TOWN PLANNING REPORT

DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE – CODE ASSESSMENT FOR MULTIPLE DWELLING

on land located at

41 TO 43 BYRNES STREET, MAREEBA

on land described as

LOT 3 ON RP865105

for and on behalf of

GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA CONSOLIDATED TRUST

VGF – C1128
March 2020

Victor G Feros Town Planning Consultants

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DA Form 1 – Development application details

Approved form (version 1.2 effective 7 February 2020) 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 only building work.

For a development application involving **building work only**, use *DA Form 2 – Building work details*.

For a development application involving **building work associated with any other type of assessable development (i.e. material change of use, operational work or reconfiguring a lot)**, use this form (*DA Form 1*) **and** parts 4 to 6 of *DA Form 2 – Building work details.*

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994*, and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008.* For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

Note: *All terms used in this form have the meaning given under the Planning Act 2016, the Planning Regulation 2017, or the Development Assessment Rules (DA Rules).*

PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) *(individual or company full name)*	**Greek Orthodox Archdiocese of Australia Consolidated Trust**
Contact name *(only applicable for companies)*	**Nick Hardy**
Postal address *(P.O. Box or street address)*	**c/- Victor G Feros Town Planning Consultants** **PO Box 1256**
Suburb	**CAIRNS**
State	**QLD**
Postcode	**4870**
Country	**AUSTRALIA**
Contact number	**(07) 4031 3663**
Email address *(non-mandatory)*	**cairns@ferosplanning.com.au**
Mobile number *(non-mandatory)*	
Fax number *(non-mandatory)*	
Applicant's reference number(s) *(if applicable)*	**C1128**

2) Owner's consent
2.1) Is written consent of the owner required for this development application?
☐ Yes – the written consent of the owner(s) is attached to this development application ☒ **No – proceed to 3)**

Queensland Government

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
		41-43	**Byrnes Street**	**Mareeba**
	Postcode	Lot No.	Plan Type and Number *(e.g. RP, SP)*	Local Government Area(s)
	4880	**3**	**RP865105**	**Mareeba Shire Council**
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number *(e.g. RP, SP)*	Local Government Area(s)

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

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

☐ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) *(if applicable)*
		☐ WGS84 ☐ GDA94 ☐ Other:	

☐ Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) *(if applicable)*
		☐ 54 ☐ 55 ☐ 56	☐ WGS84 ☐ GDA94 ☐ Other:	

3.3) Additional premises

☐ Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development 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:

☐ 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:	
☐ Listed on the Contaminated Land Register (CLR) under the *Environmental Protection Act 1994*	
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)*:

Multiple Dwelling containing six (6) units

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	☒ **Yes – complete division 1 if assessable against a local planning instrument**
Reconfiguring a lot	☐ Yes – complete division 2
Operational work	☐ Yes – complete division 3
Building work	☐ Yes – complete *DA Form 2 – Building work details*

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition *(include each definition in a new row)*	Number of dwelling units *(if applicable)*	Gross floor area (m^2) *(if applicable)*
Refer to **Section 6.00** of the **Town Planning Report dated March 2020**			

8.2) Does the proposed use involve the use of existing buildings on the premises?
☐ Yes
☒ **No**

Division 2 – Reconfiguring a lot

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

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

9.2) What is the nature of the lot reconfiguration? *(tick all applicable boxes)*	
☐ Subdivision *(complete 10))*	☐ Dividing land into parts by agreement *(complete 11))*
☐ Boundary realignment *(complete 12))*	☐ Creating or changing an easement giving access to a lot from a constructed 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?		
☐ Road work	☐ Stormwater	☐ Water infrastructure
☐ Drainage work	☐ Earthworks	☐ Sewage infrastructure
☐ Landscaping	☐ Signage	☐ Clearing vegetation
☐ Other – please specify:		
14.2) Is the operational work necessary to facilitate the creation of new lots? *(e.g. subdivision)*		
☐ Yes – specify number of new lots:		
☐ No		
14.3) What is the monetary value of the proposed operational work? *(include GST, materials and labour)*		
$		

PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application
Mareeba Shire Council
16) Has the local government agreed to apply a superseded planning scheme for this development application?
☐ Yes – a copy of the decision notice is attached to this development application
☐ The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
☒ **No**

PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have 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 Act 2016***:

☐ Clearing native vegetation
☐ Contaminated land *(unexploded ordnance)*
☐ Environmentally relevant activities (ERA) *(only if the ERA has not been devolved to a local government)*
☐ Fisheries – aquaculture
☐ Fisheries – declared fish habitat area
☐ Fisheries – marine plants
☐ Fisheries – waterway barrier works
☐ Hazardous chemical facilities
☐ Heritage places – Queensland heritage place *(on or near a Queensland heritage place)*
☐ Infrastructure-related referrals – designated premises
☐ Infrastructure-related referrals – state transport infrastructure
☒ **Infrastructure-related referrals – State transport corridor and future State transport corridor**
☐ Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
☐ Infrastructure-related referrals – near a state-controlled road intersection
☐ Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
☐ Koala habitat in SEQ region – key resource areas
☐ Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
☐ Ports – Brisbane core port land – environmentally relevant activity (ERA)
☐ Ports – Brisbane core port land – tidal works or work in a coastal management district
☐ Ports – Brisbane core port land – hazardous chemical facility
☐ Ports – Brisbane core port land – taking or interfering with water
☐ Ports – Brisbane core port land – referable dams
☐ Ports – Brisbane core port land – fisheries
☐ Ports – Land within Port of Brisbane's port limits *(below high-water mark)*
☐ 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 –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 has been devolved to local government)*

☐ Heritage places – Local heritage places
Matters requiring referral to the **Chief Executive of the distribution entity or transmission entity:** ☐ Infrastructure-related referrals – Electricity infrastructure
Matters requiring referral to: • The **Chief Executive of the holder of the licence**, if not an individual • The **holder of the licence**, if the holder of the licence is an individual ☐ Infrastructure-related referrals – Oil and gas infrastructure
Matters requiring referral to the **Brisbane City Council:** ☐ Ports – Brisbane core port land
Matters requiring referral to the **Minister responsible for administering the *Transport Infrastructure Act 1994*:** ☐ Ports – Brisbane core port land *(where inconsistent with the Brisbane port LUP for transport reasons)* ☐ Ports – Strategic port land
Matters requiring referral to the **relevant port operator**, if applicant is not port operator**:** ☐ Ports – Land within Port of Brisbane's port limits *(below high-water mark)*
Matters requiring referral to the **Chief Executive of the relevant port authority:** ☐ Ports – Land within limits of another port *(below high-water mark)*
Matters requiring referral to the **Gold Coast Waterways Authority:** ☐ Tidal works or work in a coastal management district *(in Gold Coast waters)*
Matters requiring referral to the **Queensland Fire and Emergency Service:** ☐ Tidal works or work in a coastal management district *(involving a marina (more than six vessel berths))*

18) Has any referral agency provided a referral response for this development application?		
☐ Yes – referral response(s) received and listed below are attached to this development application ☒ **No**		
Referral requirement	Referral agency	Date of referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and this development application , or include details in a schedule to this development application *(if applicable).*		

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules
☒ **I agree to receive an information request if determined necessary for this development application** ☐ I do not agree to accept an information request for this development application ***Note**: By not agreeing to accept an information request I, the applicant, acknowledge:* • *that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties* • *Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.* *Further advice about information requests is contained in the DA Forms Guide.*

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? *(e.g. a preliminary approval)*			
☐ Yes – provide details below or include details in a schedule to this development application ☒ **No**			
List of approval/development application references	Reference number	Date	Assessment manager
☐ Approval ☐ Development application			
☐ Approval ☐ 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 (A, B or E)
$		

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 habitat in SEQ Region

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

☐ Yes – the development application involves premises in the koala habitat area in the koala priority area

☐ Yes – the development application involves premises in the koala habitat area outside the koala priority area

☒ **No**

Note: *If a koala habitat area determination has been obtained for this premises and is current over the land, it should be provided as part of this development application. See koala habitat area 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 Form1 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:	

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 ***Note**: See the Planning Regulation 2017 for referral requirements*	☒ Yes
If building work is associated with the proposed development, Parts 4 to 6 of *DA Form 2 – Building work details* have been completed and attached to this development application	☐ Yes ☒ Not applicable
Supporting information addressing any applicable assessment benchmarks is with the development application ***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.*	☒ Yes
Relevant plans of the development are attached to this development application ***Note**: Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms Guide: Relevant plans.*	☒ Yes
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (*see 21*)	☐ Yes ☒ Not applicable

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

PART 9 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

Date received:		Reference number(s):	

Notification of engagement of alternative assessment manager	
Prescribed assessment manager	
Name of chosen assessment manager	
Date chosen assessment manager engaged	
Contact number of chosen assessment manager	
Relevant licence number(s) of chosen assessment manager	

QLeave notification and payment *Note: For completion by assessment manager if applicable*			
Description of the work			
QLeave project number			
Amount paid ($)		Date paid (dd/mm/yy)	
Date receipted form sighted by assessment manager			
Name of officer who sighted the form			

TOWN PLANNING REPORT

DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE – CODE ASSESSMENT FOR MULTIPLE DWELLING

on land located at

41 TO 43 BYRNES STREET, MAREEBA

on land described as

LOT 3 ON RP865105

for and on behalf of

GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA CONSOLIDATED TRUST

VGF – C1128
March 2020

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TOWN PLANNING REPORT

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Amended 30/03/2020 (11am)

FIGURES

APPENDICES

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TOWN PLANNING REPORT

MATERIAL CHANGE OF USE FOR MULTIPLE DWELLING

LOT 3 ON RP865105

41 TO 43 BYRNES STREET, MAREEBA

1.00 INTRODUCTION

We act on behalf of the Greek Orthodox Archdiocese of Australia Consolidated Trust, the land owner and proponent in relation to the proposal to establish independent and shared supportive accommodation on the subject site located at Lot 3 on RP865105 and situated at 41 to 43 Byrnes Street, Mareeba.

This Report addresses the Application and the merits upon which Mareeba Shire Council's (Council) support is requested in terms of the Mareeba Shire Council Planning Scheme (2016) and is based on the combined investigations and researches of the following practices:-

a) Victor G Feros Town Planning Consultants – Statutory and land use planning;

b) PD Designs – Building Design; and

c) CMG Consulting Engineers – Engineering Design.

The supporting information lodged with this application includes design details for the following elements comprising the development of the site:-

a) a two (2) storey building identified as Multiple Dwelling and subject to this application; and

b) a single storey building identified as a Community Residence and not subject to this application. This element is not assessable development as specified by the provisions of the Planning Regulation (2017).

Design details and commentary on the Community Residence component has been provided as part of this Report to enable Council and other assessment agencies to consider the proposal within the context of the overall development.

2.00 THE SITE

The subject site is located at 41 - 43 Byrnes Street, Mareeba.

The site is located on the eastern (south bound) side of Byrnes Street and is located on the northern edge of the Mareeba retail and commercial area.

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

The subject site is described as Lot 3 on RP865105 and contains an area of 2,023m2 and has a frontage of 40.234m to Byrnes Street.

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

3.00 CURRENT SITE USES

The subject site includes the following existing features:

a) a single storey dwelling located in the north western corner of the site;

b) a centrally located driveway and a second driveway servicing a garage as part of the dwelling connected with Byrnes Street;

c) storage sheds located adjoining the rear boundary; and

d) a large tree located adjoining the rear boundary;

e) a large tree located in the southern part of the site; and

f) existing sewer main located within the rear section of the site extending in a north-south direction (refer to **Appendix B – Sewer Plan**).

The position of these features are shown in **Figure 3 - Existing Site Uses**.

4.00 SURROUNDING USES

The subject site is located on the northern edge of the Mareeba retail and commercial area.

The subject site is contained within a mixed use area and has frontage to Byrnes Street - the northern entrance to Mareeba via the Mareeba Dimbulah Road.

To the north, the site is adjoined by a vacant commercial building constructed to the common boundary with the subject site.

To the east and south, the site is adjoined by detached dwellings.

To the west across Byrnes Street, the site is adjacent to a public park and industrial uses.

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

5.00 PRE-LODGEMENT ADVICE

As part of the planning and design investigations for the proposal, the following pre-lodgement advice was obtained:-

a) advice from the Department of State Development Manufacturing Infrastructure and Planning (Department) dated 11 December 2019; and

b) advice from Mareeba Shire Council dated 13 December 2019.

A copy of these documents are attached as **Appendix C - Pre-lodgement Advice**.

The responses provided by the Department and Council have been used to inform the design and layout of the proposal and the responses to the statutory town planning matters.

Notwithstanding the divergence of views expressed, particularly with reference to whether the proposed development in its entirety constitutes Community Residence, is therefore prohibited from being made assessable development within the Planning Scheme and accordingly no further planning application is required, nonetheless this application is made in good faith, having regard to the altruistic intent of the applicant to serve an identified community need, however noting that the applicant reserves its rights in this matter.

6.00 PROPOSED DEVELOPMENT

6.01 General

The proposed accommodation is to be operated by St John's Community Care as an activity of the Greek Orthodox Archdiocese of Australia.

St John's currently provides disability and aged care services in Mareeba at the facility located at 1-5 Quill Street, Mareeba.

These services in Mareeba have been provided since 2000.

The proposal to provide independent and shared supportive living is based on similar facilities currently provided by St. John's in Gordonvale and at Taigum (northern suburbs of Brisbane).

The proposal will assist with meeting an identified need for independent and shared supportive accommodation within Mareeba and the surrounding area.

6.02 General Design and Siting Principles

The following design principles have been identified:-

a) the development will be purpose-built to provide accommodation for the needs of residents. This includes the provision of on-site recreation areas;

b) the proposal will remain domestic in scale and appearance;

c) the activity areas and living areas are to be orientated to the centre or rear of the site and with minimise exposure to the Byrnes Street frontage;

d) suitable buffers and setbacks are to be provided to all boundaries;

e) the building and outdoor living areas will include design and siting features to mitigate existing and future road noise from the adjoining Byrnes Street road corridor;

f) the positioning of the buildings on the site retains access for maintenance purposes to the sewer main located in the rear part of the site; and

g) a single entry and exit point will be provided to Byrnes Street.

6.03 Development Details

The following development is proposed for the subject site:-

a) the existing structures including the dwelling house and sheds will be demolished and existing vegetation will be removed from the site;

b) a single storey building is to be constructed in the northern section of the site and a two (2) storey building will be constructed in the southern section of the site;

c) the single storey building is to contain four (4) bedrooms and central lounge and dining area;

   A kitchen, laundry and office will adjoin the dining area.

   Each bedroom will include a patio and connecting enclosed courtyard.

d) the two (2) storey building will include six (6) self contained, two (2) bedroom units.

   The ground floor units include a patio and connecting enclosed courtyard.

   The first floor units include a balcony.

e) a central driveway with a six (6) metre wide entrance to Byrnes Street providing access to the car parking area to the rear will also include provisions for an emergency vehicle set down area. This setdown area can also be used for mini bus parking as required;

f) provision for eight (8) covered car parking spaces including one (1) disabled space;

g) enclosed refuse bin storage area;

h) shared BBQ area and swimming pool;

i) intensive landscaping adjacent to the Byrnes Street frontage and parts of the rear and side boundaries; and

j) a 1.8m high screen fence will be provided along all site boundaries. The fence to the Byrnes Street frontage will include an automatic opening / closing gate.

Plans and elevations showing the proposed development are attached as **Appendix D**.

The following operational and use arrangements are noted:-

a) residents within the single storey building are to live on an independent basis with the assistance of a carer or specialist staff member.

   The carer or specialist staff member will attend to the requirements of residents on an intermittent and individual needs basis.

   The carers and specialist staff members will not be required to reside on-site or provide care on a 24 hours basis.

b) the residents in the two-storey building will also live on an independent basis.

   The second bedroom within each unit will accommodate a carer when required or a visiting family member;

c) emphasis will be given to providing accommodation for young people with a disability or with a special care need;

d) the accommodation will be managed and supervised by trained and experienced St John's Community Care staff; and

e) none of the residents will require a car. The proposed on-site car parking spaces will be provided for use by St John's Community Care staff and visiting family members or carers.

7.00 TOWN PLANNING ALLOCATIONS

7.01 Town Planning Allocations

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

	Designation
a) Strategic Framework	Land Use Category: • Residential Area • Adjoins a State Controlled Road and B-Double Route • Adjoins a Principle Cycle Route (Refer to **Figure 5 - Strategic Framework**)
b) Mareeba Local Plan	Land located within the Local Plan Area, however it is not located with a specific precinct.
c) Zoning	Medium Density Residential Zone (Refer to **Figure 6 - Zoning**)
d) Overlays	Flood Hazard Overlay: • General Extent of Modelled Flood Hazard Levels
	Residential Dwelling and Outbuilding Overlay • Residential Dwelling and House and Outbuilding
	Transport Infrastructure Overlay • Adjoins a State Controlled Road • Transport Noise Corridor, Categories 1 to 3 (Refer to **Figure 7 – Transport Infrastructure Overlay** and **Figure 8 – Transport Noise Corridor Overlay**) It is noted that the categories shown in **Figure 8** have been superseded by new categories identified in the State Planning

	Policy Mapping (Refer to **Figure 9 – SPP Transport Noise Corridor**). To assist with the assessment of this matter, the ground floor plan for the proposed development has also been shown in **Figure 9**.

7.02 Use Description

a) Multiple Dwelling

The proposed two (2) storey building containing six (6) units adjoining the southern boundary is encompassed by the following definitions for Multiple Dwelling

Use	Definition	Examples include	Does not include the following examples
Multiple dwelling	Premises containing three or more dwellings for separate households.	Apartments, flats, units, townhouses, row housing, triplex.	Rooming accommodation, dual occupancy, duplex, granny flat, residential care facility, retirement facility.

This use definition has been confirmed with the Pre-lodgement advice provided by Council.

b) Community Residence

Based on the discussions with Council and the Department, it has been determined that the proposed single storey building adjacent to the northern boundary is defined as a Community Residence within the provisions of both the Mareeba Shire Council Planning Scheme (2016) and the Planning Regulation (2017).

It is noted that a Community Residence is a Code Assessable development within the Medium Density Residential Zone of the Planning Scheme and is identified as not being assessable development within the provisions of the Planning Regulation (2017).

In this regard, the following aspects are noted from the Planning Regulation (2017); Schedule 6:-

i) a Community Residence is defined within Schedule 24 of the Regulation; and

ii) Schedule 6 nominates the uses that are prohibited from being made assessable development within the Planning Scheme.

For the purposes of this Report, the following assessment is made in relation to the definition and criteria to determine that a Community Residence is not assessable development:-

i) Use Definition (Schedule 24)

community residence—

a) means the use of premises for residential accommodation for—

(i) no more than—

(A) 6 children, if the accommodation is provided as part of a program or service under the Youth Justice Act 1992; or

Comment

Not Applicable

(B) 6 persons who require assistance or support with daily living needs; and

Comment

Accommodation will be provided for four (4) persons requiring assistance or support with daily living needs.

(ii) no more than 1 support worker; and

Comment

The residence will include no more than 1 support worker. As shown by layout plan attached as **Appendix D - Proposal Plans and Elevations**, an Office has been provided for the support worker within the proposed building.

b) includes a building or structure that is reasonably associated with the use in paragraph (a).

Comment

The proposed building will provide residential accommodation.

ii) Schedule 6 Use

A community Residence is not assessable development based on compliance with the following criteria:-

(1) A material change of use of premises for a community residence, if—
(a) the premises are included in a prescribed zone under a local categorising instrument; and

Comment
The subject site is included within the Medium Density Residential Zone and this zone is identified as a *prescribed zone*.

(b) no more than 7 support workers attend the residence in a 24-hour period; and

Comment
Provision will be made for one (1) support worker.

(c) at least 2 car parks are provided on the premises for use by residents and visitors; and

Comment
As shown by the layout plans attached as **Appendix D - Proposal Plans and Elevations,** eight (8) on-site car parking spaces will be provided for staff, carers and visitors.

(d) at least 1 of the car parks stated in paragraph (c) is suitable for persons with disabilities; and

Comment
One (1) car park provided on-site is suitable for person(s) with a disability.

(e) at least 1 car park is provided on the premises for use by support workers.

Comment

One (1) on-site car park can be provided for a support worker associated with the Community Residence.

It is submitted that the proposed single storey building in the northern section of the site can be identified as not being assessable development on the basis that the proposal complies with the criteria specified by Schedule 6 and 24.

c) Use Description

It is submitted that on the basis of the considerations discussed above that the proposal is suitably described as:-

"Development Permit for Material Change of Use – Code Assessment for Multiple Dwelling"

The Community Residence component of the development can be determined as not being assessable development.

d) Scope of the Application

The scope of this application is limited to the Multiple Dwelling component of the development. It has been determined that the Community Residence component is not assessable development.

In this regard, the following aspects are noted:-

i) the layout plans for the entire site, including the Multiple Dwelling and Community Residence have been provided for Council's consideration and to enable a comprehensive assessment of the proposal to be undertaken; and

ii) it is submitted that the formal Council assessment and approval for this application is limited to the Multiple Dwelling component of the proposal and the "overlap" in relation to access, car parking and recreation facilities shared with the Community Residence.

These elements are shown by the annotated plans attached as **Appendix E - Development Elements Subject to Council Approval**.

7.03 Applicable Codes

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

a) Zone Code
   - Medium Density Residential Zone Code;

b) Mareeba Local Plan Code;

c) Overlay Codes
   - Airport Environs Overlay Code;
   - Residential Dwelling and Outbuilding Overlay Code;
   - Transport Infrastructure Overlay Code;

d) Development Codes
   - Accommodation Activities Code;
   - Community Activities Code (includes Community Residence and Multiple Dwelling);
   - Landscaping Code;
   - Parking and Access Code; and
   - Works Services and Infrastructure Code.

A detailed response to the Codes identified as being relevant to the subject site and the proposal is provided by the assessment attached as **Appendix F - Response to Planning Scheme Codes** and the further specific responses included within **Section 8.00**.

It is also noted that where appropriate, commentary has also been provided on the Community Residence in addition to the Multiple Dwelling.

8.00 SPECIFIC RESPONSES TO CODES

8.01 Medium Density Residential Zone Code

8.01.1 Response to Purpose Statements of the Medium Density Residential Zone Code

The following responses are provided to the Purpose statements of the Medium Density Residential Zone Code:-

(a) *Development provides a range of residential dwelling choices including Multiple dwellings in locations clustered around or near activity centres and transport networks;*

Response
The proposed development is suitably located and provides a range of "residential dwelling choices" including Multiple Dwelling and Community Residence.

In particular, the proposal will provide purpose built accommodation for persons with a disability.

(b) *Development encourages and facilitates urban consolidation and the efficient use of physical and social infrastructure;*

Response
The proposal represents an efficient use of the land as a purpose built accommodation facility located in close proximity to the support services available within the Mareeba retail and commercial area.

(c) *Development is supported by employment nodes, community facilities and services, transport and commercial hubs where appropriate; Development provides and maintains a high level of amenity in the zone and is reflective of the desired character of the area;*

Response
It is submitted that the development is suitably located and maintains a high level of amenity with the local area.

(d) The scale and density of development facilitates an efficient land use pattern that supports safe and walkable neighbourhoods that are well connected to employment nodes, centres, open space and recreational areas, community services and educational opportunities;

Response

The development allows for an efficient land use pattern and is in close proximity to the Mareeba retail and commercial area.

(e) Other small-scale development that integrates personal employment and residential activities is encouraged, provided it complements local residential amenity;

Response

It is submitted that the proposed development is appropriately scaled for the locality and complements the local residential amenity.

(f) Development maintains a high level of residential amenity avoiding uses that introduce impacts associated with noise, hours of operation, traffic, advertising devices, visual amenity, privacy, lighting, odour and emissions;

Response

It is submitted that the proposed development is domestic in scale and intensity and design features will enable a high level of residential amenity to be maintained.

(g) Non-residential development may be supported where such uses directly support the day to day needs of the immediate residential community; and

Response

Not Applicable

(h) Development responds to land constraints and mitigates any adverse impacts on adjacent land uses and the environment.

Response

The subject site is located within an established urban area and it is submitted that the proposed development can minimised (if any) potential adverse impacts on adjacent land uses and the environment.

It is submitted that the proposed development suitably addresses or can address the purpose statement of the Medium Density Residential Code.

8.01.2 Response to Performance Outcome 5 of the Medium Density Residential Zone Code

Reference is made to Performance Outcome 5 and Acceptable Outcomes 5 of the Medium Density Residential Zone Code as follows:-

Gross floor area	
PO5 Buildings and structures occupy the site in a manner that: (a) makes efficient use of land; (b) is consistent with the bulk and scale of surrounding buildings; and (c) appropriately balances built and natural features.	**AO5** Gross floor area does not exceed 600m^2.

The following aspects are noted in response to the Performance Outcome and the Acceptable Outcomes in relation to the Gross Floor Area (GFA) of the proposed development:-

a) the subject site contains an area of 2,023m2;

b) the GFA of the Multiple Dwelling component is detailed as follows:-

i) ground floor - 292.45m2
ii) first floor - 292.45m2
iii) total - 584.9m2

c) the GFA of the Community Residence component is 251.52m2

d) the proposed development has a total GFA of 836.42m2

It is noted that the assessable component of the proposal (multiple dwelling) has a total GFA of 584.0m2 which is less than the threshold of 600m2 identified in Acceptable Outcome 5.

For the purposes of Council assessment of Acceptable Outcome 5, it is noted that the addition of the non-assessable Community Residence component will result in the entire development exceeding the nominated threshold of 600m2 by a further 236.42m2.

While the total proposed development exceeds the nominated GFA of 600m2 it is submitted that the site has sufficient area and the development is domestic in bulk, scale and intensity and contains sufficient open space and landscaping to be consistent with surrounding uses.

It is submitted that the overall proposed development is suitable for both the site and this locality.

8.02 Specific Code Matters

8.02.1 Scope of Assessment

To enable a comprehensive review of the proposed development, an assessment of the Multiple Dwelling component (subject to the application) and for completeness, the entire development comprising the Multiple Dwelling and the Community Residence for specific code matters have been provided.

8.02.2 Accommodation Activities Code

Reference is made to Performance Outcome 4 and Acceptable Outcomes 4.1-4.4 of the Accommodation Activities Code as follows:-

Performance outcomes	Acceptable outcomes
PO4 Accommodation activities are provided with sufficient private and communal open space areas which: (a) accommodate a range of landscape treatments, including soft and hard landscaping; (b) provide a range of opportunities for passive and active recreation; (c) provide a positive outlook and high quality of amenity to residents; (d) is conveniently located and easily accessible to all residents; and (e) contribute to an active and attractive streetscape.	**AO4.1** Development, except for Caretaker's accommodation, Dwelling house, Dual occupancy or Home based business, includes communal open space which meets or exceeds the minimum area, dimension and design parameters specified in **Table 9.3.1.3C**.
	AO4.2 Development includes private open space for each dwelling or accommodation unit which meets or exceeds the minimum area, dimension and design parameters specified in **Table 9.3.1.3D**.
	AO4.3 Clothes drying areas are provided at the side or rear of the site so that they are not visible from the street.

	AO4.4 If for Dual occupancy, Multiple dwelling, Residential care facility or Retirement facility, development provides a secure storage area for each dwelling or accommodation unit which: (a) is located to facilitate loading and unloading from a motor vehicle; (b) is separate to, and does not obstruct, on-site vehicle parking or manoeuvring areas; (c) has a minimum space of 2.4m^2 per dwelling or accommodation unit; (d) has a minimum height of 2.1 metres; (e) has minimum dimensions to enable secure bicycle storage; (f) is weather proof; and (g) is lockable.

The following aspects are noted in response to the Performance Outcome and the Acceptable Outcomes:-

i) as shown by the plans attached as **Appendix D** it is proposed to provide a communal and recreation area containing 72m2 comprising a swimming pool area of 49m2 and a BBQ area of 23m2. In addition, a drying area containing an area of 25m2 is to be provided as part of the Community Residence;

ii) Table 9.3.1.3C specifies that a Multiple Dwelling is to be provided with 50m2 of communal open space. No specific allocation is nominated for a Community Residence; and

iii) given that the purpose of the entire development is to provide facilities for residents for both the Multiple Dwelling and the Community Residence on a shared basis, it is submitted that the provision of 72m2 for communal open space will comply with the requirements of AO4.1

a) provision of private open space (AO4.2)

i) Table 9.3.1.3C specifies private open space requirements for Multiple Dwellings, however no specifications are noted for a Community Residence;

ii) an assessment of the private open space provisions is provided by the following table:-

	Outdoor private open space	**Shaded private open space**	**Total private open space**	**Minimum requirement**
Unit 1	37.08m2	10.32m2 (21%)	47.4m2	35m2
Unit 2	38.22m2	11.1m2 (22%)	49.6m2	35m2
Unit 3	37.8m2	10.4m2 (21%)	48.2m2	35m2
Unit 4	0m2	10.1m2	10.1m2	15m2
Unit 5	0m2	10.6m2	10.6m2	15m2
Unit 6	0m2	10.1m2	10.1m2	15m2
Community Residence	163.08m2	77.52m2 (32%)	240.6m2 (or an average of 60m2 per resident)	n/a

The following observations and responses are provided to the area allocations shown in the above table:-

- The proposed development is a purpose built integrated facility providing accommodation operated by the St Johns Community Care.

- The ground floor units (1, 2 and 3) of the Multiple Dwelling component exceed the minimum requirements of Table 9.3.1.3D.

- The first floor units (4, 5 and 6) of the Multiple Dwelling component provide approximately 10.1m2 private outdoor space per unit. It is noted that this is below the minimum requirement of 15m2 and this can be off-set by the generous communal and recreation area. It is submitted that given the specialised purpose of this development it is appropriate for Council to agree to a dispensation in this instance.

- although the Community Residence use is not identified in Table 9.3.1.3D, it is submitted that the Community Residence component provides sufficient shared and private outdoor and shaded private open space for residents and staff.

It is submitted that the proposed development provides sufficient outdoor and shaded private open space across the subject site and complies with the general intent of the Code.

b) provision of clothes drying areas (AO4.3)

Each of the proposed units forming the Multiple Dwelling component provides a dedicated undercover area for clothes drying on the patio or balcony of each unit.

The Community Residence component provides a shared outdoor clothes drying area at the rear of the building adjacent to the northern boundary.

The intent of the code in relation to this matter is met.

c) provision of secure storage (AO4.4)

It is submitted that the residents will have a limited requirement for on-site storage as part of either the Multiple Dwelling or the Community Residence.

In this regard, the following aspects are noted:-

i) due to the level of disability, residents are unlikely to use bicycles; and

ii) expected storage requirements for residents, likely to be minimal, can be met by the use of cupboards or wardrobes within the units.

Given these requirements of residents, it is considered that dedicated on-site storage for each unit is not required.

8.02.3 Parking and Access Code

It is noted that the Parking and Access Code requirements for car parking spaces are detailed by the following **Table**.

Definition	Minimum Number of Car Parking Spaces	Minimum Service Vehicle Space provisions	Requirement
Community residence	Three (3) spaces *	Nil	**3 spaces**
Multiple dwelling	One covered space per dwelling. One dedicated vehicle wash-down bay for premises containing 5 or more dwellings. A minimum of 0.25 spaces per dwelling is to remain in common property for visitor use. SUB-TOTAL	Nil	6 spaces 1 space 1.5 spaces **8.5 spaces**
	TOTAL		**11.5 spaces**

*Note * Three (3) spaces are required by Schedule 6 of the Planning Regulation for a Community Residence*

The following aspects are noted in relation to the provision of car parking spaces for the development:-

i) it is proposed to provide eight (8) car parking spaces (including a disabled access parking space) and an emergency vehicle space;

ii) it is noted that none of the residents will require a car. Demand for on-site car parking will be generated by St John's Community Care Staff and visiting family members or carers;

iii) given the anticipated demand for on-site car parking and based on guidance provided by known generation rates observed for other similar facilities operated by St John's Community Care, it is submitted that the provision of eight (8) on-site spaces and the set down areas will be sufficient to meet the on-site car parking demand generated by the proposal including the Multiple Dwelling and the Community Residence.

It is also noted that the Byrnes Street frontage of the site contains marked on-street car parking spaces;

iv) to ensure the security and safety of the residents and staff of the facility, vehicular and pedestrian access to the subject site will be controlled by remote or code access at the vehicle gate and the pedestrian gate located on the Byrnes Street frontage; and

v) the pre-lodgement advice provided by Council advised that the provision of eight (8) on-site car parking spaces is suitable to meet the expected demand for car parking generated by the proposal.

It is submitted that the proposed on-site car parking arrangements for the proposal are sufficient and will meet the general intent of the Code.

9.00 REFERRAL TRIGGERS

Reference is made to the Pre-lodgement Advice provided by Council and the Department and attached as **Appendix C**.

Both advices have confirmed that referral of the application through the State Assessment and Referral Agency under Schedule 10, Part 9, Division 4, Subdivision 2 Table 4 – Material Change of Use on premises within proximity to a State Transport Corridor.

