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3 October 2022

Our Ref: Kuranda

Chief Executive Officer
Mareeba Shire Council
PO BOX 154
MAREEBA QLD 4880

To: brianm@msc.qld.gov.au (By Email)

Dear Brian,

Minor Change Notice: s52 of the *Planning Act 2016* (MCU/22/0009)

Kelly Reaston Development and Property Services on behalf of Mareeba Shire Council (the Applicant) hereby gives notice of a changed application in accordance with s52(1) of the *Planning Act 2016* (the Act) to Mareeba Shire Council as the assessment manager for development application MCU/22/0009 over land addressed as 70 Kuranda Heights Road, Kuranda and more particularly described as Lot 2 on RP730337. This change is also made in accordance with Part 6 of the Development Assessment Rules (DARs) and is considered to be a minor change.

The changes to the development application relate to a change to the Reconfiguring a Lot component of the Application only to reduce the lot yield from 1 lot into 6 lots to 1 lot into 3 lots. The proposed change is directly in response to SARA's information request dated 17 June 2022. It is considered that the reduced lot yield directly resolves the State's concern regarding the ongoing protection of regulated vegetation. The proposed change is considered to meet the requirements of a minor change (see discussion below).

In accordance with Council's Schedule of Fees for the 2022/23 Financial Year, Council's application fee for a minor change request prior to decision period is 50% of the fee. As the change only relates to the reconfiguring a lot component, we calculate this fee as **\$933.00**.

As the assessment manager and referral agency information requests have been issued, the applicant will make use of this change application opportunity to update the planning report to include the information request response material - See **Attachment 7** and **Attachment 8**. All other supporting information remains relevant.



Minor Change Assessment

We consider that the proposed change to the conditions meets the requirements of a Minor Change as defined by the *Planning Act 2016*.

For the sake of completion, an assessment of the Minor Change provisions is provided below.

Schedule 2 Dictionary, *Planning Act 2016*

minor change means a change that(b) (for a development approval—

- (i) *would not result in substantially different development; and*
- (ii) *if a development application for the development, including the change, were made when the change application is made would not cause—*
 - (A) *the inclusion of prohibited development in the application; or*
 - (B) *referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or*
 - (C) *referral to extra referral agencies, other than to the chief executive; or*
 - (D) *a referral agency, in assessing the application under section 55(2), to assess the application against, or have regard to, a matter, other than a matter the referral agency must have assessed the application against, or had regard to, when the application was made; or*
 - (E) *public notification if public notification was not required for the development application.*

(i) Would not result in substantially different development

To determine whether the change would result in “substantially different development” guidance is provided in the Development Assessment Rules V 1.3.

In determining whether the proposed change would result in substantially different development, the assessment manager or referral agency must consider the individual circumstances of the development, in the context of the change proposed.

A change may be considered to result in a substantially different development if any of the following apply to the proposed change:

- (a) involves a new use; or*
- (b) results in the application applying to a new parcel of land; or*
- (c) dramatically changes the built form in terms of scale, bulk and appearance; or*
- (d) changes the ability of the proposed development to operate as intended; or*
- (e) removes a component that is integral to the operation of the development; or*
- (f) significantly impacts on traffic flow and the transport network, such as increasing traffic to the site; or*
- (g) introduces new impacts or increase the severity of known impacts; or*
- (h) removes an incentive or offset component that would have balanced a negative impact of the development; or*
- (i) impacts on infrastructure provisions.*

Substantially Different development - Development Assessment Rules V 1.3

Criteria	Comment
a) Involves a new use	The change does not involve a new use.
b) Results in the application applying to a new parcel of land	The change does not include a new parcel of land.
c) Dramatically changes the built form in terms of scale, bulk and appearance	The change does not dramatically change the built form of the development.
d) Changes the ability of the proposed development to operate as intended	The change does not materially change how the development will operate.
e) Removes a component that is integral to the operation of the development	An integral component is not removed from the development.
f) Significantly impacts on traffic flow and the transport network, such as increasing traffic to the site	The change will not significantly impact on traffic flow or the transport network.
g) Introduces new impacts or increase the severity of known impacts	The change does not introduce new impacts or increase the severity of known impacts.
h) Removes an incentive or offset component that would have balanced a negative impact of the development	The change does not remove an incentive or offset component that would have a negative impact on the development.
i) Impacts on infrastructure provisions	There is minor change to the impact on infrastructure (stormwater and lighting) provision as a result of the minor change request.

AND

The change application is made would not cause—

Criteria	Comment
A) The inclusion of prohibited development in the application	The Change Application does not include prohibited development.
B) Referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application	No agency referral is caused by the proposed changes.
C) referral to extra referral agencies, other than to the chief executive	The Change Application does not trigger a referral to an extra referral agency.
D) a referral agency, in assessing the application under section 55(2), to assess the application against, or have regard to, a matter, other than a matter the referral agency must have assessed the application against, or had regard to, when the application was made	The triggered assessment is native vegetation clearing. The change does not cause SARA to have regard to any other matter other than that contained in the original application.
E) public notification if public notification was not required for the development application.	The original application required Public Notification. The changed application requires Public Notification.

Assessment of Proposed Changes

Section 81(2) of the *Planning Act 2016* guides the assessment of a change application involving a minor change.

(2) When assessing the change application, the responsible entity must consider—

- (a) the information the applicant included with the application; and*
- (b) if the responsible entity is the assessment manager—any properly made submissions about the development application or another change application that was approved; and*
- (c) any pre-request response notice or response notice given in relation to the change application; and*
- (d) if the responsible entity is, under section 78(3)(ba) or (bb), the Minister—all matters the Minister would or may assess against or have regard to, if the change application were a development application called in by the Minister; and*
- (da) if paragraph (d) does not apply—all matters the responsible entity would or may assess against or have regard to, if the change application were a development application; and*
- (e) another matter that the responsible entity considers relevant.*

The proposed changes are limited to a reduction in the number of lots proposed and do not affect compliance with the current planning framework.

We believe that the above information substantiates the minor change request, and we look forward to Council's favourable consideration of the change request.

In support of the minor change, please find attached the following documents:

1. Amended DA Form 1 - **Attachment 1**
2. Title Search - **Attachment 2**
3. Plans of Development - **Attachment 3**
4. Amended Planning Report - **Attachment 4**
5. Assessment of the applicable development codes under the Mareeba Shire Planning Scheme 2016 - **Attachment 5**
6. Assessment of the applicable SDAP provisions- **Attachment 6**
7. Previous Response to Council's Information Request- **Attachment 7**
8. Response to SARA information request- **Attachment 8.**

Should you require any further information, please do not hesitate to contact Kelly Reaston on 0400 974 688 or at kelly@kellyreaston.com.au



Kelly Reaston | Director

Attachment 1

Completed DA Form 1



DEVELOPMENT & PROPERTY SERVICES

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

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

PART 2 – LOCATION DETAILS

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

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

3.1) Street address and lot on plan

☒ Street address **AND** lot on plan (all lots must be listed), **or**

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

a)	Unit No.	Street No.	Street Name and Type	Suburb
		70	Kuranda Heights Road	Kuranda
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4881	2	RP730337	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

☐ Coordinates of premises by longitude and latitude

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

☐ Coordinates of premises by easting and northing

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

3.3) Additional premises

☐ Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development application

☒ Not required

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

☐ In a tidal area

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

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

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

Name of airport:

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

5) Are there any existing easements over the premises?

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

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

PART 3 – DEVELOPMENT DETAILS

Section 1 – Aspects of development

6.1) Provide details about the first development aspect

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

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

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

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

c) What is the level of assessment?

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

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

New Kuranda Cemetery

e) Relevant plans

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

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

6.2) Provide details about the second development aspect

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

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

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

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

c) What is the level of assessment?

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

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

1 Lot into 3 Lots (Rural Residential Lots)

e) Relevant plans

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

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

6.3) Additional aspects of development

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

☐ Not required

Section 2 – Further development details

7) Does the proposed development application involve any of the following?

Material change of use	<input checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input 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 (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m ²) (if applicable)
Construction of a new Kuranda Cemetery	A premises used for interment of bodies or ashes after death.	N/A	N/A

8.2) Does the proposed use involve the use of existing buildings on the premises?

☐ Yes

☒ No

Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?

One

9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)

☒ Subdivision (complete 10))

☐ Dividing land into parts by agreement (complete 11))

☐ Boundary realignment (complete 12))

☐ Creating or changing an easement giving access to a lot from a constructed road (complete 13))

10) Subdivision

10.1) For this development, how many lots are being created and what is the intended use of those lots:

Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created	1			1 x Community Facility (Cemetery) 1 x Balance parcel

10.2) Will the subdivision be staged?

☐ Yes – provide additional details below

☒ No

How many stages will the works include?

What stage(s) will this development application apply to?

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

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

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

Division 3 – Operational work

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

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

PART 4 – ASSESSMENT MANAGER DETAILS

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

PART 5 – REFERRAL DETAILS

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

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

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

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

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

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

- ☐ Airport land

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

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

PART 6 – INFORMATION REQUEST

19) Information request under Part 3 of the DA Rules
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application <input type="checkbox"/> I do not agree to accept an information request for this development application
Note: By not agreeing to accept an information request I, the applicant, acknowledge:
<ul style="list-style-type: none"> • that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties • Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.
Further advice about information requests is contained in the DA Forms Guide .

PART 7 – FURTHER DETAILS

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

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

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

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

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

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

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

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

23) Further legislative requirements

Environmentally relevant activities

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

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

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

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

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

Hazardous chemical facilities

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

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

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

Clearing native vegetation

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

- ☐ Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)
- ☒ No

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

Environmental offsets

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

- ☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter
- ☒ No

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

Koala habitat in SEQ Region

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

- ☐ Yes – the development application involves premises in the koala habitat area in the koala priority area
- ☐ Yes – the development application involves premises in the koala habitat area outside the koala priority area
- ☒ No

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

Water resources

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

- ☐ Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the *Water Act 2000* may be required prior to commencing development
- ☒ No

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

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

- Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1
- Taking or interfering with water in a watercourse, lake or spring: complete DA Form 1 Template 2
- Taking overland flow water: complete DA Form 1 Template 3.

Waterway barrier works

23.7) Does this application involve **waterway barrier works**?

- ☐ Yes – the relevant template is completed and attached to this development application
- ☒ No

DA templates are available from <https://planning.dsdmip.qld.gov.au/>. For a development application involving waterway barrier works, complete DA Form 1 Template 4.

Marine activities

23.8) Does this development application involve **aquaculture, works within a declared fish habitat area or removal, disturbance or destruction of marine plants**?

- ☐ Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*
- ☒ No

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

Quarry materials from a watercourse or lake

23.9) Does this development application involve the **removal of quarry materials from a watercourse or lake** under the *Water Act 2000*?

- ☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development
☒ No

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

Quarry materials from land under tidal waters

23.10) Does this development application involve the **removal of quarry materials from land under tidal water** under the *Coastal Protection and Management Act 1995*?

- ☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development
☒ No

Note: Contact the Department of Environment and Science at www.des.qld.gov.au for further information.

Referable dams

23.11) Does this development application involve a **referable dam** required to be failure impact assessed under section 343 of the *Water Supply (Safety and Reliability) Act 2008* (the *Water Supply Act*)?

- ☐ Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the *Water Supply Act* is attached to this development application
☒ No

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

Tidal work or development within a coastal management district

23.12) Does this development application involve **tidal work or development in a coastal management district**?

- ☐ Yes – the following is included with this development application:
- ☐ Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)
 - ☐ A certificate of title
- ☒ No

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

Queensland and local heritage places

23.13) Does this development application propose development on or adjoining a place entered in the **Queensland heritage register** or on a place entered in a local government's **Local Heritage Register**?

- ☐ Yes – details of the heritage place are provided in the table below
☒ No

Note: See guidance materials at www.des.qld.gov.au for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
-----------------------------	--	-----------	--

Brothels

23.14) Does this development application involve a **material change of use for a brothel**?

- ☐ Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*
☒ No

Decision under section 62 of the Transport Infrastructure Act 1994

23.15) Does this development application involve new or changed access to a state-controlled road?

- ☐ Yes – this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)
☒ No

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

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

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

☒ No

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

PART 8 – CHECKLIST AND APPLICANT DECLARATION

24) Development application checklist

I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17

☒ Yes

Note: See the Planning Regulation 2017 for referral requirements

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

☐ Yes

☒ Not applicable

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

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

☒ Yes

Relevant plans of the development are attached to this development application

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

☒ Yes

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

☐ Yes

☒ Not applicable

25) Applicant declaration

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

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

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

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

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

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

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

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

Date received: Reference number(s):

Notification of engagement of alternative assessment manager

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

QLeave notification and payment

Note: For completion by assessment manager if applicable

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

Attachment 2

Title Search



DEVELOPMENT & PROPERTY SERVICES

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Title Reference:	21006103	Search Date:	25/04/2022 13:16
Date Title Created:	27/01/1976	Request No:	40854651
Previous Title:	20628192		

ESTATE AND LAND

Estate in Fee Simple

LOT 2 REGISTERED PLAN 730337

Local Government: MAREEBA

REGISTERED OWNER

Dealing No: 720618126 26/02/2021

MAREEBA SHIRE COUNCIL

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 20357011 (POR 7V)

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

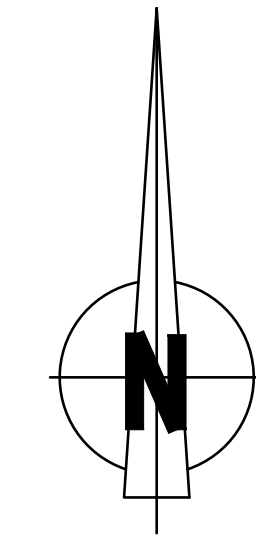
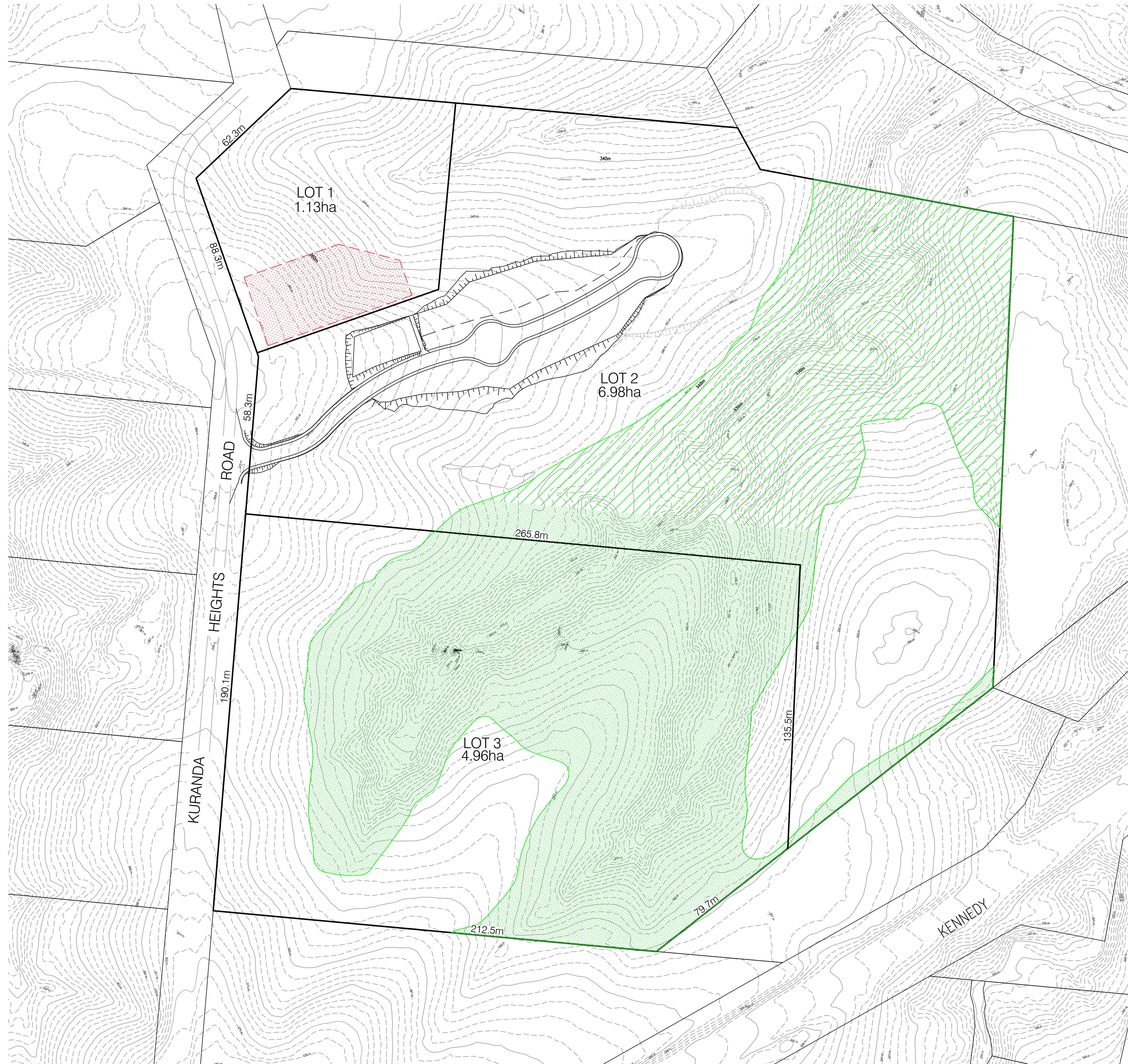
** End of Current Title Search **

Attachment 3

Plans of Development



DEVELOPMENT & PROPERTY SERVICES



- LEGEND**
- BUILDING ENVELOPE
 - VEGETATION COVENANT
 - FUTURE VEGETATION COVENANT
 - 20m SETBACK TO VEGETATION

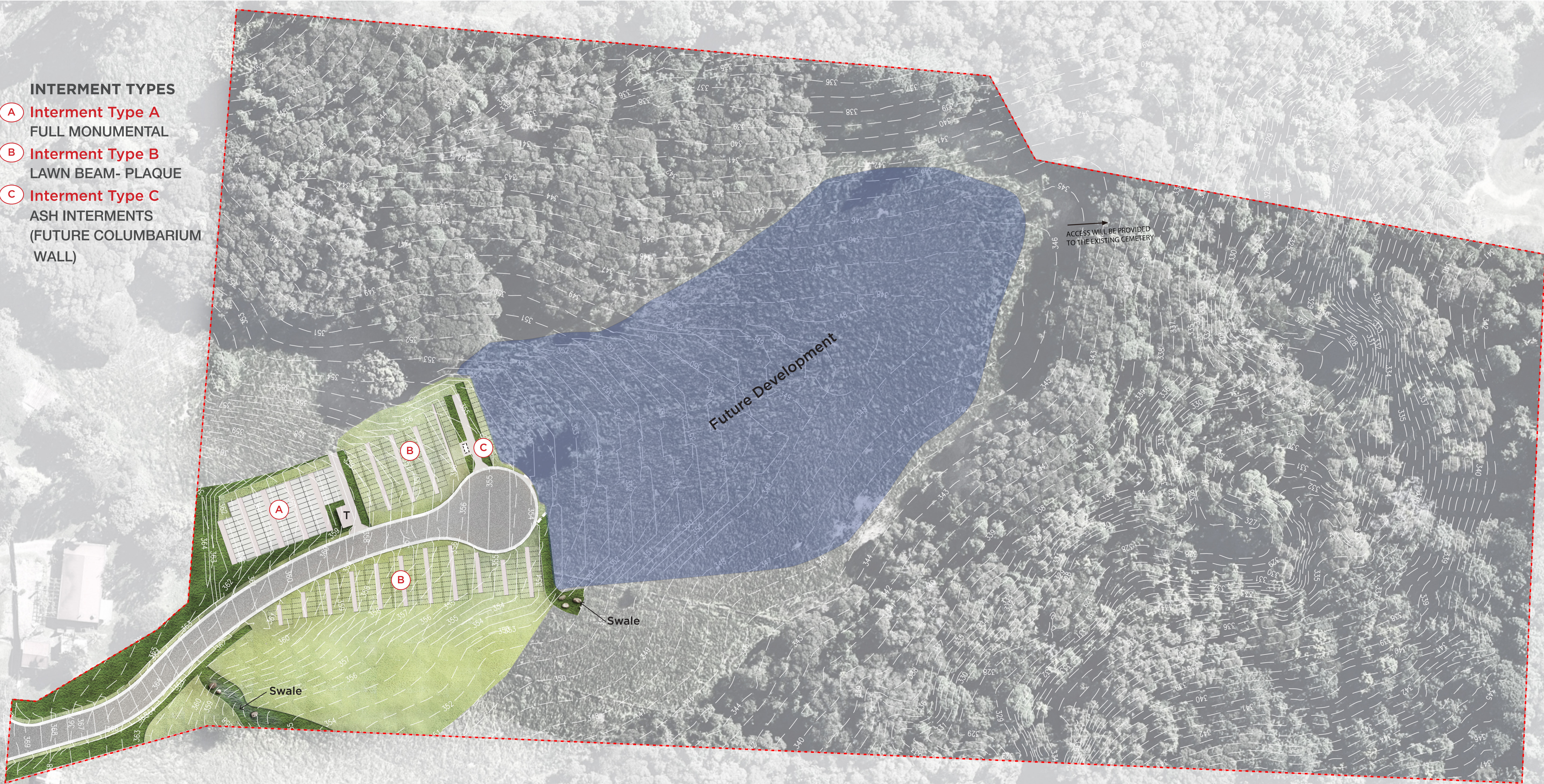


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ABN: 49 641 461 298

KURANDA CEMETERY
RESIDENTIAL LAND DEVELOPMENT
LOT 2 ON RP730337

- INTERMENT TYPES**
- (A) Interment Type A**
FULL MONUMENTAL
 - (B) Interment Type B**
LAWN BEAM- PLAQUE
 - (C) Interment Type C**
ASH INTERMENTS
(FUTURE COLUMBARIUM WALL)



STAGE 1

- Cut and fill to the extent of Stage 1
 - Entrance road up to first roundabout
- Interment Types:**
- Full Monumental (approx. 100)
 - Lawn Beam – Plaque (approx. 250)
 - Ash Interments – Future Columbarium Wall
 - Lawns to the extent of Stage 1
 - Water reticulation for taps to the extent of Stage 1
 - Ablution Facility
 - Two stormwater overland flow path swales



Gabion Walls

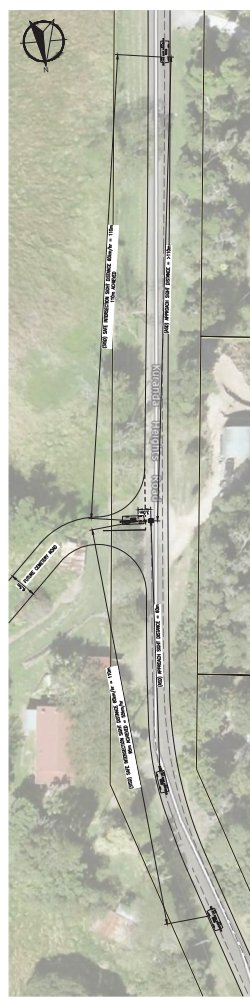
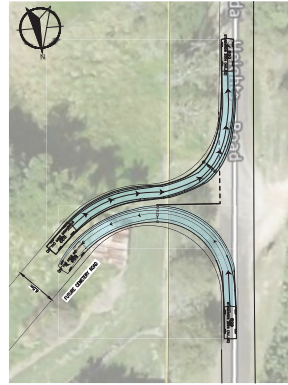
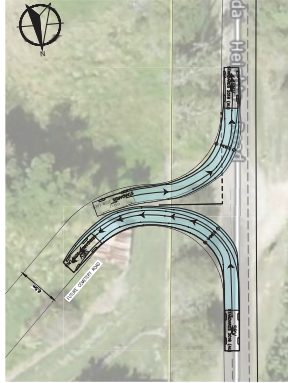
Columbarium Wall

Swale Drain

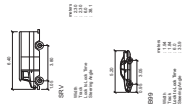
Toilet

Full Monumental

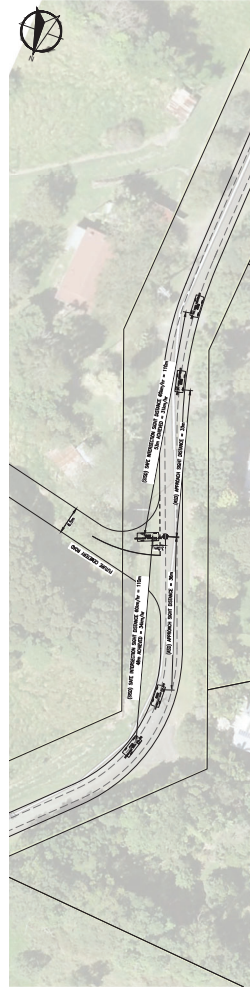
Lawn Graves

SAFE INTERSECTION SIGHT DISTANCE
254.7 ft (78.5 m)TURNING PATH (B99)
SCM F 1-2003

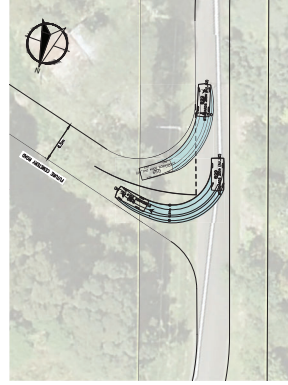
TURNING PATH (SRV)

[illegible]

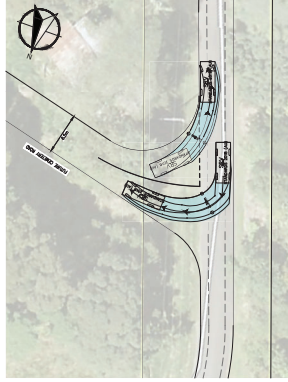
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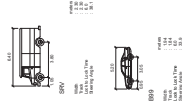
SAFE INTERSECTION SIGHT DISTANCE



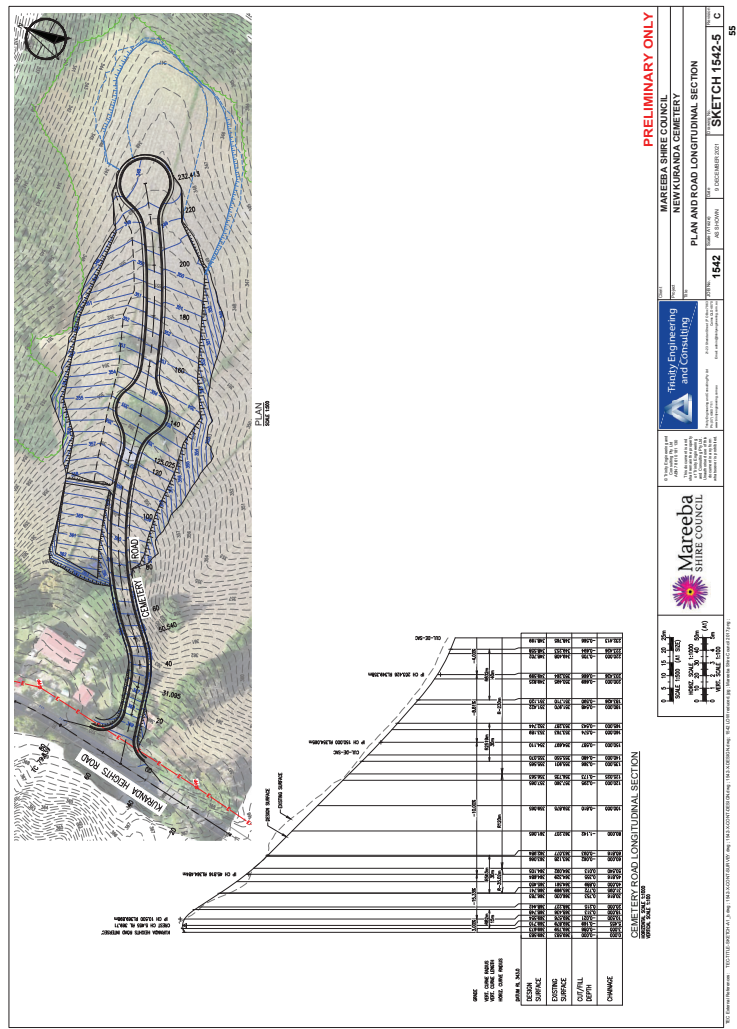
TURNING PATH (B99)



TURNING PATH (SRV)

[illegible]

