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12 October 2021

Mareeba Shire Council

C/- Mr Brian Millard

PO Box 154

Mareeba QLD 4880

To: info@msc.qld.gov.au

Dear Brian,

**Development Application seeking a Development Permit for Reconfiguring a Lot
(Boundary Realignment) – Querin Road, Bibbohra**

We are pleased to submit this development application seeking a Development Permit for Reconfiguring a Lot (Boundary Realignment) over land located at Querin Road, Bibbohra, described as Lot 73 on N1574101 and Lot 74 on N157410.

In support of this request, the following is enclosed to assist with Council's assessment:

- Planning Assessment against the applicable assessment benchmarks;
- Relevant forms.

In accordance with Council's Schedule of Fees and Charges the application fee required is \$1,092.

Please do not hesitate to contact our office should you require any further information.

Kind regards

Kelly Reaston | Director

*KELLY REASTON DEVELOPMENT
& PROPERTY SERVICES*

PLANNING REPORT

OCTOBER 2021



Reconfiguring a Lot – Boundary
Realignment
Querin Road, Bibbohra

PREPARED FOR
Joshua Dilmetz

Contact

Kelly Reaston

Director

kelly@kellyreaston.com.au

This document has been prepared and reviewed by:



Kelly Reaston



Peter Boyd

This report has been prepared relying on information that was current at the time of preparation. The material within this report has been prepared for our client and is for the purpose of statutory assessment by the relevant Local Authority.

The material should not be relied upon by any third parties or for any other purpose outside the intended scope without consulting the authors.

| VERSION NO. | DATE: | REVIEWED BY: | APPROVED BY: |
|-------------|-------|---------------|---------------|
| 1 | Draft | Kelly Reaston | |
| 2 | Final | Kelly Reaston | Kelly Reaston |

Kelly Reaston Development & Property Services

property | planning | project management

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1. EXECUTIVE SUMMARY

The Application seeks a Development Permit for Reconfiguring a Lot (Boundary Realignment) at Querin Road, Bibbohra.

The site is comprised of two parcels and has a frontage of approximately 210m to Bilwon Road and approximately 710m to Querin Road.

The proposed development advances the purpose and overall outcomes of the Rural zone code and achieves compliance with the applicable codes and is therefore capable of being supported by Council.

SUMMARY OF KEY ISSUES

- **The proposed use does not conflict with or hinder the future establishment of activities contemplated by the Rural zone code.**
- **The proposed Reconfiguring a Lot (Boundary Realignment) is considered to represent an acceptable outcome at this location within the Rural zone.**
- **The realignment of the property boundaries reflects the site features and will ensure that the existing rural activities can continue within the respective property boundaries.**

2. APPLICATION DETAILS

2.1 Application Summary

| | |
|--|--|
| Approval Sought | Development permit for Reconfiguring a Lot (Boundary Realignment) |
| Applicant | Enore Querin and Maria Querin |
| Assessment Details | |
| Assessment Manager | Mareeba Shire Council |
| Development Category | Assessable Development |
| Assessment level | Impact Assessable |
| Public Notification | Yes |
| Pre-lodgement Consultation | |
| Council | Yes |
| State | No |
| Relevant State Planning Instruments | |
| Legislation | <i>Planning Act 2016 (Qld)</i> |
| Planning Policy | State Planning Policy (July 2017) |
| Planning Policy Assessment Benchmarks | Natural Hazards Risk and Resilience |
| Regional Plan | Far North Queensland Regional Plan 2009-2031 |
| Regional Plan Land Use | Regional Landscape and Rural Production Area |
| Development Assessment Mapping | Category A or B area that is a least concern regional Category R on the regulated vegetation management map |
| Referrals | None |
| Other State Interests | No |
| Relevant Local Planning Instruments | |
| Planning Scheme | Mareeba Shire Planning Scheme (V3) |

| | |
|-------------------------------------|---|
| Temporary Local Planning Instrument | Temporary Local Planning Instrument No. 01 of 2019 (Subdivision in Rural zone) |
| Local Plan | Not Applicable |
| Local Plan Precinct | Not Applicable |
| Zone: | Rural |
| Zone Precinct | None |
| Overlays | Bushfire hazard overlay code Environmental significance overlay code Flood hazard overlay code Hill and slope overlay code |
| Development Codes | Landscaping code Parking and access code Reconfiguring a lot code Works, services and infrastructure code |

2.2 Reports

| Document | Company | Reference | Issue | Date |
|-----------------|---------|-----------|-------|----------------|
| Planning Report | KRDPS | J Dilmetz | A | 7 October 2021 |

2.3 Plans of Development

| Drawing | Company | Drawing No. | Date |
|---------------------|---------|--------------|-----------------|
| Plan of development | ARO | ARO0115-SK02 | 12 October 2021 |

A Plan of Development are attached as **Attachment 4**.

3. SITE AND SURROUNDS

3.1 Site Description

| | |
|----------------------------|---|
| Registered Landowners | Enore Querin and Maria Querin |
| Site Location | Querin Road, Bibbohra |
| Real Property Description | Lots 73 & 74 on N157410 |
| Site Area | Lot 73 – 16.187ha Lot 74 – 16.187ha |
| Street Frontage | Approx. 210m to Bilwon Road and 710m to Querin Road |
| Tenure | Freehold |
| Easements/Encumbrances | None |
| Local Government Authority | Mareeba Shire Council |

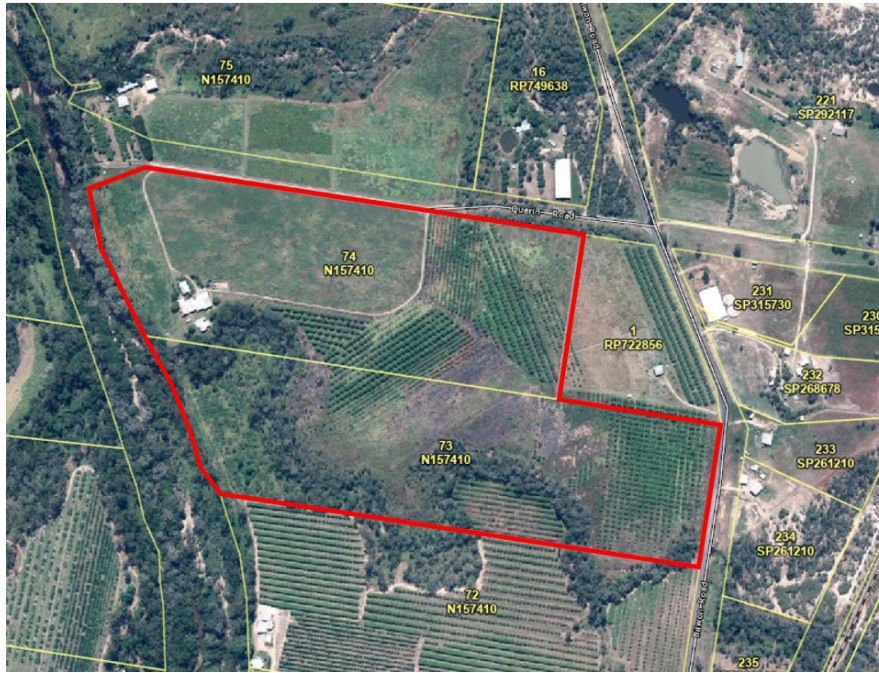


Figure 1 Site Location: (Source, QLD Globe, State of Queensland (Department of Resources) 2021)

3.2 Site Analysis

| | |
|-----------------------|--|
| Current Uses | Dwelling House, Cropping, Animal husbandry |
| Existing Improvements | Dwelling house and sheds |
| Topography | The topography is relatively flat. |
| Waterways | The site contains and is adjacent to a waterway. |
| Vegetation | The site contains vegetation adjacent the waterway. |
| EMR/CLR | The site is not on either the EMR or CLR |
| Heritage Places | The site is not on or adjacent to a local or State heritage place. |

3.3 Infrastructure and Services

| | |
|--------------------|---|
| Road Frontage | This site gains access via Querin Road and has frontage of approximately 210m to Bilwon Road and approximately 710m to Querin Road. |
| Water Supply | The site is not serviced with a reticulated water. |
| Wastewater | The site is not serviced with reticulated sewerage. |
| Stormwater | The site drains to a lawful point of discharge. |
| Electricity | The site is connected to electricity services via overhead power in Bilwon Road. |
| Telecommunications | The site is connected to telecommunication services. |

4. DEVELOPMENT BACKGROUND

4.1 Existing uses

The subject site contains a Dwelling house and is used for rural activities that include Cropping and Animal husbandry.

4.2 Application Fee

In accordance with Council's adopted fees and charges the application fee for Reconfiguring a Lot – Boundary Realignment (Impact assessment) is \$1,092.

4.3 Prelodgement Enquiry

Council

A prelodgement enquiry was submitted to Council in July 2021. The response from Council identified areas of the site that would be suitable for the establishment of a Dwelling house with consideration required to ensure that land is either flood free or of low flood hazard. A copy of this response is provided as **Attachment 5**.

5. DEVELOPMENT PROPOSAL

5.1 General Description

This Development Application seeks a Development Permit for Reconfiguring a Lot (Boundary Realignment) at Querin Road and Bilwon Road, Bibbohra.

The plan of development is attached as **Attachment 4**.

5.2 Proposal Details

The proposal consists of the following:

| | |
|--------------|--------|
| Lot 1 | 2ha |
| Lot 2 | 30.9ha |

Table 1: Proposed lot sizes

5.3 Infrastructure Charges

A levied charge may only be levied where extra demand placed on trunk infrastructure. As the proposed development does not increase the demand infrastructure charges are not payable.

6. LEGISLATIVE REQUIREMENTS

6.1 Planning Act 2016

6.1.1 Prohibited Development

The proposed development is not prohibited. This has been established by considering all relevant instruments, which can provide prohibitions under the *Planning Act 2016* (The Act), including:

- Schedule 10 of the Planning Regulation 2017; and
- Relevant categorising instruments.

6.1.2 Assessable Development

Section 44(3) of the Act identifies that Assessable Development is development for which a Development Approval is required. As such, the development proposed by this application is made assessable under the Mareeba Shire Planning Scheme and Temporary Local Planning Instrument (TLPI) 01/2019 (Subdivision in Rural zone) in accordance with Section 43(1) of the Act.

6.1.3 Assessment Manager

The Assessment Manager for this development application is the Mareeba Shire Council as determined by Schedule 8 of the *Planning Regulations 2017*.

6.1.4 Statutory Considerations for Assessable Development

6.2 Regional Plan

The site is located within the Regional Landscape and Rural Production Area of the Far North Queensland Regional Plan 2009-2031.

The Minister has identified that the planning scheme appropriately advances the FNQRP 2009-2031, as it applies in the Planning Scheme area. Compliance with the FNQRP is demonstrated through the compliance with the Planning Scheme.

