

Assessment of application against relevant Development Codes

APPLICATION DETAILS

APPLICATION		PREMISES	
FILE NO:	MCU/21/0012	ADDRESS:	5 Coondoo Street & 4-12 Thooree Street, Kuranda
APPLICANT:	Yolande Martin	RPD:	Lot 407 on NR7409 & Lot 412 on SP103859
LODGED BY:	Yolande Martin	AREA:	Lot 407 - 1,012m ² Lot 412 - 5,054m ²
DATE LODGED:	31 May 2021	OWNER :	Lot 407 - John Volf Pty Ltd Lot 412 - Mareeba Shire Council
TYPE OF APPROVAL:	Development Permit		
PROPOSED DEVELOPMENT:	Material Change of Use - Food and Drink Outlet		
PLANNING SCHEME:	Mareeba Shire Council Planning Scheme 2016		
ZONE:	Centre Zone		
LEVEL OF ASSESSMENT:	Code Assessment		
SUBMISSIONS:	N/A - Code Assessment Only		

Relevant Development Codes

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

- 6.2.1 Centre zone code
- 7.2.1 Kuranda local plan code
- 8.2.7 Heritage overlay code
- 8.2.8 Hill and slope overlay code
- 9.3.2 Commercial activities code
- 9.4.2 Landscaping code
- 9.4.3 Parking and access code
- 9.4.5 Works, services and infrastructure code

6.2.1 Centre zone code

6.2.1.1 Application

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

6.2.1.2 Purpose

- (1) The purpose of the Centre zone code is to provide for a mix of uses and activities.

These uses include, but are not limited to, business, retail, professional, administrative, community, entertainment, cultural and residential activities.

Centres are found at a variety of scales based on their location and surrounding activities.

- (2) Mareeba Shire Council's purpose of the Centre zone code is to facilitate the orderly development of the network of centres to meet the needs of the communities throughout the shire.
- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Promotion of a mix of commercial, business, professional, accommodation and retail activities;
 - (b) Industries such as service and low impact industries may be appropriate where they are for the provision of trade, service or light industries that are of a compatible scale with commercial activities and preferably do not adjoin residential areas;
 - (c) Residential development is facilitated where it can integrate and enhance the fabric of the centre and is located behind or above commercial development;
 - (d) Development provides a high level of amenity and is reflective of the surrounding character of the area;
 - (e) Development is generally established in accessible, well-connected locations with access or future access to public transport, cycling and pedestrian networks;
 - (f) Development does not compromise the viability of the hierarchy and network of activity centres, namely:
 - (i) Mareeba as a major regional activity centre, which accommodates the most significant concentrations of regional-scale business, retail, entertainment, government administration, secondary and tertiary educational facilities and health and social services within the shire;
 - (ii) Kuranda as a village activity centre, which accommodates services, arts and cultural facilities, sports and recreation facilities, business and employment uses to support the village and its constituent surrounding rural and rural residential communities;
 - (iii) Chillagoe and Dimbulah as Rural activity centres, which provide commercial and community services to their rural catchments; and
 - (iv) Bibohra, Irvinebank, Julatten, Koah, Mutchilba, Mt Molloy, Myola and Speewah as rural villages, that have limited centre activities and other non-residential activities.

6.2.1.3 Criteria for assessment

Table 6.2.1.3A—Centre zone code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
Height			
<p>PO1 Building height takes into consideration and respects the following:</p> <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. 	<p>AO1 Development has a maximum building height of:</p> <ul style="list-style-type: none"> (a) 8.5 metres; and (b) 2 storeys above ground level. 	n/a	Not applicable - the proposed development is for a mobile food van only - no buildings or structure proposed.
Siting			
<p>PO2 Development is sited in a manner that considers and respects:</p>	<p>AO2.1 Buildings are built to the road frontage/s of the site.</p> <p>Note—Awning structures may extend into the road reserve where provided in accordance with PO5.</p>	<p>✓ Complies with PO2</p>	The proposed food van will be sited at the rear of Lot 407. Lot 407 is fully developed to its boundary with Coondoo Street.

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>(a) the siting and use of adjoining premises;</p> <p>(b) access to sunlight and daylight for the site and adjoining sites;</p> <p>(c) privacy and overlooking;</p> <p>(d) opportunities for casual surveillance of adjoining public spaces;</p> <p>(e) air circulation and access to natural breezes;</p> <p>(f) appearance of building bulk; and</p> <p>(g) relationship with pedestrian spaces.</p>	<p>AO2.2 Buildings are setback and boundary treatment(s) are undertaken in accordance with Table 6.2.1.3B.</p>	<p>✓ Complies with PO2</p>	<p>The proposed development will comply with the relevant aspects of PO2. The proposed food and drink outlet is not likely to have any detrimental impact on any adjoining allotment and is strategically positioned adjacent a public carpark as well as well used pedestrian links between this car park and Coondoo Street.</p> <p>The food trailer/van will be hidden from view from Coondoo Street and barely visible from Thooree Street.</p> <p>The development complies with PO2.</p>
Accommodation density			
<p>PO3 The density of Accommodation activities:</p> <p>(a) contributes to housing choice and affordability;</p> <p>(b) respects the nature and density of surrounding land use;</p> <p>(c) does not cause amenity impacts beyond the reasonable expectation of the planned accommodation density for the centre; and</p> <p>(d) is commensurate to the scale and frontage of the site.</p>	<p>AO3 Development provides a maximum density for Accommodation activities of:</p> <p>(a) 1 dwelling or accommodation unit per 120m² site area; and</p> <p>(b) 1 bedroom per 60m² site area.</p>	<p>n/a</p>	<p>Not applicable - the proposed development is for a food and drink outlet and does not include a residential component.</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
Site cover			
<p>PO4 Buildings and structures occupy the site in a manner that:</p> <ul style="list-style-type: none"> (a) makes efficient use of land; (b) is consistent with the bulk and scale of surrounding buildings; and (c) appropriately balances built and natural features. 	<p>AO4 Site cover does not exceed 90%.</p>	✓	Complies.
For assessable development			
Building design			
<p>PO5 Building facades are appropriately designed to:</p> <ul style="list-style-type: none"> (a) provide an active and vibrant streetscape; (b) include visual interest and architectural variation; (c) maintain and enhance the character of the surrounds; (d) provide opportunities for casual surveillance; (e) include a human scale; and 	<p>AO5.1 Buildings address and provide pedestrian entrances to:</p> <ul style="list-style-type: none"> (a) the primary pedestrian frontage where a single frontage lot or multiple frontage lot that is not a corner lot; (b) the primary and secondary frontages where a corner lot, with a pedestrian entrance provided on each frontage and/or as part of a corner truncation; and (c) any adjoining public place, with the main entrance provided on this boundary. 	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
(f) encourage occupation of outdoor space.	AO5.2 Building frontages: (a) are broken into smaller, 10 metre wide components by doors, display windows, pillars and structural elements; (b) are articulated with projections and recesses; (c) include windows where the bottom of the window is located between 0.6 metres and 0.9 metres above the footpath level; and (d) have a minimum 40% of the building facade facing the street is comprised of windows that are not painted or treated to obscure transparency.	n/a	Not applicable - No new buildings or structures are proposed or any development that fronts Coondoo Street. The development will involve the semi-permanent siting of a food trailer/van and some outdoor tables and chairs only.
	AO5.3 Buildings incorporate cantilevered awnings that are: (a) provided along the full length of the building's frontage to the street; (b) set back 0.6 metres from the face of the kerb or to match the alignment of the awning/s of the adjoining building/s; (c) a minimum of 3 metres and a maximum of 4.2 metres above the finished level of the footpath from the underside of the awning; and (d) truncated at the corner with a 2 metre single cord truncation where located on a corner site.		n/a

