

4 January 2021

Our Ref: 20-585

Chief Executive Officer

Mareeba Shire Council
PO Box 154
MAREEBA QLD 4880

Attention: Mr. Carl Ewin (CarlE@msc.qld.gov.au)

Dear Carl,

**RE: DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT (1 LOT INTO 2 LOTS)
AT 46 TYRCONNEL ROAD, PADDYS GREEN.**

We refer to the above-described matter and confirm that Urban Sync Pty Ltd has been engaged by Ann Margaret Leighton and Elizabeth Hannah Crisp (the 'Applicants') to provide development advice and submit an application to Mareeba Shire Council for assessment with respect to the above described land.

It is intended to subdivide the land into two (2) separate titles with access arrangements and all services to the land to remain unchanged. The proposal for a subdivision complies with the intent for the land under Mareeba Shire Council's Planning Frameworks and we are seeking an approval with relevant development conditions.

In support of the application, we attach the following documents to assist with your assessment:

- DA Form 1 as **Attachment 1**;
- Proposal Plan (1 Lot into 2 Lots) prepared by RPS as **Attachment 2**;
- Site Searches as **Attachment 3**;
- Pre-lodgement Correspondence with Mareeba Shire Council as **Attachment 4**;
- Assessment of the State Development Assessment Provisions as **Attachment 5**; and
- Assessment of the applicable development codes under the *Mareeba Shire Council Planning Scheme 2016* as **Attachment 6**.

In accordance with Council's Schedule of Fees 2020/21, the application fee to the amount of **\$1,065.00 NO GST** has been made to facilitate lodgement of this application. A receipt will be provided to Council in the coming days. In accordance with s51(2) of the *Planning Act 2016*, landowner's signed consent forms are not required in this instance as the proposal is submitted for and on behalf of the relevant landowners on title.

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,



Justin Phipps
Town Planner

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TOWN PLANNING REPORT

DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT

1 LOT INTO 2 LOTS

46 TYRCONNELL ROAD, PADDYS GREEN

4 January 2021

CONTENTS

1	EXECUTIVE SUMMARY	5
2	APPLICATION DETAILS	6
2.1	Application Summary.....	6
2.2	Plans of Development.....	7
3	SITE DETAILS	8
3.1	Site Description.....	8
3.2	Site Analysis.....	9
3.3	Infrastructure and Services	9
4	DEVELOPMENT BACKGROUND	11
4.1	Relevant Approvals	11
4.2	Prelodgement Meetings	11
5	DEVELOPMENT PROPOSAL	12
5.1	General Description	12
5.2	Description of the Development.....	12
5.2.1	Reconfiguring a Lot.....	12
5.3	Staging	12
5.4	Engineering and Infrastructure Provision	13
5.4.1	Water Supply.....	13
5.4.2	Sewerage Supply	13
5.4.3	Electricity.....	13
5.4.4	Telecommunications.....	13
5.4.5	Stormwater Drainage (Quantity)	13
5.4.6	Stormwater Drainage (Quality).....	13
5.4.7	Bulk Earthworks	13
5.4.8	Erosion and Sediment Control	13
5.5	Transport and Accessibility	13
5.5.1	External Upgrades.....	13
5.5.2	Access Locations.....	13
5.6	Infrastructure Charges	14
6	LEGISLATIVE REQUIREMENTS.....	15
6.1	Planning Act 2016.....	15
6.1.1	Confirmation that the Development is not Prohibited	15
6.1.2	Assessable Development.....	15
6.1.3	Level of Assessment.....	15
6.1.4	Statutory Considerations for Assessable Development.....	15
6.1.5	Assessment Manager	15
6.2	Far North Queensland Regional Plan.....	15
6.3	State Planning Policy	16
6.4	Referrals & State Development Assessment Provisions.....	16
6.5	Planning Scheme (Mareeba SHire Council Planning Scheme 2016)	17
6.5.1	Applicable Overlays.....	17
6.5.2	Applicable Codes	17

6.6	Planning Scheme Assessment	18
6.6.1	Strategic Framework.....	18
6.6.2	Rural Zone Code.....	18
6.6.3	Overlay Code/s.....	20
	Agricultural Land Overlay Code.....	20
	Aviation Infrastructure Overlay Code	20
	Bushfire Hazard Overlay Code.....	20
	Environmental Significance Overlay Code.....	21
	Hill and Slope Overlay Code	21
6.6.4	Development Codes	21
	Reconfiguring a Lot Code.....	21
	Landscaping Code	21
	Parking and Access Code	21
	Works, Services & Infrastructure Works Code.....	21
7	DISCUSSION – KEY PLANNING MATTERS.....	22
8	CONCLUSION.....	23

FIGURES

Figure 1: Site location – 46 Tyrconnell Road, Paddys Green (Source: Queensland Globe, State of Queensland 2020).....	8
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TABLES

Table 1: Subdivision Statistics.....	12
Table 2: Calculation of Infrastructure Charges	14
Table 3: Applicable Planning Scheme Codes for Assessment	17
Table 4: Assessment Against Purpose and Overall Outcomes of Rural Zone Code.....	18
Table 5: Assessment against the provisions of the TLPI.....	21

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Limitation: This report has been prepared on behalf of Urban Sync Pty Ltd for our client, Ann Margaret Leighton and Elizabeth Hannah Crisp and considers the instructions and requirements of Ann Margaret Leighton and Elizabeth Hannah Crisp 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
20-585	1.0	04/01/2021	JJP	SDR	SDR

04/01/2021

FINAL Version 1.0

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I EXECUTIVE SUMMARY

Urban Sync Pty Ltd ('Urban Sync') are the nominated representatives for Ann Margaret Leighton and Elizabeth Hannah Crisp (the 'Applicant') who are requesting the requisite statutory development approval from Mareeba Shire Council (Council) to approve a subdivision of rural land (1 Lot into 2 Lots) over Lot 147 on SP227506 at 46 Tyrconnell Road, Paddys Green (the 'site').

The project involves the subdivision of the site to into two (2) individual freehold rural allotments more than 100ha and will continue to be utilised for agricultural activities (cattle grazing) and rural living activities over the two (2) separate allotments. The subdivision complies with the minimum lot size requirements of the Planning Scheme AND Temporary Local Planning Instrument that remains in effect and as a result, we consider that the development does NOT offend the purpose and intent of the Rural zone.

The land is traversed by Mareeba-Dimbulah Road meaning that the assessment will include referral to the State Government (via DTMR) and it remains the intent to only retain the existing access arrangements.

In a planning context, the site is located within the 'Rural' zone of the *Mareeba Shire Council Planning Scheme 2016* (Planning Scheme) where the local government purpose of the Rural Zone code is to *"recognise the importance of primary production to the economy of the region and to maintain and strengthen the range of primary industries which contribute to the rural economy."*

Reconfiguring a Lot in the Rural Zone triggers the need for a **Code Assessable** development application, subject to assessment against the provisions of the current Planning Scheme, to be lodged with and approved by Council. Accordingly, this application seeks the following approvals:

- **Development Permit for Reconfiguring a Lot (1 Lot into 2 Lots)**

This report has been undertaken to:

- Examine the physical characteristics of the site and their appropriateness in relation to the subdivision;
- Accurately describe the subdivision, as reflected in the proposal plans prepared by RPS;
- Address all applicable statutory requirements triggered through the *Planning Act 2016* (PA), *Planning Regulations 2017* (PR), *State Planning Policy 2017* and the Planning Scheme
- Where required, provide commentary on the identified areas of non-compliance with the Planning Scheme and in doing so, demonstrate that the subdivision complies with the applicable Assessment Benchmarks.

Allowing subdivision of larger rural allotments is remains allowable under the existing planning frameworks which are applicable to the site where the development can provide for suitable lot sizes for the continuing function of rural activities as the primary purpose and maintaining a degree of 'rural' amenity. There are very few departures away from the 'deemed to comply' Acceptable Outcomes within the Planning Frameworks, 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.

Accordingly, we now submit this application to Mareeba Shire 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

Approvals Sought:	Development Permit for Reconfiguring a Lot (1 Lot into 2 Lots)
Applicant:	Ann Margaret Leighton and Elizabeth Hannah Crisp C/- Urban Sync Pty Ltd PO Box 2970 CAIRNS QLD 4870
Registered Landowner:	Ann Margaret Leighton and Elizabeth Hannah Crisp
Project Description Details:	Two (2) lot Rural subdivision
ASSESSMENT DETAILS	
Assessment Manager:	Mareeba Shire Council
Development Category:	Assessable Development
Assessment Category:	Code Assessable
Public Notification:	N/A
PRE-LODGEMENT CONSULTATION	
Council:	Yes – See Section 4.2
State Authority:	Nil
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; • Mining and Extractive Resources; • Biodiversity; • Natural Hazards Risk and Resilience; • Transport Infrastructure; and • Strategic Airports and Aviation Facilities.
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 • Areas within 25m of a State-controlled Road
Referrals:	Yes State Controlled Road (Mareeba-Dimbulah)

RELEVANT LOCAL PLANNING INSTRUMENTS	
Planning Scheme:	Mareeba Shire Council Planning Scheme 2016
Zone:	Rural
Zone Precinct:	N/A
Overlays:	<ul style="list-style-type: none"> ▪ Agricultural Land; ▪ Aviation Infrastructure; ▪ Bushfire Hazard; ▪ Environmental Significance – Waterways; ▪ Environmental Significance - Regionwide ▪ Hill and Slope; ▪ Transport Infrastructure.

2.2 PLANS OF DEVELOPMENT

Project	DWG No.	Issue	Prepared By	Date
Subdivision Plan of Lot 147 & 148 Cancelling Lot 147 on SP227506 Tyrconnell Road, Paddys Green	PR148743-1	A	RPS	16/12/2020

3 SITE DETAILS

3.1 SITE DESCRIPTION

Registered Landowner:	Ann Margaret Leighton and Elizabeth Hannah Crisp
Site Location:	46 Tyrconnell Road, Paddys Green
Lot and Description:	Lot 147 on SP227506
Site Area:	276.4ha
Tenure:	Freehold
Easements/Encumbrances:	Yes There are a number of Leases over the existing telecommunications tower and these are elaborated upon in the Title Search provided in Attachment 1 .
Local Government Authority:	Mareeba Shire Council



Figure 1: Site location – 46 Tyrconnell Road, Paddys Green (Source: Queensland Globe, State of Queensland 2020).

3.2 SITE ANALYSIS

Current Use/s	Rural Activities – Cattle Grazing
Existing Improvements:	<p>The site is improved with one (1) existing dwelling house, a shed, and a telecommunications tower.</p> <p>There are some informal access tracks and cattle fencing evident throughout the site; however, the remainder of the site remains unimproved.</p>
Topography:	<p>The topography of the site generally falls from the north, east and side boundaries of the northern portion of the site with the lowest lying land evident at the middle of the site as it progresses towards Mareeba Dimbulah Road.</p> <p>The southern portion of the site that is separated by the Mareeba Dimbulah Road is the lowest lying land and falls from the northern lot boundary progressively towards the southern boundary.</p>
Waterways:	Approximately five (5) waterways traverse the site.
Vegetation:	<p>The site contains dense areas of native vegetation located generally along the whole length of the eastern side boundary of the northern allotment leading into the middle and west of the site.</p> <p>The southern portion of the site is almost wholly comprised by native vegetation with only the northern portion containing spare areas of vegetation due to the rocky topography.</p>
Environmental Management & Contaminated Land:	To the best of Urban Sync's knowledge, the site is NOT listed on the Environmental Management Register or the Contaminated Lands Register.
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 850m frontage to Mareeba Dimbulah Road, an approximate 1,960m frontage to Tyrconnell Road, and a 1,730m frontage to Ivcevic Road.</p> <p><u>Mareeba Dimbulah Road:</u></p> <p>Mareeba Dimbulah Road is identified as a State-controlled Road in Council's road hierarchy. Mareeba Dimbulah Road is a marked, single lane, undivided two-way, 8m wide, sealed carriageway within a 60m (approx.) wide road reserve. The road reserve is unimproved.</p> <p><u>Tyrconnell Road:</u></p> <p>Tyrconnell Road is identified as a Minor Rural Road in Council's road hierarchy. Tyrconnell Road is a marked, single lane, undivided two-way, 8m wide, sealed carriageway within a 40m (approx.) wide road reserve. The road reserve is unimproved.</p> <p><u>Ivcevic Road:</u></p> <p>Ivcevic Road is identified as a Minor Rural Road in Council's road hierarchy. Ivcevic Road is an unmarked, single lane, undivided two-way, 8m wide, unsealed carriageway within a 35m (approx.) wide road reserve. The road reserve is unimproved.</p>
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Water Supply:	This site is serviced by water tanks and is not connected to Council's reticulated water infrastructure.
Sewerage Supply:	The site is not connected to Council's reticulated sewerage network and the existing dwelling on-site is serviced by an on-site effluent system.
Stormwater:	Stormwater from the site appears to be discharged via sheet flow to the numerous waterways located over the site.
Electricity & Telecommunications:	The site is connected to both electricity and telecommunications services.

4 DEVELOPMENT BACKGROUND

4.1 RELEVANT APPROVALS

An online search of Council's 'existing applications' did not uncover any existing approvals over the site. We are also unaware of any previous approvals that may have been obtained.

4.2 PRELODGEEMENT MEETINGS

Urban Sync sought pre-lodgement advice from Council's Planning Officers, Brian Millard and Carl Ewin in regard to the subdivision (as reflected on the proposal plans) given the extensive overlays affecting the site.

