Assessment of application against relevant Development Codes

APPLICATION DETAILS

APPLICATION		PREMISES	
FILE NO:	OPW/17/0004	**ADDRESS:**	8-10 Forest Close, Kuranda
APPLICANT:	S & K Derakhshan	**RPD:**	Lot 3 on SP146500 & Lot 11 on RP851466
LODGED BY:	KFB Engineers	**AREA:**	Lot 3 – 6,290m^2 Lot 11 – 5,505m^2
DATE LODGED:	6 December 2017	**OWNER :**	S & K Derakhshan
TYPE OF APPROVAL:	Development Permit		
PROPOSED DEVELOPMENT:	Operational Works for Reconfiguring a Lot – Subdivision (2 into 3 Lots) Approval DA/16/0062		
PLANNING SCHEME:	Mareeba Shire Council Planning Scheme 2016		
ZONE:	Rural Residential		
LEVEL OF ASSESSMENT:	Code Assessment		
SUBMISSIONS:	N/A – Code Assessment only		

Relevant Development Codes

The following Development Codes are considered to be applicable to the assessment of the application:

6.2.10 Rural residential zone code
9.4.4 Reconfiguring a lot code
9.4.5 Works, services and infrastructure code

6.2.10 Rural residential zone code

6.2.10.1 Application

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

6.2.10.2 Purpose

(1) The purpose of the Rural residential zone code is to provide for residential development on large lots where local government infrastructure and services may not be provided on the basis that the intensity of development is generally dispersed.

(2) Mareeba Shire Council's purpose of the Rural residential zone code is to provide for residential development on a range of larger lots which take account of the history of rural residential development throughout the region. Limited agricultural and animal husbandry activities which contribute to a semi-rural setting may be appropriate on lots with areas in the upper range of lot sizes.

(3) The Rural residential zone has been broken into three precincts to cater for the distinct lot sizes and levels of servicing that historically occurred in this zone:
  (a) The 2 hectare precinct is characterised by significant clusters of larger rural residential lifestyle lots that have limited infrastructure and proximity to services. Lots within this precinct will not be reconfigured below 2 hectares in size;
  (b) The 1 hectare precinct is characterised by significant clusters of rural residential lifestyle lots that have limited access to infrastructure and proximity to services. Lots within this precinct will not be reconfigured below 1 hectare in size; and
  (c) The 4,000m^2 precinct is characterised by clusters of smaller rural residential lots in proximity to activity centres, where reticulated water supply and an urban standard of infrastructure (apart from sewerage) can be provided. Lots within this precinct will not be reconfigured below 4,000m².

(4) The purpose of the code will be achieved through the following overall outcomes:
  (a) The development of large rural residential lots with attendant provision of onsite infrastructure is facilitated;
  (b) Development within the zone preserves the environmental and topographical features of the land by integrating an appropriate scale of rural residential activities;
  (c) Development avoids areas of ecological significance;
  (d) Low-impact activities such as small-scale eco-tourism and outdoor recreation uses are permitted within the zone where the impacts of such uses are acceptable;
  (e) Natural features such as creeks, gullies, waterways, wetlands and vegetation and bushland are retained, enhanced and buffered from the impacts of development, with unavoidable impacts minimised through location, design, operation and management requirements;
  (f) Other uses may be appropriate where meeting the day to day needs of the rural residential catchment or having a direct relationship to the land in which the particular use is proposed. Any such uses should not have any adverse effects on the residential amenity of the area through factors such as noise generation, traffic generation or other factors associated with the use;

(g) Reconfiguring a lot will maintain the predominant lot size of the precinct or intended for the precinct; and

(h) Reconfiguring a lot involving the creation of new lots is not undertaken external to a precinct in the Rural residential zone in consideration of the inherent environmental, and/or physical infrastructure and/or social infrastructure constraints of Rural residential zoned land outside of identified precincts.