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO6 Development complements and integrates with the established built character of the Centre zone, having regard to:</p> <p>(a) roof form and pitch; (b) eaves and awnings; (c) building materials, colours and textures; and (d) window and door size and location.</p>	<p>AO6 No acceptable outcome is provided.</p>	<p>✓ Complies with PO6</p>	<p>The proposed development will involve the siting of a food trailer/van at the rear of Lot 407, so inherently the development will be inconsistent with the surrounding built form. However, the food trailer/van will be sited behind the sites existing business tenancies, so will not be visible from Coondoo Street and will be setback from Thooree Street by approximately 70 metres. This form of development is not inconsistent with other food and drink outlets in the Kuranda Village, which includes an ice cream trailer, a German Sausage Stall and the various alleyway food and drink outlets found in Kuranda's various marketplaces. Considering this, and the actual scale of development proposed (similar size to a small caravan) the development is not likely to compromise the built character of the centre zone.</p>
Accommodation activities			
<p>PO7 Accommodation activities are appropriately located in buildings in the Centre zone, having regard to:</p> <p>(a) the use of adjoining premises; and (b) the provision of an active and vibrant streetscape.</p>	<p>AO7 Accommodation activities are located above the ground floor.</p>	<p>n/a</p>	<p>Not applicable - the development is not an accommodation activity.</p>
Amenity			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO8 Development must not detract from the amenity of the local area, having regard to:</p> <p>(a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions.</p>	<p>AO8 No acceptable outcome is provided.</p>	<p>✓</p>	<p>The proposed development is for a food and drink outlet within the Centre zone sited amongst existing commercial uses.</p> <p>The proposed development will be operated within normal business hours and is not likely to detrimentally impact on amenity.</p>
<p>PO9 Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to:</p> <p>(a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions.</p>	<p>AO9 No acceptable outcome is provided.</p>	<p>n/a</p>	<p>Not applicable - there are not considered to be any existing negative environmental impacts on site that require amelioration.</p>

Table 6.2.1.3B—Setbacks and treatments to side and rear boundaries

Design	Where adjoining land in the Low density residential zone, the Medium density residential zone or the Rural residential zone	Where including windows facing the side boundary	All other instances
Building and structure setback	2 metres	1 metre	0 metres
Boundary treatment	<ul style="list-style-type: none"> Landscape strip with a minimum width of 1.5 metres; and 1.8 metre high solid screen fence 	Screening to windows where required to prevent overlooking or privacy impacts	Blank wall including low maintenance finishes and materials

7.2.1 Kuranda local plan code

7.2.1.1 Application

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

7.2.1.2 Purpose

- (1) The purpose of the Kuranda local plan code is to:
 - (a) maintain the distinctive “village in the rainforest” theme of Kuranda;
 - (b) maintain the character and pedestrian scale of Kuranda’s village heart;
 - (c) maintain a vibrant and diverse village frame which accommodates a cluster of uses including tourism attractions and mixed-use facilities; and
 - (d) ensure points of arrival into Kuranda are developed sensitively.
- (2) Three precincts are identified within the local plan in order to achieve this purpose:
 - (a) The Village heart precinct focuses on the fig tree lined section of Upper Coondoo Street and adjoining Thongon and Therwine Streets. The purpose of this precinct is to maintain the distinctive landscaping, paving schemes, active shop fronts and pedestrian scale of development in the Village heart as the focal point of activity within Kuranda.
 - (b) The Village frame precinct consists of a variety of commercial and community uses, characterised by varying scales and formats, including the markets, zoos and some mixed use commercial/residential developments and community facilities. The purpose of the precinct is to accommodate a wider variety of uses which still contribute to the rainforest character and theme of the Kuranda village.
 - (c) The Green belt precinct contains a mix of tenures and land uses which contribute to the distinctive rainforest belt enveloping Kuranda village. The purpose of the precinct is to maintain the rainforest theme of the village. The Green belt precinct also protects the visual amenity around points of arrival into Kuranda village.
- (3) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Development provides high standards of amenity and compliments the surrounding natural and built environment;
 - (b) Development is integrated sensitively into the built and natural environment;
 - (c) Development maintains the streetscape amenity and pedestrian scale of Upper Coondoo, Thongon and Therwine St;
 - (d) Development maintains a mixed use commercial area framing Kuranda’s village heart accommodating a range of formats and scales of development and contributing to the established character of Kuranda;
 - (e) Development preserves and enhances a rainforest belt around the Kuranda village;
 - (f) Development protects Kuranda village from visually obtrusive development; and
 - (g) Development maintains a streetscape theme within the village through consistent landscape treatments and paving schemes.

