

27 January 2021

Our Ref: 20-638

Chief Executive Officer

Mareeba Shire Council
PO Box 154
MAREEBA QLD 4880

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

Dear Brian,

**RE: APPLICATION FOR A DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE
AT 3338 KENNEDY HIGHWAY, MAREEBA**

We refer to the above-described matter and confirm that Urban Sync Pty Ltd has been engaged by Mission Australia to co-ordinate the necessary application material to Mareeba Shire Council for assessment with respect to the above described land.

Mission Australia currently operates a facility known as 'Triple Care Farm Withdrawal Program (David Martin Place)' in the NSW Southern Highlands town of Robertson. Due to the initial success of this facility in terms of operating and rehabilitating residents in a rural environment that is able to coexist with other surrounding rural and rural activities, Mission Australia have now been awarded Grant funding to replicate, to a major extent, the same facility in Far North Queensland.

In support of the assessment, we attach the following documents to assist Council officers:

- DA Form 1 and Landowner's Consent as **Attachment 1**;
- Plans of Development prepared by BAU Design Architects as **Attachment 2**;
- Site Searches as **Attachment 3**;
- Pre-lodgement Correspondence between Mission Australia and Mareeba Shire Council as **Attachment 4**;
- Commentary dealing with State Development Assessment Provisions Code as **Attachment 5**; and
- Commentary dealing with applicable development codes under the *Mareeba Shire Council Planning Scheme 2016* as **Attachment 6**.
- In accordance with s51(2) of the *Planning Act 2016*, landowners' consent has been provided as the Applicant is not the owner of the land.

In the pre-lodgement discussions Council officers have advised the application fee to the amount of **\$2,175.00** (breakdown in section 5.3) and this will be paid to facilitate lodgement of this application. On formal lodgement, an invoice for payment be issued by Mareeba Shire Council as soon as practicable.

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 PERMIT FOR A MATERIAL CHANGE OF USE
ROOMING ACCOMMODATION (RESIDENTIAL REHABILITATION FACILITY)
LOCATED AT 3338 KENNEDY HIGHWAY, MAREEBA

27 January 2021

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Limitation: This report has been prepared on behalf of Urban Sync Pty Ltd for our client, Mission Australia and considers the instructions and requirements of Mission Australia 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
20-638	1.0	27/01/2021	JJP	SDR	Mission Australia

27/01/2021

FINAL Version 1.0

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I EXECUTIVE SUMMARY

Mission Australia (the 'Applicant') have entered into agreement with the landowners at 3338 Kennedy Highway, Mareeba and are seeking the requisite statutory development approval from Mareeba Shire Council (Council) to establish a residential rehabilitation facility over part of Lot 2 on RP747563 (the site).

Urban Sync are engaged by Mission Australia to provide town planning services and co-ordinate the application material sufficient to allow assessment by Council under the relevant sections of the *Planning Act 2016* and the Mareeba Shire Council Planning Scheme

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

- **Development Permit for a Material Change of Use for Rooming Accommodation (Residential Rehabilitation Facility).**

This development application report has been undertaken to:

- Present the physical characteristics of the site that is the subject of this application;
- Summarise the pre-lodgement phase of the development between Mission Australia and Mareeba Shire Council and identify any relevant site development history;
- Accurately describe the development determined to be 'Rooming Accommodation (Residential Rehabilitation Facility)' as generally reflected in the plans of development prepared by Bau Design Architects;
- Address all applicable statutory requirements triggered through the *Planning Act 2016* (PA), *Planning Regulations 2017* (PR), *State Planning Policy 2017* and the Planning Scheme; and
- Address any 'key' planning issues and identify non-compliances with the Planning Scheme provisions and in doing so, demonstrate that the development can deal with the Assessment Benchmarks or can be conditioned to achieve reasonable compliance.

This report highlights that the project by Mission Australia is appropriately located in a 'Rural' locality and that the assessment benchmarks are relatively supportive of an accommodation style which is sought to be established under this proposal. Whilst the rural zone code does encourage the establishment of non-rural uses as is being proposed by the development, it is notable that the land can maintain a level of rural production over the long-term and the operations of the 'Rooming Accommodation' will not compromise the continued use of the site or the locality for rural activities.

This report can demonstrate that the development can meet the Planning Benchmarks and specifically, that the development will:

- Not result in unnecessary negative environmental impacts (we acknowledge that conditions of approval may be required to ensure this occurs); and
- Will not result in an unnecessary impact of 'Rural' amenity or land use conflicts with nearby rural premises/sensitive land uses; and
- Will not constrain the ability of the site to be used for its intended function, being rural development, at some time in the future.

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

2 APPLICATION DETAILS

2.1 APPLICATION SUMMARY

Approval Sought:	Development Permit for a Material Change of Use for Rooming Accommodation (Residential Rehabilitation Facility)
Applicant:	Mission Australia C/- Urban Sync Pty Ltd PO Box 2970 CAIRNS, QLD, 4870
Project Description Details:	The lawful establishment of a Residential Rehabilitation Facility to provide accommodation for up to 10 clients under management and supervision, with ancillary health services to support a 12-week holistic psychosocial rehabilitation program.
ASSESSMENT DETAILS	
Assessment Manager:	Mareeba Shire Council
Development Category:	Assessable Development
Assessment Category:	Impact Assessable
Public Notification:	Yes
PRE-LODGEMENT CONSULTATION	
Council:	Yes – Please see section 4.2 and Attachment 4 .
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; ▪ Natural Hazards Risk & Resilience; and ▪ Transport Infrastructure.
Regional Plan:	Far North Queensland Regional Plan 2009-2031
Regional Plan Land Use:	Regional Landscape and Rural Production Area
Development Assessment Mapping:	<ul style="list-style-type: none"> ▪ Water Resources; ▪ Native Vegetation Clearing ▪ State Transport Corridor; ▪ Areas within 25m of a State Transport Corridor; and ▪ Electricity Infrastructure
Referrals:	Yes
Other State Interests:	Transport Noise Corridor (State-Controlled Road).
RELEVANT LOCAL PLANNING INSTRUMENTS	
Planning Scheme:	<i>Mareeba Shire Council Planning Scheme 2016</i>
Zone:	Rural

Overlays:

- Bushfire Hazards;
- Environmental Significance; and
- Hill and Slope.

2.2 PLANS OF DEVELOPMENT – BAU DESIGN ARCHITECTS

Document	Company	Reference	Revision	Author	Date
Cover Sheet & Site Plan	BAU Design Architects	21011	4	C. Lohrum	17-01-2021
Plans - Accommodation	BAU Design Architects	21011	4	C. Lohrum	17-01-2021
Plans – Administration	BAU Design Architects	21011	4	C. Lohrum	17-01-2021
Elevation – Accommodation	BAU Design Architects	21011	4	C. Lohrum	17-01-2021
Elevation – Administration	BAU Design Architects	21011	4	C. Lohrum	17-01-2021
3D Images	BAU Design Architects	21011	4	C. Lohrum	17-01-2021

3 SITE DETAILS

3.1 SITE DESCRIPTION

Registered Landowners:	VYNPACK PTY LTD (ABN: 81 010 877 219)
Site Location:	3338 Kennedy Highway, Mareeba
Lot and Description:	Lot 2 on RP747563
Site Area:	8.847ha
Tenure:	Freehold
Easements/Encumbrances:	Yes – Easement B on NR7473 (being for Powerlink – electrical)
Local Government Authority:	Mareeba Shire Council



Figure 1: Site location – 3338 Kennedy Highway, Mareeba (Source: Queensland Globe, State of Queensland, 2021).

3.2 SITE ANALYSIS

Current Use/s:	Rural (Dwelling and Aquaculture Dam)
Existing Improvements:	The site currently includes some improvements including a Dwelling House and aquaculture dam with ancillary structures (i.e., fencing, sheds, shade house, shipping container, etc.) and access tracks.
Topography:	The topography of the site falls some 30m from the north-west corner of the site through the vegetated area before becoming generally flat for the remainder of the site.
Waterways:	No waterways traverse the site but there is a dam on-site that is used for aquaculture activities.
Vegetation:	The northern portion of the site contains the densest vegetation over the site with the remainder of the site being generally cleared except for some sparse vegetation located along access tracks, along hilly terrain and near the dam area.
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:	The site has an approximate 600m frontage to Kennedy Highway, which is identified as a State-controlled Road in Council's road hierarchy. The Kennedy Highway is a single lane, undivided two-way, 10m wide sealed carriage way within a 60m road reserve.
Water & Sewerage Supply:	This site is serviced by water tanks and is not connected to Council's reticulated water infrastructure. The site is also not connected to Council's reticulated sewerage infrastructure and utilizes an existing on-site effluent system.
Stormwater:	Stormwater from the site appears to be discharged via sheet flow to the existing dam located in the middle of the site.
Electricity & Telecommunications:	The site is connected to the existing telecommunications and electricity infrastructure that is existing on-site.

4 DEVELOPMENT BACKGROUND

4.1 RELEVANT APPROVALS

Prior to committing to the site and to the development submission, Mission Australia are entering into preliminary discussions with Mareeba Shire Council about the type of development being considered the position of the project in a 'rural' landscape.

Pre-lodgement Advice was sought by the proponents from Mareeba Shire Council and has been provided in **Attachment 4** establishing that the Council's initial views in determining the definition of the project and some of the 'key' planning issues to be considered in future assessment.

Previously issued Planning approvals over the site that have since lapsed are outlined below:

- Town Planning Consent C32/88 – Crayfish Farming, Restaurant and Theatrette (1988); and
- Material Change of Use – Roadside Stall (2005).

4.2 PRE-LODGE MEETINGS

4.2.1 Mareeba Shire Council

Formal pre-lodgement advice between Mareeba Shire Council and representatives of Mission Australia regarding the suitability of the land use within the rural zone, and any other matters that Council consider relevant to the development was undertaken in 2020.

Urban Sync later sought additional pre-lodgement advice from Council to re-affirm that the proposal could be defined as 'Rooming Accommodation'. Council confirmed this use was applicable due to the scale of 'medical care' that was going to be provided and the facts and circumstances of the use as submitted with the application would be more important than the initial definition such that a person could review that assessment material under a period of Public Consultation.

Council confirmed that the project maybe reasonably conditioned to allow the operation over the site without creating adverse impacts on surrounding 'rural' land uses based on the submission and operational material submitted to Council in the preliminary phase. Council officers also advised that where buildings and structures are located within the bushfire hazard overlay, that an application be support by a Bushfire Assessment Report. Urban Sync acknowledges the need for this reporting but ask that Council condition that a Bushfire Assessment Report be submitted to Council for review and approval prior to commencement of building works.

Council have also advised that an ecological assessment report would not be required to support the application and that any native vegetation removal would be supported by Council where it is also approved the State Assessment and Referral Agency. Non-native vegetation may be removed at the discretion of the landowner; however, Council; advised that a vegetation buffer be retained along the Kennedy Highway frontage to maintain scenic values.

Other matters that Council identified would require attention included:

- The site is within a 'Slight Residual UXO' area - Commentary on this aspect has been provided in Section 7.5;
- Proposed caretaker/supervision intentions for the development - All residents of the clinic will be provided with 24/7 nursing supervision consistent with the level of service. Staff will reside in the Office block and be able to attend to any needs at all times;
- Detail reasoning for choosing the subject site – Due to the nature of the proposal, a significant land holding is required to ensure that there is ample room on-site to accommodate staff and residents. Vocational programs that can be utilised (recreation and creative arts program) which includes having attendees work to maintain the rural nature of the site. The site has also been chosen so that attendees are afforded a safe place where they can work on building residential living skills without impacting upon nearby neighbours, as would be the case if this proposal was to be located within one of the Mareeba Shire Townships.

4.3 BREAKDOWN OF APPLICATION FEES

The applicable application fee is **\$2,175.00** which has been broken down below for Council's consideration:

- Rooming Accommodation (Impact Assessable) up to 20 rooms/beds = \$2,750.00
- The \$575.00 pre-lodgement fee paid is to be credited against the application fee.

5 DEVELOPMENT PROPOSAL

5.1 GENERAL DESCRIPTION

This development application seeks the requisite statutory development approval from Council to establish 'Rooming Accommodation' and residential rehabilitation facility over part of Lot 2 on RP747563 at 3338 Kennedy Highway, Mareeba.

Accordingly, this development application seeks the following approval:

- **Development Permit for a Material Change of Use for Rooming Accommodation (Residential Rehabilitation Facility).**

5.2 PROPOSAL DETAILS

Mission Australia advises that the project and programs are similar in nature to the Triple Care Farms Program in Robertson, where the facility will seek to accommodate adult clients rather than young people and this facility will seek to incorporate 'Cognitive Behaviour Therapy' as opposed to the Triple Aged Care Farm where they do 'Dialectical Behaviour Group Therapy'. Other than these minor differences, the facilities are generally similar in nature.

The land and the position of the development area internally are considered suitable to accommodate the establishment of such a facility and Mission Australia will seek to provide residential accommodation for up to ten (10) clients, with ancillary health services to support a 12-week holistic rehabilitation program followed by a 6-month community aftercare program.

Once operational, the development will seek to integrate vocational programs to aid in the rehabilitation of residents. These programs can include, but are not limited to:

- Therapeutic program: Providing a dialectical behaviour group therapy program modified for young people with substance dependence and an individual counselling program;
- Training: Development of farming and landscape skills, including learning to use farm equipment and machinery;
- Creative arts: Painting and sculpture and possible small-scale music classes;
- Individual case management: Support for young people from the point of making a referral to the program, through the 12-week rehabilitation and the 6-month community aftercare program; and
- Residential living skills: Building living skills including personal care, budgeting, cooking and household maintenance.

The development will involve an entry driveway and car parking area to be extended from the existing access off the Kennedy Highway and the construction of Two (2) new buildings, being the Main Building and Offices, of which are outlined in greater detail below:

5.2.1 Main Building (Residential Rehabilitation Facility)

- Commercial Grade Kitchen;
- A Servery Area which adjoins the open-air dining/living space;
- Ten (10) ensuite rooms with private decks and disabled access (two (2) of these rooms also include bathrooms able to cater for persons with disabilities); and
- Media/Lounge Room;
- Storage areas for kitchen/linen supplies (lockable);
- Laundry area; and
- Communal unisex male/female toilets.

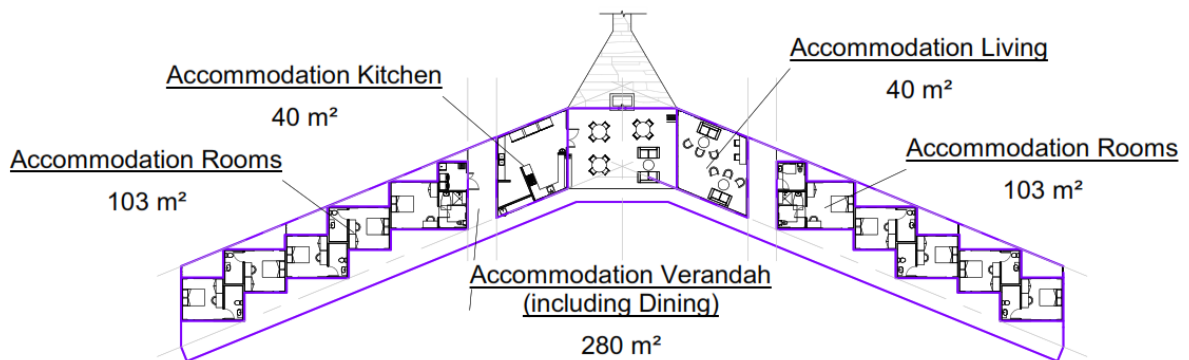


Figure 2: Floor Plan of Proposed Main Accommodation Building (Source: BAU Design Architects, 2021)

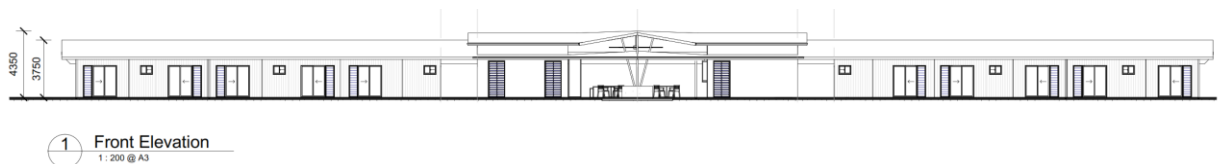


Figure 3: Front Elevation of Main Accommodation Building (Source: BAU Design Architects, 2021)



Figure 4: 3D Visualisation of the Main Accommodation Building (Source: BAU Design Architects, 2020)

5.2.2 Administration Building

- Open Plan Office accommodating between 6-8 people;
- Large meeting room;
- Counselling room;
- Reception room;
- Staff Toilet;
- Staff Kitchen;
- Single Staff Sleeping Quarters;
- Small Manager's Office; and
- Coordinators/team-leader's office (capacity for 3-4 Staff)

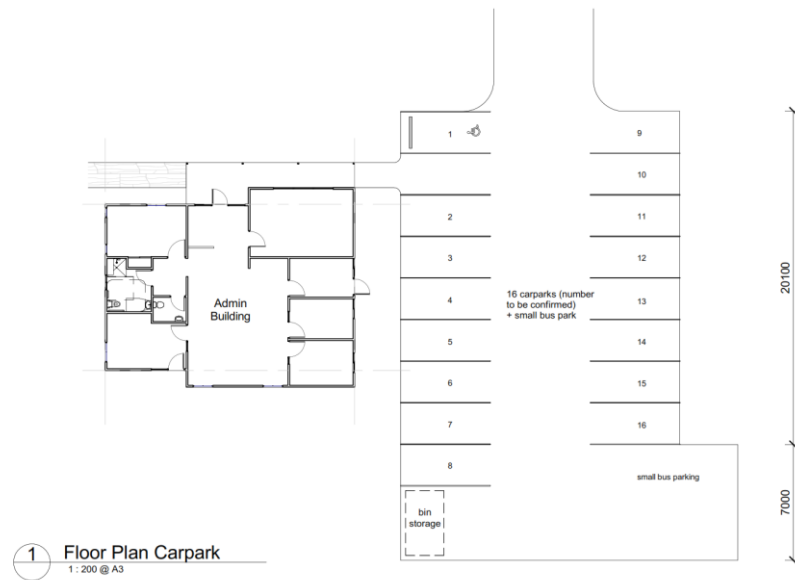


Figure 5: Floor Plan of Proposed Administration Building & Car Park (Source: BAU Design Architects, 2021)

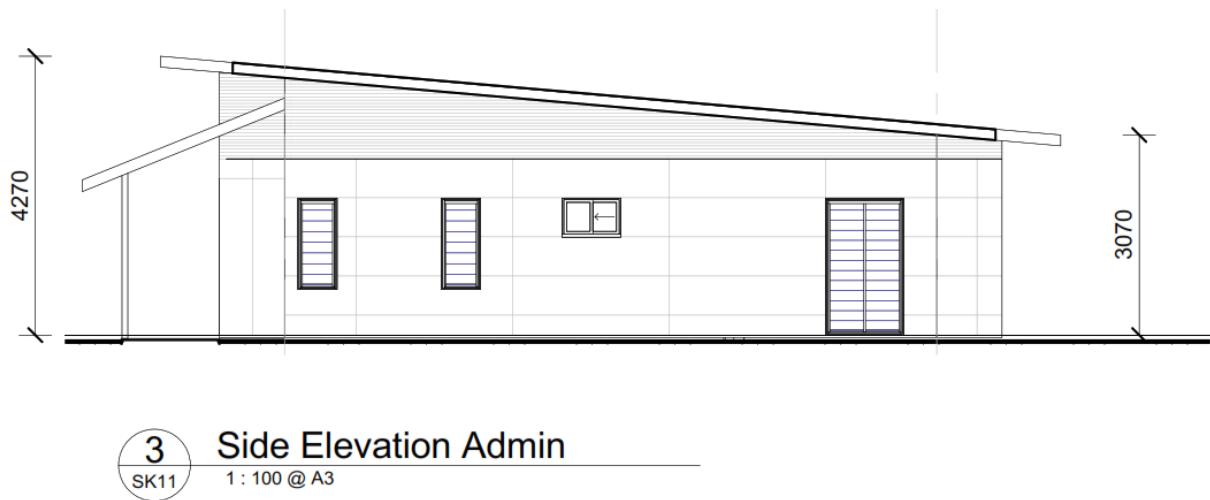


Figure 6: Side Elevation of Administration Building (Source: BAU Design Architects, 2021)



Figure 7: 3D Visualisation of Administration Building (Source: BAU Design Architects, 2021)

It is noted here that the existing dwelling house and aquaculture dam that are lawfully established on the site are to remain operational and we are agreeable for Council to impose a condition stating that the rehabilitation activities are not associated with this existing dwelling on-site.

Please refer to the Design Plans provided in **Attachment 2** for further details on the proposal.

5.3 STAGING

The development will not be staged.

5.4 ENGINEERING AND INFRASTRUCTURE PROVISION

5.4.1 Water Supply

Acceptable Outcome 1.2 of the Works, Services and Infrastructure Code states that where development is located outside a reticulated water supply service area and in the Rural zone, that an on-site water storage tank/s be provided with a minimum capacity of 90,000L.

In order to achieve compliance with this code, the development will be serviced by on-site rainwater tanks of a sufficient size to accommodate the anticipated demand to be generated by the development. Council can also condition compliance.

5.4.2 Sewerage Supply

The development will be serviced by an on-site effluent system/s that are of a sufficient size to accommodate the anticipated demand generated by the development.

5.4.3 Electricity and Telecommunications

The site is already connected to electricity infrastructure and the proposed development will continue to utilise these existing arrangements.

The development will connect to NBN in accordance with NBN's requirements. If a connection is unable to be made to the site, the development will utilise mobile phones for any telecommunication needs associated with the development.

5.4.4 Stormwater (Quantity)

Stormwater from the development will continue to be collected and discharged to a lawful point of discharge, being the dam located in the middle of the site under the existing on-site arrangements.

5.4.5 Stormwater (Quality)

In accordance with the definition of 'urban purpose' 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.

5.4.6 Bulk Earthworks

No earthworks are required or proposed to facilitate the development.

5.4.7 Erosion and Sediment Control

An Erosion and Sediment Control Plan will be prepared prior to construction.

5.5 TRANSPORT AND ACCESSIBILITY

5.5.1 External Upgrades

The existing access off the Kennedy Highway to the site is proposed to be upgraded as per DTMR's requirements for the first 10m and then will be maintained to a suitable standard for the remaining length to the property boundary.

5.5.2 Internal Upgrades

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

5.5.3 Access Locations

Access to the site will be via the existing access on the Kennedy Highway which then runs parallel to the property boundary. This access is proposed to be upgraded to accommodate the demand generated by the proposed development in accordance with the Department of Transport and Main Roads requirements.

5.5.4 Car Parking

The development proposes a new car parking area to accommodate approximately 16 cars and one (1) small bus.

5.6 INFRASTRUCTURE CHARGES

As the site is not connected to any of Council's reticulated infrastructure, is located within the rural zone, and accessed directly off the Kennedy Highway (State-controlled Road), no infrastructure charges should be applicable.

6 LEGISLATIVE REQUIREMENTS

6.1 PLANNING ACT 2016

6.1.1 Confirmation that the Development is not Prohibited

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

6.1.2 Assessable Development

The development involves a Material Change of Use in respect of the '*start of a new use of the premises*'.

A Material Change of Use for the activities being applied for deemed to be considered "Assessable Development" pursuant to Section 44 (3) of the PA, which states that "*Assessable Development is development for which a development approval is required.*"

6.1.3 Level of Assessment

A Material Change of Use for a Rooming Accommodation in the Rural Zone triggers **Impact Assessment**.

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(3), and 62 of the PA and Sections 29-31 of the PR. Specifically, section 60(3) of the PA states for an Impact Assessable application, the Assessment Manager must decide:

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

6.1.5 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' Regional Land Use Category of the Far North Queensland 2009-2031 (see **Attachment 3**). The Minister has identified that the Planning Scheme, specifically the Strategic Framework, appropriately advances the FNQRP 2009-2031. Hence, compliance with the FNQRP is demonstrated through compliance with the Strategic Framework elements of the Planning Scheme, of which have been addressed in Section 6.6.1 of this Planning Report (refer to this report and attachments for demonstration of this compliance).

6.3 STATE PLANNING POLICY

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

- Agriculture (Important Agricultural Areas);
- Natural Hazards Risk and Resilience (Bushfire Prone Area); and
- Transport Infrastructure (State-controlled Road).

