

20 April 2020

Our Ref: 20-526

Chief Executive Officer

Mareeba Shire Council
PO Box 154
MAREEBA QLD 4880

Attention: Mr Brian Millard – Senior Planner (BrianM@msc.qld.gov.au)

Dear Brian,

DEVELOPMENT APPLICATION SEEKING A DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE AND ENVIRONMENTALLY RELEVANT ACTIVITIES AT 3276 AND 3278 MULLIGAN HIGHWAY, SOUTHDGE, MOUNT MOLLOY.

We refer to the above-described matter and confirm that Urban Sync Pty Ltd has been engaged by The Product Makers (Australia) Pty Ltd to submit a development application to Mareeba Shire Council for assessment with respect to the above described matters and over the above described land. In support of the application, we attach the following documents to assist with Council's assessment:

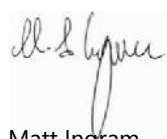
- DA Forms and Landowners Consent as **Attachment 1**;
- Plans of Development as **Attachment 2**;
- Site Searches as **Attachment 3**;
- Existing, Relevant Approvals as **Attachment 4**;
- Pre-lodgement Correspondence as **Attachment 5**;
- Traffic Report prepared by CivilWalker Consulting Engineers as **Attachment 6**;
- Environmental Impact Assessment by Wild Environmental Consultants as **Attachment 7** (to be provided at a latter date);
- Assessment of the applicable development codes under the *Mareeba Shire Council Planning Scheme 2016* as **Attachment 8**; and
- Assessment of the applicable State Development Assessment Provisions Code as **Attachment 9**; and

In accordance with Council's Schedule of Fees for the 2019/20 Financial Year, Councils' application fee to the amount of **\$5,740.00 (\$6,300.00 - \$560.00** paid at the pre-lodgement stage) will be paid to facilitate lodgement of this application. We request an invoice for payment be issued by Mareeba Shire Council as soon as practicable.

In accordance with s51(2) of the *Planning Act 2016*, landowners' consent has been provided in **Attachment 1**.

We trust this application can now be progressed for assessment. Should you require any further information or clarification on any matters regarding this application, please do not hesitate to contact me using the below details.

Yours faithfully,



Matt Ingram
Senior Planner

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TOWN PLANNING REPORT

DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE AND
ENVIRONMENTALLY RELEVANT ACTIVITIES

3276 AND 3278 MULLIGAN HIGHWAY, SOUTHEDGE, MOUNT MOLLOY

20 April 2020

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Limitation: This report has been prepared on behalf of Urban Sync Pty Ltd for our client, The Product Makers (Australia) Pty Ltd and considers the instructions and requirements of The Product Makers (Australia) Pty Ltd with regards to the development being proposed. This report should not be relied upon by any third party and Urban Sync Pty Ltd accepts no liability or responsibility for the reliance on this report, or data contained within the report, by any third party.

Reference	Revision	Date	Prepared by	Checked by	Authorised by
20-526	1.0	07/04/2020	JJP	MDI	-
20-526	2.0	20/04/2020	JJP	MDI	MDI

20/04/2020

Version 2.0

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I EXECUTIVE SUMMARY

The Product Makers (Australia) Pty Ltd (the 'Applicant') seeks the requisite statutory development approval from Mareeba Shire Council (Council) to support the establishment of a new Production Plant over part of Lots 2 and 3 on SP298325 at 3276 and 3278 Mulligan Highway, Southedge, Mount Molloy (the site). We note here that the production plant will be entirely located on Lot 2, with Lot 3 being included in this development application solely as it is used to access Lot 2.

In a planning context, the site is located within the Rural Zone of the *Mareeba Shire Planning Scheme 2016* (Planning Scheme), where a Material Change of Use for a Special Industry use triggers the need for an **Impact Assessable** development application, subject to assessment against the provisions of the current Planning Scheme, to be lodged with and approved by Council. This development application seeks the following approval:

- **Development Permit for a Material Change of Use (Special Industry – Production Plant) and Environmentally Relevant Activities (ERA's 7, 8 & 28).**

This report has been undertaken to:

- Present the physical characteristics of the site;
- Summarise the pre-lodgement phase of the development and identify any relevant site development history;
- Accurately describe the development as generally reflected in the plans of development;
- Address all applicable statutory requirements triggered through the *Planning Act 2016* (PA), *Planning Regulations 2017* (PR), *State Planning Policy 2017* (SPP) and the Planning Scheme; and
- Address any 'key' planning issues and non-compliances with the Planning Scheme provisions and in doing so, demonstrate that the development complies with the Assessment Benchmarks or can be conditioned to achieve reasonable compliance.

This report highlights that there are very few departures away from the 'deemed to comply' Acceptable Outcomes, although where these departures have been identified, a performance-based assessment has been provided to justify and demonstrate, based on sound planning grounds, that compliance with the corresponding Performance Outcome and in turn, the relevant Assessment Benchmarks, can still be achieved. We acknowledge that the development is not entirely consistent with the intent of the Rural zone, although the report has outlined, based on sound planning grounds that in this instance, the development is suitably located as:

- It will not compromise the achievement of any of the relevant Strategic Outcomes of the Planning Scheme;
- It will not compromise the purpose or intent of the Rural zone code from being achieved;
- It will not conflict with any of the overall outcomes of the Rural zone code;
- Can sufficiently mitigate any adverse environmental impacts (we acknowledge that conditions of approval may be required to ensure this occurs);
- It will not result in any unacceptable land use conflicts with existing rural activities; and
- It will not result in any unacceptable amenity impacts on any nearby sensitive land uses.

With the above in mind, we now submit this application to Council for assessment and trust that it suitably addresses all the statutory requirements under the Planning Scheme and State legislation to allow favourable consideration, subject to the imposition of reasonable and relevant conditions.



2 APPLICATION DETAILS

2.1 APPLICATION SUMMARY

Approval Sought:	Development Permit for a Material Change of Use (Special Industry – Production Plant) and Environmentally Relevant Activities (ERA's 7, 8 & 28)
Applicant:	The Product Makers (Australia) Pty Ltd
Project Description Details:	The establishment of a Production Plant which alters and modifies the by-products of sugar cane production into feed stock for animals (and other products i.e., fertiliser)
ASSESSMENT DETAILS	
Assessment Manager:	Mareeba Shire Council
Development Category:	Assessable Development
Assessment Category:	Impact Assessable
Public Notification:	Yes
PRE-LODGEMENT CONSULTATION	
Council:	Yes
State Authority:	Yes
RELEVANT STATE PLANNING INSTRUMENTS	
Legislation:	<i>Planning Act 2016 (Qld)</i>
Planning Policy:	Queensland State Planning Policy (July 2017)
Planning Policy Assessment Benchmarks:	<ul style="list-style-type: none"> ▪ Agriculture; ▪ Biodiversity; ▪ Natural Hazards Risk and Resilience; ▪ Energy and Water Supply; and ▪ Transport Infrastructure
Regional Plan:	Far North Queensland Regional Plan 2009-2031
Regional Plan Land Use:	Regional Landscape and Rural Production Area
Development Assessment Mapping:	<ul style="list-style-type: none"> ▪ Fish Habitat Areas; ▪ Water Resources; ▪ Native Vegetation Clearing; ▪ State Transport Corridor; and



	<ul style="list-style-type: none"> ▪ Areas within 25m of a State Transport Corridor
Referrals:	Yes
Other State Interests:	<ul style="list-style-type: none"> ▪ Transport Noise Corridor (State-Controlled Road); and ▪ Electricity Infrastructure
RELEVANT LOCAL PLANNING INSTRUMENTS	
Planning Scheme:	<i>Mareeba Shire Council Planning Scheme 2016</i>
Local Plan:	N/A
Zone:	Rural
Zone Precinct:	Nil
Overlays:	<ul style="list-style-type: none"> ▪ Bushfire Hazard; ▪ Environmental Significance; ▪ Hill and Slope Area; and ▪ Regional Infrastructure Corridors and Substations

2.2 PLANS OF DEVELOPMENT

Title	Job No.	Sheet No.	Rev	Author	Company	Date
Locality Plan	20044	01	A	R. Boshammer	FNQ Design and Drafting	February 2020
Site Plan 2	20044	02	A	R. Boshammer	FNQ Design and Drafting	February 2020
Site Plan 2	20044	03	A	R. Boshammer	FNQ Design and Drafting	February 2020
Shed 1 Plan & Elevations	20044	04	A	R. Boshammer	FNQ Design and Drafting	February 2020
Shed 2 Plan & Elevations	20044	04	A	R. Boshammer	FNQ Design and Drafting	February 2020



3 SITE DETAILS

3.1 SITE DESCRIPTION

Registered Landowners:	Kathleen Colless Pty Ltd (Lot 2) and Anton Demolitions Pty Ltd (Lot 3)
Site Location:	3276 and 3278 Mulligan Highway, Southedge, Mount Molloy
Lot and Description:	Lots 2 and 3 on SP298325
Site Area:	311.84ha (Lot 2 - 215.8ha & Lot 3 - 96.04ha)
Tenure:	Freehold
Easements/Encumbrances:	<ul style="list-style-type: none">▪ Easement A on CP893511 (High Voltage Electricity Easement);▪ Easement G on SP298325 (Access Easement); and▪ Profit A Prendre (Forestry Products for the Department of Agriculture and Fisheries)
Local Government Authority:	Mareeba Shire Council



Figure 1: Site location – 3276 and 3278 Mulligan Highway, Southedge, Mount Molloy (Source: Queensland Globe, State of Queensland, 2020).



3.2 SITE ANALYSIS

Current Use/s:	Rural (cattle grazing)
Previous Uses:	Mining (Minerals), Forestry (Timber) & Camping
Existing Improvements:	Informal vehicle access tracks and other ancillary rural style infrastructure (i.e., fencing etc.).
Topography:	The topography of the site varies considerably with the south/south eastern portion forming the base of the adjacent mountain range. The central and western portions are flatter, albeit remain characterised by several, smaller undulations, washouts and in general, uneven terrain.
Waterways:	There are several mapped waterways that traverse the site, although all are ephemeral streams that only flow for a short period of time when heavy rainfall is experienced on the site and within the wider catchment.
Vegetation:	The site contains sparse vegetation, most of which is mapped as remnant vegetation.
Environmental Management & Contaminated Land:	The site is NOT listed on the Environmental Management Register or the Contaminated Lands Register (see Attachment 3).
Heritage Places:	The site is not an identified State or local 'Heritage Place', nor are any adjacent sites.

3.3 INFRASTRUCTURE AND SERVICES

Road Frontage:	<p>The site has an approximate 3.7km frontage to Mulligan Highway, which is identified as a State-controlled Road in Council's road hierarchy.</p> <p>The Mulligan Highway is a single lane, undivided two-way, 7m wide sealed carriage way within an approximate 60m wide road reserve.</p>
Water & Sewerage Supply:	This site is not connected to reticulated water or sewer.
Stormwater:	Stormwater from the site appears to be via sheet flow and the existing drainage gullies, of which flow south, south east parallel to the Mulligan Highway and eventually towards the Gulf of Carpentaria.
Electricity & Telecommunications:	The site can be connected to electricity. Telecommunications infrastructure is not present adjacent to the site, although mobile coverage is available.



4 DEVELOPMENT BACKGROUND

4.1 RELEVANT APPROVALS

A list of all relevant approvals is provided below in **Table 1**. Copies of these approvals are included in **Attachment 4**.

Table 1: Existing and Relevant Approvals (Source: www.msc.qld.gov.au)

Decision Date	Type of Development	Aspect of Development	Proposal	Council Reference
27 August 2019	Development Permit	Reconfiguring a Lot	Boundary Realignment	RAL/19/0017
18 September 2019	Development Permit	Material Change of Use	High Impact Industry (Concrete Recycling Yard – up to 5,000 tonnes per year)	MCU/19/0009

4.2 PRELODGE MENT MEETINGS

4.2.1 Mareeba Shire Council

The Applicant sought written pre-lodgement advice from Mareeba Shire Council on Tuesday 18 February 2020 with Council's formal pre-lodgement advice being provided on 24 February 2020 (see **Attachment 5**). Commentary on how the matters raised in Council's pre-lodgement advice have been addressed within this development application are provided below:

- i. Noted – The use being applied for is 'Special Industry';
- ii. Noted and full fee of \$6,300 has been paid;
- iii. Noted;
- iv. Noted;
- v. Noted – See Landowner's Consent from the owner of Lot 3 in **Attachment 1**;
- vi. Noted – See plans of development in **Attachment 2**. We note that no Operational Works component is being applied for; and
- vii. Noted.

4.2.2 The Department of State Development, Manufacturing, Infrastructure and Planning

Pre-lodgement advice was also sought from the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) on 18 February 2020 and DSDMIP provided their formal pre-lodgement advice on 27 February 2020 (see **Attachment 4**). Commentary on how the matters raised in DSDMIP's pre-lodgement advice have been addressed within this development application are provided below:

1. Noted;
2. Noted – Please refer to assessment against the relevant SDAP Codes in **Attachment 9** (note the assessment against SDAP Code 22 will be provided in the coming days);
3. Upon receipt of further information and clarification from the client, Urban Sync engaged Wild Environmental to more accurately identify the ERA's that are applicable to the proposed development. As a result, it has been determined, based on the information provided, that the following ERA's would be triggered:



- ERA 28(1)(b) – Sugar milling or refining;
- ERA 7(1)(b) – Chemical Manufacturing; and
- ERA 8(1)(d) – Chemical Storage.

The selection of these ERA's is predominantly based on the position that the input materials are not considered a waste. The Product Makers purchase BioDunder, a fertiliser product sold by Wilmar Bioethanol in Sarina and refine this product to create the product Polygain. BioDunder is a by-product of the ethanol distilling process and in essence, is a fermenting cane juice product which has benefits as a fertiliser.

As this is being utilised as a feedstock into the refining processes, the chemical manufacture and storage ERA's are considered appropriate. ERA 24 (edible oil manufacturing or processing), ERA 53 (organic material processing) and ERA 54 (mechanical waste processing) are not considered as the product is neither an edible oil or considered a waste for reprocessing.

Additional details regarding Environmental Relevant Activities are provided in the Environmental Impact Assessment in **Attachment 7** (to be provided in the coming days);

4. Noted and a request to be considered a 'Registered Suitable Operator' will be sought;
5. All the requested information has been provided as part of the Environmental Impact Assessment in **Attachment 7** (to be provided in the coming days);
6. Noted;
7. The development will not be located in a wildlife habitat area or protected area. Appropriate setbacks to all waterways have also been provided and appropriate conditions can be imposed to ensure irrigation/run-off does not have a detrimental impact on these waterways. Finally, a Section 22a approval has been obtained (see **Attachment 1**) which defines the proposed clearing of regulated vegetation on-site as a 'Relevant Purpose';
8. Noted;
9. Noted;
10. A Section 22a approval has been obtained and provided in **Attachment 1**;
11. Noted. Please refer to assessment against the SDAP Code 16 in **Attachment 9**;
12. Noted;
13. Noted. It is still unclear if the development will require any waterway barrier works. If such works are required, they will be addressed under separate cover;
14. Noted (see above);
15. Noted (see above);
16. Noted. No temporary waterway barrier works are required or proposed;
17. Noted (see above);
18. Please refer to the Traffic Impact Assessment Report provided by CivilWalker in **Attachment 6**;
19. Noted;
20. Noted; and
21. Noted.



5 DEVELOPMENT PROPOSAL

5.1 GENERAL DESCRIPTION

This development application seeks the requisite statutory development approval from Council to support the establishment of a new Production Plant over part of Lots 2 and 3 on SP298325 at 3276 and 3278 Mulligan Highway, Southedge, Mount Molloy. Accordingly, this development application seeks the following approval:

- **Development Permit for a Material Change of Use (Special Industry – Production Plant) and Environmentally Relevant Activities (ERA’s 7, 8 & 28).**

5.2 PROPOSAL DETAILS

The site forms part of land holdings previously belonging to Wetherby Station which was originally established in 1878. More recently, Wetherby Station has subdivided off inferior areas of land (including the site) that have not been considered historically productive and/or commercially viable for the future grazing of cattle.

The project will involve the establishment of a facility which alters and modifies the by-products of sugar cane production into feed stock for animals (and other products i.e., fertiliser), along with the required dispersion and irrigation of the water waste stream. This feedstock is known as ‘Polygain’ (see Polygain Brochure in **Attachment 2**). The manufacturing process to turn the sugar cane waste to ‘Polygain’ will involve filtration, concentration, pasteurisation and aseptic packaging (See Flow Chart provided in **Attachment 2**) and at full capacity, is expected to make up to 20 tons of product per day. Fertiliser is also proposed to be produced consisting of volumes in the order of 10% of the volumes mentioned above. A maximum of 124,000L of feedstock will be stored on-site in 3 x 45,000L feed tanks that will be in a suitably bunded area.

The production plant will include two (2) sheds with a total area of approximately 360m² and is expected to operate 24 hours a day, 7 days a week, with 3-4 staff members on-site at any one time. The sugar cane by products will be delivered to the site from Sarina, south of Mackay. Please refer to the Site Plan provided in **Attachment 2** which identified the proposed locations of the sheds and the irrigation area. The waste stream of the manufacturing process will be disbursed on the proposed irrigation area shown on the concept plans in **Attachment 2**. Data for the quality of treated water will be provided, although it is close to a tertiary standard. Note that little to no vegetation is required to be cleared to facilitate the irrigation area. The irrigation infrastructure/irrigation lines can be placed in-between the vast majority of existing vegetation.

As a result of the production process and materials used and produced by the development, the following ERA’s will also be triggered:

- ERA 28(1)(b) – Sugar milling or refining (manufacturing of more than 200t of sugar cane products in a year);
- ERA 7(1)(b) – Chemical Manufacturing; and
- ERA 8(1)(d) – Chemical Storage (Threshold 5 – storing more than 200m³ of chemicals that are liquids).

Cattle grazing will continue with up to 50 head of cattle on the site at any one time.

5.3 STAGING

The development will be staged as follows:

5.3.1 Stage 1:

Stage 1 will involve the construction of Shed 1 the approximate 114m x 80m irrigation area and all associated infrastructure/pumps etc., all tanks (rainwater tanks, feed tanks, plant washing tanks and retentate tank), the gas bullet, all car parking and the access road/driveway.



It is anticipated that as part of Stage 1, up to 32,000L of by-products will be delivered to the site from Sarina (South of Mackay) producing 10 tonnes per week of feedstock (fertiliser production of 10% of this amount).

5.3.2 Stage 2:

Stage 2 will include the construction of the second shed and will see manufacturing increase to receiving up to 320,000L of by-products and production of up to 50 tonnes per week of feedstock (fertiliser production of 10% of this amount).

5.3.3 Stage 3

Stage 3 would see manufacturing increase again to the receipt of up to 448,000L of by-products and production of up to 20 tonnes per day (140 tonnes per week) of feedstock (fertiliser production of 10% of this amount). Stage 3 is however, dependent on the outcome and success of initial trials.

5.4 ENGINEERING AND INFRASTRUCTURE PROVISION

5.4.1 Water Supply

Water will be supplied via rainwater collection and bores and held in 2 x 100,000L rainwater tanks. This water will be used for the production plant and for firefighting purposes/dust suppression.

5.4.2 Sewerage Supply

The development will be serviced by an on-site (mobile) toilet/ablutions block.

5.4.3 Electricity and Telecommunications

Electricity will be provided via a 22,000kv supply to a pad mounted transformer supplied from post #5001828 or post #5001825. Investigations into solar power are also being investigated and depending on the outcome of these investigations, solar power will likely also be utilised in the future.

Mobile phones will be used for telecommunications.

5.4.4 Stormwater (Quantity)

Stormwater from the development will be collected and discharged from the site via the existing drainage gullies and general sheet flow to the south, south-east of the site, generally running parallel to the Mulligan Highway.

Preliminary details of the treatment methods will be provided as part of the EIA with full details to be provided as part of an Environmental Management Plan prior to the commencement of use (to be conditioned by Council).

Stormwater flows and regimes on all other parts of the site will be left in their existing state.

5.4.5 Stormwater (Quality)

Stormwater from the development will be treated (swales or the like) before being discharged from the site. Preliminary details of the treatment methods will be provided as part of the EIA with full details to be provided as part of an Environmental Management Plan prior to the commencement of use (to be conditioned by Council).

5.4.6 Bulk Earthworks

No bulk earthworks are required or proposed to facilitate the development, simply just minor smoothing and shaping for the pads of all buildings and structures.



5.4.7 Erosion and Sediment Control

An Erosion and Sediment Control Plan will be prepared prior to the commencement of the use and we request that Council condition this accordingly.

5.5 TRANSPORT AND ACCESSIBILITY

5.5.1 Vehicle Access and Movements

Truck and Quad Dog vehicles will be used to deliver the sugar cane by-product to the site and deliver the finished polygain from the site. The development is expected to generate the following heavy vehicle movements each week:

- Stage 1: One (1) heavy vehicle movement;
- Stage 2: Ten (10) heavy vehicle movements; and
- Stage 3: Fourteen (14) heavy vehicle movements

Note: The same heavy vehicle used to drop off the by-product will be utilised for the delivery of the polygain.

More information on vehicle movements can be found in the Traffic Report prepared by CivilWalker Consulting Engineers and provided in **Attachment 6**.

Forklifts and tractors will be used for general property upkeep and a 4-wheel drive and/or quad bike with a 2,000L mobile water tank for fire suppression will also be provided on-site.

5.5.2 Access Locations

Access to the site will be via the existing access off the Mulligan Highway and the access easement (Easement G on SP298325) in Lot 3 on SP298325.

5.5.3 Car Parking

A total of six (6) on site car parking spaces will be provided.

5.5.4 External Upgrades

The existing invert crossing from the Mulligan Highway will need to be upgraded to Main Roads standards. Other than this, no external upgrades are proposed as part of this development in accordance with the Traffic Report prepared by CivilWalker Consulting Engineers and provided in **Attachment 6**.

5.5.5 Internal Upgrades

All access and internal roadways will be upgraded and will be continually maintained and graded with suitable gravel and road base materials.

5.6 INFRASTRUCTURE CHARGES

As the site is not connected to any reticulated infrastructure, located in the rural zone and accessed directly off the Mulligan Highway (State-controlled Road), no infrastructure charges should be applicable.



6 LEGISLATIVE REQUIREMENTS

6.1 PLANNING ACT 2016

6.1.1 Confirmation that the Development is not Prohibited

The development is not prohibited. This has been established by considering all the relevant State and local instruments which can provide prohibitions under the PA, including Schedule 10, Parts 2-5, Parts 10-11 and Parts 16 and 20, of the *Planning Regulation 2016* ('PR').

Note: A section 22A determination has also been obtained (see **Attachment 1**) to ensure all proposed vegetation clearing can be considered a 'relevant purpose'.

6.1.2 Assessable Development

The development involves a Material Change of Use in respect of the 'start of a new use of the premises'. A Material Change of Use for Special Industry (Production Plant) in the Rural zone of the Planning Scheme is **Impact Assessable** and is hence, deemed to be considered "Assessable Development" pursuant to Section 44 (3) of the PA, which states that "Assessable Development is development for which a development approval is required."

6.1.3 Statutory Considerations for Assessable Development

When assessing the application, the relevant considerations of the Assessment Manager in making the decision are in accordance with Sections 59, 60(3), and 62 of the PA and Sections 29-31 of the PR. Specifically, section 60(3) of the PA states for an Impact Assessable application, the Assessment Manager must decide:

- a) "To approve all or part of the application;
- b) To approve all or part of the application, but impose development conditions on the approval; or
- c) To refuse the application."

6.1.4 Assessment Manager

The Assessment Manager for this development application is Mareeba Shire Council, as determined by Schedule 8 of the PR.

6.2 FAR NORTH QUEENSLAND REGIONAL PLAN

The site is located within the 'Regional Landscape and Rural Production' Regional Land Use Category of the Far North Queensland 2009-2031 (see **Attachment 3**). The Minister has identified that the planning scheme, specifically the Strategic Framework, appropriately advances the FNQRP 2009-2031. Hence, compliance with the FNQRP is demonstrated through the compliance with the Planning Scheme (refer to this report and attachments for demonstration of this compliance).

6.3 STATE PLANNING POLICY

The State Planning Policy (SPP) came into effect on July 2017 under the PA. Part E of the SPP includes an array of State interests and associated assessment benchmarks which need to be considered during the development assessment process, where these State interests have not already been appropriately reflected within the relevant planning scheme. A review of the SPP mapping indicates that the proposed development/site is subject to several State interests, as outlined below (see also **Attachment 3**):

- Agriculture (Stock Route Network);
- Biodiversity (MSES – Protected Areas (Estate), Wildlife Habitat (Endangered or Vulnerable) and Special Least Concern Animal) and Regulated Vegetation (Category B and Intersecting a Watercourse));
- Natural Hazards Risk and Resilience (Bushfire Prone Area).



- Energy and Water Supply (Major Electricity Infrastructure (Ergon));
- Transport Infrastructure (State-controlled Road).

The Minister has identified that the Planning Scheme appropriately advances the SPP. Accordingly, all the applicable State interests have been appropriately reflected in the Planning Scheme and in turn, compliance with the SPP is demonstrated through the compliance with the Planning Scheme (refer to this report and attachments for demonstration of this compliance).

6.4 REFERRALS & STATE DEVELOPMENT ASSESSMENT PROVISIONS

A review of the DA mapping system indicates that the site is subject to the following matters of State interest (see **Attachment 3**):

- Fish Habitat Areas (Queensland Waterways for Waterway Barrier Works);
- Water Resources (Water Resource Planning Area Boundaries);
- Native Vegetation Clearing (Regulated Vegetation Management Map - Category A and B Extract);
- State Transport Corridor (State-controlled Road); and
- Areas Within 25m of a State Transport Corridor (Area within 25m of a State-controlled Road).

In consultation with the PR and the above identified matters of interest, the development triggers the following referrals:

- State Assessment Referral Agency – Schedule 10, Part 3, Division 4, Table 3 – Material Change of Use that is assessable development under a local categorising instrument (clearing native vegetation);
- State Assessment Referral Agency - Schedule 10, Part 5, Division 4, Table 2 – Environmentally Relevant Activities;
- State Assessment Referral Agency – Schedule 10 Part 9, Division 4, Subdivision 2, Table 4 – Material Change of Use of premises near a State Transport Corridor or that is a future State Transport Corridor (within 25m of State Transport Corridor); and
- Chief Executive of Ergon - Schedule 10, Part 9, Division 2, Table 2 – Material Change of Use of premises near a substation site or subject to an easement (Advice Agency Only).

As a result, the following module of the State Development Assessment Provisions (version 2.6) are applicable:

- State Code 1 – Development in a State-controlled Road Environment;
- State Code 6 – Protection of State Transport Networks;
- State Code 16 – Native Vegetation Clearing; and
- State Code 22 – Environmentally Relevant Activities.

A full assessment against all modules is provided in **Attachment 9** (State Code 22 – Environmentally Relevant Activities will be provided in the coming days).

6.5 PLANNING SCHEME (MAREEBA SHIRE COUNCIL PLANNING SCHEME 2016)

6.5.1 Use Definition

The development is defined under the Planning Scheme as:



'Special Industry':

"Premises used for industrial activities that include the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring or treating of products and have one or more of the following attributes:

- *Potential for extreme impacts on sensitive land uses due to offsite emissions including aerosol, fume, particle, smoke, odour and noise;*
- *Potential for extreme offsite impacts in the event of fire, explosion or toxic release;*
- *Onsite controls are required for emissions and dangerous goods risks;*
- *The use generally involves night time and outdoor activities;*
- *The use may involve the storage and handling of large volumes of dangerous goods; and*
- *Requires significant separation from non-industrial uses.*

6.5.2 Applicable Overlays

The site is affected by the following Planning Scheme overlays:

- Bushfire Hazard (Potential Impact Buffer (100 Meters), Medium, High and Very High Potential Bushfire Intensity);
- Environmental Significance – Waterways (Waterway and Waterway 100m Buffer);
- Environmental Significance - Regionwide (Ecological Corridor and Regulated Vegetation);
- Hill and Slope (Hill and Slope Area);
- Regional Infrastructure Corridors and Substation (Major Electricity Infrastructure – High Voltage Powerline and Stock Route); and
- Transport Infrastructure – Regionwide (State-controlled Road).

6.5.3 Applicable Codes

The development is subject to assessment against the following relevant codes and provisions of the Planning Scheme:

Table 2: Relevant Codes

Scheme Component	Comment
Zone Code	
Rural Zone Code	Refer to Attachment 8 and Section 6.6.2.
Local Plan Code	
N/A	N/A
Overlay Codes	
Bushfire Hazard Overlay Code; Environmental Significance Overlay Code; Hill and Slope Area Overlay Code; Regional Infrastructure Corridors and Substation Overlay Code; and	Refer to Attachment 8 and Section 6.6.3.



Development Codes	
Industrial Activities Code; Landscaping Code; Parking and Access Code; and Works, Services and Infrastructure Code.	Refer to Attachment 8 and Section 6.6.4.

6.6 PLANNING SCHEME ASSESSMENT

Based on a reasonable assessment, the Planning Scheme does not prohibit the development from being located in the rural zone, on the proviso that all development impacts can be suitably managed. Accordingly, the development needs to be considered and assessed on its merits, in the context of the site, adjoining neighbours, the pattern of existing and approved urban development, and the design arrangements proposed. Based on this, Urban Sync undertook a full assessment of the proposed development against the applicable codes of the Planning Scheme and this assessment is included in **Attachment 8**.

Where the development does not comply with a 'deemed to comply' Acceptable Outcome, a performance-based assessment has been provided to demonstrate, based on sound planning grounds, that compliance with the corresponding Performance Outcome and in turn, the applicable code, can still be achieved. To put a performance-based assessment into context, it is important to note that a non-compliance with one or more Acceptable Outcomes does not, of itself, establish conflict with the Planning Scheme. With this in mind, we have confidence that a complete performance-based assessment by Council will consider the project in its context, and in doing so, accept the alternative solutions being proposed.

6.6.1 Strategic Framework

The Strategic Framework of the Planning Scheme sets out a broad policy direction for the Mareeba Shire Council Local Government Area, offering a series of themes to guide appropriate development outcomes for the life of the Planning Scheme. Additionally, in respect to the provisions of the PR, particularly S31(1)(b), the Assessment Manager must have regard to the whole Planning Scheme, including its Strategic Framework, when deciding an Impact Assessable application. Therefore, in support of the development, this section of the report includes planning commentary addressing the elements of the strategic framework that are applicable to the site/development. Commentary has been provided on the following relevant parts of the strategic framework (as identified as relevant by Council as part of pre-lodgement discussions – see **Attachment 5**).

6.6.1.1 3.3.1.1. Element - Rural Areas

- 3.3.11.1(1): *"Rural areas include rural activities and land uses of varying scale, consistent with surrounding land use, character and site conditions":*

Response:

Due to the nature of the development, a large allotment, separated from other uses, sensitive and otherwise, is required. Moreover, there is a shortage of Industrial zoned land within the Mareeba Shire which is suitably sized, located (with respect to proximity to sensitive land uses) and available for sale. As a result, in this instance, a rural location is required (see Overall Outcome (d) of the Rural Zone Code which permits such locations). The development is of a similar scale and consistent in terms of its potential impacts to the development recently approved to the north (Council Ref: MCU/19/0009). In saying that, the development has been located to ensure it does not have any negative impact on the rural locality/character of the area (not visible) and has suitably addressed (or can) all site constraints. Finally, due to the development's location and size of the allotment, it will also not jeopardize any existing nearby rural land or rural uses (see section 7).

- 3.3.11.1(2): *"Land in rural areas is maintained in economically viable lot sizes, ensuring that regional landscape and rural production values are not compromised by fragmentation, alienation or incompatible land uses":*



Response:

The development will not involve the subdivision or reconfiguration of the site.

- 3.3.11.1(3): *"Tourism, rural industry, intensive animal industries and outdoor recreation facilities are developed in the rural area in a way which:*
 - a) *Does not impede or conflict with agricultural activities and production; and*
 - b) *Does not compromise rural character and scenic qualities; and*
 - c) *Does not adversely impact on ecological and biodiversity values":*

Response:

The development will not involve tourism, rural industry, intensive animal industries or outdoor recreation facilities.

- 3.3.11.1(4): *"Other rural areas will be largely maintained in their current configuration, only being subdivided where viable holdings are achieved and the infrastructure base of rural operations including workers accommodation, airstrips and farm infrastructure is provided":*

Response:

The development will not involve the subdivision or reconfiguration of the site.

- 3.3.11.1(5): *"Rural lifestyle, tourism, outdoor recreation, horticultural activities and natural bushland uses may be considered in other rural areas where appropriately located, serviced and otherwise consistent with the Strategic Framework":*

Response:

The development will not involve any of the listed uses.

- 3.3.11.1(6): *"Agricultural areas will be retained in viable holdings and not fragmented or compromised by unsuitable development. Uses and development within this precinct will not cause land use conflicts with primary production or will ensure these conflicts are mitigated":*

Response:

The development will not involve the subdivision or reconfiguration of the site. Please refer to section 7.2 & 7.3 of this report for demonstration that the development will not result in any adverse land use or amenity impacts on nearby sensitive land uses.

- 3.3.11.1(7): *"Rural areas preserve lands for future uses beyond the life of the planning scheme":*

Response:

Due to the nature of the development, a large allotment, separated from other uses, sensitive and otherwise, is required. Moreover, there is a shortage of Industrial zoned land within the Mareeba Shire which is suitably sized, located (with respect to proximity to sensitive land uses) and available for sale. As a result, in this instance, a rural location is required (see Overall Outcome (d) of the Rural Zone Code which permits such locations). In saying that, the development will only occupy a very small northern portion of the 215.8ha site (Lot 2) and hence, the remainder of the site (some 210+ha) will still be available for rural uses both now and in the future (cattle grazing will continue on this portion of the site). Finally, due to the development's location and size of the allotment, it will also not jeopardize any existing nearby rural land or rural uses (see section 7).



- 3.3.11.1(8): *“Historical townships located in rural areas are generally cadastral anomalies. Historical townships are generally below current infrastructure standards in respect to roads, stormwater drainage, water and sewerage infrastructure and are not intended to be developed or further subdivided. Historical townships are not always named, and include”:*
 - a) Almaden;
 - b) Calcifer;
 - c) Kingsborough;
 - d) Koorboora;
 - e) Montalbion;
 - f) Mt Mulligan;
 - g) Northcote;
 - h) Petford;
 - i) Stannary Hills;
 - j) Thornborough; and
 - k) Watsonville.

Response:

The site is not located in a historical township.

6.6.1.2 3.4.5 Element – Strategic Rehabilitation and Ecological Corridors

- 3.4.5.1(1): *“Ecological corridors are major existing habitat corridors that link key biodiversity areas within Mareeba Shire and greater Far North Queensland region. Development does not compromise the habitat connectivity of ecological corridors”:*

Response:

The development will occupy a very small portion of the site (<2ha) with the extent of vegetation to be cleared as a result of the development being less again (<1ha). Such a small amount of vegetation clearing will not have any unacceptable negative impacts on existing ecological corridors, in particular given the location of both the Mulligan Highway and a large cleared area used for high voltage powerlines to the west and north of the site. As a result, the areas within proximity to the development site are already highly fragmented. The ideal area for the preservation of habitat linkages is the significant areas of vegetated lands to the south and east of the development site that are more suitable for ecological corridors (as they are likely being used as now) and these areas will be preserved in their current state. Conditions will also be imposed to ensure the waste stream of the development does not have any unacceptable negative impacts on the environment.

- 3.4.5.1(1): *“Habitat linkages are strategically located future habitat corridors linking biodiversity areas within the shire. Development does not compromise the ability to realise these opportunities for ecological connectivity through progressive revegetation of habitat linkages with native vegetation”:*

Response:

As above.

6.6.1.3 3.6.10 Element - Energy Supply

- 3.6.10.1(1): *“Adequate, sustainable, reliable and secure electricity supply infrastructure is provided to the shire, including new development”:*



Response:

The development will be provided with a 22,000kv supply to a pad mounted transformer supplied from post #5001828 OR post #5001825. Solar power is currently being investigated, although this will be based on the outcome of investigations from an electrical engineer. The existing electrical infrastructure located adjacent to the site will be maintained and the development has been appropriately located to ensure that the existing infrastructure is not compromised.

- 3.6.10.1(2): *"High voltage major electrical infrastructure and energy generation facilities are protected from conflicting development"*:

Response:

The development will be suitably setback from the adjacent high voltage infrastructure. Ergon will provide any other additional information deemed necessary in relation to setbacks from their infrastructure.

- 3.6.10.1(3): *"The shire's net carbon emissions are reduced by establishment of renewable energy generation facilities, maintaining compact urban areas and encouraging development that embraces energy efficient design features"*:

Response:

The development will not result in the increase of an urban area and will investigate the possibility for solar power.

- 3.6.10.1(3): *"Renewable energy facilities are connected to an existing, nearby, high voltage electricity network (with adequate capacity) without significant environment, social or amenity impact"*:

Response:

The development does not involve renewable energy generation facilities.

6.6.2 Rural Zone Code

The development complies with, or can be conditioned to comply with, the Rural Zone Code.

6.6.3 Overlay Codes

Bushfire Hazard Overlay Code

The development can be conditioned to comply with, the Bushfire Hazard Overlay Code.

Environmental Significance Overlay Code

The development complies with, or can be conditioned to comply with, the Environmental Significance Overlay Code.

Hill and Slope Area Overlay Code

Whilst areas of the site are included in an area of Hill and Slope on Council's Overlay Mapping, the site of the development is not located within, nor adjacent to an area of Hill and Slope. As a result, the development is not subject to any steep land restrictions and this will ensure it complies with the Hill and Slope Overlay Code. Accordingly, a full assessment against the code is not considered necessary and for this reason, has not been undertaken.

Regional Infrastructure Corridors and Substations Overlay Code

The development complies with the Regional Infrastructure Corridors and Substations Overlay Code.



6.6.4 Development Codes

Industrial Activities Code

The development complies with, or can be conditioned to comply with, the Industrial Activities Code.

Landscaping Code

The development does not involve or propose any landscaping, nor given the extent of existing vegetation on the site, is it considered reasonable or relevant to plant any 'landscaping'. As a result, the development will not conflict with the Landscaping Code and accordingly, a full assessment against the code is not considered necessary and for this reason, has not been undertaken.

Parking and Access Code

The development complies with, or can be conditioned to comply with, the Parking and Access Code.

Works, Services and Infrastructure Code

The development complies with, or can be conditioned to comply with, the Works, Services and Infrastructure Code.



7 DISCUSSION – KEY PLANNING MATTERS

This section of the report seeks to provide additional commentary along with technical justification in support of the key matters considered relevant to the assessment, namely zoning, land use conflicts and amenity.

7.1 ZONING

Generally, 'Special Industry' land uses are more suitably located in Industrial Zone. However, and in relation to this, we draw attention to Overall Outcome (d) of the Rural Zone Code States:

"uses that require isolation from urban areas as a consequence of their impacts such as noise or odour may be appropriate where land use conflicts are minimised"

The development requires separation from sensitive land uses due to its impacts. Moreover, there is a shortage of Industrial zoned land within the Mareeba Shire which is suitably sized, located (with respect to proximity to sensitive land uses) and available for sale. As a result, in this instance, a rural location is required. To demonstrate the sites suitably to accommodate the development, a full assessment against the higher order provisions of the Rural Zone Code is provided below, namely to demonstrate the development does not conflict with the purpose or overall outcomes of the Rural Zone Code.

Commentary relating to land use conflicts and amenity are provided in sections 7.2 & 7.3.

Table 3: Assessment Against the Purpose and Overall Outcomes of the Rural Zone Code

Code Requirement	Comment
The Purpose of the Rural Zone Code is to:	
<i>"Provide for rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other primary production activities."</i>	The development will not hinder the ability for these uses to be located within the Rural zone. See also below.
<i>"Provide opportunities for non-rural uses that are compatible with agriculture, the environmental features, and landscape character of the rural area where the uses do not compromise the long-term use of the land for rural purposes."</i>	It has been demonstrated throughout this report that the development is able to sufficiently mitigate any adverse environment and landscape impacts (see Code Assessment in Attachment 8). We acknowledge conditions of approval may be required to ensure this occurs. In addition, we reiterate that the development will only occupy a small area in the northern portion of the 215.8ha site (Lot 2) and hence, the remainder of the site (some 210+ha) will still be available for rural uses both now and in the future (cattle grazing will continue on this portion of the site). Finally, due to the development's location and size of the allotment, it will also not jeopardize any existing nearby rural land or rural uses (see section 7).
<i>"Protect or manage significant natural resources and processes to maintain the capacity for primary production."</i>	The development will not hinder access to any significant natural resources that may exist on the site and more than 98% of the site will be retained for rural uses/possible primary production.



Mareeba Shire Councils purpose of the Rural zone is to recognise the importance of primary production to the economy of the region and to maintain and strengthen the range of primary industries which contribute to the rural economy. The purpose of the Rural Zone code is to:

<i>"Recognise the diversity of rural uses that exists throughout the region."</i>	The development will not compromise the diversity of rural uses within the Shire as more than 98% of the site will be retained for rural uses/possible primary production (i.e., cattle grazing, cropping, etc.).
<i>"Protect the rural character of the region."</i>	It has been demonstrated throughout this report that the development is able to suitably mitigate any adverse landscape/character impacts (see section 7.3). We acknowledge conditions of approval may be required to ensure this occurs.
<i>"Provide facilities for visitors and tourists that are accessible and offer a unique experience."</i>	The development does not provide facilities for tourists or visitors.
<i>"Protect the infrastructure of the Mareeba-Dimbulah Irrigation Scheme Area from development which may compromise long term use for primary production."</i>	The development will not have a negative impact on the mentioned infrastructure. Compliance can also be conditioned.
<i>"Maintain distinct boundaries between the rural areas and the villages, towns and urban areas of the region."</i>	The site is not located on any such 'boundary'.
<i>"Provide for a range of uses, compatible and associated with rural or ecological values including recreational pursuits and tourist activities."</i>	The development will not compromise the ability for the remaining 210+ha of the site to be used for rural uses.
<i>"Prevent adverse impacts of development on ecological values."</i>	The development will occupy a very small portion of the site (<2ha) with the extent of vegetation to be cleared as a result of the development being less again (<1ha). Such a small amount of vegetation clearing will not have any unacceptable negative impacts on existing ecological values, in particular given the location of both the Mulligan Highway and a large cleared area used for high voltage powerlines to the west and north of the site. As a result, the areas within proximity to the development site are already highly fragmented. The ideal area for the preservation of habitat values is the significant areas of vegetated lands to the south and east and these areas will be preserved in their current state. Conditions will also be imposed to ensure the waste stream of the development does not have any unacceptable negative impacts on the environment.
<i>"Preserve land in large holdings."</i>	The development does not involve subdivision.
<i>"Facilitate the protection of strategic corridors across the landscape which link remnant areas of intact habitat and transport corridors."</i>	The development will occupy a very small portion of the site (<2ha) with the extent of vegetation to be cleared as a result of the development being less again (<1ha). Such a small amount of vegetation clearing will not have any unacceptable negative impacts on existing ecological corridors, in particular given the location of both the Mulligan Highway and a large cleared area used for high voltage powerlines to the west and north of the site. As a result, the areas within proximity to the development site are already highly fragmented. The ideal area for the preservation of habitat linkages is the significant areas of vegetated lands to the south and east of the development site that are more suitable for



	ecological corridors (as they are likely being used as now) and these areas will be preserved in their current state. Conditions will also be imposed to ensure the waste stream of the development does not have any unacceptable negative impacts on the environment.
Overall Outcomes	
<i>"The purpose of the Rural code will be achieved through the following overall outcomes:</i>	
<i>"Areas for use for primary production are conserved and fragmentation below economically viable lot sizes is avoided."</i>	The development will ensure that more than 98% of the site will be retained for rural uses/possible primary production (i.e., cattle grazing, cropping, etc.). The development will not involve the subdivision or reconfiguration of the site. Error! Reference source not found.
<i>"The establishment of a wide range of rural pursuits is facilitated, including cropping, intensive horticulture, forestry, intensive animal industries, animal husbandry and animal keeping and other compatible primary production uses."</i>	The development will not hinder the ability for these uses to be located within the rural zone.
<i>"The establishment of extractive industries, mining and associated activities and alternative forms of energy generation is appropriate where environmental impacts and land use conflicts are minimized."</i>	The development does not involve any of the listed activities.
<i>"Uses that require isolation from urban areas as a consequence of their impacts such as noise or odour may be appropriate where land use conflicts are minimized."</i>	The development is one such use. It has been demonstrated throughout this report that the development is able to sufficiently mitigate any land use and adverse amenity impacts (see section 7.3) which demonstrates its suitability.
<i>"Development is reflective of and responsive to the environmental constraints of the land."</i>	It has been demonstrated throughout this report that the development is able to sufficiently mitigate any adverse environmental impacts. We acknowledge conditions of approval may be required to ensure this occurs.
<i>"Residential and other development is appropriate only where directly associated with the rural nature of the zone."</i>	The development requires separation from sensitive land uses due to its potential impacts. Moreover, there is a shortage of Industrial zoned land within the Shire which is suitably sized, located (with respect to proximity to sensitive land uses) and available for sale. As a result, in this instance, a rural location is required. The assessment provided throughout the report has demonstrated that the development can be located on the site and avoid any adverse environmental, land use or amenity impacts.
<i>"Low-impact tourism and recreation activities do not compromise the long-term use of the land for rural purposes."</i>	The development does not involve either of the listed uses.



7.2 LAND USE CONFLICTS

Due to the development's location and size of the allotment, it will not result in any land use conflicts. For example, the development will be approximately 1.3km from the closest existing dwelling house (see **Figure 2**) and separated by more than 150m from the closet, nearby rural allotment, being Lot 252 on SP276441 (Lot 3 on SP298325 was not included as it too is being used for an industrial type activity).

Note: As Lot 252 includes a portion of an airstrip, it may be reasonable to expect the closest rural allotment with an appropriate area of land to be used for rural activities could in fact be further than 150m away from the development.

The development will be separated from these nearby uses via vegetation, the Mulligan Highway and a cleared High Voltage Powerline easement. These setback, distances combined with on-site measures that will be implemented (as outlined in the EIA and to be outlined in the EMP and controlled as part of the Environmental Authority to be issued by the State) will ensure the development does not have any unacceptable impacts on any nearby sensitive land uses, negatively impacts on any nearby existing rural activities, or hinders the ability for any surrounding rural land to be used for rural activities in the future. This ensures the development will not result in any unacceptable land use activities.



Figure 2: Approximate location of nearest sensitive land uses (Source: Queensland Globe, State of Queensland 2020).

7.3 AMENITY

In addition to the commentary provided in the sections above, this section seeks to demonstrate that the development will not result in any unacceptable amenity impacts (amenity impacts based on those matters listed in PO6 of the Rural Zone Code).

PO6 of the Rural Zone Code states:

"Development must not detract from the amenity of the local area, having regard to:

- a) *Noise"*:

Response:

Performance Outcome PO1 of the Industrial Activities Code requires a 1.5km separation distance between Special Industrial and sensitive land uses for the protection of noise, odour, light and emissions. We also note the proximity of an airstrip, mining activities and a State-controlled road all within close proximity of the site and all of which are likely to contribute towards higher than average background noise levels in the immediate locality.

We acknowledge that the development will be approximately 1.3km from the nearest existing dwelling house (see **Figure 2**); however, will be separated by vegetation and distance and as mentioned, is within close proximity to other activities that result in noise pollution. This ultimately leads Urban Sync to the view that the development has provided a more than adequate separation distance from all nearby sensitive land uses

to sufficiently mitigate any potential negative impacts as a result of noise, odour, light and/or emissions. Preliminary details of how these matters will be mitigated will be included in the EIA (see **Attachment 7**) and controlled as part of the Environmental Authority to be issued by the State. Council can also condition any further requirements that may be considered reasonable and relevant.

b) *"Hours of Operation"*:

Response:

The development will operate 24 hours a day, 7 days a week. However, given the size of the site and its distance from other uses (as outlined above), there will be no adverse impacts as a consequence of the development (noise, visual or otherwise (see remainder of this section).

c) *"Traffic"*:

Response:

The site gain access from a State-controlled road where high volumes of traffic (including heavy vehicles) should be expected by any nearby sensitive land uses. The increase to traffic numbers generated by the development over and above the existing (<1%) is so minor, no reasonable person could say that this increase would have an unacceptable amenity impacts.

d) *"Advertising Devices"*:

Response:

The development does not involve any advertising devices (as defined in the Planning Scheme).

e) *"Visual Amenity"*:

Response:

The development has been suitably located on site so that it is not visible (or barely visible) from the Mulligan Highway and adjacent properties. If anything is visible, it will be the sheds, although these will look akin to other sheds which would be expected in the rural area and hence, the development will not result in a negative visual impact over and above what is originally expected for the Rural Zone or on the wider locality.

f) *"Privacy"*:

Response:

As above for noise.

g) *"Lighting"*:

Response:

As above for noise.

h) *"Odour"*:

Response:

As above for noise.

i) *"Emissions"*:

Response:

As above for noise.



8 CONCLUSION

This report supports a development application made by The Product Makers (Australia) Pty Ltd seeking the requisite statutory development approval from Mareeba Shire Council to support the establishment of a new Production Plant over part of Lots 2 and 3 on SP298325 at 3276 and 3278 Mulligan Highway, Southedge, Mount Molloy. Accordingly, this application has sought the following development approval from Council:

- **Development Permit for a Material Change of Use (Special Industry – Production Plant) and Environmentally Relevant Activities (ERA's 7, 8 & 28).**

This report has described the development, identified the applicable statutory and legislative requirements of Mareeba Shire Council under their Planning Scheme, the *Mareeba Shire Council Planning Scheme 2016*, as well as those at the State level under the *Planning Act 2016*, *Planning Regulation 2017*, *State Planning Policy 2017* and other, relevant State legislation and requirements, and in doing so, demonstrated the suitability of the land to accommodate the development.

This development application report highlighted that there are very few departures away from the 'deemed to comply' Acceptable Outcomes, although where these departures have been identified, a performance-based assessment has been provided to justify and demonstrate, based on sound planning grounds, that compliance with the corresponding Performance Outcome and in turn, the relevant Assessment Benchmarks, can still be achieved. We acknowledge that the development is not entirely consistent with the intent of the Rural zone, although the report has outlined, based on sound planning grounds that in this instance, the development is suitably located as:

- It will not compromise the achievement of any of the relevant Strategic Outcomes of the Planning Scheme;
- It will not compromise the purpose or intent of the Rural zone code from being achieved;
- It will not conflict with any of the overall outcomes of the Rural zone code;
- Can sufficiently mitigate any adverse environmental impacts (we acknowledge that conditions of approval may be required to ensure this occurs);
- It will not result in any unacceptable land use conflicts with existing rural activities; and
- It will not result in any unacceptable amenity impacts on any nearby sensitive land uses.

With the above in mind, we now submit this application to Council for assessment and trust that it suitably addresses all the statutory requirements under the Planning Scheme and State legislation to allow favourable consideration, subject to the imposition of reasonable and relevant conditions.





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)	The Product Makers (Australia) Pty Ltd
Contact name (only applicable for companies)	C/- Matt Ingram of Urban Sync Pty Ltd
Postal address (P.O. Box or street address)	PO Box 2970
Suburb	Cairns
State	Queensland
Postcode	4870
Country	Australia
Contact number	(07) 4051 6946
Email address (non-mandatory)	matt@urbansync.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	20-526

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)



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
		3276	Mulligan Highway	Mount Molloy
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4871	2	SP298325	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
		3278	Mulligan Highway	Mount Molloy
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4871	3	SP298325	Mareeba Shire Council

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

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

Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other: <input type="text"/>	

Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> 54 <input type="checkbox"/> 55 <input type="checkbox"/> 56	<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other: <input type="text"/>	

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:

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

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):*

The establishment of a Production Plant which alters and modifies the by-products of sugar cane production into feed stock for animals (and other products i.e., fertiliser).

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

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

6.2) Provide details about the second development aspect

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

Material change of use Reconfiguring a lot Operational work Building work

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

Development permit Preliminary approval Preliminary approval that includes a variation approval

c) What is the level of assessment?

Code assessment Impact assessment *(requires public notification)*

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

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

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

6.3) Additional aspects of development

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

Not required

Section 2 – Further development details

7) Does the proposed development application involve any of the following?	
Material change of use	<input checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete 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)
Production Plant	Special Industry		Refer to Design Plans

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

Division 2 – Reconfiguring a lot

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

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

9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)	
<input type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input type="checkbox"/> Boundary realignment (complete 12))	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a 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?	
<input type="checkbox"/> Yes – provide additional details below	
<input type="checkbox"/> No	
How many stages will the works include?	
What stage(s) will this development application apply to?	

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?				
Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m ²)	Lot on plan description	Area (m ²)
12.2) What is the reason for the boundary realignment?			

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)				
Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement

Division 3 – Operational work

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

14.1) What is the nature of the operational work?	
<input type="checkbox"/> Road work <input type="checkbox"/> Drainage work <input type="checkbox"/> Landscaping <input type="checkbox"/> Other – please specify:	<input type="checkbox"/> Stormwater <input type="checkbox"/> Earthworks <input type="checkbox"/> Signage <input type="checkbox"/> Water infrastructure <input type="checkbox"/> Sewage infrastructure <input type="checkbox"/> Clearing vegetation
14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)	
<input type="checkbox"/> Yes – specify number of new lots:	
<input type="checkbox"/> No	
14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)	
\$	

PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application
Mareeba Shire Council
16) Has the local government agreed to apply a superseded planning scheme for this development application?
<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application <input type="checkbox"/> The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached <input checked="" type="checkbox"/> 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*)

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

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

PART 6 – INFORMATION REQUEST

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

PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)			
<input checked="" type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input type="checkbox"/> No			
List of approval/development application references	Reference number	Date	Assessment manager
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Development application	Please refer to Attachment 4.		
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Development application	Please refer to Attachment 4.		

21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)		
<input type="checkbox"/> Yes – a copy of the receipted QLeave form is attached to this development application <input type="checkbox"/> No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid <input checked="" type="checkbox"/> Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)		
Amount paid	Date paid (dd/mm/yy)	QLeave levy number (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?
<input type="checkbox"/> Yes – show cause or enforcement notice is attached <input checked="" type="checkbox"/> No

23) Further legislative requirements			
<u>Environmentally relevant activities</u>			
23.1) Is this development application also taken to be an application for an environmental authority for an Environmentally Relevant Activity (ERA) under section 115 of the <i>Environmental Protection Act 1994</i> ?			
<input checked="" type="checkbox"/> Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below <input type="checkbox"/> No <i>Note: Application for an environmental authority can be found by searching "ESR/2015/1791" as a search term at www.qld.gov.au. An ERA requires an environmental authority to operate. See www.business.qld.gov.au for further information.</i>			
Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			
<input checked="" type="checkbox"/> Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.			
<u>Hazardous chemical facilities</u>			
23.2) Is this development application for a hazardous chemical facility ?			
<input type="checkbox"/> Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application <input type="checkbox"/> No <i>Note: See www.business.qld.gov.au for further information about hazardous chemical notifications.</i>			

Clearing native vegetation

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

- Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)
- No

Note: 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development.
2. See <https://www.qld.gov.au/environment/land/vegetation/applying> for further information on how to obtain a s22A determination.

Environmental offsets

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

- Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter
- No

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

Koala 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 Form 1 Template 2
- Taking overland flow water: complete DA Form 1 Template 3.

Waterway barrier works

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

- Yes – the relevant template is completed and attached to this development application
- No

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

Marine activities

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

- Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*
- No

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

Quarry materials from a watercourse or lake

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

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

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

Quarry materials from land under tidal waters

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

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

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

Referable dams

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

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

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

Tidal work or development within a coastal management district

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

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

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

Queensland and local heritage places

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

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

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

Name of the heritage place:		Place ID:	
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Brothels

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

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

Decision under section 62 of the Transport Infrastructure Act 1994

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

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

PART 8 – CHECKLIST AND APPLICANT DECLARATION

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

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

PART 9 – FOR 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			
<i>Note: For completion by assessment manager if applicable</i>			
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			

Application form

Environmental Protection Act 1994

Development application Form 1 - Application details—attachment for an application for an environmental authority

This form is to be attached to the Development application Form 1 - Application details when making a development application for prescribed environmentally relevant activities (ERAs). Under section 115 of the Environmental Protection Act 1994 (EP Act) the development approval application is taken to be an application for an environmental authority for the prescribed ERAs.

It is recommended that prior to making an application for an environmentally relevant activity (ERA), you read the information on what to provide with an application. This information is located on the Business Queensland website (formerly the Queensland Government's Business and Industry Portal) at www.business.qld.gov.au (use the search term "Environmental licence"). This website also has a diagnostic tool called the "forms and fees finder" which will help identify any fees and supporting information you need to make an application.

Only use this application form if you are applying for a new environmental authority (EA) where:

- All applicants are registered suitable operators¹.
- The ERA/s being applied for do not form part of an ERA project under an existing EA.
- If more than one ERA is being applied for, the ERAs must be carried out as part of a single integrated operation:
 - the ERAs will be carried out under the day to day management of a single responsible individual (e.g. a site manager or operations manager); and
 - all of the ERAs are operationally interrelated, that is, the operation cannot function without all of the ERAs. Separate applications will need to be made for the ERAs that cannot be carried out as a single integrated operation; and
 - the ERA/s are, or will be, carried out at one or more places; and
 - the places where the ERAs will be carried out are close enough to make the integrated day to day management of the activities feasible.
- The ERA/s being applied for are prescribed under section 19 of the *Environmental Protection Act 1994* (EP Act).
- If any of the ERAs being applied for are to be carried out on a parcel of land within a state development area and a particular use for the parcel of land is not stated in the approved development scheme, you have applied for, or hold a current approval for the use under section 84(4)(b) of the *State Development and Public Works Organisation Act 1971*.
- The application is not to dredge or extract more than 10,000 tonnes of material a year in the North Stradbroke Island region.

¹ If you are not a registered suitable operator you cannot apply for a new environmental authority. To become a registered suitable operator apply online through Connect at www.qld.gov.au/environmentconnect or request the form "Application to be a registered suitable operator - ESR/2015/1771" by emailing palm@des.qld.gov.au or phoning 1300 130 372 (option 4).

Application form

Development application Form 1 - Application details—attachment for an application for an environmental authority

Privacy statement

Where ERAs are administered by the Queensland Government:

The Department of Environment and Science and Department of Agriculture and Fisheries are collecting the information on this form to process your application for an EA. The collection is authorised under Chapter 5 of the EP Act.

Please note that the administering authority is required to keep this application on a register of documents open for inspection by members of the public under section 540 of the EP Act, and must permit a person to take extracts from the register pursuant to section 542 of the EP Act. Your personal information will not be otherwise disclosed to any other parties unless authorised or required by law. For queries about privacy matters please email privacy@des.qld.gov.au or telephone: 13 74 68.

Where ERAs are administered by a local government:

Contact the local government for their privacy information.

Pre-lodgement meeting

If you would like to have a pre-lodgement meeting:

- for prescribed ERAs 2, 3 and 4—contact the Department of Agriculture and Fisheries by email at livestockregulator@daf.qld.gov.au
- for local government administered ERAs, contact the local government
- for any other ERA—please complete and lodge the form “Application for pre-lodgement services” (ESR/2015/1664²), prior to lodging this standard application for an environmental authority.

² This application form is available at www.qld.gov.au, using the publication number ESR/2015/1664 as a search term.

Application form

Development application Form 1 - Application details—attachment for an application for an environmental authority

The fields marked with an asterisk * are mandatory, if they are not completed then your application may be considered not properly made under section 128 of the *Environmental Protection Act 1994*.

1. Applicant details

To nominate a site or application contact for this application please provide details at Questions 14 and 15.

