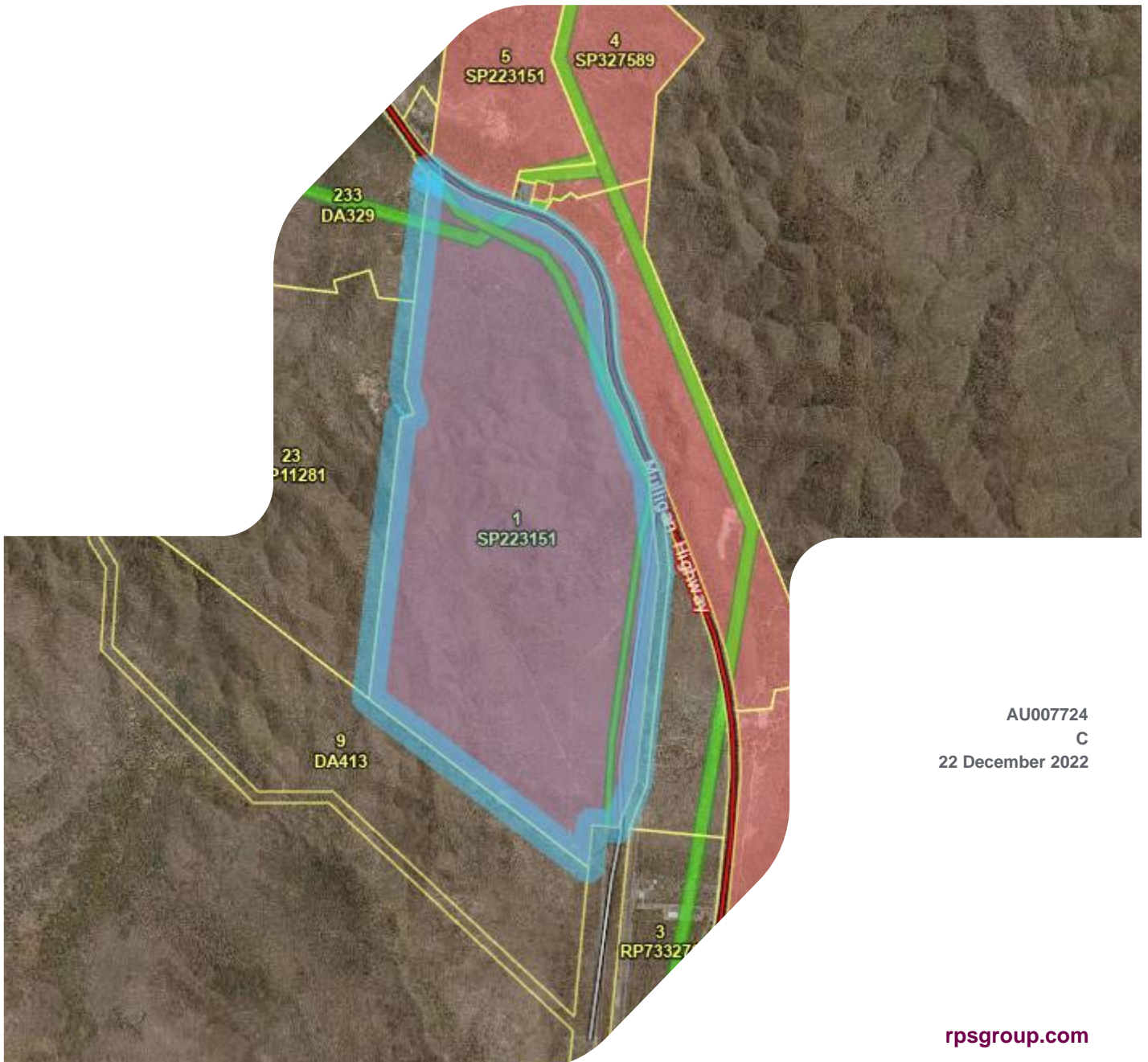


# 3609 MULLIGAN HIGHWAY, MT MOLLOY – APPLICATION FOR RECONFIGURING A LOT (1 INTO 3) & ACCESS EASEMENT

Town Planning Report



AU007724  
C  
22 December 2022

## REPORT

### Document status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
A	Client Review	S Leggerini	P Clifton	P Clifton	21/12/2022
B	Final Draft	P Clifton	P Clifton	P Clifton	22/12/2022
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### Approval for issue

Patrick Clifton



22 December 2022

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## Contents

<b>SUMMARY</b> .....	<b>1</b>
<b>1 INTRODUCTION</b> .....	<b>2</b>
<b>2 SITE DETAILS</b> .....	<b>3</b>
2.1 Site Particulars .....	3
2.2 Planning Context .....	5
<b>3 PROPOSAL</b> .....	<b>7</b>
<b>4 LEGISLATIVE REQUIREMENTS</b> .....	<b>8</b>
4.1 Assessment Manager .....	8
4.2 Categories of Assessment .....	8
4.3 Referrals .....	8
4.4 Public Notification .....	8
<b>5 STATUTORY PLANNING ASSESSMENT</b> .....	<b>9</b>
5.1 Overview .....	9
5.2 State and Regional Assessment Benchmarks .....	9
5.2.1 State Planning Policy .....	9
5.2.2 Regional Plan .....	9
5.2.3 Development Assessment under Schedule 10 (SDAP) .....	9
5.3 Local Authority Assessment Benchmarks .....	9
5.3.1 Planning Scheme Codes .....	10
<b>6 CONCLUSION</b> .....	<b>11</b>

## Tables

Table 1: Summary .....	1
Table 2: Site Particulars .....	3
Table 3: Planning Context .....	5
Table 4: Proposed Lot Details .....	7
Table 5: Categories of Assessment .....	8
Table 6: Schedule 10 Referral Matters .....	8
Table 7 Relevant SDAP State Codes .....	9
Table 8: Planning Scheme Code Responses .....	10

## Figures

Figure 1 Site Location .....	4
Figure 2 Site Frontage Mulligan Highway .....	4
Figure 3 Zoning .....	6
Figure 4: Extract of Proposed Site Plan .....	7

## Appendices

Appendix A Certificate of Title
Appendix B Proposal Plan
Appendix C State Code Responses
Appendix D Planning Scheme Code Responses

## SUMMARY

**Table 1: Summary**

Details			
Site Address:	3609 Mulligan Highway, Mount Molloy		
Real Property Description:	Lot 1 SP223151		
Site Area:	393.6ha		
Regional Plan Land Use Designation:	Regional Landscape and Rural Production Area		
Zone:	Rural Zone		
Owner(s):	MGA Investments Pty Ltd A.C.N. 112 822 689		
Proposal			
Brief Description/ Purpose of Proposal	Reconfiguring a Lot (1 into 3) & Access Easement.		
Application Details			
Aspect of Development	Preliminary approval	Development permit	
Material change of use	<input type="checkbox"/>	<input type="checkbox"/>	
Building Work	<input type="checkbox"/>	<input type="checkbox"/>	
Operational Work	<input type="checkbox"/>	<input type="checkbox"/>	
Reconfiguration of a Lot	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>Assessment Category</b>	<input checked="" type="checkbox"/> Code	<input type="checkbox"/> Impact	
<b>Public Notification</b>	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	
<b>Superseded Planning Scheme Application</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Referral Agencies			
Agency	Concurrence	Advice	Pre-lodgement response
State Assessment & Referral Agency	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Ergon Energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Pre-lodgement / Consultation			
Entity	Date		Contact Name
Council DA Team	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		N/A
<b>Applicant contact person</b>	Patrick Clifton Principal Senior Planner D: +61 7 4031 1336 E: patrick.clifton@rpsgroup.com.au		

# 1 INTRODUCTION

RPS AAP Consulting Pty Ltd has been engaged by MGA Investments Pty Ltd to seek development approval for Reconfiguring a Lot located at 3069 Mulligan Highway, Mt Molloy, and described as Lot 1 on SP223151

The site is an irregular shaped lot with an area of 393.6 hectares and with frontage to the Mulligan Highway of approximately 2,300 metres. It is currently vacant and is covered in sparse mature vegetation. A number of tracks traverse the site and provide access to a bore, dams and a number of lookouts. Access to the site is provided from the Mulligan Highway in the north west of the site and from an unnamed road reserve to the south. The site is burdened by easements associated with electricity infrastructure that run adjacent to the north and east property boundaries and contain high voltage power lines.

It is proposed to subdivide the land into three lots and create an access easement. Proposed Lots 102 & 103 would have an area of 61.85 hectares and would be located in the northern part of the site with Lot 101 being the balance lot with an area of 269.9 hectares. The access easement would provide access over proposed Lot 102 to proposed Lot 103.

The site is located within the Mareeba Shire Council area and under the Mareeba Shire Planning Scheme the site is identified within the Rural Zone and is affected by the following overlays:

- Bushfire Hazard Overlay;
- Environmental Significance Overlay;
- Extractive Resources Overlay;
- Hill and Slope Overlay;
- Regional Infrastructure Corridors and Substations Overlay; and,
- Transport Infrastructure Overlay.

In accordance with the Tables of Assessment, Reconfiguring a Lot is identified as Code Assessable and would not require public notification. As a Code Assessable application, the Council, as the Assessment manager, can only have regard to the requirements of the relevant Assessment Benchmarks contained in the planning scheme in determining the application.

This report provides greater detail on the nature of the proposal and provides an assessment of the proposal against the Assessment Benchmarks. Based on this assessment the proposal is recommended for approval subject to reasonable and relevant conditions.

## 2 SITE DETAILS

### 2.1 Site Particulars

The site is an irregular shaped lot with an area of 393.6 hectares and with frontage to the Mulligan Highway of approximately 2,300 metres. It is currently vacant and is covered in sparse mature vegetation. A number of tracks traverse the site and provide access to a bore, dams and a number of lookouts.. The topography of the site rises from the Mulligan Highway to the west and the site is dissected by a number of ridgelines that traverse the site in a north-south and east-west direction. The highest part of the site is about 490m and is located centrally on the site with the lowest part at 390m in the south east corner. Access to the site is provided from the Mulligan Highway in the north west of the site and from the unnamed road reserve in the south east. The site is burdened by easements associated with electricity infrastructure that run adjacent to the north and east property boundaries and contain high voltage power lines.

The area containing the site is characterised by rural and rural lifestyle properties. To the west and south are large rural properties, one of which contains a mining lease area and to the south east is an existing airstrip. To the east, on the opposite side of the Mulligan Highway is an electricity substation, concrete recycling plant and a fertiliser plant which share a common boundary further to the east with large conservation lots that contain the western face of the Macalister Range. To the north is the township of Mount Molloy.

On a wider perspective to the south are a number of rural lifestyle lots and Lake Mitchell, which forms part of the Southedge Pastoral Holding.

Key details of the subject site area as follows:

**Table 2: Site Particulars**

Site Particulars	
Site Address	3609 Mulligan Highway, Mt Molloy
Real Property Description	Lot 1 SP223151
Site Area	393.6 hectares
Landowner(s)	MGA Investments Pty Ltd

The site location and its extent are shown in **Figure 1** and **Figure 2** below respectively.

Certificate of title confirming site ownership details are included at **Appendix A**.

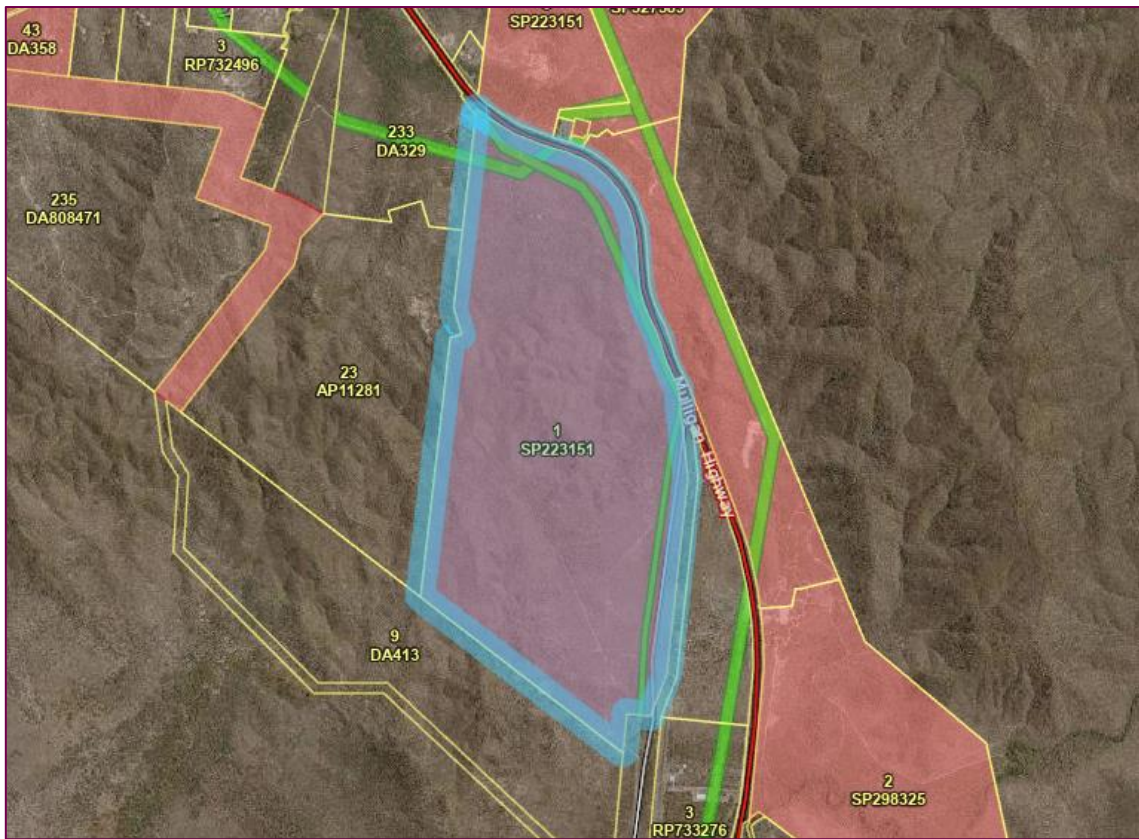


Figure 1 Site Location

Source: Queensland Globe



Figure 2 Site Frontage Mulligan Highway

Source: Martin Anton

## 2.2 Planning Context

The planning context of the site includes the following:

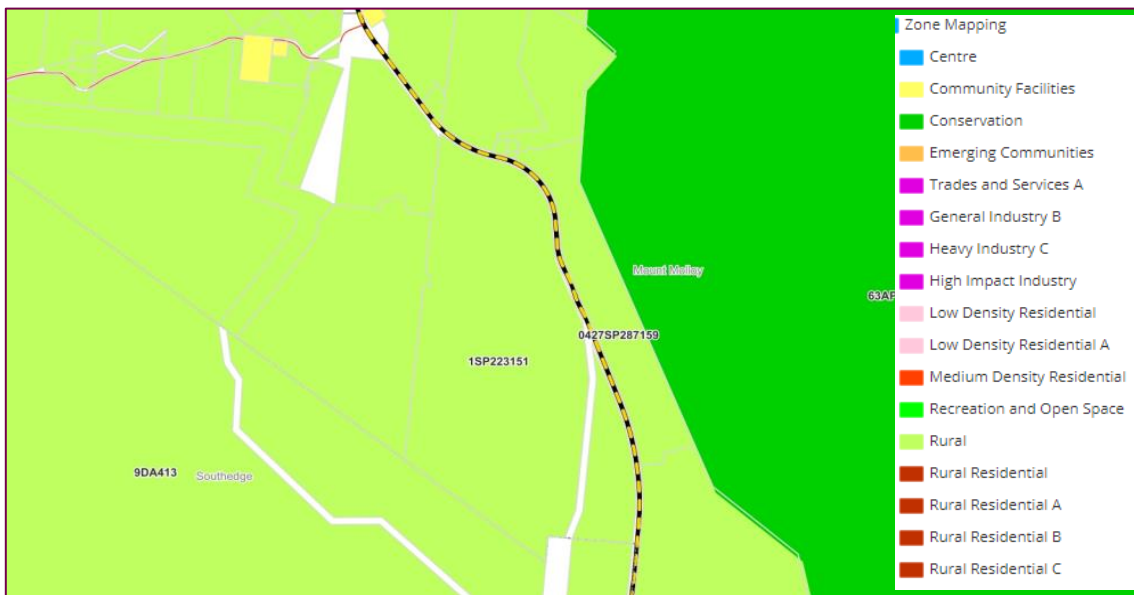
**Table 3: Planning Context**

Instrument	Designation
<b>State Planning Policy Mapping</b>	
Economic Growth	Agriculture <ul style="list-style-type: none"> <li>Stock route network</li> </ul>
Environment and Heritage	Biodiversity <ul style="list-style-type: none"> <li>MSES - Wildlife habitat (endangered or vulnerable)</li> <li>MSES - Regulated vegetation (category B)</li> <li>MSES - Regulated vegetation (intersecting a watercourse)</li> </ul>
Safety and Resilience to Hazards	Natural Hazard Risk and Resilience <ul style="list-style-type: none"> <li>Flood hazard area - Level 1 - Queensland floodplain assessment overlay</li> <li>Flood hazard area - Local Government flood mapping; and,</li> <li>Bushfire prone area (Very High to Potential Impact Buffer).</li> </ul>
Infrastructure	Energy and Water Supply <ul style="list-style-type: none"> <li>Major electricity infrastructure (Ergon)</li> </ul> Transport Infrastructure <ul style="list-style-type: none"> <li>State-controlled road</li> </ul>
<b>Development Assessment Mapping</b>	
SARA DA Mapping	Fish Habitat Areas <ul style="list-style-type: none"> <li>Queensland waterways for waterway barrier works</li> </ul> Water Resources <ul style="list-style-type: none"> <li>Water resource planning area boundaries</li> </ul> Native Vegetation Clearing <ul style="list-style-type: none"> <li>Category B on the regulated vegetation management map that is a least concern regional ecosystem;</li> <li>Category X on the regulated vegetation management map.</li> </ul> State Transport Corridor <ul style="list-style-type: none"> <li>State Controlled Road</li> <li>Areas within 25 metres of a State-controlled road.</li> </ul>
<b>Far North Queensland Regional Plan 2009-2031</b>	
Regional Plan designation	Regional Landscape and Rural Production Area
<b>Mareeba Shire Council Planning Scheme Version 3</b>	
Zoning	Rural Zone
Overlays	<ul style="list-style-type: none"> <li>Bushfire Hazard Overlay: <ul style="list-style-type: none"> <li>Potential Impact Buffer;</li> <li>Medium Potential Bushfire Intensity;</li> <li>High Potential Bushfire Intensity; and,</li> <li>Very High Potential Bushfire Intensity.</li> </ul> </li> <li>Environmental Significance Waterways Overlay: <ul style="list-style-type: none"> <li>Waterway; and,</li> <li>Waterway 100m Buffer.</li> </ul> </li> <li>Environmental Significance Overlay: <ul style="list-style-type: none"> <li>Ecological Corridor;</li> </ul> </li> </ul>



Instrument	Designation
	<ul style="list-style-type: none"> <li>○ Habitat Linkage; and,</li> <li>○ Regulated Vegetation.</li> <li>● Extractive Resources Overlay - Mining Lease.</li> <li>● Hill and Slope Overlay – Hill and Slope Area.</li> <li>● Regional Infrastructure Corridors and Substations Overlay:                             <ul style="list-style-type: none"> <li>○ Major Electricity Infrastructure – High Voltage Powerline; and,</li> <li>○ Stock Route.</li> </ul> </li> <li>● Transport Infrastructure Overlay - State Controlled Road.</li> </ul>

Zoning of the subject site and surrounding lands is shown on **Figure 3**



**Figure 3 Zoning**

Source: Mareeba Shire Council Planning Scheme 2016

### 3 PROPOSAL

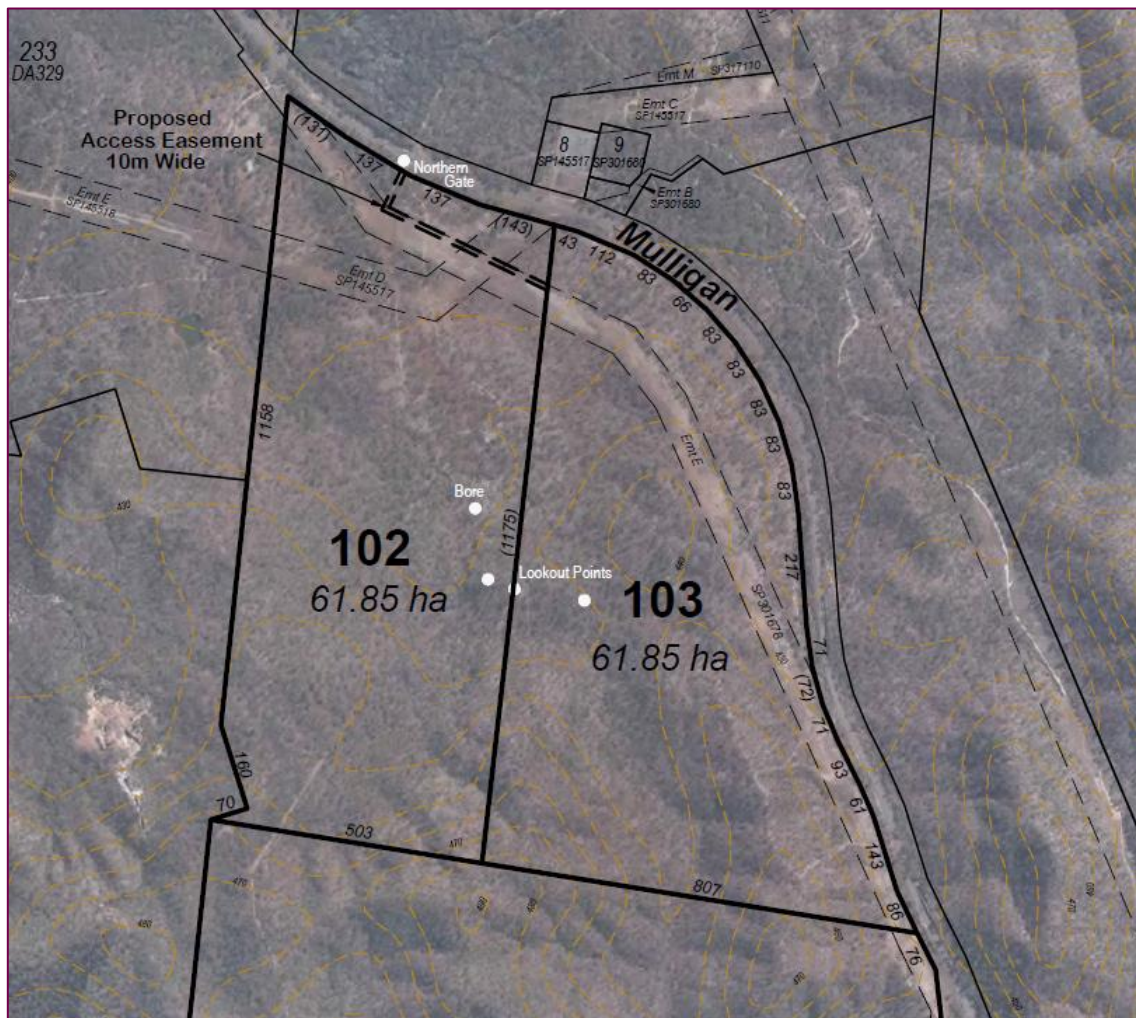
The application seeks a Development Permit for Reconfiguring a Lot (1 Lot into 3) of land located at 3609 Mulligan Highway, Mt Molloy, described as Lot 1 on SP223151.

It is proposed to subdivide the land into three lots. Proposed Lots 102 & 103 would have an area of 61.85 hectares and would be located in the northern part of the site with lot 101 being the balance lot with an area of 269.9 hectares. The proposed plan of subdivision is illustrated on Proposal Plan AU007724-1, provided as **Appendix B**. Access to Lots 102 & 103 would be from the existing access off Mulligan Highway on Lot 102. Lot 103 would benefit from a 10 metre wide and approximately 300 metres long access easement over Lot 102.

The proposed lots are summarised in **Table 4** below:

**Table 4: Proposed Lot Details**

Proposed Lot	Area	Frontage
Proposed Lot 102	61.85 hectares	545 metres to Mulligan Highway
Proposed Lot 103	61.85 hectares	2,133 metres to Mulligan Highway
Balance Lot	269.9 hectares	76 metres to Mulligan Highway



**Figure 4: Extract of Proposed Site Plan**

Source: RPS AAP Consulting Pty Ltd

## 4 LEGISLATIVE REQUIREMENTS

### 4.1 Assessment Manager

In accordance with Schedule 8 of the *Planning Regulation 2017*, the assessment manager for this application is the Mareeba Shire Council.

### 4.2 Categories of Assessment

The table below summarises the categorising instruments and categories of assessment applicable to this application.

**Table 5: Categories of Assessment**

Aspect of development	Categorising instrument	Category of assessment
Reconfiguring a Lot (1 into 3) & Access Easement	Mareeba Shire Council Planning Scheme July 2016, table 5.6.1	Code Assessment

### 4.3 Referrals

In accordance with Schedule 10 of the *Planning Regulation 2017*, the follow referrals apply.

**Table 6: Schedule 10 Referral Matters**

Schedule 10	Referral topic and reason	Referral Agency
10.9.4.2.1	Reconfiguring a lot near a State transport corridor	SARA, DSDMIP
10.9.2.1	Reconfiguring a lot subject to an easement or near a substation site	Ergon

### 4.4 Public Notification

This application does not require public notification as it is subject to code assessment.

## 5 STATUTORY PLANNING ASSESSMENT

### 5.1 Overview

As the application is subject to code assessment, the assessment benchmarks, and the matters the assessment manager must have regard to, are those identified in section 45(3) of the *Planning Act 2016* and sections 26 and 27 of the *Planning Regulation 2017*.

### 5.2 State and Regional Assessment Benchmarks

#### 5.2.1 State Planning Policy

The *Planning Regulation 2017* at Section 26(2)(a)(ii) requires the assessment manager to assess the application against the assessment benchmarks stated in the State Planning Policy, Part E, to the extent Part E of the State Planning Policy is not identified in the planning scheme as being appropriately integrated into the planning scheme.

It is understood that the minister has identified that the State Planning Policy has been appropriately integrated into Mareeba Shire Council Planning Scheme 2016 and consequently no further assessment is required in this instance.

#### 5.2.2 Regional Plan

The *Planning Regulation 2017* at section 26(2)(a)(i) requires the assessment manager to assess the application against the assessment benchmarks stated in the regional plan, to the extent the Regional Plan is not identified as being appropriately integrated into the planning scheme.

Consistent with the State Planning Policy, the Minister has identified that the planning scheme, specifically the strategic framework, appropriately advances the Far North Queensland Regional Plan 2009-2031, as it applies in the planning scheme area. On this basis, no further assessment of the Regional Plan is required.

#### 5.2.3 Development Assessment under Schedule 10 (SDAP)

Schedules 10 of the *Planning Regulation 2017* identify the matters that the assessment manager and/or referral agency assessment must have regard to.

The State Development Assessment Provisions (SDAP) nominate applicable State Codes based on the referral triggers. The State Codes applicable to the proposal are identified in the table below.

**Table 7 Relevant SDAP State Codes**

Schedule 10	Referral Topic	State Code
10.9.4.2.1	Infrastructure-related referrals Reconfiguring a lot near a State-controlled Road intersection	State code 1 – Development in a state-controlled road environment
10.9.2.1	Infrastructure-related referrals Reconfiguring a lot subject to an easement or near a substation site	No applicable state code

A response to the State Codes is included in **Appendix C**.

### 5.3 Local Authority Assessment Benchmarks

This application is to be assessed against the Mareeba Shire Council Planning Scheme 2016. The relevant Assessment Benchmarks contained within the Planning Scheme are addressed below.

### 5.3.1 Planning Scheme Codes

The planning scheme codes applicable to the proposal, and the location of the relevant appended code response are identified below: Infrastructure charges.

**Table 8: Planning Scheme Code Responses**

Planning Scheme Codes	Applicability	Comment
<b>Zone</b>		
Rural Zone Code	Not Applicable	No relevant Assessment Benchmarks.
<b>Overlay Codes</b>		
Bushfire Hazard Overlay Code	Applies	Complies with relevant Acceptable Outcomes.
Environmental Significance Overlay Code	Applies	Complies with relevant Assessment Benchmarks.
Extractive Resources Overlay Code	Not Applicable	No relevant Assessment Benchmarks.
Hill and Slope Overlay Code	Applies	Complies with relevant Acceptable Outcomes.
Regional Infrastructure Corridors and Substations Overlay Code	Applies	Complies with relevant Assessment Benchmarks.
Transport Infrastructure Overlay Code	Not applicable	No relevant Assessment Benchmarks.
<b>Development Codes</b>		
Landscaping Code	Applies	Complies with relevant Assessment Benchmarks.
Parking and Access Code	Applies	Complies with relevant Acceptable Outcomes.
Reconfiguring a Lot Code	Applies	Complies with relevant Assessment Benchmarks
Works, Services and Infrastructure Code	Applies	Complies with or is able to comply with relevant Acceptable Outcomes.

A detailed assessment against each of the Planning Scheme Codes is attached at **Appendix D**.

## 6 CONCLUSION

RPS AAP Consulting Pty Ltd has been engaged by MGA Investments Pty Ltd to seek development approval for Reconfiguring a Lot located at 3069 Mulligan Highway, Mt Molloy, and described as Lot 1 on SP223151

The site is an irregular shaped lot with an area of 393.6 hectares and with frontage to the Mulligan Highway of approximately 2,300 metres. It is currently vacant and is covered in sparse mature vegetation. A number of tracks traverse the site and provide access to a bore, dams, a number of lookouts and a mustering camp. Access to the site is provided from the Mulligan Highway in the north west of the site. The site is burdened by easements associated with electricity infrastructure that run adjacent to the north and east property boundaries and contain high voltage power lines.

It is proposed to subdivide the land into three lots and create an access easement. Proposed Lots 102 & 103 would have an area of 61.85 hectares and would be located in the northern part of the site with Lot 101 being the balance lot with an area of 269.9 hectares. The access easement would provide access over proposed Lot 102 to proposed Lot 103.

The site is located within the Mareeba Shire Council area and in accordance with the Tables of Assessment of the Planning Scheme, Reconfiguring a Lot is identified as Code Assessable and requires the approval of Council as the Assessment Manager. As a Code Assessable application, the Council, as the Assessment manager, can only have regard to the requirements of the relevant Assessment Benchmarks contained in the planning scheme in determining the application.

This report has provided a detailed assessment against the relevant planning Assessment Benchmarks applicable to the determination of the application. The assessment has determined that the development is able to stratify the Assessment benchmarks and, on that basis, the application is submitted for approval, subject to reasonable and relevant conditions.