54



Attachment 4

Planning Report

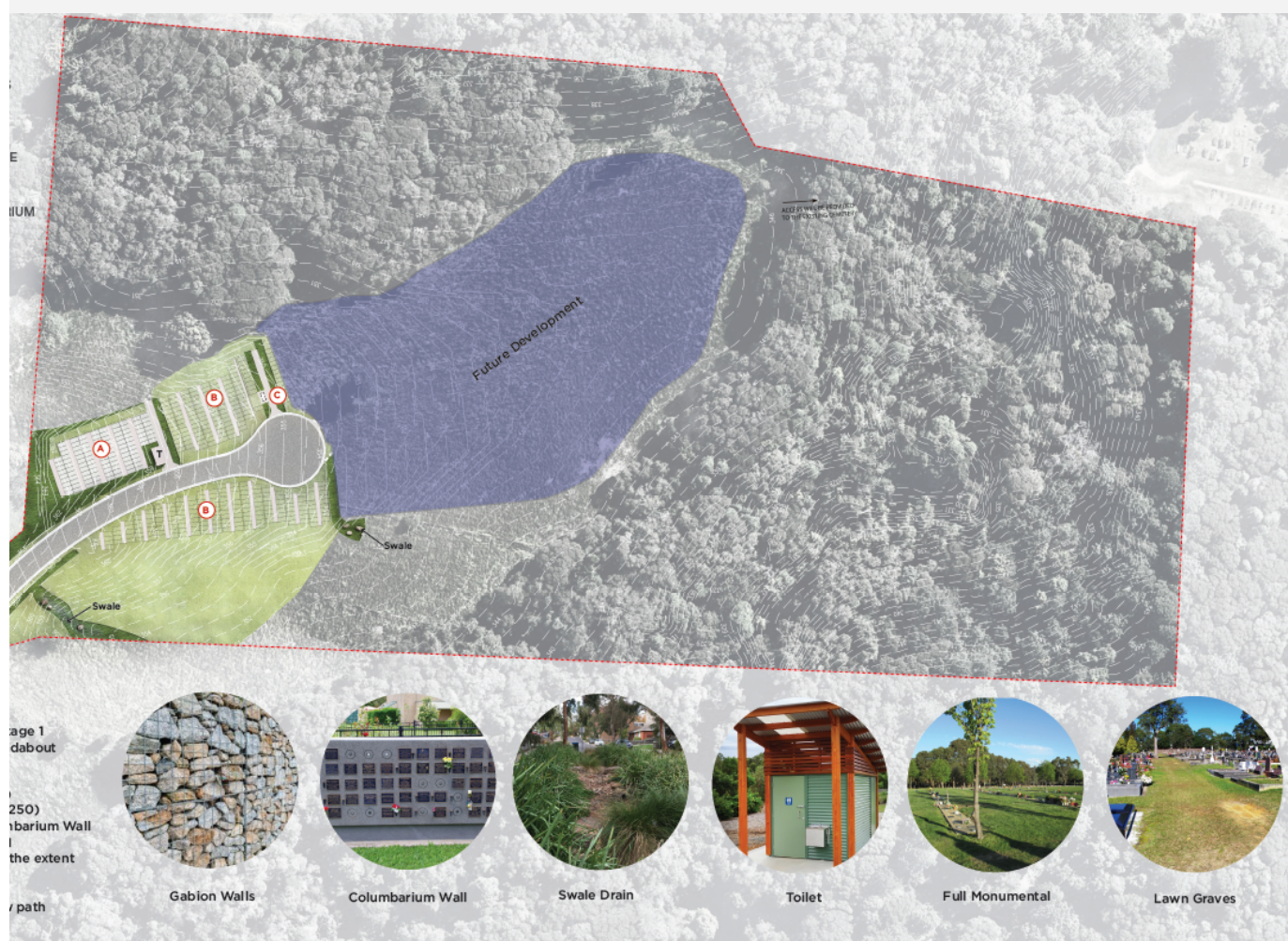


DEVELOPMENT & PROPERTY SERVICES

*KELLY REASTON DEVELOPMENT
& PROPERTY SERVICES*

PLANNING REPORT

OCTOBER 2022



Material Change of Use (Cemetery) &
Reconfiguring a Lot (1 Lot into 3 Lots)
Kuranda Heights Road, KURANDA

PREPARED FOR
MAREEBA SHIRE COUNCIL

Contact

Kelly Reaston

Director

kelly@kellyreaston.com.au

This document has been prepared and reviewed by:



Kelly Reaston



Bruce Gardiner

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	April 2022		Kelly Reaston
2	October 2022		Kelly Reaston



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property | planning | project management

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CONTENTS

1. EXECUTIVE SUMMARY	4
2. APPLICATION DETAILS	5
2.1 Application Summary	5
2.2 Reports	5
2.3 Plans of Development	5
3. SITE AND SURROUNDS	6
3.1 Site Description	6
3.2 Site Analysis	7
3.3 Site Photos	8
3.4 Infrastructure and Services	13
4. DEVELOPMENT BACKGROUND	13
4.1 Existing uses	13
4.2 Application Fee	13
4.3 Application history	13
5. DEVELOPMENT PROPOSAL	13
5.1 General Description	13
5.2 Proposal Details	14
5.3 Infrastructure Charges	15
6. LEGISLATIVE REQUIREMENTS	15
6.1 Planning Act 2016	15
6.2 Regional Plan	16
6.3 Referrals and State Development Assessment Provisions (SDAP)	16
6.4 Planning Scheme	16
6.5 Planning Scheme Assessment	18
7. CONCLUSION	22

1. EXECUTIVE SUMMARY

The Application seeks a Development Permit for a combined application for Material Change of Use (Cemetery) and Reconfiguring a Lot (1 Lot into 3 Lots) at 70 Kuranda Heights Road, Kuranda (Lot 2 on RP730337). The site is currently zoned Rural Residential and the proposal is Impact assessable.

The site covers an area of 13.07ha and has been specifically selected due to its natural setting and proximity to the existing Kuranda Cemetery. The proposal is to reconfigure the lot to create a lot for the new cemetery, 1 rural residential lot, and a balance lot.

The cemetery is to be developed over time in three stages as funding permits and demand requires. A New Kuranda Cemetery Masterplan has been prepared for the development.

The balance of the site is proposed to be subdivided into a large rural residential lifestyle lot and 1 balance lots that offers superior amenity, responds to the natural features of the site, and assist in achieving cost neutrality for the overall community project for the benefit of Mareeba Shire Council residents and ratepayers.

The development achieves compliance with the applicable codes and is therefore capable of being supported by Council.

SUMMARY OF KEY ISSUES

There is a demonstrated need for a new Kuranda Cemetery as the existing Kuranda Cemetery reaches capacity.

This site has been specifically selected based on feedback as to what the community value about the existing cemetery (its natural setting and peaceful place for reflection) and also due to its proximity to the existing Kuranda Cemetery to accommodate pedestrian access between the two sites in time.

The proposed new cemetery will provide an essential service for the Kuranda community for approximately 50-100 years into the future (based on current growth and burial trends).

The Rural Residential Zone code supports low-impact non-residential activities where the impacts of the uses are acceptable.

The Cemetery has been specifically designed to respond to the site's natural features and avoids any areas of ecological significance. The design ensures significant setbacks from any established residential uses.

Traffic impact associated with the use is expected to be inconsequential with the exception of days when large community services are held. Based on current burial trends, this is expected to average <11 days of the year.

Additionally, the adjacent road network is capable of accommodating the additional traffic with the proposed development without a reduction in service level.

There is no suitable zoned land (ie. Community Facilities) within the Kuranda Township or its surrounds that is reasonably capable of accommodating this demand.

In terms of the balance Rural Residential Development, the site is currently zoned Rural Residential but sits outside of the 4,000m², 1 hectare and 2 hectare precincts.

The proposed development complies with the Rural Residential Zone code but is in conflict with PO13 of the Reconfiguring of a Lot Code. The proposal demonstrates compliance with the Purpose of the Code.

The proposed rural residential lot is consistent in size and shape with adjacent rural residential lots.

Existing vegetation and waterways on the site will be protected through design and the location of building envelopes.

Geotechnical assessment of the site has been undertaken which indicates the site is fit for purpose.

The proposed development meets the requirements of the relevant Strategic Framework elements of Rural Residential Areas, Scenic Amenity and Biodiversity.

2. APPLICATION DETAILS

2.1 Application Summary

Approval Sought	Development Permit for a Material Change of Use Cemetery and Reconfiguring a Lot (1 Lot into 3 Lots)
Applicant	Mareeba Shire Council
Assessment Details	
Assessment Manager	Mareeba Shire Council
Development Category	Assessable development
Assessment level	Impact assessable as per section 5.4 (1)(c)(iii)
Public Notification	Yes
Relevant State Planning Instruments	
Legislation	<i>Planning Act 2016</i> (Qld)
Planning Policy	State Planning Policy (July 2017)
Relevant Local Planning Instruments	
Planning Scheme	Mareeba Shire Planning Scheme 2016
Local Plan	Not Applicable
Local Plan Precinct	Not Applicable
Zone:	Rural Residential Zone
Zone Precinct	None
Overlays	Hill and Slope Scenic Amenity
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	Kuranda	A	April 2022

2.3 Plans of Development

Drawing	Company	Drawing No.	Issue	Date
Kuranda Cemetery	Aro Industries	ARO0071-SK01	5	12 October 2022

proposed lot layout				
Staging Plan Stage 1	Mareeba Shire Council	SKA-05	A	10 February 2022
Plan and Road Longitudinal Section	Trinity Engineering and Consulting	SKETCH 1542-5	C	9 December 2021

Plans of Development are attached as **Attachment 3**.

3. SITE AND SURROUNDS

3.1 Site Description

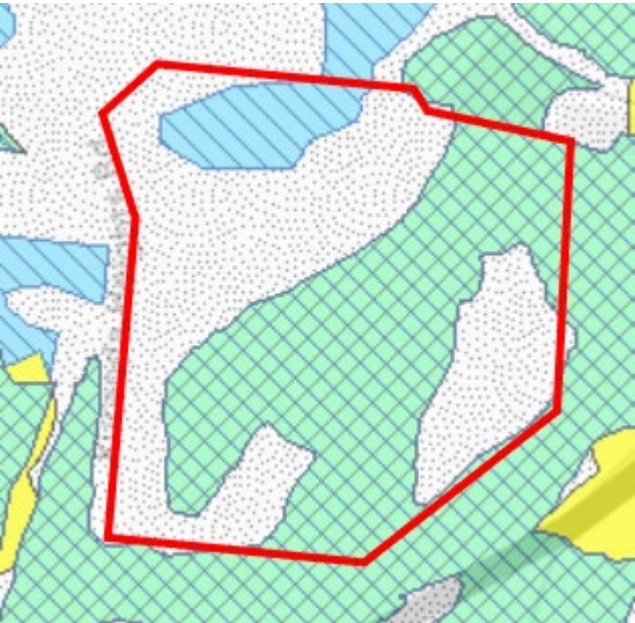
Registered Landowners	Mareeba Shire Council
Site Location	70 Kuranda Heights Road
Real Property Description	Lot 2 on RP730337
Site Area	130,700m ²
Street Frontage	Approx. 400m to Kuranda Heights Road
Tenure	Freehold
Easements/Encumbrances	Nil
Local Government Authority	Mareeba Shire Council



Figure 1 Site Location

3.2 Site Analysis

Current Uses	Vacant land with one dwelling house which is to be retained on the cemetery lot.
Topography	The site is undulating, quite steep in places and slopes generally to the east downwards from Kuranda Heights Road. The site consists of one central ridge and two deep gullies on either side. The gradient of the land in the central ridge area is between 1:8 and 1:20, while the gradient elsewhere is steeper than 1V:8H or 12.5%.
Waterways	There are no mapped waterways on the site.
Vegetation	Approximately 30 percent of the site has been cleared of vegetation from past uses. There is a small section of Category C vegetation on the northern edge of the site. Approximately 40 percent of the site has mapped Category B vegetation that is a least concern regional ecosystem. There are two visually significant trees on site: a large Araucaria (within the private garden of the current residence) and a large Pine tree on the ridge, east of the gazebo.

	
Landslip	The site is located in the Hill and Slope overlay area
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 Site Photos



Figure 2 Aerial view looking towards the southwest and Kuranda Heights Road.



Figure 3 Aerial view looking northeast across the proposed cemetery site.



Figure 4 view looking towards the east across the northern side of the cemetery site



Figure 5 view to the east across the southern side of the cemetery site



Figure 6 view to the west looking upslope across the cemetery site



Figure 7 view to the north from Kuranda Heights Road approaching the site



Figure 8 view to the east from Kuranda Heights Road at the entrance to the cleared section of the site



Figure 9 view to the east showing the entrance to the existing house on the site

3.4 Infrastructure and Services

Road Frontage	The site fronts and has access to Kuranda Heights Road which is a local government controlled minor rural road.
Water Supply	The site is within the declared water service area and can therefore be connected to a reticulated water supply.
Wastewater	The site is not serviced by a reticulated sewerage service.
Stormwater	The site drains generally to the east away from Kuranda Heights Road.
Electricity	The site can be connected to local electricity services.
Telecommunications	The site can be connected to telecommunication services.

4. DEVELOPMENT BACKGROUND

4.1 Existing uses

The site is owned by Council and is currently vacant land with the exception of a single dwelling that is to be retained as part of the development. Approximately 30 percent of the site has been cleared of vegetation with the balance land containing mapped and regulated native vegetation. The site has been used for various agricultural activities over the years.

4.2 Application Fee

In accordance with Council's Schedule of Fees for the 2021/22 Financial Year the fees for the Material Change of Use impact assessable development application is \$2,819. The fee for the reconfiguring of a lot is \$1,866. The total application fee for the MCU and RaL is \$4,685.00.

Council's application fee for a minor change request prior to decision period is 50% of the fee. As the change only relates to the reconfiguring a lot component, we calculate this fee as \$933.00.

4.3 Application history

There are no known historical approvals that are relevant to this application. At its Ordinary Meeting of 16 March 2022, Council resolved -

That Council undertakes detailed design and cost estimates for the new Kuranda Cemetery for consideration in the 2022/23 Capital Works Budget and progresses with a development application for the reconfiguration.

5. DEVELOPMENT PROPOSAL

5.1 General Description

The Application seeks a Development Permit for a combined application for Material Change of Use Cemetery and Reconfiguring a Lot (1 Lot into 3 Lots) at 70 Kuranda Heights Road, Kuranda.

The site has an area of 130,700m² and is zoned rural residential. The cemetery is to be developed over time in three stages as demand requires.

The plans of development are attached as **Attachment 3**.

Access Locations	The vehicle access is proposed to be provided from Kuranda Heights Road immediately to the south of the existing dwelling on the property.
Infrastructure	The site is able to be connected to a reticulated water supply, telecommunications and electricity services. There is no reticulated sewerage service at the site. All stormwater will be directed to a lawful point of discharge.

The Reconfiguring a Lot proposal consists of the following:

Lot	Existing Use	Area Hectares
Current Lot	Rural residential	13.07
Lot	Proposed Use	Area Hectares
Lot 1	Rural residential	1.13
Lot 2	Cemetery	6.98
Lot 3	Balance Lot	4.96

5.3 Infrastructure Charges

According to the adopted Infrastructure Charges Resolution (No.1) 2019 there are no infrastructure charges associated with a cemetery development.

The new lots attract a charge of \$18,340/ lot with a 20% discount as they are not serviced by waste water connections.

The Infrastructure Charges payable are \$29,344.00.

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 2016 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 Referrals and State Development Assessment Provisions (SDAP)

The Development Application requires referral to SARA under Schedule 10, Part 3, Division 4, Table 2- Reconfiguring a Lot that is assessable development under s21 (Vegetation clearing).

6.4 Planning Scheme

6.4.1 Definitions

The proposed **cemetery** development is defined under the Mareeba Shire Planning Scheme 2016 as *a premises used for interment of bodies or ashes after death*.

The proposed Reconfiguring a Lot 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.*

6.4.2 Applicable Overlays

- Hill and Slope
- Scenic Amenity.

6.4.3 Applicable Codes

- Rural residential zone code
- Landscaping code
- Parking and access code
- Reconfiguring a lot code
- Works, services and infrastructure code.

Scheme Component	Code/Theme	Compliance Summary
Strategic Framework	Settlement Pattern and Built Environment Theme Community Identity and Diversity Theme	The development meets the relevant strategic outcomes of the relevant Strategic Framework Themes.
Zone Code	Rural Residential Zone Code	The development meets the requirements and purpose of the Rural Residential Code
Local Plan Code	Not Applicable	Not Applicable
Overlay Codes	Hill and Slope Scenic Amenity	The proposal complies with the provisions of the Overlay codes.
Development Codes	Landscaping code Parking and access code Reconfiguring a lot code Works, services and infrastructure code	<p>The proposed development complies with the Development Codes with the exception of PO13 of the Reconfiguring a Lot Code. The proposed development complies with the Purpose of the Reconfiguring a Lot code in that -</p> <ul style="list-style-type: none"> • The subject site is already serviced by all infrastructure that is typically conditioned for a rural residential development. • The size and shape of the proposed allotments are consistent with rural residential lots in the adjacent area and provide for the overall outcomes of the Rural Residential zone. • The proposed development creates lots with sufficient area and dimensions to accommodate the future use of the land and allow for the protection of the existing native vegetation on the site. A building envelope is nominated for the proposed rural residential lot to keep structures away from the environmental features and other site

		<p>constraints.</p> <ul style="list-style-type: none"> • The lot design has also taken account of the site constraints with regard to topography. The existing lot already contains a dwelling house and shed which will be retained. • The cemetery lot has sufficient area and dimensions to accommodate the intended future community requirements for approximately 50-100 years. • The proposed development would add to the range of lot sizes available in the local area.
--	--	--

6.5 Planning Scheme Assessment

6.5.1 Key Planning Matters

Summary

This Application seeks a Development Permit for a Material Change of Use to construct a new Kuranda Cemetery and Reconfiguring a Lot (1 Lot into 3 Lots) creating 1 rural residential lot, a balance lot and a cemetery lot at 70 Kuranda Heights Road, Kuranda.

The proposal advances the Strategic Framework and achieves compliance with the applicable codes and is therefore capable of being supported by Council.

6.5.2 Strategic Framework

The proposed development is Impact assessable and requires assessment against the Strategic Framework of the Mareeba Shire Planning Scheme. The strategic framework sets the policy direction for the planning scheme and forms the basis for ensuring appropriate development occurs within the planning scheme area for the life of the planning scheme.

With regard to this development, the relevant Strategic Framework provisions are the Settlement Pattern and Built Environment Theme, Natural Resources and Environment, and the Community Identity and Diversity Theme.

Assessment of the proposal against the relevant elements of these Themes is provided below.

3.3 Settlement Pattern and Built Environment Theme

3.3.10 Element – rural residential areas

Specific outcomes	Statement of Compliance
<i>(1) Rural residential development is consolidated within rural residential</i>	Achieves the specific outcome.

<i>areas where it will not result in the fragmentation or loss of agricultural areas or biodiversity areas.</i>	The proposed rural residential lots are contained within the rural residential zone and the development does not result in the fragmentation or loss of agricultural or biodiversity areas. It is in fact a logical continuation of existing rural residential development immediately adjacent the site.
<i>(2) Infill development within rural residential areas occurs only where appropriate levels of infrastructure are available and provided, the existing rural living character can be maintained and an activity centre is proximate.</i>	<p>Achieves the specific outcome.</p> <p>This is not infill of an existing rural residential development.</p> <p>The newly created rural residential lot is located in an area capable of being supported by transport, water and electricity supply with no major upgrades required.</p> <p>The existing rural living character will be maintained as the lots are consistent with other adjacent rural residential lots.</p> <p>The sites are located close to the Kuranda village activity centre being approximately 2km by road.</p>
<i>(3) No further subdivision of greater than anticipated density occurs within rural residential areas that are not proximate to an activity centre and its attending physical and social infrastructure.</i>	<p>Achieves the specific outcome.</p> <p>The newly created rural residential lot is located close to the Kuranda village activity centre being approximately 2km by road.</p> <p>Notwithstanding, the rural residential development is not of a greater density than anticipated in the Rural Residential Zone.</p>
<i>(4) Rural residential areas across Mareeba Shire are characterised by a range of lot sizes, consistent with the form of historical subdivision in the vicinity of proposed development.</i>	<p>Achieves the specific outcome.</p> <p>The newly created rural residential lot is consistent with other rural residential lots adjacent.</p>
<i>(5) Limited agricultural and animal husbandry activities may occur in rural residential areas where the offsite impacts of the activity are mitigated in protection of the amenity expectation of the rural residential areas.</i>	Not applicable
<i>(6) Small scale non-residential and tourism uses which do not impact on character and amenity are facilitated in rural residential areas.</i>	<p>Achieves the specific outcome.</p> <p>The proposed cemetery activity does not impact on the character and amenity of the rural residential area due to the design and characteristics of the site (e.g. topography, minimal visual impacts, memorial walks, retaining of native vegetation) and the proposed low usage of the site.</p>

	Additionally, it meets a critical community need that cannot be located on existing zoned land within the Kuranda community and its surrounds.
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3.4 Natural Resources and Environment

3.3.4 Element – Biodiversity Areas

Specific outcomes	Statement of Compliance
<i>(1) Development avoids adverse impacts on the ecological values of biodiversity areas and where avoidance is not possible the adverse impacts are minimised and, for an area of high ecological significance, no net loss in biodiversity values is achieved.</i>	Achieves the specific outcome. The existing vegetation and waterway corridors will be protected through the design of the site and location of the building envelope.
<i>(2) Development on lots containing biodiversity areas ensures their ongoing protection and retention through application of conservation covenants or dedication for public use.</i>	Achieves the specific outcome. It is anticipated that conservation covenants will be conditioned by Council over areas of mapped vegetation.
<i>(3) Biodiversity areas that are considered to be of regional, state or higher levels of significance are awarded levels of protection commensurate with these values.</i>	Achieves the specific outcome. There is a small section of Category C vegetation on the northern edge of the site. Approximately 40 percent of the site has mapped Category B vegetation that is a least concern regional ecosystem. These areas will be protected with the development.
<i>(4) The ecological values of biodiversity areas which have been degraded are rehabilitated as part of the development, and commensurate with the scale of development.</i>	Achieves the specific outcome. The areas of protected vegetation appear to be in reasonable condition. It is anticipated that these areas will be better managed in individual lot holdings.
<i>(5) Areas within the Einasleigh Uplands bioregion to the west of the shire are recognised for their high level of endemism and significant biodiversity values.</i>	Not applicable
<i>(6) Endangered and of-concern ecosystems and threatened species habitat including upland refugia ecosystems, wet sclerophyll, and the habitat of endemic species are protected across all land tenures.</i>	Not applicable

3.5 Community Identify and Diversity Theme

3.5.4 Element – Scenic Amenity

Specific outcomes	Statement of Compliance
<i>(1) Areas of high scenic amenity (such as scenic routes) are protected from development which is visually inappropriate, obtrusive, unattractive or insensitive. Scenic routes include:</i> <i>(a) Great Tropical Drive;</i> <i>(b) Savannah Way;</i> <i>(c) Wheelbarrow Way;</i> <i>(d) Black Mountain Road;</i> <i>(e) Barron Falls Road;</i> <i>(f) The Great Inland Way;</i> <i>(g) Kuranda Range; and</i> <i>(h) Rex Range</i>	Achieves the specific outcome. The site is located within the Scenic Amenity over 500m buffer area for the Kennedy Highway which is both a local and shire scenic route. The site will not be visible from the Kennedy Highway.
<i>(2) Development ensures scenic amenity values are maintained through sensitive location, design, materials, colour schemes, scale, minimising earthworks and retention of native vegetation.</i>	Achieves the specific outcome. The proposed cemetery activity does responds to and improves the scenic amenity values of the rural residential area due to the design and characteristics of the site (e.g. topography, minimal visual impacts, memorial walks, retaining of native vegetation).
<i>(3) Forested hill slopes which are visible from scenic routes and residential areas are maintained in their natural state in recognition of their contribution to the shire's scenic amenity.</i>	Not applicable.
<i>(4) New development does not compromise or obstruct views or public access to iconic landscape features, including to the following:</i> <i>(a) Chillagoe smelters;</i> <i>(b) Ngarrabullgann / Mt Mulligan.</i>	Not applicable
<i>(5) Roadside advertising devices in rural areas are unobtrusive and sparse, except in areas specifically identified as appropriate for large outdoor advertising.</i>	Not applicable

6.5.3 Detailed Assessment Against Planning Scheme Codes

Assessment of the application against the relevant Planning Scheme provisions is attached as **Attachment 5**.

7. CONCLUSION

There is a demonstrated need for a new Kuranda Cemetery as the existing Kuranda Cemetery reaches capacity and this site has been specifically selected due to its proximity to the existing Kuranda Cemetery and the lack of available zoned land within the Kuranda township and its surrounding catchment.

The proposed new cemetery will provide an essential service for the Kuranda community and the Rural Residential Zone code supports low-impact non-residential activities where the impacts of the uses are acceptable.

The Rural Residential component of the development is consistent with both the size and shape of the adjacent rural residential lots and is of a form that would ordinarily be anticipated on this site based on existing development along Kuranda Heights Road. The balance lot will be maintained for future consideration.

The entire development has been specifically designed to respond to the site's natural features and avoids any areas of ecological significance ensuring its ongoing protection. The design ensures high residential amenity for existing residential development which is protected by employing deep setbacks and significant vegetated buffers.

The development is capable of being approved subject to conditions.

Attachment 5

Assessment against the applicable development codes of the Mareeba Shire Planning Scheme 2016



6.2.10 Rural residential zone code

6.2.10.1 Application

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

6.2.10.2 Purpose

- (1) The purpose of the Rural residential zone code is to provide for residential development on large lots where local government infrastructure and services may not be provided on the basis that the intensity of development is generally dispersed.
- (2) Mareeba Shire Council's purpose of the Rural residential zone code is to provide for residential development on a range of larger lots which take account of the history of rural residential development throughout the region. Limited agricultural and animal husbandry activities which contribute to a semi-rural setting may be appropriate on lots with areas in the upper range of lot sizes.
- (3) The Rural residential zone has been broken into three precincts to cater for the distinct lot sizes and levels of servicing that historically occurred in this zone:
 - (a) The 2 hectare precinct is characterised by significant clusters of larger rural residential lifestyle lots that have limited infrastructure and proximity to services. Lots within this precinct will not be reconfigured below 2 hectares in size;
 - (b) The 1 hectare precinct is characterised by significant clusters of rural residential lifestyle lots that have limited access to infrastructure and proximity to services. Lots within this precinct will not be reconfigured below 1 hectare in size; and
 - (c) The 4,000m² precinct is characterised by clusters of smaller rural residential lots in proximity to activity centres, where reticulated water supply and an urban standard of infrastructure (apart from sewerage) can be provided. Lots within this precinct will not be reconfigured below 4,000m².
- (4) The purpose of the code will be achieved through the following overall outcomes:
 - (a) The development of large rural residential lots with attendant provision of on-site infrastructure is facilitated;
 - (b) Development within the zone preserves the environmental and topographical features of the land by integrating an appropriate scale of rural residential activities;
 - (c) Development avoids areas of ecological significance;
 - (d) Low-impact activities such as small-scale eco-tourism and outdoor recreation uses are permitted within the zone where the impacts of such uses are acceptable;
 - (e) Natural features such as creeks, gullies, waterways, wetlands and vegetation and bushland are retained, enhanced and buffered from the impacts of development, with unavoidable impacts minimised through location, design, operation and management requirements;

- (f) Other uses may be appropriate where meeting the day to day needs of the rural residential catchment or having a direct relationship to the land in which the particular use is proposed. Any such uses should not have any adverse effects on the residential amenity of the area through factors such as noise generation, traffic generation or other factors associated with the use;
- (g) Reconfiguring a lot will maintain the predominant lot size of the precinct or intended for the precinct; and
- (h) Reconfiguring a lot involving the creation of new lots is not undertaken external to a precinct in the Rural residential zone in consideration of the inherent environmental, and/or physical infrastructure and/or social infrastructure constraints of Rural residential zoned land outside of identified precincts.

6.2.10.3 Criteria for assessment

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

Performance outcomes		Acceptable outcomes
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 Development has a maximum building height of: <ul style="list-style-type: none"> (a) 8.5 metres; and (b) 2 storeys above ground level. 	Complies with AO1. The development includes an amenities building that will be single storey and under 8.5m in height. There is no built form associated with the RaL.
Outbuildings and residential scale		

PO2 Domestic outbuildings: (a) do not dominate the lot on which they are located; and (b) are consistent with the scale and character of development in the Rural residential zone.	AO2.1 On lots less than 2 hectares, domestic outbuildings do not exceed: (a) 150m ² in gross floor area; and (b) 5.5 metres above natural ground level.	There is no built form associated with the RaL. The lots are of a sufficient size and dimension to enable future dwellings to comply.
	AO2.2 On lots greater than 2 hectares, domestic outbuildings do not exceed: (a) 200m ² in gross floor area; and (b) 8.5 metres above natural ground level.	There is no built form associated with the RaL. The lots are of a sufficient size and dimension to enable future dwellings to comply.
Siting		
PO3 Development is sited in a manner that considers and respects: (a) the siting and use of adjoining premises; (b) access to sunlight and daylight for the site and adjoining sites; (c) privacy and overlooking; (d) opportunities for casual surveillance of adjoining public spaces; (e) air circulation and access to natural breezes; (f) appearance of building bulk; and (g) relationship with road corridors.	AO3 Buildings and structures include a minimum setback of: (a) 40 metres from a frontage to a State-controlled Road; (b) 6 metres from a frontage to any other road; (c) 10 metres from a boundary to an adjoining lot in the 2 hectare precinct, 1 hectare precinct or the Rural zone or Conservation zone; (d) 5 metres from a boundary to an adjoining lot in the 4,000m ² precinct; and (e) 3 metres from a side or rear boundary otherwise.	Complies with AO3. The amenities building will be set back more than 6 meters from Kuranda Heights Road. There is no built form associated with the RaL. The lots are of a sufficient size and dimension to enable future dwellings to comply.