7.2.1.3 Criteria for assessment

Table 7.2.1.3A—Kuranda local plan – For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
<p>PO1 Advertising devices are compatible with the established character of the Kuranda local plan area, having regard to the:</p> <p>(a) dominance of natural elements;</p> <p>(b) scale of built elements;</p> <p>(c) nature of existing development in identified precincts; and</p> <p>(d) scale, location and prominence of existing advertising devices.</p> <p>Note—Refer to Planning Scheme Policy 1 – Character Area Design Guidelines for additional guidance in relation to the development outcomes sought.</p>	<p>AO1.1 Advertising devices:</p> <p>(a) are not illuminated or flashing; and</p> <p>(b) do not use fluorescent colours or reflective surfaces.</p>	✓	Can be conditioned to comply.
	<p>AO1.2 Where in the Village heart precinct or the Village frame precinct, advertising devices are limited to:</p> <p>(a) those attached to buildings;</p> <p>(b) a maximum of two permanent advertising devices per business; and</p> <p>(c) a combined surface area of no greater 2m².</p>	✓	Can be conditioned to comply.
	<p>AO1.3 Where in the Green belt precinct, advertising devices are:</p> <p>(a) limited to a surface area of 0.5m²;</p> <p>(b) located a minimum of 300 metres from the closest freestanding advertising device; and</p> <p>(c) located to not obstruct the windows or architectural features of a building or structure to which they are attached.</p>	n/a	Not applicable.
Where in the Village frame precinct			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO2 Buildings are sited in a manner which is consistent with the established scale and form of buildings within the precinct, having regard to:</p> <p>(a) proximity to the street;</p> <p>(b) the existing relationship between built and natural features; and</p> <p>(c) treatment of corner sites.</p> <p>Note—Refer to Planning Scheme Policy 1 – Character Area Design Guidelines for additional guidance in relation to the development outcomes sought.</p>	<p>AO2.1 Site cover does not exceed 60%.</p>	n/a	Not applicable.
	<p>AO2.2 Buildings are set back a minimum of 3 metres from the primary street frontage.</p>	n/a	Not applicable.
	<p>AO2.3 Buildings are set back a minimum of 2 metres from any secondary street frontage.</p>	n/a	Not applicable.
<p>PO3 Car parking and service areas do not dominate the streetscape.</p>	<p>AO3.1 No more than 50% of provided car parking is to be located between the building and the primary street frontage.</p>	n/a	Not applicable.
	<p>AO3.2 Servicing areas, excluding driveways, are not visible from the primary street frontage.</p>	n/a	Not applicable.
Where in Green belt precinct			
<p>PO4 Where located on a site identified as a 'point of arrival', development reinforces a positive image of Kuranda and upholds the “village in the rainforest” theme.</p>	<p>AO4 Where located on a site identified as a 'point of arrival', development is:</p> <p>(a) of timber and tin construction; and</p> <p>(b) provides a minimum landscaped strip of 3 metres to the site frontage.</p>	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO5 The natural landscape character of the Green belt precinct is maintained and enhanced through on-site landscaping that:</p> <p>(a) promotes the dominance of natural elements;</p> <p>(b) screens built elements from view;</p> <p>(c) includes species consistent with those found in the precinct; and</p> <p>(d) includes an appropriate depth of planting from the frontage.</p>	<p>AO5.1 Development provides and maintains landscaping:</p> <p>(a) along the full frontage of the site (excluding any access ways);</p> <p>(b) with a minimum width of 3 metres; and</p> <p>(c) contains rainforest planting in accordance with Table 7.2.1.3B.</p>	n/a	Not applicable.
	<p>AO5.2 Existing mature native vegetation that is visible from public open space and streets within the Green belt precinct is retained.</p>	n/a	Not applicable.
For assessable development			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO6 Development fronting Rob Veivers Drive, Barron Falls Road or the southern portion of the Kennedy Highway maintains and enhances the natural rainforest appearance of land adjoining these corridors through the retention and addition of existing native vegetation.</p>	<p>AO6.1 Existing vegetation is retained at a depth of a minimum of:</p> <ul style="list-style-type: none"> (a) 20 metres from the lot frontage for properties fronting the southern side of Rob Veivers Drive; or (b) 3 metres from the lot frontage for properties fronting the northern side of Rob Veivers Drive; or (c) 10 metres from the lot frontage for properties fronting either side of Barron Falls Road; or (d) 10 metres from the lot frontage for properties fronting either side of the portion of the Kennedy Highway to the south of the Barron River. 	<p>n/a</p>	<p>Not applicable.</p>
	<p>AO6.2 Where an area of a frontage described in AO6.1 does not contain any vegetation for a distance greater than 2 metres, this area is replanted:</p> <ul style="list-style-type: none"> (a) to the depth specified in AO6.1; and (b) in accordance with Table 7.2.1.3B. 	<p>n/a</p>	<p>Not applicable.</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
	<p>AO6.3 Where the site has a frontage to a road described in AO6.1, other than Barron Falls Road, advertising devices:</p> <ul style="list-style-type: none"> (a) are limited to a surface area of 0.5m²; (b) do not use fluorescent colours or reflective surfaces; (c) do not involve illumination; and (d) are spaced a minimum of 300 metres apart from the closest existing freestanding advertising device. 	n/a	Not applicable.
Where in Village frame precinct and Village heart precinct			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO7 Development in the Village frame precinct and Village heart precinct is undertaken in a manner that respects the place's local character having regard to:</p> <ul style="list-style-type: none"> (a) building height, scale, bulk, mass and proportion; (b) building materials, patterns, textures, colours, and decorative elements; (c) floor to ceiling height; (d) roof form and pitch; (e) facade articulation, detailing, stairways, and window and door proportions; (f) verandahs, awnings and eaves; (g) access ways, driveway crossovers, fence style and alignment; (h) ancillary buildings; and (i) other local character elements of the streetscape. <p>Note—Refer to Planning Scheme Policy 1 – Character Area Design Guidelines for additional guidance in relation to the development outcomes sought.</p>	<p>A07 No acceptable outcome is provided.</p>	<p style="text-align: center;">✓ Complies with PO7</p>	<p>The subject land is situated within the Village Heart Precinct.</p> <p>(a) The proposed development will involve the siting of a food trailer/van only at the rear of a developed allotment so is negligible in terms of building height, scale, bulk, mass and proportion.</p> <p>(b) A condition has been applied requiring the food trailer/van to be painted a neutral colour. The development will be hidden from view from Coondoo Street and reasonably setback from Thooree Street.</p> <p>(c) Floor to ceiling height is not a concern.</p> <p>(d) Roof form and pitch is not a concern.</p> <p>(e) Façade articulation, detailing, stairways and windows or door proportions is not a concern.</p> <p>(f) Verandas, awnings and eaves is not of concern.</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
			<p>(g) Not of concern. (h) Not of concern.</p> <p>(i) The food trailer/van will be sited behind the sites existing business tenancies, so will not be visible from Coondoo Street and will be setback from Thooree Street by approximately 70 metres. This form of development is not inconsistent with other food and drink outlets in the Kuranda Village, which includes an ice cream trailer, a German Sausage Stall and the various alleyway food and drink outlets found in Kuranda's various marketplaces.</p> <p>The development will not compromise Kuranda's local character and therefore complies with PO7.</p>
Where in Village heart precinct			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO8 Frontage works contribute to and extend established streetscape themes and landscape treatments, having regard to:</p> <ul style="list-style-type: none"> (a) the location of street trees; (b) the provision of mature trees near the frontage; (c) the provision of raised planters; (d) established paving schemes; (e) the permeability of surface treatments; and (f) opportunities for public art. <p>Note—Refer to Planning Scheme Policy 1 – Character Area Design Guidelines for additional guidance in relation to the development outcomes sought.</p>	<p>AO8 No acceptable outcome is provided.</p>	n/a	Not applicable - The development does not front a Street in the Village Heart precinct. The proposed development will be sited at the rear of an existing developed site along Coondoo Street.
Where in Village frame precinct			
<p>PO9 Landscaping along the site frontage of a site in the Village frame precinct reinforces and enhances the natural character of the precinct by providing:</p> <ul style="list-style-type: none"> (a) a sufficient depth of planting to ensure natural elements are prominent; and (b) species that are consistent with those found in the precinct. 	<p>AO9 A landscape strip is provided adjacent to the full length of any road frontage:</p> <ul style="list-style-type: none"> (a) with a minimum width of 2 metres; and (b) landscaped in accordance with the Table 7.2.1.3B. 	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO10 Buildings incorporate materials and design features that are consistent with the established style and form of development within the precinct, having regard to:</p> <ul style="list-style-type: none"> (a) roofing; (b) window placement; and (c) privacy screening. 	<p>AO10 Buildings incorporate the following design characteristics:</p> <ul style="list-style-type: none"> (a) roofing materials with a traditional profile corrugated iron; (b) fenestration which has a vertical emphasis; (c) avoidance of large glazed areas in otherwise blank walls; and (d) privacy screens which consist of lattice or battens and are less than 50% transparent. <p>Note—Refer to Planning Scheme Policy 1 – Character Area Design Guidelines for additional guidance in relation to the development outcomes sought.</p>	<p>n/a</p>	<p>Not applicable.</p>