Matters in relation to the State Transport Corridor are discussed further in this Report.

10.00 STATE TRANSPORT CORRIDOR MATTERS

With reference to the direction provided by the Department's Pre-lodgement Advice, the following responses are provided:-

a) in response to Item 3, an assessment of the application in accordance with the *State Code 1: Development in a State Controlled Road Environment* is attached as **Appendix G – Response to State Code 1**;

b) in response to item 4, it is noted that the access arrangement for the proposal has been amended to include a 6m wide left-in / left-out vehicular access via Byrnes Street. It is also confirmed that the access crossover will accord with the requirements of FNQROC;

c) in response to item 5 (Transport Noise Corridor), the following design and siting considerations are noted:-

   i) a 1.8m high acoustic fence will be established along the full frontage of the site to Byrnes Street;

   ii) a touch pad or remote controlled opening and closing gate will be provided at the entry and exit point of the site.

   This gate will be closed at all times other than to allow for vehicle movements. The gate will include the same acoustic features as the fence;

   iii) a separate pedestrian gate will be provided to minimise the requirement to open the larger vehicular access gate;

   iv) dense landscaping to extend above the height of the acoustic fence will be provided in the setback area located between the frontage and the front elevations / courtyard areas;

   v) the fencing for the courtyard areas located adjacent to the Byrnes Street frontage will include a 1.8m high fence including further road noise mitigation features; and

   vi) where required windows and doors located adjacent to the Byrnes Street frontage will incorporate noise mitigation features.

The above design features will be investigated and implemented by the project Building Designer and should be considered within the context of the Noise Level Categories shown by **Figure 9** - **SPP Transport Noise Corridor**.

d) it is noted that alignment of the existing sewer main extending through the rear of the site imposes a constraint on the development options of the site.

The retention of the current alignment requires all buildings to be “clear” of the existing sewer main.

Accordingly, the driveway, landscaping and car parking are located over the sewer to enable access to the sewer for repairs and maintenance if required.

This requirement does not allow the car parking and connecting driveway to be provided adjacent to Byrnes Street frontage in order to increase the setback of the proposed buildings to Byrnes Street; and

e) based on further discussions with a Senior Officer from the Department of Transport and Main Roads, it is noted that entry and exit points connecting with Byrnes Street for both the Multiple Dwelling and Community Residence will be subject to approval via Section 62 of the Transport Infrastructure Act.

11.00 INFRASTRUCTURE CHARGES

An assessment of the Infrastructure Charges applicable to the proposed development is based on the advice contained in Council's Pre-lodgement Advice and further advice provided by Council on 13 December 2019.

In this regard, the following aspects are noted:-

a) Community Residence component

Given that this component is not Assessable Development no Infrastructure Charges are applicable.

b) Multiple Dwelling component

- Residential - $13,430.00 per 1 and 2 bedroom dwelling (water, sewer, parks and roads – total $80,580.00;

- site fronts State Controlled Byrnes Street, therefore road component ($3,357.50 per unit) removed from charge rate - $10,072.50 per 1 or 2 bedroom dwelling – total $20,145.00

  6 Dwellings x $10,072.50 = $60,435.00

- Applicable credits

  It is acknowledged that Lot 3 on RP865105 was once two (2) separate allotments (that were amalgamated) therefore, a credit for two (2) allotments should be applied.

  2 x $18,800.00 = $37,600.00

- Total Infrastructure Charges Payable

  $60,435.00 - $37,600.00 (credit) = $22,835.00

It is respectfully requested that Council issue an Infrastructure Charges Notice on the basis of the above considerations and further representations to be submitted to Council.

12.00 AMENITY CONSIDERATIONS

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

a) the proposal is domestic in scale and intensity;

b) the proposal incorporates residential and community support uses that are consistent with and complementary to the surrounding residential uses;

c) the proposal is to be purpose-built which will enable any adverse impacts to be contained within the subject site; and

d) the proposal complies with or is capable of showing compliance with the relevant Planning Scheme Codes.

13.00 SUITABILITY OF THE SITE

It is considered that the subject site is suitable for the proposed use and in this regard the following aspects are noted:-

a) the site is well located in terms of proximity to support services and facilities to provide accommodation for persons with a disability;

b) the site at this location within Mareeba will assist with meeting the demand for accommodation to service persons with a disability within the town and the surrounding region; and

c) the site is of sufficient size and configuration to enable the proposed use to be developed and operated in an efficient and rational manner.

14.00 CONCLUSIONS

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

a) the subject site is located at 41 to 43 Byrnes Street, Mareeba;

b) the subject site is described as Lot 3 on RP865105;

c) Lot 3 contains an area of 2,023m2 and has a frontage of 40.234m (approx.) to Byrnes Street (a State-controlled road);

d) the site is located within a mixed use area on the northern edge of the Mareeba retail and commercial area;

e) it is proposed construct a purpose-built facility to provide accommodation for the needs of residents, containing a two (2) storey building for Multiple Dwelling and a single storey building for Community Residence;

f) the site is included in the Medium Density Residential Zone;

g) the Development Permit sought is for Material Change of Use – Code Assessment for Multiple Dwelling within the Medium Density Residential Zone is Code Assessable Development;

h) it is submitted that the Community Residence component, in accordance with Schedule 6 of the Planning Regulation (2017) is prohibited from being made assessable development within the Planning Scheme and therefore there is no requirement to gain approval for this component.

i) the proposal demonstrates compliance or is capable of demonstrating compliance with the intent of the Mareeba Shire Council Planning Scheme (2016); and

j) the proposal to establish the residential uses will have minimal impact upon the amenity of the surrounding area.

15.00 RECOMMENDATIONS

Having regard to the above facts, considerations and circumstances addressed in this Report for the subject site described as Lot 3 on RP865105 and located at 41 to 43 Byrnes Street, Mareeba, the following recommendations are made:-

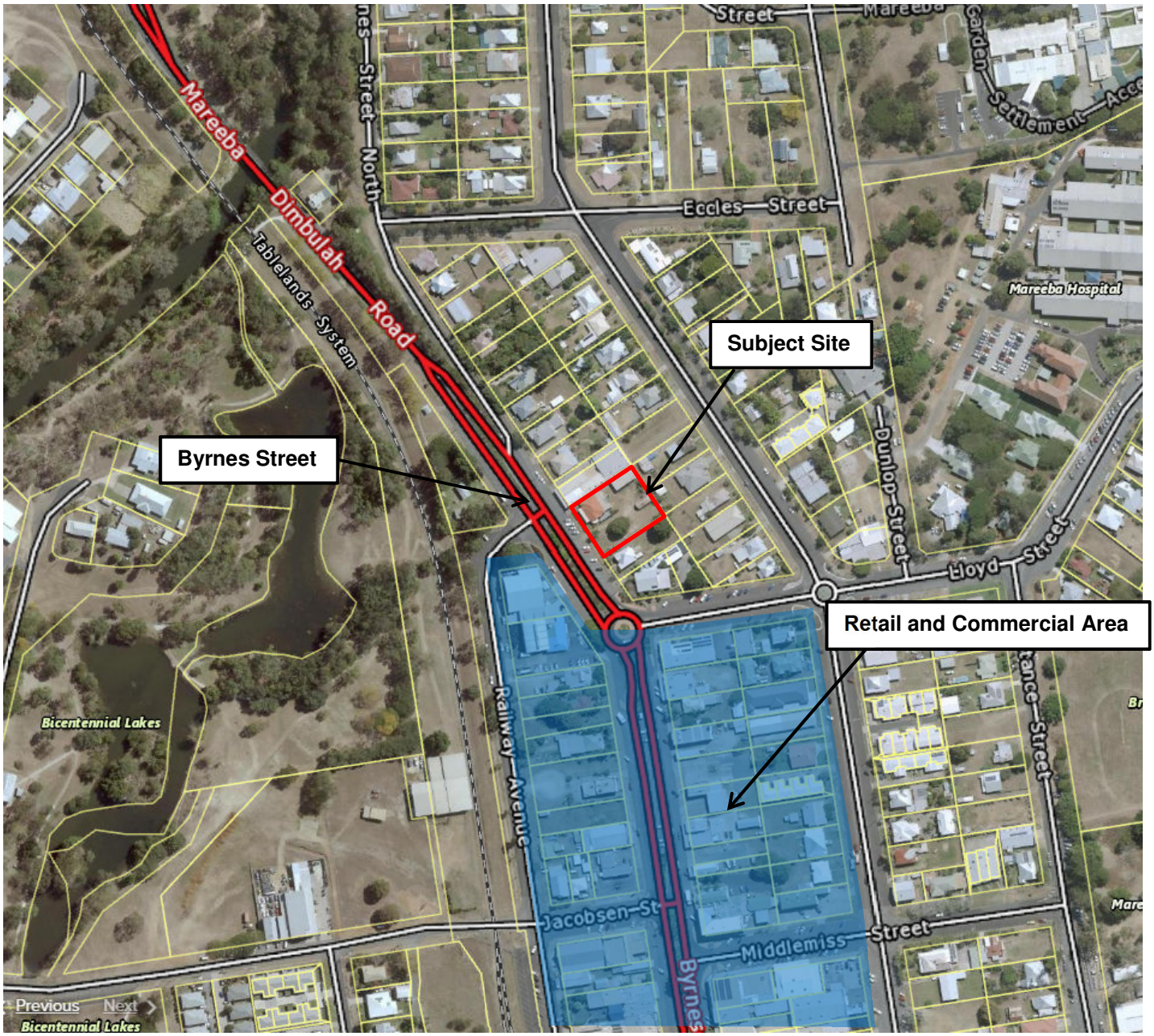
a) that the Development Permit for Material Change of Use – Code Assessment for Multiple Dwelling, is supportible in Town Planning related terms and is fully supported; and

b) that Council determine that the Community Residence proposed for the subject site is not assessable development in accordance with the provisions of the Planning Regulation (2017).

Council's favourable consideration of this Application and request for a determination on the Community Residence is accordingly commended.

Victor G Feros Town Planning Consultants
March 2020

FIGURES



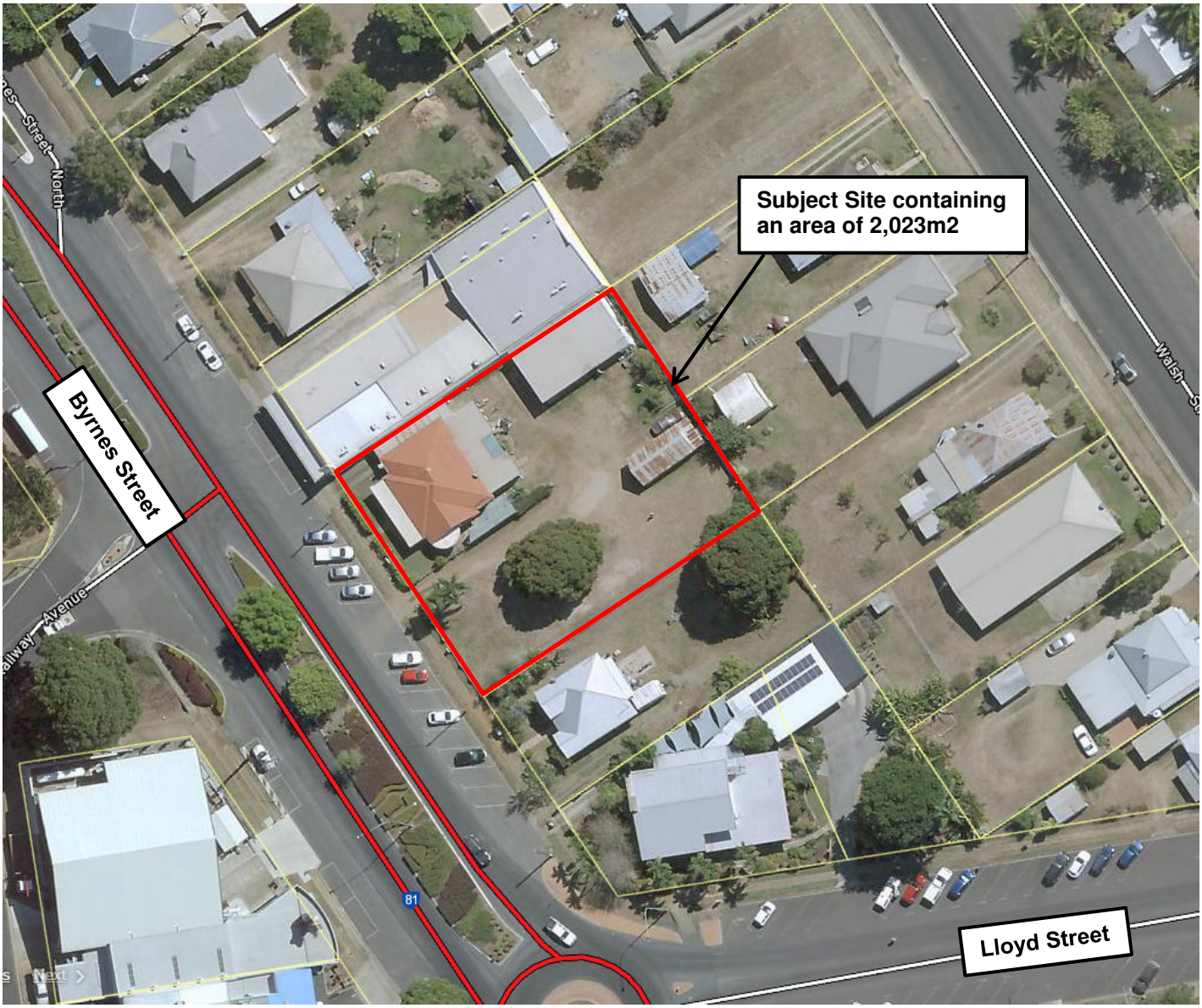
DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR MULTIPLE DWELLING

GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA CONSOLIDATED TRUST

41 TO 43 BYRNES STREET, MAREEBA

LOCATION

FIGURE 1 **MARCH 2020**



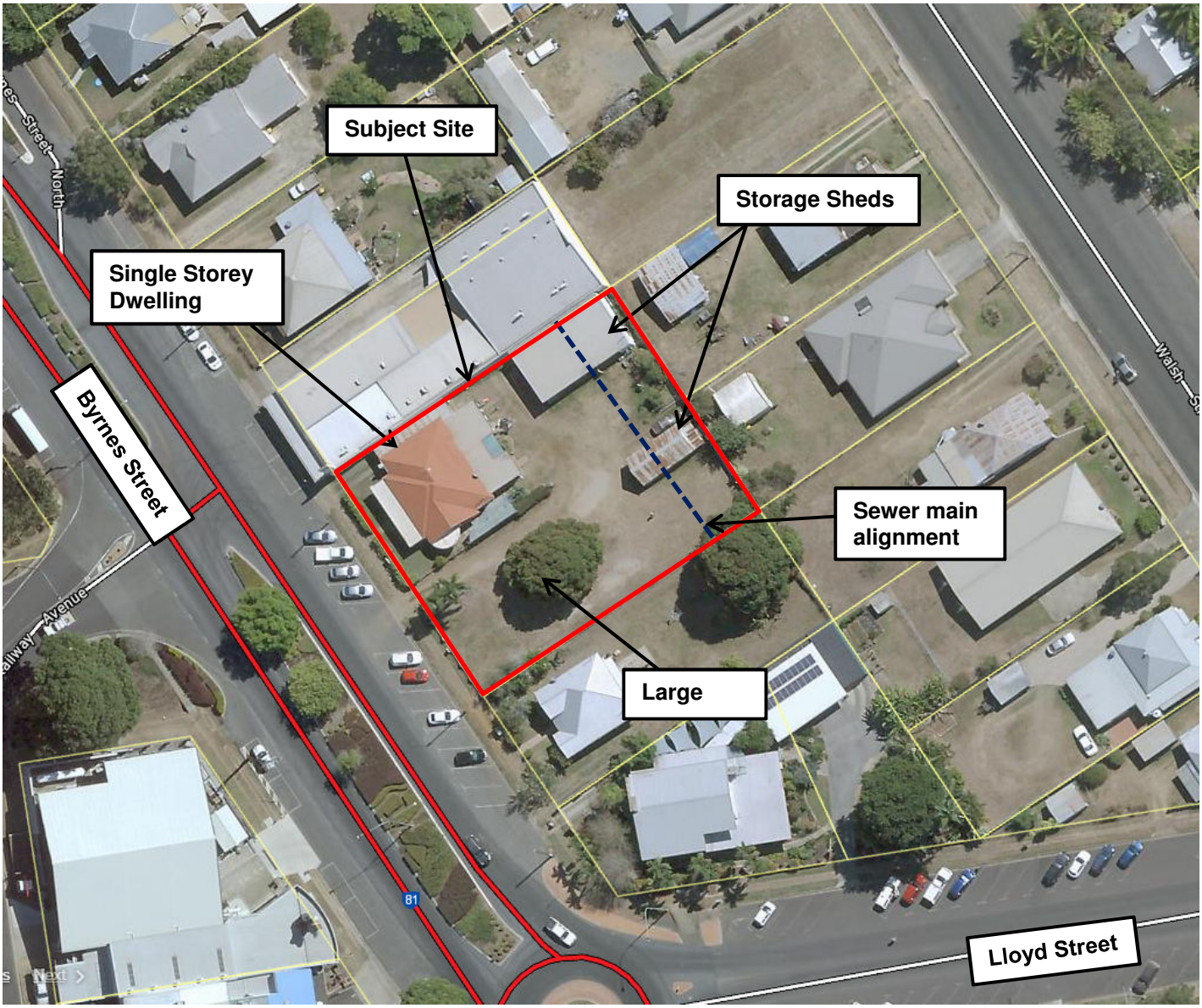
DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR MULTIPLE DWELLING

GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA CONSOLIDATED TRUST

41 TO 43 BYRNES STREET, MAREEBA

LOCALITY

FIGURE 2 **MARCH 2020**



DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR MULTIPLE DWELLING

GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA CONSOLIDATED TRUST

41 TO 43 BYRNES STREET, MAREEBA

EXISTING SITE USES

FIGURE 3 **MARCH 2020**

DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR MULTIPLE DWELLING

GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA CONSOLIDATED TRUST

41 TO 43 BYRNES STREET, MAREEBA

SURROUNDING SITE USES

FIGURE 4 **MARCH 2020**

LEGEND

Land Use Categories

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

Community Identity Elements

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

Natural Environment Elements

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

Natural Resource Elements

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

Infrastructure Elements

- Major Electrical Infrastructure

Transport Elements

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

Other Elements

- Major Waterbody
- Major Watercourse
- Mareeba Shire Council Boundary

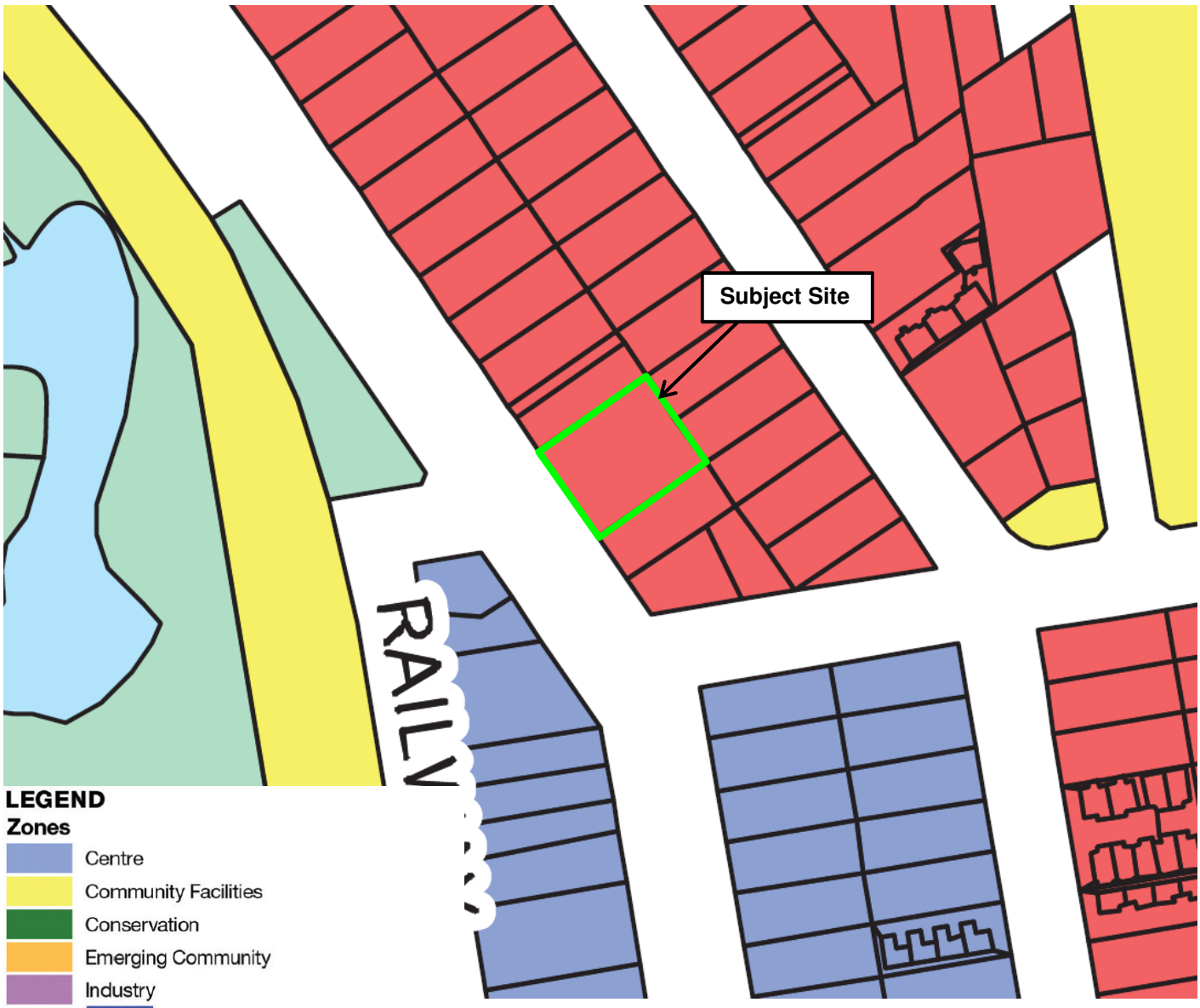
DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR MULTIPLE DWELLING

GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA CONSOLIDATED TRUST

41 TO 43 BYRNES STREET, MAREEBA

STRATEGIC FRAMEWORK

FIGURE 5 **MARCH 2020**



LEGEND

Zones

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

Other Elements

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

DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR MULTIPLE DWELLING

GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA CONSOLIDATED TRUST

41 TO 43 BYRNES STREET, MAREEBA

ZONING

FIGURE 6 **MARCH 2020**

LEGEND

Transport Infrastructure

- Rail Corridor

Road Hierarchy

- State Controlled Road
- Collector Road
- Access Road
- Major Rural Road
- Minor Rural Road

Other Elements

- Cadastre
- Mareeba Shire Coucil Boundary
- Watercourse

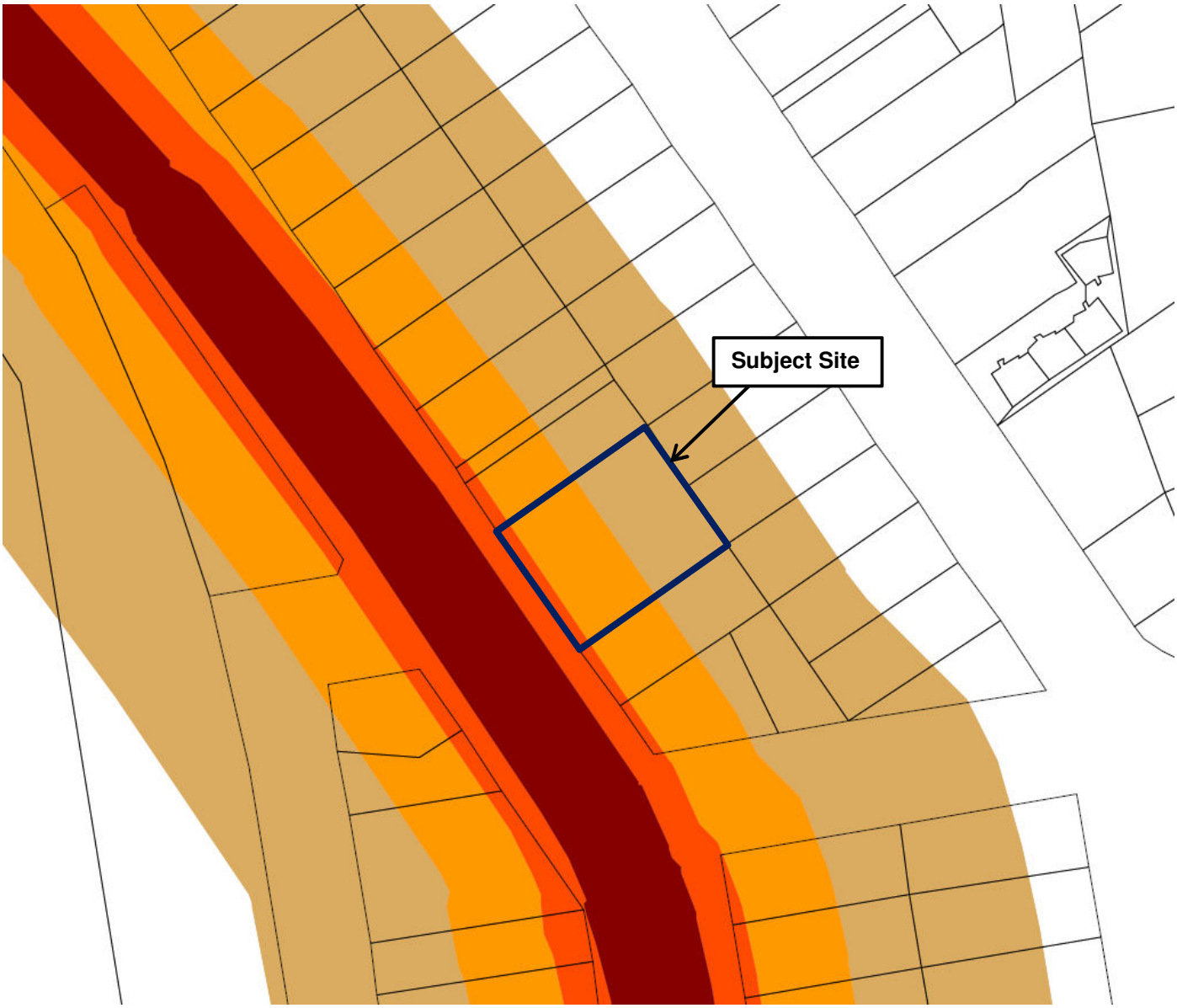
DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR MULTIPLE DWELLING

GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA CONSOLIDATED TRUST

41 TO 43 BYRNES STREET, MAREEBA

MAREEBA SHIRE COUNCIL PLANNING SCHEME (2016)
TRANSPORT INFRASTRUCTURE OVERLAY

FIGURE 7 **MARCH 2020**



LEGEND

Transport Noise Corridors (State Controlled Roads)

- Category 1 - 58 dB(A)
- Category 2 - 63 dB(A)
- Category 3 - 68 dB(A)
- Category 4 - 73 dB(A)

Other Elements

- Cadastre
- Mareeba Shire Coucil Boundary
- Watercourse

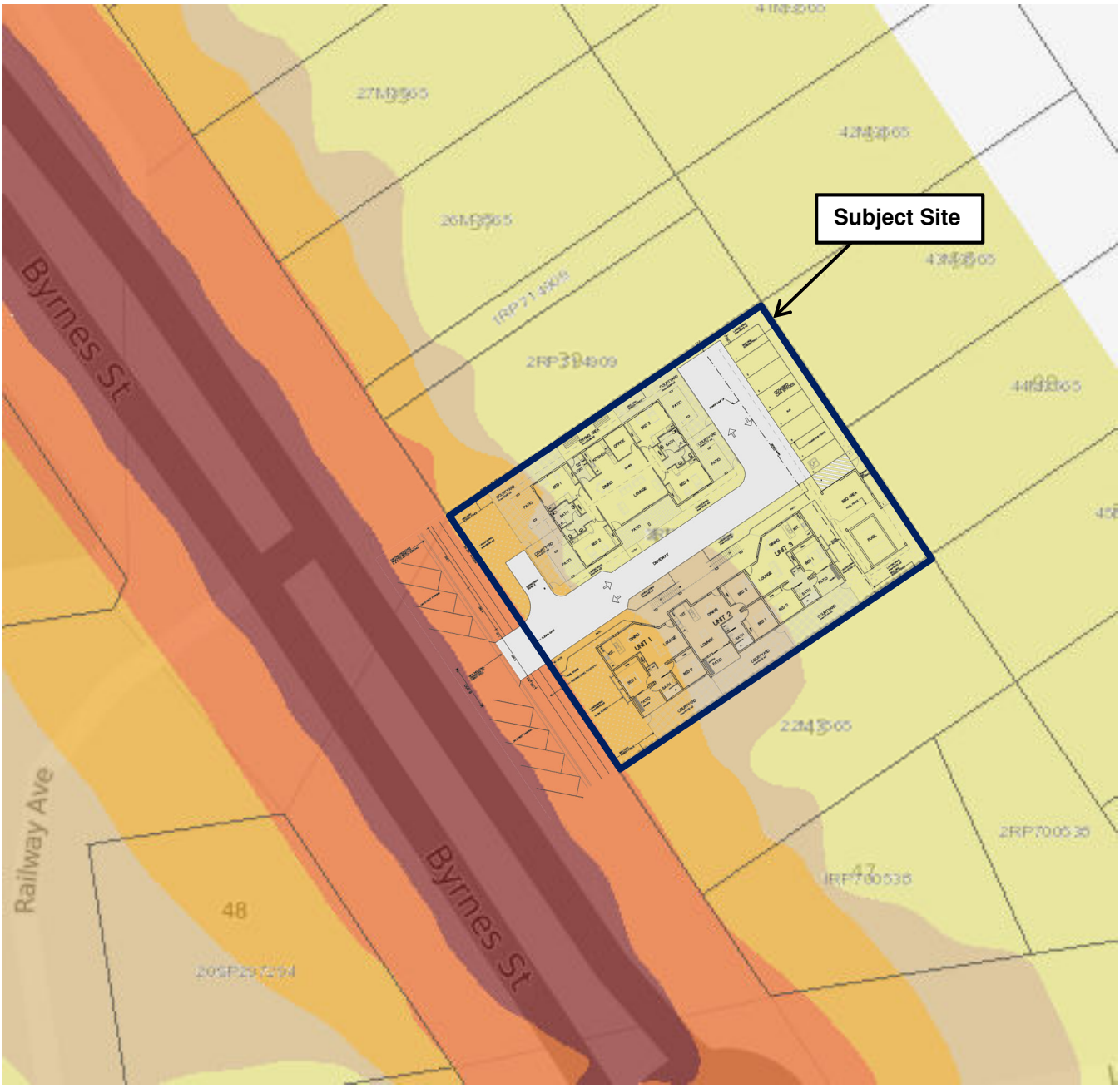
DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR MULTIPLE DWELLING

GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA CONSOLIDATED TRUST

41 TO 43 BYRNES STREET, MAREEBA

MAREEBA SHIRE COUNCIL PLANNING SCHEME (2016) TRANSPORT NOISE CORRIDOR OVERLAY

FIGURE 8 **MARCH 2020**



- Category 0: Noise Level < 58 dB(A)
- Category 1: 58 dB(A) =< Noise Level < 63 dB(A)
- Category 2: 63 dB(A) =< Noise Level < 68 dB(A)
- Category 3: 68 dB(A) =< Noise Level < 73 dB(A)
- Category 4: Noise Level >= 73 dB(A)

DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR MULTIPLE DWELLING

GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA CONSOLIDATED TRUST

41 TO 43 BYRNES STREET, MAREEBA

SPP NOISE CORRIDOR MAPPING

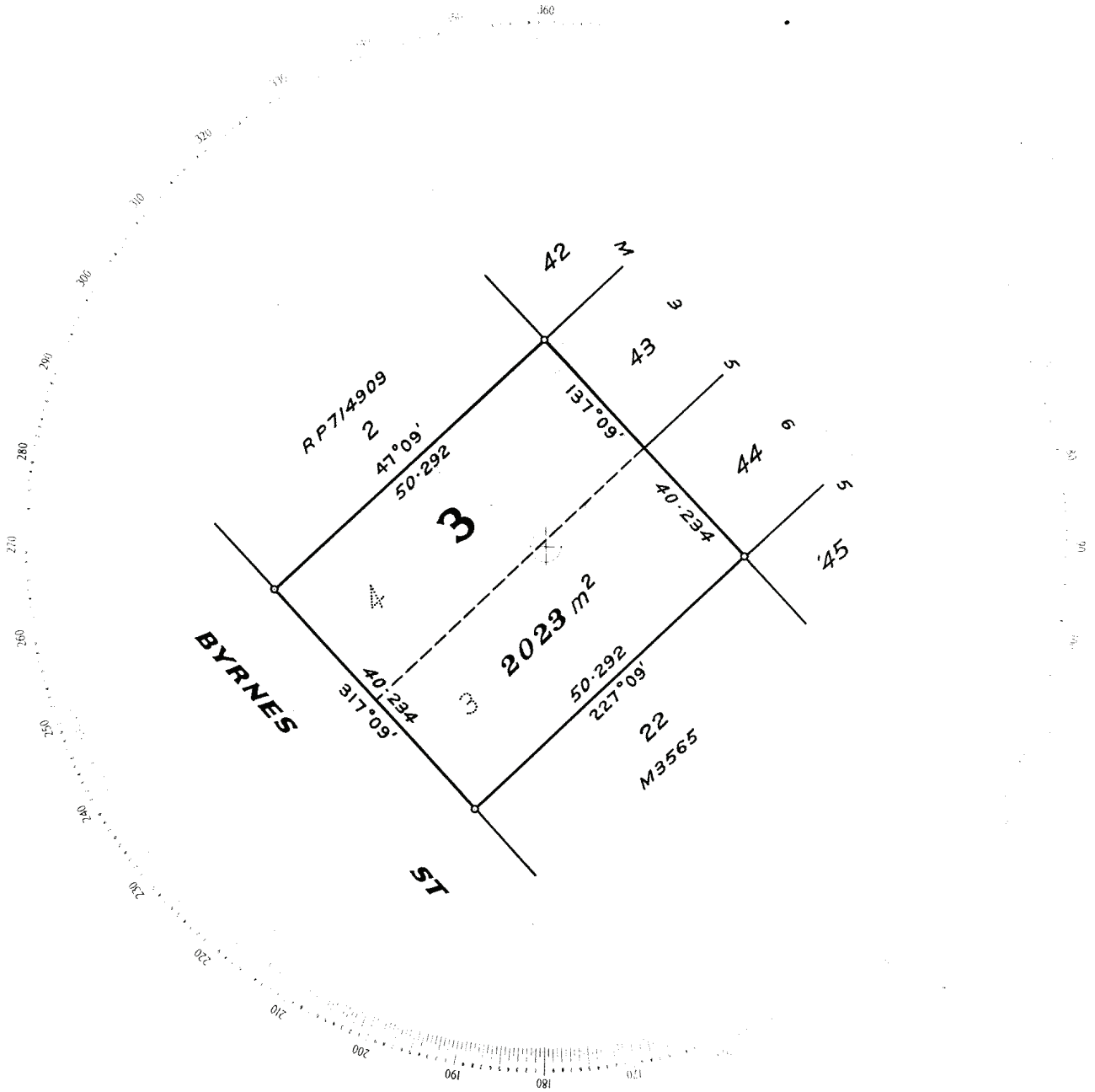
FIGURE 9 **MARCH 2020**

APPENDIX A

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

865105

PLAN MUST BE DRAWN WITHIN BLACK LINES



For Additional Plan & Document Numbers Refer to CISP

I, Lloyd Stanley Twine
hereby certify that I have made this plan pursuant to Section 25 of the Surveyors Regulation 1992, and that the plan is accurate and compiled from M 3565 in the Department of Lands

L.S. Twine 18·1·1994
Licensed Surveyor Date

PLAN OF Lot 3

Cancelling Lots 23 & 24 on M3565

ORIGINAL Allots 3 & 4 of Sec 10

MERIDIAN	MAP REF	SCALE	FILE REF	SURVEY RECORDS DEPOSITED ENDORSED	REGISTERING DIST
M3565	TM Sh	1:600		21-3-1994	Northern

PARISH TINAROO
COUNTY Nares
TOWN/~~LOCALITY~~ Mareeba
LOCAL AUTHORITY Mareeba SC
LAND AGENTS/~~MINING~~ DISTRICT Cairns
MINING FIELD

REGISTERED PLAN 865105

0 1 2 3 4 5 6 7 8 9 10 cm

THE INSTITUTION OF SURVEYORS AUSTRALIA (QUEENSLAND DIVISION) BY AUTHORITY LICENCE NUMBER 6 [CISP]

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

Council of the Shire of Mareeba certifies that all the requirements of this Council, the Local Government Acts and all By-Laws have been complied with and approves this Plan of Subdivision.

