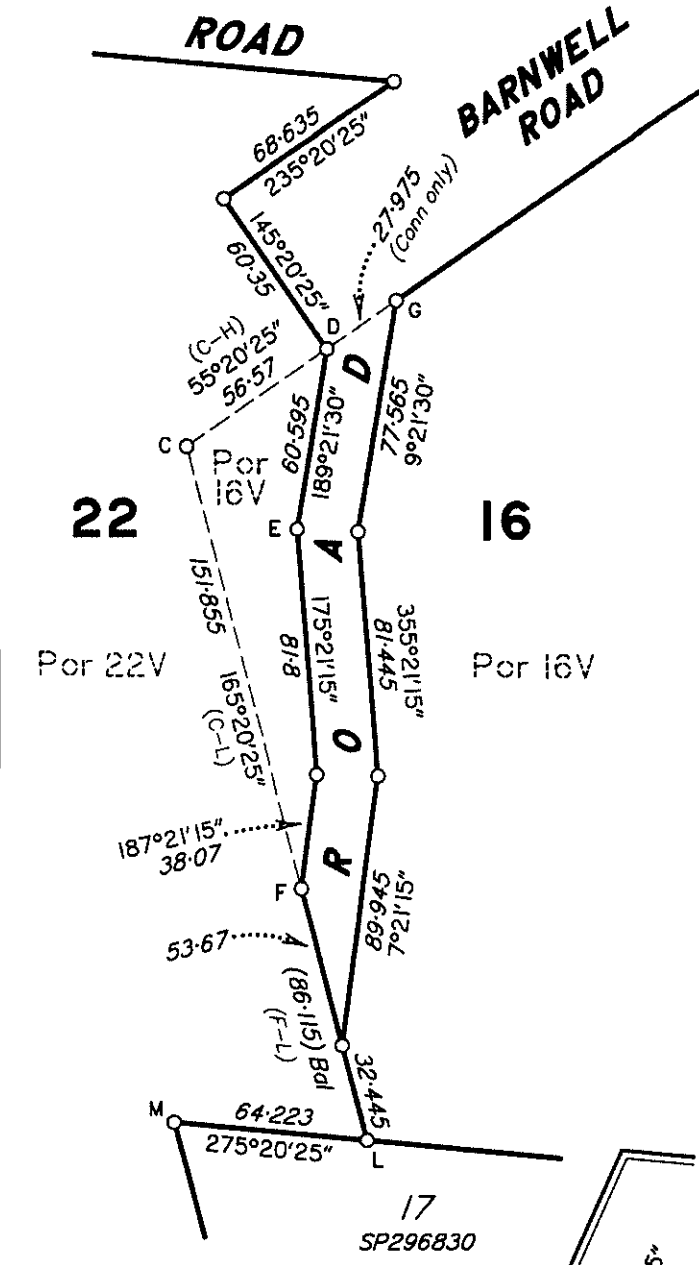


TABLE A
RIGHT BANK
OWEN CREEK POINTS

BEARING	DISTANCE
339°55'	30.02
350°44'	57.25

Area of Severance
(C-D-E-F-C).....3720m²

Subsequent New Plan of Survey under Sec 113 of the Survey and Mapping Infrastructure Act.

PLAN OF
Lots 16 and 22
Cancelling Lot 16 on N157227 and Lot 22 on SP296830

LOCAL GOVERNMENT: MAREEBA S.C. LOCALITY: KURANDA

Meridian: MGA94 (Zone 55) vide SP296830 Survey Records: NO

Scale: 1 : 10000
Format: STANDARD

SP304952

AUSNORTH CONSULTANTS PTY LTD (ACN 166 510 028) hereby certify that the corporation, by Brian James LANE, Cadastral Surveyor, for whose work the corporation accepts responsibility, has made this plan under Section 16 of the Survey and Mapping Infrastructure Regulation 2014 and pursuant to the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the plan is accurate, and compiled from N157227, C153467, RP748612, SP296830 and IS280485 in the Department of Natural Resources, Mines and Energy.