Is there more than one applicant? *	<input checked="" type="checkbox"/> No—provide applicant’s details below. <input type="checkbox"/> Yes—provide the principal applicant’s details below and all other applicants’ details in Attachment 1—“ <i>Joint applicants and appointment of principal applicant</i> ”
Name - individual or contact person if applicant is a organisation* Bill Ramsay	Suitable Operator Reference Number* TBC
Organisation name, including any trading name (*if an organisation) The Product Makers (Australia) Pty Ltd	ABN/ACN (*if an organisation) 48 007 217 496
Residential or registered business address (not a post office box)* Mill Street, Mossman	Phone* 0418 588 257
Postal address (if same as above, write “AS ABOVE”)* As above.	Facsimile -
Email* bramsay@tpm.com.au	<input type="checkbox"/> Indicate if you want to receive correspondence via email

1.1 Nomination of an agent for this application

I/we nominate the below agent to act on my/our behalf and to receive correspondence relating to this application.

Do you want to nominate an agent for this application?*	
<input type="checkbox"/> No → Go to Question Error! Reference source not found. <input checked="" type="checkbox"/> Yes → Complete the agent’s details here.	
Name of agent – individual or contact person if agent is an organisation Matt Ingram	
Organisation name, including trading name if an organisation Urban Sync Pty Ltd	ABN/ACN (if an organisation) 83 169 940 649
Postal address PO Box 2970, Cairns, QLD, 4870	Phone (07) 4051 6946
Email matt@urbansync.com.au	<input type="checkbox"/> Indicate if you do not want to receive correspondence via email

2. Details of the ERA(s) being applied for

Complete the table below by advising which ERA(s) you are applying for. If the ERA has eligibility criteria and standard conditions³, identify whether you can comply with them. Select “N/A” where there are no eligibility criteria and standard conditions for that ERA. If you cannot comply with all of the applicable standard conditions, select “no” and attach details of the standard conditions you cannot comply with.

³ ERAs with eligibility criteria and standard conditions are listed at: www.business.qld.gov.au (use the search term “eligibility criteria”).

Application form

Development application Form 1 - Application details—attachment for an application for an environmental authority

ERA number*	Threshold*	Name of ERA*	I can comply with the eligibility criteria*	I can comply with all the standard conditions*
7 (1) (b)		Chemical Manufacturing	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
8 (1) (d)	8 (5)	Chemical Storage	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
28	1 (b)	Sugar Milling or Refining	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No

I have attached details of the standard conditions that I cannot comply with.

3. Description of land where the ERA/s will be carried out

Where activities will be undertaken at more than one location, provide details in Appendix 2.

Number*	Street Name*	Suburb/Town*	Postcode*
3276	Mulligan Highway	Southedge, Mount Molloy	4871
Real Property Description*		Specific area within the location ie GPS or other descriptor*	
Lot 2 Plan SP298325		Please refer to the Site Plan provided in Attachment 2.	
Port (*if applicable)		Project Name (*if applicable)	
N/A		The Product Makers Production Plant - Mount Molloy	

4. Details of contaminated land

Is there a site management plan in effect for contaminated land that relates to the land that is the subject of this application?*		
<input checked="" type="checkbox"/> No	Go to <i>Question 5</i> .	
<input type="checkbox"/> Yes	Description of land*	
	Lot and plan number(s)	Local Government Area*
	Lot	Plan
	Lot	Plan
	Lot	Plan

5. Existing environmental authorities at the location

Do you have any existing environmental authorities at this location?*		
<input checked="" type="checkbox"/> No	Go to <i>Question 6</i> .	
<input type="checkbox"/> Yes	Existing EA number(s)*	Certification*
		<input type="checkbox"/> I certify that the ERA(s) being applied for do not form part of any existing environmental authority/ies

Development application Form 1 - Application details—attachment for an application for an environmental authority

6. Other related approvals

To avoid the possibility of your environmental authority application being invalid, you need to ensure any other required applications have been made prior to lodging this application. If you are not sure what approvals are required you should contact the planning area of your local government authority or if the area is within a State development area, visit the Department of State Development, Manufacturing, Infrastructure and Planning website at: www.dsdmip.qld.gov.au (search for state development area).

Are you required to obtain any of the following approvals to conduct the ERA(s)?*					
<ul style="list-style-type: none"> e.g. An approval for the use of land under the <i>State Development and Public Works Organisation Act 1971</i> 					
<input checked="" type="checkbox"/> No	Go to <i>Question 7</i>				
<input type="checkbox"/> Yes	Approval name*	Legislation*	Application number*	Date lodged*	Approval status*

7. Environmental offsets

An environmental offset, under the *Environmental Offsets Act 2014*, may be required for an ERA where, despite all reasonable measures to avoid and minimise impacts on certain environmental matters, there is still likely to be significant residual impact on one or more of those matters.

You must verify the presence, whether temporary or permanent, of those environmental matters. For more information refer to the Queensland Environmental Offsets Policy and the Significant Residual Impact Guideline at the Queensland Government website at www.qld.gov.au, using the search term “environmental offsets”.

Will the ERA(s) being applied for result in a significant residual impact to a matter of State environmental significance (MSES)?*	
<input checked="" type="checkbox"/> No	Go to <i>Question 8</i> .
<input type="checkbox"/> Yes	<p>You must attach supporting information that:</p> <ol style="list-style-type: none"> Details the magnitude and duration of the likely significant residual impact on each prescribed environmental matter (other than matters of local environmental significance) for the entire activity; and Demonstrates that all reasonable measures to avoid and minimise impacts on each of those matters will be undertaken.

7.1 Notice of election

Has a notice of election been submitted to the administering authority, or is being submitted as part of this application?	
<input checked="" type="checkbox"/> No	Go to <i>Question 7.2</i> .
<input type="checkbox"/> Yes	<input type="checkbox"/> You can attach the notice of election, if it has not been submitted to the department. Go to <i>Question 7.3</i> .

7.2 Staged environmental offsets

Offset delivery can be staged, however for this to occur, the condition of any approved environmental authority needs to state that both the activity and the offset may be staged. As part of your notice of election for each stage under the *Environmental Offsets Act 2014*, you are required to provide a detailed assessment of the quantum of impact of that stage and the offset obligation requirement to be delivered for that stage.

Will the proposed ERA(s) and delivery of an environmental offset be undertaken in stages?	
<input checked="" type="checkbox"/> No	Go to <i>Question 7.3</i>

Application form

Development application Form 1 - Application details—attachment for an application for an environmental authority

<input type="checkbox"/> Yes	You must attach supporting information that details of how the activity/activities are proposed to be staged.
------------------------------	--

7.3 Nature conservation environmental offset

Has another authority issued under the <i>Nature Conservation Act 1992</i> required an environmental offset for the same, or substantially the same, impact and the same, or substantially the same, MSES?	
<input checked="" type="checkbox"/> No	Go to <i>Question 7.4</i>
<input type="checkbox"/> Yes	Provide permit number:

7.4 Marine parks environmental offset

Has marine park permit issued under the <i>Marine Parks Act 2004</i> required an environmental offset for the same, or substantially the same, impact and the same, or substantially the same, MSES?	
<input checked="" type="checkbox"/> No	Go to <i>Question 8</i>
<input type="checkbox"/> Yes	<input type="checkbox"/> You must attach a copy of the marine park permit to this application.

8. Matters of national environmental significance

There are currently nine matters of national environmental significance (MNES) which have been defined in the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)* (EPBC Act). These are:

- world heritage properties
- national heritage places
- wetlands of international importance (listed under the Ramsar Convention)
- listed threatened species and ecological communities
- migratory species protected under international agreements
- Commonwealth marine areas
- the Great Barrier Reef Marine Park
- nuclear actions (including uranium mines)
- a water resource, in relation to coal seam gas development and large coal mining development

To determine whether the proposed ERA(s) will have a significant impact on MNES and for referral requirements, please refer to the guidance provided by the Federal Government's Department of Environment on www.environment.gov.au.

Would the carrying out of the proposed ERA(s) be likely to have a significant impact on a MNES?*	
<input checked="" type="checkbox"/> No	Go to <i>Question 9</i> .
<input type="checkbox"/> Yes	Has the proposal been referred to the Federal Department of Environment for formal assessment and approval? <input type="checkbox"/> No → Go to <i>Question 9</i> . <input type="checkbox"/> Yes → Go to <i>Question 8.1</i> .

8.1 EPBC Act approval for environmental offsets

Has an approval issued under the EPBC Act required an environmental offset for the same, or substantially the same, impact and the same, or substantially the same, MSES?	
<input checked="" type="checkbox"/> No	Go to <i>Question 9</i> .
<input type="checkbox"/> Yes	I have attached a copy of the approval under the EPBC Act. Are there any MNES which were assessed under the EPBC Act which are the same, or substantially the same as an MSES, but that were not conditioned in the approval? <input type="checkbox"/> No → Go to <i>Question 9</i> <input type="checkbox"/> Yes → List these MNES:

9. Environmental impact statement under the *State Development and Public Works Organisation Act 1971*

Certain stages of the EA application process may not apply if the proposed activities were assessed as part of a coordinated project declared under the *State Development and Public Works Organisation Act 1971* (State Development Act), you are only required to answer Questions 9 to 9.1 if you have a current CG's evaluation report for the project.

Has an environmental impact statement (EIS) process under State Development Act been completed?*	
<input checked="" type="checkbox"/> No	Go to <i>Question 10</i> .
<input type="checkbox"/> Yes	What is the title and project name of the completed EIS?*
	<input type="checkbox"/> The EIS was completed for all activities that are the subject of this application. <ul style="list-style-type: none"> <input type="checkbox"/> The environmental risks or the way the activity/activities are proposed to be carried out have not changed since the EIS was completed. <input type="checkbox"/> The environmental risks or the way the activity/activities are proposed to be carried out have changed since the EIS was completed.
	<input type="checkbox"/> The EIS was not completed for all activities that are the subject of this application. <ul style="list-style-type: none"> <input type="checkbox"/> The environmental risks or the way the activity/activities are proposed to be carried out have not changed since the EIS was completed. <input type="checkbox"/> The environmental risks or the way the activity/activities are proposed to be carried out have changed since the EIS was completed.
	Was the EIS completed for all activities that are the subject of this application?*
	<input type="checkbox"/> No Please list the activities that were not included in the EIS or attach documentation with this information to this application: <input type="checkbox"/> I have attached the required supporting information.
<input type="checkbox"/> Yes	

9.1 Coordinator-General's conditions

Are there CG's conditions that relate to the ERA(s) being applied for?*	
<input checked="" type="checkbox"/> No →	Go to <i>Question 10</i> .
<input type="checkbox"/> Yes →	Name of the CG's evaluation report:

10. Assessment of the environmental impact

This question is **not applicable** if an EIS process under the State Development Act has been completed for all the ERA(s) that are the subject of this application and the environmental risks of the activities **and** the way they are proposed to be carried out has not changed since the EIS was completed.

You must attach to this application an assessment of the likely impact of each ERA on environmental values (*if applicable), including:

- a description of the environmental values likely to be affected by each relevant activity
- details of any emissions or releases likely to be generated by each relevant activity
- a description of the risk and likely magnitude of impacts on the environmental values
- details of the management practices proposed to be implemented to prevent or minimise adverse impacts
- details of how the land the subject of the application will be rehabilitated after each relevant activity ceases

Application form

Development application Form 1 - Application details—attachment for an application for an environmental authority

I have attached an assessment of the environmental impact and specific supporting information.

11. Details of waste management

Describe the proposed measures for minimising and managing waste generated by the activity/ies below *
See EIA

I have attached the proposed measures.

12. Take effect date (when fees will commence being charged)

You may nominate when the EA will take effect should it be approved. The date the environmental authority takes effect will be the date from which you can commence the activities as well as the date your annual fees will commence to be charged (your anniversary date). Under section 200 of the EP Act, if a development permit for a material change of use under the *Planning Act 2016* or a State development area (SDA) approval is required in order to carry out the ERA the EA cannot take effect until the development permit or SDA approval takes effect (known as taking effect pending development approval).

Do you want the EA to take effect on the decision date, nominated date, or pending development approval? *	
<input type="checkbox"/> Decision date	The take effect date will be the date of the decision.
<input checked="" type="checkbox"/> Nominated date	Details of nominated take effect date: TBC

13. Nomination of site contact

An alternative contact nominated by the legal entity which holds, or will in future hold, a relevant authority issued by the department. The department may direct correspondence relating to actual or potential compliance matters to the site contact.

Do you want to nominate a site contact? *		<input type="checkbox"/> No
		<input checked="" type="checkbox"/> Yes, provide details below
Title*	First Name*	Surname*
Mr	Bill	Ramsay
Email Address*		<input checked="" type="checkbox"/> Indicate if you want to receive correspondence via email
bramsay@tpm.com.au		
Phone		

14. Nomination of application contact

An alternative contact nominated by the legal entity which has submitted, or will in future submit, applications to be assessed by the department. All departmental correspondence relating to the assessment of applications will

Application form

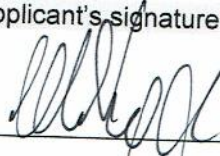
Development application Form 1 - Application details—attachment for an application for an environmental authority

be directed to the application contact, however, if the application results in the issuing of a relevant authority, the relevant authority will be sent to the applicant.

Name or Position*
Matt Ingram - Senior Planner
Primary Phone*
(07) 4051 6946
Secondary Phone
0488 200 229
Email Address*
matt@urbansync.com.au

15. Applicant declaration

I declare that the information I have provided is true and correct. I understand that it is an offence under the *Environmental Protection Act 1994* to give information that I know is false, misleading or incomplete. I will comply with all conditions on my environmental authority as well as any relevant provisions in the *Environmental Protection Act 1994*. I understand that I am responsible for managing the environmental impacts of these activities, and that approval of this application is not an endorsement by the administering authority of the effectiveness of the management practices proposed or implemented.

Applicant's full name*	Applicant's position*
Matt Ingram on behalf of The Product Makers (Australia) Pty Ltd	Senior Planner
Applicant's signature*	Date*
	20/4/2020

Submit attachment, together with any additional information, with all relevant Development application Forms to the assessment manager for the development application.

Application form

Development application Form 1 - Application details—attachment for an application for an environmental authority

Attachment 1

Joint applicants and appointment of principal applicant

We are joint applicants for this environmental authority application and hereby appoint _____ as the principal applicant to receive statutory documents relating to this application.

Name - individual or contact person if applicant is an organisation*	Suitable Operator Reference Number*
Organisation name, including trading name (*if an organisation)	ABN/ACN (*if an organisation)
Residential or registered business address (not a post office box)*	Phone*
Postal address (if same as above, state "AS ABOVE") *	Facsimile
Email*	<input type="checkbox"/> Indicate if you want to receive correspondence via email
Signature*	Date*

Name - individual or contact person if applicant is an organisation*	Suitable Operator Reference Number*
Organisation name including trading name (*if an organisation)	ABN/ACN (*if an organisation)
Residential or registered business address (not a post office box)*	Phone*
Postal address (if same as above, state "AS ABOVE")*	Facsimile
Email*	<input type="checkbox"/> Indicate if you want to receive correspondence via email
Signature*	Date*

Name - individual or contact person if applicant is an organisation*	Suitable Operator Reference Number*
Business name including trading name (*if an organisation)	ABN/ACN (*if an organisation)
Residential or registered business address (not a post office box)*	Phone*
Postal address (if same as above, state "AS ABOVE")*	Facsimile
Email*	<input type="checkbox"/> Indicate if you want to receive correspondence via email
Signature*	Date*

Application form
Development application Form 1 - Application details—attachment for an
 application for an environmental authority

Attachment 2

List of locations where the ERA(s) will be carried out.

Where there is more than one location list all locations and which ERA(s) will be conducted at each location.

Number*	Street Name*	Suburb/Town*	Postcode*	ERA/s*
Real Property Description*		Specific area within the location ie GPS or other descriptor (*if applicable e.g. dredging)		
Lot	Plan			

Number*	Street Name*	Suburb/Town*	Postcode*	ERA/s*
Real Property Description*		Specific area within the location ie GPS or other descriptor (*if applicable e.g. dredging)		
Lot	Plan			

Number*	Street Name*	Suburb/Town*	Postcode*	ERA/s*
Real Property Description*		Specific area within the location ie GPS or other descriptor (*if applicable e.g. dredging)		
Lot	Plan			

Number*	Street Name*	Suburb/Town*	Postcode*	ERA/s*
Real Property Description*		Specific area within the location ie GPS or other descriptor (*if applicable e.g. dredging)		
Lot	Plan			

Number*	Street Name*	Suburb/Town*	Postcode*	ERA/s*
Real Property Description*		Specific area within the location ie GPS or other descriptor (*if applicable e.g. dredging)		
Lot	Plan			

Number*	Street Name*	Suburb/Town*	Postcode*	ERA/s*
Real Property Description*		Specific area within the location ie GPS or other descriptor (*if applicable e.g. dredging)		
Lot	Plan			

Number*	Street Name*	Suburb/Town*	Postcode*	ERA/s*
Real Property Description*		Specific area within the location ie GPS or other descriptor (*if applicable e.g. dredging)		
Lot	Plan			

Number*	Street Name*	Suburb/Town*	Postcode*	ERA/s*
Real Property Description*		Specific area within the location ie GPS or other descriptor (*if applicable e.g. dredging)		
Lot	Plan			

Author : Peter Webley
Ref number : 2020/010394



Department of
**Natural Resources,
Mines and Energy**

7 April 2020

The Product Makers (Australia) Pty Ltd
c/- Matt Ingram
Urban Sync Pty Ltd
PO Box 2970

Cairns QLD 4870

Dear Mr Ingram

Application for a Relevant Purpose determination under section 22A of the *Vegetation Management Act 1999* for the clearing of native vegetation on lot 2 SP298325 - Mareeba Shire Council

I refer to your application submitted to the Department of Natural Resources, Mines and Energy (the department) on 19 February 2020.

The Chief Executive has considered your request and is satisfied that the proposed development to clear vegetation for relevant infrastructure activities requirements of section 22A of the *Vegetation Management Act 1999*.

This decision is based on:

- the development proposal and information you submitted to the department on 26 March 2020 and
- circumstances at the time of this determination; and

Should your proposal change (eg. development footprint) or circumstances associated with your proposal change (eg. legislation changes, regional ecosystem mapping changes), you will need to request another section 22A relevant purpose determination.

This relevant purpose determination is valid for 2 years and will expire on 6 April 2022.

Please note that this letter is not a development approval to carry out vegetation clearing.

Level 9, Verde Tower
445 Flinders Street
Townsville QLD 4810

PO Box 5318
Townsville
4810 QLD

Telephone: 13 58 34 or 135 VEG
Email: vegetation@dnrme.qld.gov.au
Web: www.dnrme.qld.gov.au

ABN 59 020 847 551

You will need to apply for a development approval from the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) under the *Planning Act 2016*.

Prior to lodging a development application, it is strongly recommended that, you arrange a pre-lodgement meeting through the State Assessment and Referral Agency (SARA) to identify all relevant State legislation, approvals and application requirements.

Other relevant Commonwealth or State approvals may also be required to undertake vegetation clearing. An indicative list of other legislation is provided in Attachment 1.

Should you require any additional information please contact the local SARA office as below:

SARA Far North Queensland Regional Office

Location: Ground Floor, Cairns Port Authority Building, Cnr Grafton and Hartley Streets, Cairns

Postal address: PO Box 2358, Cairns Qld 4870

Telephone: (07) 4037 3214

Email: CairnsSARA@dsdmip.qld.gov.au

Should you have any enquiries or require assistance regarding this request, please do not hesitate to contact Peter Webley, Natural Resource Management Officer, North Region of the department on telephone (07) 4447 9156 quoting the above reference number

Yours sincerely



Andrew Date
Senior Natural Resource Management Officer
Department of Natural Resources, Mines and Energy

Attachment 1 - Legislation and Acts

Activity	Legislation	Agency	Contact details
Interference with overland flow Earthworks, significant disturbance	<i>Water Act 2000</i> <i>Soil Conservation Act 1986</i>	Department of Natural Resources, Mines and Energy (Queensland Government)	Ph: 13 QGOV (13 74 68) www.dnrme.qld.gov.au
Indigenous Cultural Heritage	<i>Aboriginal Cultural Heritage Act 2003</i> <i>Torres Strait Islander Cultural Heritage Act 2003</i>	Department of Aboriginal and Torres Strait Islander Partnerships (Queensland Government)	Ph: 13 QGOV (13 74 68) www.datsip.qld.gov.au
Mining and environmentally relevant activities Infrastructure development (coastal) Heritage issues Protected plants and protected areas ¹	<i>Environmental Protection Act 1994</i> <i>Coastal Protection and Management Act 1995</i> <i>Queensland Heritage Act 1992</i> <i>Nature Conservation Act 1992</i>	Department of Environment and Science (Queensland Government)	Ph: 13 QGOV (13 74 68) www.des.qld.gov.au
Interference with fish passage in a watercourse, mangroves Forest activities	<i>Fisheries Act 1994</i> <i>Forestry Act 1959</i> ²	Department of Agriculture and Fisheries (Queensland Government)	Ph: 13 25 23 www.daf.qld.gov.au
Matters of National Environmental Significance including listed threatened species & ecological communities	<i>Environment Protection and Biodiversity Conservation Act 1999</i>	Department of the Environment, (Australian Government)	Ph: 1800 803 772 www.environment.gov.au
Development and planning processes	<i>Planning Act 2016</i> <i>State Development and Public Works Organisation Act 1971</i>	Department of State Development, Manufacturing, Infrastructure and Planning (Queensland Government)	Ph: 13 QGOV (13 74 68) www.dsdmip.qld.gov.au
Local government requirements	<i>Local Government Act 2009</i> <i>Planning Act 2016</i>	Department of Local Government, Racing and Multicultural Affairs (Queensland Government)	Ph: 13 QGOV (13 74 68) Your relevant local government office

¹ In Queensland, all plants that are native to Australia are protected plants under the [Nature Conservation Act 1992](#), which endeavours to ensure that protected plants (whether whole plants or protected plants parts) are not illegally removed from the wild, or illegally traded. Prior to **clearing**, you should check the flora survey trigger map to determine if the **clearing** is within a high-risk area by visiting For further information or assistance on the protected plants flora survey trigger map for your property, contact the Department of Environment and Science on 13QGOV (13 74 68) or email palm@des.qld.gov.au

² Contact the Department of Agriculture and Fisheries before **clearing**:

- Any sandalwood on state-owned land (including leasehold land)
- On freehold land in a 'forest consent area'
- More than five hectares on state-owned land (including leasehold land) containing commercial timber species listed in parts 2 or 3 of Schedule 6 of the Vegetation Management Regulation 2012 and located within any of the following local government management areas—Banana, Bundaberg Regional, Fraser Coast Regional, Gladstone Regional, Isaac Regional, North Burnett Regional, Somerset Regional, South Burnett Regional, Southern Downs Regional, Tablelands Regional, Toowoomba Regional, Western Downs Regional.

**Company owner's consent to the making of a development application
under the *Planning Act 2016***

I, **MARTIN ANTON**

Director of the company mentioned below.

and I,

Of Anton Demolitions Pty Ltd (ACN: 047 424 770)

the company being the owner of the premises identified as follows:

3278 Mulligan Highway, Southedge, Mount Molloy (Lot 3 on SP298325)

consent to the making of a development application under the *Planning Act 2016* by:

The Product Makers (Australia) Pty Ltd

The *Planning Act 2016* is administered by the Department of Local Government, Infrastructure and Planning, Queensland Government.

ANTON DEMOLITIONS PTY LTD

ABN 52 047 424 770
62 TUCKER ST, MACHANS BEACH
CAIRNS QLD 4878
Ph/Fax: (07) 4055 9461
Mobile: 0439 915 512

Applicant template 11.0
Version 1.0—3 July 2017



on the premises described above for:

A Material Change of Use for Special Industry (Production Plant)

Company seal *[if used]*

Company Name and ACN: Anton Demolitions Pty Ltd (ACN: 047 424 770)	
 Signature of Director Signature of Director/Secretary
27-3-2020 Date Date

MARTIN ANTON
(MANAGING DIRECTOR)
ANTON DEMOLITIONS PTY LTD
ABN 52 047 424 770
62 TUCKER ST, MACHANS BEACH
CAIRNS QLD 4878
Ph/Fax: (07) 4055 9461
Mobile: 0439 915 512

**Company owner's consent to the making of a development application
under the *Planning Act 2016***

I,

JOHN WILLIAM COLLESS

Director of the company mentioned below.

and I,

KATHLEEN ANN COLLESS

Of Kathleen Colless Pty Ltd (ACN: 097 377 270)

the company being the owner of the premises identified as follows:

3276 Mulligan Highway, Southedge, Mount Molloy (Lot 2 on SP298325)

consent to the making of a development application under the *Planning Act 2016* by:

The Product Makers (Australia) Pty Ltd

on the premises described above for:

A Material Change of Use for Special Industry (Production Plant)

Company seal *[if used]*



Company Name and ACN: Kathleen Colless Pty Ltd (ACN: 097 377 270)

KW Colless

Signature of Director

27/3/2020

Date

Kathleen A. Colless

Signature of Director/Secretary

27/3/2020

Date

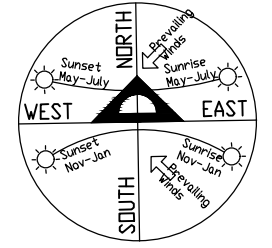
**ATTACHMENT 2:
DESIGN PLANS**



LOT NUMBER: 2
 SP NUMBER: SP298325
 LOCAL GOVERNMENT: MAREEBA SHIRE COUNCIL
 LOCALITY: MOUNT MOLLOY
 AREA: 2185.8ha

C THIS DRAWING IS AND WILL REMAIN THE COPYRIGHT AND PROPERTY OF FNQ DESIGN & DRAFTING AND MUST NOT BE REPRODUCED WITHOUT WRITTEN PERMISSION. THIS PLAN IS TO BE USED ONLY FOR LOT No. SPECIFIED.

LEGEND
 ----- DENOTES 100mm Ø UPVC SEWER DRAIN
 33m 150d17'20" DENOTES BOUNDARY LINE WITH LOCATED PEG



SITE / LOCALITY PLAN
 SCALE 1:10000

AMENDMENTS:

DATE	REV	DESCRIPTION

NOTE:
 1. Smoke Alarms to comply to AS3786 & BCA Requirements.
 2. Verify all dimensions & levels prior to construction commencing.
 3. Figured dimensions take precedence over scaled dimensions.
 4. All work to comply with BCA, Relevant Australian Standards & Local Authority Requirements.

20 Winkworth Street
 Bungalow QLD 4870
 PH: 0481 793 260
 russel@fnqdesign.com

FNQ DESIGN & DRAFTING
 QBCC Licence No. 1117748

Clients Name: THE PRODUCT MAKERS PTY LTD
 Description: PROPOSED STORAGE SHEDS ARE IRRIGATION
 Address: LOT 2 ON SP223151, MULLIGAN HWY MT MOLLOY

Drawing Title: LOCALITY PLAN
 Date: FEB 2020 Scale: 1:10000@A3
 Job No: 20044 Sheet No: 01

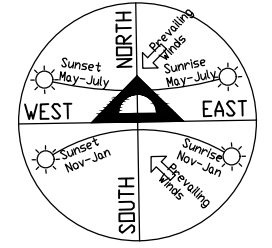
LOT NUMBER: 2
 SP NUMBER: SP298325
 LOCAL GOVERNMENT: MAREEBA SHIRE COUNCIL
 LOCALITY: MOUNT MOLLOY
 AREA: 2185.8ha

C THIS DRAWING IS AND WILL REMAIN THE COPYRIGHT AND PROPERTY OF FNQ DESIGN & DRAFTING AND MUST NOT BE REPRODUCED WITHOUT WRITTEN PERMISSION. THIS PLAN IS TO BE USED ONLY FOR LOT No. SPECIFIED.

LEGEND

----- DENOTES 100mmØ UPVC SEWER DRAIN

33m 150d17°20" DENOTES BOUNDARY LINE WITH LOCATED PEG



PROPOSED LOCATION OF SHEDS
 CAR PARKING AND PLANT TANKS

PART SITE PLAN
 SCALE 1:2000

AMENDMENTS:

DATE	REV	DESCRIPTION

NOTE:

- Smoke Alarms to comply to AS3786 & BCA Requirements.
- Verify all dimensions & levels prior to construction commencing.
- Figured dimensions take precedence over scaled dimensions.
- All work to comply with BCA, Relevant Australian Standards & Local Authority Requirements.

20 Winkworth Street
 Bungalow QLD 4870
 PH: 0481 793 260
 russel@fnqdesign.com

FNQ DESIGN & DRAFTING
 QBCC Licence No. 1117748

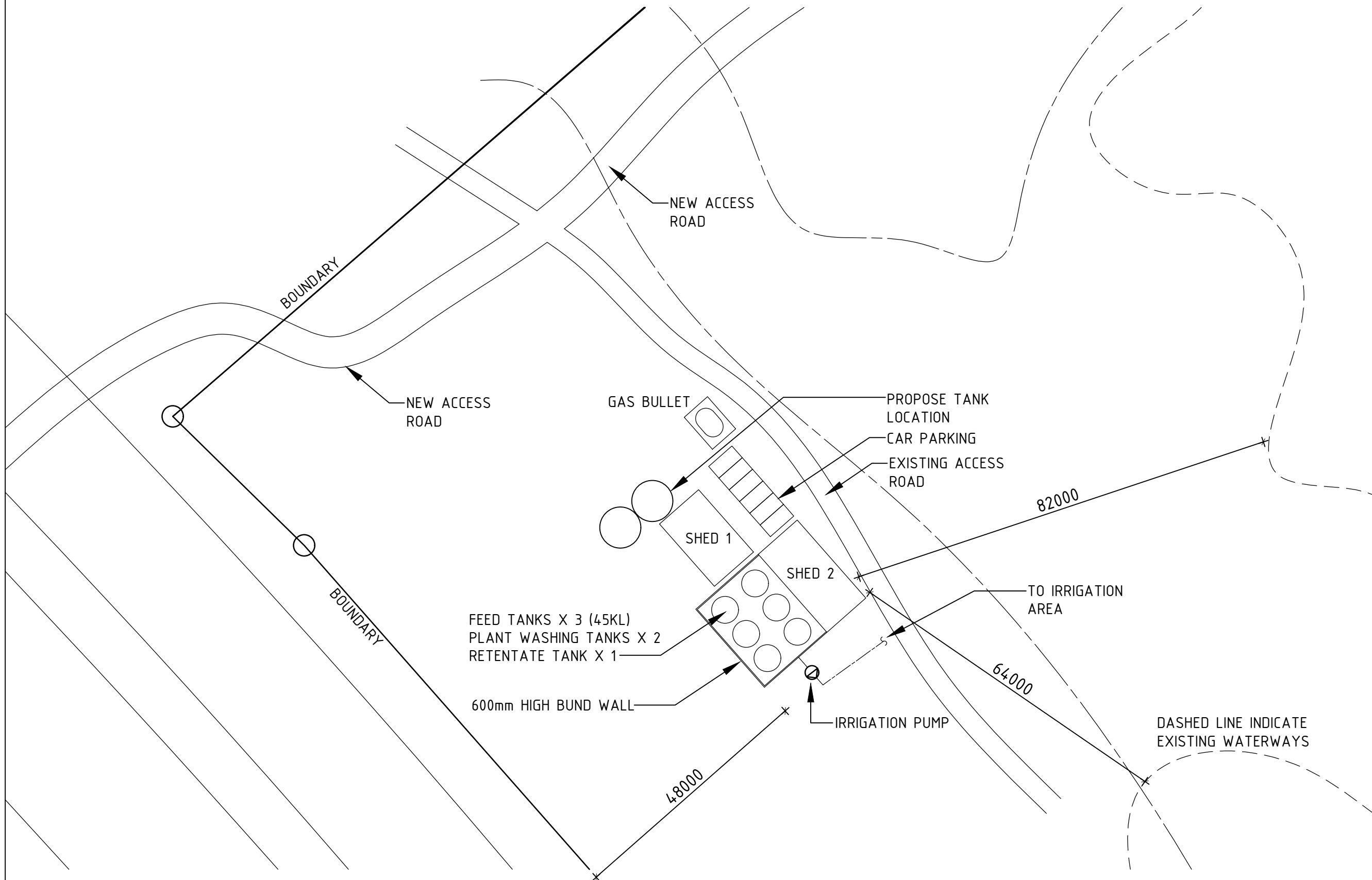
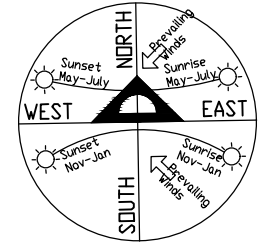
Clients Name: THE PRODUCT MAKERS PTY LTD
 Description: PROPOSED STORAGE SHEDS ARE IRRIGATION
 Address: LOT 2 ON SP223151, MULLIGAN HWY MT MOLLOY

Drawing Title: SITE PLAN 2
 Date: FEB 2020 Scale: 1:2000@A3
 Job No: 20044 Sheet No: 02

LOT NUMBER: 2
 SP NUMBER: SP298325
 LOCAL GOVERNMENT: MAREEBA SHIRE COUNCIL
 LOCALITY: MOUNT MOLLOY
 AREA: 2185.8ha

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LEGEND
 --- DENOTES 100mm Ø UPVC SEWER DRAIN
 33m 150d17°20" DENOTES BOUNDARY LINE WITH LOCATED PEG



AMENDMENTS:

DATE	REV	DESCRIPTION

NOTE:
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 3. Figured dimensions take precedence over scaled dimensions.
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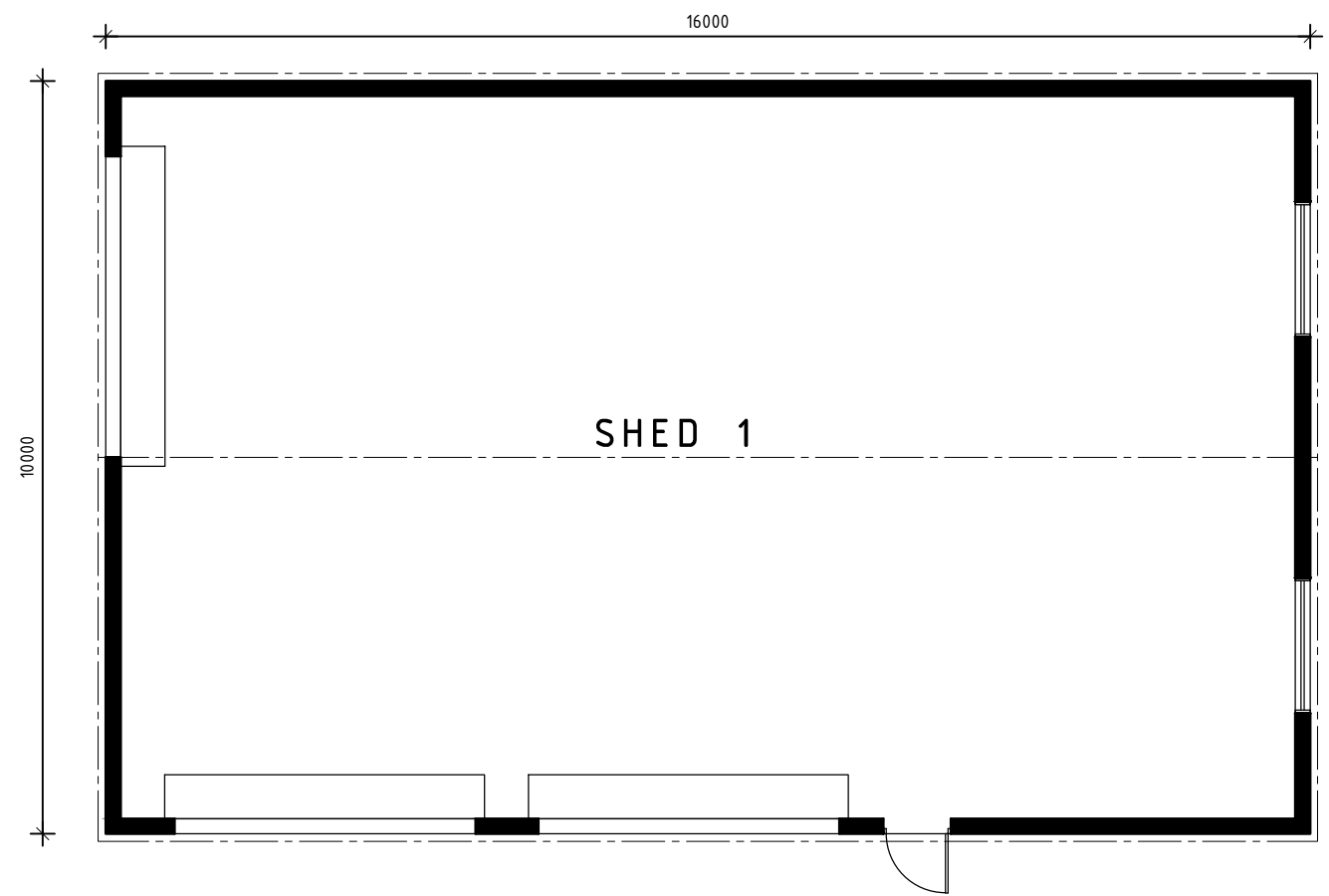
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Clients Name: THE PRODUCT MAKERS PTY LTD
 Description: PROPOSED STORAGE SHEDS ARE IRRIGATION
 Address: LOT 2 ON SP223151, MULLIGAN HWY MT MOLLOY

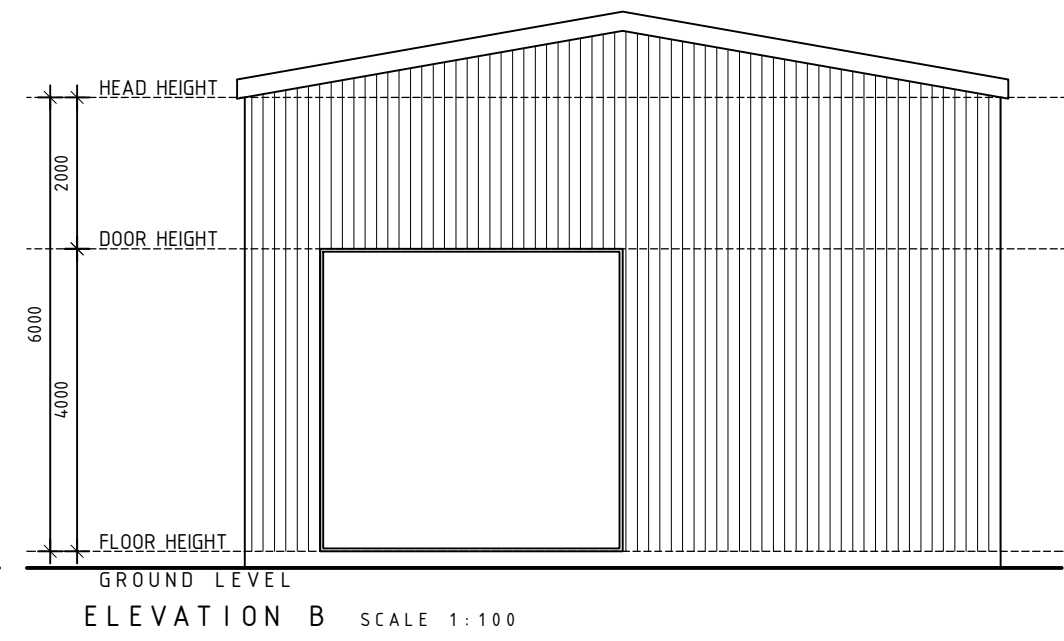
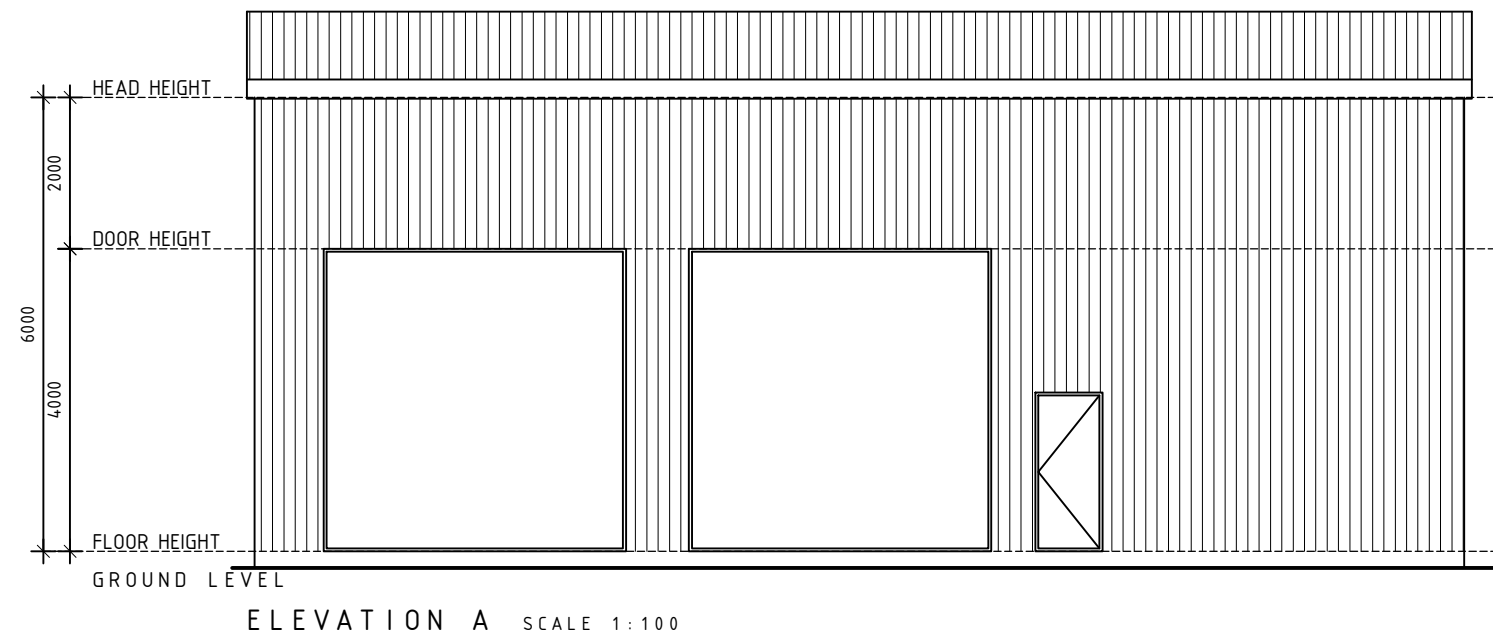
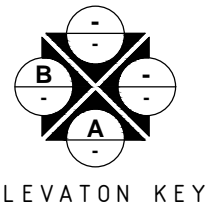
Drawing Title: SITE PLAN 2
 Date: FEB 2020 Scale: 1:750@A3
 Job No: 20044 Sheet No: 03

SITE PLAN SCALE 1:750

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SHED 1 FLOOR PLAN
SCALE 1:100



AMENDMENTS:

DATE	REV	DESCRIPTION

NOTE:

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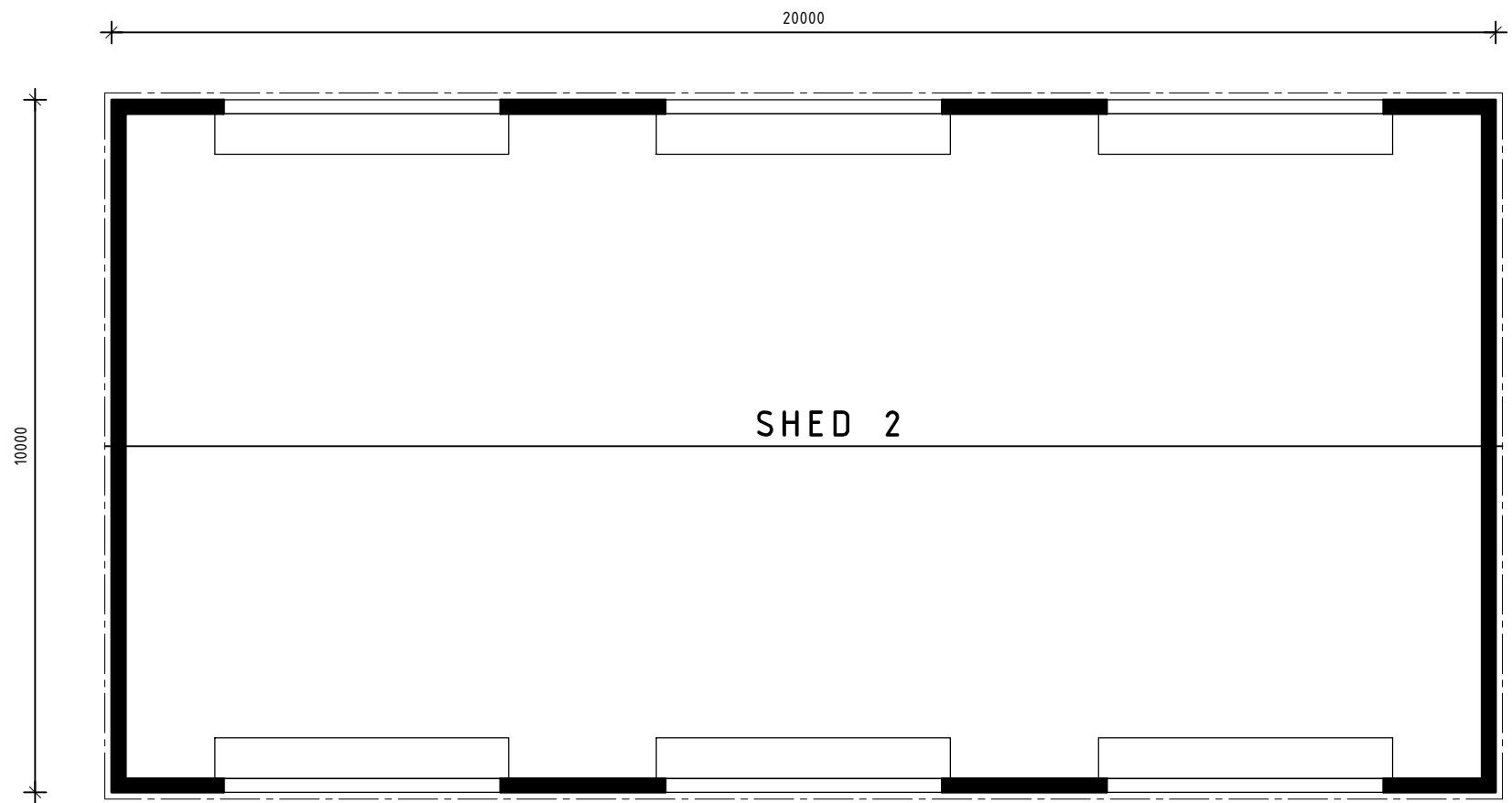
20 Winkworth Street
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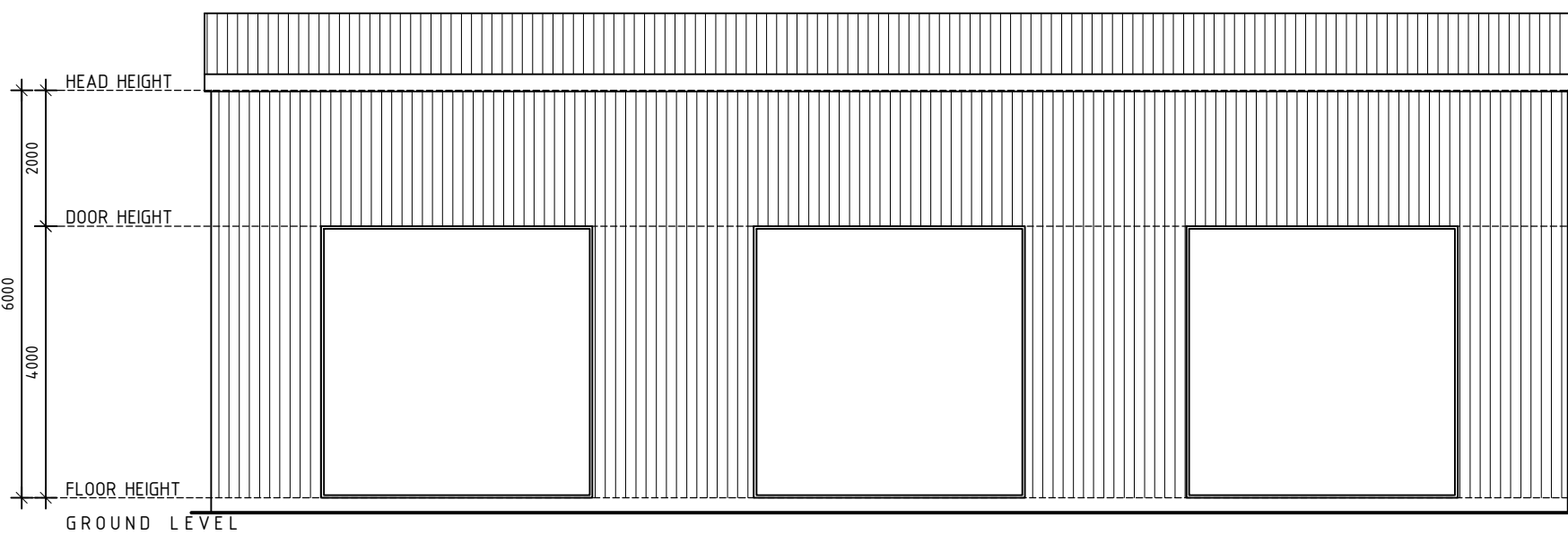
Clients Name: THE PRODUCT MAKERS PTY LTD
Description: PROPOSED STORAGE SHEDS ARE IRRIGATION
Address: LOT 2 ON SP223151, MULLIGAN HWY MT MOLLOY

Drawing Title: SHED 1 PLAN & ELEVATIONS
Date: FEB 2020 Scale: 1:100@A3
Job No: 20044 Sheet No: 04

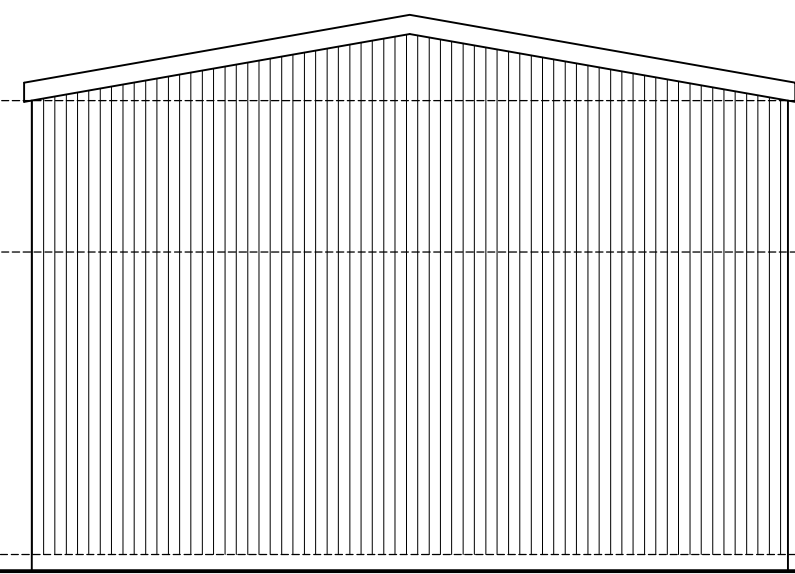
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SHED 2 FLOOR PLAN
SCALE 1:100



ELEVATION A SCALE 1:100



ELEVATION B SCALE 1:100

AMENDMENTS:

DATE	REV	DESCRIPTION

NOTE:

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Clients Name: THE PRODUCT MAKERS PTY LTD
Description: PROPOSED STORAGE SHEDS ARE IRRIGATION
Address: LOT 2 ON SP223151, MULLIGAN HWY MT MOLLOY

Drawing Title: SHED 2 PLAN & ELEVATIONS
Date: FEB 2020 Scale: 1:100@A3
Job No: 20044 Sheet No: 05



EQUINE/CANINE

WELFARE - WELLNESS - PERFORMANCE



- Appetite improvement
- Joint pain management
- Gut health management
- Exercise recovery
- Oxidative and general stress reduction
- Returns a clean race swab (100% natural raw material)
- LGC UK certified

POLYGAIN™
www.theproductmakers.com



POLYGAIN™
animal feedstock

www.theproductmakers.com





ANIMAL FEEDSTOCK

POLYGAIN™

Polygain™ is a registered trademark of The Product Makers (TPM). TPM holds numerous global patents on the production and properties of Polygain™.

Polygain™ is a natural plant extract from *Saccharum officinarum*, it is polyphenol rich, high in anti-oxidants, rich in minerals, nutrients and essential amino acids.

Polygain™ has anti-inflammatory and anti-bacterial properties beneficial for the animal feed industry.

BENEFITS

Many countries are legislating to remove antibiotics and hormones from animal feed. Natural bioactive additives from plants such as Polygain™ have the potential to replace some of the functions of these additives.

Polygain™ provides benefits such as anti-inflammatory, anti-oxidant, anti-bacterial as well as improving natural probiotic levels in the gut.