6.3 State Planning Policy

The Minister has identified that the Planning Scheme appropriately advances and integrates the applicable aspects of the State Planning.

6.4 Referrals and State Development Assessment Provisions (SDAP)

The development does not require referral to SARA.

6.5 Temporary Local Planning Instrument

The Mareeba Shire Planning Scheme is varied by Temporary Local Planning Instrument No. 01 of 2019 (Subdivision in Rural zone). The TLPI seeks to give effect to the State interests of certainty and transparency for the subdivision of land in the Rural zone by making development applications where creating lots less than 60ha are Impact assessable. An assessment against the applicable assessment benchmarks as amended by the TLPI is attached as **Attachment 3**.

An assessment against the Strategic Framework as amended by the TLPI does not identify any conflicts.

| Section | Amended outcome | Response |
|---|---|---|
| 1.2.1 Settlement pattern and built environment | | |
| 1.2.1.1 replacing outcome 3.3.1(5) | Primary industries in Rural areas are not compromised or fragmented by incompatible and/or unsustainable development, including but not limited to subdivision that results in a detrimental impact on rural productivity or fragments large land holdings. The valued, relaxed rural-character and scenic qualities of the rural area are preserved and enhanced. The rural area is largely maintained to its current extent, while accommodating development directly associated with or reliant on natural resources including rural activities and tourism. Rural areas protect the shire's agricultural area and ensure food security. Other rural areas predominantly remain agricultural grazing properties. | The proposed development does not conflict with the amended outcome as it enhances the rural productivity and does not fragment land holdings. The lot sizes and dimensions maintain the rural-character and amenity of the area. |
| | New subdivisions which propose lots less than the minimum lot size of 60ha are not supported within the Rural zone. | The proposed development does not conflict with the amended outcome as it is for a boundary realignment only and does not involve the subdivision of land. |
| 1.2.2 Element—Village activity centre | | |
| 1.2.2.1 replacing outcome 3.3.4.1(4) | Growth is focused within the Kuranda village. Further residential or rural residential development in the Myola corridor is not supported. | The proposed development does not conflict with the amended outcome as it is not within the Myola corridor. |
| 1.2.3 Element—Rural villages | | |
| 1.2.3.1 replacing outcome 3.3.6.1(1) | Biboohra, Irvinebank, Julatten, Koah, Mutchilba, Mt Molloy, Myola and Speewah are rural villages that have limited centre activities and other non-residential activities. Some rural villages include small clusters of activity in which limited, small-scale development may occur. Any growth within rural villages is | The proposed development does not conflict with the amended outcome as it does not involve centre or non-residential activities. |

| Section | Amended outcome | Response |
|--|---|---|
| | limited and is proportionate to their current scale and zoning intent. Further expansion of these villages is to only occur on land designated as urban footprint under the Regional Plan. | |
| 1.2.4 Element—Rural areas | | |
| 1.2.4.1 replacing outcome 3.3.11.1(1, 2, 4 and 5) | Rural areas include rural activities and land uses of varying scale, consistent with surrounding rural land use, character and site conditions. | The proposed development does not conflict with the amended outcome as the lot sizes and dimensions are consistent with lot sizes in the surrounding area and reflect the site conditions. |
| | Land in rural areas is maintained in large (60ha or greater) lot sizes to ensure that regional landscape and rural production values are not compromised by fragmentation, alienation or incompatible land uses. Subdivision of land is not supported on lots less than 60ha in the Rural zone. | The proposed development does not conflict with the amended outcome as the development does not involve the subdivision of land and seeks to enhance the rural production values by creating a larger parcel whilst maintaining the regional landscape and rural production values of the area. |
| | Other rural areas will be largely maintained in their current configuration, only being subdivided where large land holdings of 60ha or greater can be achieved and the infrastructure base of rural operations including workers accommodation, airstrips and farm infrastructure is provided. | The proposed development does not conflict with the amended outcome as it is for a boundary realignment only and does not involve the subdivision of land. |
| | Tourism, outdoor recreation, horticultural activities and natural bushland uses may be considered in other rural areas where appropriately located, serviced and otherwise consistent with the Strategic Framework. | The proposed development does not involve tourism or other outdoor recreation activities. |
| 1.2.5 Transport and infrastructure | | |
| 1.2.5.1 replacing outcome 3.6.1(6) | New development is appropriately sequenced and coordinated with existing and future water, wastewater, stormwater and transport infrastructure, to ensure the operations of existing infrastructure are not | The proposed development does not conflict with the amended outcome as it is for a boundary realignment only and does not involve the subdivision of land. |

| Section | Amended outcome | Response |
|---------|--|----------|
| | compromised and community needs continue to be met. New infrastructure is provided to development in accordance with the council's desired standards of service and supports a consolidated urban form to maximise return on investment. The ongoing operation of key infrastructure elements is not prejudiced by inappropriate development. Subdivision of land in the Rural zone to create lots less than 60ha is not consistent with facilitating appropriately sequenced and coordinated development. | |

6.6 Planning Scheme

6.5.1 Definitions

The proposed development is defined under the Planning Act 2016 as:

reconfiguring a lot means—

- (a) *creating lots by subdividing another lot; or*
- (b) *amalgamating 2 or more lots; or*
- (c) *rearranging the boundaries of a lot by registering a plan of subdivision under the Land Act or Land Title Act; or*
- (d) *dividing land into parts by agreement rendering different parts of a lot immediately available for separate disposition or separate occupation, other than by an agreement that is—*
 - (i) *a lease for a term, including renewal options, not exceeding 10 years; or*
 - (ii) *an agreement for the exclusive use of part of the common property for a community titles scheme under the Body Corporate and Community Management Act 1997; or*
- (e) *creating an easement giving access to a lot from a constructed road.*

6.5.2 Applicable Overlays

- Bushfire hazard overlay code
- Environmental significance overlay code
- Flood hazard overlay code
- Hill and slope overlay code

6.5.3 Applicable Codes

| Scheme Component | Code | Compliance Summary |
|--|---|---|
| Zone Code | Rural zone code | <p>The purpose of the code is to provide for rural uses and to to recognise the importance of primary production to the economy of the region.</p> <p>As no new lots are created through the boundary realignment, the proposed development aligns with the overall outcomes of the Code.</p> <p>The proposal demonstrates compliance with the provisions of the Code.</p> |
| Local Plan Code | Not Applicable | Not Applicable |
| Overlay Code | Bushfire hazard overlay code Environmental significance overlay code Flood hazard overlay code Hill and slope overlay code | <p>The site is not identified as Agricultural land of significance within the Agricultural land overlay. Part of the site is identified as Potential Impact Buffer in the Bushfire Hazard Overlay and relevant criteria can be satisfied. The environmental values present will not be impacted by the proposed development.</p> <p>The site is identified on the Hill and slope overlay however the areas align with the waterways on the Environmental Significance Overlay and as such no development will be occurring in these areas.</p> <p>The proposal complies with the provisions of the Overlay codes.</p> |
| Development Codes considered to be applicable to the assessment of the application | Landscaping code Parking and access code Reconfiguring a lot code Works, services and infrastructure code | <p>The proposal complies with or is capable of being conditioned to ensure compliance with the provisions of the applicable development codes.</p> |

6.6 Planning Scheme Assessment

6.6.1 Key Planning Matters

Summary

The proposed Reconfiguring a Lot (Boundary Realignment) is considered to represent an acceptable outcome at this location within the Rural zone.

The realignment of the property boundaries reflects the site features and will ensure that the existing rural activities can continue within the respective property boundaries.

The proposed development complies with the relevant provisions of the Mareeba Shire Planning Scheme and can be approved by Council.

6.6.2 Strategic Framework

The proposed development is Impact assessable and an assessment against the Strategic Framework as amended by the TLPI has been undertaken.

6.6.3 Code Purpose

The proposed development complies with the Purpose and Performance Outcomes of the Rural zone code. For completeness, a review against the purpose and overall outcomes of the code has been provided below:

| Section <<AS AMENDED BY TLPI 01/2019 (Subdivision in Rural zone)>> | Comment |
|---|--|
| 6.2.9.2 Purpose | |
| (1) The purpose of the Rural zone code is to: (a) provide for rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other primary production activities; (b) 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; (c) protect or manage significant natural resources and processes to maintain the capacity for primary production. | The proposed development advances the purpose of the Rural zone as: (a) the land will continue to provide for rural uses; (b) the development does not involve non-rural uses; (c) the development does not impact on significant natural resources. |
| (2) Mareeba Shire Council's purpose of the Rural zone code is to recognise the importance of primary production to the economy of the region and to maintain and strengthen the range of primary industries which contribute to the rural economy. The purpose of the Rural zone code is to: (a) recognise the diversity of rural uses that exists throughout the region; (b) protect the rural character of the region; | The proposed development advances the purpose of the Rural zone as: (a) The proposed lot sizes contribute to diverse rural uses occurring on varied lot sizes; (b) The rural character of the area is maintained; (c) The proposed development does not involve facilities for tourists; (d) The development does not impact on the infrastructure of the Mareeba-Dimbulah Irrigation Scheme Area; |

| | |
|--|--|
| <p>(c) provide facilities for visitors and tourists that are accessible and offer a unique experience;</p> <p>(d) protect the infrastructure of the Mareeba-Dimbulah Irrigation Scheme Area from development which may compromise long term use for primary production;</p> <p>(e) maintain distinct boundaries between the rural areas and the villages, towns and urban areas of the region;</p> <p>(f) provide for a range of non-urban uses, compatible and associated with rural or ecological values including recreational pursuits and tourist activities;</p> <p>(g) prevent adverse impacts of development on ecological values;</p> <p>(h) preserve land in large holdings; and</p> <p>(i) facilitate the protection of strategic corridors across the landscape which link remnant areas of intact habitat and transport corridors.</p> | <p>(e) The development site is not contiguous to a village, town or urban area.</p> <p>(f) The proposed development does not involve non-residential uses;</p> <p>(g) The development does not impact on ecological values;</p> <p>(h) The boundary realignment seeks to two parcels with one being of a larger holding;</p> <p>(i) The development does not impact on strategic corridors of landscape significance. No vegetation clearing is required to facilitate the boundary realignment.</p> |
| <p>(3) The purpose of the Rural zone code will be achieved through the following overall outcomes:</p> <p>(a) Areas for use for primary production are conserved and new allotments below the minimum lot size identified in Table 9.4.4.3B is not supported;</p> <p>(b) 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;</p> <p>(c) 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;</p> <p>(d) 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;</p> <p>(e) Development is reflective of and responsive to the environmental constraints of the land;</p> <p>(f) Residential and other uses are appropriate only where directly associated with the rural nature of the zone;</p> <p>(g) Low-impact tourism and recreation activities do not compromise the long-term use of the land for rural purposes;</p> | <p>The proposed development advances the purpose of the Rural zone as:</p> <p>(a) Although the existing lot sizes are less than the size identified in table 9.4.4.3B, the boundary realignment seeks to reflect the rural uses occurring on site which enhances the ongoing viability of these activities;</p> <p>(b) The proposed development does not involve a change in use occurring on the site;</p> <p>(c) The proposed development does not involve an extractive industry;</p> <p>(d) The proposed development does not involve uses that require isolation from sensitive receiving environments;</p> <p>(e) The proposed development responds to the site conditions and provides for an area that can contain structures if required;</p> <p>(f) The proposed boundary realignment does not involve a change in use;</p> <p>(g) The proposed boundary realignment does not involve tourism or recreation activities;</p> <p>(h) The proposed boundary realignment does not involve a change in use;</p> <p>(i) The proposed boundary realignment does not involve a change in use;</p> <p>(j) The proposed boundary realignment does not involve a change in use;</p> <p>(k) The development responds to site conditions and does not propose vegetation clearing is required to facilitate the boundary realignment.</p> |

| | |
|--|--|
| <p>(h) The viability of both existing and future rural uses and activities is protected from the intrusion of incompatible uses;</p> <p>(i) Visual impacts of clearing, building, materials, access ways and other aspects of development are minimised or appropriately managed;</p> <p>(j) Adverse impacts of development both on-site and from adjoining areas are avoided and any impacts are minimised through location, design, operation and management; and</p> <p>(k) Natural features such as creeks, gullies, waterways, wetlands and bushland are retained, managed, enhanced and separated from adjacent development.</p> | |
|--|--|

6.6.4 Detailed Assessment

Assessment of the Application of the application against the relevant Planning Scheme provisions in attached as **Attachment 3**.