Table 7.2.1.3B – Kuranda local plan precincts preferred plant species

Village heart precinct	Village frame precinct	Green belt precinct	Residential areas (local scenic routes)
Street trees <ul style="list-style-type: none"> • F. hillii • F. microcarpa var. latifolia (preferable attainable) 	Street trees <ul style="list-style-type: none"> • Elaeocarpus bancroftii • Flindersia pimenteliana • Grevillea baileyana • Syzgium kuranda 	Signature species <ul style="list-style-type: none"> • Agathis robusta (Kauri Pine) 	Trees (street plantings) <ul style="list-style-type: none"> • Archontophoenix myolensis (Myola Palm) • Backhousea citriodora • Bauhinia variegata var. candida • Cassis javanica x fistula • Saraca thiapingensis
Shrubs <ul style="list-style-type: none"> • Acalypha lyonsii • Cordyline terminalis • Graptophllum ilicifolia • Licuala ramsayi (Fan Palm) 	Shrubs <ul style="list-style-type: none"> • Alpinia arctiflora • Alpinia caerulea • Alpinia modesta • Cryptocarya laevigata • Diospyros cupulosa • Memecylon pauciflorum 	Shrubs <ul style="list-style-type: none"> • Alyxia ruscifolia • Austromyrtus sp. Goldsborough (syn. Eugenia sp. Mulgrave River) • Banksia spinulosa • Hibbertia velutina • Leptospermum polygalifolium 	Shrubs (verge plantings) <ul style="list-style-type: none"> • Centradenia rosea • Calliandra spp. • Medinella micans • Strobilanthes wallichii • Rhodmyrtus tomentosa • Ruellia macrantha • Tibouchina spp.
Groundcover (tolerant of root competition) <ul style="list-style-type: none"> • Acmena smithii • Adiantum hispidulum • Asplenium longcornutum • Hemigraphis repanda • Impatiens repens • Philodendron 'Imperial Red' 	Understorey shrubs (low and groundcover) <ul style="list-style-type: none"> • Acalypha luonsii • Alpinia hylandii • Alocasia hylandii • Mackinlaya macrosciadea, confusa • Macrothelypteris torresiana 	Groundcover <ul style="list-style-type: none"> • Gahnia aspera 	Groundcover <ul style="list-style-type: none"> • Calliandra tweedi 'Red Flash' • Rosa cv. 'Flower Carpet Red'
Groundcover (other) <ul style="list-style-type: none"> • Acalyppha reptans • Cuphea sp. 'Tiny Mice' • Torenia 'Blue Magic' Viola hederacea 	Park trees <ul style="list-style-type: none"> • Ficus crassipes • Ficus pleurocarpa • Sundacarpus amara • Syzgium Kuranda \Elaeocarpus bancrofti (Kuranda Satinash) 	Small trees/ large shrubs <ul style="list-style-type: none"> • Acmena smithii • Archontophoenix myolensis, (Myola Palm) • Baekea frutescens • Callistemon recurvis • Callitris macleayana • Casuarina torulosa 	

Source: Kuranda Plant Palette prepared by Siteplan Cairns Pty Ltd (Landscape Architects for Mareeba Shire Council) 2000

8.2.7 Heritage overlay code

8.2.7.1 Application

- (1) This code applies to assessing development where:
 - (a) land the subject of development is affected by a constraint category identified on the **Heritage overlay maps (OM-007a-f)**; 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—This code will not apply to any development where an 'Exemption Certificate' has been issued for the work under Section 35 of the *Queensland Heritage Act 1992* and where the Heritage Place is included in the Queensland Heritage Register.

Note—In demonstrating compliance with the Heritage overlay code, reference should be made to Planning Scheme Policy 7 – Local Heritage Places where development relates to a Local heritage place.

Note—Cultural heritage is appropriately reflected in Overlay Map 7 and is required to be mapped by State Government in response to Environment and Heritage State Interests.

8.2.7.2 Purpose

- (1) The purpose of the Heritage overlay code is to ensure development in a heritage place is compatible with the heritage significance of the place.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Development does not involve the demolition or removal of a heritage place, unless there is no prudent and feasible alternative to the demolition or removal;
 - (b) Development maintains the materials and setting of heritage places;
 - (c) Development on a heritage place is compatible with the cultural heritage significance of the place;
 - (d) Development involves the appropriate use of a heritage place;
 - (e) Development recognises and conserves identified heritage places that exhibit the key historical themes of development and use of land and resources in Mareeba Shire; and
 - (f) Development does not adversely affect the significant visual, sentimental and physical elements of a heritage place.

8.2.7.3 Criteria for assessment

Table 8.2.7.3 - Heritage overlay code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
Where for Building work or Operational work involving a heritage place			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO1 Development conserves and is subservient to the features and values of the heritage place identified on the Heritage overlay maps (OM-007a-f) that contribute to its heritage significance.</p>	<p>AO1 Development: (a) does not alter, remove or conceal significant features of the heritage place identified on the Heritage overlay maps (OM-007a-f); or (b) is minor and necessary to maintain a significant use for the heritage place identified on the Heritage overlay maps (OM-007a-f).</p>	✓	The proposed development will not impact on adjacent or nearby heritage places which include St Saviour's Anglican Church situated on the northern adjacent allotment and the Coondoo Street Fig Trees.
For assessable development			
Where for Material change of use on a heritage place			
<p>PO2 The Material change of use is compatible with the conservation and management of the significance of the heritage place identified on the Heritage overlay maps (OM-007a-f).</p>	<p>AO2 No acceptable outcome is provided.</p>	✓	The subject site does not contain a heritage site.
Where for Reconfiguring a lot on a heritage place			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO3 Reconfiguring a lot does not:</p> <p>(a) reduce public access to the heritage place identified on the Heritage overlay maps (OM-007a-f); or</p> <p>(b) obscure or destroy any of the following elements relating to the heritage place identified on the Heritage overlay maps (OM-007a-f):</p> <p>(i) pattern of historic subdivision; or</p> <p>(ii) the landscape setting; or</p> <p>(iii) views to the heritage place identified on the Heritage overlay maps (OM-007a-f); or</p> <p>(iv) the scale and consistency of the urban fabric.</p>	<p>AO3 No acceptable outcome is provided.</p>	n/a	Not applicable.
Where for Building work or Operational work involving a heritage place			
<p>PO4 Changes to a heritage place identified on the Heritage overlay maps (OM-007a-f) are appropriately managed and documented.</p>	<p>AO4.1 Development is compatible with a conservation management plan prepared in accordance with the <i>Australian ICOMOS Charter</i>¹ for Places of Cultural Significance (Burra Charter).</p>	n/a	Not applicable.

¹ Australia ICOMOS Inc. is the national chapter of ICOMOS (International Council of Monuments and Sites), a non-government international organisation primarily concerned with the philosophy, terminology, methodology and techniques of cultural heritage conservation.

Performance outcomes	Acceptable outcomes	Complies	Comments
	<p>AO4.2</p> <p>An archival quality photographic record is made of the features of the place that are destroyed as a result of the development that meets the standards outlined in the <i>Department of Environment and Heritage Protection Guideline: Archival Recording of Heritage Places (2013)</i>.</p>	n/a	Not applicable.
<p>PO5</p> <p>The scale, location and design of the development are compatible with the character, setting and appearance of the heritage place identified on the Heritage overlay maps (OM-007a-f).</p> <p>Note—A Heritage Impact Assessment Report must be prepared by appropriately qualified persons that demonstrates to Council's satisfaction that the development does not detract from, or diminish the cultural heritage significance of the heritage place.</p>	<p>AO5</p> <p>No acceptable outcome is provided.</p>	n/a	Not applicable.
<p>PO6</p> <p>Development does not adversely affect the character, setting or appearance of the heritage place identified on the Heritage overlay maps (OM-007a-f) through removal of vegetation that contributes to the heritage significance of the place.</p> <p>Note—A Heritage Impact Assessment Report must be prepared by appropriately qualified persons that demonstrates to Council's satisfaction that the vegetation removal does not detract from, or diminish the cultural heritage significance of the heritage place.</p>	<p>AO6</p> <p>Existing vegetation is retained.</p>	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO7 Excavation or other earthworks do not have a detrimental impact on heritage places identified on the Heritage overlay maps (OM-007a-f) that are of archaeological significance.</p> <p>Note—An archaeological investigation is carried out for development involving a high level of surface or sub-surface disturbance.</p>	<p>AO7 No acceptable outcome is provided.</p>	<p>n/a</p>	<p>Not applicable.</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO8 For development involving structural demolition of a heritage place identified on the Heritage overlay maps (OM-007a-f), works occur in accordance with a Heritage Place Construction Management Plan that demonstrates that:</p> <ul style="list-style-type: none"> (a) a procedure for recording the existing condition of the heritage place identified on the Heritage overlay maps (OM-007a-f) (including any building encroachments) and monitoring the condition of the heritage place identified on the Heritage overlay maps (OM-007a-f) during the construction phase will be implemented; (b) measures will be employed to avoid damage to the heritage place identified on the Heritage overlay maps (OM-007a-f) during construction; (c) a protocol has been established for the approval of repair work and repairs to any damage to the heritage place identified on the Heritage overlay maps (OM-007a-f) resulting from construction works; and (d) where applicable, a report by a Landscape Architect or Arborist detailing how any identified significant vegetation on the site of the heritage place 	<p>AO8 No acceptable outcome is provided.</p>	<p>n/a</p>	<p>Not applicable.</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>identified on the Heritage overlay maps (OM-007a-f) will not be adversely affected by works during and post construction.</p>			
<p>PO9 Advertising devices located on a heritage place identified on the Heritage overlay maps (OM-007a-f) are sited and designed in a manner that:</p> <ul style="list-style-type: none"> (a) is compatible with the heritage significance of the place identified on the Heritage overlay maps (OM-007a-f); and (b) does not obscure the appearance or prominence of the heritage place identified on the Heritage overlay maps (OM-007a-f) when viewed from the street or other public places. 	<p>AO9 No acceptable outcome is provided.</p>	<p>n/a</p>	<p>Not applicable.</p>