31/05/2018
Date
Director

719123198

\$570.00
23/11/2018 13:54

CS 400 NT

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

Sheet 2 of 2

5. Lodged by

WGC LAWYERS
1A WATER STREET
CAIRNS Q 4870
Ph 4046 1111
CAIRNS@WGC.COM.AU
1038373. MH

717

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

1. Certificate of Registered Owners or Lessees.

I/We ANDREW EASTON
ADRIENNE PETA EASTON
BARBARA COLBURN MARTIN
REEVER AND OCEAN PTY LTD ACN 168 166 416

(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. REEVER AND OCEAN PTY LTD
ACN 168 166 416

Signature of *Registered Owners *Lessees

SOLE DIRECTOR

BC Martin

* 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 31st day of August 2018

Anthony Archie # Anthony Archie
Manager Development
& Governance

* 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 :
Surveyor : 18005

6. Existing		Created		
Title Reference	Description	New Lots	Road	Secondary Interests
21287024 51131989	Lot 16 on N157227 Lot 22 on SP296830	16 and 22 22	- -	- -

MORTGAGE ALLOCATIONS

Mortgage	Lots Fully Encumbered	Lots Partially Encumbered
709182770	16	22
717992137	-	22

Amendments by me.

CADASTRAL SURVEYOR

17/10/2019
DATE

SURVEY REPORT

COMPILATION NOTES

Issues associated with the accuracy of the underlying cadastre have been discussed extensively in SP296830. In this context and with particular reference to Lot 16 on N157227, various bearing meridian datum relationships are available with respect to the compilation of historical data. Surprisingly the carrying forward of the most contemporary survey data vide RP748612 results in the worst surround description lot misclosure, hence original data vide N157227 has been relied upon for database compilation purposes (distances and CAM/MGA94 bearing relationships). Using these dimensions, the resultant area computed for Lot 16 via the Bowditch Method is worse than 1:1000 (1:896) hence the decision to depict the computed area for Lot 16 via the Balance Area Method. Following consultations with the DNRME, it has been verified that the Nett Area for Lot 16 on N157227 (142 Acres, 1 Rood & 20 Perches) correctly accounts for the road closure action along the northern boundary (RC 8083) and the road excisions vide C153467 & NR457.

PHYSICAL FEATURE BOUNDARY SURVEY REPORT

It can be demonstrated that Owens Creek – being the water course feature adopted where necessary for boundary determination purposes – represents as a Non-Tidal Watercourse.

A First New Plan of Survey (SP296830) dealing with the right-bank of Owen Creek (A-B) was recently registered in support of the creation of Lot 22 under Sec 108 of the Survey & Mapping Infrastructure Act . Given that the current plan (SP304952) carries forward the same Non-Tidal Ambulatory Boundary feature via the method of database compilation, the current plan (SP304952) therefore becomes a Subsequent New Plan of Survey under Sec 111 of the Survey & Mapping Infrastructure Act .

Date of Development Approval:

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

SP304952

22	Pors 16V, 21V and 22V
16	Por 16V
Lots	Orig

7. Orig Grant Allocation :

8. Passed & Endorsed :

AUSNORTH CONSULTANTS PTY LTD
By : (ACN 116 510 028)
Date : 31/05/2018
Signed :
Designation : Cadastral Surveyor/Director