7. CONCLUSION

The proposed reconfiguring a lot (boundary realignment) results in two lots that respond to the site conditions whilst facilitating the ongoing rural use of the site. It is requested that Council approve the application subject to reasonable conditions.

ATTACHMENT 1 – LANDOWNER’S CONSENT

Individual owner's consent for making a development application under the *Planning Act 2016*

We,

MARIA QUERIN and ENORE QUERIN

as owner of the premises identified as follows:

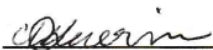
Lots 73 on N157410 & 74 on N157410

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

Kelly Reaston Property and Development Services

on the premises described above for:

Reconfiguring a Lot (Boundary Realignment)



MARIA QUERIN

Date: 23/09/2021



ENORE QUERIN

Date: 23/09/2021

ATTACHMENT 2 – DA FORM 1 – DEVELOPMENT APPLICATION DETAILS

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) | Joshua Dilmetz |
| Contact name (only applicable for companies) | Kelly Reaston |
| Postal address (P.O. Box or street address) | 44 McLeod Street |
| Suburb | Cairns |
| State | QLD |
| Postcode | 4870 |
| Country | |
| Contact number | 0400 974 688 |
| Email address (non-mandatory) | kelly@kellyreaston.com.au |
| Mobile number (non-mandatory) | |
| Fax number (non-mandatory) | |
| Applicant's reference number(s) (if applicable) | |

| 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 |
| | | | Querin Road | Biboohra |
| | Postcode | Lot No. | Plan Type and Number (e.g. RP, SP) | Local Government Area(s) |
| | 4880 | Lots 73 | N15741 | Mareeba Shire Council |
| b) | Unit No. | Street No. | Street Name and Type | Suburb |
| | | | Querin Road | Biboohra |
| | Postcode | Lot No. | Plan Type and Number (e.g. RP, SP) | Local Government Area(s) |
| | 4880 | 74 | N15741 | Mareeba Shire Council |

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

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

☐ Coordinates of premises by longitude and latitude

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

☐ 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: | |
| <input type="checkbox"/> In a tidal area | |
| Name of local government for the tidal area (if applicable): | |
| Name of port authority for tidal area (if applicable): | |
| <input type="checkbox"/> 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 Environmental Protection Act 1994 | |
| EMR site identification: | |
| <input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the Environmental Protection Act 1994 | |
| CLR site identification: | |

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? <i>(tick only one box)</i> |
| <input type="checkbox"/> Material change of use <input checked="" type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work |
| b) What is the approval type? <i>(tick only one box)</i> |
| <input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval |
| c) What is the level of assessment? |
| <input type="checkbox"/> Code assessment <input checked="" type="checkbox"/> Impact assessment <i>(requires public notification)</i> |
| d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i> |
| Reconfiguring a lot (boundary realignment) |
| e) Relevant plans |
| Note: <i>Relevant plans are required to be submitted for all aspects of this development application. For further information, see DA Forms guide: Relevant plans.</i> |
| <input checked="" type="checkbox"/> 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? <i>(tick only one box)</i> |
| <input type="checkbox"/> Material change of use <input type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work |
| b) What is the approval type? <i>(tick only one box)</i> |
| <input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval |

| |
|---|
| c) What is the level of assessment? |
| <input type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i> |
| 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 . |
| <input type="checkbox"/> Relevant plans of the proposed development are attached to the development application |
| 6.3) Additional aspects of development |
| <input type="checkbox"/> 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 <input checked="" type="checkbox"/> Not required |

Section 2 – Further development details

| | |
|---|--|
| 7) Does the proposed development application involve any of the following? | |
| Material change of use | <input type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument |
| Reconfiguring a lot | <input checked="" type="checkbox"/> Yes – complete division 2 |
| Operational work | <input type="checkbox"/> Yes – complete division 3 |
| Building work | <input type="checkbox"/> Yes – complete <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 <i>(include each definition in a new row)</i> | Number of dwelling units <i>(if applicable)</i> | Gross floor area (m ²) <i>(if applicable)</i> |
| | | | |
| | | | |
| | | | |
| 8.2) Does the proposed use involve the use of existing buildings on the premises? | | | |
| <input type="checkbox"/> Yes | | | |
| <input type="checkbox"/> No | | | |

Division 2 – Reconfiguring a lot

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

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

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) |
| 73 on N157410 | 161,870 | Lot 1 | 20ha |
| 74 on N157410 | 161,870 | Lot 2 | 30.9ha |
| 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: | |

☐ 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?

☐ Yes – a copy of the decision notice is attached to this development application

☐ The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached

☒ 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*)
- ☐ Heritage places – Local heritage places

Matters requiring referral to the Chief Executive of the distribution entity or transmission entity:

- ☐ Infrastructure-related referrals – Electricity infrastructure

Matters requiring referral to:

- 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
- ☐ Infrastructure-related referrals – Oil and gas infrastructure

Matters requiring referral to the Brisbane City Council:

- ☐ Ports – Brisbane core port land

Matters requiring referral to the Minister responsible for administering the Transport Infrastructure Act 1994:

- ☐ Ports – Brisbane core port land (*where inconsistent with the Brisbane port LUP for transport reasons*)
- ☐ Ports – Strategic port land

Matters requiring referral to the relevant port operator, if applicant is not port operator:

- ☐ Ports – Land within Port of Brisbane's port limits (*below high-water mark*)

Matters requiring referral to the Chief Executive of the relevant port authority:

- ☐ Ports – Land within limits of another port (*below high-water mark*)

Matters requiring referral to the Gold Coast Waterways Authority:

- ☐ Tidal works or work in a coastal management district (*in Gold Coast waters*)

Matters requiring referral to the Queensland Fire and Emergency Service:

- ☐ Tidal works or work in a coastal management district (*involving a marina (more than six vessel berths)*)

18) Has any referral agency provided a referral response for this development application?

- ☐ Yes – referral response(s) received and listed below are attached to this development application
- ☒ 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 (if applicable). | | |
| | | |

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules

☒ I agree to receive an information request if determined necessary for this development application

☐ 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:

- 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 ☒ Yes

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](#).

Relevant plans of the development are attached to this development application ☒ Yes

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

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 | | | |
|---|--|----------------------|--|
| <i>Note: For completion by assessment manager if applicable</i> | | | |
| Description of the work | | | |
| QLeave project number | | | |
| Amount paid (\$) | | Date paid (dd/mm/yy) | |
| Date receipted form sighted by assessment manager | | | |
| Name of officer who sighted the form | | | |

ATTACHMENT 3 – ASSESSMENT AGAINST BENCHMARKS

6.2.9 Rural zone code <<AS AMENDED BY TLPI 01/2019 (Subdivision in Rural zone)>>

6.2.9.1 Application

- (1) This code applies to assessing development where:
 - (a) located in the Rural 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.

6.2.9.2 Purpose

- (1) The purpose of the Rural zone code is to:
 - (a) provide for rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other primary production activities;
 - (b) 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;
 - (c) protect or manage significant natural resources and processes to maintain the capacity for primary production.
- (2) Mareeba Shire Council's purpose of the Rural zone code is to recognise the importance of primary production to the economy of the region and to maintain and strengthen the range of primary industries which contribute to the rural economy.

The purpose of the Rural zone code is to:

- (a) recognise the diversity of rural uses that exists throughout the region;
 - (b) protect the rural character of the region;
 - (c) provide facilities for visitors and tourists that are accessible and offer a unique experience;
 - (d) protect the infrastructure of the Mareeba-Dimbulah Irrigation Scheme Area from development which may compromise long term use for primary production;
 - (e) maintain distinct boundaries between the rural areas and the villages, towns and urban areas of the region;
 - (f) provide for a range of uses, compatible and associated with rural or ecological values including recreational pursuits and tourist activities;
 - (g) prevent adverse impacts of development on ecological values;
 - (h) preserve land in large holdings; and
 - (i) facilitate the protection of strategic corridors across the landscape which link remnant areas of intact habitat and transport corridors.
- (3) The purpose of the Rural zone code will be achieved through the following overall outcomes:
 - (a) Areas for use for primary production are conserved and new allotments below the minimum lot size identified in Table 9.4.4.3B is not supported.
 - (b) 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;
 - (c) 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;
 - (d) 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;

- (e) Development is reflective of and responsive to the environmental constraints of the land;
- (f) Residential and other uses are appropriate only where directly associated with the rural nature of the zone;
- (g) Low-impact tourism and recreation activities do not compromise the long-term use of the land for rural purposes;
- (h) The viability of both existing and future rural uses and activities is protected from the intrusion of incompatible uses;
- (i) Visual impacts of clearing, building, materials, access ways and other aspects of development are minimised or appropriately managed;
- (j) Adverse impacts of development both on-site and from adjoining areas are avoided and any impacts are minimised through location, design, operation and management; and
- (k) Natural features such as creeks, gullies, waterways, wetlands and bushland are retained, managed, enhanced and separated from adjacent development.