Council confirmed that due to the size of the site, future development would be able to be suitably located away from these areas of environmental significance and generally able to achieve compliance with the intent of the Planning Scheme for a Rural subdivision. As a result, no ecological assessment or reporting documentation would be required in this instance.

Council did advise that consideration against the applicable codes and Temporary Local Planning Instrument would be required to ensure compliance with the Planning Scheme, of which has been undertaken and included within this Planning Report and attached supporting documentation.

A copy of this correspondence with Council is included in **Attachment 4**.

5 DEVELOPMENT PROPOSAL

5.1 GENERAL DESCRIPTION

This application seeks the requisite statutory development approval from Mareeba Shire Council to support the rural subdivision of Lot 147 on SP227506 at 46 Tyrconnell Road, Paddys Green into two (2) new freehold rural allotments.

Accordingly, this development application seeks the following approval:

- **Development Permit for Reconfiguring a Lot (1 Lot into 2 Lots)**

5.2 DESCRIPTION OF THE DEVELOPMENT

5.2.1 Reconfiguring a Lot

The subdivision involves the creation of two (2) new Rural allotments, generally as depicted in the plan of subdivision prepared by RPS in **Attachment 2**. The summarised development statistics for the subdivision are detailed below in **Table 1**.

Table 1: Subdivision Statistics

Reconfiguring a Lot Proposal					
Number of Existing Lots		One (1)	Number of Proposed Lots		Two (2)
Parkland	Nil	Easements	Nil	Leases	Yes – Refer to Title Search in Attachment 1
Proposed Reconfiguration Arrangements					
Current			Proposed		
Description	Area	Road Frontage	Lot Number	Area	Road Frontage
Lot 147 on SP227506	276.4ha	<ul style="list-style-type: none"> ▪ 850m frontage to Mareeba Dimbulah Road; ▪ 1,960m frontage to Tyrconnell Road; and ▪ 1,730m frontage to Ivicovic Road. 	147	156.2ha	<ul style="list-style-type: none"> ▪ 850m frontage to Mareeba Dimbulah Road; and ▪ 880m to Tyrconnell Road.
			148	120.0ha	<ul style="list-style-type: none"> ▪ 1,730m frontage to Ivicovic Road; and ▪ 1,080m to Tyrconnell Road.

5.3 STAGING

The subdivision will not be staged.

5.4 ENGINEERING AND INFRASTRUCTURE PROVISION

5.4.1 Water Supply

Lot 148 will be service by rainwater tanks and Lot 147 will continue to utilise the existing rainwater tanks already on-site.

5.4.2 Sewerage Supply

Lot 148 will be serviced by an on-site effluent system while Lot 147 will continue to utilise the existing on-site effluent system that currently services the dwelling house.

5.4.3 Electricity

The existing dwelling on Lot 147 is already connected to electricity infrastructure and no changes are proposed to this connection.

Lot 148 will connect to electricity infrastructure in accordance with Ergon's requirements.

5.4.4 Telecommunications

The existing dwelling on Lot 147 is already connected to telecommunications infrastructure and no changes are proposed to these connections.

Lot 148 will connect to telecommunication services in accordance with NBN's requirements.

5.4.5 Stormwater Drainage (Quantity)

Stormwater over the site will continue to drain to the numerous waterways located throughout the site via sheet flow. No changes to these existing arrangements are proposed.

5.4.6 Stormwater Drainage (Quality)

In accordance with the definition of 'urban purposes' in the *Planning Regulations 2017*, development in the Rural zone is not considered an Urban Purpose. Hence, in accordance with the State Planning Policy 2017, no stormwater quality measures are required, nor proposed for the operational phase. Compliance can be conditioned for the construction phase.

5.4.7 Bulk Earthworks

No bulk earthworks will be required to facilitate the subdivision.

5.4.8 Erosion and Sediment Control

An erosion and sediment control plan will be prepared and implemented during the construction of the subdivision.

5.5 TRANSPORT AND ACCESSIBILITY

5.5.1 External Upgrades

No external upgrades are proposed.

5.5.2 Access Locations

Access to each Lot is existing and will be as follows:

- Lot 147 – via the existing access to the Dwelling House off Tyrconnell Road; and
- Lot 148 – via the existing access off Ivcevic Road.

5.6 INFRASTRUCTURE CHARGES

Chapter 4 of the PA – Infrastructure, outlines provisions for local governments to prescribe infrastructure charges for demands placed on trunk infrastructure where a Local Government Infrastructure Plan (LGIP) is included as part of the Planning Scheme and is adopted by resolution. These provisions have been reflected in Cairns Regional Council Infrastructure Charges Resolution (No. 2) 2017 (AICR), which came into effect from 8 November 2017.

The site is in the Rural Zone which is located within the Priority Infrastructure Area of the Mareeba Shire Council Local Government Area. In accordance with Council's AICR, Infrastructure Charges are applicable to the development calculated as follows:

- Charges based on the proposed development (see Council's AICR); less
- Discounts for the existing lawful uses over the site.

Table 2: Calculation of Infrastructure Charges

Category	Use Charge	Unit of Measure	Charge Rate	No of Units	Amount
Proposal					
Residential	Dwelling House	Per 3 or more-bedroom dwelling	\$11,568.00 ¹	2	\$23,136.00
Credit					
Residential	Dwelling House	Per 3 or more-bedroom dwelling	\$11,568.00 ¹	1	\$11,568.00
TOTAL					\$15,986.53

¹As the development is for a rural subdivision; the site is not connected to Council's reticulated sewerage or water infrastructure. Hence, a 40% deduction (\$7,712.00) to the original amount (\$19,280.00) in Infrastructure Charges is applicable in this instance.

6 LEGISLATIVE REQUIREMENTS

6.1 PLANNING ACT 2016

6.1.1 Confirmation that the Development is not Prohibited

The subdivision 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').

6.1.2 Assessable Development

The subdivision involves Reconfiguring a Lot in respect to '*creating lots by subdividing another lot*'. Reconfiguring a Lot in the Rural Zone is "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 Level of Assessment

In accordance with the Temporary Local Planning Instrument (TLPI) No. 01 of 2019 (Subdivision in Rural Zone) that was introduced on 6 December 2019 by the Minister for State Development, Manufacturing, Infrastructure and Planning, as the proposal seeks to subdivide the site into two (2) allotments greater than 60ha, the development is **Code Assessable**.

6.1.4 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(2), and 62 of the PA and Sections 25 to 28 of the PR. Specifically, section 60(2) of the PA states for a Code Assessable application, the Assessment Manager:

- a) *"Must decide to approve the application to the extent the development complies with all of the assessment benchmarks;*
- b) *May decide to approve the application even if it does not comply with some of the assessment benchmarks, provided for example, a decision to approve resolves a conflict between the assessment benchmarks;*
- c) *May impose development conditions on a development approval; and*
- d) *May, to the extent the development does not comply with some or all the assessment benchmarks, decide to refuse the application, only if compliance cannot be achieved by imposing development conditions"*

6.1.5 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 Area' 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, as it applies in the Planning Scheme area. 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 a State interest, as outlined below (see also **Attachment 3**):

- Agriculture (Important Agricultural Areas, and Agricultural Land Classification – Class A & B);
- Mining and Extractive Resources (Key Resource Area – Resource/Processing Area, Separation Area, and Transport Route Separation Area);
- Biodiversity (MSES – Wildlife Habitat (Endangered or Vulnerable), Regulated Vegetation (Category R & Intersecting a Watercourse);
- Natural Hazards Risk and Resilience (Bushfire Prone Area);
- Transport Infrastructure (State-controlled Road);
- Strategic Airports and Aviation Facilities (Wildlife Hazard Buffer Zone and Aviation Facility).

The Minister has identified that the Planning Scheme appropriately advances the SPP except for the Environment and Heritage (Coastal Environment), Hazards and Safety (Natural Hazards – Coastal Hazards), and Infrastructure (Strategic Ports). 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 land 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 & B Extract);
- State Transport Corridor (State-controlled Road); and
- Areas within 25m of a State Transit Corridor (Area within 25m of a State-controlled Road).

In consultation with the PR and the above identified matters of interest, the proposed subdivision triggers the following referral:

- State Assessment Referral Agency – Schedule 10, Part 9, Division 4, Subdivision 2, Table 1, Item 1 – Reconfiguring a Lot near a State transport corridor; and
- State Assessment Referral Agency – Schedule 10, Part 9, Division 4, Subdivision 2, Table 3, Item 1 – Reconfiguring a Lot near a State-controlled Road Intersection.

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

- State Code 1 – Development in a State-controlled Road Environment.

A full assessment against this module has been provided in **Attachment 5**.

6.5 PLANNING SCHEME (MAREEBA SHIRE COUNCIL PLANNING SCHEME 2016)

6.5.1 Applicable Overlays

The land is affected by the following Planning Scheme overlays:

- Agricultural Land (Class A);
- Aviation Infrastructure (Area of Interest – 15,000 metre buffer);
- Bushfire Hazard (Medium, High and Very High Potential Bushfire Intensity and Potential Impact Buffer – 100 meters);
- Environmental Significance – Waterways (Waterway and 100m Buffer);
- Environmental Significance - Regionwide (Ecological Corridor, Habitat Linkage, Wildlife Habitat, Regulated Vegetation);
- Hill and Slope (Hill and Slope Area)
- Transport Infrastructure (Minor Rural Road and State-controlled Road).

6.5.2 Applicable Codes

Table 3 below lists the applicable codes of the Planning Scheme the subdivision is subject to assessment against.

Table 3: Applicable Planning Scheme Codes for Assessment

Scheme Component	Comment
Zone Code	
Rural Zone Code	Refer to Attachment 6 and section 6.6.2 .
Local Plan Code	
Nil	Nil
Overlay Codes	
Agricultural Land Overlay Code; Aviation Infrastructure Overlay Code; Bushfire Hazard Overlay Code; Environmental Significance Overlay Code; and Hill and Slope Overlay Code.	Refer to Attachment 6 and section 6.6.3 .
Development Codes	
Reconfiguring a Lot Code; Landscaping Code; Parking and Access Code; and Works, Services and Infrastructure Code.	Refer to Attachment 6 and section 6.6.4 .

Based on a reasonable assessment, the Planning Scheme and TLPI does not prevent or discourage the subdivision of Rural land into allotments that exceed 60ha as they remain consistent with the Planning Frameworks that apply to the land.

However, assessment needs to consider and ensure that all site features, constraints and development impacts can be suitably managed. Accordingly, the subdivision 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 subdivision against the applicable codes of the Planning Scheme and this assessment is included in **Attachment 6** and summarised below.

Where the subdivision 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,

In this instance, the site has several, real, site specific constraints that need to be suitably addressed. This Planning Report demonstrates how the subdivision proposes to suitably address these site-specific constraints and 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 subdivision is Code Assessable and hence, in accordance with s45(3) of the PA, no assessment against the Strategic Framework is required.

6.6.2 Rural Zone Code

The subdivision complies with, or can be conditioned to comply with, the Rural Zone Code. However, to demonstrate full compliance with the code, a full assessment against the purpose and Overall Outcomes of the Code has been provided. It is noted here that the Temporary Local Planning Instrument No. 1 of 2019 (Subdivision in Rural zone) replaces Rural zone code section 6.2.9.2 Purpose, Section (2)(f) and overall outcomes (3)(a) and (3)(f) and this is reflected in **Table 4** below.

Table 4: Assessment Against Purpose and Overall Outcomes of Rural Zone Code

Code Requirement	Comment
Purpose	
<i>"The purpose of the Rural zone code is to provide for rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other primary production activities."</i>	The development is for a subdivision and will not involve the introduction of any new uses.
<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>	As above.
<i>"protect or manage significant natural resources and processes to maintain the capacity for primary production."</i>	The subdivision will not impact upon any significant natural resources and processes located within proximity of the site.
<i>"Mareeba Shire Council's purpose of the Rural zone code is to recognize 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."</i>	The subdivision seeks to subdivide the site into two (2) individual freehold parcels exceeding 100ha which will not hinder the ability of the shire to strengthen the range of primary industries which contribute to the rural economy.