Performance outcomes		Acceptable outcomes
Accommodation density		
PO4 The density of Accommodation activities: <ul style="list-style-type: none"> (a) contributes to housing choice and affordability; (b) respects the nature and density of surrounding land use; (c) does not cause amenity impacts beyond the reasonable expectation of accommodation density for the zone; and (d) is commensurate to the scale and frontage of the site. 	AO4 Development provides a maximum density for Accommodation activities of 1 dwelling or accommodation unit per lot.	Complies with AO4. The proposed five rural residential lots are designed for a maximum density of 1 dwelling per lot.
For assessable development		
Site cover		
PO5 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 surrounding buildings; and (c) appropriately balances built and natural features. 	AO5 No acceptable outcome is provided.	Complies with PO5. The amenities building appropriately balances built and natural features of the site and is located central to the cemetery use. There is no built form associated with the RaL. The lots are of a sufficient size and dimension to enable future dwellings to comply.
Building design		

<p>PO6 Building facades are appropriately designed to:</p> <ul style="list-style-type: none"> (a) include visual interest and architectural variation; (b) maintain and enhance the character of the surrounds; (c) provide opportunities for casual surveillance; (d) include a human scale; and (e) encourage occupation of outdoor space. 	<p>AO6 No acceptable outcome is provided.</p>	<p>Complies with PO6.</p> <p>The amenities building does not detract from the character of the surrounds as it will not be generally visible from the road.</p> <p>There is no built form associated with the RaL.</p> <p>The lots are of a sufficient size and dimension to enable future dwellings to comply.</p>
<p>PO7 Development complements and integrates with the established built character of the Rural residential zone, having regard to:</p> <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. 	<p>AO7 No acceptable outcome is provided.</p>	<p>Complies with PO7.</p> <p>The amenities building integrates with the established built character and will not be generally visible from the road.</p> <p>There is no built form associated with the RaL.</p> <p>The lots are of a sufficient size and dimension to enable future dwellings to comply.</p>

Performance outcomes		Acceptable outcomes
Non-residential development		
PO8 Non-residential development: <ul style="list-style-type: none"> (a) is consistent with the scale of existing development; (b) does not detract from the amenity of nearby residential uses; (c) does not impact on the orderly provision of non-residential development in other locations in the shire; and (d) directly supports the day to day needs of the immediate residential community; or (e) has a direct relationship to the land on which the use is proposed. 	AO8 No acceptable outcome is provided.	<p>Complies with PO8.</p> <p>The proposed cemetery does not detract from the amenity of the nearby rural residential lots due to the design and characteristics of the site (e.g. topography, minimal visual impacts, memorial walks, retaining of native vegetation).</p> <p>The cemetery directly supports the needs of the Kuranda community and is proposed to be linked to the old cemetery via a walking path in the future.</p> <p>The site was specifically selected due to its ability to ensure large setbacks from adjoining residential uses and suitable screening from existing vegetation.</p> <p>The cemetery was designed after a detailed masterplanning exercise and community consultation.</p>
Amenity		

<p>PO9 Development must not detract from the amenity of the local area, having regard to:</p> <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. 	<p>AO9 No acceptable outcome is provided.</p>	<p>Complies with PO9.</p> <p>The cemetery will only operate during daylight hours and formal ceremonies are only likely to occur on a limited number of days of the year. The nature of the activities will not generate noise, lighting, odour, emissions and will not require advertising devices.</p> <p>The cemetery has been designed to minimise impacts on visual amenity and reverse amenity issues for existing and proposed rural residential uses.</p> <p>Traffic generation will be infrequent and related to funeral events only. It is not expected to greatly exceed the existing Caravan Park use on Kuranda Heights Road.</p>
<p>PO10 Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to:</p> <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. 	<p>AO10 No acceptable outcome is provided.</p>	<p>Complies with PO10.</p> <p>The proposed cemetery does not detract from the amenity of the nearby rural residential lots due to the design and characteristics of the site (e.g. topography, minimal visual impacts, memorial walks, retaining of native vegetation).</p> <p>The nature of the activities will not generate noise, lighting, odour, emissions and will not require advertising devices.</p> <p>The cemetery has been designed to minimise impacts on visual amenity.</p> <p>Traffic generation will be infrequent and related to funeral events only.</p>

8.2.8 Hill and slope overlay code

8.2.8.1 Application

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

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

8.2.8.2 Purpose

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

8.2.8.3 Criteria for assessment

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

Performance outcomes		Acceptable outcomes
For assessable development		
Slope stability		
<p>PO1 Where clearing of vegetation, building work or filling or excavation occurs on land within a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o), a geotechnical report is prepared in accordance with Planning Scheme Policy 5</p> <p>- Preparation of Geotechnical Reports that demonstrates:</p> <ul style="list-style-type: none"> (a) the long term stability of the development site; (b) development will not be adversely affected by landslide activity originating on sloping land above the development site; and (c) development will not adversely affect other property outside the development site through landslide activity or alterations to surface or groundwater. 	<p>AO1 No acceptable outcome is provided.</p>	<p>Complies with PO1.</p> <p>DCP testing was carried out as part of the Cemetery masterplanning exercise to determine any soil constraints or presence of sub-surface rocks.</p> <p>The test demonstrates that the soils are penetrable to a 1.9m depth on average with peaks up to 2.5m deep. It also found that the soils are soft enough for excavation.</p> <p>Issues for consideration:</p> <ul style="list-style-type: none"> • Both criteria indicate that the soils are suitable for burial. • Soil composition indicates that grave wall collapse is less likely than at Mareeba Cemetery. <p>The subdivision design and cemetery design has been prepared to correspond to the site constraints.</p> <p>It is unlikely further geotechnical investigation is required, however a condition could be included as part of the RaL approval to determine any further constraints prior to</p>

		operational works approval.
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Performance outcomes		Acceptable outcomes
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: <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; (d) stormwater discharge and its potential for erosion. 	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) .	Not applicable
	AO2.2 Development is not located on land with a gradient of greater than 25%.	Complies with AO2.2
	AO2.3 No lot less than 2,000m ² is created in a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o) . Note – Where a minimum lot size of less than 2,000m ² applies under the Reconfiguring a lot code, the lot size requirements of the Hill and slope overlay code prevail.	Complies with AO2.3
Community infrastructure and essential services		
PO3 Community infrastructure and essential services located within a 'Hill and slope area' identified on the Hill and slope overlay maps (OM-008a-o) are able to function effectively during and immediately after landslide events.	AO3 No acceptable outcome is provided.	Not applicable

8.2.11 Scenic amenity overlay code

8.2.11.1 Application

- (2) This code applies to assessing development where:
 - (c) land the subject of development is located within identified on the **Scenic amenity overlay maps (OM-011a-b)**; and
 - (d) 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.

8.2.11.2 Purpose

- (3) The purpose of the Scenic amenity overlay code is to protect and enhance the scenic qualities and character of the shire.
- (4) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Scenic routes are protected from development that could compromise their contribution to the character of the shire;
 - (b) Scenic routes are enhanced through development that is consistent with the existing landscape character of the route; and
 - (c) The visibility of iconic landscape features from public areas of the shire is protected and enhanced.

8.2.11.3 Criteria for assessment

Table 8.2.11.3 – Scenic amenity overlay code - For accepted development subject to requirements and assessable development

Performance outcomes		Acceptable outcomes
For accepted development subject to requirements and assessable development		
Where adjoining a Local scenic route		
PO1 'Local scenic routes' identified on Scenic amenity overlay map (OM-011b) are maintained and enhanced to: <ul style="list-style-type: none"> (a) achieve a high level of amenity when viewed from the street; (b) contribute to the development of natural features within the streetscape; and (c) compliment the character of the local area. 	AO1.1 Development with frontage to a 'Local scenic route' identified on Scenic amenity overlay map (OM-011b) retains existing mature native vegetation within 3 metres of the site frontage	Not applicable. The site does not have frontage to but is within the 500m buffer zone of a local scenic route.
	AO1.2 Development, other than for a Dwelling house, with frontage to a 'Local scenic route' identified on Scenic amenity overlay map (OM-011b) : <ul style="list-style-type: none"> (a) provides a landscaped strip that: <ul style="list-style-type: none"> (i) is a minimum of 3 metres; and (ii) contains species which comply with the relevant acceptable outcomes of the Landscaping code and any applicable local plan code; and (b) does not involve a freestanding permanent advertising device. 	Not applicable. The site does not have frontage to but is within the 500m buffer zone of a local scenic route.

Performance outcomes		Acceptable outcomes
For assessable development		
Iconic landscape features		
PO2 The visibility of the 'Chillagoe Smelters iconic landscape feature' and the 'Mount Mulligan iconic landscape feature' identified on Scenic amenity overlay map (OM- 011a) are not compromised by buildings or structures located within the: (a) 'Chillagoe Smelters iconic landscape feature'; or (b) 'Chillagoe Smelters 500 metre buffer'; or (c) 'Mount Mulligan iconic landscape feature'; or (d) 'Mount Mulligan 12 kilometre buffer'.	AO2 No acceptable outcome is provided.	Not applicable.
Where within the Shire scenic route 500 metre buffer		
'Shire scenic routes' identified on Scenic amenity overlay map (OM-011b) are maintained and enhanced: (e) to contribute to the rural landscape character of the shire; (f) to promote the appreciation of the natural environment; (g) through the sensitive location and design of land uses, buildings and structures; and (h) through the retention and enhancement of the attributes or values which give rise to the attractiveness of the subject site.	AO3 No acceptable outcome is provided.	Complies with PO3. The site is within the 500m buffer zone but is not visible from the scenic route (Kennedy Highway)
If for Extractive industry or Telecommunications facility		

PO4 The Extractive industry or Telecommunications facility is not visible from a 'Local scenic route' or a 'Shire scenicroute' identified on Scenic amenity overlaymap (OM-011b) .	AO4 No acceptable outcome is provided.	Not applicable.
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9.4.2 Landscaping code

9.4.2.1 Application

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

9.4.2.2 Purpose

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

9.4.2.3 Criteria for assessment

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

Performance outcomes		Acceptable outcomes
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>	Complies with AO1. The site will be landscaped in accordance with a landscape plan prepared in accordance with the Planning Scheme Policy 6. There is also a substantial amount of existing vegetation which will be retained on site and contribute towards the onsite landscaping.

<p>PO2 Development, other than in the Rural zone, includes landscaping along site frontages that:</p> <ul style="list-style-type: none"> (a) creates an attractive streetscape; (b) compliments the character of the immediate surrounds; (c) assists to break up and soften elements of built form; (d) screen areas of limited visual interest or servicing; (e) provide shade for pedestrians; and (f) includes a range and variety of planting. 	<p>AO2 Development, other than in the Rural zone, includes a landscape strip along any site frontage:</p> <ul style="list-style-type: none"> (a) with a minimum width of 2 metres where adjoining a car parking area; (b) with a minimum width of 1.5 metres in all other locations; and (c) in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species. <p>Note—Where development is setback from a frontage less than 1.5 metres, the setback area is provided as a landscape strip</p>	<p>Complies with AO2.</p> <p>The site will be landscaped in accordance with a landscape plan prepared in accordance with the Planning Scheme Policy 6.</p> <p>There is also a substantial amount of existing vegetation which will be retained on site and contribute towards the onsite landscaping.</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>Complies with PO3</p> <p>The site will be landscaped in accordance with a landscape plan prepared in accordance with the Planning Scheme Policy 6.</p> <p>There is also a substantial amount of existing vegetation along the side and rear boundaries which will be retained on site and contribute towards the onsite landscaping.</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. 	

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

Complies with PO4.

Parking for access to graves will be along the kerb of the cemetery internal access road. Some landscaping will be provided in suitable locations.

In later stages of the cemetery development it is also proposed to include memorial gardens and walks which will add an additional point of visual interest.

Complies with AO5.1.

The site will be landscaped in accordance with a landscape plan prepared in accordance with

<p>(b) local conditions; contributes to the natural character of the Shire;</p> <p>(c) includes native species;</p> <p>(d) includes locally endemic species, where practical; and</p> <p>(e) does not include invasive plants or weeds.</p>		the Planning Scheme Policy 6.
	<p>AO5.2</p> <p>A minimum of 25% of (new and existing) plants is provided as larger, advanced stock with a minimum plant height of 0.7 metres and mulched to a minimum depth of 0.1 metres with organic mulch.</p>	Can be conditioned to comply with AO5.2.
<p>PO6</p> <p>Landscaping does not impact on the ongoing provision of infrastructure and services to the Shire.</p>	<p>AO6.1</p> <p>Tree planting is a minimum of</p> <p>(a) 2 metres from any underground water, sewer, gas, electricity or telecommunications infrastructure; and</p> <p>(b) 4 metres from any inspection chamber.</p>	Can be conditioned to comply with AO6.1.
	<p>AO6.2</p> <p>Vegetation below or within 4 metres of overhead electricity lines and power poles has a maximum height of 3.5 metres at maturity.</p>	Not applicable

Performance outcomes		Acceptable outcomes
	AO6.3 Vegetation adjoining an electricity substation boundary, at maturity, will have: a height of less than 4 metres; and no foliage within 3 metres of the substation boundary, unless the substation has a solid wall along any boundary.	Not applicable
For assessable development		
PO7 Landscaping areas are designed to: be easily maintained throughout the ongoing use of the site; allow sufficient area and access to sunlight and water for plant growth; not cause a nuisance to occupants of the site or members of the public; and maintain or enhance the safety of pedestrians through the use of Crime Prevention Through Environmental Design principles.	AO7 No acceptable outcome is provided.	Complies with PO7. The site will be landscaped in accordance with a landscape plan prepared in accordance with the Planning Scheme Policy 6.

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.

9.4.2 Parking and access code

9.4.2.1 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.

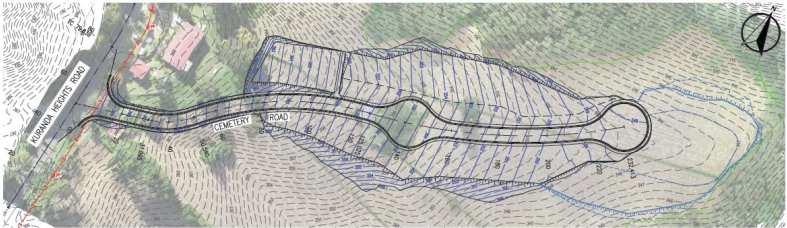
9.4.2.2 Purpose

- (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.

9.4.2.3 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
For accepted development subject to requirements and assessable development		
Car parking spaces		
PO1 Development provides sufficient car parking to accommodate the demand likely to be generated by the use, having regard to the: <ul style="list-style-type: none"> (f) nature of the use; (g) location of the site; (h) proximity of the use to public transport services; (i) availability of active transport infrastructure; and (j) accessibility of the use to all members of the community. 	AO1 The number of car parking spaces provided for the use is in accordance with Table 9.4.3.3B . Note—Car parking spaces provided for persons with a disability are to be considered in determining compliance with AO1.	Complies with PO1. Cemetery is not a defined use in table 9.4.3.3B. Parking for access to graves will be along the kerb of the cemetery internal access road. The final parking numbers will be determined in detailed design. Parking rates have been determined based on industry experience and consultation. The parking proposed is at a far higher rate than the existing Kuranda Cemetery.

Performance outcomes		Acceptable outcomes
Vehicle crossovers		
PO2 Vehicle crossovers are provided to:: <ul style="list-style-type: none"> (d) ensure safe and efficient accessbetween the road and premises; (e) minimize interference with the function and operation of roads; and (f) minimise pedestrian to vehicleconflict. 	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>Can be conditioned to comply with AO2.1 at operational works stage.</p> <p>Access has been designed as part of the masterplanning exercise.</p> 
	AO2.2 Development on a site with two or more road frontages provides vehicular access from: <ul style="list-style-type: none"> (a) the primary frontage where involving Community activities or Sport and recreation activities, unless the primary road frontage is a State-controlled road; or (b) from the lowest order road in all other instances. 	Not applicable
	AO2.3 Vehicular access for particular uses is provided in accordance with Table 9.4.3.3E .	Not applicable

<p>PO3 Access, manoeuvring and car parking areas include appropriate pavement treatments having regard to:</p> <ul style="list-style-type: none"> (d) the intensity of anticipated vehicle movements; (e) the nature of the use that they service; and (f) the character of the surrounding locality. 	<p>AO3 Access, manoeuvring and car parking areas include pavements that are constructed in accordance with Table 9.4.3.3C.</p>	<p>Complies with AO3.</p> <p>Table 9.4.3.3C requires a minimum of 150mm thickness compacted gravel suitable for all weather and dust free.</p>
<p>For assessable development</p>		
<p>Parking area location and design</p>		
<p>PO4 Car parking areas are located and designed to:</p> <ul style="list-style-type: none"> (a) ensure safety and efficiency in operation; and (b) be consistent with the character of the surrounding locality. 	<p>AO4.1 Car parking spaces, access and circulation areas have dimensions in accordance with AS/NZS 2890.1 Off-street car parking.</p>	<p>Can be conditioned to comply with AO4.1.</p>
	<p>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.</p>	<p>Can be conditioned to comply with AO4.2.</p>
	<p>AO4.3 The car parking area includes designated pedestrian routes that provide connections to building entrances.</p>	<p>Complies with AO4.3.</p> <p>Parking for access to graves will be along the kerb of the cemetery internal access road. Pedestrians will then either use the access road on grassed areas to move around the site.</p>

Performance outcomes	Acceptable outcomes
	<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.
Site access and manoeuvring	<p>Complies with AO4.4.</p> <p>Parking will be wholly contained within the site.</p>

<p>PO5 Access to, and manoeuvring within, the site is designed and located to:</p> <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. 	<p>AO5.1 Access and manoeuvrability is in accordance with :</p> <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><small>Note—Proposal plans should include turning circles designed in accordance with AP34/95 (Austroads 1995) Design Vehicles and Turning Path Templates.</small></p>	<p>Complies with PO5.</p> <p>The internal road will be 6m wide with a 1:10 maximum gradient. A 9m wide turning circle will be provided for hearse turning.</p> <p>Parking for access to graves will be along the kerb of the cemetery internal access road.</p> <p>The design has specifically considered the clearance and turning requirements of a hearse.</p>
	<p>AO5.2 Vehicular access has a minimum sight distance in accordance with Part 5 of AUSTROADS.</p>	
	<p>AO5.3 Vehicular access is located and designed so that all vehicles enter and exit the site in a forward gear.</p>	
	<p>AO5.4 Pedestrian and cyclist access to the site:</p> <ul style="list-style-type: none"> (a) is clearly defined; (b) easily identifiable; and (c) provides a connection between the site frontage and the entrance to buildings and end of trip facilities (where provided). 	

Performance outcomes	Acceptable outcomes	
PO6 Development that involves an internal road network ensures that it's design: <ul style="list-style-type: none"> (a) ensure safety and efficiency in operation; (b) does not impact on the amenity of residential uses on the site and on adjoining sites, having regard to matters of: <ul style="list-style-type: none"> (i) hours of operation; (ii) noise (iii) light; and (iv) odour; (c) accommodates the nature and volume of vehicle movements anticipated to be generated by the use; (d) allows for convenient access to key on-site features by pedestrians, cyclists and motor vehicles; and (e) in the Rural zone, avoids environmental degradation. 	AO6.1 Internal roads for a Tourist park have a minimum width of: <ul style="list-style-type: none"> (a) 4 metres if one way; or (b) 6 metres if two way. 	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: <ul style="list-style-type: none"> (a) a minimum approach and departure curve radius of 12 metres; and (b) a minimum turning circle radius of 8 metres. 	Not applicable.
	AO6.3 Internal roads are imperviously sealed and drained, apart from those for an Energy and infrastructure activity or Rural activity.	Complies with AO6.3
	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

	<p>AO6.5 Internal roads, apart from those for an Energy and infrastructure activity or Rural activity, are illuminated in accordance with AS 4282 (as amended) - Control of Obtrusive effects of outdoor lighting.</p>	<p>Complies with PO6. As the hours of operation will be daylight hours, lighting is not proposed for the internal roads.</p>
	<p>AO6.6 Where involving an accommodation activity, internal roads facilitate unobstructed access to every dwelling, accommodation unit, accommodation site and building by emergency services vehicles.</p>	<p>Not applicable.</p>
	<p>AO6.7 For an Energy and infrastructure activity or Rural activity, internal road gradients: (a) are no steeper than 1:5; or (b) are steeper than 1:5 and are sealed.</p>	<p>Not applicable.</p>

Performance outcomes		Acceptable outcomes
Servicing		
P07 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. 	Complies with P07. The site access and internal access road will be designed to accommodate the anticipated vehicle types and numbers.
	A07.2 Unloading, loading, service and waste disposal areas allow service vehicles to enter and exit the site in a forward gear.	Complies with A07.2.
	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.	AO8.1 Parking areas are kept and used exclusively for parking and are maintained in a suitable condition for parking and circulation of vehicles.	Can be conditioned to comply with AO8.1
	AO8.2 All parking areas will be compacted, sealed, drained, line marked and maintained until such time as the development ceases.	Complies with AO8.2.
End of trip facilities		
PO9 Development within the Centre zone; Industry zone or Emerging community zone provides facilities for active transport users that: <ul style="list-style-type: none"> (a) meet the anticipated demand generated from the use; (b) comprise secure and convenient bicycle parking and storage; and (c) provide end of trip facilities for all active transport users. 	AO9.1 The number of bicycle parking spaces provided for the use is in accordance with Table 9.4.3.3D .	Not applicable.
	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		

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

Table 9.4.3.3B—Vehicle Parking and Service Vehicle Space Requirements

Definition	Minimum number of Car parking spaces	Minimum Service Vehicle Space Provision
Adult store	<p><u>Inside the Centre zone:</u> One space per 50m² or part thereof of GFA up to 400m² GFA, and one space per 20m² or part thereof of GFA above 400m².</p> <p><u>Outside the Centre zone:</u> One space per 25m² or part thereof of GFA up to 400m² GFA, and one space per 10m² or part thereof of GFA above 400m².</p>	One SRV space.
Agricultural supplies store	<p><u>Inside the Centre zone:</u> One space per 50m² or part thereof of GFA up to 400m² GFA, and one space per 15m² or part thereof of GFA above 400m².</p> <p><u>Outside the Centre zone:</u> One space per 30m² or part thereof of GFA up to 400m² GFA, and one space per 10m² or part thereof of GFA above 400m².</p> <p>Queuing for 3 vehicles should be supplied where a GFA is greater than 600m².</p>	One HRV space.
Air services	<p><u>If accepted development subject to requirements development:</u> One space per 90m² or part thereof of net lettable area; or</p> <p><u>If Assessable development:</u> As determined by Council.</p>	<p><u>If accepted development subject to requirements:</u> One space per 200m² or part thereof of net lettable area.</p> <p><u>If assessable development:</u> As determined by Council.</p>

Animal husbandry	<p><u>If accepted development subject to requirements :</u> One space.</p> <p><u>If assessable development:</u> As determined by Council.</p>	<p><u>If accepted development subject to requirements:</u> Nil.</p> <p><u>If assessable development:</u> As determined by Council.</p>
Animal keeping	Minimum of three spaces or one space per 200m ² of use area, whichever is greater.	One SRV space.
Aquaculture	<p><u>If accepted development subject to requirements:</u></p> <ul style="list-style-type: none"> • In the rural or rural residential zones - two spaces; or • Enclosed within a building - one space per 90m² of net lettable area. <p><u>If assessable development:</u> As determined by Council.</p>	<p><u>If accepted development subject to requirements:</u> Nil.</p> <p><u>If assessable development:</u> As determined by Council.</p>

Definition	Minimum number of Car parking spaces	Minimum Service Vehicle Space Provision
Brothel	As determined by Council.	As determined by Council.
Bulk landscape supplies	Minimum of five spaces or one space per 250m ² of use area, whichever is greater.	One AV if the site has an area of greater than 2,000m ² ; or One HRV space.
Car wash	Minimum of two parking spaces plus 1 car queuing space for each car wash or service bay and parking at rates applicable to ancillary use/s.	One AV space.
Caretaker's accommodation	One space per dwelling unit.	Nil.
Cemetery	As determined by Council.	As determined by Council.
Child care centre	A minimum of 3 spaces will be required to be used for setting down and picking up of children, plus one space per 10 children for staff parking.	One SRV space.
Club	Minimum of 5 spaces per use or one space per 25m ² or part thereof of GFA, whichever is greater.	One SRV space; and One HRV space if greater than 500m ² .
Community care centre	Minimum of 5 spaces per use or one space per 25m ² or part thereof of GFA, whichever is greater.	One SRV space.
Community residence	Three spaces.	Nil.
Community use	Minimum of 5 spaces per use or one space per 50m ² or part thereof of GFA, whichever is greater.	One SRV space if greater than 500m ² GFA.

Crematorium	One space per 30m ² GFA or part thereof.	As determined by Council.
Cropping	<p><u>If accepted development subject to requirements:</u> Two spaces.</p> <p><u>If assessable development:</u> As determined by Council.</p>	<p><u>If accepted development subject to requirements:</u> Nil.</p> <p><u>If assessable development:</u> As determined by Council.</p>
Detention facility	As determined by Council.	As determined by Council.
Dual occupancy	One covered space per dwelling; and One visitor space.	Nil.
Dwelling house	One covered space per dwelling house. One space per secondary dwelling.	Nil.

Definition	Minimum number of Car parking spaces	Minimum Service Vehicle Space Provision
Dwelling unit	One covered space per dwelling unit. A minimum of 0.25 spaces per dwelling is to remain in common property for visitor use.	Nil
Educational establishment	For all establishments: 1 space per every 10 students plus 1 space per employee, and Provision for 3 vehicles for loading and unloading of passengers in addition to the requirements above.	For accepted development subject to requirements: One HRV space; and One SRV space; and A minimum of 3 Bus / coach parking / set down areas. For assessable development: As determined by Council.
Emergency services	Minimum of 5 spaces per use or one space per 25m ² or part thereof of GFA, whichever is greater.	As determined by Council.
Environment facility	As determined by Council.	As determined by Council.

Extractive industry	As determined by Council.	As determined by Council.
Food and drink outlet	<p>Accepted in an existing building within the Centre zone.</p> <p><u>Inside the Centre zone:</u> One space per 50m² or part thereof of GFA up to 400m² GFA and one space per 15m² or part thereof of GFA above 400m².</p> <p><u>Outside the Centre zone:</u> One space per 25m² or part thereof of GFA up to 400m² GFA and one space per 10m² or part thereof of GFA above 400m².</p> <p><u>Drive-through:</u> Queuing spaces for 6 passenger vehicles within the site boundaries.</p> <p>One service vehicle space per use or one service vehicle space per 1,000m² GFA, whichever is greater.</p>	One HRV space.
Function facility	One space per 30m ² or part thereof of GFA.	One SRV space.

Definition	Minimum number of Car parking spaces	Minimum Service Vehicle Space Provision
Funeral parlour	<p>Accepted in an existing building within the Centre zone.</p> <p><u>Inside the Centre zone:</u> One space per 20m² or part thereof of GFA up to 400m² GFA, and one space per 10m² or part thereof of GFA above 400m².</p> <p><u>Outside the Centre zone:</u> One space per 25m² or part thereof of GFA up to 400m² GFA, and one space per 15m² or part thereof of GFA above 400m².</p>	One SRV space.
Garden centre	<p>A minimum of 5 spaces for customer parking or one space per 150m² or part thereof of use area, whichever is greater.</p> <p>One service vehicle space per use or one service vehicle space per 800m² use area, whichever is greater.</p>	One AV if the site has an area of greater than 2,000m ² , otherwise One HRV space.
Hardware and trade supplies	<p>Accepted in an existing building within the Centre zone.</p> <p><u>Inside the Centre zone:</u> One space per 50m² or part thereof of GFA up to 400m² GFA, and one space per or part thereof of GFA above 400m².</p> <p><u>Outside the Centre zone:</u> One space per or part thereof of GFA up to 400m² GFA, and one space per 15m² or part thereof of GFA above 400m².</p>	One AV if the site has an area of greater than 2,000m ² , otherwise One HRV space.

Health care services	<p>Accepted in an existing building within the Centre zone.</p> <p><u>Inside the Centre zone:</u> One space per 40m² or part thereof of net lettable area.</p> <p><u>Outside the Centre zone:</u> One space per 20m² of or part thereof of net lettable area.</p>	One SRV space per 500m ² GFA.
High impact industry	One space per 90m ² GFA or part thereof.	One AV space if the site has an area greater than 2,000m ² , otherwise One HRV.
Home based business	<p><u>Bed and breakfasts:</u> One space per guest room.</p> <p><u>Other home based business:</u> One space for home based business and one covered space for the dwelling.</p>	Nil.