6.2.9.3 Criteria for assessment

Table 6.2.9.3—Rural zone code - For accepted development subject to requirements and assessable development

| Performance outcomes | Acceptable outcomes | Comments |
|---|---|---|
| For accepted development subject to requirements 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. | Not applicable. No new buildings or structures are proposed. |
| | AO1.2 Buildings and structures associated with a rural activity including machinery, equipment, packing or storage buildings do not exceed 10 metres in height. | Not applicable. No new buildings or structures are proposed. |
| Siting, where not involving a Dwelling house | | |
| Note—Where for Dwelling house, the setbacks of the Queensland Development Code apply. | | |

| Performance outcomes | Acceptable outcomes | Comments |
|---|---|---|
| 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. | Not applicable. No new buildings or structures are proposed. |
| | 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. | Not applicable. The application is not for 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; | Not applicable. No new buildings or structures are proposed. |
| 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. | The application does not alter residential density. |

| Performance outcomes | Acceptable outcomes | Comments |
|--|--|---|
| | 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 (b) Caretaker's accommodation and includes building work or minor building work with a maximum gross floor area of 100m²; or (c) Rural worker's accommodation. | The application does not alter residential density. |
| 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 No acceptable outcome is provided. | Not applicable. No new buildings or structures are proposed. |
| 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 No acceptable outcome is provided. | Not applicable. No new buildings or structures are proposed. |

| Performance outcomes | Acceptable outcomes | Comments |
|--|--|---|
| 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 No acceptable outcome is provided. | Complies The application is for boundary realignment only. |
| 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 No acceptable outcome is provided. | Complies The application is for boundary realignment only. |

8.2.1 Bushfire hazard overlay code

8.2.1.1 Application

- (1) This code applies to assessing development where:
 - (a) land the subject of development is located within a Bushfire hazard area and Potential impact buffer (100 metres) identified on the **Bushfire hazard overlay maps (OM-003a-o)**; and
 - (b) it is identified in the assessment 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.

8.2.1.2 Purpose

- (1) The purpose of the Bushfire hazard overlay code is to minimise the threat of bushfire to people and property.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Development in a Bushfire hazard area is compatible with the nature of the hazard;
 - (b) The number of people and properties subject to bushfire hazards are minimised through appropriate building design and location;
 - (c) Development does not result in a material increase in the extent, duration or severity of bushfire hazard; and
 - (d) Appropriate infrastructure is available to emergency services in the event of a bushfire.

8.2.1.3 Criteria for assessment

Table 8.2.3.3—Bushfire hazard overlay code — For accepted development subject to requirements and assessable development

| Performance outcomes | Acceptable outcomes | Comments |
|---|---|--|
| For accepted development subject to requirements and assessable development | | |
| Water supply for fire-fighting purposes | | |
| 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. Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome. | 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 | Not applicable. The site is only partly within the Potential impact buffer. Each lot will have sufficient land not within the buffer. |
| | AO1.2 Where access to thereticulated water network is not available, a minimum on site water storage of 5,000 litres is provided that must comprise: | See response to AO1.1 above. |

| Performance outcomes | Acceptable outcomes | Comments |
|---|--|------------------------------|
| | (a) a separate tank; or (b) a reserve section in the bottom part of the main water supply tank; or (c) a dam; or a swimming pool. 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. | |
| For assessable development | | |
| Land use | | |
| PO2 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: (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. Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome. | AO2 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) : (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) residential care facility; or (h) retirement facility; or (i) rooming accommodation; or (j) shopping centre; or (k) tourist park; or (l) tourist attraction. | See response to AO1.1 above. |
| Lot design | | |
| PO3 Reconfiguring a lot within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) minimises the potential adverse impacts of bushfire on the safety of people, | Where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) AO3.1 No new lots are created. OR | See response to AO1.1 above. |

| Performance outcomes | Acceptable outcomes | Comments |
|---|---|---|
| <p>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>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</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>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.</p> | |
| Firebreaks and access | | |
| <p>PO4</p> <p>In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o), vehicular access is designed to mitigate against bushfire hazard by:</p> <ul style="list-style-type: none"> (a) ensuring adequate access for fire-fighting and other emergency vehicles; (b) ensuring adequate access for the evacuation of residents and emergency personnel in an emergency situation, including alternative safe access routes should access in one direction be blocked in the event of a fire; and (c) providing for the separation of developed areas and adjacent bushland. <p>Note—Where it is not practicable to provide firebreaks in accordance with A04.2 Fire Maintenance Trails are provided in accordance with the following:</p> <ul style="list-style-type: none"> i. located as close as possible to the boundaries of the lot and the adjoining hazardous vegetation; | <p>A04.1</p> <p>In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o), roads are designed and constructed:</p> <ul style="list-style-type: none"> (a) with a maximum gradient of 12.5%; (b) to not use cul-de-sacs; and (c) a constructed road width and weather standard complying with Planning Scheme Policy 4 - FNQROC Regional Development Manual. <p>A04.2</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 - | <p>See response to AO1.1 above.</p> <p>See response to AO1.1 above.</p> |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|--|------------------------------|----------|
| <div><div><div>ii. the minimum cleared width not less than 6 metres;</div><div>iii. the formed width is not less than 2.5 metres;</div><div>iv. the formed gradient is not greater than 15%;</div><div>v. vehicular access is provided at both ends;</div><div>vi. passing bays and turning areas are provided for fire-fighting appliances located on public land.</div></div><div>Note— A Bushfire hazardmanagement plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</div></div> | FNQROC Regional Development Manual. | | |
| Hazardous materials | | | |
| <div><div><div>PO5</div><div>Public safety and the environment are not adversely affected by the detrimental impacts of bushfire of hazardous materials manufactured or stored in bulk.</div><div>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</div></div></div> | <div><div><div>AO5</div><div>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).</div></div></div> | See response to AO1.1 above. | |
| Landscaping | | | |
| <div><div><div>PO6</div><div>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:<div><div>(a) fire ecology;</div><div>(b) slope of site; and</div><div>(c) height and mix of plant species.</div></div></div><div>Note—Frost hollows and the associated grass kill facilitates a rapidcuring of fuel and exacerbates bushfire hazard.</div></div></div> | <div><div><div>AO6</div><div>No acceptable outcome is provided.</div></div></div> | See response to AO1.1 above. | |

| Performance outcomes | Acceptable outcomes | Comments |
|--|---|------------------------------|
| Note— A Bushfire hazardmanagement plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome. | | |
| Infrastructure | | |
| <p>P07</p> <p>Infrastructure services located in a 'Bushfirehazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazardoverlay maps (OM-003a- o) are protected from damage or destruction inthe event of a bushfire.</p> <p>Note— A Bushfire hazardmanagement plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p> | <p>AO7</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 | See response to AO1.1 above. |
| Private driveways | | |
| <p>P08</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-fightingappliances.</p> <p>Note— A Bushfire hazardmanagement plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p> | <p>AO8</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. | See response to AO1.1 above. |

8.2.2 Environmental significance overlay code

8.2.2.1 Application

- (1) This code applies to assessing development where:
 - (a) land the subject of development is affected by a constraint category identified on the **Environmental significance overlay maps (OM-004a-z)**; 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—Biodiversity and Water quality are appropriately reflected in Overlay Map 4 and is required to be mapped by State Government in response to Environment and Heritage State Interests.

8.2.2.2 Purpose

- (1) The purpose of the Environmental significance overlay code is to identify and protect matters of environmental significance, which include matters of state environmental significance (MSES) as defined under the state planning policy.

The Environmental significance overlay code ensures that:

- (a) waterways and high ecological significance wetlands are protected and enhanced to maintain ecosystem services and hydrological processes and provide aquatic habitat for flora and fauna; and
 - (b) the environmental values of regulated vegetation, wildlife habitat, protected areas and legally secured offset areas are protected and managed.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) the biodiversity values, ecosystem services and climate change resilience of areas of environmental significance are protected, managed, enhanced and rehabilitated;
 - (b) the biodiversity values of protected areas and legally secured offset areas are protected from development unless overriding community need is demonstrated;
 - (c) development is located, designed and managed to minimise the edge effects of development on areas of regulated vegetation and wildlife habitat;
 - (d) areas of regulated vegetation and wildlife habitat are managed to minimise biodiversity losses;
 - (e) development maintains, protects and enhances a regional network of vegetated corridors that assist in wildlife movement and contribute to the maintenance of habitat and biological diversity;
 - (f) development is appropriately setback from waterways and high ecological significance wetlands to minimise direct and indirect impacts on water quality and biodiversity; and
 - (g) riparian vegetation and vegetation associated with high ecological significance wetlands is protected and enhanced to improve water quality and natural ecosystem function.

8.2.2.3 Criteria for assessment

Table 8.2.4.3A - Environmental significance overlay code - For accepted development subject to requirements and assessable development

| Performance outcomes | Acceptable outcomes | Comments |
|---|---|--|
| For accepted development subject to requirements and assessable development | | |
| Regulated vegetation | | |
| <p>PO1 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>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p> | <p>AO1.1 No clearing of native vegetation is undertaken within areas of 'Regulated vegetation' identified on the Environmental Significance Overlay Maps (OM-004a-o).</p> | <p>Complies. The realigned section of boundary is outside the mapped regulated vegetation.</p> |
| <p>PO2 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 | <p>AO2 Development (excluding roads, earthworks, drainage infrastructure and underground infrastructure) is not located within 20 metres of 'Regulated vegetation' areas identified on the Environmental Significance Overlay Maps (OM-004a-o).</p> | <p>Complies. The realigned section of boundary is Outside the mapped regulated vegetation.</p> |

| Performance outcomes | Acceptable outcomes | Comments |
|--|---|--|
| <p>ecosystem processes such as water quality, hydrology, geomorphology and biophysical processes;</p> <p>(b) does not negatively impact the movement of wildlife at a local or regional scale; and</p> <p>(c) avoids noise, light, vibration or other edge affects, including weed and pest incursion on identified environmental values.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p> | | |
| Regulated vegetation intersecting a watercourse | | |
| <p>P03</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 the extent that migration or normal movement of significant species between habitats or normal gene flow between populations is not inhibited.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p> | <p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</p> <p>AO3.1 A minimum setback in accordance with Table 8.2.4.3B is provided between development and the top of the high bank of a 'Waterway' identified on the Environmental Significance - Waterway Overlay Maps (OM-004p-z).</p> | <p>Complies.</p> <p>The existing creek has no identified stream order. Accordingly, there is no setback nominated by Table 8.2.4.3B.</p> |
| | <p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</p> <p>AO3.2 No clearing of native vegetation is undertaken within the minimum setback identified at AO3.1.</p> | <p>Complies.</p> <p>The existing creek has no identified stream order. Accordingly, there is no setback nominated by Table 8.2.4.3B.</p> |
| Waterways and wetlands | | |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|--|--|-----------------|--|
| PO4 '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: <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 (e) retaining and improving existing riparian vegetation and existing vegetation associated with a wetland. Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports. | Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) AO4.1 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) . | Complies. | The existing creek has no identified stream order. Accordingly, there is no setback nominated by Table 8.2.4.3B. |
| | Where within a 'High ecological significance wetland buffer' on Environmental Significance Overlay Maps (OM-004a-o) AO4.2 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) . | Not applicable. | |
| | 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 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) . | Complies. | The existing creek has no identified stream order. Accordingly, there is no setback nominated by Table 8.2.4.3B. |