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

6.4 REFERRALS & STATE DEVELOPMENT ASSESSMENT PROVISIONS

Urban Sync have investigated and completed searches of the SARA Mapping (<https://planning.dsdmip.qld.gov.au/maps>). A review of the DA mapping system indicates that the site is subject to the following matters of State interest (see **Attachment 3**):

- Water Resources (Water Resource Planning Area Boundaries);
- Native Vegetation Clearing (Regulated Vegetation Management Map – Category A & B Extract)
- State Transport Corridor (State-controlled Road);
- Areas Within 25m of a State Transport Corridor (Area within 25m of a State-controlled Road); and
- Electricity Infrastructure (Ergon Easement).

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

- Chief Executive of Ergon – Schedule 10, Part 9, Division 2, Table 2 – Material Change of Use near a substation site or subject to an easement (Advice Agency Only); and
- State Assessment Referral Agency – Schedule 10 Part 9, Division 4, Subdivision 2, Table 4 – Material Change of Use of premises near a State Transport Corridor or that is a future State Transport Corridor.

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

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

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

Note: Ergon will also assess the development against the purpose of the Electricity Act and Electrical Safety Act.

6.5 PLANNING SCHEME (MAREEBA SHIRE COUNCIL PLANNING SCHEME 2016)

6.5.1 Land Use Definition – Schedule 10

The development is defined under the Planning Scheme (and by Mareeba Shire Council) as:

‘Rooming Accommodation’:

“Premises used for the accommodation of one or more households where each resident:

- *Has a right to occupy one or more rooms;*
- *Does not have a right to occupy the whole of the premises in which the rooms are situated;*
- *May be provided with separate facilities for private use;*
- *May share communal facilities or communal space with one or more of the other residents.*

The use may include:

- *Rooms not in the same building on site;*
- *Provision of a food or other service;*
- *On site management or staff and associated accommodation.*

Facilities includes furniture and equipment as defined in the *Residential Tenancies and Rooming Accommodation Act 2008.*”

6.5.2 Applicable Overlays

The site is affected by the following Planning Scheme overlays:

- Bushfire Hazard (Medium and High Potential Bushfire Intensity and Potential Impact Buffer – 100m)
- Environmental Significance - Regionwide (Ecological Corridor);
- Hill and Slope (Hill and Slope Area); and
- Transport Infrastructure – Regionwide (State-controlled Road).

6.5.3 Applicable Codes

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

Table 1: Relevant Codes

Scheme Component	Comment
Zone Code	
Rural Zone Code	Refer to Attachment 6 and Section 6.6.2
Local Plan Code	
N/A	N/A
Overlay Codes	
Bushfire Hazard Overlay Code; Environmental Significance Overlay Code; and Hill and Slope Area Overlay Code.	Refer to Attachment 6 and Section 6.6.3
Development Codes	
Accommodation Activities 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 supports accommodation types in a 'rural' setting and does not prevent or discourage the development from being in the rural zone, on the provision that all development impacts can be suitably managed.

In addition to this, it must be acknowledged that the proposal does not reflect a general Rooming Accommodation use and will have additional impacts due to the types of residents and activities that will take place on-site. If the proposal were to be located within a residential zone, there would be significant impacts on neighbouring and surrounding residents in terms of amenity and the extent of rehabilitation activities would be severely limited.

By locating the development within a Rural setting, it allows residents a sense of freedom and allows them to engage in a number of on-site rehabilitative activities, such as gardening and maintenance, that would not be possible to be undertaken (to the same extent) on a residential site in the Mareeba or Kuranda township areas. Furthermore, while amenity remains an issue, it is able to be more suitably justified over a rural site where noise levels are generally anticipated to be higher due to the operation of farm equipment and machinery.

Accordingly, the project 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 approach to planning assessment, Urban Sync completed a review against the applicable codes of the Planning Scheme and this assessment is included in **Attachment 6**.

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

6.6.1 Strategic Framework

The Strategic Framework of the Planning Scheme sets out a broad policy direction for the Mareeba Shire Council Local Government Area, offering a series of themes to guide appropriate development outcomes for the life of the Planning Scheme. Additionally, in respect to the provisions of the PR, particularly S31(1)(b), the Assessment Manager must have regard to the whole Planning Scheme, including its Strategic Framework, when deciding an Impact Assessable application. Therefore, this section of the report includes planning commentary addressing the elements of the strategic framework that are applicable to the site/development in support of the development.

Commentary has been provided on the following relevant parts of the strategic framework (as considered relevant).

6.6.1.1 3.3.11 Element – Rural Areas

- 3.3.11(1): "Rural areas include rural activities and land uses of varying scale, consistent with surrounding land use, character and site conditions."

Response:

Due to the nature of the development, a large allotment separated from other uses, sensitive and otherwise, is required. The proposed use is not considered to be a use that could be incompatible with the Rural zone and will instead incorporate rehabilitation programs that work in unison with rural land and uses through maintenance and caretaking duties to build living skills and increase fitness.

In addition to this, the development has been located to ensure that it does not have any negative impact on the rural locality/character of the area and has suitably addressed all site constraints. Furthermore, given the size of the site, there is still ample room for other rural activities to take place, without creating any adverse impacts on the proposal or existing, surrounding land uses.

- 3.3.11(6): *"Agricultural areas will be retained in viable holdings and not fragmented or compromised by unsuitable development. Uses and development within this precinct will not cause land use conflicts with primary production or will ensure these conflicts are mitigated."*

Response:

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

- 3.3.11(7): *"Rural areas preserve lands for future uses beyond the life of the planning scheme."*

Response:

This element is acknowledged; however, the proposed use would not be entirely compatible in residential areas as the community would not appreciate this style of accommodation being located within any of the Mareeba Shire townships. As a result, this site was specifically chosen (by the operators) as it is of a suitable size to accommodate the use while minimising any potential amenity impacts on surrounding land. Furthermore, the establishment of a rehabilitation centre over the site would not result in fragmentation of rural activities and attendees of the clinic will aid with general maintenance and caretaking duties on-site. As a result, the development will not conflict with the lands ability to allow for future uses beyond the life of the Planning Scheme to occur.

6.6.1.2 3.3.10 Element – Strategic Rehabilitation and Ecological Corridors

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

Response:

The development will be located within already cleared areas of land. Hence, we are of the view that there are no ecological corridors within proximity of the development that may be impacted upon. Furthermore, there is dense vegetation covering along the rear and side of the site in which can continue to be utilised as ecological corridors.

6.6.1.3 3.6.1 Transport and Infrastructure – Strategic Outcomes

- 3.6.1(1): *"Local collector road and State controlled road networks support the identified hierarchy of activity centres and the rural economy of Mareeba Shire. The location, density and scale of development supports the efficient and convenient movement of goods, services and people. Roads are progressively upgraded (including construction of future state roads and future local connections) and maintained to a high standard to support higher urban densities, rural production, tourism, commerce, industry and major trip generators."*

Response:

The Kennedy Highway is more than suitable to accommodate the proposed development and upgrades to this road will be assessed by and undertaken in accordance with the requirements of the Department of Transport and Main Roads. This will ensure that the road is maintained to a high standard to support the use.

6.6.2 Rural Zone Code

The development complies with, or can be conditioned to comply with, the Rural Zone Code (see section 7.1).

6.6.3 Overlay Codes

Bushfire Hazard Overlay Code

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

Environmental Significance Overlay Code

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

Hill and Slope Area Overlay Code

No works are proposed within the Overlay Area. Hence, no assessment against this code is warranted and for this reason, has not been undertaken.

Transport Infrastructure Overlay Code

The development complies with, or can be conditioned to comply with, the Transport Infrastructure Overlay Code.

6.6.4 Development Codes

Accommodation Activities Code

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

Landscaping Code

Suitable turfing and tree planting to the front boundary of the site will be completed prior to commencement of use and the same will go for initial landscaping as the gardening and maintenance will be utilised as a therapeutic exercise. As a result, we request that landscaping be allowed to be established 12 months after commencement of the use. Hence, no assessment against this code is warranted and for this reason, has not been undertaken.

Parking and Access Code

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

Works, Services and Infrastructure Code

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

7 DISCUSSION – KEY PLANNING MATTERS

This section of the report seeks to provide additional commentary dealing with 'Key' planning matters relevant to this specific project and along with technical justification in support of the key matters considered relevant to the planning frameworks, namely zoning, land use conflicts and amenity.

7.1 LAND USE AND ZONING

Generally, the establishment of 'Rooming Accommodation' land uses is encouraged in residential zoned areas where the practicalities of walking and access to other retailing/services is given greater emphasis. In the case of this project the definition of 'rooming Accommodation' remains suitable however the operational elements of the project are better supported where there is reasonable separation from other residences and there is opportunity for the residents to take advantage of the privacy that is afforded by the location in a rural area.

We draw attention to Overall Outcome (d) of the Rural Zone code which states:

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

The development requires a reasonable level of separation from sensitive land uses due to its potential noise and social impacts associated with residents of the rehabilitation facility. Moreover, based on experience and community consultation, the proposed use would not be suitable within a residential area due to the perceived social impacts the use would cause on closely surrounding sensitive land uses. As a result, a large land holding is preferred with sufficient room for attendees to undertake recreational activities to aid in building life skills to support them in reintroduction to society.

This has been the experience of Mission Australia with similar project and it will also restrict the likelihood of residents causing any social impacts on surrounding land uses.

In the context of a simpler planning-based assessment the sites on Planning Scheme elements, the suitability to accommodate the development is provided below in **Table 3**, namely to demonstrate the development does not offend the purpose or overall outcomes of the Rural Zone Code.

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

Table 2: 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 project will not introduce rural activities however, the development will also not prevent or hinder the future ability of rural activities to operate from the site and take advantage of the aquaculture dams. This development retains that opportunity if the use were to be closed or move to another facility. Furthermore, the activities associated with the rehabilitation clinic will look to maintain and provide caretaking to these existing uses and will ensure that there are no conflicts associated with the development.
<i>"provide opportunities for non-rural uses that are compatible with agriculture, the environmental features, and landscape character of the rural area where the uses do not compromise the long-term use of the land for rural purposes."</i>	It has been demonstrated throughout this report that the development addresses adverse environment and landscape impacts (see Code Assessment in Attachment 6).

	<p>We acknowledge that conditions of approval will be required to ensure this occurs in a regulatory setting.</p> <p>In addition, the project does not offend the outcomes sought for a rural area and all buildings/structures have been located within already cleared areas of the site to avoid any environmental harm.</p> <p>Furthermore, the Mission Australia programs associated with the use will look to provide support and maintenance to the site and the existing uses on-site.</p>
<i>"protect or manage significant natural resources and processes to maintain the capacity for primary production."</i>	There are no significant natural resources or process that occur on-site and even if there were, the development would not adversely impact upon these resources or processes as the use will be wholly contained on-site and does not involve any interfering aspects.
<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 development will not hinder the ability of the Rural zone to continue to recognize and support the importance of primary production to the 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 development will operate within the existing rural setting and will not have any adverse impacts on the existing rural uses that exist throughout the region.
<i>"protect the rural character of the region."</i>	<p>The development will be generally screened from view from the Kennedy Highway through the retention of the vegetation buffer along this front boundary.</p> <p>As a result, the development is not anticipated to adversely impact upon the rural character of the region and would generally appear similar in form to a Rural Worker's Accommodation camp, of which is accepted development subject to requirements in the Rural zone</p>
<i>"provide facilities for visitors and tourists that are accessible and offer a unique experience."</i>	Facilities will be provided to accommodate families wishing to visit residents attending the clinic; however, no public facilities will be provided due to the nature of the use, being for rehabilitative care.
<i>"protect the infrastructure of the Mareeba-Dimbulah Irrigation Scheme Area from development which may compromise long term use for primary production."</i>	The development will not impact upon the Mareeba-Dimbulah Irrigation Scheme area.
<i>"maintain distinct boundaries between the rural areas and the villages, towns and urban areas of the region."</i>	The site is not located on any such boundary.
<i>"provide for a range of non-urban uses, compatible and associated with rural or ecological values including recreational pursuits and tourist activities."</i>	The development will not compromise the ability for the remainder of the site to be utilized for rural uses.

<i>"prevent adverse impacts of development on ecological values including recreational pursuits and tourist activities."</i>	The development has been located within already cleared areas of the site and will not result in any adverse impacts on the ecological values of the site. Programs will be managed by staff to ensure that residents undertake maintenance/caretaking activities to enhance the existing ecological values over the site.
<i>"preserve land in large holdings."</i>	The development does not involve a subdivision.
<i>"facilitate the protection of strategic corridors across the landscape which link remnant areas of intact habitat and transport corridors."</i>	The development will not involve any vegetation clearing, nor will it involve any activities that may impact upon strategic ecological corridors. Conditions can also be imposed to ensure this occurs.
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 development will not involve the subdivision or reconfiguration of the site and the proposed use with work in unison with the existing uses over the site (dwelling house and Aquaculture dam).
<i>"The establishment of a wide range of rural pursuits is facilitated, including cropping, intensive horticulture, forestry, intensive animal industries, animal husbandry and animal keeping and other compatible primary production uses."</i>	The development will not hinder the ability for these uses to be located within the rural zone.
<i>The establishment of extractive industries, mining and associated activities and alternative forms of energy generation is appropriate where environmental impacts and land use conflicts are minimised."</i>	The development does not involve any of the listed activities.
<i>"uses that require isolation from urban areas as a consequence of their impacts such as noise or odour may be appropriate where land use conflicts are minimised."</i>	The development proposes one (1) land use. It has been demonstrated throughout this report that the development is able to sufficiently mitigate any land use and adverse amenity impacts (see section 7.3) which demonstrates its suitability.
<i>"Development is reflective of and responsive to the environmental constraints of the land."</i>	It has been demonstrated throughout this report that the development is able to sufficiently mitigate any adverse environmental impacts. We acknowledge that conditions of approval may be required to ensure this occurs.
<i>"Residential and other uses are appropriate only where directly associated with the rural nature of the zone."</i>	The development, while being for a residential use, requires separation from other sensitive land uses due to the nature of the service and perceived social impacts associated with a residential rehabilitation facility. As a result, in this instance, a rural location is preferred to ensure there is sufficient room for the development to take place and allow for recreational activities to take place that aid in the rehabilitation of residents.

	The assessment provided through this report has demonstrated that the development can be located on site and avoid any adverse environmental, land use or amenity impacts.
<i>"Low-impact tourism and recreation activities do not compromise the long-term use of the land for rural purposes."</i>	The development will not involve tourism activities and the recreation activities will relate generally to maintenance and caretaking of the rural site to build life skills and increase fitness.
<i>"The viability of both existing and future rural uses and activities is protected from the intrusion of incompatible uses."</i>	The development will not hinder the viability of existing and future rural uses and will work in unison and enhance the existing site values through general maintenance and caretaking activities.
<i>"Visual impacts of clearing, building, materials, access ways and other aspects of development are minimised or appropriately managed."</i>	The vegetation along the Kennedy Highway frontage and the topography of the site will generally hide the development from view to ensure that there are minimal visual impacts. Furthermore, the development generally reflects a similar built form to worker's accommodation, of which is accepted development subject to requirements in the rural zone.
<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>	This planning report has demonstrated that the development will not result in any adverse impacts on-site and from adjoining areas due to the location, design, operation and management.
<i>"Natural features such as creeks, gullies, waterways, wetlands and bushland are retained, managed, enhanced and separated from adjacent development."</i>	The development has been located so that it has no adverse impacts on natural features. We acknowledge that conditions may be required to imposed to ensure that this occurs.

7.2 SURROUNDING ALLOTMENTS

Due to the development's location and size of the allotment, it will not result in any land use conflicts. For example, the development will be approximately 370m from the existing dwelling house on-site and separated by approximately 150m from the closest adjoining dwelling that is located on Lot 40 on NR6970 (see **Figure 2**).

The development will be separated from these nearby uses via vegetation, and the Kennedy Highway. These setback distances combined with on-site operational measures that will be implemented will ensure the development does not have any unacceptable impacts on any nearby sensitive land uses, negatively impact on any nearby existing rural activities, or hinder the ability for any surrounding rural land to be used for rural activities in the future.

This ensures the development will not result in any unacceptable amenity impacts of the site out surround premises.

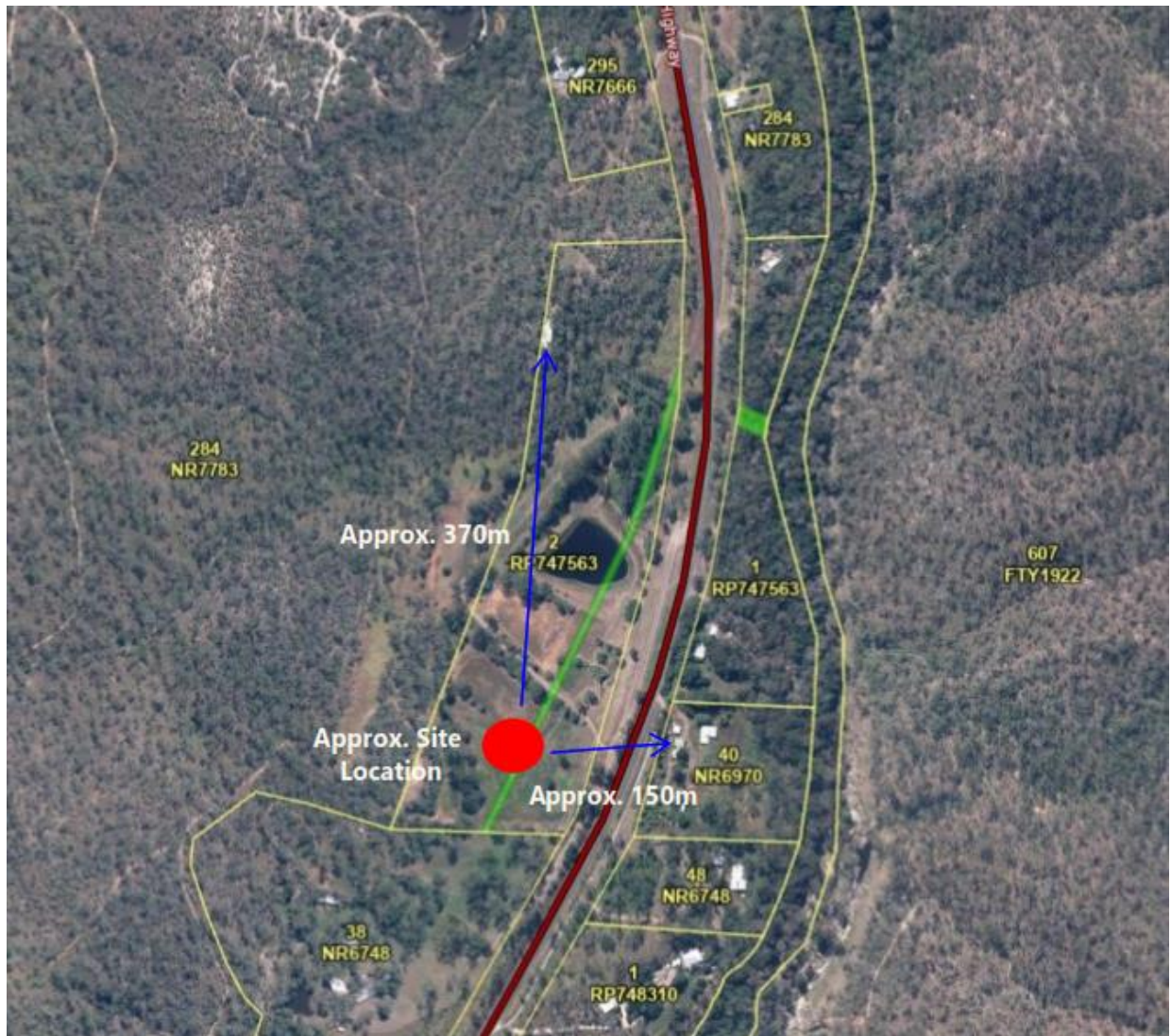


Figure 8: Approximate location of nearest sensitive land uses (Source: Queensland Globe, State of Queensland 2020).

7.3 RURAL AMENITY

In addition to the commentary provided in the sections above, this section seeks to provide commentary on perceived unacceptable amenity impacts (amenity impacts based on those matters listed in PO6 of the Rural Zone Code).

PO6 of the Rural Zone Code states:

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

- a) *Noise"*:

Planning Response:

The development will be setback approximately 150m from the closest sensitive land use and will be separated by the Kennedy Highway. Given that the Kennedy Highway is a State-controlled Road, there should be some reasonable expectation that there will be a reasonable amount of noise generated within this area. Regardless, the development will retain the vegetation on-site and ensure that any potential noise emanating from the development is mitigated so that there are no adverse impacts on the surrounding sensitive and rural land uses. Council can also condition any further requirements that may be considered reasonable and relevant.

b) *"Hours of Operation":*

Planning Response:

The development will operate 24 hours a day, 7 days a week and will only accommodate staff, residents who have booked into the rehabilitation facility and families wishing to visit residents of the facility. However, given the size of the site and its distance from other uses (as outlined above), there will be no adverse impacts because of the development (noise, visual or otherwise (see remainder of this section)).

c) *"Traffic":*

Planning Response:

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

d) *"Advertising Devices":*

Planning Response:

The development does not involve any advertising devices.

e) *"Visual Amenity":*

Planning Response:

The development has been suitably located on site so that it is barely visible from the Kennedy Highway and adjacent properties through the retention of vegetation along the front property boundary. If anything is visible, it will be the car park and small Office block, although these will be of a smaller scale to sheds used to store farming machinery and equipment which would be expected in the rural area and hence, the development will not result in a negative visual impact over and above what is originally expected for the Rural Zone or on the wider locality.

f) *"Privacy":*

Planning Response:

As above for noise. The only people permitted on-site will be staff, residents of the rehabilitation facility and at times, family members visiting residents of the facility.

g) *"Lighting":*

Planning Response:

As above for noise.

h) *"Odour":*

Planning Response:

As above for noise.

i) *"Emissions":*

Planning Response:

The development is not anticipated to result in any harmful emissions.

7.4 ACCOMMODATION DENSITY

PO3 of the Rural Zone code states that:

"The density of Accommodation activities:

- (a) *Respects the nature and density of surrounding land uses;*

Planning Response:

The development will in essence reflect a similar built form to a Rural Worker's Accommodation camp and has been suitably located and separated from surrounding land uses so that any potential amenity impacts can be appropriately dealt with as outlined in Section 7.3 of this report.

- (b) *Is complementary and subordinate to the rural and natural landscape values of the areas; and*

Planning Response:

As identified above, the development will in essence reflect a Rural Worker's Accommodation camp and will be suitably located so that none of the existing natural landscape values of the area are adversely affected.

- (c) *Is commensurate to the scale and frontage of the site."*

Planning Response:

The development will be barely visible from the Kennedy Highway due to the existing vegetation provided along this road frontage which is proposed to be retained. In addition to this, the visible aspects of the development would not be any greater scale than a rural farm shed that is used to store farming equipment and machinery. As a result, we are of the view that the development is able to be generally commensurate to the scale and frontage of the surrounding area.