Dated this Fifteenth day of February, 19 94

Cr. C.J. Lewis — ~~Mayor or~~ Chairman

Mr. C.C. McDowall — ~~Town or~~ Shire Clerk

COUNCIL OF THE SHIRE OF MAREEBA CORPORATE SEAL

I/We Albert Joseph Hall and Dorothy Margaret Hall

(Names in full)

- as Proprietor/s of this land.
- as Lessee/s of Miner's Homestead

agree to this plan and dedicate the new road as shown hereon to public use.

Signature of • Proprietor/s • Lessee/s

- Rule out which is inapplicable.

Previous Title

CT N67455 Vol 417 Fol 5 Lot 23 on M3565
" N101635 " 560 " 185 " 24 " "

865105

I CERTIFY THAT THIS PLAN HAS NOT BEEN ALTERED SINCE ENDORSEMENT BY THE DEPARTMENT OF LANDS

LICENSED SURVEYOR DIRECTOR
/ /19

Lot	Vol.	Fol.	Lot	Vol.	Fol.	Lot	Vol.	Fol.
3	1576	134						

Lodged by

Received Registrar of Titles

$112.00 14 MAR 1994 9:41 AM

T747491H 4044 PLAN

Fees Payable

	Postal fee and postage
58.	Logt. Exam. & Ass.
40.	New Title
	Entd. on Deeds
14.	Photo Fee
112.00	Total
	Short Fees Paid

Rec. No. 420585
RECEIVED $ 136
DATE 21-2-94

865105

28.3.94.

File Ref.
Deposited 21/02/1994
Audited 9/3/94 GT
Passed 9/3/94 GT
Survey Records: File/Field Notes
Charted / /
Original Grant
N3620 (Allot 4)
N6886 (" 3)

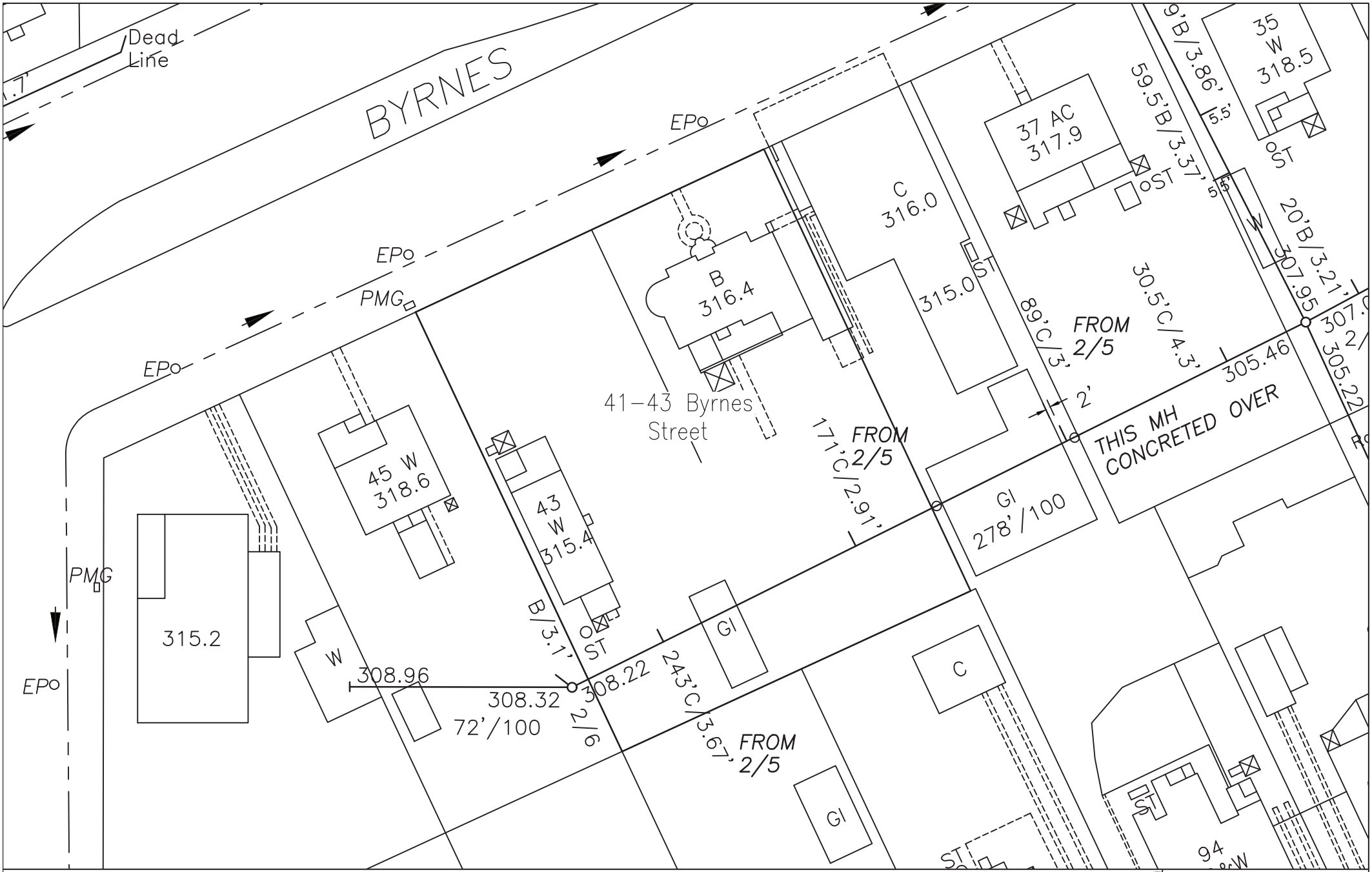
Particulars entered in Register Book
Vol. Folio
at 103

30 MAR 1994
REGISTRAR OF TITLES

NP 6 APR 1994 CC

REGISTERED PLAN 865105

APPENDIX B



MAREEBA SHIRE COUNCIL 'AS CONSTRUCTED' SEWERAGE

PART OF DETAIL PLAN: DP 45

SCALE 1:500

0 5m 10m

ALL DIMENSIONS & LEVELS IN FEET EXCEPT WHERE NOTED WITH *

TO CONVERT LEVELS IN FEET TO AHD:
(LEVEL ON PLAN + 1000) x 0.3048 – 0.195 = AHD LEVEL

APPENDIX C

Queensland Government

Department of
State Development, Manufacturing, Infrastructure and Planning

Our reference: 1911-14435 SPL
Your reference: C1128

11 December 2019

Greek Orthdox Archdiocese of Australia Consolidated Trust
C/- Victor G Feros Town Planning Consultants
PO Box 1256
CAIRNS QLD 4870
cairns@ferosplanning.com.au

Attention: Nick Hardy

Dear Mr Hardy

Pre-lodgement advice

Thank you for your correspondence received on 28 November 2019 in which you sought pre-lodgement advice from the Department of State Development, Manufacturing, Infrastructure and Planning (the department) regarding the proposed development described below.

Reference information

Departmental role:	Referral agency
Departmental jurisdiction:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (10.9.4.2.4.1) – Material change of use on premises within proximity to a state transport corridor (Planning Regulation 2017)

Location details

Street address:	41-43 Byrnes Street, Mareeba
Real property description:	Lot 3 on RP865105
Local government area:	Mareeba Shire Council

Details of proposal

Development type:	Material change of use
Development description:	Independent and Shared Supportive Accommodation

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

Far North Queensland regional office
Ground Floor, Cnr Grafton and Hartley Street, Cairns
PO Box 2358, Cairns QLD 4870

Proposed development and advice requested

1. The department understands that the proposed development will seek a Development Permit for Material Change of Use for Independent and Shared Supportive Accommodation (use definition to be confirmed). The department understands that the existing structures on site will be removed and replaced with two new buildings. The first, a single storey residence along the northern section of the site, and the second a two (2) storey residence towards the southern section of the site. A single entry and exit point is proposed to Byrnes Street (state-controlled road).

   The applicant is requesting pre-lodgement advice on the following matters:

   (a) relevant state referral trigger(s) and assessment fees

   (b) relevant assessment benchmarks

   (c) the likely (if any) crossover requirements and other external road works deemed necessary

   (d) specific requirements for mitigating against noise generated from the state-controlled road

   (e) if there are any other general concerns with the proposed development.

Jurisdiction, assessment fees and assessment benchmarks

2. Based on the information provided, development application for the proposed use will require referral to the Chief Executive of the *Planning Act 2016* (Planning Act), through the State Assessment and Referral Agency (SARA), under the following provision of the Planning Regulation 2017 (Planning Regulation):

   - Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (10.9.4.2.4.1) – Material change of use on premises within proximity to a state transport corridor. An assessment fee of $1,655 is payable under Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 8 (b)(ii) on the basis that the proposal does not propose a new vehicular access to the state-controlled road.

3. To ensure that the department can undertake a satisfactory assessment of the proposed development, the applicant is requested to address the proposed development's compliance with *State code 1: Development in a state-controlled road environment* (State code 1) of the *State Development Assessment Provisions* (SDAP) current at the time of lodgement.

   Further guidance on what information needs to be supplied with a formal development application can be obtained from the Department of Transport and Main Roads' *State Development Assessment Provisions (SDAP) Supporting Information* available at http://www.tmr.qld.gov.au/Community-and-environment/Planning-and-development/Planning-and-development-assessment-under-SPA/Assessable-development.aspx.

Access to the state-controlled road

4. The department notes that the proposed left-in / left-out vehicle access via Byrnes Street is proposed to be 4.20m wide. The department advises that this will need to be widened to allow vehicles to enter and exit simultaneously at the gated access. The department also advises that no vehicle queuing is to occur within the state-controlled road. The design standard for the access crossover is a commercial standard in accordance with the Far North Queensland Regional Organisation of Councils' (FNQROC) standard drawing S1015, dated 23/10/17, issue D.

Transport Noise Corridor

5. The department notes that the subject site is impacted by transport corridor noise. The applicant should be aware that transport corridor noise impacting habitable rooms of the proposed

development is not addressed by the State in its assessment. This is addressed and managed by the Queensland Development Code (QDC) MP4.4.

However, the department will assess how the proposed development will mitigate against transport corridor noise for outdoor spaces for passive recreation. To ensure compliance with Acceptable outcomes (AO) AO24.1 – AO24.3 of State code 1, the applicant is required to demonstrate how transport corridor noise will be reduced for outdoor spaces for passive recreation. The applicant is advised that a solid gap-free noise fence or another gap-free noise structure would likely address the requirements of State code 1.

Stormwater

6. In addition to the advice requested by the applicant, the department recommends that the proposed development be supported by a Stormwater Management Plan (SMP). The plan is required to demonstrate how the proposed development is able to achieve compliance with stormwater, drainage and flooding relating to Performance outcomes (PO) PO12 – PO14 of State code 1, with consideration given to the *Queensland Urban Drainage Manual*, Fourth Edition, prepared by the Institute of Public Works Engineering Australasia (http://www.ipweaq.com/qudm).

   In particular, the SMP should demonstrate that the management of stormwater and flooding post development can achieve a no worsening impact (on the pre-development condition) for all flood and stormwater events that exist prior to development and up to a 1% Annual Exceedance Probability (AEP). Stormwater and floodwater flows from the proposed development must not damage or interfere with the state-controlled road. Existing stormwater drainage infrastructure on the state-controlled road corridor should not be interfered with or damaged by the proposed development such as through concentrated flows, surcharging, scour or deposition.

   The stormwater information should include details of the mitigation measures proposed to address any potential stormwater impacts (including flooding impacts) from the proposed development. The design flood peak discharges should be shown for the mitigated case to demonstrate there is a no worsening impact on Mareeba-Dimbulah Road, a state-controlled road.

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

For further information please contact Javier Samanes, A/ Principal Planning Officer, on (07) 4037 3237 or via email CairnsSARA@dsdmip.qld.gov.au who will be pleased to assist.

Yours sincerely

Brett Nancarrow
Manager (Planning)

Mareeba
SHIRE COUNCIL

65 Rankin Street
PO Box 154 MAREEBA QLD 4880

P: 07 4086 4657
F: 07 4086 4733

W: www.msc.qld.gov.au
E: info@msc.qld.gov.au

13 December 2019

Council Ref: Preenq/19/0006
Our Ref: BM:nj
Your Ref: VGF-C1128

PRE-LODGEMENT ADVICE

TO:	Greek Orthodox Archdiocese of Australia Consolidated Trust C/- Victor G Feros PO Box 1256 CAIRNS QLD 4870
EMAIL ADDRESS:	cairns@ferosplanning.com.au
PROPOSED DEVELOPMENT:	Material Change of Use - Community Residence & Multiple Dwelling
SUBJECT SITE:	Lot 3 on RP865105 Situated at 41-43 Byrnes Street, Mareeba
MEETING DATE:	n/a
MEETING LOCATION:	n/a
ATTENDEES:	n/a
PLANNING SCHEME:	Mareeba Shire Council Planning Scheme 2016

PROPOSAL:

Extract from Victor G Feros Town Planning Report for Pre-Lodgement Enquiry dated 28 November 2019:

"We act on behalf of the Greek Orthodox Archdiocese of Australia Consolidated Trust the land owners and proponent in relation to the proposal to establish independent and shared supportive accommodation on the subject site located at Lot 3 on RP865105 and situated at 41 to 43 Byrnes Street, Mareeba."

"The proposed accommodation will be operated by St John's Community Care as an activity of the Greek Orthodox of Australia.

St John's currently provides disability and aged care services in Mareeba at the facility located at 1- 5 Quill Street, Mareeba.

These services in Mareeba have been provided since 2000.

The proposal to provide independent and shared supportive living is based on similar facilities currently provided in Gordonvale and at Taigum (northern suburbs of Brisbane).

The proposal will assist with meeting an identified need for independent and shared supportive accommodation within Mareeba and the surrounding area."

TYPE OF APPLICATION REQUIRED:

Application for a development permit for Material Change of Use - Community Residence & Multiple Dwelling (Code Assessment).

SUPPORTING INFORMATION PROVIDED BY APPLICANT:

- **Attachment 1** - Town Planning Report for Pre-lodgement Enquiry for and on behalf of the Greek Orthodox Archdiocese of Australia Consolidated Trust - Prepared by Victor G Feros Town Planning Consultants dated 28 November 2019

RELEVANT SITE HISTORY:

Nil

APPLICABLE PLANNING INSTRUMENTS, APPLICATION PROCESS AND FEES:

FNQ2031 Regional Plan:	Appropriately reflected with the Mareeba Shire Council Planning Scheme 2016
Relevant State Planning Policies:	Appropriately reflected with the Mareeba Shire Council Planning Scheme 2016
Planning Scheme:	Mareeba Shire Council Planning Scheme 2016 https://msc.qld.gov.au/building-planning/planning/
Strategic Framework:	**Land Use Category** - Residential Area **Transport Elements** - State Controlled Road, B-double Route, Principal Cycle Route
Zone:	Medium Density Residential zone
Local Plan:	Mareeba Local Plan
Applicable Overlays:	Airport environs overlay Transport infrastructure overlay
Other Relevant Mapping:	State Assessment and Referral Agency mapping https://planning.dsdmip.qld.gov.au/
Applicable Planning Scheme Policies:	Policy 4 - FNQROC Regional Development Manual
Planning Scheme Land Use definition:	Community Residence & Multiple Dwelling ***Note:*** *Council officers believe the above two land uses are the most appropriate (best fit) for the proposed development. The "community residence" use relates to the proposed northern single storey building, while the "multiple dwelling" use applies to the southern, two storey*

	building. If the applicants wish to carry out the "community residence" component of the development without Council approval in line with the specific exemptions included within the Planning Regulation 2017, it is advised that further written advise be sourced from the Department of State Development, Manufacturing, Infrastructure and Planning and forwarded to Council for lodgement with any development application for Material Change of Use - Multiple Dwelling.
Level of Assessment:	An aspect of the proposed development will require **Code Assessment**.
Applicable Planning Scheme Codes:	Medium Density Residential Zone Code Airport Environs Overlay Code Transport Infrastructure Overlay Code Residential Dwelling House and Outbuilding Overlay Code Community Activities Code Accommodation Activities Code Landscaping Code Parking and Access Code Works, Services and Infrastructure Code
Minimum Public Notification Period:	N/A - Code Assessment only
Referral Agencies:	The Applicant is responsible for ensuring that the correct referral agencies are identified upon lodgement of the development application. A review of the *Planning Regulation 2017* referral agency triggers has identified the following referral trigger for the development: • *Schedule 10, Part 9, Division 4, Subdivision 2, Table 4* - Material change of use of premises near a State transport corridor of that is a future State transport corridor
Infrastructure Charges:	Based on the Mareeba Shire Council Adopted Infrastructure Charges Resolution (No. 2) 2019, the following infrastructure charges will be applicable: <u>Community Residence component</u> • Residential (long term) - $13,430.00 per bedroom with 1 or 2 beds (water, sewer, parks & roads). Site fronts State Controlled Byrnes Street, therefore roads component removed from charge rate - $10,072.50 per bedroom with 1 or 2 beds 4 (bedrooms) x $10,072.50 = **$40,290.00** <u>Multiple Dwelling component</u> • Residential - $13,430.00 per 1 or 2 bedroom dwelling (water, sewer, parks & roads).

	Site fronts State Controlled Byrnes Street, therefore roads component removed from charge rate - $10,072.50 per 1 or 2 bedroom dwelling 6 (dwellings) x $10,072.50 = **$60,435.00** Credits It is acknowledged that Lot 3 on RP865105 was once 2 separate allotments (that were amalgamated). Therefore, a credit for 2 allotments should be applied. 2 x $18,800.00 = **$37,600.00** Total infrastructure charges payable = $40,290.00 + $60,435.00 - $37,600.00 (credit) = **$63,125.00**
Application Forms	DA Form 1 Application forms and general information about the planning application system can be downloaded from the Department of State Development, Manufacturing, Infrastructure and Planning's website: https://planning.dsdmip.qld.gov.au/planning/resources?query=DA%20form
Council application fee:	2019/2020 financial year: Community residence - $1,085.00 Multiple Dwelling (3 to 10 units) - $1,570.00 Total - **$2,655.00**

ISSUES IDENTIFIED BY THE APPLICANT FOR DISCUSSION:

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

a) *The general suitability of the proposed use description and the level of assessment considered appropriate for the proposed development as detailed by Section 6.01;*

Advice

The proposal is for a high-density residential development within the Medium Density Residential zone. This zoning is considered appropriate for the type and scale of development proposed and it is considered that the development has been designed to substantially comply with the relevant development codes (as listed above). Reasonable and relevant conditions will be attached to any approval to ensure compliance with key desired planning outcomes and design requirements.

A review of the proposed development against the relevant development codes has not identified any significant planning concerns.

b) *The codes applicable to the subject site and the proposed development as detailed by Section 6.02;*

Advice

The development codes applicable to the proposed development are listed in the above table.

c) *The referral agencies and likely referral triggers for the proposal;*

Advice

Referral agencies considered relevant to the proposed development (based on Council officers' interpretation of the *Planning Regulation 2017* triggers) are listed in the above table.

Ultimately, the Applicant is responsible for ensuring that the correct referral agencies are identified upon lodgement of the development application.

d) *The likely infrastructure requirements and in particular, external works required for the development;*

Advice

Given that the subject site fronts a State controlled road (Byrnes Street), it is not likely that Council will require any external road/frontage works. A condition will be attached to any approval requiring the construction of a new access crossover.

The applicant/developer should contact Council's Water and Waste Department to determine if the water and sewerage infrastructure servicing the site has the capacity to adequately service the proposed development.

All service infrastructure, car parking, landscaping and fencing shown on the submitted plans will likely be required through specific conditioning.

e) *Specific comments or requirements (if any) in relation to the development given that the site adjoins a Transport Noise Corridor;*

Advice

A private building certifier will need to be contacted to obtain this advice.

f) *The suitability of the layout of the development in relation to the retention of the current position of the sewer line and the requirement (if any) to include the sewer line within an easement in favour of Council;*

Advice

It is unlikely that an easement will be required over the existing sewer main that traverses the property. The proposed development has been designed to avoid construction of any buildings over the sewer main. Depending on the depth of the sewer main and the final location of any buildings or structures of the swimming pool, building footings may need to be larger to help protect the sewer main. This is something that will need to be determined by the building designer and building certifier at detailed design stage.

g) *Likely infrastructure charges for the proposal;*

Advice

Likely infrastructure charges for the proposed development are included in the above table.

h) *The suitability of the number of on-site car parking spaces provided given the nature of the proposed use and Council's expectation for car parking allocations;*

Advice

Council officers have no issues with the number of on-site parking spaces proposed. Given the nature of the proposed use/s (i.e. some residents may be unable to drive) it is acknowledged that a lesser number of car parking spaces will be required on site.

i) *The Council application fee applicable to the proposal;*

Advice

The Council application fees are included in the above table.

j) *The ability for the proponent to obtain a reduction or exemption for the payment of infrastructure charges and Council application fees given the not-for-profit status of the proponent and the substantial community benefit the proposal will provide to Mareeba; and*

Advice

Mareeba Shire Council does not have a policy in place for providing concessions to applicants/developers (including not-for-profit organisations) for application fees and developer contributions/infrastructure charges.

Concessions are looked at on a case by case basis and should be requested as part of the application.

k) Overall, for Council to advise the level of support-in-principle for the development as proposed.

Advice

Council officers have no real town planning concerns with the proposed development. As previously mentioned, it is likely that the development will be able to comply, or be conditioned to comply with the relevant development codes of the Mareeba Shire Council Planning Scheme 2016.

Should it be determined that the "community residence" component of the development can be carried out as exempt development (under the exemptions included within the *Planning Regulation 2017*) then the application should be amended to include the multiple dwelling use only.

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

Yours faithfully

for **BRIAN MILLARD**
SENIOR PLANNER

DISCLAIMER:

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

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

ATTACHMENT 1

TOWN PLANNING REPORT FOR PRE-LODGEMENT ENQUIRY

for and on behalf of

GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA CONSOLIDATED TRUST

PROPOSED INDEPENDENT AND SHARED SUPPORTIVE ACCOMMODATION

on land described as

LOT 3 ON RP865105

situated at

41 TO 43 BYRNES STREET, MAREEBA

VGF – C1128
NOVEMBER 2019

Victor G Feros Town Planning Consultants

195 Dornoch Terrace
corner Gladstone Road
Highgate Hill **Brisbane** 4101
Queensland Australia
Telephone 07 3844 2882
Facsimile 07 3846 1840
brisbane@ferosplanning.com.au

Level 1
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PO Box 1256 **Cairns** 4870
Queensland Australia
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Facsimile 07 4031 2238
cairns@ferosplanning.com.au

TOWN PLANNING REPORT FOR PRE-LODGEMENT ENQUIRY

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Amended 28/11/2019 (3pm)

FIGURES

APPENDICES

Victor G Feros Town Planning Consultants

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TOWN PLANNING REPORT FOR PRE-LODGEMENT ENQUIRY

LOT 3 ON RP865105

41 TO 43 BYRNES STREET, MAREEBA

1.00 INTRODUCTION

We act on behalf of the Greek Orthodox Archdiocese of Australia Consolidated Trust the land owners and proponent in relation to the proposal to establish independent and shared supportive accommodation on the subject site located at Lot 3 on RP865105 and situated at 41 to 43 Byrnes Street, Mareeba.

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

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

a) describe the features of the site and the proposal;

b) define the specific and general matters requiring Council consideration within the context of the Mareeba Shire Council Planning Scheme (2016); and

c) gain written responses from Council on the suitability of the proposal at this location and other specific and likely development requirements.

The written responses provided by Council will be used to inform the preparation of a Town Planning Application for the proposal.

It is also noted that Pre-lodgement advice will also be sought from the Department of State Development Manufacturing Infrastructure and Planning in relation to State Interest Considerations and in particular access requirements to Byrnes Street (State Controlled Road) and other design considerations in relation to the inclusion of the site within the Transport Noise Corridor.

2.00 THE SITE

The subject site is described as Lot 3 on RP865105 and contains an area of 2,023m2 and has a frontage of approximately 40.234m to Byrnes Street.

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

The subject site includes the following existing features:-

a) single storey dwelling located in the north western corner of the site;

b) a single driveway connecting with Byrnes Street located at the centre of the lot frontage;

c) storage sheds located adjoining the rear boundary; and

d) large tree located adjoining the rear boundary; and

e) large tree located in the southern part of the site.

The position of these features are shown in **Figure 3 - Existing Site Uses**.

An existing sewerage main is located within the rear of the site extending in a north-south direction as shown by the plan attached as **Appendix B – Sewer Plan**.

3.00 SURROUNDING USES

The subject site is located in a mixed use area and has frontage to Byrnes Street which provide the northern entrance to Mareeba.

To the north, the site is adjoined by a vacant commercial building.

To the east and south the site is adjoined by detached dwellings.

To the west across Byrnes Street, the site is adjacent to a park and industrial uses.

The location of these features are shown by **Figure 4 - Surrounding Land Uses**.

4.00 TOWN PLANNING ALLOCATIONS

As part of the investigations undertaken for the preparation of his Pre-lodgement Enquiry, review of the Mareeba Shire Council Planning Scheme (2016) was undertaken and the following allocations are noted:-

	Designation
a) Strategic Framework	Land Use Category: • Residential Area • Adjoins a State Controlled Road and B-Double Route (Refer to **Figure 5 - Strategic Framework**)
b) Mareeba Local Plan	Land located within the Local Plan Area, however it is not located with a specific precinct.
c) Zoning	Medium Density Residential Zone (Refer to **Figure 6 - Zoning**)
d) Overlays	Flood Hazard Overlay: • General Extent of Modelled Flood Hazard Levels
	Residential Dwelling and Outbuilding Overlay • Residential Dwelling and House and Outbuilding
	Transport Infrastructure Overlay • Adjoins a State Controlled Road • Transport Noise Corridor, Categories 1 to 3 (Refer to **Figure 7 – Transport Infrastructure Overlay** and **Figure 8 – Transport Noise Corridor Overlay**)

5.00 PROPOSED DEVELOPMENT

5.01 General

The proposed accommodation will be operated by St John's Community Care as an activity of the Greek Orthodox of Australia.

St John's currently provides disability and aged care services in Mareeba at the facility located at 1-5 Quill Street, Mareeba.

These services in Mareeba have been provided since 2000.

The proposal to provide independent and shared supportive living is based on similar facilities currently provided in Gordonvale and at Taigum (northern suburbs of Brisbane).

The proposal will assist with meeting an identified need for independent and shared supportive accommodation within Mareeba and the surrounding area.

5.02 General Design and Siting Principles

The following design principles have been identified:-

a) the development will be purpose built to provide accommodation for the needs of residents. This includes the provision of on-site recreation areas;

b) the proposal will remain domestic in scale and appearance;

c) the activity areas and living areas are to be orientated to the centre or rear of the site and with minimise exposure to the Byrnes Street frontage;

d) suitable buffers and setbacks are to be provided to all boundaries; and

e) a single entry and exit point will be provided to Byrnes Street.

5.03 Development Details

The following development is proposed for the subject site:-

a) the existing structures including the dwelling house and sheds and existing vegetation will be removed from the site;

b) a single storey building is to be constructed in the northern section of the site and a two (2) storey building will be constructed in the southern section of the site;

c) the single storey building is to contain four (4) bedrooms and central lounge and dining area;

A kitchen, laundry and office will adjoin the dining area.

Each bedroom will include a patio and connecting enclosed courtyard.

d) the two (2) storey building will include six (6) self contained, two (2) bedroom units.

The ground floor units include a patio and connecting enclosed courtyard.

The first floor units include a balcony.

e) a central driveway providing access to the car parking area to the rear will also include provisions for an emergency vehicle set down area. This setdown area can also be used for mini bus parking as required;

f) provision for eight (8) covered car parking spaces including one (1) disabled space;

g) enclosed refuse bin storage area;

h) shared BBQ area and swimming pool;

i) landscaping adjacent to the Byrnes Street frontage and parts of the rear and side boundaries; and

j) a 1.8m high screen fence will be provided along all site boundaries.

Plans and elevations showing the proposed development are attached as **Appendix C.**

The following operational and use arrangements are noted:-

a) residents within the single storey building are to live on an independent basis with the assistance of a carer or specialist staff member.

   The carer or specialist staff member will attend to the requirements of residents on an intermittent and individual needs basis.

   The carers and specialist staff members will not be required to reside on site or provide care on a 24 hours basis.

b) the residents in the two storey building will live on an independent basis.

   The second bedroom within each unit will accommodate a carer when required or a visiting family member;

c) emphasis will be given to providing accommodation for young people with a disability or with a special care need;

d) the accommodation will be managed and supervised by St John's Community Care Staff; and

e) none of the residents will require a car. The proposed on-site car parking spaces will be provided for use by St John's Community Care Staff and visiting family members or carers.