| Performance outcomes | Acceptable outcomes | | Comments |
|---|--|------------------|---|
| | <p>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).</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)</p> <p>AO4.4 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>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).</p> | | |
| | | Complies. | The existing creek has no identified stream order. Accordingly, there is no setback nominated by Table 8.2.4.3B. |
| For assessable development | | | |
| Wildlife Habitat | | | |
| <p>PO5 Development within a 'Wildlife habitat' area identified on the Environmental Significance Overlay Maps (OM-004a-o):</p> <p>(a) protects and enhances the habitat of Endangered, Vulnerable and Near Threatened (EVNT) species and local species of significance;</p> <p>(b) incorporates siting and design measures to</p> | <p>AO5 No acceptable outcome is provided</p> | Complies. | The realigned section of boundary is outside a wildlife habitat. |

| Performance outcomes | Acceptable outcomes | Comments |
|---|---|-------------------------------|
| <p>protect and retain identified ecological values and underlying ecosystem processes within or adjacent to the development site;</p> <p>(c) maintains or enhances wildlife interconnectivity at a local and regional scale; and</p> <p>(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> <p>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.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p> | | |
| 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 Areas 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</p> | <p>AO6</p> <p>No acceptable outcome is provided.</p> | <p>Not applicable.</p> |

| Performance outcomes | Acceptable outcomes | Comments |
|---|--|-------------------------------|
| <p>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> | | |
| 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>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p> | <p>A07</p> <p>No acceptable outcome is provided</p> | <p>Not applicable.</p> |

| Performance outcomes | Acceptable outcomes | Comments |
|---|--|------------------------------|
| Ecological corridors and Habitat linkages | | |
| <p>PO8 Development located: (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> <p>does not compromise the provision of habitat connectivity of the corridor/linkage, having regard to:</p> <p>(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</p> | <p>AO8 No acceptable outcome is provided</p> | <p>Not applicable</p> |

| Performance outcomes | Acceptable outcomes | Comments |
|---|---------------------|----------|
| <p>'Habitat linkage' to be enhanced to improve ecological connectivity.</p> <p>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.</p> | | |

Table 8.2.4.3B - Setback and buffer distances from waterways

| Stream order | Setback and buffer from waterways |
|--------------|-----------------------------------|
| 1 | 10 metres from top of high bank |
| 2-4 | 25 metres from top of high bank |
| 5 or more | 50 metres from top of high bank |

Note—The stream order of a 'waterway' is to be determined on a case by case basis.

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 | Comments |
|---|--|---|
| For assessable development | | |
| Slope stability | | |
| 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: <ul style="list-style-type: none">(a) the long term stability of the development site;(b) development will not be adversely affected by landslide activity originating on sloping land above the development site; and(c) development will not adversely affect other property outside the development site through landslide activity or alterations to surface or groundwater. | AO1 No acceptable outcome is provided. | Complies. The areas identified as 'Hill and slope area' align with the areas of the site identified as waterway on the Environmental Significance overlay.  |

| | | |
|--|--|---|
| <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> <ul style="list-style-type: none"> (a) the nature and scale of the proposed use; (b) the gradient of the land; (c) the extent of land disturbance proposed; <p>stormwater discharge and its potential for erosion.</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> | <p>Not applicable.</p> |
| | <p>AO2.2 Development is not located on land with a gradient of greater than 25%.</p> | <p>Complies. Refer to response to AO1 above.</p> |
| | <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). 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> | <p>Complies. The proposed lots are greater than 2,000m² in size.</p> |
| <p>Community infrastructure and essential services</p> | | |
| <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> | <p>Complies. The proposed development is not for Community infrastructure and essential services.</p> |

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 Part5 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 | Comments |
|---|---|---|
| For accepted development subject to requirements and assessable development | | |
| PO1 Development, other than in the Rural zone, includes landscaping that: <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. | AO1 Development, other than in the Rural zone, provides: <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> | Not applicable. No landscaping is required for a boundary realignment. |

| Performance outcomes | Acceptable outcomes | 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><small>Note—Where development is setback from a frontage less than 1.5 metres, the setback area is provided as a landscape strip</small></p> | <p>Not applicable.</p> <p>No landscaping is required for a boundary realignment.</p> |
| <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> | <p>Not applicable.</p> <p>No landscaping is required for a boundary realignment.</p> |
| | <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. | <p>Not applicable.</p> <p>No landscaping is required for a boundary realignment.</p> |

| Performance outcomes | Acceptable outcomes | Comments |
|---|--|---|
| | 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. | Not applicable. No landscaping is required for a boundary realignment. |
| PO4 Car parking areas are improved with a variety of landscaping that: <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. | AO4.1 Landscaping is provided in car parking areas which provides: <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> | Not applicable. No landscaping is required for a boundary realignment. |
| | AO4.2 Landscaping in car parking areas is designed in accordance with Planning Scheme Policy 6 -Landscaping and preferred plant species. | |

| Performance outcomes | Acceptable outcomes | Comments |
|--|---|--|
| PO5 Landscaping areas include a range and variety of planting that: <ul style="list-style-type: none"> (a) is suitable for the intended purpose and local conditions; (b) contributes to the natural character of the Shire; (c) includes native species; (d) includes locally endemic species, where practical; and (e) does not include invasive plants or weeds. | AO5.1 Plant species are selected from the Plant Schedule in Planning Scheme Policy 6 -Landscaping and preferred plant species. | Not applicable. No landscaping is required for a boundary realignment. |
| | 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. | Not applicable. No landscaping is required for a boundary realignment. |
| PO6 Landscaping does not impact on the ongoing provision of infrastructure and services to the Shire. | AO6.1 Tree planting is a minimum of <ul style="list-style-type: none"> (a) 2 metres from any underground water, sewer, gas, electricity or telecommunications infrastructure; and (b) 4 metres from any inspection chamber. | Not applicable. No landscaping is required for a boundary realignment. |
| | 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. | Not applicable. No landscaping is required for a boundary realignment. |
| | AO6.3 Vegetation adjoining an electricity substation boundary, at maturity, will have: <ul style="list-style-type: none"> (a) a height of less than 4 metres; and (b) no foliage within 3 metres of the substation boundary, unless the substation has a solid wall along any boundary. | Not applicable. No landscaping is required for a boundary realignment. |

| Performance outcomes | Acceptable outcomes | Comments |
|--|--|---|
| For assessable development | | |
| PO7 Landscaping areas are designed to: <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. | A07 No acceptable outcome is provided. | Not applicable. No landscaping is required for a boundary realignment. |

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 | Comments |
|---|---------------------|----------|
| For accepted development subject to requirements and assessable development | | |
| Car parking spaces | | |

| Performance outcomes | Acceptable outcomes | 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><small>Note—Car parking spaces provided for persons with a disability are to be considered in determining compliance with AO1.</small></p> | <p>Complies. The application is for a boundary realignment only.</p> <p>Any car parking for future uses will be provided at the time of this future development.</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 (c) minimise pedestrian to vehicle conflict. | <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. Existing access arrangements will not be impacted by the boundary realignment.</p> |
| | <p>AO2.2 Development on a site with two or more road frontages provides vehicular access from:</p> <ul style="list-style-type: none"> (a) the primary frontage where involving Community activities or Sport and recreation activities, unless the primary road frontage is a State-controlled road; or (b) from the lowest order road in all other instances. | <p>Complies. Existing access arrangements will not be impacted by the boundary realignment.</p> |

| Performance outcomes | Acceptable outcomes | Comments |
|--|--|---|
| | AO2.3 Vehicular access for particular uses is provided in accordance with Table 9.4.3.3E . | Complies. Existing access arrangements will not be impacted by the boundary realignment. |
| PO3 Access, manoeuvring and car parking areas include appropriate pavement treatments having regard to: (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 . | Complies. Existing access arrangements will not be impacted by the boundary realignment. |
| For assessable development | | |
| Parking area location and design | | |
| PO4 Car parking areas are located and designed to: (a) ensure safety and efficiency in operation; and (b) be consistent with the character of the surrounding locality. | AO4.1 Car parking spaces, access and circulation areas have dimensions in accordance with AS/NZS 2890.1 Off-street car parking. | Complies. The application is for a boundary realignment only. Any car parking for future uses will be provided at the time of this future development. |
| | 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. | Complies. The application is for a boundary realignment only. Any car parking for future uses will be provided at the time of this future development. |
| | AO4.3 The car parking area includes designated pedestrian routes that provide connections to building entrances. | Complies. The application is for a boundary realignment only. Any car parking for future uses will be provided at the time of this future development. |

| Performance outcomes | Acceptable outcomes | Comments |
|------------------------------------|---|--|
| | <p>AO4.4 Parking and any set down areas are:</p> <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. | <p>Complies. The application is for a boundary realignment only. Any car parking for future uses will be provided at the time of this future development.</p> |
| Site access and manoeuvring | | |

| Performance outcomes | Acceptable outcomes | | Comments |
|--|---|--|---|
| 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. <p>Note—Proposal plans should include turning circles designed in accordance with AP34/95 (Austroads 1995) Design Vehicles and Turning Path Templates.</p> | | Complies. The application is for a boundary realignment only. Any car parking for future uses will be provided at the time of this future development. |
| | AO5.2 Vehicular access has a minimum sight distance in accordance with Part 5 of AUSTROADS. | | Complies. The application is for a boundary realignment only. Any car parking for future uses will be provided at the time of this future development. |
| | AO5.3 Vehicular access is located and designed so that all vehicles enter and exit the site in a forward gear. | | Complies. The application is for a boundary realignment only. Any car parking for future uses will be provided at the time of this future development. |

| Performance outcomes | Acceptable outcomes | Comments |
|---|---|-----------------|
| | AO5.4 Pedestrian and cyclist access to the site: (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). | Not applicable. |
| PO6 Development that involves an internal road network ensures that it's design: (a) ensure safety and efficiency in operation; (b) does not impact on the amenity of residential uses on the site and on adjoining sites, having regard to matters of: (i) hours of operation; (ii) noise (iii) light; and (iv) odour; (c) accommodates the nature and volume of vehicle movements anticipated to be generated by the use; (d) allows for convenient access to key on-site features by pedestrians, cyclists and motor vehicles; and (e) in the Rural zone, avoids environmental degradation. | AO6.1 Internal roads for a Tourist park have a minimum width of: (a) 4 metres if one way; or (b) 6 metres if two way. | Not applicable. |
| | AO6.2 For a Tourist park, internal road design avoids the use of cul-de-sacs in favour of circulating roads, where unavoidable, cul-de-sacs provide a full turning circle for vehicles towing caravans having: (a) a minimum approach and departure curve radius of 12 metres; and (b) a minimum turning circle radius of 8 metres. | Not applicable. |
| | AO6.3 Internal roads are imperviously sealed and drained, apart from those for an Energy and infrastructure activity or Rural activity. | Not applicable. |