7.5 UNEXPLODED ORDNANCE

In accordance with Council's pre-lodgement advice, the site is located within the 'Slight Occurrence' area of the Defence UXO Mapping (see **Figure 3**). The Department of Defence website¹ states that *'areas categorised as slight will have a confirmed history of military activities that have resulted in residual UXO but which Defence considered it inappropriate to assess as substantial.'*

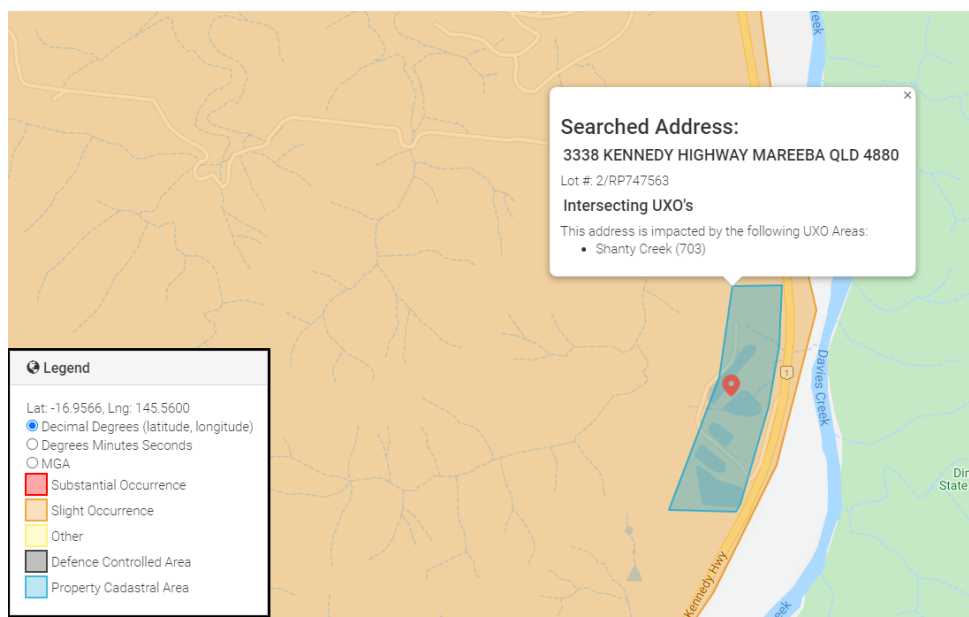


Figure 9: Slight UXO Occurrence Area (Source: <https://www.wherisuxo.org.au>)

¹ Australian Government – Department of Defence, Unexploded Ordnance (UXO), link: <https://www.defence.gov.au/UXO/default.asp>

The advice provided on the Department of Defence website states that *“all land usage and development, within these areas, may continue without further UXO investigation or remediation”*. As a result, no further works are required as it is unlikely that any UXO will in fact be found on-site. However, in the event that any UXO is detected on-site, Police will be contacted, and the following actions will be undertaken in accordance with the Department of Defence website:

1. *“If a suspect UXO item is found, DO NOT TOUCH, disturb or tamper with the item in any way. This includes making any attempt to move the item to a ‘safe’ location.*
2. *Carefully note the appearance of the item and the location. Take a photograph if it is possible to do so without further approaching or disturbing the item.*
3. *If possible, mark the location so that it can be found later. Coloured tape or paint make easily recognised marker material. Note the route to the item.*
4. *Inform the property owner, park ranger, prime contractor, site foreman or supervisor of the find.*
5. *Inform the Police that a possible ammunition item has been found. They will instigate a request for Defence personnel to attend and dispose of the item.”*

8 CONCLUSION

This report follows on from pre-lodgement discussions conducted between Mission Australia and Mareeba Shire Council in 2020 and reflects a lawful development application made by Mission Australia seeking the requisite statutory development approval from Mareeba Shire Council to support the establishment of a 'Rooming Accommodation' including Residential Rehabilitation Facility over part of Lot 2 on RP747563 at 3338 Kennedy Highway, Mareeba.

Accordingly, this application has sought the following development approval from Council:

- **Development Permit for a Material Change of Use for Rooming Accommodation (Residential Rehabilitation Facility).**

This report has described the background to the site being selected for the proposed landuse and identified the applicable statutory and legislative requirements of Mareeba Shire Council under their Planning Scheme, the *Mareeba Shire Council Planning Scheme 2016*, as well as those at the State level under the *Planning Act 2016*, *Planning Regulation 2017*, *State Planning Policy 2017*.

This Planning Report includes plans prepared on behalf of Mission Australia (Bau Design) and presented to Council highlighting that the development is suitably located in a predominantly 'rural' area and that compliance with the higher order provisions of the Planning Scheme are relevant in this instance. A thorough assessment of the benchmarks and corresponding Performance Outcome and in turn, the relevant Assessment Benchmarks, can still be achieved.

Whilst the development is not specifically for a 'rural' activity, there are reasonable planning grounds to support the location of the accommodation in a rural setting without offending the overall outcomes sought to be achieved by the Planning Scheme or under other development codes. This report has demonstrated that the development can meet these criteria and specifically, that the development will:

- Remain consistent with the achievement of the relevant Strategic Framework, including the development themes (settlement or rural activities) of the Planning Scheme;
- Will remain capable of facilitating the overall outcomes, purpose, intent or the specific outcomes of the Rural Zone code under development conditions.
- Manage the potential for any environmental impacts (we acknowledge that conditions of approval may be required to ensure this occurs); and
- Suitably resolve or manage any perceived amenity or land use conflicts with nearby rural premises/sensitive land uses; and
- maintains the ability of the site to be re-purposed into the future for rural activities at very little effort.

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

DA Form 1 – Development application details

Approved form (version 1.3 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)	Mission Australia
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)	20-638

2) Owner's consent	
2.1) Is written consent of the owner required for this development application?	
<input checked="" type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application	
<input 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
		3338	Kennedy Highway	Mareeba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	2	RP747563	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:	

- ☐ Coordinates of premises by easting and northing

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

3.3) Additional premises

- ☐ Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development application
☒ Not required

4) Identify any of the following that apply to the premises and provide any relevant details

- ☐ In or adjacent to a water body or watercourse or in or above an aquifer

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

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

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

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

Name of airport:

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

5) Are there any existing easements over the premises?

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

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

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

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

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

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

c) What is the level of assessment?

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

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

The establishment of a Residential Rehabilitation Facility

e) Relevant plans

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

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

6.2) Provide details about the second development aspect

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

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

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

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

c) What is the level of assessment?

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

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

e) Relevant plans

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

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

6.3) Additional aspects of development

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

- ☒ Not required

Section 2 – Further development details

7) Does the proposed development application involve any of the following?	
Material change of use	<input checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
Residential Rehabilitation Facility	Rooming Accommodation	Refer to Plans	Refer to Plans.
8.2) Does the proposed use involve the use of existing buildings on the premises?			
<input type="checkbox"/> Yes			
<input checked="" type="checkbox"/> No			

Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?	
9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)	
<input type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input type="checkbox"/> Boundary realignment (complete 12))	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road (complete 13))

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				
10.2) Will the subdivision be staged?				
<input type="checkbox"/> Yes – provide additional details below				
<input type="checkbox"/> No				
How many stages will the works include?				
What stage(s) will this development application apply to?				

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

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

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

Division 3 – Operational work

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

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

PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application
Mareeba Shire Council
16) Has the local government agreed to apply a superseded planning scheme for this development application?
<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application <input type="checkbox"/> The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached <input checked="" type="checkbox"/> No

PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements?

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

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

Matters requiring referral to the **Chief Executive of the Planning Act 2016:**

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

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

- ☐ Airport land
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has been devolved to local government*)

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

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

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application
<input type="checkbox"/> I do not agree to accept an information request for this development application
Note: 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	

CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 35933676

Search Date: 04/01/2021 11:30

Title Reference: 21386190

Date Created: 18/01/1989

Previous Title: 21367208

REGISTERED OWNER

VYNPACK PTY LTD

ESTATE AND LAND

Estate in Fee Simple

LOT 2 REGISTERED PLAN 747563
 Local Government: MAREEBA

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 21367208 (POR 36)
2. EASEMENT IN GROSS No 601415384 (T372377P) 04/10/1988
BURDENING THE LAND
TO FAR NORTH QUEENSLAND ELECTRICITY BOARD
OVER EASEMENT B ON CP NR7473
UNDER SECTION 285 OF THE LAND ACT
3. EASEMENT No 601415385 (T387259L) 08/12/1988
BENEFITING THE LAND
OVER EASEMENT A ON RP747563
4. MORTGAGE No 601415386 (T577424Y) 09/01/1992
TO AUSTRALIA AND NEW ZEALAND SAVINGS BANK LIMITED
5. MORTGAGE No 716794992 02/10/2015 at 12:16
AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED A.B.N. 11
005 357 522

ADMINISTRATIVE ADVICES - NIL

UNREGISTERED DEALINGS - NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

COPYRIGHT THE STATE OF QUEENSLAND (NATURAL RESOURCES, MINES AND ENERGY) [2021]
Requested By: D-ENQ GLOBALX

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

I, Raymond Humphrey Hazell

[Insert name in full.]

Sole Director/Secretary of the company mentioned below.

Of VYNPACK PTY LTD (ACN: 010 877 219)

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

3338 Kennedy Highway, Mareeba (Lot 2 on RP747563)

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

Urban Sync Pty Ltd on behalf of Mission Australia

on the premises described above for:

Development Permit for a Material Change of Use for Rooming Accommodation (Residential Rehabilitation Facility)

Company seal [if used]

Company Name and ACN: VYNPACK PTY LTD (ACN: 010 877 219)


Signature of Sole Director/Secretary

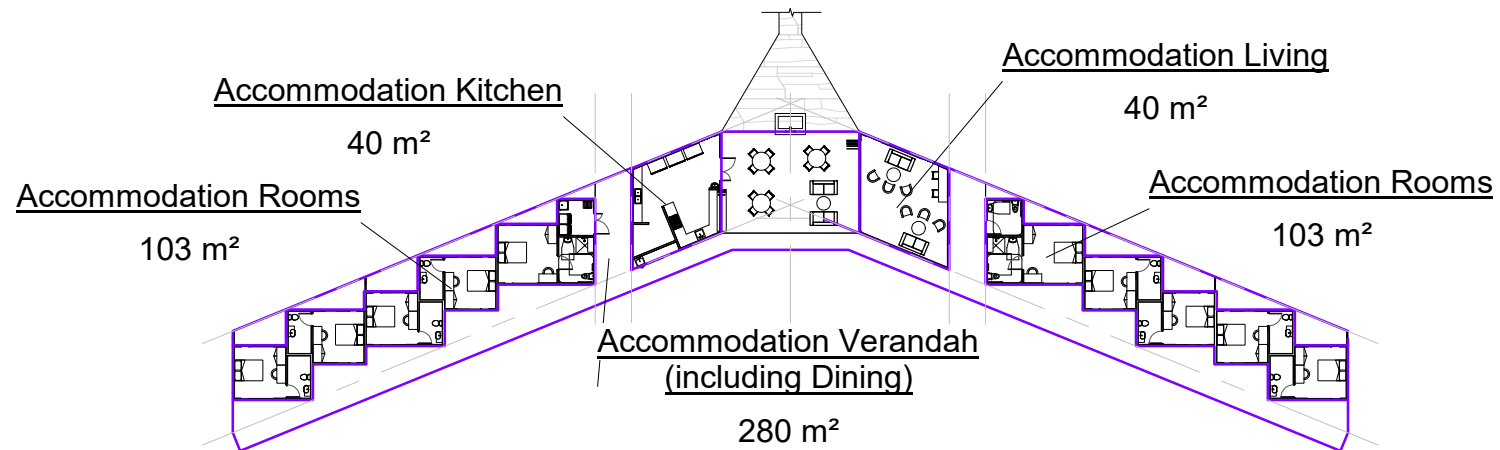
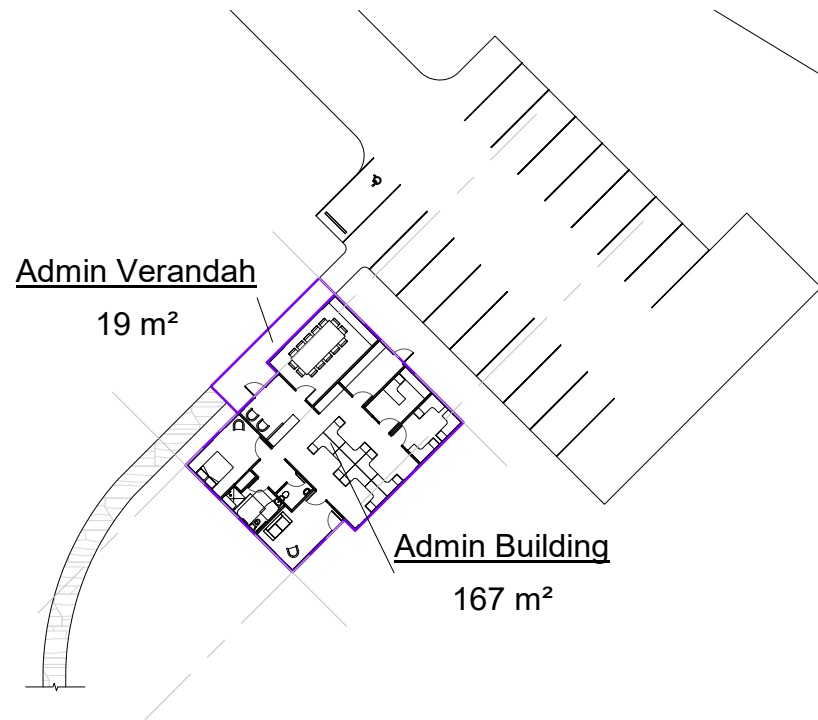
4/1/2021

Date

Mission Australia
Residential Rehabilitation Facility
Mareeba, QLD

Area Schedule	
Name	Area

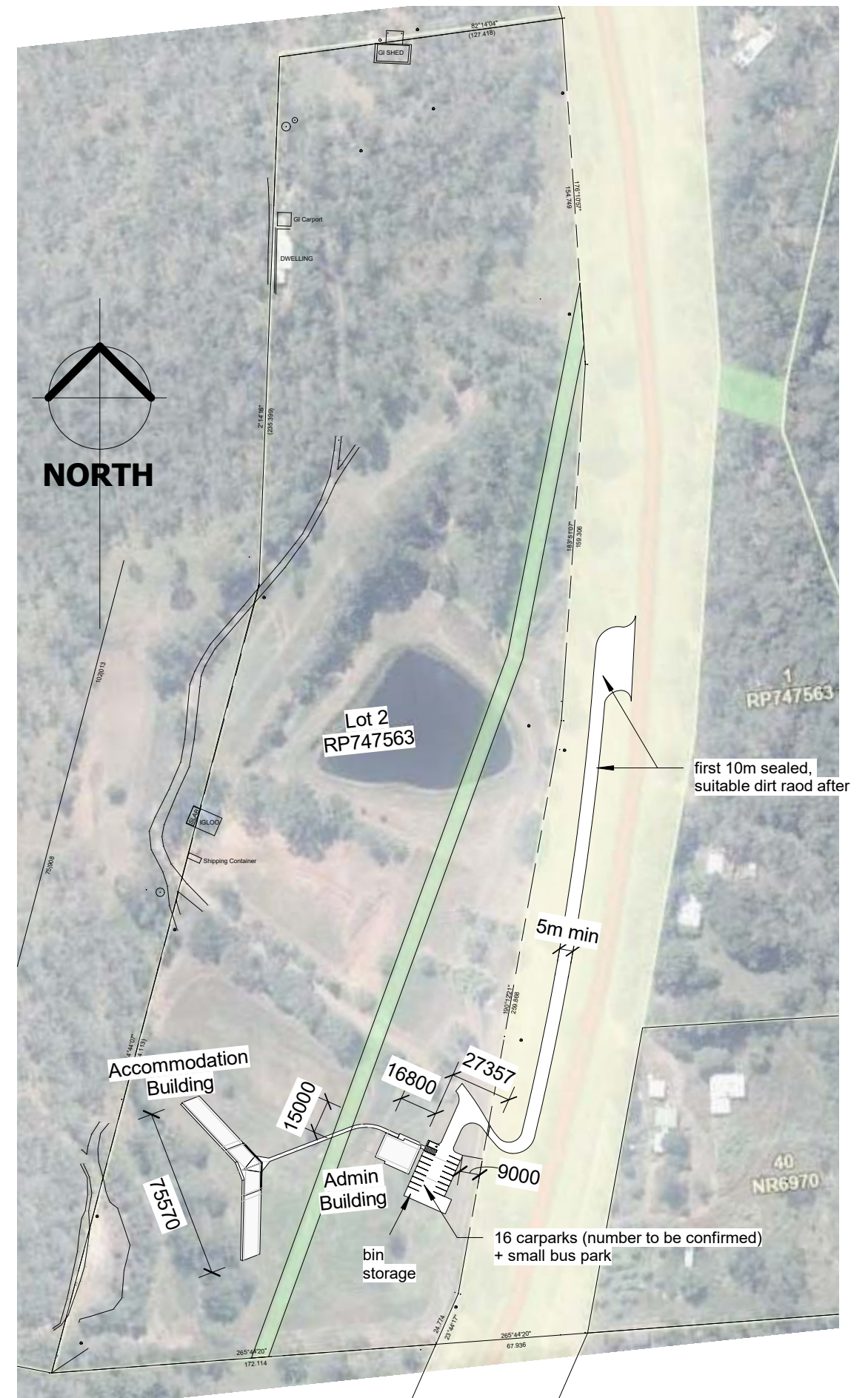
Accommodation Kitchen	40 m ²
Accommodation Living	40 m ²
Accommodation Rooms	103 m ²
Accommodation Rooms	103 m ²
Accommodation Verandah (including Dining)	280 m ²
Admin Building	167 m ²
Admin Verandah	19 m ²
750 m ²	