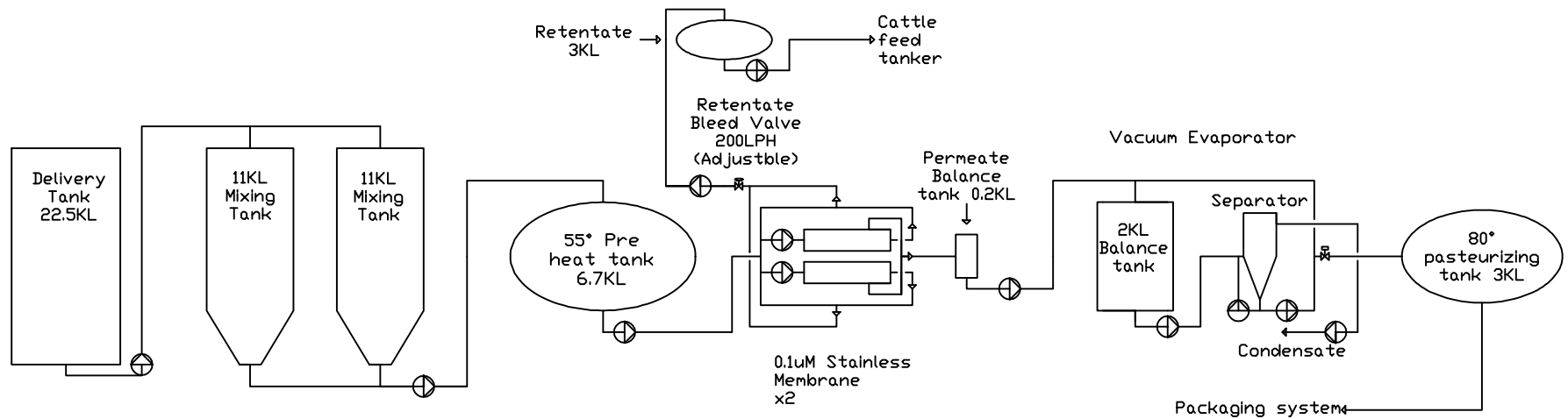


APPLICATIONS

POULTRY



- Improve feed conversion ratio
- Gut health improvement
- Mortality rate reduction
- Oxidative and general stress reduction
- Improvement of meat quality
- Anti-oxidant and anti-inflammatory effects on the general health and welfare of the birds



1. Product Arrives from Sarina in truck and quad dog and is pumped into delivery tank.
2. product is kept from sedimenting by circulation in 2x 11KL mixing tanks
3. Feed stock is then heated to 55°C while being agitated by stirrer
4. Feed stock is then pumped from heating tank to membrane filtration plant.
5. Feed stock (now called product) is then processed through 0.1µm membranes with permeate being pumped to evaporation skid while particles above 0.1µm (retentate) are bled off at a variable rate depending on solids load (usually 200LPH)
6. retentate is then pumped to holding tank for use as a cattle feed supplement
7. Product that has permeated the membrane and continued to evaporator balance tank is then reduced until reaching a set density
8. once density has been reached product is then sent to a pasteurisation tank and held at 80°C before being sent to packing in drums or IBC's

**ATTACHMENT 3:
SITE SEARCHES**



CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 33281175
Search Date: 18/02/2020 09:19

Title Reference: 51198751
Date Created: 16/10/2019

Previous Title: 51158786

REGISTERED OWNER

Dealing No: 719664962 09/10/2019

KATHLEEN COLLESS PTY LTD A.C.N. 097 377 270
TRUSTEE
UNDER INSTRUMENT 710106457

ESTATE AND LAND

Estate in Fee Simple

LOT 2 SURVEY PLAN 298325
Local Government: MAREEBA

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 40073506 (Lot 427 on SP 287159)
2. PROFIT A PRENDRE No 718656930 27/03/2018 at 10:07
THE STATE OF QUEENSLAND
(REPRESENTED BY DEPARTMENT OF AGRICULTURE AND FISHERIES)
3. EASEMENT No 719664987 09/10/2019 at 10:51
benefiting the land over
EASEMENT G ON SP298325

ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status
713713290	VEG NOTICE VEGETATION MANAGEMENT ACT 1999	14/02/2011 13:55	CURRENT

UNREGISTERED DEALINGS - NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

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Requested By: D-ENQ GLOBALX TERRAIN



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

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

Gloablx Terrain
Po Box 2746
Brisbane QLD 4069

Transaction ID: 50598188 AMA/AN Id: 91382 17 April 2020
Cheque Number:
Client Reference:

This response relates to a search request received for the site:

Lot: 2 Plan: SP298325
3276 MULLIGAN HWY
MOUNT MOLLOY

EMR RESULT

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

CLR RESULT

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

ADDITIONAL ADVICE

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

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

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

Administering Authority

State Assessment and Referral Agency

Date: 21/02/2020



Department of State Development
Manufacturing, Infrastructure
and Planning

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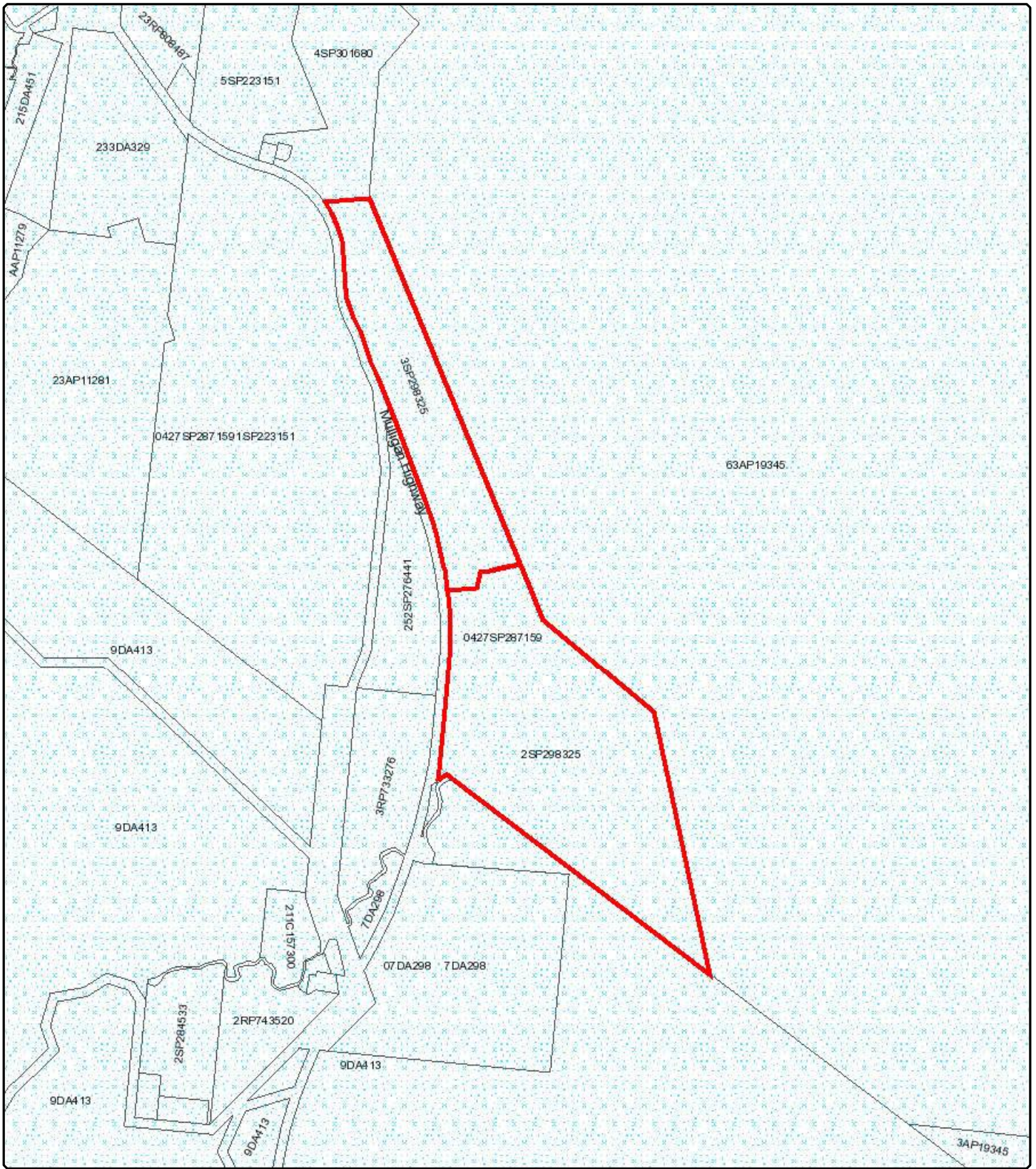
Matters of Interest for all selected Lot Plans

Queensland waterways for waterway barrier works
Water resource planning area boundaries
Regulated vegetation management map (Category A and B extract)
State-controlled road
Area within 25m of a State-controlled road

Matters of Interest by Lot Plan

Lot Plan: 2SP298325 (Area: 2158000 m²)
Queensland waterways for waterway barrier works
Water resource planning area boundaries
Regulated vegetation management map (Category A and B extract)
State-controlled road
Area within 25m of a State-controlled road

Lot Plan: 3SP298325 (Area: 960400 m²)
Queensland waterways for waterway barrier works
Water resource planning area boundaries
Regulated vegetation management map (Category A and B extract)
State-controlled road
Area within 25m of a State-controlled road



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and Planning

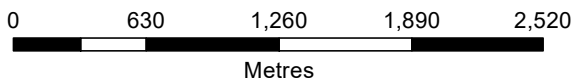
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Legend

Water resource planning area boundaries

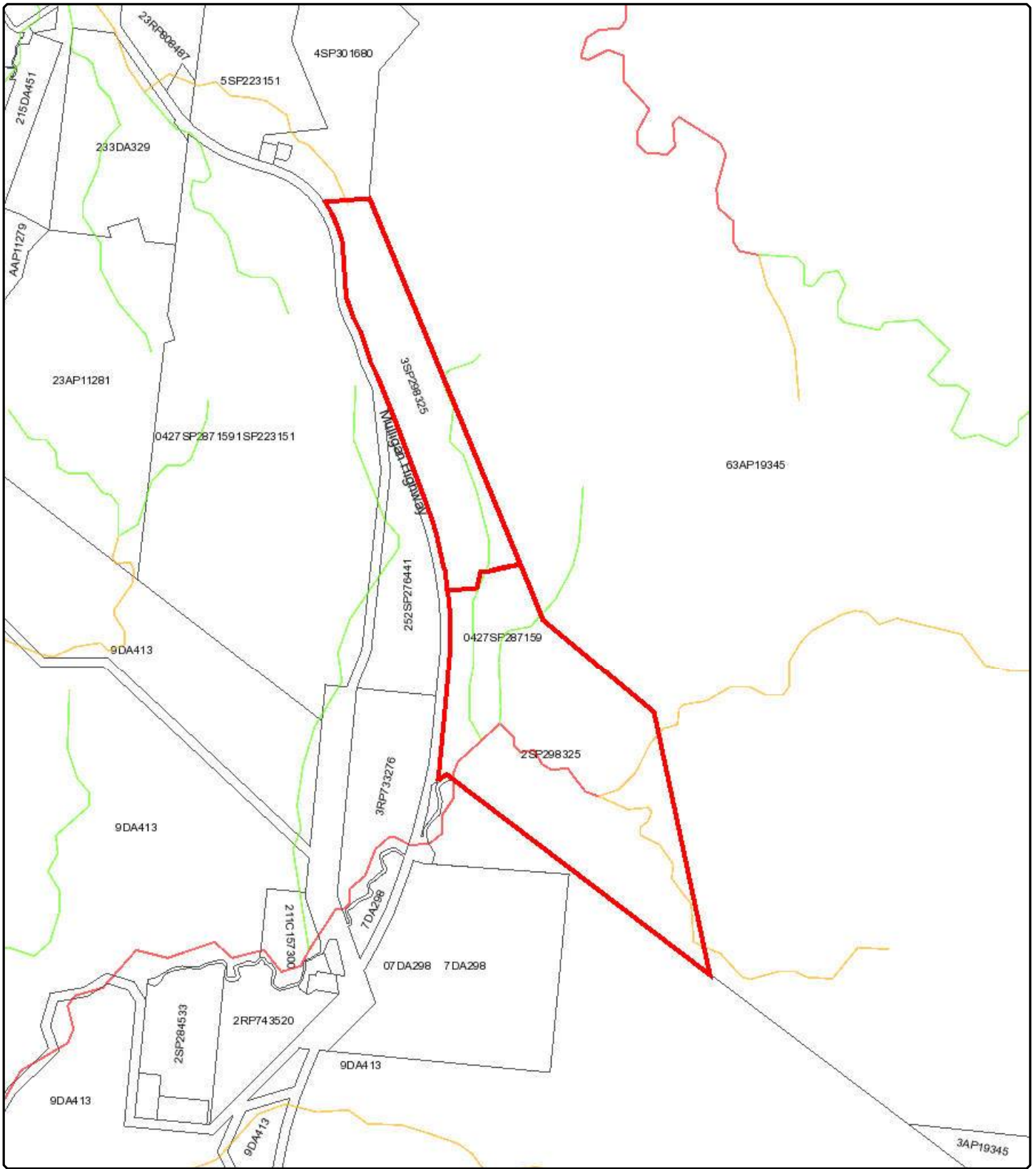


Water resource planning area boundaries



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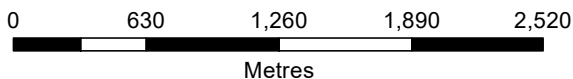
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Legend

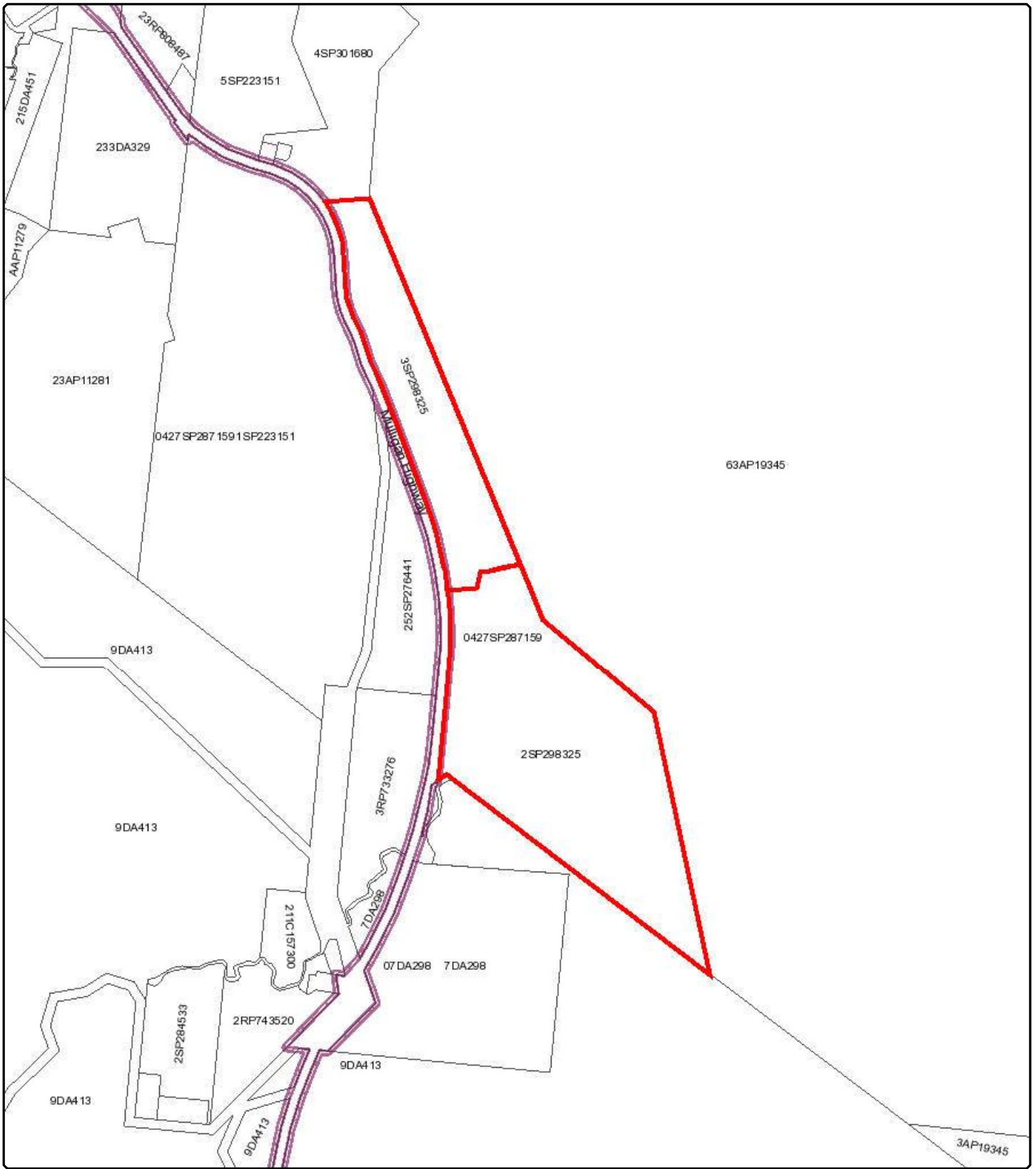
Queensland waterways for waterway
barrier works

- 1 - Low
- 2 - Moderate
- 3 - High
- 4 - Major



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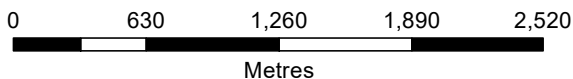


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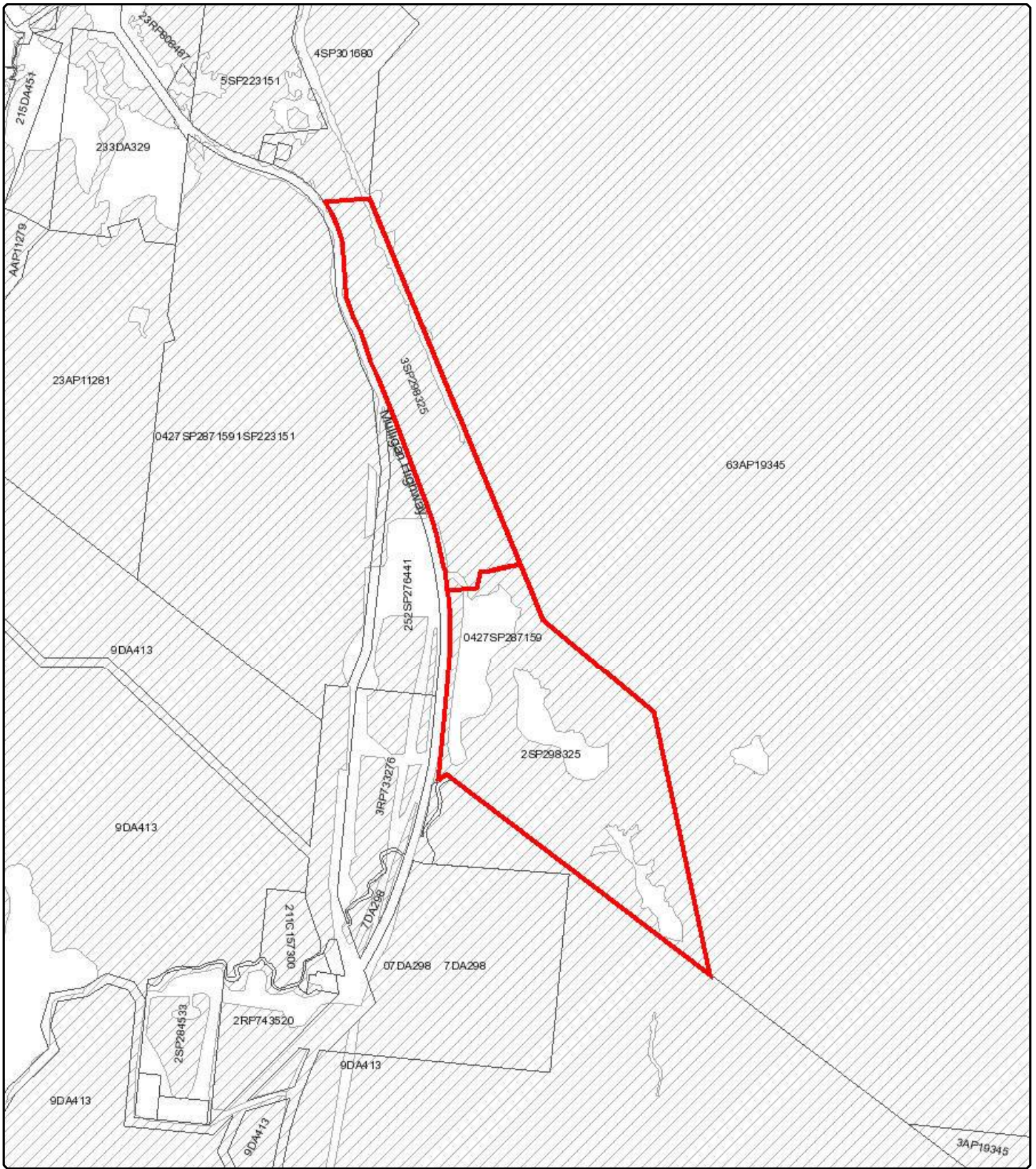
Legend

- Area within 25m of a State-controlled road
-  Area within 25m of a State-controlled road



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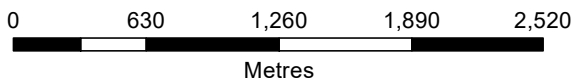
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Legend

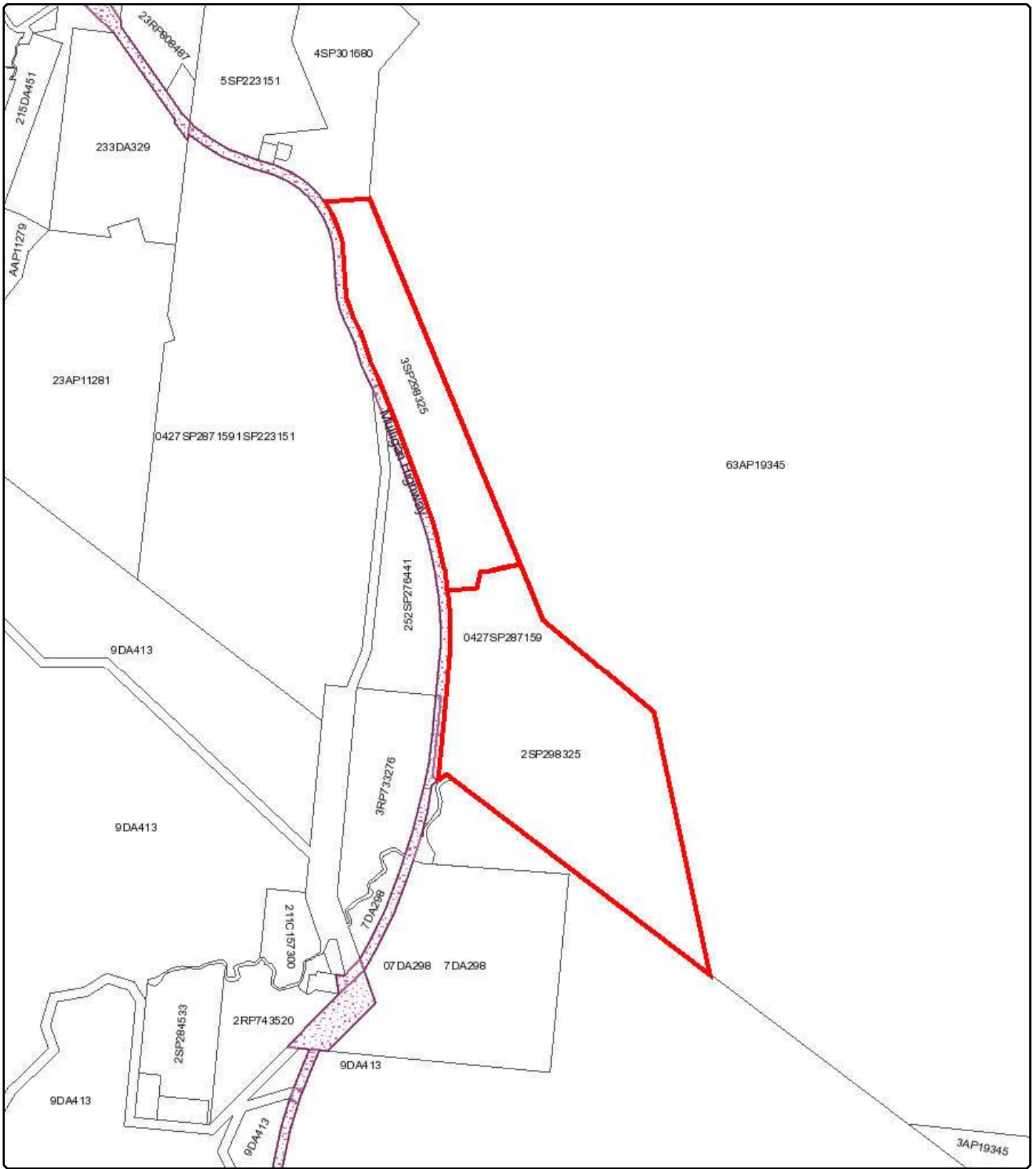
Regulated vegetation management map
(Category A and B extract)

-  Category A on the regulated vegetation management map
-  Category B on the regulated vegetation management map



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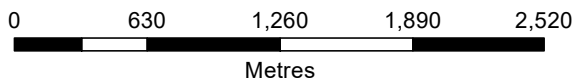
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Legend

State-controlled road

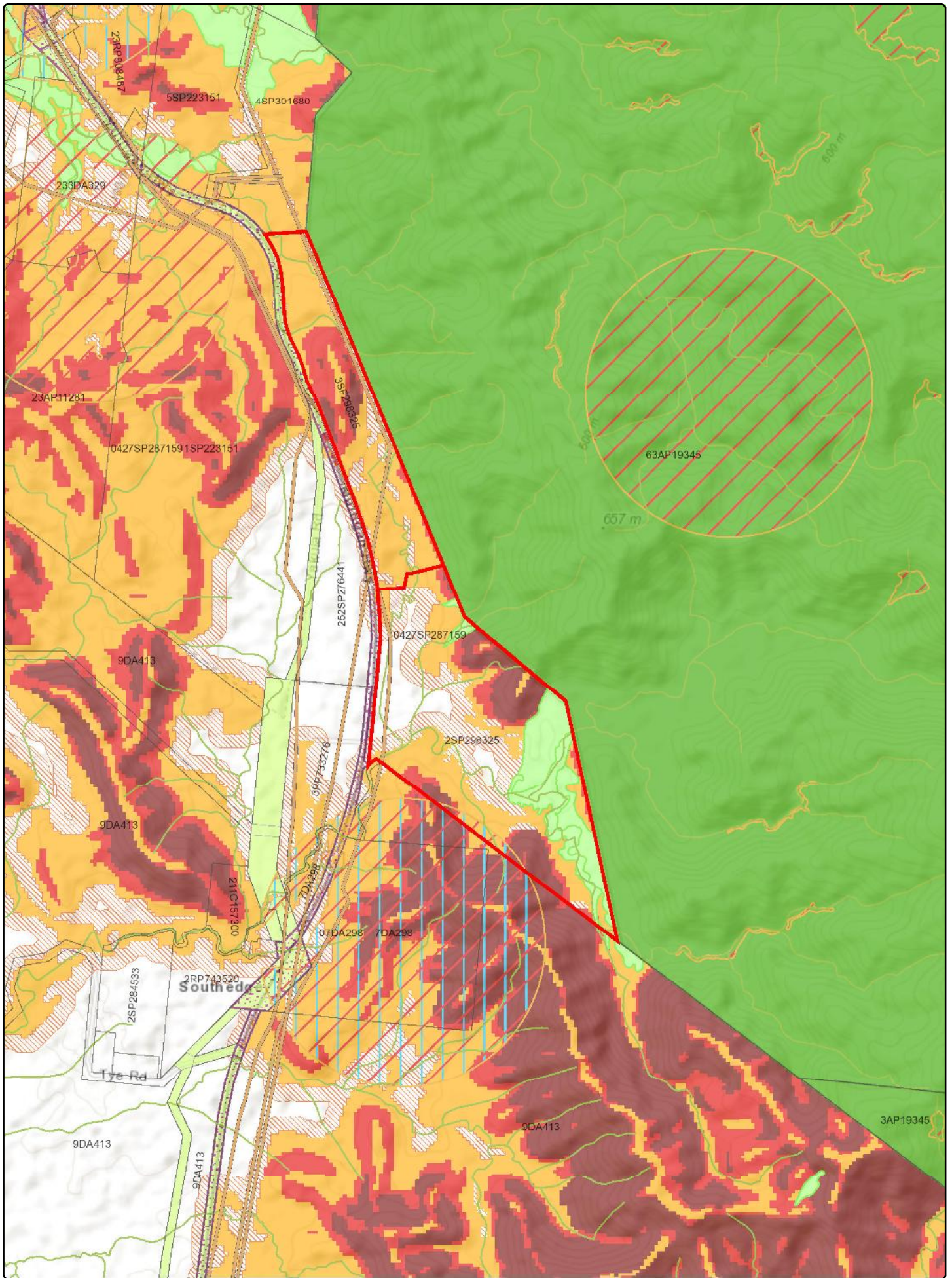


State-controlled road



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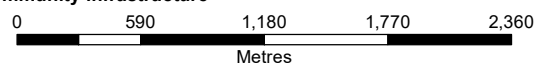


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State Planning Policy
 Making or amending a local planning instrument
 and designating land for community infrastructure

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Legend


Drawn Polygon Layer

Override 1


Cadastre (50k)

 Cadastre (50k)


Major electricity infrastructure (Ergon)

 Major electricity infrastructure (Ergon)


MSES - Regulated vegetation (intersecting a watercourse)

 MSES - Regulated vegetation (intersecting a watercourse)

MSES - Wildlife habitat (endangered or vulnerable)

 MSES - Wildlife habitat (endangered or vulnerable)

MSES - Wildlife habitat (special least concern animal)

 MSES - Wildlife habitat (special least concern animal)


State-controlled road

 State-controlled road


MSES - Protected areas (estate)

 MSES - Protected areas (estate)

MSES - Regulated vegetation (category B)


 MSES - Regulated vegetation (category B)

Stock route network


 Stock route network

Bushfire prone area

 Very High Potential Bushfire Intensity

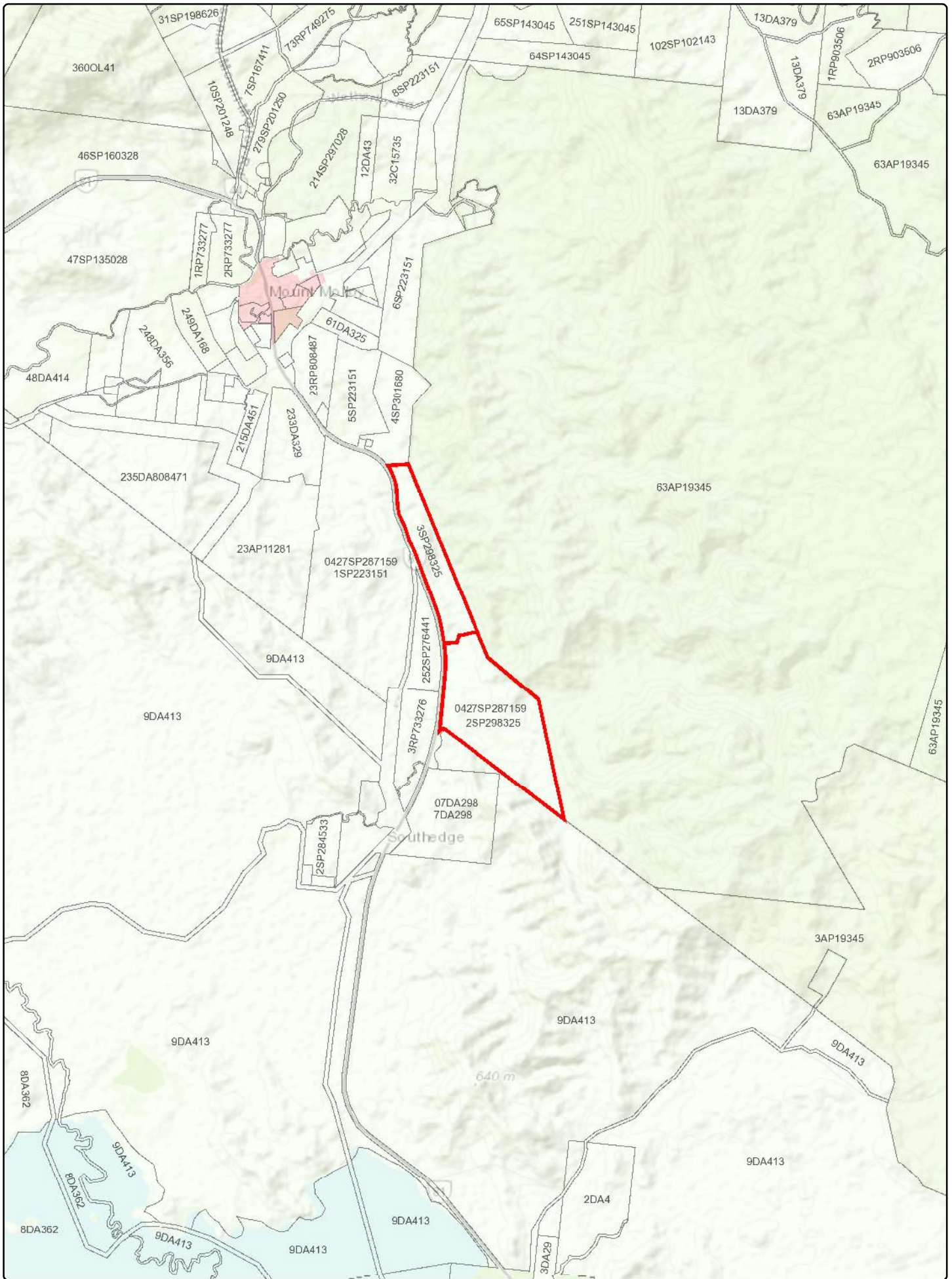
 High Potential Bushfire Intensity

 Medium Potential Bushfire Intensity

 Potential Impact Buffer



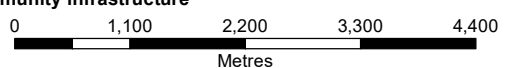
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 Making or amending a local planning instrument
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Legend


Drawn Polygon Layer


Override 1


Cadastre (100k)

 Cadastre (100k)

Regional land use categories (SEQ, WBB, MIW, FNQ)

 Urban Footprint

 Rural Living Area

 Regional Landscape and Rural Production Area



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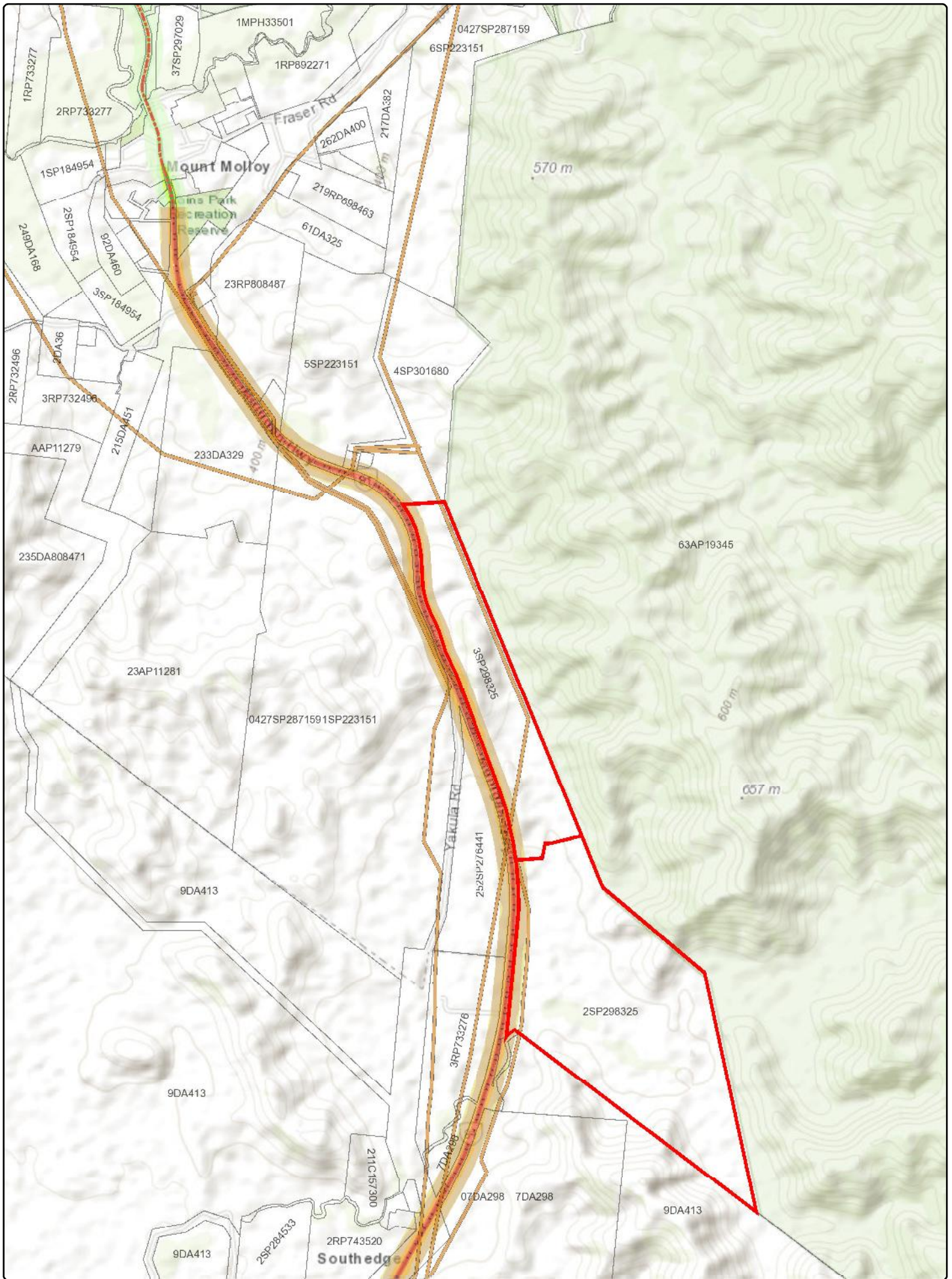
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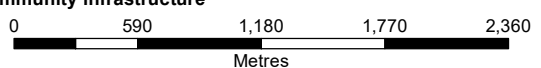
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State Planning Policy
 Making or amending a local planning instrument
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Legend


Drawn Polygon Layer

Override 1


Cadastre (50k)

 Cadastre (50k)


Major electricity infrastructure (Ergon)


 Major electricity infrastructure (Ergon)


Noise corridor centreline - State-controlled road


 Noise corridor centreline - State-controlled road


Noise corridor - State-controlled road (MANDATORY area)

 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)


Noise corridor - State-controlled road (VOLUNTARY area)

 Category 0: Noise Level < 58 dB(A)

 Category 1: 58 dB(A) =< Noise Level < 63 dB(A)

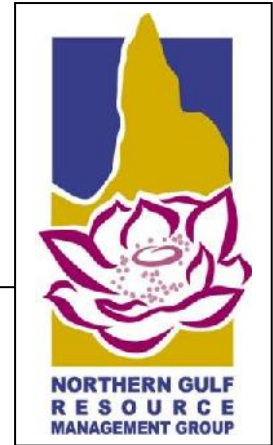
 Category 2: 63 dB(A) < Noise Level < 68 dB(A)

 Category 3: 68 dB(A) =< Noise Level < 73 dB(A)

 Category 4: Noise Level >= 73 dB(A)



Disclaimer:



**Wetherby Station
Development Subdivision
Fire Management Plan**

Prepared by:

**John and Kath Colless
in conjunction with
Dr Lesie Felderhof**

Reviewed and updated by John Colless, 20/08/2019



***Firescape
Science***

MANAGING FIRE FOR SAFETY & SUSTAINABILITY

Dr. Lesie Felderhof

P.O. Box 158
Atherton, Qld. 4883
Lesie@ledanet.com.au

Ph: (07) 4091 1289
0419 844 683
ABN 85 704 334 977

*For natural resource management advice: Specializing
in fire management, weed management, biodiversity
conservation, aerial imaging and field assessment*

1. Property description

Property name: Wetherby Station

Location: RN 471 Wetherby Rd, Mt Molloy, Qld 4871

Lots on Plan Number: SP 223151 (Lots 1-9), Lot 63 SP 143045, PTO 6470,
Parish of Garioch, County of Dagmar, Mareeba Shire Council

Property size: 1400 ha approx..

General location, climate, landscape and vegetation types present:

The property is located on the western edge of the Great Dividing Range. The township of Mount Molloy lies immediately to the west, at the northern end of the property. The Mulligan Highway between Mareeba and Mount Molloy runs north-south, again on the western side of the property, and dissecting the “Wetherby West” block from the remainder of the property. A high voltage power line runs parallel to the Mulligan Highway before it swings north and east through Wetherby. The landscape is characterised by rolling metamorphic hills. The entire eastern boundary is the Kuranda National Park (and World Heritage Area) which extends all the way to the coast.

Wetherby ranges in an elevation between 400m and 520m. It has a slightly drier monsoonal climate than coastal regions with an average annual rainfall of 950 mm. This falls predominantly in the wet season, which commences in November/December and continues until March/April. It rains reliably at this time of year but the amount of rain varies from year to year. There is a corresponding dry season from April/May to December.

Temperature is relatively warm throughout the year. The average summer temperatures are 31⁰C (max) and 24⁰C (min), while winter averages are 22⁰C (max) and 14⁰C (min).

The majority of creeks in the northern part of the property flow into Rifle Creek and then west into the Mitchell River. Other major creeks from north to south

include Spear Creek, Dairy Creek and the Little Mitchell River. They also flow west into the Mitchell River. There are dams and waterholes near the eastern boundary and in the north around Rifle Creek.

The predominant soil types are cleared alluvials (formerly used for sugar cane production), old alluvials and yellow duplex soils derived from the metamorphic bedrock. The rocky metamorphic substrate is exposed on the hills, while the lowlands consist of old loamy and sandy plains, and alluvial river and creek flats.

The property straddles two bioregions, the Wet Tropics and the Einasleigh Uplands. (The Mulligan Highway approximately follows the bioregional boundary, with the Wet Tropics bioregion to the east and the Einasleigh Uplands to the west). The majority of the property is dominated by eucalypt woodland with ironbarks, bloodwoods and boxes. (See Appendix 1 for descriptions of vegetation types and notes on fire management options).

The property has a typical savannah landscape – open woodland with a grassy understorey. It supports relatively large patches of Molloy Red Box woodland to open-forest and Clarkson's bloodwood. This gives way to white mahogany and lemon-scented gum woodlands in the southern half of the property, east of main road. Patches of iron bark open forest also occur in this area. On the western side of the road, the Molloy Red Box and bloodwood community gives way to a poplar gum and iron bark community. A large patch of ti-tree, she-oak and cypress low open woodland occurs west of the main road. Other vegetation types of interest include Cadagi open forest with vine thicket elements in two patches in the south; patches of ti-tree (*Melaleuca viridiflora*); riverine communities with vine forest and closed forest species; a small sedgeland/ grassland on an inundated swamp at the northern end of the property. There are small patches of forest red gum (*Eucalyptus tereticornis*) associated creeks and waterholes along the eastern boundary of the property. The dominant understorey grasses are kangaroo grass, giant spear grass, kerosene grass, white spear grass and blady grass.

Current management practices:

The property is currently managed for:

1. Beef cattle production – The property runs approximately 300 head of Brangus stud and commercial cattle plus Droughtmaster cattle which are grazed on native and improved pastures. Steers bred on the property are fattened, but the main enterprise is developing the Wetherby Brangus stud and selling bull and female progeny. Pasture is available all year round and supplemented with lick subject to season. Phosphorous blocks are supplied in the wet season, while molasses and urea blocks are given in the dry season. The aim is for sustainable grazing by reducing cattle numbers in parallel with improving the cattle quality.

The practice of seasonal mating has commenced, aiming for pre-Christmas calving and single sire-herds. Bulls are with cows from January to August, with a bull:cow ratio of 1:40 or 1:50. The intention is for early weaning from first calf heifers, wet season spelling and a plan to turn off cattle at an older age. The main mustering times are April and May.

There is some improved pasture. *Brachiaria decumbens*, *Brachiaria humidicola*, *Hamill grass*, and *seca stylo* have moved into the understorey. There are also areas of *para grass* and *hymenachne*.

2. Ecotourism – Wetherby has a relatively well established income stream from ecotourism. Visitors (international and domestic) travel from Cairns or Port Douglas to enjoy the outback experience and to see a working cattle station first hand.

3. Sustainability - Employing sustainable land management practices is a high priority on Wetherby. It is intended that this will result in improved farm productivity as well as ensuring that biodiversity values are retained. Substantial tree planting has occurred on the property and it is intended that the tree planting effort be continued. More intensive development is not

planned – rather, the approach is the reverse, with some areas being ‘de-developed’.

Management intentions:

The long term aims are to:

- Continue to develop the Wetherby Brangus stud
 - improve the commercial herd quality,
 - increase the attention given to biodiversity management
- 1) Previously, planned strategic/ mosaic burning has been undertaken on the property. It is intended that fire be used in conjunction with changed grazing practices to reduce timber thickening and promote the survival and growth of 3P (Productive, Palatable, Perennial) grasses.
 - 2) There are small isolated pockets of weeds that are being managed successfully at present. Weeds present include Giant Rats Tail grass (in a very small area), lantana (in Spear Creek and the northern part of Weaner Creek). There is no rubber vine and a very minor occurrence of sicklepod.
 - 3) Paddocks have been subdivided and riparian fencing has been erected along the full boundary with Rifle Creek. The driveway is now a laneway for stock movement and stock control; there is additional subdivisional fencing for a holding paddock and stock management.
 - 4) A key-line contour approach has been created on two paddocks and will be developed further to increase productivity on improved country.
 - 5) With Rifle Creek fenced off from cattle incursion, a reticulated gravity stock watering system has been installed, utilising header storage tanks, poly pipe and automatic water fill troughs in each paddock, north of Spear Creek.

Map details:

Key features of the property are shown on Map 1 (attached).

Additional information:

There have been significant changes in management practices in the last 10 years. Cattle were previously run in the Little Mitchell paddock in the wet, with no wet season spelling. Subdivision fences have been erected on Wetherby West and repaired in the Little Mitchell area. Fencing has occurred as above principally to subdivide paddocks and create laneways, making it easier to move stock.

For fire management, there is an imperative to undertake fuel reduction burning on Wetherby to provide fire protection to the nearby township of Mount Molloy. The main wildfire threat comes from the south east. Annual grading of the major internal fire break/road, which runs from the north to south through the property from Wetherby Road, Frazer Road and through to the Mulligan Highway, is carried out by the owners of Wetherby, in conjunction with Mareeba Shire Council and Mount Molloy Rural Fire Brigade.

Power lines run through the property. Timber under the lines is managed by Ergon/Powerlink contractors. They need to be notified before burning occurs and assist in maintenance of the internal access roads and tracks, which have served as fire breaks and “back burn” sites.

2. Regional Fire Management

Fire season:

The ‘fire season’ commences when the country dries out after the wet season and lasts until the onset of the next wet season. If fire is being used to reduce fuel loads, proactive burning normally occurs before the end of June. Fires are also purposely lit at storm time, to take advantage of green pick. Wildfires are more likely at this time too – as late season fires in October and November. These are the main periods of fire activity, but fires occur at other times too. Fires have been lit by neighbours and adjacent small land holders in

September and October to protect their properties from fires driven by the prevailing SE breezes.

Fire use on the property:

Fire is used on Wetherby for the following reasons:

- To remove rank grass
- To reduce fuel to protect against wildfire
- To kill weeds, particularly Lantana
- To manage timber thickening

The intention is to introduce the use of fire as a tool to maintain pasture composition, particularly the prevalence of 3P grasses, and to reduce timber thickening.

Fire use by neighbours:

There are around 30 adjacent landholders. The biggest landholder in the area (Southedge) -16000 ha use fire as a tool for managing their property, but most people don't burn. When fire is used by others it is in conjunction with the Mt Molloy Rural Fire Service, QPWS and some neighbours. This burning is for reducing fuel loads and for maintaining or creating fire breaks to protect people and property. Grading and back-burning are included in the program.

Fire patterns in the landscape:

In our view, the land in the area is burnt in an ad hoc manner. There are recently burnt and long unburnt areas but the burning patterns are not balanced. Some vegetation types appear to be changing, possibly due to changes in grazing or burning practices. For example, there is thickening of Melaleuca in the Little Mitchell, possibly as the result of inappropriate timing of fires (e.g. June, when fires are of low intensity. Grass is removed but the deep rooted, resprouting tree species recover quickly and then have a competitive advantage). In other areas the understorey grasses appear moribund and it is anticipated that fire will help to restore understorey health (e.g. an area of *Themeda* near Julia Dam) (Lot 5).

Fire management is seen as a balance. If fire is excluded, plants such as melaleuca and lantana become more common; if the country is burnt too often, the cover of perennial pasture species is reduced (replaced by annuals). The majority of vegetation types on the property are fire tolerant: the fire frequency and intensity affects the tree-grass balance. Species 'cover' is affected rather than complete presence or absence of different species.

There is no significant problem with arson; fire only occasionally enters the property from the road. Some people in the area are part of an active Rural Fire Brigade and permits are obtained from the Fire Warden (Christine Clark) prior to lighting fires. Standard instructions are that fires are not to be lit prior to 4pm and neighbours must be advised.

Weather conditions such as temperature, wind velocity and direction plus fuel load are considered prior to lighting control burns.

Smoke management:

People in this area accept smoke as part of rural living but some people are seriously concerned about fires. They want to know where it is and whether the fire is out of control or under control. To address this issue, the Mt Molloy Fire Brigade First Officer and Fire Warden/Post Mistress are informed of all fires in the local area and she acts as a contact point. Standard instructions are that fires are not to be lit prior to 4:00pm and neighbours must be advised.

Smoke is an issue for roadside burning but signs are put up and traffic control measures are put in place.

3. Fire management objectives

Fire zone map:

Map 2 (attached) shows the general fire management intentions for Wetherby. It includes:

Protection Zones	- managed to maintain low fuel loads
Wildfire Mitigation Zones	- aiming for low/moderate fuel loads
Production Zone	- fire regime depends on land use
Natural Habitat Zone	- fire regime depends on vegetation

Protection zone

Aim: To prevent fire damage to the Wetherby homestead, yards, sheds, stock (cattle and horses).

Fire protection is critical in these areas. The objective is to maintain low fuel loads to provide a high level of protection to life, property and infrastructure.

Wildfire mitigation zone

Aim: To minimise the risk of wildfire in the following locations: (1) the previously cleared area, (2) Kathy's paddock (Lot 7), (3) Frazer Road/Spear Creek area, (4) west of the road in Themeda paddock (Lot 6), (5) on the southern boundary near the two 5 ha rural blocks east of the highway, and (6) the southern boundary of 'Wetherby West' (Lot 1).

Management in this area is directed towards preventing wildfires from spreading onto the property, or increasing the likelihood of controlling a wildfire (either approaching from afar, or if a fire escapes unintentionally within the property). The objective in this zone is to maintain low to moderate fuel loads.

Production zone

Aim: To use fire to enhance pasture productivity and thereby improve cattle production.

The production zone covers most of the property.

Natural habitat zone

Aim: To use fire as appropriate for maintaining the species composition and structure of the regional ecosystems that are present.

Country will be managed with the specific objective of maintaining the regional ecosystems that are present (ecological burning). Most of Wetherby West (Lot1) is also zoned 'natural habitat' - burning in this area will aim to achieve a fine scale mosaic with respect to 'time-since fire'.

The majority of vegetation on Wetherby is fire tolerant. Fire damage is not evident in vegetation types that are potentially less fire tolerant (e.g. riparian areas).

4. Fire Management Strategies

Protection zone

Objective	Area	Strategy
Fire exclusion	Wetherby homestead and yards, sheds and out buildings	<ul style="list-style-type: none"> - Keep homestead area with low fuel load by mowing, slashing and grazing - Ensure there is sufficient on-site water for fire fighting - Ensure fire extinguishers, gravity fed tank and hoses are available - Have the slip-on unit mounted on dedicated Land Cruiser throughout the fire season

Wildfire mitigation zone

Objective	Area	Strategy
Minimise wildfire risk	Northern end of Wetherby to Spear Creek	<ul style="list-style-type: none"> - Maintain fire track on eastern boundary by annual grading - Liaise with EPA (Rob Miller) - In N & NE, work in with Lister Pringle, Kim Prettijohn and Peter Keyes (i.e. liaise with them, as neighbours and absentee owners) - Keep fuel load low in cane bin area by grazing - General view is that there is sufficient subdivisional fencing and watering points; the western boundary is Rifle Creek which has relatively fire resistant vegetation; the neighbour there has fire breaks;

Minimise wildfire risk		and fuel load is kept low in 'Kathy's paddock' by grazing
	Spear Creek to sub-station (Lots 4,5,6,7)	Two phases: 1) fuel reduction, 2) rejuvenating <i>Themeda</i> <ul style="list-style-type: none"> - Maintain the track by grading annually (with RFS), and run a blade along the fence line - One option is to have a co-ordinated burn with RFS and neighbours - Burn every three years by back burning into the National Park around June with Rob Miller - The longer term strategy will be to burn 'Broken Dam <i>Themeda</i> block' after 1st storm (around Dec) on a northerly wind. Use RFS assistance to wet down between western neighbours.
	Wetherby West and Little Mitchell (Lots 1,2,3)	<ul style="list-style-type: none"> - In the short term, maintain the tracks and link in with the neighbour for burning; Plan a joint burn with the two Little Mitchell neighbours in June - Burn between the track and old road in south of Wetherby West (see map) near the grave - Maintain the track (Wetherby West) into the State Land Asset Mgt block; keep an eye on the Firenorth site and be prepared to respond to wildfire
	Between 'Grand Canyon' and highway, north to Wetherby gate (Lots 2,3,4)	<ul style="list-style-type: none"> - Road side burn in June - Burn in conjunction with RFS and two neighbours

Production zone

Objective	Area	Strategy
------------------	-------------	-----------------

Reduce occurrence of Blady Grass (increase cover of <i>Themeda</i>)	Dairy Creek paddock (Lots 3,5)	<ul style="list-style-type: none"> - Aim to burn every 4 years Typically, Blady grass is promoted by fire; fire exclusion (i.e. restriction) helps to promote <i>Themeda</i>. (Reduce fire frequency until <i>Themeda</i> becomes more dominant) - Use Drovers Camp block as fire break (talk to Keith Smith)
Reduce woody thickening	Little Mitchell (Lots 2,3)	<ul style="list-style-type: none"> - Lock up this area for a year to get fuel build up - Establish new firebreak / access track 10m wide (designed to minimise erosion) and fence it with a block fence E-W into the hills to contain cattle - Prepare a burnt break early by back burning from the new track. The intent is to widen the break and reduce the risk of wildfire (need to involve Rob Miller in this) - The western wildfire protection is the eroded gully and road - Discuss operations with Rob: light from the river with access by quad bike? If so, need to make a light track along the river for access. OR use incendiaries? (preferable)
Reduce woody thickening	'Flight Path' (near road) (Lot 1)	<ul style="list-style-type: none"> - Aim for storm burning (in 2020) - Check tracks are passable beforehand (good roads and fence line in place for containment)

Natural habitat zone

Objective	Area	Strategy
Maintain RE	Drover's Camp (Lots 1,5)	- Discuss with Keith Smith (aim to promote native species in the understorey)
Create a fine scale mosaic of 'time since fire'	Wetherby West and SLAM paddock (Lot 1)	- Try a mosaic burning approach, whereby hill-tops and ridges are burnt as the country begins to dry out. This should also break up fuel load and protect against late season wildfires

5. Fire history and Risk assessment

Fire North Fire history map:

The recent fire history on Wetherby according to the fire scar information is available on the NAFI (North Australian Fire Information) and Firenorth websites. This data is known to be inaccurate for some areas, particularly the wet tropics as cloud cover prevents mapping by satellite imagery. It is therefore important to record fire scars at the property level soon after they occur, in order to build a reliable dataset.

Compare objectives with the current landscape condition:

ZONE/area	Fire requirement	Current situation	Consistent?
Protection	Fire exclusion	Current practices working well in that fuel is well reduced around property and infrastructure.	
Wildfire mitigation	Fuel reduction burns	Current practices ad hoc except for track maintenance in Fraser Rod area. Need to introduce the planned approach with RFS and neighbours; and discuss with EPA	
Production	Fire exclusion in the short term	Blady grass beginning to dominate in Dairy Paddock, need to implement plan to increase cover of <i>Themeda</i>	
	Storm burning	Woody thickening is apparent in Little Mitchell and the Flight Path; thought to be associated with low intensity fuel reduction burns in June, or green pick being grazed too soon (immediately after burning, before grass can sufficiently re-establish)	

Risk assessment:

ZONE/area	Wildfire risk / Implication of no action	Priority

Protection	If no action, wildfire is likely to damage infrastructure: grass grows every year since the rainfall is reliable, and fire is an annual occurrence.	1
Wildfire mitigation	There is a high risk of wildfire if no action is undertaken. As above, grass grows every year, given the reliable rainfall, and fire is an annual occurrence. Infrastructure damage on Wetherby or to neighbouring properties is likely if no action is taken. Loss of production would occur if feed was limited by wildfire. 2a - Spear Ck to sub-station 2b - Wetherby North (improved pasture) 2c - South, two blocks – Little Mitchell 2d - Spear Ck/Fraser Rd	2
Production	Little Mitchell - Woody thickening is associated with low intensity fuel reduction burns in winter. Without fire management, there is loss of grass in the understorey	3a
	Dairy Creek - Blady grass predominates when fire frequency is high. Without fire management there is loss of <i>Themeda</i> – a palatable perennial.	3b
	Flight Path – Woody thickening is associated with low intensity fuel reduction burns in winter. Without fire management, there is loss of grass in the understorey	3c
Natural habitat	Drover's camp - Woody thickening is associated with low intensity fuel reduction burns in winter. Without fire management, there is loss of grass in the understorey	=3a
	Wetherby West - There is a high risk of wildfire if no action is undertaken.	4a
	SLAM paddock - There is a high risk of wildfire if no action is undertaken.	4b

Fire management priorities:

Priorities over the next 5 years are:

1. Maintain current fuel reduction practices in Wetherby's protection zone
2. Talk to the RFS, Wetherby RFB), QPWS and neighbours about fire plans for Wetherby; set process in place for implementing priority fuel reduction burns each year and maintaining fire breaks

3. Talk to and involve Wetherby RFB, QPWS and RFS re- planned burns
4. Implement strategy to reduce woody thickening in Little Mitchell (Lots 2 and 3) as a component of Vegetation management.
5. Exclude fire from vulnerable and high risk areas
6. Discuss/implement mosaic burning of Wetherby West (Lot 1) with Mick Blackman of Friendly Fire
7. Ensure fire reports are prepared after each fire in order to improve the fire history records and learn by doing. Keep fire reports and monitoring photos in a dedicated fire management folder. (The fire-mapping can be improved by providing feedback to managers of the NAFI and Firenorth web sites. Mark up maps by hand if necessary so there are good on-property records).

6. Action plan

Priority	Zone/area	Tasks required	Complete by
1	Protection	Slashing, mowing & grazing in protection zones; ensure water availability and hoses, prepare slip on unit	July
2	Wildfire mitigation	Liaise with neighbours, QPWS and RFS to discuss priority areas for fuel reduction burns	April
2	Wildfire mitigation	Undertake fuel reduction burns (see section 4 for details)	June/July
3	Production	Discuss plan with Rob Miller (especially re- aerial incendiaries and plans for adjoining NP)	March
		Exclude cattle from Little Mitchell area (Lot 2) to get fuel build up	April
		Plan and establish new firebreak for Little Mitchell burn	September
3a	Natural Habitat	Themeda area (Lot 6) – fire break	June

Priority	Zone/area	Tasks required	Complete by
1	Protection	Slashing, mowing in protection zones; ensure water availability and hoses	July
2	Wildfire mitigation	Liaise with neighbours and RFS to discuss priority areas for fuel reduction burns	April/May
2	Wildfire mitigation	Undertake fuel reduction burns as described in section 4	June/July
3	Production	Little Mitchell - Prepare burnt break south of new fence (see section 4); Discuss with Rob Miller - QPWS	June/July
3	Production	Little Mitchell - discuss operations with RM; plan and implement storm burn	Oct/Nov (storm burn)
4	Production	Flight Path – consider actions required for storm burn in this area Oct/Nov	March
4	Natural Habitat	Wetherby West (liaise with Mick Blackman Friendly Fire)	March

Consider:

- Firebreak and internal road construction and annual maintenance with Mareeba Shire Council, Ergon and QPWS
- Stock movement
- Discussions with neighbours, RFS, QPWS and Ergon
- Obtain necessary Permits to Light
- Equipment check
- Before/after photograph at monitoring site
- Plan review (do this over the wet season; consider the fires in the previous year, the results of monitoring; management objectives)

7. Monitoring the outcomes

Zone/area	Objective	Indicator of success	Photo point ID	Date and direction of first photo

Point _____
 Name _____
 Location _____
 Date of most recent photo _____
 State of indicator species _____
 Photo storage location _____
 Comment on trend _____

Add extra sheets
as required

Point _____
 Name _____
 Location _____
 Date of most recent photo _____
 State of indicator species _____
 Photo storage location _____
 Comment on trend _____

Wildfire response – Wetherby Station, Rural # 471, Wetherby Rd, Mt Molloy

Pre fire-season safety CHECK:

The house yard is buffered from the surrounding bush by grazing, mowing and slashing

The following items are in working order and easily available:

Water pumps Heavy machinery (e.g. tractors, dozer, grader)

Water tank for vehicle (slip-on unit) Container for drinking water

Knap sack spray Fire extinguisher

Water containers (metal buckets, drums etc.)

Hoses Tool box

Rakes or rake-hoes Axe Chainsaw Shovel

Hessian bags or old woollen blankets for wetting

First aid kit Fire Action Map (see below)

Radios & batteries **UHF Channel** _____

Torch

Protective clothing (e.g. wool/cotton material; cloth for face protection; gloves)

Matches Drip torch

Check that the details on the fire action map are correct

During the fire season the plan is to:

Maintain low fuel loads (grass, sticks and leaves) in areas around buildings

Ensure good water supply in built areas

Note condition of property water supplies

Monitor fires in the region using the internet www.nafi.com and

(www.firenorth.org.au), and by talking to neighbours or QFRS staff.

Review QFRS guidelines on personal safety and house protection in the event of a bushfire

A copy of this wildfire response information (and map) is lodged with:

QFRS Mount Molloy Rural Fire Brigade Local Fire Warden

The wildfire response procedure has been discussed with family members and staff on the property

If there is a wildfire:

The steps to take are:

- Ensure personal safety and the safety of others in the immediate vicinity of the fire
- Ensure the safety of the vehicle and equipment, and if possible (or relevant) infrastructure
- Contact home base and advise them of the wildfire
- Give your location & fire details (location, size, direction of spread, flame height, vegetation/fuel, terrain, immediate threats).
- State who is at the fire and your intentions
- Say what assistance is required
- Assess the situation. If it is safe, and you are likely to succeed, take reasonable actions to extinguish or control the wildfire.

Important phone numbers

Name	Position/location	Phone number
John and Kathy Colless	Wetherby Station	4094 1125
Jeff Bryan	Wetherby Road	4094 1789
Fire Comm	Cairns	1800 642 490
Bill McKerlie	RFS captain	4094 1170 / 0407 609 668
Frank Falappi	Mt Molloy Police	4094 1132 / 0437 698 890
Christine Clarke	Sect (RFS) and PO	4094 1135/ 0488 133 949
Rob and Kim	Wetherby Station staff	0407 086997
Manager	Mt Molloy Hotel	4094 1133
Brad Bell	Neighbour	4094 1250

At all times the order of priority for wildfire suppression is:

- **Protection of human life**
- **Protection of substantial property or infrastructure on the land or neighbouring landholdings**
- **Protection of productive resource areas, and natural and cultural resources**

Information for fire fighters:

The following information is on the 'Fire Action Map for Wetherby' (attached):

Topography

Infrastructure (buildings, yards, bores, pumps, power lines)

Roads

Access tracks

Fire control lines (include natural 'breaks' such as rivers)

Fences

Gates

Locked gates

Water points accessible by vehicle

Property boundary

Name/contact of neighbour

Fire protection sites

Air strip or helipad

Record-keeping and review

Property name: Wetherby

Date of report: _____

Date of fire: _____

Duration of fire

Ignition time and date: _____

Extinction time and date: _____

Fire details

The fire was a Planned burn

..... Wildfire

The cause was:

	Known	Suspected
Lightning	<input type="checkbox"/>	<input type="checkbox"/>
Machinery	<input type="checkbox"/>	<input type="checkbox"/>
Arson	<input type="checkbox"/>	<input type="checkbox"/>
Escaped burn	<input type="checkbox"/>	<input type="checkbox"/>
Unknown	<input type="checkbox"/>	

Weather before the fire was

Weather during the fire was

Weather in the few months
following the fire was _____

Fire history map

The area burnt is shown on map _____. It shows the point of origin and the direction the fire traveled . Monitoring points _____ burnt.

Monitoring points _____ did not burn.

Map reliability is:

Hand drawn onto map from memory

Hand drawn onto map after flying over

Mapped using a GPS on the ground

Mapped from aerial photograph

Mapped from satellite imagery

Outcomes of the fire

Zone/area	Objective	Estimate of fire intensity	Result/comment

Fire summary

Overall, the fire management operation went _____

The general tactic was _____

The on-ground result (or impact) was _____

The main improvement for next time is _____

Implications for next season?

Revisit the fire plan, giving particular attention the action plan.

**ATTACHMENT 4:
RELEVANT APPROVALS**





19 September 2019

Planning Officer: Carl Ewin
Direct Telephone: (07) 4086 4656
Our Reference: MCU/19/0009
Your Reference: 19-462

Martin Anton
C/- Urban Sync Pty Ltd
PO Box 2970
CAIRNS QLD 4870

Dear Applicant/s

Decision Notice

Planning Act 2016

I refer to your application and advise that 18 September 2019, Council decided to approve the application in full subject to conditions.

Details of the decision are as follows:

APPLICATION DETAILS

Application No: MCU/19/0009
Street Address: 3276 & 3278 Mulligan Highway, Mount Molloy
Real Property Description: Lot 2 & 3 on SP223151
Planning Scheme: Mareeba Shire Council Planning Scheme 2016

DECISION DETAILS

Type of Decision: Approval
Type of Approval: Development Permit for Material Change of Use - High Impact Industry (Concrete Recycling Yard - up to 5,000 tonnes per year)
Date of Decision: 18 September 2019

CURRENCY PERIOD OF APPROVAL

The currency period for this development approval is six (6) years starting the day that this development approval takes effect. (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*.)

INFRASTRUCTURE

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

ASSESSMENT MANAGER CONDITIONS

(A) ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)

(a) Development assessable against the Planning Scheme

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

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

2. Timing of Effect

2.1 The conditions of the development permit must be complied with to the satisfaction of Council's delegated officer prior to the commencement of the use except where specified otherwise in these conditions of approval.

2.2 Prior to the commencement of use, the applicant must notify Council that all the conditions of the development permit have been complied with, except where specified otherwise in these conditions of approval.

3. General

3.1 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.

3.2 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to commencement of the use and at the rate applicable at the time of payment.