| Performance outcomes | Acceptable outcomes | Comments |
|----------------------|---|-----------------|
| | 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. | Not applicable. |
| | 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. | Not applicable. |
| | 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. | Not applicable. |
| | AO6.7 For an Energy and infrastructure activity or Rural activity, internal road gradients: <ul style="list-style-type: none"> (a) are no steeper than 1:5; or (b) are steeper than 1:5 and are sealed. | Not applicable. |
| Servicing | | |

| Performance outcomes | Acceptable outcomes | Comments |
|---|--|-----------------|
| PO7 Development provides access, maneuvering and servicing areas on site that: <ul style="list-style-type: none"> (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 (e) are located and designed to minimise their impacts on adjoining sensitive land uses and streetscape quality. | A07.1 All unloading, loading, service and waste disposal areas are located: <ul style="list-style-type: none"> (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. | Not applicable. |
| | A07.2 Unloading, loading, service and waste disposal areas allow service vehicles to enter and exit the site in a forward gear. | Not applicable. |
| | A07.3 Development provides a servicing area, site access and maneuvering areas to accommodate the applicable minimum servicing vehicle specified in Table 9.4.3.3B . | Not applicable. |
| Maintenance | | |
| PO8 Parking areas are used and maintained for their intended purpose. | A08.1 Parking areas are kept and used exclusively for parking and are maintained in a suitable condition for parking and circulation of vehicles. | Not applicable. |
| | A08.2 All parking areas will be compacted, sealed, drained, line marked and maintained until such time as the development ceases. | Not applicable. |

| Performance outcomes | Acceptable outcomes | Comments |
|--|--|------------------------|
| 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 . | Not applicable. |
| (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 . | 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 | | |
| 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: (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. | 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 | | |

| Performance outcomes | Acceptable outcomes | Comments |
|---|---|------------------------|
| 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. | Not applicable. |

9.4.4 Reconfiguring a lot code <<AS AMENDED BY TLPI 01/2019 (Subdivision in Rural zone)>>

9.4.4.1 Application

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

9.4.4.2 Purpose

- (1) The purpose of the Reconfiguring a lot code is to ensure that land is:
 - (a) arranged in a manner which is consistent with the intended scale and intensity of development within the area;
 - (b) provided with access to appropriate movement and open space networks; and
 - (c) contributes to housing diversity and accommodates a range of land uses.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Subdivision of land achieves the efficient use of land and the efficient provision of infrastructure and transport services;
 - (b) Lots are of a suitable size and shape for the intended or potential use having regard to the purpose and overall outcomes of the relevant zone or precinct.
 - (c) Subdivision of land creates lots with sufficient area and dimensions to accommodate the ultimate use, meet user requirements, protect environmental features and account for site constraints;
 - (d) A range and mix of lot sizes is provided to facilitate a variety of industry and housing types;
 - (e) Subdivision design incorporates a road network that provides connectivity and circulation for vehicles and provide safe and efficient access for pedestrians, cyclists and public transport;
 - (f) Subdivision design provides opportunities for walking and cycling for recreation and as alternative methods of travel;
 - (g) Subdivision of land provides and integrates a range of functional parkland, including local and district parks and open space links for the use and enjoyment of the residents of the locality and the shire;
 - (h) Subdivision of land contributes to an open space network that achieves connectivity along riparian corridors and between areas with conservation values;
 - (i) Subdivision within the Rural zone maintains lots equal to or larger than 60ha;
 - (j) Land in historical townships is not reconfigured to be used for urban purposes; and
 - (k) Residential subdivision and greenfield development is designed to consider and respect:
 - i. topography;
 - ii. climate responsive design and solar orientation;
 - iii. efficient and sustainable infrastructure provision;
 - iv. environmental values;
 - v. water sensitive urban design;
 - vi. good quality agricultural land; and
 - vii. the character and scale of surrounding development.

9.4.4.3 Criteria for assessment

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

| Performance outcomes | Acceptable outcomes | Comments |
|--|---|---|
| Area and frontage of lots | | |
| PO1 Lots include an area and frontage that: (a) is consistent with the design of lots in the surrounding area; (b) allows the desired amenity of the zone to be achieved; (c) is able to accommodate all buildings, structures and works associated with the intended land use; (d) allow the site to be provided with sufficient access; (e) considers the proximity of the land to: (i) centres; (ii) public transport services; and (iii) open space; and (f) allows for the protection of environmental features; and (g) accommodates site constraints. | A01.1 Lots provide a minimum area and frontage in accordance with Table 9.4.4.3B. | Not applicable. PO1 replaced by PO1.1-1.3. |
| P01.1 No lots are created with an area of less than 60ha. Note: This also applies to applications for boundary realignment. | A01.1 No acceptable outcome is provided. | Whilst the existing lots are substantially less than 60ha, when assessing the development against the entire planning scheme, and in accordance with s45(5)(b) of the Planning Act, the proposed development should be supported as it provides for the continued rural use of the site. |
| P01.2 No lots are created with a frontage less than 400m. Note: This also applies to applications for boundary realignment. | A01.2 No acceptable outcome is provided. | The development is not able to demonstrate compliance with the Performance Outcome as the existing site frontage to Bilwon Road is approximately 210m. |
| P01.3 Proposed lots are; a. Able to accommodate | A01.3 No acceptable outcome is provided. | Complies. The lots are of a size and dimension to enable existing buildings and |

| | | |
|---|--|--|
| all buildings, structures and works associated with the rural use; and b. Suitable to allow the site to be provided with sufficient access | | structures to be accommodated and to allow for the construction of future buildings to accommodate rural uses if required as well as providing for suitable access for rural uses. |
| Note: This also applies to applications for boundary realignment. | | |
| Existing buildings and easements | | |
| PO2 Reconfiguring a lot which contains existing land uses or existing buildings and structures ensures: (a) new lots are of sufficient area and dimensions to accommodate existing land uses, buildings and structures; and (b) any continuing use is not compromised by the reconfiguration. | AO2.1 Each land use and associated infrastructure is contained within its individual lot. | Complies. |
| | AO2.2 All lots containing existing buildings and structures achieve the setback requirements of the relevant zone. | Complies. |

| Performance outcomes | Acceptable outcomes | Comments |
|---|--|-----------------------|
| PO3 Reconfiguring a lot which contains an existing easement ensures: <ul style="list-style-type: none"> (a) future buildings, structures and accessways are able to be sited to avoid the easement; and (b) the reconfiguration does not compromise the purpose of the easement or the continued operation of any infrastructure contained within the easement. | A03 No acceptable outcome is provided. | Not applicable |
| Boundary realignment | | |
| PO4 The boundary realignment retains all attendant and existing infrastructure connections and potential connections. | A04 No acceptable outcome is provided. | Complies. |
| Access and road network | | |
| PO5 Access to a reconfigured lot (including driveways and paths) must not have an adverse impact on: <ul style="list-style-type: none"> (a) safety; (b) drainage; (c) visual amenity; (d) privacy of adjoining premises; and (e) service provision. | A05 No acceptable outcome is provided. | Complies. |

| Performance outcomes | Acceptable outcomes | Comments |
|--|--|-------------------------------|
| <p>PO6 Reconfiguring a lot ensures that access to a lot can be provided that:</p> <ul style="list-style-type: none"> (a) is consistent with that provided in the surrounding area; (b) maximises efficiency and safety; and (c) is consistent with the nature of the intended use of the lot. <p>Note—The Parking and access codes should be considered in demonstrating compliance with PO6.</p> | <p>AO6 Vehicle crossover and access is provided in accordance with the design guidelines and specifications set out in Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p> | <p>Complies.</p> |
| <p>PO7 Roads in the Industry zone are designed having regard to:</p> <ul style="list-style-type: none"> (a) the intended use of the lots; (b) the existing use of surrounding land; (c) the vehicular servicing requirements of the intended use; (d) the movement and turning requirements of B-Double vehicles. <p>Note—The Parking and access codes should be considered in demonstrating compliance with PO7.</p> | <p>AO7 No acceptable outcome is provided.</p> | <p>Not applicable.</p> |
| Rear lots | | |
| <p>PO8 Rear lots are designed to:</p> <ul style="list-style-type: none"> (a) provide a high standard of amenity for residents and other users of the site; (b) provide a high standard of amenity for adjoining properties; and (c) not adversely affect the safety and efficiency of | <p>AO8.1 Rear lots are designed to facilitate development that adjoins or overlooks a park or open space.</p> | <p>Not applicable.</p> |
| | <p>AO8.2 No more than two rear lots are created behind any lot with a road frontage.</p> | <p>Not applicable.</p> |

| Performance outcomes | Acceptable outcomes | Comments |
|--|--|------------------------|
| the road from which access is gained. | AO8.3 Access to lots is via an access strip with a minimum width of: <ul style="list-style-type: none"> (a) 4 metres where in the Low density residential zone or Medium density residential zone; or (b) 8 metres otherwise. | Not applicable. |
| | AO8.4 A single access strip is provided to a rear lot along one side of the lot with direct frontage to the street. Note—Figure A provides further guidance in relation to the desired outcome. | Not applicable. |
| | AO8.5 No more than 1 in 10 lots created in a new subdivision are rear lots. | Not applicable. |
| | AO8.6 Rear lots are not created in the Centre zone or the Industry zone. | Not applicable. |
| Crime prevention and community safety | | |

| Performance outcomes | Acceptable outcomes | Comments |
|--|---|------------------------|
| PO9 Development includes design features which enhance public safety and seek to prevent opportunities for crime, having regard to: <ul style="list-style-type: none"> (a) sightlines; (b) the existing and intended pedestrian movement network; (c) the existing and intended land use pattern; and (d) potential entrapment locations. | AO9 No acceptable outcome is provided. | Not applicable. |
| Pedestrian and cycle movement network | | |
| PO10 Reconfiguring a lot must assist in the implementation of a Pedestrian and cycle movement network to achieve safe, attractive and efficient pedestrian and cycle networks. | AO10 No acceptable outcome is provided. | Not applicable. |
| Public transport network | | |
| PO11 Where a site includes or adjoins a future public transport corridor or future public transport site identified through a structure planning process, development: <ul style="list-style-type: none"> (a) does not prejudice the future provision of the identified infrastructure; (b) appropriately treats the common boundary with the future corridor; and (c) provides opportunities to integrate with the adjoining corridor where a it will include an element which will attract pedestrian movement. | AO11 No acceptable outcome is provided. | Not applicable. |
| Residential subdivision | | |