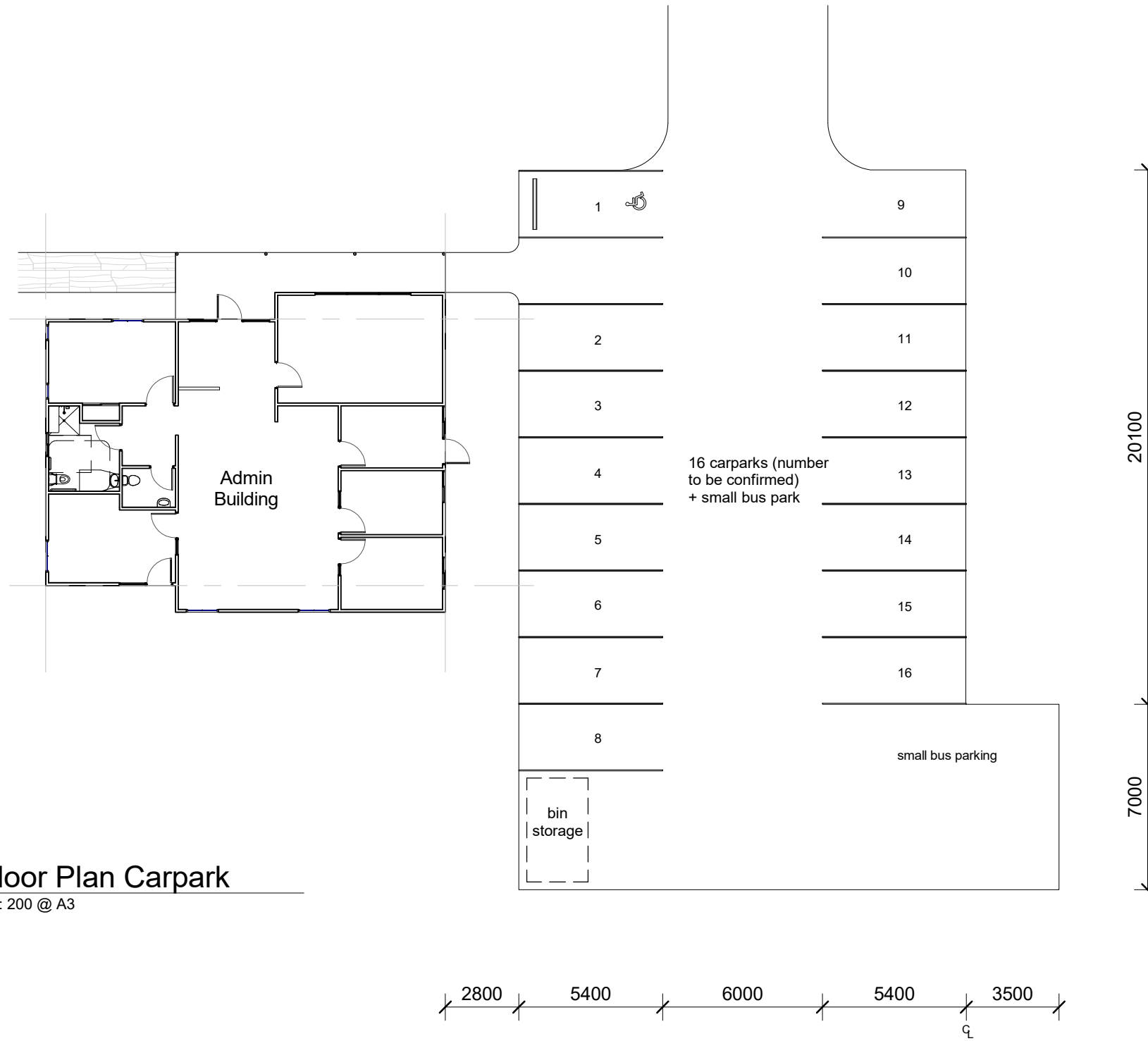


2 Area Plan

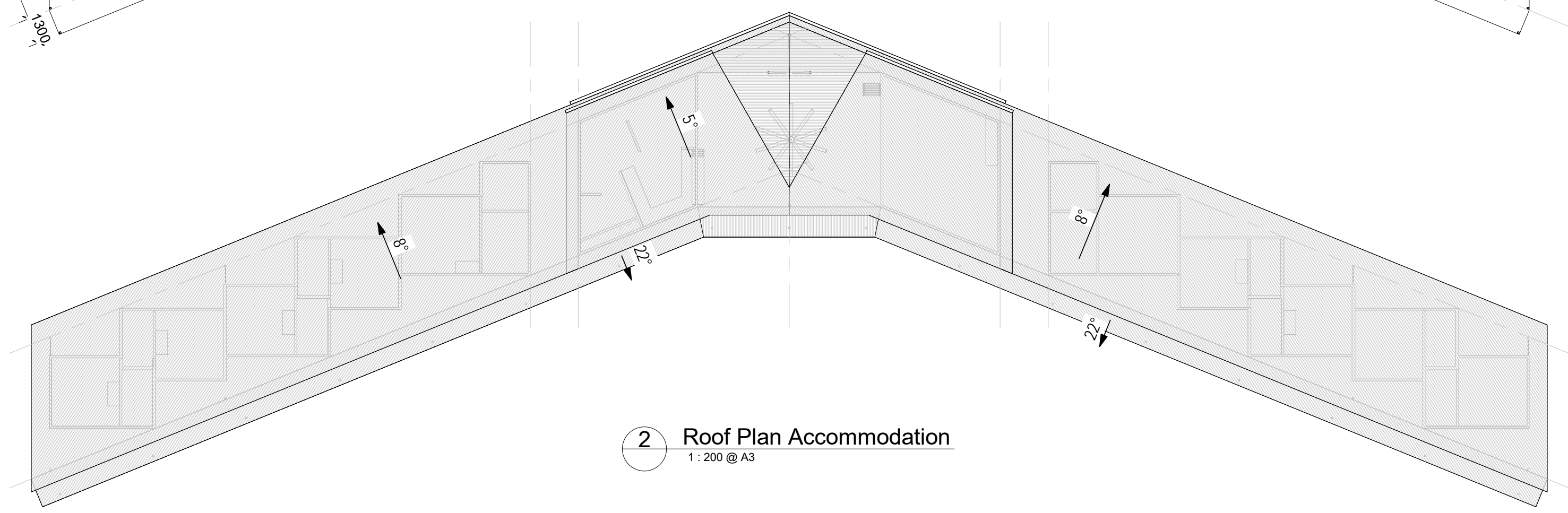
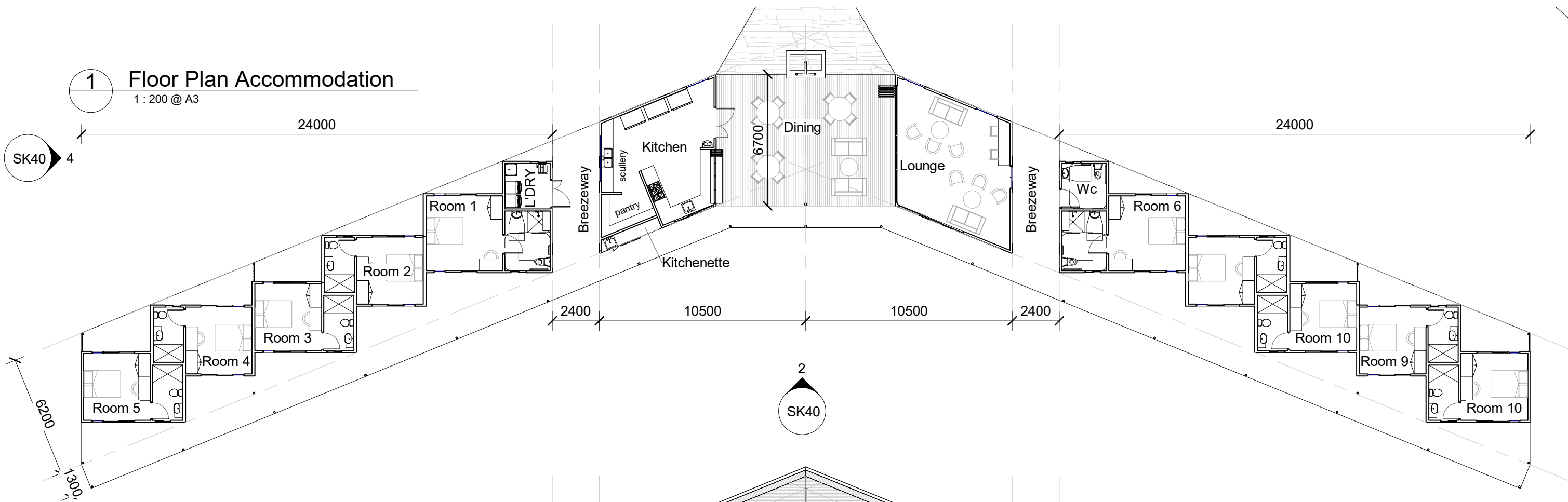
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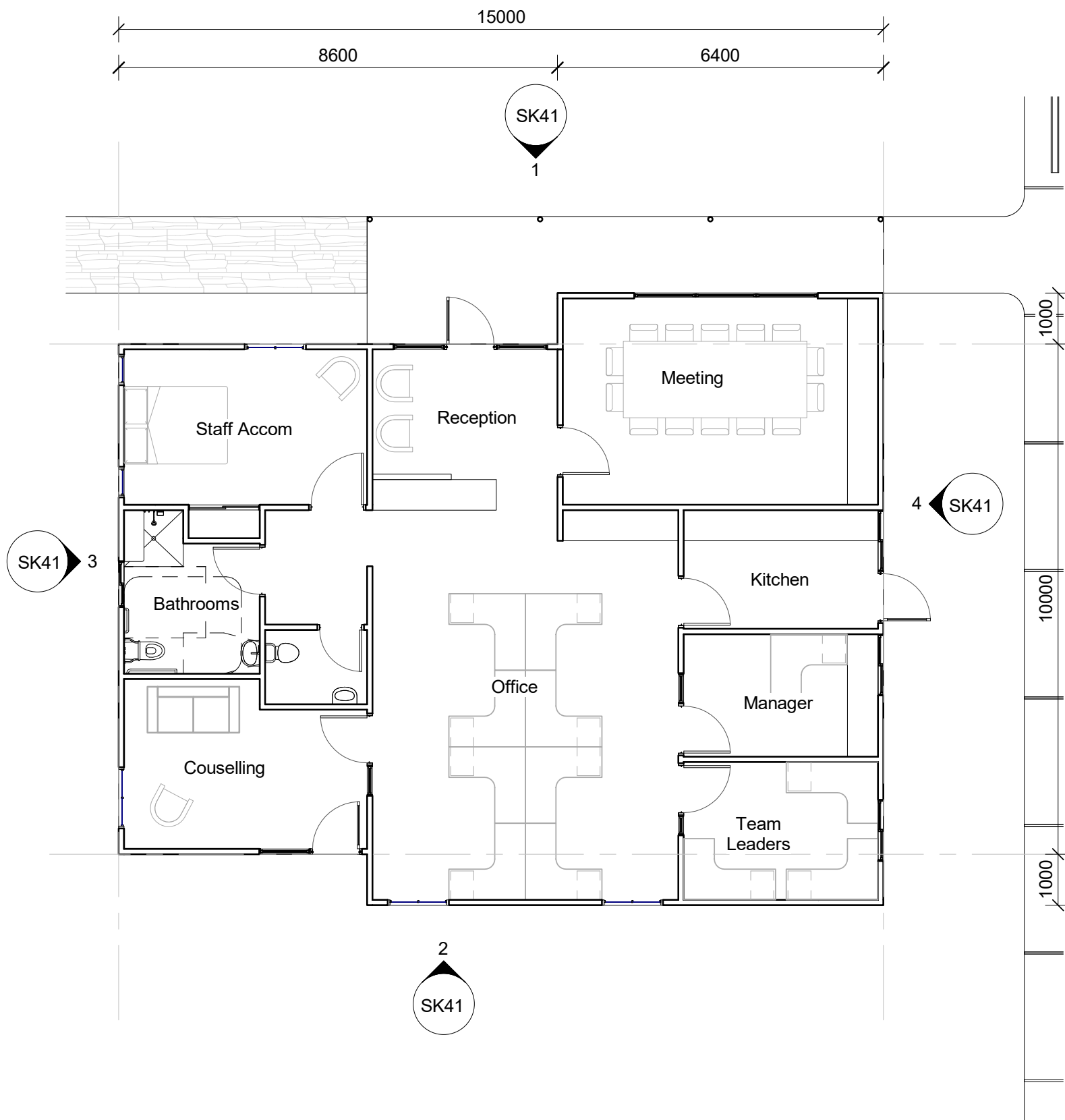
1 Site
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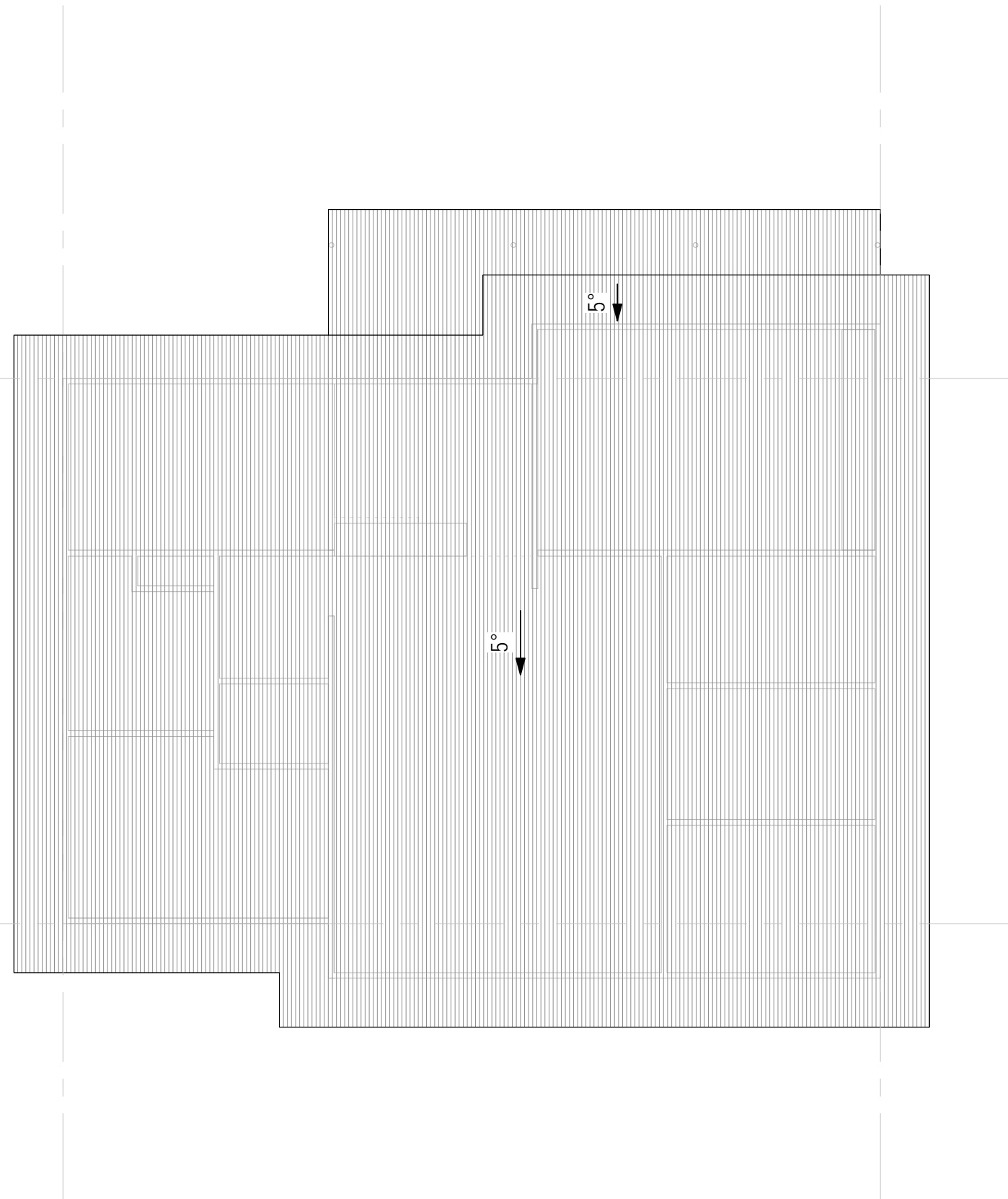


1 Floor Plan Carpark
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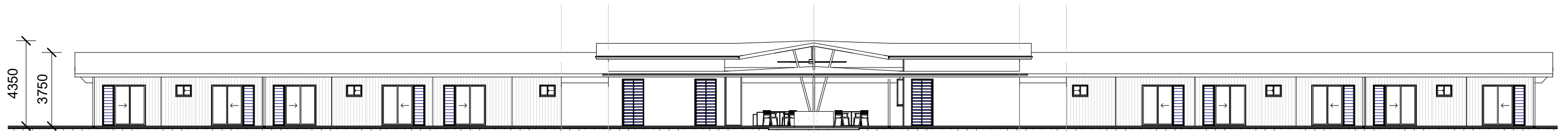




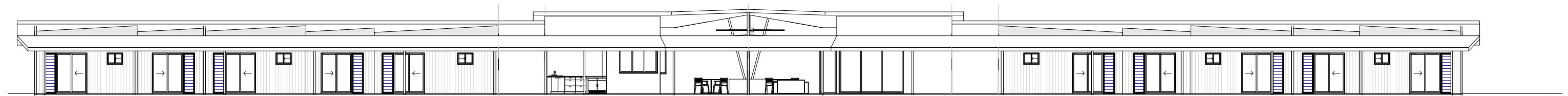
1 Floor Plan Administration
1 : 100 @ A3



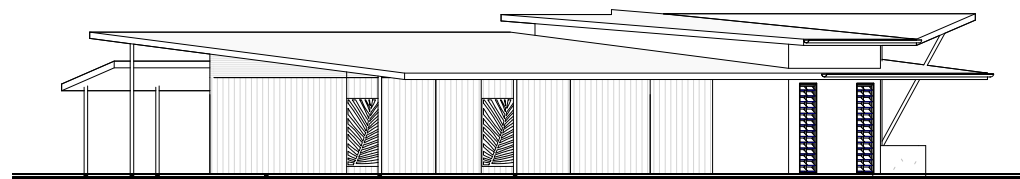
2 Roof Plan Administration
1 : 100 @ A3



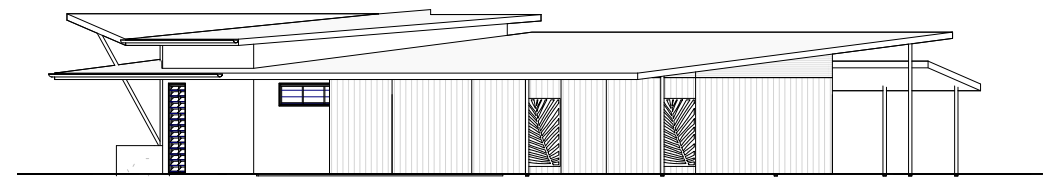
1 Front Elevation
1 : 200 @ A3



2 Back Elevation
SK10 1 : 200 @ A3



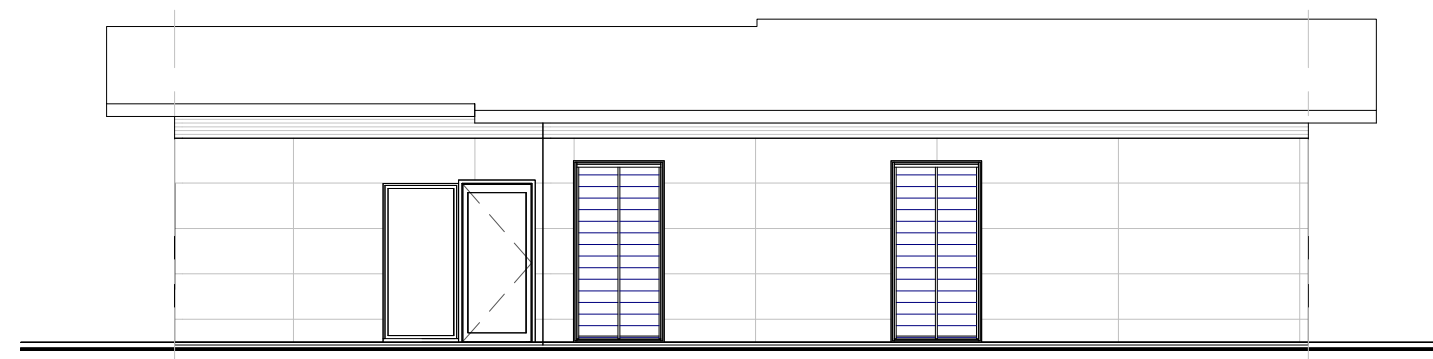
3 Side Elevation 1
1 : 200 @ A3



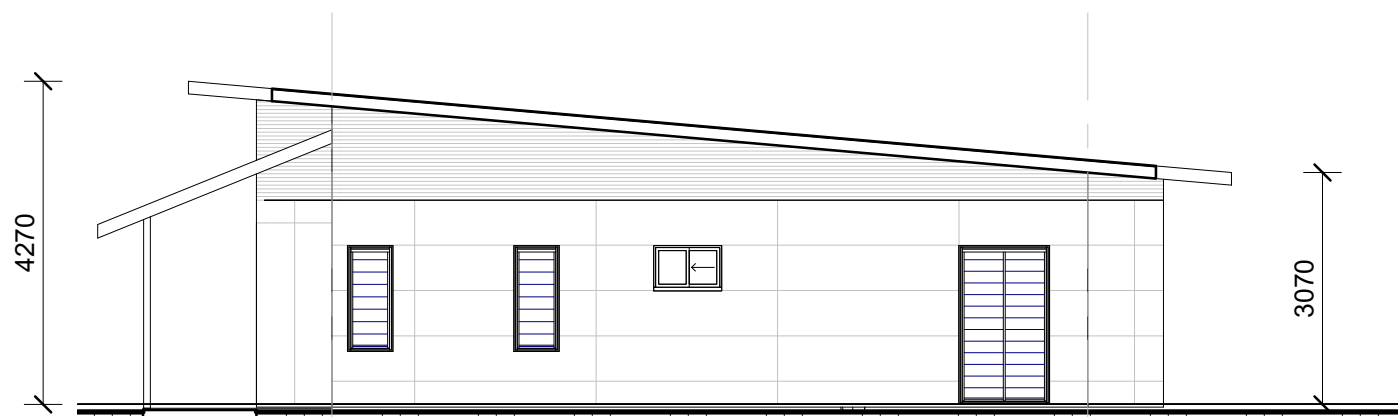
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SK10 1 : 200 @ A3



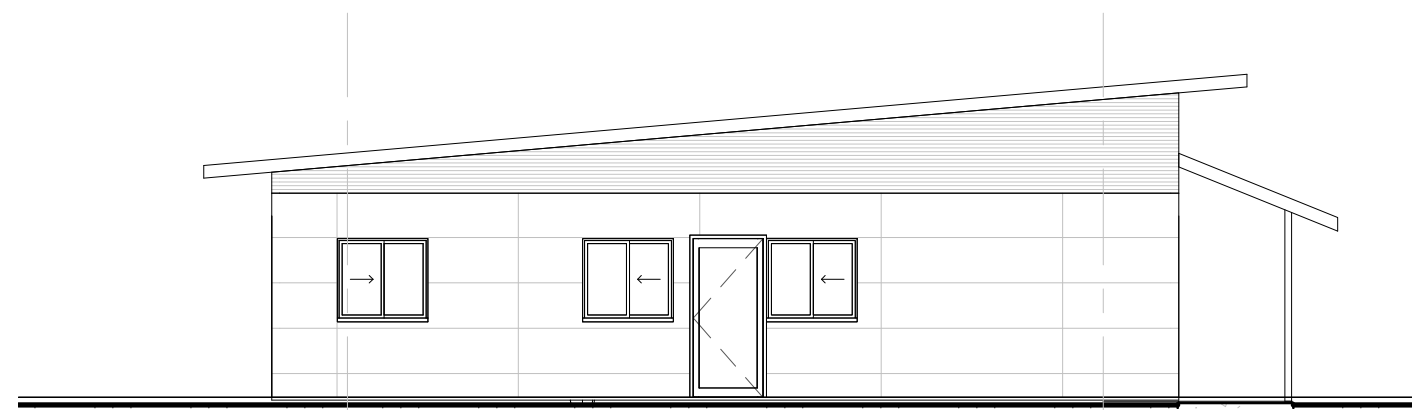
1 Front Elevation Admin
SK11 1 : 100 @ A3



2 Back Elevation Admin
SK11 1 : 100 @ A3



3 Side Elevation Admin
SK11 1 : 100 @ A3



4 Carpark Elevation Admin
SK11 1 : 100 @ A3



State Assessment and Referral Agency

Date: 05/01/2021



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Matters of Interest for all selected Lot Plans

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

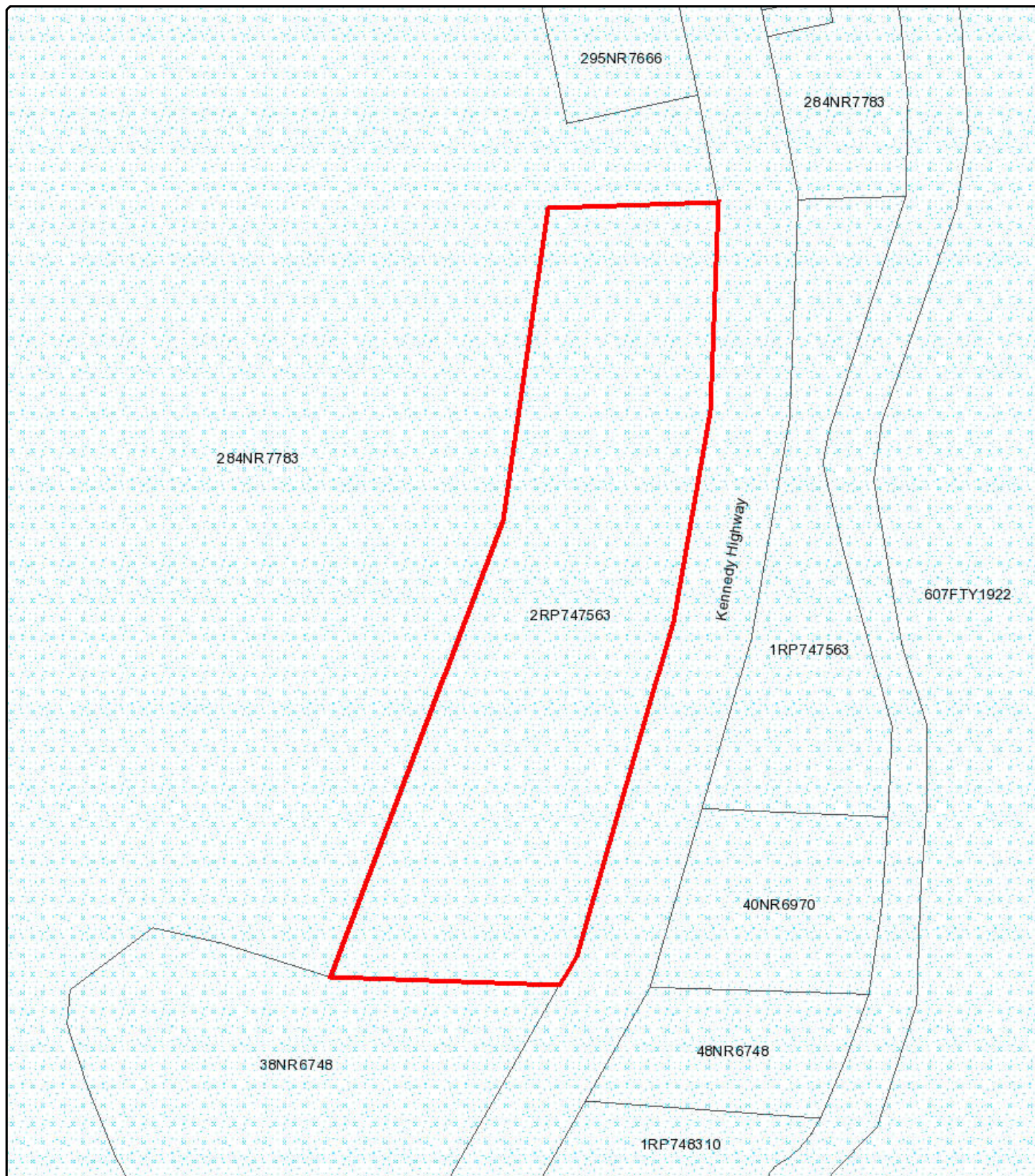
Lot Plan: 2RP747563 (Area: 88470 m²)

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: 05/01/2021



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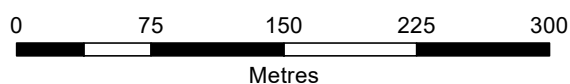
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Legend

Water resource planning area boundaries

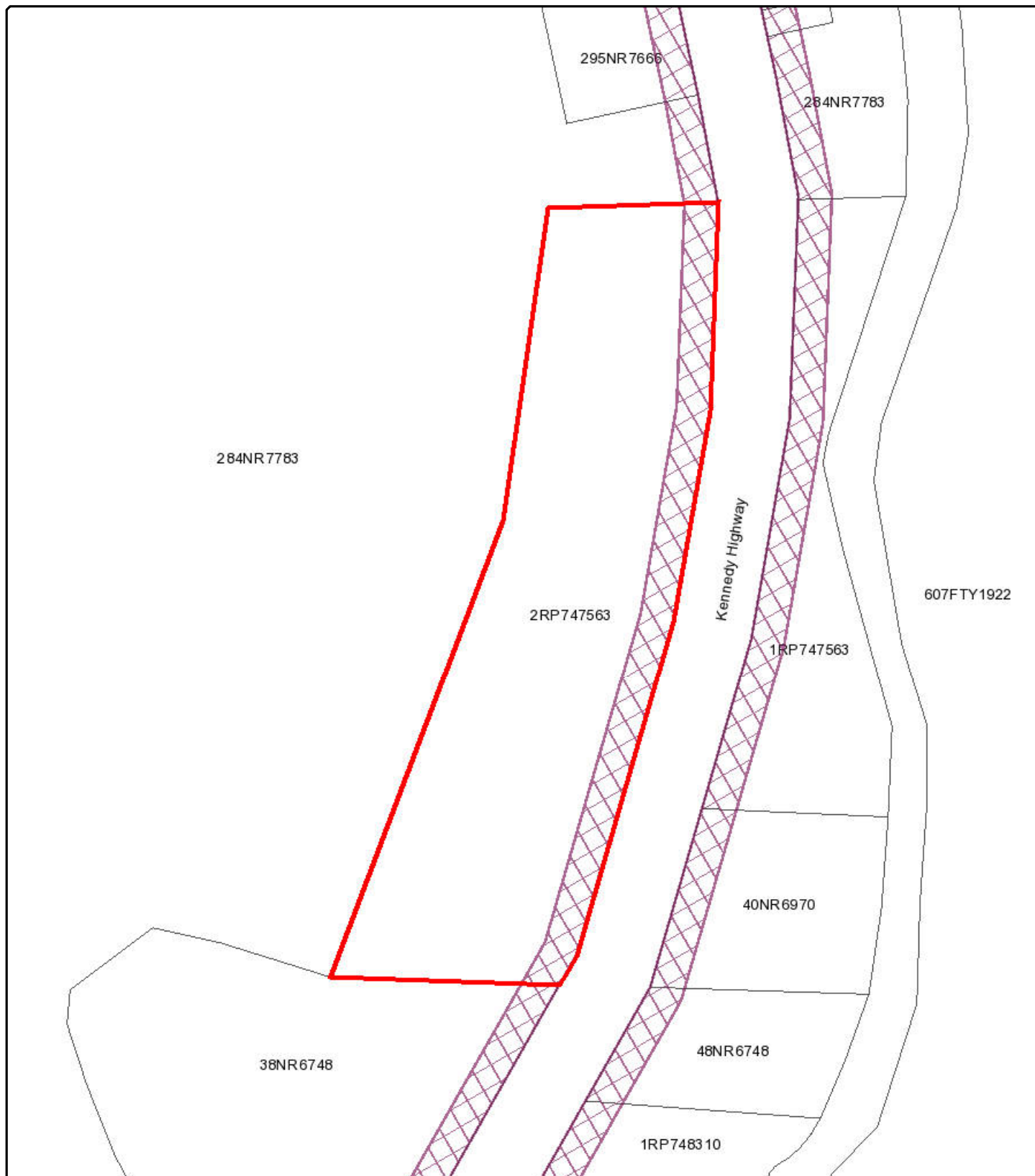


Water resource planning area boundaries



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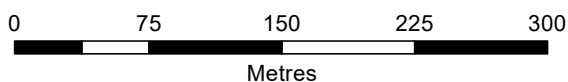
© The State of Queensland 2021.