6.00 TOWN PLANNING CONSIDERATIONS

6.01 Use Definitions

As part of the assessment of the Planning Scheme use definitions with relevance to the proposal, consideration was given to the intent of the purpose for the Medium Density Residential Zone Code and in particular, the following:-

a) the provision for medium density multiple dwellings supported by Community Uses and small-scale services and facilities that cater for local residents; and

b) facilitate medium residential densities and a diversity of housing which caters for a range of households in locations where are proximate to town centres, community facilities and open space.

It is submitted that accommodation proposed by this development is consistent with the intent of the Medium Density Residential Zone Code.

Based on the review of the Planning Scheme, it is considered that the Community Residence definition encompasses the proposal.

This definition is noted as follows

Community Residence	Any dwelling used for accommodation for a maximum of six persons who require assistance or support with daily living needs, share communal spaces and who may be unrelated. The use may include a resident support worker engaged or employed in the management of the residence.	Hospice	Dwelling house, dwelling unit, residential care facility, rooming accommodation, short-term accommodation

The following aspects from the Community Residence definition in relation to the proposal are noted:-

a) the definition includes the "assistance or support" component required for the residents;

b) reference is made to the use of shared communal spaces;

c) reference is made to resident support worker; and

d) the definition makes specific reference to the provision of a maximum of six (6) persons within the Community Residence.

Having regard to the above considerations, it is submitted that the proposal comprises two (2) Community Residences. The northern building providing accommodation for four (4) persons and the southern building providing accommodation for six (6) persons. These buildings can therefore be considered as separate Community Residences utilising shared facilities.

On this basis, it is submitted that the proposal can be defined as:-

"Two (2) Community Residences"

This use is Code Assessable Development within the Medium Density Residential Zone.

6.02 Relevant Codes

Having regard to the subject site and the proposed development it is considered that the following codes are applicable to the assessment of the proposal:-

a) Medium Density Residential Zone Code;

b) Mareeba Local Plan Code;

c) Residential Dwelling and Outbuilding Overlay Code;

d) Transport Infrastructure Overlay Code;

e) Accommodation Activities Code;

f) Community Activities Code;

g) Landscaping Code;

h) Parking and Access Code; and

i) Works Services and Infrastructure Code.

6.03 Specific Matters for Consideration

As shown by the Ground Flood Plan, it is proposed to provide the following on-site parking arrangements for the development:-

i) eight (8) undercover parking spaces including a single disabled space; and

ii) an emergency vehicle set down area. This can also be used for a minibus set down area if required.

It is noted that none of the residents will require a car. Demand for on-site car parking will be generated by St John's Community Care Staff and visiting family members or carers.

Given the anticipated demand for on-site car parking and based on guidance provided by known generation rates observed for other similar facilities operated by St John's Community Care, it is submitted that the provision of eight (8) on-site spaces and the set down areas will be sufficient to meet the on-site car parking demand generated by the proposal.

It is also noted that the Byrnes Street frontage of the site contains marked on-street car parking spaces.

7.00 SPECIFIC RESPONSES SOUGHT FORM COUNCIL

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

a) the general suitability of the proposed use description and the level of assessment considered appropriate for the proposed development as detailed by **Section 6.01**;

b) the codes applicable to the subject site and the proposed development as detailed by **Section 6.02**;

c) the referral agencies and likely referral triggers for the proposal;

d) the likely infrastructure requirements and in particular, external works required for the development;

e) specific comments or requirements (if any) in relation to the development given that the site adjoins a Transport Noise Corridor;

f) the suitability of the layout of the development in relation to the retention of the current position of the sewer line and the requirement (if any) to include the sewer line within an easement in favour of Council;

g) likely infrastructure charges for the proposal;

h) the suitability of the number of on-site car parking spaces provided given the nature of the proposed use and Council's expectation for car parking allocations;

i) the Council application fee applicable to the proposal;

j) the ability for the proponent to obtain a reduction or exemption for the payment of infrastructure charges and Council application fees given the not-for-profit status of the proponent and the substantial community benefit the proposal will provide to Mareeba; and

k) overall, for Council to advise the level of support-in-principle for the development as proposed.

We await Council's response.

Victor G Feros Town Planning Consultants

November 2019

FIGURES

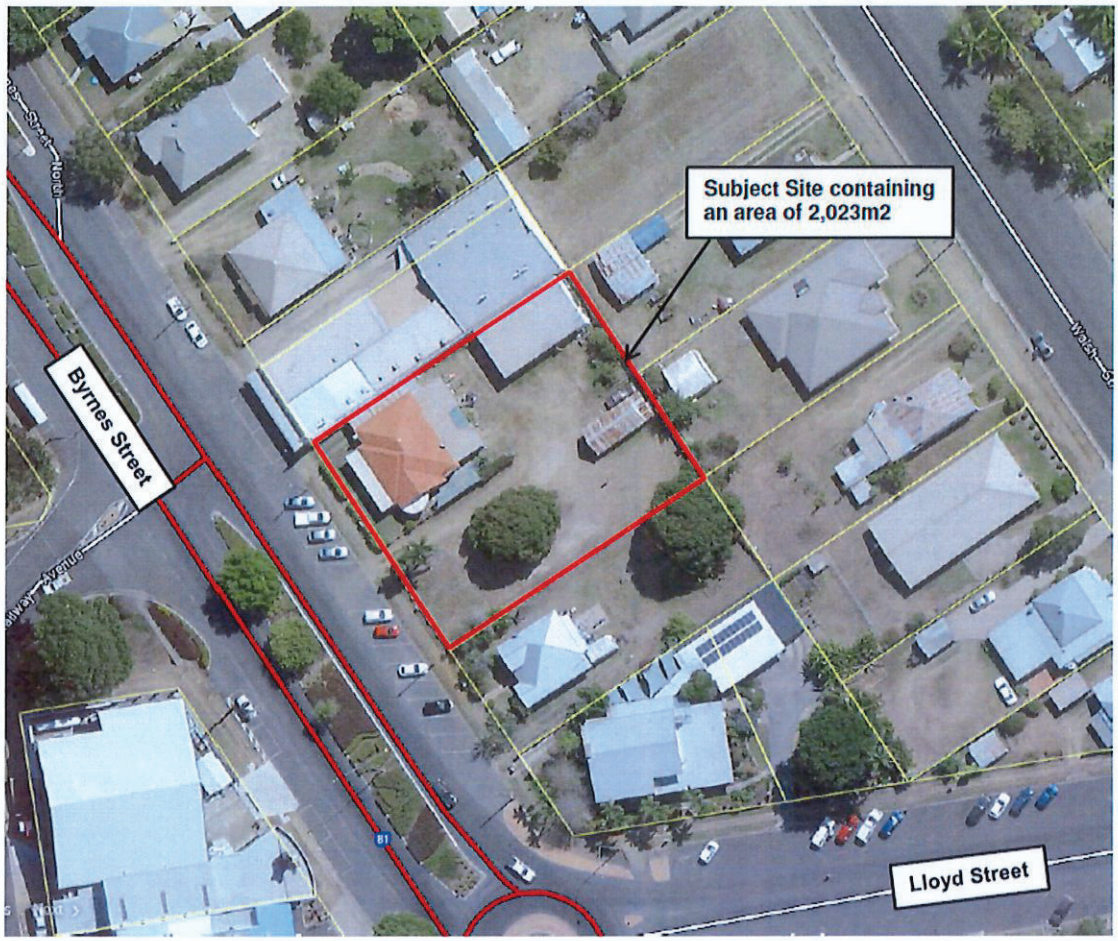
PRE-LODGEMENT ENQUIRY

GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA CONSOLIDATED TRUST

41 TO 43 BYRNES STREET, MAREEBA

LOCATION

FIGURE 1 NOVEMBER 2019



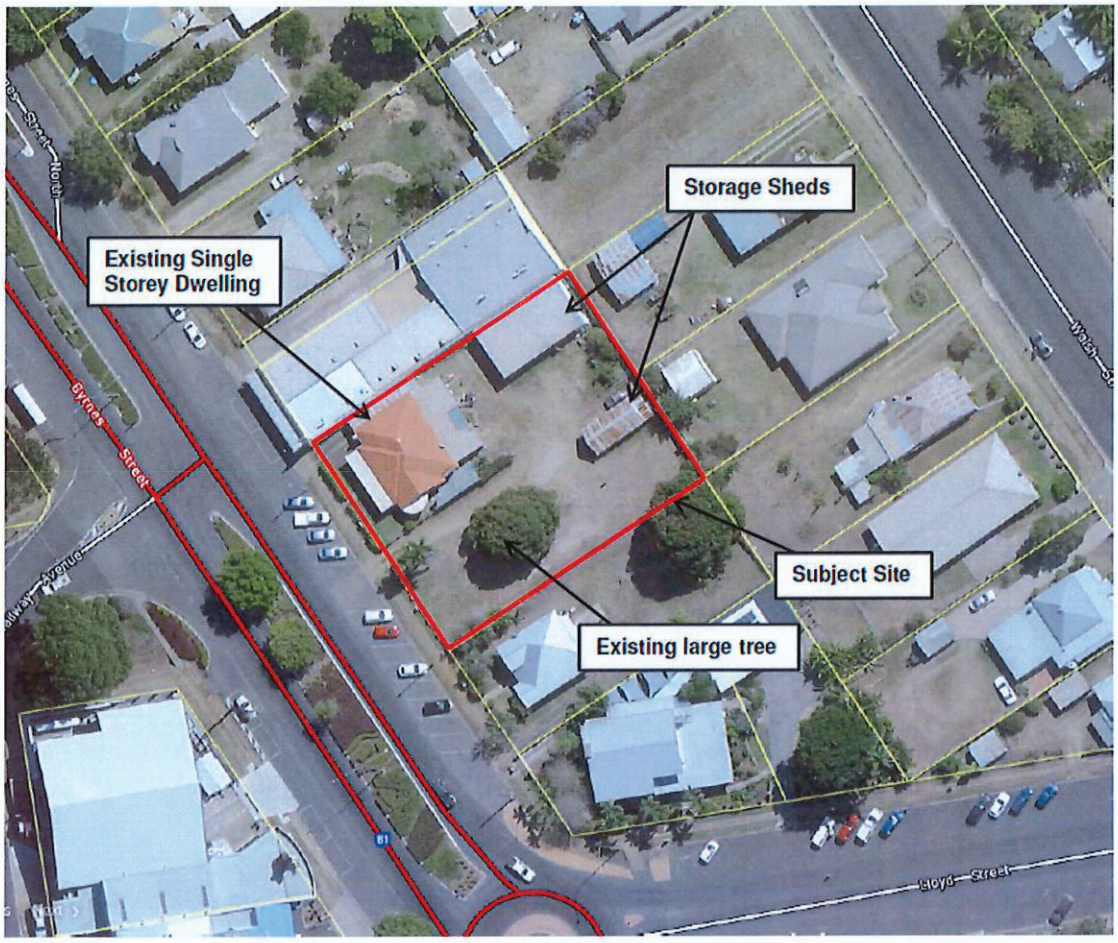
PRE-LODGEMENT ENQUIRY

GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA CONSOLIDATED TRUST

41 TO 43 BYRNES STREET, MAREEBA

LOCALITY

FIGURE 2 NOVEMBER 2019



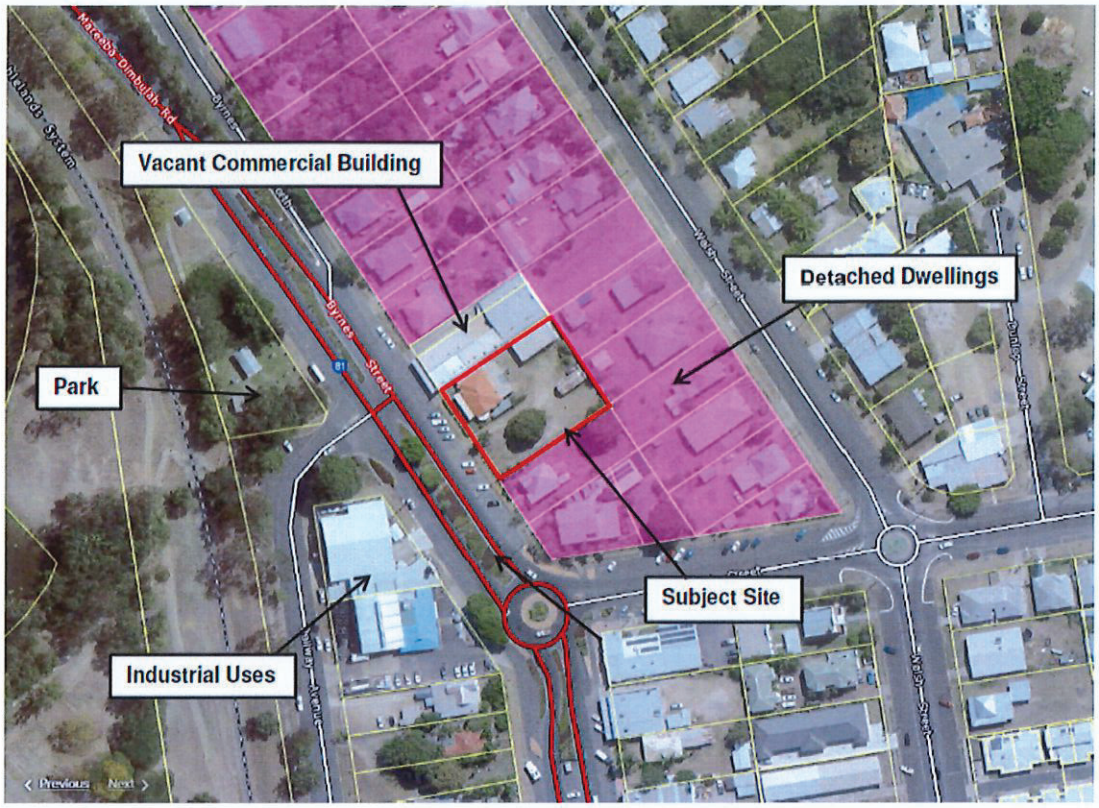
PRE-LODGEMENT ENQUIRY

GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA CONSOLIDATED TRUST

41 TO 43 BYRNES STREET, MAREEBA

EXISTING SITE USES

FIGURE 3 NOVEMBER 2019



PRE-LODGEMENT ENQUIRY

GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA CONSOLIDATED TRUST

41 TO 43 BYRNES STREET, MAREEBA

SURROUNDING SITE USES

FIGURE 4 NOVEMBER 2019

LEGEND

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

Community Identity Elements
- Energy Generation
- Enterprise and Employment
- Iconic Landscape Feature
- Tourism

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

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

Infrastructure Elements
- Major Electrical Infrastructure

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

Other Elements
- Major Waterbody
- Major Watercourse
- Mareeba Shire Council Boundary

PRE-LODGEMENT ENQUIRY

GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA CONSOLIDATED TRUST

41 TO 43 BYRNES STREET, MAREEBA

STRATEGIC FRAMEWORK

FIGURE 5 NOVEMBER 2019


Subject Site
RAILW
LEGEND
Zones
Centre
Community Facilities
Conservation
Emerging Community
Industry
A Trades and Services Precinct
B General Industry Precinct
C Heavy Industry Precinct
Low Density Residential
Medium Density Residential
Recreation and Open Space
Rural
Rural Residential
A 4,000 Square Metre Precinct
B 1 Hectare Precinct
C 2 Hectare Precinct
Other Elements
Cadastre
Local Plan Boundary
Mareeba Shire Coucil Boundary
Watercourse
PRE-LODGEMENT ENQUIRY
GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA CONSOLIDATED TRUST
41 TO 43 BYRNES STREET, MAREEBA
ZONING
FIGURE 6 NOVEMBER 2019

LEGEND

Transport Infrastructure

- Rail Corridor

Road Hierarchy

- State Controlled Road
- Collector Road
- Access Road
- Major Rural Road
- Minor Rural Road

Other Elements

- Cadastre
- Mareeba Shire Coucil Boundary
- Watercourse

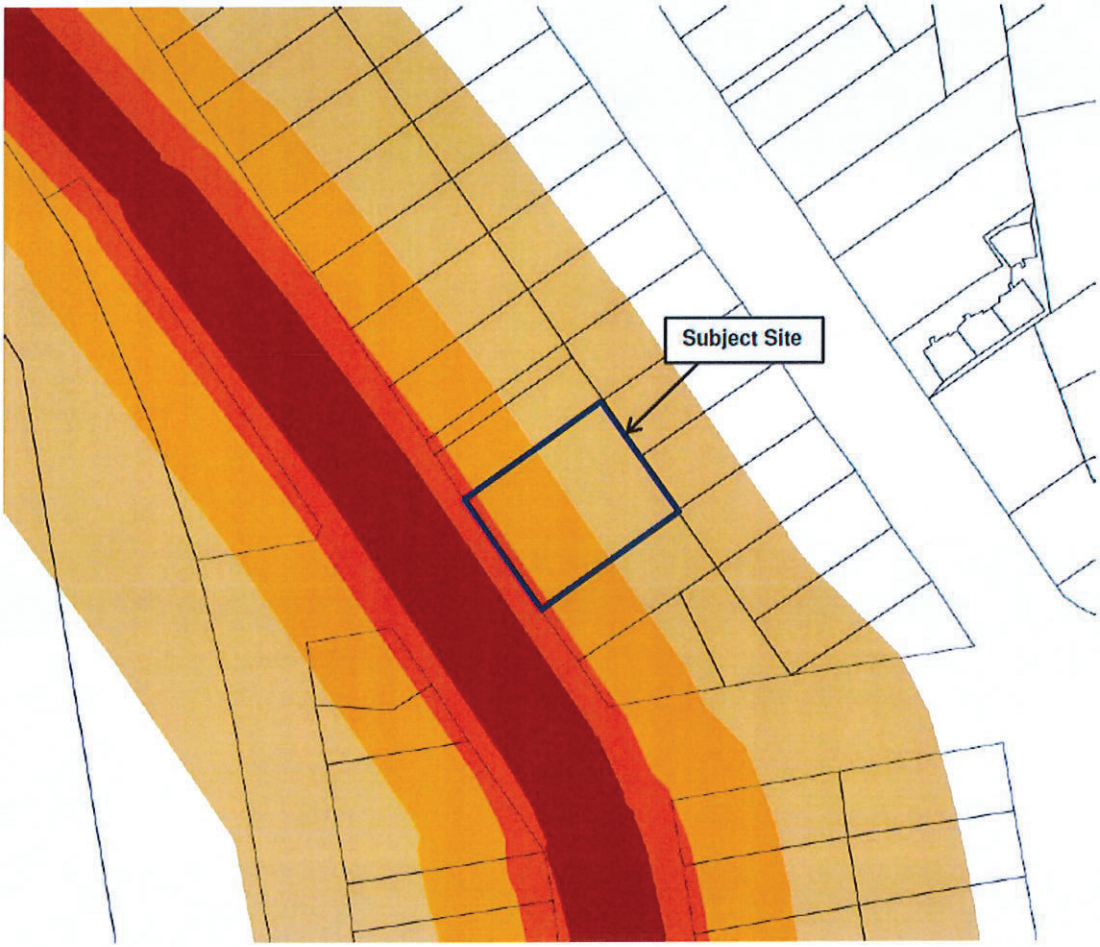
PRE-LODGEMENT ENQUIRY

GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA CONSOLIDATED TRUST

41 TO 43 BYRNES STREET, MAREEBA

TRANSPORT INFRASTRUCTURE

FIGURE 7 NOVEMBER 2019



LEGEND

Transport Noise Corridors (State Controlled Roads)

- Category 1 - 58 dB(A)
- Category 2 - 63 dB(A)
- Category 3 - 68 dB(A)
- Category 4 - 73 dB(A)

Other Elements

- Cadastre
- Mareeba Shire Coucil Boundary
- Watercourse

PRE-LODGEMENT ENQUIRY

GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA CONSOLIDATED TRUST

41 TO 43 BYRNES STREET, MAREEBA

TRANSPORT NOISE CORRIDOR

FIGURE 8 NOVEMBER 2019

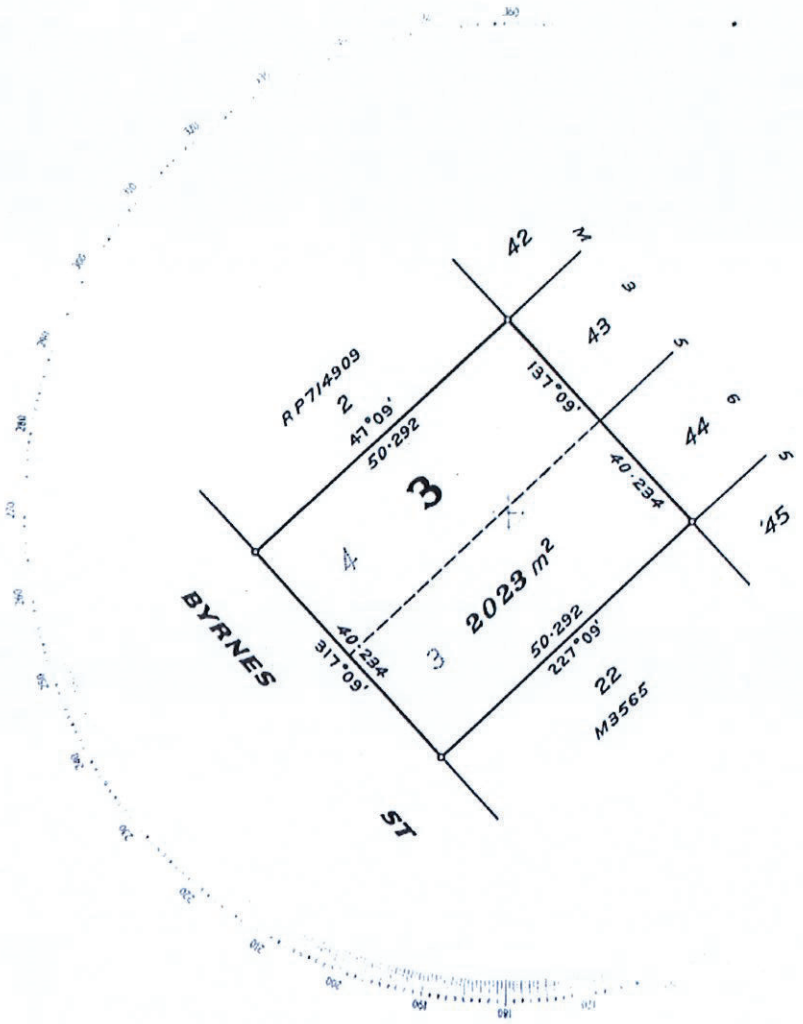
APPENDIX A

RP865105 V0 Page 1 of 2 Not To Scale

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

865105

PLAN MUST BE DRAWN WITHIN BLACK LINES



For Additional Plan & Document Number Refer to CISP

I, Lloyd Stanley Twine hereby certify that I have made this plan pursuant to Section 25 of the Surveyors Regulation 1992, and that the plan is accurate and compiled from M3565 in the Department of Lands

L.S. Twine 18·1·1994
Licensed Surveyor Date

PLAN OF Lot 3

Cancelling Lots 23 & 24 on M3565

ORIGINAL Allots 3 & 4 of Sec 10

MERIDIAN	MAP REF	SCALE	FILE REF	ENDORSED	REGISTERING DIST
M3565	TM Sh	1:600		— SURVEY RECORDS DEPOSITED 21-3-1994	Northern

PARISH TINAROO
COUNTY Nares
TOWN/LOCALITY Mareeba
LOCAL AUTHORITY Mareeba SC
LAND AGENT/MINING DISTRICT Cairns
MINING FIELD

REGISTERED PLAN 865105

0 1 2 3 4 5 6 7 8 9 10 cm

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

Council of the Shire of Bareeba certifies that all the requirements of this Council, the Local Government Acts and all By-Laws have been complied with and approves this Plan of Subdivision.

Dated this Fifteenth day of February, 19 94

Cr. C.J. Lewis — Mayor or Chairman

Mr. C.C. McDowall — Town or Shire Clerk

COUNCIL OF THE SHIRE OF BAREEBA CORPORATE SEAL

I/We Albert Joseph Hall and Dorothy Margaret Hall

(Names in full)

- as Proprietor/s of this land.
- as Lessee/s of Miner's Homestead

agree to this plan and dedicate the new road as shown hereon to public use.

Signature of • Proprietor/s • Lessee/s

• Rule out which is inapplicable.

Previous Title
CT N67455 Vol 417 Fol 5 Lot 23 on M3565
" N101635 " 560 " 185 " 24 " "

865105

I CERTIFY THAT THIS PLAN HAS NOT BEEN ALTERED SINCE ENDORSEMENT BY THE DEPARTMENT OF LANDS

LICENSED SURVEYOR DIRECTOR / /19

Lot	Vol.	Fol.	Lot	Vol.	Fol.	Lot	Vol.	Fol.
9	1576	134						

Lodged by

Received
Registrar of Titles

T747491H $112.00 14 MAR 1994 9:41 AM 4844 PLAN

Fees Payable

	Postal fee and postage
58.	Logt. Exam. & Ass.
40.	New Title
	Entd. on Deeds
14.	Photo Fee
112.00	Total
	Short Fees Paid

Rec. No. 420585
RECEIVED $ 136
DATE 21-2-94

865105

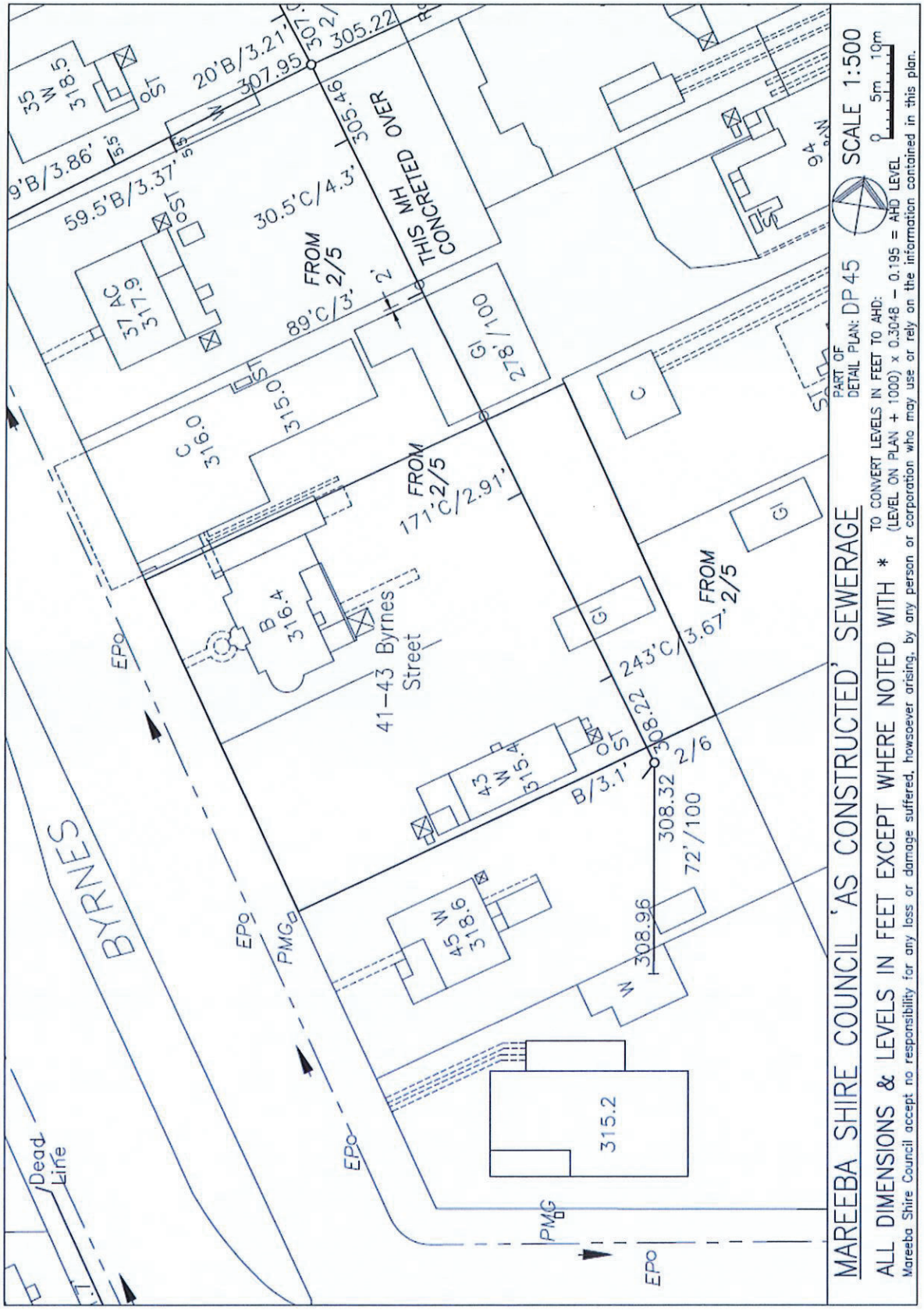
21.3.94.