| Performance outcomes | Acceptable outcomes | Comments |
|--|---|------------------------|
| PO12 Residential lots are: <ul style="list-style-type: none"> (a) provided in a variety of sizes to accommodate housing choice and diversity; and (b) located to increase variety and avoid large areas of similar lot sizes. | AO12 No acceptable outcome is provided. | Not applicable. |
| Rural residential zone | | |
| PO13 New lots are only created in the Rural residential zone where land is located within the 4,000m ² precinct, the 1 hectare precinct or the 2 hectare precinct. | AO13 No acceptable outcome is provided. | Not applicable. |
| Additional provisions for greenfield development only | | |
| PO14 The subdivision design provides the new community with a local identity by responding to: <ul style="list-style-type: none"> (a) site context (b) site characteristics (c) setting (d) landmarks (e) natural features; and (f) views. | AO14 No acceptable outcome provided. | Not applicable. |
| PO15 The road network is designed to provide a high level of connectivity, permeability and circulation for local vehicles, public transport, pedestrians and cyclists. | AO15 No acceptable outcome provided. | Not applicable. |

| Performance outcomes | Acceptable outcomes | Comments |
|--|--|-------------------------------|
| <p>PO16 The road network is designed to:</p> <ul style="list-style-type: none"> (a) minimise the number of cul-de-sacs; (b) provide walkable catchments for all residents in cul-de-sacs; and (c) include open cul-de-sacs heads. <p>Note—Figure B provides further guidance in relation to the desired outcome.</p> | <p>AO16 No acceptable outcome provided.</p> | <p>Not applicable.</p> |
| <p>PO17 Reconfiguring a lot provides safe and convenient access to the existing or future public transport network.</p> | <p>AO17 The subdivision locates 90% of lots within 400 metres walking distance of a future public transport route.</p> | <p>Not applicable.</p> |
| <p>PO18 The staging of the lot reconfiguration prioritises delivery of link roads to facilitate efficient bus routes.</p> | <p>AO18 No acceptable outcome provided.</p> | <p>Not applicable.</p> |
| <p>PO19 Provision is made for sufficient open space to:</p> <ul style="list-style-type: none"> (a) meet the needs of the occupiers of the lots and to ensure that the environmental and scenic values of the area are protected; (b) retain riparian corridors, significant vegetation and habitat areas and provides linkages between those areas; and (c) meet regional, district and neighbourhood open space requirements. | <p>AO19.1 A minimum of 10% of the site area is dedicated as open space.</p> | <p>Not applicable.</p> |
| | <p>AO19.2 A maximum of 30% of the proposed open space can consist of land identified as significant vegetation or riparian corridor buffer.</p> | <p>Not applicable.</p> |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|---|-----------------|----------|
| PO20 A network of parks and community land is provided: <ul style="list-style-type: none"> (a) to support a full range of recreational and sporting activities; (b) to ensure adequate pedestrian, cycle and vehicle access; (c) which is supported by appropriate infrastructure and embellishments; (d) to facilitate links between public open spaces; (e) which is co-located with other existing or proposed community infrastructure; (f) which is consistent with the preferred open space network; and (g) which includes a diversity of settings; | AO20 No acceptable outcome is provided. | Not applicable. | |

Table 9.4.4.3B—Minimum area and dimensions for Reconfiguring a lot

| Zone | Type area | Minimum | Minimum frontage |
|----------------------------|--|---------------------|------------------|
| Centre | All lots | 800m ² | 20 metres |
| Community facilities | All lots | Not specified | Not specified |
| Conservation | All lots | Not specified | Not specified |
| Emerging community | All lots | 10 hectares | 100 metres |
| Low density residential | Where greenfield development and connected to reticulated water and sewerage | | |
| | Rear lot | 800m ² | 5 metres |
| | All other lots | 350m ² | 10 metres |
| | Where connected to reticulated water and sewerage | | |
| | Rear lot | 800m ² | 5 metres |
| | All other lots | 600m ² | 16 metres |
| | Where connected to reticulated water | | |
| | Rear lot | 1,000m ² | 5 metres |
| | All other lots | 800m ² | 16 metres |
| Medium density residential | Rear lot | 600m ² | 5 metres |
| | All other lots | 400m ² | 10 metres |
| Industry | All lots | 1,500m ² | 45 metres |

| Zone | | | Type | Minimum area | Minimum frontage |
|---------------------------|--|--|------------------------------|---------------------|------------------|
| Recreation and open space | | | All lots | Not specified | Not specified |
| Rural | | | All lots | 60 hectares | 400 metres |
| Rural residential | | | 2 hectare precinct | | |
| | | | All lots | 2 hectares | 60 metres |
| | | | 1 hectare precinct | | |
| | | | All lots | 1 hectare | 40 metres |
| | | | 4,000m ² precinct | | |
| | | | All lots | 4,000m ² | 40 metres |

Figure A – Examples of access to rear lots

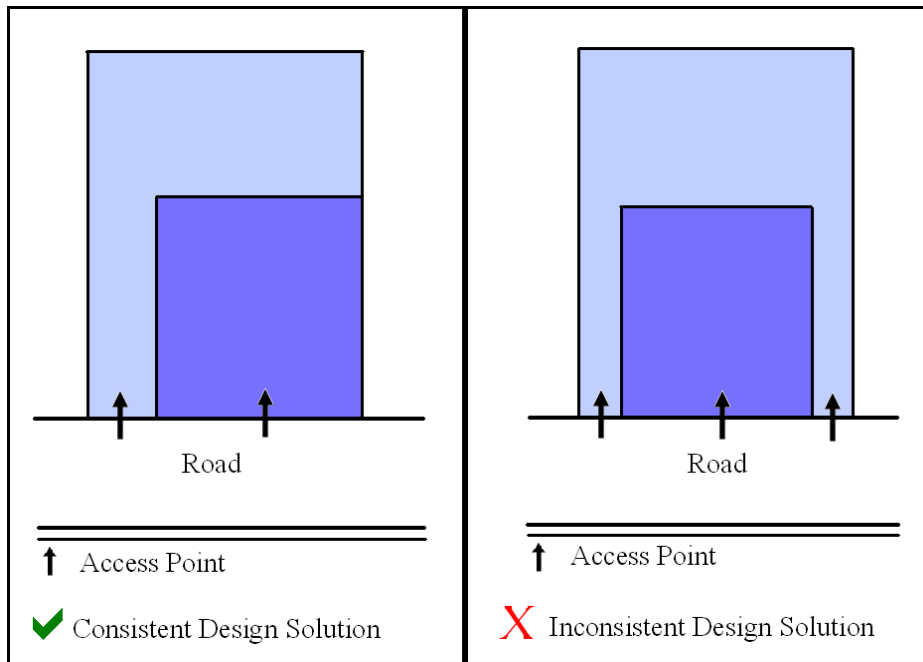
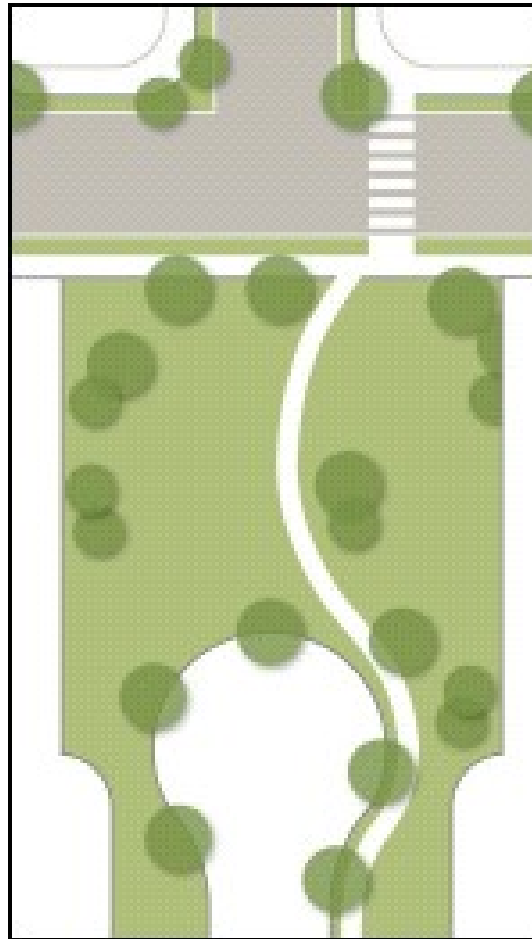


Figure B – Example of cul-de-sac design



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 | Comments |
|---|--|---|
| 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. | Not applicable. The application is for a boundaryrealignment only. |
| | 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. | Not applicable. The application is for a boundaryrealignment only. |
| Wastewater disposal | | |

| Performance outcomes | Acceptable outcomes | Comments |
|--|--|---|
| 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. | Not applicable. The application is for a boundaryrealignment only. |
| | AO2.2 An effluent disposal system is provided in accordance with ASNZ 1547 On-Site Domestic Wastewater Management (as amended) where development is located: <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area. | Not applicable. The application is for a boundaryrealignment only. |
| Stormwater infrastructure | | |
| PO3 Stormwater infrastructure is designed and constructed to collect and convey the design storm event to a lawful point of discharge in a manner that mitigates impacts on life and property. | AO3.1 Where located within a Priority infrastructure area or where stormwater infrastructure is available, development is connected to Council's stormwater network in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual. | Not applicable. The application is for a boundaryrealignment only. |

| Performance outcomes | Acceptable outcomes | Complies | Comments |
|---|---|---|----------|
| | AO3.2 On-site drainage systems are constructed: <ul style="list-style-type: none"> (a) to convey stormwater from the premises to a lawful point of discharge; and (b) in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual. | Not applicable. The application is for a boundaryrealignment only. | |
| Electricity supply | | | |
| PO4 Each lot is provided with an adequate supply of electricity | AO4 The premises: <ul style="list-style-type: none"> (a) is connected to the electricity supply network; or (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: <ul style="list-style-type: none"> (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. | Not applicable. The application is for a boundaryrealignment only. | |
| Telecommunications infrastructure | | | |

| Performance outcomes | Acceptable outcomes | Comments |
|--|---|--|
| PO5 Each lot is provided with an adequate supply of telecommunication infrastructure | AO5 Development is provided with a connection to the national broadband network or telecommunication services. | Not applicable. The application is for a boundary realignment only. |
| Existing public utility services | | |
| PO6 Development and associated works do not affect the efficient functioning of public utility mains, services or installations. | AO6 Public utility mains, services are relocated, altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual. | Not applicable. The application is for a boundary realignment only. |
| 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. | Not applicable. The application is for a boundary realignment only. |
| | 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. | Not applicable. The application is for a boundary realignment only. |