Legend

Area within 25m of a State-controlled road

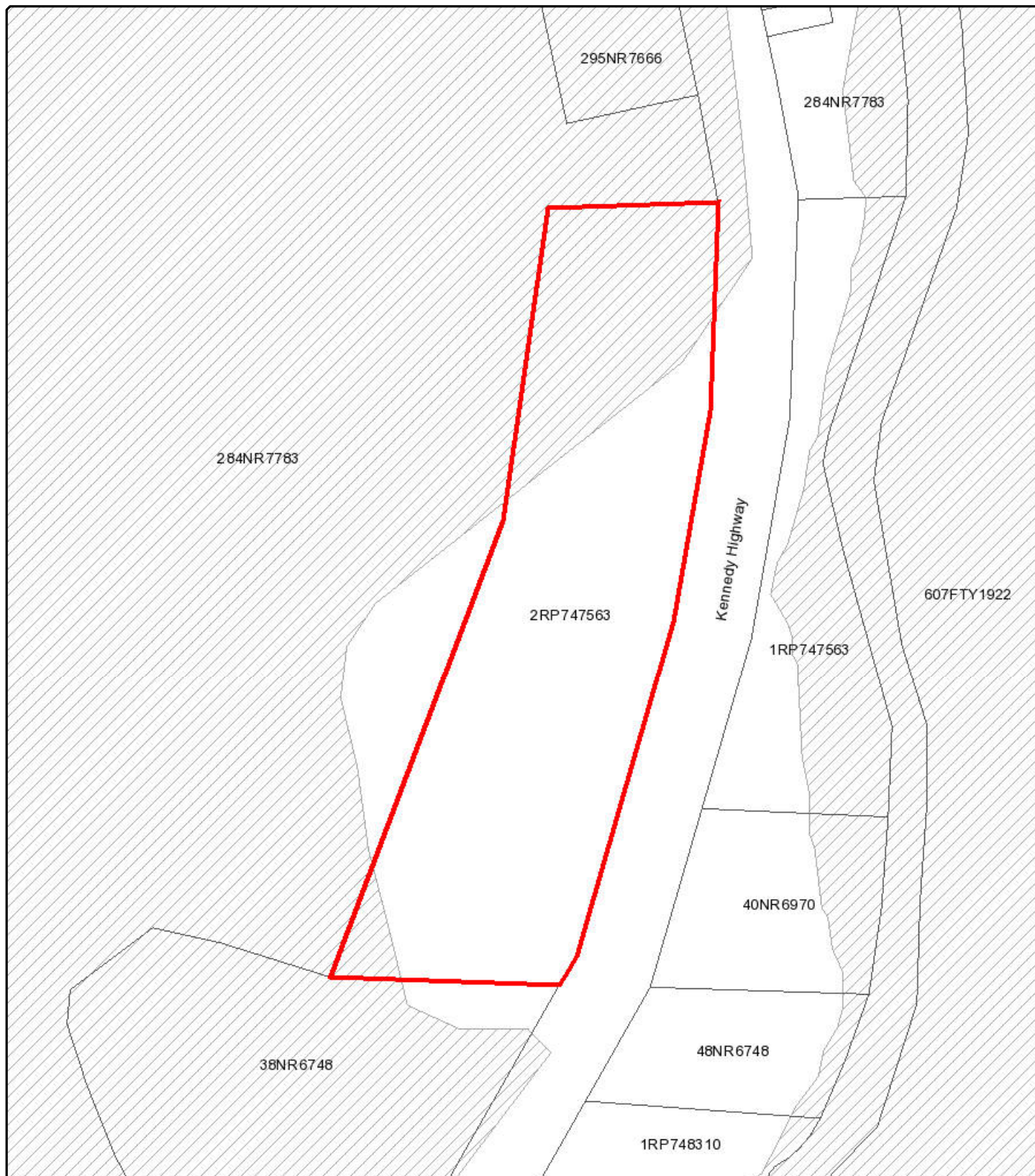


Area within 25m of a State-controlled road



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Legend

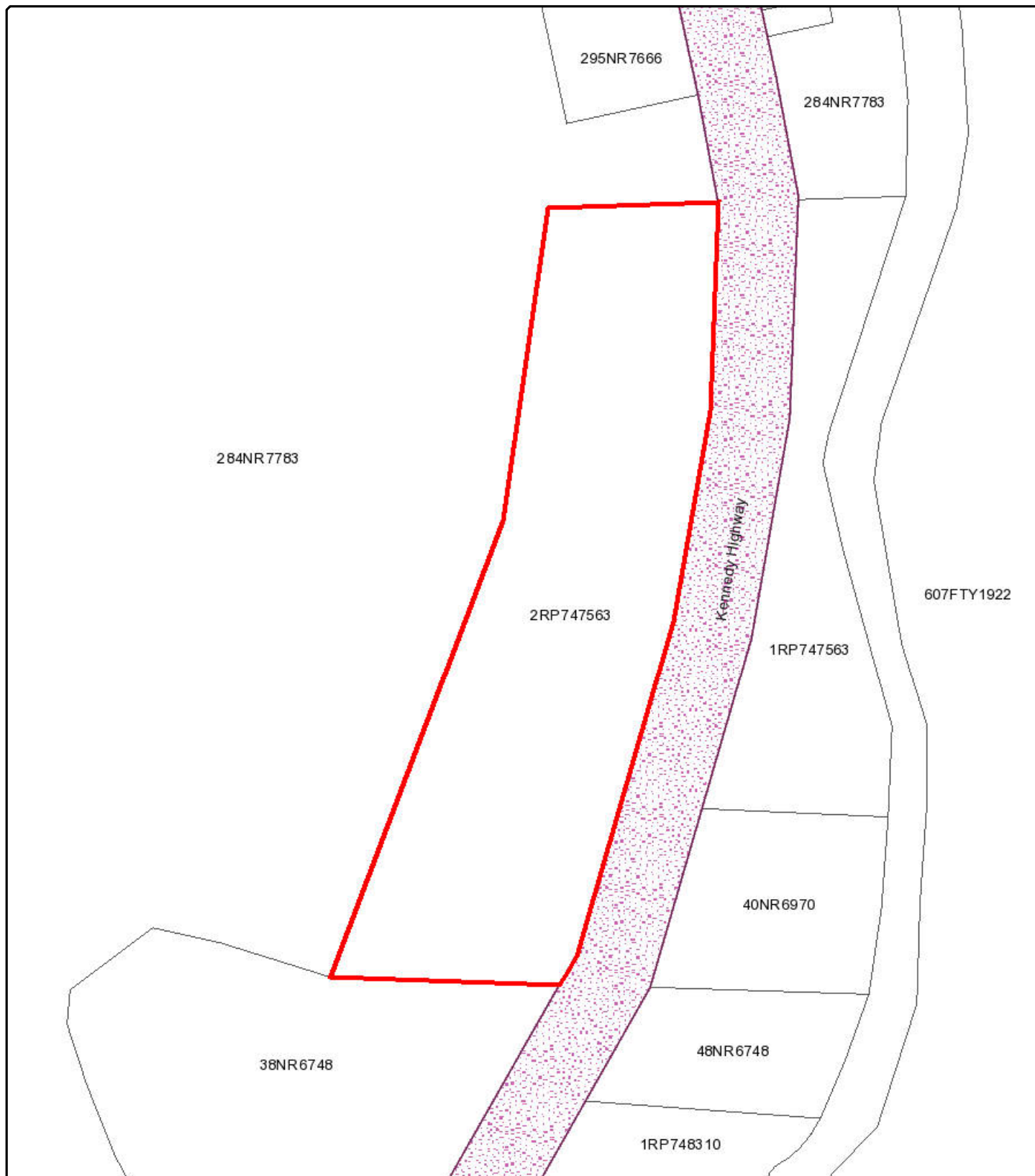
Regulated vegetation management map
(Category A and B extract)

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

0 75 150 225 300
Metres

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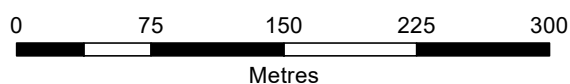
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Legend

State-controlled road

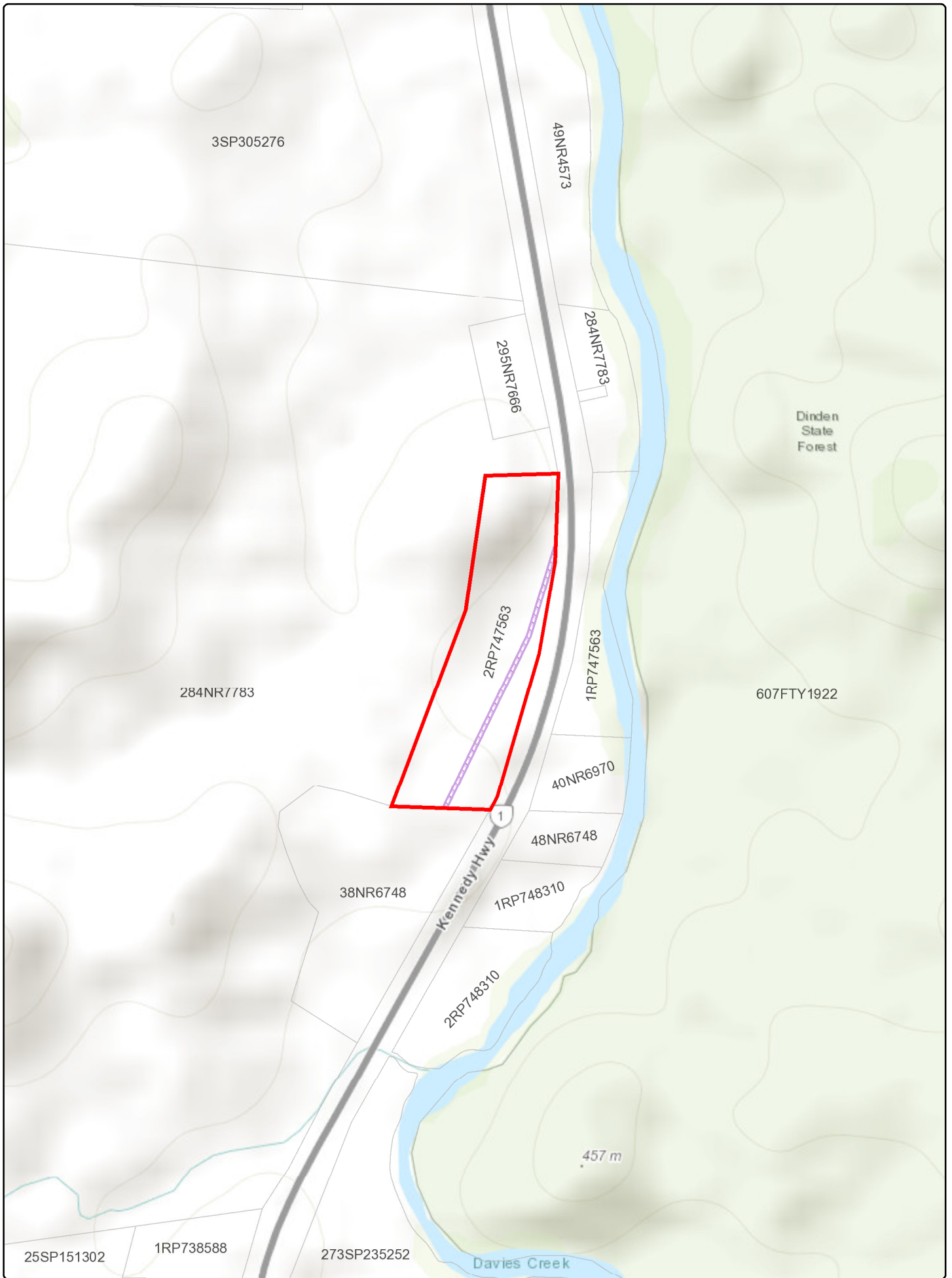


State-controlled road



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DA Mapping System – Print Screen

Date: 13/01/2021

0 140 280 420 560

Metres



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Legend


Drawn Polygon Layer

Override 1


Cadastre (10k)

 Cadastre (10k)

Powerlink electricity substation 100m buffer (referral to Powerlink - outside SARA)

 Powerlink electricity substation 100m buffer
(referral to Powerlink - outside SARA)


Powerlink electricity substation 10m buffer (referral to Powerlink - outside SARA)

 Powerlink electricity substation 10m buffer
(referral to Powerlink - outside SARA)

Ergon easement

 Ergon easement

Powerlink easement

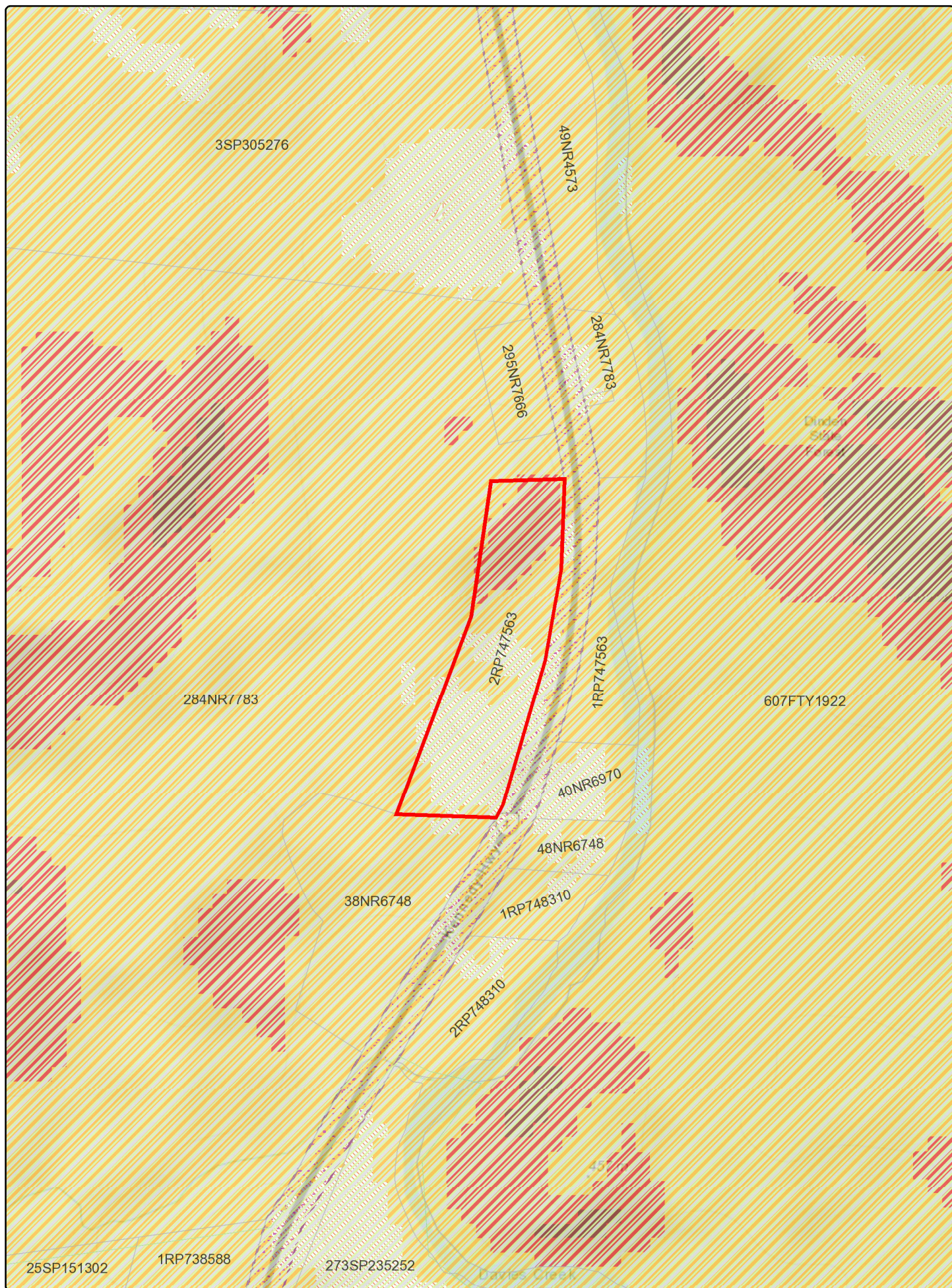
 Powerlink easement

DA Mapping System – Print Screen

Date: 13/01/2021

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Date: 05/01/2021

State Planning Policy

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



0 140 280 420 560
Metres

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Legend

Drawn Polygon Layer

Override 1

Cadastre (10k)



Cadastre (10k)

Important agricultural areas



Important agricultural areas

State-controlled road



State-controlled road

Bushfire prone area



Very High Potential Bushfire Intensity



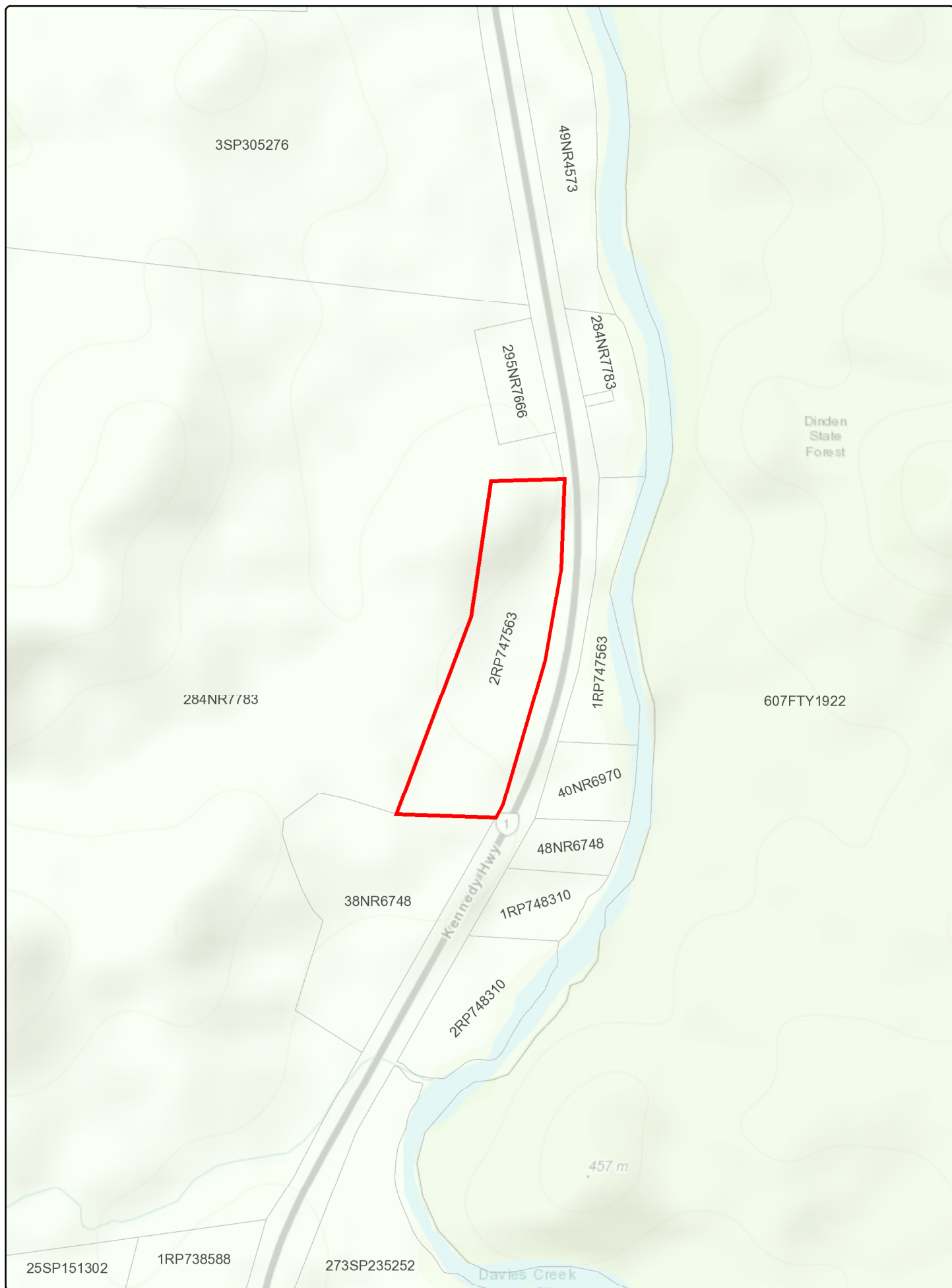
High Potential Bushfire Intensity



Medium Potential Bushfire Intensity



Potential Impact Buffer



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State Planning Policy

Making or amending a local planning instrument
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0 140 280 420 560
Metres

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Legend

Drawn Polygon Layer

Override 1

Cadastre (10k)



Cadastre (10k)

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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24 September 2020

Council Ref: PreEnq/20/0004

Our Ref: BM:CE:nj

PRE-LODGEMENT ADVICE

TO: Mission Australia
C/- Mecone
Level 23, 127 Creek Street
EMAIL ADDRESS: BRISBANE QLD 4000
Kjones@mecone.com.au

PROPOSED DEVELOPMENT: Material Change of Use for Rooming Accommodation

SUBJECT SITE: Lot 2 on RP747563
Situated at 3338 Kennedy Highway, Mareeba
Area of 8.847 hectares

MEETING DATE: n/a

MEETING LOCATION: n/a

ATTENDEES: n/a

PLANNING SCHEME: Mareeba Shire Council Planning Scheme 2016

PROPOSAL:

- Application for a Development Permit for Material Change of Use - Rooming Accommodation

Extract from Mecone memorandum dated 11 September 2020:

"Mecone have been engaged by Mission Australia (the client) to investigate the opportunity to establish a residential rehabilitation facility at 3338 Kennedy Highway, Mareeba.

The client has seen success with their existing Triple Care Farm Residential Rehabilitation centre in NSW Southern Highlands and has secured Government funding to replicate the facility in a North QLD location. The vision is to provide residential accommodation for up to 10 clients, with ancillary health services to support a 12-week holistic psychosocial rehabilitation program.

In accordance with the Mareeba Shire Council Planning Scheme 2016 a residential rehabilitation facility is best defined as Rooming accommodation.

Rooming accommodation is defined as -

Premises used for the accommodation of one or more households where each resident:

- has the right to occupy one or more rooms*
- does not have a right to occupy the whole of the premises in which the rooms are situated*
- may be provided with separate facilities for private use*
- may share communal facilities or communal spaces with one or more of the other residents*

The use may include:

- rooms not in the same building on site*
- provision of a food or other service*
- on site management or staff and associated accommodation"*

TYPE OF APPLICATION REQUIRED:

Application for a development permit for Material Change of Use for Rooming Accommodation (Residential Rehabilitation Facility).

SUPPORTING INFORMATION PROVIDED BY APPLICANT:

- **Attachment 1** - Application Form and Memorandum

RELEVANT SITE HISTORY:

The existing uses on the subject site which include a dwelling house and aquaculture dam are considered to be lawfully established.