# Appendix A

## Certificate of Title

Queensland Titles Registry Pty Ltd  
 ABN 23 648 568 101

<b>Title Reference:</b> 51158785	<b>Search Date:</b> 24/11/2021 15:11
<b>Date Title Created:</b> 12/09/2018	<b>Request No:</b> 39391049
<b>Previous Title:</b> 51095153	

**ESTATE AND LAND**

Estate in Fee Simple  
 LOT 1 SURVEY PLAN 223151  
 Local Government: MAREEBA

**REGISTERED OWNER**

Dealing No: 721222758 03/11/2021  
 MGA INVESTMENTS PTY LTD A.C.N. 112 822 689 TRUSTEE  
 UNDER INSTRUMENT 721222758

**EASEMENTS, ENCUMBRANCES AND INTERESTS**

- Rights and interests reserved to the Crown by Deed of Grant No. 40073506 (Lot 427 on SP 287159)
- EASEMENT IN GROSS No 706750632 30/06/2003 at 11:36 burdening the land ERGON ENERGY CORPORATION LIMITED A.C.N. 087 646 062 over EASEMENT D ON SP145517
- EASEMENT IN GROSS No 718556053 02/02/2018 at 14:17 burdening the land ERGON ENERGY CORPORATION LIMITED A.C.N. 087 646 062 over EASEMENT E ON SP301678
- PROFIT A PRENDRE No 718656930 27/03/2018 at 10:07 THE STATE OF QUEENSLAND (REPRESENTED BY DEPARTMENT OF AGRICULTURE AND FISHERIES)
- MORTGAGE No 721222759 03/11/2021 at 10:06 COMMONWEALTH BANK OF AUSTRALIA A.C.N. 123 123 124

**ADMINISTRATIVE ADVICES**

Dealing	Type	Lodgement Date	Status
713713290	VEG NOTICE VEGETATION MANAGEMENT ACT 1999	14/02/2011 13:55	CURRENT

**UNREGISTERED DEALINGS**

NIL

Caution - Charges do not necessarily appear in order of priority  
 \*\* End of Current Title Search \*\*

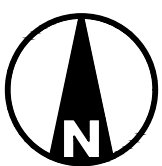
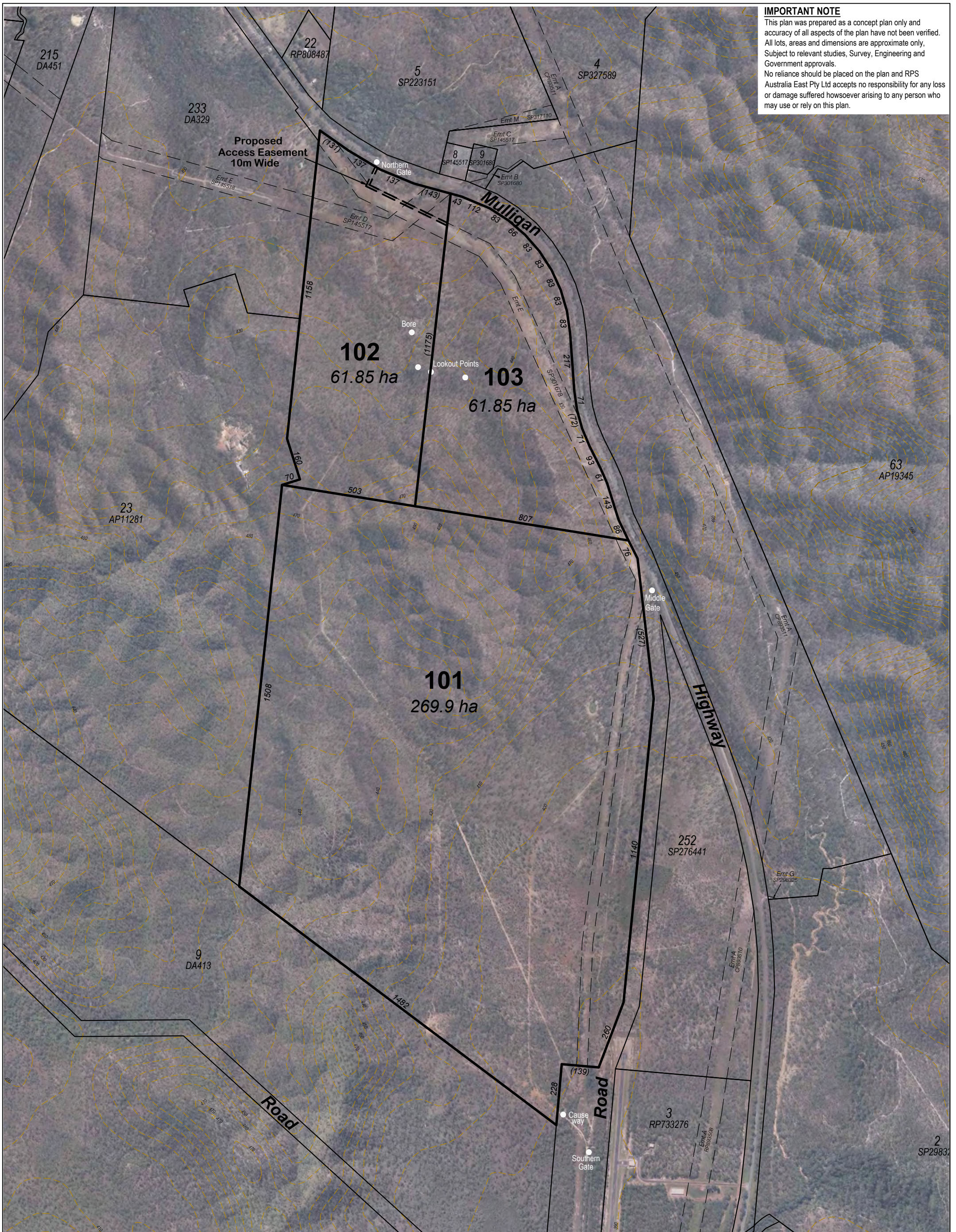


# Appendix B

## Proposal Plan

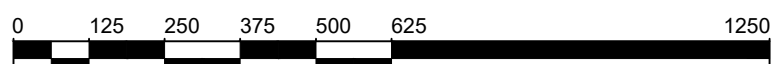
**IMPORTANT NOTE**

This plan was prepared as a concept plan only and accuracy of all aspects of the plan have not been verified. All lots, areas and dimensions are approximate only, Subject to relevant studies, Survey, Engineering and Government approvals. No reliance should be placed on the plan and RPS Australia East Pty Ltd accepts no responsibility for any loss or damage suffered howsoever arising to any person who may use or rely on this plan.



**Proposed Reconfiguration. Lots 101 to 103  
Cancelling Lot 1 on SP223151. Mount Molloy**

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## Appendix C

### State Code Responses

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

**Table 1.1 Development in general**

Performance outcomes	Acceptable outcomes	Response
<b>Buildings, structures, infrastructure, services and utilities</b>		
<b>PO1</b> The location of the development does not create a safety hazard for users of the <b>state-controlled road</b> .	<b>AO1.1</b> Development is not located in a <b>state-controlled road</b> . AND <b>AO1.2</b> Development can be maintained without requiring access to a <b>state-controlled road</b> .	<b>Complies with AO1.1 and AO1.2</b>  The development would not be located in a state controlled road and can be maintained without access to a state controlled road.
<b>PO2</b> The design and construction of the development does not adversely impact the <b>structural integrity</b> or physical condition of the <b>state-controlled road</b> or <b>road transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b>  No physical works are proposed as part of this development.
<b>PO3</b> The location of the development does not obstruct <b>road transport infrastructure</b> or adversely impact the operating performance of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Complies with PO3</b>  The development would not be located within the road reserve and would not result in an increase of traffic movements that would adversely affect the operation of the Mulligan Highway.
<b>PO4</b> The location, placement, design and operation of advertising devices, visible from the <b>state-controlled road</b> , do not create a safety hazard for users of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b>  No advertising signs are proposed.

Performance outcomes	Acceptable outcomes	Response
<p><b>PO5</b> The design and construction of buildings and <b>structures</b> does not create a safety hazard by distracting users of the <b>state-controlled road</b>.</p>	<p><b>AO5.1</b> Facades of buildings and <b>structures</b> fronting the <b>state-controlled road</b> are made of non-reflective materials.</p> <p>AND</p> <p><b>AO5.2</b> Facades of buildings and <b>structures</b> do not direct or reflect point light sources into the face of oncoming traffic on the <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO5.3</b> External lighting of buildings and <b>structures</b> is not directed into the face of oncoming traffic on the <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO5.4</b> External lighting of buildings and <b>structures</b> does not involve flashing or laser lights.</p>	<p><b>Not applicable</b></p> <p>No new buildings or structures are proposed.</p>
<p><b>PO6</b> Road, pedestrian and bikeway bridges over a <b>state-controlled road</b> are designed and constructed to prevent projectiles from being thrown onto the <b>state-controlled road</b>.</p>	<p><b>AO6.1</b> Road, pedestrian and bikeway bridges over the <b>state-controlled road</b> include throw protection screens in accordance with section 4.11 of the Design Criteria for Bridges and Other Structures Manual, Department of Transport and Main Roads, 2020.</p>	<p><b>Not Applicable</b></p> <p>No bridges are proposed.</p>
<p><b>Landscaping</b></p>		
<p><b>PO7</b> The location of landscaping does not create a safety hazard for users of the <b>state-controlled road</b>.</p>	<p><b>AO7.1</b> Landscaping is not located in a <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO7.2</b> Landscaping can be maintained without requiring access to a <b>state-controlled road</b>.</p>	<p><b>Not applicable</b></p> <p>No landscaping is required or proposed.</p>

Performance outcomes	Acceptable outcomes	Response
	<p>AND</p> <p><b>AO7.3</b> Landscaping does not block or obscure the sight lines for vehicular access to a <b>state-controlled road</b>.</p>	
<b>Stormwater and overland flow</b>		
<b>PO8</b> Stormwater run-off or overland flow from the development site does not create or exacerbate a safety hazard for users of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Complies with PO8</b> There would be no change to the existing stormwater drainage regime as a result of this development.
<b>PO9</b> Stormwater run-off or overland flow from the development site does not result in a material worsening of the operating performance of the <b>state-controlled road</b> or <b>road transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Complies with PO9</b> There would be no change to the existing stormwater drainage regime as a result of this development.
<b>PO10</b> Stormwater run-off or overland flow from the development site does not adversely impact the <b>structural integrity</b> or physical condition of the <b>state-controlled road</b> or <b>road transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Complies with PO10</b> There would be no change to the existing stormwater drainage regime as a result of this development.
<b>PO11</b> Development ensures that stormwater is lawfully discharged.	<p><b>AO11.1</b> Development does not create any new points of discharge to a <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO11.2</b> Development does not concentrate flows to a <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO11.3</b> Stormwater run-off is discharged to a <b>lawful point of discharge</b>.</p> <p>AND</p>	<b>Complies with AO11.1-AO11.4</b> There would be no change to the existing stormwater drainage regime as a result of this development.

Performance outcomes	Acceptable outcomes	Response
	<p><b>AO11.4</b> Development does not worsen the condition of an existing <b>lawful point of discharge</b> to the <b>state-controlled road</b>.</p>	
<b>Flooding</b>		
<p><b>PO12</b> Development does not result in a material worsening of flooding impacts within a <b>state-controlled road</b>.</p>	<p><b>AO12.1</b> For all flood events up to 1% <b>annual exceedance probability</b>, development results in negligible impacts (within +/- 10mm) to existing flood levels within a <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO12.2</b> For all flood events up to 1% <b>annual exceedance probability</b>, development results in negligible impacts (up to a 10% increase) to existing peak velocities within a <b>state-controlled road</b>.</p> <p>AND</p> <p><b>AO12.3</b> For all flood events up to 1% <b>annual exceedance probability</b>, development results in negligible impacts (up to a 10% increase) to existing time of submergence of a <b>state-controlled road</b>.</p>	<p><b>Complies with AO12.1-AO12.3</b></p> <p>There would be no change to the existing stormwater drainage regime as a result of this development and no increase in impervious surface or excavation or fill that would affect existing flood characteristics.</p>
<b>Drainage Infrastructure</b>		
<p><b>PO13</b> Drainage infrastructure does not create a safety hazard for users in the <b>state-controlled road</b>.</p>	<p><b>AO13.1</b> Drainage infrastructure is wholly contained within the development site, except at the <b>lawful point of discharge</b>.</p> <p>AND</p> <p><b>AO13.2</b> Drainage infrastructure can be maintained without requiring access to a <b>state-controlled road</b>.</p>	<p><b>Not applicable</b></p> <p>No drainage infrastructure is required or proposed.</p>

Performance outcomes	Acceptable outcomes	Response
<b>PO14</b> Drainage infrastructure associated with, or within, a <b>state-controlled road</b> is constructed, and designed to ensure the <b>structural integrity</b> and physical condition of existing drainage infrastructure and the surrounding drainage network.	No acceptable outcome is prescribed.	<b>Not applicable</b> No drainage infrastructure is required or proposed.

**Table 1.2 Vehicular access, road layout and local roads**

Performance outcomes	Acceptable outcomes	Response
<b>Vehicular access to a state-controlled road or within 100 metres of a state-controlled road intersection</b>		
<b>PO15</b> The location, design and operation of a <b>new or changed access</b> to a <b>state-controlled road</b> does not compromise the safety of users of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Complies with PO15</b> Access to the development would be via the existing access off Mulligan Highway to the north. The access location provides the required sightlines and is able to be upgraded if required.
<b>PO16</b> The location, design and operation of a <b>new or changed access</b> does not adversely impact the <b>functional requirements</b> of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Complies with PO16</b> Access to the development would be via the existing access off Mulligan Highway to the north. The access location provides the required sightlines and is able to be upgraded if required.
<b>PO17</b> The location, design and operation of a <b>new or changed access</b> is consistent with the <b>future intent</b> of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Complies with PO17</b> Access to the development would be via the existing access off Mulligan Highway to the north. The access location provides the required sightlines and is able to be upgraded if required.



Performance outcomes	Acceptable outcomes	Response
<p><b>PO18 New or changed access</b> is consistent with the access for the relevant <b>limited access road policy</b>:</p> <ol style="list-style-type: none"> <li><b>LAR 1</b> where direct access is prohibited; or</li> <li><b>LAR 2</b> where access may be permitted, subject to assessment.</li> </ol>	No acceptable outcome is prescribed.	<p><b>Not applicable</b></p> <p>The site does not front a limited access road.</p>
<p><b>PO19 New or changed access</b> to a <b>local road</b> within 100 metres of an intersection with a <b>state-controlled road</b> does not compromise the safety of users of the <b>state-controlled road</b>.</p>	No acceptable outcome is prescribed.	<p><b>Not applicable</b></p> <p>No new or changed access to a local road is proposed.</p>
<p><b>PO20 New or changed access</b> to a <b>local road</b> within 100 metres of an intersection with a <b>state-controlled road</b> does not adversely impact on the operating performance of the intersection.</p>	No acceptable outcome is prescribed.	<p><b>Not applicable</b></p> <p>No new or changed access to a local road is proposed.</p>
<b>Public passenger transport and active transport</b>		
<p><b>PO21</b> Development does not compromise the safety of users of <b>public passenger transport infrastructure, public passenger services and active transport infrastructure</b>.</p>	No acceptable outcome is prescribed.	<p><b>Not applicable</b></p> <p>There is no public transport infrastructure or services located within the vicinity of the site.</p>
<p><b>PO22</b> Development maintains the ability for people to access <b>public passenger transport infrastructure, public passenger services and active transport infrastructure</b>.</p>	No acceptable outcome is prescribed.	<p><b>Not applicable</b></p> <p>There is no public transport infrastructure or services located within the vicinity of the site.</p>
<p><b>PO23</b> Development does not adversely impact the operating performance of <b>public passenger transport infrastructure, public passenger services and active transport infrastructure</b>.</p>	No acceptable outcome is prescribed.	<p><b>Not applicable</b></p> <p>There is no public transport infrastructure or services located within the vicinity of the site.</p>

Performance outcomes	Acceptable outcomes	Response
<b>PO24</b> Development does not adversely impact the <b>structural integrity</b> or physical condition of <b>public passenger transport infrastructure</b> and <b>active transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b> There is no public transport infrastructure or services located within the vicinity of the site.

**Table 1.3 Network impacts**

Performance outcomes	Acceptable outcomes	Response
<b>PO25</b> Development does not compromise the safety of users of the <b>state-controlled road</b> network.	No acceptable outcome is prescribed.	<b>Complies with PO15</b> Access to the development would be via the existing access off Mulligan Highway to the north. The access location provides the required sightlines and is able to be upgraded if required and the proposed development would not generate traffic movements that would compromise the operation or safety of the road network.
<b>PO26</b> Development ensures <b>no net worsening</b> of the operating performance of the <b>state-controlled road</b> network.	No acceptable outcome is prescribed.	<b>Complies with PO26</b> Potential traffic movements generated by the development are minimal and would be able to be accommodated within the existing road network capacity.
<b>PO27</b> Traffic movements are not directed onto a <b>state-controlled road</b> where they can be accommodated on the <b>local road</b> network.	No acceptable outcome is prescribed.	<b>Not applicable</b> Traffic is not able to be accommodated in the local road network.
<b>PO28</b> Development involving haulage exceeding 10,000 tonnes per year does not adversely impact the pavement of a <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b> No haulage is proposed.