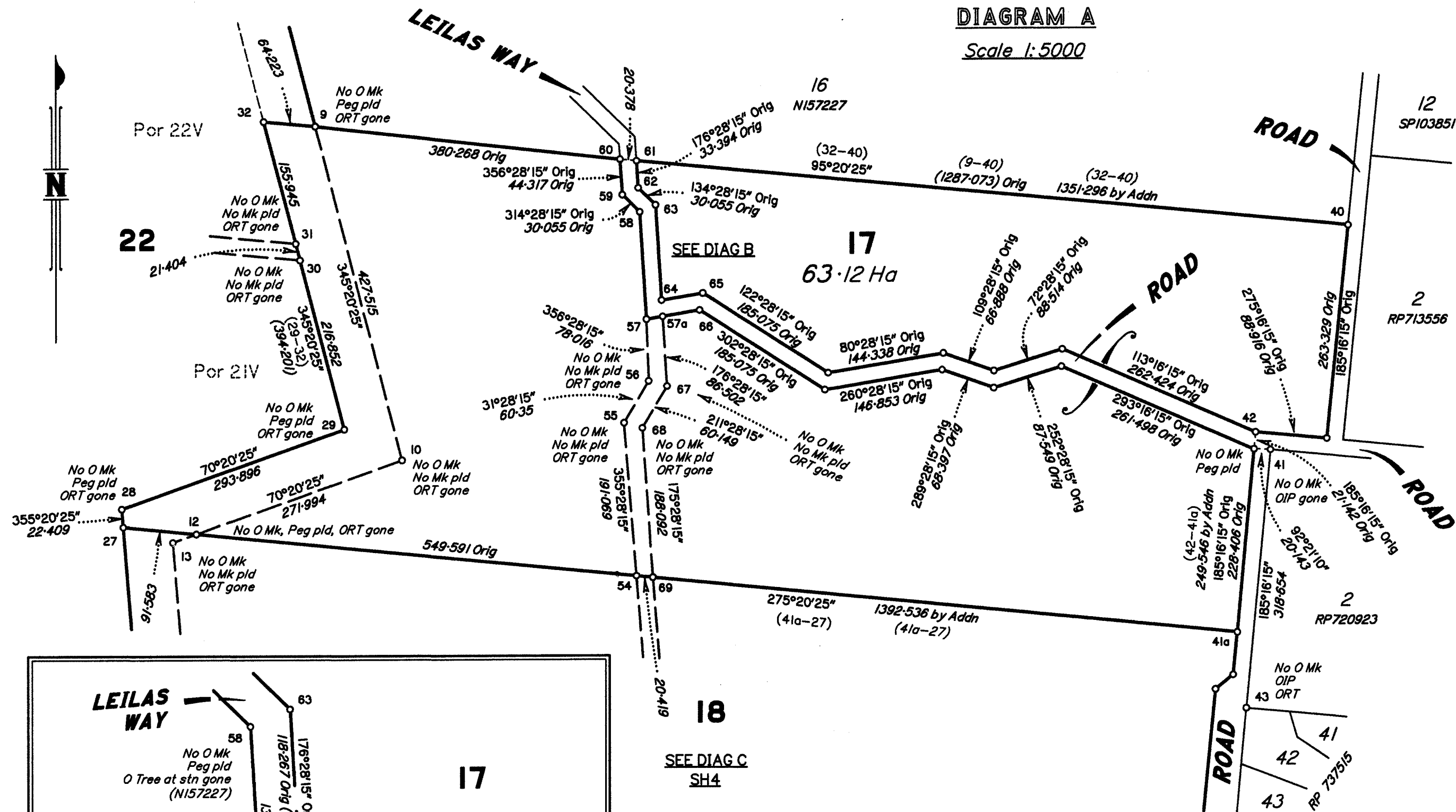
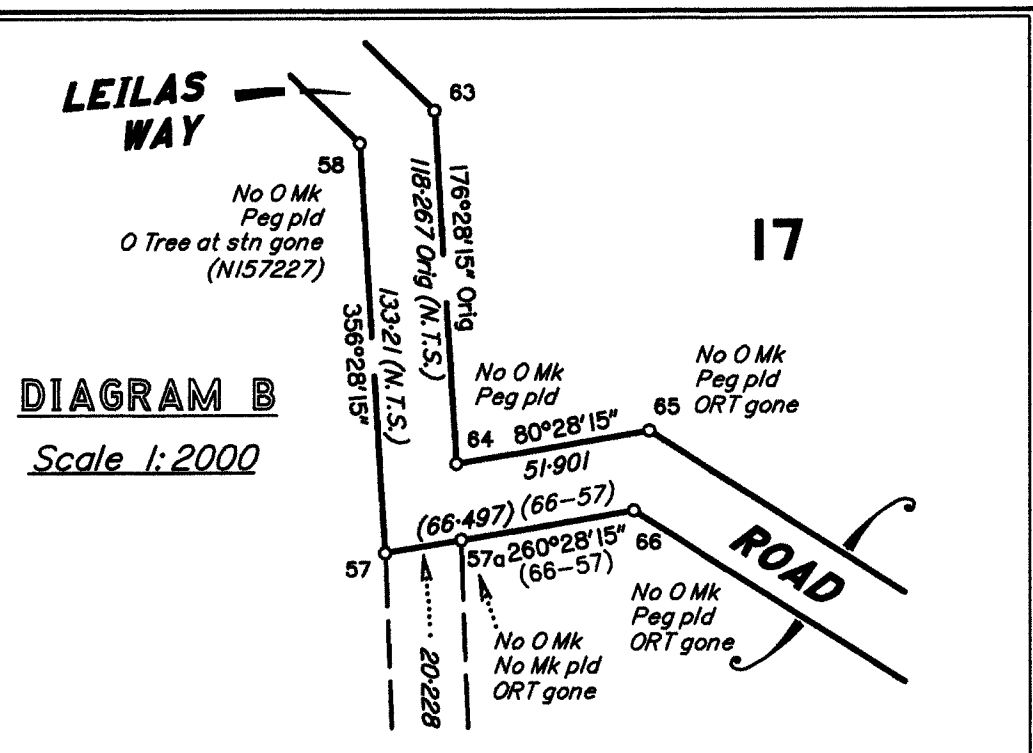