Previously issued planning approvals:

- Town Planning Consent C32/88 - Crayfish Farming, Restaurant and Theatrette (1988)
- Material Change of Use - Roadside Stall (2005)

APPLICABLE PLANNING INSTRUMENTS, APPLICATION PROCESS AND FEES:

FNQ2031 Regional Plan:	Appropriately reflected within the Mareeba Shire Council Planning Scheme 2016
Relevant State Planning Policies:	Appropriately reflected within the Mareeba Shire Council Planning Scheme 2016
Planning Scheme:	Mareeba Shire Council Planning Scheme 2016 https://msc.qld.gov.au/building-planning/planning/
Strategic Framework:	Land Use Category - Rural Area (Rural Other) Natural Environmental Elements - Ecological Corridor Transport Elements - State Controlled Road

	- <i>Principal Cycle Route</i>
Zone:	Rural zone
Applicable Overlays:	Bushfire Hazard Overlay Environmental Significance Overlay Hill and Slope Overlay
Other Relevant Mapping:	State Assessment and Referral Agency mapping https://planning.dsdmip.qld.gov.au/maps
Applicable Planning Scheme Policies:	Policy 4 - FNQROC Regional Development Manual
Level of Assessment:	An aspect of the proposed development will require Impact Assessment . The impact assessable aspects will be assessed against all relevant provisions of the Mareeba Shire Council Planning Scheme 2016. Impact assessable development will be assessed against the whole Planning Scheme including the Strategic Framework, the purpose and requirements for the particular zone and all Codes as deemed relevant to the proposal. Where Codes are applicable for impact assessment, the acceptable outcomes provide one means for achieving the Performance Outcome. While there may be other ways of complying with the Performance Outcome and still meeting the Code's purpose, it is up to the applicant to demonstrate that any alternative solution is appropriate. Impact assessable applications will also require public notification in accordance with the provisions of the Planning Act 2016.
Applicable Planning Scheme Codes:	Rural Zone Code Accommodations Activities Code Bushfire Hazard Overlay Code Environmental Significance Overlay Code Hill and Slope Overlay Code Landscaping Code Parking and Access Code Works, Services and Infrastructure Code
Minimum Public Notification Period:	15 business days
Referral Triggers:	1. Infrastructure-related referrals - Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 <i>Development application for a material change of use, other than an excluded material change of use, that is assessable development under a local categorising instrument, if all or part of the premises-</i> <i>(a) are within 25m of a State transport corridor; or</i>

	<p>(b) are a future State transport corridor; or</p> <p>(c) are-</p> <p>(i) adjacent to a road that intersects with a State-controlled road; and</p> <p>(ii) within 100m of the intersection</p> <p>2. Clearing native vegetation - Schedule 10, Part 3, Division 4, Table 3, Item 1</p> <p><i>Development application for a material change of use that is assessable development under a local categorising instrument and relates to a lot that is 5ha or larger, if-</i></p> <p>(a) the application-</p> <p>(i) is for a preliminary approval that includes a variation request; and</p> <p>(ii) relates to a lot that contains native vegetation shown on the regulated vegetation management map as a category A area or category B area; and</p> <p>(iii) is for a material change of use, other than a non-referable material change of use; or</p> <p>(b) the application is not stated in paragraph (a) and all of the following apply-</p> <p>(i) the material change of use does not involve prescribed clearing;</p> <p>(ii) accepted operational work may be carried out because of the material change of use, or the material change of use involves operational work that is assessable development under section 5;</p> <p>If referral is required for the clearing of native vegetation, the material change of use application will need to be supported by a relevant purpose determination.</p> <p>https://www.dnrme.qld.gov.au/data/assets/pdf_file/0003/1395201/relevant-purpose-determination-application-form.pdf</p> <p>The above is provided as preliminary advice only, it is the Applicant's responsibility to ensure that the correct referral agencies are identified upon lodgement of the development application.</p>
Probable infrastructure (additional payment) condition:	Nil.
Application Forms	<p>DA Form 1</p> <p>Application forms and general information about the planning application system can be downloaded from the Department of State Development, Manufacturing, Infrastructure and Planning's website:</p>

	https://planning.dsdmip.qld.gov.au/planning/better-development/application-forms-and-templates
Council application fee: (2020/2021 financial year):	\$2,750.00 Note: The \$575.00 pre-lodgement fee paid will be credited against the application fee if lodged within 12 months of receiving this advice.

ISSUES IDENTIFIED BY THE APPLICANT FOR DISCUSSION:

"We are seeking feedback from Council regarding the following -

- **Land use**
 - *Could the proposed Rooming accommodation use be supported on the subject site.*
- **Bushfire management**
 - *Could Council support buildings, structure and infrastructure within the High Potential Bushfire Intensity where the application is accompanied by a Bushfire Assessment Report.*
- **Environmental management**
 - *Could Council support the removal of vegetation on site and is an Ecological Assessment Report required with lodgement.*
- **Any other matter**
 - *We welcome Council to provide feedback on any other matter relevant to the proposed development and site."*

Council Officer Advice

1. **Land use** - *Could the proposed Rooming accommodation use be supported on the subject site.*

Yes, Council officers are of the opinion that the proposed use can be reasonably conditioned to allow it to occur on the subject site.

This opinion relates specifically to rooming accommodation for a residential rehabilitation facility, and not to other variations of rooming accommodation.

2. **Bushfire management** - *Could Council support buildings, structure and infrastructure within the High Potential Bushfire Intensity where the application is accompanied by a Bushfire Assessment Report.*

Where an application is supported by a site-specific Bushfire Assessment Report prepared by a suitably qualified person, Council officer will accept the findings and recommendations of that report.

This includes any proposal to site buildings, structure and infrastructure with the High Potential Bushfire Intensity area.

3. **Environmental management** - *Could Council support the removal of vegetation on site and is an Ecological Assessment Report required with lodgement.*

An ecological assessment report will not be required to support the application.

Council officer will not oppose the removal of regulated native vegetation where it is approved by the State Assessment and Referral Agency.

Non-native vegetation may be removed at the discretion of the landowner.

Council officers suggest that a buffer of vegetation be retained along the Kennedy Highway frontage (where possible) to maintain scenic values.

4. ***Any other matter*** - We welcome Council to provide feedback on any other matter relevant to the proposed development and site.

Council's mapping system records the subject site as being within a Slight Residual UXO area.

In addition to addressing the Planning Scheme's strategic framework and codes, the planning report for the application should also address the following:

- What are the proposed caretaker/supervision intentions for the development? This would assist in reassuring any neighbours who may otherwise raise concerns about security.
- Detail the reasoning for choosing the subject site. (ie participants will be involved in rural activities while undergoing rehabilitation).

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

Yours faithfully



BRIAN MILLARD
SENIOR PLANNER

DISCLAIMER:

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

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

ATTACHMENT 1



MEMORANDUM

TO:	Mareeba Shire Council	PROJECT REF:	J000336
FROM:	Mecone		
CC:	Brett Curran		
DATE:	11 September 2020		
RE:	Pre-lodgement advice regarding Material change of use for Rooming accommodation at 3338 Kennedy Highway, Mareeba		

Site details

Key detail	Subject site
Address	3338 Kennedy Highway, Mareeba
RPD	Lot 2 on RP747563
Site area	8.847Ha
Existing use	The site is improved by a Dwelling house and associated outbuildings.
Access and servicing	The site is accessible via a crossover to Kennedy Highway and is outside of the Priority Infrastructure Area. Onsite servicing



Figure 1: Subject site (Source: QLD Globe)

Site context

The site fronts the Kennedy Highway, approximately 12.8km north east of the centre of Mareeba, 8km south of Koah, and 10.5km south west of Speewah. Directly east of the site is the Dinden State Forest, while land to the west is vegetated and rural in nature, however is not used for agriculture.

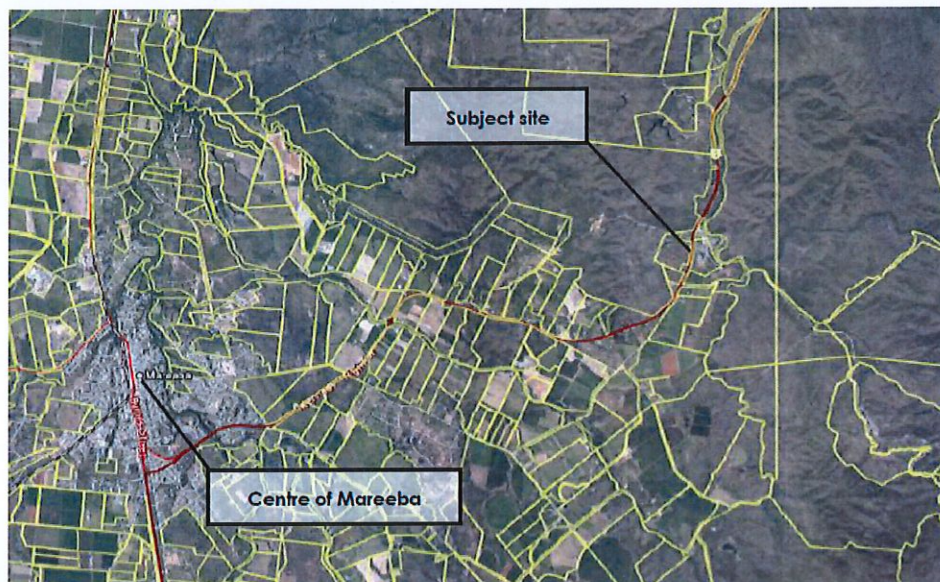


Figure 2: Site context (Source: QLD Globe)

Proposed development

Mecone have been engaged by Mission Australia (the client) to investigate the opportunity to establish a residential rehabilitation facility at 3338 Kennedy Highway, Mareeba.

The client has seen success with their existing Triple Care Farm Residential Rehabilitation centre in NSW Southern Highlands and has secured Government funding to replicate the facility in a North QLD location. The vision is to provide residential accommodation for up to 10 clients, with ancillary health services to support a 12-week holistic psychosocial rehabilitation program.

Further information regarding the existing Triple Care Farm Residential Rehabilitation Facility can be found [here](#).

In accordance with the Mareeba Shire Council Planning Scheme 2016 a residential rehabilitation facility is best defined as Rooming accommodation.

Rooming accommodation is defined as -

Premises used for the accommodation of one or more households where each resident:

- has the right to occupy one or more rooms
- does not have a right to occupy the whole of the premises in which the rooms are situated
- may be provided with separate facilities for private use
- may share communal facilities or communal spaces with one or more of the other residents

The use may include:

- rooms not in the same building on site
- provision of a food or other service
- on site management or staff and associated accommodation

Planning considerations

A summary of the key planning matters relating to the site are in the table below –

Key planning matters	
Zoning	Rural zone
Council overlays	<ul style="list-style-type: none">- Bushfire hazard- Environmental significance- Extractive resources- Hill and slope- Transport infrastructure
SARA Overlays	<ul style="list-style-type: none">- Regulated vegetation management map (Category A and B extract)<ul style="list-style-type: none">o Category B- Area within 25m of a State-controlled road- Area within 25m of a railway corridor

In accordance with Table 5.5.9 of the Mareeba Shire Council Planning Scheme 2016, a Material change of use for Rooming accommodation in the Rural zone is Impact assessable. The following assessment benchmarks have been identified as relevant to the site and proposal:

- Rural zone code
- Bushfire hazard overlay code
- Environmental significance overlay code
- Hill and slope overlay code
- Accommodations activities code
- Landscaping code
- Parking and access code
- Works, services and infrastructure code

Rural zone code

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;*
- 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;*
- Protect or manage significant natural resources and processes to maintain the capacity for primary production.*

Whilst the proposed use is Impact assessable in the Rural zone, we are of the opinion that the establishment of Rooming accommodation (in the form being proposed) supports item (b) of the purpose of the Rural zone code.

The site and surrounds are not currently used for agricultural purposes, the building siting and design will respond to the environmental and landscape characters of the area, and the

proposed use will not compromise the land from being used for rural or agricultural purposes into the future.

We are seeking confirmation from Council that the proposed use can be supported in the Rural zone.

Bushfire overlay code

The Bushfire Hazard overlay map (refer Figure 3) identifies the site within the following sub-categories –

- High Potential Bushfire Intensity
- Medium Potential Bushfire Intensity
- Potential Impact Buffer (100 metres) sub-categories

The proposed development will be seeking a performance outcome for several items within the Bushfire overlay code. The intent would be to provide a Bushfire Hazard Management Plan as part of the application package to ensure all new buildings on site achieve an appropriate bushfire immunity.

We are seeking feedback from Council as to whether this is considered an appropriate response and if there are any further requirements to adequately address the code.

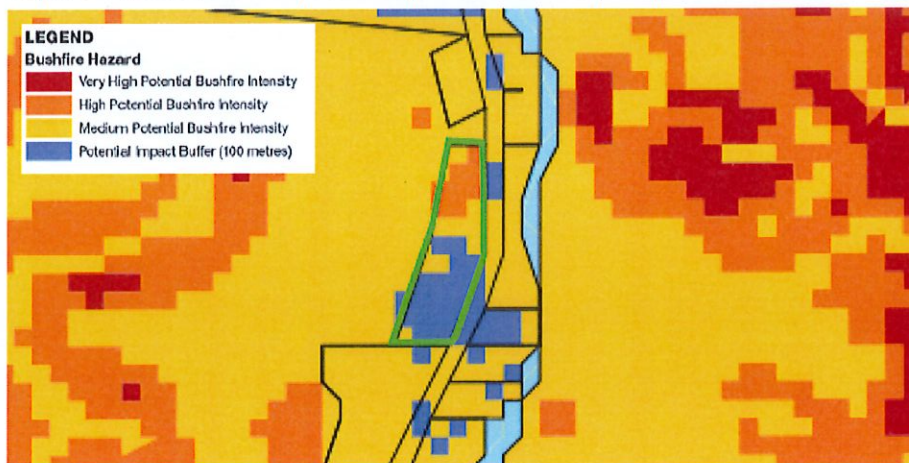


Figure 3: Bushfire Hazard overlay map

Environmental significance overlay code

The Environmental significance overlay map (refer Figure 4) identifies the site within the Ecological Corridor sub-category. The proposed development may require some clearing to provide for bushfire breaks, however the intent is to maintain as much vegetation onsite as possible.

We are seeking feedback from Council as to whether an Ecological Assessment Report will be required to address the overlay code.

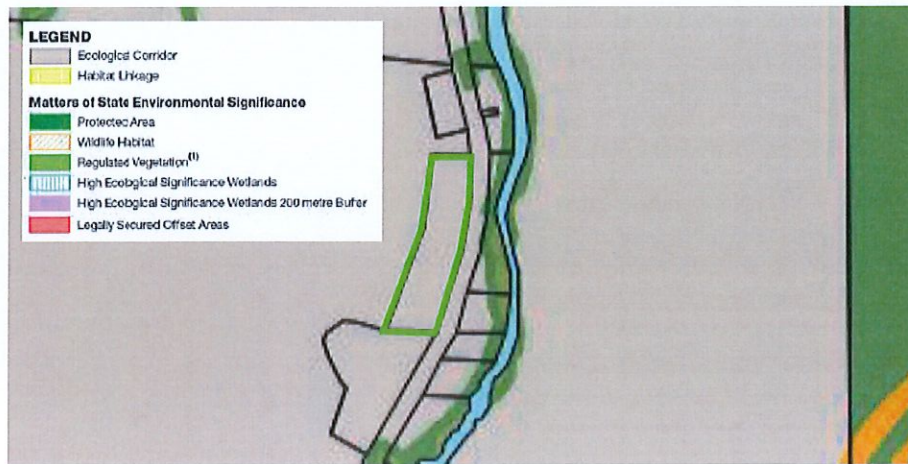


Figure 4: Environmental significance overlay map

Hill and slope overlay code

The site is impacted by hill and slope areas across the site to the north and slightly on the south-western corner of the land (refer Figure 5). It is likely that the proposed development will be located outside of these areas, however if required the outcomes of the Hill and slope overlay code will be addressed through appropriate building siting and design.



Figure 5: Hill and slope overlay map

Technical codes

We anticipate that the provisions of the following codes can be addressed through detailed design –

- Accommodations activities code
- Landscaping code
- Parking and access code
- Works, services and infrastructure code

We welcome feedback from Council on particular requirements to note from these codes.

Advice sought

We are seeking feedback from Council regarding the following –

- **Land use**
 - o Could the proposed Rooming accommodation use be supported on the subject site.
- **Bushfire management**
 - o Could Council support buildings, structure and infrastructure within the High Potential Bushfire Intensity where the application is accompanied by a Bushfire Assessment Report.
- **Environmental management**
 - o Could Council support the removal of vegetation on site and is an Ecological Assessment Report required with lodgement.
- **Any other matter**
 - o We welcome Council to provide feedback on any other matter relevant to the proposed development and site.

Justin Phipps

From: Carl Ewin <CarlE@msc.qld.gov.au>
Sent: Monday, 4 January 2021 12:01 PM
To: Justin Phipps
Cc: Brian Millard
Subject: RE: Pre-lodgement Advice for 3338 Kennedy Highway, Mareeba

Hi Justin,

Yeah mate the break was good. How about yourself?

I believe we agreed with the definition put forward from Mecone (planners) due to the scale of “medical care” that was going to be provided which was more akin to psychological care as opposed to the degree of medical care usually provided to aging/end of life residents that usually occupy residential care facilities.

We are happy to proceed with the alternate different definition if you can provide justification.

At the end of the day, both are impact assessable uses, and the facts and circumstances of the use as submitted with the application is more important than the initial definition anyway.

I'll leave it up to you guys.

I believe all the other information included in the pre-lodgement response remains relevant.

Cheers,

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: Monday, 4 January 2021 11:45 AM
To: Carl Ewin <CarlE@msc.qld.gov.au>
Subject: Pre-lodgement Advice for 3338 Kennedy Highway, Mareeba

Good morning Carl,

I hope you had a good Christmas and New Years break!

We've been engaged by Mission Australia to prepare a Development Application for a Residential Rehab Facility at 3338 Kennedy Highway, Mareeba and the client sent through some previous pre-lodgement advice (see attached) where the use has been defined as 'Rooming Accommodation'. I am of the view that the development would be more suitably defined as a Residential Care Facility due to the ancillary health services required to support the rehabilitation program.

As a result, I just wanted to double check with you what Council would define the use as to ensure consistency before I start getting Landowners Consent forms signed and begin the DA.

Thanks Carl.



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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ATTACHMENT 5:
SDAP CODE ASSESSMENT



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

Table 1.2.1: Development in a state-controlled road environment

Performance outcomes	Acceptable outcomes	Response
Buildings and structures		
PO1 The location of buildings, structures, infrastructure, services and utilities does not create a safety hazard in a state-controlled road, or cause damage to, or obstruct road transport infrastructure.	AO1.1 Buildings, structures, infrastructure, services and utilities are not located in a state-controlled road. AND	Complies with AO1.1 The development will not have any buildings, structures, infrastructure, services or utilities located in the State-controlled Road.
	AO1.2 Buildings, structures, infrastructure, services and utilities can be maintained without requiring access to a state-controlled road.	Complies with AO1.2 Any buildings, structures, infrastructure, services or utilities associated with the development are able to be maintained without requiring access to the State-controlled Road.
PO2 The design and construction of buildings and structures does not create a safety hazard by distracting users of a state-controlled road.	AO2.1 Facades of buildings and structures facing a state-controlled road are made of non-reflective materials. OR	Complies with AO2.1 Compliance can be conditioned.
	AO2.2 Facades of buildings and structures do not reflect point light sources into the face of oncoming traffic on a state-controlled road. AND	Complies with AO2.2 See AO2.1 above.
	AO2.3 External lighting of buildings and structures is not directed into the face of oncoming traffic on a state-controlled road and does not involve flashing or laser lights. AND	Complies with AO3.2 See AO2.1 above.

Performance outcomes	Acceptable outcomes	Response
	AO2.4 Advertising devices visible from a state-controlled road are located and designed in accordance with the Roadside Advertising Guide, 2 nd Edition, Department of Transport and Main Roads, 2017.	N/A The development does not include any advertising devices.
PO3 Road, pedestrian and bikeway bridges over a state-controlled road are designed and constructed to prevent projectiles from being thrown onto a state-controlled road.	AO3.1 Road, pedestrian and bikeway bridges over a state-controlled road include throw protection screens in accordance with section 4.9.3 of the Design Criteria for Bridges and Other Structures Manual, Department of Transport and Main Roads, 2018.	N/A The development does not involve a road, pedestrian or bikeway bridge over the State-controlled Road.
Filling, excavation and retaining structures		
PO4 Filling and excavation does not interfere with, or result in damage to, infrastructure or services in a state-controlled road. Note: Information on the location of services and public utility plants in a state-controlled road can be obtained from the Dial Before You Dig service. Where development will impact on an existing or future service or public utility plant in a state-controlled road such that the service or public utility plant will need to be relocated, the alternative alignment must comply with the standards and design specifications of the relevant service or public utility provider, and any costs of relocation are to be borne by the developer. Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.	No acceptable outcome is prescribed.	Complies with PO4 The development will not involve any excavation or filling.
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	No acceptable outcome is prescribed.	N/A See PO4 above.

State Development Assessment Provisions – version 2.6

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

Performance outcomes	Acceptable outcomes	Response
<p>Manual 2nd Edition: Volume 3, Department of Transport and Main Roads, 2016, is provided.</p> <p>Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a geotechnical assessment.</p>		
<p>PO6 Filling, excavation, building foundations and retaining structures do not cause ground water disturbance in a state-controlled road.</p> <p>Note: To demonstrate compliance with this performance outcome, it is recommended an RPEQ certified geotechnical assessment, prepared in accordance with the Road Planning and Design manual 2nd Edition: Volume 3, Department of Transport and Main Roads, 2016, is provided.</p> <p>Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a geotechnical assessment.</p>	No acceptable outcome is prescribed.	<p>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>

Performance outcomes	Acceptable outcomes	Response
<p>PO8 Development involving the haulage of fill, extracted material or excavated spoil material exceeding 10,000 tonnes per year does not damage the pavement of a state-controlled road.</p> <p>Note: It is recommended a pavement impact assessment is provided.</p> <p>Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, and the Guide to Traffic Impact Assessment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome and prepare a pavement impact assessment.</p>	<p>AO8.1 Fill, extracted material and spoil material is not transported to or from the development site on a state-controlled road.</p>	<p>N/A See PO4 above.</p>
<p>PO9 Filling and excavation associated with the construction of vehicular access to a development does not compromise the operation or capacity of existing drainage infrastructure for a state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p>No acceptable outcome is prescribed.</p>	<p>N/A See PO4 above.</p>
<p>PO10 Fill material used on a development site does not result in contamination of a state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Filling, excavation and retaining structures in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p>AO10.1 Fill material is free of contaminants including acid sulfate content.</p> <p>Note: Soils and rocks should be tested in accordance with AS 1289.0 – Methods of testing soils for engineering purposes and AS 4133.0-2005 – Methods of testing rocks for engineering purposes.</p> <p>AND</p>	<p>N/A No fill is required.</p>
	<p>AO10.2 Compaction of fill is carried out in accordance with the requirements of AS 1289.0 2000 – Methods of testing soils for engineering purposes.</p>	<p>N/A See AO10.1 above.</p>

Performance outcomes	Acceptable outcomes	Response
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 AO10.1 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 AO10.1 above.
Stormwater and drainage		
PO12 Development does not result in an actionable nuisance, or worsening of, stormwater, flooding or drainage impacts in a state-controlled road. Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, 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 A Stormwater and Drainage Report will be provided to DTMR post-approval and we are agreeable for DTMR to condition this to ensure compliance.
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	Complies with AO13.1 See PO12 above. All Stormwater and drainage specifics will be provided within the report, post-approval.
	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	Complies with AO13.2 See AO13.1 above.
	AO13.3 Development does not worsen the condition of an existing lawful point of discharge to the state-controlled road.	Complies with AO13.3 See AO13.1 above.

Performance outcomes	Acceptable outcomes	Response
<p>PO14 Run-off from the development site during construction does not cause siltation of stormwater infrastructure affecting a state-controlled road.</p> <p>Note: Refer to the SDAP Supporting Information: Stormwater and drainage in a state-controlled road environment, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p>AO14.1 Run-off from the development site during construction is not discharged to stormwater infrastructure for a state-controlled road.</p>	<p>Complies with AO14.1 See AO13.1 above.</p>
Vehicular access to a state-controlled road		
<p>PO15 Vehicular access to a state-controlled road that is a limited access road is consistent with government policy for the management of limited access roads.</p> <p>Note: Refer to the SDAP Supporting Information: Vehicular access to a state-controlled road, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p>AO15.1 Development does not require new or changed access to a limited access road.</p> <p>Note: Limited access roads are declared by the transport chief executive under section 54 of the <i>Transport Infrastructure Act 1994</i> and are identified in the DA mapping system.</p> <p>OR</p>	<p>Complies with AO15.1 The development will seek to utilise the existing access from the Kennedy Highway to the subject site.</p>
	<p>AO15.2 A new or changed access to a limited access road is consistent with the limited access policy for the state-controlled road.</p> <p>Note: Limited access policies for limited access roads declared under the <i>Transport Infrastructure Act 1994</i> can be obtained by contacting the relevant Department of Transport and Main Roads regional office.</p> <p>AND</p>	<p>Complies with AO15.2</p>
	<p>AO15.3 Where a new or changed access is for a service centre, access is consistent with the Service centre policy, Department of Transport and Main Roads, 2013 and the Access policy for roadside service centre facilities on limited access roads, Department of Transport and Main Roads, 2013, and the Service centre strategy for the state-controlled road.</p> <p>Note: The Service centre policy, Department of Transport and Main Roads, 2013, Access policy for roadside service centre facilities, Department of Transport and Main Roads, 2013 and the</p>	<p>N/A The development does not involve a service centre.</p>

Performance outcomes	Acceptable outcomes	Response
	relevant Service centre strategy for a state-controlled road can be accessed by contacting the relevant Department of Transport and Main Roads regional office.	
<p>PO16 The location and design of vehicular access to a state-controlled road (including access to a limited access road) does not create a safety hazard for users of a state-controlled road or result in a worsening of operating conditions on a state-controlled road.</p> <p>Note: Where a new or changed access between the premises and a state-controlled road is proposed, the Department of Transport and Main Roads will need to assess the proposal to determine if the vehicular access for the development is safe. An assessment can be made by Department of Transport and Main Roads as part of the development assessment process and a decision under section 62 of <i>Transport Infrastructure Act 1994</i> issued.</p> <p>Refer to the SDAP Supporting Information: Vehicular access to a state-controlled road, Department of Transport and Main Roads, 2017, for further guidance on how to comply with this performance outcome.</p>	<p>AO16.1 Vehicular access is provided from a local road.</p>	<p>N/A The site does not front a local road. See AO16.2 below.</p>
	<p>OR all of the following acceptable outcomes apply:</p> <p>AO16.2 Vehicular access for the development is consistent with the function and design of the state-controlled road.</p> <p>AND</p>	<p>Complies with PO16 As residents will be completely residing on-site for the length of the program, and there will only be 3-4 staff on-site at any given time, the anticipated traffic generation each day will be generally staff members driving to the site to commence their shift. As a result, if we assume that there are 4 staff members on-site at any given time and these staff members do 8-hour shifts over a 24-hour period, there will be an absolute maximum of 12 cars entering and exiting the site on any given day.</p> <p>It is also acknowledged that family members are allowed to visit residents of the clinic during an allocated period. As the facility can only accommodate 10 residents, a maximum of 10 cars will be utilising the site during the visiting period (assuming each family takes one car) and these times are to be confirmed.</p> <p>As a result, we are of the view that the development will not result in a worsening of operating conditions on the State-controlled Road.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AO16.3 Development does not require new or changed access between the premises and the state-controlled road.</p> <p>Note: A decision under section 62 of the <i>Transport Infrastructure Act 1994</i> outlines the approved conditions for use of an existing vehicular access to a state-controlled road. Current section 62 decisions can be obtained from the relevant Department of Transport and Main Roads regional office.</p> <p>AND</p>	<p>Complies with PO16 See PO16 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>Complies with PO16 See PO16 above.</p>
	<p>AO16.5 On-site vehicle circulation is designed to give priority to entering vehicles at all times so vehicles do not queue in a road intersection or on the state-controlled road.</p>	<p>Complies with PO16 See PO16 above.</p>
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 The site is not located within 100m of an intersection with a State-controlled Road.</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>N/A See AO17.1 above.</p>

Performance outcomes	Acceptable outcomes	Response
	AND	
	AO17.3 On-site vehicle circulation is designed to give priority to entering vehicles at all times so vehicles do not queue in the intersection or on the state-controlled road.	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 There is no mapped public passenger transport infrastructure within proximity of the site in accordance with the State online DA Mapping system.
	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.