File Ref.
Deposited 21/02/1994
Audited 9/3/94 GT
Passed 9/3/94 GT
Survey Records: File/Field Notes
Charted / /
Original Grant
N3620 (Allot 4)
N6886 (" 3)

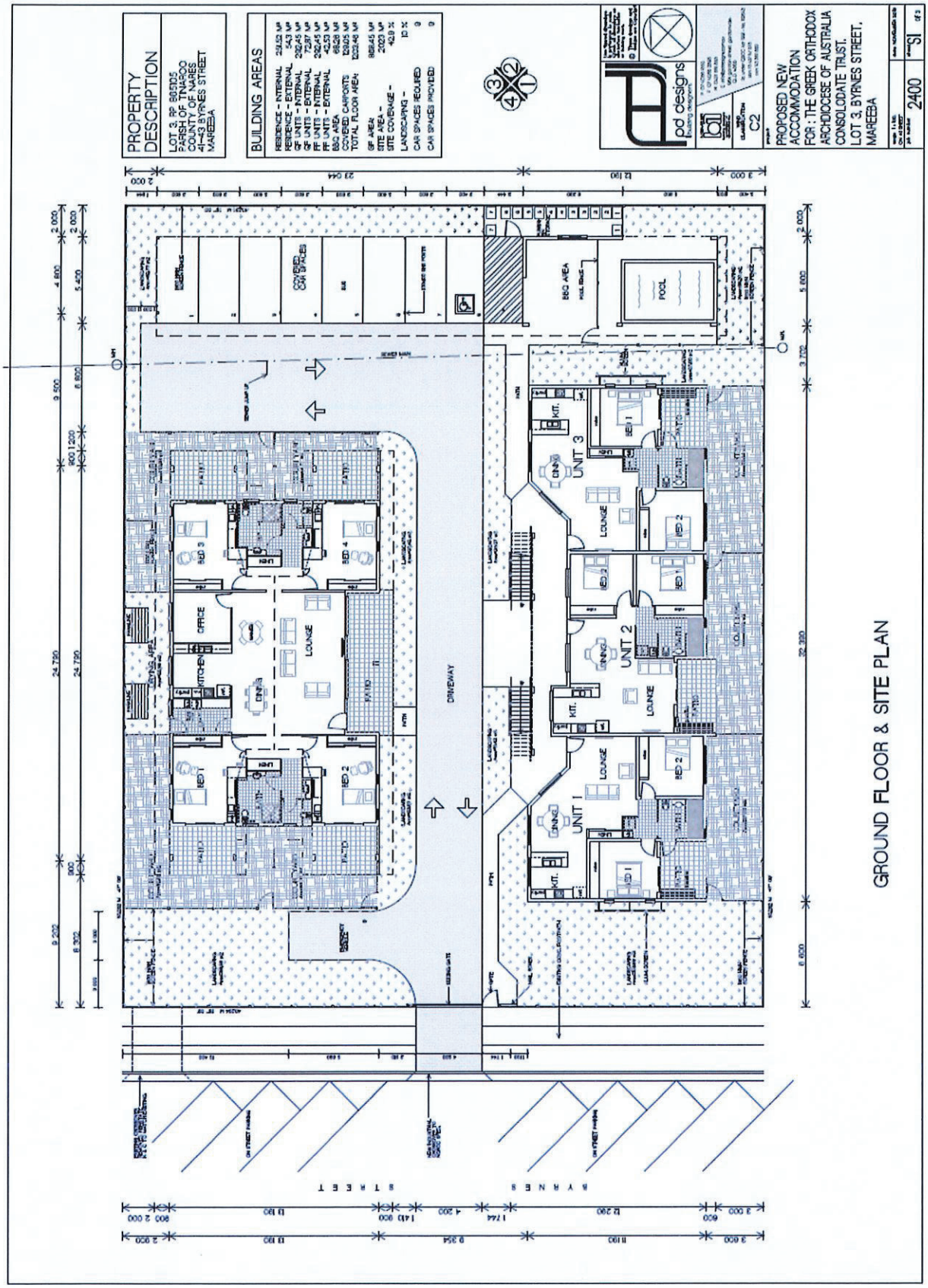
Particulars entered in Register Book
Vol. Folio
at 10.5
30 MAR 1994
REGISTRAR OF TITLES

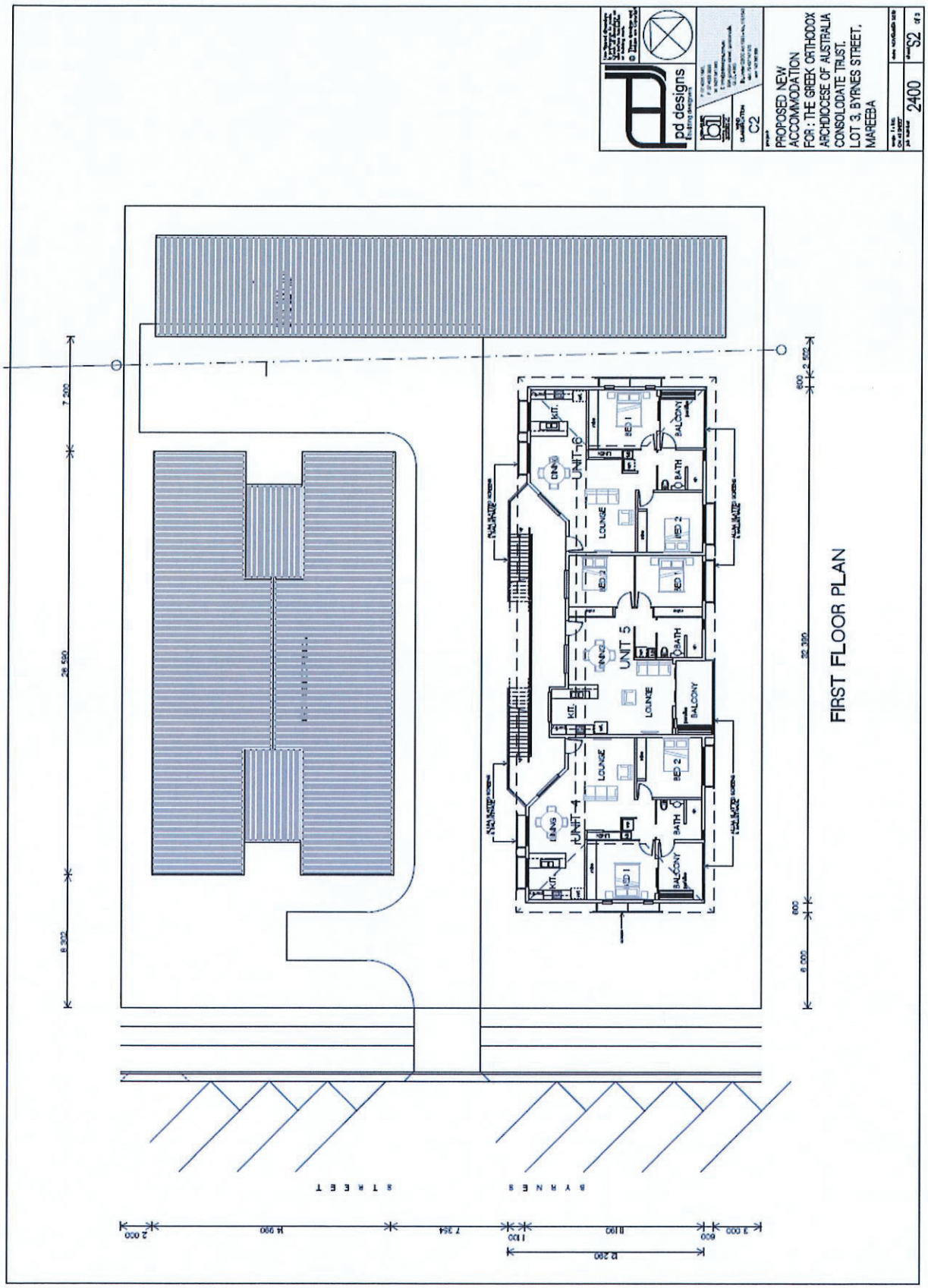
REGISTERED PLAN 865105

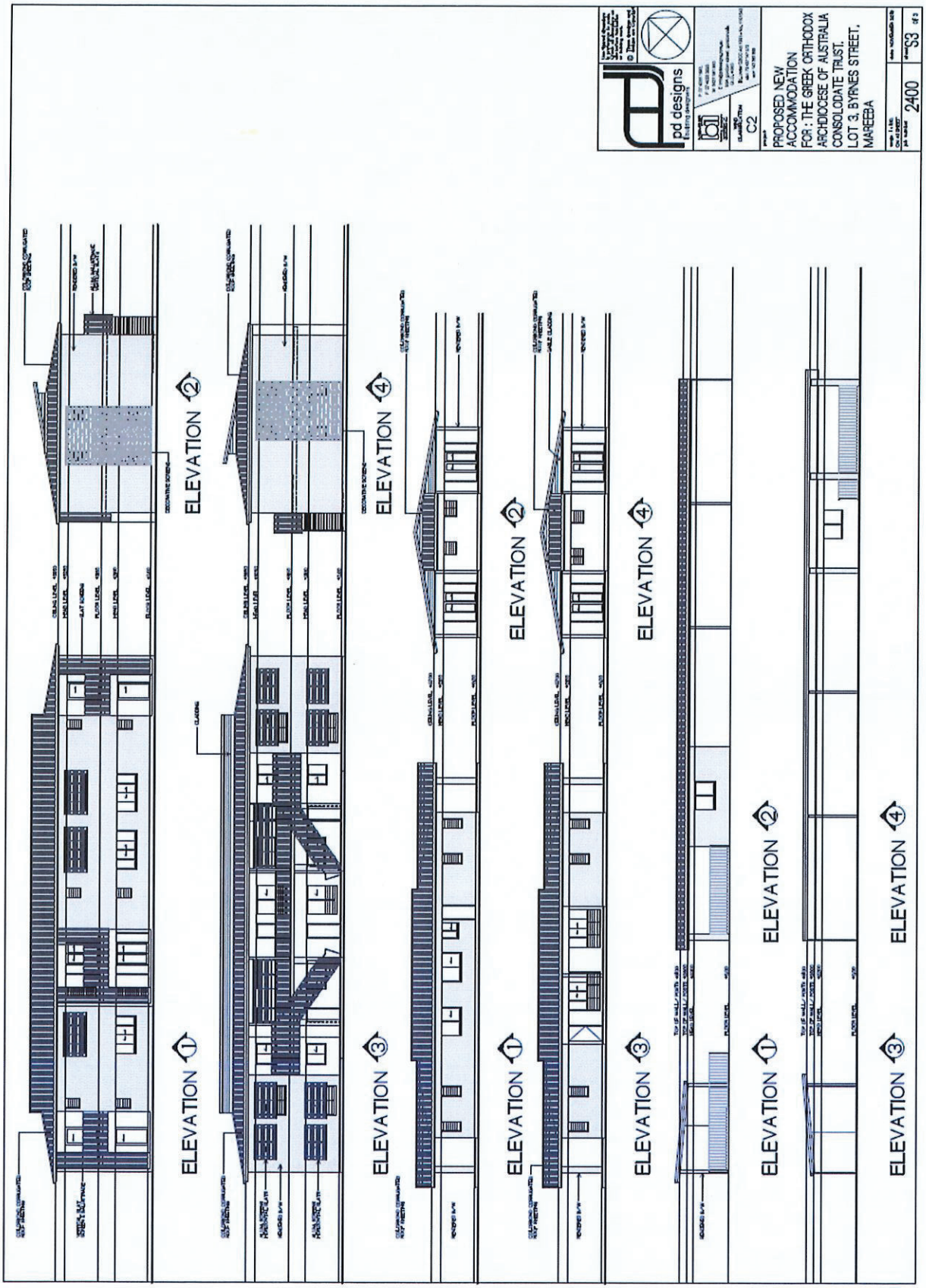
APPENDIX B


MAREEBA SHIRE COUNCIL 'AS CONSTRUCTED' SEWERAGE
ALL DIMENSIONS & LEVELS IN FEET EXCEPT WHERE NOTED WITH *
TO CONVERT LEVELS IN FEET TO AHD:
(LEVEL ON PLAN + 1000) x 0.3048 – 0.195 = AHD LEVEL
Mareeba Shire Council accept no responsibility for any loss or damage suffered, howsoever arising, by any person or corporation who may use or rely on the information contained in this plan.
PART OF DETAIL PLAN: DP 45
SCALE 1:500
0 5m 10m
BYRNES
41–43 Byrnes Street
Dead Line
EPO
PMG
THIS MH CONCRETED OVER
FROM 2/5
30.5'C/4.3'
89'C/3'
171'C/2.91'
243'C/3.67'
20'B/3.21'
59.5'B/3.37'
9'B/3.86'
B/3.1'
307.95
305.22
305.46
308.22
308.32
308.96
72'/100
278'/100
315.2

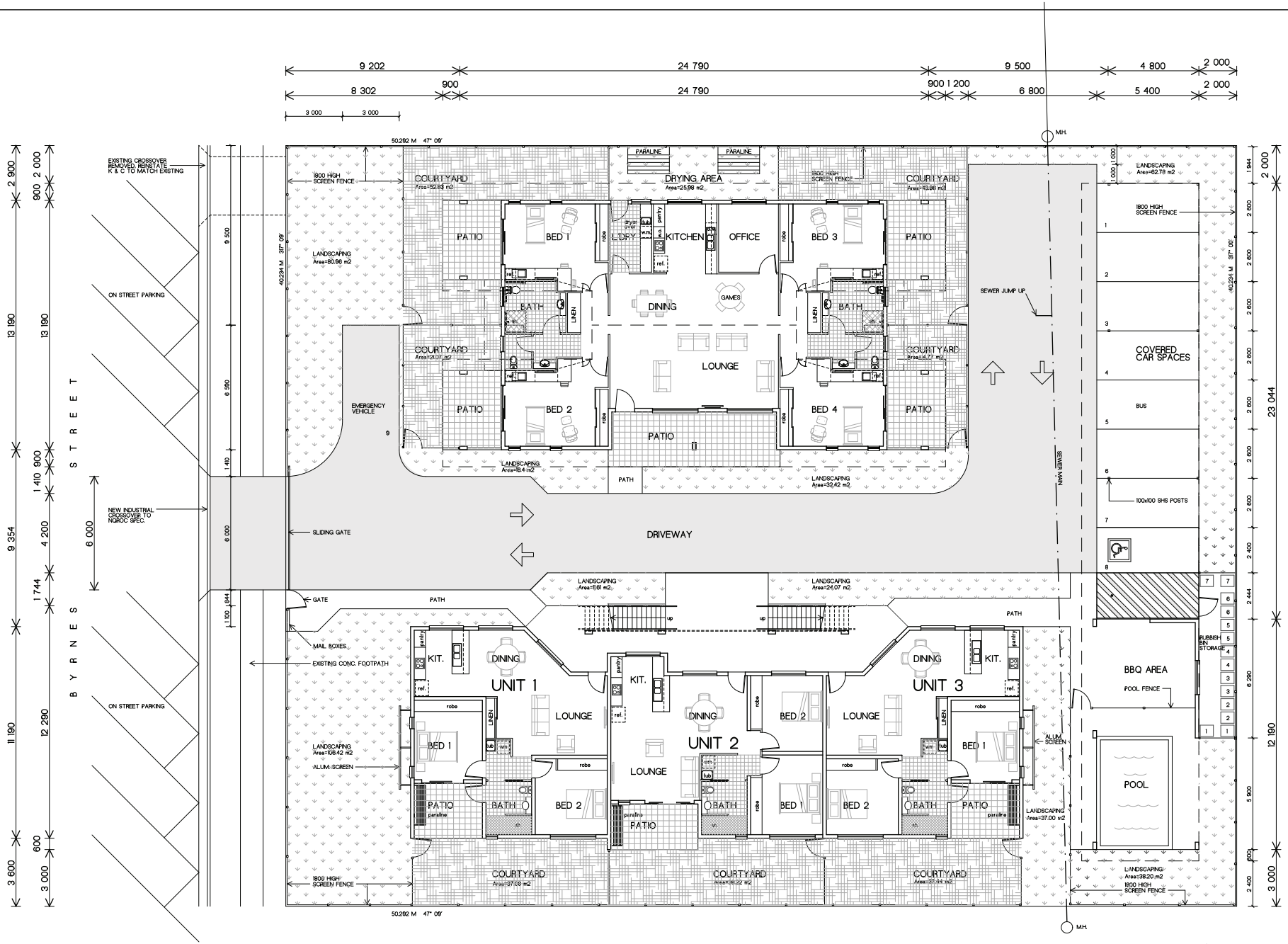
APPENDIX C


PROPERTY DESCRIPTION
LOT 3 RP 90505
PARISH OF TAMBOO
COUNTY OF NARES
41-43 BYRNES STREET
MAREEBA
BUILDING AREAS
RESIDENCE - INTERNAL 248.53 M²
RESIDENCE - EXTERNAL 543 M²
GF UNITS - INTERNAL 282.45 M²
GF UNITS - EXTERNAL 72.87 M²
FF UNITS - INTERNAL 282.45 M²
FF UNITS - EXTERNAL 42.53 M²
BBQ AREA 69.28 M²
COVERED CARPORTS 129.05 M²
TOTAL FLOOR AREA 1223.46 M²
GF AREA 808.45 M²
SITE AREA 2023 M²
SITE COVERAGE - 42.9 %
LANDSCAPING - 10 %
CAR SPACES REQUIRED 9
CAR SPACES PROVIDED 9
pd designs
C2
PROPOSED NEW ACCOMMODATION
FOR : THE GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA CONSOLIDATE TRUST.
LOT 3, BYRNES STREET, MAREEBA
2400
S1
COVERED CAR SPACES
BBQ AREA
POOL
DRIVEWAY
UNIT 1
UNIT 2
UNIT 3
LOUNGE
DINING
KIT.
BED 1
BED 2
BED 3
BED 4
OFFICE
KITCHEN
PATIO
BYRNES STREET
GROUND FLOOR & SITE PLAN


pd designs
C2
PROPOSED NEW ACCOMMODATION
FOR : THE GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA CONSOLIDATE TRUST,
LOT 3, BYRNES STREET, MAREEBA
2400
S2
FIRST FLOOR PLAN
UNIT 5
UNIT 6
UNIT 7
LOUNGE
DINING
KIT.
BED 1
BED 2
BATH
BALCONY
INSULATED ROOFING
BYRNES
STREET


pd designs
C2
PROPOSED NEW ACCOMMODATION
FOR : THE GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA CONSOLIDATE TRUST,
LOT 3, BYRNES STREET, MAREEBA
2400
S3
ELEVATION 1
ELEVATION 2
ELEVATION 3
ELEVATION 4
ELEVATION 1
ELEVATION 2
ELEVATION 3
ELEVATION 4
ELEVATION 1
ELEVATION 2
ELEVATION 3
ELEVATION 4

APPENDIX D



GROUND FLOOR & SITE PLAN

PROPERTY DESCRIPTION

LOT 3, RP 865105
PARISH OF TINAROO
COUNTY OF NARES
41-43 BYRNES STREET
MAREEBA

BUILDING AREAS

RESIDENCE - INTERNAL	251.52 M²
RESIDENCE - EXTERNAL	54.3 M²
GF UNITS - INTERNAL	292.45 M²
GF UNITS - EXTERNAL	72.87 M²
FF UNITS - INTERNAL	292.45 M²
FF UNITS - EXTERNAL	42.53 M²
BBQ AREA	68.26 M²
COVERED CARPORTS	129.05 M²
TOTAL FLOOR AREA:	1203.46 M²
GF AREA:	868.45 M²
SITE AREA -	2023 M²
SITE COVERAGE -	42.9 %
LANDSCAPING -	10 %
CAR SPACES REQUIRED	9
CAR SPACES PROVIDED	9

Use figured dimensions in preference to scale. Check all dimensions on site before fabrication or building work.

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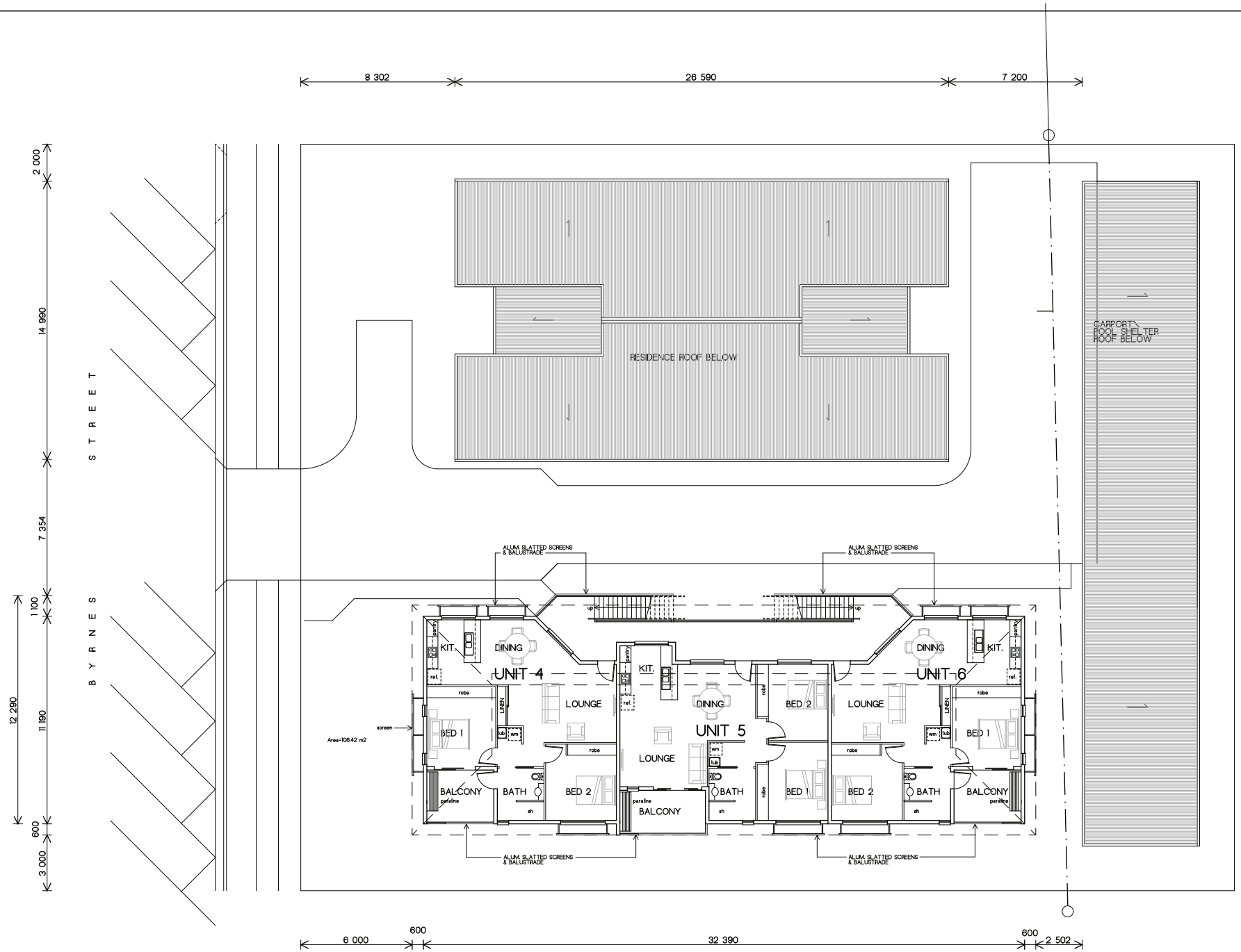
lic. under QBCC Act 1991 - No. 1191543
abn: 73 437 147 573
acn: 143 382 899

WIND CLASSIFICATION
C2

project

PROPOSED NEW ACCOMMODATION
FOR : THE GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA CONSOLODATE TRUST.
LOT 3, BYRNES STREET, MAREEBA

scale 1 : 100, ON A1 SHEET	date DECEMBER 2019
job number 2400	sheet S1 OF 3



FIRST FLOOR PLAN

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LOT 3, BYRNES STREET, MAREEBA

scale 1 : 100, ON A1 SHEET	date DECEMBER 2019
job number 2400	sheet S2 OF 3

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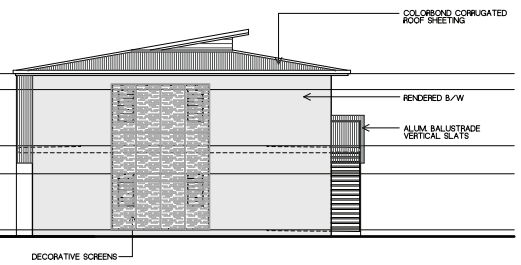

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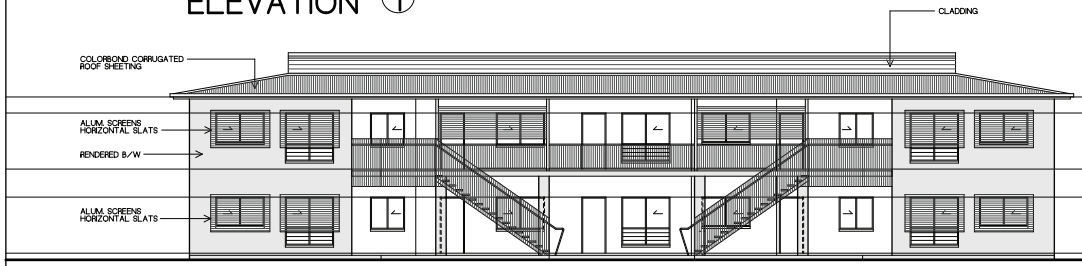

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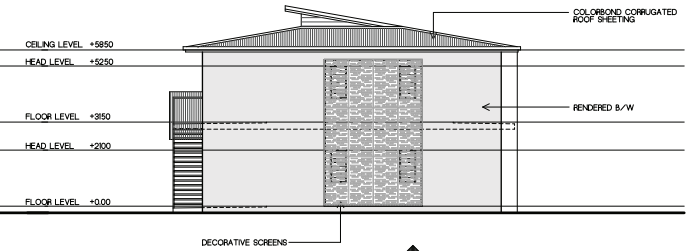

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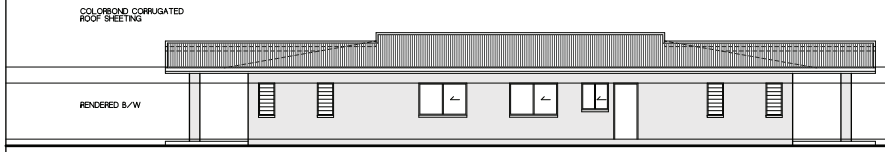

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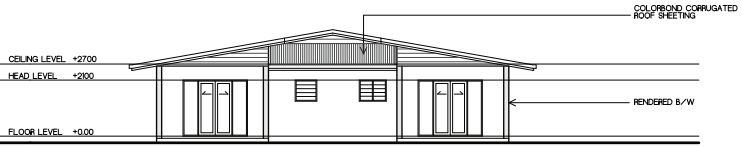

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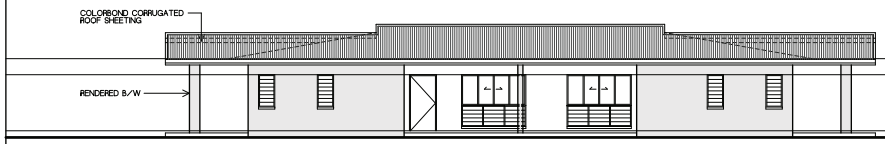

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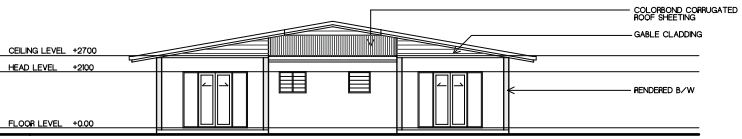

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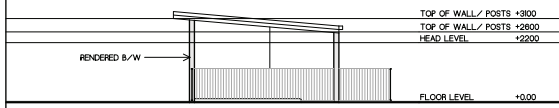
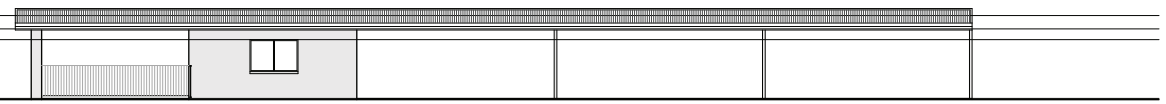
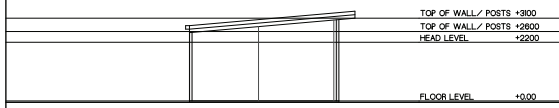
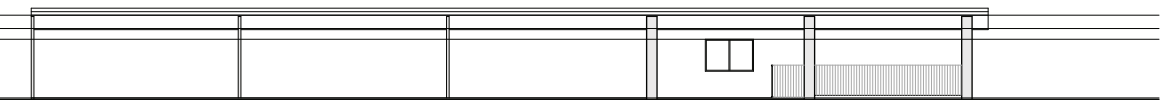




ELEVATION 1 ELEVATION 2





ELEVATION 3 ELEVATION 4

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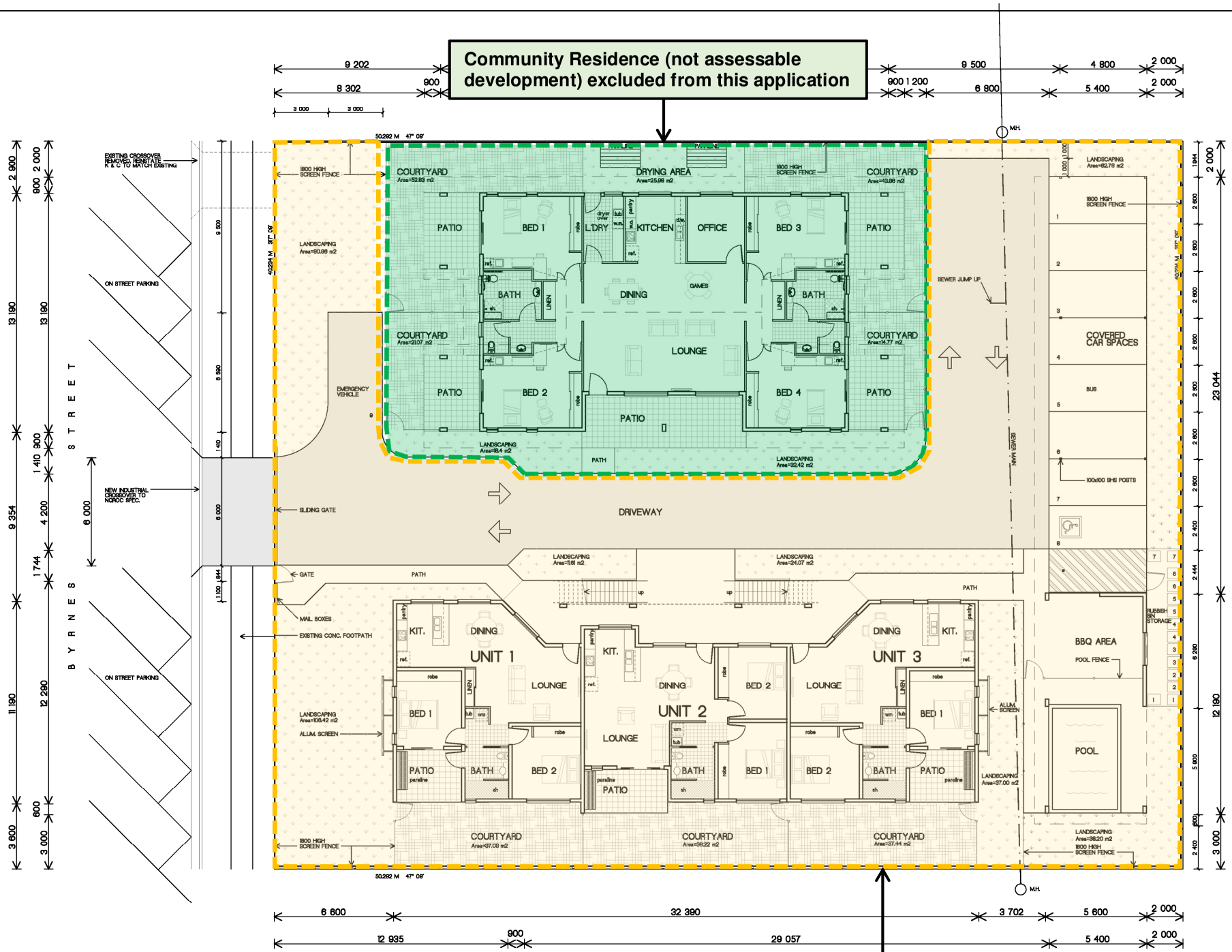
LOT 3, BYRNES STREET, MAREEBA

scale 1 : 100, ON A1 SHEET	date DECEMBER 2019
job number 2400	sheet S3 OF 3

APPENDIX E

Community Residence (not assessable development) excluded from this application



Multiple Dwelling subject to this application

GROUND FLOOR & SITE PLAN

PROPERTY DESCRIPTION

LOT 3, RP 865105
PARISH OF TINAROO
COUNTY OF NARES
41-43 BYRNES STREET
MAREEBA

BUILDING AREAS

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LANDSCAPING -	10 %
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scale 1 : 100, ON A1 SHEET	date DECEMBER 2019
job number 2400	sheet S1 OF 3

APPENDIX F

7.2.2 Mareeba local plan code

7.2.2.1 Application

(1) This code applies to assessing development where:
- (a) located in the Mareeba local plan area; 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.

7.2.2.2 Purpose

(1) The purpose of the Mareeba local plan code is to:
- (a) facilitate the continued use of the historic stables area adjacent to the Mareeba Racecourse for residential horse keeping;
- (b) facilitate the continued development of the Mareeba Airport;
- (c) facilitate efficient development that accords with local lifestyle and amenity expectations;
- (d) identify and direct urban growth opportunities;
- (e) facilitate a more vibrant and integrated town centre;
- (f) enhance accessibility to, and activation of, the Barron River and Centenary Lakes as important physical assets for Mareeba;
- (g) enhance Mareeba's heritage and cultural elements; and
- (h) facilitate the development of an appropriate site for special industry.

(2) Ten precincts have been identified in the Mareeba local plan to achieve this purpose:
- (a) The Town centre core precinct will be maintained as the retail and cultural heart of Mareeba. Development will be managed to increase the walkability of the precinct and better integrate the street and built environments. Character elements of the precinct will be maintained and new buildings or works to existing buildings will be respectful of character values.
- (b) The Town centre fringe precinct consists of commercial and residential uses. The precinct will facilitate destination specific commercial development where it can be demonstrated that design measures can be incorporated to adequately mitigate any impacts upon residential amenity. The precinct will not detract from the role of the Town centre core precinct as the town's primary retail and commercial precinct.
- (c) The Mareeba Airport precinct includes the existing airport facilities and an area on the south west side of the runway that is intended to be development for aviation based industry. The precinct will facilitate the continuing development of the Mareeba Airport, for passenger and freight movements, and other activities associated with the airport's primary function including industry, where it is demonstrated that these uses do not compromise efficient aircraft operation.
- (d) The Mareeba northern investigation precinct is intended to support long term future urban development beyond the life of the planning scheme. Development in this precinct (particularly subdivision) is limited so that the future urban intent is not compromised.
- (e) The Mareeba north-eastern expansion precinct, the Mareeba south-eastern expansion precinct and the Mareeba south-western expansion precinct are intended for urban residential development. These precincts are constrained by a range of important features including slopes, gullies, watercourses, open space and riparian linkages and the Mareeba Bypass. Development in these precincts preserves and enhances these features while supporting the development of a walkable and well connected transport network. Development in the Mareeba north-eastern expansion precinct supports the construction of a new bridge over the Barron River connecting Hastie Road with Lloyd Street to enable greater access to the town centre while small scale local centres are encouraged in the Mareeba south-western expansion precinct.
- (f) The Stable precinct defines an established area of residential properties incorporating horse stables adjoining the Mareeba Racecourse. The precinct is intended to protect the ongoing use of the stables on these properties, in association with residential uses.
- (g) The Industrial park precinct provides for the expansion, establishment and operation of General industry and Heavy industry uses within this precinct, where they are appropriately separated from incompatible uses.
- (h) The Noxious and hazardous industry precinct provides for the expansion, establishment and relatively unconstrained operation of Special industry in the precinct where the use is sufficiently isolated from other land uses and potential on and off site impacts can be adequately managed. Uses other than Special industry and High impact industry should not occur in this precinct in order to prevent compromising the intended function of the precinct.