DIAGRAM B
Scale 1:2000



SCHEDULE 5 – EMR / CLR SEARCH



SCHEDULE 5



Department of Environment and Science (DES)
ABN 46 640 294 485
400 George St Brisbane, Queensland 4000
GPO Box 2454, Brisbane QLD 4001, AUSTRALIA
www.des.qld.gov.au

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

Gloablx Terrain
Po Box 2746
Brisbane QLD 4069

Transaction ID: 50568712 EMR Site Id: 12 November 2019
Cheque Number:
Client Reference:

This response relates to a search request received for the site:
Lot: 22 Plan: SP304952

KURANDA

EMR RESULT

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

CLR RESULT

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

ADDITIONAL ADVICE

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

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

If you have any queries in relation to this search please phone 13QGOV (13 74 68)

Administering Authority



Department of Environment and Science (DES)
ABN 46 640 294 485
400 George St Brisbane, Queensland 4000
GPO Box 2454, Brisbane QLD 4001, AUSTRALIA
www.des.qld.gov.au

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

Gloablx Terrain
Po Box 2746
Brisbane QLD 4069

Transaction ID: 50568711 EMR Site Id: 12 November 2019
Cheque Number:
Client Reference:

This response relates to a search request received for the site:
Lot: 17 Plan: SP296830

KURANDA

EMR RESULT

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

CLR RESULT

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

ADDITIONAL ADVICE

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

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

If you have any queries in relation to this search please phone 13QGOV (13 74 68)

Administering Authority

SCHEDULE 6 – DA FORM 1



SCHEDULE 6

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>	Reever and Ocean Pty Ltd
Contact name <i>(only applicable for companies)</i>	Dominic Hammersley
Postal address <i>(P.O. Box or street address)</i>	C/- wildPLAN Pty Ltd PO Box 8028
Suburb	Cairns
State	QLD
Postcode	4870
Country	Australia
Contact number	0487 967 533
Email address <i>(non-mandatory)</i>	dominic@wildPLAN.com.au
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	WP20 006 R&O DA01

2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application	
<input checked="" 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
				Kuranda
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
		17	SP296830	Mareeba Shire
b)	Unit No.	Street No.	Street Name and Type	Suburb
				Kuranda
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
		22	SP304952	Mareeba Shire

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:

Owen Creek

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

☐ In a tidal area

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

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

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

Name of airport:

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

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

5) Are there any existing easements over the premises?

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

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

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

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

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

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

c) What is the level of assessment?

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

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

Material Change of Use for Nature-based tourism (natural environment, culture and heritage appreciation)

e) Relevant plans

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

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

6.2) Provide details about the second development aspect

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

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

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

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

c) What is the level of assessment?