Definition	Minimum number of Car parking spaces	Minimum Service Vehicle Space Provision
Hospital	One space per 6 residential care beds. One space per 4 hostel unit beds. Visitor parking at 30% of resident parking requirements.	One HRV space. One SRV for every 800m ² of GFA and part thereof; and One space for an emergency vehicle.
Hotel	One space per 10m ² or part thereof of GFA per bar, beer garden and other public area. One space per 50m ² or part thereof of GFA per bulk liquor sales area. One space per guest room.	One HRV space.
Indoor sport and recreation	<u>If accepted development subject to requirements:</u> One space per 25m ² of net lettable area. <u>If assessable development:</u> As determined by Council.	An internal bus set down and pickup area that enables the bus to be in a forward motion at all times whilst onsite Internal dedicated taxi bays provided within 200 metres of the site entrance.

Intensive animal industries	<p><u>If accepted development subject to requirements:</u> Two spaces.</p> <p><u>If assessable development:</u> As determined by Council.</p>	One SRV space.
Intensive horticulture	<p><u>If accepted development subject to requirements:</u> Two spaces.</p> <p><u>If assessable development:</u> As determined by Council.</p>	<p><u>If accepted development subject to requirements:</u> Nil.</p> <p><u>If assessable development:</u> As determined by Council.</p>
Landing	As determined by Council.	As determined by Council.
Low impact industry	One space per 90m ² GFA or part thereof.	One AV space if the site has an area greater than 2,000m ² , otherwise One HRV.
Major electricity infrastructure	As determined by Council.	As determined by Council.

Definition	Minimum number of Car parking spaces	Minimum Service Vehicle Space Provision
Major sport, recreation and entertainment facility	As determined by Council.	As determined by Council.
Marine industry	One space per 90m ² GFA or part thereof.	One HRV space if the site has an area greater than 1,000m ² , otherwise One SRV space.
Market	As determined by Council.	As determined by Council.
Medium impact industry	One space per 90m ² GFA or part thereof.	One AV space if the site has an area greater than 2,000m ² , otherwise One HRV.
Motor sport facility	As determined by Council.	As determined by Council.
Multiple dwelling	One covered space per dwelling. One dedicated vehicle wash-down bay for premises containing 5 or more dwellings. A minimum of 0.25 spaces per dwelling is to remain in common property for visitor use.	Nil.
Nature-based tourism	One space per dwelling; or 0.75 spaces per guest room if in dormitory or shared facilities.	As determined by Council.
Nightclub entertainment facility	One space per 60m ² GFA or part thereof.	Nil.

Non-resident workforce accommodation	One space per dwelling unit.	Nil.
Office	<p>Accepted in an existing building within the Centre zone.</p> <p><u>Inside the Centre zone:</u> One space per 20m² or part thereof of GFA up to 400m² GFA, and one space per 10m² or part thereof of GFA above 400m².</p> <p><u>Outside the Centre zone:</u> One space per 25m² or part thereof of GFA up to 400m² GFA, and one space per 15m² or part thereof of GFA above 400m².</p>	One SRV space.
Outdoor sales	<p>A minimum of 5 spaces for customer parking or one space per 150m² of use area, whichever is greater.</p> <p>One service vehicle space per use or one service vehicle space per 800m², whichever is greater.</p>	One AV if the site has an area of greater than 2,000m ² , otherwise One HRV space.

Definition	Minimum number of Car parking spaces	Minimum Service Vehicle Space Provision
Outdoor sport and recreation	<p>Coursing, horse racing, pacing or trotting:</p> <ul style="list-style-type: none"> One space per five seated spectators; plus One space per 5m² of other spectator areas. <p>Football: 50 spaces per field. Lawn bowls: 30 spaces per green. Swimming pool:</p> <ul style="list-style-type: none"> 15 spaces; plus One space per 100m² of useable site area. <p>Tennis or other Court: Four spaces per court. Golf Course:</p> <ul style="list-style-type: none"> Four spaces per tee on the course; plus One space per 50m² of net lettable area. <p><u>Any other use:</u> As determined by council.</p>	<p>An internal bus set down and pickup area that enables the bus to be in a forward motion at all times whilst onsite</p> <p>Internal dedicated taxi bays provided within 200 metres of the site entrance.</p>
Park	As determined by Council.	As determined by Council.
Parking station	Not applicable	Nil.

Permanent plantation	<p><u>If accepted development subject to requirements:</u> Two spaces.</p> <p><u>If assessable development:</u> As determined by Council.</p>	<p><u>If accepted development subject to requirements:</u> Nil.</p> <p><u>If assessable development:</u> As determined by Council.</p>
Place of worship	Minimum of 5 spaces per use or one space per 25m ² or part thereof of GFA, whichever is greater.	One SRV space.
Port services	As determined by Council.	As determined by Council.
Relocatable home park	One space for each home site plus 1 space for each 5 home sites or part thereof for visitors.	One HRV space.
Renewable energy facility	As determined by Council.	As determined by Council.
Research and technology industry	One space per 90m ² GFA or part thereof.	One HRV space if the site has an area greater than 1,000m ² , otherwise One SRV space.

Definition	Minimum number of Car parking spaces	Minimum Service Vehicle Space Provision
Residential care facility	One space per 4 hostel unit beds. Visitor parking at 30% of resident parking requirements.	One SRV space; and One space for an emergency vehicle.
Resort complex	As determined by Council.	As determined by Council.
Retirement facility	One covered space per unit and 0.5 spaces for visitors parking.	One SRV space; and One space for an emergency vehicle.
Roadside stall	One space per stall.	Nil.
Rooming accommodation	Inside the Centre zone: One space per 15 beds. <u>Outside the Centre zone:</u> One space per 8 beds.	One SRV space. One space for a 20 seater bus.
Rural industry	One space per 90m ² GFA or part thereof.	One AV space.
Rural workers' accommodation	<u>If accepted development subject to requirements:</u> Nil <u>If Assessable development:</u> As determined by Council.	<u>If accepted development subject to requirements:</u> Nil <u>If Assessable development:</u> As determined by Council.
Sales office	One space per 25m ² GFA or part thereof.	Nil.

Service industry	<p>Accepted where in an existing building within the Centre zone.</p> <p><u>Inside the Centre zone:</u> One space per 50m² or part thereof of GFA up to 400m² GFA, and one space per 10m² or part thereof of GFA above 400m².</p> <p><u>Outside the Centre zone:</u> One space per 25m² or part thereof of GFA up to 400m² GFA, and one space per 15m² or part thereof of GFA above 400m².</p>	<p>One HRV space if the site is greater than 2,000m², otherwise One SRV space.</p>
Service station	<p>Minimum of four spaces plus car parking at rates applicable to ancillary use/s.</p>	<p>One AV space.</p>
Shop	<p>Accepted where in an existing building within the Centre zone.</p> <p><u>Inside the Centre zone:</u> One space per 50m² or part thereof of GFA up to 400m² GFA, and one space per 10m² or part thereof of GFA above 400m².</p> <p><u>Outside the Centre zone:</u> One space per 25m² or part thereof of GFA up to 400m² GFA, and one space per 15m² or part thereof of GFA above 400m².</p>	<p>One HRV space if the site is greater than 2,000m², otherwise One SRV space.</p>

Definition	Minimum number of Car parking spaces	Minimum Service Vehicle Space Provision
Shopping centre	<p><u>Inside the Centre zone:</u> One space per 50m² or part thereof of GFA up to 400m² GFA and one space per 25m² or part thereof of GFA above 400m².</p> <p><u>Outside the Centre zone:</u> One space per 25m² or part thereof of GFA up to 400m² GFA and one space per 15m² or part thereof of GFA above 400m².</p>	One AV space per 1,000m ² ; and One SRV space per 500m ² ; or One SRV space per every 2 specialty uses, whichever the greater.
Short-term accommodation	One space per unit.	One HRV space if involves the serving of food or beverage; otherwise One SRV space.
Showroom	<p>Accepted in an existing building within the Centre zone.</p> <p><u>Inside the Centre zone:</u> One space per 25m² or part thereof of GFA up to 400m² GFA, and one space per 10m² or part thereof of GFA above 400m².</p> <p><u>Outside the Centre zone:</u> One space per 50m² or part thereof of GFA up to 400m² GFA, and one space per 15m² or part thereof of GFA above 400m².</p>	One AV space and One SRV space if the site is greater than 2,000m ² ; or One HRV space; and One SRV Space.

Special industry	One space per 90m ² GFA or part thereof.	One AV space if the site has an area greater than 2,000m ² , otherwise One HRV.
Substation	<u>If assessable development:</u> As determined by Council.	As determined by Council.
Telecommunications facility	<u>If accepted development subject to requirements:</u> Nil. <u>If assessable development:</u> As determined by Council.	<u>If accepted development subject to requirements:</u> Nil. <u>If assessable development:</u> As determined by Council.
Theatre	One space per 15m ² or part thereof of net lettable area, or one space per 5 seated spectators whichever is the greater.	One SRV space.
Tourist attraction	As determined by Council.	As determined by Council.

Definition	Minimum number of Car parking spaces	Minimum Service Vehicle Space Provision
Tourist park	<p>One space within each accommodation site plus 1 additional visitor space per 10 accommodation sites.</p> <p>Queuing for 2 vehicles towing caravans and 1 holding bay for a vehicle towing a caravan plus additional queuing for 1 vehicle towing a caravan per 40 accommodation sites.</p>	One HRV space.
Transport depot	One space per 125m ² GFA or part thereof.	One AV space if the site has an area greater than 2,000m ² , otherwise One HRV.
Utility installation	<p><u>If accepted development subject to requirements:</u> Nil.</p> <p><u>If assessable development:</u> As determined by Council.</p>	<p><u>If accepted development subject to requirements:</u> Nil.</p> <p><u>If assessable development:</u> As determined by Council.</p>
Veterinary services	<p>Accepted in an existing building within the Centre zone.</p> <p><u>Inside Centre zone:</u> One space per 40m² or part thereof of net lettable area.</p> <p><u>Outside Centre zone:</u> One space per 20m² or part thereof of net lettable area.</p>	One HRV space if greater than 500m ² GFA; and One SRV space per 500m ² GFA.

Warehouse	One space per 90m ² GFA or part thereof.	One AV space if the site has an area greater than 2,000m ² , otherwise One HRV.
Wholesale nursery	As determined by Council.	As determined by Council.
Winery	As determined by Council.	As determined by Council.

Note—Any use not herein defined - as determined by Council.

Table 9.4.3.3C—Pavement Standards for Access, Manoeuvring and Car Parking areas

Zone	Compacted	Surfacing Options
Gravel Base (minimum thickness)		
All development other than dwelling house		
All zones other than the Conservation zone or the Rural zone	75mm	Reinforced concrete with a minimum thickness of: <ul style="list-style-type: none"> • 100mm for parking areas; and • 150mm for access ways.
	150mm	Asphalt with a minimum thickness of 25mm
	150mm	Two coat sprayed bitumen seal
	150mm	Concrete pavers
Conservation zone or Rural zone	Not applicable	Minimum 150mm thickness compacted gravel suitable for all weather and dust free
Dwelling house		
All zones	75mm	Reinforced concrete with a minimum thickness of: <ul style="list-style-type: none"> • 100mm for parking areas; and • 150mm for access ways.
	150mm	Asphalt with a minimum thickness of 25mm
	150mm	Two coat sprayed bitumen seal
	150mm	Concrete pavers
	Not applicable	Minimum 150mm thickness compacted gravel suitable for all weather and dust free

Note—Where more than one surfacing option is listed, any one of the treatments listed may be provided.

Table 9.4.3.3D—Bicycle Parking and End of Trip Facility Requirements

Definition	Minimum number of bicycle parking spaces	Minimum end of trip facilities
Commercial activities	<p>New or redeveloped commercial activities buildings (other than a shopping centre), provide:</p> <ul style="list-style-type: none"> • For employees - secure bicycle storage for 8% of building staff (based on one person per 60m² Gross leasable area). Secure bicycle parking involves a bicycle locker or bicycle rail in a locked compound/cage; and • visitor facilities: <ul style="list-style-type: none"> - one bicycle rack space per 750m² NLA or part thereof; and - bicycle parking, signposted; and adjacent to a major public entrance to the building. 	<p>New or redeveloped commercial activities buildings (other than a shopping centre), provide the following employee facilities, which are continually accessible to employees:</p> <ul style="list-style-type: none"> • accessible showers at the rate of one shower per 10 bicycle spaces provided or part thereof; • changing facilities adjacent to showers; and • secure lockers in the changing facilities for 20% of building staff (based on one person per 60m² GLA to cater for walkers, cyclists and other active users.
Community use	Four spaces per 1,500m ² GFA.	As determined by Council.

Educational establishment	<p>New or redeveloped education facilities, provide:</p> <ul style="list-style-type: none"> • For employees - secure bicycle storage for 8% of building staff (based on one person per 75m² GLA). Secure bicycle parking involves a bicycle locker or bicycle rail in a locked compound/cage; and • For students: <ul style="list-style-type: none"> - minimum of 8% of the peak number of students using the building at any one time (with 75% occupancy); and - bicycle storage within 100m of the building front entrance(s); or added to the campus central bicycle storage area. 	<p>New or redeveloped education facilities, provide the following employee facilities, which are continually accessible to employees:</p> <ul style="list-style-type: none"> • accessible showers at the rate of one per 10 bicycle spaces provided or part thereof; • changing facilities adjacent to showers; and • secure lockers in changing facilities for 20% of building staff (based on one person per 75m² GLA) to cater for cyclists, walkers and other active users.
Food & drink outlet	One space per 100m ² GFA.	As determined by Council.
Function facility	One space per 300m ² GFA.	As determined by Council.

Definition	Minimum number of bicycle parking spaces	Minimum end of trip facilities
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Health care services	<p>New or redeveloped healthcare facilities, provide the following facilities:</p> <ul style="list-style-type: none"> • For employees - secure bicycle storage for 5% of building staff (based on one person per 75m² GLA). Secure bicycle parking involves a bicycle locker or bicycle rail in a locked compound/cage; and • For visitors: <ul style="list-style-type: none"> - facilities with in-patient accommodation provide one space per each 30 beds; - facilities without in-patient accommodation provide one space per each 4 practitioners; - aged care facilities provide one space per each 60 beds; - In every instance above, provide a minimum of 5 bicycle parking spaces; and - bicycle parking 	<p>New or redeveloped healthcare facilities, provide the following employee facilities, which are continually accessible to employees:</p> <ul style="list-style-type: none"> • accessible showers at the rate of one per 10 bicycle spaces provided or part thereof; • changing facilities adjacent to showers; and • secure lockers in changing facilities for 20% of building staff (based on one person per 75m² GLA) to cater for cyclists, walkers and other active users.
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	<p>provided: in an accessible location, signposted and within 10m a major public entrance to the building.</p>	
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Hospital	As determined by Council.	As determined by Council.
Indoor sport and recreation	One space per employee plus 1 space per 200m ² GFA	As determined by Council.
Park	As determined by Council.	As determined by Council.
Rooming accommodation	One space per 4 letting rooms.	As determined by Council.
Short term accommodation	One space per 4 letting rooms.	As determined by Council.

Definition	Minimum number of bicycle parking spaces	Minimum end of trip facilities
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Shop or Shopping centre	<p>New or redeveloped shopping centres, provide:</p> <ul style="list-style-type: none"> • For employees - secure bicycle storage for 8% of building staff (based on one person per 60m² Gross leasable area). Secure bicycle parking involves a bicycle locker or bicycle rail in a locked compound/cage; and • visitor facilities: <ul style="list-style-type: none"> - one space per 500m² GLA or part thereof for centres under 30,000m²; or - one space per 750m² GLA or part thereof for centres between 30,000m² and 50,000m²; and - bicycle parking is signposted and within 10m of a major public entrance to the building. 	<p>New or redeveloped shopping centres, provide the following employee facilities, which are continually accessible to employees:</p> <ul style="list-style-type: none"> • accessible showers at the rate of one shower per 10 bicycle spaces provided or part thereof; • changing facilities adjacent to showers; and • secure lockers in the changing facilities for 20% of building staff (based on one person per 60m² GLA to cater for walkers, cyclists and other active users.
Theatre	One space per 100m ² GFA.	As determined by Council.

Table 9.4.3.3E—Vehicular Access for Specific Uses

Use	Design
Dwelling house	A secondary dwelling shares a vehicle crossover with the Dwelling house.
Car wash	Site access involves: (a) a maximum width of 9 metres of any vehicle crossover across a footpath; (b) a minimum separation of 12 metres between any vehicle crossover and a road intersection; (c) a separate entrance and exit; and (d) a minimum separation between vehicle crossovers of 14 metres.
Service station	
Industrial activities	Each lot is provided with no more than one access point every 15 metres.
Roadside stall	A single vehicular access point is provided to the site.
Tourist park	(a) a single vehicular access point is provided to the site; and (b) no accommodation site has individual vehicular access.

9.4.4 Reconfiguring a lot code

9.4.4.1 Application

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

9.4.4.2 Purpose

- (1) The purpose of the Reconfiguring a lot code is to ensure that land is:
 - (a) arranged in a manner which is consistent with the intended scale and intensity of development within the area;
 - (b) provided with access to appropriate movement and open space networks; and
 - (c) contributes to housing diversity and accommodates a range of land uses.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) Subdivision of land achieves the efficient use of land and the efficient provision of infrastructure and transport services;
 - (b) Lots are of a suitable size and shape for the intended or potential use having regard to the purpose and overall outcomes of the relevant zone or precinct.
 - (c) Subdivision of land creates lots with sufficient area and dimensions to accommodate the ultimate use, meet user requirements, protect environmental features and account for site constraints;
 - (d) A range and mix of lot sizes is provided to facilitate a variety of industry and housing types;
 - (e) Subdivision design incorporates a road network that provides connectivity and circulation for vehicles and provide safe and efficient access for pedestrians, cyclists and public transport;
 - (f) Subdivision design provides opportunities for walking and cycling for recreation and as alternative methods of travel;
 - (g) Subdivision of land provides and integrates a range of functional parkland, including local and district parks and open space links for the use and enjoyment of the residents of the locality and the shire;
 - (h) Subdivision of land contributes to an open space network that achieves connectivity along riparian corridors and between areas with conservation values;

- (i) Subdivision within the Rural zone maintains rural landholdings in viable parcels;
- (j) Land in historical townships is not reconfigured to be used for urban purposes; and
- (k) Residential subdivision and greenfield development is designed to consider and respect:
 - I. topography;
 - II. climate responsive design and solar orientation;
 - III. efficient and sustainable infrastructure provision;
 - IV. environmental values;
 - V. water sensitive urban design;
 - VI. good quality agricultural land; and
 - VII. the character and scale of surrounding development.

9.4.4.1 Criteria for assessment

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

Performance outcomes		Acceptable outcomes
Area and frontage of lots		
PO1 Lots include an area and frontage that: <ul style="list-style-type: none"> (a) is consistent with the design of lots in the surrounding area; (b) allows the desired amenity of the zone to be achieved; (c) is able to accommodate all buildings, structures and works associated with the intended land use; (d) allow the site to be provided with sufficient access; (e) considers the proximity of the land to: <ul style="list-style-type: none"> (i) centres; (ii) public transport services; and (iii) open space; and (f) allows for the protection of environmental features; and (g) accommodates site constraints. 	AO1.1 Lots provide a minimum area and frontage in accordance with Table 9.4.4.3B .	Complies with PO1. Table 9.4.4.3B does not nominate a minimum area and frontage for rural residential allotments that are located outside a precinct. Assessment is therefore necessary against PO1. <ul style="list-style-type: none"> (a) The proposed lots are consistent with rural residential lots adjacent and in the surrounding area (b) The proposed lots allow for the desired the amenity of the area to be achieved. (c) The proposed lots is of sufficient size and shape to accommodate all buildings, structures and works with the intended land use (d) All lots will have a separate access from Kuranda Heights Road (e) The lots are located approximately 2km (walking distance) by road from the Kuranda Town Centre. The future walking path to the Old Kuranda Cemetery will reduce this distance substantially (f) The lots and building envelopes are designed to avoid clearing of on native on the site and dwellings will be clear of waterways (g) The lot and internal road layout responds to

		the constraints of the site.
Existing buildings and easements		
PO2 Reconfiguring a lot which contains existing land uses or existing buildings and structures ensures: <ul style="list-style-type: none"> (a) new lots are of sufficient area and dimensions to accommodate existing land uses, buildings and structures; and (b) any continuing use is not compromised by the reconfiguration. 	AO2.1 Each land use and associated infrastructure is contained within its individual lot.	Complies with AO2.1.
	AO2.2 All lots containing existing buildings and structures achieve the setback requirements of the relevant zone.	Complies with AO2.2. The existing dwelling on the lot achieves the setback requirements of the rural residential zone. There is no built form associated with the RaL component of the development but the lots are of sufficient size and scale to comply.
PO3 Reconfiguring a lot which contains an existing easement ensures: <ul style="list-style-type: none"> (a) future buildings, structures and accessways are able to be sited to avoid the easement; and (b) the reconfiguration does not compromise the purpose of the easement or the continued operation of any infrastructure contained within the easement. 	AO3 No acceptable outcome is provided.	Not applicable.
Boundary realignment		
PO4 The boundary realignment retains all attendant and existing infrastructure connections and potential connections.	AO4 No acceptable outcome is provided.	Not applicable.

Performance outcomes		Acceptable outcomes
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. 	AO5 No acceptable outcome is provided.	Can be conditioned to comply with PO5. Access to all lots will be from Kuranda Heights Road. As the anticipated use of the cemetery for burials is approximately 11 occasions per year, there is no significant impact on the traffic network or adjoining premises.
PO6 Reconfiguring a lot ensures that access to a lot can be provided that: <ul style="list-style-type: none"> (a) is consistent with that provided in the surrounding area; (b) maximises efficiency and safety; and (c) is consistent with the nature of the intended use of the lot. <p>Note—The Parking and access code should be considered in demonstrating compliance with PO6.</p>	AO6 Vehicle crossover and access is provided in accordance with the design guidelines and specifications set out in Planning Scheme Policy 4 – FNQROC Regional Development Manual.	Can be conditioned to comply with AO6.

<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 code should be considered in demonstrating compliance with PO7.</p>	<p>AO7 No acceptable outcome is provided.</p>	<p>Not applicable.</p>
<p>Rear lots</p>		
<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 the road from which access is gained. 	<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>
	<p>AO8.3 Access to lots is via an access strip with a minimum width of:</p> <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. 	<p>Not applicable.</p>
	<p>AO8.4 A single access strip is provided to a rear lot along one side of the lot with direct frontage to the street.</p> <p>Note—Figure A provides further guidance in relation to the desired outcome.</p>	<p>Not applicable.</p>

Performance outcomes		Acceptable outcomes
	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		
PO9 Development includes design features which enhance public safety and seek to prevent opportunities for crime, having regard to: (a) sightlines; (b) the existing and intended pedestrian movement network; (c) the existing and intended land use pattern; and (d) potential entrapment locations.	AO9 No acceptable outcome is provided.	Complies with PO9. The cemetery and rural residential lots will be largely open areas with minimal CPTED issues.
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 for the scale and configuration of the development. Pedestrian and cyclist access to the site will be via the local road network. Pedestrian access from the current Kuranda cemetery may be provided in the future.
Public transport network		

<p>PO11 Where a site includes or adjoins a future public transport corridor or future public transport site identified through a structure planning process, development:</p> <ul style="list-style-type: none"> (a) does not prejudice the future provision of the identified infrastructure; (b) appropriately treats the common boundary with the future corridor; and (c) provides opportunities to integrate with the adjoining corridor where it will include an element which will attract pedestrian movement. 	<p>AO11 No acceptable outcome is provided.</p>	<p>Not applicable.</p>
<p>Residential subdivision</p>		
<p>PO12 Residential lots are:</p> <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. 	<p>AO12 No acceptable outcome is provided.</p>	<p>Not applicable.</p>

Performance outcomes		Acceptable outcomes
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.	The proposed development conflicts with PO13. Assessment of the proposed development against the the purpose of the Reconfiguring a Lot Code is discussed below:
PO 13 Continued <i>The purpose of the Reconfiguring a Lot code will be achieved through the following overall outcomes:</i> <i>(a) Subdivision of land achieves the efficient use of land and the efficient provision of infrastructure and transport services;</i> The subject site is already serviced by all infrastructure that is typically conditioned for a rural residential development. <i>(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;</i> The size and shape of the proposed allotments are consistent with rural residential lots in the adjacent area and provide for the overall outcomes of the Rural Residential zone. <i>(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;</i> The proposed development creates lots with sufficient area and dimensions to accommodate the future use of the land and allow for the protection of the existing native vegetation on the site. A building envelope is nominated for each lot to keep structures away from the environmental features and other site constraints. The lot design has also taken account of the site constraints with regard to topography. The existing lot already contains a dwelling house and shed which		

will be retained.

The cemetery lot has sufficient area and dimensions to accommodate the intended future community requirements for approximately 50-100 years.

(d) A range and mix of lot sizes is provided to facilitate a variety of industry and housing types;

The proposed development would add to the range of lot sizes available in the local area.

(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;

Not applicable as all lots will have direct access to Kuranda Heights Road.

(f) Subdivision design provides opportunities for walking and cycling for recreation and as alternative methods of travel;

Not applicable for this type of development.

(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;

Future residents of the subject land will have access to existing local/district parks and facilities found throughout the Kuranda area. Further, the future stages of the proposed cemetery will include walking paths/tracks and potentially a pedestrian link to the current Kuranda Cemetery.

(h) Subdivision of land contributes to an open space network that achieves connectivity along riparian corridors and between areas with conservation values;

The site contains two minor waterways which are within vegetated areas which will remain as protected corridors with the development.

(i) Subdivision within the Rural zone maintains rural landholdings in viable parcels;

Not applicable as the site is not in the Rural Zone.

(j) Land in historical townships is not reconfigured to be used for urban purposes;

Not applicable as the site is not within a historical township for the purpose of the planning scheme.

(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.*

The proposed lot layout has been appropriately designed taking account of the above factors.

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.	Complies with PO14. The design of the lots is in keeping with those in the adjacent and surrounding areas.
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

<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. The area is rural residential in nature and residents do not expect that public transport is available.</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. The area is rural residential in nature and residents do not expect that public transport is available.</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>Complies with AO19.1.</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>Complies with AO19.2. In addition to site landscaping that will occur, the existing vegetated areas will be avoided with the development.</p>

Performance outcomes	Acceptable outcomes	
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 for a cemetery and rural residential lots.

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

Zone	Type	Minimum area	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
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

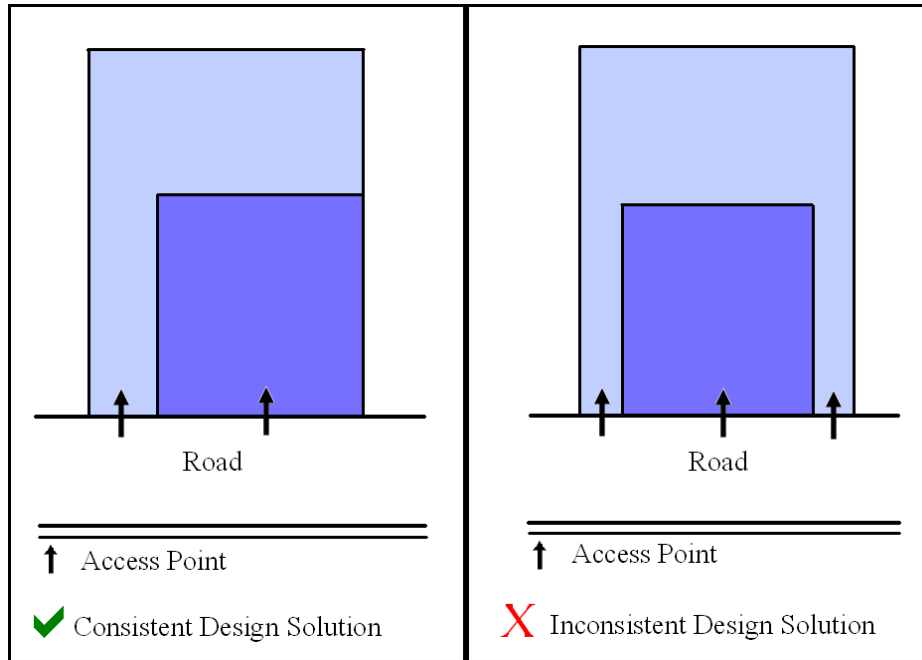
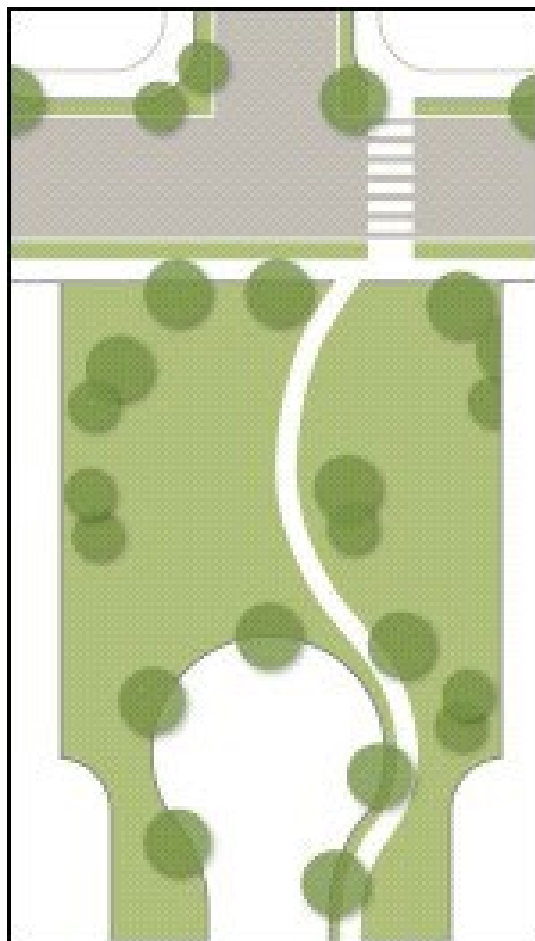


Figure B – Example of cul-de-sac design



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 developments subject to requirements and assessable development

Performance outcomes		Acceptable outcomes
For accepted development subject to requirements and assessable development		
Water supply		
PO1 Each lot has an adequate volume and supply of water that: <ul style="list-style-type: none"> (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment. 	AO1.1 Development is connected to a reticulated water supply system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located: <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated water supply service area. 	Complies with PO1. All lots are located within the declared water supply area and can be connected to the water supply network in the future when required. The cemetery will be connected to the water supply network as part of the stage 1 development.