6.2.10.3 Criteria for assessment

Table 6.2.10.3—Rural residential zone code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
Height			
PO1 Building height takes into consideration and respects the following: (a) the height of existing buildings on adjoining premises; (b) the development potential, with respect to height, on adjoining premises; (c) the height of buildings in the vicinity of the site; (d) access to sunlight and daylight for the site and adjoining sites; (e) privacy and overlooking; and (f) site area and street frontage length.	**AO1** Development has a maximum building height of: (a) 8.5 metres; and (b) 2 storeys above ground level.	n/a	Not applicable at operational works stage.
Outbuildings and residential scale			
PO2 Domestic outbuildings: (a) do not dominate the lot on which they are located; and (b) are consistent with the scale and character of development in the Rural residential zone.	**AO2.1** On lots less than 2 hectares, domestic outbuildings do not exceed: (a) 150m^2 in gross floor area; and (b) 5.5 metres above natural ground level.	n/a	Not applicable at operational works stage.
	AO2.2	n/a	Not applicable at operational works stage.

Performance outcomes	Acceptable outcomes	Complies	Comments
	On lots greater than 2 hectares, domestic outbuildings do not exceed: (a) 200m^2 in gross floor area; and (b) 8.5 metres above natural ground level.		
Siting			
PO3 Development is sited in a manner that considers and respects: (a) the siting and use of adjoining premises; (b) access to sunlight and daylight for the site and adjoining sites; (c) privacy and overlooking; (d) opportunities for casual surveillance of adjoining public spaces; (e) air circulation and access to natural breezes; (f) appearance of building bulk; and (g) relationship with road corridors.	**AO3** Buildings and structures include a minimum setback of: (a) 40 metres from a frontage to a State-controlled Road; (b) 6 metres from a frontage to any other road; (c) 10 metres from a boundary to an adjoining lot in the 2 hectare precinct, 1 hectare precinct or the Rural zone or Conservation zone; (d) 5 metres from a boundary to an adjoining lot in the 4,000m^2 precinct; and (e) 3 metres from a side or rear boundary otherwise.	n/a	Not applicable at operational works stage.
Accommodation density			
PO4 The density of Accommodation activities: (a) contributes to housing choice and affordability; (b) respects the nature and density of surrounding land use; (c) does not cause amenity impacts beyond the reasonable expectation of accommodation	**AO4** Development provides a maximum density for Accommodation activities of 1 dwelling or accommodation unit per lot.	n/a	Not applicable at operational works stage.

Performance outcomes	Acceptable outcomes	Complies	Comments
density for the zone; and (d) is commensurate to the scale and frontage of the site.			
For assessable development			
Site cover			
PO5 Buildings and structures occupy the site in a manner that: (a) makes efficient use of land; (b) is consistent with the bulk and scale of surrounding buildings; and (c) appropriately balances built and natural features.	**AO5** No acceptable outcome is provided.	n/a	Not applicable at operational works stage.
Building design			
PO6 Building facades are appropriately designed to: (a) include visual interest and architectural variation; (b) maintain and enhance the character of the surrounds; (c) provide opportunities for casual surveillance; (d) include a human scale; and (e) encourage occupation of outdoor space.	**AO6** No acceptable outcome is provided.	n/a	Not applicable at operational works stage.

Performance outcomes	Acceptable outcomes	Complies	Comments
PO7 Development complements and integrates with the established built character of the Rural residential zone, having regard to: (a) roof form and pitch; (b) eaves and awnings; (c) building materials, colours and textures; and (d) window and door size and location.	**AO7** No acceptable outcome is provided.	n/a	Not applicable at operational works stage.
Non-residential development			
PO8 Non-residential development: (a) is consistent with the scale of existing development; (b) does not detract from the amenity of nearby residential uses; (c) does not impact on the orderly provision of non-residential development in other locations in the shire; and (d) directly supports the day to day needs of the immediate residential community; or (e) has a direct relationship to the land on which the use is proposed.	**AO8** No acceptable outcome is provided.	n/a	Not applicable at operational works stage.
Amenity			
PO9 Development must not detract from the amenity of the local area, having regard to: (a) noise; (b) hours of operation;	**AO9** No acceptable outcome is provided.		Standard operating hours for construction work will be conditioned as part of any development

Performance outcomes	Acceptable outcomes	Complies	Comments
(c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions.			permit for operational works.
PO10 Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions.	**AO10** No acceptable outcome is provided.		Standard operating hours for construction work will be conditioned as part of any development permit for operational works.