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

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

e) Relevant plans

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

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

6.3) Additional aspects of development

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

☒ Not required

Section 2 – Further development details

7) Does the proposed development application involve any of the following?

Material change of use	<input 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)
Nature-based tourism	Nature-based tourism	N/A	N/A

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

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

Division 2 – Reconfiguring a lot

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

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

--

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?

- ☐ Yes – provide additional details below
☐ No

How many stages will the works include?	
What stage(s) will this development application apply to?	

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

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

12) Boundary realignment

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

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

12.2) What is the reason for the boundary realignment?

--

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)

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

Division 3 – Operational work

Note: This division is only required to be completed if any part of the development application involves operational work.

14.1) What is the nature of the operational work?

- | | | |
|--|-------------------------------------|--|
| <input type="checkbox"/> Road work | <input type="checkbox"/> Stormwater | <input type="checkbox"/> Water infrastructure |
| <input type="checkbox"/> Drainage work | <input type="checkbox"/> Earthworks | <input type="checkbox"/> Sewage infrastructure |
| <input type="checkbox"/> Landscaping | <input type="checkbox"/> Signage | <input type="checkbox"/> Clearing vegetation |
| <input type="checkbox"/> Other – please specify: <table border="1" style="display: inline-table; width: 400px; height: 20px;"></table> | | |

14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)

☐ Yes – specify number of new lots:

☐ No

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

\$

PART 4 – ASSESSMENT MANAGER DETAILS

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

Mareeba Shire Council

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

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

PART 5 – REFERRAL DETAILS

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

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

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

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

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

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

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

Matters requiring referral to the chief executive of the distribution entity or transmission entity : <input 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 Transport Infrastructure Act 1994 : <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 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: By not agreeing to accept an information request I, the applicant, acknowledge: <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. Further advice about information requests is contained in the <u>DA Forms Guide</u> .

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)

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

List of approval/development application references	Reference number	Date	Assessment manager
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Development application	MCU/18/0006	21 May 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)

- ☐ Yes – a copy of the receipted QLeave form is attached to this development application
☐ No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid
☒ Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)

Amount paid	Date paid (dd/mm/yy)	QLeave levy number
\$		

22) Is this development application in response to a show cause notice or required as a result of an enforcement notice?

- ☐ Yes – show cause or enforcement notice is attached
☒ No

23) Further legislative requirements

Environmentally relevant activities

23.1) Is this development application also taken to be an application for an environmental authority for an **Environmentally Relevant Activity (ERA)** under section 115 of the *Environmental Protection Act 1994*?

- ☐ Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below
☒ No

Note: Application for an environmental authority can be found by searching “ESR/2015/1791” as a search term at www.qld.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.

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

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

Hazardous chemical facilities

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

- ☐ Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application
☒ No

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

Clearing native vegetation

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

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

☒ No

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

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

Environmental offsets

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

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

☒ No

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

Koala conservation

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

☐ Yes

☒ No

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

Water resources

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

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

☒ No

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

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

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

Waterway barrier works

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

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

☒ No

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

Marine activities

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

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

☒ No

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

Quarry materials from a watercourse or lake

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

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

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

Quarry materials from land under tidal waters

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

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

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

Referable dams

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

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

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

Tidal work or development within a coastal management district

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

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

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

Queensland and local heritage places

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

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

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

Name of the heritage place:		Place ID:	
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Brothels

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

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

Decision under section 62 of the Transport Infrastructure Act 1994

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

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

PART 8 – CHECKLIST AND APPLICANT DECLARATION

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

25) Applicant declaration
<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>, Planning Regulation 2017 and the DA Rules except where:</p> <ul style="list-style-type: none"> such disclosure is in accordance with the provisions about public access to documents contained in the <i>Planning Act 2016</i> and the Planning Regulation 2017, and the access rules made under the <i>Planning Act 2016</i> and Planning Regulation 2017; or required by other legislation (including the <i>Right to Information Act 2009</i>); or otherwise required by law. <p>This information may be stored in relevant databases. The information collected will be retained as required by the <i>Public Records Act 2002</i>.</p>

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