Local Government Purpose	
<i>"The purpose of the Rural zone code is to:</i>	
<i>"recognize the diversity of rural uses that exists throughout the region."</i>	The subdivision will exceed the minimum lot sizes sought for the zone and will not impact upon the diversity of the existing rural uses throughout the region.
<i>"protect the rural character of the region."</i>	The subdivision will exceed the minimum lot sizes sought for the zone and as a result, is not envisioned to adversely impact upon the rural character of the region.
<i>"provide facilities for visitors and tourists that are accessible and offer a unique experience."</i>	The development is for a subdivision and will not involve any uses that require facilities for tourists or visitors. However, the development will not hinder the ability for future development to achieve this outcome.
<i>"protect the infrastructure of the Mareeba-Dimbulah Irrigation Scheme Area from development which may compromise long term use for primary production."</i>	The subdivision will not hinder the infrastructure of the Mareeba-Dimbulah Irrigation Scheme Area as the development does not propose any uses that may adversely impact upon this infrastructure or area.
<i>"maintain distinct boundaries between the rural areas and the villages, towns and urban areas of the region."</i>	The subdivision is surrounded by Rural land and will maintain a distinct boundary between the rural areas and the villages, towns and urban areas of the region.
<i>"provide for a range of non-urban uses, compatible and associated with rural or ecological values including recreational pursuits and tourist activities."</i>	The subdivision does not propose any land uses.
<i>"prevent adverse impacts of development on ecological values including recreational pursuits and tourist activities."</i>	The development is for a subdivision and will not introduce any new land uses that could result in adverse impacts on ecological values.
<i>"preserve land in large holdings."</i>	The subdivision will result in two (2) allotments that exceed the minimum lot size for Rural land and as a result, is considered to comply with this purpose.
<i>"facilitate the protection of strategic corridors across the landscape which link remnant areas of intact habitat and transport corridors."</i>	The subdivision will not hinder the ability of this purpose to be achieved in the future.
Overall Outcomes	
<i>"The purpose of the Rural zone code will be achieved through the following overall outcomes:</i>	
<i>"areas for use for primary production are conserved and new allotments below the minimum lot size identified in Table 9.4.4.3.B is not supported."</i>	The subdivision will exceed the minimum lot size identified in Table 9.4.4.3.B.
<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 involves the subdivision of the site from one (1) Rural allotment into two (2) Rural allotments which exceeds the minimum lot size sought for the zone and will not hinder the ability of any of the

	corresponding uses to be established over either allotment in the future.
<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 minimised."</i>	The development does not propose to establish any of the corresponding uses.
<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 minimised."</i>	As above.
<i>"Development is reflective of and responsive to the environmental constraints of the land."</i>	The subdivision acknowledges there are some site and development constraints and has considered and addressed these constraints (see section 7 of this report and attached supporting documentation).
<i>"Residential and other uses are appropriate only where directly associated with the rural nature of the zone."</i>	The development does not seek to introduce any new land uses.
<i>"Low-impact tourism and recreation activities do not compromise the long-term use of the land for rural purposes."</i>	As above.
<i>"The viability of both existing and future rural uses and activities is protected from the intrusion of incompatible uses."</i>	The development involves the subdivision of the site from one (1) rural lot into two (2) rural lots that exceed the minimum lot size sought for the Rural zone and will not compromise the viability of existing OR future rural uses and activities.
<i>"Visual impacts of clearing, building, materials, access ways and other aspects of development are minimised or appropriately managed."</i>	The development is for a subdivision and will not involve clearing, building, materials or other aspects of development. The access ways can be conditioned if necessary to ensure they do not result in a visual impact.
<i>"Adverse impacts of development both on-site and from adjoining areas are avoided and any impacts are minimised through location, design, operation and management."</i>	The development is for a subdivision and any potential impacts can be suitably conditioned to ensure there are no adverse impacts on-site and on adjoining areas.
<i>"Natural features such as creeks, gullies, waterways, wetlands and bushland are retained, managed, enhanced and separated from adjacent development."</i>	The subdivision does not seek to adversely impact upon any of the corresponding natural features.

6.6.3 Overlay Code/s

Agricultural Land Overlay Code

The subdivision complies with, or can be conditioned to comply with, the Agricultural Land Overlay Code.

Aviation Infrastructure Overlay Code

The site is located within the 15,000m buffer area and as the development does not involve any buildings/structures or land uses that could adversely impact upon the operational airspace, the development is considered to comply with the Aviation Infrastructure Overlay Code and no assessment against this code has been provided in this instance.

Bushfire Hazard Overlay Code

The subdivision complies with, or can be conditioned to comply with, the Bushfire Hazard Overlay Code.

Environmental Significance Overlay Code

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

Hill and Slope Overlay Code

The subdivision complies with, or can be conditioned to comply with, the Hill and Slope Overlay Code.

6.6.4 Development Codes

Reconfiguring a Lot Code

The subdivision complies with, or can be conditioned to comply with, the Reconfiguring a Lot Code.

In addition to assessment undertaken against this code in **Attachment 6**, the provision of the TLPI replaces Reconfiguring a Lot Code, Section 9.4.4.3, Table 9.4.4.3A Reconfiguring a lot code – For Assessable Development, Performance Outcome – PO1 and Acceptable Outcome AO1.1 of the Planning Scheme for the nominated development. An assessment against these provisions are provided separately below in **Table 5** for Council's consideration.

Table 5: Assessment against the provisions of the TLPI

Performance Outcomes	Acceptable Measures	Complies	Comment
AREA AND FRONTAGE OF LOTS			
PO1.1 No lots are created with an area of less than 60ha. Note: This also applies to applications for boundary realignment.	AO1.1 No acceptable outcome is provided.	YES	Each new lot will have an area greater than 60ha.
PO1.2 No lots are created with a frontage less than 400m. Note: This also applies to applications for boundary realignment.	AO1.2 No acceptable outcome is provided.	YES	Each new lot will have a frontage that significantly exceeds 400m.
PO1.3 Proposed lots are: a. Able to accommodate all buildings, structures and works associated with the rural use; and b. Suitable to allow the site to be provided with sufficient access. Note: This also applies to applications for boundary realignment.	AO1.3 No acceptable outcome is provided.	YES	Each new lot will: a. Be of a more than suitable size to accommodate the existing dwelling house and ancillary structures that are existing on-site; and b. be more than a suitable size and provide more than sufficient frontage to Council's road network to ensure that each lot is afforded sufficient access.

Landscaping Code

The subdivision does not involve any landscaping due to the significant extent of existing vegetation on-site and as a result, the subdivision will not conflict with the Landscaping Code. Accordingly, a full assessment against the code is not warranted and has not been provided.

Parking and Access Code

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

Works, Services & Infrastructure Works Code

The subdivision complies with, or can be conditioned to comply with, the Infrastructure Works Code.

7 DISCUSSION – KEY PLANNING MATTERS

This section of the report provided additional commentary in support of the key matters considered relevant to the assessment of this development application.

Urban Sync acknowledge that the site is subject to a significant number of Planning Scheme Overlays, specifically relating to Environmental Significance due to the size, topography and existing vegetation which comprises the site.

The importance of these overlays has been considered and respected and Urban Sync understand that due to the size of the site, there is significant portions of the land provided within both proposed lots that would be more than suitable to accommodate future development without having any impacts on these overlays.

Furthermore, the subdivision will not involve any earthworks, vegetation clearing, buildings and/or structures, nor will it involve the creation of any new access points. Hence, any potential impacts are considered to already be existing and minor in nature.

As a result, we ask that Council approve the subdivision as it is currently presented and any future Material Change of Use or Building Applications that MAY impact upon these environmental values over the site will be required to undergo an assessment where Council can more suitably assess potential impacts and issue a set of conditions accordingly.

This report supports a development application made by Ann Margaret Leighton and Elizabeth Hannah Crisp seeking the requisite statutory development approval from Mareeba Shire Council to support the subdivision of Lot 147 on SP227506 at 46 Tyrconnell Road, Paddys Green into two (2) new freehold rural allotments.

Accordingly, this development application seeks the following approval:

- **Development Permit for Reconfiguring a Lot (1 Lot into 2 Lots)**

This report has described the subdivision, identified the applicable statutory and legislative requirements of Mareeba Shire Council under their Planning Scheme, the *CairnsPlan 2016* and TLPI, as well as those at the State level under the *Planning Act 2016* and other, relevant State legislation and requirements, and in doing so, demonstrated the suitability of the land to accommodate two (2) rural allotments.

This report has highlighted that the subdivision is generally compliant with all the 'deemed to comply' Acceptable Outcomes. Where a non-compliance has occurred, 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 applicable code, can still be achieved.

This report has also clearly demonstrated how the site-specific constraints identified as a concern by Council have been and/or can be conditioned to be suitably addressed to allow the subdivision to proceed. Accordingly, the subdivision should be approved subject to the imposition of reasonable and relevant conditions of approval.

DA Form 1 – Development application details

Approved form (version 1.3 effective 28 September 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)	Ann Margaret Leighton & Elizabeth Hannah Crisp
Contact name (only applicable for companies)	C/- Justin Phipps 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)	justin@urbansync.com.au
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	20-585

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

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		46	Tyrconnell Road	Paddys Green
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	147	SP227506	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- ☐ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		<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):*

Reconfiguring a Lot from 1 Rural Lot to 2 Rural 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

6.2) 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 type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input checked="" 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)
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input type="checkbox"/> Yes			
<input type="checkbox"/> No			

Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?	
One (1)	
9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)	
<input checked="" 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:
				Rural
Number of lots created				Two (2)
10.2) Will the subdivision be staged?				
<input type="checkbox"/> Yes – provide additional details below				
<input checked="" 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 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 checked="" type="checkbox"/> No		
Referral requirement	Referral agency	Date of referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and 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: By not agreeing to accept an information request I, the applicant, acknowledge: <ul style="list-style-type: none"> • that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties • Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules. Further advice about information requests is contained in the DA Forms Guide .

PART 7 – FURTHER DETAILS

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

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

List of approval/development application references	Reference number	Date	Assessment manager
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)

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

Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
\$		

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

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

23) Further legislative requirements

Environmentally relevant activities

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

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

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

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

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

Hazardous chemical facilities

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

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

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

Clearing native vegetation

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

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

☒ No

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

Environmental offsets

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

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

☒ No

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

Koala habitat in SEQ Region

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

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

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

☒ No

Note: If a koala habitat area determination has been obtained for this premises and is current over the land, it should be provided as part of this development application. See koala habitat area guidance materials at www.des.qld.gov.au for further information.

Water resources

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

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

☒ No

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

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

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

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

Walkable neighbourhoods assessment benchmarks under Schedule 12A of the Planning Regulation

23.16) Does this development application involve reconfiguring a lot into 2 or more lots in certain residential zones (except rural residential zones), where at least one road is created or extended?

☐ Yes – Schedule 12A is applicable to the development application and the assessment benchmarks contained in schedule 12A have been considered

☒ No

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

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

☒ Yes

Note: See the Planning Regulation 2017 for referral requirements

If building work is associated with the proposed development, Parts 4 to 6 of [DA Form 2 – Building work details](#) have been completed and attached to this development application

☐ Yes

☒ Not applicable

Supporting information addressing any applicable assessment benchmarks is with the development application

Note: This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see [DA Forms Guide: Planning Report Template](#).

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)

☐ Yes

☒ Not applicable

25) Applicant declaration

☒ By making this development application, I declare that all information in this development application is true and correct

☒ Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001*

Note: It is unlawful to intentionally provide false or misleading information.

Privacy – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.

Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, Planning Regulation 2017 and the DA Rules except where:

- such disclosure is in accordance with the provisions about public access to documents contained in the *Planning Act 2016* and the Planning Regulation 2017, and the access rules made under the *Planning Act 2016* and Planning Regulation 2017; or
- required by other legislation (including the *Right to Information Act 2009*); or
- otherwise required by law.

This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.

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

Date received: Reference number(s):

Notification of engagement of alternative assessment manager

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

QLeave notification and payment

Note: For completion by assessment manager if applicable

Description of the work	
QLeave project number	
Amount paid (\$)	Date paid (dd/mm/yy)
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	

REGISTRATION CONFIRMATION STATEMENT

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Title Reference : 51240637

This is the current status of the title as at 15:33 on 16/12/2020

REGISTERED OWNER

Interest

Dealing No: 720467821 15/12/2020

ANN MARGARET LEIGHTON

1/2

ELIZABETH HANNAH CRISP

1/2

AS TENANTS IN COMMON

ESTATE AND LAND

Estate in Fee Simple

LOT 147 SURVEY PLAN 227506
Local Government: MAREEBA

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 21315212 (Lot 147 on CP HG579)
2. LEASE No 708344532 07/01/2005 at 10:34
OPTUS MOBILE PTY LIMITED A.C.N. 054 365 696
OVER LEASE B ON SP175511
3. LEASE No 714194341 02/12/2011 at 11:55
SEVEN NETWORK (OPERATIONS) LIMITED A.C.N. 052 845 262
OF LEASE A ON SP148786
TERM: 31/07/2011 TO 30/07/2021 OPTION NIL
4. LEASE No 715912935 24/07/2014 at 11:41
NBN CO LIMITED A.C.N. 136 533 741
OF LEASE E ON SP253722
TERM: 23/06/2014 TO 22/06/2024 OPTION NIL
5. LEASE No 715912937 24/07/2014 at 11:41
NBN CO LIMITED A.C.N. 136 533 741
OF LEASE E ON SP253722
TERM: 23/06/2024 TO 22/06/2034 OPTION NIL
6. LEASE No 718453822 11/12/2017 at 10:36
TELSTRA CORPORATION LIMITED A.B.N. 33 051 775 556
OF LEASE T ON SP273580
TERM: 01/01/2017 TO 31/12/2026 OPTION NIL
7. LEASE No 718453829 11/12/2017 at 10:37
TELSTRA CORPORATION LIMITED A.B.N. 33 051 775 556
OF LEASE T ON SP273580
TERM: 01/01/2027 TO 31/12/2031 OPTION NIL

REGISTRATION CONFIRMATION STATEMENT

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Title Reference : 51240637

EASEMENTS, ENCUMBRANCES AND INTERESTS (Continued)

8. LEASE No 718453838 11/12/2017 at 10:39
TELSTRA CORPORATION LIMITED A.B.N. 33 051 775 556
OF LEASE T ON SP273580
TERM: 01/01/2032 TO 31/12/2036 OPTION NIL

ADMINISTRATIVE ADVICES - NIL
UNREGISTERED DEALINGS - NIL

Caution - Charges do not necessarily appear in order of priority

** End of Confirmation Statement **

EV Dann
Registrar of Titles and Registrar of Water Allocations

Lodgement No: 4896662
Email: cairns@wgc.com.au
WGC LAWYERS
Office: CAIRNS
Box: 16

REGISTRATION CONFIRMATION STATEMENT

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Title Reference : 51240636

This is the current status of the title as at 15:33 on 16/12/2020

REGISTERED OWNER

Interest

Dealing No: 720467821 15/12/2020

ANN MARGARET LEIGHTON
ELIZABETH HANNAH CRISP

1/2
1/2

AS TENANTS IN COMMON

ESTATE AND LAND

Estate in Fee Simple

LOT 148 CROWN PLAN HG569
Local Government: MAREEBA

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 21315212 (Lot 148 on CP HG569)