3.3 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements (as amended) and to the satisfaction of Council's delegated officer.

3.4 Bushfire Management

A Bushfire Hazard Management Plan for the development must be prepared by a suitably qualified person/s. The Bushfire Hazard Management Plan must demonstrate compliance with the relevant performance outcomes of the Mareeba Shire Council Planning Scheme 2016 Bushfire Hazard Overlay Code.

The development must comply with the requirements of the Bushfire Hazard Management Plan at all times.

3.5 Hours of Operation

The operating hours shall be between 8:00am and 5:00pm Monday to Friday and 8:00am to 1:00pm Saturdays. No operations are permitted on Sundays or Public Holidays.

3.6 Product Sale

All recycled products are to be sold off-site only with no individual sales/transactions permitted from the subject site.

3.7 Any fuel stored on site associated with the approved use must be kept in a sealed, bunded area with a storage capacity of at least 150% of the storage capacity of any fuel storage tanks/containers.

3.8 Environmental Management Plan

The applicant/developer shall provide Council with an environmental management plan prepared by a suitably qualified professional which addresses (as a minimum):

- ☐ All environmental impacts of the proposal and measures proposed to mitigate the impacts;
- ☐ Emergency management procedures;
- ☐ Refuse collection and disposal; and
- ☐ Management and supervision procedures.

The environmental management plan must be submitted to Council and be approved by Council's delegated officer prior to the commencement of the use.

The applicant/developer or on-site manager must ensure the approved use is operated in accordance with the environmental management plan at all times and for the life of the development.

4. Infrastructure Services and Standards

4.1 Stormwater Management

4.1.1 The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development.

4.1.2 All stormwater drainage collected from the site must be discharged to an approved legal point of discharge.

4.2 Erosion and Sediment Control Plan

4.2.1 The applicant/developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development.

4.2.2 Prior to the development commencing, the applicant must develop an Erosion and Sediment Control Plan. The plan must detail what measures/procedures will be implemented on-site to prevent erosion and sediment run-off during construction and operation.

4.2.3 The applicant/developer must ensure that the Erosion and Sediment Control Plan is complied with at all times.

4.3 Water Supply

The quality of water provided on site for human contact or consumption must be of a standard for drinking water set by the Australian Drinking Water Guidelines 2004 (National Health and Medical Research Council and the National Resource Management Ministerial Council).

4.4 On-site Wastewater Management

All on site effluent disposal associated with the approved use must be in compliance with the latest version of On-Site Domestic Wastewater Management Standard (ASNZ1547) to the satisfaction of the Council's delegated officer.

4.5 Car Parking/Internal Driveways

The developer must ensure that the development is provided with sufficient on-site car parking spaces which are available for use solely for the parking of vehicles associated with the use of the premises. All car parking spaces and internal driveways must be constructed to at least compacted gravel standard, clearly identifiable and appropriately drained prior to the commencement of the use, to the satisfaction of Council's delegated officer.

REFERRAL AGENCIES

The referral agencies applicable to this application are:

Material change of use of premises near a State transport corridor or that is a future State transport corridor		
Development application for a material change of use, other than an excluded material change of use, that is assessable development under a local categorising instrument, if all or part of the premises— (a) are within 25m of a State transport corridor; or (b) are a future State transport corridor; or (c) are— (i) adjacent to a road that intersects with a State-controlled road; and (ii) within 100m of the intersection	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4	State Assessment & Referral Agency (SARA) Department of State Development, Manufacturing, Infrastructure and Planning PO Box 2358 Cairns Qld 4870 CairnsSARA@dsdmip.qld.gov.au
Material change of use that is assessable development under a local categorising instrument (clearing native vegetation)		
Development application for a material change of use that is assessable development under a local categorising instrument and relates to a lot that is 5ha or larger, if— (a) the application— (i) is for a preliminary approval that includes a	Schedule 10, Part 3, Division 4, Table 3	State Assessment & Referral Agency (SARA) Department of State Development, Manufacturing, Infrastructure and Planning PO Box 2358 Cairns Qld 4870

<p>variation request; and (ii) relates to a lot that contains native vegetation shown on the regulated vegetation management map as a category A area or category B area; and (iii) is for a material change of use, other than a non-referable material change of use; or</p> <p>(b) the application is not stated in paragraph (a) and all of the following apply— (i) the material change of use does not involve prescribed clearing; (ii) accepted operational work may be carried out because of the material change of use, or the material change of use involves operational work that is assessable development under section 5; (iii) the accepted operational work or assessable operational work includes development other than the clearing of regulated regrowth vegetation on freehold land, indigenous land, land the subject of an occupation licence under the Land Act, or land the subject of a lease given under the Land Act for agriculture or grazing purposes</p>		<p>CairnsSARA@dsmip.qld.gov.au</p>
<p>Material change of use of premises near a substation site of subject to an easement (advice agency only)</p>		
<p>Development application for a material change of use that is assessable development under a local categorising instrument and does not relate to reconfiguring a lot, if—</p> <p>(a) all or part of the premises are within 100m of a substation site; or</p> <p>(b) both of the following apply— (i) all or part of the premises are subject to an easement for the benefit of a distribution entity, or transmission entity, under the Electricity Act; (ii) the easement is for a transmission grid or supply network</p>	<p>Schedule 10, Part 9, Division 2, Table 2</p>	<p>Town Planning Ergon Energy PO Box 264 Fortitude Valley Qld 4006</p> <p>townplanning@ergon.com.au</p>

A copy of any referral agency conditions are attached.

APPROVED PLANS

The following plans are Approved plans for the development:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
Sheet 2	Site Plan	-	-
-	Indicative Site Layout Plan	-	-

ADVISORY NOTES

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

(A) ASSESSMENT MANAGER'S ADVICE

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

(b) Compliance with applicable codes/policies

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

(c) Compliance with Acts and Regulations

The erection and use of the building must comply with the Building Act and all other relevant Acts, Regulations and Laws, and these approval conditions.

(d) Environmental Protection and Biodiversity Conservation Act 1999

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

(e) Cultural Heritage

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

(B) REFERRAL AGENCY CONDITIONS

Department of State Development, Manufacturing, Infrastructure and Planning conditions dated 26 August 2019.

PROPERTY NOTES

Not Applicable.

FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Building Work
- Compliance Permit for Plumbing and Drainage Work

SUBMISSIONS

There were no properly made submissions received.

RIGHTS OF APPEAL

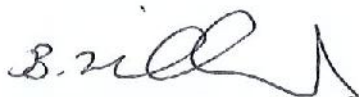
You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

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

OTHER DETAILS

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

Yours faithfully

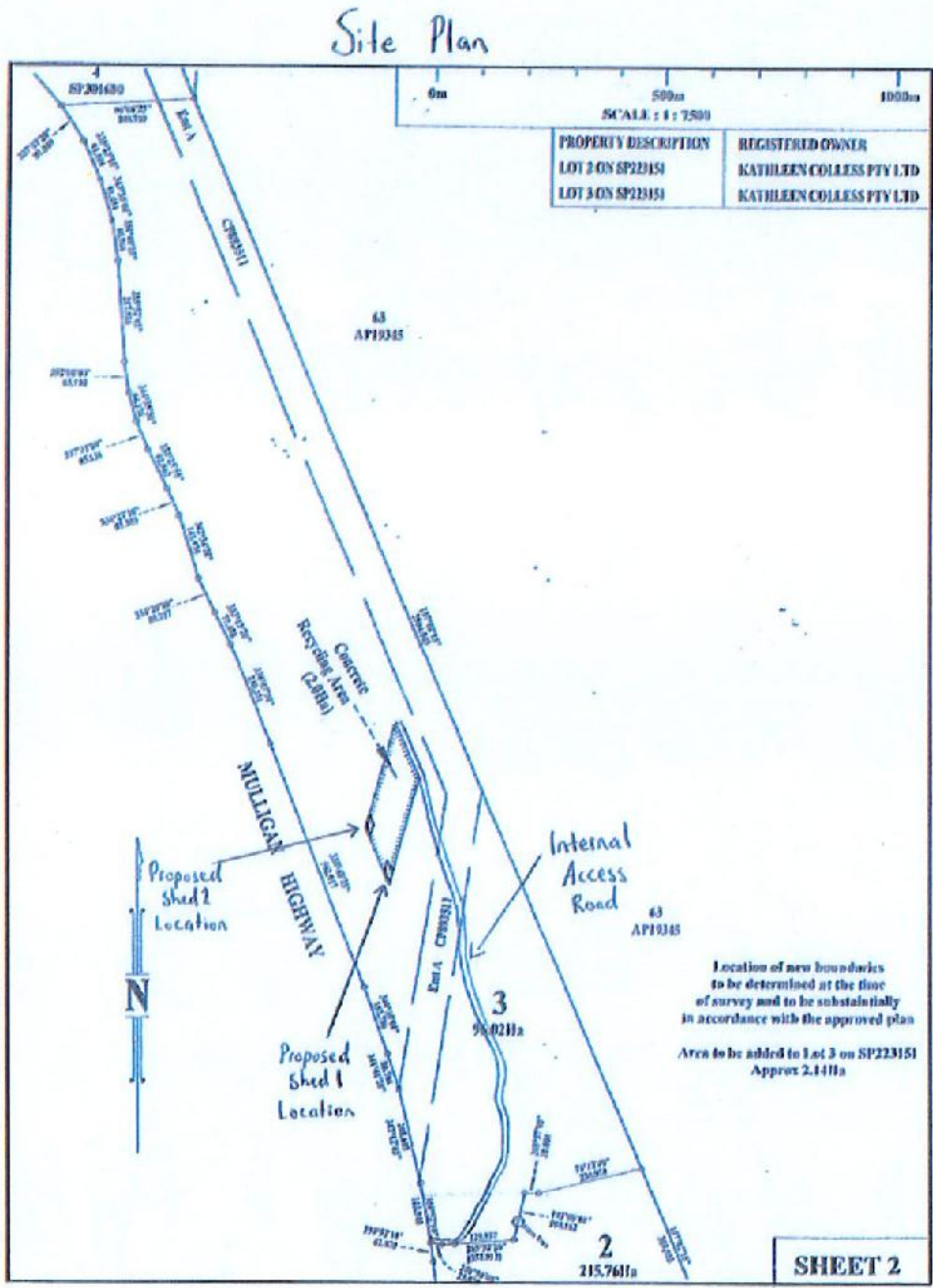


BRIAN MILLARD
SENIOR PLANNER

Enc: Approved Plans/Documents
Referral Agency Response
Appeal Rights

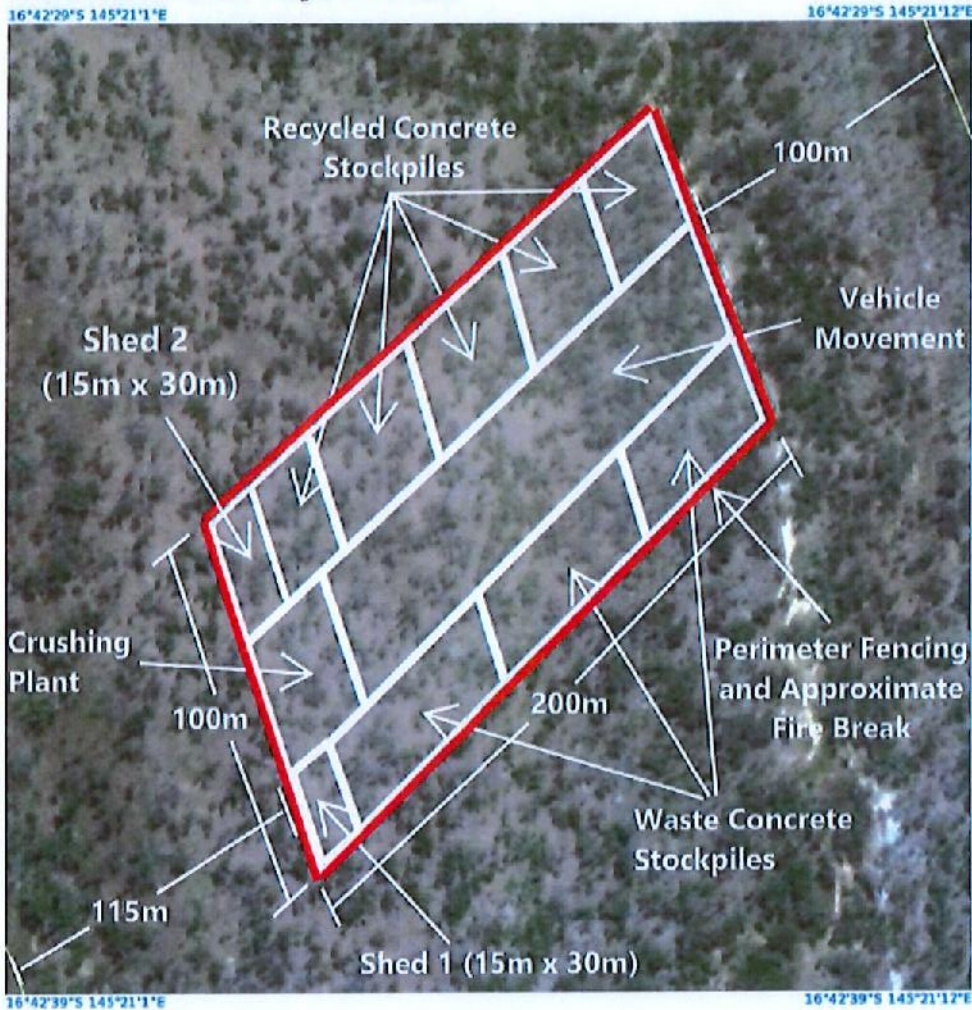
Copy: Department of State Development, Manufacturing, Infrastructure and Planning
CairnsSARA@dsmip.qld.gov.au

Approved Plans/Documents



19/9/2019
B. Will

Indicative Site Layout Plan



A product of
 Queensland Globe



50 metres

Print Date: 18/6/2019
Paper Size: A4
Imagery

Includes material © CNES reproduced under licence from Airbus DS, all rights reserved, © 21AT © Earth-1, all rights reserved, 2019



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The State of Queensland makes no representation or warranties in relation to the map contents and disclaims all liability.

19/9/2019
B. n. [Signature]

	Referral Agency Response
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RAS-N



Department of
**State Development,
Manufacturing,
Infrastructure and Planning**

SARA reference: 1907-12219 SRA
Council reference: MCU/19/0009
Applicant reference: 19-462

26 August 2019

Chief Executive Officer
Mareeba Shire Council
PO Box 154
Mareeba Qld 4880
planning@msc.qld.gov.au

Attention: Carl Ewin

Dear Sir/Madam

SARA response—3276 Mulligan Highway, Mount Molloy; 3278 Mulligan Highway, Mount Molloy

Development Application for Material change of use for Development Permit for a Material Change of Use for High Impact Industry (Concrete Recycling Yard - up to 5,000 tonnes per year) (Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the Department of State Development, Manufacturing, Infrastructure and Planning on 17 July 2019.

Response

Outcome:	Referral agency response – with conditions.
Date of response:	26 August 2019
Conditions:	The conditions in Attachment 1 must be attached to any development approval.
Advice:	Advice to the applicant is in Attachment 2.
Reasons:	The reasons for the referral agency response are in Attachment 3.

Development details

Description:	Development permit	Material change of use for Development Permit for a Material Change of Use for High Impact Industry (Concrete Recycling Yard - up to 5,000 tonnes per year)
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Page 1 of 9

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

1907-12219 SRA

SARA role:	Referral Agency.
SARA trigger:	Schedule 10, Part 3, Division 4, Table 3 – Clearing native vegetation (Planning Regulation 2017) Development application for a material change of use on a lot that contains native vegetation Schedule 10, Part 9, Division 4, Subdivision 3, Table 4 – State-controlled road (Planning Regulation 2017) Development application for a material change of use within 25m of a State-controlled road
SARA reference:	1907-12219 SRA
Assessment Manager:	Mareeba Shire Council
Street address:	3276 Mulligan Highway, Mount Molloy; 3278 Mulligan Highway, Mount Molloy
Real property description:	2SP223151; 3SP223151
Applicant name:	Martin Anton .
Applicant contact details:	PO Box 2970 Cairns QLD 4870 justin@urbansync.com.au
State-controlled road access permit:	This referral included an application for a road access location, under section 62A(2) of <i>Transport Infrastructure Act 1994</i> . Below are the details of the decision: <ul style="list-style-type: none"> • Approved • Reference: TMR19-027837 (500-1400) • Date: 20 August 2019 <p>If you are seeking further information on the road access permit, please contact the Department of Transport and Main Roads at cairns.office@tmr.qld.gov.au or on 07 4045 7161.</p>

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules) Copies of the relevant provisions are in Attachment 4.

A copy of this response has been sent to the applicant for their information.

1907-12219 SRA

For further information please contact Tony Croke, Principal Planner, on 40373205 or via email CairnsSARA@dsdmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Brett Nancarrow
Manager (Planning)

cc Martin Anton, c/- justin@urbansync.com.au

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Representations provisions
Attachment 5 - Approved plans and specifications

1907-12219 SRA

1907-12219 SRA

Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the plans and specifications referenced below are found at Attachment 5)

No.	Conditions	Condition timing
Material change of use		
Schedule 10, Part 3, Division 4, Table 3 – Clearing native vegetation — The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Natural Resources Mines and Energy to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	The clearing of vegetation under this development approval is limited to the area identified as Area A as shown on attached Technical Agency Response Plan (TARP) 1907-12219 SRA dated 16 August 2019.	At all times
2.	No built structure, other than for fences, roads, hardstands, and underground services, is to be established, constructed or located within area identified as Area B as shown on the attached Technical Agency Response Plan (TARP) 1907-12219 SRA dated 16 August 2019.	At all times
3.	Any person(s) engaged or employed to carry out the <u>clearing of vegetation</u> under this development approval must be provided with a full copy of this development approval, and must be made aware of the full extent of <u>clearing</u> authorised by this development approval.	Prior to clearing
Schedule 10, Part 9, Division 4, Subdivision 3, Table 4 – State-controlled road — The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department on Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
4.	<p>(a) The road access location, is to be located generally in accordance with TMR Layout Plan (34A – 32.76km) prepared by Queensland Government Transport and Main Roads, dated 13/08/2019, File Reference TMR19-27837 (500-1400), Issue A.</p> <p>(b) Road access works comprising of a sealed rural property access must be provided at the road access location.</p> <p>(c) The road access works must be designed and constructed in accordance with Austroads Guide to Road Design, Part 4: Intersections and Crossings – General, Figure 7.4 (rural property access specifically designed for articulated vehicles on a two-way road).</p>	<p>(a) At all times.</p> <p>(b) and (c) Prior to the commencement of use.</p>
5.	Signage, indicating 'trucks turning' is to be installed either side of the road access in accordance with section 1.12.2 Longitudinal Placement of the Department of Transport and Main Roads' <i>Manual of Uniform Traffic Control Devices, Part 1: General introduction and sign illustrations, July 2019.</i>	Prior to the commencement of use.

1907-12219 SRA

Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) version 2.4 effective 16 November 2019. If a word remains undefined it has its ordinary meaning.
2.	Words underlined in these conditions have the same meaning given in the Glossary of Terms found within the state code 18: Clearing native vegetation.
3.	Despite this development approval, other permits or approvals may be required for the clearing of vegetation. To determine if the proposed clearing requires other approvals under other local, State or federal laws go to www.qld.gov.au (search 'vegetation clearing requirements').
4.	To request an electronic file of the Derived Points (Attached to Plan: 1907-12219 SRA) as contained in this technical agency response, email a request to the Department of Natural Resources, Mines and Energy (DNRME) at northvegetation@dnrme.qld.gov.au and include application reference (1907-12219 SRA).
5.	In accordance with section 33 of the <i>Transport Infrastructure Act 1994</i> (TIA), an applicant must obtain written approval from Department of Transport and Main Roads (DTMR) to carry out road works, including road access works on a state-controlled road. Please contact DTMR on 4045 7144 to make an application under section 33 of the TIA to carry out road works. This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). The road works approval process takes time – please contact Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.

1907-12219 SRA

Attachment 3—Reasons for referral agency response*(Given under section 58(7) of the Planning Act 2016)***The reasons for the department's decision are:**

- The impacts on connectivity or loss of biodiversity and the impact on ecosystem function is considered minimal as the scale of clearing is small and the extent of adjoining remnant vegetation is extensive.
- There are no wetlands within 100m of the proposed clearing.
- The proposed clearing for the access track is 10m which is within the 20m limit allowed.
- Sufficient vegetation will be retained to maintain connectivity and ecological processes on the premises as well as in the surrounding landscape.
- The risk of salinity indicator is considered to be marginal.
- The vegetation on the subject lots as least concern vegetation. There are no endangered or of concern regional ecosystems.
- The subject lots contains no essential habitat.
- There are no compliance activities, any vegetation management requirements for a particular regulated area or offsets related to the premises.
- The Mulligan Highway is not a limited access road.
- The existing shared vehicular access can accommodate vehicles up to a maximum size 'Four Axle Truck – Class 5 Medium Length Heavy Vehicle'.
- The proposal will involve Class 8 'Five Axle Articulated' vehicle/s using the access.
- The shared access will be required to be upgraded to accommodate articulated vehicles on a two-way road.
- The upgrade of the current access will improve entry and exit movements.
- Truck turning signage is required to be erected to warn and inform road users of truck movements ahead.
- The 'lease area' for the proposed concrete recycling yard is located approximately 115m east of the Mulligan Highway, a state-controlled road. This is a sufficient setback from the state-controlled road.
- Filling and excavation works will be limited and undertaken wholly within the 'lease area'.
- Stormwater and drainage flows are discharged naturally on-site and it is unlikely that stormwater and drainage flows will directly impact the state-controlled road.

Material used in the assessment of the application:

- The development application material, submitted plans and information request response
- *Planning Act 2016*
- *Planning Regulation 2017*
- *The State Development Assessment Provisions (version 2.4 effective 16 November 2018)*, as published by the department
- *The Development Assessment Rules*
- SARA DA Mapping system

1907-12219 SFA

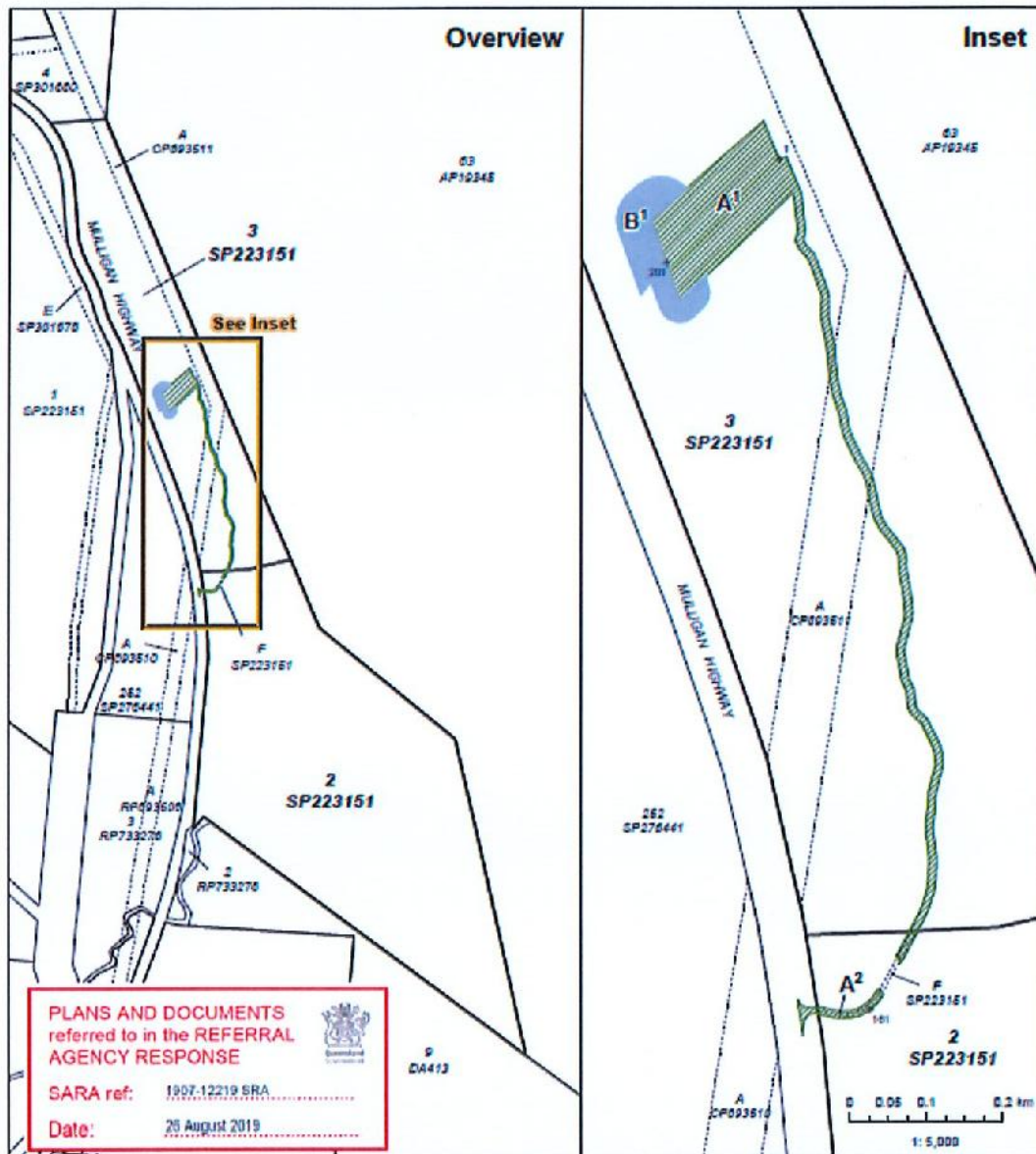
Attachment 4—Change representation provisions

(page left intentionally blank – attached separately)

1907-12219 SRA

Attachment 5—Approved plans and specifications

(page left intentionally blank – attached separately)



PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 1907-12219 SRA

Date: 25 August 2019

1:20,000 @ A3 size

0 0.25 0.5 0.75 1 1.25 km

Projection: UTM (MGA Zone 55) Datum: GDA84

Note: Derived Reference Points are provided to assist in the location of area boundaries. Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s).

The property boundaries shown on this plan are APPROXIMATE ONLY. They are NOT an accurate representation of the legal boundaries. This plan must be read in conjunction with Decision Notice 1907-12219 SRA

LEGEND 	Technical Agency Response Plan Plan of Area A (Parts A¹ - A²) and Area B (Part B¹) in Lots 2 & 3 on SP223151		
	LOCAL GOVT: MAREEBA SHIRE LOCALITY OF MOUNT MOLLY, BOUTHEDGE File Reference: «Doc 0920003303» Compiled from: OGD, RVM & NRM Notes on file Department: DNRME Region: North Prepared by: PJJ - PMS Date: 16 August 2019		

Page 1 of 2

**Attachment to Plan: SDA-1907-12219
Derived Reference Points for GPS**

Datum: GDA 1994, Projection: Transverse Mercator MGA Zone 55

Notes: Derived Reference Points are provided to assist in the location of area boundaries. Responsibility for locating these boundaries lies solely with the landholder and delegated contractors. Coordinates start at a point indicated on the accompanying plan and proceed in a clockwise direction.

PLANS AND DOCUMENTS referred to in this REFERRAL AGENCY RESPONSE
SARA ref: W1/1907/19
Date: 20 April 2019


Part ID	Unique ID	Easting	Northing	Part ID	Unique ID	Easting	Northing	Part ID	Unique ID	Easting	Northing
A1	1	324363	8151914	A1	61	324569	8151087	A1	121	324517	8151403
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A1	3	324372	8151919	A1	63	324568	8151066	A1	123	324496	8151430
A1	4	324391	8151875	A1	64	324567	8151061	A1	124	324496	8151431
A1	5	324391	8151874	A1	65	324566	8151049	A1	125	324498	8151447
A1	6	324392	8151868	A1	66	324565	8151043	A1	126	324484	8151461
A1	7	324397	8151804	A1	67	324565	8151035	A1	127	324477	8151454
A1	8	324395	8151810	A1	68	324567	8151025	A1	128	324474	8151503
A1	9	324398	8151804	A1	69	324569	8151002	A1	129	324462	8151524
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A1	11	324410	8151791	A1	71	324567	8150959	A1	131	324446	8151563
A1	12	324414	8151780	A1	72	324561	8150939	A1	132	324444	8151575
A1	13	324423	8151756	A1	73	324556	8150926	A1	133	324441	8151587
A1	14	324429	8151739	A1	74	324531	8150878	A1	134	324434	8151606
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A1	56	324578	8151135	A1	116	324527	8151317	A2	176	324396	8150780
A1	57	324578	8151123	A1	117	324528	8151323	A2	177	324396	8150789
A1	58	324578	8151123	A1	118	324525	8151352	A2	178	324388	8150816
A1	59	324578	8151122	A1	119	324521	8151376	A2	179	324393	8150809
A1	60	324573	8151106	A1	120	324520	8151397	A2	180	324401	8150806

Attachment to Plan: SDA-1907-12219
Derived Reference Points for GPS
Datum: GDA 1994, Projection: Transverse Mercator MGA Zone 55 Page 2 of 2

Notes: Derived Reference Points are provided to assist in the location of area boundaries. Responsibility for locating these boundaries lies solely with the landholder and delegated contractor(s). Coordinates start at a point indicated on the accompanying plan and proceed in a clockwise direction.

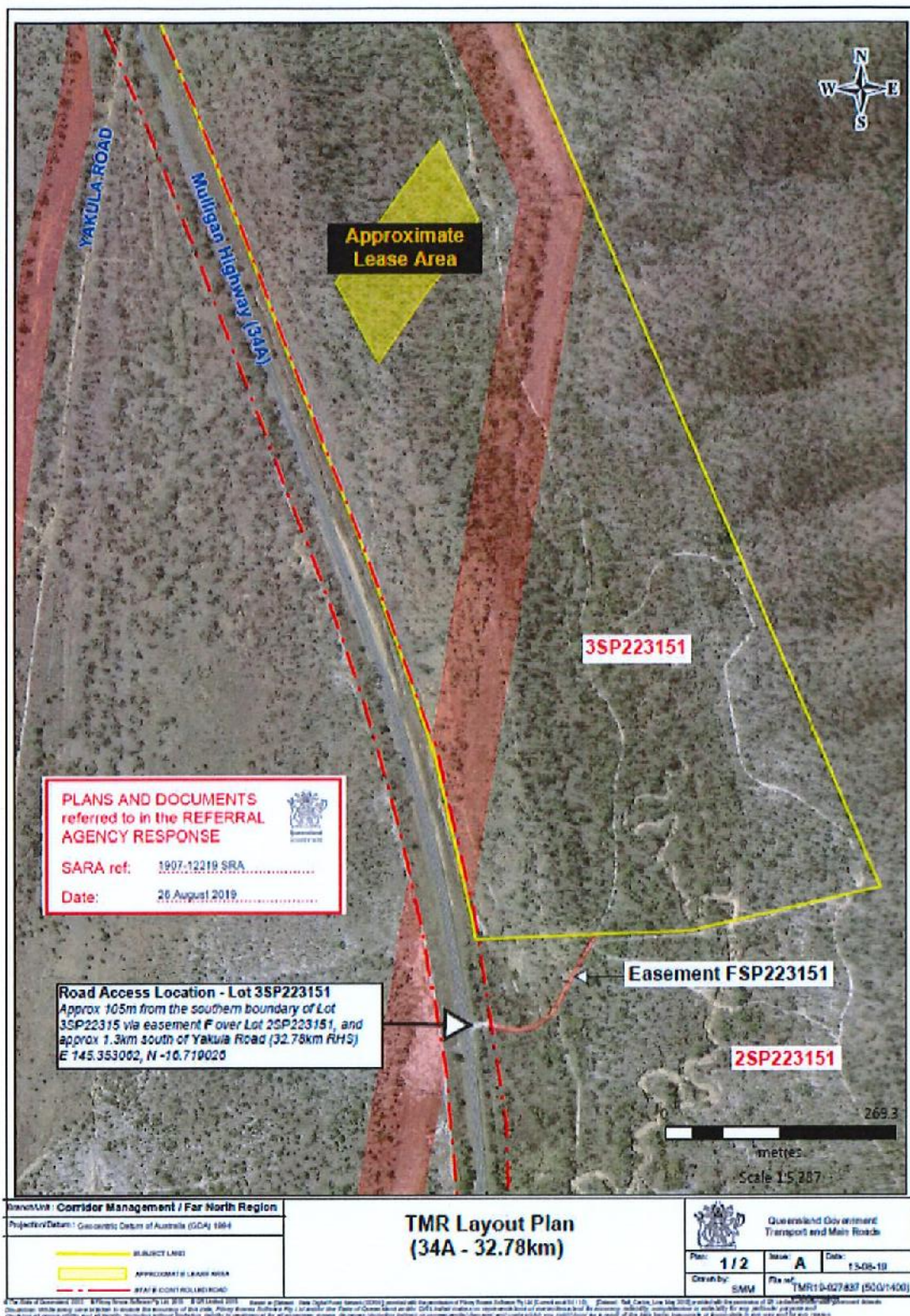
Part ID	Unique ID	Easting	Northing	Part ID	Unique ID	Easting	Northing	Part ID	Unique ID	Easting	Northing
A2	181	324414	8150803	B1	241	324232	8151886				
A2	182	324415	8150803	B1	242	324237	8151882				
A2	183	324415	8150803	B1	243	324241	8151878				
A2	184	324416	8150803	B1	244	324227	8151886				
A2	185	324421	8150807	B1	245	324195	8151838				
A2	186	324433	8150804	B1	246	324215	8151781				
A2	187	324439	8150803								
A2	188	324443	8150803								
A2	189	324451	8150803								
A2	190	324458	8150803								
A2	191	324466	8150805								
A2	192	324476	8150811								
A2	193	324485	8150819								
A2	194	324492	8150828								
A2	195	324493	8150831								
A2	196	324495	8150829								
A2	197	324501	8150824								
A2	198	324500	8150823								
A2	199	324493	8150812								
A2	200	324492	8150803								
B1	201	324216	8151781								
B1	202	324232	8151730								
B1	203	324259	8151765								
B1	204	324256	8151761								
B1	205	324270	8151781								
B1	206	324272	8151742								
B1	207	324270	8151733								
B1	208	324256	8151728								
B1	209	324253	8151722								
B1	210	324251	8151711								
B1	211	324248	8151708								
B1	212	324241	8151704								
B1	213	324233	8151703								
B1	214	324225	8151704								
B1	215	324217	8151708								
B1	216	324211	8151714								
B1	217	324207	8151721								
B1	218	324195	8151756								
B1	219	324182	8151739								
B1	220	324152	8151823								
B1	221	324151	8151829								
B1	222	324150	8151835								
B1	223	324150	8151841								
B1	224	324151	8151846								
B1	225	324152	8151852								
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B1	227	324158	8151863								
B1	228	324161	8151867								
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B1	236	324204	8151893								
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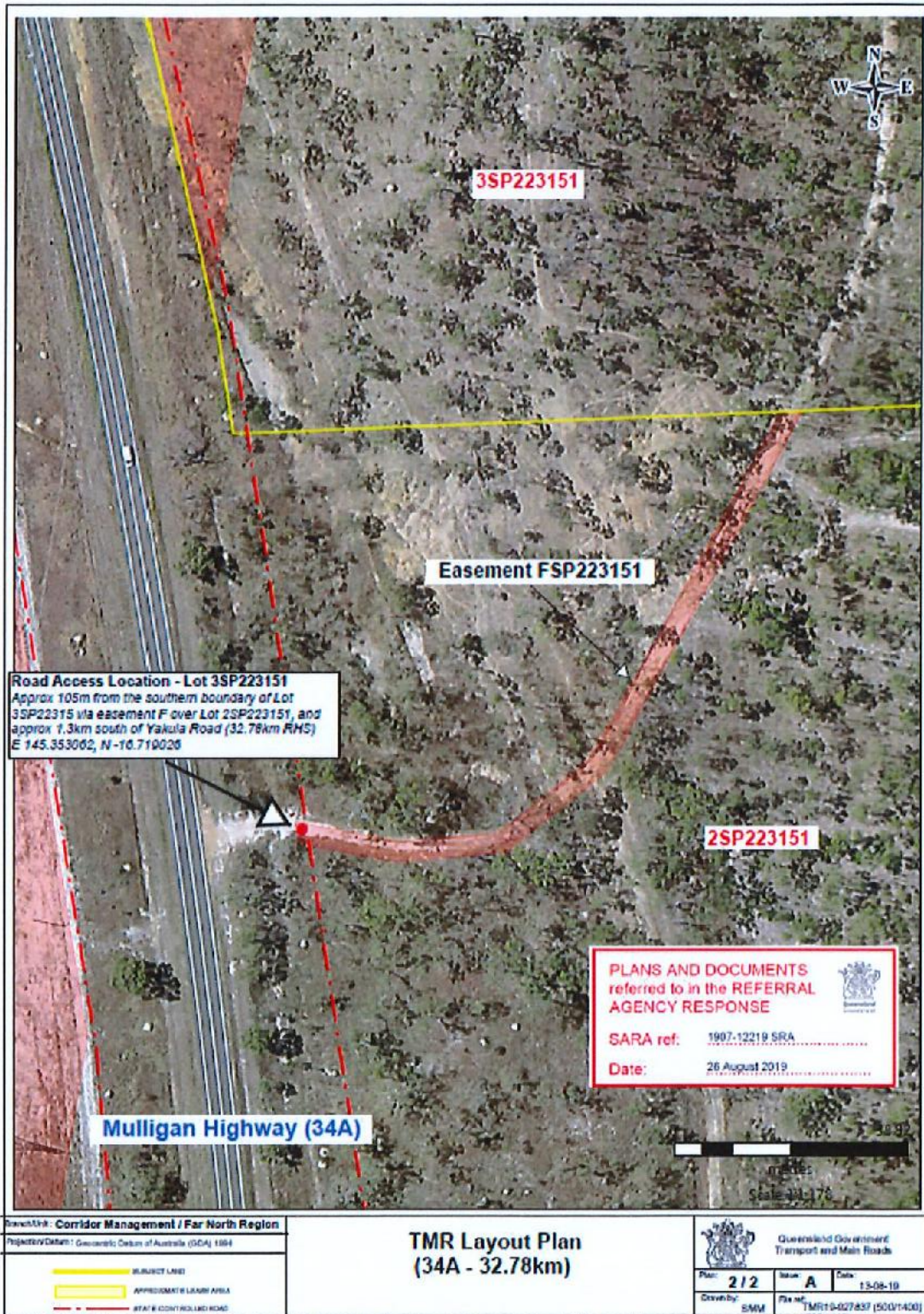
**PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE**

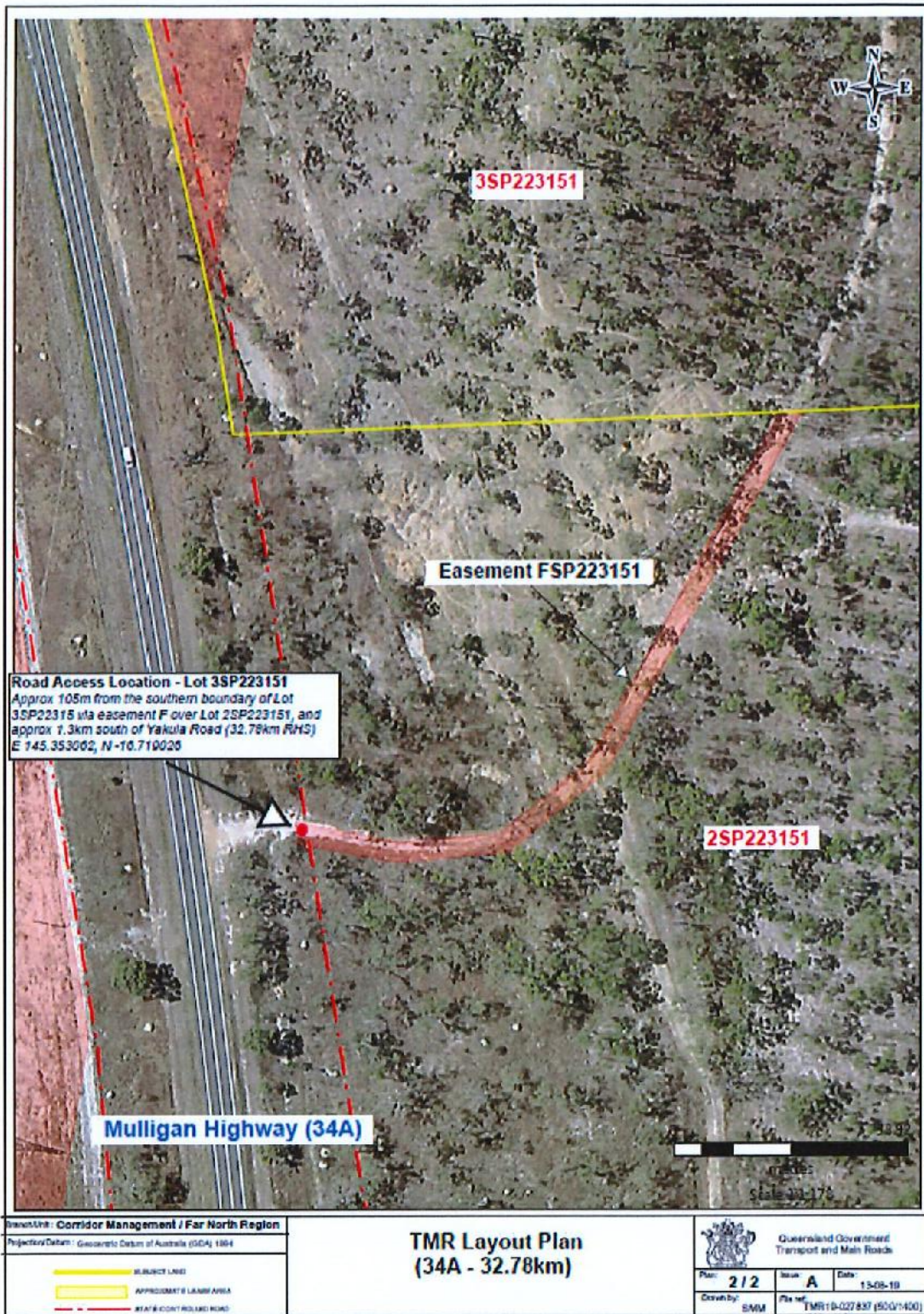


SARA ref: 1907-12219 SRA

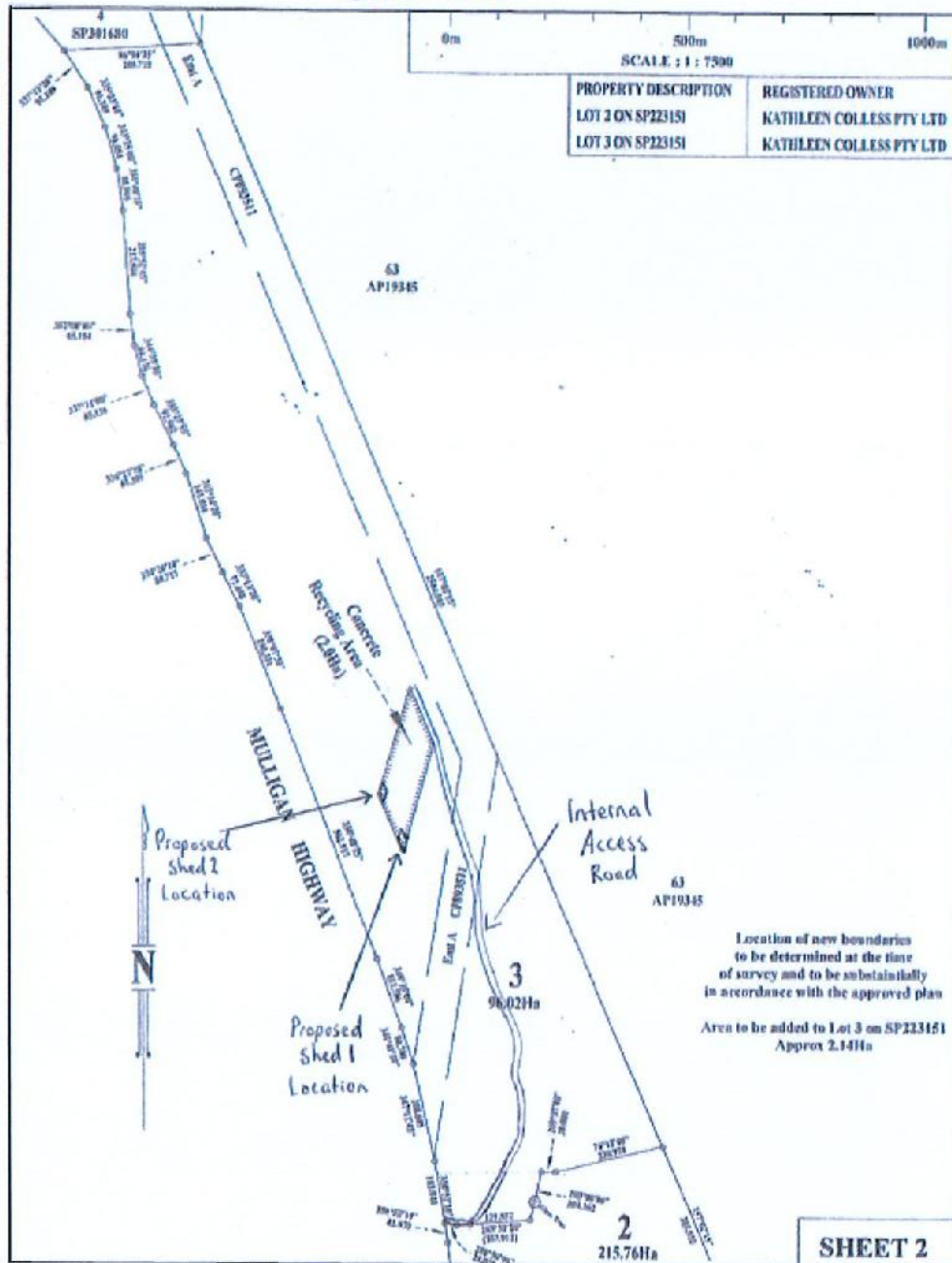
Date: 26 August 2019







Site Plan



Development Assessment Rules—Representations about a referral agency response (concurrency)

The following provisions are those set out in sections 28 and 30 of the *Development Assessment Rules*¹ regarding representations about a referral agency response (concurrency).

Part 6: Changes to the application and referral agency responses and Part 7: Miscellaneous

28 Concurrency agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

30 Representations about a referral agency response

30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.³

³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

Appeal Rights

PLANNING ACT 2016 & THE PLANNING REGULATION 2017

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

(1) Schedule 1 of the *Planning Act 2016* states –

- (a) Matters that may be appealed to –
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
- (b) The person-
 - (i) who may appeal a matter (**the appellant**); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.

(Refer to Schedule 1 of the Planning Act 2016)

(2) An appellant may start an appeal within the appeal period.

(3) The **appeal period** is –

- (a) for an appeal by a building advisory agency – 10 business days after a decision notice for the decision is given to the agency; or
- (b) for an appeal against a deemed refusal – at any time after the deemed refusal happens; or
- (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises – 20 business days after a notice is published under section 269(3)(a) or (4); or
- (d) for an appeal against an infrastructure charges notice – 20 business days after the infrastructure charges notice is given to the person; or
- (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given – 30 business days after the applicant gives the deemed approval notice to the assessment manager; or
- (f) for any other appeal – 20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note –

See the P&E Court Act for the court's power to extend the appeal period.

- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt. It is declared that an appeal against an infrastructure charges notice must not be about-
 - (a) the adopted charge itself; or

- (b) for a decision about an offset or refund-
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that-
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to –
 - (a) the respondent for the appeal ; and
 - (b) each co-respondent for the appeal; and
 - (c) for an appeal about a development application under schedule 1, table 1, item 1 – each principal submitter for the development application; and
 - (d) for an appeal about a change application under schedule 1, table 1, item 2 – each principal submitter for the change application; and
 - (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
 - (f) for an appeal to the P&E Court – the chief executive; and
 - (g) for an appeal to a tribunal under another Act – any other person who the registrar considers appropriate.
- (4) The *service period* is –
 - (a) if a submitter or advice agency started the appeal in the P&E Court – 2 business days after the appeal has started; or
 - (b) otherwise – 10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

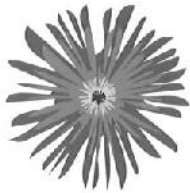
231 Other appeals

- (1) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section –
decision includes-
 - (a) conduct engaged in for the purpose of making a decision; and
 - (b) other conduct that relates to the making of a decision; and
 - (c) the making of a decision or failure to make a decision; and

- (d) a purported decision ; and
 - (e) a deemed refusal.
- non-appealable*, for a decision or matter, means the decision or matter-
- (a) is final and conclusive; and
 - (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the Judicial Review Act 1991 or otherwise, whether by the Supreme Court, another court, a tribunal or another entity; and
 - (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with the rules of the P&E Court.



28 August 2019

Planning Officer: Carl Ewin
Direct Phone: 4086 4656
Our Reference: RAL/19/0017

Kathleen Colless Pty Ltd
PO Box 14
MOUNT MOLLOY QLD 4871

Dear Applicant

Decision Notice

Planning Act 2016

I refer to your application and advise that on 27 August 2019 under delegated authority, Council decided to approve the application in full subject to conditions.

Details of the decision are as follows:

APPLICATION DETAILS

Application No: RAL/19/0017
Street Address: 3276 & 3278 Mulligan Highway, Mount Molloy
Real Property Description: Lot 2 & 3 on SP223151
Planning Scheme: Mareeba Shire Council Planning Scheme 2016

DECISION DETAILS

Type of Decision: Approval
Type of Approval: Development Permit for Reconfiguring a Lot - Boundary Realignment
Date of Decision: 27 August 2019

CURRENCY PERIOD OF APPROVAL

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

INFRASTRUCTURE

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

ASSESSMENT MANAGER CONDITIONS**(A) ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)****(a) Development assessable against the Planning Scheme**

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

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

2. Timing of Effect

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

3. General

3.1 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.

3.2 The developer must relocate (in accordance with FNQROC standards) any services such as water, sewer, drainage, telecommunications and electricity that are not wholly located within the lots that are being created/serviced where required by the relevant authority, unless approved by Council's delegated officer.

3.3 Where approved existing buildings and structures are to be retained, setbacks to any new property boundaries are to be in accordance with Planning Scheme requirements for the relevant structure and/or Queensland Development Code. A plan demonstrating compliance of any existing buildings or structures that are in close proximity to any new property boundary must be submitted prior to endorsement of the plan of survey.

3.4 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements and to the satisfaction of Council's delegated officer.

3.5 Charges

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

3.6 Access Easement

An easement with a minimum width of 5 metres must be created through Lot 3 in favour of Lot 2 for the purpose of access. The easement must have a length of at least 25 metres.

Prior to the endorsement of the plan of survey, the easement Form 9 and Form 20 must be submitted for review by Council's delegated officer.

REFERRAL AGENCIES

The referral agencies applicable to this application are:

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

A copy of any referral agency conditions are attached.

APPROVED PLANS

The following plans are Approved plans for the development:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
7946 - Lots 2 & 3	Proposed Reconfiguring of a Lot (2 Lots into 2 Lots)	Twine Surveys Pty Ltd	5/05/2019

ADVISORY NOTES

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

(A) ASSESSMENT MANAGER'S ADVICE

(a) Endorsement Fees

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

(b) Compliance with applicable codes/policies

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

(c) Notation on Rates Record

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

- registered easements over the subject site (Lot 3 only)

(d) Environmental Protection and Biodiversity Conservation Act 1999

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

(e) Cultural Heritage

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

(B) REFERRAL AGENCY CONDITIONS

Ergon Energy Advice Agency response dated 26 August 2019.

PROPERTY NOTES

Not Applicable.

FURTHER DEVELOPMENT PERMITS REQUIRED

Not Applicable.

SUBMISSIONS

Not Applicable.

RIGHTS OF APPEAL

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

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

OTHER DETAILS

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

Yours faithfully

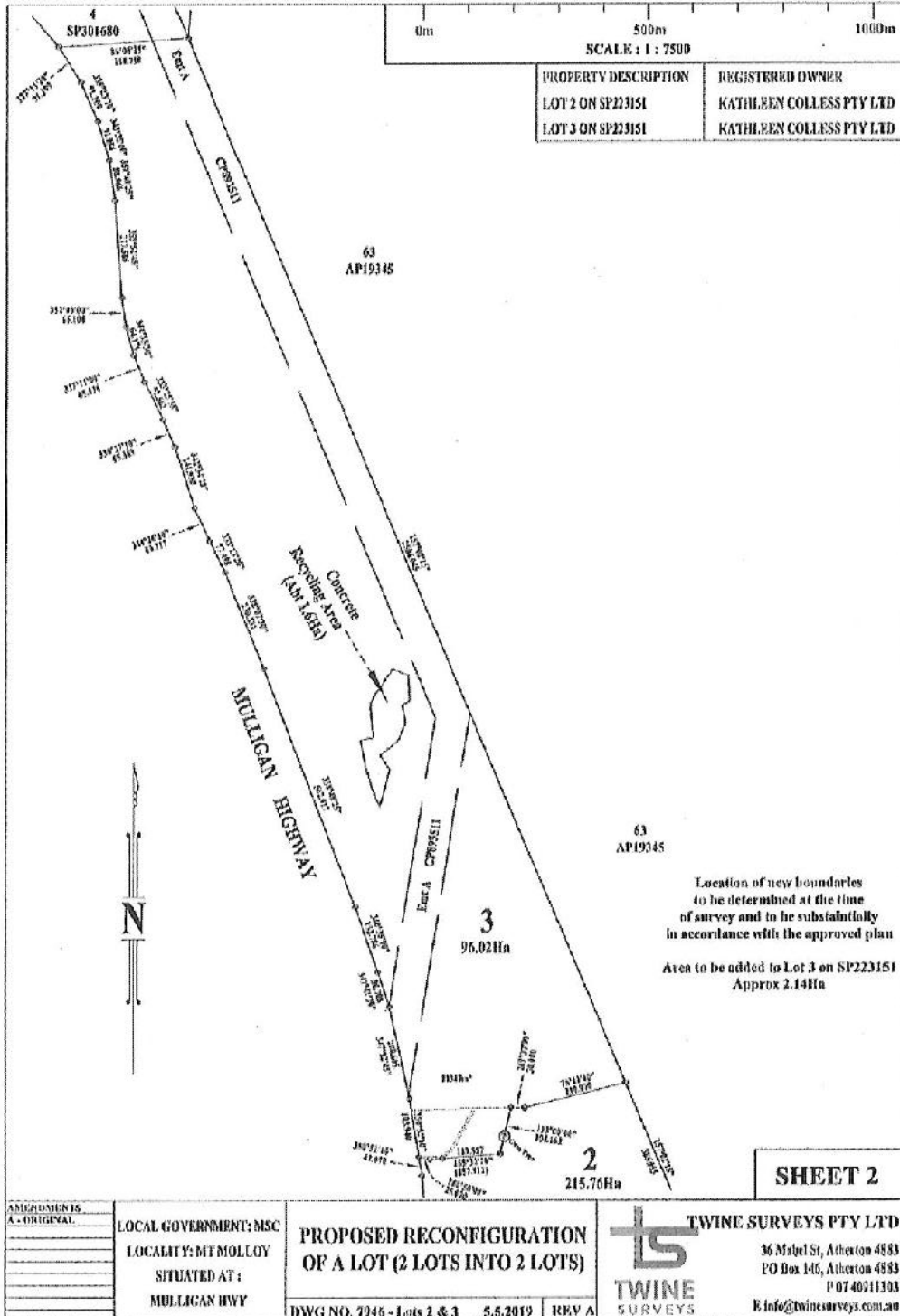


BRIAN MILLARD
SENIOR PLANNER

Enc: Approved Plans/Documents
Referral Agency Response
Appeal Rights

Copy: Ergon Energy
'townplanning@ergon.com.au'

Approved Plans/Documents



Document Set ID: 3611275
Version: 1, Version Date: 26/07/2019

28/8/2019
B. [Signature]

Referral Agency Response



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

26 August 2019

Kathleen Colless Pty Ltd
C/- John Colless
via email: john@wetherbystation.com

Attention: John Colless

cc Mareeba Shire Council
via email: info@msc.qld.gov.au
CarlE@msc.qld.gov.au

Attention: Carl Ewin

Dear John,

Referral Agency Notice for Development Application – Reconfiguring a Lot (Boundary Realignment) located at 421 Wetherby Road, Mount Molloy and described as Lots 2 & 3 on SP223151.
Council Ref: RAL/19/0017
Our Ref: HBD 6730679

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

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

As an Advice agency to the application Ergon Energy has no requirements in relation to the proposed Boundary Realignment.

Should you require any further information on the above matter, please contact the undersigned on (07) 3664 5050.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Scott Pearson'.

Scott Pearson
Senior Town Planner

Appeal Rights

PLANNING ACT 2016 & THE PLANNING REGULATION 2017

Chapter 6 Dispute resolution

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

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 - (b) other conduct that relates to the making of a decision; and
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 - (e) a deemed refusal.

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24 February 2020

Council Ref: Preenq/20/0001

Our Ref: BM:CE:nj

Your Ref: 20 526

PRE-LODGE MENT ADVICE

TO: The Product Makers (Australia) Pty Ltd
C/- Urban Sync
PO Box 2970
CAIRNS QLD 4870

EMAIL ADDRESS: admin@urbansync.com.au

PROPOSED DEVELOPMENT: Material Change of Use - Special Industry
Operational Works - Waterway Barrier Works

SUBJECT SITE: Lot 2 on SP298325
Situated at 3276 Mulligan Highway, Mount Molloy

MEETING DATE: n/a

MEETING LOCATION: n/a

ATTENDEES: n/a

PLANNING SCHEME: Mareeba Shire Council Planning Scheme 2016

PROPOSAL:

Extract from Urban Sync request for pre-lodgement advice dated 18 February 2020:

"Urban Sync have been engaged by The Product Makers (Australia) Pty Ltd (the Applicant) to prepare and lodge a Development Application over the above-mentioned land for the establishment of a new development. The application is likely to seek the following approvals:

- ***Development Permit for a Material Change of Use (Undefined Use/ Medium Impact Industry/High Impact Industry) and Environmentally Relevant Activities (ERA component TBC); and***
- ***Operational Works (Waterway Barrier Works)***

Note: Due to the uniqueness of the proposed development, the most suitable land use definition is sought to be confirmed as part of this request.

1 PROPOSAL

The project will involve the establishment of a facility which alters and modifies the by-products of sugar cane production into feed stock for animals (and other products i.e. fertiliser), along with the required dispersion and irrigation of the water waste stream (the proposed development).

The current operation is located at the Mossman Mill, although due to operating restrictions (limited to 6 months of the year and no possibility for expansion) and to be removed from the catchment to the Great Barrier Reef, a new site has been chosen.

*The proposed development will involve the construction of a 10m x 16m x 6m shed (production plant) and an approximate 114 x 80m irrigation area in the northern corner of the site. A second 16m x 20m x 6m shed is also proposed as a part of future development (i.e., stage 2), and possibly a third stage to increase the production capacity further; albeit the latter stages are dependent on the outcome and success of initial trials (see **Attachment 1** for concept plans). The production plant is expected to operate 24 hours a day, 7 days a week and have 3-4 staff members on-site at any one time.*

*Note: The exact locations of the shed are not yet finalised. The concept plans in **Attachment 1** show the possible alternative site for the sheds.*

Note: the irrigation areas are not required to be cleared. It is likely that only the regrowth in these areas will need to be cleared to allow for the irrigation infrastructure which consists of tanks, pumps, sprinklers, timers etc.). The irrigation areas can also be located almost anywhere on the site.

It is anticipated that as part of Stage 1, up to 32,000L of by-products will be delivered to the site from Sarina (south of Mackay) producing 10MT per week of feedstock (one heavy vehicle movement per week). Stage 2 is expected to receive up to 320,000L of by-products will be delivered to the site producing 50MT per week (10-14 heavy vehicle movement per week). A maximum of 124,000L of feedstock will be stored on-site in 3 x 45,000L tanks that will have a suitable bunded area.