8.2.8 Hill and slope overlay code

8.2.8.1 Application

- (1) This code applies to assessing development where:
 - (a) land the subject of development is located within a 'Hill and slope area' identified on the **Hill and slope overlay maps (OM-008a-o)**; and
 - (b) it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

Note—Natural hazards are appropriately reflected in Overlay Maps 3, 6 and 8 and are required to be mapped by State Government in response to Hazard and Safety State Interests.

8.2.8.2 Purpose

- (1) The purpose of the Hill and slope overlay code is to ensure the ongoing stability of land within a hill and slope area to prevent risk to people or property.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Development is located to avoid sloping land where practical; and
 - (b) Development on sloping land maintains slope stability and does not increase the potential for erosion or landslide.

8.2.8.3 Criteria for assessment

Table 8.2.8.3 – Hill and slope overlay code - For assessable development

Performance outcomes	Acceptable outcomes	Complies	Comment
For assessable development			
Slope stability			

Performance outcomes	Acceptable outcomes	Complies	Comment
<p>PO1 Where clearing of vegetation, building work or filling or excavation occurs on land within a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o), a geotechnical report is prepared in accordance with Planning Scheme Policy 5 - Preparation of Geotechnical Reports that demonstrates:</p> <p>(a) the long term stability of the development site;</p> <p>(b) development will not be adversely affected by landslide activity originating on sloping land above the development site; and</p> <p>(c) development will not adversely affect other property outside the development site through landslide activity or alterations to surface or groundwater.</p>	<p>AO1 No acceptable outcome is provided.</p>	n/a	Sections of Lot 412 are mapped as being within the Hill and Slope area, however they are not subject to development of any kind.
<p>PO2 Development is designed and located to ensure that the use can appropriately function in the 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o) having regard to:</p> <p>(a) the nature and scale of the proposed use;</p> <p>(b) the gradient of the land;</p> <p>(c) the extent of land disturbance proposed;</p>	<p>AO2.1 Development for a Child care centre or Educational establishment is not located on land in a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o).</p>	n/a	Not applicable.
	<p>AO2.2 Development is not located on land with a gradient of greater than 25%.</p>	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comment
(d) stormwater discharge and its potential for erosion.	<p>AO2.3 No lot less than 2,000m² is created in a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o).</p> <p>Note – Where a minimum lot size of less than 2,000m² applies under the Reconfiguring a lot code, the lot size requirements of the Hill and slope overlay code prevail.</p>	n/a	Not applicable.
Community infrastructure and essential services			
<p>PO3 Community infrastructure and essential services located within a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o) are able to function effectively during and immediately after landslide events.</p>	<p>AO3 No acceptable outcome is provided.</p>	n/a	Not applicable.

9.3.2 Commercial activities code

9.3.2.1 Application

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

9.3.2.2 Purpose

- (1) The purpose of the Commercial activities code is to ensure Commercial activities are appropriately located, designed and operated to service the Shire while not impacting on the character and amenity of the area.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Commercial activities meet the needs of the local community, visitors and tourists through safe, accessible and convenient points of service;
 - (b) Commercial activities have minimal impacts on the natural environment or the environmental values of the area;
 - (c) Commercial activities reinforce and do not prejudice the role and function of established or designated centres;
 - (d) Commercial activities minimise impacts on the character and amenity of the surrounding area and surrounding land uses, particularly residential uses; and
 - (e) Commercial activities do not compromise the viability of the hierarchy and network of centres, namely:
 - (i) Mareeba as a major regional activity centre, which accommodates the most significant concentrations of regional-scale business, retail, entertainment, government administration, secondary and tertiary educational facilities and health and social services within the shire;
 - (ii) Kuranda as a village activity centre, which accommodates services, arts and cultural facilities, sports and recreation facilities, business and employment uses to support the village and its constituent surrounding rural and rural residential communities;
 - (iii) Chillagoe and Dimbulah as Rural activity centres, which provide commercial and community services to their rural catchments; and
 - (iv) Biboohra, Irvinebank, Julatten, Koah, Mutchilba, Mt Molloy, Myola and Speewah as rural villages, that have limited centre activities and other non-residential activities.

9.3.2.3 Criteria for assessment

Table 9.3.2.3—Commercial activities code – For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
PO1 Buildings are finished with high quality materials, selected for their durability and contribution to the character of the area.	AO1 Building design does not incorporate: <ul style="list-style-type: none"> (a) highly reflective materials such as high performance glass or untreated galvanised metals; or (b) unrelieved, unpainted or un-rendered finishes; or (c) unarticulated concrete finishes; or (d) unarticulated cladding systems; or (e) fluorescent or iridescent paints; or (f) use of single colour or surface treatment. 	✓	No buildings are proposed, however the food van complies where relevant.
If for Sales office			
PO2 A Sales office is compatible with the built form, character and amenity of the surrounding area, having regard to: <ul style="list-style-type: none"> (a) duration of use; (b) size and scale; (c) intensity and nature of use; (d) number of employees; and (e) hours of operation. 	AO2.1 The Sales office is limited in its duration to a period not greater than: <ul style="list-style-type: none"> (a) 2 years, where involving selling or displaying land or buildings (including a dwelling house, multiple dwelling, commercial or industrial buildings); or (b) 6 months, where involving land or buildings that can be won as a prize. 	n/a	Not applicable.
	AO2.2 The Sales office does not exceed 100m ² gross floor area. Note—The Sales office may be located within part of a Dwelling house, Dual occupancy or Multiple dwelling for sale or that can be won as a prize.	n/a	Not applicable.
	AO2.3 No more than 3 employees work within the sales office at any one time.	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
	AO2.4 The Sales office does not operate outside the hours of 8.00am to 6.00pm.	n/a	Not applicable.
PO3 A Sales office is located to be accessible to visitors.	PO3 The Sales office is established at the entrance to: (a) the estate or stage of the estate where involving multiple properties or dwellings; or (b) the building or land where involving a single property or dwelling.	n/a	Not applicable.
For assessable development			
Visual amenity and character			
PO4 Commercial activities protect and enhance the character and amenity of the locality and streetscape through the appropriate location and screening of: (a) air conditioning; (b) refrigeration plant; (c) mechanical plant; and (d) refuse bin storage areas.	AO4 No acceptable outcome is provided.	✓	The proposed development is for a commercial food and drink outlet within the Centre Zone and is predominantly surrounded by commercial development, however some residential uses are present. The applicants propose the use of a generator to power the food van, this is likely to impact on nearby residential uses, therefore a condition will be attached to any approval restricting the use of any generators.
Location and size			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO5 Commercial activities are located and designed:</p> <p>(a) to be commensurate to the scale and nature of land uses located and intended to be located in the immediate vicinity; and</p> <p>(b) consistent with the intent of the activity centre hierarchy for Mareeba Shire.</p>	<p>AO5 No acceptable outcome is provided.</p>	✓	Complies.
If for Service station or Car wash			
<p>PO6 The site is of a suitable size, shape and configuration to accommodate all aspects of the use, such as:</p> <p>(a) the building/s and associated storage areas;</p> <p>(b) any ancillary activities;</p> <p>(c) fuel delivery and service vehicles;</p> <p>(d) vehicle access and on site manoeuvrability; and</p> <p>(e) landscaping.</p>	<p>AO6.1 The site has a:</p> <p>(a) minimum area of 1500m²; and</p> <p>(b) minimum frontage of:</p> <p>(i) 30 metres to each road where the site is a corner site; or</p> <p>(ii) 40 metres otherwise.</p>	n/a	Not applicable.
	<p>AO6.2 Bulk fuel storage tanks are situated on the site no closer than 8 metres to any road frontage.</p>	n/a	Not applicable.
	<p>AO6.3 Bulk fuel storage tanks are situated on the site:</p> <p>(a) so that fuel delivery vehicles are standing wholly within the site when discharging fuel into the tanks; and</p> <p>(b) ensuring that the movement of other vehicles on the site is not restricted when fuel delivery occurs.</p>	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
	<p>AO6.4 Fuel pumps, car wash bays and facilities including air and water points are:</p> <ul style="list-style-type: none"> (a) orientated to minimise vehicle conflicts associated with manoeuvring on site; and (b) located so that vehicles using or waiting to use the facilities are standing wholly within the site and in locations which do not restrict the movement of other vehicles on the site. 	n/a	Not applicable.
<p>PO7 The use must provide for the collection, treatment and disposal of all solid and liquid wastes such that:</p> <ul style="list-style-type: none"> (a) the off-site release of contaminants does not occur; and (b) there are no significant adverse impacts on the quality of surface water or ground water resources. 	<p>AO7 No acceptable outcome is provided.</p>	n/a	Not applicable.