ADMINISTRATIVE ADVICES - NIL

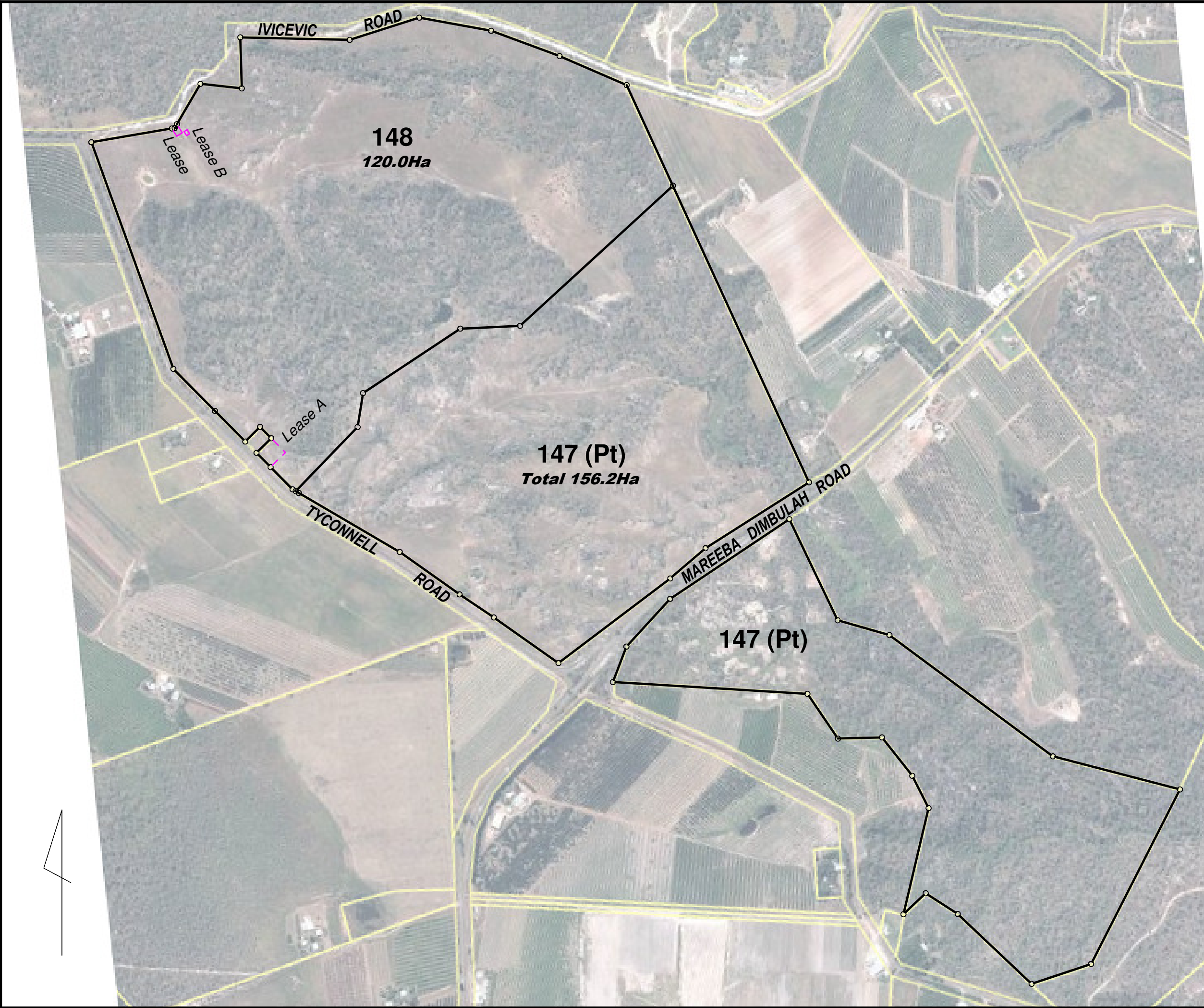
UNREGISTERED DEALINGS - NIL

** End of Confirmation Statement **

EV Dann

Registrar of Titles and Registrar of Water Allocations

Lodgement No: 4896662
Email: cairns@wgc.com.au
WGC LAWYERS
Office: CAIRNS
Box: 16



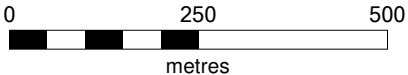
IMPORTANT NOTE

1. This plan was prepared for the sole purposes of the client for the specific purpose of producing a detail plan. This plan is strictly limited to the purpose and does not apply directly or indirectly and will not be used for any other application, purpose, use or matter. The plan is presented without the assumption of a duty of care to any other person (other than the Client) ("Third Party") and may not be relied on by Third Party.
2. RPS Australia East Pty Ltd will not be liable (in negligence or otherwise) for any direct or indirect loss, damage, liability or claim arising out of or incidental to:
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 - B. RPS Australia East Pty Ltd relying on information provided to it by the Client or a Third Party where the information is incorrect, incomplete, inaccurate, out-of-date or unreasonable;
 - C. any inaccuracies or other faults with information or data sourced from a Third Party;
 - D. RPS Australia East Pty Ltd relying on surface indicators that are incorrect or inaccurate;
 - E. the Client or any Third Party not verifying information in this plan where recommended by RPS Australia East Pty Ltd;
 - F. lodgement of this plan with any local authority against the recommendation of RPS Australia East Pty Ltd;
 - G. the accuracy, reliability, suitability or completeness of any approximations or estimates made or referred to by RPS Australia East Pty Ltd in this plan.
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4. Scale shown is correct for the original plan and any copies of this plan should be verified by checking against the bar scale.
5. The title boundaries as shown hereon were not marked at the time of survey and have been determined by plan dimensions only and not by field survey.
6. This proposal plan is based on original plan dimensions. Final dimensions and lots areas are subject to field survey.

NOTES

Meridian: HG579

Final boundary positions & Lot areas are subject to field survey.



SCALE 1:10,000 IS APPLICABLE ONLY TO THE ORIGINAL SHEET SIZE (A3).

PROJECT MANAGER D. Garget		CHECKED
SURVEYED N/A		DRAFTING CHECKED
DRAWN DJG		CAD REF PR148743_look.mjo
SHEET SIZE A3	SHEET OF SHEETS 1 1	



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CAIRNS QLD 4870

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F +61 7 4031 2942
rpsgroup.com.au



PROPOSAL PLAN
Plan of Lot 147 & 148
Cancelling Lot 147 on SP227506
Tyrconnell Road, Paddys Green
Local Govt: Mareeba S.C.

SCALE	DATE	DRAWING NO.	ISSUE
1:10000	16/10/20	PR148743-1	

State Assessment and Referral Agency

Date: 15/12/2020



Department of State Development
Manufacturing, Infrastructure
and Planning

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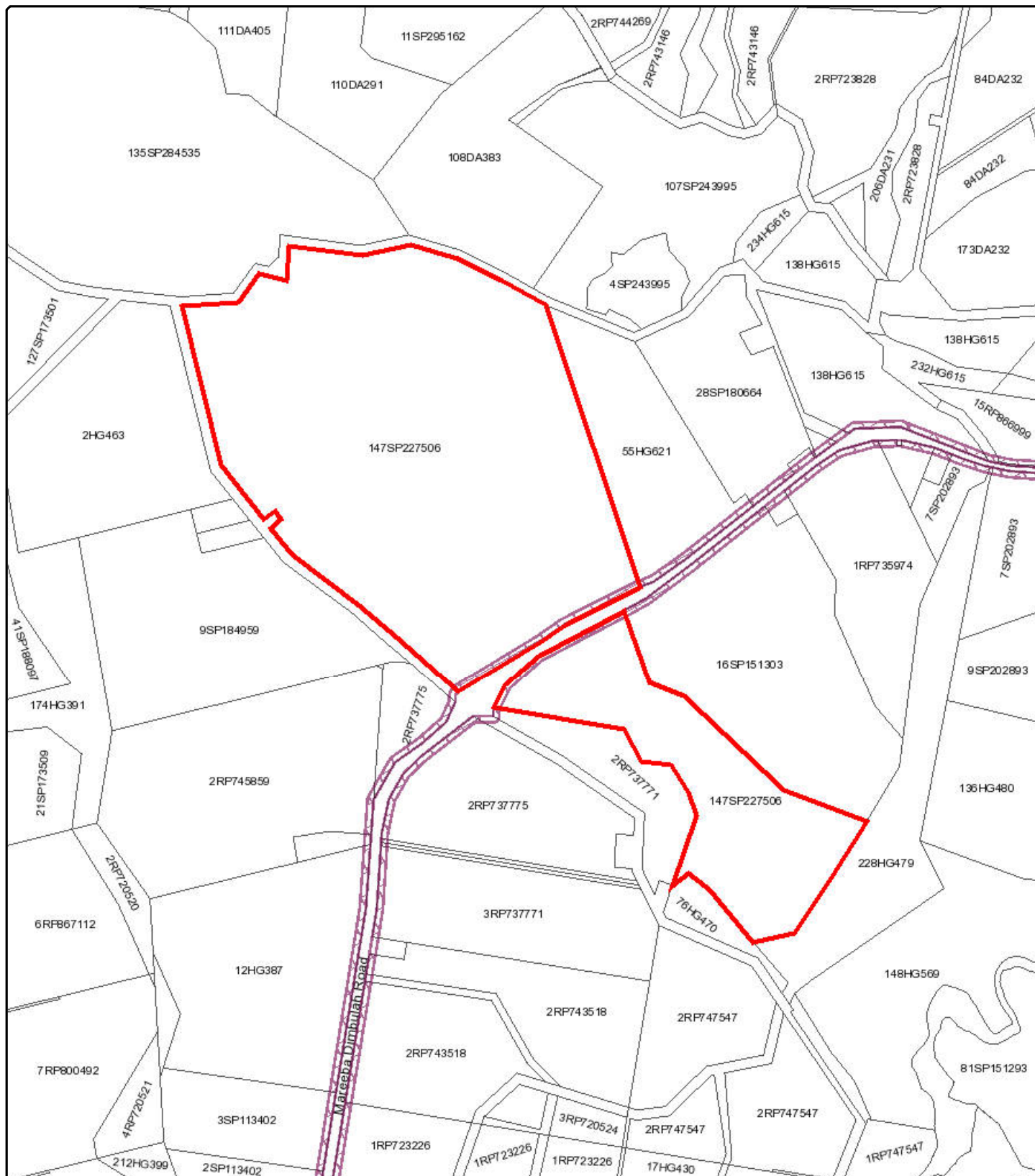


Matters of Interest for all selected Lot Plans

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: 147SP227506 (Area: 2764000 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



State Assessment and Referral Agency

Date: 15/12/2020



Department of State Development
Manufacturing, Infrastructure
and Planning

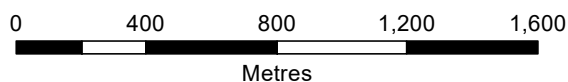
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Legend

Area within 25m of a State-controlled road



Area within 25m of a State-controlled road



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State Assessment and Referral Agency

Date: 15/12/2020





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Legend

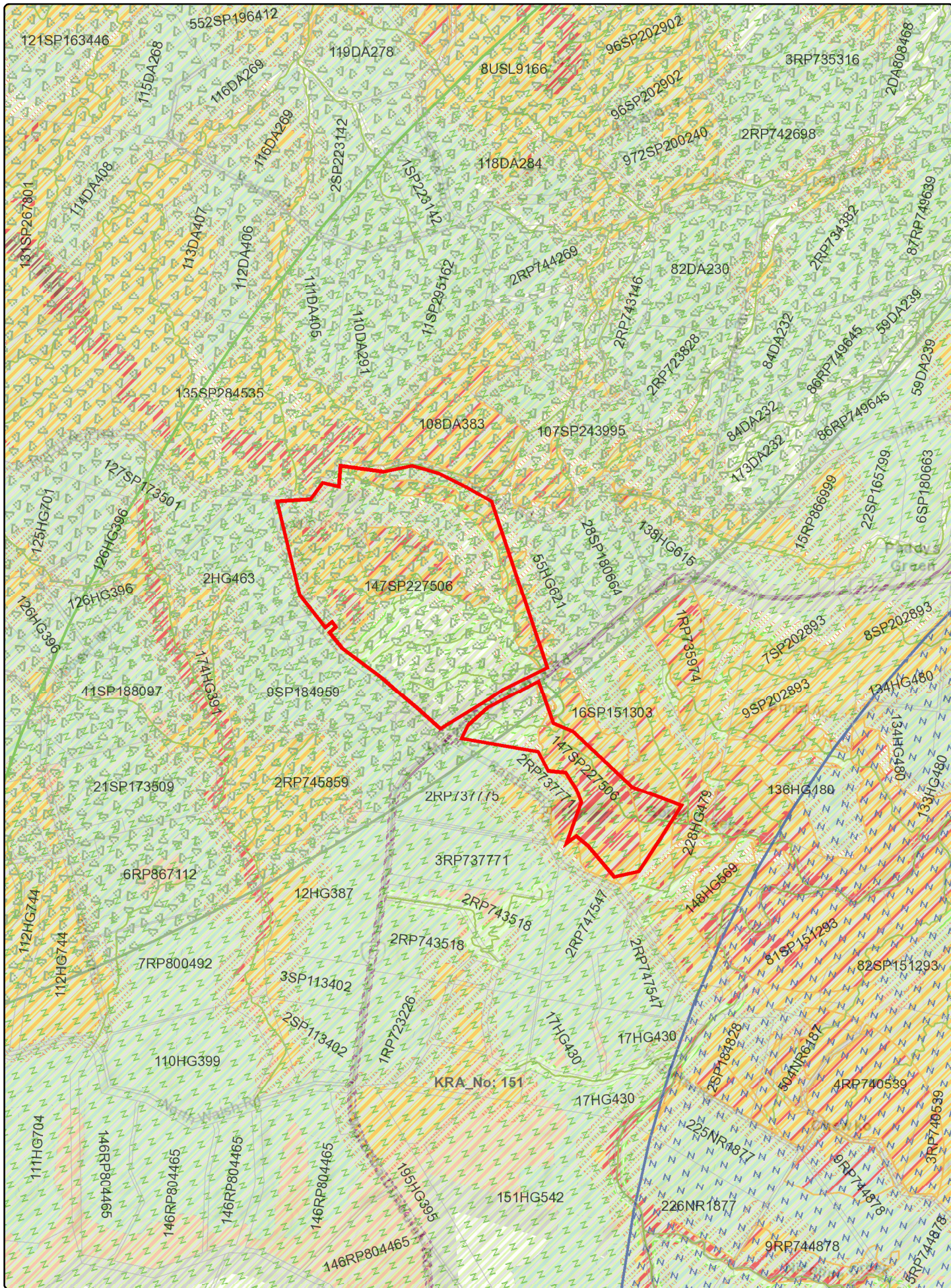
Regulated vegetation management map
(Category A and B extract)