*The production plant will emit approximately 10,000L of treated water/bioproduct a day and this water will be irrigated via one of the two proposed irrigation areas shown on the concept plans in **Attachment 1**. Data for the quality of the treated water is being sourced, although it is close to a tertiary standard. The manufacturing process to turn the sugar cane waste to feed stock will involve filtration, concentration, pasteurization and aseptic packaging (See Flow Chart in **Attachment 2**).*

Fertilizer is also produced with fertiliser consisting on volumes in the order of 10% of the volumes mentioned above i.e., 1MT in Stage 1 and 5MT in Stage 2.

*Truck and Quad Dog access to the site will be required. An upgrade will also be required over the existing mapped waterway that bisects the northern portion of the site (see **Attachment 1** for location). The extent of this upgrade is still being determined and will depend on the size of vehicle required to pass over the waterway. The proposed access driveway from the sites boundary to the shed location will also be suitably upgraded. Forklifts and tractors will be used for general property*

upkeep and a 4-wheel drive and/or a quad bike with a 2,000L mobile water tank for fire suppression on-site.

Water will be supplied via bores and held in 2 x 100,000L OR 4 x 45,000L rainwater tanks. This water will be used for the production plant and fire fighting purposes/dust suppression.

Areas of the site will continue to be utilised for approximately 20 to 50 head of cattle grazing.

We seek that Council contact us should you require any additional information on the proposal in order to provide comprehensive pre-lodgement advice."

TYPE OF APPLICATION REQUIRED:

Application for a development permit for Material Change of Use - Special Industry and Operational Works - Waterway Barrier Works (impact assessment)

Note: All Environmentally Relevant Activity (ERA) queries need to be addressed to the relevant State Department as Mareeba Shire Council currently has no devolved ERA's.

SUPPORTING INFORMATION PROVIDED BY APPLICANT:

- **Attachment 1** - Request for pre-lodgement advice for The Product Makers (Australia) Pty Ltd - Prepared by Urban Sync dated 18 February 2020

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:	Rural Area - Rural Other Natural Environment Elements - Ecological Corridor Infrastructure Elements - Major Electrical Infrastructure
Zone:	Rural zone
Local Plan:	Not applicable
Applicable Overlays:	Bushfire hazard overlay Environmental significance overlay Hill and slope overlay Regional infrastructure corridors and substation 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:	<p>Material Change of Use - Special Industry</p> <p>Operational Works - Waterway Barrier Works</p> <p>Note: Council officers believe that the "special industry" use is the most appropriate (best fit) for the material change of use component of the proposed development. The use definition allows for 24/7 operation and specifically includes "manufacturing fertilisers" in Column 3 of the definition (examples include). Council officers are open to further discussion regarding the most appropriate land use definition.</p> <p>Note: The Operational Works - Waterway Barrier Works component of the development is only assessable development under the Mareeba Shire Council Planning Scheme 2016 if it involves the filling or excavation or more than 1,000m³ of material. If not, the works can be done as accepted development.</p>
Level of Assessment:	An aspect of the proposed development will require Impact Assessment .
Applicable Planning Scheme Codes:	<p>Rural zone code</p> <p>Industrial activities code</p> <p>Bushfire hazard overlay code</p> <p>Environmental significance overlay code</p> <p>Hill and slope overlay code</p> <p>Regional infrastructure corridors and substations overlay code</p> <p>Landscaping code</p> <p>Parking and access code</p> <p>Works, services and infrastructure code</p>
Minimum Public Notification Period:	15 business days
Referral Agencies:	<p>The Applicant is responsible for ensuring that the correct referral agencies are identified upon lodgement of the development application.</p> <p>A review of the <i>Planning Regulation 2017</i> referral agency triggers has identified the following referral trigger for the development:</p> <p><u>Material Change of Use - Special Industry</u></p> <ul style="list-style-type: none"> • <i>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</i> <p><u>Operational Works - Waterway Barrier Works</u></p>

	<ul style="list-style-type: none">• <i>Schedule 10, Part 6, Division 4, Subdivision 3, Table 1 - Assessable development under s12</i>
Infrastructure Charges:	<p>In accordance with Section 130 of the <i>Planning Act 2016</i>, an additional payment condition may be imposed on the proposed development for trunk infrastructure (transport infrastructure network only).</p> <p>As the subject land is outside the Priority Infrastructure Area and the proposed development will be accessed directly off the Mulligan Highway (State controlled road), it is expected that Council will not impose a transport infrastructure network charge.</p>
Application Forms	<p>DA Form 1</p> <p>Application forms and general information about the planning application system can be downloaded from the Department of State Development, Manufacturing, Infrastructure and Planning's website:</p> <p>https://planning.dsdmip.qld.gov.au/planning/resources?query=DA%20form</p>
Council application fee:	<p>2019/2020 financial year:</p> <p>Material Change of Use - Special Industry: \$6,300.00</p> <p>Operational Works - Waterway Barrier Works: fee waived</p> <p>Total - \$6,300.00</p>

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:

- (i) *We seek advice and possible discussion as to what Council considers the most appropriate land use definition for the proposed development (i.e., Undefined Use, Medium Impact Industry/High Impact Industry);*

Advice

Council officers believe that the "special industry" use is the most appropriate (best fit) for the material change of use component of the proposed development. The use definition allows for 24/7 industrial activity and specifically includes "manufacturing fertilisers" in Column 3 of the definition (examples include), which was included as a component of the proposed development.

Council officers are open to further discussion regarding this.

- (ii) *Please confirm the Council application fees (i.e., \$2,685.00 for an Impact Assessable High/Medium Impact Industry Use with less than 500m² of GFA);*

Advice

It is considered that the most appropriate (best fit) land use for the material change of use component of the proposed development would be "special industry" as previously discussed. The relevant fee for material change of use - special industry (impact assessable) is listed as "POA" (price on application) in Council's fees and charges schedule. Council officers consider the most appropriate fee, based on the scale of development proposed, is **\$6,300.00**.

- (iii) Please confirm that in accordance with the recent approval issued over Lot 3 on SP223151 (Council Ref: MCU/19/0009) that NO infrastructure charges will be applicable to the proposed development i.e., as the site is not connected to water, sewer or stormwater infrastructure, is located in the rural zone (parks and community facilities and does not gain access from a local road (nor likely use any local roads for access);*

Advice

As the subject land is outside the Priority Infrastructure Area and the proposed development will be accessed directly off the Mulligan Highway (State controlled road), it is expected that Council will not impose a transport infrastructure network charge. No other infrastructure network charges are applicable to the proposed development.

- (iv) Akin to the recently approved, concrete recycling yard on Lot 3, the proposed development is required to be located on rural zone land, as there is no industrial zoned land in Mareeba Shire of a suitable size to accommodate its needs. Whilst air emissions are not hazardous, separation from sensitive land uses for the irrigation areas is also preferred, as is a location outside of the Great Barrier Reef catchment. The proposed development will result in far less development impacts than that associated with the adjacent concrete recycling yard and the justification provided in section 7 of Urban Sync's Town Planning Report for the concrete recycling yard, in our view, is also highly applicable to the proposed development. Based on this understanding and previous assessment undertaken by Council for the concrete recycling yard to the north, can Council please confirm they are 'in principle' supportive of the proposed development. Happy to discuss this in more detail as required;*

Advice

Based on details of the use provided in the pre-lodgement request, as well as previous discussions between Council officers and representatives from The Product Makers (Australia) Pty Ltd, it is understood that a rural setting, adequately separated from sensitive land uses would be a more appropriate location for the proposed development as opposed to an industrial zoned allotment.

Council planning officers have no concerns with the site location.

- (v) Access to the site will be via the existing access to 3278 Mulligan Highway, Mt Molloy to the north. We understand that there is an existing easement located on this allotment (see **Attachment 3**) that provides legal access to Lot 2 from the Mulligan Highway. Whilst we acknowledge that Lot 3 will need to be included in the application, we are of the view that the proposed access is consistent with the terms of the easement and hence, land owners consent from the owner of Lot 3 IS NOT required. Can Council please confirm this understanding;*

Advice

Based on a review of the Form 20 for Easement G in Lot 3 on SP298325, Council officers are of the opinion that land owner consent is not required from the owner of Lot 3 on SP298325. However, it is advised that owner consent be obtained as a courtesy to the landowner of Lot 3 on SP298325 and to minimise the chances of an appeal being lodged on grounds relating to consent.

- (vi) Please refer to the concept plan in **Attachment 1**. Can Council please confirm that these plans will suffice for Council's assessment, or does additional information need to be provided to this plan and if so, please advise what additional information Council will require;*

Advice

The plans provided in the submitted pre-lodgement request for the material change of use component of the proposed development are adequate. If the operational works component of the development is included in the application then plans should be included showing the location and extent of the operational works, including engineering detail and a cross-section of the works proposed.

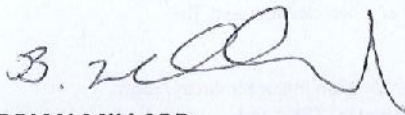
(vii) Any other additional information or concerns Council considers relevant to the development are welcomed.

Advice

The proponent should consider a pre-lodgement meeting with CairnsSARA to determine all matters of State interest that will need to be considered as part of the proposed development.

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

Yours faithfully



BRIAN MILLARD
SENIOR PLANNER

DISCLAIMER:

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

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

ATTACHMENT 1



T 07 4051 6946
E admin@urbansync.com.au
O Level 1, 17 Aplin Street, Cairns
M PO Box 2970, Cairns Q 4870
ABN 83 169 940 649

18 February 2020

Our Ref: 20-526

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

Attn: Mr Carl Ewin

Dear Carl,

REQUEST FOR PRE-LODGE MENT ADVICE FOR A PROPOSED MATERIAL CHANGE OF USE, ENVIRONMENTALLY RELEVANT ACTIVITIES AND OPERATIONAL WORKS OVER PART OF LOT 2 AND 3 ON SP298325 AT 3276 MULLIGAN HIGHWAY, SOUTHEDGE, MOUNT MOLLOY.

'Commercial in Confidence'

Urban Sync have been engaged by The Product Makers (Australia) Pty Ltd (the Applicant) to prepare and lodge a Development Application over the above-mentioned land for the establishment of a new development. The application is likely to seek the following approvals:

- **Development Permit for a Material Change of Use (Undefined Use/ Medium Impact Industry/High Impact Industry) and Environmentally Relevant Activities (ERA component TBC); and**
- **Operational Works (Waterway Barrier Works).**

Note: Due to the uniqueness of the proposed development, the most suitable land use definition is sought to be confirmed as part of this request.

I PROPOSAL

The project will involve the establishment of a facility which alters and modifies the by-products of sugar cane production into feed stock for animals (and other products i.e. fertiliser), along with the required dispersion and irrigation of the water waste stream (the proposed development).

The current operation is located at the Mossman Mill, although due to operating restrictions (limited to 6 months of the year and no possibility for expansion) and to be removed from the catchment to the Great Barrier Reef, a new site has been chosen.

The proposed development will involve the construction of a 10m x 16m x 6m shed (production plant) and an approximate 114 x 80m irrigation area in the northern corner of the site. A second 16m x 20m x 6m shed is also proposed as a part of future development (i.e., stage 2), and possibly a third stage to increase the production capacity further; albeit the latter stages are dependent on the outcome and success of initial trials (see **Attachment 1** for concept plans). The production plant is expected to operate 24 hours a day, 7 days a week and have 3-4 staff members on-site at any one time.

Note: The exact locations of the shed are not yet finalised. The concept plans in **Attachment 1** show the possible alternative site for the sheds.

Note: the irrigation areas are not required to be cleared. It is likely that only the regrowth in these areas will need to be cleared to allow for the irrigation infrastructure which consists of tanks, pumps, sprinklers, timers etc.). The irrigation areas can also be located almost anywhere on the site.

It is anticipated that as part of Stage 1, up to 32,000L of by-products will be delivered to the site from Sarina (south of Mackay) producing 10MT per week of feedstock (one heavy vehicle movement per week). Stage 2 is expected to receive up to 320,000L of by-products will be delivered to the site producing 50MT per week (10-14 heavy vehicle movement per week). A maximum of 124,000L of feedstock will be stored on-site in 3 x 45,000L tanks that will have a suitable bunded area.

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Water will be supplied via bores and held in 2 x 100,000L OR 4 x 45,000L rainwater tanks. This water will be used for the production plant and fire fighting purposes/dust suppression.

Areas of the site will continue to be utilised for approximately 20 to 50 head of cattle grazing.

We seek that Council contact us should you require any additional information on the proposal in order to provide comprehensive pre-lodgement advice.

2 ADVICE REQUESTED

With the above in mind, before a development application can be prepared with any confidence, we seek formal, written pre-lodgement advice from Council in relation to the following:

- We seek advice and possible discussion as to what Council considers the most appropriate land use definition for the proposed development (i.e., Undefined Use, Medium Impact Industry/High Impact Industry);
- Please confirm the Council application fees (i.e., \$2,685.00 for an Impact Assessable High/Medium Impact Industry Use with less than 500m² of GFA);
- Please confirm that in accordance with the recent approval issued over Lot 3 on SP223151 (Council Ref: MCU/19/0009) that NO infrastructure charges will be applicable to the proposed development i.e., as the site is not connected to water, sewer or stormwater infrastructure, is located in the rural zone (parks and community facilities and does not gain access from a local road (nor likely use any local roads for access);
- Akin to the recently approved, concrete recycling yard on Lot 3, the proposed development is required to be located on rural zone land, as there is no industrial zoned land in Mareeba Shire of a suitable size to accommodate its needs. Whilst air emissions are not hazardous, separation from sensitive land uses for the irrigation areas is also preferred, as is a location outside of the Great Barrier Reef catchment. The proposed development will result in far less development impacts than that associated with the adjacent concrete recycling yard and the justification provided in section 7 of Urban Sync's Town Planning Report for the concrete recycling yard, in our view, is also highly applicable to the proposed development. Based



on this understanding and previous assessment undertaken by Council for the concrete recycling yard to the north, can Council please confirm they are 'in principle' supportive of the proposed development. Happy to discuss this in more detail as required;

- Access to the site will be via the existing access to 3278 Mulligan Highway, Mt Molloy to the north. We understand that there is an existing easement located on this allotment (see **Attachment 3**) that provides legal access to Lot 2 from the Mulligan Highway. Whilst we acknowledge that Lot 3 will need to be included in the application, we are of the view that the proposed access is consistent with the terms of the easement and hence, land owners consent from the owner of Lot 3 IS NOT required. Can Council please confirm this understanding;
- Please refer to the concept plan in **Attachment 1**. Can Council please confirm that these plans will suffice for Council's assessment, or does additional information need to be provided to this plan and if so, please advise what additional information Council will require;
- Any other additional information or concerns Council considers relevant to the development are welcomed.

3 CONCLUSION

If you have any further questions in relation to this matter, please do not hesitate to contact me on 0488 200 229 and I would be happy to discuss.

Yours faithfully,



Matt Ingram
Senior Planner
E: matt@urbansync.com.au | T: 07 4051 6946 | M: 0488 200 229



ATTACHMENT 1:
SITE PLAN



LOT NUMBER: 2
SP NUMBER: SP298325
LOCAL GOVERNMENT: HARVEY SHIRE COUNCIL
LOCALITY: MOUNT MOLLOY
AREA: 2185.8ha



SITE / LOCALITY PLAN
SCALE 1:10000



1. THIS DRAWING IS A VISUAL SKETCH OF THE PROPOSED LOT AND PROPERTY TO BE CREATED AND DOES NOT CONSTITUTE A LEGAL INSTRUMENT. THE INFORMATION IS PROVIDED FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A LEGAL INSTRUMENT.

1. DESIGN

DESIGNED BY: SPAC
DRAWN BY: SPAC
CHECKED BY: SPAC
DATE: 15/02/2020

AMENDMENTS:

NO.	DATE	DESCRIPTION

NOTE:

1. THIS DRAWING IS A VISUAL SKETCH OF THE PROPOSED LOT AND PROPERTY TO BE CREATED AND DOES NOT CONSTITUTE A LEGAL INSTRUMENT. THE INFORMATION IS PROVIDED FOR INFORMATION ONLY AND DOES NOT CONSTITUTE A LEGAL INSTRUMENT.

END DESIGN & DRAFTING

DATE: 15/02/2020

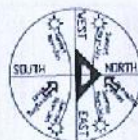
DESIGNED BY: SPAC
DRAWN BY: SPAC
CHECKED BY: SPAC
DATE: 15/02/2020

THE PRODUCT MAKERS (AUSTRALIA) PTY LTD
100/200 STATION ST, MOUNT MOLLOY, SA 5157
TEL: 08 8532 1000
WWW.PMA.AU

LOT NUMBER: 2
SP NUMBER: SP298325
LOCAL GOVERNMENT: MAREEBA SHIRE COUNCIL
LOCALITY: MOUNT MOLLOY
AREA: 2185.8ha



SITE PLAN
SCALE: 1:2000



LEGEND
 --- DISTANCE LINE
 --- 15m BUFFER LINE
 --- 15m BUFFER LINE
 --- 15m BUFFER LINE

1. THE SHEDS AND WATER TANKS ARE THE PROPERTY OF THE DESIGNER AND NOT THE PROPERTY OF THE LOCAL GOVERNMENT. THE LOCAL GOVERNMENT IS NOT RESPONSIBLE FOR THE DESIGN OR CONSTRUCTION OF THE SHEDS AND WATER TANKS.

AMENDMENTS:

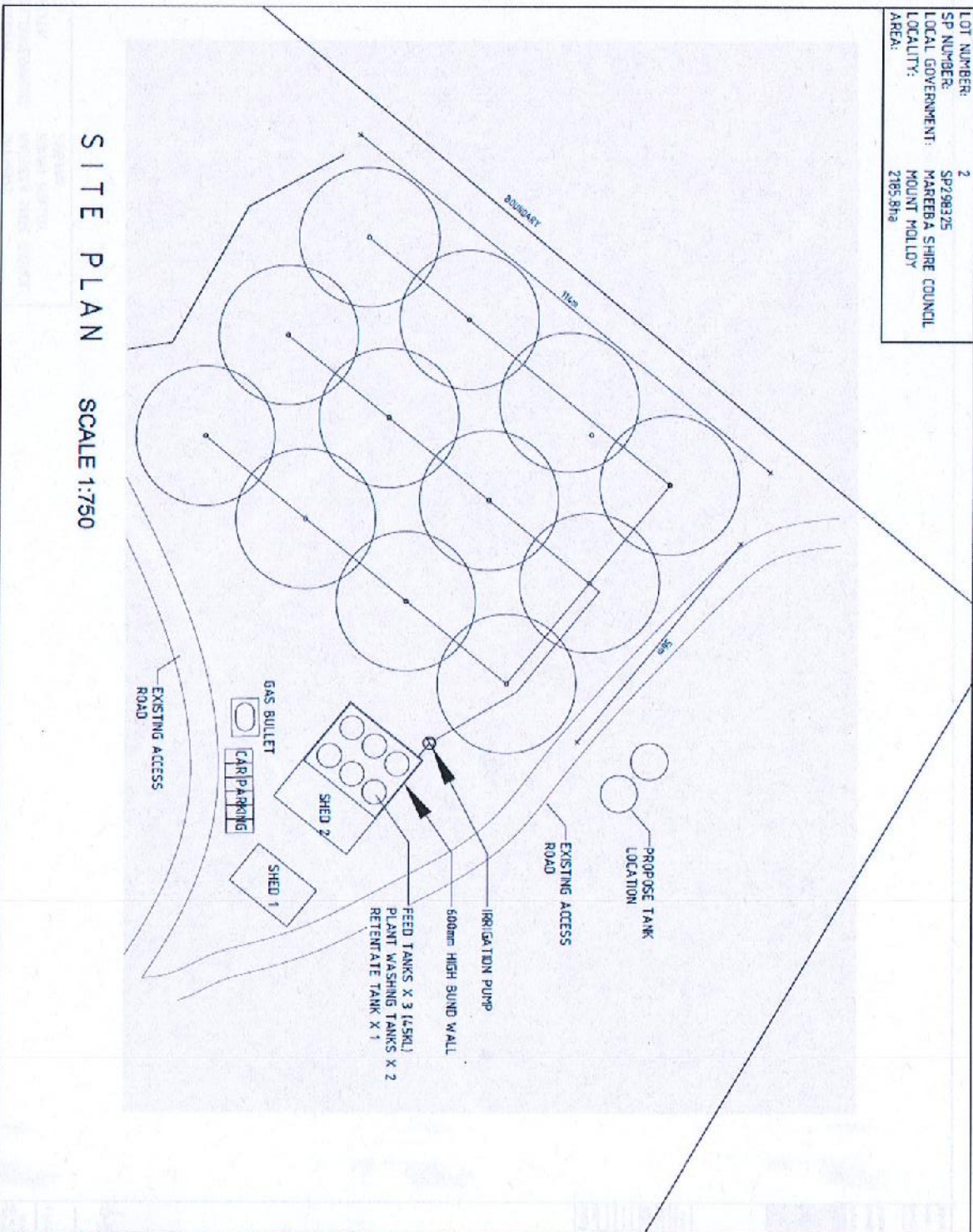
DATE	BY	REVISION

NOTE:
 1. This plan is subject to the provisions of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000.
 2. The design is based on the information provided by the client and is not to be used for any other purpose without the written consent of the designer.
 3. The designer is not responsible for the accuracy of the information provided by the client.

END DESIGN & DRAFTING

Design Name: THE PRODUCT MAKERS PTY LTD
 Design Number: 1517742
 Design Date: 15/02/20
 Design Location: MOUNT MOLLOY
 Design Scale: 1:2000
 Design Drawing: 02

LOT NUMBER: 2
 SP NUMBER: SP298325
 LOCAL GOVERNMENT: MAREEBA SHIRE COUNCIL
 LOCALITY: MOUNT MOLLOY
 AREA: 295.8ha



1. THE DRAWING IS PROVIDED AS A GUIDE ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND NOT TO BE RESPONSIBLE FOR ANY DISCREPANCIES OR OMISSIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.

LEGEND

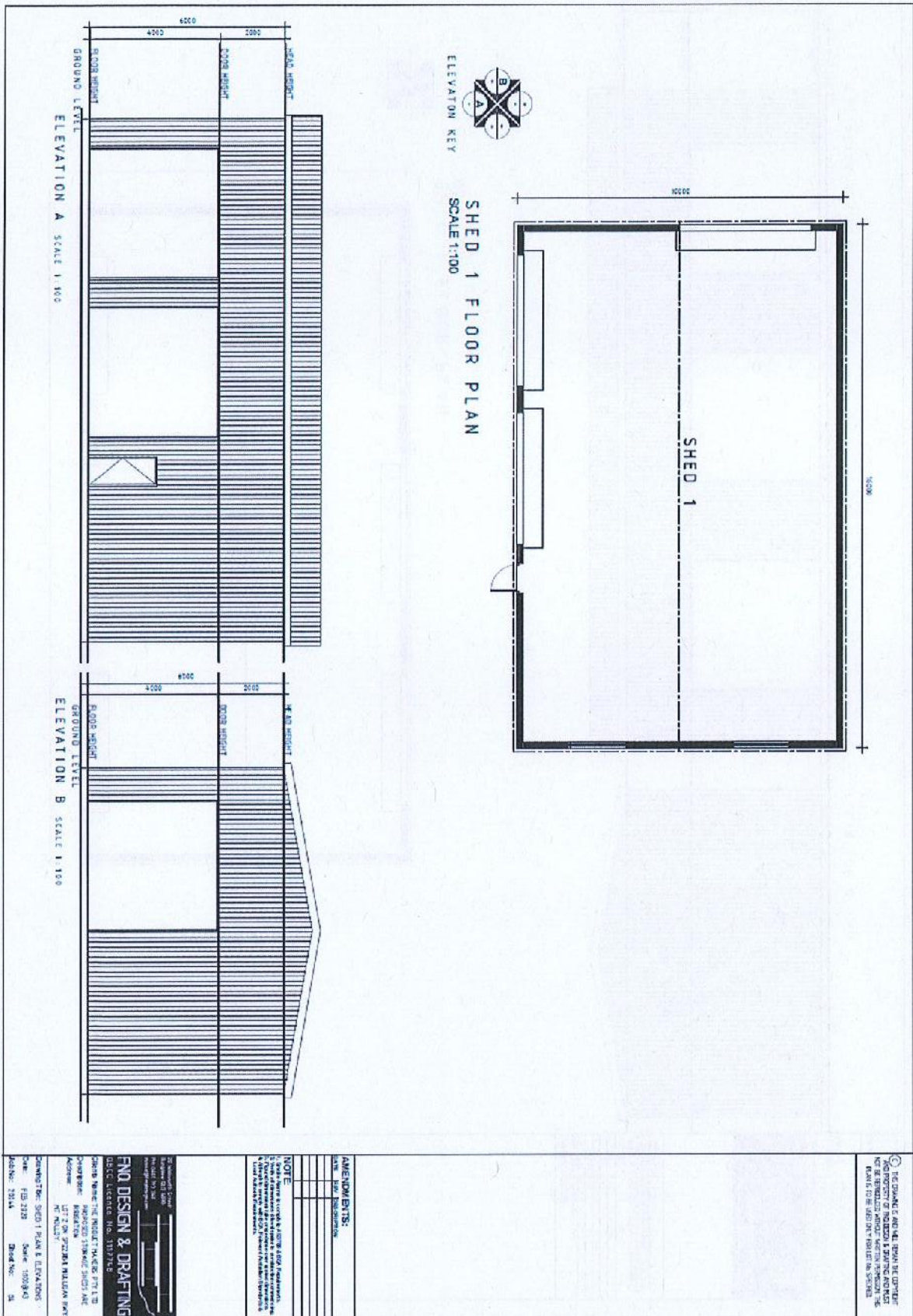
DIAGONAL SHADING: EXISTING CONCRETE
 DOTTED LINE: EXISTING ROAD
 DASHED LINE: PROPOSED ROAD

AMENDMENTS:

NO.	DESCRIPTION	DATE

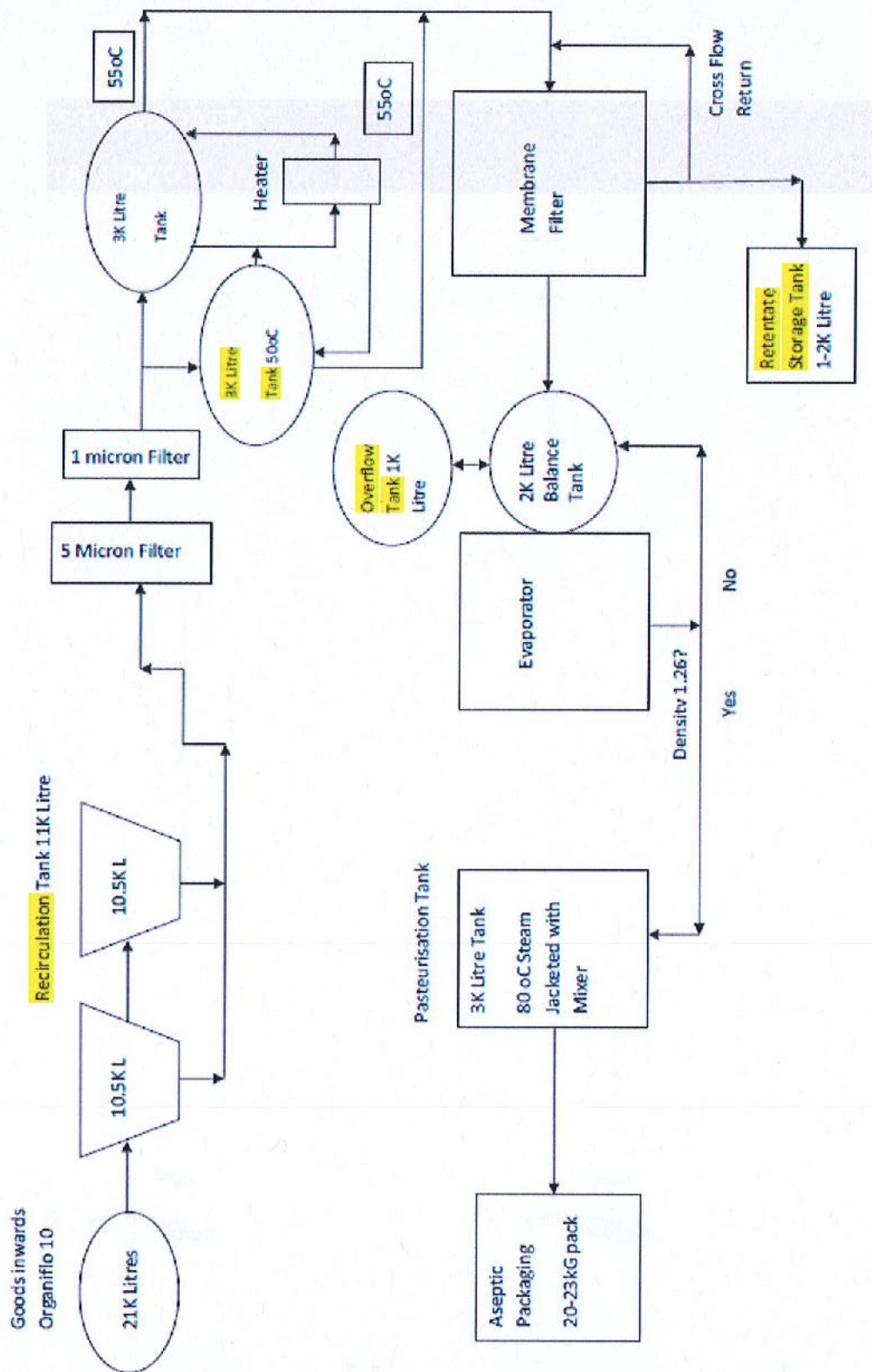
NOTE:
 1. THIS DRAWING IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE RELEVANT AUTHORITIES.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND NOT TO BE RESPONSIBLE FOR ANY DISCREPANCIES OR OMISSIONS.

END DESIGN & DRAFTING
 DESIGNER: [Name]
 CHECKER: [Name]
 DATE: FEB 2020 SCALE: 1:750
 DRAWN BY: [Name]
 APPROVED BY: [Name]



**ATTACHMENT 2:
FLOWCHART**





1. Good Inwards – Storage and Handling
2. Recirculation and mixing in storage tank
3. Pre Filtration 5 micron
4. Pre Filtration 1 Micron
5. Pre heating tank
6. Heat to 55oC
7. Filtered through 0.1 micron Stainless Steel Filter
8. Feed stock recirculate through a cross section flow
9. Retentate is drained at 1% via a bleed valve
10. Permeate Collected in balance tank
11. Evaporation of permeate in balance tank.
12. Inline density is check to ensure product meets spec
13. Once product meets spec it is transferred into a pasteurisation tank
14. Pasteurisation
15. Aseptic Packaging

**ATTACHMENT 3:
SURVEY PLAN**

1.1 The purpose of this survey is to determine the location and extent of the proposed development and to identify any potential impacts on the environment and the community.

1.2 The survey will be conducted in accordance with the requirements of the relevant legislation and standards.

1.3 The survey will be conducted in a timely and efficient manner, and will be completed within the agreed timeframe.

1.4 The survey will be conducted in a professional and ethical manner, and will be conducted in accordance with the relevant codes of practice.

1.5 The survey will be conducted in a safe and sound manner, and will be conducted in accordance with the relevant safety requirements.

1.6 The survey will be conducted in a transparent and accountable manner, and will be conducted in accordance with the relevant transparency requirements.

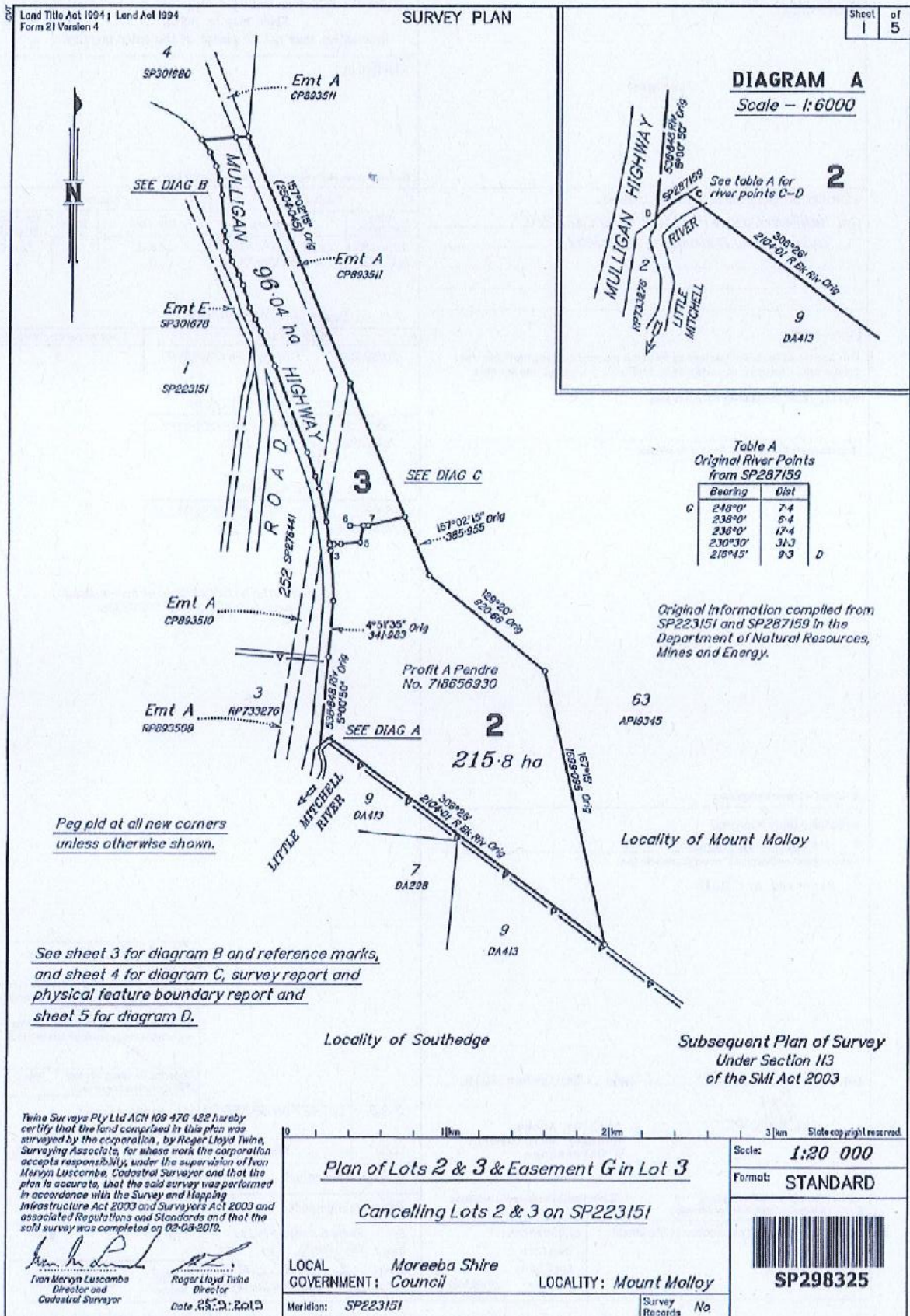
1.7 The survey will be conducted in a collaborative and consultative manner, and will be conducted in accordance with the relevant consultation requirements.

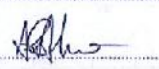
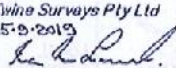
1.8 The survey will be conducted in a flexible and adaptive manner, and will be conducted in accordance with the relevant flexibility requirements.

1.9 The survey will be conducted in a continuous and iterative manner, and will be conducted in accordance with the relevant continuous improvement requirements.

1.10 The survey will be conducted in a holistic and integrated manner, and will be conducted in accordance with the relevant holistic requirements.





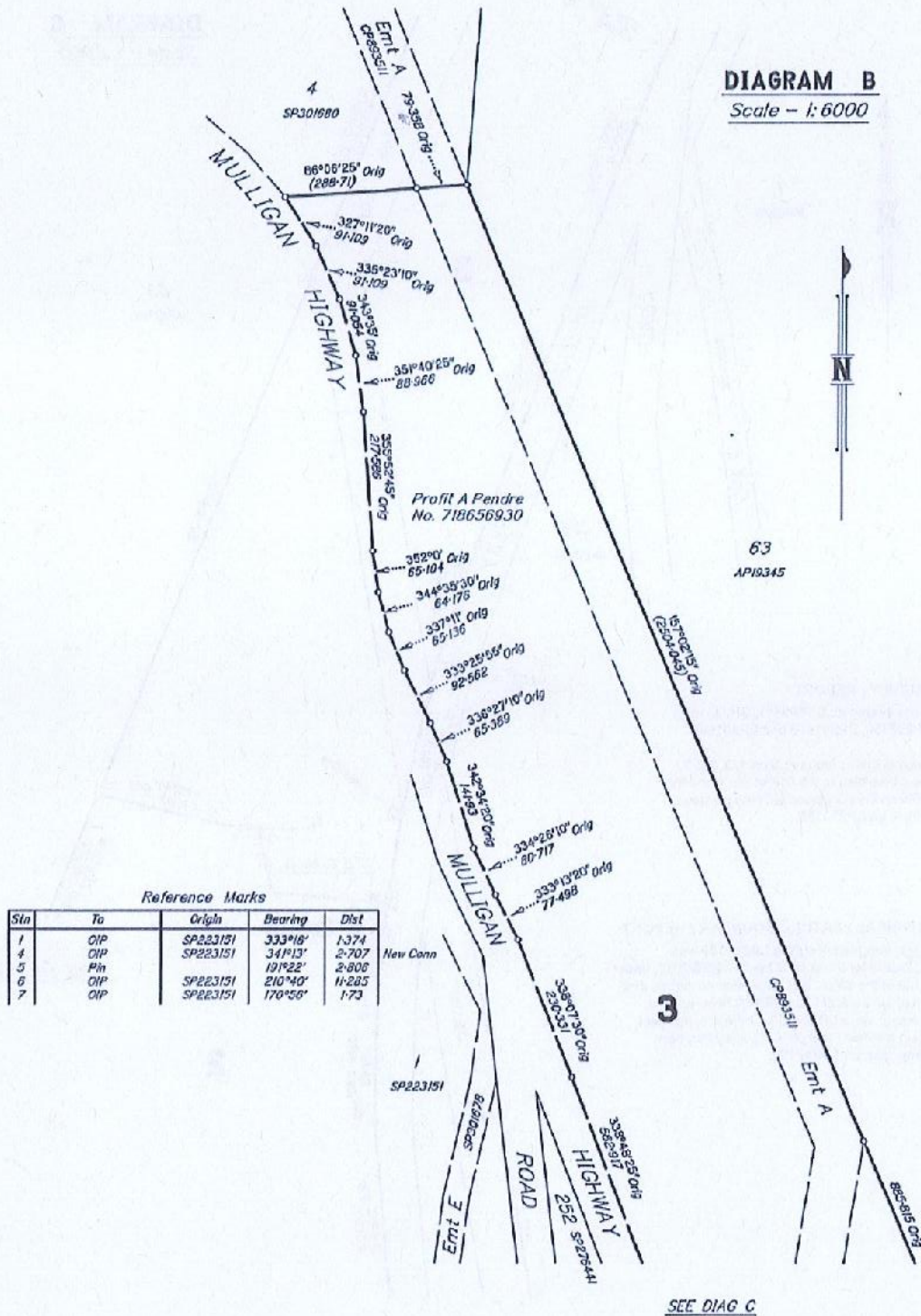
<p>Land Title Act 1994; Land Act 1994 Form 21B Version 1</p> <p style="text-align: center;">(Dealing No.)</p>	<p>WARNING : Folded or Mutilated Plans will not be accepted. Plans may be rolled. Information may not be placed in the outer margins.</p> <p style="text-align: right;">Sheet 2 of 5</p>																																
<p>1. Certificate of Registered Owners or Lessees.</p> <p>1/We <u>Kathleen Colless Pty Ltd ACN 097 377 220</u> <u>trustee under Instrument Z10106457</u></p> <p>(Names in full)</p> <p>* as Registered Owners of this land agree to this plan and dedicate the Public Use Land as shown hereon in accordance with Section 50 of the Land Title Act 1994.</p> <p>* as Lessees of this land agree to this plan.</p> <p>Signature of *Registered Owners #Lessees</p>	<p>6. Lodged by</p> <p>(Include address, phone number, reference, and Lodger Code)</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th colspan="2">Existing</th> <th colspan="3">Created</th> </tr> <tr> <th>Title Reference</th> <th>Description</th> <th>New Lots</th> <th>Road</th> <th>Secondary Interests</th> </tr> <tr> <td>51158786</td> <td>Lot 2 on SP223151</td> <td>2 & 3</td> <td>-</td> <td>Emt G</td> </tr> <tr> <td>51158787</td> <td>Lot 3 on SP223151</td> <td>3</td> <td>-</td> <td>-</td> </tr> </table> <p style="text-align: center;">Easement Allocations</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>Easement</th> <th>Lots to be encumbered</th> </tr> <tr> <td>701690380 Emt on A on CP893511</td> <td>3</td> </tr> </table> <p style="text-align: center;">Administrative Advices</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>Dealing</th> <th>Lots to be encumbered</th> </tr> <tr> <td>713713290</td> <td>2 & 3</td> </tr> </table> <p style="text-align: center;">Profit A Pendre</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>Dealing</th> <th>Lots encumbered</th> </tr> <tr> <td>718656930</td> <td>2 & 3</td> </tr> </table> <p style="text-align: center;"><i>Easement F on SP223151 to be surrendered prior to lodgement of SP298325</i></p>	Existing		Created			Title Reference	Description	New Lots	Road	Secondary Interests	51158786	Lot 2 on SP223151	2 & 3	-	Emt G	51158787	Lot 3 on SP223151	3	-	-	Easement	Lots to be encumbered	701690380 Emt on A on CP893511	3	Dealing	Lots to be encumbered	713713290	2 & 3	Dealing	Lots encumbered	718656930	2 & 3
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<p>* Rule out whichever is inapplicable</p> <p>2. Planning Body Approval.</p> <p>* <u>Marooch Chire Council</u> hereby approves this plan in accordance with the:</p> <p><input checked="" type="checkbox"/> Planning Act 2016</p>	<p>9. Building Format Plans only.</p> <p>I certify that:</p> <p>* As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or road.</p> <p>* Part of the building shown on this plan encroaches onto adjoining * lots and road</p> <p>Cadastral Surveyor/Director * Date</p> <p>* Select words not required</p> <p>2 & 3 Lot 427 on SP287159</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>Lots</th> <th>Orig</th> </tr> </table>	Lots	Orig																														
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<p>Dated this <u>25th</u> day of <u>September</u>, 2019.</p> <p> # Anthony Archie Manager Development & Governance</p> <p>* Insert the name of the Planning Body. # Insert applicable approving legislation.</p>	<p>7. Orig Grant Allocation:</p> <p>8. Passed & Endorsed:</p> <p>By: <u>Twine Surveys Pty Ltd</u> Date: <u>25-9-2019</u> Signed:  Designation: <u>Cadastral Surveyor</u></p>																																
<p>3. Plans with Community Management Statement:</p> <p>CMS Number:</p> <p>Name:</p>	<p>4. References:</p> <p>Dept File:</p> <p>Local Govt:</p> <p>Surveyor: <u>19/8360</u></p>																																
	<p>9. Lodgement Fees:</p> <p>Survey Deposit \$</p> <p>Lodgement \$</p> <p>.....New Titles \$</p> <p>Photocopy \$</p> <p>Postage \$</p> <p>TOTAL \$</p> <p>11. Insert Plan Number SP298325</p>																																

Land Title Act 1994; Land Act 1994
 Form 21A Version 1

ADDITIONAL SHEET

Sheet 3 of 5

DIAGRAM B
 Scale - 1:6000



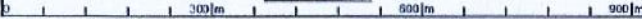
Reference Marks

Sta	To	Origin	Bearing	Dist
1	O/P	SP223151	333°18'	1.374
4	O/P	SP223151	341°13'	2.707
5	P/n		19°22'	2.806
6	O/P	SP223151	210°40'	11.285
7	O/P	SP223151	170°56'	1.73

State copyright reserved.

Insert Plan Number SP298325

Scale - 1:6000



Land Title Act 1994; Land Act 1994
 Form 21A Version 1

ADDITIONAL SHEET

Sheet 4 of 5

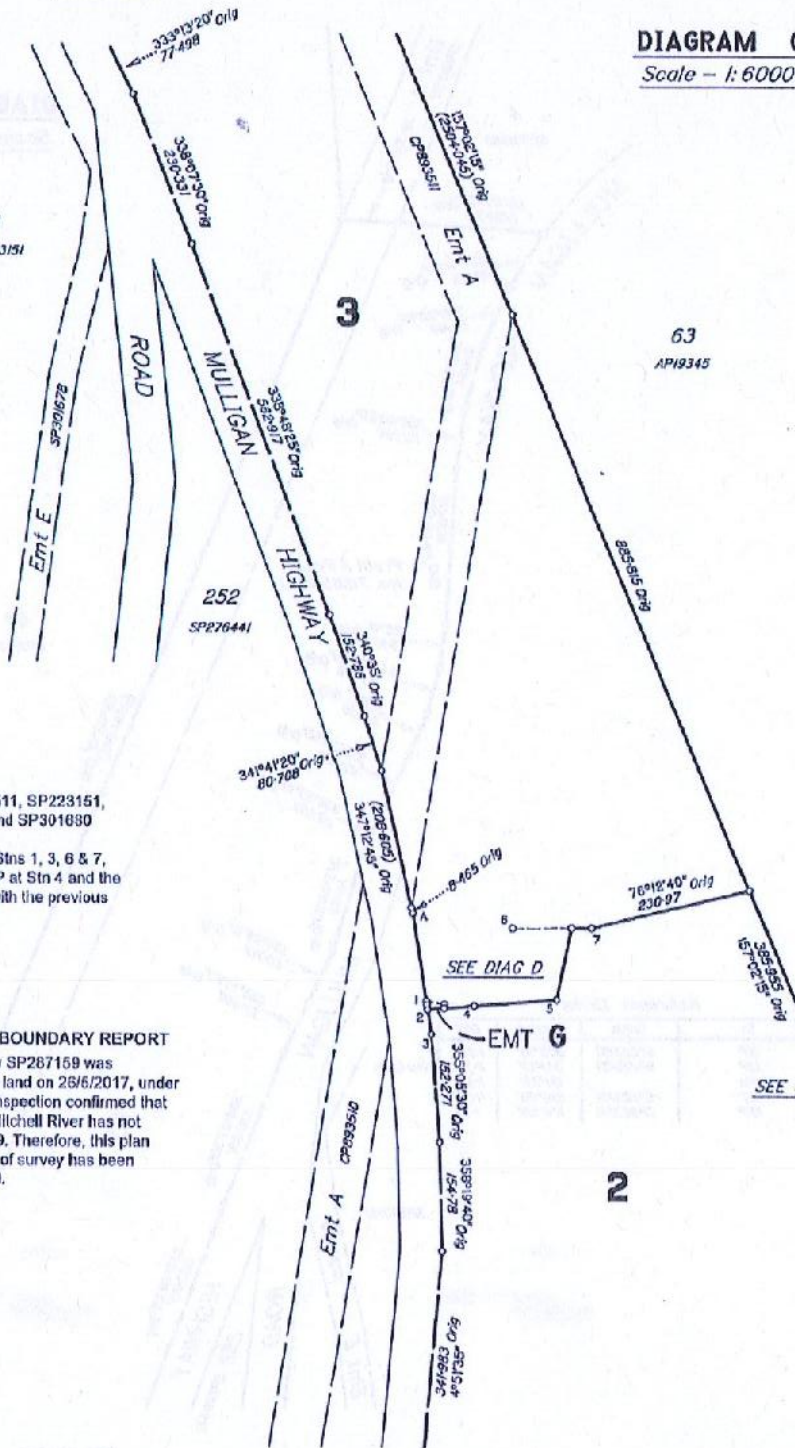
SEE DIAG D

DIAGRAM C

Scale - 1:6000



SP223151



SURVEY REPORT

Plans searched: CP893511, SP223151, SP207159, SP301676 and SP301680

Original marks found at Stns 1, 3, 6 & 7, the connection to the OIP at Stn 4 and the OP's on Emt G agreed with the previous survey on SP223151.

PHYSICAL FEATURE BOUNDARY REPORT

A first new plan of survey SP287159 was registered for the subject land on 28/6/2017, under s.108 of the SMA. Site inspection confirmed that top of the bank of Little Mitchell River has not changed since SP287159. Therefore, this plan being a subsequent plan of survey has been compiled from SP287159.

SEE SHEET 1

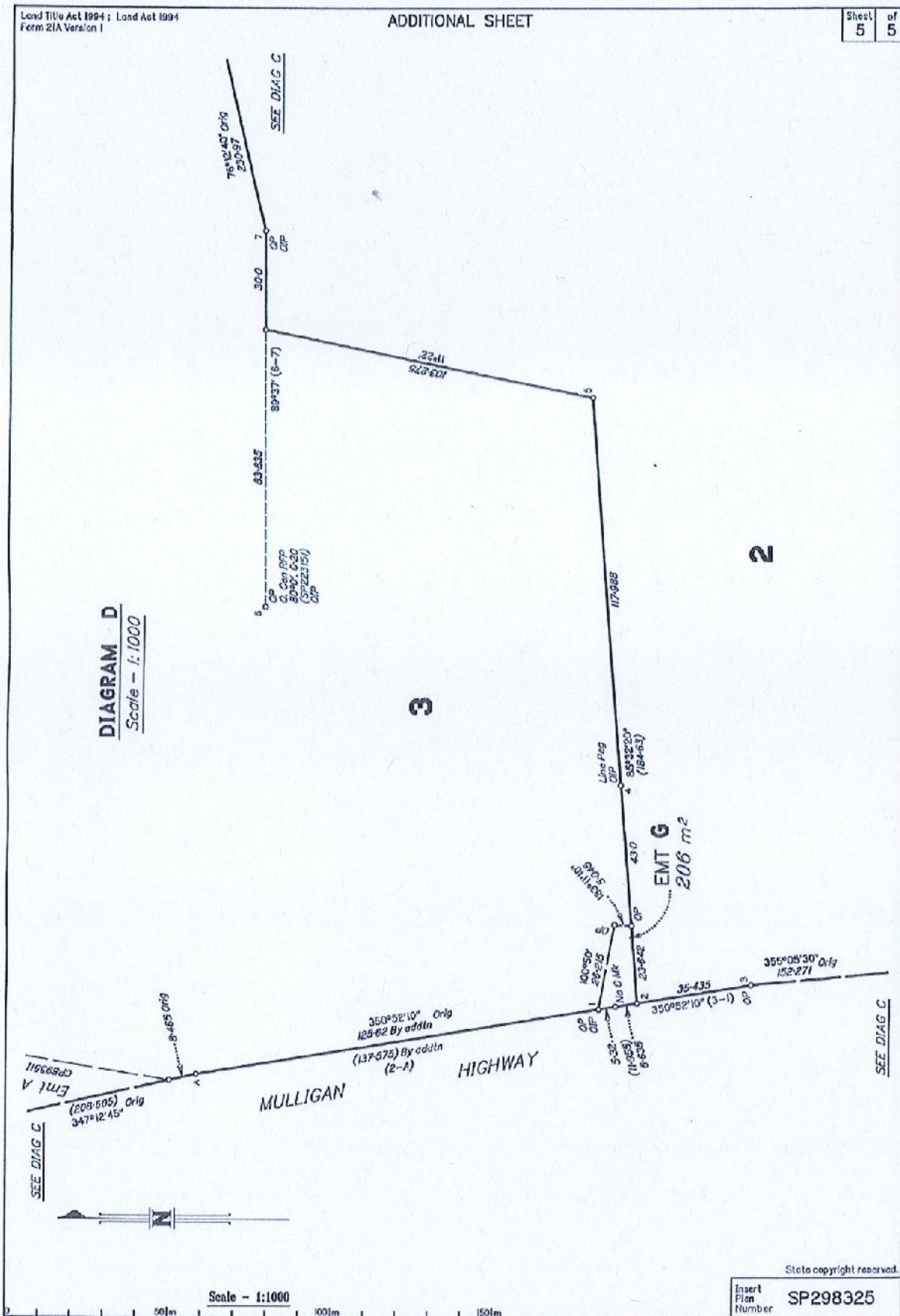
SEE SHEET 1

Scale - 1:8000



State copyright reserved.

Insert Plan Number SP298325



Our reference: 2002-15519 SPL
Your reference: 20-526

27 February 2020

The Product Makers (Australia) Pty Ltd
PO Box 2970
CAIRNS QLD 4870
justin@urbansync.com.au

Attention: Matt Ingram

Dear Sir/Madam

Pre-lodgement advice

Thank you for your correspondence received on 18 February 2020 in which you sought pre-lodgement advice from the Department of State Development, Manufacturing, Infrastructure and Planning regarding the proposed development described below.

Reference information

Departmental role:	Referral agency
Departmental jurisdiction:	10.3.4.3 – Clearing native vegetation 10.5.4.2 – Environmentally relevant activity 10.6.4.3.1 – Waterway barrier works 10.9.4.1.1 – State transport infrastructure (aspect of development stated in schedule 20) ¹ 10.9.4.2.4 – Material change of use of premises near a State transport corridor 10.19.3.1 – Taking or interfering with water ²

Location details

Street address:	3276 -3278 Mulligan Highway, Mount Molloy
Real property description:	Lot 2 and Lot 3 on SP298325
Local government area:	Mareeba Shire Council

Details of proposal

Development type:	Material change of use for environmentally relevant activity Operational work for waterway barrier works
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¹ Definition of proposed use is to be confirmed by Mareeba Shire Council.

² Further details regarding the location of proposed bores and if development involves taking overland flow water.