9.4.2 Landscaping code

9.4.2.1 Application

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

9.4.2.2 Purpose

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

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

9.4.2.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
<p>PO1 Development, other than in the Rural zone, includes landscaping that:</p> <ul style="list-style-type: none"> (a) contributes to the landscape character of the Shire; (b) compliments the character of the immediate surrounds; (c) provides an appropriate balance between built and natural elements; and (d) provides a source of visual interest. 	<p>AO1 Development, other than in the Rural zone, provides:</p> <ul style="list-style-type: none"> (a) a minimum of 10% of the site as landscaping; (b) planting in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species; (c) for the integration of retained significant vegetation into landscaping areas; (d) on-street landscaping works in accordance with the Design Guidelines set out in Section D9 Landscaping, of the Planning Scheme Policy 4 - FNQROC Regional Development Manual. <p>Note—Where development exceeds a site cover of 90%, areas of landscaping may be provided above ground level to achieve a total supply of landscaping equivalent to 10% of the site area.</p>	n/a	Landscaping is not considered necessary in this instance. The site is within the Centre Zone and the development will be concealed from view from road users due to its location and the surrounding built up landscape.

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO2 Development, other than in the Rural zone, includes landscaping along site frontages that:</p> <ul style="list-style-type: none"> (a) creates an attractive streetscape; (b) compliments the character of the immediate surrounds; (c) assists to break up and soften elements of built form; (d) screen areas of limited visual interest or servicing; (e) provide shade for pedestrians; and (f) includes a range and variety of planting. 	<p>AO2 Development, other than in the Rural zone, includes a landscape strip along any site frontage:</p> <ul style="list-style-type: none"> (a) with a minimum width of 2 metres where adjoining a car parking area; (b) with a minimum width of 1.5 metres in all other locations; and (c) in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species. <p>Note—Where development is setback from a frontage less than 1.5 metres, the setback area is provided as a landscape strip</p>	n/a	Not applicable. See comment for AO1.
<p>PO3 Development includes landscaping and fencing along side and rear boundaries that:</p> <ul style="list-style-type: none"> (a) screens and buffer land uses; (b) assists to break up and soften elements of built form; (c) screens areas of limited visual interest; (d) preserves the amenity of sensitive land uses; and (e) includes a range and variety of planting. 	<p>AO3.1 Development provides landscape treatments along side and rear boundaries in accordance with Table 9.4.2.3B.</p>	n/a	Not applicable. See comment for AO1.
	<p>AO3.2 Shrubs and trees provided in landscape strips along side and rear boundaries:</p> <ul style="list-style-type: none"> (a) are planted at a maximum spacing of 1 metre; (b) will grow to a height of at least 2 metres; (c) will grow to form a screen of no less than 2 metres in height; and (d) are mulched to a minimum depth of 0.1 metres with organic mulch. 	n/a	Not applicable. See comment for AO1.

Performance outcomes	Acceptable outcomes	Complies	Comments
	<p>AO3.3 Any landscape strip provided along a side or rear boundary is designed in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.</p>	n/a	Not applicable. See comment for AO1.
<p>PO4 Car parking areas are improved with a variety of landscaping that:</p> <ul style="list-style-type: none"> (a) provides visual interest; (b) provides a source of shade for pedestrians; (c) assists to break up and soften elements; and (d) improves legibility. 	<p>AO4.1 Landscaping is provided in car parking areas which provides:</p> <ul style="list-style-type: none"> (a) a minimum of 1 shade tree for every 4 parking spaces, or part thereof, where the car parking area includes 12 or more spaces; (b) a minimum of 1 shade tree for every 6 parking spaces, or part thereof, otherwise; and (c) where involving a car parking area in excess of 500m²: <ul style="list-style-type: none"> (i) shade structures are provided for 50% of parking spaces; and (ii) a minimum of 10% of the parking area as landscaping. <p>Note—Where a shade structure is provided over part of a car parking area, shade tree planting is not required in this area of the car parking area.</p>	n/a	Not applicable. See comment for AO1.
	<p>AO4.2 Landscaping in car parking areas is designed in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.</p>	n/a	Not applicable. See comment for AO1.
<p>PO5 Landscaping areas include a range and variety of planting that:</p>	<p>AO5.1 Plant species are selected from the Plant Schedule in Planning Scheme Policy 6 - Landscaping and preferred plant species.</p>	n/a	Not applicable. See comment for AO1.

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>(a) is suitable for the intended purpose and local conditions;</p> <p>(b) contributes to the natural character of the Shire;</p> <p>(c) includes native species;</p> <p>(d) includes locally endemic species, where practical; and</p> <p>(e) does not include invasive plants or weeds.</p>	<p>AO5.2 A minimum of 25% of (new and existing) plants is provided as larger, advanced stock with a minimum plant height of 0.7 metres and mulched to a minimum depth of 0.1 metres with organic mulch.</p>	n/a	Not applicable. See comment for AO1.
<p>PO6 Landscaping does not impact on the ongoing provision of infrastructure and services to the Shire.</p>	<p>AO6.1 Tree planting is a minimum of</p> <p>(a) 2 metres from any underground water, sewer, gas, electricity or telecommunications infrastructure; and</p> <p>(b) 4 metres from any inspection chamber.</p>	n/a	Not applicable. See comment for AO1.
	<p>AO6.2 Vegetation below or within 4 metres of overhead electricity lines and power poles has a maximum height of 3.5 metres at maturity.</p>	n/a	Not applicable. See comment for AO1.
	<p>AO6.3 Vegetation adjoining an electricity substation boundary, at maturity, will have:</p> <p>(a) a height of less than 4 metres; and</p> <p>(b) no foliage within 3 metres of the substation boundary, unless the substation has a solid wall along any boundary.</p>	n/a	Not applicable. See comment for AO1.
For assessable development			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO7 Landscaping areas are designed to:</p> <ul style="list-style-type: none"> (a) be easily maintained throughout the ongoing use of the site; (b) allow sufficient area and access to sunlight and water for plant growth; (c) not cause a nuisance to occupants of the site or members of the public; and (d) maintain or enhance the safety of pedestrians through the use of Crime Prevention Through Environmental Design principles. 	<p>AO7 No acceptable outcome is provided.</p>	<p>n/a</p>	<p>Not applicable. See comment for AO1.</p>