State Development Assessment Provisions – version 2.6

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

Performance outcomes	Acceptable outcomes	Response
Planned upgrades		
PO19 Development does not impede delivery of planned upgrades of state-controlled roads.	AO19.1 Development is not located on land identified by the Department of Transport and Main Roads as land required for the planned upgrade of a state-controlled road. Note: Land required for the planned upgrade of a state-controlled road is identified in the DA mapping system . OR	N/A The site is not identified for any planned upgrades (as identified on the DA Mapping)
	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.

Performance outcomes	Acceptable outcomes	Response
	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.
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 See PO16 above.
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.	N/A The site does not have frontage to a local road.
PO22 Upgrade works on, or associated with, a state-controlled road are built in accordance with Queensland road design standards.	AO22.1 Upgrade works required as a result of the development are designed and constructed in accordance with the <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.	Complies with PO22 All upgrade works will be conducted in accordance with DTMR's requirements post approval.

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		
<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"> to meet the following external noise criteria at all facades of the building envelope: <ol style="list-style-type: none"> ≤60 dB(A) L₁₀ (18 hour) façade corrected (measured L₉₀ (8 hour) free field between 10pm and 6am ≤40 dB(A)) ≤63 dB(A) L₁₀ (18 hour) façade corrected (measured L₉₀ (8 hour) free field between 10pm and 6am >40 dB(A)) 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>Complies with PO23</p> <p>The site contains an existing earth mound that runs parallel to the Kennedy Highway (see picture below). In addition to this existing earth mound, there is vegetation buffering provided to further reduce noise generated by the State-controlled Road AND the development will be setback approximately 80m from the Kennedy Highway. As a result, we are of the view that the development is able to minimise noise intrusion as it is currently presented and achieve compliance with the corresponding Performance Outcome.</p>

State Development Assessment Provisions – version 2.6

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

Performance outcomes	Acceptable outcomes	
	<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>OR all of the following acceptable outcomes apply:</p> <p>AO23.2 Buildings which include a habitable room are setback the maximum distance possible from a state-controlled road or type 1 multi-modal corridor.</p> <p>AND</p>	<p>N/A See AO23.1 above.</p>
	<p>AO23.3 Buildings are designed and oriented so that habitable rooms are located furthest from a state-controlled road or type 1 multi-modal corridor.</p> <p>AND</p>	<p>N/A See AO23.1 above.</p>

Performance outcomes	Acceptable outcomes
	<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>PO24 Development involving an accommodation activity or land for a future accommodation activity minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in outdoor spaces for passive recreation.</p>	<p>AO24.1 A noise barrier or earth mound is provided which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to meet the following external noise criteria in outdoor spaces for passive recreation: <ol style="list-style-type: none"> a. ≤ 57 dB(A) L_{10} (18 hour) free field (measured L_{90} (18 hour) free field between 6am and 12 midnight ≤ 45 dB(A)) b. ≤ 60 dB(A) L_{10} (18 hour) free field (measured L_{90} (18 hour) free field between 6am and 12 midnight > 45 dB(A)) 2. in accordance with chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice – Volume 1 Road

Performance outcomes		Acceptable outcomes
		<p>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 	<p>N/A The development will not involve a childcare centre or educational establishment.</p>

Performance outcomes	Acceptable outcomes	
	<p>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>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 See AO25.1 above.</p>
	<p>AO25.3 Buildings are designed and oriented so that indoor education areas and indoor play areas are located furthest from the state-controlled road or type 1 multi-modal corridor.</p> <p>AND</p>	<p>N/A See AO25.1 above.</p>
	<p>AO25.4 Buildings are designed and constructed using materials which ensure indoor education areas and indoor play areas meet the following internal noise criteria:</p> <ol style="list-style-type: none"> 1. ≤ 35 dB(A) L_{eq} (1 hour) (maximum hour during opening hours). <p>Note: Noise levels from a state-controlled road or type 1 multi-modal corridor are to be measured in accordance with AS1055.1–</p>	<p>N/A See AO25.1 above.</p>

Performance outcomes	Acceptable outcomes	
	<p>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>PO26 Development involving a:</p> <ol style="list-style-type: none"> 1. childcare centre; or 2. educational establishment <p>minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in outdoor education areas and outdoor play areas.</p>	<p>AO26.1 A noise barrier or earth mound is provided which is designed, sited and constructed:</p> <ol style="list-style-type: none"> 1. to meet the following external noise criteria in each outdoor education area or outdoor play area: <ol style="list-style-type: none"> a. ≤63 dB(A) L₁₀ (12 hour) free field (between 6am and 6pm) 2. in accordance with chapter 7 – Integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013. <p>Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified noise assessment report is provided, prepared in accordance with the SDAP Supporting Information: Environmental emissions in a state controlled road environment, Department of Transport and Main Roads 2017.</p> <p>OR</p>	<p>N/A See AO25.1 above.</p>
	<p>AO26.2 Each outdoor education area and outdoor play area is shielded from noise generated from a state-controlled road or type 1 multi-modal corridor by a building, solid gap-free fence, or other solid gap-free structure.</p>	<p>N/A See AO25.1 above.</p>
Hospitals		

Performance outcomes		Acceptable outcomes
PO27 Development involving a hospital minimises noise intrusion from a state-controlled road or type 1 multi-modal corridor in patient care areas.	<p>AO27.1 Hospitals are designed and constructed using materials which ensure patient care areas meet the following internal noise criteria:</p> <p>1. $\leq 35 \text{ dB(A) } L_{eq}$ (1 hour) (maximum hour during opening hours).</p> <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 development does not involve the establishment of a hospital.</p>
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.	<p>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 $0.1 \text{ m/s}^{1.75}$.</p> <p>AND</p>	<p>N/A</p> <p>The development does not involve the establishment of a Hospital.</p>
	<p>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 $0.4 \text{ m/s}^{1.75}$.</p> <p>Note: To demonstrate compliance with the acceptable outcome, it is recommended that a RPEQ certified vibration assessment report is provided.</p>	<p>N/A</p> <p>See AO28.1 above.</p>
Air and light		
PO29 Development involving an accommodation activity minimises air quality impacts from a state-	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	<p>N/A</p> <p>The Main Accommodation building will be screened by the Administration Building, Car Park area and</p>

Performance outcomes		Acceptable outcomes
controlled road or type 1 multi-modal corridor in outdoor spaces for passive recreation.	a building, solid gap-free fence, or other solid gap-free structure.	vegetation and the earth mound which runs along the Kennedy Highway Road Reserve. As a result, we are of the view that the development will not be impacted upon by air quality impacts generated by the State-controlled Road.
PO30 Development involving a: <ol style="list-style-type: none"> 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 development will not involve a child care 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 The closest accommodation building is the Administration Building which is setback over 27m from the street frontage and the habitable room within this building will have windows facing to the north and west. The Main Accommodation building will be setback approximately 100m from the street frontage and will be screened by the Administration Building, Car Park, Vegetation and existing earth mound. As a result, we are of the view that the development is able to comply with this outcome. DTMR can also condition compliance if required.
	AO31.2 Windows facing a state-controlled road or type 1 multi-modal corridor include treatments to block light from a state-controlled road or type 1 multi-modal corridor.	N/A See AO31.1 above.

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

Performance outcomes	Acceptable outcomes	
PO32 Development does not impede delivery of a future state-controlled road.	AO32.1 Development is not located in a future state-controlled road. OR	N/A The site is not mapped as being located in a future State-controlled Road environment.
	AO32.2 Development is sited and designed so that permanent buildings, structures, infrastructure, services or utilities are not located in a future state-controlled road.	N/A See AO32.1 above.
	OR all of the following acceptable outcomes apply: AO32.3 Structures and infrastructure located in a future state-controlled road are able to be readily relocated or removed without materially affecting the viability or functionality of the development. AND	N/A See AO32.1 above.
	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. 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.	AO33.1 Development does not require new or changed access between the premises and a future state-controlled road. AND	N/A See AO32.1 above.
	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.

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

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

Application

- (1) This code applies to assessing development where:
- (a) Located in the Rural Zone; and
 - (b) It is identified in the assessment criteria column of an assessment table in Part 5 of the planning scheme.

Criteria for assessment

Table Error! No text of specified style in document. – Rural Zone Code – for Self-Assessable and Assessable Development

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
FOR SELF-ASSESSABLE AND ASSESSABLE DEVELOPMENT			
HEIGHT			
PO1 Building height takes into consideration and respects the following: <ul style="list-style-type: none"> (a) the height of existing buildings on adjoining premises; (b) the development potential, with respect to height, on adjoining premises; (c) the height of buildings in the vicinity of the site; (d) access to sunlight and daylight for the site and adjoining sites; (e) privacy and overlooking; and (f) site area and street frontage length. 	AO1.1 Development, other than buildings used for rural activities, has a maximum building height of: <ul style="list-style-type: none"> (a) 8.5 metres; and (b) 2 storeys above ground level. 	YES	All buildings and structures associated with the development will not exceed 8.5m in height.
	AO1.2 Buildings and structures associated with a rural activity including machinery, equipment, packing or storage buildings do not exceed 10 metres in height.	N/A	The development is not for a 'rural' activity (as defined in the Planning Scheme). Though the development is benefited by the rural setting and the position of the allotments from other dwellings and residential activities
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. 	AO2.1 Buildings and structures include a minimum setback of: <ul style="list-style-type: none"> (a) 40 metres from a frontage to a State-controlled road; and (b) 10 metres from a boundary to an adjoining lot. 	YES	Buildings and structures will be setback a minimum of 48m from the State-controlled Road, and more than 10 metres from all boundaries to adjoining lots.
	AO2.2 Buildings and structures, where for a Roadside stall, include a minimum setback of 0 metres from a frontage to a road that is not a State-controlled road.	N/A	The development does not involve a Roadside stall.
	AO2.3 Buildings and structures, except where a Roadside stall, include a minimum setback of: <ul style="list-style-type: none"> (a) 10 metres from a frontage to a sealed road that is not a State-controlled road; and (b) 100 metres from a frontage to any other road that is not a State-controlled road. 	N/A	See AO2.1 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. 	AO3.1 Residential density does not exceed one dwelling house per lot.	ALTERNATE SOLUTION	Please refer to Section 7.4 of the Planning Report for Commentary on this matter.
	AO3.2 Residential density does not exceed two dwellings per lot and development is for: <ul style="list-style-type: none"> (a) a secondary dwelling; or 	ALTERNATE SOLUTION	See AO3.1 above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	(b) Caretaker's accommodation and includes building work or minor building work with a maximum gross floor area of 100m ² ; or (c) Rural worker's accommodation.		
FOR ASSESSABLE DEVELOPMENT			
SITE COVER			
PO4 Buildings and structures occupy the site in a manner that: <ul style="list-style-type: none"> (a) makes efficient use of land; (b) is consistent with the bulk and scale of buildings in the surrounding area; and (c) appropriately balances built and natural features. 	AO4.1 No acceptable outcome is provided.	YES	The development will include a site cover of less than 1% which is consistent with that expected in the Rural zone and nearby allotments. The development has also been suitably located on-site so that it is able to provide an appropriate balance between the built form and natural features (namely vegetation and hill and slope areas etc.) while ensuring the potential visual impacts can be suitably managed without compromising the ability of the rural zone to achieve its purpose.
PO5 Development complements and integrates with the established built character of the Rural zone, having regard to: <ul style="list-style-type: none"> (a) roof form and pitch; (b) eaves and awnings; (c) building materials, colours and textures; and (d) window and door size and location. 	AO5.1 No acceptable outcome is provided.	YES	All buildings and structures will be akin to those that would be expected in the rural zones i.e., large sheds, tanks etc. (compliance can also be conditioned if considered necessary).

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
AMENITY			
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. 	AO6.1 No acceptable outcome is provided.	YES	Please refer to section 7.3 of the Planning Report for a full assessment against the Performance Outcome.
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. 	AO7.1 No acceptable outcome is provided.	N/A	There are no existing negative environmental impacts on-site and hence, this Performance Outcome is not considered applicable.

(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>	Where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) AO1.1 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. OR	N/A	See AO1.2 below.
	AO1.2 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: (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	On-site water storage tanks will be provided to accommodate the demand generated by the development that will be greater than 5,000 litres. There is also a Dam located in the middle of the site that can be utilised in the event of an emergency.

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; (j) rooming accommodation; or (k) shopping centre; or (l) tourist park; or (m) tourist attraction. 	<p>ALTERNATE SOLUTION SOUGHT</p>	<p>A Bushfire Hazard Management Plan will be provided to Council in due course, prior to the commencement of the use.</p>
LOT DESIGN			
<p>PO3</p> <p>Reconfiguring a lot within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) minimises the potential adverse impacts of bushfire on the safety of</p>	<p>Where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o)</p> <p>AO3.1</p> <p>No new lots are created. OR</p>	<p>N/A</p>	<p>The development will not involve the creation of any new lots.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>people, property and the environment through lot design that:</p> <ul style="list-style-type: none"> (a) is responsive to the nature and extent of bushfire risk; and (b) allows efficient emergency access to buildings for fire-fighting appliances. <p><i>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</i></p>	<p>AO3.2</p> <p>All lots include a building envelope that achieves a radiant heat flux level of 29kW/m² at the perimeter of the building envelope.</p> <p><i>Note—Where a radiant heat flux of 29kW/m² is achieved and this relies on cleared or maintained land external to the land the subject of the development application it must be demonstrated that land external to the site will be maintained to a standard that does not exceed the level of bushfire hazard identified in a Bushfire hazard management plan.</i></p>	N/A	See AO3.1 above.
FIREBREAKS AND ACCESS			

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>PO4</p> <p>In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o), vehicular access is designed to mitigate against bushfire hazard by:</p> <ul style="list-style-type: none"> (a) ensuring adequate access for fire-fighting and other emergency vehicles; (b) ensuring adequate access for the evacuation of residents and emergency personnel in an emergency situation, including alternative safe access routes should access in one direction be blocked in the event of a fire; and (c) providing for the separation of developed areas and adjacent bushland. <p><i>Note—Where it is not practicable to provide firebreaks in accordance with A04.2 Fire Maintenance Trails are provided in accordance with the following:</i></p> <ul style="list-style-type: none"> i. located as close as possible to the boundaries of the lot and the adjoining hazardous vegetation; ii. the minimum cleared width not less than 6 metres; iii. the formed width is not less than 2.5 metres; iv. the formed gradient is not greater than 15%; v. vehicular access is provided at both ends; vi. passing bays and turning areas are provided for fire-fighting appliances located on public land. <p><i>Note—A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</i></p>	<p>AO4.1</p> <p>In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o), roads are designed and constructed:</p> <ul style="list-style-type: none"> (a) with a maximum gradient of 12.5%; (b) to not use cul-de-sacs; and (c) a constructed road width and weather standard complying with Planning Scheme Policy 4 - FNQROC Regional Development Manual. 	N/A	The development will not involve the construction of any new road.
	<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	The area of the site where the development is proposed is void of any vegetation. As a result, the development does not propose any firebreaks.
HAZARDOUS MATERIALS			

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>PO5</p> <p>Public safety and the environment are not adversely affected by the detrimental impacts of bushfire of hazardous materials manufactured or stored in bulk.</p> <p><i>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</i></p>	<p>AO5.1</p> <p>The processing or storage of dangerous goods or hazardous materials is not undertaken in a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o).</p>	N/A	<p>The development is not anticipated to involve the processing or storage of dangerous goods or hazardous materials. However, compliance can be conditioned.</p>
LANDSCAPING			
<p>PO6</p> <p>Landscaping within a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) does not result in a material increase in the extent, duration or severity of bushfire hazard having regard to:</p> <ul style="list-style-type: none"> (a) fire ecology; (b) slope of site; and (c) height and mix of plant species. <p><i>Note—Frost hollows and the associated grass kill facilitates a rapid curing of fuel and exacerbates bushfire hazard.</i></p> <p><i>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</i></p>	<p>AO6.1</p> <p>No acceptable outcome is provided.</p>	YES	<p>Council can condition compliance.</p>
INFRASTRUCTURE			

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>PO7</p> <p>Infrastructure services located in a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) are protected from damage or destruction in the event of a bushfire.</p> <p><i>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</i></p>	<p>A07.1</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 	YES	<p>All necessary infrastructure services will be located underground where possible. Where infrastructure cannot be located underground, it will be located on areas of the site that is free of vegetation with sufficient buffering to ensure protection during a bushfire event.</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>A08.1</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. 	YES	<p>The driveway and car park area will be located a maximum distance of 15m from the street frontage and will comply with all remaining elements of the Acceptable Outcome. Council can condition compliance.</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 development 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>	YES	No development works or development areas will be located within 20m of mapped Regulated Vegetation.
REGULATED VEGETATION INTERSECTING A WATERCOURSE			
<p>PO3</p> <p>Vegetation clearing in areas mapped as 'Regulated vegetation intersecting a watercourse', identified as 'Waterway' and 'Waterway buffer' on the Environmental Significance - Waterway Overlay Maps (OM-004p-z) is avoided unless wildlife interconnectivity between habitats is maintained or enhanced at a local and regional scale, to</p>	<p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) AO3.1</p> <p>A minimum setback in accordance with Table 8.2.4.3B is provided between development and the top of the high bank of a 'Waterway' identified on the Environmental Significance - Waterway Overlay Maps (OM-004p-z).</p>	N/A	No waterways traverse the site.

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>	N/A	No vegetation removal is proposed as part of the development.
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	The development is not located within a waterway buffer area.
	<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, nor is it within proximity to, a 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 development is not located within a waterway buffer area or a high ecological significance wetland buffer area.
	<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	See AO4.3 above.

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>	N/A	The site does not contain a wildlife habitat area.

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>A06.1</p> <p>No acceptable outcome is provided.</p>	<p>N/A</p>	<p>The site does not contain any legally secured offset areas.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
PROTECTED AREAS			
<p>PO7</p> <p>Development within a 'Protected area' identified on the Environmental Significance Overlay Maps (OM-004a-o) is consistent with the values of the Protected Area and:</p> <ul style="list-style-type: none"> (a) supports the inherent ecological and community values of the Protected Area asset; (b) maintains or enhances wildlife interconnectivity at a local and regional scale; and (c) does not prejudice, undermine, or negatively impact the inherent ecological values, including all naturally occurring native flora, fauna and their habitat within the Protected Area. <p><i>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</i></p>	<p>A07.1</p> <p>No acceptable outcome is provided</p>	N/A	The site does not contain any Protected Areas.
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>A08</p> <p>No acceptable outcome is provided.</p>	YES	The development is proposed within already cleared areas of the site and will not involve any vegetation clearing and as a result, will not compromise the habitat connectivity or ecological corridors on the site.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>does not compromise the provision of habitat connectivity of the corridor/linkage, having regard to:</p> <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 adjoins a rail corridor identified on the **Transport Infrastructure Overlay Maps (OM-012a-j)**; and
- (b) It is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

Note: State transport infrastructure is appropriately reflected in Overlay Map 12 and is required to be mapped by State Government in response to Infrastructure State Interests.

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

Criteria for assessment

Table 8.2.12.3 – Transport infrastructure overlay code – For accepted development subject to requirements and assessable development

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
FOR ACCEPTED DEVELOPMENT SUBJECT TO REQUIREMENTS AND ASSESSABLE DEVELOPMENT			
PO1 Development does prejudice the: <ul style="list-style-type: none"> (a) ongoing operation of an active 'Rail corridor' identified on the Transport infrastructure overlay maps (OM012a-j); or (b) the potential future use of an inactive 'Rail corridor' identified on the Transport infrastructure overlay maps (OM-012a-j). 	AO1 Buildings and structures are setback from a boundary with an active or inactive 'Rail corridor' identified on the Transport infrastructure overlay maps (OM-012a-j) a minimum of: <ul style="list-style-type: none"> (a) 40 metres where: <ul style="list-style-type: none"> (i) in the Rural zone; and (ii) on a site with an area of 2 hectares or greater; or (b) 5 metres otherwise. 	N/A	The site does not contain, nor is it within proximity to, an active or inactive 'rail corridor'.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
FOR ASSESSABLE DEVELOPMENT			
PO2 Non-residential development adjoining a rail corridor identified on the Transport infrastructure overlay maps (OM-012a-j) is designed to allow for the future use of the 'Rail corridor' by the land use.	AO2 No acceptable outcome is provided	N/A	See AO1.1 above.
PO3 Development adjoining a 'Rail corridor' identified on the Transport infrastructure overlay maps (OM-012a-j) used for the transportation of tourists is designed to: <ul style="list-style-type: none"> (a) provide visual interest; (b) screen or enhance areas of limited visual interest; and (c) complement and enhance the character of the shire. 	AO3 No acceptable outcome is provided	N/A	See AO1.1 above.

Application

- (1) This code applies to assessing development where:
- (a) Involving Accommodation activities; and
 - (b) It is identified in the assessment criteria column of an assessment table in Part 5 of the planning scheme.