9.4.4 Reconfiguring a lot code

9.4.4.1 Application

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

9.4.4.2 Purpose

(1) The purpose of the Reconfiguring a lot code is to ensure that land is:
  (a) arranged in a manner which is consistent with the intended scale and intensity of development within the area;
  (b) provided with access to appropriate movement and open space networks; and
  (c) contributes to housing diversity and accommodates a range of land uses.

(2) The purpose of the code will be achieved through the following overall outcomes:
  (a) Subdivision of land achieves the efficient use of land and the efficient provision of infrastructure and transport services;
  (b) Lots are of a suitable size and shape for the intended or potential use having regard to the purpose and overall outcomes of the relevant zone or precinct.
  (c) Subdivision of land creates lots with sufficient area and dimensions to accommodate the ultimate use, meet user requirements, protect environmental features and account for site constraints;
  (d) A range and mix of lot sizes is provided to facilitate a variety of industry and housing types;
  (e) Subdivision design incorporates a road network that provides connectivity and circulation for vehicles and provide safe and efficient access for pedestrians, cyclists and public transport;
  (f) Subdivision design provides opportunities for walking and cycling for recreation and as alternative methods of travel;
  (g) Subdivision of land provides and integrates a range of functional parkland, including local and district parks and open space links for the use and enjoyment of the residents of the locality and the shire;
  (h) Subdivision of land contributes to an open space network that achieves connectivity along riparian corridors and between areas with conservation values;
  (i) Subdivision within the Rural zone maintains rural landholdings in viable parcels;
  (j) Land in historical townships is not reconfigured to be used for urban purposes; and
  (k) Residential subdivision and greenfield development is designed to consider and respect:
    i. topography;
    ii. climate responsive design and solar orientation;
    iii. efficient and sustainable infrastructure provision;
    iv. environmental values;
    v. water sensitive urban design;
    vi. good quality agricultural land; and
    vii. the character and scale of surrounding development.

9.4.4.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Complies	Comments
Area and frontage of lots			
PO1 Lots include an area and frontage that: (a) is consistent with the design of lots in the surrounding area; (b) allows the desired amenity of the zone to be achieved; (c) is able to accommodate all buildings, structures and works associated with the intended land use; (d) allow the site to be provided with sufficient access; (e) considers the proximity of the land to: (i) centres; (ii) public transport services; and (iii) open space; and (f) allows for the protection of environmental features; and (g) accommodates site constraints.	**AO1.1** Lots provide a minimum area and frontage in accordance with **Table 9.4.4.3B**.	n/a	Not applicable at operational works stage. Lots approved under development permit DA/16/0062.
Existing buildings and easements			
PO2 Reconfiguring a lot which contains existing land uses or existing buildings and structures ensures: (a) new lots are of sufficient area and dimensions to accommodate existing land uses, buildings and structures; and (b) any continuing use is not compromised by the reconfiguration.	**AO2.1** Each land use and associated infrastructure is contained within its individual lot.	n/a	Not applicable at operational works stage.
	AO2.2 All lots containing existing buildings and structures achieve the setback requirements of the relevant zone.	n/a	Not applicable at operational works stage.

Performance outcomes	Acceptable outcomes	Complies	Comments
PO3 Reconfiguring a lot which contains an existing easement ensures: (a) future buildings, structures and accessways are able to be sited to avoid the easement; and (b) the reconfiguration does not compromise the purpose of the easement or the continued operation of any infrastructure contained within the easement.	**AO3** No acceptable outcome is provided.	n/a	Not applicable at operational works stage.
Boundary realignment			
PO4 The boundary realignment retains all attendant and existing infrastructure connections and potential connections.	**AO4** No acceptable outcome is provided.	n/a	Not applicable at operational works stage.
Access and road network			
PO5 Access to a reconfigured lot (including driveways and paths) must not have an adverse impact on: (a) safety; (b) drainage; (c) visual amenity; (d) privacy of adjoining premises; and (e) service provision.	**AO5** No acceptable outcome is provided.	n/a	Not applicable at operational works stage.