Table 9.4.2.3B—Side and rear boundary landscape treatments

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

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

9.4.3 Parking and access code

9.4.3.1 Application

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

9.4.3.2 Purpose

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

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

9.4.3.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
Car parking spaces			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO1 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 The number of car parking spaces provided for the use is in accordance with Table 9.4.3.3B.</p> <p>Note—Car parking spaces provided for persons with a disability are to be considered in determining compliance with AO1.</p>	n/a	<p>The proposed development will predominately attract customers on foot that are using the existing pedestrian links to the north of Lot 407 which links Coondoo And Thooree Streets. The development will also be situated beside a public car park which can be used by customers. Council officers do not want to encourage customers to park at the rear of Lot 407, so the provision of on-site parking is not considered necessary in this instance.</p>
Vehicle crossovers			
<p>PO2 Vehicle crossovers are provided to::</p> <ul style="list-style-type: none"> (a) ensure safe and efficient access between the road and premises; (b) minimize interference with the function and operation of roads; and 	<p>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.</p>	✓	<p>Complies - the access points into the public car park from Thooree Street are compliant.</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
(c) minimise pedestrian to vehicle conflict.	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	Not applicable.
	AO2.3 Vehicular access for particular uses is provided in accordance with Table 9.4.3.3E .	n/a	Not applicable.
PO3 Access, manoeuvring 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 Access, manoeuvring and car parking areas include pavements that are constructed in accordance with Table 9.4.3.3C .	n/a	Not applicable.
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 	AO4.1 Car parking spaces, access and circulation areas have dimensions in accordance with AS/NZS 2890.1 Off-street car parking.	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
(b) be consistent with the character of the surrounding locality.	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.	✓	Disabled parking spaces are provided in the public car park on Lot 412.
	AO4.3 The car parking area includes designated pedestrian routes that provide connections to building entrances.	✓	Complies.
	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. 	n/a	Not applicable - see comment for AO1.
Site access and manoeuvring			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO5 Access to, and manoeuvring within, the site is designed and located to:</p> <p>(a) ensure the safety and efficiency of the external road network;</p> <p>(b) ensure the safety of pedestrians;</p> <p>(c) provide a functional and convenient layout; and</p> <p>(d) accommodate all vehicles intended to use the site.</p>	<p>AO5.1 Access and manoeuvrability is in accordance with :</p> <p>(a) AS28901 – Car Parking Facilities (Off Street Parking); and</p> <p>(b) AS2890.2 – Parking Facilities (Off-street Parking) Commercial Vehicle Facilities.</p> <p>Note—Proposal plans should include turning circles designed in accordance with AP34/95 (Austroads 1995) Design Vehicles and Turning Path Templates.</p>	✓	Complies for the public car park.
	<p>AO5.2 Vehicular access has a minimum sight distance in accordance with Part 5 of AUSTROADS.</p>	✓	Complies.
	<p>AO5.3 Vehicular access is located and designed so that all vehicles enter and exit the site in a forward gear.</p>	✓	Complies.
	<p>AO5.4 Pedestrian and cyclist access to the site:</p> <p>(a) is clearly defined;</p> <p>(b) easily identifiable; and</p> <p>(c) provides a connection between the site frontage and the entrance to buildings and end of trip facilities (where provided).</p>	✓	Complies.

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO6 Development that involves an internal road network ensures that it's design:</p> <p>(a) ensure safety and efficiency in operation;</p> <p>(b) does not impact on the amenity of residential uses on the site and on adjoining sites, having regard to matters of:</p> <p>(i) hours of operation;</p> <p>(ii) noise</p> <p>(iii) light; and</p> <p>(iv) odour;</p> <p>(c) accommodates the nature and volume of vehicle movements anticipated to be generated by the use;</p> <p>(d) allows for convenient access to key on-site features by pedestrians, cyclists and motor vehicles; and</p> <p>(e) in the Rural zone, avoids environmental degradation.</p>	<p>AO6.1 Internal roads for a Tourist park have a minimum width of:</p> <p>(a) 4 metres if one way; or</p> <p>(b) 6 metres if two way.</p>	n/a	Not applicable.
	<p>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:</p> <p>(a) a minimum approach and departure curve radius of 12 metres; and</p> <p>(b) a minimum turning circle radius of 8 metres.</p>	n/a	Not applicable.
	<p>AO6.3 Internal roads are imperviously sealed and drained, apart from those for an Energy and infrastructure activity or Rural activity.</p>	n/a	Not applicable.
	<p>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.</p>	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
	<p>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.</p>	n/a	Not applicable.
	<p>AO6.6 Where involving an accommodation activity, internal roads facilitate unobstructed access to every dwelling, accommodation unit, accommodation site and building by emergency services vehicles.</p>	n/a	Not applicable.
	<p>AO6.7 For an Energy and infrastructure activity or Rural activity, internal road gradients: (a) are no steeper than 1:5; or (b) are steeper than 1:5 and are sealed.</p>	n/a	Not applicable.
Servicing			
<p>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</p>	<p>AO7.1 All unloading, loading, service and waste disposal areas are located: (a) on the site; (b) to the side or rear of the building, behind the main building line; (c) not adjacent to a site boundary where the adjoining property is used for a sensitive use.</p>	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
efficiency of the road network; (d) provide for all servicing functions associated with the use; and (e) are located and designed to minimise their impacts on adjoining sensitive land uses and streetscape quality.	AO7.2 Unloading, loading, service and waste disposal areas allow service vehicles to enter and exit the site in a forward gear.	n/a	Not applicable.
	AO7.3 Development provides a servicing area, site access and maneuvering areas to accommodate the applicable minimum servicing vehicle specified in Table 9.4.3.3B.	n/a	Not applicable.
Maintenance			
PO8 Parking areas are used and maintained for their intended purpose.	AO8.1 Parking areas are kept and used exclusively for parking and are maintained in a suitable condition for parking and circulation of vehicles.	✓	Complies.
	AO8.2 All parking areas will be compacted, sealed, drained, line marked and maintained until such time as the development ceases.	✓	Complies.
End of trip facilities			
PO9 Development within the Centre zone; Industry zone or Emerging community zone provides facilities for active transport users that:	AO9.1 The number of bicycle parking spaces provided for the use is in accordance with Table 9.4.3.3D.	n/a	Not applicable given the nature and scale of the development.

Performance outcomes	Acceptable outcomes	Complies	Comments
(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.	AO9.2 End of trip facilities are provided in accordance with Table 9.4.3.3D .	n/a	Not applicable given the nature and scale of the development.
If for Educational establishment or Child care centre where involving more than 100 vehicle movements per day or Renewable energy facility, Sport and recreation activities or Tourist park			
PO10 The level of traffic generated by the development on the surrounding local road network must not result in unacceptable impacts on adjacent land and local road users.	AO10 A traffic impact report is prepared by a suitably qualified person that identifies: <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	Not applicable.
If for Educational establishment or Child care centre where involving more than 100 vehicle movements per day or Renewable energy facility, Sport and recreation activities or Tourist park			
PO11 The level of traffic generated by the development on the surrounding local road network must not result in unacceptable impacts on adjacent land and local road users.	AO11 A traffic impact report is prepared by a suitably qualified person that identifies: <ul style="list-style-type: none"> (d) the expected traffic movements to be generated by the facility; (e) any associated impacts on the road network; and (f) any works that will be required to address the identified impacts. 	n/a	Not applicable.