Performance outcomes	Acceptable outcomes	
	<p>AO1.2 Development, where located outside a reticulated water supply service area and in the Conservation zone, Rural zone or Rural residential zone is provided with:</p> <ul style="list-style-type: none"> (c) 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 (d) on-site water storage tank/s: <ul style="list-style-type: none"> (iv) with a minimum capacity of 90,000L; (v) fitted with a 50mm ball valve with a camlock fitting; and (vi) which are installed and connected prior to the occupation or use of the development. 	<p>Not applicable.</p>
Wastewater disposal		
<p>PO2 Each lot provides for the treatment and disposal of effluent and other waste water that:</p> <ul style="list-style-type: none"> (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment. 	<p>AO2.1 Development is connected to a reticulated sewerage system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located:</p> <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area. 	<p>Complies with PO2. The site is not serviced by a reticulated sewerage service. All rural residential lots and the cemetery will have septic systems installed as appropriate.</p>

	<p>AO2.2 An effluent disposal system is provided in accordance with ASNZ 1547 On-Site Domestic Wastewater Management (as amended) where development is located:</p> <ul style="list-style-type: none"> (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area. 	<p>Complies with AO2.2. The site is not serviced by a reticulated sewerage service. All rural residential lots and the cemetery will have septic systems installed as appropriate.</p>
Stormwater infrastructure		
<p>PO3 Stormwater infrastructure is designed and constructed to collect and convey the design storm event to a lawful point of discharge in a manner that mitigates impacts on life and property.</p>	<p>AO3.1 Where located within a Priority infrastructure area or where stormwater infrastructure is available, development is connected to Council's stormwater network in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	<p>Complies with PO3. A council constructed stormwater network is not available for the site. All stormwater will run overland and continue to discharge to the natural drainage network and lawful point of discharge.</p>

Performance outcomes	Acceptable outcomes	
	<p>AO3.2 On-site drainage systems are constructed:</p> <ul style="list-style-type: none"> (a) to convey stormwater from the premises to a lawful point of discharge; and (b) in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual. 	
Electricity supply		

<p>PO4 Each lot is provided with an adequate supply of electricity</p>	<p>AO4 The premises: (d) is connected to the electricity supply network; or (e) has arranged a connection to the transmission grid; or (f) 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: (iv) it is approved by the relevant regulatory authority; and (v) it can be demonstrated that no air or noise emissions; and (vi) it can be demonstrated that no adverse impact on visual amenity will occur.</p>	<p>Can be conditioned to comply with AO4.</p> <p>All lots have access to the electricity supply network for future connection if or when required.</p>
<p>Telecommunications infrastructure</p>		
<p>PO5 Each lot is provided with an adequate supply of telecommunication infrastructure</p>	<p>AO5 Development is provided with a connection to the national broadband network or telecommunication services.</p>	<p>Can be conditioned to comply with AO5.</p> <p>All lots have access to the telecommunication infrastructure for future connection if or when required.</p>
<p>Existing public utility services</p>		

<p>PO6 Development and associated works do not affect the efficient functioning of public utility mains, services or installations.</p>	<p>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.</p>	<p>Can be conditioned to comply with PO6.</p>
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Performance outcomes		Acceptable outcomes
Excavation or filling		
PO7 Excavation or filling must not have an adverse impact on the: <ul style="list-style-type: none"> (g) streetscape; (h) scenic amenity; (i) environmental values; (j) slope stability; (k) accessibility; or (l) privacy of adjoining premises. 	A07.1 Excavation or filling does not occur within 1.5 metres of any site boundary.	Complies with PO7 The proposed development does not involve substantial filling or excavation and the movement of material around the site is likely to be neutral and involve not transfer of fill to or from the site. There will be no adverse impact associated with excavation due to the setbacks from neighbouring properties and street frontages.
	A07.2 Excavation or filling at any point on a lot isto be no greater than 1.5 metres above orbelow natural ground level.	
	A07.3 Earthworks batters: <ul style="list-style-type: none"> (f) are no greater than 1.5 metres in height; (g) are stepped with a minimum width 2 metre berm; (h) do not exceed a maximum of two batters and two berms (not greater than 3.6 metres in total height) on anyone lot; (i) have a slope no greater than 1 in 4;and (j) are retained. 	

<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"> (c) adjoining premises; or (d) a road frontage, for a period exceeding 1 month from the commencement of the filling or excavation. 	
<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>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>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.</p>	

Performance outcomes		Acceptable outcomes
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.	Can be conditioned to comply with AO8.1.
	AO8.2 Development provides footpath pavement treatments in accordance with Planning Scheme Policy 9 – Footpath Paving.	Not Applicable.
Public infrastructure		
PO9 The design, construction and provision of any infrastructure that is to be dedicated to Council is cost effective over its life cycle and incorporates provisions to minimise adverse impacts.	AO9 Development is in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	Can be conditioned to comply with AO9.
Stormwater quality		

<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) 386 optimize the interception, retention and removal of waterborne pollutants, prior to the discharge to receiving waters; (b) protect the environmental values of waterbodies affected by the development, including upstream, on-site and downstream waterbodies; (c) achieve specified water quality objectives; (d) minimise flooding; (e) maximise the use of natural channel design principles; (f) maximise community benefit; and (g) minimise risk to public safety. 	<p>AO10.1 The following reporting is prepared for all Material change of use or Reconfiguring a lot proposals:</p> <ul style="list-style-type: none"> (a) a Stormwater Management Plan and Report that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; and (b) an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation Control Guidelines (Institute of Engineers Australia), including: <ul style="list-style-type: none"> (i) drainage control; (ii) erosion control; (iii) sediment control; and (iv) water quality outcomes. 	<p>Can be conditioned to comply with PO10.</p> <p>A stormwater management plan and erosion and sediment control plan can be prepared at Operational Works stage of the development.</p>
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Performance outcomes	Acceptable outcomes
	<p>AO10.2 For development on land greater than 2,500m² or that result in more than 5 lots or more than 5 dwellings or accommodation units, a Stormwater Quality Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) is prepared that demonstrates that the development:</p> <ul style="list-style-type: none"> (a) meets or exceeds the standards of design and construction set out in the Urban Stormwater Quality Planning Guideline and the Queensland Water Quality Guideline; (b) is consistent with any local area stormwater water management planning; (c) accounts for development type, construction phase, local climatic conditions and design objectives; and (d) provides for stormwater quality treatment measures reflecting land use constraints, such as soil type, landscape features (including landform), nutrient hazardous areas, acid sulfate soil and rainfall erosivity.

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

Performance outcomes		Acceptable outcomes
PO13 Air pollutants, dust and sediment particles from excavation or filling, do not cause significant environmental harm or nuisance impacts.	AO13.1 Dust emissions do not extend beyond the boundary of the site.	Complies with PO13.
	AO13.2 No other air pollutants, including odours, are detectable at the boundary of the site.	
	AO13.3 A management plan for control of dust and air pollutants is prepared and implemented.	
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. 	Can be conditioned to comply with AO14.
Weed and pest management		
PO15 Development prevents the spread of weeds, seeds or other pests into clean areas or away from infested areas.	AO15 No acceptable outcome is provided.	Can be conditioned to comply with PO15. Activation of the cemetery site will assist in weed and pest management. Creation of the additional rural residential lots will assist in weed and pest management with additional landholders responsible.
Contaminated land		

<p>PO16 Development is located and designed to ensure that users and nearby sensitive landuses are not exposed to unacceptable levels of contaminants</p>	<p>AO16 Development is located where:</p> <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. 	<p>Complies with AO16.</p>
<p>Fire services in developments accessed by common private title</p>		
<p>PO17 Fire hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.</p>	<p>AO17.1 Fire hydrants are located in accessways or private roads held in common private title at a maximum spacing of:</p> <ul style="list-style-type: none"> (a) 120 metres for residential development; and (b) 90 metres for any other development. 	<p>Not applicable.</p>
	<p>AO17.2 Fire hydrants are located at all intersections of accessways or private roads held in common private title.</p>	<p>Not applicable.</p>

Attachment 6

Assessment of the applicable SDAP provisions



State code 16: Native vegetation clearing

State Development Assessment Provisions Guidance material: State code 16: Native vegetation clearing provides direction on how to address this code.

Table 16.1: Relevant code provisions for each type of development

Clearing purpose	Relevant provisions
Material change of use and / or reconfiguring a lot and / or operational work	
Public safety, relevant infrastructure activities and / or consequential development of IPA approval	Table 16.2 and Table 16.3
Extractive industry	Table 16.2 and Table 16.4
Coordinated project (agriculture)	Table 16.2 and Table 16.5
Coordinated project (extractive industry)	Table 16.2 and Table 16.6
Coordinated project (all other purposes)	Table 16.2 and Table 16.7
Material change of use and / or reconfiguring a lot for all other purposes	Table 16.2 and Table 16.8
Material change of use and / or reconfiguring a lot for which there will be no clearing as a result of the material change of use or reconfiguring a lot	Table 16.9
Material change of use and / or reconfiguring a lot for which clearing is limited to clearing that could be done as exempt clearing work for the purpose of the development prior to the material change of use or reconfiguring a lot application being approved	Table 16.2 and Table 16.10
Operational work	
Necessary environmental clearing	Table 16.2 and Table 16.11
Control non-native plants or declared pests	Table 16.2 and Table 16.12
Encroachment	Table 16.2 and Table 16.13
Fodder harvesting	Table 16.2 and Table 16.14
Managing thickened vegetation	Table 16.2 and Table 16.15

Table 16.2: General

Performance outcomes	Acceptable outcomes	Response
PO1 Clearing of vegetation is consistent with any notice requiring compliance on the land subject to the development application, unless a better environmental outcome can be achieved.	No acceptable outcome is prescribed.	Not applicable.
PO2 Clearing of vegetation is consistent with vegetation management requirements for	No acceptable outcome is prescribed.	No native vegetation clearing will occur as a result of the development.

particular regulated areas unless a better environmental outcome can be achieved.		
PO3 Clearing of vegetation in a legally secured offset area: <ol style="list-style-type: none"> 1. is consistent with the offset delivery plan; or 2. is consistent with an agreement for the offset area on the land subject to the development application; or 3. only occurs if an additional offset is provided. 	No acceptable outcome is prescribed.	Not applicable.

Table 16.3: Public safety, relevant infrastructure activities and / or consequential development of IPA approval

Performance outcomes	Acceptable outcomes	Response
Clearing avoids and minimises impacts		
PO4 Clearing of vegetation and adverse impacts of clearing vegetation do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been: <ol style="list-style-type: none"> 1. reasonably avoided; or 2. reasonably minimised where it cannot be reasonably avoided. 	No acceptable outcome is prescribed.	
Clearing associated with wetlands		
PO5 Clearing of vegetation within a natural wetland and/or within 100 metres of the defining bank of a natural wetland maintains the composition, structure and function of any regional ecosystem associated with any natural wetland to protect all of the following: <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	AO5.1 Clearing does not occur in a natural wetland or within 100 metres of the defining bank of any natural wetland . OR AO5.2 Clearing within 100 metres of the defining bank of any natural wetland : <ol style="list-style-type: none"> 1. does not occur within 10 metres of the defining bank of any natural wetland; and 2. does not exceed widths in reference table 1 in this code. 	
PO6 Where clearing of vegetation in a regional ecosystem associated with a natural wetland does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided	No acceptable outcome is prescribed.	

Performance outcomes	Acceptable outcomes	Response
and has been mitigated, an offset is provided for any acceptable significant residual impact .		
Clearing associated with watercourses and drainage features		
PO7 Clearing of vegetation within a watercourse and/or drainage feature and/or within the relevant distance (listed in reference table 2) of a watercourse and/or drainage feature , maintains the composition, structure and function of the regional ecosystem associated with the watercourse and/or drainage feature to protect all of the following: <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	AO7.1 Clearing does not occur in any of the following areas: <ol style="list-style-type: none"> 1. inside the defining bank of a watercourse or drainage feature; and 2. within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code. <p>OR</p> AO7.2 Clearing within any watercourse or drainage feature , or within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code: <ol style="list-style-type: none"> 1. does not exceed the widths in reference table 1 of this code; and 2. does not occur within 10 metres of the defining bank, unless clearing is required into or across the watercourse or drainage feature. 	
PO8 Where clearing of vegetation in a regional ecosystem associated with a watercourse and/or drainage feature does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact .	No acceptable outcome is prescribed.	
Connectivity		
PO9 Regional ecosystems on the subject land and any adjacent land retain sufficient vegetation to: <ol style="list-style-type: none"> 1. maintain ecological processes; and 2. ensure the regional ecosystem remains in the landscape despite threatening processes. 	AO9.1 Clearing occurs in accordance with reference table 3 in this code.	

Performance outcomes	Acceptable outcomes	Response
Soil erosion if the local government is not the assessment manager for the development application		
PO10 Clearing of vegetation does not result in accelerated soil erosion within or outside the land the subject of the development application.	AO10.1 Clearing only occurs if an erosion and sediment control plan is developed and implemented to prevent increased soil erosion and instability resulting from the clearing .	
Salinity		
PO11 Clearing of vegetation within 100 metres of a salinity expression area does not contribute to or accelerate land degradation through either of the following: 1. waterlogging ; 2. the salinisation of groundwater , surface water or soil.	AO11.1 Clearing does not occur within 100 metres of a salinity expression area .	
Conserving least concern regional ecosystems - Minimising clearing of areas temporarily required to enable construction of the infrastructure		
PO12 Clearing of vegetation for temporary use areas to construct necessary infrastructure, such as temporary use roads or access tracks, maintains the composition, structure and function of least concern regional ecosystems .	AO12.1 Clearing for temporary use areas to construct necessary infrastructure does not occur in a least concern regional ecosystem . OR AO12.2 Total clearing for temporary use areas to construct necessary infrastructure in any regional ecosystem combined does not exceed the widths prescribed in table reference table 1 of this code. OR AO12.3 Total clearing for temporary use areas to construct necessary infrastructure in any regional ecosystem combined does not exceed areas prescribed in table reference table 1 of this code.	
PO13 Where clearing of vegetation in a regional ecosystem for temporary use areas to construct necessary infrastructure does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, the cleared area is rehabilitated .	No acceptable outcome is prescribed.	

Performance outcomes	Acceptable outcomes	Response
Conserving endangered and of concern regional ecosystems		
PO14 Clearing of vegetation maintains the composition, structure and function of endangered regional ecosystems and/or of concern regional ecosystems .	AO14.1 Clearing does not occur in an endangered regional ecosystem or an of concern regional ecosystem . OR AO14.2 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed the widths prescribed in table reference table 1 of this code. OR AO14.3 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed areas prescribed in table reference table 1 of this code.	
PO15 Where clearing of vegetation in an endangered regional ecosystem or an of concern regional ecosystems does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, the cleared area: <ol style="list-style-type: none"> 1. is rehabilitated; or 2. where the cleared area cannot reasonably be rehabilitated, an offset is provided for any acceptable significant residual impact. 	No acceptable outcome is prescribed.	
Essential habitat excluding essential habitat for <i>Phascolarctos cinereus</i> (koalas) if development is assessable under Schedule 10, Part 10 of the Planning Regulation 2017		
PO16 Clearing of vegetation in a regional ecosystem that is an area of essential habitat maintains the composition, structure and function of the regional ecosystem for each protected wildlife species individually.	AO16.1 Clearing does not occur in essential habitat . OR AO16.2 Clearing in essential habitat does not exceed the widths prescribed in reference table 1 of this code.	

Performance outcomes	Acceptable outcomes	Response
	OR AO16.3 Clearing in essential habitat does not exceed the areas prescribed in table reference table 1 of this code.	
PO17 Where clearing of vegetation in a regional ecosystem that is an area of essential habitat does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact for each protected wildlife species individually.	No acceptable outcome is prescribed.	
Acid sulfate soils if the local government is not the assessment manager for the development application		
PO18 Clearing of vegetation does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following: 1. aeration of horizons containing iron sulphides; 2. mobilisation of acid or metals.	AO18.1 Clearing does not occur in land zone 1, land zone 2 or land zone 3 . OR AO18.2 Clearing in land zone 1, land zone 2 or land zone 3 in areas below the five metre Australian Height Datum only occurs where: 1. mechanical clearing does not disturb the soil to a depth greater than 30 centimetres; and 2. acid sulfate soils are managed consistent with the soil management guidelines in the Queensland Acid Sulfate Soil Technical Manual.	

Table 16.4: Extractive industry

Performance outcomes	Acceptable outcomes	Response
Clearing avoids and minimises impacts		
PO19 Clearing of vegetation and adverse impacts of clearing vegetation do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been: 1. reasonably avoided; or	No acceptable outcome is prescribed.	

Performance outcomes	Acceptable outcomes	Response
2. reasonably minimised where it cannot be reasonably avoided.		
Clearing associated with wetlands		
PO20 Clearing of vegetation within a natural wetland and/or within 100 metres of the defining bank of a natural wetland maintains the composition, structure and function of any regional ecosystem associated with any natural wetland to protect all of the following: <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	AO20.1 Clearing does not occur in a natural wetland or within 100 metres of the defining bank of any natural wetland . OR AO20.2 Clearing within 100 metres of the defining bank of any natural wetland : <ol style="list-style-type: none"> 1. does not occur within 10 metres of the defining bank of any natural wetland; and 2. does not exceed widths in table reference table 1 in this code. 	
PO21 Where clearing of vegetation in a regional ecosystem associated with a natural wetland does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact .	No acceptable outcome is prescribed.	
Clearing associated with watercourses and drainage features		
PO22 Clearing of vegetation within a watercourse and /or drainage feature and/or within the relevant distance (listed in reference table 2) of a watercourse and/or drainage feature , maintains the composition, structure and function of the regional ecosystem associated with the watercourse and/or drainage feature to protect all of the following: <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	AO22.1 Clearing does not occur in any of the following areas: <ol style="list-style-type: none"> 1. inside the defining bank of a watercourse or drainage feature; and 2. within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code. OR AO22.2 Clearing within any watercourse or drainage feature , or within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code: <ol style="list-style-type: none"> 1. does not exceed the widths in table reference table 1 of this code; and 	

Performance outcomes	Acceptable outcomes	Response
	2. does not occur within 10 metres of the defining bank , unless clearing is required into or across the watercourse or drainage feature .	
PO23 Where clearing of vegetation in a regional ecosystem associated with a watercourse and/or drainage feature does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact .	No acceptable outcome is prescribed.	
Connectivity		
PO24 Regional ecosystems on the subject land and any adjacent land retain sufficient vegetation to maintain: 1. ecological processes ; and 2. ensure the regional ecosystem remains in the landscape despite threatening processes .	AO24.1 Clearing occurs in accordance with reference table 3 in this code.	
Soil erosion if the local government is not the assessment manager for the development application		
PO25 Clearing does not result in accelerated soil erosion within or outside the land the subject of the development application.	AO25.1 Clearing only occurs if an erosion and sediment control plan is developed and implemented to prevent soil erosion and instability resulting from the clearing .	
Salinity		
PO26 Clearing within 100 metres of a salinity expression area does not contribute to or accelerate land degradation through either of the following: 1. waterlogging ; 2. the salinisation of groundwater , surface water or soil.	AO26.1 Clearing does not occur within 100 metres of a salinity expression area .	
Conserving endangered and of concern regional ecosystems		
PO27 Clearing of vegetation maintains the composition, structure and function of endangered regional ecosystems and/or of concern regional ecosystems .	AO27.1 Clearing does not occur in an endangered regional ecosystem or an of concern regional ecosystem . OR	

Performance outcomes	Acceptable outcomes	Response
	<p>AO27.2 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed the widths prescribed in table reference table 1 of this code.</p> <p>OR</p> <p>AO27.3 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed areas prescribed in table reference table 1 of this code.</p>	
<p>PO28 Where clearing of vegetation in an endangered regional ecosystem or an of concern regional ecosystems does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, the cleared area:</p> <ol style="list-style-type: none"> 1. is rehabilitated; or 2. where the cleared area cannot be rehabilitated, an offset is provided for any acceptable significant residual impact. 	No acceptable outcome is prescribed.	
Essential habitat excluding essential habitat for <i>Phascolarctos cinereus</i> (koalas) if development is assessable under Schedule 10, Part 10 of the Planning Regulation 2017		
<p>PO29 Clearing of vegetation in a regional ecosystem that is an area of essential habitat maintains the composition, structure and function of the regional ecosystem for each protected wildlife species individually.</p>	<p>AO29.1 Clearing does not occur in essential habitat.</p> <p>OR</p> <p>AO29.2 Clearing in essential habitat does not exceed the widths prescribed in table reference table 1 of this code.</p> <p>OR</p> <p>AO29.3 Clearing in essential habitat does not exceed the areas prescribed in table reference table 1 of this code.</p>	

Performance outcomes	Acceptable outcomes	Response
PO30 Where clearing of vegetation in a regional ecosystem that is an area of essential habitat does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact for each protected wildlife species individually.	No acceptable outcome is prescribed.	
Acid sulfate soils if the local government is not the assessment manager for the development application		
PO31 Clearing does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following: 1. aeration of horizons containing iron sulphides 2. mobilisation of acid or metals.	AO31.1 Clearing does not occur in land zone 1, land zone 2 or land zone 3 . OR AO31.2 Clearing in land zone 1, land zone 2 or land zone 3 in areas below the five metre Australian Height Datum only occurs where: 1. mechanical clearing does not disturb the soil to a depth greater than 30 centimetres; and 2. acid sulfate soils are managed consistent with the soil management guidelines in the Queensland Acid Sulfate Soil Technical Manual.	
Staged clearing		
PO32 Clearing of vegetation: 1. is staged in line with operational needs that restrict clearing to the current operational area; and 2. only occurs in the area from which material will be extracted, and any reasonably associated built infrastructure , within the term of the development approval; and 3. does not occur without required permits.	No acceptable outcome is prescribed.	

Table 16.5: Coordinated project (agriculture)

Performance outcomes	Acceptable outcomes	Response
Clearing avoids and minimises impacts		
PO33 Clearing of vegetation and adverse impacts of clearing vegetation do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been: 1. reasonably avoided; or 2. reasonably minimised where it cannot be reasonably avoided.	No acceptable outcome is prescribed.	
Clearing associated with wetlands		
PO34 Clearing of vegetation within a natural wetland and/or within 100 metres of the defining bank of a natural wetland maintains the composition, structure and function of any regional ecosystem associated with any natural wetland to protect all of the following: 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat.	AO34.1 Clearing does not occur in a natural wetland or within 100 metres of the defining bank of any natural wetland . OR AO34.2 Clearing within 100 metres of the defining bank of any natural wetland : 1. does not occur within 10 metres of the defining bank of any natural wetland ; and 2. does not exceed widths in table reference table 1 in this code.	
PO35 Where clearing of vegetation in a regional ecosystem associated with a natural wetland does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact .	No acceptable outcome is prescribed.	
Clearing associated with watercourses and drainage features		
PO36 Clearing of vegetation within a watercourse and /or drainage feature and/or within the relevant distance (listed in reference table 2) of a watercourse and/or drainage feature , maintains the composition, structure and function of the regional ecosystem associated with the watercourse and/or drainage feature to protect all of the following:	AO36.1 Clearing does not occur in any of the following areas: 1. inside the defining bank of a watercourse or drainage feature ; and 2. within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code.	

Performance outcomes	Acceptable outcomes	Response
<ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	<p>OR</p> <p>AO36.2 Clearing within any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code:</p> <ol style="list-style-type: none"> 1. does not exceed the widths in table reference table 1 of this code; and 2. does not occur within 10 metres of the defining bank, unless clearing is required into or across the watercourse or drainage feature. 	
PO37 Where clearing of vegetation in a regional ecosystem associated with a watercourse and/or drainage feature does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact .	No acceptable outcome is prescribed.	
Connectivity		
PO38 Regional ecosystems on the subject land and any adjacent land retain sufficient vegetation to:	AO38.1 Clearing occurs in accordance reference table 3 of this code.	
<ol style="list-style-type: none"> 1. maintain ecological processes; and 2. ensure the regional ecosystem remains in the landscape despite threatening processes. 		
PO39 Where:	No acceptable outcome is prescribed.	
<ol style="list-style-type: none"> 1. clearing of vegetation in a regional ecosystem does not maintain ecological processes; and 2. the regional ecosystem does not remain in the landscape despite threatening processes; and 3. the clearing cannot be avoided; and 4. the clearing has been mitigated <p>an offset is provided for any acceptable significant residual impact.</p>		
Soil erosion if the local government is not the assessment manager for the development application		

Performance outcomes	Acceptable outcomes	Response
PO40 Clearing does not result in accelerated soil erosion within or outside the land the subject of the development application.	AO40.1 Clearing only occurs if an erosion and sediment control plan is developed and implemented to prevent soil erosion and instability resulting from the clearing .	
Salinity		
PO41 Clearing within 100 metres of a salinity expression area does not contribute to or accelerate land degradation through either of the following: 1. waterlogging ; 2. the salinisation of groundwater , surface water or soil.	AO41.1 Clearing does not occur within 100 metres of a salinity expression area .	
Conserving endangered and of concern regional ecosystems		
PO42 Clearing of vegetation maintains the composition, structure and function of endangered regional ecosystems and/or of concern regional ecosystems .	AO42.1 Clearing does not occur in an endangered regional ecosystem or an of concern regional ecosystem . OR AO42.2 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed the widths prescribed in table reference table 1 of this code. OR AO42.3 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed areas prescribed in table reference table 1 of this code.	
PO43 Where clearing of vegetation in an endangered regional ecosystem or an of concern regional ecosystems does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, the cleared area: 1. is rehabilitated ; or	No acceptable outcome is prescribed.	

Performance outcomes	Acceptable outcomes	Response
2. where the cleared area cannot be rehabilitated , an offset is provided for any acceptable significant residual impact .		
Essential habitat excluding essential habitat for <i>Phascolarctos cinereus</i> (koalas) if development is assessable under Schedule 10, Part 10 of the Planning Regulation 2017		
PO44 Clearing of vegetation in a regional ecosystem that is an area of essential habitat maintains the composition, structure and function of the regional ecosystem for each protected wildlife species individually.	AO44.1 Clearing does not occur in essential habitat . OR AO44.2 Clearing in essential habitat does not exceed the widths prescribed in table reference table 1 of this code. OR AO44.3 Clearing in essential habitat does not exceed the areas prescribed in table reference table 1 of this code.	
PO45 Where clearing of vegetation in a regional ecosystem that is an area of essential habitat does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact for each protected wildlife species individually.	No acceptable outcome is prescribed.	
Acid sulfate soils if the local government is not the assessment manager for the development application		
PO46 Clearing does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following: 1. aeration of horizons containing iron sulphides; 2. mobilisation of acid or metals.	AO46.1 Clearing does not occur in land zone 1, land zone 2 or land zone 3 . OR AO46.2 Clearing in land zone 1, land zone 2 or land zone 3 in areas below the five metre Australian Height Datum only occurs where: 1. mechanical clearing does not disturb the soil to a depth greater than 30 centimetres; and	

Performance outcomes	Acceptable outcomes	Response
	2. acid sulfate soils are managed consistent with the soil management guidelines in the Queensland Acid Sulfate Soil Technical Manual.	
Clearing for agriculture		
PO47 Clearing of vegetation only occurs where the land is suitable for agriculture having regard to topography, climate and soil attributes.	No acceptable outcome is prescribed.	
PO48 For applications for irrigated crops, the owner of the land has, or may have, access to enough water for establishing, cultivating and harvesting the crops to which the clearing of vegetation relates.	No acceptable outcome is prescribed.	