Development description: Manufacturing of feed stock and other products from sugar cane production by-products
(Applicant advised that definition of proposed use under Mareeba Shire Council Planning Scheme is still to be determined)

Supporting information

Drawing/report title	Prepared by	Date	Ref no.
Request for pre-lodgement advice for a proposed material change of use and operational works over part of Lot 2 and Lot 3 on SP298325 at 3276 Mulligan Highway, Southedge, Mount Molloy	Urban Sync	18 February 2020	20-526
State assessment and referral agency lot plan report	Queensland Government (Department of State Development, Manufacturing, Infrastructure and Planning)	18 February 2020	2SP298325 3SP298325

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

Item	Advice
Proposal	
1.	<p>The pre-lodgement material submitted to the department identifies that the project will involve the establishment of a facility that alters and modifies the by-products of sugar cane production into feed stock for animals (and other products i.e. fertilizer), along with the required dispersion and irrigation of the water waste stream. The proposed development will involve the construction of a 10m x 16m x 6m shed (production plant) and an approximate 114 x 80m irrigation area in the northern corner of the site. A maximum of 124,000L of feedstock will be stored on-site in 3 x 45,000L tanks that will have a suitable bunded area. The production plant is expected to operate 24 hours a day, 7 days a week and have 3-4 staff members on-site at any one time.</p> <p>It is anticipated that Stage 1 will produce 10t of feedstock per week and Stage 2 will produce, once approved, up to 50t per week. The manufacturing process to turn the sugar cane waste to feed stock will involve filtration, concentration, pasteurization and aseptic packaging. In addition to the production of feedstock, the production plant will emit approximately 10,000L of treated water/bio product a day and this water will be irrigated via one of the two proposed irrigation areas.</p>
State development assessment provisions (SDAP)	
2.	<p>The State Development Assessment Provisions (SDAP) version current at the time the development application or other change application is lodged with the assessment manager will be used in assessing the application. On the information provided, the following state codes may be applicable to the proposed development:</p> <ul style="list-style-type: none"> • State code 1: Development in a state-controlled road environment • State code 6: Protection of state transport networks • State code 10: Taking or interfering with water

Item	Advice
	<ul style="list-style-type: none"> • State code 16: Native vegetation clearing • State code 18: Constructing or raising waterway barrier works in fish habitats • State code 22: Environmentally relevant activities <p>To address SDAP the applicant should demonstrate how acceptable outcomes will be achieved. If the development cannot meet an acceptable outcome, the applicant should provide evidence on how the proposal meets the performance outcome.</p> <p>The department has prepared response templates to assist applicants in addressing the SDAP criteria. The SDAP response templates are available online at https://planning.dsdmip.qld.gov.au/planning/resources.</p>
Environmental relevant activity	
3.	<p>Based on the information provided, the proposed activity may trigger the following Environmental Relevant Activities (ERAs):</p> <ul style="list-style-type: none"> • ERA 7(4) – Chemical manufacturing - This ERA is in relation to the manufacturing of fertilizer if it is likely that production will exceed 200t per year. • ERA 28 – Sugar milling and refining - This ERA is in relation to manufacturing 200t or more of <i>other sugarcane products</i> in a year. • ERA 62 – Resource recovery and transfer facility operation - This ERA may be applicable if the storage of large quantities of feedstock is required particularly if it is over 6m³ or 6t. <p>ERA 7 (4) and ERA 28 are concurrence ERAs under the Environmental Protection Regulation 2008 and therefore require a development application for a material change of use.</p> <p>The other ERAs that have been identified in the pre-lodgement material that may be applicable to the proposed development including ERA 24, ERA53 and ERA 54 have been considered. On the information provided these ERA's are unlikely to be applicable to the proposed development based in the information provided. The reasons for each are below.</p> <ul style="list-style-type: none"> • ERA 24 – Edible oil manufacturing or processing - There is no mention in the application regarding the production of edible oils. However, this may be applicable depending on the nature of the feedstock produced and whether it is likely that you will be using 1,000t or more of raw material in a year to produce the edible oil. • ERA 53 – Organic material processing - This activity involves composting or anaerobic digestion. The information provided does not mention either of these activities being used in this process. • ERA 54 – Mechanical waste reprocessing - This ERA is a possibility, however it would depend on the processes being undertaken. Mechanical reprocessing includes crushing, milling, grinding, shredding or sorting waste, whether or not for the purpose of recycling the waste. If one of these is being undertaken then this ERA may be applicable. <p>Additional information is required regarding the nature of the proposed development in order to finalise the ERA's that are relevant to the proposed development including further detail on the type of products being produced and the process being employed.</p>
4.	<p>A material change of use for an ERA will also be taken to be an application for an environmental authority (EA). An EA cannot commence until the development permit takes effect. The administering authority for an EA is the Department of Environment and Science (DES).</p>

Item	Advice
	<p>In order to hold an environmental authority you must be a 'registered suitable operator'. You can apply to be a registered suitable operator at the same time you apply for your environmental authority. The following website explains how to apply to be a registered suitable operator and how to apply for an environmental authority: https://www.business.qld.gov.au/running-business/environment/licences-permits/applying/lodging</p> <p>For an EA, the first annual fee is payable within 20 business days of the effective date of an environmental authority. If multiple ERAs are undertaken as part of a project, the annual fees will be based on the ERA with the highest Aggregate Environmental Score (AES). Current annual fees for ERAs can be found at the following link: http://www.ehp.qld.gov.au/assets/documents/regulation/era-is-summary-annual-fees.pdf</p> <p>Common conditions have been developed for ERAs to provide an indication of the conditions that may be included in the EA issued by DES.</p> <p>In addition to the common conditions, more prescriptive site-specific conditions may be deemed necessary to address environmental risks of a particular industry or site and will be drafted by the administering authority as required. This will be based on the environmental values identified and the potential impacts from the proposal.</p>
5.	<p>As outlined in section 125 of the <i>Environmental Protection Act 1994</i> (EP Act), the development application will need to include:</p> <ul style="list-style-type: none"> • a description of the environmental values (both onsite and offsite) likely to be affected by the proposed activity • details of any emissions or releases likely to be generated by the proposed activity • a description of the risk and likely magnitude of impacts on the environmental values • details of the management practices proposed to be implemented to prevent or minimise adverse impacts • details of how the land the subject of the application will be rehabilitated after the relevant activity • a description of the proposed measures for minimising and managing waste generated by the relevant activity • details of any site management plan (i.e. associated with contaminated land) that relates to the land that is the subject of the application. <p>Environmental values that will need to be considered in your application include those as they relate to air/ noise, water and land, and should include consideration of at least the following:</p> <ul style="list-style-type: none"> • Category B regulated vegetation • Noise emissions (impacts on potential sensitive receptors) • Air emissions (impacts on potential sensitive receptors) • Waterways on and around the subject site • Matters of State Environmental Significance (MSES) including Kuranda National Park that adjoins the site to the east and wildlife habitat <p>Technical guidelines have been developed to outline what information to include in an application where impacts related to air, land, noise, water or waste have been identified. These are available at: https://www.business.qld.gov.au/business/running/environment/licences-permits/applying-environmental-authority/technical-information-requirements</p>

Item	Advice
6.	<p>The applicant should note that chemical manufacture and storage is a notifiable activity. Under the <i>Environmental Protection Act 1994</i>, the owner of the land where a notifiable activity is occurring has a duty to notify the department.</p> <p>Information on the notification process can be found at the following location: https://www.qld.gov.au/environment/pollution/management/contaminated-land/notifications/</p>
Matters of state environmental significance (MSES)	
7.	<p>The site and surrounds is mapped as containing MSES including regulated vegetation, wildlife habitat and protected areas. In addition to these mapped features, the watercourses located on the site are mapped as green waterways and provide fish passage.</p> <p>Where MSES are identified you must demonstrate how the development avoids adverse impacts on MSES. Where this is demonstrated to be not reasonably possible, you must then demonstrate how impacts on MSES have or will be minimised and mitigated. If following these considerations the proposed activity is likely to have an impact on the MSES, you must undertake a 'significant residual impact' assessment.</p> <p>As part of the development application, you will be required to determine if there are any MSES on or adjacent to the site that is impacted by the proposed development. Where MSES are identified:</p> <ul style="list-style-type: none"> • Provide a targeted assessment to ground truth any MSES identified; • Demonstrate how the development avoids adverse impacts on each MSES to the greatest extent practicable; • Where the above is not reasonably possible, demonstrate how impacts on MSES have or will be minimised and/or mitigated to the greatest extent practicable; • Demonstrate whether the development will have a Significant Residual Impact on any identified MSES using the Significant Residual Impact Guideline. An assessment will need to be undertaken for each MSES to determine whether the proposed development will result in a significant residual impact; and • Identify any potential offset obligation. Further advice on environmental offsets is available at http://www.qld.gov.au/environment/pollution/management/offsets/. <p>The department maintains an 'avoid, mitigate, offset' requirement that applies to those activities that will, or are likely to, have a significant residual impact on prescribed environmental matters.</p>
Water advice	
8.	<p>The pre-lodgement material indicates that water may be supplied to the proposed development via bores. The proposed development is within the area covered by the <i>Water Plan (Mitchell) 2007</i> (Mitchell Water Plan). In the Mitchell Water Plan area, the take of groundwater is not regulated where it occurs-</p> <ul style="list-style-type: none"> • Outside groundwater management areas; and, • Greater than the prescribed distance from a prescribed watercourse or creek. <p>Lots 2 and 3 on SP298325 satisfy these requirements.</p> <p>Approval under the <i>Planning Act 2016</i> for the drilling of bores may be required depending on the critical distances as per Schedule 17, part 2 of the Water Regulation 2016. Planning approval is</p>

Item	Advice
	<p>required for a bore drilled less than-</p> <ul style="list-style-type: none"> a) 200m from a boundary of a parcel of land; and b) 400m from another water bore. <p>A registered bore driller is required to drill a bore deeper than six metres.</p>
9.	<p>The proposed area is located in proximity to features mapped as drainage features on the Department of Natural Resources, Mines and Energy Watercourse Identification Map. Water in a drainage feature is classified as overland flow. In the Mitchell Water Plan, landholders can take overland flow water from these features, for any purpose, if the total capacity of the works is less than or equal to 250 megalitres.</p> <p>Proponents seeking to take or interfere with more than 250 megalitres of overland flow water may require a development approval under the <i>Planning Act 2016</i> and an authorisation under the <i>Water Act 2000</i>.</p>
Clearing native vegetation	
10.	<p>The development footprint impacts the following features/ vegetation types:</p> <ul style="list-style-type: none"> • Category B areas (containing least concern regional ecosystems) • Category X areas • Stream order 2 watercourse/drainage features as shown on the vegetation management watercourse and drainage feature map <p>The mapped regional ecosystems within the development footprint are:</p> <ul style="list-style-type: none"> • 9.3.3 (least concern, sparse structure) • 9.5.9 (least concern, sparse structure) • 9.3.13 (least concern, mid dense structure) • 7.11.51 (least concern, mid-dense structure) <p>Information on the land is available through:</p> <ul style="list-style-type: none"> • Queensland Globe - https://qldglobe.information.qld.gov.au/ • A vegetation management report online at - www.qld.gov.au/environment/land/vegetation/map-request/. The report includes relevant property information and a series of maps and supporting information outlining the requirements for clearing vegetation on this land; and, • The Regional Ecosystem Description Database - https://apps.des.qld.gov.au/regional-ecosystems/. <p>It is noted that the site plan indicates that the development will be located completely within Lot 2 on SP298325 and vegetation clearing will result. Further, an application for a relevant purpose determination under section 22A of the <i>Vegetation Management Act 1999</i> was submitted to the Department of Natural Resources, Mines and Energy on 19 February 2020 in relation to Lot 2 on SP298325 only.</p>
11.	<p>The development application will need to address and meet the performance outcomes of State code 16: Native vegetation clearing including Table 16.2.2 – PO1-PO4 and Table 16.2.3 – PO7, PO11, PO16, PO20, PO22-PO24 and PO27.</p> <p>All relevant performance outcomes need to be addressed however, based on the information</p>

Item	Advice
	<p>provided the following performance outcomes will require particular consideration:</p> <ul style="list-style-type: none"> • PO1 – Clearing and adverse impacts of clearing do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been reasonably avoided or reasonably minimized where it cannot be reasonable avoided. It is noted that there are Category X areas on the site that may have potential for the siting of the proposed infrastructure. • PO11 – Clearing maintains the current extent of the vegetation associated with any watercourse or drainage feature (the site contains a stream order 2 watercourse under the vegetation management watercourse/drainage feature map) • PO22 – Clearing does not contribute to or accelerate land degradation through waterlogging, or through the salinization of groundwater, surface water or soil. <p>Guidance on how to comply with this code is provided in State Development Assessment Provisions Guidance material: State code 16: Native vegetation clearing, Department of Natural Resources, Mines and Energy 2019. Appendix 2 of this guideline provides details on the standard application information for all development applications involving the clearing of native vegetation.</p>
12.	<p>For the purposes of assessing firebreaks and/or safety buffers for all proposed built infrastructure, the assessment will be based on a width of 20 metres or 1.5 times the height of the tallest adjacent tree to the infrastructure, whichever is the greater, based on the relevant regional ecosystem description to calculate the applicable firebreak/safety buffer, unless alternative evidence is outlined in the development application.</p> <p>Based on the pre-lodgement material and the mapped regional ecosystem descriptions for the site, a firebreak and/or safety buffer of 30 metres for proposed built infrastructure may be applied.</p> <p>Evidence supporting an alternate firebreak/safety buffer width must include tallest tree height measurements and photographs of the full extent (base of trunk to canopy crown) of the tallest tree adjacent to the proposed infrastructure. Each photograph should show a survey staff or object of known height in relation to the measured tree and be accompanied by details of its location (e.g. GPS coordinates using datum GDA94 or GDA2020 and relevant MGA grid zone). Alternatively other methods such as the use of LiDAR data may also be appropriate.</p>
Waterway barrier works	
13.	<p>The proposed works are located on a waterway that is mapped green according to the <i>Queensland waterway for waterway barrier works</i> spatial data layer.</p> <p>At this stage, it is unclear if the works trigger waterway barrier works as the design of the crossing to be constructed is unknown. The applicant should refer to the following factsheets for more information on waterway barrier works:</p> <ul style="list-style-type: none"> - What is a waterway?; - What is a waterway barrier work?; - What is not a waterway barrier work?
14.	<p>Under the Planning Regulation 2017, works involving constructing or raising waterway barrier works must be undertaken in accordance with the relevant accepted development requirements</p>

Item	Advice
	<p>or under a development approval for operational works.</p> <p>A crossing of a green waterway, if built to the required specifications, may comply with the accepted development requirements (ADR) and not require a development application for operational works. The relevant sections of the ADR include:</p> <ul style="list-style-type: none"> - Work type 1.3 - Construction of new or replacement of existing culvert crossings on a low impact (green) waterway. - Work type 2.2 - Construction for new or replacement of an existing bed level crossing on a moderate impact (amber) or low impact (green) waterway. <p>Please note that the Department of Agriculture and Fisheries have advised that the waterway on the site provides good fish habitat and connectivity to other waters and you may wish to consider constructing a crossing to reflect the amber waterway requirements. This may also be constructed under the ADR including:</p> <ul style="list-style-type: none"> - Work type 1.2 - Construction of new or replacement of existing culvert crossings on a moderate impact (amber) waterway. - Work type 2.2 - Construction for new or replacement of an existing bed level crossing on a moderate impact (amber) or low impact (green) waterway. <p>If the development is able to construct the waterway crossing under the ADR, a development application for the waterway barrier component of the proposed works will not be required.</p>
15.	<p>An application for operational works involving constructing or raising waterway barrier works will need to provide a full response to State code 18: Constructing or raising waterway barrier works in fish habitats. Particular attention should be paid to the following performance outcomes:</p> <ul style="list-style-type: none"> • All development – performance outcomes PO1 to PO18 and PO36. • Temporary waterway barrier works – PO32 to PO35. <p>Outlined below is some additional information that may assist you in addressing the performance outcomes:</p> <ul style="list-style-type: none"> • PO1 – This performance outcomes requires that there is a demonstrated need for the development and alternatives which have lesser impacts to fish passage are not viable. An access road is generally considered an adequate need. In order to address this PO, justification for the location and design of the crossing will be required and it will need to demonstrate that the proposed works pose the least impact to fish passage compared to other alternatives considered. • PO2 - Requires that only those aspects of a development that have a functional requirement to be located within a waterway are supported. The applicant is required to demonstrate that only those elements related to the waterway crossing are located in the waterway. Any other aspects of the development (site office, parking areas, sheds, material lay down areas, areas related to the construction works etc.) are required to be located away from the waterway. • PO4 – Requires that for the life of the barrier, adequate fish passage must be provided and maintained. Plans prepared by suitably qualified person/s showing the natural profile of the waterway bed and banks, and how the crossing will extend over and/or interact with these features will be required as part of any further development application. At all

Item	Advice
	<p>times hydraulic conditions are required to allow for fish passage of all fish attempting to move through the structure. Items such as elevation drops, changes to the waterway bed gradients, blocks to the low flow channel, increasing velocities and/or turbulence and insufficient light at the entrance of the barrier are generally unsupported. Roughening elements may be required pending the type of crossing. It is advised to consult with a suitably qualified person familiar with fish passage requirements to assist with the design.</p> <ul style="list-style-type: none"> • PO5 - The waterway barrier works are required to be designed, constructed, operated and maintained to provide fish passage for all members of the fish community, regardless of size, species, life stage and swimming ability. • PO6 - All components of the waterway barrier works (for example scour protection, intake and outlet structures, aprons, spillways etc.) provide safe fish passage. It is advised to show on a plan, all instream structures in relation to the existing natural waterway to demonstrate compliance with this PO. • PO8 – This performance outcome requires that development does not increase risk of mortality, disease or injury, or compromise fisheries resources. Particular consideration should be given to the waterway crossing. For instance, materials used during construction and construction run off/ erosion can be toxic to fish and water quality if not managed correctly. A construction management plan outlining all measures taken to reduce environmental and ecological risks from all stages of construction is advised to be provided. • PO9 – This performance outcome requires that the development is to <ul style="list-style-type: none"> - avoid non-essential hardening of the main channel; - retain any natural fish habitat features where possible; - avoid channelisation of meandering waterways - avoids construction during times of elevated flows. <p>Adequate plans demonstrating the above points would be sufficient in meeting this PO.</p> • PO13 - Construction is to avoid direct and indirect disturbance, or where avoidance is not possible, minimises direct and indirect disturbance to beds, banks and vegetation adjacent to the permanent footprint. Minimisation of impacts to the waterway is required to be demonstrated. Any disturbances outside the permanent footprint of the works is required to be justified. • PO14 - Any justified disturbance outside permanent development footprint is required to be stabilised and rehabilitated. The applicant is advised to prepare a rehabilitation plan if needed, in order to demonstrate compliance with PO14.
Temporary waterway barrier works	
16.	The placement of temporary waterway barriers to facilitate construction of the waterway crossing may be conducted under DAF's Accepted development requirements for operational work that is constructing or raising waterway barrier works .

Item	Advice
	<p>If any proposed temporary waterway barrier works cannot meet the accepted development requirements, this aspect of the works will need to be covered under the development approval. Performance outcomes PO32 to PO35 of State Code 18: Constructing or raising waterway barrier works in fish habitats relate to temporary waterway barrier works.</p> <p>The applicant should note that time limitations apply to all temporary waterway barriers in place under the ADR. If there is any possibility (e.g. due to weather) the barriers need to be in place for longer than the prescribed period under the ADR, the applicant is advised to include proposed temporary waterway barrier works in a development application.</p>
17.	<p>Plans will need to be provided that depict:</p> <ul style="list-style-type: none"> • the location of the proposed works in relation to existing mapped waterways; • cross section of the proposed waterway barrier works in relation to the existing bed and banks of each impacted waterway; • A longitudinal section of the proposed waterway barrier works in relation to the bed of the waterway upstream and downstream of the works; <p>Note – all plans should be able to be read to scale at A3 size.</p> <p>The application will also need to be accompanied by written documentation discussing the following:</p> <ul style="list-style-type: none"> • Details of the purpose of the proposed works (e.g. single/multi-span bridge, bed level crossing for vehicular access, etc.); • A description of the waterway proposed to be impacted (e.g. condition, size, connectivity, general hydrology) and nature of the impact; • A description of the work method (e.g. timing, equipment to be used); • A detailed description of the alternatives considered to reduce impacts on the waterway, as applicable (e.g. alternative designs, locations, setbacks/buffer distances, etc.); • Details of on-site mitigation actions, during and after the development; • The extent of any future maintenance works required for the continued safe operation of the proposed structure or facility; and • Impacts to fish passage. It must firstly be demonstrated that impacts to waterways providing for fish passage have been avoided. Where avoidance is not reasonably possible, impacts to waterways providing for fish passage must be mitigated. An environmental offset pursuant to the <i>Environmental Offsets Act 2014</i> may need to be provided for any significant residual impact.
State-controlled road	
18.	<p>The site has road frontage and access to the Mulligan Highway, a State-controlled road. Vehicle access is proposed via an access easement located on Lot 3 on SP298325. A high impact industry (concrete recycling yard – up to 5000 tonnes per year) was approved over Lot 3 on SP298325 by Mareeba Shire Council (MCU/19/0009). A condition of this approval imposed by the department was to upgrade the existing shared access to Austroads Figure 7.4 (rural property access specifically designed for articulated vehicles on a two-way road) to allow vehicles up to a maximum size Six Axle Articulated Vehicle – Class 9 Long Length Heavy to</p>

Item	Advice
	<p>access the site.</p> <p>Any future development application requires clarification on traffic generation for all stages of the development. The pre-lodgement information indicates that traffic generation for Stage 1 will be one heavy vehicle movement per week and 10 - 14 heavy vehicles per week for Stage 2. To ensure that a detailed assessment can be undertaken, the following information should be submitted as part of any future development application:</p> <ul style="list-style-type: none"> • Details are required on how the final product/s (feed stock for animals and other products i.e. fertiliser) will be distributed from the site and likely vehicle movements. The pre-lodgement material submitted indicates that the heavy vehicle movements are for the delivery of by-products only. • A Traffic Impact Assessment Report by a suitably qualified professional. The Traffic Impact Assessment Report is required to: <ul style="list-style-type: none"> o Provide and confirm traffic generation rates for the proposed development. Traffic generation rates should include, projected visitor and worker numbers, the number, type and size of all vehicles that will access the proposed development on a daily and weekly basis. o Analyse the shared access and demonstrate that traffic generation from the proposed development will not compromise the performance outcomes of State code 1 Development in a state-controlled road environment of the State Development Assessment Provisions (SDAP); specifically: <ul style="list-style-type: none"> <input type="checkbox"/> 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. <input type="checkbox"/> PO20 - Development does not result in a worsening of operating conditions on the state-controlled road network. <input type="checkbox"/> PO21 - Development does not impose traffic loadings on a state-controlled road which could be accommodated on the local road network. <input type="checkbox"/> PO22 - Upgrade works on, or associated with, a state-controlled road are built in accordance with Queensland road design standards. • The applicant has indicated that a further stage (Stage 3) may be proposed to increase production capacity. The applicant is required to confirm if Stage 3 will be established as part of the proposed development or form part of a separate development application. <p>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.</p>
19.	<p>The Department of Transport and Main Roads (DTMR) has confirmed that a s62 approval under the <i>Transport Infrastructure Act 1994</i>, dated 20 August 2019 was issued for a High Impact Industry (Concrete Recycling Yard - up to 5,000 tonnes per year) development (Decision Notice MCU/19/0009) to allow vehicles up to a maximum size Six Axle Articulated Vehicle – Class 9 Long Length Heavy Vehicle to access Lot 2 on SP298325 and Lot 3 on SP298325 (via an</p>

Item	Advice
	<p>access easement). The s62 notice and material change of use approval included conditions that required the existing shared access being upgraded to Austroads Figure 7.4 (rural property access specifically designed for articulated vehicles on a two-way road).</p> <p>A preliminary assessment of the shared access by DTMR indicates that traffic generation from the proposed development including traffic generation from the approved High Impact Industry development and existing vehicle movements will likely require additional road works at the shared access. The nature and extent of these works can not be confirmed until a traffic impact assessment is prepared and submitted for consideration.</p>
Referral fees and forms	
20.	<p>Schedule 10 of the Planning Regulation 2017 prescribes the fees for the referral of a development application. It is suggested that the fees be confirmed following the refinement of the development proposal, particularly relating to the environmentally relevant activity and the taking of water components of the development application. The following fees may be applicable to the proposed development:</p> <ul style="list-style-type: none"> • Environmentally relevant activity – To be confirmed • Clearing native vegetation - \$6,625 • Fisheries (waterway barrier works) - \$3,313 • State transport infrastructure (aspect of development stated in schedule 20) - \$1,655 • State transport infrastructure (near state transport corridor) - \$3,313 • Water-related development (taking of water) - \$165 <p>The development application will need to include DA Form 1 including Template 4 (waterway barrier works) and form ESR/2015/1791 which is the attachment form required for the ERA component of the development application.</p> <p>Fees and forms are also apply to the environmental authority and this information is available at https://www.business.qld.gov.au/running-business/environment/licences-permits/forms-fees. Any questions regarding the environmental authority component of the development should be directed to Department of Environment and Science at palm@des.qld.gov.au or phoning 1300 130 372 (select option 4).</p>
Further pre-lodgement advice	
21.	<p>You may wish to seek further pre-lodgement advice once you have further details regarding the taking of water, the processes to be employed and details of all products being produced.</p> <p>To request further pre-lodgement advice please use the 'related actions' tab in the 2002-15519 SPL MyDAS2 record and select 'Request more pre-lodgement advice from SARA'. You will be given an option to select either a meeting or written advice.</p>

This pre-lodgement advice does not constitute an approval or an endorsement that the department supports the development proposal. Additional information may be required to allow the department to properly assess the development proposal when the development proposal is further refined. This pre-lodgement advice is valid for a period of nine months from date of issue, unless a change in legislation or policy occurs that would affect the pre-lodgement advice.

For further information please contact Belinda Jones, Senior Planning Officer, on 40373239 or via email CairnsSARA@dsgmip.qld.gov.au who will be pleased to assist.

Yours sincerely

A handwritten signature in black ink, appearing to read 'AW', is positioned above the typed name.

Anthony Walsh
Manager Planning



Ref: 203-001-001L2

13 April 2020

The Product Makers (Australia) Pty Ltd
c/- Urban Sync Pty Ltd
PO Box 2970
Cairns Qld 4870
via email: matt@urbansync.com.au

Proposed Development at 3276 Mount Mulligan Highway Traffic Report

Introduction

The Product Makers (Australia) Pty Ltd (The Product Makers) are proposing to undertake development at 3276 – 3278 Mulligan Highway, Mount Molloy. The development will involve provision of commercial structures to support their proposed business expansion.

A pre-lodgement meeting was held with the Department of Transport and Main Roads (TMR), facilitated by the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP), which resulted in the issue of pre-lodgement advice dated 27 February 2020. Items 18 and 19 within that advice state the following:

State Controlled Road

Item 18

The site has road frontage and access to the Mulligan Highway, a State-controlled road. Vehicle access is proposed via an access easement located on Lot 3 on SP298325. A high impact industry (concrete recycling yard – up to 5000 tonnes per year) was approved over Lot 3 on SP298325 by Mareeba Shire Council (MCU/19/0009). A condition of this approval imposed by the department was to upgrade the existing shared access to Austroads Figure 7.4 (rural property access specifically designed for articulated vehicles on a two-way road) to allow vehicles up to a maximum size Six Axle Articulated Vehicle – Class 9 Long Length Heavy to access the site.

Any future development application requires clarification on traffic generation for all stages of the development. The pre-lodgement information indicates that traffic generation for Stage 1 will be one heavy vehicle movement per week and 10 - 14 heavy vehicles per week for Stage 2. To ensure that a detailed assessment can be undertaken, the following information should be submitted as part of any future development application:

- *Details are required on how the final product/s (feed stock for animals and other products i.e. fertiliser) will be distributed from the site and likely vehicle movements. The pre-lodgement material submitted indicates that the heavy vehicle movements are for the delivery of by-products only.*
- *A Traffic Impact Assessment Report by a suitably qualified professional. The Traffic Impact Assessment Report is required to:*
 - *Provide and confirm traffic generation rates for the proposed development. Traffic generation rates should include, projected visitor and worker numbers, the number, type and size of all vehicles that will access the proposed development on a daily and weekly basis.*

- *Analyse the shared access and demonstrate that traffic generation from the proposed development will not compromise the performance outcomes of State Code 1 Development in a state-controlled road environment of the State Development Assessment Provisions (SDAP); specifically:*
 - *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.*
 - *PO20 - Development does 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.*
 - *PO22 - Upgrade works on, or associated with, a state-controlled road are built in accordance with Queensland road design standards.*

- *The applicant has indicated that a further stage (Stage 3) may be proposed to increase production capacity. The applicant is required to confirm if Stage 3 will be established as part of the proposed development or form part of a separate development application.*

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.](#)

Item 19

The Department of Transport and Main Roads (DTMR) has confirmed that a s62 approval under the Transport Infrastructure Act 1994, dated 20 August 2019 was issued for a High Impact Industry (Concrete Recycling Yard - up to 5,000 tonnes per year) development (Decision Notice MCU/19/0009) to allow vehicles up to a maximum size Six Axle Articulated Vehicle – Class 9 Long Length Heavy Vehicle to access Lot 2 on SP298325 and Lot 3 on SP298325 (via an access easement). The s62 notice and material change of use approval included conditions that required the existing shared access being upgraded to Austroads Figure 7.4 (rural property access specifically designed for articulated vehicles on a two-way road).

A preliminary assessment of the shared access by DTMR indicates that traffic generation from the proposed development including traffic generation from the approved High Impact Industry development and existing vehicle movements will likely require additional road works at the shared access. The nature and extent of these works cannot be confirmed until a traffic impact assessment is prepared and submitted for consideration.

CivilWalker Consulting Engineers have been engaged by The Product Makers to respond to Items 18 and 19. This report represents that response.

Development Traffic Generation

Clarification has been sought from the developer with regard to traffic generation, yielding the following details:

- Vehicles to the proposed development will be “truck and dog” type vehicles up to an Austroads Class Type 9. B Double vehicles are no longer proposed to be utilised.
- Vehicles to the previously approved development on Lot 3 SP298325 using the same access will be semi-trailer type vehicles (Austroads Class Type 9)
- Vehicle movements will be as follows:
 - Employee movements 1 - 8 per day (4 staff arriving and departing)
 - Employee movements 2 - 4 per day (2 staff arriving and departing)
 - Visitor movements - 4 per day (2 visitors arriving and departing)
 - Transportation movements 1 - 6 per day (3 vehicles entering and exiting)
 - Transportation movements 2 - 6 per day (3 vehicles entering and exiting)

The developer has advised that there will be up to 4 staff on site at any one time. Conservatively, we have assumed that 2 staff will be on site for the adjacent development at any one time. It is noted that visitor movements to the site will be limited, however 4 per day has been adopted.

It is typical for industrial type workers to commence and finish work earlier than typical commercial workers and therefore travel times to work do not always align with a typical peak hour. It is therefore considered reasonable to allocate only 50% of employee workers within the peak hour.

Visitors have been allocated outside the peak hour.

“Transport movements 1” refers to the proposed development vehicle movements. The developer has advised that in the ultimate stage, there will be 14 trips per week. For the purpose of this assessment, it has been assumed that these trips are not distributed evenly throughout the week and that up to 3 vehicles will visit the site on a day. In such a case, it is likely that one vehicle will attend in the morning, one in the middle of the day and the other in the afternoon. It has therefore been assumed that one vehicle will attend in each peak hour.

“Transport movements 2” refers to the proposed movements from the previously approved access arrangement for the concrete recycling yard approved by Council (reference MCU/19/0009). Advice from the developer of that property is that the vehicles will be 25-tonne semi-trailer units with between 5 and 25 truck movements per month. The frequency with which these vehicles will visit will depend on project requirements, with some months having no movements at all. The adopted daily rate is considered conservative and similarly for “Transport movements 1”, one vehicle has been assumed to attend in each peak hour

- Types of vehicles are as follows:
 - Employee movements 1 (E1) - typical family type car (Austroads Class 1)
 - Employee movements 2 (E2) - typical family type car (Austroads Class 1)
 - Visitor movements (V) - typical family type car (Austroads Class 1)
 - Transportation movements 1 (T1) - Truck and Dog (up to Austroads Class 9)
 - Transportation movements 2 (T2) - Semi-Trailer (up to Austroads Class 9)

To avoid errors in assessment based on assumption of where vehicles travel to the site from, two separate scenarios have been considered. Scenario 1 involves vehicles coming from the north (via Mount Molloy) and Scenario 2 involves all vehicles coming from the south) via the Mareeba. A split between traffic from both Mount Molloy and Mareeba could have been assumed, however assessing two scenarios where traffic comes entirely from each direction is a conservative approach.

In summary, development generated traffic is as follows:

- Scenario 1 = 2 (E1) + 1 (E2) + 1 (T1) + 1 (T2)
= 5 vehicles entering development from north (ie left turn movement)
- Scenario 2 = 2 (E1) + 1 (E2) + 1 (T1) + 1 (T2)
= 5 vehicles entering development from south (ie right turn movement)

Existing Highway Traffic

Existing traffic details were obtained from the Department of Transport and Main Roads' Far North District Road Reference Book dated September 2016. The proposed development site's access is located approximately 35km north of Mareeba, being 1.06km north of the existing airstrip access.

The road in the area is nominated as a Type 1 Heavy Vehicle route. The posted speed limit is 100km/hour and the annual average daily traffic was 2,580 vehicles per day in 2016, with a 17.87% commercial vehicle content.

To provide an appropriate analysis of the access, existing highway traffic is required to be grown to represent a value appropriate at the development opening year. The following has been assumed:

- Opening year will be 2021.
- Growth rate of 1% (considered conservatively low).

Growing the existing traffic from the year 2016 to 2021 at a growth rate of 1% results in a annual average traffic volume of 2,709 vehicles per day.

Access Suitability Assessment

Suitability of the existing access has been determined by considering two parameters:

- Turn treatment warrants.
- Sight Lines.

This section deals with turn treatment warrants, whilst sight lines are considered in the following section.

In considering the appropriateness of the existing turn treatment, analysis of traffic was undertaken in accordance with the requirements of the turn treatment warrants presented in the Austroads Guide to Traffic Management Part 6: Intersections. Extracts of relevant assessment figures are presented in Figures 1 and 2 below.

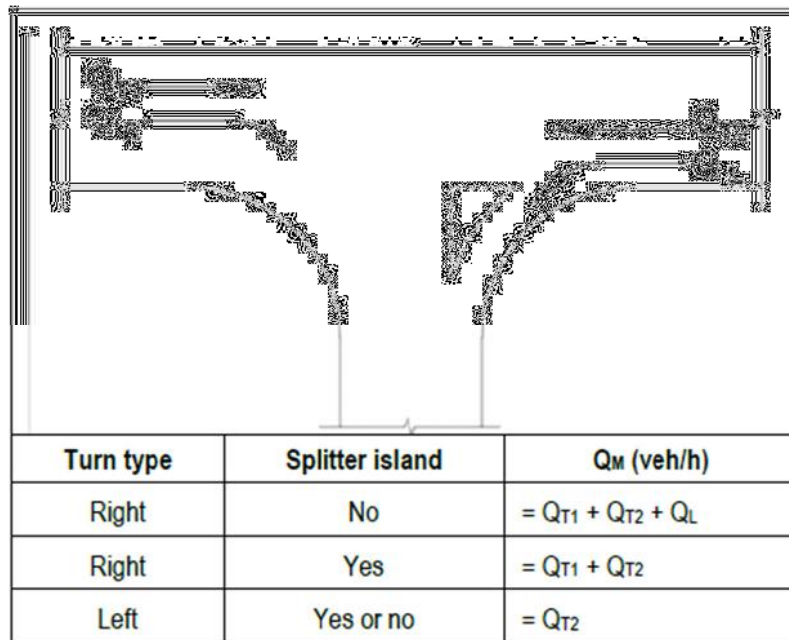


Figure 1 – Traffic Movements for Access Assessment
(refer Austroads Guide to Traffic Management Part 6: Section 2.3.6)

Referencing the adopted traffic generation numbers for Scenarios 1 and 2 noted above, converting the existing annual average daily traffic to a peak hour traffic (adopting 12.5% factor) and assuming a 50% split of the existing traffic between northbound and southbound vehicles, the following inputs to the turn treatment warrant figure were adopted:

Scenario 1

- Q_L = 5 vehicles per hour
- Q_R = 0 vehicles per hour
- Q_{T1} = 169 vehicles per hour
- Q_{T2} = 169 vehicles per hour
- Q_M = 169 vehicles per hour

Scenario 2

- Q_L = 0 vehicles per hour
- Q_R = 5 vehicles per hour
- Q_{T1} = 169 vehicles per hour
- Q_{T2} = 169 vehicles per hour
- Q_M = 338 vehicles per hour

The analysis results of Scenario 1 (green line work) and Scenario 2 (orange line work) are shown in Figure 2.

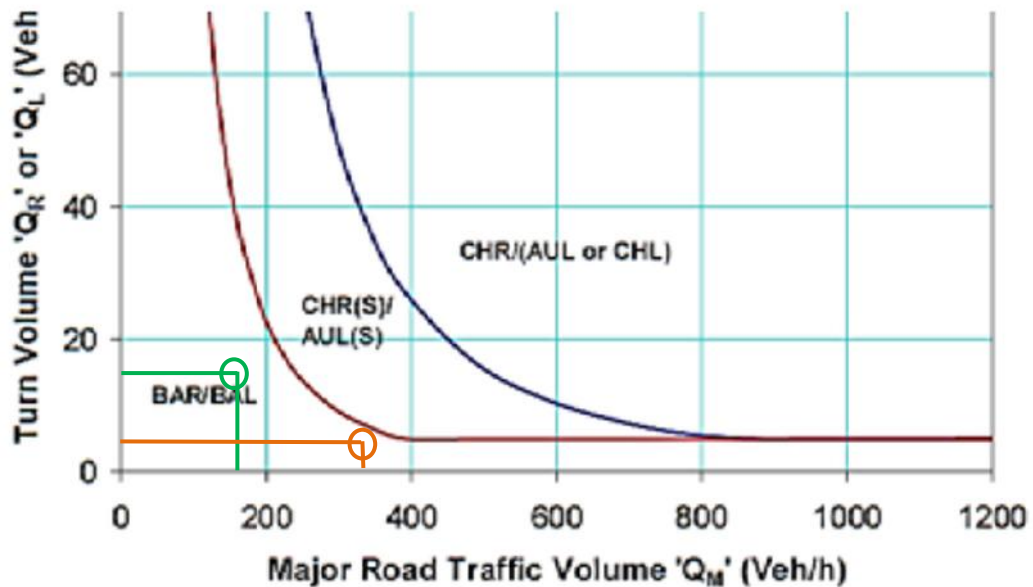


Figure 2 – Warrants for Turn Treatments
(refer Austroads Guide to Traffic Management Part 6: Section 2.3.6)

As can be seen from the above analysis, based on the assumptions made, it is considered that Basic Left (BAL) and Basic Right (BAR) turn movements are acceptable.

Sight Line Assessment

An assessment of “safe intersection sight distance” was undertaken to determine sight line safety at the proposed access.

Reference is made to the Austroads Guide to Road Design Part 4A: Un-Signalised and Signalised Intersections (2017). Table 3.2 provides details of the required safe intersection sight distance at intersections based on design speed of the road. The posted speed limit of the Mulligan Highway at the access location is 100 km/hour and therefore the safe intersection sight distance, with a recommended reaction time of 2 seconds, is 248m.

Images (courtesy of Qld Globe) below identify the available sight distance available from the existing access location. It can be seen from the measurements taken that the required site distance is available. This is expected given that the access location has been previously approved for the development at the adjacent site.



Figure 3 – Site Distance to the North



Figure 4 – Site Distance to the South

Conclusion

In conclusion, based on the assumptions made within this report, it is concluded that a BAL turn treatment for proposed left hand turns and a BAR treatment for proposed right hand turns are considered appropriate based on assessment of turn warrants in accordance with Austroads requirements. Assessment of safety sight lines in accordance with Austroads standards have also determine that these are suitable.

For completeness, the State's queries with regard to traffic have been repeated below with answers / comments provided in **green** to each.

Item 18

The site has road frontage and access to the Mulligan Highway, a State-controlled road. Vehicle access is proposed via an access easement located on Lot 3 on SP298325. A high impact industry (concrete recycling yard – up to 5000 tonnes per year) was approved over Lot 3 on SP298325 by Mareeba Shire Council (MCU/19/0009). A condition of this approval imposed by the department was to upgrade the existing shared access to Austroads Figure 7.4 (rural property access specifically designed for articulated vehicles on a two-way road) to allow vehicles up to a maximum size Six Axle Articulated Vehicle – Class 9 Long Length Heavy to access the site.

Noted.

Any future development application requires clarification on traffic generation for all stages of the development. The pre-lodgement information indicates that traffic generation for Stage 1 will be one heavy vehicle movement per week and 10 - 14 heavy vehicles per week for Stage 2. To ensure that a detailed assessment can be undertaken, the following information should be submitted as part of any future development application:

- *Details are required on how the final product/s (feed stock for animals and other products i.e. fertiliser) will be distributed from the site and likely vehicle movements. The pre-lodgement material submitted indicates that the heavy vehicle movements are for the delivery of by-products only. **Likely vehicle movements have been detailed in this report, with assessment of movement impact to both the north and the south.***
- *A Traffic Impact Assessment Report by a suitably qualified professional. The Traffic Impact Assessment Report is required to:*
 - *Provide and confirm traffic generation rates for the proposed development. Traffic generation rates should include, projected visitor and worker numbers, the number, type and size of all vehicles that will access the proposed development on a daily and weekly basis. **Traffic generation numbers have been developed based on advice from the developers for the proposed operations. Generation numbers include projected visitor numbers, worker numbers and the type / size of all vehicles expected to visit the site.***
 - *Analyse the shared access and demonstrate that traffic generation from the proposed development will not compromise the performance outcomes of State Code 1 Development in a state-controlled road environment of the State Development Assessment Provisions (SDAP); specifically:*
 - *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. **Main Roads identify the road in the vicinity of the access to be a Type 1 Heavy Vehicle Route, which is consistent with the***

proposed development use. The proposed form of the access (BAL / BAR) meets Austroads' Turn Treatment Warrants and Safe Intersection Sight Distances are in accordance with Austroads' requirements. It is therefore considered that the development will not result in a worsening of operating conditions.

- PO20 - Development does not result in a worsening of operating conditions on the state-controlled road network. Main Roads identify the road in the vicinity of the access to be a Type 1 Heavy Vehicle Route, which is consistent with the proposed development use. The proposed form of the access (BAL / BAR) meets Austroads' Turn Treatment Warrants and Safe Intersection Sight Distances are in accordance with Austroads' requirements. It is therefore considered that the development will not result in a worsening of operating conditions.
 - PO21 - Development does not impose traffic loadings on a state-controlled road which could be accommodated on the local road network. Access is not physically available from a local road network. The proposed development will use an existing access location from the State Controlled road.
 - PO22 - Upgrade works on, or associated with, a state-controlled road are built in accordance with Queensland road design standards. All necessary access works will be built in accordance with Queensland road design standards as condition by the Department of Transport and Main Roads.
- The applicant has indicated that a further stage (Stage 3) may be proposed to increase production capacity. The applicant is required to confirm if Stage 3 will be established as part of the proposed development or form part of a separate development application. This traffic assessment has been undertaken for the ultimate Stage 3 development.

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.](#)

Item 19

The Department of Transport and Main Roads (DTMR) has confirmed that a s62 approval under the Transport Infrastructure Act 1994, dated 20 August 2019 was issued for a High Impact Industry (Concrete Recycling Yard - up to 5,000 tonnes per year) development (Decision Notice MCU/19/0009) to allow vehicles up to a maximum size Six Axle Articulated Vehicle – Class 9 Long Length Heavy Vehicle to access Lot 2 on SP298325 and Lot 3 on SP298325 (via an access easement). The s62 notice and material change of use approval included conditions that required the existing shared access being upgraded to Austroads Figure 7.4 (rural property access specifically designed for articulated vehicles on a two-way road). **Noted**

A preliminary assessment of the shared access by DTMR indicates that traffic generation from the proposed development including traffic generation from the approved High Impact Industry development and existing vehicle movements will likely require additional road works at the



shared access. The nature and extent of these works cannot be confirmed until a traffic impact assessment is prepared and submitted for consideration. This report represents the traffic impact assessment.

We trust that the above satisfies your requirements however, should have any queries, please contact me on 0427 515 177.

Yours faithfully

CivilWalker Consulting Engineers



Daryl Walker

Director | Principal Engineer

BE(Hons) ME DipPM RPEQ RPEng



ATTACHMENT 8:
MSC CODE ASSESSMENT



Application

- (1) This code applies to assessing development where:
 - (a) Located in the Rural Zone; and
 - (b) It is identified in the assessment criteria column of an assessment table in Part 5 of the planning scheme.

Criteria for assessment

Table Error! No text of specified style in document. – Rural Zone Code – for Self-Assessable and Assessable Development

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
FOR SELF-ASSESSABLE AND ASSESSABLE DEVELOPMENT			
HEIGHT			
PO1 Building height takes into consideration and respects the following: <ul style="list-style-type: none"> (a) the height of existing buildings on adjoining premises; (b) the development potential, with respect to height, on adjoining premises; (c) the height of buildings in the vicinity of the site; (d) access to sunlight and daylight for the site and adjoining sites; (e) privacy and overlooking; and (f) site area and street frontage length. 	AO1.1 Development, other than buildings used for rural activities, has a maximum building height of: <ul style="list-style-type: none"> (a) 8.5 metres; and (b) 2 storeys above ground level. 	YES	All buildings and structures associated with the development will not exceed 8.5m in height.
	AO1.2 Buildings and structures associated with a rural activity including machinery, equipment, packing or storage buildings do not exceed 10 metres in height.	N/A	The development is not for a 'rural' activity (as defined in the Planning Scheme).
SITING			
NOTE: WHERE FOR DWELLING HOUSE, THE SETBACKS OF THE QUEENSLAND DEVELOPMENT CODE APPLY			

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>PO2</p> <p>Development is sited in a manner that considers and respects:</p> <ul style="list-style-type: none"> (a) the siting and use of adjoining premises; (b) access to sunlight and daylight for the site and adjoining sites; (c) privacy and overlooking; (d) air circulation and access to natural breezes; (e) appearance of building bulk; and (f) relationship with road corridors. 	<p>AO2.1</p> <p>Buildings and structures include a minimum setback of:</p> <ul style="list-style-type: none"> (a) 40 metres from a frontage to a State-controlled road; and (b) 10 metres from a boundary to an adjoining lot. 	YES	Buildings and structures will be setback a minimum of 48m from the State-controlled Road, and more than 10 metres from all boundaries to adjoining lots.
	<p>AO2.2</p> <p>Buildings and structures, where for a Roadside stall, include a minimum setback of 0 metres from a frontage to a road that is not a State-controlled road.</p>	N/A	The development does not involve a Roadside stall.
	<p>AO2.3</p> <p>Buildings and structures, except where a Roadside stall, include a minimum setback of:</p> <ul style="list-style-type: none"> (a) 10 metres from a frontage to a sealed road that is not a State-controlled road; and (b) 100 metres from a frontage to any other road that is not a State-controlled road. 	N/A	See AO2.1 above.
ACCOMMODATION DENSITY			
<p>PO3</p> <p>The density of Accommodation activities:</p> <ul style="list-style-type: none"> (a) respects the nature and density of surrounding land use; (b) is complementary and subordinate to the rural and natural landscape values of the area; and (c) is commensurate to the scale and frontage of the site. 	<p>AO3.1</p> <p>Residential density does not exceed one dwelling house per lot.</p>	N/A	The development does not involve any accommodation activities.
	<p>AO3.2</p> <p>Residential density does not exceed two dwellings per lot and development is for:</p> <ul style="list-style-type: none"> (a) a secondary dwelling; or 	N/A	See AO3.1 above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	(b) Caretaker's accommodation and includes building work or minor building work with a maximum gross floor area of 100m ² ; or (c) Rural worker's accommodation.		
FOR ASSESSABLE DEVELOPMENT			
SITE COVER			
PO4 Buildings and structures occupy the site in a manner that: <ul style="list-style-type: none"> (a) makes efficient use of land; (b) is consistent with the bulk and scale of buildings in the surrounding area; and (c) appropriately balances built and natural features. 	AO4.1 No acceptable outcome is provided.	YES	The development will include a site cover of less than 1% which is consistent with that expected in the Rural zone and nearby allotments. The development has also been suitably located on-site so that it is able to provide an appropriate balance between the built form and natural features (namely waterways, protected areas, MSES etc.) while ensuring the potential visual impacts can be suitably managed without compromising the ability of the rural zone to achieve its purpose.
PO5 Development complements and integrates with the established built character of the Rural zone, having regard to: <ul style="list-style-type: none"> (a) roof form and pitch; (b) eaves and awnings; (c) building materials, colours and textures; and (d) window and door size and location. 	AO5.1 No acceptable outcome is provided.	YES	All buildings and structures will be akin to those that would be expected in the rural zones i.e., sheds, tanks etc. (compliance can also be conditioned if considered necessary).

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
AMENITY			
<p>PO6</p> <p>Development must not detract from the amenity of the local area, having regard to:</p> <ul style="list-style-type: none"> (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions. 	<p>A06.1</p> <p>No acceptable outcome is provided.</p>	<p>YES</p>	<p>Please refer to section 7.3 of the Planning Report for a full assessment against the Performance Outcome.</p>
<p>PO7</p> <p>Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to:</p> <ul style="list-style-type: none"> (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions. 	<p>A07.1</p> <p>No acceptable outcome is provided.</p>	<p>N/A</p>	<p>There are no existing negative environmental impacts on-site and hence, this Performance Outcome is not considered applicable.</p>

Application

- (1) This code applies to assessing development where:
- (a) Land the subject of development is located within a Bushfire Hazard Area and Potential Impact Buffer (100 metres) identified on the **Bushfire Hazard Overlay Maps (OM-003a-o)**; and
 - (b) It is identified in the assessment criteria column of an assessment table in Part 5 of the planning scheme.

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

Criteria for assessment

Table 8.2.3.3 – Bushfire Hazard Overlay Code – for Self-Assessable and Assessable Development

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
FOR SELF-ASSESSABLE AND ASSESSABLE DEVELOPMENT			
<p>PO1</p> <p>Development where within a ‘Bushfire hazard area’ and ‘Potential impact buffer (100 metres)’ identified on the Bushfire hazard overlay maps (OM-003a-o) maintains the safety of people and property by providing an adequate, accessible and reliable water supply for fire-fighting purposes which is safely located and has sufficient flow and pressure characteristics.</p> <p><i>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome. ‘Airport environs: Airport buffer - 3 kilometres’ of an aerodrome identified on Airport environs overlay map (OM-002f).</i></p>	<p>Where within a ‘Bushfire hazard area’ and ‘Potential impact buffer (100 metres)’ identified on the Bushfire hazard overlay maps (OM-003a-o)</p> <p>AO1.1</p> <p>Where in a reticulated water service area, the on-site water supply has flow and pressure characteristics of 10 litres a second at 200 kPa.</p> <p>OR</p> <p>AO1.2</p> <p>Where access to the reticulated water network is not available, a minimum on site water storage of 5,000 litres is provided that must comprise:</p> <ul style="list-style-type: none"> (a) a separate tank; or (b) a reserve section in the bottom part of the main water supply tank; or (c) a dam; or 	<p>N/A</p> <p>YES</p>	<p>See AO1.2 below.</p> <p>See section 5.4.1 of the Planning Report. Compliance can also be conditioned.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	<p>(d) a swimming pool.</p> <p><i>Note—Where a water tank is provided for fire-fighting purposes it is fitted with standard rural fire brigade fittings and the tank is provided with a hardstand area for heavy vehicles.</i></p>		

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
FOR ASSESSABLE DEVELOPMENT			
LAND USE			
<p>PO2</p> <p>Development within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) is appropriate to the bushfire hazard risk having regard to the:</p> <ul style="list-style-type: none"> (a) the bushfire risk compatibility of development; (b) the vulnerability of and safety risk to persons associated with the use; and (c) consequences of bushfire in regard to impacts on essential infrastructure, buildings and structures. <p><i>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</i></p>	<p>AO2.1</p> <p>All buildings, structures, infrastructure and facilities associated with the following uses are located outside any area of the site located within a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o):</p> <ul style="list-style-type: none"> (a) child care centre; or (b) community care centre; or (c) correctional facility; or (d) educational establishment; or (e) emergency services; or (f) hospital; or (g) hostel; or (h) residential care facility; or (i) retirement facility; or (j) shopping centre; or (k) tourist park; or (l) tourist attraction. 	<p>N/A</p>	<p>The development does not involve any of the listed land uses.</p>
LOT DESIGN			
<p>PO3</p> <p>Reconfiguring a lot within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) minimises the potential adverse impacts of bushfire on the safety of</p>	<p>Where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o)</p> <p>AO3.1</p> <p>No new lots are created. OR</p>	<p>N/A</p>	<p>The development does not involve reconfiguring a lot.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>people, property and the environment through lot design that:</p> <ul style="list-style-type: none"> (a) is responsive to the nature and extent of bushfire risk; and (b) allows efficient emergency access to buildings for fire-fighting appliances. <p><i>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</i></p>	<p>AO3.2</p> <p>All lots include a building envelope that achieves a radiant heat flux level of 29kW/m² at the perimeter of the building envelope.</p> <p><i>Note—Where a radiant heat flux of 29kW/m² is achieved and this relies on cleared or maintained land external to the land the subject of the development application it must be demonstrated that land external to the site will be maintained to a standard that does not exceed the level of bushfire hazard identified in a Bushfire hazard management plan.</i></p>	<p>N/A</p>	<p>See AO3.1 above.</p>
<p>FIREBREAKS AND ACCESS</p>			

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>PO4</p> <p>In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o), vehicular access is designed to mitigate against bushfire hazard by:</p> <ul style="list-style-type: none"> (a) ensuring adequate access for fire-fighting and other emergency vehicles; (b) ensuring adequate access for the evacuation of residents and emergency personnel in an emergency situation, including alternative safe access routes should access in one direction be blocked in the event of a fire; and (c) providing for the separation of developed areas and adjacent bushland. <p><i>Note—Where it is not practicable to provide firebreaks in accordance with A04.2 Fire Maintenance Trails are provided in accordance with the following:</i></p> <ul style="list-style-type: none"> i. located as close as possible to the boundaries of the lot and the adjoining hazardous vegetation; ii. the minimum cleared width not less than 6 metres; iii. the formed width is not less than 2.5 metres; iv. the formed gradient is not greater than 15%; v. vehicular access is provided at both ends; vi. passing bays and turning areas are provided for fire-fighting appliances located on public land. <p><i>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</i></p>	<p>AO4.1</p> <p>In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o), roads are designed and constructed:</p> <ul style="list-style-type: none"> (a) with a maximum gradient of 12.5%; (b) to not use cul-de-sacs; and (c) a constructed road width and weather standard complying with Planning Scheme Policy 4 - FNQROC Regional Development Manual. <p>AO4.2</p> <p>In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o), firebreaks are provided:</p> <ul style="list-style-type: none"> (a) consisting of a perimeter road that separates lots from areas of bushfire hazard; (b) a minimum cleared width of 20 metre; (c) a maximum gradient of 12.5%; and (d) a constructed road width and weather standard complying with Planning Scheme Policy 4 - FNQROC Regional Development Manual. 	<p>N/A</p>	<p>The development does not involve any new roads.</p> <p>Firebreaks will be provided around all new buildings and structures. The exact size and location of these firebreaks will be determined as part of a Bushfire Management Plan for the site/development (to be conditioned by Council). The Bushfire Management Plan will be site/development specific, although will use as a basis and factor into account many of the required actions outlined in the original Wetherby Station Development – Fire Management Plan (see Attachment 3).</p>
<p>HAZARDOUS MATERIALS</p>			

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>PO5</p> <p>Public safety and the environment are not adversely affected by the detrimental impacts of bushfire of hazardous materials manufactured or stored in bulk.</p> <p><i>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</i></p>	<p>AO5.1</p> <p>The processing or storage of dangerous goods or hazardous materials is not undertaken in a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o).</p>	<p>YES</p>	<p>Compliance with the Performance Outcome will be demonstrated as part of a Bushfire Management Plan for the site/development (to be conditioned by Council).</p>
LANDSCAPING			
<p>PO6</p> <p>Landscaping within a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) does not result in a material increase in the extent, duration or severity of bushfire hazard having regard to:</p> <ul style="list-style-type: none"> (a) fire ecology; (b) slope of site; and (c) height and mix of plant species. <p><i>Note—Frost hollows and the associated grass kill facilitates a rapid curing of fuel and exacerbates bushfire hazard.</i></p> <p><i>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</i></p>	<p>AO6.1</p> <p>No acceptable outcome is provided.</p>	<p>N/A</p>	<p>No 'landscaping' is proposed.</p>
INFRASTRUCTURE			

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>PO7</p> <p>Infrastructure services located in a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) are protected from damage or destruction in the event of a bushfire.</p> <p><i>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</i></p>	<p>AO7.1</p> <p>The following infrastructure services are located below ground:</p> <ul style="list-style-type: none"> (a) water supply; (b) sewer; (c) electricity; (d) gas; and (e) telecommunications 	<p>ALTERNATE SOLUTION</p>	<p>Water storage, effluent disposal and electricity infrastructure will be located above ground, although can be provided with suitable setbacks to ensure damage is minimised during a bushfire in accordance with the Performance Outcome. This will also be demonstrated as part of a Bushfire Management Plan for the site/development (to be conditioned by Council).</p>
<p>PRIVATE DRIVEWAYS</p>			
<p>PO8</p> <p>All premises located in a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) are provided with vehicular access that enables safe evacuation for occupants and easy access by fire-fighting appliances.</p> <p><i>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</i></p>	<p>AO8.1</p> <p>Private driveways:</p> <ul style="list-style-type: none"> (a) do not exceed a length of 60 metres from the street frontage; (b) do not exceed a gradient of 12.5%; (c) have a minimum width of 3.5 metres; (d) have a minimum vertical clearance of 4.8 metres; (e) accommodate turning areas for fire-fighting appliances in accordance with the Queensland Fire and Emergency Services' Fire Hydrant and Vehicle Access Guidelines; and (f) serve no more than three dwellings or buildings. 	<p>YES</p>	<p>The upgraded access from the property boundary to the production plant will be of a sufficient standard to allow emergency vehicles entry and exit if required which will ensure compliance with the Performance Outcome (to be conditioned by Council).</p>

Application

- (1) This code applies to assessing development where:
- (a) Land the subject of development is affected by a constraint category identified on the **Environmental significance Overlay Maps (OM-004a-z)**; and
 - (b) It is identified in the assessment criteria column of an assessment table in Part 5 of the planning scheme.

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

Criteria for assessment

Table 8.2.4.3A – Environmental Significance Overlay Code – for Self-Assessable and Assessable Development

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
FOR SELF-ASSESSABLE AND ASSESSABLE DEVELOPMENT			
REGULATED VEGETATION			
<p>PO1</p> <p>Vegetation clearing in areas mapped as ‘Regulated vegetation’ identified on the Environmental Significance Overlay Maps (OM-004a-o) is avoided unless:</p> <ul style="list-style-type: none"> (a) it is demonstrated that the area does not support regulated vegetation as mapped; (b) the loss or reduction in regulated vegetation is for community infrastructure and associated access facilities that cannot be avoided; (c) wildlife interconnectivity is maintained or enhanced at a local and regional scale; and (d) the loss or reduction in regulated vegetation is minimised and any residual impacts are offset. <p><i>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</i></p>	<p>AO1.1</p> <p>No clearing of native vegetation is undertaken within areas of ‘Regulated vegetation’ identified on the Environmental Significance Overlay Maps (OM-004a-o).</p>	<p>YES</p>	<p>The area of the site to be used for all new building/structures/access tracks etc., is not mapped as regulated vegetation on Council’s Overlay Mapping.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p><i>Note—Refer to Ecological corridors identified on SFM001-009 in consideration of wildlife connectivity at a regional scale.</i></p> <p>PO2</p> <p>Development on sites adjacent to areas of 'Regulated vegetation' identified on the Environmental Significance Overlay Maps (OM-004a-o) protects the environmental significance of regulated vegetation and:</p> <ul style="list-style-type: none"> (a) does not interrupt, interfere, alter or otherwise impact on underlying natural ecosystem processes such as water quality, hydrology, geomorphology and biophysical processes; (b) does not negatively impact the movement of wildlife at a local or regional scale; and (c) avoids noise, light, vibration or other edge affects, including weed and pest incursion on identified environmental values. <p><i>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</i></p> <p><i>Note—Refer to Ecological corridors identified on SFM001-009 in consideration of wildlife connectivity at a regional scale.</i></p>	<p>AO2.1</p> <p>Development (excluding roads, earthworks, drainage infrastructure and underground infrastructure) is not located within 20 metres of 'Regulated vegetation' areas identified on the Environmental Significance Overlay Maps (OM-004a-o).</p>	<p>YES</p>	<p>The development will not be located within 20 metres of 'Regulated vegetation' areas as identified on Council's Overlay Mapping.</p>
REGULATED VEGETATION INTERSECTING A WATERCOURSE			
<p>PO3</p> <p>Vegetation clearing in areas mapped as 'Regulated vegetation intersecting a watercourse', identified as 'Waterway' and 'Waterway buffer' on the Environmental Significance - Waterway Overlay Maps (OM-004p-z) is avoided unless wildlife interconnectivity between habitats is maintained or enhanced at a local and regional scale, to</p>	<p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) AO3.1</p> <p>A minimum setback in accordance with Table 8.2.4.3B is provided between development and the top of the high bank of a 'Waterway' identified on the Environmental Significance - Waterway Overlay Maps (OM-004p-z).</p>	<p>YES</p>	<p>The stream order of the identified waterway that bisects the site is 0. As Table 8.2.4.3.B does not specify a setback from waterways with a stream order of 0, no specific setbacks are required. Regardless, the development will be appropriately setback from the waterway (in accordance with State requirements).</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>the extent that migration or normal movement of significant species between habitats or normal gene flow between populations is not inhibited.</p> <p><i>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</i></p> <p><i>Note—Refer to Ecological corridors identified on SFM001-009 in consideration of wildlife connectivity at a regional scale.</i></p>	<p>AO3.2</p> <p>No clearing of native vegetation is undertaken within the minimum setback identified at AO3.1.</p>	<p>N/A</p>	<p>See AO3.1 above.</p>
WATERWAYS AND WETLANDS			
<p>PO4</p> <p>'High ecological significance wetlands' identified on the Environmental Significance Overlay Maps (OM-004a-o) and 'Waterways' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) and are protected by:</p> <ul style="list-style-type: none"> (a) maintaining adequate separation distances between waterways/wetlands and development; (b) maintaining and enhancing aquatic and terrestrial habitat including vegetated corridors to allow for native fauna (terrestrial and aquatic) movement; (c) maintaining waterway bank stability by minimising bank erosion and slumping; (d) maintaining water quality by providing buffers to allow filtering of sediments, nutrients and other pollutants; and 	<p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) AO4.1</p> <p>A minimum setback in accordance with Table 8.2.4.3B is provided between development and the top of the high bank of a 'Waterway' identified on the Environmental Significance - Waterway Overlay Maps (OM-004p-z).</p> <hr/> <p>Where within a 'High ecological significance wetland buffer' on Environmental Significance Overlay Maps (OM-004a-o) AO4.2</p> <p>A minimum buffer of 200 metres is provided between development and the edge of a 'High ecological significance wetland' identified on the Environmental Significance Overlay Maps (OM-004a-o).</p>	<p>YES</p> <hr/> <p>N/A</p>	<p>The stream order of the identified waterway that bisects the site is 0. As Table 8.2.4.3.B does not specify a setback from waterways with a stream order of 0, no specific setbacks are required. Regardless, the development will be appropriately setback from the waterway (in accordance with State requirements).</p> <hr/> <p>The site is not affected by a wetland on Council's Overlay Mapping.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>(e) retaining and improving existing riparian vegetation and existing vegetation associated with a wetland.</p> <p><i>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</i></p>	<p>Where within a ‘Waterway buffer’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or ‘High ecological significance wetland buffer’ on Environmental Significance Overlay Maps (OM-004a-o) AO4.3</p> <p>No stormwater is discharged to a ‘Waterway’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or ‘High ecological significance wetland’ identified on the Environmental Significance Overlay Maps (OM-004a-o).</p> <p><i>Note— An alternative outcome is required to demonstrate that the ecological impacts of stormwater discharge to a ‘Waterway’ or ‘High ecological significance wetland’ are mitigated in accordance with PO3 through appropriate stormwater management / treatment (where possible).</i></p>	<p>YES</p>	<p>Stormwater from the development will be treated (swales or the like) before being discharged from the site via the existing drainage gullies and general sheet flow to the south, south-east, generally running parallel to the Mulligan Highway and. Preliminary details of the treatment methods will be provided as part of the EIA (see Attachment 7). Full details of the stormwater will be provided as part of an Environmental Management Plan (to be conditioned by Council).</p>
	<p>Where within a ‘Waterway buffer’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or ‘High ecological significance wetland buffer’ on Environmental Significance Overlay Maps (OM-004a-o) AO4.4</p> <p>No wastewater is discharged to a ‘Waterway’ on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or ‘High ecological significance wetland’ identified on the Environmental Significance Overlay Map (OM-004a-z).</p> <p><i>Note— A alternative outcome is required to demonstrate that the ecological impacts of wastewater discharge to a ‘Waterway’ or ‘High ecological significance wetland’ are mitigated in accordance with PO3 through appropriate wastewater management / treatment (where possible).</i></p>	<p>YES</p>	<p>Full details of how the wastewater stream from the development will be suitably treated prior to entering any adjacent waterways will be outlined in the EIA (see Attachment 7).</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
FOR ASSESSABLE DEVELOPMENT			
WILDLIFE HABITAT			
<p>PO5</p> <p>Development within a 'Wildlife habitat' area identified on the Environmental Significance Overlay Maps (OM-004a-o):</p> <ul style="list-style-type: none"> (a) protects and enhances the habitat of Endangered, Vulnerable and Near Threatened (EVNT) species and local species of significance; (b) incorporates siting and design measures to protect and retain identified ecological values and underlying ecosystem processes within or adjacent to the development site; (c) maintains or enhances wildlife interconnectivity at a local and regional scale; and (d) mitigates the impact of other forms of potential disturbance (such as presence of vehicles, pedestrian use, increased exposure to domestic animals, noise and lighting impacts) to protect critical life stage ecological processes (such as feeding, breeding or roosting). <p><i>Note—Development applications must identify any EVNT species or their habitats that may be affected by the proposal. In particular, applications are to identify and describe how the development avoids adverse impacts on ecological processes within or adjacent to the development area.</i></p> <p><i>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</i></p>	<p>AO5.1</p> <p>No acceptable outcome is provided</p>	<p>N/A</p>	<p>The site is not affected by a wildlife habitat area on Council's Overlay Mapping.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
LEGALLY SECURED OFFSET AREAS			
<p>PO6</p> <p>Development within a 'Legally secured offset area' identified on the Environmental Significance Overlay Maps (OM-004a-o) or other known Legally Secured Offset Area is consistent with the binding requirements of the offset and does not prejudice, undermine, or negatively impact the inherent ecological values, including all naturally occurring native flora, fauna and their habitat within the Legally Secured Offset Area.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>AO6.1</p> <p>No acceptable outcome is provided.</p>	<p>N/A</p>	<p>The site is not located within a legally secured offset area on Council's Overlay Mapping.</p>
PROTECTED AREAS			

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>PO7</p> <p>Development within a 'Protected area' identified on the Environmental Significance Overlay Maps (OM-004a-o) is consistent with the values of the Protected Area and:</p> <ul style="list-style-type: none"> (a) supports the inherent ecological and community values of the Protected Area asset; (b) maintains or enhances wildlife interconnectivity at a local and regional scale; and (c) does not prejudice, undermine, or negatively impact the inherent ecological values, including all naturally occurring native flora, fauna and their habitat within the Protected Area. <p><i>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</i></p>	<p>A07.1</p> <p>No acceptable outcome is provided</p>	<p>N/A</p>	<p>The site is not located within a Protected Area on Council's Overlay Mapping.</p>
ECOLOGICAL CORRIDORS AND HABITAT LINKAGES			
<p>PO8</p> <p>Development located:</p> <ul style="list-style-type: none"> a) in the Conservation zone, Emerging community zone, Recreation and open space zone, Rural zone or Rural residential zone; and b) within an 'Ecological corridor' or a 'Habitat linkage' identified on the Environmental Significance Overlay Maps (OM-004a-o) <p>does not compromise the provision of habitat connectivity of the corridor/linkage, having regard to:</p> 	<p>A08</p> <p>No acceptable outcome is provided.</p>	<p>YES</p>	<p>The development is located within the Rural Zone and is located within an ecological corridor. The development will, however, occupy a very small portion of the site (<2ha) with the extent of vegetation to be cleared as a result of the development being less again (<1ha). Such a small amount of vegetation clearing will not have any unacceptable negative impacts on existing ecological corridors, in particular given the location of both the Mulligan Highway and a large cleared area used for high voltage powerlines to the west and north of the site. As a result, the areas within proximity to the development site are already highly fragmented. The ideal area for the preservation of</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>a) the environmental values of the area of the site identified in the 'Ecological corridor' or 'Habitat linkage';</p> <p>b) the environmental values of adjoining and nearby land within the 'Ecological corridor' or 'Habitat linkage';</p> <p>c) the extent of any modification proposed to the natural environment including (but not limited to) vegetation and topography;</p> <p>d) the location and design of proposed improvements that may impact on the functions of the 'Ecological corridor' or 'Habitat linkage' including (but not limited to) buildings, structures, fences, lighting, vehicle movement areas and infrastructure services; and</p> <p>e) the ability for the 'Ecological corridor' or 'Habitat linkage' to be enhanced to improve ecological connectivity.</p> <p><i>Note – A supporting Ecological Assessment Report prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports may be appropriate to demonstrate compliance with PO8.</i></p>			<p>habitat linkages is the significant areas of vegetated lands to the south and east of the development site that are more suitable for ecological corridors (as they are likely being used as now) and these areas will be preserved in their current state. Conditions will also be imposed to ensure the waste stream of the development does not have any unacceptable negative impacts on the environment.</p>

Application

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

Criteria for assessment

Table 8.2.12.3 – Regional infrastructure corridors and substations overlay code – For accepted development subject to requirements and assessable development

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
FOR ACCEPTED DEVELOPMENT SUBJECT TO REQUIREMENTS AND ASSESSABLE DEVELOPMENT			
WHERE ON LAND COMPRISING OR ADJOINING A STOCK ROUTE			
PO1 Development maintains: <ul style="list-style-type: none"> (a) the operational efficiency and safety of a 'Stock route' identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d); and (b) public health and safety. 	AO1.1 Buildings and structures are setback from a 'Stock route' identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d) : <ul style="list-style-type: none"> (a) where in the Conservation zone, Rural zone, or Rural residential zone and on a site with a land area of 2 hectares or greater, a minimum of: <ul style="list-style-type: none"> (i) 50 metres where involving Accommodation activities; or (ii) 20 metres where not involving Accommodation activities; or (b) a minimum of 6 metres otherwise. 	YES	The development does not involve accommodation activities and will be setback 48m from the identified stock route.
	AO1.2 Any new access from a road servicing a 'Stock route' identified on the Regional infrastructure corridors and	N/A	The development will utilise the existing access to Lot 3.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	<p>substations overlay maps (OM-009a-d) includes a gate or grid to prevent stock entry to premises.</p>		
	<p>AO1.3 Boundary fencing to prevent stock entry to premises is maintained along a 'Stock route' identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d).</p>	YES	Boundary fencing to the site is existing.
WHERE ON LAND COMPRISING OR ADJOINING MAJOR ELECTRICITY INFRASTRUCTURE OR A SUBSTATION			
<p>PO2 Development:</p> <p>(a) allow for the continued operation of the 'Major electricity infrastructure' or 'Substation' identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d); and</p> <p>(b) is located and designed to ensure a high quality of amenity is achieved for the use.</p>	<p>AO2.1 Where involving Forestry for wood production, development is setback 1.5 times the maximum anticipated height of the tree at harvest from 'Major electricity infrastructure' identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d).</p>	N/A	The development does not involve forestry for wood production.
	<p>AO2.2 Buildings and structures are setback a minimum of 20 metres from 'Major electricity infrastructure' or a 'Substation' identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d).</p>	YES	The development will be setback a minimum of 20 metres from the adjacent Major Electricity Infrastructure.