9.4.5 Works, services and infrastructure code

9.4.5.1 Application

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

9.4.5.2 Purpose

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

9.4.5.3 Criteria for assessment

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

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

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO1 Each lot has an adequate volume and supply of water that:</p> <ul style="list-style-type: none"> (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment. 	<p>AO1.1 Development is connected to a reticulated water supply system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located:</p> <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated water supply service area. 	<p>✓</p>	<p>A condition will be attached to the approval giving the applicant/developer the choice of providing this or not. The development is for a mobile food van to be semi-permanently sited on the property. Water usage is likely to be 50-60 litres per day and can be satisfied with the van's in-built water supply system. The development relies on informal access (no easement present) through the public car park on Lot 412. Because the access is informal only, Council officers do not believe it necessary to require the developer to install a connection to the town water supply network. A reliable water supply for the operation of the food van is ultimately the operators responsibility.</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
	<p>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:</p> <p>(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</p> <p>(b) on-site water storage tank/s:</p> <p>(i) with a minimum capacity of 90,000L;</p> <p>(ii) fitted with a 50mm ball valve with a camlock fitting; and</p> <p>(iii) which are installed and connected prior to the occupation or use of the development.</p>	n/a	Not applicable.
Wastewater disposal			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO2 Each lot provides for the treatment and disposal of effluent and other waste water that:</p> <ul style="list-style-type: none"> (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment. 	<p>AO2.1 Development is connected to a reticulated sewerage system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located:</p> <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area. 	✓	<p>See comment for AO1.1 - Council officers do not believe it reasonable to require a mandatory sewerage connection. Conditions will be attached to the approval ensuring no grey or black water is disposed of on-site. If the applicant wishes to install a sewerage connection, they can arrange this themselves, otherwise they will have to remove the trailer and dispose of the grey/blackwater at an appropriate dump point.</p>
	<p>AO2.2 An effluent disposal system is provided in accordance with ASNZ 1547 On-Site Domestic Wastewater 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. 	n/a	Not applicable.
Stormwater infrastructure			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO3 Stormwater infrastructure is designed and constructed to collect and convey the design storm event to a lawful point of discharge in a manner that mitigates impacts on life and property.</p>	<p>AO3.1 Where located within a Priority infrastructure area or where stormwater infrastructure is available, development is connected to Council's stormwater network in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	<p>n/a</p>	<p>Not applicable given the nature and scale of the development.</p>
	<p>AO3.2 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. 	<p>n/a</p>	<p>Not applicable given the nature and scale of the development.</p>
<p>Electricity supply</p>			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO4 Each lot is provided with an adequate supply of electricity</p>	<p>A04 The premises: (a) is connected to the electricity supply network; or (b) has arranged a connection to the transmission grid; or (c) where not connected to the network, an independent energy system with sufficient capacity to service the development (at near average energy demands associated with the use) may be provided as an alternative to reticulated electricity where: (i) it is approved by the relevant regulatory authority; and (ii) it can be demonstrated that no air or noise emissions; and (iii) it can be demonstrated that no adverse impact on visual amenity will occur.</p>	✓	<p>Will be conditioned to comply. The application proposes the use of a generator to service the development. Council officer believe the continual use of a generator on-site has to potential to impact on nearby residential uses and to an extent, surrounding commercial uses. A condition will be attached to any approval restricting the use of a generator.</p>
Telecommunications infrastructure			
<p>PO5 Each lot is provided with an adequate supply of telecommunication infrastructure</p>	<p>A05 Development is provided with a connection to the national broadband network or telecommunication services.</p>	n/a	Not applicable.
Existing public utility services			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO6 Development and associated works do not affect the efficient functioning of public utility mains, services or installations.	AO6 Public utility mains, services are relocated, altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	n/a	Not applicable.
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	Not applicable.
	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	Not applicable.
	AO7.3 Earthworks batters: (a) are no greater than 1.5 metres in height; (b) are stepped with a minimum width 2 metre berm; (c) do not exceed a maximum of two batters and two berms (not greater than 3.6 metres in total height) on any one lot; (d) have a slope no greater than 1 in 4; and (e) are retained.	n/a	Not applicable.
	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	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
	<p>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.</p>	n/a	Not applicable.
	<p>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.</p>	n/a	Not applicable.
	<p>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.</p>	n/a	Not applicable.
For assessable development			
Transport network			
<p>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.</p>	<p>A08.1 Vehicle access, crossovers, road geometry, pavement, utilities and landscaping to the frontage/s of the site are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.</p>	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
	<p>A08.2 Development provides footpath pavement treatments in accordance with Planning Scheme Policy 9 – Footpath Paving.</p>	n/a	Not applicable.
Public infrastructure			
<p>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.</p>	<p>A09 Development is in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	n/a	Not applicable.
Stormwater quality			

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO10 Development has a non-worsening effect on the site and surrounding land and is designed to:</p> <ul style="list-style-type: none"> (a) optimise the interception, retention and removal of waterborne pollutants, prior to the discharge to receiving waters; (b) protect the environmental values of waterbodies affected by the development, including upstream, on-site and downstream waterbodies; (c) achieve specified water quality objectives; (d) minimise flooding; (e) maximise the use of natural channel design principles; (f) maximise community benefit; and (g) minimise risk to public safety. 	<p>AO10.1 The following reporting is prepared for all Material change of use or Reconfiguring a lot proposals:</p> <ul style="list-style-type: none"> (a) a Stormwater Management Plan and Report that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; and (b) an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation Control Guidelines (Institute of Engineers Australia), including: <ul style="list-style-type: none"> (i) drainage control; (ii) erosion control; (iii) sediment control; and (iv) water quality outcomes. 	<p>n/a</p>	<p>Not applicable.</p>

Performance outcomes	Acceptable outcomes	Complies	Comments
	<p>AO10.2 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. 	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
<p>PO11 Storage areas for stormwater detention and retention:</p> <ul style="list-style-type: none"> (a) protect or enhance the environmental values of receiving waters; (b) achieve specified water quality objectives; (c) where possible, provide for recreational use; (d) maximise community benefit; and (e) minimise risk to public safety. 	<p>AO11 No acceptable outcome is provided.</p>	n/a	Not applicable.
Excavation or filling			
<p>PO12 Traffic generated by filling or excavation does not impact on the amenity of the surrounding area.</p>	<p>AO12.1 Haul routes used for transportation of fill to or from the site only use major roads and avoid residential areas.</p>	n/a	Not applicable.
	<p>AO12.2 Transportation of fill to or from the site does not occur:</p> <ul style="list-style-type: none"> (a) within peak traffic times; and (b) before 7am or after 6pm Monday to Friday; (c) before 7am or after 1pm Saturdays; and (d) on Sundays or Public Holidays. 	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
PO13 Air pollutants, dust and sediment particles from excavation or filling, do not cause significant environmental harm or nuisance impacts.	AO13.1 Dust emissions do not extend beyond the boundary of the site.	n/a	Not applicable.
	AO13.2 No other air pollutants, including odours, are detectable at the boundary of the site.	n/a	Not applicable.
	AO13.3 A management plan for control of dust and air pollutants is prepared and implemented.	n/a	Not applicable.
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	Not applicable.
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.	n/a	Not applicable.
Contaminated land			

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