Performance outcomes	Acceptable outcomes	Complies	Comments
PO6 Reconfiguring a lot ensures that access to a lot can be provided that: (a) is consistent with that provided in the surrounding area; (b) maximises efficiency and safety; and (c) is consistent with the nature of the intended use of the lot. Note—The Parking and access code should be considered in demonstrating compliance with PO6.	**AO6** Vehicle crossover and access is provided in accordance with the design guidelines and specifications set out in Planning Scheme Policy 4 – FNQROC Regional Development Manual.		Complies.
PO7 Roads in the Industry zone are designed having regard to: (a) the intended use of the lots; (b) the existing use of surrounding land; (c) the vehicular servicing requirements of the intended use; (d) the movement and turning requirements of B-Double vehicles. Note—The Parking and access code should be considered in demonstrating compliance with PO7.	**AO7** No acceptable outcome is provided.	n/a	Not applicable.
Rear lots			
PO8 Rear lots are designed to: (a) provide a high standard of amenity for residents and other users of the site; (b) provide a high standard of amenity for adjoining properties; and (c) not adversely affect the safety and efficiency of	**AO8.1** Rear lots are designed to facilitate development that adjoins or overlooks a park or open space.	n/a	Not applicable.
	AO8.2 No more than two rear lots are created behind any lot with a road frontage.	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
the road from which access is gained.	**AO8.3** Access to lots is via an access strip with a minimum width of: (a) 4 metres where in the Low density residential zone or Medium density residential zone; or (b) 8 metres otherwise.	n/a	Not applicable.
	AO8.4 A single access strip is provided to a rear lot along one side of the lot with direct frontage to the street. Note—Figure A provides further guidance in relation to the desired outcome.	n/a	Not applicable.
	AO8.5 No more than 1 in 10 lots created in a new subdivision are rear lots.	n/a	Not applicable.
	AO8.6 Rear lots are not created in the Centre zone or the Industry zone.	n/a	Not applicable.
Crime prevention and community safety			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO9 Development includes design features which enhance public safety and seek to prevent opportunities for crime, having regard to: (a) sightlines; (b) the existing and intended pedestrian movement network; (c) the existing and intended land use pattern; and (d) potential entrapment locations.	**AO9** No acceptable outcome is provided.	n/a	Not applicable.
Pedestrian and cycle movement network			
PO10 Reconfiguring a lot must assist in the implementation of a Pedestrian and cycle movement network to achieve safe, attractive and efficient pedestrian and cycle networks.	**AO10** No acceptable outcome is provided.	n/a	Not applicable.
Public transport network			
PO11 Where a site includes or adjoins a future public transport corridor or future public transport site identified through a structure planning process, development: (a) does not prejudice the future provision of the identified infrastructure; (b) appropriately treats the common boundary with the future corridor; and (c) provides opportunities to integrate with the adjoining corridor where a it will include an element which will attract pedestrian movement.	**AO11** No acceptable outcome is provided.	n/a	Not applicable.
Residential subdivision			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO12 Residential lots are: (a) provided in a variety of sizes to accommodate housing choice and diversity; and (b) located to increase variety and avoid large areas of similar lot sizes.	**AO12** No acceptable outcome is provided.	n/a	Not applicable.
Rural residential zone			
PO13 New lots are only created in the Rural residential zone where land is located within the 4,000m^2 precinct, the 1 hectare precinct or the 2 hectare precinct.	**AO13** No acceptable outcome is provided.	n/a	Not applicable.
Additional provisions for greenfield development only			
PO14 The subdivision design provides the new community with a local identity by responding to: (a) site context (b) site characteristics (c) setting (d) landmarks (e) natural features; and (f) views.	**AO14** No acceptable outcome provided.	n/a	Not applicable.
PO15 The road network is designed to provide a high level of connectivity, permeability and circulation for local vehicles, public transport, pedestrians and cyclists.	**AO15** No acceptable outcome provided.	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
PO16 The road network is designed to: (a) minimise the number of cul-de-sacs; (b) provide walkable catchments for all residents in cul-de-sacs; and (c) include open cul-de-sacs heads. Note—Figure B provides further guidance in relation to the desired outcome.	**AO16** No acceptable outcome provided.	n/a	Not applicable.
PO17 Reconfiguring a lot provides safe and convenient access to the existing or future public transport network.	**AO17** The subdivision locates 90% of lots within 400 metres walking distance of a future public transport route.	n/a	Not applicable.
PO18 The staging of the lot reconfiguration prioritises delivery of link roads to facilitate efficient bus routes.	**AO18** No acceptable outcome provided.	n/a	Not applicable.
PO19 Provision is made for sufficient open space to: (a) meet the needs of the occupiers of the lots and to ensure that the environmental and scenic values of the area are protected; (b) retain riparian corridors, significant vegetation and habitat areas and provides linkages between those areas; and (c) meet regional, district and neighbourhood open space requirements.	**AO19.1** A minimum of 10% of the site area is dedicated as open space.	n/a	Not applicable.
	AO19.2 A maximum of 30% of the proposed open space can consist of land identified as significant vegetation or riparian corridor buffer.	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
PO20 A network of parks and community land is provided: (a) to support a full range of recreational and sporting activities; (b) to ensure adequate pedestrian, cycle and vehicle access; (c) which is supported by appropriate infrastructure and embellishments; (d) to facilitate links between public open spaces; (e) which is co-located with other existing or proposed community infrastructure; (f) which is consistent with the preferred open space network; and (g) which includes a diversity of settings;	**AO20** No acceptable outcome is provided.	n/a	Not applicable.