Performance outcomes	Acceptable outcomes	Response
<b>PO29</b> Development does not impede delivery of <b>planned upgrades of state-controlled roads</b> .	No acceptable outcome is prescribed.	<b>Not Applicable</b> There are no planned upgrades within the vicinity of the site.
<b>PO30</b> Development does not impede delivery of <b>corridor improvements</b> located entirely within the <b>state-controlled road corridor</b> .	No acceptable outcome is prescribed.	<b>Not Applicable</b> There are no planned upgrades within the vicinity of the site.

**Table 1.4 Filling, excavation, building foundations and retaining structures**

Performance outcomes	Acceptable outcomes	Response
<b>PO31</b> Development does not create a safety hazard for users of the <b>state-controlled road</b> or <b>road transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b> No excavation or filling is proposed.
<b>PO32</b> Development does not adversely impact the operating performance of the <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b> No excavation or filling is proposed.
<b>PO33</b> Development does not undermine, damage or cause subsidence of a <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b> No excavation or filling is proposed.
<b>PO34</b> Development does not cause ground water disturbance in a <b>state-controlled road</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b> No excavation or filling is proposed.
<b>PO35</b> Excavation, boring, piling, blasting and fill compaction do not adversely impact the physical condition or <b>structural integrity</b> of a <b>state-controlled road</b> or <b>road transport infrastructure</b> .	No acceptable outcome is prescribed.	<b>Not applicable</b> No excavation or filling is proposed.
<b>PO36</b> Filling and excavation associated with the construction of <b>new or changed access</b> do not compromise the operation or capacity of existing	No acceptable outcome is prescribed.	<b>Not applicable</b> No excavation or filling is proposed.

Performance outcomes	Acceptable outcomes	Response
drainage infrastructure for a <b>state-controlled road</b> .		

## Table 1.5 Environmental emissions

Statutory note: Where a **state-controlled road** is co-located in the same transport corridor as a railway, the development should instead comply with Environmental emissions in State code 2: Development in a railway environment.

Performance outcomes	Acceptable outcomes	Response
<b>Reconfiguring a lot</b>		
<b>Involving the creation of 5 or fewer new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor</b>		
<b>PO37</b> Development minimises free field noise intrusion from a <b>state-controlled road</b> .	<p><b>AO37.1</b> Development provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> <li>1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.1);</li> <li>2. in accordance with: <ol style="list-style-type: none"> <li>a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;</li> <li>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</li> <li>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020.</li> </ol> </li> </ol> <p>OR</p> <p><b>AO37.2</b> Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by <b>alternative noise attenuation measures</b></p>	<p><b>Complies with PO37</b></p> <p>No new buildings or structure are proposed.</p>

State Development Assessment Provisions v3.0

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

Page 9 of 19

Performance outcomes	Acceptable outcomes	Response
	<p>where it is not practical to provide a noise barrier or earth mound.</p> <p>OR</p> <p><b>AO37.3</b> Development provides a <b>solid gap-free fence</b> or other <b>solid gap-free structure</b> along the full extent of the boundary closest to the <b>state-controlled road</b>.</p>	
<b>Involving the creation of 6 or more new residential lots adjacent to a state-controlled road or type 1 multi-modal corridor</b>		
<p><b>PO38</b> Reconfiguring a lot minimises free field noise intrusion from a <b>state-controlled road</b>.</p>	<p><b>AO38.1</b> Development provides noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> <li>1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.1);</li> <li>2. in accordance with: <ol style="list-style-type: none"> <li>a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;</li> <li>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</li> <li>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020.</li> </ol> </li> </ol> <p>OR</p> <p><b>AO38.2</b> Development achieves the maximum free field acoustic levels in reference table 2 (item 2.1) by <b>alternative noise attenuation measures</b></p>	<p><b>Not applicable</b></p> <p>The proposed development is for reconfiguring a lot to create three rural lots only.</p>

Performance outcomes	Acceptable outcomes	Response
	where it is not practical to provide a noise barrier or earth mound.	
<b>Material change of use (accommodation activity)</b>		
<b>Ground floor level requirements adjacent to a state-controlled road or type 1 multi-modal corridor</b>		
<p><b>PO39</b> Development minimises noise intrusion from a <b>state-controlled road</b> in <b>private open space</b>.</p>	<p><b>AO39.1</b> Development provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> <li>1. to achieve the maximum free field acoustic levels in reference table 2 (item 2.2) for <b>private open space</b> at the ground floor level;</li> <li>2. in accordance with: <ol style="list-style-type: none"> <li>a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;</li> <li>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</li> <li>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020.</li> </ol> </li> </ol> <p>OR</p> <p><b>AO39.2</b> Development achieves the maximum free field acoustic level in reference table 2 (item 2.2) for <b>private open space</b> by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.</p>	<p><b>Not applicable</b></p> <p>No new accommodation activities are proposed.</p>

Performance outcomes	Acceptable outcomes	Response
<p><b>PO40</b> Development (excluding a <b>relevant residential building</b> or <b>relocated building</b>) minimises noise intrusion from a <b>state-controlled road</b> in <b>habitable rooms</b> at the facade.</p>	<p><b>AO40.1</b> Development (excluding a <b>relevant residential building</b> or <b>relocated building</b>) provides a noise barrier or earth mound which is designed, sited and constructed:</p> <ol style="list-style-type: none"> <li>1. to achieve the maximum building façade acoustic level in reference table 1 (item 1.1) for <b>habitable rooms</b>;</li> <li>2. in accordance with: <ol style="list-style-type: none"> <li>a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;</li> <li>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</li> <li>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020.</li> </ol> </li> </ol> <p>OR</p> <p><b>AO40.2</b> Development (excluding a <b>relevant residential building</b> or <b>relocated building</b>) achieves the maximum building façade acoustic level in reference table 1 (item 1.1) for <b>habitable rooms</b> by <b>alternative noise attenuation measure</b> where it is not practical to provide a noise barrier or earth mound.</p>	<p><b>Not applicable</b></p> <p>No new accommodation activities are proposed.</p>
<p><b>PO41</b> Habitable rooms (excluding a <b>relevant residential building</b> or <b>relocated building</b>) are designed and constructed using materials to</p>	<p>No acceptable outcome is provided.</p>	<p><b>Not applicable</b></p> <p>No new accommodation activities are proposed.</p>

Performance outcomes	Acceptable outcomes	Response
achieve the maximum internal acoustic level in reference table 3 (item 3.1).		
<b>Above ground floor level requirements (accommodation activity) adjacent to a state-controlled road or type 1 multi-modal corridor</b>		
<p><b>PO42</b> Balconies, podiums, and roof decks include:</p> <ol style="list-style-type: none"> <li>1. a continuous <b>solid gap-free structure</b> or balustrade (excluding gaps required for drainage purposes to comply with the Building Code of Australia);</li> <li>2. highly acoustically absorbent material treatment for the total area of the soffit above balconies, podiums, and roof decks.</li> </ol>	No acceptable outcome is provided.	<p><b>Not applicable</b></p> <p>No new accommodation activities are proposed.</p>
<p><b>PO43 Habitable rooms</b> (excluding a <b>relevant residential building</b> or <b>relocated building</b>) are designed and constructed using materials to achieve the maximum internal acoustic level in reference table 3 (item 3.1).</p>	No acceptable outcome is provided.	<p><b>Not applicable</b></p> <p>No new accommodation activities are proposed.</p>
<b>Material change of use (other uses)</b>		
<b>Ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor</b>		
<p><b>PO44</b> Development:</p> <ol style="list-style-type: none"> <li>1. provides a noise barrier or earth mound that is designed, sited and constructed: <ol style="list-style-type: none"> <li>a. to achieve the maximum free field acoustic level in reference table 2 (item 2.3) for all <b>outdoor education areas</b> and <b>outdoor play areas</b>;</li> </ol> </li> </ol>	No acceptable outcome is provided.	<p><b>Not applicable</b></p> <p>No childcare centre, educational establishment, or hospital is proposed.</p>



Performance outcomes	Acceptable outcomes	Response
<p>b. in accordance with:</p> <ul style="list-style-type: none"> <li>i. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic Noise), Department of Transport and Main Roads, 2013;</li> <li>ii. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</li> <li>iii. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or</li> </ul> <p>2. achieves the maximum free field acoustic level in reference table 2 (item 2.3) for all <b>outdoor education areas</b> and <b>outdoor play areas</b> by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.</p>		
<p><b>PO45</b> Development involving a <b>childcare centre</b> or <b>educational establishment</b>:</p> <ul style="list-style-type: none"> <li>1. provides a noise barrier or earth mound that is designed, sited and constructed:</li> <li>2. to achieve the maximum building facade acoustic level in reference table 1 (item 1.2);</li> <li>3. in accordance with: <ul style="list-style-type: none"> <li>a. Chapter 7 integrated noise barrier design of the Transport Noise Management Code of Practice: Volume 1 (Road Traffic</li> </ul> </li> </ul>	No acceptable outcome is provided.	<p><b>Not applicable</b></p> <p>No childcare centre, educational establishment, or hospital is proposed.</p>

Performance outcomes	Acceptable outcomes	Response
<p>Noise), Department of Transport and Main Roads, 2013;</p> <p>b. Technical Specification-MRTS15 Noise Fences, Transport and Main Roads, 2019;</p> <p>c. Technical Specification-MRTS04 General Earthworks, Transport and Main Roads, 2020; or</p> <p>4. achieves the maximum building facade acoustic level in reference table 1 (item 1.2) by <b>alternative noise attenuation measures</b> where it is not practical to provide a noise barrier or earth mound.</p>		
<p><b>PO46</b> Development involving:</p> <p>1. <b>indoor education areas</b> and <b>indoor play areas</b>; or</p> <p>2. sleeping rooms in a <b>childcare centre</b>; or</p> <p>3. <b>patient care areas</b> in a <b>hospital</b> achieves the maximum internal acoustic level in reference table 3 (items 3.2-3.4).</p>	No acceptable outcome is provided.	<p><b>Not applicable</b></p> <p>No childcare centre, educational establishment, or hospital is proposed.</p>
<p><b>Above ground floor level requirements (childcare centre, educational establishment, hospital) adjacent to a state-controlled road or type 1 multi-modal corridor</b></p>		
<p><b>PO47</b> Development involving a <b>childcare centre</b> or <b>educational establishment</b> which have balconies, podiums or elevated <b>outdoor play areas</b> predicted to exceed the maximum free field acoustic level in reference table 2 (item 2.3) due to noise from a <b>state-controlled road</b> are provided with:</p>	No acceptable outcome is provided.	<p><b>Not applicable</b></p> <p>No childcare centre, educational establishment, or hospital is proposed.</p>

Performance outcomes	Acceptable outcomes	Response
<ol style="list-style-type: none"> <li>1. a continuous <b>solid gap-free structure</b> or balustrade (excluding gaps required for drainage purposes to comply with the Building Code of Australia);</li> <li>2. highly acoustically absorbent material treatment for the total area of the soffit above balconies or elevated <b>outdoor play areas</b>.</li> </ol>		
<p><b>PO48</b> Development including:</p> <ol style="list-style-type: none"> <li>1. <b>indoor education areas</b> and <b>indoor play areas</b> in a <b>childcare centre</b> or <b>educational establishment</b>; or</li> <li>2. sleeping rooms in a <b>childcare centre</b>; or</li> <li>3. <b>patient care areas</b> in a <b>hospital</b> located above ground level, is designed and constructed to achieve the maximum internal acoustic level in reference table 3 (items 3.2-3.4).</li> </ol>	No acceptable outcome is provided.	<p><b>Not applicable</b></p> <p>No childcare centre, educational establishment, or hospital is proposed.</p>
<b>Air, light and vibration</b>		
<p><b>PO49</b> Private open space, outdoor education areas and outdoor play areas are protected from air quality impacts from a <b>state-controlled road</b>.</p>	<p><b>AO49.1</b> Each dwelling or unit has access to a <b>private open space</b> which is shielded from a <b>state-controlled road</b> by a building, <b>solid gap-free fence</b>, or other <b>solid gap-free structure</b>.</p> <p>OR</p> <p><b>AO49.2</b> Each <b>outdoor education area</b> and <b>outdoor play area</b> is shielded from a <b>state-controlled road</b> by a building, <b>solid gap-free fence</b>, or other <b>solid gap-free structure</b>.</p>	<p><b>Not applicable</b></p> <p>The proposed development is for reconfiguring a lot only.</p>

Performance outcomes	Acceptable outcomes	Response
<p><b>PO50 Patient care areas within hospitals</b> are protected from vibration impacts from a <b>state-controlled road</b> or <b>type 1 multi-modal corridor</b>.</p>	<p><b>AO50.1 Hospitals</b> are designed and constructed to ensure vibration in the patient treatment area does not exceed a vibration dose value of 0.1m/s<sup>1.75</sup>.</p> <p>AND</p> <p><b>AO50.2 Hospitals</b> are designed and constructed to ensure vibration in the ward of a <b>patient care area</b> does not exceed a vibration dose value of 0.4m/s<sup>1.75</sup>.</p>	<p><b>Not applicable</b></p> <p>No hospital is proposed.</p>
<p><b>PO51</b> Development is designed and sited to ensure light from infrastructure within, and from users of, a <b>state-controlled road</b> or <b>type 1 multi-modal corridor</b>, does not:</p> <ol style="list-style-type: none"> <li>1. intrude into buildings during night hours (10pm to 6am);</li> <li>2. create unreasonable disturbance during evening hours (6pm to 10pm).</li> </ol>	<p>No acceptable outcomes are prescribed.</p>	<p><b>Not applicable</b></p> <p>No new buildings or structures are proposed.</p>

**Table 1.6: Development in a future state-controlled road environment**

Performance outcomes	Acceptable outcomes	Response
<p><b>PO52</b> Development does not impede delivery of a <b>future state-controlled road</b>.</p>	<p><b>AO52.1</b> Development is not located in a <b>future state-controlled road</b>.</p> <p>OR ALL OF THE FOLLOWING APPLY:</p> <p><b>AO52.2</b> Development does not involve filling and excavation of, or material changes to, a <b>future state-controlled road</b>.</p> <p>AND</p>	<p><b>Not applicable</b></p> <p>The subject site is not in a future state-controlled road environment.</p>

Performance outcomes	Acceptable outcomes	Response
	<p><b>AO52.3</b> The intensification of lots does not occur within a <b>future state-controlled road</b>.</p> <p>AND</p> <p><b>AO52.4</b> Development does not result in the landlocking of parcels once a <b>future state-controlled road</b> is delivered.</p>	
<p><b>PO53</b> The location and design of <b>new or changed access</b> does not create a safety hazard for users of a <b>future state-controlled road</b>.</p>	<p><b>AO53.1</b> Development does not include <b>new or changed access</b> to a <b>future state-controlled road</b>.</p>	<p><b>Not applicable</b></p> <p>The subject site is not in a future state-controlled road environment.</p>
<p><b>PO54</b> Filling, excavation, building foundations and <b>retaining structures</b> do not undermine, damage or cause subsidence of a <b>future state-controlled road</b>.</p>	<p>No acceptable outcome is prescribed.</p>	<p><b>Not applicable</b></p> <p>The subject site is not in a future state-controlled road environment.</p>
<p><b>PO55</b> Development does not result in a material worsening of stormwater, flooding, overland flow or drainage impacts in a <b>future state-controlled road</b> or <b>road transport infrastructure</b>.</p>	<p>No acceptable outcome is prescribed.</p>	<p><b>Not applicable</b></p> <p>The subject site is not in a future state-controlled road environment.</p>
<p><b>PO56</b> Development ensures that stormwater is lawfully discharged.</p>	<p><b>AO56.1</b> Development does not create any new points of discharge to a <b>future state-controlled road</b>.</p> <p>AND</p> <p><b>AO56.2</b> Development does not concentrate flows to a <b>future state-controlled road</b>.</p> <p>AND</p> <p><b>AO56.3</b> Stormwater run-off is discharged to a <b>lawful point of discharge</b>.</p> <p>AND</p>	<p><b>Not applicable</b></p> <p>The subject site is not in a future state-controlled road environment.</p>

Performance outcomes	Acceptable outcomes	Response
	<b>AO56.4</b> Development does not worsen the condition of an existing <b>lawful point of discharge</b> to the <b>future state-controlled road</b> .	