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

0 400 800 1,200 1,600
Metres

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State Planning Policy

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



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0 590 1,180 1,770 2,360
Metres

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Legend

Drawn Polygon Layer

Override 1

Cadastre (50k)

 Cadastre (50k)


Wildlife hazard buffer zone


 3km

 8km

 13km

Aviation facility


 Location

 Building restricted area - Zone A


 Building restricted area - Zone A/B

 Building restricted area - Area of interest


MSES - Regulated vegetation (intersecting a watercourse)

 MSES - Regulated vegetation (intersecting a watercourse)

MSES - Wildlife habitat (endangered or vulnerable)

 MSES - Wildlife habitat (endangered or vulnerable)


Important agricultural areas

 Important agricultural areas

State-controlled road

 State-controlled road


Key resource area - transport route separation area

 Key resource area - transport route separation area

MSES - Regulated vegetation (category R)


 MSES - Regulated vegetation (category R)

Bushfire prone area


 Very High Potential Bushfire Intensity

 High Potential Bushfire Intensity


 Medium Potential Bushfire Intensity

 Potential Impact Buffer


Agricultural land classification - class A and B

 Agricultural land classification - class A and B

Key resource area - resource and processing area

 Key resource area - resource and processing area

Key resource area - separation area

 Key resource area - separation area



Date: 15/12/2020

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

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0 590 1,180 1,770 2,360

Metres

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Legend

Drawn Polygon Layer

Override 1

Cadastre (50k)



Cadastre (50k)

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



Urban Footprint



Rural Living Area



Regional Landscape and Rural Production Area



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State Planning Policy

**Making or amending a local planning instrument
and designating land for community infrastructure**

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Justin Phipps

From: Carl Ewin <CarlE@msc.qld.gov.au>
Sent: Thursday, 17 December 2020 9:03 AM
To: Justin Phipps
Subject: RE: Subdivision of 46 Tyrconnel Road, Paddys Green

Hi Justin,

Myself and Brian don't really see any issues with the proposal.

I don't believe an ecological assessment is necessary in this instance.

As you mentioned, just the codes will need to be addressed (and where modified by the TLPI).

Regards,

Carl Ewin
Planning Officer



Mareeba
SHIRE COUNCIL

Phone: 1300 308 461 | **Direct:** 07 4086 4656 | **Fax:** 07 4092 3323
Email: carle@msc.qld.gov.au | **Website:** www.msc.qld.gov.au
65 Rankin St, Mareeba | PO Box 154, Mareeba, Queensland, Australia, 4880



From: Justin Phipps <Justin@urbansync.com.au>
Sent: Wednesday, 16 December 2020 2:42 PM
To: Brian Millard <BrianM@msc.qld.gov.au>
Cc: Carl Ewin <CarlE@msc.qld.gov.au>
Subject: Subdivision of 46 Tyrconnel Road, Paddys Green

Good afternoon Brian,

We've been engaged to prepare a Reconfiguring a Lot application to Council for the subdivision of land located at 46 Tyrconnell Road, Paddy's Green (Lot 147 on SP227506).

The reconfiguration will present as, or similar to (pending client confirmation), the attached with each Lot to be in excess of 100ha, and able to achieve compliance with Council's temporary planning instrument.

Due to the size of the site, there are a number of overlays present, with the main issues relating to the Environmental Significance of the site (i.e., Ecological Corridor, Habitat Linkage, Wildlife Habitat, Regulated Veg, etc.) and Bushfire Hazard. However, I am of the view that future development over the site would be able to be suitably located outside of these areas and if not, would trigger an application to Council for assessment where these issues can be more suitably addressed.

As a result, from my end I don't see many issues with this one and I have undertaken an assessment against the applicable codes in addition to the certain aspects of the temporary planning instrument which has altered some codes of the Planning Scheme (i.e., Rural Zone Code and Reconfiguring a Lot Code).

I just wanted to confirm with you that this approach is suitable and also to get your take on things in case there's something I have missed or if there's something specific Council would like to see raised within the Planning Report.

Thanks Brian, feel free to give me a call if easier.



Kind Regards

Justin Phipps | Town Planner

T 07 4051 6946 M 0458 902 541

O Level 1, 17 Aplin Street, Cairns | M PO Box 2970, Cairns Q 4870



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STATE DEVELOPMENT ASSESSMENT PROVISIONS (SDAP) 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 None of the corresponding elements will be 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 All aspects of the development can 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	N/A The development is for a subdivision and will not involve any buildings or structures.
	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	N/A 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	N/A See AO2.1 above.
	AO2.4 Advertising devices visible from a state-controlled road are located and designed in accordance with the Roadside Advertising Guide,	N/A See AO2.1 above.

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

Performance outcomes	Acceptable outcomes	Response
guidance on how to comply with this performance outcome and prepare a geotechnical assessment.		
<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>N/A 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>N/A See PO4 above.</p>
<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</p>	AO8.1 Fill, extracted material and spoil material is not transported to or from the development site on a state-controlled road.	<p>N/A See PO4 above.</p>

State Development Assessment Provisions – version 2.6

State code 1: Development in a state-controlled road environment

Performance outcomes	Acceptable outcomes	Response
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.		
PO9 Filling and excavation associated with the construction of vehicular access to a development does not compromise the operation or capacity of existing drainage infrastructure for a state-controlled road. Note: Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	No acceptable outcome is prescribed.	N/A See PO4 above.
PO10 Fill material used on a development site does not result in contamination of a state-controlled road. Note: Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	AO10.1 Fill material is free of contaminants including acid sulfate content. Note: Soils and rocks should be tested in accordance with AS 1289.0 – Methods of testing soils for engineering purposes and AS 4133.0-2005 – Methods of testing rocks for engineering purposes. AND	N/A See PO4 above.
	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.	N/A See PO4 above.
PO11 Filling and excavation does not cause wind-blown dust nuisance in a state-controlled road. Note: Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	AO11.1 Compaction of fill is carried out in accordance with the requirements of AS 1289.0 2000 – Methods of testing soils for engineering purposes. AND	N/A See PO4 above.
	AO11.2 Dust suppression measures are used during filling and excavation activities such as wind breaks or barriers and dampening of ground surfaces.	N/A See PO4 above.
Stormwater and drainage		

Performance outcomes	Acceptable outcomes	Response
PO12 Development does not result in an actionable nuisance, or worsening of, stormwater, flooding or drainage impacts in a state-controlled road. Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	No acceptable outcome is prescribed.	Complies with PO12 The development is for a subdivision and will not involve any earthworks, vegetation clearing, or the establishment of any buildings or structures that could result in an actionable nuisance or worsening of stormwater, flooding or drainage impacts on the State-controlled Road.
PO13 Run-off from the development site is not unlawfully discharged to a state-controlled road. Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	AO13.1 Development does not create any new points of discharge to a state-controlled road. AND	N/A See PO12 above.
	AO13.2 Stormwater run-off is discharged to a lawful point of discharge. Note: Section 3.9 of the Queensland Urban Drainage Manual, Institute of Public Works Engineering Australasia (Queensland Division) Fourth Edition, 2016, provides further information on lawful points of discharge. AND	N/A See PO12 above.
	AO13.3 Development does not worsen the condition of an existing lawful point of discharge to the state-controlled road.	N/A See PO12 above.
PO14 Run-off from the development site during construction does not cause siltation of stormwater infrastructure affecting a state-controlled road. Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	AO14.1 Run-off from the development site during construction is not discharged to stormwater infrastructure for a state-controlled road.	N/A See PO12 above.
Vehicular access to a state-controlled road		
PO15 Vehicular access to a state-controlled road that is a limited access road is consistent with government policy for the management of limited access roads. Note: Refer to the SDAP Supporting Information: Vehicular access to a state-controlled road, Department of Transport and	AO15.1 Development does not require new or changed access to a limited access road. Note: Limited access roads are declared by the transport chief executive under section 54 of the <i>Transport Infrastructure Act 1994</i> and are identified in the DA mapping system. OR	N/A The development does not front a limited access road in accordance with the online DA Mapping System.

Performance outcomes	Acceptable outcomes	Response
Main Roads, 2017, for further guidance on how to comply with this performance outcome.	AO15.2 A new or changed access to a limited access road is consistent with the limited access policy for the state-controlled road. Note: Limited access policies for limited access roads declared under the <i>Transport Infrastructure Act 1994</i> can be obtained by contacting the relevant Department of Transport and Main Roads regional office. AND	N/A See AO15.1 above.
	AO15.3 Where a new or changed access is for a service centre, access is consistent with the Service centre policy, Department of Transport and Main Roads, 2013 and the Access policy for roadside service centre facilities on limited access roads, Department of Transport and Main Roads, 2013, and the Service centre strategy for the state-controlled road. Note: The Service centre policy, Department of Transport and Main Roads, 2013, Access policy for roadside service centre facilities, Department of Transport and Main Roads, 2013 and the relevant Service centre strategy for a state-controlled road can be accessed by contacting the relevant Department of Transport and Main Roads regional office.	N/A See AO15.1 above.
PO16 The location and design of vehicular access to a state-controlled road (including access to a limited access road) does not create a safety hazard for users of a state-controlled road or result in a worsening of operating conditions on a state-controlled road. Note: Where a new or changed access between the premises and a state-controlled road is proposed, the Department of Transport and Main Roads will need to assess the proposal to determine if the vehicular access for the development is safe. An assessment can be made by Department of Transport and Main Roads as part of the development assessment process and a	AO16.1 Vehicular access is provided from a local road.	N/A Access to the site is existing and is provided via the local road network, being Tyrconnell Road (Lot 147) and Ivcevic Road (Lot 148). No alterations or upgrades to this existing access is proposed.
	OR all of the following acceptable outcomes apply: AO16.2 Vehicular access for the development is consistent with the function and design of the state-controlled road. AND	N/A See AO16.1 above.

Performance outcomes	Acceptable outcomes	Response
<p>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>AO16.3 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>N/A</p> <p>See AO16.1 above.</p>
	<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>N/A</p> <p>See AO16.1 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>N/A</p> <p>See AO16.1 above.</p>
Vehicular access to local roads within 100 metres of an intersection with a state-controlled road		
<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</p> <p>Vehicle access to each lot is existing and no new access points are proposed.</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</p> <p>See AO17.1 above.</p>

Performance outcomes	Acceptable outcomes	Response
	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.	N/A See AO17.1 above.
Public passenger transport infrastructure on state-controlled roads		
PO18 Development does not damage or interfere with public passenger transport infrastructure, public passenger services or pedestrian or cycle access to public passenger transport infrastructure and public passenger services. Note: Refer to the SDAP Supporting Information: Vehicular access to a state-controlled road, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	AO18.1 Vehicular access and associated road access works are not located within 5 metres of existing public passenger transport infrastructure. AND	N/A The sites frontage is not improved by any public passenger transport infrastructure.
	AO18.2 Development does not necessitate the relocation of existing public passenger transport infrastructure. AND	N/A See AO18.1 above.
	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. AND	N/A See AO18.1 above.
	AO18.4 The normal operation of public passenger transport infrastructure or public passenger services is not interrupted during construction of the development.	N/A See AO18.1 above.
Planned upgrades		

Performance outcomes	Acceptable outcomes	Response
PO19 Development does not impede delivery of planned upgrades of state-controlled roads.	AO19.1 Development is not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road. Note: Land required for the planned upgrade of a state-controlled road is identified in the DA mapping system . OR	N/A The prescribed premises and/or the adjacent traffic networks are not identified as being subject to any planned upgrades.
	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.	N/A See AO19.1 above.
	OR all of the following acceptable outcomes apply: AO19.3 Structures and infrastructure located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road are able to be readily relocated or removed without materially affecting the viability or functionality of the development. AND	N/A See AO19.1 above.
	AO19.4 Vehicular access for the development is consistent with the function and design of the planned upgrade of the state-controlled road. AND	N/A See AO19.1 above.
	AO19.5 Development does not involve filling and excavation of, or material changes to, land required for a planned upgrade to a state-controlled road. AND	N/A See AO19.1 above.
	AO19.6 Land is able to be reinstated to the pre-development condition at the completion of the use.	N/A See AO19.1 above.