Criteria for assessment

Table 9.3.1.3A – Accommodation Activities Code – for Self-Assessable and Assessable Development

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
FOR SELF-ASSESSABLE AND ASSESSABLE DEVELOPMENT			
ALL ACCOMMODATION ACTIVITIES, APART FROM DWELLING HOUSE			
PO1 Accommodation activities are located on a site that includes sufficient area: (a) to accommodate all buildings, structures, open space and infrastructure associated with the use; and (b) to avoid adverse impacts on the amenity or privacy of nearby land uses.	AO1.1 Development is located on a site which provides the applicable minimum site area and minimum road frontage specified in Table 9.3.1.3B .	YES	In accordance with Table 9.3.1.3B of the Planning Scheme, the site must be a minimum of 800m ² and have a 20m frontage for Rooming Accommodation uses. The site is 8.847ha and has a 600m road frontage.
ALL ACCOMMODATION ACTIVITIES, APART FROM TOURIST PARK AND DWELLING HOUSE			
PO2 Accommodation activities are provided with on-site refuse storage areas that are: (a) sufficient to meet the anticipated demand for refuse storage; and	AO2.1 A refuse area is provided that: (a) includes a water connection; (b) is of a size and configuration to accommodate 2x240 litre bins per dwelling or accommodation unit where involving a use other than a residential care facility or retirement facility; and	YES	A refuse area will be provided that is of a suitable and sufficient size to accommodate the anticipated demand generated by the development that complies with the corresponding requirements of the Acceptable Outcome. Council can condition compliance.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
(b) appropriately located on the site having regard to potential odour and noise impacts on uses on the site and adjoining sites.	(c) is of a size and configuration to accommodate a minimum of two bulk refuse bins where involving a residential care facility or retirement facility.		
ALL ACCOMMODATION ACTIVITIES, EXCEPT FOR DWELLING HOUSE			
PO3 Accommodation activities are designed to avoid overlooking or loss of privacy for adjoining uses. <i>Note—These provisions apply to any adjoining use, both on an adjoining site and on the same site.</i>	AO3.1 The windows of habitable rooms: (a) do not overlook the windows of a habitable room in an adjoining dwelling or accommodation unit; or (b) are separated from the windows of a habitable room in an adjoining dwelling or accommodation unit by a distance greater than: (i) 2 metres at ground level; and (ii) 8 metres above ground level; or (c) are treated with: (i) a minimum sill height of 1.5 metres above floor level; or (ii) fixed opaque glassed installed below 1.5 metres; or (iii) fixed external screens; or (d) a 1.5-metre-high screen fence along the common boundary.	YES	The development complies with (a) of the corresponding Acceptable Outcome as the windows will not overlook an adjoining dwelling or accommodation unit and generally face out towards the east and west. Please refer to the Design Plans provided in Attachment 2 for evidence of this.
PO4 Accommodation activities are provided with sufficient private and communal open space areas which: (a) accommodate a range of landscape treatments, including soft and hard landscaping;	AO4.1 Development, except for Caretaker's accommodation, Dwelling house, Dual occupancy or Home based business, includes communal open space which meets or exceeds the	YES	The development will provide a total area of 348m ² of communal open space which includes the Verandah, Dining Area and Lounge/Media Room. This far exceeds the minimum requirements outlined in Table 9.3.1.3C of the Planning Scheme.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
(b) provide a range of opportunities for passive and active recreation; (c) provide a positive outlook and high quality of amenity to residents; (d) is conveniently located and easily accessible to all residents; and (e) contribute to an active and attractive streetscape.	minimum area, dimension and design parameters specified in Table 9.3.1.3C .		
	AO4.2 Development includes private open space for each dwelling or accommodation unit which meets or exceeds the minimum area, dimension and design parameters specified in Table 9.3.1.3D .	ALTERNATE SOLUTION	Each room will be afforded approximately 10m ² of private open space via use of the decking area that is accessed directly from the doors provided to each room. It is acknowledged that this doesn't achieve the 15m ² Acceptable Outcome. However, due to the size of the site, we are of the view that there is more than sufficient area should residents require any privacy.
	AO4.3 Clothes drying areas are provided at the side or rear of the site so that they are not visible from the street.	YES	There is ample room on site for clothes drying areas. Council can condition compliance.
	AO4.4 If for Dual occupancy, Multiple dwelling, Residential care facility or Retirement facility, development provides a secure storage area for each dwelling or accommodation unit which: (a) is located to facilitate loading and unloading from a motor vehicle; (b) is separate to, and does not obstruct, on-site vehicle parking or manoeuvring areas; (c) has a minimum space of 2.4m ² per dwelling or accommodation unit; (d) has a minimum height of 2.1 metres; (e) has minimum dimensions to enable secure bicycle storage; (f) is weather proof; and (g) is lockable.	N/A	The development does not involve any of the corresponding uses and will be for Rooming Accommodation.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
IF FOR CARETAKER'S ACCOMMODATION			
PO5 Caretaker's accommodation is of a scale and intensity which is consistent with that of the surrounding area. <i>Note—Where Caretaker's Accommodation is assessable development additional assessment criteria are provided under "for assessable development".</i>	AO5.1 Only one caretaker's accommodation is established on the title of the non-residential use.	N/A	The development is not for a Caretaker's Accommodation.
	AO5.2 In the Rural zone, Caretaker's accommodation has a maximum gross floor area of 200m ² .	N/A	See AO5.1 above.
IF FOR DWELLING HOUSE			
PO6 Where a Dwelling house involves a secondary dwelling, it is designed and located to: (a) not dominate the site; (b) remain subservient to the primary dwelling; and (c) be consistent with the character of the surrounding area;	AO6.1 The secondary dwelling is located within: (a) 10 metres of the primary dwelling where on a lot that has an area of 2 hectares or less; or (b) 20 metres of the primary dwelling where on a lot that has an area of greater than 2 hectares.	N/A	The development is not for a Dwelling House/Secondary Dwelling.
	AO6.2 A secondary dwelling has a maximum gross floor area of 100m ² .	N/A	See AO6.1 above.
IF FOR A DUAL OCCUPANCY			

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
PO7 Where establishing a Dual occupancy on a corner lot, the building is designed to: <ul style="list-style-type: none"> (a) maximise opportunities for causal surveillance; (b) provide for separation between the two dwellings; and (c) provide activity and visual interest on both frontages. 	AO7.1 Where located on a corner allotment, each dwelling is accessed from a different road frontage.	N/A	The development is not for a Dual Occupancy.
	AO7.2 The maximum width of garage or carport openings that face a public street is 6 metres or 50% of the building width, whichever is the lesser.	N/A	See AO7.1 above.
IF FOR MULTIPLE DWELLING, RESIDENTIAL CARE FACILITY, OR RETIREMENT FACILITY			
PO8 Development is appropriately located within the Shire to: <ul style="list-style-type: none"> (a) maximise the efficient utilisation of existing infrastructure, services and facilities; and (b) minimise amenity impacts through the collocation of compatible uses. <p><i>Note—Where Residential care facility or Retirement facility is assessable development additional assessment criteria are provided under “for assessable development”.</i></p>	AO8.1 Multiple dwelling, Residential care facility or Retirement facility uses are located on land within 800 metres of the boundary of land within the Centre zone.	N/A	The development is not for Multiple Dwellings, Residential Care Facility or a Retirement Facility.
PO9 Buildings associated with more intensive Accommodation activities are designed to: <ul style="list-style-type: none"> (a) reduce the appearance of building bulk; (b) provide visual interest through articulation and variation; (c) be compatible with the embedded, historical character for the locality; and 	AO9.1 External walls do not exceed 10 metres in continuous length unless including a minimum of three of the following building design features and architectural elements: <ul style="list-style-type: none"> (a) a change in roof profile; or (b) a change in parapet coping; or (c) a change in awning design; or (d) a horizontal or vertical change in the wall plane; or 	N/A	See AO8.1 above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
(d) be compatible with the scale of surrounding buildings <i>Note—Where Residential care facility or Retirement facility is assessable development additional assessment criteria are provided under “for assessable development”.</i>	(e) a change in the exterior finishes and exterior colours of the development.		
	AO9.2 For a Multiple dwelling, Residential care facility or Retirement facility, the maximum width of a garage or carport opening that faces a road is 6 metres.	N/A	See AO8.1 above.
	AO9.3 For a Multiple dwelling, Residential care facility or Retirement facility, the building(s) include awnings with a minimum overhang of 600mm.	N/A	See AO8.1 above.
	AO9.4 For a Multiple dwelling, Residential care facility or Retirement facility, roof forms include one or more of the following types: (a) pyramidal; (b) hip or hipped; (c) gable; (d) skillion.	N/A	See AO8.1 above.
IF FOR RESIDENTIAL CARE FACILITY OR RETIREMENT FACILITY			
PO10 The layout and design of the site: (a) promotes safe and easy pedestrian, cycle and mobility device movement;	AO10.1 The development incorporates covered walkways and ramps on site for weather protection between all buildings.	N/A	The development is not for a Residential Care Facility or Retirement Facility.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
(b) defines areas of pedestrian movement; and (c) assists in navigation and way finding. <i>Note—Where Residential care facility or Retirement facility is assessable development additional assessment criteria are provided under “for assessable development”.</i>	AO10.2 Pedestrian paths include navigational signage at intersections.	N/A	See AO10.1 above.
	AO10.3 Buildings, dwellings and accommodation units include identification signage at entrances.	N/A	See AO10.1 above.
	AO10.4 An illuminated sign and site map is provided at the main site entry.	N/A	See AO10.1 above.
	AO10.5 Buildings, structures and pathways associated with a Residential care facility or Retirement facility are not located on land with a gradient greater than 8%.	N/A	See AO10.1 above.
IF FOR HOME BASED BUSINESS			
PO11	AO11.1 The Home based business is located within a dwelling house or outbuilding associated with a dwelling house.	N/A	The development is not for a Home Based Business.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
<p>Home based businesses are compatible with the built form, character and amenity of the surrounding area, having regard to:</p> <ul style="list-style-type: none"> (a) size and scale; (b) intensity and nature of use; (c) number of employees; and (d) hours of operation. 	<p>AO11.2</p> <p>The Home based business does not occupy a gross floor area of more than 50m².</p>	N/A	See AO11.1 above.
	<p>AO11.3</p> <p>No more than 1 person (other than the residents of the site) is employed by the Home based business at any one time.</p>	N/A	See AO11.1 above.
	<p>AO11.4</p> <p>The Home based business, unless a home office, bed and breakfast or farm stay, does not operate outside the hours of 7.00 am and 6.00 pm.</p>	N/A	See AO11.1 above.
	<p>AO11.5</p> <p>The Home based business does not involve the public display of goods external to the building.</p>	N/A	See AO11.1 above.
	<p>AO11.6</p> <p>The Home-based business does not involve the repair, cleaning or servicing of any motors, vehicles or other machinery.</p>	N/A	See AO11.1 above.
	<p>AO11.7</p> <p>Any equipment or materials associated with the Home-based business are screened from public view and adjacent properties by fencing or landscaping.</p>	N/A	See AO11.1 above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	AO11.8 The business does not involve the use of power tools or similar noise generating devices.	N/A	See AO11.1 above.
PO12 Home based businesses involving accommodation activities are appropriately scaled and designed to avoid detrimental impacts on the amenity and privacy of surrounding residences.	AO12.1 Home based businesses involving accommodation activities are limited to the scale specified in Table 9.3.1.3E .	N/A	See AO11.1 above.
	AO12.2 A farm stay dwelling or accommodation unit is located within 20 metres of the primary dwelling house.	N/A	See AO11.1 above.
	AO12.3 A farm stay is setback 100 metres from any property boundary.	N/A	See AO11.1 above.
	AO12.4 Entertainment and dining facilities associated with an accommodation activity are: (a) located at least 5 metres from the bedrooms of adjoining residences; and (b) located or screened so that they do not directly overlook private open space areas of adjoining properties.	N/A	See AO11.1 above.
IF FOR RURAL WORKERS' ACCOMMODATION			

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
PO13 The Rural workers' accommodation is directly associated with an agricultural based rural activity on the same premises and is commensurate with the scale of agricultural operations.	AO13.1 A Rural workers' accommodation building is limited to the accommodation of: (a) one rural worker for every 50 hectares; and (b) a maximum of ten rural workers in total.	N/A	The development is not for Rural Worker's Accommodation.
	AO13.2 The agricultural based rural activity is a minimum of 50 hectares in area.	N/A	See AO13.1 above.
PO14 Rural workers' accommodation is provided with amenities commensurate with the: (a) needs of the employees; and (b) permanent or seasonal nature of the employment.	AO14.1 The Rural workers' accommodation is: (a) for permanent occupation; and (b) fully self-contained. OR	N/A	See AO13.1 above.
	AO14.2 The Rural workers' accommodation: (a) is for seasonal occupation (up to 3 months); (b) shares facilities with an existing Dwelling house or Caretaker's residence; and (c) is located within 100 metres of the Dwelling house or Caretaker's residence.	N/A	See AO13.1 above.
FOR ASSESSABLE DEVELOPMENT			

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
IF FOR CARETAKER'S ACCOMMODATION			
PO15 The inclusion of Caretaker's accommodation on the site is necessary for the operation of the primary use, having regard to: (a) hours of operation; (b) nature of the use; (c) security requirements; (d) site location and access; and (e) proximity to other land uses.	AO15.1 No acceptable outcome is provided.	N/A	The development is not for a Caretaker's Accommodation.
IF FOR RESIDENTIAL CARE FACILITY OR RETIREMENT FACILITY			
PO16 Retirement facilities include a range of housing designs and types that: (a) meet the needs of residents; (b) allow for 'ageing in place'; (c) consider differing mobility needs; (d) accommodate differing financial situations; and (e) cater for different household types.	AO16.1 No acceptable outcome is provided.	N/A	The development is not for a Residential Care Facility or Retirement Facility.
IF FOR TOURIST PARK			
PO17 The Tourist park is appropriately located to provide park users with convenient access to tourist attractions, community facilities and infrastructure.	AO17.1 No acceptable outcome is provided.	N/A	The development is not for a Tourist Park.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
PO18 The density of accommodation provided within the Tourist park: (a) is commensurate with the size and utility of the site; (b) is consistent with the scale and character of development in the surrounding area; (c) ensures sufficient infrastructure and services can be provided; (d) does not adversely impact on the existing amenity of nearby uses; (e) ensures a high level of amenity is enjoyed by residents of the site; and (f) does not place undue pressure on environmental processes in the surrounding area.	AO18.1 Where park areas are proposed to exclusively accommodate caravans, motor homes, tents or cabins, accommodation site densities do not exceed: (a) 40 caravan or motor home sites per hectare of the nominated area(s); or (b) 60 tent sites per hectare of the nominated area(s); or (c) 10 cabins (maximum 30m ² gross floor area per cabin) per hectare of the nominated area(s).	N/A	See AO17.1 above.
	AO18.2 Where park areas are proposed to be used for any combination of caravans, motor homes, tents or cabins, then the lowest applicable density identified by AO18.1 shall be applied to the nominated area(s).	N/A	See AO17.1 above.
PO19 Accommodation sites are designed and located: (a) to provide sufficient land for necessary services and infrastructure; (b) to achieve sufficient separation between land uses; (c) is consistent with the scale and character of development in the surrounding area; and (d) to prevent amenity and privacy impacts on nearby land uses.	AO19.1 A minimum of 50% of provided caravan and motor home accommodation sites have a concrete slab with a minimum length of 6 metres and a minimum width of 2.4 metres.	N/A	See AO17.1 above.
	AO19.2 Caravan, motor home, tent and cabin accommodation sites are set back a minimum of: (a) 2 metres from an internal road; and (b) 1.5 metres from the side and rear boundaries of the site.	N/A	See AO17.1 above.
PO20 A Tourist park is provided with sufficient and appropriately located refuse collection areas.	AO20.1 A central refuse collection area is provided to service all accommodation sites.	N/A	See AO17.1 above.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	AO20.2 The refuse collection area must be kept in a sanitary condition at all times with all refuse stored in weather-proof and securable receptacles to prevent them from attracting vermin and wildlife.	N/A	See AO17.1 above.
	AO20.3 The refuse collection area is constructed on an impervious surface such as a concrete slab.	N/A	See AO17.1 above.
	AO20.4 A water connection is provided within the refuse collection area to facilitate cleaning of receptacles and the collection area.	N/A	See AO17.1 above.
	AO20.5 Refuse collection areas are located a minimum of 10 metres from any recreational areas, communal cooking facilities and accommodation sites.	N/A	See AO17.1 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 9.4.3.3A – 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>	YES	<p>In accordance with Table 9.4.3.3B of the Parking and Access Code, Rooming Accommodation land uses are required to provide one (1) space per eight (8) beds where located outside the centre zone. The code also states that spaces be provided for a small rigid vehicle (SRV) and a space for a 20-seater bus.</p> <p>As a result, to achieve compliance, the development would require two (2) car parking spaces based off the ten (10) rooms proposed for residents and the one (1) additional staff accommodation room.</p> <p>The development proposes approximately 16 car parking spaces and room for 1 small bus/van to park.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
VEHICLE CROSSEOVERS			
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. 	AO2.1 Vehicular access to/from Council roads is designed and constructed in accordance with the Standard drawings in Planning Scheme Policy 4 - FNQROC Regional Development Manual.	N/A	The site does not abut a Council road.
	AO2.2 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	The site does not front two (2) roads.
	AO2.3 Vehicular access for particular uses is provided in accordance with Table 9.4.3.3E .	N/A	See AO2.1 above (access will be provided in accordance with DTMR requirements).
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. 	AO3.1 Access, maneuvering and car parking areas include pavements that are constructed in accordance with Table 9.4.3.3C .	YES	The designated car parking area will consist of a minimum 150mm thickness compacted gravel, suitable for all weather and dust free, in accordance with Table 9.4.3.3C of the Parking and Access code for the rural zone.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
FOR ASSESSABLE DEVELOPMENT			
PARKING AREA LOCATION AND DESIGN			
PO4 Car parking areas are located and designed to: <ul style="list-style-type: none"> (a) ensure safety and efficiency in operation; and (b) be consistent with the character of the surrounding locality. 	AO4.1 Car parking spaces, access and circulation areas have dimensions in accordance with AS/NZS 2890.1 Off-street car parking.	YES	All car parking spaces will comply with AS/NZS 2890:1 (compliance can also be conditioned if considered necessary).
	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.	YES	If required, one (1) disabled access car parking space will be provided to ensure compliance with AS/NZS 2890:6.
	AO4.3 The car parking area includes designated pedestrian routes that provide connections to building entrances.	ALTERNATIVE SOLUTION SOUGHT	All formal car parking spaces will be located directly adjacent to the Administration Building and then linked to the Main Accommodation building by a footpath. Due to the close proximity, no pedestrian routes are considered necessary in this instance.
	AO4.4 Parking and any set down areas are: <ul style="list-style-type: none"> (a) wholly contained within the site; (b) visible from the street where involving Commercial activities, Community activities, Industrial activities or a use in the Recreation and open space zone; (c) are set back behind the main building 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. 	YES	All set down areas will be provided for on-site (next to and adjacent to the Administration Building) and be suitably signed so they can be easily identified.

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. 	AO5.1 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	Due to the size of the site, there will be more than ample room for manoeuvring and hence, compliance with the listed standards is not considered necessary in this instance. Compliance can, however, condition compliance if considered necessary.
	AO5.2 Vehicular access has a minimum sight distance in accordance with Part 5 of AUSTROADS.	YES	Vehicular sight distance will be assessed by the Department of Transport and Main Roads in their referral response.
	AO5.3 Vehicular access is located and designed so that all vehicles enter and exit the site in a forward gear.	YES	All vehicles will be able to enter and exit the site in a forward gear.
	AO5.4 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	Given the location of the site on a busy highway, it is not anticipated that people will be cycling to the site and will instead seek to utilise private vehicles. Hence, we are of the view that this is not applicable in this instance. Furthermore, the site is not open to members of the public and will access will be granted strictly for staff, residents and, on occasion, family members visiting residents. As a result, we don't find this acceptable outcome to be applicable for this type of development.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
PO6 Development that involves an internal road network ensures that it's design: <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (a) 4 metres if one way; or (b) 6 metres if two way. 	N/A	The development will not involve a Tourist Park.
	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: <ul style="list-style-type: none"> (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.	YES	See AO3.1 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	Compliance can be conditioned if necessary.
	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.	YES	Internal road lighting will be provided as required (compliance can also be conditioned if considered necessary).

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
	A06.6 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	The development will provide internal roads to the car parking area and then pathways will be provided from the car park to the Administration Building and Main Building.
	A06.7 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 does not involve either of the listed uses.
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	A07.1 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.	YES	The site provides ample room for unloading, loading service and waste disposal areas entirely on-site (compliance can also be conditioned if considered necessary).
	A07.2 Unloading, loading, service and waste disposal areas allow service vehicles to enter and exit the site in a forward gear.	YES	All vehicles will be able to enter and exit the site in a forward gear.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
(e) are located and designed to minimise their impacts on adjoining sensitive land uses and streetscape quality.	AO7.3 Development provides a servicing area, site access and maneuvering areas to accommodate the applicable minimum servicing vehicle specified in Table 9.4.3.3B .	YES	The site and development will be able to accommodate a 12 seater van/bus, of which will be the largest size vehicles entering and exiting the site. This ensures compliance with the Performance Outcome.
MAINTENANCE			
PO8 Parking areas are used and maintained for their intended purpose.	AO8.1 Parking areas are kept and used exclusively for parking and are maintained in a suitable condition for parking and circulation of vehicles.	N/A	Compliance can be conditioned.
	AO8.2 All parking areas will be compacted, sealed, drained, line marked and maintained until such time as the development ceases.	N/A	See AO8.1 above.
END OF TRIP FACILITIES			
PO9 Development within the Centre zone; Industry zone or Emerging community zone provides facilities for active transport users that: (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	As per AO5.4 above, it is not anticipated that people will be cycling to the site given its location on a busy highway. Hence, no bicycle parking spaces are proposed in this instance. Regardless, there is ample room on-site to store bicycles in the event that people do cycle to the site.
	AO9.2 End of trip facilities are provided in accordance with Table 9.4.3.3D .	YES	End of Trip Facilities won't be provided per se, but each resident will have their own ensuited room while undertaking the program and staff will have access to a room and all required facilities as well.

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 does not propose an Educational Establishment or Child Care Centre or a Renewable Energy Facility, Sport and Recreation Activities or a Tourist Park.
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

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
	AO1.2 Development, where located outside a reticulated water supply service area and in the Conservation zone, Rural zone or Rural residential zone is provided with: <ul style="list-style-type: none"> (a) a bore or bores are provided in accordance with the Design Guidelines set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; or (b) on-site water storage tank/s: <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	The development will be serviced with on-site water tanks and Council can condition compliance.
WASTEWATER DISPOSAL			
PO2 Each lot provides for the treatment and disposal of effluent and other waste water that: <ul style="list-style-type: none"> (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment. 	AO2.1 Development is connected to a reticulated sewerage system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located: <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area. 	N/A	See AO2.2 below.
	AO2.2 An effluent disposal system is provided in accordance with ASNZ 1547 On-Site Domestic Wastewater	YES	The development is proposed to be serviced by an on-site effluent system. Investigations will be undertaken to determine what type of system will be required to service the anticipated demand

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. 		generated by the development. Council can condition compliance.
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>	N/A	The development is located outside the Mareeba Shire Council Priority infrastructure area and there is no stormwater infrastructure existing on-site. All stormwater appears to discharge via sheet flow to the existing dam on-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. 	YES	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	The site is already connected to electricity infrastructure and the proposed development will continue to utilise these existing arrangements.

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	A05 Development is provided with a connection to the national broadband network or telecommunication services.	YES	The development will connect to NBN in accordance with NBN's requirements. If a connection is unable to be made to the site, the development will utilise mobile phones for any telecommunication needs associated with the development.
EXISTING PUBLIC UTILITY SERVICES			
PO6 Development and associated works do not affect the efficient functioning of public utility mains, services or installations.	A06 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	No public utility mains will need to be relocated, altered or repaired.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
EXCAVATION OR FILLING			
PO7 Excavation or filling must not have an adverse impact on the: (a) streetscape; (b) scenic amenity; (c) environmental values; (d) slope stability; (e) accessibility; or (f) privacy of adjoining premises.	AO7.1 Excavation or filling does not occur within 1.5 metres of any site boundary.	N/A	The development will not involve any 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: (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: (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	N/A	The site fronts a State-controlled Road and any requirements will be assessed and conditioned by DTMR during their assessment.

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	See AO8.1 above.
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 development will 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; (d) minimise flooding; 	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 (b) an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and 	YES	In accordance with the definition of 'urban purpose' 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. An Erosion and Sediment Control Plan will be provided to Council prior to construction.

PERFORMANCE OUTCOMES	ACCEPTABLE MEASURES	COMPLIES	COMMENT
(e) maximise the use of natural channel design principles; (f) maximise community benefit; and (g) minimise risk to public safety.	Sedimentation Control Guidelines (Institute of Engineers Australia), including: (i) drainage control; (ii) erosion control; (iii) sediment control; and (iv) water quality outcomes.		
	<p>AO10.2</p> <p>For development on land greater than 2,500m² or that result in more than 5 lots or more than 5 dwellings or accommodation units, a Stormwater Quality Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) is prepared that demonstrates that the development:</p> <ul style="list-style-type: none"> (a) meets or exceeds the standards of design and construction set out in the Urban Stormwater Quality Planning Guideline and the Queensland Water Quality Guideline; (b) is consistent with any local area stormwater water management planning; (c) accounts for development type, construction phase, local climatic conditions and design objectives; and (d) provides for stormwater quality treatment measures reflecting land use constraints, such as soil type, landscape features (including landform), nutrient hazardous areas, acid sulfate soil and rainfall erosivity. 	ALTERNATE SOLUTION	<p>In accordance with the definition of 'urban purpose' 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.</p>

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	No stormwater detention or retention basins are proposed.
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 development will not involve 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	See AO12.1 above.
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	Compliance can be conditioned.
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. 	N/A	To the best of Urban Sync's knowledge, the site is not located on the contaminated land register.
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 development 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.