9.4.5 Works, services and infrastructure code

9.4.5.1 Application

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

9.4.5.2 Purpose

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

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

9.4.5.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
Water supply			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO1 Each lot has an adequate volume and supply of water that: (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment.	**AO1.1** Development is connected to a reticulated water supply system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located: (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated water supply service area.	n/a	Not applicable.
	AO1.2 Development, where located outside a reticulated water supply service area and in the Conservation zone, Rural zone or Rural residential zone is provided with: (a) a bore or bores are provided in accordance with the Design Guidelines set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; or (b) on-site water storage tank/s: (i) with a minimum capacity of 90,000L; (ii) fitted with a 50mm ball valve with a camlock fitting; and (iii) which are installed and connected prior to the occupation or use of the development.		Complies.
Wastewater disposal			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO2 Each lot provides for the treatment and disposal of effluent and other waste water that: (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment.	**AO2.1** Development is connected to a reticulated sewerage system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located: (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area.	n/a	Not applicable.
	AO2.2 An effluent disposal system is provided in accordance with ASNZ 1547 On-Site Domestic Wastewater Management (as amended) where development is located: (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area.		Complies.
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	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
	AO3.2 On-site drainage systems are constructed: (a) to convey stormwater from the premises to a lawful point of discharge; and (b) in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.		Complies.
Electricity supply			
PO4 Each lot is provided with an adequate supply of electricity	**AO4** The premises: (a) is connected to the electricity supply network; or (b) has arranged a connection to the transmission grid; or (c) where not connected to the network, an independent energy system with sufficient capacity to service the development (at near average energy demands associated with the use) may be provided as an alternative to reticulated electricity where: (i) it is approved by the relevant regulatory authority; and (ii) it can be demonstrated that no air or noise emissions; and (iii) it can be demonstrated that no adverse impact on visual amenity will occur.		Will comply.
Telecommunications infrastructure			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO5 Each lot is provided with an adequate supply of telecommunication infrastructure	**AO5** Development is provided with a connection to the national broadband network or telecommunication services.		Will comply.
Existing public utility services			
PO6 Development and associated works do not affect the efficient functioning of public utility mains, services or installations.	**AO6** Public utility mains, services are relocated, altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.		Will comply.
Excavation or filling			
PO7 Excavation or filling must not have an adverse impact on the: (a) streetscape; (b) scenic amenity; (c) environmental values; (d) slope stability; (e) accessibility; or (f) privacy of adjoining premises.	**AO7.1** Excavation or filling does not occur within 1.5 metres of any site boundary.		Will comply.
	AO7.2 Excavation or filling at any point on a lot is to be no greater than 1.5 metres above or below natural ground level.		Will comply.
	AO7.3 Earthworks batters: (a) are no greater than 1.5 metres in height; (b) are stepped with a minimum width 2 metre berm; (c) do not exceed a maximum of two batters and two berms (not greater than 3.6 metres in total height) on any one lot; (d) have a slope no greater than 1 in 4; and (e) are retained.	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
	AO7.4 Soil used for filling or spoil from excavation is not stockpiled in locations that can be viewed from: (a) adjoining premises; or (b) a road frontage, for a period exceeding 1 month from the commencement of the filling or excavation.		Complies.
	AO7.5 All batters and berms to be constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.		Complies.
	AO7.6 Retaining walls have a maximum height of 1.5 metres and are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.		Complies.
	AO7.7 Excavation or filling at any point on a lot is to include measures that protect trees at the foot or top of cut or fill batters by the use of appropriate retaining methods and sensitive earth removal or placement and in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.		Complies.
For assessable development			
Transport network			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO8 The development has access to a transport network of adequate standard to provide for the safe and efficient movement of vehicles, pedestrians and cyclists.	**AO8.1** Vehicle access, crossovers, road geometry, pavement, utilities and landscaping to the frontage/s of the site are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.		Complies.
	AO8.2 Development provides footpath pavement treatments in accordance with Planning Scheme Policy 9 – Footpath Paving.	n/a	Not applicable.
Public infrastructure			
PO9 The design, construction and provision of any infrastructure that is to be dedicated to Council is cost effective over its life cycle and incorporates provisions to minimise adverse impacts.	**AO9** Development is in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.		Complies.
Stormwater quality			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO10 Development has a non-worsening effect on the site and surrounding land and is designed to: (a) optimise the interception, retention and removal of waterborne pollutants, prior to the discharge to receiving waters; (b) protect the environmental values of waterbodies affected by the development, including upstream, on-site and downstream waterbodies; (c) achieve specified water quality objectives; (d) minimise flooding; (e) maximise the use of natural channel design principles; (f) maximise community benefit; and (g) minimise risk to public safety.	**AO10.1** The following reporting is prepared for all Material change of use or Reconfiguring a lot proposals: (a) a Stormwater Management Plan and Report that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; and (b) an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation Control Guidelines (Institute of Engineers Australia), including: (i) drainage control; (ii) erosion control; (iii) sediment control; and (iv) water quality outcomes.		Complies.