## Appendix D

# Planning Scheme Code Responses

## **6.2.9 Rural Zone Code**

### **6.2.9.1 Application**

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

### **6.2.9.2 Purpose**

- 1) The purpose of the Rural zone code is to:
  - (a) provide for rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other primary production activities;
  - (b) provide opportunities for non-rural uses that are compatible with agriculture, the environmental features, and landscape character of the rural area where the uses do not compromise the long-term use of the land for rural purposes;
  - (c) protect or manage significant natural resources and processes to maintain the capacity for primary production.
- 2) Mareeba Shire Council's purpose of the Rural zone code is to recognise the importance of primary production to the economy of the region and to maintain and strengthen the range of primary industries which contribute to the rural economy.

The purpose of the Rural zone code is to:

- (a) recognise the diversity of rural uses that exists throughout the region;
- (b) protect the rural character of the region;
- (c) provide facilities for visitors and tourists that are accessible and offer a unique experience;
- (d) protect the infrastructure of the Mareeba-Dimbulah Irrigation Scheme Area from development which may compromise long term use for primary production;
- (e) maintain distinct boundaries between the rural areas and the villages, towns and urban areas of the region;
- (f) provide for a range of uses, compatible and associated with rural or ecological values including recreational pursuits and tourist activities;
- (g) prevent adverse impacts of development on ecological values;
- (h) preserve land in large holdings; and
- (i) facilitate the protection of strategic corridors across the landscape which link remnant areas of intact habitat and transport corridors.



- 3) The purpose of the Rural zone code will be achieved through the following overall outcomes:
- (a) Areas for use for primary production are conserved and fragmentation below economically viable lot sizes is avoided;
  - (b) The establishment of a wide range of rural pursuits is facilitated, including cropping, intensive horticulture, forestry, intensive animal industries, animal husbandry and animal keeping and other compatible primary production uses;
  - (c) The establishment of extractive industries, mining and associated activities and alternative forms of energy generation is appropriate where environmental impacts and land use conflicts are minimised;
  - (d) Uses that require isolation from urban areas as a consequence of their impacts such as noise or odour may be appropriate where land use conflicts are minimised;
  - (e) Development is reflective of and responsive to the environmental constraints of the land;
  - (f) Residential and other development is appropriate only where directly associated with the rural nature of the zone;
  - (g) Low-impact tourism and recreation activities do not compromise the long-term use of the land for rural purposes;
  - (h) The viability of both existing and future rural uses and activities is protected from the intrusion of incompatible uses;
  - (i) Visual impacts of clearing, building, materials, access ways and other aspects of development are minimised or appropriately managed;
  - (j) Adverse impacts of development both on-site and from adjoining areas are avoided and any impacts are minimised through location, design, operation and management; and
  - (k) Natural features such as creeks, gullies, waterways, wetlands and bushland are retained, managed, enhanced and separated from adjacent development.

**Criteria for assessment**

**Table 6.2.9.3 – Rural Zone Code – For acceptable development subject to requirements and assessable development.**

Performance outcomes	Acceptable outcomes	Applicant response
<b>For accepted development subject to requirements and assessable development.</b>		
<p><b>PO1</b> Building height takes into consideration and respects the following:</p>	<p><b>AO1.1</b> Development, other than buildings used for rural activities, has a maximum building height of:</p>	<p><b>Not applicable</b> No new buildings or structure are proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant response
(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.	(a) 8.5 metres; and (b) 2 storeys above ground level.	
	<b>AO1.2</b> Buildings and structures associated with a rural activity including machinery, equipment, packing or storage buildings do not exceed 10 metres in height.	<b>Not applicable</b> No new buildings or structure are proposed.
<b>Siting, where not involving a Dwelling house.</b> Note – Where for Dwelling house, the setbacks of the Queensland Development Code Apply		
<b>PO2</b> 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) air circulation and access to natural breezes; (e) appearance of building bulk; and (f) relationship with road corridors.	<b>AO2.1</b> Buildings and structures include a minimum setback of: (a) 40 metres from a frontage to a State controlled road; and (b) 10 metres from a boundary to an adjoining lot.	<b>Not applicable</b> No new buildings or structures are proposed.
	<b>AO2.2</b> Buildings and structures, where for a Roadside stall, include a minimum setback of 0 metres from a frontage to a road that is not a State-controlled road.	<b>Not applicable</b> The application is for reconfiguring a lot only.
	<b>AO2.3</b> Buildings and structures, expect where a Roadside	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
	stall, include a minimum setback of: (a) 10 metres from a frontage to a sealed road that is not a State-controlled road; and (b) 100 metres from a frontage to any other road that is not a State controlled road;	Not relevant to reconfiguring a lot.
<b>Accommodation Density</b>		
<b>PO3</b> The density of Accommodation activities: (a) respects the nature and density of surrounding land use; (b) is complementary and subordinate to the rural and natural landscape values of the area; and (c) is commensurate to the scale and frontage of the site.	<b>A03.1</b> Residential density does not exceed one dwelling house per lot.	<b>Not applicable</b> Not relevant to reconfiguring a lot.
	<b>A03.2</b> Residential density does not exceed two dwellings per lot and development is for: (a) a secondary dwelling; or (b) Caretaker’s accommodation and includes building work or minor building work with a maximum gross floor area of 100m2; or (c) Rural worker’s accommodation.	<b>Not applicable</b> Not relevant to reconfiguring a lot.
<b>For Assessable Development</b>		
<b>Site Cover</b>		
<b>PO4</b>	<b>AO4</b>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
<p>Buildings and structures occupy the site in a manner that:</p> <ul style="list-style-type: none"> <li>(a) makes efficient use of land;</li> <li>(b) is consistent with the bulk and scale of buildings in the surrounding area; and</li> <li>(c) appropriately balances built and natural features.</li> </ul>	<p>No Acceptable outcome is provided</p>	<p>No new buildings or structure are proposed.</p>
<p><b>PO5</b></p> <p>Development complements and integrates with the established built character of the Rural zone, having regard to:</p> <ul style="list-style-type: none"> <li>(a) roof form and pitch;</li> <li>(b) eaves and awnings;</li> <li>(c) building materials, colours and textures; and</li> <li>(d) window and door size and location.</li> </ul>	<p><b>AO5</b></p> <p>No acceptable outcome is provided</p>	<p><b>Not applicable</b></p> <p>No new buildings or structures are proposed.</p>
<b>Amenity</b>		
<p><b>PO6</b></p> <p>Development must not detract from the amenity of the local area, having regard to:</p> <ul style="list-style-type: none"> <li>(a) noise;</li> <li>(b) hours of operation;</li> <li>(c) traffic;</li> </ul>	<p><b>AO6</b></p> <p>No acceptable outcome is provided</p>	<p><b>Not applicable</b></p> <p>Not relevant to reconfiguring a lot.</p>

Performance outcomes	Acceptable outcomes	Applicant response
(d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions.		
<p><b>PO7</b></p> <p>Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to:</p> (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions.	<p><b>A07</b></p> <p>No acceptable outcome is provided</p>	<p><b>Not applicable</b></p> <p>Not relevant to reconfiguring a lot.</p>

## 8.2.3 Bushfire Hazard Overlay Code

### 8.2.3.1 Application

- 1) This code applies to assessing development where:
  - (a) land the subject of development is located within a Bushfire hazard area and Potential impact buffer (100 metres) identified on the **Bushfire hazard overlay maps (OM-003a-o)**; and
  - (b) it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

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

### 8.2.3.2 Purpose

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

### Criteria for assessment

**Table 8.2.2.3 – Bushfire hazard overlay code – For acceptable development subject to requirements and assessable development.**

Performance outcomes	Acceptable outcomes	Applicant response
<b>For accepted development subject to requirements and assessable development.</b>		
<b>Water supply for fire-fighting purposes</b>		
<b>PO1</b> Development where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)'	<b>Where within a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o)</b>	<b>Not applicable</b> Not applicable to reconfiguring a lot in the Rural Zone. Water supply tanks are able to be

Performance outcomes	Acceptable outcomes	Applicant response
<p>identified on <b>the Bushfire hazard overlay maps (OM-003a-o)</b> maintains the safety of people and property by providing an adequate, accessible and reliable water supply for fire-fighting purposes which is safely located and has sufficient flow and pressure characteristics.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p><b>AO1.1</b></p> <p>Where in a reticulated water service area, the on-site water supply has flow and pressure characteristics of 10 litres a second at 200 kPa.</p> <p>OR</p> <p><b>AO1.2</b></p> <p>Where access to the reticulated water network is not available, a minimum on site water storage of 5,000 litres is provided that must comprise:</p> <ul style="list-style-type: none"> <li>(a) a separate tank; or</li> <li>(b) a reserve section in the bottom part of the main water supply tank;</li> <li>(c) or a dam;</li> <li>(d) or a swimming pool.</li> </ul> <p>Note—Where a water tank is provided for fire-fighting purposes it is fitted with standard rural fire brigade fittings and the tank is provided with a hardstand area for heavy vehicles.</p>	<p>provided at the building application stage.</p>
<b>For assessable development</b>		
<b>Land use</b>		
<p><b>PO2</b></p> <p>Development within a ‘Bushfire hazard area’ and ‘Potential impact buffer (100 metres)’ identified on the <b>Bushfire hazard overlay maps (OM-003a-o)</b> is appropriate to the bushfire hazard risk having regard to the:</p>	<p><b>AO2</b></p> <p>All buildings, structures, infrastructure and facilities associated with the following uses are located outside any area of the site located within a ‘Bushfire hazard area’ and a ‘Potential impact buffer (100 metres)’ identified on <b>the Bushfire hazard overlay maps (OM-</b></p>	<p><b>Not applicable</b></p> <p>No buildings or structures are proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>(a) the bushfire risk compatibility of development;</p> <p>(b) the vulnerability of and safety risk to persons associated with the use; and</p> <p>(c) consequences of bushfire in regard to impacts on essential infrastructure, buildings and structures.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p><b>003a-o):</b></p> <p>(a) child care centre; or</p> <p>(b) community care centre; or</p> <p>(c) correctional facility; or</p> <p>(d) educational establishment; or</p> <p>(e) emergency services; or</p> <p>(f) hospital; or</p> <p>(g) residential care facility; or</p> <p>(h) retirement facility; or</p> <p>(i) rooming accommodation; or</p> <p>(j) shopping centre; or</p> <p>(k) tourist park; or</p> <p>(l) tourist attraction.</p>	
<b>Lot Design</b>		
<p><b>PO3</b></p> <p>Reconfiguring a lot within a ‘Bushfire hazard area’ and ‘Potential impact buffer (100 metres)’ identified on the <b>Bushfire hazard overlay maps (OM-003a-o)</b> minimises the potential adverse impacts of bushfire on the safety of people, property and the environment through lot design that:</p> <p>(a) is responsive to the nature and extent of</p>	<p><b>Where within a ‘Bushfire hazard area’ and ‘Potential impact buffer (100 metres)’ identified on the Bushfire hazard overlay maps (OM-003a-o)</b></p> <p><b>AO3.1</b></p> <p>No new lots are created.</p> <p>OR</p> <p><b>AO3.2</b></p>	<p><b>Complies with AO3.2</b></p> <p>The lots would be in excess of 60 hectares in area and would be able to provide building envelopes that achieve the radiant heat flux levels.</p>



Performance outcomes	Acceptable outcomes	Applicant response
<p>bushfire risk; and</p> <p>(b) allows efficient emergency access to buildings for fire-fighting appliances.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p>All lots include a building envelope that achieves a radiant heat flux level of 29kW/m<sup>2</sup> at the perimeter of the building envelope.</p> <p>Note—Where a radiant heat flux of 29kW/m<sup>2</sup> is achieved and this relies on cleared or maintained land external to the land the subject of the development application it must be demonstrated that land external to the site will be maintained to a standard that does not exceed the level of bushfire hazard identified in a Bushfire hazard management plan.</p>	
<b>Firebreaks and access</b>		
<p><b>PO4</b></p> <p>In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003ao), vehicular access is designed to mitigate against bushfire hazard by:</p> <p>(a) ensuring adequate access for firefighting and other emergency vehicles;</p> <p>(b) ensuring adequate access for the evacuation of residents and emergency personnel in an emergency situation, including alternative safe access routes should access in one direction be blocked in the event of a fire; and</p> <p>(c) providing for the separation of developed areas and adjacent bushland.</p> <p>Note—Where it is not practicable to provide firebreaks in accordance with A04.2 Fire Maintenance Trails are provided in accordance with the following:</p>	<p><b>AO4.1</b></p> <p>In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the <b>Bushfire hazard overlay maps (OM-003ao)</b>, roads are designed and constructed:</p> <p>(a) with a maximum gradient of 12.5%;</p> <p>(b) to not use cul-de-sacs; and</p> <p>(c) a constructed road width and weather standard complying with Planning Scheme Policy 4 - FNQROC Regional Development Manual.</p>	<p><b>Not applicable</b></p> <p>No new roads are required or proposed.</p>
	<p><b>AO4.2</b></p> <p>In a 'Bushfire hazard area' and 'Potential impact buffer (100 metres)' identified on the <b>Bushfire hazard overlay maps (OM-003ao)</b>, firebreaks are provided:</p> <p>(a) consisting of a perimeter road that separates lots from areas of bushfire hazard;</p>	<p><b>Not applicable</b></p> <p>This is not considered applicable to the creation of rural lots with a minimum size of 61.85 hectares.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>I. located as close as possible to the boundaries of the lot and the adjoining hazardous vegetation;</p> <p>II. the minimum cleared width not less than 6 metres;</p> <p>III. the formed width is not less than 2.5 metres;</p> <p>IV. the formed gradient is not greater than 15%;</p> <p>V. vehicular access is provided at both ends;</p> <p>VI. passing bays and turning areas are provided for fire-fighting appliances located on public land.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p>(b) a minimum cleared width of 20 metre;</p> <p>(c) a maximum gradient of 12.5%; and</p> <p>(d) a constructed road width and weather standard complying with Planning Scheme Policy 4 - FNQROC Regional Development Manual.</p>	
<b>Hazardous Materials</b>		
<p><b>PO5</b></p> <p>Public safety and the environment are not adversely affected by the detrimental impacts of bushfire of hazardous materials manufactured or stored in bulk.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p><b>AO5</b></p> <p>The processing or storage of dangerous goods or hazardous materials is not undertaken in a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the <b>Bushfire hazard overlay maps (OM-003a-o)</b>.</p>	<p><b>Not applicable</b></p> <p>Not relevant to reconfiguring a lot.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<b>Landscaping</b>		
<p><b>PO6</b></p> <p>Landscaping within a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the Bushfire hazard overlay maps (OM-003a-o) does not result in a material increase in the extent, duration or severity of bushfire hazard having regard to:</p> <ul style="list-style-type: none"> <li>(a) fire ecology;</li> <li>(b) slope of site; and</li> <li>(c) height and mix of plant species.</li> </ul> <p>Note—Frost hollows and the associated grass kill facilitates a rapid curing of fuel and exacerbates bushfire hazard.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p><b>AO6</b></p> <p>No acceptable outcome is provided</p>	<p><b>Not applicable</b></p> <p>No landscaping is proposed.</p>
<b>Infrastructure</b>		
<p><b>PO7</b></p> <p>Infrastructure services located in a 'Bushfire hazard area' and a 'Potential impact buffer (100 metres)' identified on the <b>Bushfire hazard overlay maps (OM-003a-o)</b> are protected from damage or destruction in the event of a bushfire.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p><b>AO7</b></p> <p>The following infrastructure services are located below ground:</p> <ul style="list-style-type: none"> <li>(a) water supply;</li> <li>(b) sewer;</li> <li>(c) electricity;</li> <li>(d) gas; and</li> </ul>	<p><b>Not applicable</b></p> <p>No new infrastructure is proposed as part of this development.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	(e) telecommunications	
<b>Private Driveways</b>		
<p><b>PO8</b></p> <p>All premises located in a ‘Bushfire hazard area’ and a ‘Potential impact buffer (100 metres)’ identified on the <b>Bushfire hazard overlay maps (OM-003a-o)</b> are provided with vehicular access that enables safe evacuation for occupants and easy access by fire-fighting appliances.</p> <p>Note— A Bushfire hazard management plan must be prepared by suitably qualified persons in seeking to demonstrate compliance with the Performance outcome.</p>	<p><b>AO8</b></p> <p>Private driveways:</p> <ul style="list-style-type: none"> <li>(a) do not exceed a length of 60 metres from the street frontage;</li> <li>(b) do not exceed a gradient of 12.5%;</li> <li>(c) have a minimum width of 3.5 metres;</li> <li>(d) have a minimum vertical clearance of 4.8 metres;</li> <li>(e) accommodate turning areas for firefighting appliances in accordance with the Queensland Fire and Emergency Services’ Fire Hydrant and Vehicle Access Guidelines; and</li> <li>(f) serve no more than three dwellings or buildings.</li> </ul>	<p><b>Not applicable</b></p> <p>No driveways are proposed as part of this development.</p>

## 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;
  - (g) and riparian vegetation and vegetation associated with high ecological significance wetlands is protected and enhanced to improve water quality and natural ecosystem function.