Table 16.6: Coordinated project (extractive industry)

Performance outcomes	Acceptable outcomes	Response
Clearing avoids and minimises impacts		
PO49 Clearing of vegetation and adverse impacts of clearing vegetation do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been: 1. reasonably avoided; or 2. reasonably minimised where it cannot be reasonably avoided.	No acceptable outcome is prescribed.	
Clearing associated with wetlands		
PO50 Clearing of vegetation within a natural wetland and/or within 100 metres of the defining bank of a natural wetland maintains the composition, structure and function of any regional ecosystem associated with any natural wetland to protect all of the following: 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat;	AO50.1 Clearing does not occur in a natural wetland or within 100 metres of the defining bank of any natural wetland . OR AO50.2 Clearing within 100 metres of the defining bank of any natural wetland : 1. does not occur within 10 metres of the defining bank of any natural wetland ; and	

Performance outcomes	Acceptable outcomes	Response
4. terrestrial habitat.	2. does not exceed widths in reference table 1 in this code.	
PO51 Where clearing of vegetation in a regional ecosystem associated with a natural wetland does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact .	No acceptable outcome is prescribed.	
Clearing associated with watercourses and drainage features		
PO52 Clearing of vegetation within a watercourse and/or drainage feature and/or within the relevant distance (listed in reference table 2) of a watercourse and/or drainage feature , maintains the composition, structure and function of the regional ecosystem associated with the watercourse and/or drainage feature to protect all of the following: 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat.	AO52.1 Clearing does not occur in any of the following areas: 1. inside the defining bank of a watercourse or drainage feature ; and 2. within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code. OR AO52.2 Clearing within any watercourse or drainage feature , or within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code: 1. does not exceed the widths in reference table 1 of this code; and 2. does not occur within 10 metres of the defining bank , unless clearing is required into or across the watercourse or drainage feature .	
PO53 Where clearing of vegetation in a regional ecosystem associated with a watercourse and/or drainage feature does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact .	No acceptable outcome is prescribed.	
Connectivity		

Performance outcomes	Acceptable outcomes	Response
PO54 Regional ecosystems on the subject land and any adjacent land retain sufficient vegetation to: <ol style="list-style-type: none"> 1. maintain ecological processes; and 2. ensure the regional ecosystem remains in the landscape despite threatening processes. 	AO54.1 Clearing occurs in accordance with reference table 3 of this code.	
PO55 Where: <ol style="list-style-type: none"> 1. clearing of vegetation in a regional ecosystem does not maintain ecological processes; and 2. the regional ecosystem; and 3. the clearing cannot be avoided; and 4. the clearing has been mitigated an offset is provided for any acceptable significant residual impact .	No acceptable outcome is prescribed.	
Soil erosion if the local government is not the assessment manager for the development application		
PO56 Clearing does not result in accelerated soil erosion within or outside the land the subject of the development application.	AO56.1 Clearing only occurs if an erosion and sediment control plan is developed and implemented to prevent soil erosion and instability resulting from the clearing .	
Salinity		
PO57 Clearing within 100 metres of a salinity expression area does not contribute to or accelerate land degradation through either of the following: <ol style="list-style-type: none"> 1. waterlogging; 2. the salinisation of groundwater, surface water or soil. 	AO57.1 Clearing does not occur within 100 metres of a salinity expression area .	
Conserving endangered and of concern regional ecosystems		

Performance outcomes	Acceptable outcomes	Response
PO58 Clearing of vegetation maintains the composition, structure and function of endangered regional ecosystems and/or of concern regional ecosystems .	AO58.1 Clearing does not occur in an endangered regional ecosystem or an of concern regional ecosystem . OR AO58.2 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed the widths prescribed in reference table 1 of this code. OR AO58.3 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed areas prescribed in reference table 1 of this code.	
PO59 Where clearing of vegetation in an endangered regional ecosystem or an of concern regional ecosystems does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, the cleared area: <ol style="list-style-type: none"> 1. is rehabilitated; or 2. where the cleared area cannot be rehabilitated, an offset is provided for any acceptable significant residual impact. 	No acceptable outcome is prescribed.	
Essential habitat excluding essential habitat for <i>Phascolarctos cinereus</i> (koalas) if development is assessable under Schedule 10, Part 10 of the Planning Regulation 2017		
PO60 Clearing of vegetation in a regional ecosystem that is an area of essential habitat maintains the composition, structure and function of the regional ecosystem for each protected wildlife species individually.	AO60.1 Clearing does not occur in essential habitat . OR AO60.2 Clearing in essential habitat does not exceed the widths prescribed in reference table 1 of this code. OR	

Performance outcomes	Acceptable outcomes	Response
	AO60.3 Clearing in essential habitat does not exceed the areas prescribed in reference table 1 of this code.	
PO61 Where clearing of vegetation in a regional ecosystem that is an area of essential habitat does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact for each protected wildlife species individually.	No acceptable outcome is prescribed.	
Acid sulfate soils if the local government is not the assessment manager for the development application		
PO62 Clearing does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following: 1. aeration of horizons containing iron sulphides; 2. mobilisation of acid or metals.	AO62.1 Clearing does not occur in land zone 1 , land zone 2 or land zone 3 . OR AO62.2 Clearing in land zone 1, land zone 2 or land zone 3 in areas below the five metre Australian Height Datum only occurs where: 1. mechanical clearing does not disturb the soil to a depth greater than 30 centimetres; and 2. acid sulfate soils are managed consistent with the soil management guidelines in the Queensland Acid Sulfate Soil Technical Manual.	
Staged clearing		
PO63 Clearing: 1. is staged in line with operational needs that restrict clearing to the current operational area; and 2. only occurs in the area from which material will be extracted, and any reasonably associated built infrastructure , within the term of the development approval; and 3. does not occur without required permits.	No acceptable outcome is prescribed.	

Table 16.7: Coordinated project (all other purposes)

Performance outcomes	Acceptable outcomes	Response
Clearing avoids and minimises impacts		
PO64 Clearing of vegetation and adverse impacts of clearing vegetation do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been: <ol style="list-style-type: none"> 1. reasonably avoided; or 2. reasonably minimised where it cannot be reasonably avoided. 	No acceptable outcome is prescribed.	
Clearing associated with wetlands		
PO65 Clearing of vegetation within a natural wetland and/or within 100 metres of the defining bank of a natural wetland maintains the composition, structure and function of any regional ecosystem associated with any natural wetland to protect all of the following: <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	AO65.1 Clearing does not occur in a natural wetland or within 100 metres of the defining bank of any natural wetland . OR AO65.2 Clearing within 100 metres of the defining bank of any natural wetland : <ol style="list-style-type: none"> 1. does not occur within 10 metres of the defining bank of any natural wetland; and 2. does not exceed widths in table reference table 1 in this code. 	
PO66 Where clearing of vegetation in a regional ecosystem associated with a natural wetland does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact .	No acceptable outcome is prescribed.	
Clearing associated with watercourses and drainage features		
PO67 Clearing of vegetation within a watercourse and/or drainage feature and/or within the relevant distance (listed in reference table 2) of a watercourse and/or drainage feature , maintains the composition, structure and function of the regional ecosystem associated with the watercourse and/or drainage feature to protect all of the following:	AO67.1 Clearing does not occur in any of the following areas: <ol style="list-style-type: none"> 1. inside the defining bank of a watercourse or drainage feature; and 2. within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code. OR	

Performance outcomes	Acceptable outcomes	Response
<ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	<p>AO67.2 Clearing within any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code:</p> <ol style="list-style-type: none"> 1. does not exceed the widths in table reference table 1 of this code; and 2. does not occur within 10 metres of the defining bank, unless clearing is required into or across the watercourse or drainage feature. 	
<p>PO68 Where clearing of vegetation in a regional ecosystem associated with a watercourse and/or drainage feature does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact.</p>	No acceptable outcome is prescribed.	
Connectivity		
<p>PO69 Regional ecosystems on the subject land and any adjacent land retain sufficient vegetation to:</p> <ol style="list-style-type: none"> 1. maintain ecological processes; and 2. ensure the regional ecosystem remains in the landscape despite threatening processes. 	<p>AO69.1 Clearing occurs in accordance with reference table 3 of this code.</p>	
<p>PO70 Where:</p> <ol style="list-style-type: none"> 1. clearing of vegetation in a regional ecosystem does not maintain ecological processes; and 2. the regional ecosystem; and 3. the clearing cannot be avoided; and 4. the clearing has been mitigated <p>an offset is provided for any acceptable significant residual impact.</p>	No acceptable outcome is prescribed.	
Soil erosion if the local government is not the assessment manager for the development application		
<p>PO71 Clearing does not result in accelerated soil erosion within or outside the land the subject of the development application.</p>	<p>AO71.1 Clearing only occurs if an erosion and sediment control plan is developed and implemented to prevent soil erosion and instability resulting from the clearing.</p>	

Performance outcomes	Acceptable outcomes	Response
Salinity		
PO72 Clearing within 100 metres of a salinity expression area does not contribute to or accelerate land degradation through either of the following: 1. waterlogging ; 2. the salinisation of groundwater , surface water or soil.	AO72.1 Clearing does not occur within 100 metres of a salinity expression area .	
Conserving least concern regional ecosystems - Minimising clearing of areas temporarily required to enable construction of the infrastructure		
PO73 Clearing of vegetation for temporary use areas to construct necessary infrastructure, such as temporary use roads or access tracks, maintains the composition, structure and function of least concern regional ecosystems .	AO73.1 Clearing for temporary use areas to construct necessary infrastructure does not occur in a least concern regional ecosystem . OR AO73.2 Total clearing for temporary use areas to construct necessary infrastructure in any regional ecosystem combined does not exceed the widths prescribed in table reference table 1 of this code. OR AO73.3 Total clearing for temporary use areas to construct necessary infrastructure in any regional ecosystem combined does not exceed areas prescribed in table reference table 1 of this code.	
PO74 Where clearing of vegetation in a regional ecosystem for temporary use areas to construct necessary infrastructure does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, the cleared area is rehabilitated .	No acceptable outcome is prescribed.	
Conserving endangered and of concern regional ecosystems		
PO75 Clearing of vegetation maintains the composition, structure and function of endangered regional ecosystems and/or of concern regional ecosystems .	AO75.1 Clearing does not occur in an endangered regional ecosystem or an of concern regional ecosystem . OR	

Performance outcomes	Acceptable outcomes	Response
	<p>AO75.2 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed the widths prescribed in table reference table 1 of this code.</p> <p>OR</p> <p>AO75.3 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed areas prescribed in reference table 1 of this code.</p>	
<p>PO76 Where clearing of vegetation in an endangered regional ecosystem or an of concern regional ecosystems does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, the cleared area:</p> <ol style="list-style-type: none"> 1. is rehabilitated; or 2. where the cleared area cannot be rehabilitated, an offset is provided for any acceptable significant residual impact. 	No acceptable outcome is prescribed.	
Essential habitat excluding essential habitat for <i>Phascolarctos cinereus</i> (koalas) if development is assessable under Schedule 10, Part 10 of the Planning Regulation 2017		
<p>PO77 Clearing of vegetation in a regional ecosystem that is an area of essential habitat maintains the composition, structure and function of the regional ecosystem for each protected wildlife species individually.</p>	<p>AO77.1 Clearing does not occur in essential habitat.</p> <p>OR</p> <p>AO77.2 Clearing in essential habitat does not exceed the widths prescribed in reference table 1 of this code.</p> <p>OR</p> <p>AO77.3 Clearing in essential habitat does not exceed the areas prescribed in reference table 1 of this code.</p>	

Performance outcomes	Acceptable outcomes	Response
PO78 Where clearing of vegetation in a regional ecosystem that is an area of essential habitat does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact for each protected wildlife species individually.	No acceptable outcome is prescribed.	
Acid sulfate soils if the local government is not the assessment manager for the development application		
PO79 Clearing does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following: 1. aeration of horizons containing iron sulphides 2. mobilisation of acid or metals.	AO79.1 Clearing does not occur in land zone 1 , land zone 2 or land zone 3 . OR AO79.2 Clearing in land zone 1 , land zone 2 or land zone 3 in areas below the five metre Australian Height Datum only occurs where: 1. mechanical clearing does not disturb the soil to a depth greater than 30 centimetres; and 2. acid sulfate soils are managed consistent with the soil management guidelines in the Queensland Acid Sulfate Soil Technical Manual.	

Table 16.8: Material change of use and / or reconfiguring a lot for all other purposes

Performance outcomes	Acceptable outcomes	Response
Clearing avoids and minimises impacts		
PO80 Clearing of vegetation and adverse impacts of clearing vegetation do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been: 1. reasonably avoided; or 2. reasonably minimised where it cannot be reasonably avoided.	No acceptable outcome is prescribed.	Whilst no vegetation clearing is proposed as part of this development. It is acknowledged that exemptions are created 10m each side of the proposed lot boundary. The application has been amended in response to the SARA's information request to create only one rural residential lot, a cemetery lot, and a balance lot. The intent of the balance lot has not yet been determined but is required to

Performance outcomes	Acceptable outcomes	Response
		<p>be separated from the cemetery parcel for management purposed.</p> <p>If the balance parcel is sold, the cleared area on site is sufficient to accommodate a residential dwelling and suitable firebreaks.</p> <p>Lot boundaries have been located to minimise impact on mapped vegetation.</p>
Clearing associated with wetlands		
PO81 Clearing of vegetation within a natural wetland and/or within 100 metres of the defining bank of a natural wetland maintains the composition, structure and function of any regional ecosystem associated with any natural wetland to protect all of the following: <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	AO81.1 Clearing does not occur in a natural wetland or within 100 metres of the defining bank of any natural wetland . OR AO81.2 Clearing within 100 metres of the defining bank of any natural wetland : <ol style="list-style-type: none"> 1. does not occur within 10 metres of the defining bank of any natural wetland; and 2. does not exceed widths in reference table 1 in this code. 	Not applicable.
PO82 Where clearing of vegetation in a regional ecosystem associated with a natural wetland does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact .	No acceptable outcome is prescribed.	Not applicable.
Clearing associated with watercourses and drainage features		
PO83 Clearing of vegetation within a watercourse and /or drainage feature and/or within the relevant distance (listed in reference table 2) of a watercourse and/or drainage feature , maintains the composition, structure and function of the regional ecosystem associated with the watercourse and/or drainage feature to protect all of the following: <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 	AO83.1 Clearing does not occur in any of the following areas: <ol style="list-style-type: none"> 1. inside the defining bank of a watercourse or drainage feature; and 2. within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code. OR	Not applicable.

Performance outcomes	Acceptable outcomes	Response
2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat.	AO83.2 Clearing within any watercourse or drainage feature , or within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code: 1. does not exceed the widths in table reference table 1 of this code; and 2. does not occur within 10 metres of the defining bank , unless clearing is required into or across the watercourse or drainage feature .	
PO84 Where clearing of vegetation in a regional ecosystem associated with a watercourse and/or drainage feature does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact .	No acceptable outcome is prescribed.	Not applicable.
Connectivity		
PO85 Regional ecosystems on the subject land and any adjacent land, retain sufficient vegetation to maintain: 1. ecological processes ; and 2. ensure the regional ecosystem remains in the landscape despite threatening processes .	AO85.1 Clearing occurs in accordance with reference table 3 in this code.	Not applicable.
Soil erosion if the local government is not the assessment manager for the development application		
PO86 Clearing does not result in accelerated soil erosion within or outside the land the subject of the development application.	AO86.1 Clearing only occurs if an erosion and sediment control plan is developed and implemented to prevent soil erosion and instability resulting from the clearing .	Not applicable.
Salinity		
PO87 Clearing within 100 metres of a salinity expression area does not contribute to or accelerate land degradation through either of the following: 1. waterlogging ; 2. the salinisation of groundwater , surface water or soil.	AO87.1 Clearing does not occur within 100 metres of a salinity expression area .	Not applicable.
Conserving endangered and of concern regional ecosystems		

Performance outcomes	Acceptable outcomes	Response
PO88 Clearing of vegetation maintains the composition, structure and function of endangered regional ecosystems and/or of concern regional ecosystems .	AO88.1 Clearing does not occur in an endangered regional ecosystem or an of concern regional ecosystem . OR AO88.2 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed the widths prescribed in reference table 1 of this code. OR AO88.3 Total clearing of endangered regional ecosystems and of concern regional ecosystems combined does not exceed areas prescribed in reference table 1 of this code.	Not applicable.
PO89 Where clearing of vegetation in an endangered regional ecosystem or an of concern regional ecosystems does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, the cleared area: <ol style="list-style-type: none"> 1. is rehabilitated; or 2. where the cleared area cannot be rehabilitated, an offset is provided for any acceptable significant residual impact. 	No acceptable outcome is prescribed.	Not applicable.
Essential habitat excluding essential habitat for <i>Phascolarctos cinereus</i> (koalas) if development is assessable under Schedule 10, Part 10 of the Planning Regulation 2017		
PO90 Clearing of vegetation in a regional ecosystem that is an area of essential habitat maintains the composition, structure and function of the regional ecosystem for each protected wildlife species individually.	AO90.1 Clearing does not occur in essential habitat . OR AO90.2 Clearing in essential habitat does not exceed the widths prescribed in reference table 1 of this code. OR	<p>The amended design retains the majority of the essential habitat in a single balance parcel. There is no proposed vegetation clearing associated with this development. Lot boundaries have been located to minimise impact on mapped vegetation.</p> <p>It is Council's intent to impose a covenant condition over the balance lot that will require</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AO90.3 Clearing in essential habitat does not exceed the areas prescribed in reference table 1 of this code.</p>	<p>future fencing of a lot to occur within an existing cleared area.</p> <p>Council is also prepared to accept a covenant from the State to this effect.</p> <p>The plans have been amended to reduce the lot yield to a single balance lot that adjoins the cemetery lot. At this stage, this parcel is a balance development parcel and as such no building envelopes or infrastructure is proposed on site.</p> <p>Given the extent of cleared area within the balance parcel, it is considered that any future infrastructure can be positioned on site to maintain fire setbacks without necessitating additional clearing.</p> <p>The amended plans also demonstrate the extent of lawful clearing 10m from the property boundary.</p> <p>It is considered that the total area of exempt clearing does not have any significant residual impact as it does not exceed 0.5 ha and no offset is required.</p>
<p>PO91 Where clearing of vegetation in a regional ecosystem that is an area of essential habitat does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact for each protected wildlife species individually.</p>	<p>No acceptable outcome is prescribed.</p>	<p>Given the development is being created for a community purpose and there will be no significant residual impact for each species) as the extent of clearing allowed is minor (as indicated on the development plans, no offset is proposed.</p> <p>It is reiterated the no clearing is proposed as part of this development and Council covenant's will be imposed to mitigate potential future impacts.</p>
<p>Acid sulfate soils if the local government is not the assessment manager for the development application</p>		

Performance outcomes	Acceptable outcomes	Response
PO92 Clearing does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following: <ol style="list-style-type: none"> 1. aeration of horizons containing iron sulphides; 2. mobilisation of acid or metals. 	AO92.1 Clearing does not occur in land zone 1 , land zone 2 or land zone 3 . OR AO92.2 Clearing in land zone 1 , land zone 2 or land zone 3 in areas below the five metre Australian Height Datum only occurs where: <ol style="list-style-type: none"> 1. mechanical clearing does not disturb the soil to a depth greater than 30 centimetres; and 2. acid sulfate soils are managed consistent with the Queensland Acid Sulfate Soil Technical Manual. 	

Table 16.9: Material change of use and / or reconfiguring a lot for which there will be no clearing as a result of the material change of use or reconfiguring a lot

Performance outcomes	Acceptable outcomes	Response
PO93 Clearing as a result of a material change of use or clearing as a result of reconfiguring a lot does not occur.	No acceptable outcome is prescribed.	The development complies with PO93 as there will be no clearing of native vegetation as a result of the development.

Table 16.10: Material change of use and / or reconfiguring a lot for which clearing is limited to clearing that could be done as exempt clearing work for the purpose of the development prior to the material change of use or reconfiguring a lot application being approved

Performance outcomes	Acceptable outcomes	Response
Clearing avoids and minimises impacts		
PO94 Clearing of vegetation and adverse impacts of clearing vegetation do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been: <ol style="list-style-type: none"> 1. reasonably avoided; or 2. reasonably minimised where it cannot be reasonably avoided. 	No acceptable outcome is prescribed.	
Clearing that could already be done under an exemption		

Performance outcomes	Acceptable outcomes	Response
PO95 Clearing of vegetation does not occur unless it is clearing that could be done as exempt clearing work for the purpose of the development prior to the material change of use or reconfiguring a lot application being approved.	No acceptable outcome is prescribed.	

Table 16.11: Necessary environmental clearing

Performance outcomes	Acceptable outcomes	Response
Clearing avoids and minimises impacts		
PO96 Clearing of vegetation and adverse impacts of clearing vegetation do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been: <ol style="list-style-type: none"> 1. reasonably avoided; or 2. reasonably minimised where it cannot be reasonably avoided. 	No acceptable outcome is prescribed.	
Clearing associated with wetlands (Land Restoration and Natural Disaster Preparation)		
PO97 Clearing of vegetation within a natural wetland and/or within 100 metres of the defining bank of a natural wetland maintains the composition, structure and function of any regional ecosystem associated with any natural wetland to protect all of the following: <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	<p>AO97.1 Clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any natural wetland; and 2. within 100 metres of the defining bank of any natural wetland. <p>OR</p> <p>AO97.2 Clearing within 100 metres of the defining bank of any natural wetland only occurs where:</p> <ol style="list-style-type: none"> 1. clearing does not exceed 0.5 hectares; and 2. clearing retains all mature trees and habitat trees; and 3. clearing that is for flood preparation complies with all of the following: <ol style="list-style-type: none"> a. clearing is undertaken by felling only; and: b. clearing does not exceed 100 square metres; and 	

Performance outcomes	Acceptable outcomes	Response
	<p>c. clearing does not occur outside the defining banks of a natural wetland..</p> <p>OR</p> <p>AO97.3 Clearing to provide necessary access to undertake necessary environmental clearing only occurs where clearing:</p> <ol style="list-style-type: none"> 1. does not exceed 10 metres in width; and 2. retains all mature trees and habitat trees; and 3. the access track: <ol style="list-style-type: none"> a. runs parallel to a natural wetland and clearing is not within 10 metres of the defining bank of a natural wetland; or b. is required to provide access across the wetland. 	
PO98 Where clearing of vegetation in a regional ecosystem associated with a natural wetland does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, the cleared area is rehabilitated .	No acceptable outcome is prescribed.	
Clearing associated with wetlands (natural channel diversion and contaminants removal)		
<p>PO99 Clearing of vegetation within a natural wetland and/or within 100 metres of the defining bank of a natural wetland maintains the composition, structure and function of any regional ecosystem associated with any natural wetland to protect all of the following:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	<p>AO99.1 Clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any natural wetland; and 2. within 100 metres of the defining bank of any natural wetland. <p>OR</p> <p>AO99.2 Clearing within 100 metres of the defining bank of any natural wetland only occurs where:</p> <ol style="list-style-type: none"> 1. clearing does not exceed 0.5 hectares; and 2. clearing retains all mature trees and habitat trees. 	

Performance outcomes	Acceptable outcomes	Response
	<p>OR</p> <p>AO99.3 Clearing to provide necessary access to undertake necessary environmental clearing only occurs where clearing:</p> <ol style="list-style-type: none"> 1. does not exceed 10 metres in width; and 2. retains all mature trees and habitat trees; and 3. the access track: <ol style="list-style-type: none"> a. runs parallel to a natural wetland and clearing is not within 10 metres of the defining bank of a natural wetland; or b. is required to provide access across the wetland. 	
<p>PO100 Where clearing of vegetation in a regional ecosystem associated with a natural wetland does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, the cleared area:</p> <ol style="list-style-type: none"> 1. is rehabilitated; or 2. where the cleared area cannot reasonably be rehabilitated, an offset is provided for any acceptable significant residual impact. 	No acceptable outcome is prescribed.	
Clearing associated with watercourses and drainage features (Land Restoration and Natural Disaster Preparation)		
<p>PO101 Clearing of vegetation within a watercourse and/or drainage feature and/or within the relevant distance (listed in reference table 2) of a watercourse and/or drainage feature maintains the composition, structure and function of any regional ecosystem associated with any watercourse and/or drainage feature to protect all of the following:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	<p>AO101.1 Clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. inside the defining bank of a watercourse or drainage feature; and 2. within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code. <p>OR</p> <p>AO101.2 Clearing in any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code only occurs where:</p>	

Performance outcomes	Acceptable outcomes	Response
	<ol style="list-style-type: none"> clearing does not exceed 0.5 hectares; and clearing retains all mature trees and habitat trees; and clearing that is for flood preparation complies with all of the following: <ol style="list-style-type: none"> clearing is undertaken by felling only; and clearing does not exceed 100 square metres; and clearing does not occur outside of the defining bank of any watercourse or drainage feature. <p>OR</p> <p>AO101.3 Clearing to provide necessary access to undertake necessary environmental clearing only occurs where clearing:</p> <ol style="list-style-type: none"> does not exceed 10 metres in width; and retains all mature trees and habitat trees; and the access track: <ol style="list-style-type: none"> runs parallel to a watercourse or drainage feature and clearing is not within 10 metres of the defining bank of a watercourse or drainage feature; or is required to provide access across the watercourse or drainage feature. 	
PO102 Where clearing of vegetation in a regional ecosystem associated with a watercourse and/or drainage feature does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, the cleared area is rehabilitated .	No acceptable outcome is prescribed.	
Clearing associated with watercourses and drainage features (natural channel diversion and contaminants removal)		
PO103 Clearing of vegetation within a watercourse and/or drainage feature and/or within the relevant distance (listed in reference table 2) of a watercourse and/or drainage feature maintains the composition, structure and function of any	<p>AO103.1 Clearing does not occur within any of the following areas:</p> <ol style="list-style-type: none"> inside the defining bank of a watercourse or drainage feature; and 	

Performance outcomes	Acceptable outcomes	Response
<p>regional ecosystem associated with any watercourse or drainage feature to protect all of the following:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	<p>2. within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code.</p> <p>OR</p> <p>AO103.2 Clearing in any watercourse or drainage feature, or within the relevant distance of the defining bank of any watercourse or drainage feature in reference table 2 of this code only occurs where:</p> <ol style="list-style-type: none"> 1. clearing does not exceed 0.5 hectares; and 2. clearing retains all mature trees and habitat trees. <p>OR</p> <p>AO103.3 Clearing to provide necessary access to undertake necessary environmental clearing only occurs where:</p> <ol style="list-style-type: none"> 1. clearing does not exceed 10 metres in width; and 2. clearing retains all mature trees and habitat trees; and 3. the access track: <ol style="list-style-type: none"> a. runs parallel to a watercourse or drainage feature and clearing is not within 10 metres of the defining bank of a watercourse or drainage feature; or b. is required to provide access across the watercourse or drainage feature. 	
<p>PO104 Where clearing of vegetation in a regional ecosystem associated with a watercourse and/or drainage feature does not maintain the composition, structure and function of the regional ecosystem, and cannot be avoided and has been mitigated, the cleared area:</p> <ol style="list-style-type: none"> 1. is rehabilitated; or 	No acceptable outcome is prescribed.	

Performance outcomes	Acceptable outcomes	Response
2. where the cleared area cannot reasonably be rehabilitated , an offset is provided for any acceptable significant residual impact .		
Connectivity (land restoration and natural disaster preparation)		
PO105 Regional ecosystems on the subject land and any adjacent land retain sufficient vegetation to: 1. maintain ecological processes ; and 2. ensure the regional ecosystem remains in the landscape despite threatening processes .	AO105.1 Clearing occurs in accordance with reference table 3 of this code.	
PO106 Where: 1. clearing of vegetation in a regional ecosystem does not maintain ecological processes ; and 2. the regional ecosystem does not remain in the landscape despite threatening processes ; and 3. the clearing cannot be avoided; and 4. the clearing has been mitigated; the cleared area is rehabilitated .	No acceptable outcome is prescribed.	
Connectivity (natural channel diversion and contaminants removal)		
PO107 Regional ecosystems on the subject land and any adjacent land retain sufficient vegetation to: 1. maintain ecological processes ; and 2. ensure the regional ecosystem remains in the landscape despite threatening processes .	AO107.1 Clearing occurs in accordance with reference table 3 of this code.	
PO108 Where: 1. clearing of vegetation in a regional ecosystem does not maintain ecological processes ; and 2. the regional ecosystem does not remain in the landscape despite threatening processes ; and 3. the clearing cannot be avoided; and 4. the clearing has been mitigated; the cleared area: a. is rehabilitated ; or	No acceptable outcome is prescribed.	