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

(a) Development recognises and protects the town centre as Mareeba's most important commercial and social asset that is supported by substantial public and private investment in buildings, infrastructure and culture;
(b) Development within the Town centre core precinct promotes greater walkability and integration between street and built environments through the consolidation and effective design of retail and commercial facilities;
(c) Development within the Town centre fringe precinct, accommodates destination-specific premises that requires car and service vehicle access;
(d) Development provides opportunities for greater utilisation of, and improved public access to, the Barron River and open spaces;
(e) Development protects Mareeba's heritage places and tourist and cultural assets and enhances opportunities for their public appreciation;
(f) Development facilitates the continuing growth of the Mareeba Airport for passenger and freight movements and industry associated with the airport's primary function. Activities in the Mareeba Airport precinct will be limited to ensure they do not compromise efficient aircraft operation;
(g) Development in the Stable precinct facilitates the combination of stables and houses whilst maintaining a low density to minimise impacts;
(h) Development provides for the expansion, establishment and relatively unconstrained operation of Special industry in the Noxious and hazardous industry precinct; and
(i) The establishment and operation of a range of industries in the Industrial park precinct is supported.

7.2.2.3 Criteria for assessment

Table 7.2.2.3—Mareeba local plan - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Response
For accepted development subject to requirements and assessable development		
If affected by the vegetated buffer area element		
PO1 Industrial development is appropriately screened from view to minimise impacts on the: (a) visual amenity and character of the local plan area; and (b) amenity of nearby land uses.	**AO1** A minimum 5 metre wide vegetated buffer area is provided in all areas of the site affected by the vegetated buffer element.	**Not Applicable**
If in the Stable precinct		
PO2 Development facilitates the co-location of houses and stables while maintaining an appropriate level of amenity, having regard to emissions of: (a) noise; (b) odour; and (c) light	**AO2** Stables house no more than 10 animals and are: (a) separated by a minimum distance of 3 metres from any residential building on the same site; (b) separated by a minimum distance of 5 metres from any residential building on an adjoining site; and (c) setback a minimum of 6 metres from any road frontage.	**Not Applicable**

Performance outcomes	Acceptable outcomes	Response
If on a site with a frontage to the Byrnes Street core element		
PO3 Development with a frontage to the Byrnes Street core element is designed to minimise the dominance of vehicular access within the streetscape by: (a) providing vehicular access from an alternative frontage; (b) minimising the size of necessary vehicle access; and (c) maximising the area of the frontage used for pedestrian focussed activities.	**AO3.1** Where development has a frontage to the Byrnes Street core element, buildings are built to side boundaries, except for pedestrian access-ways and where alternative vehicular access is not available. In such instances, vehicular and pedestrian access-ways are not wider than 7 metres. Note—Refer to Figure A for further detail.	**Not Applicable**
	AO3.2 Vehicular access is not provided from Byrnes Street where a site has more than one frontage.	**Not Applicable**
If on a site affected by the Town centre fringe 6 metre setback element		
PO4 Larger destination-specific premises that require increased provision for car and service vehicle access are supported where it can be demonstrated that sufficient separation is provided between the use and adjoining residential uses to adequately mitigate any potential impacts on the amenity of adjoining premises, having regard to: (a) noise; (b) odour; (c) light; and (d) overlooking and privacy.	**AO4** Buildings and structures are setback a minimum of 6 metres from the boundary affected by the Town centre fringe 6 metre setback element.	**Not Applicable**
If in the Town centre fringe precinct		
PO5 Development's address to the primary street frontage ensures: (a) car parking areas are not a dominant feature; and (b) sources of visual interest and casual surveillance of the street frontage are provided.	**AO5.1** No more than 50% of car parking is to be located between the building and the primary street frontage.	**Not Applicable**
	AO5.2 Buildings include uses that orientated toward the primary street frontage with entrances and windows addressing the street.	**Not Applicable**

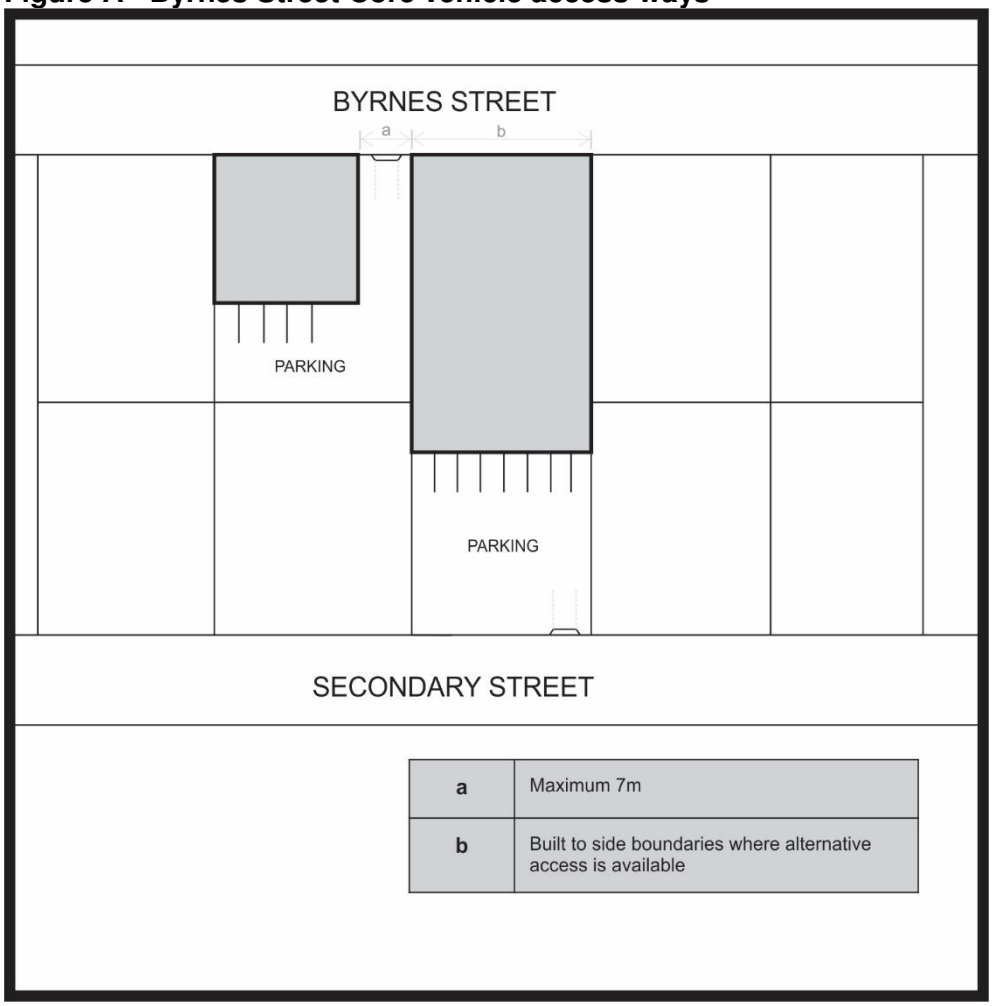
Performance outcomes	Acceptable outcomes	Response
For assessable development		
PO6 Development in the Mareeba local plan area: (a) promotes and does not prejudice the ongoing operation of Mareeba as the major regional activity centre of the Shire; (b) provides growth or redevelopment in areas within close proximity to the Town centre core precinct; (c) locates Community facilities in accessible locations within walking distance of the Town centre core precinct; and (d) contributes to the vibrancy and local identity of the Mareeba community.	**AO6** No acceptable outcome is provided.	**Complies** – The proposal can show compliance with this criterion. In particular, this proposal will assist with meeting the demand for supported accommodation for persons with a disability.
PO7 Development does prejudice the future construction of the Mareeba Bypass.	**AO7** Development involving permanent buildings or structures does not occur on land affected by the Mareeba bypass element.	**Complies** – The proposal can show compliance with this criterion.
PO8 Development integrates the following elements identified on the Mareeba local plan maps: (a) open space elements; (b) indicative collector roads as higher order road linkages; (c) indicative minor roads in a similar design as shown as mapped; and (d) possible connections as important road linkages between developments.	**AO8** No acceptable outcome is provided.	**Complies** – The proposal can show compliance with this criterion.
PO9 Development integrates small-scale local retail centres that: (a) service the local neighbourhood; and (b) do not prejudice the ongoing operation of the Mareeba town centre.	**AO9** No acceptable outcome is provided.	**Not Applicable**
If in the Stable precinct		
PO10 Development does not involve a density of residential development that is likely to prejudice the ongoing use of land within the precinct for stables, having regard to the existing level of amenity.	**AO10.1** Development does not result in a higher accommodation density than currently exists.	**Not Applicable**
	AO10.2 Development does not result in the creation of any new lots.	**Not Applicable**

Performance outcomes	Acceptable outcomes	Response
If in the Mareeba Airport precinct		
PO11 Development does not prejudice the ongoing operations or future development intentions of the Mareeba Airport.	**AO11** Development is limited to activities which have a direct associated with aviation.	**Not Applicable**
If in the Town centre core precinct		
PO12 Development is to be of a scale and form which complements the character of the precinct, having regard to: (a) building location; (b) building height; (c) interface with the street; and (d) scale of windows, doors and structural elements	**AO12** No acceptable outcome is provided.	**Not Applicable**
PO13 The character and style of buildings in the main street, including those representing the booming tob **Table 9.3.1.3B** acco period of the 1950's and 1960's is maintained and protected.	**AO13.1** Buildings are re-used for new uses without alteration to their : (a) height; (b) width (at street frontage); (c) vertical or horizontal patterning; and (d) materials. Note—Refer to Planning Scheme Policy 1 – Character Area Design Guidelines for additional guidance in relation to the development outcomes sought.	**Not Applicable**
	AO13.2 Development on sites identified as building façade to be retained that retains the external (street facing) facade(s) of the building will qualify for a 10% reduction on car parking.	**Not Applicable**
If in the Town centre fringe precinct		
PO14 Development does not undermine the role of the Town centre core precinct as Mareeba's primary retail and commercial precinct.	**AO14** No acceptable outcome is provided.	**Not Applicable**

Performance outcomes	Acceptable outcomes	Response
If in the Noxious and hazardous industry precinct		
PO15 Appropriate provision is made for siting, managing and buffering uses in the Noxious and hazardous industry precinct to limit impacts on adjoining properties, having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions. Note—A facility management plan can be prepared to demonstrate that the ongoing operation of the use will maintain compliance with this outcome.	**AO15** No acceptable outcome is provided.	**Not Applicable**
If in the Industrial park precinct		
PO16 Development that attracts the public into the Industrial park precinct does not develop within the Industrial park precinct.	**AO16** No acceptable outcome is provided.	**Not Applicable**
If in the Northern investigation precinct		
PO17 Development does not compromise the long term future urban intent of this precinct.	**AO17** No acceptable outcome is provided.	
If in the North-eastern expansion precinct, South-eastern expansion precinct or South-western expansion precinct		
PO18 Development provides an average net accommodation density of at least 12 dwellings or accommodation units per hectare. Note—Calculation of accommodation density excludes areas not developed as a result of provisions of an overlay.	**AO18** No acceptable outcome is provided.	**Not Applicable**
PO19 Development provides a wide range of housing options, including different dwelling sizes and types that meet the needs of a range of household compositions.	**AO19** No acceptable outcome is provided.	**Not Applicable**
PO20 The road network is to be developed in a logical and sequential manner to provide for the co-ordinated development of the precinct.	**AO20** No acceptable outcome is provided.	**Not Applicable**

Performance outcomes	Acceptable outcomes	Response
PO21 The road network provides encourages walking and cycling to daily activities to reduce local vehicle trips by: (a) being based on a street grid network; (b) having walkable block sizes; (c) providing safe, efficient and provides for the needs of all users; (d) having a high level of connectivity for all users; and (e) being linked to destinations such as shops, open space and schools.	**AO21** No acceptable outcome is provided.	**Not Applicable**

Figure A - Byrnes Street Core vehicle access-ways



6.2.7 Medium density residential zone code

6.2.7.1 Application

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

6.2.7.2 Purpose

(1) The purpose of the medium density residential zone code is to provide for medium density multiple dwellings supported by community uses and small-scale services and facilities that cater for local residents.

(2) Mareeba Shire Council's purpose of the Medium density residential zone code is to facilitate medium residential densities and a diversity of housing which caters for a range of households in locations which are proximate to town centres, community facilities and open space.

Small lot housing is facilitated and medium density development may include Dual occupancy and Multiple dwelling development in the form of town houses, apartments and units.

(3) The purpose of the code will be achieved through the following overall outcomes:
- (a) Development provides a range of residential dwelling choices including Multiple dwellings in locations clustered around or near activity centres and transport networks;
- (b) Development encourages and facilitates urban consolidation and the efficient use of physical and social infrastructure;
- (c) Development is supported by employment nodes, community facilities and services, transport and commercial hubs where appropriate; Development provides and maintains a high level of amenity in the zone and is reflective of the desired character of the area;
- (d) The scale and density of development facilitates an efficient land use pattern that supports safe and walkable neighbourhoods that are well connected to employment nodes, centres, open space and recreational areas, community services and educational opportunities;
- (e) Other small-scale development that integrates personal employment and residential activities is encouraged, provided it complements local residential amenity;
- (f) Development maintains a high level of residential amenity avoiding uses that introduce impacts associated with noise, hours of operation, traffic, advertising devices, visual amenity, privacy, lighting, odour and emissions;
- (g) Non-residential development may be supported where such uses directly support the day to day needs of the immediate residential community; and
- (h) Development responds to land constraints and mitigates any adverse impacts on adjacent land uses and the environment.

6.2.7.3 Criteria for assessment

Table 6.2.7.3A—Medium density residential zone code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Response
For accepted development subject to requirements and assessable development		
Height		
PO1 Building height takes into consideration and respects the following: (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** Development has a maximum building height of: (a) 8.5 metres; and (b) 2 storeys above ground level.	**Complies –** The proposed Multiple Dwelling component has a maximum building height of 7.75m and two (2) storeys. The Community Residence component has a maximum building height of 4.2m and one (1) storey. Refer to **Appendix D - Proposal Plans and Elevations**.
Outbuildings and residential scale		
PO2 Domestic outbuildings: (a) do not dominate the lot on which they are located; and (b) are consistent with the scale and character of development in the Medium density residential zone.	**AO2** Domestic outbuildings do not exceed: (a) 100m^2 in gross floor area; and (b) 5.5 metres in height above natural ground level.	**Complies –** Refer to **Appendix D – Proposal Plans and Elevations**.
Siting		
PO3 Development is sited in a manner that considers and respects: (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) opportunities for casual surveillance of adjoining public spaces; (e) air circulation and access to natural breezes; (f) appearance of building bulk; and (g) relationship with road corridors.	**AO3.1** Buildings and structures include a minimum setback of: (a) 6 metres from the primary road frontage; and (b) 3 metres from any secondary road frontage.	**Complies** – Refer to **Appendix D – Proposal Plans and Elevations**.
	AO3.2 Buildings and structures include a minimum setback of 2 metres from side and rear boundaries.	**Complies** – Refer to **Appendix D – Proposal Plans and Elevations**.

Performance outcomes	Acceptable outcomes	Response
Accommodation density		
PO4 The density of Accommodation activities: (a) contributes to housing choice and affordability; (b) respects the nature and density of surrounding land use; (c) does not cause amenity impacts beyond the reasonable expectation of accommodation density for the zone; and (d) is commensurate to the scale and frontage of the site.	**AO4** Development provides a maximum density for Accommodation activities in compliance with **Table 6.2.7.3B**.	**Complies –** The proposed Multiple Dwelling component has a total of six (6) units. On this basis, the subject site (2,023m2) has a maximum allowable density of 13 dwellings in accordance with **Table 6.2.7.3B**. It is submitted that the proposal has a maximum of six (6) units (12 x 1 bedroom per 75m2 = 900m2) therefore it does not exceed the maximum allowable density. It is further noted that the proposed Community Residence component provides four (4) bedrooms within one (1) purpose built unit (4 x 1 bedroom per 75m2 = 300m2). It is submitted that a combined total of both components does not exceed the maximum density for accommodation activities.
Gross floor area		
PO5 Buildings and structures occupy the site in a manner that: (a) makes efficient use of land; (b) is consistent with the bulk and scale of surrounding buildings; and (c) appropriately balances built and natural features.	**AO5** Gross floor area does not exceed 600m^2.	Refer to **Section 8.00** in the **Town Planning Report** dated **March 2020** and **Appendix D - Proposal Plans and Elevations**.
For assessable development		
Building design		
PO6 Building facades are appropriately designed to: (a) include visual interest and architectural variation; (b) maintain and enhance the character of the surrounds; (c) provide opportunities for casual surveillance; (d) include a human scale; and (e) encourage occupation of outdoor space.	**AO6** Buildings include habitable space, pedestrian entrances and recreation space facing the primary road frontage.	**Complies** – Refer to **Appendix D - Proposal Plans and Elevations**.
PO7 Development complements and integrates with the established built character of the Medium density residential zone, having regard to:	**AO7** No acceptable outcome is provided.	**Complies –** Refer to **Appendix D - Proposal Plans and Elevations**.

Performance outcomes	Acceptable outcomes	Response
(a) roof form and pitch; (b) eaves and awnings; (c) building materials, colours and textures; and (d) window and door size and location.		
Non-residential development		
PO8 Non-residential development: (a) is consistent with the scale of existing development; (b) does not detract from the amenity of nearby residential uses; (c) directly supports the day to day needs of the immediate residential community; and (d) does not impact on the orderly provision of non-residential development in other locations in the shire.	**AO8** No acceptable outcome is provided.	**Not Applicable**
Amenity		
PO9 Development must not detract from the amenity of the local area, having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions.	**AO9** No acceptable outcome is provided.	**Complies –** Refer to **Section 12.00** in the **Town Planning Report** dated **March 2020** and **Appendix D - Proposal Plans and Elevations**.
PO10 Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions.	**AO10** No acceptable outcome is provided.	**Complies –** Refer to **Section 12.00** in the **Town Planning Report** dated **March 2020** and **Appendix D - Proposal Plans and Elevations**.

Table 6.2.7.3B—Maximum densities for Accommodation activities

Use	Maximum density
Dual occupancy	1 dwelling per 300m^2 of site area
Multiple dwelling	(a) 1 dwelling per 150m^2 of site area; and (b) 1 bedroom per 75m^2 of site area.
Residential care facility	1 dwelling or accommodation unit per 100m^2 of site area.
Retirement facility	1 dwelling or accommodation unit per 150m^2 of site area

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.

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	Response
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.	**Not Applicable**.

Performance outcomes	Acceptable outcomes	Response
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	**Not Applicable**
PO3 Development adjoining a 'Rail corridor' identified on the **Transport infrastructure overlay maps (OM-012a-j)** used for the transportation of tourists is designed to: (a) provide visual interest; (b) screen or enhance areas of limited visual interest; and (c) complement and enhance the character of the shire.	**AO3** No acceptable outcome is provided	**Not Applicable**

9.3.1 Accommodation activities code

9.3.1.1 Application

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

9.3.1.2 Purpose

(1) The purpose of the Accommodation activities code is to facilitate the provision of Accommodation activities in appropriate locations throughout the shire.

(2) The purpose of the code will be achieved through the following overall outcomes:
- (a) Accommodation activities are designed, located and operated to minimise any adverse impacts on the natural environment and amenity of surrounding uses;
- (b) Accommodation activities in the Centre zone are facilitated where they can integrate and enhance the fabric of the centre and are located behind or above commercial development;
- (c) Accommodation activities provide a high level of amenity and are reflective of the surrounding character of the area;
- (d) Accommodation activities are generally established in accessible, well-connected locations with access or future access to public transport, cycling and pedestrian networks;
- (e) Accommodation activities do not compromise the viability of the hierarchy and network of centres, namely:
  - (i) Mareeba as a major regional activity centre, which accommodates the most significant concentrations of regional-scale business, retail, entertainment, government administration, secondary and tertiary educational facilities and health and social services within the shire;
  - (ii) Kuranda as a village activity centre, which accommodates services, arts and cultural facilities, sports and recreation facilities, business and employment uses to support the village and its constituent surrounding rural and rural residential communities;
  - (iii) Chillagoe and Dimbulah as Rural activity centres, which provide commercial and community services to their rural catchments; and
  - (iv) Biboohra, Irvinebank, Julatten, Koah, Mutchilba, Mt Molloy, Myola and Speewah as rural villages, that have limited centre activities and other non-residential activities; and
- (f) Accommodation activities are responsive to site characteristics and employ best practice industry standards.

9.3.1.3 Criteria for assessment

Table 9.3.1.3A—Accommodation activities code – For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Response
For accepted development subject to requirements and assessable development		
All Accommodation activities, apart from Dwelling house		
PO1 Accommodation activities are located on a site that includes sufficient area: (a) to accommodate all buildings, structures, open space and infrastructure associated with the use; and (b) to avoid adverse impacts on the amenity or privacy of nearby land uses.	**AO1** Development is located on a site which provides the applicable minimum site area and minimum road frontage specified in **Table 9.3.1.3B**.	**Complies –** The subject site contains an area of 2,023m2 and a frontage of 40.234m to Byrnes Street.
All Accommodation activities, apart from Tourist park and Dwelling house		
PO2 Accommodation activities are provided with on-site refuse storage areas that are: (a) sufficient to meet the anticipated demand for refuse storage; and (b) appropriately located on the site having regard to potential odour and noise impacts on uses on the site and adjoining sites.	**AO2.1** A refuse area is provided that: (a) includes a water connection; (b) is of a size and configuration to accommodate 2x240 litre bins per dwelling or accommodation unit where involving a use other than a residential care facility or retirement facility; and (c) is of a size and configuration to accommodate a minimum of two bulk refuse bins where involving a residential care facility or retirement facility.	**Complies –** Refer to **Appendix D - Proposal Plans and Elevations**.

Performance outcomes	Acceptable outcomes	Response
All Accommodation activities, except for Dwelling house		
PO3 Accommodation activities are designed to avoid overlooking or loss of privacy for adjoining uses. Note—These provisions apply to any adjoining use, both on an adjoining site and on the same site.	**AO3** The windows of habitable rooms: (a) do not overlook the windows of a habitable room in an adjoining dwelling or accommodation unit; or (b) are separated from the windows of a habitable room in an adjoining dwelling or accommodation unit by a distance greater than: (i) 2 metres at ground level; and (ii) 8 metres above ground level; or (c) are treated with: (i) a minimum sill height of 1.5 metres above floor level; or (ii) fixed opaque glassed installed below 1.5 metres; or (iii) fixed external screens; or (iv) a 1.5 metre high screen fence along the common boundary.	**Complies** – Refer to **Appendix D - Proposal Plans and Elevations**.
PO4 Accommodation activities are provided with sufficient private and communal open space areas which: (a) accommodate a range of landscape treatments, including soft and hard landscaping; (b) provide a range of opportunities for passive and active recreation; (c) provide a positive outlook and high quality of amenity to residents; (d) is conveniently located and easily accessible to all residents; and (e) contribute to an active and attractive streetscape.	**AO4.1** Development, except for Caretaker's accommodation, Dwelling house, Dual occupancy or Home based business, includes communal open space which meets or exceeds the minimum area, dimension and design parameters specified in **Table 9.3.1.3C**.	Refer to **Appendix D - Proposal Plans and Elevations** and the response included in **Section 8.00** of the **Town Planning Report dated March 2020**.
	AO4.2 Development includes private open space for each dwelling or accommodation unit which meets or exceeds the minimum area, dimension and design parameters specified in **Table 9.3.1.3D**.	**Complies –** Refer to **Appendix D - Proposal Plans and Elevations** and the response included in **Section 8.00** of the **Town Planning Report dated March 2020**.
	AO4.3 Clothes drying areas are provided at the side or rear of the site so that they are not visible from the street.	Refer to **Appendix D - Proposal Plans and Elevations** and the response included in **Section 8.00** of the **Town Planning Report dated March 2020**.

Performance outcomes	Acceptable outcomes	Response
	AO4.4 If for Dual occupancy, Multiple dwelling, Residential care facility or Retirement facility, development provides a secure storage area for each dwelling or accommodation unit which: (a) is located to facilitate loading and unloading from a motor vehicle; (b) is separate to, and does not obstruct, on-site vehicle parking or manoeuvring areas; (c) has a minimum space of 2.4m^2 per dwelling or accommodation unit; (d) has a minimum height of 2.1 metres; (e) has minimum dimensions to enable secure bicycle storage; (f) is weather proof; and (g) is lockable.	See **Section 8.00** for a response.
If for Caretaker's Accommodation		
PO5 Caretaker's accommodation is of a scale and intensity which is consistent with that of the surrounding area. Note—Where Caretaker's Accommodation is assessable development additional assessment benchmarks are provided under "for assessable development".	**AO5.1** Only one caretaker's accommodation is established on the title of the non-residential use.	**Not Applicable**
	AO5.2 In the Rural zone, Caretaker's accommodation has a maximum gross floor area of 200m^2.	**Not Applicable**

Performance outcomes	Acceptable outcomes	Response
If for Dwelling house		
PO6 Where a Dwelling house involves a secondary dwelling, it is designed and located to: (a) not dominate the site; (b) remain subservient to the primary dwelling; and (c) be consistent with the character of the surrounding area;	**AO6.1** The secondary dwelling is located within: (a) 10 metres of the primary dwelling where on a lot that has an area of 2 hectares or less; or (b) 20 metres of the primary dwelling where on a lot that has an area of greater than 2 hectares.	**Not Applicable**
	AO6.2 A secondary dwelling has a maximum gross floor area of $100m^2$.	**Not Applicable**
If for Dual occupancy		
PO7 Where establishing a Dual occupancy on a corner lot, the building is designed to: (a) maximise opportunities for causal surveillance; (b) provide for separation between the two dwellings; and (c) provide activity and visual interest on both frontages.	**AO7.1** Where located on a corner allotment, each dwelling is accessed from a different road frontage.	**Not Applicable**
	AO7.2 The maximum width of garage or carport openings that face a public street is 6 metres or 50% of the building width, whichever is the lesser.	**Not Applicable**
If for Multiple dwelling, Residential care facility or Retirement facility		
PO8 Development is appropriately located within the Shire to: (a) maximise the efficient utilisation of existing infrastructure, services and facilities; and (b) minimise amenity impacts through the collocation of compatible uses. Note—Where Residential care facility or Retirement facility is assessable development additional assessment benchmarks are provided under "for assessable development".	**AO8** Multiple dwelling, Residential care facility or Retirement facility uses are located on land within 800 metres of the boundary of land within the Centre zone.	**Complies –** The subject site is located within 800 metres of land within the Centre Zone.
PO9 Buildings are designed to: (a) reduce the appearance of building bulk; (b) provide visual interest through articulation and variation; (c) be compatible with the embedded, historical character for the locality; and (d) be compatible with the scale of surrounding buildings	**AO9.1** External walls do not exceed 10 metres in continuous length unless including a minimum of three of the following building design features and architectural elements: (a) a change in roof profile; or (b) a change in parapet coping; or (c) a change in awning design; or (d) a horizontal or vertical change in the wall plane; or (e) a change in the exterior finishes and exterior colours of the development.	**Complies –** Refer to **Appendix D - Proposal Plans and Elevations**.

Performance outcomes	Acceptable outcomes	Response
Note—Where Residential care facility or Retirement facility is assessable development additional assessment benchmarks are provided under "for assessable development".	**AO9.2** For a Multiple dwelling, Residential care facility or Retirement facility, the maximum width of a garage or carport opening that faces a road is 6 metres.	**Not Applicable**
	AO9.3 For a Multiple dwelling, Residential care facility or Retirement facility, the building(s) include awnings with a minimum overhang of 600mm.	**Complies** – Refer to **Appendix D - Proposal Plans and Elevations**.
	AO9.4 For a Multiple dwelling, Residential care facility or Retirement facility, roof forms include one or more of the following types: (a) pyramidal; (b) hip or hipped; (c) gable; (d) skillion.	**Complies** – Refer to **Appendix D - Proposal Plans and Elevations**.
If for Residential care facility or Retirement facility		
PO10 The layout and design of the site: (a) promotes safe and easy pedestrian, cycle and mobility device movement; (b) defines areas of pedestrian movement; and (c) assists in navigation and way finding. Note—Where Residential care facility or Retirement facility is assessable development additional assessment benchmarks are provided under "for assessable development".	**AO10.1** The development incorporates covered walkways and ramps on site for weather protection between all buildings.	**Not Applicable**
	AO10.2 Pedestrian paths include navigational signage at intersections.	**Not Applicable**
	AO10.3 Buildings, dwellings and accommodation units include identification signage at entrances.	**Not Applicable**
	AO10.4 An illuminated sign and site map is provided at the main site entry.	**Not Applicable**
	AO10.5 Buildings, structures and pathways associated with a Residential care facility or Retirement facility are not located on land with a gradient greater than 8%.	**Not Applicable**
If for Home based business		
PO11 Home based businesses are compatible with the built form, character and amenity of the surrounding area, having regard to: (a) size and scale; (b) intensity and nature of use; (c) number of employees; and (d) hours of operation.	**AO11.1** The Home based business is located within a dwelling house or outbuilding associated with a dwelling house.	**Not Applicable**
	AO11.2 The Home based business does not occupy a gross floor area of more than 50m^2.	**Not Applicable**
	AO11.3 No more than 1 person (other than the residents of the site) is employed by the Home based business at any one time.	**Not Applicable**

Performance outcomes	Acceptable outcomes	Response
	AO11.4 The Home based business, unless a home office, bed and breakfast or farm stay, does not operate outside the hours of 7.00 am and 6.00 pm.	**Not Applicable**
	AO11.5 The Home based business does not involve the public display of goods external to the building.	**Not Applicable**
	AO11.6 The Home based business does not involve the repair, cleaning or servicing of any motors, vehicles or other machinery.	**Not Applicable**
	AO11.7 Any equipment or materials associated with the Home based business are screened from public view and adjacent properties by fencing or landscaping.	**Not Applicable**
	AO11.8 The business does not involve the use of power tools or similar noise generating devices.	**Not Applicable**
PO12 Home based businesses involving accommodation activities are appropriately scaled and designed to avoid detrimental impacts on the amenity and privacy of surrounding residences.	**AO12.1** Home based businesses involving accommodation activities are limited to the scale specified in **Table 9.3.1.3E**.	**Not Applicable**
	AO12.2 A farm stay dwelling or accommodation unit is located within 20 metres of the primary dwelling house.	**Not Applicable**
	AO12.3 A farm stay is setback 100 metres from any property boundary.	**Not Applicable**
	AO12.4 Entertainment and dining facilities associated with an accommodation activity are: (a) located at least 5 metres from the bedrooms of adjoining residences; and (b) located or screened so that they do not directly overlook private open space areas of adjoining properties.	**Not Applicable**
If for Rural workers' accommodation		
PO13 The Rural workers' accommodation is directly associated with an agricultural based rural activity on the same premises and is commensurate with the scale of agricultural operations.	**AO13.1** A Rural workers' accommodation building is limited to the accommodation of: (a) one rural worker for every 50 hectares; and (b) a maximum of ten rural workers in total.	**Not Applicable**
	AO13.2 The agricultural based rural activity is a minimum of 50 hectares in area.	**Not Applicable**

Performance outcomes	Acceptable outcomes	Response
PO14 Rural workers' accommodation is provided with amenities commensurate with the: (a) needs of the employees; and (b) permanent or seasonal nature of the employment.	**AO14.1** The Rural workers' accommodation is: (a) for permanent occupation; and (b) fully self-contained. OR	**Not Applicable**
	AO14.2 The Rural workers' accommodation: (a) is for seasonal occupation (up to 3 months); (b) shares facilities with an existing Dwelling house or Caretaker's residence; and (c) is located within 100 metres of the Dwelling house or Caretaker's residence.	**Not Applicable**
For assessable development		
If for Caretaker's Accommodation		
PO15 The inclusion of Caretaker's accommodation on the site is necessary for the operation of the primary use, having regard to: (a) hours of operation; (b) nature of the use; (c) security requirements; (d) site location and access; and (e) proximity to other land uses.	**AO15** No acceptable outcome is provided.	**Not Applicable**
If for Residential care facility or Retirement facility		
PO16 Retirement facilities include a range of housing designs and types that: (a) meet the needs of residents; (b) allow for 'ageing in place'; (c) consider differing mobility needs; (d) accommodate differing financial situations; and (e) cater for different household types.	**AO16** No acceptable outcome is provided.	**Not Applicable**
If for Tourist park		
PO17 The Tourist park is appropriately located to provide park users with convenient access to tourist attractions, community facilities and infrastructure.	**AO17** No acceptable outcome is provided.	**Not Applicable**

Performance outcomes	Acceptable outcomes	Response
PO18 The density of accommodation provided within the Tourist park: (a) is commensurate with the size and utility of the site; (b) is consistent with the scale and character of development in the surrounding area; (c) ensures sufficient infrastructure and services can be provided; (d) does not adversely impact on the existing amenity of nearby uses; (e) ensures a high level of amenity is enjoyed by residents of the site; and (f) does not place undue pressure on environmental processes in the surrounding area.	**AO18.1** Where park areas are proposed to exclusively accommodate caravans, motor homes, tents or cabins, accommodation site densities do not exceed: (a) 40 caravan or motor home sites per hectare of the nominated area(s); or (b) 60 tent sites per hectare of the nominated area(s); or (c) 10 cabins (maximum 30m^2 gross floor area per cabin) per hectare of the nominated area(s).	**Not Applicable**
	AO18.2 Where park areas are proposed to be used for any combination of caravans, motor homes, tents or cabins, then the lowest applicable density identified by AO18.1 shall be applied to the nominated area(s).	**Not Applicable**
PO19 Accommodation sites are designed and located: (a) to provide sufficient land for necessary services and infrastructure; (b) to achieve sufficient separation between land uses; (c) is consistent with the scale and character of development in the surrounding area; and (d) to prevent amenity and privacy impacts on nearby land uses.	**AO19.1** A minimum of 50% of provided caravan and motor home accommodation sites have a concrete slab with a minimum length of 6 metres and a minimum width of 2.4 metres.	**Not Applicable**
	AO19.2 Caravan, motor home, tent and cabin accommodation sites are set back a minimum of: (a) 2 metres from an internal road; and (b) 1.5 metres from the side and rear boundaries of the site.	**Not Applicable**
PO20 A Tourist park is provided with sufficient and appropriately located refuse collection areas.	**AO20.1** A central refuse collection area is provided to service all accommodation sites.	**Not Applicable**
	AO20.2 The refuse collection area must be kept in a sanitary condition at all times with all refuse stored in weather-proof and securable receptacles to prevent them from attracting vermin and wildlife.	**Not Applicable**
	AO20.3 The refuse collection area is constructed on an impervious surface such as a concrete slab.	**Not Applicable**
	AO20.4 A water connection is provided within the refuse collection area to facilitate cleaning of receptacles and the collection area.	**Not Applicable**
	AO20.5 Refuse collection areas are located a minimum of 10 metres from any recreational areas, communal cooking facilities and accommodation sites.	**Not Applicable**

Table 9.3.1.3B – Minimum site area and minimum site frontage

Use	Minimum site area	Minimum frontage
Dual occupancy	(a) 600m^2 in the Medium density residential zone; or (b) 1,000m^2 in the Low density residential zone; or (c) 600m^2 in the Centre zone.	20 metres
Home based business	600m^2	-
Multiple dwelling	800m^2	20 metres
Residential care facility	2,000m^2	30 metres
Retirement facility	2,000m^2	30 metres
Rooming accommodation	800m^2	20 metres
Short-term accommodation	800m^2	20 metres
Tourist park	1 hectare	50 metres
• Caravan and motor home sites	100m^2 including sufficient area for the parking of a motor vehicle.	10 metres to an internal road
• Tent sites	40m^2 including sufficient area for the parking of a motor vehicle.	6 metres to an internal road
• Cabin sites	130m^2 including sufficient area for the parking of a motor vehicle.	10 metres to an internal road

Table 9.3.1.3C – Communal open space

Use	Minimum area	Minimum dimension	Design elements
Multiple dwelling	50m^2	5 metres	• Provides for clothes drying and recreational facilities; • One continuous area; and • Separated from any habitable room by a minimum of 3 metres.
Retirement facility or Residential care facility	Indoor communal space and communal open space as specified below.		
Rooming accommodation	Rate of 5m^2 per resident	5 metres	• One continuous area; • 20% shaded; and • 10% of the provided area is screened for use for clothes drying.
• Indoor communal space	Rate of 1m^2 per resident and 40m^2	-	• Located centrally; and • Provides a range of facilities.
• Communal open space	30% site area and 50m^2	5 metres	• Provided at ground level.
Short-term accommodation	50m^2 and 20% site area	5 metres	• Located at ground level; • One continuous area; and • 10% of the provided area is screened for use for clothes drying.
Tourist park	Includes at least each of the below communal facilities.		• Located within 100 metres of the sites they serve (unless private recreation facilities are provided); and • Separated from any site by a minimum of 10 metres.