**Criteria for assessment**

**Table 8.2.4.3A – Environmental significance overlay code – For acceptable development subject to requirements and assessable development.**

Performance outcomes	Acceptable outcomes	Applicant response
<b>For accepted development subject to requirements and assessable development.</b>		
<b>Regulated vegetation</b>		
<p><b>PO1</b></p> <p>Vegetation clearing in areas mapped as ‘Regulated vegetation’ identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b> is avoided unless:</p> <ul style="list-style-type: none"> <li>(a) it is demonstrated that the area does not support regulated vegetation as mapped;</li> <li>(b) the loss or reduction in regulated vegetation is for community infrastructure and associated access facilities that cannot be avoided;</li> <li>(c) wildlife interconnectivity is maintained or enhanced at a local and regional scale; and</li> <li>(d) the loss or reduction in regulated vegetation is minimised and any residual impacts are offset.</li> </ul> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p><b>AO1.1</b></p> <p>No clearing of native vegetation is undertaken within areas of ‘Regulated vegetation’ identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b>.</p>	<p><b>Complies with AO1.1</b></p> <p>No clearing of vegetation is proposed as part of this application.</p>
<p><b>PO2</b></p> <p>Development on sites adjacent to areas of ‘Regulated vegetation’ identified on the <b>Environmental Significance Overlay Maps (OM-</b></p>	<p><b>AO2</b></p> <p>Development (excluding roads, earthworks, drainage infrastructure and underground infrastructure) is not located within 20 metres of ‘Regulated vegetation’</p>	<p><b>Not applicable</b></p> <p>No development other than reconfiguring a lot is proposed as part of this application.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p><b>004a-o)</b> protects the environmental significance of regulated vegetation and:</p> <ul style="list-style-type: none"> <li>(a) does not interrupt, interfere, alter or otherwise impact on underlying natural ecosystem processes such as water quality, hydrology, geomorphology and biophysical processes;</li> <li>(b) does not negatively impact the movement of wildlife at a local or regional scale; and</li> <li>(c) avoids noise, light, vibration or other edge affects, including weed and pest incursion on identified environmental values.</li> </ul> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>	<p>areas identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b>.</p>	
<b>Regulated vegetation intersecting a watercourse</b>		
<p><b>PO3</b></p> <p>Vegetation clearing in areas mapped as 'Regulated vegetation intersecting a watercourse,' identified as 'Waterway' and 'Waterway buffer' on the <b>Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b> 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><b>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b></p> <p><b>AO3.1</b></p> <p>A minimum setback in accordance with <b>Table 8.2.4.3B</b> is provided between development and the top of the high bank of a 'Waterway' identified on the <b>Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b>.</p>	<p><b>Not applicable</b></p> <p>No permanent structures or buildings are proposed as a part of this reconfiguring a lot.</p>
	<p><b>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b></p>	<p><b>Complies with AO3.2</b></p> <p>No clearing of vegetation would be</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>AO3.2</b></p> <p>No clearing of native vegetation is undertaken within the minimum setback identified at <b>AO3.1</b>.</p>	<p>undertaken as part of this development.</p>
<b>Waterways and wetlands</b>		
<p><b>PO4</b></p> <p>'High ecological significance wetlands' identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b> and 'Waterways' on <b>Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b> and are protected by:</p> <p>(a) maintaining adequate separation distances between waterways/wetlands and development;</p> <p>(b) maintaining and enhancing aquatic and terrestrial habitat including vegetated corridors to allow for native fauna (terrestrial and aquatic) movement;</p> <p>(c) maintaining waterway bank stability by minimising bank erosion and slumping;</p> <p>(d) maintaining water quality by providing buffers to allow filtering of sediments, nutrients and other pollutants; and</p> <p>(e) retaining and improving existing riparian vegetation and existing vegetation associated with a wetland.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological</p>	<p><b>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b></p> <p><b>AO4.1</b></p> <p>A minimum setback in accordance with <b>Table 8.2.4.3B</b> is provided between development and the top of the high bank of a 'Waterway' identified on the <b>Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b>.</p>	<p><b>Not applicable</b></p> <p>No buildings or structures are proposed as part of this application.</p>
	<p><b>Where within a 'High ecological significance wetland buffer' on Environmental Significance Overlay Maps (OM-004a-o)</b></p> <p><b>AO4.2</b></p> <p>A minimum buffer of 200 metres is provided between development and the edge of a 'High ecological significance wetland' identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b>.</p>	<p><b>Not applicable</b></p> <p>No buildings or structures are proposed as part of this application.</p>
	<p><b>Where within a 'Waterway buffer' on Environmental Significance - Waterway Overlay Maps (OM-004p-z) or 'High ecological significance wetland buffer' on Environmental Significance</b></p>	<p><b>Not applicable</b></p> <p>No buildings or structures are proposed as part of this application.</p>



Performance outcomes	Acceptable outcomes	Applicant response
<p>Assessment Reports.</p>	<p><b>Overlay Maps (OM-004a-o)</b></p> <p><b>AO4.3</b></p> <p>No stormwater is discharged to a 'Waterway' on <b>Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b> or 'High ecological significance wetland' identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b>.</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><b>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)</b></p> <p><b>AO4.4</b></p> <p>No wastewater is discharged to a 'Waterway' on <b>Environmental Significance - Waterway Overlay Maps (OM-004p-z)</b> or 'High ecological significance wetland' identified on the <b>Environmental Significance Overlay Map (OM-004a-z)</b>.</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>	<p><b>Not applicable</b></p> <p>No wastewater is generated by reconfiguring a lot.</p>
<p><b>For Assessable Development</b></p>		

Performance outcomes	Acceptable outcomes	Applicant response
<b>Wildlife Habitat</b>		
<p><b>PO5</b></p> <p>Development within a 'Wildlife habitat' area identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b>:</p> <ul style="list-style-type: none"> <li>(a) protects and enhances the habitat of Endangered, Vulnerable and Near Threatened (EVNT) species and local species of significance;</li> <li>(b) incorporates siting and design measures to protect and retain identified ecological values and underlying ecosystem processes within or adjacent to the development site;</li> <li>(c) maintains or enhances wildlife interconnectivity at a local and regional scale; and</li> <li>(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).</li> </ul> <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><b>AO5</b></p> <p>No acceptable outcome is provided</p>	<p><b>Not applicable</b></p> <p>No physical development would occur within a wildlife habitat area on Council's Overlay Mapping as a result of this application.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<b>Legally secured offset areas</b>		
<p><b>PO6</b></p> <p>Development within a ‘Legally secured offset area’ identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b> 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><b>AO6</b></p> <p>No acceptable outcome is provided</p>	<p><b>Not applicable</b></p> <p>No development would occur within a legally secured offset area on Council’s Overlay Mapping.</p>
<b>Protected areas</b>		
<p><b>PO7</b></p> <p>Development within a ‘Protected area’ identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b> is consistent with the values of the Protected Area and:</p> <ul style="list-style-type: none"> <li>(a) supports the inherent ecological and community values of the Protected Area asset;</li> <li>(b) maintains or enhances wildlife interconnectivity at a local and regional scale; and</li> <li>(c) does not prejudice, undermine, or negatively impact the inherent ecological values, including all naturally occurring native flora, fauna and</li> </ul>	<p><b>AO7</b></p> <p>No acceptable outcome is provided</p>	<p><b>Not applicable</b></p> <p>No development would occur within a protected area on Council’s Overlay Mapping.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>their habitat within the Protected Area.</p> <p>Note—A supporting Ecological Assessment Report is prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports.</p>		
<p><b>Ecological corridors and Habitat linkages</b></p>		
<p><b>PO8</b></p> <p>Development located:</p> <ul style="list-style-type: none"> <li>(a) in the Conservation zone, Emerging community zone, Recreation and open space zone, Rural zone or Rural residential zone; and</li> <li>(b) within an ‘Ecological corridor’ or a ‘Habitat linkage’ identified on the <b>Environmental Significance Overlay Maps (OM-004a-o)</b></li> </ul> <p>does not compromise the provision of habitat connectivity of the corridor/linkage, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the environmental values of the area of the site identified in the ‘Ecological corridor’ or ‘Habitat linkage;’</li> <li>(b) the environmental values of adjoining and nearby land within the ‘Ecological corridor’ or ‘Habitat linkage;’</li> <li>(c) the extent of any modification proposed to the natural environment including (but not limited to) vegetation and topography;</li> <li>(d) the location and design of proposed improvements that may impact on the functions</li> </ul>	<p><b>AO8</b></p> <p>No acceptable outcome is provided</p>	<p><b>Complies with PO8</b></p> <p>The proposed reconfiguring a lot to create three lots with areas of 61.85 hectares to 269.9 hectares would not compromise the connectivity through the site.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>of the ‘Ecological corridor’ or ‘Habitat linkage’ including (but not limited to) buildings, structures, fences, lighting, vehicle movement areas and infrastructure services; and</p> <p>(e) the ability for the ‘Ecological corridor’ or ‘Habitat linkage’ to be enhanced to improve ecological connectivity.</p> <p>Note—A supporting Ecological Assessment Report prepared in accordance with Planning Scheme Policy 2 – Ecological Assessment Reports may be appropriate to demonstrate compliance with PO8</p>		

**Table 8.2.4.3B – Setback and buffer distances from waterways**

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

Note – The stream order of a ‘waterway’ is to be determined on a case by case basis.

## 8.2.5 Extractive Resources Overlay Code

### 8.2.5.1 Application

- 1) This code applies to assessing development where:
  - (a) land the subject of development is affected by a constraint category identified on the Extractive resources overlay maps (OM-005a-e); 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—Mining and extractive industry is appropriately reflected in the Strategic Framework Maps and Overlay Map 5 and is required to be mapped by State Government in response to Economic Growth State Interests.

### 8.2.5.2 Purpose

- 1) The purpose of the Extractive resources overlay code is to protect significant extractive resources and associated haulage routes to ensure that current and future extraction of resources is not compromised.
- 2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Development in a 'Key resource processing area' or a 'Local resource area' does not compromise existing or future extractive operations;
  - (b) Development for Extractive industry within a 'Key resource processing area' or a 'Local resource area' ensures that adverse impacts from the use do not extend beyond the identified separation area;
  - (c) Uses incompatible with the adverse impacts of Extractive industry do not develop in a 'Key resource separation area' or a 'Local resource separation area';
  - (d) Development in a 'Key resource separation area' or a 'Local resource separation area' does not compromise the function of the separation area as a buffer between extractive industry and incompatible uses.
  - (e) 'Key resource transport routes' are protected and maintained; and
  - (f) Development considers the existing and future use of 'Key resource processing areas', 'Local resource areas', 'Key resource separation areas', 'Local resource separation areas' and 'Key resource transport routes' for Extractive industry and associated activities.

**Criteria for assessment**

**Table 8.2.5.3–Extractive resource overlay code – Extractive resources overlay code - For accepted development subject to requirements and assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
<b>For accepted development subject to requirements and assessable development</b>		
<b>Haulage route</b>		
<p><b>PO1</b></p> <p>Vehicular access to a ‘Key resource transport route’ identified on <b>Extractive resources overlay map (OM-005e)</b> does not adversely affect the safety or efficiency of the route for the existing or future transportation of extractive resources from a ‘Key resource processing area’ identified on <b>Extractive resources overlay map (OM005e)</b>.</p>	<p><b>AO1.1</b></p> <p>No additional access to a ‘Key resource transport route’ identified on <b>Extractive resources overlay map (OM-005e)</b> is provided.</p>	<p><b>Not applicable</b></p> <p>The site does not have frontage to a key resource transport route.</p>
	<p><b>AO1.2</b></p> <p>Development does not result in an increase in the number of vehicles accessing the site from a ‘Key resource transport route’ identified on <b>Extractive resources overlay map (OM-005e)</b>.</p>	<p><b>Not applicable</b></p> <p>The site does not have frontage to a key resource transport route</p>
<p><b>PO2</b></p> <p>Development is appropriately located to minimise potential amenity impacts from the use of a ‘Key resource transport route’ identified on <b>Extractive resources overlay map (OM-005e)</b> for the existing or future transportation of extractive resources from a ‘Key resource processing area’ identified on <b>Extractive resources overlay map (OM005e)</b>.</p>	<p><b>AO2.1</b></p> <p>Sensitive land uses susceptible to heavy vehicle traffic impacts are setback 100 metres from any frontage to a ‘Key resource transport route’ identified on <b>Extractive resources overlay map (OM-005e)</b>.</p>	<p><b>Not applicable</b></p> <p>No sensitive land uses are proposed.</p>
	<p><b>AO2.2</b></p> <p>New lots are not created wholly within 100 metres from any frontage to a ‘Key resource transport route’ identified on Extractive resources overlay map (<b>OM-</b></p>	<p><b>Not applicable</b></p> <p>The site does not have frontage to a key resource transport route.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	005e).	
<b>For assessable development</b>		
<b>Key resource area</b>		
<p><b>PO3</b> Development in a 'Key resource processing area' or a 'Local resource area' identified on <b>Extractive resources overlay map (OM005e)</b> does not compromise existing or future extractive operations.</p>	<p><b>A03</b> No acceptable outcome is provided.</p>	<p><b>Not applicable</b> Site is not within a 'Key resource processing area'.</p>
<b>Separation area</b>		
<p><b>PO4</b> Development in a 'Key resource separation area' or a 'Local resource separation area' identified on <b>Extractive resources overlay map (OM-005e)</b> does not compromise the function of the separation area as a buffer between Extractive industry and incompatible uses.</p>	<p><b>A04</b> The number of people living, working or congregating in a 'Key resource separation area' or a 'Local resource separation area' identified on <b>Extractive resources overlay map (OM-005e)</b> does not increase, unless these people are directly associated with the use of a 'Key resource processing area' or a 'Local resource area' for Extractive industry.</p>	<p><b>Not applicable</b> The site is not within a 'Key resource separation area'.</p>
<p><b>PO5</b> Development of Extractive industry in a 'Key resource separation area' or a 'Local resource separation area' identified on <b>Extractive resources overlay map (OM005e)</b> does not result in adverse impacts beyond the separation area,</p>	<p><b>A05</b> No acceptable outcome is provided.</p>	<p><b>Not applicable</b> No extractive industry is proposed.</p>



Performance outcomes	Acceptable outcomes	Applicant response
having regard to: a) noise; b) dust; c) ground vibrations; and d) air blast overpressure.		

## 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.

### 8.2.4.2 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.

### Criteria for assessment

**Table 8.2.8.3–Hill and slope overlay code – For assessable development.**

Performance outcomes	Acceptable outcomes	Applicant response
<b>For assessable development.</b>		
<b>Slope stability</b>		
<b>PO1</b> Where clearing of vegetation, building work or filling or excavation occurs on land within a ‘Hill and slope area’ identified on the <b>Hill and slope overlay maps (OM-008a-o)</b> , a geotechnical report is prepared in accordance with Planning Scheme Policy 5	<b>AO1</b> No acceptable outcome is provided	<b>Not applicable</b> No clearing of vegetation, building work, filling or excavation is proposed.