Performance outcomes	Acceptable outcomes	Response
b. where the cleared area cannot reasonably be rehabilitated , an offset is provided for any acceptable significant residual impact .		
Soil erosion if the local government is not the assessment manager for the development application		
PO109 Clearing does not result in accelerated soil erosion within or outside the land the subject of the development application.	AO109.1 Clearing only occurs if an erosion and sediment control plan is developed and implemented to prevent soil erosion and instability resulting from the clearing .	
Salinity		
PO110 Clearing within 100 metres of a salinity expression area does not contribute to or accelerate land degradation through either of the following: 1. waterlogging ; 2. the salinisation of groundwater , surface water or soil.	AO110.1 Clearing does not occur within 100 metres of a salinity expression area .	
Essential habitat (land restoration and natural disaster preparation) excluding essential habitat for <i>Phascolarctos cinereus</i> (koalas) if development is assessable under Schedule 10, Part 10 of the Planning Regulation 2017		
PO111 Clearing of vegetation in a regional ecosystem that is an area of essential habitat maintains the composition, structure and function of the regional ecosystem for each protected wildlife species individually.	AO111.1 Clearing does not occur in essential habitat . OR AO111.2 Clearing in essential habitat does not exceed the widths prescribed in reference table 1 of this code. OR AO111.3 Clearing in essential habitat does not exceed the areas prescribed in reference table 1 of this code.	
PO112 Where clearing of vegetation in a regional ecosystem that is an area of essential habitat does not maintain the composition, structure and function of the regional ecosystem for each protected wildlife species individually, and cannot	No acceptable outcome is prescribed.	

Performance outcomes	Acceptable outcomes	Response
be avoided and has been mitigated, the cleared area is rehabilitated .		
Essential habitat (natural channel diversion and contaminants removal) excluding essential habitat for <i>Phascolarctos cinereus</i> (koalas) if development is assessable under Schedule 10, Part 10 of the Planning Regulation 2017		
PO113 Clearing of vegetation in a regional ecosystem that is an area of essential habitat maintains the composition, structure and function of the regional ecosystem for each protected wildlife species individually.	AO113.1 Clearing does not occur in essential habitat . OR AO113.2 Clearing in essential habitat does not exceed the widths prescribed in reference table 1 of this code. OR AO113.3 Clearing in essential habitat does not exceed the areas prescribed in reference table 1 of this code.	
PO114 Where clearing of vegetation in a regional ecosystem that is an area of essential habitat does not maintain the composition, structure and function of the regional ecosystem for each protected wildlife species individually, and cannot be avoided and has been mitigated, the cleared area: <ol style="list-style-type: none"> 1. is rehabilitated; or 2. where the cleared area cannot reasonably be rehabilitated, an offset is provided for any acceptable significant residual impact for each protected wildlife species individually. 	No acceptable outcome is prescribed.	
Acid sulfate soils if the local government is not the assessment manager for the development application		
PO115 Clearing does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following: <ol style="list-style-type: none"> 1. aeration of horizons containing iron sulphides; 2. mobilisation of acid or metals. 	AO115.1 Clearing does not occur in land zone 1, land zone 2 or land zone 3 . OR AO115.2 Clearing in land zone 1, land zone 2 or land zone 3 in areas below the five metre Australian Height Datum only occurs where:	

Performance outcomes	Acceptable outcomes	Response
	<ol style="list-style-type: none"> 1. mechanical clearing does not disturb the soil to a depth greater than 30 centimetres; and 2. acid sulfate soils are managed consistent with the soil management guidelines in the Queensland Acid Sulfate Soil Technical Manual. 	
Maintaining the composition, structure and function of the regional ecosystem (land restoration and natural disaster preparation)		
PO116 Clearing of vegetation maintains the composition, structure and function of the regional ecosystem .	<p>AO116.1 Clearing retains all of the following:</p> <ol style="list-style-type: none"> 1. habitat trees; 2. mature trees; and 3. the natural floristic composition and range of sizes across the application area. <p>OR</p> <p>AO116.2 Clearing is for the purpose of natural disaster preparation and does not exceed the widths prescribed in reference table 1 of this code.</p> <p>OR</p> <p>AO116.3 Clearing is for the purpose of natural disaster preparation and does not exceed the areas prescribed in reference table 1 of this code.</p>	
PO117 Where clearing of vegetation in a regional ecosystem does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, the cleared area is rehabilitated .	No acceptable outcome is prescribed.	
Maintaining the composition, structure and function of the regional ecosystem (natural channel diversion and contaminants removal)		
PO118 Clearing of vegetation maintains the composition, structure and function of the regional ecosystem .	<p>AO118.1 Clearing retains all of the following:</p> <ol style="list-style-type: none"> 1. habitat trees; 2. mature trees; and 3. the natural floristic composition and range of sizes across the application area. 	
PO119 Where clearing of vegetation in a regional ecosystem does not maintain the composition, structure and function of the regional ecosystem ,	No acceptable outcome is prescribed.	

Performance outcomes	Acceptable outcomes	Response
and cannot be avoided and has been mitigated, the cleared area: 1. is rehabilitated ; or 2. where the cleared area cannot reasonably be rehabilitated , an offset is provided for any acceptable significant residual impact .		
Duration of clearing, preventing land degradation, and maintaining biodiversity, ecological processes and regional ecosystems (Land Restoration, Natural Disaster Preparation and Contaminates Removal)		
PO120 Clearing occurs only during a period that: 1. will not contribute to land degradation ; and 2. ensures the ongoing maintenance of ecological processes and biodiversity ; and 3. maintains the regional ecosystem .	No acceptable outcome is prescribed.	

Table 16.12: Control non-native plants or declared pests

Performance outcomes	Acceptable outcomes	Response
Clearing avoids and minimises impacts		
PO121 Clearing of vegetation and adverse impacts of clearing vegetation do not occur unless the application has demonstrated that the clearing and the adverse impacts of clearing have been: 1. reasonably avoided; or 2. reasonably minimised where it cannot be reasonably avoided.	No acceptable outcome is prescribed.	
Clearing associated with wetlands		
PO122 Clearing of vegetation within a natural wetland and/or within 100 metres of the defining bank of a natural wetland maintains the composition, structure and function of any regional ecosystem associated with a natural wetland to protect all of the following: 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat.	AO122.1 Mechanical clearing does not occur in any of the following areas, unless it is required to provide necessary access to control non-native plants or declared pests : 1. inside the defining bank of any natural wetland ; and 2. within 20 metres of the defining bank of any natural wetland . AND	

Performance outcomes	Acceptable outcomes	Response
	<p>AO122.2 Clearing to provide necessary access to control non-native plants or declared pests only occurs where:</p> <ol style="list-style-type: none"> 1. clearing does not exceed five metres in width; and 2. clearing retains all mature trees and habitat trees; and 3. the access track: <ol style="list-style-type: none"> a. runs parallel to a natural wetland and clearing is not within 10 metres of the defining bank of a natural wetland; or b. is required to provide access across the wetland. <p>AND</p> <p>AO122.3 Chemical clearing retains:</p> <ol style="list-style-type: none"> 1. all mature trees; and 2. all habitat trees; and 3. at least 50 per cent of immature trees in each 50 metre by 50 metre area. <p>AND</p> <p>AO122.4 Root absorbed broad spectrum herbicides are not applied within whichever is the greater distance from the defining bank of a natural wetland:</p> <ol style="list-style-type: none"> 1. 100 metres; or 2. the distance specified on the approved product label; or 3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority. <p>AND</p>	

Performance outcomes	Acceptable outcomes	Response
	<p>AO122.5 Aerial application of a foliar herbicide does not occur within whichever is the greater distance from the defining bank of a natural wetland;</p> <ol style="list-style-type: none"> 1. 50 metres; or 2. the distance specified for wetlands on the approved product label; or 3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority. 	
Clearing associated with watercourses or drainage features		
<p>PO123 Clearing of vegetation within a watercourse and/or drainage feature and/or within the relevant distance (listed in reference table 2) of a watercourse and/or drainage feature maintains the composition, structure and function of any regional ecosystem associated with any watercourse and/or drainage feature to protect all of the following:</p> <ol style="list-style-type: none"> 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat. 	<p>AO123.1 Mechanical clearing does not occur in any of the following areas, unless it is required to provide necessary access to control non-native plants or declared pests:</p> <ol style="list-style-type: none"> 1. inside the defining bank of any watercourse or drainage feature; and 2. within 10 metres of the defining bank of a watercourse or drainage feature that is a stream order 1 or 2 watercourse or drainage feature; and 3. within 15 metres of the defining bank of a watercourse or drainage feature that is a stream order 3 or 4 watercourse or drainage feature; and 4. within 20 metres of the defining bank of a watercourse or drainage feature that is a stream order 5 or more watercourse or drainage feature. <p>AND</p> <p>AO123.2 Clearing to provide necessary access to control non-native plants or declared pests only occurs where:</p> <ol style="list-style-type: none"> 1. clearing does not exceed five metres in width; and 2. clearing retains all habitat trees and mature trees; and 	

Performance outcomes	Acceptable outcomes	Response
	<p>3. the access track:</p> <ul style="list-style-type: none"> a. runs parallel to the watercourse or drainage feature and is not within 10 metres of the defining bank of the watercourse or drainage feature; or b. is required to provide access across the watercourse or drainage feature. <p>AND</p> <p>AO123.3 Chemical clearing retains all of the following:</p> <ul style="list-style-type: none"> 1. mature trees; and 2. habitat trees; and 3. at least 50 per cent of immature trees in any 50 metre by 50 metre area. <p>AND</p> <p>AO123.4 Root absorbed broad spectrum herbicides are not applied within whichever is the greater distance from the defining bank of a watercourse or drainage feature:</p> <ul style="list-style-type: none"> 1. 100 metres; or 2. any distance specified on the approved product label; or 3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority. <p>AND</p> <p>AO123.5 Aerial application of a foliar herbicide does not occur within whichever is the greater distance from the defining bank of a watercourse or drainage feature:</p> <ul style="list-style-type: none"> 1. 50 metres; or 2. any distance specified on the approved product label; or 	

Performance outcomes	Acceptable outcomes	Response
	3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority.	
Soil erosion		
PO124 Clearing of vegetation does not result in accelerated soil erosion within or outside the land subject of the development application.	<p>AO124.1 Clearing only occurs where recognised best practice methods are employed to:</p> <ol style="list-style-type: none"> 1. prevent soil erosion and instability resulting from the clearing; and 2. stabilise soil erosion and instability which would result from clearing; and 3. prevent increased sediment run-off entering a wetland, watercourse or drainage feature as a result of the clearing. <p>AND</p> <p>AO124.2 Mechanical clearing:</p> <ol style="list-style-type: none"> 1. does not occur on a slope greater than 15 percent; and 2. in each 50 by 50 metre area (0.25 hectares), retains 50 per cent of the ground cover and does not disturb more than 50 per cent of the ground cover. <p>AND</p> <p>AO124.3 New access tracks required to provide necessary access to control a non-native plant or declared pests do not exceed five metres in width or de-stabilise the banks of any watercourse or drainage feature as a result of crossing, construction or use.</p>	
Acid sulfate soils if the local government is not the assessment manager for the development application		
PO125 Clearing does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following: <ol style="list-style-type: none"> 1. aeration of horizons containing iron sulphides; 2. mobilisation of acid or metals. 	<p>AO125.1 Clearing does not occur in land zone 1, land zone 2 or land zone 3.</p> <p>OR</p>	

Performance outcomes	Acceptable outcomes	Response
	<p>AO125.2 Clearing in land zone 1, land zone 2 or land zone 3 in areas below the five metre Australian Height Datum only occurs where:</p> <ol style="list-style-type: none"> 1. mechanical clearing does not disturb the soil to a depth greater than 30 centimetres; and 2. acid sulfate soils are managed consistent with the soil management guidelines in the Queensland Acid Sulfate Soil Technical Manual. 	
Conserving remnant vegetation that is a regional ecosystem		
<p>PO126 Clearing activities:</p> <ol style="list-style-type: none"> 1. maintain the natural floristic composition and range of sizes of each species of the regional ecosystem evenly spaced across the application area; and 2. retain all habitat trees and mature trees. 	<p>AO126.1 Mechanical clearing:</p> <ol style="list-style-type: none"> 1. only occurs within 1.5 metres from the edge of the canopy of individual non-native plants, unless the clearing is required to provide necessary access to control a non-native plant or declared pest; and 2. does not occur using two machines linked by chain or cable; and 3. retains all habitat trees and mature trees. <p>AND</p> <p>AO126.2 Clearing to provide necessary access to control non-native plants or declared pests does not exceed five metres in width.</p> <p>AND</p> <p>AO126.3 Any regional ecosystem burn is undertaken in accordance with the fire guideline for the regional ecosystem, as outlined in the Regional Ecosystem Description Database (REDD).</p> <p>AND</p> <p>AO126.4 Chemical clearing retains all of the following:</p> <ol style="list-style-type: none"> 1. mature trees; and 	

Performance outcomes	Acceptable outcomes	Response
	2. habitat trees ; and 3. at least 50 per cent of immature trees in each 50 metre by 50 metre area. AND AO126.5 Aerial application of a root-absorbed broad spectrum herbicides does not occur. AND AO126.6 Root-absorbed broad spectrum herbicides are not applied within whichever distance is the greater from a mature tree or a habitat tree ; 1. 30 metres; or 2. the distance specified on the approved product label; or 3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority.	
Duration of clearing, preventing land degradation, and maintaining biodiversity, ecological processes and regional ecosystems		
PO127 Clearing occurs only during a period that: 1. will not contribute to land degradation ; and 2. ensures the ongoing maintenance of ecological processes and biodiversity ; and 3. maintains the regional ecosystem .	No acceptable outcome is prescribed.	

Table 16.13: Encroachment

Performance outcomes	Acceptable outcomes	Response
Clearing associated with wetlands		
PO128 Clearing of vegetation within a natural wetland and/or within 100 metres of the defining bank of a natural wetland maintains the composition, structure and function of any regional ecosystem associated with a natural wetland to protect all of the following: 1. bank stability by protecting against bank erosion;	AO128.1 Mechanical clearing does not occur in any of the following areas: 1. inside the defining bank of any natural wetland ; and 2. within 20 metres of the defining bank of any natural wetland .	

Performance outcomes	Acceptable outcomes	Response
2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat.	AND AO128.2 Root absorbed broad spectrum herbicides are not applied within whichever is the greater distance from the defining bank of a natural wetland : 1. 100 metres; or 2. the distance specified on the approved product label; or 3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority.	
Clearing associated with watercourses or drainage features		
PO129 Clearing of encroachment maintains: 1. bank stability by protecting against bank erosion; and 2. water quality by filtering sediments, nutrients and other pollutants; and 3. aquatic habitat; and 4. terrestrial habitat.	AO129.1 Mechanical clearing does not occur in any of the following areas: 1. inside the defining bank of any watercourse or drainage feature ; and 2. within 10 metres of the defining bank of a watercourse or drainage feature that is a stream order 1 or 2 watercourse or drainage feature ; and 3. within 15 metres of the defining bank of a watercourse or drainage feature that is a stream order 3 or 4 watercourse or drainage feature ; and 4. within 20 metres of the defining bank of a watercourse or drainage feature that is a stream order 5 or more watercourse or drainage feature . AND AO129.2 Root-absorbed broad spectrum herbicides are not applied within whichever is the greater distance from the defining bank of a watercourse or drainage feature : 1. 100 metres; or 2. any distance specified on the approved product label; or	

Performance outcomes	Acceptable outcomes	Response
	3. the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority.	
Soil erosion		
PO130 Clearing does not result in accelerated soil erosion within or outside the land subject of the development application.	<p>AO130.1 Clearing only occurs where recognised best practice methods are employed to:</p> <ol style="list-style-type: none"> 1. prevent soil erosion and instability resulting from the clearing; and 2. stabilise soil erosion and instability which would result from clearing; and 3. prevent increased sediment run-off entering a wetland, watercourse or drainage feature as a result of the clearing. <p>AND</p> <p>AO130.2 Mechanical clearing does not occur in any of the following areas:</p> <ol style="list-style-type: none"> 1. within 50 metres of an area of soil erosion and instability; and 2. slopes greater than five per cent. 	
Salinity		
PO131 Clearing within 100 metres of a salinity expression area does not contribute to or accelerate land degradation through either of the following:	AO131.1 Clearing does not occur within 100 metres of a salinity expression area .	
Acid sulfate soils if the local government is not the assessment manager for the development application		
PO132 Clearing does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following:	<p>AO132.1 Clearing does not occur in land zone 1, land zone 2 or land zone 3.</p> <p>OR</p> <p>AO132.2 Clearing in land zone 1, land zone 2 or land zone 3 in areas below the five metre Australian Height Datum only occurs where:</p>	
<ol style="list-style-type: none"> 1. aeration of horizons containing iron sulphides; or 2. mobilisation of acid or metals. 		

Performance outcomes	Acceptable outcomes	Response
	<ol style="list-style-type: none"> 1. mechanical clearing does not disturb the soil to a depth greater than 30 centimetres; and 2. acid sulfate soils are managed consistent with the soil management guidelines in the Queensland Acid Sulfate Soil Technical Manual. 	
Clearing limited to specific regional ecosystems		
PO133 Clearing of encroachment does not occur, other than in the regional ecosystems listed in reference table 5 of this code.	No acceptable outcome is prescribed.	
Conserving vegetation		
PO134 Clearing activities: <ol style="list-style-type: none"> 1. result in the restoration of the regional ecosystem; and 2. retain all habitat trees; and 3. retain all groves; and 4. retain species which make up the natural floristic composition of the regional ecosystem, distributed in a natural pattern. 	<p>AO134.1 Clearing retains all of the following:</p> <ol style="list-style-type: none"> 1. all mature trees; and 2. all habitat trees; and 3. all woody vegetation within a grove, unless it is undertaken by a regional ecosystem burn. <p>AND</p> <p>AO134.2 Any regional ecosystem burn is undertaken in accordance with the fire guideline for the regional ecosystem, as outlined in the Regional Ecosystem Description Database (REDD).</p> <p>AND</p> <p>AO134.3 Clearing does not result in debris being stacked or pushed against a mature tree or a habitat tree.</p> <p>AND</p> <p>AO134.4 Mechanical clearing does not occur within 10 metres of a mature tree or a habitat tree.</p> <p>AND</p>	

Performance outcomes	Acceptable outcomes	Response
	<p>AO134.5 Aerial application of a herbicide does not occur.</p> <p>AND</p> <p>AO134.6 Chemical clearing does not occur within five metres of a mature tree or a habitat tree.</p> <p>AND</p> <p>AO134.7 Root-absorbed broad spectrum herbicides are not applied in any of the following areas:</p> <ol style="list-style-type: none"> regional ecosystems 11.4.11 and 11.8.11; and within whichever is the greater distance from a mature tree or a habitat tree: <ol style="list-style-type: none"> 10 metres; or the distance specified by the approved product label; or the distance specified in the safety and use conditions prescribed by the Australian Pesticides and Veterinary Medicines Authority; and within whichever is the greater distance from a grove: <ol style="list-style-type: none"> 30 metres; or the distance specified by the approved product label; or the distance specified in the safety and use conditions issued by the Australian Pesticides and Veterinary Medicines Authority. 	
Duration of clearing, preventing land degradation, and maintaining biodiversity, ecological processes and regional ecosystems		
<p>PO135 Clearing occurs only during a period that:</p> <ol style="list-style-type: none"> will not contribute to land degradation; and 	No acceptable outcome is prescribed.	

Performance outcomes	Acceptable outcomes	Response
2. ensures the ongoing maintenance of ecological processes and biodiversity ; and 3. maintains the regional ecosystem .		

Table 16.14: Fodder harvesting

Performance outcomes	Acceptable outcomes	Response
Clearing associated with wetlands		
PO136 Clearing of vegetation within a natural wetland and/or within 100 metres of the defining bank of a natural wetland maintains the composition, structure and function of any regional ecosystem associated with a natural wetland to protect all of the following: 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat.	AO136.1 Mechanical clearing does not occur in any of the following areas: 1. inside the defining bank of any natural wetland ; and 2. within 20 metres of the defining bank of any natural wetland . AND AO136.2 Mechanical clearing that is strip harvesting or block harvesting does not occur in any of the following areas: 1. inside the defining bank of any natural wetland ; and 2. within 100 metres of the defining bank of any natural wetland .	
Clearing associated with watercourses or drainage features		
PO137 Clearing of vegetation within a watercourse and/or drainage feature and/or within the relevant distance (listed in reference table 2) of a watercourse and/or drainage feature maintains the composition, structure and function of any regional ecosystem associated with any watercourse and/or drainage feature to protect all of the following: 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat.	AO137.1 Mechanical clearing does not occur in any of the following areas: 1. inside the defining bank of any watercourse or drainage feature ; and 2. within 20 metres of the defining bank of any watercourse or drainage feature . AND AO137.2 Mechanical clearing that is strip harvesting or block harvesting does not occur in any of the following areas: 1. inside the defining bank of any watercourse or drainage feature ; and	

Performance outcomes	Acceptable outcomes	Response
	2. within 100 metres of the defining bank of any watercourse or drainage feature .	
Soil erosion		
PO138 Clearing does not result in accelerated soil erosion within or outside the land subject of the development application.	<p>AO138.1 Clearing only occurs where recognised best practice methods are employed to:</p> <ol style="list-style-type: none"> 1. prevent soil erosion and instability resulting from the clearing; and 2. stabilise soil erosion and instability which would result from clearing; and 3. prevent increased sediment run-off entering a wetland, watercourse or drainage feature as a result of the clearing. <p>AND</p> <p>AO138.2 Mechanical clearing does not occur on a slope greater than five percent.</p> <p>OR</p> <p>AO138.3 Mechanical clearing does not occur within 50 metres of an area of soil erosion and instability.</p>	
Salinity		
PO139 Clearing within 100 metres of a salinity expression area does not contribute to or accelerate land degradation through either of the following:	AO139.1 Clearing does not occur within 100 metres of a salinity expression area .	
Essential habitat excluding essential habitat for <i>Phascolarctos cinereus</i> (koalas) if development is assessable under Schedule 10, Part 10 of the Planning Regulation 2017		
PO140 Clearing of vegetation in a regional ecosystem that is an area of essential habitat maintains the composition, structure and function of the regional ecosystem for each protected wildlife species individually.	<p>AO140.1 Clearing does not occur in essential habitat.</p> <p>OR</p>	

Performance outcomes	Acceptable outcomes	Response
	<p>AO140.2 Clearing in essential habitat does not exceed the widths prescribed in reference table 1 of this code.</p> <p>OR</p> <p>AO140.3 Clearing in essential habitat does not exceed the areas prescribed in reference table 1 of this code.</p>	
PO141 Where clearing of vegetation in a regional ecosystem that is an area of essential habitat does not maintain the composition, structure and function of the regional ecosystem , and cannot be avoided and has been mitigated, an offset is provided for any acceptable significant residual impact for each protected wildlife species individually.	No acceptable outcome is prescribed.	
Limits to clearing for fodder harvesting		
PO142 Clearing is limited to: 1. the extent necessary to provide fodder for stock; and 2. areas where the stock is located, and the stock have sufficient water.	No acceptable outcome is prescribed.	
PO143 Clearing must only occur: 1. in regional ecosystems listed in reference table 6 or reference table 7 of this code; and 2. in accordance with the harvesting method limitations for the regional ecosystem listed in reference table 6 or reference table 7 of this code.	No acceptable outcome is prescribed.	
PO144 Clearing consists predominantly of fodder species .	No acceptable outcome is prescribed.	
Conserving vegetation		
PO145 Clearing is carried out in a way that conserves: 1. remnant vegetation in perpetuity; and 2. the regional ecosystem in which the vegetation is situated.	<p>AO145.1 Clearing does not result in the removal of non-fodder species with a height of four metres or more.</p> <p>AND</p> <p>AO145.2 Selective harvesting:</p>	

Performance outcomes	Acceptable outcomes	Response
	<ol style="list-style-type: none"> 1. retains all non-fodder species except where the damage is an unavoidable consequence of clearing the selected fodder tree; and 2. when using a chainsaw in regional ecosystems listed in reference table 6 of this code, retains at least one fodder tree for every fodder tree cleared; and 3. in least concern regional ecosystems listed in reference table 7 of this code, retains at least one fodder tree for each fodder tree cleared; and 4. in of concern regional ecosystems listed in reference table 7 of this code, retains at least two fodder trees for each fodder tree cleared. <p>AND</p> <p>AO145.3 Strip harvesting and block harvesting:</p> <ol style="list-style-type: none"> 1. where fodder harvesting has previously occurred in an area of a lot, only occurs if all of the following apply: <ol style="list-style-type: none"> a. the vegetation has not been cleared in the last 10 years; and b. the average height of the fodder trees is at least 70 per cent of the height of the tallest stands of fodder species in the regional ecosystem; and c. the fodder trees that were previously harvested have now attained an average height of at least 4 metres; and 2. aligns clearing along the contour where practical; and 3. does not occur in patches of regional ecosystems that are less than 10 hectares in area or less than 500 metres wide. <p>AND</p> <p>AO145.4 Strip harvesting:</p>	

Performance outcomes	Acceptable outcomes	Response
	<ol style="list-style-type: none"> 1. does not result in any strip harvesting area exceeding 50 metres in width; and 2. results in all strip retention areas: <ol style="list-style-type: none"> a. being preserved along the length of strip harvest areas to a width of at least 1.5 times that of the adjacent strip harvest area; and b. containing fodder species with an average height of at least four metres; and 3. does not result in clearing for machinery access between strip harvest areas exceeding 15 metres in width. <p>AND</p> <p>AO145.5 Block harvesting:</p> <ol style="list-style-type: none"> 1. does not result in any block harvest area exceeding one hectare; and 2. results in block retention areas: <ol style="list-style-type: none"> a. being preserved between block harvest areas in accordance with the widths specified in reference table 8 of this code; and b. containing fodder species with an average height of at least four metres; and 3. does not result in clearing for machinery access between block harvest areas exceeding 10 metres in width. 	
Cleared vegetation		
PO146 Fodder harvesting is carried out in a way that results in the woody biomass of the cleared vegetation remaining where it is cleared .	No acceptable outcome is prescribed.	
Conserving the fodder resource		
PO147 Fodder harvesting is carried out in a way that will conserve the fodder resource.	<p>AO147.1 Clearing does not occur:</p> <ol style="list-style-type: none"> 1. in an area that has been cleared in the previous 10-year period; and 2. more than once in the same area of a lot; and 	

Performance outcomes	Acceptable outcomes	Response
	<ol style="list-style-type: none"> in more than 50 per cent of the area of the regional ecosystem listed in reference table 6 and reference table 7 of this code on the lot; and in areas required to be retained under this code, a development approval or any accepted development vegetation clearing code. 	
Duration of clearing, preventing land degradation, and maintaining biodiversity, ecological processes and regional ecosystems		
PO148 Clearing occurs only during a period that: <ol style="list-style-type: none"> will not contribute to land degradation; and ensures the ongoing maintenance of ecological processes and biodiversity; and maintains the regional ecosystem. 	No acceptable outcome is prescribed.	