Use	Minimum area	Minimum dimension	Design elements
• Covered cooking area	50m^2	-	• Including barbeque and dish washing facilities
• Laundry	-	-	• Including clothes drying facilities.
• Recreational open space	Rate of 5m^2 per site	-	• Including a children's playground.

Note—Provision of communal open space for a Multiple dwelling is not required by **Table 9.3.1.3C** where more than 75% have access to ground floor private open space.

Note—For a Tourist park, the calculation of recreational open space is inclusive of pool areas, sporting facilities, such as football fields and tennis courts, and any unobstructed grassed areas having a minimum dimension of 3 metres that are provided in addition to accommodation sites for recreational purposes. Planted landscape areas and vegetated areas are excluded from the calculation.

Note—Indoor communal space may include lounge areas, a library / reading room, a TV/games/recreation room, meeting space/s, hairdresser or a convenience store.

Table 9.3.1.3D – Private open space

Use	Minimum area per dwelling or accommodation unit	Minimum dimension	Design elements
Caretaker's accommodation	As specified below.		
• Ground level	50m^2	5 metres	• Provided as unobstructed area; and • Directly accessible from the main living area.
• Above ground level	15m^2	2.5 metres	• Provided as a balcony.
• Outdoor service court	5m^2	-	• Provided for clothes drying
Dual occupancy	40m^2	3 metres	• Located at ground level. • 20% shaded; and • Accessed from the main living area of the dwelling.
Dwelling house	40m^2	3 metres	• Located at ground level; • 20% shaded; and • Accessed from the main living area of the dwelling.
Home based business	40m^2	3 metres	• Located at ground level; • 20% shaded; and • Accessed from the main living area of the dwelling.
• Ground level	15m^2	3 metres	• 20% shaded; and • Directly accessible from the main living area.
• Above ground level	10m^2	3 metres	• Directly accessible from the main living area.
Multiple dwelling	As specified below.		
• Ground level	35m^2	3 metres	• 20% shaded; and • Directly accessible from the main living area.
• Above ground level	15m^2	3 metres	• Directly accessible from the main living area.

Use	Minimum area per dwelling or accommodation unit	Minimum dimension	Design elements
Residential care facility	$6m^2$	2 metres	• Provided as a shaded courtyard or balcony; and • Directly accessible from the main living area.
Retirement facility	As specified below.		
• Ground level	$20m^2$	3 metres	• Provided as a courtyard or similar space; • Grade does not exceed 5%; and • Directly accessible from the main living area at ground level.
• Above ground level	$6m^2$	2 metres	• Provided as a balcony or similar space; and • Directly accessible from the main living area.
Rooming accommodation	As specified below.		
Short-term accommodation	As specified below.		
• Ground level	$15m^2$	3 metres	• 20% shaded; and • Directly accessible from the main living area.
• Above ground level	$10m^2$	3 metres	• Directly accessible from the main living area.

Note—For Caretaker's accommodation, the outdoor service court may form part of the provided private open space.

Table 9.3.1.3E – Maximum scale of accommodation activities associated with a Home based business

Design	Maximum number of rooms	Maximum number of guests
Bed and breakfast	3 rooms for guest accommodation	6 guests at any one time
Farm stay	1 farm stay dwelling or accommodation unit in addition to the primary dwelling	10 guests at any one time

9.3.3 Community activities code

9.3.3.1 Application

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

9.3.3.2 Purpose

(1) The purpose of the Community activities code is to ensure Community activities that are appropriately designed and located to:
- (a) be conveniently accessible to the communities they serve; and
- (b) not detrimentally impact on local amenity.

(2) The purpose of the code will be achieved through the following overall outcomes:
- (a) Community activities do not have an adverse impact on the amenity of the surrounding area;
- (b) Community activities establish in appropriate locations that are highly accessible;
- (c) Community activities are located with other community activities when the opportunity to achieve practical co-location of facilities exists;
- (d) Community activities are designed to be accessible, functional and safe;
- (e) Community activities are compatible and integrated with surrounding land uses; and
- (f) Community activities enhance community identity and character.

9.3.3.3 Criteria for assessment

Table 9.3.3.3—Community activities code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Response
For accepted development subject to requirements and assessable development		
Amenity and privacy		
PO1 Community activities are appropriately located and designed to avoid adverse impacts on sensitive uses related to: (a) noise; (b) lighting; and (c) overlooking. Note—These provisions apply to any adjoining sensitive use, both on an adjoining site and on the same site as the Community activity.	**AO1** Along any common boundary with a sensitive land use, development incorporates: (a) a 1.8 metre high solid screen fence; and (b) screening to windows which: (i) face the boundary; (ii) have a sill height less than 1.5 metres; and (iii) are not wholly screened by the boundary fence.	**Complies** – Refer to **Appendix D – Proposal Plans and Elevations**.
If for Educational establishment or Child care centre		
PO2 Development is located on a site that is capable of accommodating: (a) all facilities necessary for the use; (b) required landscaping and buffering; and (c) appropriately designed access, manoeuvring and parking areas.	**AO2** The development is located on a site with a minimum: (a) site area of 800m^2; (b) road frontage of 20 metres; and (c) road reserve width of 20 metres.	**Not Applicable**

Performance outcomes	Acceptable outcomes	Response
PO3 The design of the development does not result in any safety hazard for children or other users of the facility.	**AO3** A child proof fence or physical barrier is provided to prevent unintended access to the following areas, directly from indoor or outdoor areas intended to accommodate children: (a) Vehicle manoeuvring and parking areas; (b) Refuse storage and servicing areas; and (c) Air conditioning, refrigeration plant and mechanical plant.	**Complies** – Refer to **Appendix D – Proposal Plans and Elevations**.
For assessable development		
Location		
AO4 Development is compatible with the amenity of the surrounding area, having regard to: (a) the location and type of vehicular access and parking; (b) hours of operation; (c) waste storage and collection; (d) advertising devices and signage; (e) visual amenity; (f) privacy; and (g) noise, odour and dust emissions.	**AO4** No acceptable outcome is provided.	**Complies –** Refer to **Section 12.00** of the **Town Planning Report dated March 2020** and Refer to **Appendix D – Proposal Plans and Elevations**.
PO5 Community activities are highly accessible to the community they serve and are located to encourage multi-purpose trips.	**AO5.1** Community activities are not located in a cul-de-sac.	The subject site not located within a cul-de-sac.
	AO5.2 Development is located: (a) within 800 metres walking distance of the Centre zone; or (b) within 400 metres walking distance of a public transport stop; or (c) provided with a connection to the pedestrian and cycle network.	**Complies –** The subject site is located within 800 metres of the Centre Zone.

Performance outcomes	Acceptable outcomes	Response
Amenity and privacy		
PO6 Community activities protect and enhance the character and amenity of the locality and streetscape through the appropriate location and screening of: (a) air conditioning; (b) refrigeration plant; (c) mechanical plant; and (d) refuse bin storage areas.	**AO6** No acceptable outcome is provided.	**Complies –** Refer to **Section 12.00** of the **Town Planning Report dated March 2020** and Refer to **Appendix D – Proposal Plans and Elevations**.
If for Educational establishment or Child care centre		
PO7 Educational establishments and Child care centres: (a) do not detrimentally impact on the amenity or operations of surrounding land uses; and (b) have suitable separation distances and buffering from sensitive uses.	**AO7** No acceptable outcome is provided.	**Not Applicable**

9.4.2 Landscaping code

9.4.2.1 Application

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

9.4.2.2 Purpose

(1) The purpose of the Landscaping code is to ensure all development is landscaped to a standard that:
- (a) complements the scale and appearance of the development;
- (b) protects and enhances the amenity and environmental values of the site;
- (c) complements and enhances the streetscape and local landscape character; and
- (d) ensures effective buffering of incompatible land uses to protect local amenity.

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

9.4.2.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Response
For accepted development subject to requirements and assessable development		
PO1 Development, other than in the Rural zone, includes landscaping that: (a) contributes to the landscape character of the Shire; (b) compliments the character of the immediate surrounds; (c) provides an appropriate balance between built and natural elements; and (d) provides a source of visual interest.	**AO1** Development, other than in the Rural zone, provides: (a) a minimum of 10% of the site as landscaping; (b) planting in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species; (c) for the integration of retained significant vegetation into landscaping areas; (d) on-street landscaping works in accordance with the Design Guidelines set out in Section D9 Landscaping, of the Planning Scheme Policy 4 - FNQROC Regional Development Manual. Note—Where development exceeds a site cover of 90%, areas of landscaping may be provided above ground level to achieve a total supply of landscaping equivalent to 10% of the site area.	**Complies –** The proposed development provides an area of 390m2 (19%) as landscaping.
PO2 Development, other than in the Rural zone, includes landscaping along site frontages that: (a) creates an attractive streetscape; (b) compliments the character of the immediate surrounds; (c) assists to break up and soften elements of built form; (d) screen areas of limited visual interest or servicing; (e) provide shade for pedestrians; and (f) includes a range and variety of planting.	**AO2** Development, other than in the Rural zone, includes a landscape strip along any site frontage: (a) with a minimum width of 2 metres where adjoining a car parking area; (b) with a minimum width of 1.5 metres in all other locations; and (c) in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species. Note—Where development is setback from a frontage less than 1.5 metres, the setback area is provided as a landscape strip	**Complies** – Refer to **Appendix D - Proposal Plans and Elevations**
PO3 Development includes landscaping and fencing along side and rear boundaries that:	**AO3.1** Development provides landscape treatments along side and rear boundaries in accordance with **Table 9.4.2.3B**.	**Complies** – Refer to **Appendix D - Proposal Plans and Elevations**

Performance outcomes	Acceptable outcomes	Response
(a) screens and buffer land uses; (b) assists to break up and soften elements of built form; (c) screens areas of limited visual interest; (d) preserves the amenity of sensitive land uses; and (e) includes a range and variety of planting.	**AO3.2** Shrubs and trees provided in landscape strips along side and rear boundaries: (a) are planted at a maximum spacing of 1 metre; (b) will grow to a height of at least 2 metres; (c) will grow to form a screen of no less than 2 metres in height; and (d) are mulched to a minimum depth of 0.1 metres with organic mulch.	**Complies** – Refer to **Appendix D - Proposal Plans and Elevations**
	AO3.3 Any landscape strip provided along a side or rear boundary is designed in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.	**Complies** – Refer to **Appendix D - Proposal Plans and Elevations**
PO4 Car parking areas are improved with a variety of landscaping that: (a) provides visual interest; (b) provides a source of shade for pedestrians; (c) assists to break up and soften elements; and (d) improves legibility.	**AO4.1** Landscaping is provided in car parking areas which provides: (a) a minimum of 1 shade tree for every 4 parking spaces, or part thereof, where the car parking area includes 12 or more spaces; (b) a minimum of 1 shade tree for every 6 parking spaces, or part thereof, otherwise; and (c) where involving a car parking area in excess of 500m^2: (i) shade structures are provided for 50% of parking spaces; and (ii) a minimum of 10% of the parking area as landscaping. Note—Where a shade structure is provided over part of a car parking area, shade tree planting is not required in this area of the car parking area.	Covered car parking spaces are provided for the proposal. Refer to **Appendix D - Proposal Plans and Elevations**
	AO4.2 Landscaping in car parking areas is designed in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.	**Complies** – the proposal can show compliance with this criterion.
PO5 Landscaping areas include a range and variety of planting that:	**AO5.1** Plant species are selected from the Plant Schedule in Planning Scheme Policy 6 - Landscaping and preferred plant species.	**Complies -** the proposal can show compliance with this criterion.

Performance outcomes	Acceptable outcomes	Response
(a) is suitable for the intended purpose and local conditions; (b) contributes to the natural character of the Shire; (c) includes native species; (d) includes locally endemic species, where practical; and (e) does not include invasive plants or weeds.	**AO5.2** A minimum of 25% of (new and existing) plants is provided as larger, advanced stock with a minimum plant height of 0.7 metres and mulched to a minimum depth of 0.1 metres with organic mulch.	**Complies –** The proposal can show compliance with this criterion.
PO6 Landscaping does not impact on the ongoing provision of infrastructure and services to the Shire.	**AO6.1** Tree planting is a minimum of (a) 2 metres from any underground water, sewer, gas, electricity or telecommunications infrastructure; and (b) 4 metres from any inspection chamber.	**Complies –** Refer to **Appendix D - Proposal Plans and Elevations**. The proposal can show compliance with this criterion.
	AO6.2 Vegetation below or within 4 metres of overhead electricity lines and power poles has a maximum height of 3.5 metres at maturity.	**Complies –** The proposal can show compliance with this criterion.
	AO6.3 Vegetation adjoining an electricity substation boundary, at maturity, will have: (a) a height of less than 4 metres; and (b) no foliage within 3 metres of the substation boundary, unless the substation has a solid wall along any boundary.	**Not Applicable**
For assessable development		
PO7 Landscaping areas are designed to: (a) be easily maintained throughout the ongoing use of the site; (b) allow sufficient area and access to sunlight and water for plant growth; (c) not cause a nuisance to occupants of the site or members of the public; and (d) maintain or enhance the safety of pedestrians through the use of Crime Prevention Through Environmental Design principles.	**AO7** No acceptable outcome is provided.	**Complies –** Refer to **Appendix D - Proposal Plans and Elevations**.

Table 9.4.2.3B—Side and rear boundary landscape treatments

Location or use	Landscape Strip Minimum Width	Screen Fencing Minimum Height	Extent of treatment
Where car parking, servicing or manoeuvring areas adjoin a side or rear boundary	1 metre	Not applicable	To the extent these areas adjoin the boundary
Where involving a use other than a dwelling house on a site with a common boundary with land in the Low density residential zone, the Medium density residential zone or the Rural residential zone:	1.5 metres	1.8 metres	Along the common boundary.
Development for an industrial activity which has a common boundary with land not within the Industry zone	2 metres	1.8 metres	Along the common boundary
Development involving (a) Tourist park not in the Rural zone (b) Sales office (c) Multiple dwelling (d) Residential care facility; or (e) Dual occupancy	Not applicable	1.8 metres	Along all side and rear boundaries and between dwellings for a Dual occupancy.
Development involving (a) Tourist park in the Rural zone (b) Service station (c) Car wash; or (d) Utility installation	2 metres	Not applicable	Along all side and rear boundaries
For: (a) waste storage; (b) equipment; (c) servicing areas; and (d) private open space and site facilities associated with Caretaker's accommodation.	Not applicable	1.8 metres	To prevent visibility

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

9.4.3 Parking and access code

9.4.3.1 Application

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

9.4.3.2 Purpose

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

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

9.4.3.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Response
For accepted development subject to requirements and assessable development		
Car parking spaces		
PO1 Development provides sufficient car parking to accommodate the demand likely to be generated by the use, having regard to the: (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.	Refer to **Section 8.00** of the **Town Planning Report dated March 2020** and **Appendix D - Proposal Plans and Elevations**.
Vehicle crossovers		
PO2 Vehicle crossovers are provided to:: (a) ensure safe and efficient access between the road and premises; (b) minimize interference with the function and operation of roads; and	**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.	Refer to **Section 8.00** of the **Town Planning Report dated March 2020** and **Appendix D - Proposal Plans and Elevations**.

Performance outcomes	Acceptable outcomes	Response
(c) minimise pedestrian to vehicle conflict.	**AO2.2** Development on a site with two or more road frontages provides vehicular access from: (a) the primary frontage where involving Community activities or Sport and recreation activities, unless the primary road frontage is a State-controlled road; or (b) from the lowest order road in all other instances.	**Not Applicable**
	AO2.3 Vehicular access for particular uses is provided in accordance with **Table 9.4.3.3E**.	**Complies**
PO3 Access, manoeuvring and car parking areas include appropriate pavement treatments having regard to: (a) the intensity of anticipated vehicle movements; (b) the nature of the use that they service; and (c) the character of the surrounding locality.	**AO3** Access, manoeuvring and car parking areas include pavements that are constructed in accordance with **Table 9.4.3.3C**.	Refer to **Section 8.00** of the **Town Planning Report dated March 2020** and **Appendix D - Proposal Plans and Elevations**.
For assessable development		
Parking area location and design		
PO4 Car parking areas are located and designed to: (a) ensure safety and efficiency in operation; and (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.	**Complies** – Refer to **Appendix D - Proposal Plans and Elevations**.
	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.	**Complies** – Refer to **Appendix D - Proposal Plans and Elevations**.
	AO4.3 The car parking area includes designated pedestrian routes that provide connections to building entrances.	**Complies** – Refer to **Appendix D - Proposal Plans and Elevations**.

Performance outcomes	Acceptable outcomes	Response
	AO4.4 Parking and any set down areas are: (a) wholly contained within the site; (b) visible from the street where involving Commercial activities, Community activities, Industrial activities or a use in the Recreation and open space zone; (c) are set back behind the main building line where involving a Dual occupancy, Multiple dwelling, Residential care facility or Retirement facility; and (d) provided at the side or rear of a building in all other instances.	**Complies** – Refer to **Appendix D - Proposal Plans and Elevations**.
Site access and manoeuvring		
PO5 Access to, and manoeuvring within, the site is designed and located to: (a) ensure the safety and efficiency of the external road network; (b) ensure the safety of pedestrians; (c) provide a functional and convenient layout; and (d) accommodate all vehicles intended to use the site.	**AO5.1** Access and manoeuvrability is in accordance with : (a) AS28901 – Car Parking Facilities (Off Street Parking); and (b) AS2890.2 – Parking Facilities (Off-street Parking) Commercial Vehicle Facilities. Note—Proposal plans should include turning circles designed in accordance with AP34/95 (Austroads 1995) Design Vehicles and Turning Path Templates.	**Complies** – Refer to **Appendix D - Proposal Plans and Elevations**.
	AO5.2 Vehicular access has a minimum sight distance in accordance with Part 5 of AUSTROADS.	**Complies** – Refer to **Appendix D - Proposal Plans and Elevations**.
	AO5.3 Vehicular access is located and designed so that all vehicles enter and exit the site in a forward gear.	**Complies** – Refer to **Appendix D - Proposal Plans and Elevations**.
	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).	**Complies** – Refer to **Appendix D - Proposal Plans and Elevations**.

Performance outcomes	Acceptable outcomes	Response
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; (d) allows for convenient access to key on-site features by pedestrians, cyclists and motor vehicles; and (e) in the Rural zone, avoids environmental degradation.	**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.	**Not Applicable**
	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 (b) a minimum turning circle radius of 8 metres.	**Not Applicable**
	AO6.3 Internal roads are imperviously sealed and drained, apart from those for an Energy and infrastructure activity or Rural activity.	**Complies** – Refer to **Appendix D - Proposal Plans and Elevations**.
	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.	**Complies** – Refer to **Appendix D - Proposal Plans and Elevations**.
	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.	**Complies** – Refer to **Appendix D - Proposal Plans and Elevations**.
	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.	**Complies** – Refer to **Appendix D - Proposal Plans and Elevations**.
	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.	**Not Applicable**

Performance outcomes	Acceptable outcomes	Response
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.	**Complies** – Refer to **Appendix D - Proposal Plans and Elevations**.
	AO7.2 Unloading, loading, service and waste disposal areas allow service vehicles to enter and exit the site in a forward gear.	**Complies** – Refer to **Appendix D - Proposal Plans and Elevations**.
	AO7.3 Development provides a servicing area, site access and maneuvering areas to accommodate the applicable minimum servicing vehicle specified in **Table 9.4.3.3B**.	**Complies** – Refer to **Appendix D - Proposal Plans and Elevations**.
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.	**Complies** – The proposal can show compliance with this criterion.
	AO8.2 All parking areas will be compacted, sealed, drained, line marked and maintained until such time as the development ceases.	**Complies** – The proposal can show compliance with this criterion.
End of trip facilities		
PO9 Development within the Centre zone; Industry zone or Emerging community zone provides facilities for active transport users that: (a) meet the anticipated demand generated from the use; (b) comprise secure and convenient bicycle parking and storage; and (c) provide end of trip facilities for all active transport users.	**AO9.1** The number of bicycle parking spaces provided for the use is in accordance with **Table 9.4.3.3D**.	**Not Applicable**
	AO9.2 End of trip facilities are provided in accordance with **Table 9.4.3.3D**.	**Not Applicable**

Performance outcomes	Acceptable outcomes	Response
If for Educational establishment or Child care centre where involving more than 100 vehicle movements per day or Renewable energy facility, Sport and recreation activities or Tourist park		
PO10 The level of traffic generated by the development on the surrounding local road network must not result in unacceptable impacts on adjacent land and local road users.	**AO10** A traffic impact report is prepared by a suitably qualified person that identifies: (a) the expected traffic movements to be generated by the facility; (b) any associated impacts on the road network; and (c) any works that will be required to address the identified impacts.	**Not Applicable**
If for Educational establishment or Child care centre where involving more than 100 vehicle movements per day or Renewable energy facility, Sport and recreation activities or Tourist park		
PO11 The level of traffic generated by the development on the surrounding local road network must not result in unacceptable impacts on adjacent land and local road users.	**AO11** A traffic impact report is prepared by a suitably qualified person that identifies: (d) the expected traffic movements to be generated by the facility; (e) any associated impacts on the road network; and (f) any works that will be required to address the identified impacts.	**Not Applicable**

Table 9.4.3.3B—Vehicle Parking and Service Vehicle Space Requirements

Definition	Minimum number of Car parking spaces	Minimum Service Vehicle Space Provision
Adult store	Inside the Centre zone: One space per 50m^2 or part thereof of GFA up to 400m^2 GFA, and one space per 20m^2 or part thereof of GFA above 400m^2. Outside the Centre zone: One space per 25m^2 or part thereof of GFA up to 400m^2 GFA, and one space per 10m^2 or part thereof of GFA above 400m^2.	One SRV space.
Agricultural supplies store	Inside the Centre zone: One space per 50m^2 or part thereof of GFA up to 400m^2 GFA, and one space per 15m^2 or part thereof of GFA above 400m^2. Outside the Centre zone: One space per 30m^2 or part thereof of GFA up to 400m^2 GFA, and one space per 10m^2 or part thereof of GFA above 400m^2. Queuing for 3 vehicles should be supplied where a GFA is greater than 600m^2.	One HRV space.
Air services	If accepted development subject to requirements development: One space per 90m^2 or part thereof of net lettable area; or If Assessable development: As determined by Council.	If accepted development subject to requirements: One space per 200m^2 or part thereof of net lettable area. If assessable development: As determined by Council.
Animal husbandry	If accepted development subject to requirements : One space. If assessable development: As determined by Council.	If accepted development subject to requirements: Nil. If assessable development: As determined by Council.
Animal keeping	Minimum of three spaces or one space per 200m^2 of use area, whichever is greater.	One SRV space.
Aquaculture	If accepted development subject to requirements: • In the rural or rural residential zones - two spaces; or • Enclosed within a building - one space per 90m^2 of net lettable area. If assessable development: As determined by Council.	If accepted development subject to requirements: Nil. If assessable development: As determined by Council.
Brothel	As determined by Council.	As determined by Council.

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

Definition	Minimum number of Car parking spaces	Minimum Service Vehicle Space Provision
Educational establishment	For all establishments: 1 space per every10 students plus 1 space per employee, and Provision for 3 vehicles for loading and unloading of passengers in addition to the requirements above.	For accepted development subject to requirements: One HRV space; and One SRV space; and A minimum of 3 Bus / coach parking / set down areas. For assessable development: As determined by Council.
Emergency services	Minimum of 5 spaces per use or one space per 25m^2 or part thereof of GFA, whichever is greater.	As determined by Council.
Environment facility	As determined by Council.	As determined by Council.
Extractive industry	As determined by Council.	As determined by Council.
Food and drink outlet	Accepted in an existing building within the Centre zone. Inside the Centre zone: One space per 50m^2 or part thereof of GFA up to 400m^2 GFA and one space per 15m^2 or part thereof of GFA above 400m^2. Outside the Centre zone: One space per 25m^2 or part thereof of GFA up to 400m^2 GFA and one space per 10m^2 or part thereof of GFA above 400m^2. Drive-through: Queuing spaces for 6 passenger vehicles within the site boundaries. One service vehicle space per use or one service vehicle space per 1,000m^2 GFA, whichever is greater.	One HRV space.
Function facility	One space per 30m^2 or part thereof of GFA.	One SRV space.
Funeral parlour	Accepted in an existing building within the Centre zone. Inside the Centre zone: One space per 20m^2 or part thereof of GFA up to 400m^2 GFA, and one space per 10m^2 or part thereof of GFA above 400m^2. Outside the Centre zone: One space per 25m^2 or part thereof of GFA up to 400m^2 GFA, and one space per 15m^2 or part thereof of GFA above 400m^2.	One SRV space.
Garden centre	A minimum of 5 spaces for customer parking or one space per 150m^2 or part thereof of use area, whichever is greater. One service vehicle space per use or one service vehicle space per 800m^2 use area, whichever is greater.	One AV if the site has an area of greater than 2,000m^2, otherwise One HRV space.

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

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

Definition	Minimum number of Car parking spaces	Minimum Service Vehicle Space Provision
Office	Accepted in an existing building within the Centre zone. <u>Inside the Centre zone:</u> One space per 20m^2 or part thereof of GFA up to 400m^2 GFA, and one space per 10m^2 or part thereof of GFA above 400m^2. <u>Outside the Centre zone:</u> One space per 25m^2 or part thereof of GFA up to 400m^2 GFA, and one space per 15m^2 or part thereof of GFA above 400m^2.	One SRV space.
Outdoor sales	A minimum of 5 spaces for customer parking or one space per 150m^2 of use area, whichever is greater. One service vehicle space per use or one service vehicle space per 800m^2, whichever is greater.	One AV if the site has an area of greater than 2,000m^2, otherwise One HRV space.
Outdoor sport and recreation	Coursing, horse racing, pacing or trotting: • One space per five seated spectators; plus • One space per 5m^2 of other spectator areas. Football: • 50 spaces per field. Lawn bowls: • 30 spaces per green. Swimming pool: • 15 spaces; plus • One space per 100m^2 of useable site area. Tennis or other Court: • Four spaces per court. Golf Course: • Four spaces per tee on the course; plus • One space per 50m^2 of net lettable area. <u>Any other use:</u> As determined by council.	An internal bus set down and pick up area that enables the bus to be in a forward motion at all times whilst onsite Internal dedicated taxi bays provided within 200 metres of the site entrance.
Park	As determined by Council.	As determined by Council.
Parking station	Not applicable	Nil.
Permanent plantation	<u>If accepted development subject to requirements:</u> Two spaces. <u>If assessable development:</u> As determined by Council.	<u>If accepted development subject to requirements:</u> Nil. <u>If assessable development:</u> As determined by Council.
Place of worship	Minimum of 5 spaces per use or one space per 25m^2 or part thereof of GFA, whichever is greater.	One SRV space.
Port services	As determined by Council.	As determined by Council.
Relocatable home park	One space for each home site plus 1 space for each 5 home sites or part thereof for visitors.	One HRV space.
Renewable energy facility	As determined by Council.	As determined by Council.

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

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

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

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

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

Zone	Compacted Gravel Base (minimum thickness)	Surfacing Options
All development other than dwelling house		
All zones other than the Conservation zone or the Rural zone	75mm	Reinforced concrete with a minimum thickness of: • 100mm for parking areas; and • 150mm for access ways.
	150mm	Asphalt with a minimum thickness of 25mm
	150mm	Two coat sprayed bitumen seal
	150mm	Concrete pavers
Conservation zone or Rural zone	Not applicable	Minimum 150mm thickness compacted gravel suitable for all weather and dust free
Dwelling house		
All zones	75mm	Reinforced concrete with a minimum thickness of: • 100mm for parking areas; and • 150mm for access ways.
	150mm	Asphalt with a minimum thickness of 25mm
	150mm	Two coat sprayed bitumen seal
	150mm	Concrete pavers
	Not applicable	Minimum 150mm thickness compacted gravel suitable for all weather and dust free

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

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

Definition	Minimum number of bicycle parking spaces	Minimum end of trip facilities
Commercial activities	New or redeveloped commercial activities buildings (other than a shopping centre), provide: • For employees - secure bicycle storage for 8% of building staff (based on one person per 60m^2 Gross leasable area). Secure bicycle parking involves a bicycle locker or bicycle rail in a locked compound/cage; and • visitor facilities: - one bicycle rack space per 750m^2 NLA or part thereof; and - bicycle parking, signposted; and adjacent to a major public entrance to the building.	New or redeveloped commercial activities buildings (other than a shopping centre), provide the following employee facilities, which are continually accessible to employees: • accessible showers at the rate of one shower per 10 bicycle spaces provided or part thereof; • changing facilities adjacent to showers; and • secure lockers in the changing facilities for 20% of building staff (based on one person per 60m^2 GLA to cater for walkers, cyclists and other active users.
Community use	Four spaces per 1,500m^2 GFA.	As determined by Council.