Application

- (1) This code applies to assessing development where:
 - (a) Involving Industrial activities; and
 - (b) It is identified in the assessment criteria column of an assessment table in Part 5 of the planning scheme.

Criteria for assessment

Table 9.3.5.3 – Industrial Activities Code – for Self-Assessable and Assessable Development

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
FOR ACCEPTED DEVELOPMENT SUBJECT TO REQUIREMENTS AND ASSESSABLE DEVELOPMENT			
SEPARATION			
<p>PO1</p> <p>Industrial activities are appropriately separated from sensitive uses to ensure their amenity is maintained, having regard to:</p> <ul style="list-style-type: none"> a) Noise; b) Odour; c) Light; and d) Emissions. <p>Note: Development proposed to be located closer than the separation distances specified in AO2 requires supporting investigations to demonstrate that the expected impacts from the industry use have been adequately mitigated in consideration of the local context.</p>	<p>AO1.1</p> <p>Development is separated from sensitive uses as follows:</p> <ul style="list-style-type: none"> a) Medium or impact industry – 250 metres; or b) High impact industry – 500 metres; or c) Special industry – 1.5 kilometres. 	<p>YES</p>	<p>See section 7.3 of the Planning Report for demonstration of compliance with the Performance Outcome.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
FOR ASSESSABLE DEVELOPMENT			
AMENITY			
<p>PO2</p> <p>Industrial activities protect and enhance the character and amenity of the locality and streetscape through the appropriate location and screening of:</p> <ul style="list-style-type: none"> a) Air conditioning; b) Refrigeration plant; c) Mechanical plant; and d) Refuse bin storage areas. 	<p>AO2.1</p> <p>No acceptable outcome is provided.</p>	<p>YES</p>	<p>The development will be screened from view of adjoining properties and the Mulligan Highway by vegetation which will ensure the mentioned structures will not be visible, negative impact on visual amenity or negative impact on the character of the locality.</p>
<p>PO3</p> <p>Development avoids and, where unavoidable, mitigates impacts on ground water, particularly where ground water is heavily drawn upon for irrigation or domestic purposes.</p>	<p>AO3.1</p> <p>No acceptable outcome is provided.</p>	<p>YES</p>	<p>Impact on groundwater will be addressed as part of the EIA (see Attachment 7).</p>
IF FOR EXTRACTIVE INDUSTRY			
<p>PO4</p> <p>The site has sufficient area and dimensions to safely accommodate:</p> <ul style="list-style-type: none"> a) The extractive use; b) Vehicular access and on-site vehicular movements; c) Buildings including staff facilities; d) Parking areas for visitors and employees; e) Storage areas and stockpiles; f) Any environmentally significant land; and 	<p>AO4.1</p> <p>No acceptable outcome is provided.</p>	<p>N/A</p>	<p>The development does not involve extractive industry.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>g) Landscaping and buffer areas.</p> <p>Note: Refer to Planning Scheme Policy 3 – Extractive Industry.</p>			
<p>PO5</p> <p>Extractive industry is established and operated in a way that does not impact on public safety.</p>	<p>AO5.1</p> <p>Safety fencing is provided for the full length of the perimeter of the site and is appropriately signed with warning signs advising of the nature of the use and any danger or hazard.</p>	<p>N/A</p>	<p>See AO4.1 above.</p>
<p>PO6</p> <p>Extractive industry is appropriately located to adequately mitigate visual, noise, vibration and dust impacts on sensitive uses.</p>	<p>AO6.1</p> <p>All aspects of the Extractive industry are setback from all boundaries:</p> <ul style="list-style-type: none"> a) 200 metres where not involving blasting or crushing; and b) 1,000 metres for where involving blasting or crushing. <p>Note: Refer to Planning Scheme Policy 3 – Extractive industry.</p>	<p>N/A</p>	<p>See AO4.1 above.</p>
<p>PO7</p> <p>The Extractive industry is designed and managed to appropriately address its interface with the natural environment and landscape, having regard to:</p> <ul style="list-style-type: none"> a) Water quality; b) Existing vegetation; and c) Declared plants. 	<p>AO7.1</p> <p>The Extractive industry does not cause a reduction in the quality of ground water or receiving surface waters.</p>	<p>N/A</p>	<p>See AO4.1 above.</p>
	<p>AO7.2</p> <p>Vegetation is retained on site that contributes towards alleviating the impact of the development on the visual amenity of surrounding sensitive land uses.</p>	<p>N/A</p>	<p>See AO4.1 above.</p>
	<p>AO7.3</p> <p>No declared plants are transported from the site.</p>	<p>N/A</p>	<p>See AO4.1 above.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>PO8</p> <p>Extractive industry actively integrates rehabilitation into the ongoing operations on the site to progressively restore the site to its original (or an improved) condition, having regard to matters of:</p> <ul style="list-style-type: none"> a) Locally prevalent plant species; b) Plant spacing; c) Local climatic conditions; d) Locations of waterways and wetlands; e) Ongoing maintenance; f) Potential habitat opportunities; g) Erosion and sediment control; and h) Fencing. <p>Note: A revegetation plan must be prepared by a suitably experienced person in the field of natural area revegetation and rehabilitation, at a standard acceptable to Council, which addresses the items identified in Performance Outcome PO8.</p>	<p>AO8.1</p> <p>No acceptable outcome is provided.</p>	<p>N/A</p>	<p>See AO4.1 above.</p>

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.

Criteria for assessment

Table 9.4.3.3A – Parking and Access Code – For accepted development subject to requirements and assessable development

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
FOR ACCEPTED DEVELOPMENT SUBJECT TO REQUIREMENTS AND ASSESSABLE DEVELOPMENT			
CAR PARKING SPACES			
<p>PO1</p> <p>Development provides sufficient car parking to accommodate the demand likely to be generated by the use, having regard to the:</p> <ul style="list-style-type: none"> (a) nature of the use; (b) location of the site; (c) proximity of the use to public transport services; (d) availability of active transport infrastructure; and (e) accessibility of the use to all members of the community. 	<p>AO1</p> <p>The number of car parking spaces provided for the use is in accordance with Table 9.4.3.3B.</p> <p><i>Note—Car parking spaces provided for persons with a disability are to be considered in determining compliance with AO1.</i></p>	<p>YES</p>	<p>The car parking rate for a special industry development is one (1) space per 90m² GFA or part thereof. The development will have a total GFA of 360m². Hence, the development would be required to provide a minimum of four (4) car parking spaces. The development proposes six (6) car parking spaces and as a result, can achieve compliance with the requirements outlined in Table 9.4.3.3.B of the Parking and Access code.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
VEHICLE CROSSOVERS			
<p>PO2</p> <p>Vehicle crossovers are provided to:</p> <ul style="list-style-type: none"> (a) ensure safe and efficient access between the road and premises; (b) minimize interference with the function and operation of roads; and (c) minimise pedestrian to vehicle conflict. 	<p>AO2.1</p> <p>Vehicular access to/from Council roads is designed and constructed in accordance with the Standard drawings in Planning Scheme Policy 4 - FNQROC Regional Development Manual.</p>	N/A	The site does not abut a Council road.
	<p>AO2.2</p> <p>Development on a site with two or more road frontages provides vehicular access from:</p> <ul style="list-style-type: none"> (a) the primary frontage where involving Community activities or Sport and recreation activities, unless the primary road frontage is a State-controlled road; or (b) from the lowest order road in all other instances. 	N/A	The site does not front two (2) roads.
<p>PO3</p> <p>Access, maneuvering and car parking areas include appropriate pavement treatments having regard to:</p> <ul style="list-style-type: none"> (a) the intensity of anticipated vehicle movements; (b) the nature of the use that they service; and (c) the character of the surrounding locality. 	<p>AO3.1</p> <p>Access, maneuvering and car parking areas include pavements that are constructed in accordance with Table 9.4.3.3C.</p>	YES	The development will ensure that access, manoeuvring and car parking areas include compacted gravel and/or other similar forms of material i.e., road base to ensure compliance with Table 9.4.3.3C.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
FOR ASSESSABLE DEVELOPMENT			
PARKING AREA LOCATION AND DESIGN			
<p>PO4</p> <p>Car parking areas are located and designed to:</p> <p>(a) ensure safety and efficiency in operation; and</p> <p>(b) be consistent with the character of the surrounding locality.</p>	<p>AO4.1</p> <p>Car parking spaces, access and circulation areas have dimensions in accordance with AS/NZS 2890.1 Off-street car parking.</p>	YES	All car parking spaces will comply with AS/NZS 2890:1 (compliance can also be conditioned if considered necessary).
	<p>AO4.2</p> <p>Disabled access and car parking spaces are located and designed in accordance with AS/NZS 2890.6 Parking facilities - Off-street parking for people with disabilities.</p>	YES	If required, one (1) disabled access car parking space will be provided to ensure compliance with AS/NZS 2890:6.
	<p>AO4.3</p> <p>The car parking area includes designated pedestrian routes that provide connections to building entrances.</p>	ALTERNATIVE SOLUTION SOUGHT	All car parking spaces will be located directly adjacent to the sheds and in this instance, no pedestrian routes are considered necessary.
	<p>AO4.4</p> <p>Parking and any set down areas are:</p> <p>(a) wholly contained within the site;</p> <p>(b) visible from the street where involving Commercial activities, Community activities, Industrial activities or a use in the Recreation and open space zone;</p> <p>(c) are set back behind the main building line where involving a Dual occupancy, Multiple dwelling, Residential care facility or Retirement facility; and</p> <p>(d) provided at the side or rear of a building in all other instances.</p>	YES	All set down areas will be provided for on-site (next to and adjacent to the sheds) and be suitably signed so they can be easily identified.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
SITE ACCESS AND MANOEUVRING			
<p>PO5</p> <p>Access to, and manoeuvring within, the site is designed and located to:</p> <ul style="list-style-type: none"> (a) ensure the safety and efficiency of the external road network; (b) ensure the safety of pedestrians; (c) provide a functional and convenient layout; and (d) accommodate all vehicles intended to use the site. 	<p>AO5.1</p> <p>Access and manoeuvrability is in accordance with :</p> <ul style="list-style-type: none"> (a) AS28901 – Car Parking Facilities (Off Street Parking); and (b) AS2890.2 – Parking Facilities (Off-street Parking) Commercial Vehicle Facilities. <p><i>Note—Proposal plans should include turning circles designed in accordance with AP34/95 (Austroads 1995) Design Vehicles and Turning Path Templates.</i></p>	YES	<p>Due to the size of the site, there will be more than ample room for manoeuvring and hence, compliance with the listed standards is not considered necessary in this instance. Compliance can, however, condition compliance if considered necessary.</p>
	<p>AO5.2</p> <p>Vehicular access has a minimum sight distance in accordance with Part 5 of AUSTRROADS.</p>	YES	<p>Vehicular sight distance will be assessed by the Department of Transport and Main Roads in their referral response.</p>
	<p>AO5.3</p> <p>Vehicular access is located and designed so that all vehicles enter and exit the site in a forward gear.</p>	YES	<p>All vehicles will be able to enter and exit the site in a forward gear.</p>
	<p>AO5.4</p> <p>Pedestrian and cyclist access to the site:</p> <ul style="list-style-type: none"> (a) is clearly defined; (b) easily identifiable; and (c) provides a connection between the site frontage and the entrance to buildings and end of trip facilities (where provided). 	N/A	<p>The site will <u>not</u> be open to members of the public and only staff will be permitted on-site. As a result, we don't find this acceptable outcome to be applicable for this type of development.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>PO6</p> <p>Development that involves an internal road network ensures that it's design:</p> <p>(a) ensure safety and efficiency in operation;</p> <p>(b) does not impact on the amenity of residential uses on the site and on adjoining sites, having regard to matters of:</p> <p>(i) hours of operation;</p> <p>(ii) noise</p> <p>(iii) light; and</p> <p>(iv) odour;</p> <p>(c) accommodates the nature and volume of vehicle movements anticipated to be generated by the use;</p> <p>(d) allows for convenient access to key on-site features by pedestrians, cyclists and motor vehicles; and</p> <p>(e) in the Rural zone, avoids environmental degradation.</p>	<p>AO6.1</p> <p>Internal roads for a Tourist park have a minimum width of:</p> <p>(a) 4 metres if one way; or</p> <p>(b) 6 metres if two way.</p>	N/A	The development will not involve a Tourist Park.
	<p>AO6.2</p> <p>For a Tourist park, internal road design avoids the use of cul-de-sacs in favour of circulating roads, where unavoidable, cul-de-sacs provide a full turning circle for vehicles towing caravans having:</p> <p>(a) a minimum approach and departure curve radius of 12 metres; and</p> <p>(b) a minimum turning circle radius of 8 metres.</p>	N/A	See AO6.1 above.
	<p>AO6.3</p> <p>Internal roads are imperviously sealed and drained, apart from those for an Energy and infrastructure activity or Rural activity.</p>	YES	See AO3.1 above
	<p>AO6.4</p> <p>Speed control devices are installed along all internal roads, apart from those for an Energy and infrastructure activity or Rural activity, in accordance with Complete Streets.</p>	N/A	The development will not involve speed control devices as the development will <u>not</u> be open to the public and there will be a very small amount of vehicle traffic on-site each day.
	<p>AO6.5</p> <p>Internal roads, apart from those for an Energy and infrastructure activity or Rural activity, are illuminated in accordance with AS 4282 (as amended) - Control of Obtrusive effects of outdoor lighting.</p>	YES	Internal road lighting will be provided as required (compliance can also be conditioned if considered necessary).

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	<p>AO6.6</p> <p>Where involving an accommodation activity, internal roads facilitate unobstructed access to every dwelling, accommodation unit, accommodation site and building by emergency services vehicles.</p>	<p>N/A</p>	<p>The development will not involve an accommodation activity.</p>
	<p>AO6.7</p> <p>For an Energy and infrastructure activity or Rural activity, internal road gradients:</p> <p>(a) are no steeper than 1:5; or</p> <p>(b) are steeper than 1:5 and are sealed.</p>	<p>N/A</p>	<p>The development does not involve either of the listed uses.</p>
SERVICING			
<p>PO7</p> <p>Development provides access, maneuvering and servicing areas on site that:</p> <p>(a) accommodate a service vehicle commensurate with the likely demand generated by the use;</p> <p>(b) do not impact on the safety or efficiency of internal car parking or maneuvering areas;</p> <p>(c) do not adversely impact on the safety or efficiency of the road network;</p> <p>(d) provide for all servicing functions associated with the use; and</p>	<p>AO7.1</p> <p>All unloading, loading, service and waste disposal areas are located:</p> <p>(a) on the site;</p> <p>(b) to the side or rear of the building, behind the main building line;</p> <p>(c) not adjacent to a site boundary where the adjoining property is used for a sensitive use.</p>	<p>YES</p>	<p>The site provides ample room for unloading, loading service and waste disposal areas entirely on-site (compliance can also be conditioned if considered necessary).</p>
	<p>AO7.2</p> <p>Unloading, loading, service and waste disposal areas allow service vehicles to enter and exit the site in a forward gear.</p>	<p>YES</p>	<p>All vehicles will be able to enter and exit the site in a forward gear.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
(e) are located and designed to minimise their impacts on adjoining sensitive land uses and streetscape quality.	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 .	YES	The site and development will be able to accommodate Truck and Quad Dog (HRV's) which will be the largest size vehicles entering and exiting the site. This ensures compliance with the Performance Outcome.
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.	N/A	Compliance can be conditioned.
	AO8.2 All parking areas will be compacted, sealed, drained, line marked and maintained until such time as the development ceases.	N/A	See AO8.1 above.
END OF TRIP FACILITIES			
PO9 Development within the Centre zone; Industry zone or Emerging community zone provides facilities for active transport users that:	AO9.1 The number of bicycle parking spaces provided for the use is in accordance with Table 9.4.3.3D .	N/A	The development is not required to provide bicycle parking spaces or end of trip facilities in accordance with Table 9.4.3.3D of the Parking and Access code.
	AO9.2 End of trip facilities are provided in accordance with Table 9.4.3.3D .	N/A	See AO9.1 above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
IF FOR EDUCATIONAL ESTABLISHMENT OR CHILD CARE CENTRE WHERE INVOLVING MORE THAN 100 VEHICLE MOVEMENTS PER DAY OR RENEWABLE ENERGY FACILITY, SPORT AND RECREATION ACTIVITIES, OR TOURIST PARK.			
<p>P10</p> <p>The level of traffic generated by the development on the surrounding local road network must not result in unacceptable impacts on adjacent land and local road users.</p>	<p>AO10.1</p> <p>A traffic impact report is prepared by a suitably qualified person that identifies:</p> <ul style="list-style-type: none"> (a) the expected traffic movements to be generated by the facility; (b) any associated impacts on the road network; and (c) any works that will be required to address the identified impacts. 	N/A	<p>The development will not involve any of the listed uses.</p>
IF FOR EDUCATIONAL ESTABLISHMENT OR CHILD CARE CENTRE WHERE INVOLVING MORE THAN 100 VEHICLE MOVEMENTS PER DAY OR RENEWABLE ENERGY FACILITY, SPORT AND RECREATION ACTIVITIES, OR TOURIST PARK.			
<p>PO11</p> <p>The level of traffic generated by the development on the surrounding local road network must not result in unacceptable impacts on adjacent land and local road users.</p>	<p>AO11.1</p> <p>A traffic impact report is prepared by a suitably qualified person that identifies:</p> <ul style="list-style-type: none"> (a) the expected traffic movements to be generated by the facility; (b) any associated impacts on the road network; and (c) any works that will be required to address the identified impacts. 	N/A	<p>See AO10.1 above.</p>

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.

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 MEASURES	COMPLIES	COMMENT
FOR ACCEPTED DEVELOPMENT SUBJECT TO REQUIREMENTS AND ASSESSABLE DEVELOPMENT			
WATER SUPPLY			
<p>PO1</p> <p>Each lot has an adequate volume and supply of water that:</p> <ul style="list-style-type: none"> (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment. 	<p>AO1.1</p> <p>Development is connected to a reticulated water supply system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located:</p> <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated water supply service area. 	N/A	See AO1.2 below.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	<p>AO1.2</p> <p>Development, where located outside a reticulated water supply service area and in the Conservation zone, Rural zone or Rural residential zone is provided with:</p> <ul style="list-style-type: none"> (a) a bore or bores are provided in accordance with the Design Guidelines set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; or (b) on-site water storage tank/s: <ul style="list-style-type: none"> (i) with a minimum capacity of 90,000L; (ii) fitted with a 50mm ball valve with a camlock fitting; and (iii) which are installed and connected prior to the occupation or use of the development. 	<p>YES</p>	<p>See section 5.4.1 of the Planning Report.</p>
WASTEWATER DISPOSAL			
<p>PO2</p> <p>Each lot provides for the treatment and disposal of effluent and other waste water that:</p> <ul style="list-style-type: none"> (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment. 	<p>AO2.1</p> <p>Development is connected to a reticulated sewerage system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located:</p> <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area. 	<p>N/A</p>	<p>See AO2.2 below.</p>
	<p>AO2.2</p> <p>An effluent disposal system is provided in accordance with ASNZ 1547 On-Site Domestic Wastewater</p>	<p>YES</p>	<p>See section 5.4.2 of the Planning Report.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	Management (as amended) where development is located: <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area. 		
STORMWATER INFRASTRUCTURE			
PO3 Stormwater infrastructure is designed and constructed to collect and convey the design storm event to a lawful point of discharge in a manner that mitigates impacts on life and property.	AO3.1 Where located within a Priority infrastructure area or where stormwater infrastructure is available, development is connected to Council's stormwater network in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	N/A	See AO3.2 below.
	AO3.2 On-site drainage systems are constructed: <ul style="list-style-type: none"> (a) to convey stormwater from the premises to a lawful point of discharge; and (b) in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual. 	YES	See section 5.4.4 of the Planning Report.
ELECTRICITY SUPPLY			
PO4 Each lot is provided with an adequate supply of electricity	AO4 The premises: <ul style="list-style-type: none"> (a) is connected to the electricity supply network; or 	YES	See section 5.4.3 of the Planning Report.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	<p>(b) has arranged a connection to the transmission grid; or</p> <p>(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:</p> <p>(i) it is approved by the relevant regulatory authority; and</p> <p>(ii) it can be demonstrated that no air or noise emissions; and</p> <p>(iii) it can be demonstrated that no adverse impact on visual amenity will occur.</p>		
TELECOMMUNICATIONS INFRASTRUCTURE			
<p>PO5 Each lot is provided with an adequate supply of telecommunication infrastructure</p>	<p>AO5 Development is provided with a connection to the national broadband network or telecommunication services.</p>	YES	The site is not connected to telecommunications infrastructure. The site does however, have mobile coverage and hence, mobile phones will be used for all telecommunication needs associated with the development.
EXISTING PUBLIC UTILITY SERVICES			
<p>PO6 Development and associated works do not affect the efficient functioning of public utility mains, services or installations.</p>	<p>AO6 Public utility mains, services are relocated, altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	N/A	No public utility mains will need to be relocated, altered or repaired.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
EXCAVATION OR FILLING			
<p>PO7</p> <p>Excavation or filling must not have an adverse impact on the:</p> <ul style="list-style-type: none"> (a) streetscape; (b) scenic amenity; (c) environmental values; (d) slope stability; (e) accessibility; or (f) privacy of adjoining premises. 	<p>AO7.1</p> <p>Excavation or filling does not occur within 1.5 metres of any site boundary.</p>	N/A	See section 5.4.6 of the Planning Report.
	<p>AO7.2</p> <p>Excavation or filling at any point on a lot is to be no greater than 1.5 metres above or below natural ground level.</p>	N/A	See AO7.1 above.
	<p>AO7.3</p> <p>Earthworks batters:</p> <ul style="list-style-type: none"> (a) are no greater than 1.5 metres in height; (b) are stepped with a minimum width 2 metre berm; (c) do not exceed a maximum of two batters and two berms (not greater than 3.6 metres in total height) on any one lot; (d) have a slope no greater than 1 in 4; and (e) are retained. 	N/A	See AO7.1 above.
	<p>AO7.4</p> <p>Soil used for filling or spoil from excavation is not stockpiled in locations that can be viewed from:</p> <ul style="list-style-type: none"> (a) adjoining premises; or (b) a road frontage, for a period exceeding 1 month from the commencement of the filling or excavation. 	N/A	See AO7.1 above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	<p>A07.5</p> <p>All batters and berms to be constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	N/A	See AO7.1 above.
	<p>A07.6</p> <p>Retaining walls have a maximum height of 1.5 metres and are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.</p>	N/A	See AO7.1 above.
	<p>A07.7</p> <p>Excavation or filling at any point on a lot is to include measures that protect trees at the foot or top of cut or fill batters by the use of appropriate retaining methods and sensitive earth removal or placement and in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.</p>	N/A	See AO7.1 above.
FOR ASSESSABLE DEVELOPMENT			
TRANSPORT NETWORK			
<p>PO8</p> <p>The development has access to a transport network of adequate standard to provide for the safe and efficient movement of vehicles, pedestrians and cyclists.</p>	<p>A08.1</p> <p>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</p>	N/A	<p>The site fronts a State-controlled Road and any requirements will be assessed and conditioned by DTMR during their assessment.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	Scheme Policy 4 – FNQROC Regional Development manual.		
	<p>AO8.2</p> <p>Development provides footpath pavement treatments in accordance with Planning Scheme Policy 9 – Footpath Paving.</p>	N/A	See AO8.1 above.
PUBLIC INFRASTRUCTURE			
<p>PO9</p> <p>The design, construction and provision of any infrastructure that is to be dedicated to Council is cost effective over its life cycle and incorporates provisions to minimise adverse impacts.</p>	<p>AO9</p> <p>Development is in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	N/A	The development will not involve public infrastructure.
STORMWATER QUALITY			
<p>PO10</p> <p>Development has a non-worsening effect on the site and surrounding land and is designed to:</p> <ul style="list-style-type: none"> (a) optimise the interception, retention and removal of waterborne pollutants, prior to the discharge to receiving waters; (b) protect the environmental values of waterbodies affected by the development, including upstream, on-site and downstream waterbodies; (c) achieve specified water quality objectives; (d) minimise flooding; 	<p>AO10.1</p> <p>The following reporting is prepared for all Material change of use or Reconfiguring a lot proposals:</p> <ul style="list-style-type: none"> (a) a Stormwater Management Plan and Report that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; and (b) an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation 	YES	See section 5.4.5 of the Planning Report.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>(e) maximise the use of natural channel design principles;</p> <p>(f) maximise community benefit; and</p> <p>(g) minimise risk to public safety.</p>	<p>Control Guidelines (Institute of Engineers Australia), including:</p> <ul style="list-style-type: none"> (i) drainage control; (ii) erosion control; (iii) sediment control; and (iv) water quality outcomes. 		
	<p>AO10.2</p> <p>For development on land greater than 2,500m² or that result in more than 5 lots or more than 5 dwellings or accommodation units, a Stormwater Quality Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) is prepared that demonstrates that the development:</p> <ul style="list-style-type: none"> (a) meets or exceeds the standards of design and construction set out in the Urban Stormwater Quality Planning Guideline and the Queensland Water Quality Guideline; (b) is consistent with any local area stormwater water management planning; (c) accounts for development type, construction phase, local climatic conditions and design objectives; and (d) provides for stormwater quality treatment measures reflecting land use constraints, such as soil type, landscape features (including landform), nutrient hazardous areas, acid sulfate soil and rainfall erosivity. 	<p>N/A</p>	<p>The development will not result in the creation of more than 5 lots or more than 5 dwellings or accommodation units.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>PO11</p> <p>Storage areas for stormwater detention and retention:</p> <ul style="list-style-type: none"> (a) protect or enhance the environmental values of receiving waters; (b) achieve specified water quality objectives; (c) where possible, provide for recreational use; (d) maximise community benefit; and (e) minimise risk to public safety. 	<p>AO11</p> <p>No acceptable outcome is provided.</p>	<p>N/A</p>	<p>No stormwater detention or retention basins are proposed.</p>
EXCAVATION OR FILLING			
<p>PO12</p> <p>Traffic generated by filling or excavation does not impact on the amenity of the surrounding area.</p>	<p>AO12.1</p> <p>Haul routes used for transportation of fill to or from the site only use major roads and avoid residential areas.</p>	<p>N/A</p>	<p>The development will not involve excavation or filling.</p>
	<p>AO12.2</p> <p>Transportation of fill to or from the site does not occur:</p> <ul style="list-style-type: none"> (a) within peak traffic times; and (b) before 7am or after 6pm Monday to Friday; (c) before 7am or after 1pm Saturdays; and (d) on Sundays or Public Holidays. 	<p>N/A</p>	<p>See AO12.1 above.</p>
<p>PO13</p>	<p>AO13.1</p> <p>Dust emissions do not extend beyond the boundary of the site.</p>	<p>N/A</p>	<p>See AO12.1 above.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>Air pollutants, dust and sediment particles from excavation or filling, do not cause significant environmental harm or nuisance impacts.</p>	<p>AO13.2 No other air pollutants, including odours, are detectable at the boundary of the site.</p>	<p>N/A</p>	<p>See AO12.1 above.</p>
	<p>AO13.3 A management plan for control of dust and air pollutants is prepared and implemented.</p>	<p>N/A</p>	<p>See AO12.1 above.</p>
<p>PO14 Access to the premises (including driveways and paths) does not have an adverse impact on:</p> <ul style="list-style-type: none"> (a) safety; (b) drainage; (c) visual amenity; and (d) privacy of adjoining premises. 	<p>AO14 Access to the premises (including all works associated with the access):</p> <ul style="list-style-type: none"> (a) must follow as close as possible to the existing contours; (b) be contained within the premises and not the road reserve, and (c) are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual. 	<p>N/A</p>	<p>See AO12.1 above.</p>
<p>WEED AND PEST MANAGEMENT</p>			
<p>PO15 Development prevents the spread of weeds, seeds or other pests into clean areas or away from infested areas.</p>	<p>AO15 No acceptable outcome is provided.</p>	<p>YES</p>	<p>Compliance can be conditioned.</p>
<p>CONTAMINATED LAND</p>			

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>PO16</p> <p>Development is located and designed to ensure that users and nearby sensitive land uses are not exposed to unacceptable levels of contaminants</p>	<p>AO16</p> <p>Development is located where:</p> <ul style="list-style-type: none"> (a) soils are not contaminated by pollutants which represent a health or safety risk to users; or (b) contaminated soils are remediated prior to plan sealing, operational works permit, or issuing of building works permit. 	<p>N/A</p>	<p>To the best of Urban Sync’s knowledge, the site is not located on the contaminated land register.</p>
FIRE SERVICES IN DEVELOPMENTS ACCESSED BY COMMON PRIVATE TITLE			
<p>PO17</p> <p>Fire hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.</p>	<p>AO17.1</p> <p>Fire hydrants are located in accessways or private roads held in common private title at a maximum spacing of:</p> <ul style="list-style-type: none"> (a) 120 metres for residential development; and (b) 90 metres for any other development. 	<p>N/A</p>	<p>The development will not involve common private title.</p>
	<p>AO17.2</p> <p>Fire hydrants are located at all intersections of accessways or private roads held in common private title.</p>	<p>N/A</p>	<p>See AO17.1 above.</p>

**ATTACHMENT 9:
SDAP CODE ASSESSMENT**



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

Table 1.2.1: Development in a state-controlled road environment

Performance outcomes	Acceptable outcomes	Response
Buildings and structures		
PO1 The location of buildings, structures, infrastructure, services and utilities does not create a safety hazard in a state-controlled road, or cause damage to, or obstruct road transport infrastructure.	AO1.1 Buildings, structures, infrastructure, services and utilities are not located in a state-controlled road. AND	Complies with AO1.1 The development will not have any buildings, structures, infrastructure, services or utilities located in the State-controlled Road.
	AO1.2 Buildings, structures, infrastructure, services and utilities can be maintained without requiring access to a state-controlled road.	Complies with AO1.2 Any buildings, structures, infrastructure, services or utilities associated with the development are able to be maintained without requiring access to the State-controlled Road.
PO2 The design and construction of buildings and structures does not create a safety hazard by distracting users of a state-controlled road.	AO2.1 Facades of buildings and structures facing a state-controlled road are made of non-reflective materials. OR	Complies with AO2.1 Compliance can be conditioned.
	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	Complies with AO2.2 See AO2.1 above.
	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	Complies with AO3.2 See AO2.1 above.

Performance outcomes	Acceptable outcomes	Response
	AO2.4 Advertising devices visible from a state-controlled road are located and designed in accordance with the Roadside Advertising Guide, 2 nd Edition, Department of Transport and Main Roads, 2017.	N/A The development does not include any advertising devices.
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.	N/A The development does not involve a road, pedestrian or bikeway bridge over the State-controlled Road.
Filling, excavation and retaining structures		
<p>PO4 Filling and excavation does not interfere with, or result in damage to, infrastructure or services in a state-controlled road.</p> <p>Note: Information on the location of services and public utility plants in a state-controlled road can be obtained from the Dial Before You Dig service.</p> <p>Where development will impact on an existing or future service or public utility plant in a state-controlled road such that the service or public utility plant will need to be relocated, the alternative alignment must comply with the standards and design specifications of the relevant service or public utility provider, and any costs of relocation are to be borne by the developer.</p> <p>Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	No acceptable outcome is prescribed.	<p>Complies with PO4</p> <p>The development will require some general smoothing and shaping of the lot only. This minor amount of earthworks will not result in any damage to infrastructure or services in the State-controlled Road.</p>
<p>PO5 Filling, excavation, building foundations and retaining structures do not undermine, or cause subsidence of, a state-controlled road.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended an RPEQ certified geotechnical assessment, prepared in accordance with the Road Planning and Design</p>	No acceptable outcome is prescribed.	<p>Complies with PO5</p> <p>See PO4 above.</p>

Performance outcomes	Acceptable outcomes	Response
<p>Manual 2nd Edition: Volume 3, Department of Transport and Main Roads, 2016, is provided.</p> <p>Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a geotechnical assessment.</p>		
<p>PO6 Filling, excavation, building foundations and retaining structures do not cause ground water disturbance in a state-controlled road.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended an RPEQ certified geotechnical assessment, prepared in accordance with the Road Planning and Design manual 2nd Edition: Volume 3, Department of Transport and Main Roads, 2016, is provided.</p> <p>Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a geotechnical assessment.</p>	No acceptable outcome is prescribed.	<p>Complies with PO6 See PO4 above.</p>
<p>PO7 Excavation, boring, piling, blasting or fill compaction during construction of a development does not result in ground movement or vibration impacts that would cause damage or nuisance to a state-controlled road, road transport infrastructure or road works.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended an RPEQ certified geotechnical assessment, prepared in accordance with Road Planning and Design Manual 2nd Edition: Volume 3, Department of Transport and Main Roads, 2016, is provided.</p> <p>Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a geotechnical assessment.</p>	No acceptable outcome is prescribed.	<p>Complies with PO7 See PO4 above.</p>

Performance outcomes	Acceptable outcomes	Response
<p>PO8 Development involving the haulage of fill, extracted material or excavated spoil material exceeding 10,000 tonnes per year does not damage the pavement of a state-controlled road.</p> <p>Note: It is recommended a pavement impact assessment is provided.</p> <p>Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, and the Guide to Traffic Impact Assessment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a pavement impact assessment.</p>	<p>AO8.1 Fill, extracted material and spoil material is not transported to or from the development site on a state-controlled road.</p>	<p>Complies with PO8 See PO4 above.</p>
<p>PO9 Filling and excavation associated with the construction of vehicular access to a development does not compromise the operation or capacity of existing drainage infrastructure for a state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Complies with PO9 See PO4 above.</p>
<p>PO10 Fill material used on a development site does not result in contamination of a state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p>AO10.1 Fill material is free of contaminants including acid sulfate content.</p> <p>Note: Soils and rocks should be tested in accordance with AS 1289.0 – Methods of testing soils for engineering purposes and AS 4133.0-2005 – Methods of testing rocks for engineering purposes.</p> <p>AND</p>	<p>N/A No fill is required.</p>
	<p>AO10.2 Compaction of fill is carried out in accordance with the requirements of AS 1289.0 2000 – Methods of testing soils for engineering purposes.</p>	<p>N/A See AO10.1 above.</p>

Performance outcomes	Acceptable outcomes	Response
<p>PO11 Filling and excavation does not cause wind-blown dust nuisance in a state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p>AO11.1 Compaction of fill is carried out in accordance with the requirements of AS 1289.0 2000 – Methods of testing soils for engineering purposes.</p> <p>AND</p>	<p>N/A See AO10.1 above.</p>
	<p>AO11.2 Dust suppression measures are used during filling and excavation activities such as wind breaks or barriers and dampening of ground surfaces.</p>	<p>N/A See AO10.1 above.</p>
<p>Stormwater and drainage</p>		
<p>PO12 Development does not result in an actionable nuisance, or worsening of, stormwater, flooding or drainage impacts in a state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Complies with PO12 Stormwater from the development will be collected and discharged from the site via the existing drainage gullies and general sheet flow to the south, south-east of the site, generally running parallel to the Mulligan Highway. This will ensure that the development does not result in an actionable nuisance, or worsening of, stormwater, flooding or drainage impacts in a State-controlled Road. Compliance can also be further conditioned.</p>
<p>PO13 Run-off from the development site is not unlawfully discharged to a state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p>AO13.1 Development does not create any new points of discharge to a state-controlled road.</p> <p>AND</p>	<p>Complies with AO13.1 The development will not involve any new points of discharge to the State-controlled Road.</p>
	<p>AO13.2 Stormwater run-off is discharged to a lawful point of discharge.</p> <p>Note: Section 3.9 of the Queensland Urban Drainage Manual, Institute of Public Works Engineering Australasia (Queensland Division) Fourth Edition, 2016, provides further information on lawful points of discharge.</p> <p>AND</p>	<p>Complies with AO13.2 Stormwater runoff will be collected, treated and discharged to the existing lawful point/s of discharge.</p>

Performance outcomes	Acceptable outcomes	Response
	AO13.3 Development does not worsen the condition of an existing lawful point of discharge to the state-controlled road.	Complies with AO13.3 See PO12 above.
<p>PO14 Run-off from the development site during construction does not cause siltation of stormwater infrastructure affecting a state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	AO14.1 Run-off from the development site during construction is not discharged to stormwater infrastructure for a state-controlled road.	Complies with AO14.1 See PO12 above.
Vehicular access to a state-controlled road		
<p>PO15 Vehicular access to a state-controlled road that is a limited access road is consistent with government policy for the management of limited access roads.</p> <p>Note: Refer to the SDAP Supporting Information: Vehicular access to a state-controlled road, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p>AO15.1 Development does not require new or changed access to a limited access road.</p> <p>Note: Limited access roads are declared by the transport chief executive under section 54 of the <i>Transport Infrastructure Act 1994</i> and are identified in the DA mapping system.</p> <p>OR</p>	N/A The site does not front a limited access road.
	<p>AO15.2 A new or changed access to a limited access road is consistent with the limited access policy for the state-controlled road.</p> <p>Note: Limited access policies for limited access roads declared under the <i>Transport Infrastructure Act 1994</i> can be obtained by contacting the relevant Department of Transport and Main Roads regional office.</p> <p>AND</p>	N/A See AO15.1 above.
	<p>AO15.3 Where a new or changed access is for a service centre, access is consistent with the Service centre policy, Department of Transport and Main Roads, 2013 and the Access policy for roadside service centre facilities on limited access roads, Department of Transport and Main Roads, 2013,</p>	N/A See AO15.1 above.

Performance outcomes	Acceptable outcomes	Response
	<p>and the Service centre strategy for the state-controlled road.</p> <p>Note: The Service centre policy, Department of Transport and Main Roads, 2013, Access policy for roadside service centre facilities, Department of Transport and Main Roads, 2013 and the relevant Service centre strategy for a state-controlled road can be accessed by contacting the relevant Department of Transport and Main Roads regional office.</p>	
<p>PO16 The location and design of vehicular access to a state-controlled road (including access to a limited access road) does not create a safety hazard for users of a state-controlled road or result in a worsening of operating conditions on a state-controlled road.</p> <p>Note: Where a new or changed access between the premises and a state-controlled road is proposed, the Department of Transport and Main Roads will need to assess the proposal to determine if the vehicular access for the development is safe. An assessment can be made by Department of Transport and Main Roads as part of the development assessment process and a decision under section 62 of <i>Transport Infrastructure Act 1994</i> issued.</p> <p>Refer to the SDAP Supporting Information: Vehicular access to a state-controlled road, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p>AO16.1 Vehicular access is provided from a local road.</p> <p>OR all of the following acceptable outcomes apply:</p> <p>AO16.2 Vehicular access for the development is consistent with the function and design of the state-controlled road.</p> <p>AND</p> <p>AO16.3 Development does not require new or changed access between the premises and the state-controlled road.</p> <p>Note: A decision under section 62 of the <i>Transport Infrastructure Act 1994</i> outlines the approved conditions for use of an existing vehicular access to a state-controlled road. Current section 62 decisions can be obtained from the relevant Department of Transport and Main Roads regional office.</p> <p>AND</p>	<p>Complies with PO16</p> <p>The site does not front a local road. Please refer to the Traffic Report prepared by Civil Walker Consulting Engineers provided in Attachment 6 for evidence of the fact that the proposed access arrangements will not result in any safety hazards nor an unacceptable worsening of the operating conditions of the Mulligan Highway. This ensures compliance with Performance Outcome PO16.</p> <p>Complies with PO16</p> <p>See PO16 above</p> <p>Complies with PO16</p> <p>See PO16 above.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AO16.4 Use of any existing vehicular access to the development is consistent with a decision under section 62 of the <i>Transport Infrastructure Act 1994</i>.</p> <p>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.</p> <p>AND</p>	<p>Complies with PO16 See PO16 above.</p>
	<p>AO16.5 On-site vehicle circulation is designed to give priority to entering vehicles at all times so vehicles do not queue in a road intersection or on the state-controlled road.</p>	<p>Complies with PO16 See PO16 above.</p>
<p>Vehicular access to local roads within 100 metres of an intersection with a state-controlled road</p>		
<p>PO17 The location and design of vehicular access to a local road within 100 metres of an intersection with a state-controlled road does not create a safety hazard for users of a state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Vehicular access to a state-controlled road, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p>AO17.1 Vehicular access is located as far as possible from the state-controlled road intersection.</p> <p>AND</p>	<p>N/A The site does not front a local road, nor is it located within 100 metres of an intersection.</p>
	<p>AO17.2 Vehicular access is in accordance with parts, 3, 4 and 4A of the Road Planning and Design Manual, 2nd Edition: Volume 3, Department of Transport and Main Roads, 2016.</p> <p>AND</p>	<p>N/A See AO17.1 above.</p>
	<p>AO17.3 On-site vehicle circulation is designed to give priority to entering vehicles at all times so vehicles do not queue in the intersection or on the state-controlled road.</p>	<p>N/A See AO17.1 above.</p>
<p>Public passenger transport infrastructure on state-controlled roads</p>		

Performance outcomes	Acceptable outcomes	Response
<p>PO18 Development does not damage or interfere with public passenger transport infrastructure, public passenger services or pedestrian or cycle access to public passenger transport infrastructure and public passenger services.</p> <p>Note: Refer to the SDAP Supporting Information: Vehicular access to a state-controlled road, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p>AO18.1 Vehicular access and associated road access works are not located within 5 metres of existing public passenger transport infrastructure.</p> <p>AND</p>	<p>N/A There is no mapped public passenger transport infrastructure within proximity of the site.</p>
	<p>AO18.2 Development does not necessitate the relocation of existing public passenger transport infrastructure.</p> <p>AND</p>	<p>N/A See AO18.1 above.</p>
	<p>AO18.3 On-site vehicle circulation is designed to give priority to entering vehicles at all times so vehicles using a vehicular access do not obstruct public passenger transport infrastructure and public passenger services or obstruct pedestrian or cycle access to public passenger transport infrastructure and public passenger services.</p> <p>AND</p>	<p>N/A See AO18.1 above.</p>
	<p>AO18.4 The normal operation of public passenger transport infrastructure or public passenger services is not interrupted during construction of the development.</p>	<p>N/A See AO18.1 above.</p>
Planned upgrades		
<p>PO19 Development does not impede delivery of planned upgrades of state-controlled roads.</p>	<p>AO19.1 Development is not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road.</p> <p>Note: Land required for the planned upgrade of a state-controlled road is identified in the DA mapping system.</p> <p>OR</p>	<p>N/A The site is not identified for any planned upgrades (as identified on the DA Mapping)</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AO19.2 Development is sited and designed so that permanent buildings, structures, infrastructure, services or utilities are not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road.</p>	<p>N/A See AO19.1 above.</p>
	<p>OR all of the following acceptable outcomes apply:</p> <p>AO19.3 Structures and infrastructure located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road are able to be readily relocated or removed without materially affecting the viability or functionality of the development.</p> <p>AND</p>	<p>N/A See AO19.1 above.</p>
	<p>AO19.4 Vehicular access for the development is consistent with the function and design of the planned upgrade of the state-controlled road.</p> <p>AND</p>	<p>N/A See AO19.1 above.</p>
	<p>AO19.5 Development does not involve filling and excavation of, or material changes to, land required for a planned upgrade to a state-controlled road.</p> <p>AND</p>	<p>N/A See AO19.1 above.</p>
	<p>AO19.6 Land is able to be reinstated to the pre-development condition at the completion of the use.</p>	<p>N/A See AO19.1 above.</p>
Network impacts		

Performance outcomes	Acceptable outcomes	Response
<p>PO20 Development does not result in a worsening of operating conditions on the state-controlled road network.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended that an RPEQ certified traffic impact assessment is provided. Please refer to the Guide to Traffic Impact Assessment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	No acceptable outcome is prescribed.	<p>Complies with PO20</p> <p>Please refer to the Traffic Report prepared by Civil Walker Consulting Engineers provided in Attachment 6 for evidence of the fact that the proposed access arrangements will not result in an unacceptable worsening of the operating conditions of the Mulligan Highway. This ensures compliance with Performance Outcome PO20.</p>
<p>PO21 Development does not impose traffic loadings on a state-controlled road which could be accommodated on the local road network.</p>	<p>AO21.1 The layout and design of the development directs traffic generated by the development to the local road network.</p>	<p>N/A</p> <p>The site does not front a local road.</p>
<p>PO22 Upgrade works on, or associated with, a state-controlled road are built in accordance with Queensland road design standards.</p>	<p>AO22.1 Upgrade works required as a result of the development are designed and constructed in accordance with the <i>Road Planning and Design Manual</i>, 2nd edition, Department of Transport and Main Roads, 2016.</p> <p>Note: Road works in a state-controlled road require approval under section 33 of the <i>Transport Infrastructure Act 1994</i> before the works commence.</p>	<p>Complies with PO22</p> <p>Should any upgrades be required, compliance can be conditioned.</p>

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
Noise	
Accommodation activities	

Performance outcomes	Acceptable outcomes	
<p>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.</p>	<p>AO23.1 A noise barrier or earth mound is provided which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to meet the following external noise criteria at all facades of the building envelope: <ol style="list-style-type: none"> a. ≤ 60 dB(A) L_{10} (18 hour) façade corrected (measured L_{90} (8 hour) free field between 10pm and 6am ≤ 40 dB(A)) b. ≤ 63 dB(A) L_{10} (18 hour) façade corrected (measured L_{90} (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. <p>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.</p> <p>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.</p> <p>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.</p>	<p>N/A The development does not involve an accommodation activity.</p>

Performance outcomes	Acceptable outcomes	
	<p>OR all of the following acceptable outcomes apply:</p> <p>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.</p> <p>AND</p>	<p>N/A See AO23.1 above.</p>
	<p>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.</p> <p>AND</p>	<p>N/A See AO23.1 above.</p>
	<p>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:</p> <ol style="list-style-type: none"> 1. ≤ 35 dB(A) L_{eq} (1 hour) (maximum hour over 24 hours). <p>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.</p> <p>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.</p> <p>Habitable rooms of relevant residential buildings located within a transport noise corridor must comply 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.</p>	<p>N/A See AO23.1 above.</p>

Performance outcomes	Acceptable outcomes	
<p>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.</p>	<p>AO24.1 A noise barrier or earth mound is provided which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to meet the following external noise criteria in outdoor spaces for passive recreation: <ol style="list-style-type: none"> 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. <p>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</p> <p>OR</p>	<p>N/A See AO23.1 above.</p>
	<p>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.</p> <p>AND</p>	<p>N/A See AO23.1 above.</p>

Performance outcomes	Acceptable outcomes	
	<p>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 purposes to comply with the Building Code of Australia).</p>	<p>N/A See AO23.1 above.</p>
Childcare centres and educational establishments		
<p>PO25 Development involving a:</p> <ol style="list-style-type: none"> 1. childcare centre; or 2. educational establishment <p>minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in indoor education areas and indoor play areas.</p>	<p>AO25.1 A noise barrier or earth mound is provided which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to meet the following external noise criteria at all facades of the building envelope: <ol style="list-style-type: none"> 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. <p>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.</p> <p>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.</p>	<p>N/A The development will not involve the establishment of a child care centre or educational establishment.</p>
	<p>OR all of the following acceptable outcomes apply:</p>	<p>N/A See AO25.1 above.</p>

Performance outcomes	Acceptable outcomes	
	<p>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.</p> <p>AND</p>	
	<p>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.</p> <p>AND</p>	<p>N/A See AO25.1 above.</p>
	<p>AO25.4 Buildings are designed and constructed using materials which ensure indoor education areas and indoor play areas meet the following internal noise criteria:</p> <ol style="list-style-type: none"> 1. ≤ 35 dB(A) L_{eq} (1 hour) (maximum hour during opening hours). <p>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.</p> <p>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.</p>	<p>N/A See AO25.1 above.</p>

Performance outcomes	Acceptable outcomes	
<p>PO26 Development involving a:</p> <ol style="list-style-type: none"> 1. childcare centre; or 2. educational establishment <p>minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in outdoor education areas and outdoor play areas.</p>	<p>AO26.1 A noise barrier or earth mound is provided which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to meet the following external noise criteria in each outdoor education area or outdoor play area: <ol style="list-style-type: none"> 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. <p>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.</p> <p>OR</p>	<p>N/A See AO25.1 above.</p>
	<p>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 by a building, solid gap-free fence, or other solid gap-free structure.</p>	<p>N/A See AO25.1 above.</p>
Hospitals		
<p>PO27 Development involving a hospital minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in patient care areas.</p>	<p>AO27.1 Hospitals are designed and constructed using materials which ensure patient care areas meet the following internal noise criteria:</p> <ol style="list-style-type: none"> 1. ≤ 35 dB(A) L_{eq} (1 hour) (maximum hour during opening hours). <p>Note: Noise levels from a state-controlled road or type 1 multi-modal corridor are to be measured in accordance with AS1055.1–</p>	<p>N/A The development does not involve the establishment of a hospital.</p>

Performance outcomes		Acceptable outcomes	
		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.	
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 0.1m/s ^{1.75} . AND	N/A The development does not involve the establishment of a Hospital.	
	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 0.4m/s ^{1.75} . Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified vibration assessment report is provided.	N/A See AO28.1 above.	
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.	N/A The development will not involve an accommodation activity.	
PO30 Development involving a: 1. childcare centre; or 2. educational establishment	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.	N/A The development will not involve a child care centre or educational establishment.	

Performance outcomes	Acceptable outcomes	
minimises air quality impacts from a state-controlled road or type 1 multi-modal corridor in outdoor education areas and outdoor play areas.		
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	N/A The development does not involve an accommodation activity or hospital.
	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.	N/A See AO31.1 above.

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

Performance outcomes	Acceptable outcomes	
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	N/A The site is not mapped as being located in a future State-controlled Road environment.
	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.	N/A See AO32.1 above.
	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	N/A See AO32.1 above.