Performance outcomes	Acceptable outcomes	Complies	Comments
	AO10.2 For development on land greater than 2,500m^2 or that result in more than 5 lots or more than 5 dwellings or accommodation units, a Stormwater Quality Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) is prepared that demonstrates that the development: (a) meets or exceeds the standards of design and construction set out in the Urban Stormwater Quality Planning Guideline and the Queensland Water Quality Guideline; (b) is consistent with any local area stormwater water management planning; (c) accounts for development type, construction phase, local climatic conditions and design objectives; and (d) provides for stormwater quality treatment measures reflecting land use constraints, such as soil type, landscape features (including landform), nutrient hazardous areas, acid sulfate soil and rainfall erosivity.		Complies.

Performance outcomes	Acceptable outcomes	Complies	Comments
PO11 Storage areas for stormwater detention and retention: (a) protect or enhance the environmental values of receiving waters; (b) achieve specified water quality objectives; (c) where possible, provide for recreational use; (d) maximise community benefit; and (e) minimise risk to public safety.	**AO11** No acceptable outcome is provided.		Complies where applicable.
Excavation or filling			
PO12 Traffic generated by filling or excavation does not impact on the amenity of the surrounding area.	**AO12.1** Haul routes used for transportation of fill to or from the site only use major roads and avoid residential areas.		Complies.
	AO12.2 Transportation of fill to or from the site does not occur: (a) within peak traffic times; and (b) before 7am or after 6pm Monday to Friday; (c) before 7am or after 1pm Saturdays; and (d) on Sundays or Public Holidays.		Complies.

Performance outcomes	Acceptable outcomes	Complies	Comments
PO13 Air pollutants, dust and sediment particles from excavation or filling, do not cause significant environmental harm or nuisance impacts.	**AO13.1** Dust emissions do not extend beyond the boundary of the site.		Complies.
	AO13.2 No other air pollutants, including odours, are detectable at the boundary of the site.		Complies.
	AO13.3 A management plan for control of dust and air pollutants is prepared and implemented.		Complies.
PO14 Access to the premises (including driveways and paths) does not have an adverse impact on: (a) safety; (b) drainage; (c) visual amenity; and (d) privacy of adjoining premises.	**AO14** Access to the premises (including all works associated with the access): (a) must follow as close as possible to the existing contours; (b) be contained within the premises and not the road reserve, and (c) are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.		Complies.
Weed and pest management			
PO15 Development prevents the spread of weeds, seeds or other pests into clean areas or away from infested areas.	**AO15** No acceptable outcome is provided.		Complies.
Contaminated land			

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