Performance outcomes	Acceptable outcomes	Applicant response
<p>Preparation of Geotechnical Reports that demonstrates:</p> <ul style="list-style-type: none"> <li>(a) the long term stability of the development site;</li> <li>(b) development will not be adversely affected by landslide activity originating on sloping land above the development site; and</li> <li>(c) development will not adversely affect other property outside the development site through landslide activity or alterations to surface or groundwater.</li> </ul>		
<p><b>PO2</b></p> <p>Development is designed and located to ensure that the use can appropriately function in the 'Hill and slope area' identified on the <b>Hill and slope overlay maps (OM008a-o)</b> having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature and scale of the proposed use;</li> <li>(b) the gradient of the land;</li> <li>(c) the extent of land disturbance proposed;</li> <li>(d) stormwater discharge and its potential for erosion.</li> </ul>	<p><b>AO2.1</b></p> <p>Development for a Child care centre or Educational establishment is not located on land in a 'Hill and slope area' identified on the <b>Hill and slope overlay maps (OM008a-o)</b>.</p>	<p><b>Not applicable</b></p> <p>Not relevant to reconfiguring a lot.</p>
	<p><b>AO2.2</b></p> <p>Development is not located on land with a gradient of greater than 25%.</p>	<p><b>Not applicable</b></p> <p>The application is for Reconfiguring a Lot only.</p>
	<p><b>AO2.3</b></p> <p>No lot less than 2,000m<sup>2</sup> is created in a 'Hill and slope area' identified on the <b>Hill and slope overlay maps (OM-008a-o)</b>.</p> <p>Note – Where a minimum lot size of less than 2,000m<sup>2</sup> applies under the Reconfiguring a lot code, the lot size requirements of the Hill and slope overlay code prevail.</p>	<p><b>Complies with AO2.3</b></p> <p>The proposed lots would be greater than 2,000m<sup>2</sup></p>

Performance outcomes	Acceptable outcomes	Applicant response
<b>Community infrastructure and essential services</b>		
<p><b>PO3</b> Community infrastructure and essential services located within a 'Hill and slope area' identified on the <b>Hill and slope overlay maps (OM-008a-o)</b> are able to function effectively during and immediately after landslide events.</p>	<p><b>AO3</b> No acceptable outcome is provided.</p>	<p><b>Not applicable</b> No community infrastructure or essential services are proposed.</p>

## 8.2.9 Regional Infrastructure Corridors and Substations Overlay Code

### 8.2.9.1 Application

- 1) This code applies to assessing development where:
  - (a) land the subject of development is affected by a constraint category identified on the **Regional infrastructure corridors and substations overlay maps (OM009a-d)**; 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—Energy is appropriately reflected in Overlay Map 9 and is required to be mapped by State Government in response to Infrastructure State Interests.

### 8.2.9.2 Purpose

- 1) The purpose of the Regional infrastructure corridors and substations overlay code is to ensure that:
  - (a) Stock routes' facilitate the proper and safe movement of stock and maintain public health and safety;
  - (b) and 'Major electricity infrastructure' and 'Substations' are protected from development that may prejudice its ongoing operation.
- 2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) 'Stock routes' are maintained free of impediments, obstructions or diversions;
  - (b) development, other than for rural activities, is not located where it will increase the health and safety risk of people by exposure to vector borne disease; and
  - (c) 'Major electricity infrastructure' and 'Substations' are appropriately separated from other land uses.

### Criteria for assessment

**Table 8.2.9.3 – Regional infrastructure corridors and substations overlay code – for accepted development subject to requirements and assessable development.**

Performance outcomes	Acceptable outcomes	Applicant response
<b>For accepted development subject to requirements and assessable development.</b>		
<b>Where on land comprising or adjoining a stock route.</b>		

Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO1</b></p> <p>Development maintains:</p> <p>(a) the operational efficiency and safety of a ‘Stock route’ identified on the <b>Regional infrastructure corridors and substations overlay maps (OM-009a-d)</b>; and</p> <p>(b) public health and safety</p>	<p><b>AO1.1</b></p> <p>Buildings and structures are setback from a ‘Stock route’ identified on the <b>Regional infrastructure corridors and substations overlay maps (OM-009a-d)</b>:</p> <p>(a) where in the Conservation zone, Rural zone or Rural residential zone and on a site with a land area of 2 hectares or greater, a minimum of:</p> <p>(i) 50 metres where involving Accommodation activities; or</p> <p>(ii) 20 metres where not involving Accommodation activities;</p> <p>(b) or a minimum of 6 metres otherwise.</p>	<p><b>Not applicable</b></p> <p>No buildings or structures are proposed.</p>
	<p><b>AO1.2</b></p> <p>Any new access from a road servicing a ‘Stock route’ identified on the <b>Regional infrastructure corridors and substations overlay maps (OM-009a-d)</b> includes a gate or grid to prevent stock entry to premises.</p>	<p><b>Not applicable</b></p> <p>No new access from a stock route is proposed.</p>
	<p><b>AO1.3</b></p> <p>Boundary fencing to prevent stock entry to premises is maintained along a ‘Stock route’ identified on the <b>Regional infrastructure corridors and substations overlay maps (OM-009a-d)</b>.</p>	<p><b>Complies</b></p> <p>Existing fencing would not be affected by the proposed reconfiguring a lot.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<b>Where on land comprising or adjoining major electricity infrastructure or a substation</b>		
<p><b>PO2</b></p> <p>Development:</p> <p>(a) allows for the continued operation of the 'Major electricity infrastructure' or 'Substation' identified on the Regional infrastructure corridors and substations overlay maps (OM-009a-d); and</p> <p>(b) is located and designed to ensure a high quality of amenity is achieved for the use.</p>	<p><b>AO2.1</b></p> <p>Where involving Forestry for wood production, development is setback 1.5 times the maximum anticipated height of the tree at harvest from 'Major electricity infrastructure' identified on the <b>Regional infrastructure corridors and substations overlay maps (OM-009a-d)</b>.</p> <hr/> <p><b>AO2.2</b></p> <p>Buildings and structures are setback a minimum of 20 metres from 'Major electricity infrastructure' or a 'Substation' identified on the <b>Regional infrastructure corridors and substations overlay maps (OM-009a-d)</b>.</p>	<p><b>Not applicable</b></p> <p>The proposal is not associated with Forestry.</p> <hr/> <p><b>Not applicable</b></p> <p>No buildings or structure are proposed.</p>

## 8.2.12 Transport Infrastructure Overlay Code

### 8.2.12.1 Application

- 1) This code applies to assessing development where:
  - (a) land the subject of development adjoins a rail corridor identified on the Transport infrastructure overlay maps (OM-012a-j); and
  - (b) it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

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

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

### 8.2.12.2 Purpose

- 1) The purpose of the Transport infrastructure overlay code is to promote the ongoing and expanded use of rail corridors within the shire for the transportation of passengers and freight.
- 2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) Active ‘Rail corridors’ are protected from adjoining land uses which may prejudice their ongoing and expanded use;
  - (b) Inactive ‘Rail corridors’ are preserved and protected for potential reuse for passenger or freight movements;
  - (c) Non-residential development adjoining a ‘Rail corridor’ does not prevent the future use of the rail corridor by the site; and
  - (d) Development compliments the use of ‘Rail corridors’ for tourist activities.

### 8.2.12.3 Criteria for assessment

**Table 8.2.12.3—Transport infrastructure overlay code - For accepted development subject to requirements and assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
<b>For accepted development subject to requirements and assessable development</b>		
<b>PO1</b> Development does prejudice the:	<b>AO1</b> Buildings and structures are setback from a boundary	<b>Not applicable</b> No new buildings or structures are proposed.



Performance outcomes	Acceptable outcomes	Applicant response
<p>a) ongoing operation of an active ‘Rail corridor’ identified on the <b>Transport infrastructure overlay maps (OM012a-j)</b>; or</p> <p>b) the potential future use of an inactive ‘Rail corridor’ identified on the <b>Transport infrastructure overlay maps (OM-012a-j)</b>.</p>	<p>with an active or inactive ‘Rail corridor’ identified on the Transport infrastructure overlay maps (OM-012a-j) a minimum of:</p> <p>a) 40 metres where:</p> <p>(i). in the Rural zone; and</p> <p>(ii). on a site with an area of 2 hectares or greater; or</p> <p>b) 5 metres otherwise.</p>	
<b>For assessable development</b>		
<p><b>PO2</b></p> <p>Non-residential development adjoining a rail corridor identified on the <b>Transport infrastructure overlay maps (OM-012a-j)</b> is designed to allow for the future use of the ‘Rail corridor’ by the land use.</p>	<p><b>AO2</b></p> <p>No acceptable outcome is provided.</p>	<p><b>Not applicable</b></p> <p>The site does not adjoin a ‘Rail corridor’.</p>
<p><b>PO3</b></p> <p>Development adjoining a ‘Rail corridor’ identified on the <b>Transport infrastructure overlay maps (OM-012a-j)</b> used for the transportation of tourists is designed to:</p> <p>a) provide visual interest;</p> <p>b) screen or enhance areas of limited visual interest; and</p> <p>c) complement and enhance the character of the shire.</p>	<p><b>AO3</b></p> <p>No acceptable outcome is provided.</p>	<p><b>Not applicable</b></p> <p>The site does not adjoin a ‘Rail corridor’.</p>

## **9.4.2 Landscaping Code**

### **9.4.2.1 Application**

This code applies where it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in 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;
  - (d) and 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.

**9.4.3.3 Criteria for assessment**

**Table 9.4.3.3A – Landscaping code – For accepted development subject to requirements and assessable development.**

Performance outcomes	Acceptable outcomes	Applicant response
<b>For accepted development subject to requirements and assessable development.</b>		
<p><b>PO1</b></p> <p>Development, other than in the Rural zone, includes landscaping that:</p> <ul style="list-style-type: none"> <li>(a) contributes to the landscape character of the Shire;</li> <li>(b) compliments the character of the immediate surrounds;</li> <li>(c) provides an appropriate balance between built and natural elements; and</li> <li>(d) provides a source of visual interest.</li> </ul>	<p><b>AO1</b></p> <p>Development, other than in the Rural zone, provides:</p> <ul style="list-style-type: none"> <li>(a) a minimum of 10% of the site as landscaping;</li> <li>(b) planting in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species;</li> <li>(c) for the integration of retained significant vegetation into landscaping areas;</li> <li>(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.</li> </ul> <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>	<p><b>Not applicable</b></p> <p>The site is within the Rural Zone.</p>
<p><b>PO2</b></p> <p>Development, other than in the Rural zone, includes landscaping along site frontages that:</p> <ul style="list-style-type: none"> <li>(a) creates an attractive streetscape;</li> <li>(b) compliments the character of the immediate surrounds;</li> <li>(c) assists to break up and soften elements of built</li> </ul>	<p><b>AO2</b></p> <p>Development, other than in the Rural zone, includes a landscape strip along any site frontage: with a minimum width of 2 metres where adjoining a car parking area;</p> <ul style="list-style-type: none"> <li>(a) with a minimum width of 1.5 metres in all other locations; and</li> <li>(b) in accordance with Planning Scheme Policy 6 -</li> </ul>	<p><b>Not applicable</b></p> <p>The site is within the Rural Zone.</p>

Performance outcomes	Acceptable outcomes	Applicant response
form; (d) screen areas of limited visual interest or servicing; (e) provide shade for pedestrians; and (f) includes a range and variety of planting.	Landscaping and preferred plant species.  Note—Where development is setback from a frontage less than 1.5 metres, the setback area is provided as a landscape strip	
<b>PO3</b> Development includes landscaping and fencing along side and rear boundaries that: (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.	<b>AO3.1</b> Development provides landscape treatments along side and rear boundaries in accordance with <b>Table 9.4.2.3B.</b>	<b>Complies with AO3.1</b> The existing on-site vegetation satisfies the requirements for landscape treatments.
	<b>AO3.2</b> Shrubs and trees provided in landscape strips along side and rear boundaries: (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.	<b>Complies with PO3</b> The existing on-site vegetation satisfies the requirements for landscape treatments.
	<b>AO3.3</b> Any landscape strip provided along a side or rear boundary is designed in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.	<b>Complies with PO3</b> The existing on-site vegetation satisfies the requirements for landscape treatments.

Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO4</b></p> <p>Car parking areas are improved with a variety of landscaping that:</p> <p>(a) provides visual interest;</p> <p>(b) provides a source of shade for pedestrians;</p> <p>(c) assists to break up and soften elements; and</p> <p>(d) improves legibility.</p>	<p><b>AO4.1</b></p> <p>Landscaping is provided in car parking areas which provides:</p> <p>(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;</p> <p>(b) a minimum of 1 shade tree for every 6 parking spaces, or part thereof, otherwise; and</p> <p>(c) where involving a car parking area in excess of 500m<sup>2</sup>:</p> <p>(i) shade structures are provided for 50% of parking spaces; and</p> <p>(ii) a minimum of 10% of the parking area as landscaping.</p> <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><b>Not applicable</b></p> <p>No car parking areas are proposed.</p>
	<p><b>AO4.2</b></p> <p>Landscaping in car parking areas is designed in accordance with Planning Scheme Policy 6 - Landscaping and preferred plant species.</p>	<p><b>Not applicable</b></p> <p>No car parking areas are proposed.</p>
<p><b>PO5</b></p> <p>Landscaping areas include a range and variety of planting that:</p> <p>(a) is suitable for the intended purpose and local</p>	<p><b>AO5.1</b></p> <p>Plant species are selected from the Plant Schedule in Planning Scheme Policy 6 - Landscaping and preferred plant species.</p>	<p><b>Not applicable</b></p> <p>No additional landscaping is required or proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>conditions;</p> <p>(b) contributes to the natural character of the Shire;</p> <p>(c) includes native species;</p> <p>(d) includes locally endemic species, where practical; and</p> <p>(e) does not include invasive plants or weeds.</p>	<p><b>AO5.2</b></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>	<p><b>Not applicable</b></p> <p>No additional landscaping is required or proposed.</p>
<p><b>PO6</b></p> <p>Landscaping does not impact on the ongoing provision of infrastructure and services to the Shire.</p>	<p><b>AO6.1</b></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>	<p><b>Not applicable</b></p> <p>No additional landscaping is required or proposed.</p>
	<p><b>AO6.2</b></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>	<p><b>Not applicable</b></p> <p>No additional landscaping is required or proposed.</p>
	<p><b>AO6.3</b></p> <p>Vegetation adjoining an electricity substation boundary, at maturity, will have:</p> <p>(a) a height of less than 4 metres; and</p> <p>(b) no foliage within 3 metres of the substation boundary unless the substation has a solid wall along any boundary.</p>	<p><b>Not applicable</b></p> <p>No additional landscaping is required or proposed.</p>

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

**Table 9.4.3.3B – Landscaping code – For accepted development subject to requirements and assessable development.**

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	1.00 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:	1.50 metres	1.80 metres	Along the common boundary.
Development for an industrial activity which has a common boundary with land not within the Industry zone	2.00 metres	1.80 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	1.80 metres	Along all side and rear boundaries and between dwellings for a Dual occupancy.
Development involving	2.00 metres	Not applicable	Along all side and rear boundaries



<ul style="list-style-type: none"> <li>(a) Tourist park in the Rural zone</li> <li>(b) Service station</li> <li>(c) Car wash; or</li> <li>(d) Utility installation</li> </ul>			
<p>For:</p> <ul style="list-style-type: none"> <li>(a) waste storage;</li> <li>(b) equipment;</li> <li>(c) servicing areas; and</li> <li>(d) private open space and site facilities associated with Caretaker’s accommodation.</li> </ul>	<p>Not Applicable</p>	<p>1.8 metres</p>	<p>To prevent visibility</p>

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

### 9.4.3 Parking and Access Code

#### 9.4.3.1 Application

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

#### 9.4.3.2 Purpose

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

#### 9.4.3.3 Criteria for assessment

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

Performance outcomes	Acceptable outcomes	Applicant response
<b>For accepted development subject to requirements and assessable development.</b>		
<b>Car parking spaces</b>		
<b>PO1</b> Development provides sufficient car parking to	<b>AO1</b> The number of car parking spaces provided for the use	<b>Not applicable</b> Not relevant to reconfiguring a lot.