Performance outcomes	Acceptable outcomes	
	<p>AO32.4 Development does not involve filling and excavation of, or material changes to, a future state-controlled road.</p> <p>AND</p>	<p>N/A See AO32.1 above.</p>
	<p>AO32.5 Land is able to be reinstated to the pre-development condition at the completion of the use.</p>	<p>N/A See AO32.1 above.</p>
<p>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.</p> <p>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 <i>Transport Infrastructure Act 1994</i> issued.</p>	<p>AO33.1 Development does not require new or changed access between the premises and a future state-controlled road.</p> <p>AND</p>	<p>N/A See AO32.1 above.</p>
	<p>AO33.2 Vehicular access for the development is consistent with the function and design of the future state-controlled road.</p>	<p>N/A See AO32.1 above.</p>
<p>PO34 Filling, excavation, building foundations and retaining structures do not undermine, or cause subsidence of, a future state-controlled road.</p> <p>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.</p> <p>Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a geotechnical assessment.</p>	<p>No acceptable outcome is prescribed.</p>	<p>N/A See AO32.1 above.</p>

Performance outcomes	Acceptable outcomes	
<p>PO35 Fill material from a development site does not result in contamination of land for a future state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p>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.</p> <p>AND</p>	<p>N/A See AO32.1 above.</p>
<p>PO36 Development does not result in an actionable nuisance, or worsening of, stormwater, flooding or drainage impacts in a future state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p>No acceptable outcome is prescribed.</p>	<p>N/A See AO32.1 above.</p>
<p>PO37 Run-off from the development site is not unlawfully discharged to a future state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p>AO37.1 Development does not create any new points of discharge to a future state-controlled road.</p> <p>AND</p>	<p>N/A See AO32.1 above.</p>
	<p>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.</p> <p>AND</p>	<p>N/A See AO32.1 above.</p>
	<p>AO37.3 Development does not worsen the condition of an existing lawful point of discharge to the future state-controlled road.</p>	<p>N/A See AO32.1 above.</p>

State code 6: Protection of state transport networks

Table 6.2.2: All development

Performance outcomes	Acceptable outcomes	Response
Network impacts		
<p>PO1 Development does not result in a worsening of the safety of a state-controlled road.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended that a Registered Professional Engineer of Queensland (RPEQ) certified road safety audit or road safety assessment (as applicable) is provided.</p> <p>Further information on determining whether a road safety audit or road safety assessment is required is provided in section 9 of the Guide to Traffic Impact Assessment, Department of Transport and Main Roads, 2017.</p>	No acceptable outcome is prescribed.	<p>Complies with PO1</p> <p>Please refer to the Traffic Report prepared by Civil Walker Consulting Engineers provided in Attachment 6 for evidence of the fact that the proposed access arrangements will not result in any safety hazards nor an unacceptable worsening of the operating conditions of the Mulligan Highway. This ensures compliance with Performance Outcome PO1.</p>
<p>PO2 Development does not result in a worsening of the infrastructure condition of a state-controlled road or road transport infrastructure.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended that a RPEQ certified traffic impact assessment and pavement impact assessment are provided.</p> <p>Further information on how to prepare a traffic impact assessment and pavement impact assessment is provided in the Guide to Traffic Impact Assessment, Department of Transport and Main Roads, 2017.</p>	No acceptable outcome is prescribed.	<p>Complies with PO2</p> <p>Please refer to the Traffic Report prepared by Civil Walker Consulting Engineers provided in Attachment 6 for evidence of compliance with Performance Outcome PO2.</p>
<p>PO3 Development does not result in a worsening of operating conditions on a state-controlled road or the surrounding road network.</p>	No acceptable outcome is prescribed.	<p>Complies with PO3</p> <p>Please refer to the Traffic Report prepared by Civil Walker Consulting Engineers provided in Attachment 6 for evidence of the fact that the proposed access</p>

Performance outcomes	Acceptable outcomes	Response
<p>Note: To demonstrate compliance with this performance outcome, it is recommended that an RPEQ certified traffic impact assessment is provided.</p> <p>Further information on how to prepare a traffic impact assessment is provided in the Guide to Traffic Impact Assessment, Department of Transport and Main Roads, 2017.</p>		arrangements will not result in an unacceptable worsening of the operating conditions of the Mulligan Highway. This ensures compliance with Performance Outcome PO3.
PO4 Development does not impose traffic loadings on a state-controlled road which could be accommodated on the local road network.	AO4.1 The layout and design of the development directs traffic generated by the development to the local road network.	N/A The site does not front a local road.
PO5 Upgrade works on, or associated with, a state-controlled road are built in accordance with relevant design standards.	AO5.1 Upgrade works on a state-controlled road are designed and constructed in accordance with the Road Planning and Design Manual, 2nd edition, Department of Transport and Main Roads, 2016.	Complies with AO5.1 Should any upgrades be required, compliance can be conditioned.
<p>PO6 Development involving the haulage of fill, extracted material or excavated spoil material exceeding 10,000 tonnes per year does not damage the pavement of a state-controlled road.</p> <p>Note: It is recommended that a transport infrastructure impact assessment and pavement impact assessment are provided.</p> <p>Further information on how to prepare a traffic impact assessment is provided in the Guide to Traffic Impact Assessment, Department of Transport and Main Roads, 2017.</p>	AO6.1 Fill, extracted material and spoil material is not transported to or from the development site on a state-controlled road.	N/A No fill is required.
<p>PO7 Development does not adversely impact on the safety of a railway crossing.</p> <p>Note: It is recommended that a traffic impact assessment be prepared to demonstrate compliance with this performance outcome. An impact on a level crossing may require an Australian Level Crossing Assessment Model (ALCAM) assessment to be undertaken. Section 2.2 – Railway crossing safety of the Guide to Development in a Transport Environment: Rail, Department of</p>	AO7.1 Development does not require a new railway crossing.	Complies with AO7.1 The development will not require a new railway crossing, nor are there any existing railway crossings within proximity to the site.
	OR	
	AO7.2 A new railway crossing is grade separated.	N/A See AO7.1 above.
		N/A

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State code 6: Protection of state transport networks

Performance outcomes	Acceptable outcomes	Response
<p>Transport and Main Roads, 2015, provides guidance on how to comply with this performance outcome.</p>	<p>OR all of the following acceptable outcomes apply:</p> <p>AO7.3 Upgrades to a level crossing are designed and constructed in accordance with AS1742.7 – Manual of uniform traffic control devices, Part 7: Railway crossings and applicable rail manager standard drawings.</p> <p>Note: It is recommended a traffic impact assessment be prepared to demonstrate compliance with this acceptable outcome. An impact on a level crossing may require an Australian Level Crossing Assessment Model (ALCAM) assessment to be undertaken. Section 2.2 – Railway crossing safety of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this acceptable outcome</p> <p>AND</p>	<p>See AO7.1 above.</p>
	<p>AO7.4 Access points achieve sufficient clearance from a level crossing in accordance with AS1742.7 – Manual of uniform traffic control devices, Part 7: Railway crossings by providing a minimum clearance of 5 metres from the edge running rail (outer rail) plus the length of the largest vehicle anticipated on-site.</p> <p>Note: Section 2.2 of the Guide to Development in a Transport Environment: Rail, Department of Transport and Main Roads, 2015, provides guidance on how to comply with this acceptable outcome.</p> <p>AND</p>	<p>N/A See AO7.1 above.</p>
	<p>AO7.5 On-site vehicle circulation is designed to give priority to entering vehicles at all times.</p>	<p>N/A See AO7.1 above.</p>

Performance outcomes	Acceptable outcomes	Response
PO8 Development does not result in a worsening of the infrastructure condition of a railway or rail transport infrastructure.	No acceptable outcome is prescribed.	N/A The development will not involve, nor is the site located within close proximity to, a railway or railway transport infrastructure.
PO9 Development does not result in a worsening of operating conditions of a railway	No acceptable outcome is prescribed.	N/A See PO8 above.
Stormwater and drainage		
PO10 Development does not result in an actionable nuisance, or worsening of, stormwater, flooding or drainage impacts in a state transport corridor or state transport infrastructure.	No acceptable outcome is prescribed.	Complies with PO10 Stormwater from the development will be collected and discharged from the site via the existing drainage gullies and general sheet flow to the south, south-east of the site, generally running parallel to the Mulligan Highway. This will ensure that the development does not result in an actionable nuisance, or worsening of, stormwater, flooding or drainage impacts in a State-controlled Road. Compliance can also be further conditioned.
PO11 Run-off from the development site is not unlawfully discharged to a state transport corridor or state transport infrastructure.	AO11.1 Development does not create any new points of discharge to a state transport corridor. AND	Complies with AO11.1 The development will not involve any new points of discharge to the State-controlled Road.
	AO11.2 Stormwater run-off is discharged to a lawful point of discharge. Note: Section 3.49 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	Complies with AO11.2 Stormwater runoff will be collected, treated and discharged to the existing lawful points of discharge.

Performance outcomes	Acceptable outcomes	Response
	AO11.3 Development does not worsen the condition of an existing lawful point of discharge to a state transport corridor.	Complies with AO11.3 See PO10 above.
PO12 Run-off from the development site does not cause siltation of stormwater infrastructure affecting a state transport corridor or state transport infrastructure.	AO12.1 Run-off from the development site is not discharged to stormwater infrastructure for a state transport corridor.	Complies with AO12.1 See PO10 above.
Planned upgrades		
PO13 Development does not impede delivery of planned upgrades of state transport infrastructure.	AO13.1 Development is not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of state transport infrastructure. Note: Land required for the planned upgrade of state transport infrastructure is identified in the DA mapping system. OR	Complies with AO13.1 The site is not identified for any planned upgrades (as identified on the DA Mapping)
	AO13.2 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 state transport infrastructure.	N/A See AO13.1 above.
	OR all of the following acceptable outcomes apply: AO13.3 Structures and infrastructure located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of state transport infrastructure are able	N/A See AO13.1 above.

Performance outcomes	Acceptable outcomes	Response
	to be readily relocated or removed without materially affecting the viability or functionality of the development. AND	
	AO13.4 Vehicular access for the development is consistent with the function and design of the planned upgrade of state transport infrastructure. AND	N/A See AO13.1 above.
	AO13.5 Development does not involve filling and excavation of, or material changes to, land required for a planned upgrade to a state transport infrastructure. AND	N/A See AO13.1 above.
	AO13.6 Land is able to be reinstated to the predevelopment condition at the completion of the use.	N/A See AO13.1 above.

Table 6.2.3: Public passenger transport infrastructure

Performance outcomes	Acceptable outcomes	Response
Public passenger transport infrastructure		
PO14 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.	AO14.1 Vehicular access and associated road access works are not located within 5 metres of public passenger transport infrastructure. AND	N/A There is no mapped public passenger transport infrastructure within proximity of the site.
	AO14.2 Development does not necessitate the relocation of existing public passenger transport	N/A See AO14.1 above.

Performance outcomes	Acceptable outcomes	Response
	infrastructure. AND	
	AO14.3 Development does not obstruct pedestrian or cyclist access to public passenger transport infrastructure or public passenger services. AND	N/A See AO14.1 above.
	AO14.4 The normal operation of public passenger transport infrastructure or public passenger services is not interrupted during construction of the development.	N/A See AO14.1 above.
<p>PO15 Upgraded or new public passenger transport infrastructure is provided to accommodate the demand for public passenger transport generated by the development.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended a public transport impact assessment be prepared in accordance with appendix 1 of the State Development Assessment Provisions Supporting Information – Public Passenger Transport Infrastructure, Department of Transport and Main Roads, 2017.</p> <p>New or upgraded public passenger transport infrastructure provided should be in accordance with the Public Transport Infrastructure Manual, Department of Transport and Main Roads, 2015.</p> <p>Refer to the SDAP Supporting Information: Public passenger transport infrastructure, Department of Transport and Main Roads, 2017, for further guidance on how to comply with the performance outcome.</p>	No acceptable outcome is prescribed.	N/A Not applicable in accordance with Table 6.2.1 of the SDAP.
PO16 Development is designed to ensure the	No acceptable outcome is prescribed.	N/A Not applicable in accordance with Table 6.2.1 of the SDAP.

Performance outcomes	Acceptable outcomes	Response
<p>location of public passenger transport infrastructure prioritises and enables efficient public passenger services.</p> <p>Note: Chapters 2 and 5 of the Public Transport Infrastructure Manual, Department of Transport and Main Roads, 2015 provides guidance on how to comply with this performance outcome.</p> <p>Refer to the SDAP Supporting Information: Public passenger transport infrastructure, Department of Transport and Main Roads, 2017, for further guidance on how to comply with the performance outcome.</p>		
<p>PO17 Development enables the provision or extension of public passenger services to the development and avoids creating indirect or inefficient routes for public passenger services.</p> <p>Note: Refer to the SDAP Supporting Information: Public passenger transport infrastructure, Department of Transport and Main Roads, 2017, for further guidance on how to comply with the performance outcome.</p>	No acceptable outcome is prescribed.	<p>N/A Not applicable in accordance with Table 6.2.1 of the SDAP.</p>
<p>PO18 New or modified road networks are designed to enable development to be serviced by public passenger services.</p> <p>Note: Refer to the SDAP Supporting Information: Public passenger transport infrastructure, Department of Transport and Main Roads, 2017, for further guidance on how to comply with the performance outcome.</p>	<p>AO18.1 Roads catering for buses are arterial or sub-arterial roads, collector or their equivalent.</p> <p>AND</p>	<p>N/A Not applicable in accordance with Table 6.2.1 of the SDAP.</p>
	<p>AO18.2 Roads intended to accommodate buses are designed and constructed in accordance with parts 3, 4-4C and 6 of the Road Planning and Design Manual 2nd edition, Volume 3: Guide to Road Design, Department of Transport and Main Roads, 2016 and Part 13 of the Manual of Uniform Traffic Control Devices, Department of Transport and Main Roads, 2018.</p>	<p>N/A Not applicable in accordance with Table 6.2.1 of the SDAP.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>Note: Parts 3, 4-4C and 6 of the Road Planning and Design Manual, Volume 3: Guide to Road Design, Department of Transport and Main Roads, 2016, must be read in conjunction with the following standards where specified in the Manual:</p> <ol style="list-style-type: none"> 1. Supplement to Austroads Guide to Road Design (Parts 3,4-4C and 6), Department of Transport and Main Roads, 2014, and 2. Austroads Guide to Road Design (Parts 3,4-4C and 6). <p>AND</p>	
	<p>AO18.3 Traffic calming devices are not installed on roads used for buses.</p> <p>Note: Chapter 2 of the Public Transport Infrastructure Manual, Department of Transport and Main Roads, 2015 provides guidance on how to comply with this acceptable outcome.</p> <p>AND</p>	<p>N/A Not applicable in accordance with Table 6.2.1 of the SDAP.</p>
	<p>AO18.4 Where road humps are installed on roads used for buses, the road humps are designed in accordance with the Manual of Uniform Traffic Control Devices, Department of Transport and Main Roads, 2018.</p> <p>Note: Guidance on how to meet the acceptable outcome is available in the Manual of Uniform Traffic Control Devices, Part 13:</p> <ol style="list-style-type: none"> 1. Section 2, clause 2.4, Road humps 2. Section 2, clause 2.1.2-1, Hump profiles for bus routes. 	<p>N/A Not applicable in accordance with Table 6.2.1 of the SDAP.</p>
<p>PO19 Development provides safe, direct and convenient pedestrian access to existing and future public passenger transport infrastructure.</p> <p>Note: Chapter 3 of the Public Transport Infrastructure Manual, Department of Transport and Main Roads, 2015 provides</p>	<p>No acceptable outcome is prescribed.</p>	<p>N/A Not applicable in accordance with Table 6.2.1 of the SDAP.</p>

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State code 6: Protection of state transport networks

Performance outcomes	Acceptable outcomes	Response
<p>guidance on how to comply with this performance outcome. In particular, it is recommended that a pedestrian demand analysis be provided to demonstrate compliance with the performance outcome.</p> <p>Refer to the SDAP Supporting Information: Public passenger transport infrastructure, Department of Transport and Main Roads, 2017, for further guidance on how to comply with the performance outcome.</p>		
<p>PO20 On-site vehicular circulation ensures the safety of both public passenger transport services and pedestrians.</p> <p>Note: Refer to the SDAP Supporting Information: Public passenger transport infrastructure, Department of Transport and Main Roads, 2017, for further guidance on how to comply with the performance outcome.</p>	<p>AO20.1 The location of on-site pedestrian crossings ensures safe sight distances for pedestrians and public passenger services.</p> <p>AND</p> <p>AO20.2 On-site circulation is designed and constructed so that public passenger services can enter and leave in a forward gear at all times.</p> <p>AND</p> <p>AO20.3 Development does not result in public passenger services movements through car parking aisles.</p>	<p>N/A Not applicable in accordance with Table 6.2.1 of the SDAP.</p> <p>N/A Not applicable in accordance with Table 6.2.1 of the SDAP.</p> <p>N/A Not applicable in accordance with Table 6.2.1 of the SDAP.</p>
<p>PO21 Taxi facilities are provided to accommodate the demand generated by the development.</p> <p>Note: Guidance on how to meet the performance outcome are available in chapter 7 of the Public Transport Infrastructure Manual, Department of Transport and Main Roads, 2015.</p> <p>Refer to the SDAP Supporting Information: Public passenger transport infrastructure, Department of Transport and Main Roads, 2017, for further guidance on how to comply with the performance outcome.</p>	<p>No acceptable outcome is prescribed.</p>	<p>N/A Not applicable in accordance with Table 6.2.1 of the SDAP.</p>
<p>PO22 Taxi facilities are located and designed to provide convenient, safe and equitable access for</p>	<p>AO22.1 A taxi facility is provided parallel to the kerb and adjacent to the main entrance.</p>	<p>N/A</p>

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State code 6: Protection of state transport networks

Performance outcomes	Acceptable outcomes	Response
<p>passengers.</p> <p>Note: Refer to the SDAP Supporting Information: Public passenger transport infrastructure, Department of Transport and Main Roads, 2017, for further guidance on how to comply with the performance outcome.</p>	<p>AND</p> <p>AO22.2 Taxi facilities are designed in accordance with:</p> <ol style="list-style-type: none"> 1. AS2890.5–1993 Parking facilities – on-street parking and AS1428.1–2009 Design for access and mobility – general requirements for access – new building work 2. AS1742.11–1999 Parking controls – manual of uniform traffic control devices 3. AS/NZS 2890.6–2009 Parking facilities – offstreet parking for people with disabilities 4. Disability standards for accessible public transport 2002 made under section 31(1) of the <i>Disability Discrimination Act 1992</i> 5. AS/NZS 1158.3.1 – Lighting for roads and public spaces, Part 3.1: Pedestrian area (category P) lighting – Performance and design requirements. 	<p>Not applicable in accordance with Table 6.2.1 of the SDAP.</p> <p>N/A Not applicable in accordance with Table 6.2.1 of the SDAP.</p>
<p>PO23 Educational establishments are designed to ensure the safe and efficient operation of public passenger services and pedestrian access.</p> <p>Note: Refer to the SDAP Supporting Information: Public passenger transport infrastructure, Department of Transport and Main Roads, 2017, for further guidance on how to comply with the performance outcome.</p>	<p>AO23.1 Educational establishments are designed in accordance with the provisions of the Planning for Safe Transport Infrastructure at Schools, Department of Transport and Main Roads, 2011.</p>	<p>N/A Not applicable in accordance with Table 6.2.1 of the SDAP.</p>

State code 16: Native vegetation clearing

Table 16.2.2: General

Performance outcomes	Acceptable outcomes	Response
Clearing avoids or minimises impacts		
<p>PO1 Clearing and adverse impacts of clearing do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been:</p> <ol style="list-style-type: none"> 1. reasonably avoided; or 2. reasonably minimised where it cannot be reasonably avoided. 	<p>No acceptable outcome is prescribed.</p>	<p>Complies with PO1</p> <p>The development is unable to be wholly located within a Category X Area. It is acknowledged that the Category X areas are suitable for the proposed irrigation, but are not suitable for the location of the sheds and other infrastructure as the Category X areas are chastised by numerous and significant 'wash out' areas and large areas of varying topography and depressions making access for heavy vehicles nearly impossible and unsafe. Hence, the clearing of Category B remnant vegetation cannot be entirely avoided, although it has been minimised, as is outlined below.</p> <p>To minimise the clearing of vegetation, the location of the development has been chosen so as to:</p> <ul style="list-style-type: none"> • Be within close proximity to the sites access;

Performance outcomes	Acceptable outcomes	Response
		<ul style="list-style-type: none"> • Follows the existing internal access roads; • The development footprint has been squeezed to ensure all structures are within close proximity to one another which will in turn, minimise the amount of exempt clearing created; • To ensure all clearing and exempt clearing does not exceed 2ha (total amount should not exceed 1ha); • Is on flat usable land; • Is suitably setback from the adjacent waterways to ensure no exempt clearing in/adjacent to the waterway is triggered; and • Is in an area of the site dominated by re-growth as a result of previous cattle farming activities and areas that were felled for wood production by the State in accordance with the Profit A Pendre in effect over the site. <p>In relation to the Category B vegetation proposed to be cleared, this vegetation is:</p> <ul style="list-style-type: none"> • IS 'of a least concern';

Performance outcomes	Acceptable outcomes	Response
		<ul style="list-style-type: none"> • NOT mapped as essential habitat; • NOT located within 100m of a natural wetland; and • IS setback the minimum distances to mapped waterways. <p>As a result, we are of the view that the impacts of clearing created by the development has been reasonably minimised to the greatest extent possible and hence, the development complies with PO1.</p>
Clearing on land in particular circumstances		
<p>PO2 Clearing is consistent with any notice requiring compliance on the land subject to the development application, unless a better environmental outcome can be achieved.</p> <p>Note: The discharge of the vegetation management requirements under the notice requiring compliance can only occur in conjunction with the better environmental outcome being legally secured.</p> <p>Further guidance on meeting the requirements of a better environmental outcome can be found in State Development Assessment Provisions Guidance Material: State code 16: Native vegetation clearing, Department of Natural Resources and Mines and Energy, 2019.</p>	No acceptable outcome is prescribed.	<p>N/A There is no vegetation notice on the site.</p>
<p>PO3 Clearing is consistent with vegetation management requirements for particular regulated</p>	No acceptable outcome is prescribed.	<p>N/A The site is not located in a 'particular regulated area'.</p>

Performance outcomes	Acceptable outcomes	Response
<p>areas unless a better environmental outcome can be achieved.</p> <p>Note: The discharge of the vegetation management requirements under the notice requiring compliance can only occur in conjunction with the better environmental outcome being legally secured.</p> <p>Further guidance on meeting the requirements of a better environmental outcome can be found in State Development Assessment Provisions Guidance Material: State code 16: Native vegetation clearing, Department of Natural Resources and Mines and Energy 2019.</p>		
<p>PO4 Clearing of a legally secured offset area:</p> <ol style="list-style-type: none"> 1. is consistent with the offset delivery plan; or agreement for the offset area on the land subject to the development application; or 2. only occurs if an additional offset is provided that is consistent with the <i>Environmental Offsets Act 2014</i> and the relevant policy in the Queensland Environmental Offsets Policy, Department of Environment and Heritage Protection, 2014. <p>Note: Reference to 'agreement' above includes the 'agreed delivery arrangement' for the offset area as well as instruments associated with the legally secured offset area. Clearing should be consistent with any agreement however described.</p>	No acceptable outcome is prescribed.	<p>N/A</p> <p>The site is not located within a legally secured offset area.</p>
<p>Clearing of vegetation as a result of the material change of use or reconfiguration of a lot</p>		

Performance outcomes	Acceptable outcomes	Response
PO5 Clearing as a result of a material change of use, or clearing as a result of reconfiguring a lot does not occur.	No acceptable outcome is prescribed.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
Clearing that could already be done under an exemption		
PO6 Clearing does not occur unless it is clearing that could be done as exempt clearing work for the purpose of the development (as prescribed under schedule 21 of the Planning Regulation 2017) prior to the material change of use or reconfiguring a lot application being approved.	No acceptable outcome is prescribed.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Table 16.2.3: Specific

Performance outcomes	Acceptable outcomes	Response
Clearing associated with wetlands (public safety, relevant infrastructure activities consequential development of IPA approval, a coordinated project, extractive industry)		
PO7 Clearing maintains the current extent of vegetation associated with any natural wetland to protect: 1. bank stability by protecting against bank erosion;	AO7.1 Clearing does not occur in a natural wetland or within 100 metres of the defining bank of any natural wetland. OR	Complies with PO7 The site is not located within 100m of a mapped wetland.

Performance outcomes	Acceptable outcomes	Response
<p>and</p> <ol style="list-style-type: none"> 2. water quality by filtering sediments, nutrients and other pollutants; and 3. aquatic habitat; and 4. terrestrial habitat. 	<p>AO7.2 Clearing within 100 metres of the defining bank of any natural wetland:</p> <ol style="list-style-type: none"> 1. does not occur within 10 metres of the defining bank of any natural wetland; and 2. does not exceed widths in table 16.3.1 in this code. <p>OR</p> <p>AO7.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any acceptable significant residual impact from clearing of vegetation associated with a natural wetland (matter of state environmental significance).</p>	<p>N/A See AO7.1 above.</p> <p>N/A See AO7.1 above.</p>
Clearing associated with wetlands (necessary to control non-native plants or declared pests, encroachment, managing thickened vegetation, fodder harvesting)		
<p>PO8 Clearing maintains vegetation associated with a natural wetland to protect:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; and 2. water quality by filtering sediments, nutrients and other pollutants; and 3. aquatic habitat; and 4. terrestrial habitat. 	<p><i>Clearing necessary to control non-native plants or declared pests:</i></p> <p>AO 8.1 Mechanical clearing does not occur in any of the following areas, unless it is required to provide necessary access to control non-native plants or declared pests:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any natural wetland; and 	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>

Performance outcomes	Acceptable outcomes	Response
	2. within 20 metres of the defining bank of any natural wetland. AND	
	AO8.2 Clearing to provide necessary access to control non-native plants or declared pests only occurs where: <ol style="list-style-type: none"> 1. clearing does not exceed five metres in width; and 2. clearing retains all mature trees and habitat trees; and 3. the access track: <ol style="list-style-type: none"> a. runs parallel to a natural wetland and clearing is not within 10 metres of the defining bank of a natural wetland; or b. is required to provide access across the wetland. AND	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO8.3 Chemical clearing retains: <ol style="list-style-type: none"> 1. all mature trees; and 2. all habitat trees; and 3. at least 50 per cent of immature trees in each 50 metre by 50 metre area. 	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Performance outcomes	Acceptable outcomes	Response
	AND	
	<p>AO8.4 Root absorbed broad spectrum herbicides are not applied within whichever is the greater distance from the defining bank of a natural wetland:</p> <ol style="list-style-type: none"> 1. 100 metres; or 2. the distance specified on the approved product label; or 3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority. 	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
	<p>AND</p> <p>AO8.5 Aerial application of a foliar herbicide does not occur within whichever is the greater distance from the defining bank of a natural wetland;</p> <ol style="list-style-type: none"> 1. 50 metres; or 2. the distance specified for wetlands on the approved product label; or 3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority. 	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>

Performance outcomes	Acceptable outcomes	Response
	AND	
	<p><i>Clearing for managing thickened vegetation:</i></p> <p>AO8.6 Mechanical clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of a natural wetland; and 2. within 20 metres of the defining bank of a natural wetland. 	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
	<p>AND</p> <p><i>Clearing for encroachment:</i></p> <p>AO8.7 Mechanical clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any natural wetland; and 2. within 20 metres of the defining bank of any natural wetland. 	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
	AND	

Performance outcomes	Acceptable outcomes	Response
	<p>AO8.8 Root absorbed broad spectrum herbicides are not applied within whichever is the greater distance from the defining bank of a natural wetland</p> <ol style="list-style-type: none"> 1. 100 metres; or 2. the distance specified on the approved product label; or 3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority. <p>AND</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
	<p><i>Clearing for fodder harvesting:</i></p> <p>AO8.9 Mechanical clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any natural wetland; and 2. within 20 metres of the defining bank of any natural wetland. <p>AND</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AO8.10 Mechanical clearing that is strip harvesting or block harvesting does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any natural wetland; and 2. within 100 metres of the defining bank of any natural wetland. 	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
Clearing associated with wetlands (necessary environmental clearing – land restoration and natural disaster preparation)		
<p>PO9 Clearing maintains vegetation associated with any natural wetland or rehabilitates the cleared area to protect:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; and 2. water quality by filtering sediments, nutrients and other pollutants; and 3. aquatic habitat; and 4. terrestrial habitat. 	<p>AO9.1 Clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any natural wetland; and 2. within 100 metres of the defining bank of any natural wetland. <p>OR</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
	<p>AO9.2 Clearing within 100 metres of the defining bank of any natural wetland only occurs where:</p> <ol style="list-style-type: none"> 1. clearing does not exceed 0.5 hectares; and 2. clearing retains all mature trees and habitat trees; and 3. clearing that is for flood preparation complies with all of the following: <ol style="list-style-type: none"> a. clearing is undertaken by felling only; and: 	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>

Performance outcomes	Acceptable outcomes	Response
	<ul style="list-style-type: none"> b. clearing does not exceed 100 square metres; and c. clearing does not occur outside the defining banks of a natural wetland; and d. clearing does not occur within 50 metres of other clearing for flood preparation. <p>OR</p>	
	<p>AO9.3 Clearing to provide necessary access to undertake necessary environmental clearing only occurs where clearing:</p> <ul style="list-style-type: none"> 1. does not exceed 10 metres in width; and 2. retains all mature trees and habitat trees; and 3. the access track: <ul style="list-style-type: none"> a. runs parallel to a natural wetland and clearing is not within 10 metres of the defining bank of a natural wetland; or b. is required to provide access across the wetland. <p>OR</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
	<p>AO9.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
<p>Clearing associated with wetlands (necessary environmental clearing - natural channel diversion and contaminants removal)</p>		

Performance outcomes	Acceptable outcomes	Response
<p>PO10 Clearing maintains the current extent of vegetation associated with any natural wetland or rehabilitates the cleared area to protect:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; and 2. water quality by filtering sediments, nutrients and other pollutants; and 3. aquatic habitat; and 4. terrestrial habitat. 	<p>AO10.1 Clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any natural wetland; and 2. within 100 metres of the defining bank of any natural wetland. <p>OR</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
	<p>AO10.2 Clearing within 100 metres of the defining bank of any natural wetland only occurs where:</p> <ol style="list-style-type: none"> 1. clearing does not exceed 0.5 hectares; and 2. clearing retains all mature trees and habitat trees. <p>OR</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
	<p>AO10.3 Clearing to provide necessary access to undertake necessary environmental clearing only occurs where clearing:</p> <ol style="list-style-type: none"> 1. does not exceed 10 metres in width; and 2. retains all mature trees and habitat trees; and 3. the access track: <ol style="list-style-type: none"> a. runs parallel to a natural wetland and clearing is not within 10 metres of the defining bank of a natural wetland; or b. is required to provide access across the wetland. 	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>OR</p> <p>AO10.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.</p> <p>OR</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
	<p>AO10.5 Where clearing is for natural channel diversion or contaminants removal, and clearing cannot be reasonably avoided, and:</p> <ol style="list-style-type: none"> 1. clearing has been reasonably minimised; and 2. the cleared area cannot be reasonably rehabilitated, <p>an offset is provided for any acceptable significant residual impact from clearing of vegetation associated with a natural wetland (a matter of state environmental significance).</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
<p>Clearing associated with watercourses and drainage features (public safety, relevant infrastructure activities, consequential development of IPA approval, coordinated project, extractive industry)</p>		
<p>PO11 Clearing maintains the current extent of vegetation associated with any watercourse or drainage feature to protect:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; and 2. water quality by filtering sediments, nutrients and other pollutants; and 	<p>AO11.1 Clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of a watercourse or drainage feature; and 	<p>Complies with AO11.1 The site consists of a waterway with a stream order of 2 which, in accordance with Table 16.3.2 of the SDAP, requires a setback distance of 10 metres from the defining bank of a watercourse or drainage feature. The development will be setback a minimum of 64m from the existing waterway and hence, no</p>

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State code 16: Native vegetation clearing

Performance outcomes	Acceptable outcomes	Response
3. aquatic habitat; and 4. terrestrial habitat.	2. within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code. OR	clearing, nor exempt clearing is proposed, nor will it be permitted within the defining bank of within 10m of the defining bank of the watercourses.
	AO11.2 Clearing within any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code: 1. does not exceed the widths in table 16.3.1 of this code; and 2. does not occur within 10 metres of the defining bank, unless clearing is required into or across the watercourse or drainage feature. OR	N/A See AO11.1 above.
	AO11.3 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any acceptable significant residual impact from clearing of vegetation associated with any watercourse or drainage feature (a matter of state environmental significance).	N/A See AO11.1 above.
Clearing associated with watercourses and drainage features (necessary environmental clearing- land restoration and natural disaster preparation)		

Performance outcomes	Acceptable outcomes	Response
<p>PO12 Clearing maintains vegetation associated with any watercourse or drainage feature or rehabilitates the cleared area to protect:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; and 2. water quality by filtering sediments, nutrients and other pollutants; and 3. aquatic habitat; and 4. terrestrial habitat. 	<p>AO12.1 Clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of a watercourse or drainage feature; and 2. within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code. <p>OR</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
	<p>AO12.2 Clearing in any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code only occurs where:</p> <ol style="list-style-type: none"> 1. clearing does not exceed 0.5 hectares; and 2. clearing retains all mature trees and habitat trees; and 3. clearing that is for flood preparation complies with all of the following: <ol style="list-style-type: none"> a. clearing is undertaken by felling only; and b. clearing does not exceed 100 square metres; and c. clearing does not occur outside of the defining bank of any watercourse or drainage feature; and 	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>d. clearing does not occur within 50 metres of other clearing for flood preparation.</p> <p>OR</p>	
	<p>AO12.3 Clearing to provide necessary access to undertake necessary environmental clearing only occurs where clearing:</p> <ol style="list-style-type: none"> 1. does not exceed 10 metres in width; and 2. retains all mature trees and habitat trees; and 3. the access track: <ol style="list-style-type: none"> a. runs parallel to a watercourse or drainage feature and clearing is not within 10 metres of the defining bank of a watercourse or drainage feature; or b. is required to provide access across the watercourse or drainage feature. 	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
	<p>AO12.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
<p>Clearing associated with watercourses and drainage features (necessary environmental clearing – natural channel diversion, and contaminants removal)</p>		

Performance outcomes	Acceptable outcomes	Response
<p>PO13 Clearing maintains the current extent of vegetation associated with any watercourse or drainage feature or rehabilitates the cleared area to protect:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; and 2. water quality by filtering sediments, nutrients and other pollutants; and 3. aquatic habitat; and 4. terrestrial habitat. 	<p>AO13.1 Clearing does not occur within any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of a watercourse or drainage feature; and 2. within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code. <p>OR</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
	<p>AO13.2 Clearing in any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in table 16.3.2 of this code only occurs where:</p> <ol style="list-style-type: none"> 1. clearing does not exceed 0.5 hectares; and 2. clearing retains all mature trees and habitat trees. <p>OR</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
	<p>AO13.3 Clearing to provide necessary access to undertake necessary environmental clearing only occurs where:</p> <ol style="list-style-type: none"> 1. clearing does not exceed 10 metres in width; and 2. clearing retains all mature trees and habitat trees; and 3. the access track: 	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>

Performance outcomes	Acceptable outcomes	Response
	<ul style="list-style-type: none"> a. runs parallel to a watercourse or drainage feature and clearing is not within 10 metres of the defining bank of a watercourse or drainage feature; or b. is required to provide access across the watercourse or drainage feature. <p>OR</p>	
	<p>AO13.4 Where clearing cannot be reasonably avoided, and:</p> <ul style="list-style-type: none"> 1. clearing has been reasonably minimised; and 2. the cleared area cannot be reasonably rehabilitated, an offset is provided for any acceptable significant residual impact from clearing of vegetation associated with a watercourse or drainage feature (a matter of state environmental significance). 	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
<p>Clearing associated with watercourses or drainage features (necessary to control non-native plants or declared pests, managing thickened vegetation, fodder harvesting)</p>		

Performance outcomes	Acceptable outcomes	Response
<p>PO14 Clearing maintains vegetation associated with any watercourse or drainage feature to protect:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; and 2. water quality by filtering sediments, nutrients and other pollutants; and 3. aquatic habitat; and 4. terrestrial habitat. 	<p><i>Clearing necessary to control non-native plants or declared pests:</i></p> <p>AO14.1 Mechanical clearing does not occur in any of the following areas, unless it is required to provide necessary access to control non-native plants or declared pests:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any watercourse or drainage feature; and 2. within 10 metres of the defining bank of a watercourse or drainage feature that is a stream order 1 or 2 watercourse or drainage feature; and 3. within 15 metres of the defining bank of a watercourse or drainage feature that is a stream order 3 or 4 watercourse or drainage feature; and 4. within 20 metres of the defining bank of a watercourse or drainage feature that is a stream order 5 or more watercourse or drainage feature. <p>AND</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
	<p>AO14.2 Clearing to provide necessary access to control non-native plants or declared pests only occurs where:</p> <ol style="list-style-type: none"> 1. clearing does not exceed five metres in width; and 	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>

Performance outcomes	Acceptable outcomes	Response
	2. clearing retains all habitat trees and mature trees; and 3. the access track: <ol style="list-style-type: none"> a. runs parallel to the watercourse or drainage feature and is not within 10 metres of the defining bank of the watercourse or drainage feature; or b. is required to provide access across the watercourse or drainage feature. AND	
	AO14.3 Chemical clearing retains all of the following: <ol style="list-style-type: none"> 1. mature trees; and 2. habitat trees; and 3. at least 50 per cent of immature trees in any 50 metre by 50 metre area. 	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO14.4 Root absorbed broad spectrum herbicides are not applied within whichever is the greater distance from the defining bank of a watercourse or drainage feature: <ol style="list-style-type: none"> 1. 100 metres; or 2. any distance specified on the approved product label; or 	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Performance outcomes	Acceptable outcomes	Response
	<p>3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority.</p> <p>AND</p>	
	<p>AO14.5 Aerial application of a foliar herbicide does not occur within whichever is the greater distance from the defining bank of a watercourse or drainage feature:</p> <ol style="list-style-type: none"> 1. 50 metres; or 2. any distance specified on the approved product label; or 3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority. <p>AND</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
	<p><i>Clearing for managing thickened vegetation:</i></p> <p>AO14.6 Mechanical clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any watercourse or drainage feature; 	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>

Performance outcomes	Acceptable outcomes	Response
	2. within 10 metres of the defining bank of a watercourse or drainage feature that is a stream order 1 or 2 watercourse or drainage feature; 3. within 15 metres of the defining bank of a watercourse or drainage feature that is a stream order 3 or 4 watercourse or drainage feature; 4. within 20 metres of the defining bank of a watercourse or drainage feature that is a stream order 5 or more watercourse or drainage feature. AND	
	<i>Clearing for fodder harvesting:</i> AO14.7 Mechanical clearing does not occur in any of the following areas: 1. inside the defining bank of any watercourse or drainage feature; and 2. within 20 metres of the defining bank of any watercourse or drainage feature. AND	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Performance outcomes	Acceptable outcomes	Response
	<p>AO14.8 Mechanical clearing that is strip harvesting or block harvesting does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any watercourse or drainage feature; and 2. within 100 metres of the defining bank of any watercourse or drainage feature. 	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
Clearing associated with watercourses or drainage features (encroachment)		
<p>PO15 Clearing of encroachment maintains:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; and 2. water quality by filtering sediments, nutrients and other pollutants; and 3. aquatic habitat; and 4. terrestrial habitat. 	<p>AO15.1 Mechanical clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any watercourse or drainage feature; and 2. within 10 metres of the defining bank of a watercourse or drainage feature that is a stream order 1 or 2 watercourse or drainage feature; and 3. within 15 metres of the defining bank of a watercourse or drainage feature that is a stream order 3 or 4 watercourse or drainage feature; and 4. within 20 metres of the defining bank of a watercourse or drainage feature that is a stream order 5 or more watercourse or drainage feature. <p>AND</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AO15.2 Root-absorbed broad spectrum herbicides are not applied within whichever is the greater distance from the defining bank of a watercourse or drainage feature:</p> <ol style="list-style-type: none"> 1. 100 metres; or 2. any distance specified on the approved product label; or 3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority. 	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
Maintaining connectivity (public safety, relevant infrastructure activities, consequential development of IPA approval, extractive industry)		
<p>PO16 In consideration of vegetation on the land subject to the development application and on adjacent land, sufficient vegetation is retained to maintain ecological processes and remains in the landscape despite threatening processes.</p>	<p>AO16.1 Clearing occurs in accordance with table 16.3.3 in this code.</p>	<p>Complies with PO16 The development is located within a Coastal bioregion and sub-region and will maintain connectivity by complying with Table 16.3.3 as follows:</p> <ol style="list-style-type: none"> 1. The area of vegetation on-site is connected to an area of vegetation that is well in excess of 10ha; 2. The site currently contains approximately 166ha of Category B vegetation. Upon clearing being completed, the site will still have more than 164ha of vegetation remaining on-site (exact extent of clearing is unknown but will be less than 2ha);

Performance outcomes	Acceptable outcomes	Response
		<ol style="list-style-type: none"> 3. The overall vegetation area (as outlined above) is wider than 100 metres; 4. The width of vegetation (as outlined above) will not be cleared to less than 100 metres; and 5. The extent of vegetation on-site will not be reduced to less than 30 per cent of the total area of the site.
Connectivity areas (coordinated project)		
<p>PO17 In consideration of vegetation on the land subject to the development application and on adjacent land:</p> <ol style="list-style-type: none"> 1. sufficient vegetation is retained to maintain ecological processes and remains in the landscape despite threatening processes; or 2. where this not reasonably possible, the applicant provides an offset. 	<p>AO17.1 Clearing occurs in accordance with table 16.3.3 of this code.</p> <p>OR</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
	<p>AO17.2 Where clearing cannot be reasonably avoided; and clearing has been reasonably minimised; an offset is provided for any acceptable significant residual impact from clearing of vegetation that forms a connectivity area (a matter of state environmental significance).</p>	<p>N/A Not applicable in accordance with Table 16.2.1. of the SDAP.</p>
Maintaining connectivity (necessary environmental clearing - land restoration and natural disaster preparation)		
<p>PO18 In consideration of vegetation on the land subject to the development application and on adjacent land, sufficient vegetation is retained to maintain ecological processes and remains in the</p>	<p>AO18.1 Clearing occurs in accordance with table 16.3.3 of this code.</p> <p>OR</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>

Performance outcomes	Acceptable outcomes	Response
landscape despite threatening processes, or where this is not reasonably possible, the cleared area is rehabilitated.	AO18.2 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
Connectivity areas (necessary environmental clearing – natural channel diversion and contaminants removal)		
<p>PO19 In consideration of vegetation on the land subject to the development application and on adjacent land:</p> <ol style="list-style-type: none"> 1. sufficient vegetation is retained to maintain ecological processes and remains in the landscape despite threatening processes; or 2. where this is not reasonably possible, the applicant rehabilitates the cleared area; or 3. where this not reasonably possible, the applicant provides an offset. 	<p>AO19.1 Clearing occurs in accordance with table 16.3.3 of this code.</p> <p>OR</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
	<p>AO19.2 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.</p> <p>OR</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
	<p>AO19.3 Where clearing cannot be reasonably avoided, and:</p> <ol style="list-style-type: none"> 1. clearing has been reasonably minimised; and 2. the cleared area cannot be reasonably rehabilitated <p>an offset is provided for any acceptable significant residual impact from clearing of vegetation that forms a connectivity area (a matter of state environmental significance).</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>

Performance outcomes	Acceptable outcomes	Response
Soil erosion (public safety, relevant infrastructure activities, consequential development of Integrated Planning Act approval, coordinated project, necessary environmental clearing)		
<p>PO20 Clearing does not result in accelerated soil erosion within or outside the land the subject of the development application.</p>	<p>AO20.1 Clearing only occurs if an erosion and sediment control plan is developed and implemented to:</p> <ol style="list-style-type: none"> 1. prevent accelerated soil erosion; or 2. where prevention is not possible, minimise accelerated soil erosion. <p>OR</p>	<p>N/A See AO20.2 below.</p>
	<p>AO20.2 The local government is the assessment manager for the development application.</p>	<p>Complies with AO20.2 The local government is the assessment manager for the development application.</p>
Soil erosion (necessary to control non-native plants or declared pests, managing thickened vegetation, encroachment, fodder harvesting)		
<p>1. PO21 Clearing does not result in accelerated soil erosion within or outside the land subject of the development application.</p>	<p>AO21.1 Clearing only occurs where recognised best practice methods are employed to:</p> <ol style="list-style-type: none"> 1. prevent increased soil erosion resulting from the clearing; and 2. stabilise soil erosion which would result from clearing; and 3. prevent increased sediment run-off entering a wetland, watercourse or drainage feature as a result of the clearing. <p>AND</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>

Performance outcomes	Acceptable outcomes	Response
	<p><i>Clearing necessary to control non-native plants or declared pests:</i></p> <p>AO21.2 Mechanical clearing:</p> <ol style="list-style-type: none"> 1. does not occur on a slope greater than 15 percent; and 2. in each 50 by 50 metre area (0.25 hectares), retains 50 per cent of the ground cover and does not disturb more than 50 per cent of the ground cover. <p>AND</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
	<p>AO21.3 New access tracks required to provide necessary access to control a non-native plant or declared pests do not exceed five metres in width or de-stabilise the banks of any watercourse or drainage feature as a result of crossing, construction or use</p> <p>AND</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
	<p><i>Clearing for managing thickened vegetation:</i></p> <p>AO21.4 Mechanical clearing does not:</p> <ol style="list-style-type: none"> 1. occur in a regional ecosystem in table 16.3.4 of this code that states 'mechanical clearing not permitted'; 	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>

Performance outcomes	Acceptable outcomes	Response
	2. disturb more than 50 per cent of the ground surface or result in any hectare having less than 50 per cent ground cover; 3. occur on a slope greater than five per cent; and 4. occur within 50 metres of an area of existing accelerated soil erosion. AND	
	<i>Clearing for encroachment:</i> AO21.5 Mechanical clearing does not occur in any of the following areas: 1. within 50 metres of an area of soil erosion; and 2. slopes greater than 5 per cent. AND	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	<i>Clearing for fodder harvesting:</i> AO21.6 Mechanical clearing does not occur on a slope greater than five percent. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO21.7 Mechanical clearing does not occur within 50 metres of an areas of soil erosion and instability.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Performance outcomes	Acceptable outcomes	Response
Salinity (public safety, relevant infrastructure activities, consequential development of Integrated Planning Act 1997 approval, coordinated project, extractive industry, necessary environmental clearing, encroachment, fodder harvesting)		
PO22 Clearing does not contribute to or accelerate land degradation through waterlogging, or through the salinisation of groundwater, surface water or soil.	AO22.1 Clearing does not occur within 100 metres of a salinity expression area.	Complies with PO22 The clearing will not be located within 100 metres of a salinity expression area.
Conserving endangered and of concern regional ecosystems (public safety and relevant infrastructure activities, consequential development of Integrated Planning Act 1997 approval, coordinated project, extractive industry)		
PO23 Clearing maintains the current extent of endangered regional ecosystems and of concern regional ecosystems.	AO23.1 Clearing does not occur in an endangered regional ecosystem or an of concern regional ecosystem. OR	Complies with AO23.1 The development will not involve clearing within areas identified as an endangered regional ecosystem or an of concern regional ecosystem.
	AO23.2 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed the widths prescribed in table 16.3.1 of this code. OR	N/A See AO23.1 above.
	AO23.3 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed areas prescribed in table 16.3.1 of this code.	N/A See AO23.1 above.

Performance outcomes	Acceptable outcomes	Response
	OR	
	AO23.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any acceptable significant residual impact from clearing of endangered regional ecosystems and of concern regional ecosystems (a matter of state environmental significance).	N/A See AO23.1 above.
Essential habitat (public safety, relevant infrastructure activities, consequential development of Integrated Planning Act 1997 approval, coordinated project, extractive industry, fodder harvesting)		
PO24 Clearing maintains the current extent of essential habitat.	AO24.1 Clearing does not occur in essential habitat. OR	N/A There is no essential habitat located on site.
	AO24.2 Clearing in essential habitat does not exceed the widths prescribed in table 16.3.1 of this code.	N/A See AO24.1 above.
	OR	

Performance outcomes	Acceptable outcomes	Response
	AO24.3 Clearing in essential habitat does not exceed the areas prescribed in table 16.3.1 of this code. OR	N/A See AO24.1 above.
	AO24.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, an offset is provided for any acceptable significant residual impact from clearing of essential habitat (a matter of state environmental significance).	N/A See AO24.1 above.
Essential habitat (necessary environmental clearing – land restoration and natural disaster preparation)		
PO25 Clearing does not occur in essential habitat, or where this is not reasonably possible, the applicant rehabilitates the cleared area.	AO25.1 Clearing does not occur in essential habitat. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO25.2 Clearing in essential habitat does not exceed the widths prescribed in table 16.3.1 of this code. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Performance outcomes	Acceptable outcomes	Response
	AO25.3 Clearing in essential habitat does not exceed the areas prescribed in table 16.3.1 of this code. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO25.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
Essential habitat (necessary environmental clearing – natural channel diversion and contaminants removal)		
PO26 Clearing does not occur in essential habitat, or where this is not reasonably possible, the applicant rehabilitates the cleared area, or maintains the current extent of essential habitat.	AO26.1 Clearing does not occur in essential habitat. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO26.2 Clearing in essential habitat does not exceed the widths prescribed in table 16.3.1 of this code. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO26.3 Clearing in essential habitat does not exceed the areas prescribed in table 16.3.1 of this code. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Performance outcomes	Acceptable outcomes	Response
	<p>AO26.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.</p> <p>OR</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
	<p>AO26.5 Where clearing cannot be reasonably avoided, and:</p> <ol style="list-style-type: none"> 1. clearing has been reasonably minimised; and 2. the cleared area cannot be reasonably rehabilitated <p>an offset is provided for any acceptable significant residual impact from clearing of essential habitat (a matter of state environmental significance).</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
<p>Acid sulfate soils (public safety, relevant infrastructure activities, consequential development of Integrated Planning Act 1997 approval, coordinated project, extractive industry, necessary environmental clearing, necessary to control non-native plants or declared pests, managing thickened vegetation, encroachment)</p>		
<p>PO27 Clearing does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following:</p> <ol style="list-style-type: none"> 1. aeration of horizons containing iron sulphides; or 2. mobilisation of acid or metals. 	<p>AO27.1 Clearing does not occur in land zone 1, land zone 2 or land zone 3.</p> <p>OR</p>	<p>N/A See AO27.3 below.</p>
	<p>AO27.2 Clearing in land zone 1, land zone 2 or land zone 3 in areas below the five metre Australian Height Datum only occurs where:</p> <ol style="list-style-type: none"> 1. mechanical clearing does not disturb the soil to a depth greater than 30 centimetres; and 	<p>N/A See AO27.3 below.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>2. acid sulfate soils are managed consistent with the State Planning Policy, Department of Infrastructure, Local Government and Planning, July 2017, and with the soil management guidelines in the Queensland Acid Sulfate Soil Technical Manual, Department of Science Information Technology Innovation and the Arts, 2014.</p> <p>OR</p> <p>AO27.3 The local government is the assessment manager for the development application.</p>	<p>Complies with AO27.3 Mareeba Shire Council is the Assessment Manager for the development application.</p>
Clearing is staged (extractive industry)		
<p>PO28 Clearing:</p> <ol style="list-style-type: none"> 1. is staged in line with operational needs that restrict clearing to the current operational area; and 2. only occurs in the area from which material will be extracted, and any reasonably associated built infrastructure, within the term of the development approval; and 3. does not occur without required permits. 	<p>No acceptable outcome is prescribed.</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
Coordinated project – involving clearing for agriculture		

Performance outcomes	Acceptable outcomes	Response
PO29 Clearing only occurs where the land is suitable for agriculture having regard to topography, climate and soil attributes.	No acceptable outcome is prescribed.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
PO30 For applications for irrigated crops, the owner of the land has, or may have, access to enough water for establishing, cultivating and harvesting the crops to which the clearing relates.	No acceptable outcome is prescribed.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
Clearing for necessary environmental clearing – land restoration and natural disaster preparation		
PO31 Clearing does not occur, or where this is not reasonably possible, the applicant rehabilitates the cleared area.	AO31.1 Clearing retains all of the following: 1. habitat trees; 2. mature trees; and 3. the natural floristic composition and range of sizes across the application area. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO31.2 Clearing is for the purpose of natural disaster preparation and does not exceed the widths prescribed in table 16.3.1 of this code. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO31.3 Clearing is for the purpose of natural disaster preparation and does not exceed the areas prescribed in table 16.3.1 of this code.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Performance outcomes	Acceptable outcomes	Response
	OR	
	AO31.4 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the cleared area is rehabilitated.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
Clearing for necessary environmental clearing - natural channel diversion and contaminants removal		
PO32 Clearing does not occur, or where this is not reasonably possible, the applicant rehabilitates the cleared area or maintains the current extent of vegetation.	AO32.1 Clearing retains all of the following: <ol style="list-style-type: none"> 1. habitat trees; 2. mature trees; and 3. the natural floristic composition and range of sizes across the application area. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO32.2 Where clearing cannot be reasonably avoided, and clearing has been reasonably minimised, the regional ecosystem is rehabilitated. OR	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO32.3 Where clearing an endangered regional ecosystem or of concern regional ecosystem cannot be reasonably avoided, minimised or rehabilitated, an offset is provided for any acceptable significant	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Performance outcomes	Acceptable outcomes	Response
	residual impact from clearing of an endangered regional ecosystem or of concern regional ecosystem (a matter of state environmental significance).	
Conserving remnant vegetation that are regional ecosystems (necessary to control non-native plants or declared pests)		
PO33 Clearing activities: 1. maintain the natural floristic composition and range of sizes of each species of the regional ecosystem evenly spaced across the application area; and 2. retain all habitat and mature trees.	AO33.1 Mechanical clearing: 1. only occurs within 1.5 metres from the edge of the canopy of individual non-native plants, unless the clearing is required to provide necessary access to control a non-native plant or declared pest; and 2. does not occur using two machines linked by chain or cable; and 3. retains all habitat trees and mature trees. AND	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO33.2 Clearing to provide necessary access to control non-native plants or declared pests does not exceed five metres in width. AND	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO33.3 Any regional ecosystem burn is undertaken in accordance with the fire guideline for the regional ecosystem, as outlined in the Regional Ecosystem Description Database (REDD).	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Performance outcomes	Acceptable outcomes	Response
	AND	
	AO33.4 Chemical clearing retains all of the following: <ol style="list-style-type: none"> 1. mature trees; and 2. habitat trees; and 3. at least 50 per cent of immature trees in each 50 metre by 50 metre area. 	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AND AO33.5 Aerial application of a root-absorbed broad spectrum herbicides does not occur.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AND AO33.6 Root-absorbed broad spectrum herbicides are not applied within whichever distance is the greater from a mature tree or a habitat tree; <ol style="list-style-type: none"> 1. 30 metres; or 2. the distance specified on the approved product label; or 3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority. 	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
Restoring the regional ecosystem (managing thickened vegetation)		

Performance outcomes	Acceptable outcomes	Response
<p>PO34 Clearing activities:</p> <ol style="list-style-type: none"> 1. restore the natural floristic composition and range of sizes of each species of the regional ecosystem evenly spaced across the application area; and 2. retain mature trees, habitat trees and tall immature trees and thickets. 	<p>AO34.1 Clearing does not occur in thickets.</p> <p>AND</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
	<p>AO34.2 Clearing retains:</p> <ol style="list-style-type: none"> 1. all mature trees and habitat trees; 2. a full range of sizes and species typical of the regional ecosystem in the area; and 3. where the number of mature trees plus habitat trees is less than 20 per hectare, tall immature trees to total 20 mature trees, habitat trees and tall immature trees per hectare. <p>AND</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
	<p>AO34.3 Clearing does not result in debris stacked or pushed against a mature tree, habitat tree or tall immature tree.</p> <p>AND</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AO34.4 If clearing immature trees, retain immature trees in each 50 metre by 50 metre area to at least the density specified in table 16.3.4 of this code.</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
	<p>AO34.5 If clearing low shrubs:</p> <ol style="list-style-type: none"> 1. in regional ecosystems where clearing is restricted to low shrubs as specified in table 16.3.4 of this code – clearing retains all immature trees; 2. in regional ecosystems where clearing is not restricted to low shrubs as specified in table 16.3.4 of this code – clearing retains at least the number of immature trees specified in table 16.3.4 of this code; and 3. clearing retains at least 10 per cent of the predominate species that have thickened. <p>AND</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
	<p>AO34.6 Mechanical clearing does not occur within 5 metres of the trunk of a mature tree, habitat tree or tall immature tree.</p> <p>AND</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AO34.7 Clearing is not undertaken by:</p> <ol style="list-style-type: none"> 1. aerial application of any herbicide; 2. application of a root-absorbed broad spectrum herbicide. <p>AND</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
	<p>AO34.8 Chemical clearing does not occur within five metres of the trunk of a mature tree, habitat tree or tall immature tree.</p> <p>AND</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
	<p>AO34.9 Any regional ecosystem burn is undertaken in accordance with the fire guideline for the regional ecosystem, as outlined in the Regional Ecosystem Description Database (REDD).</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
<p>Clearing limited to specific regional ecosystems and specific clearing methods (managing thickened vegetation)</p>		

Performance outcomes	Acceptable outcomes	Response
<p>PO35 Clearing must be for the purpose of restoring the remnant regional ecosystem and only occur if all of the following apply:</p> <ol style="list-style-type: none"> 1. clearing is in regional ecosystems prescribed in table 16.3.4 of this code; and 2. clearing is in accordance with the clearing restrictions for the regional ecosystem prescribed in table 16.3.4 of this code. retain mature trees, habitat trees and tall immature trees and thickets. 	No acceptable outcome is prescribed.	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
Clearing limited to specific regional ecosystems (encroachment)		
<p>PO36 Clearing of encroachment does not occur, other than in the regional ecosystems listed in table 16.3.5 of this code.</p>	No acceptable outcome is prescribed.	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
Conserving vegetation (encroachment)		
<p>PO37 Clearing activities:</p> <ol style="list-style-type: none"> 1. result in the restoration of the regional ecosystem; and 2. retain all habitat trees; and 3. retain all groves; and 4. retain species which make up the natural floristic composition of the regional ecosystem, distributed in a natural pattern. 	<p>AO37.1 Clearing retains all of the following:</p> <ol style="list-style-type: none"> 1. all mature trees; and 2. all habitat trees; and 3. all woody vegetation within a grove, unless it is undertaken by a regional ecosystem burn. <p>AND</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
	<p>AO37.2 Any regional ecosystem burn is undertaken in accordance with the fire guideline for the regional</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>

Performance outcomes	Acceptable outcomes	Response
	ecosystem, as outlined in the Regional Ecosystem Description Database (REDD). AND	
	AO37.3 Clearing does not result in debris being stacked or pushed against a mature tree or a habitat tree. AND	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO37.4 Mechanical clearing does not occur within 10 metres of a mature tree or a habitat tree. AND	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO37.5 Aerial application of a herbicide does not occur. AND	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO37.6 Chemical clearing does not occur within five metres of a mature tree or a habitat tree. AND	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	AO37.7 Root-absorbed broad spectrum herbicides are not applied in any of the following areas: 1. regional ecosystems 11.4.11 and 11.8.11; and	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Performance outcomes	Acceptable outcomes	Response
	2. within whichever is the greater distance from a mature tree or a habitat tree: <ol style="list-style-type: none"> a. 10 metres; or b. the distance specified by the approved product label; or c. the safety and use conditions specified by the Australian Pesticides and Veterinary Medicines Authority; and 3. within whichever is the greater distance from a grove: <ol style="list-style-type: none"> 1. 30 metres; or 2. the distance specified by the approved product label; or 3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority. 	
Limits to clearing for fodder harvesting (fodder harvesting)		
PO38 Clearing is limited to: <ol style="list-style-type: none"> 1. the extent necessary to provide fodder for stock; and 	No acceptable outcome is prescribed.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Performance outcomes	Acceptable outcomes	Response
2. areas where the stock is located, and the stock have sufficient water.		
PO39 Clearing must only occur: 1. in regional ecosystems listed in table 16.3.6 or table 16.3.7 of this code; and 2. in accordance with the harvesting method limitations for the regional ecosystem listed in table 16.3.6 or table 16.3.7 of this code.	No acceptable outcome is prescribed.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
PO40 Clearing consists predominantly of fodder species.	No acceptable outcome is prescribed.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
Conserving vegetation (fodder harvesting)		
PO41 Clearing is carried out in a way that conserves: 1. remnant vegetation in perpetuity; and 2. the regional ecosystem in which the vegetation is situated.	AO41.1 Clearing does not result in the removal of non-fodder species with a height of four metres or more. AND	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.
	A042.2 Selective harvesting: 1. retains all non-fodder species except where the damage is an unavoidable consequence of clearing the selected fodder tree; and	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Performance outcomes	Acceptable outcomes	Response
	2. when using a chainsaw in regional ecosystems listed in table 16.3.6 of this code, retains at least one fodder tree for every fodder tree cleared; and 3. in least concern regional ecosystems listed in table 16.3.7 of this code, retains at least one fodder tree for each fodder tree cleared; and 4. in of concern regional ecosystems listed in table 16.3.7 of this code, retains at least two fodder trees for each fodder tree cleared. AND	
	AO41.3 Strip harvesting and block harvesting: 1. where fodder harvesting has previously occurred in an area of a lot, only occurs if all of the following apply: <ol style="list-style-type: none"> a. the vegetation has not been cleared in the last 10 years; and b. the average height of the fodder trees is at least 70 per cent of the height of the tallest stands of fodder species in the regional ecosystem; and c. the fodder trees that were previously harvested have now attained an average height of at least 4 metres; and 	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Performance outcomes	Acceptable outcomes	Response
	2. aligns clearing along the contour where practical; and 3. does not occur in patches of regional ecosystems that are less than 10 hectares in area or less than 500 metres wide. AND	
	AO41.4 Strip harvesting: 1. does not result in any strip harvesting area exceeding 50 metres in width; and 2. results in all strip retention areas: a. being preserved along the length of strip harvest areas to a width of at least 1.5 times that of the adjacent strip harvest area; and b. containing fodder species with an average height of at least four metres; and 3. does not result in clearing for machinery access between strip harvest areas exceeding 15 metres in width. AND	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.

Performance outcomes	Acceptable outcomes	Response
	<p>AO41.5 Block harvesting:</p> <ol style="list-style-type: none"> 1. does not result in any block harvest area exceeding one hectare; and 2. results in block retention areas: <ol style="list-style-type: none"> a. being preserved between block harvest areas in accordance with the widths specified in table 16.3.8 of this code; and b. containing fodder species with an average height of at least four metres; and 3. does not result in clearing for machinery access between block harvest areas exceeding 10 metres in width. 	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
Cleared vegetation (fodder harvesting)		
<p>PO42 Fodder harvesting is carried out in a way that results in the woody biomass of the cleared vegetation remaining where it is cleared.</p>	<p>No acceptable outcome is prescribed.</p>	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>
Conserving the fodder resource (fodder harvesting)		
<p>PO43 Fodder harvesting is carried out in a way that will conserve the fodder resource.</p>	<p>AO43.1 Clearing does not occur:</p> <ol style="list-style-type: none"> 1. in an area that has been cleared in the previous 10-year period; and 2. more than once in the same area of a lot; and 	<p>N/A Not applicable in accordance with Table 16.2.1 of the SDAP.</p>

Performance outcomes	Acceptable outcomes	Response
	3. in more than 50 per cent of the area of the regional ecosystem listed in table 16.3.6 and table 16.3.7 of this code on the lot; and 4. in areas required to be retained under this code, a development approval or any accepted development vegetation clearing code.	
Duration of clearing, preventing land degradation, and maintaining biodiversity, ecological processes and regional ecosystems (Vegetation retention purposes)		
PO44 The duration of clearing for a vegetation retention purpose occurs only for a period that: <ol style="list-style-type: none"> 1. will not contribute to land degradation; and 2. ensures the ongoing maintenance of ecological processes and biodiversity; and 3. maintains the regional ecosystem. 	No acceptable outcome is prescribed.	N/A Not applicable in accordance with Table 16.2.1 of the SDAP.