| Performance outcomes | Acceptable outcomes | Comments |
|----------------------|---|---|
| | <p>AO7.3 Earthworks batters:</p> <ul style="list-style-type: none"> (a) are no greater than 1.5metres in height; (b) are stepped with a minimum width 2 metreberm; (c) do not exceed a maximum of two battersand two berms (not greater than 3.6 metresin total height) on any one lot; (d) have a slope no greaterthan 1 in 4; and (e) are retained. | <p>Not applicable.</p> <p>The application isfor a boundaryrealignment only.</p> |
| | <p>AO7.4 Soil used for filling or spoil from excavation is not stockpiled in locations that can be viewed from:</p> <ul style="list-style-type: none"> (a) adjoining premises; or (b) a road frontage, for a period exceeding 1 month from the commencement of thefilling or excavation. | <p>Not applicable.</p> <p>The application is for a boundary realignment only.</p> |
| | <p>AO7.5 All batters and berms to be constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p> | <p>Not applicable.</p> <p>The application is for a boundary realignment only.</p> |
| | <p>AO7.6 Retaining walls have a maximum height of 1.5 metres and are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.</p> | <p>Not applicable.</p> <p>The application is for a boundary realignment only.</p> |

| Performance outcomes | Acceptable outcomes | Comments |
|--|--|--|
| | AO7.7 Excavation or filling at any point on a lot is to include measures that protect trees at the foot or top of cut or fill batters by the use of appropriate retaining methods and sensitive earth removal or placement and in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual. | Not applicable. The application is for a boundary realignment only. |
| 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 Scheme Policy 4 – FNQROC Regional Development manual. | Not applicable. The application is for a boundary realignment only. |
| | AO8.2 Development provides footpath pavement treatments in accordance with Planning Scheme Policy 9 – Footpath Paving. | Not applicable. The application is for a boundary realignment only. |
| 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. | Not applicable. The application is for a boundary realignment only. |
| Stormwater quality | | |

| Performance outcomes | Acceptable outcomes | 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 <p>outcomes.</p> | <p>Not applicable. The application is for a boundary realignment only.</p> |

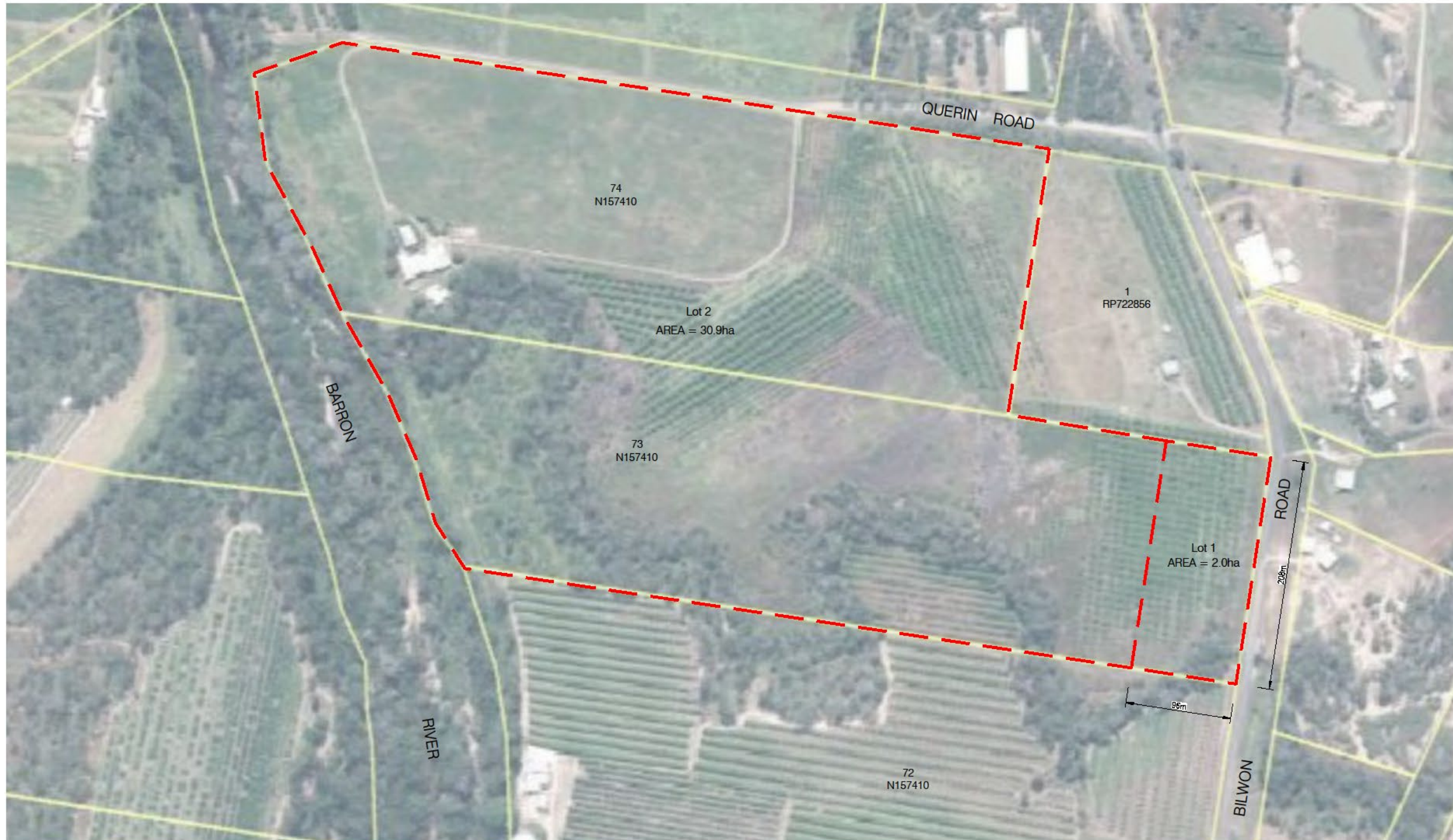
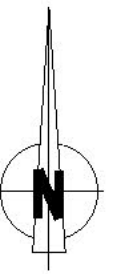
| Performance outcomes | Acceptable outcomes | Comments |
|----------------------|---|---|
| | <p>AO10.2</p> <p>For development on land greater than 2,500m² or that result in more than 5 lots or more than 5 dwellings or accommodation units, a Stormwater Quality Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) is prepared that demonstrates that the development:</p> <ul style="list-style-type: none"> (a) meets or exceeds the standards of design and construction set out in the Urban Stormwater Quality Planning Guideline and the Queensland Water Quality Guideline; (b) is consistent with any local area stormwater water management planning; (c) accounts for development type, construction phase, local climatic conditions and design objectives; and (d) provides for stormwater quality treatment measures reflecting land use constraints, such as soil type, landscape features (including landform), nutrient hazardous areas, acid sulfate soil and rainfall erosivity. | <p>Not applicable.</p> <p>The application is for a boundary realignment only.</p> |

| Performance outcomes | Acceptable outcomes | Comments |
|---|---|--|
| 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. | Not applicable. The application is for a boundary realignment only. |
| 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. | Not applicable. The application is for a boundary realignment only. |
| | 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. | Not applicable. The application is for a boundary realignment only. |

| Performance outcomes | Acceptable outcomes | 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. | Not applicable. The application is for a boundary realignment only. |
| | AO13.2 No other air pollutants, including odours, are detectable at the boundary of the site. | Not applicable. The application is for a boundary realignment only. |
| | AO13.3 A management plan for control of dust and air pollutants is prepared and implemented. | Not applicable. The application is for a boundary realignment only. |
| 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. | Not applicable. The application is for a boundary realignment only. |
| Weed and pest management | | |

| Performance outcomes | Acceptable outcomes | Comments |
|---|---|--|
| 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. | Not applicable. The application is for a boundary realignment only. |
| Contaminated land | | |
| 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. | Not applicable. The application is for a boundary realignment only. |
| 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. | Not applicable. The application is for a boundary realignment only. |
| | AO17.2 Fire hydrants are located at all intersections of accessways or private roads held in common private title. | Not applicable. The application is for a boundary realignment only. |

ATTACHMENT 4 – PLAN OF DEVELOPMENT



44 McLeod Street
Cairns Qld 4870
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E admin@aroindustries.com.au
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ABN: 49 641 461 298

QUERIN ROAD, MAREEBA

PROPOSED ALLOTMENT

ARO0115-SK02 1:2000
A1 Full Size

Acad No. ARO00115-SK02(1) 12th October 2021

ATTACHMENT 5 – PRELODGEEMENT ENQUIRY RESPONSE FROM MAREEBA SHIRE COUNCIL

From: Carl Ewin <CarlE@msc.qld.gov.au>

Sent: Monday, 19 July 2021 12:21 PM

To: Kelly Reaston <kelly@kellyreaston.com.au>

Cc: Brian Millard <BrianM@msc.qld.gov.au>; Natacha Jones <NatachaJ@msc.qld.gov.au>

Subject: Request for Informal Pre-lodgement Advice - Variation Request or RoL (Boundary Realignment) - Lots 73 & 74 on N157410 (33 Querin Road, Bibbohra)

Hi Kelly,

I refer to your request for informal pre-lodgement advice for Lot 73 and 74 on N157410, situated at 33 Querin Road, Bibbohra, and in response, provide the following:

Variation Request

Any application to Council for a variation request for development rights consistent with the *Rural residential zone* would likely hold significant conflict with the Planning Scheme. Particularly after the Minister imposed the TLPI.

There is no identified need, nor would it be good town planning to create additional rural residential land in the Bilwon area. It is acknowledged that land adjacent is zoned rural residential, however this was a product of the 2004 Planning Scheme. Under the current Planning Scheme, this land is zoned Rural residential, however it is not situated within a subdivision precinct, so is not intended to be developed any further.

There is a current development permit in place (RoL – 1 into 4 Lots) over land to the north east of the Querin properties (Lot 221 on SP292117) granted under the 2004 Scheme, however, this approval will also not be granted any further extensions due to the conflict with the intent of the current Planning Scheme.

Additionally, the majority of Lots 73 and 74 is constrained by the flood hazard overlay (see attached map) which would also contribute to a likely recommendation of refusal for any variation request application lodged.

Application fee for variation request is currently \$8,472.00.

RoL – Boundary Realignment

Any application for boundary realignment would need to demonstrate an increase in agricultural efficiency/viability in order to satisfy the TLPI provisions.

Since the implementation of the TLPI, Mareeba Shire has approved 2 similar type developments where agricultural land was merged to form a larger rural block and a balance lifestyle lot was created.

The balance lifestyle lot would need to be at least 2 hectares in size and situated in either of those areas marked in orange on the attached plan as they are either flood free or low flood hazard land. We'd prefer the lifestyle lot to have frontage to Bilwon Road considering its sealed.

This application would still be impact assessable and if approved the applicant/developer would be required to service the lifestyle lot. In this instance, service requirements would be limited to an electricity connection and an access crossover. On-site water supply and wastewater disposal can be

sorted by the future landowner. Telco would be through the NBN fixed wireless network, also able to be sorted at time of dwelling construction.

Application fee for RoL – Boundary Realignment (impact assessment) is currently \$1,092.00.

Feel free to call should you have any questions.

Cheers,

Carl Ewin
Planning Officer



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