Performance outcomes	Acceptable outcomes	Response
Network impacts		
PO20 Development does not result in a worsening of operating conditions on the state-controlled road network. Note: To demonstrate compliance with this performance outcome, it is recommended that an RPEQ certified traffic impact assessment is provided. Please refer to the Guide to Traffic Impact Assessment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	No acceptable outcome is prescribed.	Complies with PO20 The subdivision will not involve any earthworks, vegetation clearing, the establishment of any buildings or structures, nor will it involve the creation of any new access points. As a result, we are of the view that the development will have no adverse impacts on the operating conditions of the State-controlled Road.
PO21 Development does not impose traffic loadings on a state-controlled road which could be accommodated on the local road network.	AO21.1 The layout and design of the development directs traffic generated by the development to the local road network.	Complies with AO21.1 See PO20 above. All access points are existing and granted via the local road network.
PO22 Upgrade works on, or associated with, a state-controlled road are built in accordance with Queensland road design standards.	AO22.1 Upgrade works required as a result of the development are designed and constructed in accordance with the <i>Road Planning and Design Manual</i> , 2 nd edition, Department of Transport and Main Roads, 2016. 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.	N/A No upgrade works are proposed.

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</p> <p>The dwelling on Lot 147 is existing and any future dwellings on Lot 148 will be located at least 1km from the State-controlled Road. As a result, we are of the view that noise intrusion measures are not required in this instance.</p>
	<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</p> <p>See AO23.1 above.</p>

Performance outcomes	Acceptable outcomes	
	<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>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> <p>N/A See AO23.1 above.</p>
<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 	<p>N/A See AO23.1 above.</p>

Performance outcomes	Acceptable outcomes	
	<p>Management Code of Practice – Volume 1 Road Traffic Noise, Department of Transport and Main Roads, 2013.</p> <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>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>
	<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) L_{10} (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>N/A The proposed development does not involve a childcare centre or educational establishment.</p>

Performance outcomes	Acceptable outcomes	
	<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>OR all of the following acceptable outcomes apply:</p> <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>N/A</p> <p>The proposed development does not involve a childcare centre or educational establishment.</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</p> <p>The proposed development does not involve a childcare centre or educational establishment.</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</p> <p>The proposed development does not involve a childcare centre or educational establishment.</p>

Performance outcomes		Acceptable outcomes
PO26 Development involving a: <ol style="list-style-type: none"> 1. childcare centre; or 2. educational establishment minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in outdoor education areas and outdoor play areas.	AO26.1 A noise barrier or earth mound is provided which is designed, sited and constructed: <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>	N/A The proposed development does not involve a childcare centre or educational establishment.
	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.	N/A The proposed development does not involve a childcare centre or educational establishment.
Hospitals		
PO27 Development involving a hospital minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in patient care areas.	AO27.1 Hospitals are designed and constructed using materials which ensure patient care areas meet the following internal noise criteria: <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</p>	N/A The proposed development does not involve a Hospital.

Performance outcomes		Acceptable outcomes
		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 $0.1\text{m/s}^{1.75}$. AND	N/A The proposed development does not involve 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 $0.4\text{m/s}^{1.75}$. Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified vibration assessment report is provided.	N/A The proposed development does not involve a Hospital.
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 See AO23.1 above.
PO30 Development involving a: 1. childcare centre; or 2. educational establishment minimises air quality impacts from a state-controlled road or type 1 multi-modal corridor in outdoor education areas and outdoor play areas.	AO30.1 Each outdoor education area and outdoor play area is shielded from a state-controlled road or type 1 multi-modal corridor by a building, solid gap-free fence, or other solid gap-free structure.	N/A The proposed development does not involve a childcare centre or educational establishment.
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 See AO23.1 above.

Performance outcomes	Acceptable outcomes	
	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 AO23.1 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 proposed development is not located in a future State-controlled Road.
	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.
	AO32.4 Development does not involve filling and excavation of, or material changes to, a future state-controlled road. AND	N/A See AO32.1 above.
	AO32.5 Land is able to be reinstated to the pre-development condition at the completion of the use.	N/A See AO32.1 above.
PO33 Vehicular access to a future state-controlled road is located and designed to not create a safety hazard for users of a future state-controlled road or result in a worsening of operating conditions on a future state-controlled road.	AO33.1 Development does not require new or changed access between the premises and a future state-controlled road. AND	N/A See AO32.1 above.

Performance outcomes	Acceptable outcomes	
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.	AO33.2 Vehicular access for the development is consistent with the function and design of the future state-controlled road.	N/A See AO32.1 above.
PO34 Filling, excavation, building foundations and retaining structures do not undermine, or cause subsidence of, a future state-controlled road. Note: To demonstrate compliance with this performance outcome, it is recommended that an RPEQ certified geotechnical assessment is provided, prepared in accordance with the Road Planning and Design Manual, 2 nd edition: Volume 3, Department of Transport and Main Roads, 2016. Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a geotechnical assessment.	No acceptable outcome is prescribed.	N/A See AO32.1 above.
PO35 Fill material from a development site does not result in contamination of land for a future state-controlled road. Note: Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	AO35.1 Fill material is free of contaminants including acid sulfate content. Note: Soil and rocks should be tested in accordance with AS1289 – Methods of testing soils for engineering purposes and AS4133 2005 – Methods of testing rocks for engineering purposes.	N/A See AO32.1 above.
	AND AO35.2 Compaction of fill is carried out in accordance with the requirements of AS1289.0 2000 – Methods of testing soils for engineering purposes.	N/A See AO32.1 above.
PO36 Development does not result in an actionable nuisance, or worsening of, stormwater, flooding or drainage impacts in a future state-controlled road. Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	No acceptable outcome is prescribed.	N/A See AO32.1 above.

Performance outcomes	Acceptable outcomes	
PO37 Run-off from the development site is not unlawfully discharged to a future state-controlled road. Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	AO37.1 Development does not create any new points of discharge to a future state-controlled road. AND	N/A See AO32.1 above.
	AO37.2 Stormwater run-off is discharged to a lawful point of discharge. Note: Section 3.9 of the Queensland Urban Drainage Manual, Institute of Public Works Engineering Australasia (Queensland Division), Fourth Edition, 2016, provides further information on lawful points of discharge. AND	N/A See AO32.1 above.
	AO37.3 Development does not worsen the condition of an existing lawful point of discharge to the future state-controlled road.	N/A See AO32.1 above.

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. 	N/A	The subdivision will not involve any buildings or structures.
	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	See AO1.1 above.
SITING			
NOTE: WHERE FOR DWELLING HOUSE, THE SETBACKS OF THE QUEENSLAND DEVELOPMENT CODE APPLY			

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
PO2 Development is sited in a manner that considers and respects: <ul style="list-style-type: none"> (a) the siting and use of adjoining premises; (b) access to sunlight and daylight for the site and adjoining sites; (c) privacy and overlooking; (d) air circulation and access to natural breezes; (e) appearance of building bulk; and (f) relationship with road corridors. 	A02.1 Buildings and structures include a minimum setback of: <ul style="list-style-type: none"> (a) 40 metres from a frontage to a State-controlled road; and (b) 10 metres from a boundary to an adjoining lot. 	N/A	See AO1.1 above.
	A02.2 Buildings and structures, where for a Roadside stall, include a minimum setback of 0 metres from a frontage to a road that is not a State-controlled road.	N/A	See AO1.1 above.
	A02.3 Buildings and structures, except where a Roadside stall, include a minimum setback of: <ul style="list-style-type: none"> (a) 10 metres from a frontage to a sealed road that is not a State-controlled road; and (b) 100 metres from a frontage to any other road that is not a State-controlled road. 	N/A	See AO1.1 above.
ACCOMMODATION DENSITY			
PO3 The density of Accommodation activities: <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. 	A03.1 Residential density does not exceed one dwelling house per lot.	N/A	The development does not propose any accommodation activities.
	A03.2 Residential density does not exceed two dwellings per lot and development is for: <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.	N/A	The subdivision does not propose any buildings and/or structures.
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.	N/A	See PO4 above.
AMENITY			

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
PO6 Development must not detract from the amenity of the local area, having regard to: <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. 	A06.1 No acceptable outcome is provided.	YES	The subdivision will not detract from the amenity of the area and Council can condition compliance where necessary.
PO7 Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to: <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. 	A07.1 No acceptable outcome is provided.	N/A	There are not considered to be any existing negative environmental impacts on-site and the subdivision will not introduce any new uses that could potentially result in adverse environmental impacts.

Application

- (1) This code applies to assessing development where:
- (a) Land the subject of development is located within the Agricultural Land Areas identified on the **Agricultural Land Overlay Maps (OM-001a-n)**; and
 - (b) It is identified in the assessment criteria column of an assessment table in Part 5 of the planning scheme.

Note: Agriculture is appropriately reflected in Overlay Map 1 and is required to be mapped by State Government in response to Economic Growth State Interests.

Criteria for assessment

Table 8.2.1.3 – Agricultural Land Overlay Code – for Self-Assessable and Assessable Development

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
FOR ACCEPTED DEVELOPMENT SUBJECT TO REQUIREMENTS AND ASSESSABLE DEVELOPMENT			
PO1 The fragmentation or loss of productive capacity of land within the 'Class A' area or 'Class B' area identified on the Agricultural land overlay maps (OM-001a-n) is avoided unless: <ul style="list-style-type: none"> (a) an overriding need exists for the development in terms of public benefit; (b) no suitable alternative site exists; and (c) loss or fragmentation is minimised to the extent possible. 	AO1.1 Buildings and structures are not located on land within the 'Class A' area or 'Class B' area identified on the Agricultural land overlay maps (OM-001a-n) unless they are associated with: <ul style="list-style-type: none"> (a) animal husbandry; or (b) animal keeping; or (c) cropping; or (d) dwelling house; or (e) home based business; or (f) intensive animal industry (only where for feed lotting); or (g) intensive horticulture; or (h) landing; or (i) roadside stalls; or (j) winery. 	N/A	The development will not involve any buildings and/or structures.
FOR ASSESSABLE DEVELOPMENT			

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>PO2</p> <p>Sensitive land uses in the 'Class A' area, 'Class B' area or the 'Broadhectare rural' area identified on the Agricultural land overlay maps (OM-001a-n) are designed and located to:</p> <ul style="list-style-type: none"> (a) avoid land use conflict; (b) manage impacts from agricultural activities, including chemical spray drift, odour, noise, dust, smoke and ash; (c) avoid reducing primary production potential; and (d) not adversely affect public health, safety and amenity. 	<p>AO2.1</p> <p>No acceptable outcome is provided.</p>	N/A	See AO1.1 above
<p>PO3</p> <p>Development in the 'Class A' area or 'Class B' area identified on the Agricultural land overlay maps (OM-001a-n):</p> <ul style="list-style-type: none"> (a) ensures that agricultural land is not permanently alienated; (b) ensures that agricultural land is preserved for agricultural purposes; and (c) does not constrain the viability or use of agricultural land. 	<p>AO3.1</p> <p>No acceptable outcome is provided.</p>	N/A	See AO1.1 above.
IF FOR RECONFIGURING A LOT			

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
PO4 The 'Broad hectare rural area' identified on the Agricultural land overlay maps (OM-001a-n) is retained in very large rural holdings viable for broad scale grazing and associated activities.	AO4.1 Development does not involve the creation of a new lot within the 'Broad hectare rural' area identified on the Agricultural land overlay maps (OM-001a-n) .	N/A	The site is not located within the 'broad hectare rural' overlay area.
PO5 Reconfiguring a lot in the 'Class A' area, 'Class B' area or the 'Broad hectare rural' area identified on the Agricultural land overlay maps (OM-001a-n) that is severed by a gazetted road occurs only where it does not fragment land used for agricultural purposes.	AO5.1 No acceptable outcome is provided.	YES	Only a small portion of the site contains the Class A overlay and the subdivision will not hinder the ability of these areas to be used for agricultural purposes.
PO6 Any Reconfiguring a lot in the 'Class A' area, 'Class B' area or the 'Broad hectare rural' area identified on the Agricultural land overlay maps (OM-001a-n) , including boundary realignments, only occurs where it: <ul style="list-style-type: none"> (a) improves agricultural efficiency; (b) facilitates agricultural activity; or (c) facilitates conservation outcomes; or (d) resolves boundary issues where a structure is built over the boundary line of two lots. 	AO6.1 No acceptable outcome is provided.	N/A	Only a small portion of the site is located within the Class A agricultural overlay area. The land at current is being utilised for cattle grazing and the subdivision will not impact upon the ability of this land to continue to be used for agricultural activities in the future.

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			
PO1 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. <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>Where within a ‘Bushfire hazard area’ and ‘Potential impact buffer (100 metres)’ identified on the Bushfire hazard overlay maps (OM-003a-o) 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>	N/A	See AO1.2 below.
	<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 	YES	Future development over the site will utilise rainwater tanks and Council can condition compliance to ensure that this is achieved. Furthermore, the site contains three (3) lakes/dams on the northern portion of the site which can be utilised in the event of a bushfire.