Table 16.15: Managing thickened vegetation

Performance outcomes	Acceptable outcomes	Response
Clearing associated with wetlands		
PO149 Clearing of vegetation within a natural wetland and/or within 100 metres of the defining bank of a natural wetland maintains the composition, structure and function of any regional ecosystem associated with a natural wetland to protect all of the following: <ol style="list-style-type: none"> bank stability by protecting against bank erosion; water quality by filtering sediments, nutrients and other pollutants; aquatic habitat; terrestrial habitat. 	AO149.1 Mechanical clearing does not occur in any of the following areas: <ol style="list-style-type: none"> inside the defining bank of a natural wetland; and within 20 metres of the defining bank of a natural wetland. 	
Clearing associated with watercourses or drainage features		
PO150 Clearing of vegetation within a watercourse and/or drainage feature and/or within the relevant distance (listed in reference table 2) of a watercourse and/or drainage feature maintains the composition, structure and function of any regional ecosystem associated with any watercourse	AO150.1 Mechanical clearing does not occur in any of the following areas: <ol style="list-style-type: none"> inside the defining bank of any watercourse drainage feature; within 10 metres of the defining bank of a watercourse or drainage feature that is a 	

Performance outcomes	Acceptable outcomes	Response
and/or drainage feature to protect all of the following: 1. bank stability by protecting against bank erosion; 2. water quality by filtering sediments, nutrients and other pollutants; 3. aquatic habitat; 4. terrestrial habitat.	stream order 1 or 2 watercourse or drainage feature; 3. within 15 metres of the defining bank of a watercourse or drainage feature that is a stream order 3 or 4 watercourse or drainage feature; 4. within 20 metres of the defining bank of a watercourse or drainage feature that is a stream order 5 or more watercourse or drainage feature.	
Soil erosion		
PO151 Clearing does not result in accelerated soil erosion within or outside the land subject of the development application.	AO151.1 Clearing only occurs where recognised best practice methods are employed to: 1. prevent soil erosion and instability resulting from the clearing ; and 2. stabilise soil erosion and instability which would result from clearing ; and 3. prevent increased sediment run-off entering a wetland, watercourse or drainage feature as a result of the clearing . AND AO151.2 Mechanical clearing does not: 1. occur in a regional ecosystem in reference table 4 of this code that states ' mechanical clearing not permitted'; 2. disturb more than 50 per cent of the ground surface or result in any hectare having less than 50 per cent ground cover ; 3. occur on a slope greater than five per cent; and 4. occur within 50 metres of an area of soil erosion and instability .	
Acid sulfate soils if the local government is not the assessment manager for the development application		
PO152 Clearing does not result in, or accelerate, disturbance of acid sulfate soils or changes to the hydrology of the location that will result in either of the following:	AO152.1 Clearing does not occur in land zone 1, land zone 2 or land zone 3. OR	

Performance outcomes	Acceptable outcomes	Response
<ol style="list-style-type: none"> 1. aeration of horizons containing iron sulphides; 2. mobilisation of acid or metals. 	<p>AO152.2 Clearing in land zone 1, land zone 2 or land zone 3 in areas below the five metre Australian Height Datum only occurs where:</p> <ol style="list-style-type: none"> 1. mechanical clearing does not disturb the soil to a depth greater than 30 centimetres; and 2. acid sulfate soils are managed consistent with the soil management guidelines in the Queensland Acid Sulfate Soil Technical Manual. 	
Restoring the regional ecosystem		
<p>PO153 Clearing activities:</p> <ol style="list-style-type: none"> 1. restore the natural floristic composition and range of sizes of each species of the regional ecosystem evenly spaced across the application area; and 2. retain mature trees, habitat trees and tall immature trees and thickets. 	<p>AO153.1 Clearing does not occur in thickets.</p> <p>AND</p> <p>AO153.2 Clearing retains:</p> <ol style="list-style-type: none"> 1. all mature trees and habitat trees; 2. a full range of sizes and species typical of the regional ecosystem in the area; and 3. where the number of mature trees plus habitat trees is less than 20 per hectare, tall immature trees to total 20 mature trees, habitat trees and tall immature trees per hectare. <p>AND</p> <p>AO153.3 Clearing does not result in debris stacked or pushed against a mature tree, habitat tree or tall immature tree.</p> <p>AND</p> <p>AO153.4 If clearing immature trees, retain immature trees in each 50 metre by 50 metre area to at least the density specified reference table 4 of this code.</p> <p>AND</p>	

Performance outcomes	Acceptable outcomes	Response
	<p>AO153.5 If clearing low shrubs:</p> <ol style="list-style-type: none"> 1. in regional ecosystems where clearing is restricted to low shrubs as specified in reference table 4 of this code – clearing retains all immature trees; 2. in regional ecosystems where clearing is not restricted to low shrubs as specified in reference table 4 of this code – clearing retains at least the number of immature trees specified in reference table 4 of this code; and 3. clearing retains at least 10 per cent of the predominate species that have thickened. <p>AND</p> <p>AO153.6 Mechanical clearing does not occur within 5 metres of the trunk of a mature tree, habitat tree or tall immature tree.</p> <p>AND</p> <p>AO153.7 Clearing is not undertaken by:</p> <ol style="list-style-type: none"> 1. aerial application of any herbicide; and/or 2. application of a root-absorbed broad spectrum herbicide. <p>AND</p> <p>AO153.8 Chemical clearing does not occur within five metres of the trunk of a mature tree, habitat tree or tall immature tree.</p> <p>AND</p> <p>AO153.9 Any regional ecosystem burn is undertaken in accordance with the fire guideline for the regional ecosystem, as outlined in the Regional Ecosystem Description Database (REDD).</p>	
Clearing limited to specific regional ecosystems and specific clearing methods		

Performance outcomes	Acceptable outcomes	Response
PO154 Clearing must be for the purpose of restoring the remnant regional ecosystem and only occur if all of the following apply: <ol style="list-style-type: none"> clearing is in regional ecosystems prescribed in reference table 4 of this code; and clearing is in accordance with the clearing restrictions for the regional ecosystem prescribed in reference table 4 of this code. 	No acceptable outcome is prescribed.	
PO155 Clearing occurs only during a period that: <ol style="list-style-type: none"> will not contribute to land degradation; and ensures the ongoing maintenance of ecological processes and biodiversity; and maintains the regional ecosystem. 	No acceptable outcome is prescribed.	

Attachment 7

Response to Council's Information Request



DEVELOPMENT & PROPERTY SERVICES



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44 McLeod Street, Cairns, QLD 4870

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3 June 2022

Our Ref:

Council Ref: MCU/22/0009

Chief Executive Officer
Mareeba Shire Council
PO BOX 154
MAREEBA QLD 4880

To: brianm@msc.qld.gov.au (By Email)

Dear Brian

Response to Information Request Combined Application for Material Change of Use (Cemetery) and Reconfiguring of a Lot (1 Lot into 6 Lots) 70 Kuranda Heights Road, Kuranda (Lot 2 on RP730337)

The following information is provided in response to Council's Information Request dated 31 May 2022.

This response to Council's Information Request provides **all of the information requested** by Council in accordance with Part 3 (Information Request) of the Development Assessment Rules.

Response to Council Matters

1. Environmental significance overlay code (Wildlife Habitat)

Please find attached the following documents-

- a) our assessment against the Environmental Significance Overlay Code; and
- b) amended plans of development demonstrating the extent of proposed statutory environmental covenants to protect existing mapped vegetation.

Please note there is no clearing proposed as part of this Development. The protected vegetation on proposed Lot 6 will be covered by a formal statutory covenant once the



final alignment of the pedestrian connection between the “new” cemetery and the current cemetery has been formalised and constructed. It is considered that the risk of vegetation loss is mitigated in the interim as the lot will remain in Council’s ownership and control.

The protected vegetation within the balance of the five (5) rural residential lots will be protected by a statutory covenant which will be lodged concurrently with the plan of survey.

Should you require any further information, please do not hesitate to contact Kelly Reaston on 0400 974 688 or at kelly@kellyreaston.com.au .

Kind regards

A handwritten signature in black ink, appearing to be 'KR' with a stylized flourish.

Kelly Reaston | Director



Attachment 1 – Assessment Against Environmental Significance Overlay Code



8.2.4 Environmental significance overlay code

8.2.4.1 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.

8.2.4.2 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.

8.2.4.3 Criteria for assessment

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

Performance outcomes	Acceptable outcome	Compliance Assessment
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 with AO1.1. No clearing of native vegetation is proposed within the areas of 'Regulated Vegetation'. These areas will be protected by environmental covenants.</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 ecosystem processes such as water quality, hydrology, geomorphology and biophysical processes; (b) does not negatively impact the movement of wildlife at a local or regional scale; and (c) avoids noise, light, vibration or other edge effects, including weed and (d) pest incursion on identified environmental values. <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<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 with AO2. As part of this development no infrastructure (other than the nominated infrastructure) is proposed within 20 metres of regulated vegetation.</p> <p>The rural residential development nominates large building pads which provides for sufficient area in which to develop future residential uses without the need for further vegetation clearing.</p>
Regulated vegetation intersecting a watercourse		

<p>PO3 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>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>Not applicable. The site is not within a "Waterway buffer".</p>
Waterways and wetlands		
<p>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:</p> <ul style="list-style-type: none"> (a) maintaining adequate separation distances between waterways/wetlands and development; (b) maintaining and enhancing aquatic and terrestrial habitat including vegetated corridors to allow for native fauna (terrestrial and aquatic) movement; (c) maintaining waterway bank stability by minimising bank erosion and slumping; (d) maintaining water quality by providing buffers to allow filtering of sediments, nutrients and other pollutants; and (e) retaining and improving existing riparian vegetation and existing vegetation associated with a wetland. <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>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).</p> <p>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</p> <p>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).</p> <p>Where within a 'High ecological significance wetland buffer' on Environmental Significance Overlay Maps (OM-004a-o)</p> <p>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).</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>AO4.3 No stormwater is discharged to a 'Waterway' on Environmental Significance</p>	<p>Not applicable. The site is not within a "Waterway buffer".</p>

	<p>- Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland' identified on the Environmental Significance Overlay Maps (OM-004a-o).</p> <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</p> <p>No wastewater is discharged to a 'Waterway' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland' identified on the Environmental Significance Overlay Map (OM-004a-z).</p> <p>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>	
For assessable development		
Wildlife Habitat		

<p>PO5 Development within a 'Wildlife habitat' area identified on the Environmental Significance Overlay Maps (OM-004a-o):</p> <ul style="list-style-type: none"> (a) protects and enhances the habitat of Endangered, Vulnerable and Near Threatened (EVNT) species and local species of significance; (b) incorporates siting and design measures to protect and retain identified ecological values and underlying ecosystem processes within or adjacent to the development site; (c) maintains or enhances wildlife interconnectivity at a local and regional scale; and (d) mitigates the impact of other forms of potential disturbance (such as presence of vehicles, pedestrian use, increased exposure to domestic animals, noise and lighting impacts) to protect critical life stage ecological processes (such as feeding, breeding or roosting). <p>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>	<p>AO5 No acceptable outcome is provided</p>	<p>Complies with PO5.</p> <p>The proposal protects the vegetation mapped as “Wildlife habitat” by proposing an environmental covenant over the full extent of the mapped area. No clearing of wildlife habitat is proposed and the wildlife interconnectivity of the site is retained.</p> <p>The pedestrian link between the “new” cemetery and existing cemetery is not part of this application, however, it will also be ultimately designed to mitigate the impacts of potential disturbance.</p>
<p>Legally secured offset areas</p>		
<p>PO6 Development within a 'Legally secured offset area' identified on the Environmental Significance Overlay Maps (OM-004a-o) or other known Legally Secured Offset Area is consistent with the binding requirements of the offset and does not prejudice, undermine, or negatively impact the inherent ecological values, including all naturally occurring native flora, fauna and their habitat within the Legally Secured Offset Area.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>AO6 No acceptable outcome is provided.</p>	<p>Not applicable. The site is not within a “Legally secured offset area”</p>

Protected areas		
<p>PO7 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>AO7 No acceptable outcome is provided</p>	<p>Not applicable. The site is not within a "Protected area"</p>
Ecological corridors and Habitat linkages		
<p>PO8 Development located:</p> <ul style="list-style-type: none"> (a) in the Conservation zone, Emerging community zone, Recreation and open space zone, Rural zone or Rural residential zone; and (b) within an 'Ecological corridor' or a 'Habitat linkage' identified on the Environmental Significance Overlay Maps (OM-004a-o) <p>does not compromise the provision of habitat connectivity of the corridor/linkage, having regard to:</p> <ul style="list-style-type: none"> (a) the environmental values of the area of the site identified in the 'Ecological corridor' or 'Habitat linkage'; (b) the environmental values of adjoining and nearby land within the 'Ecological corridor' or 'Habitat linkage'; (c) the extent of any modification proposed to the natural environment including (but not limited to) vegetation and topography; (d) the location and design of proposed improvements that may impact on the functions of the 'Ecological corridor' or 'Habitat linkage' including (but not limited to) buildings, structures, fences, lighting, vehicle movement areas and infrastructure services; and (e) the ability for the 'Ecological corridor' or 'Habitat linkage' to be enhanced to improve ecological connectivity. <p>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>	<p>AO8 No acceptable outcome is provided</p>	<p>Not applicable. The site is not within a "Ecological corridor" or a "Habitat Linkage" .</p>

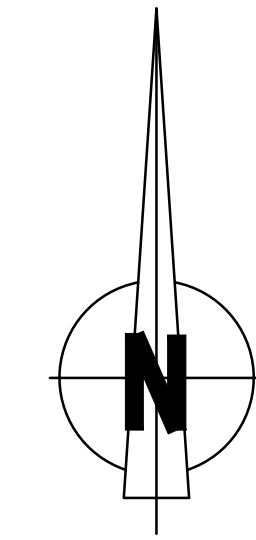
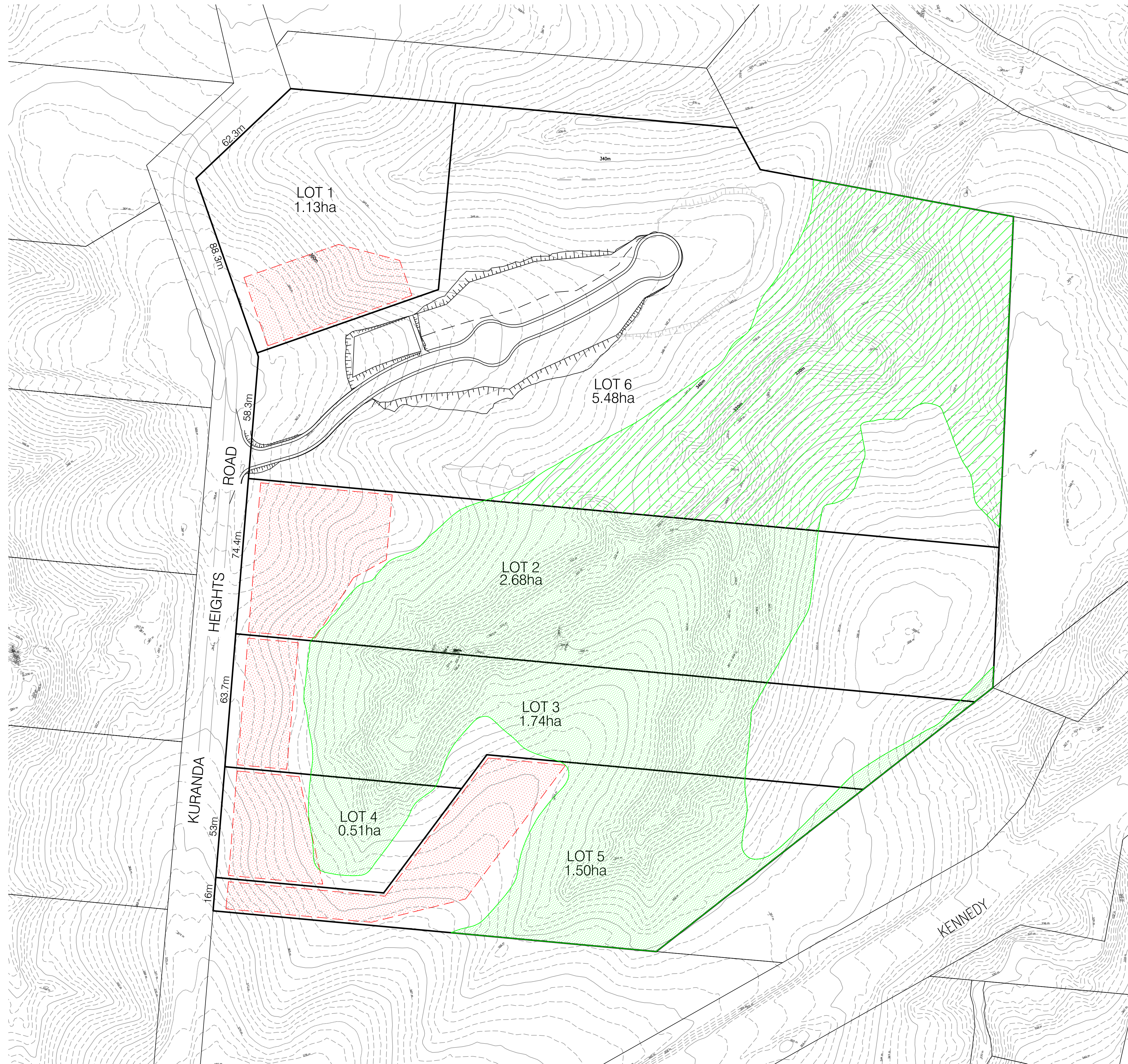
Table 8.2.4.3B - Setback and buffer distances from waterways

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

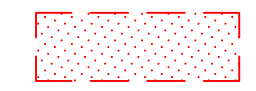


Note—The stream order of a 'waterway' is to be determined on a case by case basis.

Attachment 2 – Amended Plan of Development ARO0071- SK01





LEGEND

-  BUILDING ENVELOPE
-  VEGETATION COVENANT
-  FUTURE VEGETATION COVENANT



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KURANDA CEMETERY
RESIDENTIAL LAND DEVELOPMENT
LOT 2 ON RP730337

PROPOSED LOT LAYOUT

ARO0071-SK01

1:1000
A1 Full Size

Attachment 8

Response to SARA's Information Request



DEVELOPMENT & PROPERTY SERVICES



M: 0400 974 688

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W: <http://www.kellyreaston.com.au/>

44 McLeod Street, Cairns, QLD 4870

ABN:22 652 093 626

11 October 2022

Our Ref: Kuranda

SARA Ref: 2206-29168 SRA

Far North Queensland regional office
PO BOX 2358
Cairns QLD 4870

To: CairnsSARA@dsdilgp.qld.gov.au (By Email)

Dear Anthony,

Response to SARA Information Request 70 Kuranda Heights Road, Kuranda (Lot 2 on RP730337)

The following information is provided in response to SARA's Information Request dated 17 June 2022.

This response to SARA's Information Request provides **all of the information requested** by SARA in accordance with Part 3 (Information Request) of the Development Assessment Rules.

In support of our response please find attached the following documents:

Attachment 1 – Amended Plan of Development (ARO0071-SK01(5))

Attachment 2 – Exempt Clearing Plan (ARO0071-SK02(1))

Response to Information Request – Native Vegetation Clearing

Demonstrate how the proposed lot boundaries have been located to avoid and minimise the impacts of vegetation clearing.

- *Provide tree heights to confirm the fire break buffer distance required.*
- *Provide an amended lot layout plan showing the building envelopes setback from the category B vegetation as per the required fire break buffer distance.*

The plans have been amended to reduce the lot yield to a single balance lot that adjoins the cemetery lot. At this stage, this parcel is a balance development parcel and as such no building envelopes or infrastructure is proposed on site.



Given the extent of cleared area within the balance parcel, it is considered that any future infrastructure can be positioned on site to maintain fire setbacks without necessitating additional clearing.

Additionally, Council will undertake a significant tree survey and establish buffer requirements to inform the location of any future infrastructure. This will include a protected plant survey along proposed new boundaries.

Whilst it is acknowledged that it is not the State's preference to impose a covenant over mapped vegetation, it is still Council's intention to impose an environmental covenant to ensure ongoing protection of vegetation on site. The terms of the covenant will be to require any fencing proposed on the balance parcel to be located outside the covenant area, mitigating the likelihood of clearing along the property boundary.

It is considered that the proposed amendment demonstrates compliance with PO80 and PO85.

Demonstrate how the location of the proposed lot boundaries avoids and mitigates adverse impacts on the composition, structure and function of the regional ecosystem.

- *Please provide digital data (preferably a shapefile or KML) showing the total area of exempt clearing located within the mapped essential habitat, to enable assessment of any significant residual impact.*
- *Please provide details of any proposed environmental offset.*

A plan demonstrating the total area of exempt clearing is provided at Attachment 2.

It is again reiterated that Lot 2 is a community facility being the new Kuranda Cemetery and no clearing is proposed on this site. Lot 3 is currently being maintained in Council's ownership as a balance parcel and no clearing is proposed on this site.

It is considered that the total area of exempt clearing does not have any significant residual impact as it does not exceed 0.5 ha and no offset is required.

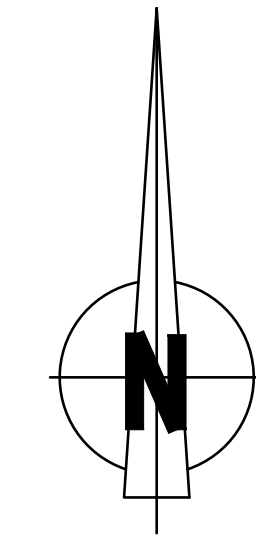
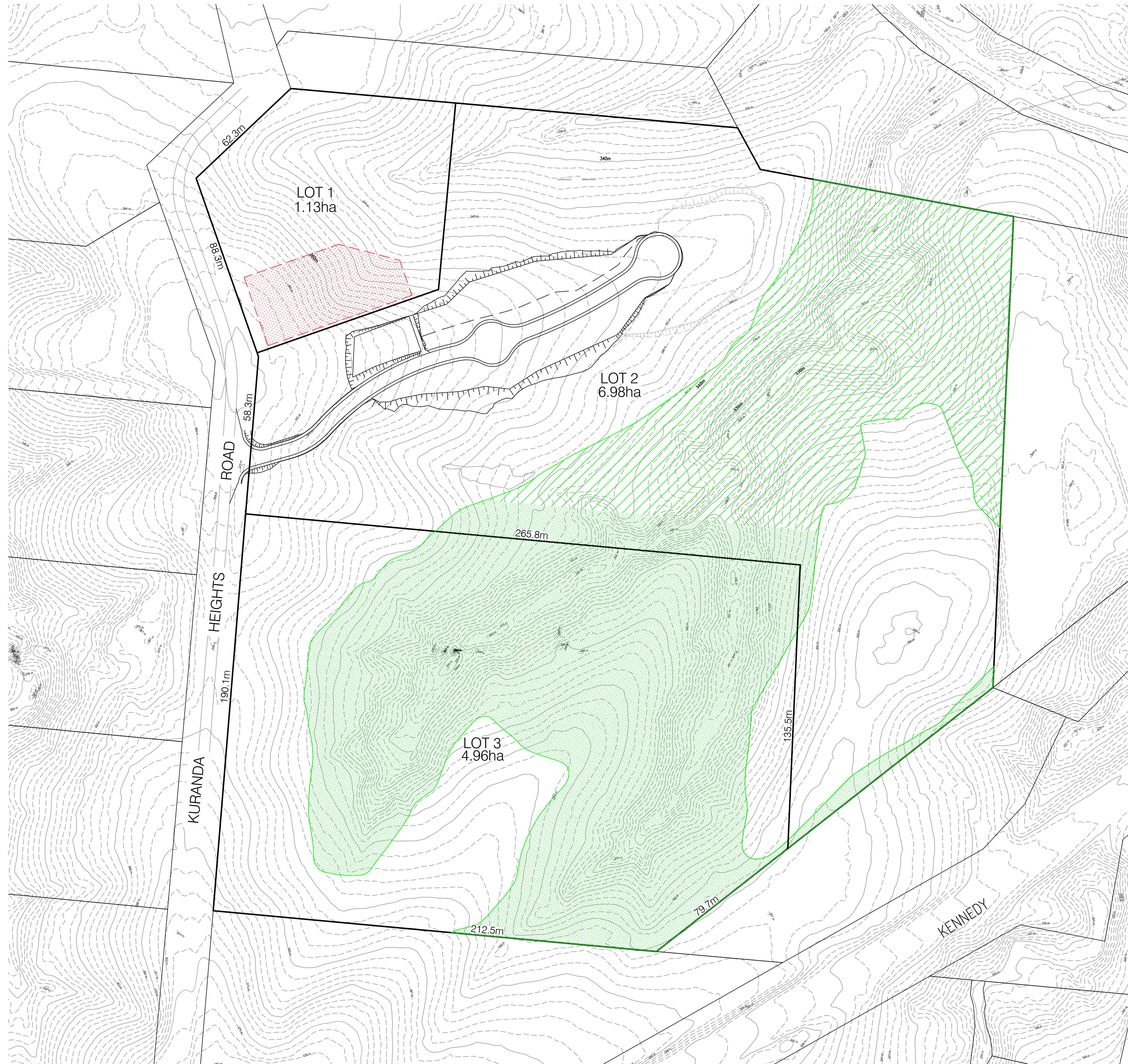
Should you require any further information, please do not hesitate to contact Kelly Reaston on 0400 974 688 or at kelly@kellyreaston.com.au.

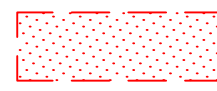



Kind regards



Kelly Reaston | Director





- LEGEND**
-  BUILDING ENVELOPE
 -  VEGETATION COVENANT
 -  FUTURE VEGETATION COVENANT
 -  20m SETBACK TO VEGETATION



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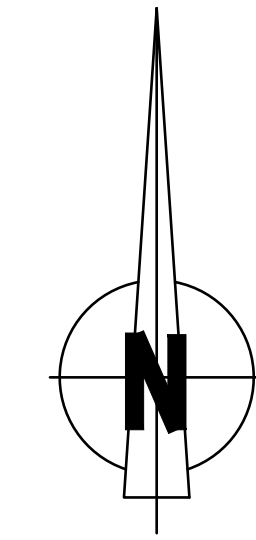
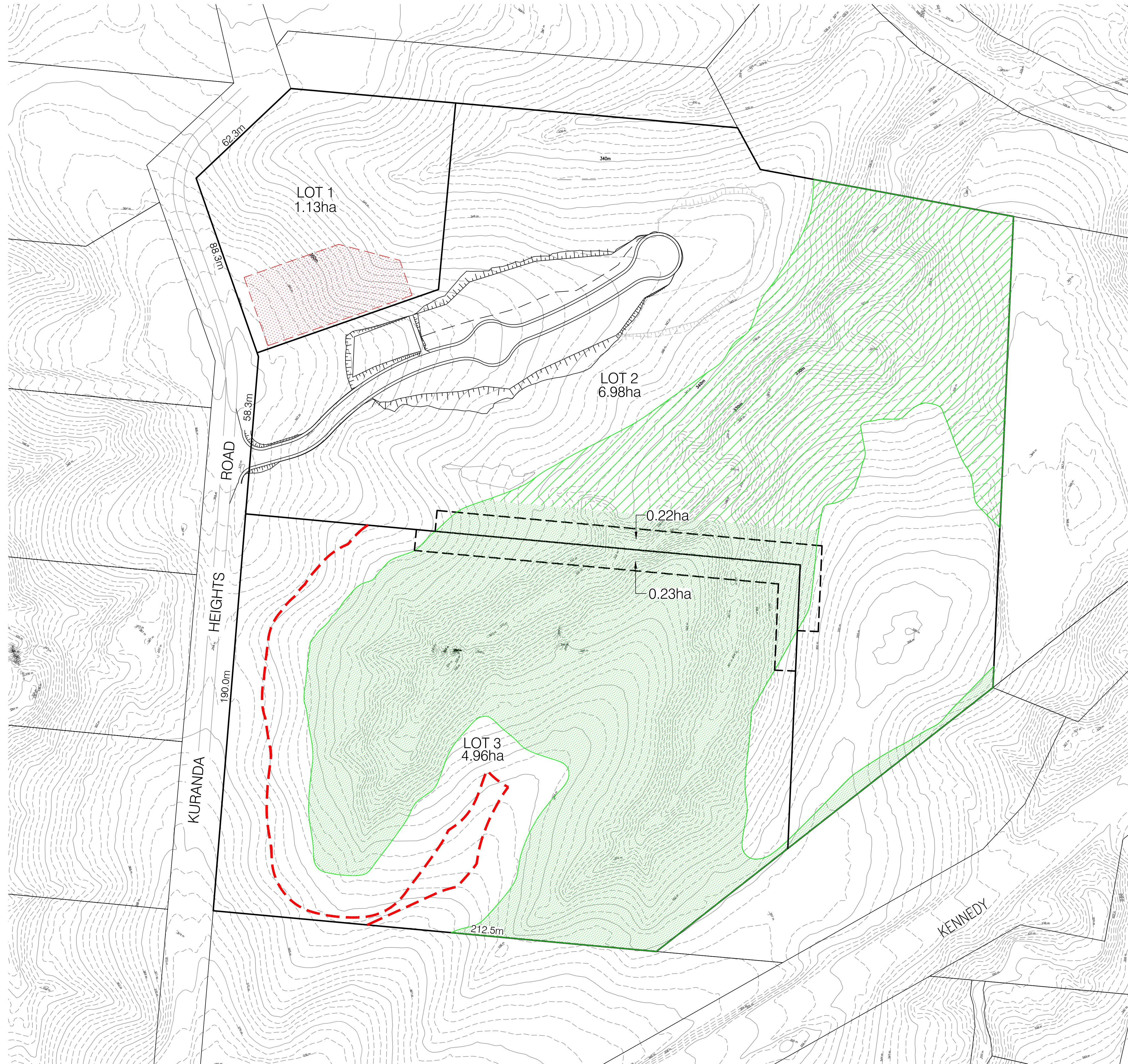
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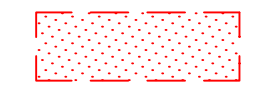
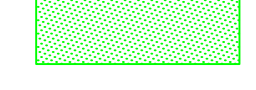


PROPOSED LOT LAYOUT

ARO0071-SK01 1:1000
A1 Full Size

Acad No. ARO0071-SK01(5) 12th October 2022



LEGEND

-  BUILDING ENVELOPE
-  VEGETATION COVENANT
-  FUTURE VEGETATION COVENANT
-  20m SETBACK TO VEGETATION



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EXEMPT CLEARING PLAN

ARO0071-SK02 1:1000
A1 Full Size

Acad No. ARO0071-SK02(1) 12th October 2022