Definition	Minimum number of bicycle parking spaces	Minimum end of trip facilities
Educational establishment	New or redeveloped education facilities, provide: • For employees - secure bicycle storage for 8% of building staff (based on one person per 75m^2 GLA). Secure bicycle parking involves a bicycle locker or bicycle rail in a locked compound/cage; and • For students: - minimum of 8%of the peak number of students using the building at any one time (with 75% occupancy); and - bicycle storage within 100m of the building front entrance(s); or added to the campus central bicycle storage area.	New or redeveloped education facilities, provide the following employee facilities, which are continually accessible to employees: • accessible showers at the rate of one per 10 bicycle spaces provided or part thereof; • changing facilities adjacent to showers; and • secure lockers in changing facilities for 20% of building staff (based on one person per 75m^2 GLA) to cater for cyclists, walkers and other active users.
Food & drink outlet	One space per 100m^2 GFA.	As determined by Council.
Function facility	One space per 300m^2 GFA.	As determined by Council.
Health care services	New or redeveloped healthcare facilities, provide the following facilities: • For employees - secure bicycle storage for 5% of building staff (based on one person per 75m^2 GLA). Secure bicycle parking involves a bicycle locker or bicycle rail in a locked compound/cage; and • For visitors: - facilities with in-patient accommodation provide one space per each 30 beds; - facilities without in-patient accommodation provide one space per each 4 practitioners; - aged care facilities provide one space per each 60 beds; - In every instance above, provide a minimum of 5 bicycle parking spaces; and - bicycle parking provided: in an accessible location, signposted and within 10m a major public entrance to the building.	New or redeveloped healthcare facilities, provide the following employee facilities, which are continually accessible to employees: • accessible showers at the rate of one per 10 bicycle spaces provided or part thereof; • changing facilities adjacent to showers; and • secure lockers in changing facilities for 20% of building staff (based on one person per 75m^2 GLA) to cater for cyclists, walkers and other active users.
Hospital	As determined by Council.	As determined by Council.
Indoor sport and recreation	One space per employee plus 1 space per 200m^2 GFA	As determined by Council.
Park	As determined by Council.	As determined by Council.
Rooming accommodation	One space per 4 letting rooms.	As determined by Council.
Short term accommodation	One space per 4 letting rooms.	As determined by Council.

Definition	Minimum number of bicycle parking spaces	Minimum end of trip facilities
Shop or Shopping centre	New or redeveloped shopping centres, provide: • For employees - secure bicycle storage for 8% of building staff (based on one person per 60m^2 Gross leasable area). Secure bicycle parking involves a bicycle locker or bicycle rail in a locked compound/cage; and • visitor facilities: - one space per 500m^2 GLA or part thereof for centres under 30,000m^2; or - one space per 750m^2 GLA or part thereof for centres between 30,000m^2 and 50,000m^2; and - bicycle parking is signposted and within 10m of a major public entrance to the building.	New or redeveloped shopping centres, provide the following employee facilities, which are continually accessible to employees: • accessible showers at the rate of one shower per 10 bicycle spaces provided or part thereof; • changing facilities adjacent to showers; and • secure lockers in the changing facilities for 20% of building staff (based on one person per 60m^2 GLA to cater for walkers, cyclists and other active users.
Theatre	One space per 100m^2 GFA.	As determined by Council.

Table 9.4.3.3E—Vehicular Access for Specific Uses

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

9.4.5 Works, services and infrastructure code

9.4.5.1 Application

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

9.4.5.2 Purpose

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

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

9.4.5.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Response
For accepted development subject to requirements and assessable development		
Water supply		
PO1 Each lot has an adequate volume and supply of water that: (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: (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated water supply service area.	**Complies –** The proposal can show compliance with this criterion.

Performance outcomes	Acceptable outcomes	Response
	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: (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: (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.	**Not Applicable**
Wastewater disposal		
PO2 Each lot provides for the treatment and disposal of effluent and other waste water that: (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: (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area.	**Complies –** The proposal can show compliance with this criterion.
	AO2.2 An effluent disposal system is provided in accordance with ASNZ 1547 On-Site Domestic Wastewater Management (as amended) where development is located: (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area.	**Not Applicable**
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.	**Complies –** The proposal can show compliance with this criterion.

Performance outcomes	Acceptable outcomes	Response
	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.	**Complies –** The proposal can show compliance with this criterion.
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 service the development (at near average energy demands associated with the use) may be provided as an alternative to reticulated electricity where: (i) it is approved by the relevant regulatory authority; and (ii) it can be demonstrated that no air or noise emissions; and (iii) it can be demonstrated that no adverse impact on visual amenity will occur.	**Complies –** The proposal can show compliance with this criterion.
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.	**Complies –** The proposal can show compliance with this criterion.
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.	**Complies –** The proposal can show compliance with this criterion.

Performance outcomes	Acceptable outcomes	Response
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.	**Complies –** The proposal can show compliance with this criterion.
	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.	**Complies –** The proposal can show compliance with this criterion.
	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.	**Not Applicable**
	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.	**Complies –** The proposal can show compliance with this criterion.
	AO7.5 All batters and berms to be constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	**Complies –** The proposal can show compliance with this criterion.
	AO7.6 Retaining walls have a maximum height of 1.5 metres and are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	**Not Applicable –** no retaining walls are proposed as part of the development.
	AO7.7 Excavation or filling at any point on a lot is to include measures that protect trees at the foot or top of cut or fill batters by the use of appropriate retaining methods and sensitive earth removal or placement and in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	**Not Applicable**
For assessable development		

Performance outcomes	Acceptable outcomes	Response
Transport network		
PO8 The development has access to a transport network of adequate standard to provide for the safe and efficient movement of vehicles, pedestrians and cyclists.	**AO8.1** Vehicle access, crossovers, road geometry, pavement, utilities and landscaping to the frontage/s of the site are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	**Complies –** Refer to **Appendix D - Proposal Plans and Elevations**.
	AO8.2 Development provides footpath pavement treatments in accordance with Planning Scheme Policy 9 – Footpath Paving.	**Complies –** Refer to **Appendix D - Proposal Plans and Elevations**.
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.	**AO9** Development is in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	**Complies –** Refer to **Appendix D - Proposal Plans and Elevations**.
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 affected by the development, including upstream, on-site and downstream waterbodies; (c) achieve specified water quality objectives; (d) minimise flooding; (e) maximise the use of natural channel design principles; (f) maximise community benefit; and	**AO10.1** 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 – FNQROC Regional Development Manual; and (b) an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation Control Guidelines (Institute of Engineers Australia), including: (i) drainage control; (ii) erosion control; (iii) sediment control; and (iv) water quality outcomes.	**Complies** - It is submitted on the basis that the proposed development is for the establishment of additional residential uses within an existing residential area will have a "non-worsening" effect on the site and surrounding land. Refer to **Appendix D - Proposal Plans and Elevations**.

Performance outcomes	Acceptable outcomes	Response
(g) minimise risk to public safety.	**AO10.2** For development on land greater than 2,500m^2 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: (a) meets or exceeds the standards of design and construction set out in the Urban Stormwater Quality Planning Guideline and the Queensland Water Quality Guideline; (b) is consistent with any local area stormwater water management planning; (c) accounts for development type, construction phase, local climatic conditions and design objectives; and (d) provides for stormwater quality treatment measures reflecting land use constraints, such as soil type, landscape features (including landform), nutrient hazardous areas, acid sulfate soil and rainfall erosivity.	**Complies –** It is submitted that this criterion can be addressed by showing compliance with a suitable Condition of Approval.
PO11 Storage areas for stormwater detention and retention: (a) protect or enhance the environmental values of receiving waters; (b) achieve specified water quality objectives; (c) where possible, provide for recreational use; (d) maximise community benefit; and (e) minimise risk to public safety.	**AO11** No acceptable outcome is provided.	**Complies –** The proposal can show compliance with this criterion.
Excavation or filling		
PO12 Traffic generated by filling or excavation does not impact on the amenity of the surrounding area.	**AO12.1** Haul routes used for transportation of fill to or from the site only use major roads and avoid residential areas.	**Complies –** The proposal can show compliance with this criterion.
	AO12.2 Transportation of fill to or from the site does not occur: (a) within peak traffic times; and (b) before 7am or after 6pm Monday to Friday; (c) before 7am or after 1pm Saturdays; and (d) on Sundays or Public Holidays.	**Complies –** The proposal can show compliance with this criterion.

Performance outcomes	Acceptable outcomes	Response
PO13 Air pollutants, dust and sediment particles from excavation or filling, do not cause significant environmental harm or nuisance impacts.	**AO13.1** Dust emissions do not extend beyond the boundary of the site.	**Complies –** The proposal can show compliance with this criterion.
	AO13.2 No other air pollutants, including odours, are detectable at the boundary of the site.	**Complies –** The proposal can show compliance with this criterion.
	AO13.3 A management plan for control of dust and air pollutants is prepared and implemented.	**Complies –** The proposal can show compliance with this criterion.
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.	**Complies –** The proposal can show compliance with this criterion.
Weed and pest management		
PO15 Development prevents the spread of weeds, seeds or other pests into clean areas or away from infested areas.	**AO15** No acceptable outcome is provided.	**Complies –** The proposal can show compliance with this criterion.
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.	**Complies –** The proposal can show compliance with this criterion.
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.	**Complies –** The proposal can show compliance with this criterion.
	AO17.2 Fire hydrants are located at all intersections of accessways or private roads held in common private title.	**Complies –** The proposal can show compliance with this criterion.

APPENDIX G

State code 1: Development in a state-controlled road environment
1.2 Performance outcomes and acceptable outcomes
Table 1.2.1: Development in a state-controlled road environment

Performance Outcomes	Acceptable Outcomes	Response
Buildings and structures		
PO1 The location of buildings, **structures**, infrastructure, services and utilities does not create a safety hazard in a **state-controlled road**, or cause damage to, or obstruct **road transport infrastructure**.	**AO1.1** Buildings, **structures**, infrastructure, services and utilities are not located in a **state-controlled road**. AND **AO1.2** Buildings, **structures**, infrastructure, services and utilities can be maintained without requiring access to a **state-controlled road**.	**Complies** – Refer to **Appendix D - Proposal Plans and Elevations**.
PO2 The design and construction of buildings and **structures** does not create a safety hazard by distracting users of a **state-controlled road**.	**AO2.1** Facades of buildings and **structures** facing a **state-controlled road** are made of non-reflective materials. OR **AO2.2** Facades of buildings and **structures** do not reflect point light sources into the face of oncoming traffic on a **state-controlled road**. AND **AO2.3** External lighting of buildings and **structures** is not directed into the face of oncoming traffic on a **state-controlled road** and does not involve flashing or laser lights. AND **AO2.4** Advertising devices visible from a **state-controlled road** are located and designed in accordance with the Roadside Advertising Manual, 2nd Edition, Department of Transport and Main Roads, 2017.	**Complies** – The proposed development will be constructed in accordance with the relevant provisions of the Queensland Development Code. Refer to **Appendix D - Proposal Plans and Elevations**.
PO3 Road, pedestrian and bikeway bridges over a **state-controlled road** are designed and constructed to prevent projectiles from being thrown onto a **state-controlled road**.	**AO3.1** Road, pedestrian and bikeway bridges over a **state-controlled road** include throw protection screens in accordance with section 4.9.3 of the Design Criteria for Bridges and Other Structures Manual, Department of Transport and Main Roads, 2018.	**Not Applicable**

Performance Outcomes	Acceptable Outcomes	Response
Filling, excavation and retaining structures		
PO4 Filling and excavation does not interfere with, or result in damage to, infrastructure or services in a **state-controlled road**. Note: Information on the location of services and public utility plants in a **state-controlled road** can be obtained from the Dial Before You Dig service. Where development will impact on an existing or future service or public utility plant in a **state-controlled road** such that the service or public utility plant will need to be relocated, the alternative alignment must comply with the standards and design specifications of the relevant service or public utility provider, and any costs of relocation are to be borne by the developer. Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	No acceptable outcome is prescribed.	**Complies** – the proposal can comply with this criterion.
PO5 Filling, excavation, building foundations and **retaining structures** do not undermine, or cause subsidence of, a **state-controlled road**. Note: To demonstrate compliance with this performance outcome, it is recommended an RPEQ certified geotechnical assessment, prepared in accordance with the Road Planning and Design Manual 2nd Edition: Volume 3, Department of Transport and Main Roads, 2016, is provided. Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a geotechnical assessment.	No acceptable outcome is prescribed.	**Complies** – the proposal can comply with this criterion.
PO6 Filling, excavation, building foundations and **retaining structures** do not cause ground water disturbance in a **state-controlled road**. Note: To demonstrate compliance with this performance outcome, it is recommended an RPEQ certified geotechnical assessment, prepared in accordance with the Road Planning	No acceptable outcome is prescribed.	**Complies** – the proposal can comply with this criterion.

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

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

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

Performance Outcomes	Acceptable Outcomes	Response
	AO15.2 A **new or changed access** to a **limited access road** is consistent with the **limited access policy** for the **state-controlled road**. Note: **Limited access policies** for **limited access roads** declared under the *Transport Infrastructure Act 1994* can be obtained by contacting the relevant Department of Transport and Main Roads regional office. AND **AO15.3** Where a **new or changed access** is for a service centre, access is consistent with the Service centre policy, Department of Transport and Main Roads, 2013 and the Access policy for roadside service centre facilities on limited access roads, Department of Transport and Main Roads, 2013, and the Service centre strategy for the state-controlled road. Note: The Service centre policy, Department of Transport and Main Roads, 2013, Access policy for roadside service centre facilities, Department of Transport and Main Roads, 2013 and the relevant Service centre strategy for a **state-controlled road** can be accessed by contacting the relevant Department of Transport and Main Roads regional office.	
PO16 The location and design of vehicular access to a **state-controlled road** (including access to a **limited access road**) does not create a safety hazard for users of a **state-controlled road** or result in a worsening of operating conditions on a **state-controlled road**. Note: Where a **new or changed access** between the premises and a **state-controlled road** is proposed, the Department of Transport and Main Roads will need to assess the proposal to determine if the vehicular access for the development is safe. An assessment can be made by Department of Transport and Main Roads as part of the development assessment process and a decision under section 62 of *Transport Infrastructure Act 1994* issued. Refer to the SDAP Supporting Information: Vehicular access to a state-controlled road, Department of Transport and Main	**AO16.1** Vehicular access is provided from a **local road**. OR all of the following acceptable outcomes apply: **AO16.2** Vehicular access for the development is consistent with the function and design of the **state-controlled road**. AND **AO16.3** Development does not require **new or changed access** between the premises and the **state-controlled road**.	**Complies** – the proposal can comply with this criterion. **Complies** – it is submitted that a request for a Decision under Section 62 of the Transport Infrastructure Act will be lodged with the Department of Transport and Main

Performance Outcomes	Acceptable Outcomes	Response
Roads, 2017, for further guidance on how to comply with this performance outcome.	Note: A decision under section 62 of the *Transport Infrastructure Act 1994* outlines the approved conditions for use of an existing vehicular access to a **state-controlled road**. Current section 62 decisions can be obtained from the relevant Department of Transport and Main Roads regional office. AND **AO16.4** Use of any existing vehicular access to the development is consistent with a decision under section 62 of the *Transport Infrastructure Act 1994*. Note: The development which is the subject of the application must be of an equivalent use and intensity for which the section 62 approval was issued and the section 62 approval must have been granted no more than 5 years prior to the lodgement of the application. AND **AO16.5** On-site vehicle circulation is designed to give priority to entering vehicles at all times so vehicles do not queue in a road intersection or on the **state-controlled road**.	Roads after the Decision Notice is gained from Mareeba Shire Council. The location of the changed access will be on the basis site plan attached as **Appendix D - Proposal Plans and Elevations**. **Complies** – it is submitted that existing accesses to the subject site will be modified as part of the Development Application and detailed in the request for a Decision under Section 62 of the Transport Infrastructure Act. **Complies** – Refer to **Section 8.00** of the **Town Planning Report dated March 2020** for the operations arrangements of access to the subject site and **Appendix D - Proposal Plans and Elevations**.
Vehicular access to local roads within 100 metres of an intersection with a state-controlled road		
PO17 The location and design of vehicular access to a **local road** within 100 metres of an intersection with a **state-controlled road** does not create a safety hazard for users of a **state-controlled road**. Note: Refer to the SDAP Supporting Information: Vehicular access to a state-controlled road, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	**AO17.1** Vehicular access is located as far as possible from the **state-controlled road** intersection. AND **AO17.2** Vehicular access is in accordance with parts, 3, 4 and 4A of the Road Planning and Design Manual, 2nd Edition: Volume 3, Department of Transport and Main Roads, 2016. AND **AO17.3** On-site vehicle circulation is designed to give priority to entering vehicles at all times so vehicles do not queue in the intersection or on the **state-controlled road**.	**Not Applicable** **Not Applicable** **Not Applicable**

Performance Outcomes	Acceptable Outcomes	Response
Public passenger transport infrastructure on state-controlled roads		
PO18 Development does not damage or interfere with **public passenger transport infrastructure**, **public passenger services** or pedestrian or cycle access to **public passenger transport infrastructure** and **public passenger services**. Note: Refer to the SDAP Supporting Information: Vehicular access to a state-controlled road, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	**AO18.1** Vehicular access and associated road access works are not located within 5 metres of existing **public passenger transport infrastructure**. AND **AO18.2** Development does not necessitate the relocation of existing **public passenger transport infrastructure**. AND **AO18.3** On-site vehicle circulation is designed to give priority to entering vehicles at all times so vehicles using a vehicular access do not obstruct **public passenger transport infrastructure** and **public passenger services** or obstruct pedestrian or cycle access to **public passenger transport infrastructure** and **public passenger services**.	**Not Applicable** **Not Applicable**
Planned upgrades		
PO19 Development does not impede delivery of **planned upgrades** of **state-controlled roads**.	**AO19.1** Development is not located on land identified by the Department of Transport and Main Roads as land required for the **planned upgrade** of a **state-controlled road**. Note: Land required for the **planned upgrade** of a **state-controlled road** is identified in the DA mapping system. OR **AO19.2** Development is sited and designed so that permanent buildings, structures, infrastructure, services or utilities are not located on land identified by the Department of Transport and Main Roads as land required for the **planned upgrade** of a **state-controlled road**. OR all of the following acceptable outcomes apply:	**Not Applicable**

Performance Outcomes	Acceptable Outcomes	Response
	AO19.3 Structures and infrastructure located on land identified by the Department of Transport and Main Roads as land required for the **planned upgrade** of a **state-controlled road** are able to be readily relocated or removed without materially affecting the viability or functionality of the development. AND **AO19.4** Vehicular access for the development is consistent with the function and design of the **planned upgrade** of the **state-controlled road**. AND **AO19.5** Development does not involve filling and excavation of, or material changes to, land required for a **planned upgrade** to a **state-controlled road**. AND **AO19.6** Land is able to be reinstated to the pre-development condition at the completion of the use.	
Network impacts		
PO20 Development does not result in a worsening of operating conditions on the **state-controlled road** network. Note: To demonstrate compliance with this performance outcome, it is recommended that an RPEQ certified traffic impact assessment is provided. Please refer to the Guide to Traffic Impact Assessment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	No acceptable outcome is prescribed.	**Complies** – given the low traffic likely to be generated by the proposed uses, it is submitted that the proposal will not result in a worsening of operating conditions on the state-controlled road network.
PO21 Development does not impose traffic loadings on a **state-controlled road** which could be accommodated on the **local road** network.	**AO21.1** The layout and design of the development directs traffic generated by the development to the **local road** network.	**Complies** – the subject site only has access to a State-controlled Road.
PO22 Upgrade works on, or associated with, a **state-controlled road** are built in accordance with Queensland road design standards.	**AO22.1** Upgrade works required as a result of the development are designed and constructed in accordance with the Road Planning and Design	**Complies** – the proposal can comply with this criterion.

Performance Outcomes	Acceptable Outcomes	Response
	Manual, 2nd edition, Department of Transport and Main Roads, 2016. Note: **Road works** in a **state-controlled road** require approval under section 33 of the *Transport Infrastructure Act 1994* before the works commence.	

Table 1.2.2: Environmental emissions

Statutory note: Where a **state-controlled road** is co-located in the same transport corridor as a railway, the development should instead comply with table 2.2.2: Environmental emissions in State code 2: Development in a railway environment.

Refer to the SDAP Supporting Information: Environmental emissions in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with the performance outcomes in Table 1.2.2.

Performance Outcomes	Acceptable Outcomes	Response
Accommodation activities		
PO23 Development involving an **accommodation activity** or land for a future **accommodation activity** minimises noise intrusion from a **state-controlled road** or **type 1 multi-modal corridor** in **habitable rooms**.	**AO23.1** A noise barrier or earth mound is provided which is designed, sited and constructed: 1. to meet the following external noise criteria at all facades of the building envelope: a. ≤60 dB(A) L10 (18 hour) façade corrected (measured L90 (8 hour) free field between 10pm and 6am ≤40 dB(A)) b. ≤63 dB(A) L10 (18 hour) façade corrected (measured L90 (8 hour) free field between 10pm and 6am >40 dB(A)) 2. in accordance with chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013. Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state-controlled road environment, Department of Transport and Main Roads, 2017. If the building envelope is unknown, the deemed-to-comply setback distances for buildings stipulated by the local planning instrument or relevant building regulations should be used.	**Not Applicable –** Refer to response to **AO23.2-AO23.4**

Performance Outcomes	Acceptable Outcomes	Response
	In some instances, the design of noise barriers and mounds to achieve the noise criteria above the ground floor may not be reasonable or practicable. In these instances, any relaxation of the criteria is at the discretion of the Department of Transport and Main Roads. OR all of the following acceptable outcomes apply: **AO23.2** Buildings which include a **habitable room** are setback the maximum distance possible from a **state-controlled road** or **type 1 multi-modal corridor**. AND **AO23.3** Buildings are designed and oriented so that **habitable rooms** are located furthest from a **state-controlled road** or **type 1 multi-modal corridor**. AND **AO23.4** Buildings (other than a **relevant residential building** or **relocated building**) are designed and constructed using materials which ensure that **habitable rooms** meet the following internal noise criteria: 1. ≤35 dB(A) Leq (1 hour) (maximum hour over 24 hours). Note: Noise levels from a **state-controlled road** or **type 1 multi-modal corridor** are to be measured in accordance with AS1055.1–1997 Acoustics – Description and measurement of environmental noise. To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state-controlled road environment, Department of Transport and Main Roads 2017. **Habitable rooms** of **relevant residential buildings** located within a **transport noise corridor** must comply	**Complies** – refer to **Section 8.00** of the **Town Planning Report dated March 2020** and **Appendix D - Proposal Plans and Elevations**. **Complies** – refer to **Section 8.00**of the **Town Planning Report dated March 2020** and **Appendix D - Proposal Plans and Elevations**. **Complies** – refer to **Section 8.00** of the **Town Planning Report dated March 2020** and **Appendix D - Proposal Plans and Elevations**. The proposed development will be constructed in accordance with the relevant provisions of the Queensland Development Code.

Performance Outcomes	Acceptable Outcomes	Response
	with the Queensland Development Code MP4.4 Buildings in a transport noise corridor, Queensland Government, 2015. **Transport noise corridors** are mapped on the State Planning Policy interactive mapping system.	
PO24 Development involving an **accommodation activity** or land for a **future accommodation activity** minimises noise intrusion from a **state-controlled road** or **type 1 multi-modal corridor** in **outdoor spaces for passive recreation**.	**AO24.1** A noise barrier or earth mound is provided which is designed, sited and constructed: 1. to meet the following external noise criteria in **outdoor spaces for passive recreation**: a. ≤57 dB(A) L_{10} (18 hour) free field (measured L_{90} (18 hour) free field between 6am and 12 midnight ≤45 dB(A)) b. ≤60 dB(A) L_{10} (18 hour) free field (measured L_{90} (18 hour) free field between 6am and 12 midnight >45 dB(A)) 2. in accordance with chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice – Volume 1 Road Traffic Noise, Department of Transport and Main Roads, 2013. Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state-controlled road environment, Department of Transport and Main Roads 2017 OR **AO24.2** Each dwelling has access to an **outdoor space for passive recreation** which is shielded from a **state-controlled road** or **type 1 multi-modal corridor** by a building, solid gap-free fence, or other solid gap-free structure. AND **AO24.3** Each dwelling with a balcony directly exposed to noise from a **state-controlled road** or **type 1 multi-modal corridor** has a continuous solid gap-free balustrade (other than gaps required for drainage	**Not Applicable –** Refer to response to **AO24.2-AO24.3** Refer to **Section 8.02.2** of the **Town Planning Report dated March 2020** and **Appendix D - Proposal Plans and Elevations**. Refer to **Section 8.02.2** of the **Town Planning Report dated March 2020** and **Appendix D - Proposal Plans and Elevations**.

Performance Outcomes	Acceptable Outcomes	Response
	purposes to comply with the Building Code of Australia).	The proposed development will be constructed in accordance with the relevant provisions of the Queensland Development Code.
Childcare centres and educational establishments		
PO25 Development involving a: 1. **childcare centre**; or 2. educational establishment minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in indoor education areas and indoor play areas.	**AO25.1** A noise barrier or earth mound is provided which is designed, sited and constructed: 1. to meet the following external noise criteria at all facades of the building envelope: a. ≤58 dB(A) L10 (1 hour) façade corrected (maximum hour during normal opening hours) 2. in accordance with chapter 7 – Integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013. Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state-controlled road environment, Department of Transport and Main Roads 2017. If the building envelope is unknown, the deemed-to-comply setback distances for buildings stipulated by the local planning instrument or relevant building regulations should be used. OR all of the following acceptable outcomes apply: **AO25.2** Buildings which include **indoor education areas** and **indoor play areas** are setback the maximum distance possible from a **state-controlled road** or **type 1 multi-modal corridor**. AND **AO25.3** Buildings are designed and oriented so that indoor education areas and **indoor play areas** are located furthest from the **state-controlled road** or **type 1 multi-modal corridor**. AND	**Not Applicable** **Not Applicable** **Not Applicable**

Performance Outcomes	Acceptable Outcomes	Response
	AO25.4 Buildings are designed and constructed using materials which ensure **indoor education areas** and **indoor play areas** meet the following internal noise criteria: 1. ≤35 dB(A) L_{eq} (1 hour) (maximum hour during opening hours). Note: Noise levels from a **state-controlled road** or **type 1 multi-modal corridor** are to be measured in accordance with AS1055.1–1997 Acoustics – Description and measurement of environmental noise. To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state-controlled road environment, Department of Transport and Main Roads 2017.	**Not Applicable**
PO26 Development involving a: 1. **childcare centre**; or 2. educational establishment minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in outdoor education areas and outdoor play areas.	**AO26.1** A noise barrier or earth mound is provided which is designed, sited and constructed: 1. to meet the following external noise criteria in each **outdoor education area** or **outdoor play area**: a. ≤63 dB(A) L_{10} (12 hour) free field (between 6am and 6pm) 2. in accordance with chapter 7 – Integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013. Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state-controlled road environment, Department of Transport and Main Roads 2017. OR **AO26.2** Each **outdoor education area** and **outdoor play area** is shielded from noise generated from a **state-controlled road** or **type 1 multi-modal corridor**	**Not Applicable**

Performance Outcomes	Acceptable Outcomes	Response
	by a building, solid gap-free fence, or other solid gap-free structure.	
Hospitals		
PO27 Development involving a **hospital** minimises noise intrusion from a **state-controlled road** or **type 1 multi-modal corridor** in **patient care areas**.	**AO27.1 Hospitals** are designed and constructed using materials which ensure **patient care areas** meet the following internal noise criteria: 1. ≤35 dB(A) L_{eq} (1 hour) (maximum hour during opening hours). Note: Noise levels from a **state-controlled road** or **type 1 multi-modal corridor** are to be measured in accordance with AS1055.1–1997 Acoustics – Description and measurement of environmental noise. To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state-controlled road environment, Department of Transport and Main Roads 2017.	**Not Applicable**
Vibration		
Hospitals		
PO28 Development involving a **hospital** minimises vibration impacts from vehicles using a **state-controlled road** or **type 1 multi-modal corridor** in **patient care areas**.	**AO28.1 Hospitals** are designed and constructed to ensure vibration in the treatment area of a **patient care area** does not exceed a vibration dose value of $0.1 m/s^{1.75}$. AND **AO28.2 Hospitals** are designed and constructed to ensure vibration in the ward area of a **patient care area** does not exceed a vibration dose value of $0.4 m/s^{1.75}$. Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified vibration assessment report is provided.	**Not Applicable**

Performance Outcomes	Acceptable Outcomes	Response
Air and light		
PO29 Development involving an **accommodation activity** minimises air quality impacts from a **state-controlled road** or **type 1 multi-modal corridor** in **outdoor spaces for passive recreation**.	**AO29.1** Each dwelling has access to an **outdoor space for passive recreation** which is shielded from a **state-controlled road** or **type 1 multi-modal corridor** by a building, solid gap-free fence, or other solid gap-free structure.	**Complies** – Refer to **Section 8.02.2** of the **Town Planning Report dated March 2020** and **Appendix D - Proposal Plans and Elevation**s. The proposed development will be constructed in accordance with the relevant provisions of the Queensland Development Code.
PO30 Development involving a: 1. **childcare centre**; or 2. educational establishment minimises air quality impacts from a state-controlled road or type 1 multi-modal corridor in outdoor education areas and outdoor play areas.	**AO30.1** Each **outdoor education area** and **outdoor play area** is shielded from a **state-controlled road** or **type 1 multi-modal corridor** by a building, solid gap-free fence, or other solid gap-free structure.	**Not Applicable**
PO31 Development involving an **accommodation activity** or **hospital** minimises lighting impacts from a **state-controlled road** or **type 1 multi-modal corridor**.	**AO31.1** Buildings for an **accommodation activity** or **hospital** are designed to minimise the number of windows or transparent/translucent panels facing a **state-controlled road** or **type 1 multi-modal corridor**. OR **AO31.2** Windows facing a **state-controlled road** or **type 1 multi-modal corridor** include treatments to block light from a **state-controlled road** or **type 1 multi-modal corridor**.	**Complies** – Refer to **Section 8.02.2** of the **Town Planning Report dated March 2020** and **Appendix D - Proposal Plans and Elevation**s. The proposed development will be constructed in accordance with the relevant provisions of the Queensland Development Code.

Table 1.2.3: Development in a future state-controlled road environment

Performance Outcomes	Acceptable Outcomes	Response
PO32 Development does not impede delivery of a **future state-controlled road**.	**AO32.1** Development is not located in a **future state-controlled road**. OR **AO32.2** Development is sited and designed so that permanent buildings, **structures**, infrastructure, services or utilities are not located in a **future state-controlled road**. OR all of the following acceptable outcomes apply: **AO32.3 Structures** and infrastructure located in a **future state-controlled road** are able to be readily relocated or removed without materially affecting the viability or functionality of the development. AND **AO32.4** Development does not involve filling and excavation of, or material changes to, a **future state-controlled road**. AND **AO32.5** Land is able to be reinstated to the pre-development condition at the completion of the use.	**Not Applicable**
PO33 Vehicular access to a **future state-controlled road** is located and designed to not create a safety hazard for users of a **future state-controlled road** or result in a worsening of operating conditions on a **future state-controlled road**.	**AO33.1** Development does not require **new or changed access** between the premises and a **future state-controlled road**. AND	**Not Applicable**

Performance Outcomes	Acceptable Outcomes	Response
Note: Where a **new or changed access** between the premises and a **future state-controlled road** is proposed, the Department of Transport and Main Roads will need to assess the proposal to determine if the vehicular access for the development is safe. An assessment can be made by Department of Transport and Main Roads as part of the development assessment process and a decision under section 62 of *Transport Infrastructure Act 1994* issued	**AO33.2** Vehicular access for the development is consistent with the function and design of the **future state-controlled road**.	
PO34 Filling, excavation, building foundations and **retaining structures** do not undermine, or cause subsidence of, a **future state-controlled road**. Note: To demonstrate compliance with this performance outcome, it is recommended that an RPEQ certified geotechnical assessment is provided, prepared in accordance with the Road Planning and Design Manual, 2nd edition: Volume 3, Department of Transport and Main Roads, 2016. Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a geotechnical assessment.	No acceptable outcome is prescribed.	**Not Applicable**
PO35 Fill material from a development site does not result in contamination of land for a **future state-controlled road**. Note: Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	**AO35.1** Fill material is free of contaminants including acid sulfate content. Note: Soil and rocks should be tested in accordance with AS1289 – Methods of testing soils for engineering purposes and AS4133 2005 – Methods of testing rocks for engineering purposes. AND **AO35.2** Compaction of fill is carried out in accordance with the requirements of AS1289.0 2000 – Methods of testing soils for engineering purposes.	**Not Applicable**
PO36 Development does not result in an **actionable nuisance**, or worsening of, stormwater, flooding or drainage impacts in a **future state-controlled road**. Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment,	No acceptable outcome is prescribed.	**Not Applicable**

Performance Outcomes	Acceptable Outcomes	Response
Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.		
PO37 Run-off from the development site is not unlawfully discharged to a **future state-controlled road**. Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	**AO37.1** Development does not create any new points of discharge to a **future state-controlled road**. AND **AO37.2** Stormwater run-off is discharged to a **lawful point of discharge.** Note: Section 3.9 of the Queensland Urban Drainage Manual, Institute of Public Works Engineering Australasia (Queensland Division), Fourth Edition, 2016, provides further information on **lawful points of discharge**. AND **AO37.3** Development does not worsen the condition of an existing **lawful point of discharge** to the **future state-controlled road**.	**Not Applicable**