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. 	N/A	The development is for a subdivision and does not seek to introduce any new land uses.
LOT DESIGN			

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<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 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>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.</p> <p>OR</p>	N/A	Due to the size of the site, the reconfiguration will not result in the entirety of both lots being wholly located within the bushfire hazard overlay areas and offers suitable area for future development to be located that is not within the bushfire hazard overlay area. As a result, we are of the view that future development is able to avoid the potential impacts of a bushfire through suitable siting, of which will be addressed as part of a future Material Change of Use application to Council.
	<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>	N/A	See AO3.1 above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
FIREBREAKS AND ACCESS			
<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. 	N/A	See AO3.1 above. This would only be applicable IF future development is located within the bushfire hazard areas.
	<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. 	N/A	See AO4.1 above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
HAZARDOUS MATERIALS			
<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>	N/A	The subdivision will not involve the processing or storage of dangerous goods or hazardous materials.
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>	N/A	Due to the extent of existing vegetation over the site, no landscaping is proposed as part of the subdivision.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
INFRASTRUCTURE			
<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 	N/A	<p>If any of the corresponding infrastructure services are located within the bushfire hazard area, they will be located underground. However, there is suitable room over the site to ensure that these services are located outside of the bushfire hazard area.</p>
PRIVATE DRIVEWAYS			
<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. 	N/A	<p>The subdivision does not involve the construction of a private driveway.</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>	N/A	The subdivision will not involve any vegetation clearing.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<i>Note—Refer to Ecological corridors identified on SFM001-009 in consideration of wildlife connectivity at a regional scale.</i>			
<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>	N/A	The development is for a subdivision and will not involve any buildings and/or structures.
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)</p> <p>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>	N/A	The development is for a subdivision and due to the size of the site, future development will easily be able to achieve the minimum setbacks outlined in Table 8.2.4.3B from the top of the high bank.

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>A03.2</p> <p>No clearing of native vegetation is undertaken within the minimum setback identified at A03.1.</p>	YES	No vegetation clearing is proposed as part of the subdivision.
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) A04.1</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>	N/A	See AO3.1 above.
	<p>Where within a 'High ecological significance wetland buffer' on Environmental Significance Overlay Maps (OM-004a-o) A04.2</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>	N/A	The site does not contain a 'High Ecological Significance Wetland'.

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>	N/A	The subdivision proposes to continue discharging stormwater under the existing arrangements and no earthworks or buildings and structures are proposed that could alter the drainage paths of these existing arrangements.
	<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>	N/A	The development is for a subdivision and will not involve the discharge of wastewater. An on-site effluent system will be required to service future development due to the site’s rural location and this will ensure that wastewater is discharged suitably.

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>	YES	<p>The subdivision seeks to subdivide the site from 1 Lot into 2 Lots that exceed 100ha. As a result, we are of the view that the subdivision will not impact upon the wildlife habitat area. Furthermore, there is more than sufficient area on-site to ensure that future development suitably avoids these areas and mitigates any potential impacts on these areas.</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>	N/A	The site is not located within a legally secured offset area.
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>AO7.1</p> <p>No acceptable outcome is provided</p>	N/A	The site is not located within a protected area.
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>AO8</p> <p>No acceptable outcome is provided.</p>	YES	The development is for a subdivision and will not involve any vegetation clearing, earthworks, or the establishment of any buildings and/or structures or land uses that could negatively impact upon the existing ecological corridor and habitat linkage that traverses the site. Furthermore, due to the size of the site, it is possible that future development could be located outside the ecological corridor and/or habitat linkage areas. However, this will be more suitably determined as part of a future Material Change of Use application to Council.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<ul style="list-style-type: none"> a) the environmental values of the area of the site identified in the 'Ecological corridor' or 'Habitat linkage'; b) the environmental values of adjoining and nearby land within the 'Ecological corridor' or 'Habitat linkage'; c) the extent of any modification proposed to the natural environment including (but not limited to) vegetation and topography; 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 e) the ability for the 'Ecological corridor' or 'Habitat linkage' to be enhanced to improve ecological connectivity. <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>			

Application

- (1) This code applies to assessing development where:
- (a) Land the subject of development is located within a 'Hill and Slope Area' identified on the **Hill and slope Overlay Maps (OM-008a-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 8.2.8.3 – Hill and Slope Overlay Code – for Self-Assessable and Assessable Development

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
FOR SELF-ASSESSABLE AND ASSESSABLE DEVELOPMENT			
SLOPE STABILITY			
<p>PO1</p> <p>Where clearing of vegetation, building work or filling or excavation occurs on land within a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o), a geotechnical report is prepared in accordance with Planning Scheme Policy 5 - Preparation of Geotechnical Reports that demonstrates:</p> <ul style="list-style-type: none"> (a) the long term stability of the development site; (b) development will not be adversely affected by landslide activity originating on sloping land above the development site; and (c) development will not adversely affect other property outside the development site through landslide activity or alterations to surface or groundwater. 	<p>AO1.1</p> <p>No acceptable outcome is provided.</p>	N/A	The development will not involve clearing vegetation, building work or filling or excavation.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
PO2 Development is designed and located to ensure that the use can appropriately function in the 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o) having regard to: (a) the nature and scale of the proposed use; (b) the gradient of the land; (c) the extent of land disturbance proposed; (d) stormwater discharge and its potential for erosion.	A02.1 Development for a Child care centre or Educational establishment is not located on land in a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o) .	N/A	The development does not involve a Child care centre or Educational establishment, nor does it involve any buildings and/or structures.
	A02.2 Development is not located on land with a gradient of greater than 25%.	N/A	The development is for a subdivision and will not involve the establishment of any buildings and/or structures.
	A02.3 No lot less than 2,000m ² is created in a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o) . <i>Note – Where a minimum lot size of less than 2,000m² applies under the Reconfiguring a lot code, the lot size requirements of the Hill and slope overlay code prevail.</i>	YES	The proposed subdivision will result in lots exceeding 100ha.
COMMUNITY INFRASTRUCTURE AND ESSENTIAL SERVICES			
PO3 Community infrastructure and essential services located within a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o) are able to function effectively during and immediately after landslide events.	A03.1 No acceptable outcome is provided.	N/A	The development does not propose any Community infrastructure or essential services.

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>	N/A	The development is for a subdivision and will not involve car parking spaces.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
VEHICLE CROSSOVERS			
PO2 Vehicle crossovers are provided to: <ul style="list-style-type: none"> (a) ensure safe and efficient access between the road and premises; (b) minimize interference with the function and operation of roads; and (c) minimise pedestrian to vehicle conflict. 	A02.1 Vehicular access to/from Council roads is designed and constructed in accordance with the Standard drawings in Planning Scheme Policy 4 - FNQROC Regional Development Manual.	YES	Council can condition compliance to ensure that the new access is constructed in accordance with the relevant standards.
	A02.2 Development on a site with two or more road frontages provides vehicular access from: <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	Due to the size of the site, there are a number of existing access points. As a result, access to Lot 148 will be via the existing access on Ivcevic Road and the access to Lot 147 will remain via the existing access on Tyrconnell Road. No new access points are proposed.
	A02.3 Vehicular access for particular uses is provided in accordance with Table 9.4.3.3E .	N/A	The development does not involve any of the uses listed in Table 9.4.3.3.E.
PO3 Access, maneuvering and car parking areas include appropriate pavement treatments having regard to: <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. 	A03.1 Access, maneuvering and car parking areas include pavements that are constructed in accordance with Table 9.4.3.3C .	YES	Council can condition compliance.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
FOR ASSESSABLE DEVELOPMENT			
PARKING AREA LOCATION AND DESIGN			
PO4 Car parking areas are located and designed to: (a) ensure safety and efficiency in operation; and (b) be consistent with the character of the surrounding locality.	AO4.1 Car parking spaces, access and circulation areas have dimensions in accordance with AS/NZS 2890.1 Off-street car parking.	N/A	The development is for a subdivision and will not involve a parking area.
	AO4.2 Disabled access and car parking spaces are located and designed in accordance with AS/NZS 2890.6 Parking facilities - Off-street parking for people with disabilities.	N/A	See AO4.1 above.
	AO4.3 The car parking area includes designated pedestrian routes that provide connections to building entrances.	N/A	See AO4.1 above.
	AO4.4 Parking and any set down areas are: (a) wholly contained within the site; (b) visible from the street where involving Commercial activities, Community activities, Industrial activities or a use in the Recreation and open space zone; (c) are set back behind the main building line where involving a Dual occupancy, Multiple dwelling, Residential care facility or Retirement facility; and (d) provided at the side or rear of a building in all other instances.	N/A	See AO4.1 above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
SITE ACCESS AND MANOEUVRING			
PO5 Access to, and manoeuvring within, the site is designed and located to: <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. 	A05.1 Access and manoeuvrability is in accordance with : <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. <i>Note—Proposal plans should include turning circles designed in accordance with AP34/95 (Austroads 1995) Design Vehicles and Turning Path Templates.</i>	YES	Council can condition compliance.
	A05.2 Vehicular access has a minimum sight distance in accordance with Part 5 of AUSTROADS.	YES	See AO5.1 above.
	A05.3 Vehicular access is located and designed so that all vehicles enter and exit the site in a forward gear.	YES	The site is of a sufficient size to allow vehicles to enter and exit the site in a forward gear.
	A05.4 Pedestrian and cyclist access to the site: <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	The subdivision does not proposed pedestrian and cyclist access to the site due to the Rural location.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
PO6 Development that involves an internal road network ensures that it's design: (a) ensure safety and efficiency in operation; (b) does not impact on the amenity of residential uses on the site and on adjoining sites, having regard to matters of: (i) hours of operation; (ii) noise (iii) light; and (iv) odour; (c) accommodates the nature and volume of vehicle movements anticipated to be generated by the use; (d) allows for convenient access to key on-site features by pedestrians, cyclists and motor vehicles; and (e) in the Rural zone, avoids environmental degradation.	AO6.1 Internal roads for a Tourist park have a minimum width of: (a) 4 metres if one way; or (b) 6 metres if two way.	N/A	The subdivision does not involve the construction of an internal road network, nor does it involve a Tourist Park or accommodation activity land use.
	AO6.2 For a Tourist park, internal road design avoids the use of cul-de-sacs in favour of circulating roads, where unavoidable, cul-de-sacs provide a full turning circle for vehicles towing caravans having: (a) a minimum approach and departure curve radius of 12 metres; and (b) a minimum turning circle radius of 8 metres.	N/A	See AO6.1 above.
	AO6.3 Internal roads are imperviously sealed and drained, apart from those for an Energy and infrastructure activity or Rural activity.	N/A	See AO6.1 above.
	AO6.4 Speed control devices are installed along all internal roads, apart from those for an Energy and infrastructure activity or Rural activity, in accordance with Complete Streets.	N/A	See AO6.1 above.
	AO6.5 Internal roads, apart from those for an Energy and infrastructure activity or Rural activity, are illuminated in accordance with AS 4282 (as amended) - Control of Obtrusive effects of outdoor lighting.	N/A	See AO6.1 above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	AO6.6 Where involving an accommodation activity, internal roads facilitate unobstructed access to every dwelling, accommodation unit, accommodation site and building by emergency services vehicles.	N/A	See AO6.1 above.
	AO6.7 For an Energy and infrastructure activity or Rural activity, internal road gradients: (a) are no steeper than 1:5; or (b) are steeper than 1:5 and are sealed.	N/A	The development is for a subdivision and will not involve an energy and infrastructure activity or rural activity.
SERVICING			
PO7 Development provides access, maneuvering and servicing areas on site that: (a) accommodate a service vehicle commensurate with the likely demand generated by the use; (b) do not impact on the safety or efficiency of internal car parking or maneuvering areas; (c) do not adversely impact on the safety or efficiency of the road network; (d) provide for all servicing functions associated with the use; and	AO7.1 All unloading, loading, service and waste disposal areas are located: (a) on the site; (b) to the side or rear of the building, behind the main building line; (c) not adjacent to a site boundary where the adjoining property is used for a sensitive use.	N/A	The development is for a rural subdivision and will not involve servicing areas.
	AO7.2 Unloading, loading, service and waste disposal areas allow service vehicles to enter and exit the site in a forward gear.	N/A	See AO7.1 above.

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 .	N/A	See AO7.1 above.
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	The subdivision will not involve parking areas.
	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: (a) meet the anticipated demand generated from the use; (b) comprise secure and convenient bicycle parking and storage; and (c) provide end of trip facilities for all active transport users.	AO9.1 The number of bicycle parking spaces provided for the use is in accordance with Table 9.4.3.3D .	N/A	The subdivision will not involve Bicycle parking facilities.
	AO9.2 End of trip facilities are provided in accordance with Table 9.4.3.3D .	N/A	The subdivision will not involve end of trip facilities.

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.			
P10 The level of traffic generated by the development on the surrounding local road network must not result in unacceptable impacts on adjacent land and local road users.	AO10.1 A traffic impact report is prepared by a suitably qualified person that identifies: <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	The development is for a subdivision and will not involve an Educational Establishment or Child Care Centre.
IF FOR EDUCATIONAL ESTABLISHMENT OR CHILD CARE CENTRE WHERE INVOLVING MORE THAN 100 VEHICLE MOVEMENTS PER DAY OR RENEWABLE ENERGY FACILITY, SPORT AND RECREATION ACTIVITIES, OR TOURIST PARK.			
PO11 The level of traffic generated by the development on the surrounding local road network must not result in unacceptable impacts on adjacent land and local road users.	AO11.1 A traffic impact report is prepared by a suitably qualified person that identifies: <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	See AO10.1 above.

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.

Criteria for assessment

Table 9.4.4.3A – Reconfiguring a Lot Code – for Assessable Development

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
AREA AND FRONTAGE OF LOTS			
PO1 Lots include an area and frontage that: <ol style="list-style-type: none"> (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: <ol style="list-style-type: none"> i. Centres; ii. Public transport services; and iii. Open space. (f) Allows for the protection of environmental features; and (g) Accommodate site constraints. 	AO1 Lots provide a minimum area and frontage in accordance with Table 9.4.4.3B .	YES	Both new lots will exceed the 60ha minimum lot size and 400m minimum frontage requirements outlined in Table 9.4.4.3B.
EXISTING BUILDINGS AND EASEMENTS			

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
PO2 Reconfiguring a Lot which contains existing land uses or existing buildings and structures ensures: <ul style="list-style-type: none"> (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.	YES	Each lot exceeds 100ha and will have more than sufficient area to accommodate each land use and associated infrastructure within each individual allotment.
	AO2.2 All lots containing existing buildings and structures achieve the setback requirements of the relevant zone.	YES	The existing dwelling house is to be located on Lot 147 and will be setback some 500m from the new property boundary. The existing telecommunication towers are located towards the Ivcevic Road frontage of Lot 148 and setback some 900m from the new property boundary. As a result, the development achieves compliance with the setback requirements to the new property boundary in accordance with the Rural Zone Code.
PO3 Reconfiguring a Lot which contains an existing easement ensures: <ul style="list-style-type: none"> (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	There are no existing easements residing over the site.
BOUNDARY REALIGNMENT			
PO4 The boundary realignment retains all attendant and existing infrastructure connections and potential connections.	AO4 No acceptable outcome is provided	N/A	The reconfiguration does not involve a boundary realignment.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
FOR ASSESSABLE DEVELOPMENT			
PO5 Access to a reconfigured lot (including driveways and paths) must not have an adverse impact on: <ul style="list-style-type: none"> (a) Safety; (b) Drainage; (c) Visual amenity; (d) Privacy of adjoining premises; and (e) Service provision. 	AO5 No acceptable outcome is provided.	YES	Due to the size of the site, there are a number of existing access points to the site, of which will continue to be utilised. As a result, no impact on the corresponding performance outcome elements will occur over and above what is existing at present.
PO6 Reconfiguring a Lot ensures that access to a lot can be provided that: <ul style="list-style-type: none"> (a) Is consistent with that provided in the surrounding area; (b) Maximise efficiency and safety; and (c) Is consistent with the nature of the intended use of the lot. <p>Note – the Parking and Access code should be considered in demonstrating compliance with PO6.</p>	AO6 Vehicle crossover and access is provided in accordance with the design guidelines and specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	YES	Access to Lot 148 will continue to be via Ivcevic Road while access to Lot 147 will continue to be via Tyrconnel Road. We are of the view that these access points are suitable for a rural standard; however, Council can condition compliance.
PO7 Roads in the Industry zone are designed having regard to: <ul style="list-style-type: none"> (a) The intended use of the lots; (b) The existing use of surrounding land; (c) The vehicular servicing requirements of the intended use; and (d) The movement and turning requirements of B-Double vehicles. 	AO7 No acceptable outcome is provided.	N/A	The site is not located within the Industry Zone.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
Note – the Parking and Access code should be considered in demonstrating compliance with PO6.			
REAR LOTS			
PO8 Rear lots are designed to: <ul style="list-style-type: none"> (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 the road from which access is gained. 	A08.1 Rear lots are designed to facilitate development that adjoins or overlooks a park or open space.	N/A	The subdivision will not involve rear lots.
	A08.2 No more than two rear lots are created behind any lot with a road frontage.		
	A08.3 Access to lots is via an access strip with a minimum width of: <ul style="list-style-type: none"> (a) 4 metres where in the Low density residential zone or Medium density residential zone; or (b) 8 metres otherwise. 		
	A08.4 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.		
	A08.5 No more than 1 in 10 lots created in a new subdivision are rear lots.		

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	AO8.6 Rear lots are not created in the Centre zone or the Industry zone.		
CRIME PREVENTION AND COMMUNITY SAFETY			
PO9 Development includes design features which enhance public safety and seek to prevent opportunities for crime, having regard to: <ul style="list-style-type: none"> (a) Sightlines; (b) The existing and intended pedestrian movements network; (c) The existing and intended land use pattern; and (d) Potential entrapment locations. 	AO9 No acceptable outcome is provided.	N/A	This is not considered applicable for a Rural subdivision.
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 considered applicable for a Rural subdivision.
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:	AO11 No acceptable outcome is provided.	N/A	The site does not include or adjoin a future public transport corridor or future public transport site.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<ul style="list-style-type: none"> (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 it will include an element which will attract pedestrian movement. 			
RESIDENTIAL SUBDIVISION			
PO12 Residential lots are: <ul style="list-style-type: none"> (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	The subdivision is not a residential subdivision in a residential area.
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	The site is not located within the Rural Residential zone.
ADDITIONAL PROVISIONS FOR GREENFIELD DEVELOPMENT ONLY			
PO14 The subdivision design provides the new community with a local identity by responding to: <ul style="list-style-type: none"> (a) Site context; 	AO14 No acceptable outcome is provided.	N/A	The proposed development is not greenfield development.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
(b) Site characteristics; (c) Setting; (d) Landmarks; (e) Natural features; and (f) Views.			
PO15 The road networks 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	See AO14.1 above.
PO16 The road network is designed to: <ul style="list-style-type: none"> (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	See AO14.1 above.
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	See AO14.1 above.
PO18 The staging of the lot reconfiguration prioritises delivery of link roads to facilitate efficient bus routes.	AO18 No acceptable outcome provided.	N/A	See AO14.1 above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
PO19 Provision is made for sufficient open space to: <ul style="list-style-type: none"> (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	See AO14.1 above.
	AO19.2 A maximum of 30% of the proposed open space can consist of land identified as significant vegetation or riparian corridor buffer.		
PO20 A network of parks and community land is provided: <ul style="list-style-type: none"> (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	See AO14.1 above.

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			
PO1 Each lot has an adequate volume and supply of water that: <ul style="list-style-type: none"> (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment. 	AO1.1 Development is connected to a reticulated water supply system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located: <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated water supply service area. 	N/A	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. 	YES	Lot 147 will continue to utilise the existing rainwater tanks on-site while Lot 148 will be provided with on-site rainwater tanks that comply with the corresponding requirements. Council can also condition compliance.
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. 	N/A	See AO2.2 below.
	<p>AO2.2</p> <p>An effluent disposal system is provided in accordance with ASNZ 1547 On-Site Domestic Wastewater</p>	YES	Lot 147 is already provided with an on-site effluent system which services the existing dwelling. Lot 148 will be provided with an on-site effluent system and Council can condition compliance.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	<p>Management (as amended) where development is located:</p> <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area. 		
STORMWATER INFRASTRUCTURE			
<p>PO3</p> <p>Stormwater infrastructure is designed and constructed to collect and convey the design storm event to a lawful point of discharge in a manner that mitigates impacts on life and property.</p>	<p>AO3.1</p> <p>Where located within a Priority infrastructure area or where stormwater infrastructure is available, development is connected to Council's stormwater network in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	YES & N/A	The site is not located in a Priority Infrastructure Area, nor is stormwater infrastructure available to the site. The subdivision will not involve any vegetation clearing, earthworks or buildings or structures and will continue to utilise the existing stormwater arrangements existing over the site which generally drains via sheet flow to the numerous waterways located throughout the site.
	<p>AO3.2</p> <p>On-site drainage systems are constructed:</p> <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. 	N/A	See AO3.1 above.
ELECTRICITY SUPPLY			
<p>PO4</p> <p>Each lot is provided with an adequate supply of electricity</p>	<p>AO4</p> <p>The premises:</p> <ul style="list-style-type: none"> (a) is connected to the electricity supply network; or 	YES	Lot 147 has an existing connection to the electricity supply network. Lot 148 will seek to connect to the electricity supply network in accordance with Ergon's requirements.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	(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.		
TELECOMMUNICATIONS INFRASTRUCTURE			
PO5 Each lot is provided with an adequate supply of telecommunication infrastructure	AO5 Development is provided with a connection to the national broadband network or telecommunication services.		Lot 147 has an existing connection to the telecommunications services. Lot 148 will seek to connect to the electricity supply network in accordance with NBN's or the relevant providers requirements.
EXISTING PUBLIC UTILITY SERVICES			
PO6 Development and associated works do not affect the efficient functioning of public utility mains, services or installations.	AO6 Public utility mains, services are relocated, altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	N/A	The subdivision will not impact upon any existing public utility services.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
EXCAVATION OR FILLING			
PO7 Excavation or filling must not have an adverse impact on the: <ul style="list-style-type: none"> (a) streetscape; (b) scenic amenity; (c) environmental values; (d) slope stability; (e) accessibility; or (f) privacy of adjoining premises. 	AO7.1 Excavation or filling does not occur within 1.5 metres of any site boundary.	N/A	The subdivision will not involve excavation or filling.
	AO7.2 Excavation or filling at any point on a lot is to be no greater than 1.5 metres above or below natural ground level.	N/A	See AO7.1 above.
	AO7.3 Earthworks batters: <ul style="list-style-type: none"> (a) are no greater than 1.5 metres in height; (b) are stepped with a minimum width 2 metre berm; (c) do not exceed a maximum of two batters and two berms (not greater than 3.6 metres in total height) on any one lot; (d) have a slope no greater than 1 in 4; and (e) are retained. 	N/A	See AO7.1 above.
	AO7.4 Soil used for filling or spoil from excavation is not stockpiled in locations that can be viewed from: <ul style="list-style-type: none"> (a) adjoining premises; or (b) a road frontage, for a period exceeding 1 month from the commencement of the filling or excavation. 	N/A	See AO7.1 above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	A07.5 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.	N/A	See AO7.1 above.
	A07.6 Retaining walls have a maximum height of 1.5 metres and are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	N/A	See AO7.1 above.
	A07.7 Excavation or filling at any point on a lot is to include measures that protect trees at the foot or top of cut or fill batters by the use of appropriate retaining methods and sensitive earth removal or placement and in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	N/A	See AO7.1 above.
FOR ASSESSABLE DEVELOPMENT			
TRANSPORT NETWORK			
PO8 The development has access to a transport network of adequate standard to provide for the safe and efficient movement of vehicles, pedestrians and cyclists.	AO8.1 Vehicle access, crossovers, road geometry, pavement, utilities and landscaping to the frontage/s of the site are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning	YES	Vehicle access to the site and each new lot is existing and built to a rural standard. As a result, we are of the view that the subdivision complies with this outcome although Council may condition compliance.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	Scheme Policy 4 – FNQROC Regional Development manual.		
	AO8.2 Development provides footpath pavement treatments in accordance with Planning Scheme Policy 9 – Footpath Paving.	N/A	The site is rural and no footpaths are proposed.
PUBLIC INFRASTRUCTURE			
PO9 The design, construction and provision of any infrastructure that is to be dedicated to Council is cost effective over its life cycle and incorporates provisions to minimise adverse impacts.	AO9 Development is in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	N/A	The subdivision does not involve public infrastructure.
STORMWATER QUALITY			
PO10 Development has a non-worsening effect on the site and surrounding land and is designed to: <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; 	AO10.1 The following reporting is prepared for all Material change of use or Reconfiguring a lot proposals: <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 	N/A & YES	In accordance with the definition of 'urban purposes' in the <i>Planning Regulations 2017</i> , development in the Rural zone is not considered an Urban Purpose. Hence, in accordance with the State Planning Policy 2017, no stormwater quality measures are required, nor proposed for the operational phase. Compliance can be conditioned for the construction phase.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
(d) minimise flooding; (e) maximise the use of natural channel design principles; (f) maximise community benefit; and (g) minimise risk to public safety.	(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.		
	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.	N/A	The subdivision will not result in more than 5 lots.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
PO11 Storage areas for stormwater detention and retention: <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. 	AO11 No acceptable outcome is provided.	N/A	The subdivision does not proposed to create a storage area for stormwater detention and/or retention.
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.	N/A	The subdivision will not involve any excavation or filling.
	AO12.2 Transportation of fill to or from the site does not occur: <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. 	N/A	See AO12.1 above.
PO13	AO13.1 Dust emissions do not extend beyond the boundary of the site.	N/A	See AO12.1 above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
Air pollutants, dust and sediment particles from excavation or filling, do not cause significant environmental harm or nuisance impacts.	AO13.2 No other air pollutants, including odours, are detectable at the boundary of the site.	N/A	See AO12.1 above.
	AO13.3 A management plan for control of dust and air pollutants is prepared and implemented.	N/A	See AO12.1 above.
PO14 Access to the premises (including driveways and paths) does not have an adverse impact on: <ul style="list-style-type: none"> (a) safety; (b) drainage; (c) visual amenity; and (d) privacy of adjoining premises. 	AO14 Access to the premises (including all works associated with the access): <ul style="list-style-type: none"> (a) must follow as close as possible to the existing contours; (b) be contained within the premises and not the road reserve, and (c) are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual. 	N/A	Access to each lot is existing and constructed to a Rural standard. Council can condition compliance if necessary.
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.	YES	Council can condition compliance.
CONTAMINATED LAND			

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
PO16 Development is located and designed to ensure that users and nearby sensitive land uses are not exposed to unacceptable levels of contaminants	AO16 Development is located where: <ul style="list-style-type: none"> (a) soils are not contaminated by pollutants which represent a health or safety risk to users; or (b) contaminated soils are remediated prior to plan sealing, operational works permit, or issuing of building works permit. 	YES	To the best of Urban Sync's knowledge, the site is not include on the Contaminated Land or Environmental Management Registers.
FIRE SERVICES IN DEVELOPMENTS ACCESSED BY COMMON PRIVATE TITLE			
PO17 Fire hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	AO17.1 Fire hydrants are located in accessways or private roads held in common private title at a maximum spacing of: <ul style="list-style-type: none"> (a) 120 metres for residential development; and (b) 90 metres for any other development. 	N/A	The subdivision will not involve common private title.
	AO17.2 Fire hydrants are located at all intersections of accessways or private roads held in common private title.	N/A	See AO17.1 above.