Performance outcomes	Acceptable outcomes	Applicant response
<p>accommodate the demand likely to be generated by the use, having regard to the:</p> <ul style="list-style-type: none"> <li>(a) nature of the use;</li> <li>(b) location of the site;</li> <li>(c) proximity of the use to public transport services;</li> <li>(d) availability of active transport infrastructure; and</li> <li>(e) accessibility of the use to all members of the community/</li> </ul>	<p>is in accordance with <b>Table 9.4.3.3B.</b></p> <p>Note – Car parking spaces provided for persons with a disability are to be considered in determining compliance with AO1.</p>	
<b>Vehicle Crossovers</b>		
<p><b>PO2</b></p> <p>Vehicle crossovers are provided to:</p> <ul style="list-style-type: none"> <li>(a) ensure safe and efficient access between the road and premises;</li> <li>(b) minimize interference with the function and operation of roads; and</li> <li>(c) minimise pedestrian to vehicle conflict.</li> </ul>	<p><b>AO2.1</b></p> <p>Vehicular access to/from Council roads is designed and constructed in accordance with the Standard drawings in Planning Scheme Policy 4 - FNQROC Regional Development Manual.</p>	<p><b>Not applicable</b></p> <p>No new access to or from a Council road is proposed.</p>
	<p><b>AO2.2</b></p> <p>Development on a site with two or more road frontages provides vehicular access from:</p> <ul style="list-style-type: none"> <li>(a) the primary frontage where involving Community activities or Sport and recreation activities, unless the primary road frontage is a State-controlled road;</li> <li>or</li> <li>(b) from the lowest order road in all other instances.</li> </ul>	<p><b>Not applicable</b></p> <p>The new lots would have practical frontage to the Mulligan Highway only.</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>AO2.3</b> Vehicular access for particular uses is provided in accordance with <b>Table 9.4.3.3E</b>.</p>	<p><b>Not applicable</b> No new use is proposed.</p>
<p><b>PO3</b> Access, manoeuvring and car parking areas include appropriate pavement treatments having regard to: (a) the intensity of anticipated vehicle movements; (b) the nature of the use that they service; and (c) the character of the surrounding locality.</p>	<p><b>AO3</b> Access, manoeuvring and car parking areas include pavements that are constructed in accordance with <b>Table 9.4.3.3C</b>.</p>	<p><b>Not applicable</b> No manoeuvring areas are required or proposed.</p>
<b>For Assessable Development</b>		
<b>Parking area location and design</b>		
<p><b>PO4</b> Car parking areas are located and designed to: (a) ensure safety and efficiency in operation; and (b) be consistent with the character of the surrounding locality.</p>	<p><b>AO4.1</b> Car parking spaces, access and circulation areas have dimensions in accordance with AS/NZS 2890.1 Off-street car parking.</p>	<p><b>Not applicable</b> No parking areas are required or proposed.</p>
	<p><b>AO4.2</b> 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><b>Not applicable</b> No parking areas are required or proposed</p>

Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>AO4.3</b></p> <p>The car parking area includes designated pedestrian routes that provide connections to building entrances</p>	<p><b>Not applicable</b></p> <p>No parking areas are required or proposed</p>
	<p><b>AO4.4</b></p> <p>Parking and any set down areas are:</p> <ul style="list-style-type: none"> <li>(a) wholly contained within the site;</li> <li>(b) visible from the street where involving Commercial activities, Community activities, Industrial activities or a use in the Recreation and open space zone;</li> <li>(c) are set back behind the main building line where involving a Dual occupancy, Multiple dwelling, Residential care facility or Retirement facility; and</li> <li>(d) provided at the side or rear of a building in all other instances.</li> </ul>	<p><b>Not applicable</b></p> <p>No parking areas are required or proposed</p>
<b>Site access and manoeuvring</b>		
<p><b>PO5</b></p> <p>Access to, and manoeuvring within, the site is designed and located to:</p> <ul style="list-style-type: none"> <li>(a) ensure the safety and efficiency of the external road network;</li> <li>(b) ensure the safety of pedestrians;</li> <li>(c) provide a functional and convenient layout; and</li> <li>(d) accommodate all vehicles intended to use the</li> </ul>	<p><b>AO5.1</b></p> <p>Access and manoeuvrability is in accordance with :</p> <ul style="list-style-type: none"> <li>(a) AS28901 – Car Parking Facilities (Off Street Parking); and</li> <li>(b) AS2890.2 – Parking Facilities (Off street Parking) Commercial Vehicle Facilities.</li> </ul> <p>Note—Proposal plans should include turning circles designed in accordance with AP34/95 (Austroads 1995) Design Vehicles and Turning Path Templates.</p>	<p><b>Not applicable</b></p> <p>No parking areas are required or proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant response
site.	<p><b>AO5.2</b></p> <p>Vehicular access has a minimum sight distance in accordance with Part 5 of AUSTRoads.</p>	<p><b>Complies with AO5.2</b></p> <p>Access would be via an existing access from Mt Mulligan Highway that provides the required sight distances.</p>
	<p><b>AO5.3</b></p> <p>Vehicular access is located and designed so that all vehicles enter and exit the site in a forward gear.</p>	<p><b>Complies with AO5.3</b></p> <p>Access arrangements would allow all vehicles to exit and enter the site in a forward gear.</p>
	<p><b>AO5.4</b></p> <p>Pedestrian and cyclist access to the site:</p> <p>(a) is clearly defined;</p> <p>(b) easily identifiable; and</p> <p>(c) provides a connection between the site frontage and the entrance to buildings and end of trip facilities (where provided).</p>	<p><b>Not applicable</b></p> <p>No specific pedestrian and cyclist access is proposed.</p>
<p><b>PO6</b></p> <p>Development that involves an internal road network ensures that its design:</p> <p>(a) ensure safety and efficiency in operation;</p> <p>(b) does not impact on the amenity of residential uses on the site and on adjoining sites, having regard to matters of:</p> <p>i. hours of operation;</p>	<p><b>AO6.1</b></p> <p>Internal roads for a Tourist park have a minimum width of:</p> <p>(a) 4 metres if one way; or</p> <p>(b) 6 metres if two way.</p>	<p><b>Not applicable</b></p> <p>Proposal does not involve a Tourist park.</p>
	<p><b>AO6.2</b></p> <p>For a Tourist park, internal road design avoids the use of cul-de-sacs in favour of circulating roads, where</p>	<p><b>Not applicable</b></p> <p>Proposal does not involve a Tourist park.</p>

Performance outcomes	Acceptable outcomes	Applicant response
ii. noise iii. light; and iv. odour; (c) accommodates the nature and volume of vehicle movements anticipated to be generated by the use;	unavoidable, cul-de-sacs provide a full turning circle for vehicles towing caravans having: (a) a minimum approach and departure curve radius of 12 metres; and (b) a minimum turning circle radius of 8 metres.	
(d) allows for convenient access to key on-site features by pedestrians, cyclists and motor vehicles; (e) and in the Rural zone, avoids environmental degradation.	<b>AO6.3</b> Internal roads are imperviously sealed and drained, apart from those for an Energy and infrastructure activity or Rural activity.	<b>Not applicable</b> No internal roads are proposed.
	<b>AO6.4</b> 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.	<b>Not applicable</b> No internal roads are proposed.
	<b>AO6.5</b> 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.	<b>Not applicable</b> No internal roads are proposed.
	<b>AO6.6</b> Where involving an accommodation activity, internal roads facilitate unobstructed access to every dwelling, accommodation unit, accommodation site and building by emergency services vehicles.	<b>Not applicable</b> No accommodation activities or internal roads are proposed.

Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>AO6.7</b></p> <p>For an Energy and infrastructure activity or Rural activity, internal road gradients:</p> <p>(a) are no steeper than 1:5; or</p> <p>(b) are steeper than 1:5 and are sealed.</p>	<p><b>Not applicable</b></p> <p>The application is for reconfiguring a lot only.</p>
<b>Servicing</b>		
<p><b>PO7</b></p> <p>Development provides access, manoeuvring and servicing areas on site that:</p> <p>(a) accommodate a service vehicle commensurate with the likely demand generated by the use;</p> <p>(b) do not impact on the safety or efficiency of internal car parking or manoeuvring areas;</p> <p>(c) do not adversely impact on the safety or efficiency of the road network;</p> <p>(d) provide for all servicing functions associated with the use; and</p> <p>(e) are located and designed to minimise their impacts on adjoining sensitive land uses and streetscape quality.</p>	<p><b>AO7.1</b></p> <p>All unloading, loading, service and waste disposal areas are located:</p> <p>(a) on the site;</p> <p>(b) to the side or rear of the building, behind the main building line;</p> <p>(c) not adjacent to a site boundary where the adjoining property is used for a sensitive use.</p>	<p><b>Not applicable</b></p> <p>Not relevant to reconfiguring a lot.</p>
	<p><b>AO7.2</b></p> <p>Unloading, loading, service and waste disposal areas allow service vehicles to enter and exit the site in a forward gear.</p>	<p><b>Not applicable</b></p> <p>Not relevant to reconfiguring a lot.</p>
	<p><b>AO7.3</b></p> <p>Development provides a servicing area, site access and manoeuvring areas to accommodate the applicable minimum servicing vehicle specified in</p>	<p><b>Not applicable</b></p> <p>Not relevant to reconfiguring a lot.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	Table 9.4.3.3B.	
<b>Maintenance</b>		
<b>PO8</b> Parking areas are used and maintained for their intended purpose.	<b>AO8.1</b> Parking areas are kept and used exclusively for parking and are maintained in a suitable condition for parking and circulation of vehicles.	<b>Not applicable</b> No parking areas are required or proposed.
	<b>AO8.2</b> All parking areas will be compacted, sealed, drained, line marked and maintained until such time as the development ceases.	<b>Not applicable</b> No parking areas are required or proposed.
<b>End of trip facilities</b>		
<b>PO9</b> Development within the Centre zone; Industry zone or Emerging community zone provides facilities for active transport users that: <ul style="list-style-type: none"> <li>(a) meet the anticipated demand generated from the use;</li> <li>(b) comprise secure and convenient bicycle parking and storage; and</li> <li>(c) provide end of trip facilities for all active transport users.</li> </ul>	<b>AO9.1</b> The number of bicycle parking spaces provided for the use is in accordance with <b>Table 9.4.3.3D.</b>	<b>Not applicable</b> No end of trip facilities are required.
	<b>AO9.2</b> End of trip facilities are provided in accordance with <b>Table 9.4.3.3D.</b>	<b>Not applicable</b> No end of trip facilities are required.
<b>If for Educational establishment or Child care centre where involving more than 100 vehicle movements per day or Renewable energy facility,</b>		

Performance outcomes	Acceptable outcomes	Applicant response
<b>Sport and recreation activities or Tourist park</b>		
<p><b>PO10</b></p> <p>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.</p>	<p><b>AO10</b></p> <p>A traffic impact report is prepared by a suitably qualified person that identifies:</p> <ul style="list-style-type: none"> <li>(a) the expected traffic movements to be generated by the facility;</li> <li>(b) any associated impacts on the road network; and</li> <li>(c) any works that will be required to address the identified impacts.</li> </ul>	<p><b>Not applicable</b></p> <p>No Educational establishment, child care, Renewable energy facility, sport and recreation activity or Tourist park is proposed.</p>
<b>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</b>		
<p><b>PO11</b></p> <p>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</p>	<p><b>AO11</b></p> <p>A traffic impact report is prepared by a suitably qualified person that identifies:</p> <ul style="list-style-type: none"> <li>(a) the expected traffic movements to be generated by the facility;</li> <li>(b) any associated impacts on the road network; and</li> <li>(c) any works that will be required to address the identified impacts.</li> </ul>	<p><b>Not applicable</b></p> <p>No Educational establishment, child care, Renewable energy facility, sport and recreation activity or Tourist park is proposed.</p>

## 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;
  - (c) and 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.

**9.4.4.3 Criteria for assessment**

**Table 9.4.3.3A – Reconfiguring a lot code – For assessable development**

Performance outcomes	Acceptable outcomes	Applicant response
<b>For accepted development subject to requirements and assessable development.</b>		
<p><b>PO1</b></p> <p>Lots include an area and frontage that:</p> <ul style="list-style-type: none"> <li>(a) is consistent with the design of lots in the surrounding area;</li> <li>(b) allows the desired amenity of the zone to be achieved;</li> <li>(c) is able to accommodate all buildings, structures and works associated with the intended land use;</li> <li>(d) allow the site to be provided with sufficient access;</li> </ul>	<p><b>AO1.1</b></p> <p>Lots provide a minimum area and frontage in accordance with Table <b>9.4.4.3B</b>.</p>	<p><b>Complies with AO1.1</b></p> <p>The proposed lots would be a minimum of 61.85 hectares and would have frontages in excess of 400 metres.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>(e) considers the proximity of the land to:</p> <ul style="list-style-type: none"> <li>(i). centres;</li> <li>(ii). public transport services; and</li> <li>(iii). open space; and</li> </ul> <p>(f) allows for the protection of environmental features; and</p> <p>(g) accommodates site constraints.</p>		
<b>Existing buildings and easements</b>		
<p><b>PO2</b></p> <p>Reconfiguring a lot which contains existing land uses or existing buildings and structures ensures:</p> <ul style="list-style-type: none"> <li>(a) new lots are of sufficient area and dimensions to accommodate existing land uses, buildings and structures; and</li> <li>(b) any continuing use is not compromised by the reconfiguration.</li> </ul>	<p><b>AO2.1</b></p> <p>Each land use and associated infrastructure is contained within its individual lot.</p>	<p><b>Complies with AO2.1</b></p> <p>No land uses or buildings would straddle boundaries.</p>
	<p><b>AO2.2</b></p> <p>All lots containing existing buildings and structures achieve the setback requirements of the relevant zone.</p>	<p><b>Not applicable</b></p> <p>The site does not contain any existing buildings.</p>
<p><b>PO3</b></p> <p>Reconfiguring a lot which contains an existing easement ensures:</p> <ul style="list-style-type: none"> <li>(a) future buildings, structures and accessways are able to be sited to avoid the easement; and</li> <li>(b) the reconfiguration does not compromise the purpose of the easement or the continued operation of any infrastructure contained within</li> </ul>	<p><b>AO3</b></p> <p>No acceptable outcome is provided.</p>	<p><b>Complies with PO3</b></p> <p>The proposed lots would not compromise the purpose of the easement, furthermore they are considered large enough that any future structures would be able to be located outside of the easement area.</p>

Performance outcomes	Acceptable outcomes	Applicant response
the easement.		
<b>Boundary realignment</b>		
<p><b>PO4</b></p> <p>The boundary realignment retains all attendant and existing infrastructure connections and potential connections.</p>	<p><b>AO4</b></p> <p>No acceptable outcome is provided.</p>	<p><b>Not applicable</b></p> <p>No boundary realignment is proposed.</p>
<b>Access and road network</b>		
<p><b>PO5</b></p> <p>Access to a reconfigured lot (including driveways and paths) must not have an adverse impact on:</p> <ul style="list-style-type: none"> <li>(a) safety;</li> <li>(b) drainage;</li> <li>(c) visual amenity;</li> <li>(d) privacy of adjoining premises; and</li> <li>(e) (e) service provision.</li> </ul>	<p><b>AO5</b></p> <p>No acceptable outcome is provided.</p>	<p><b>Complies with PO5</b></p> <p>Access would be provided from the existing access from Mulligan Highway and through a formalised access easement. The location of the easement is not over any drainage or service areas.</p>
<p><b>PO6</b></p> <p>Reconfiguring a lot ensures that access to a lot can be provided that:</p> <ul style="list-style-type: none"> <li>(a) is consistent with that provided in the surrounding area;</li> <li>(b) maximises efficiency and safety; and</li> </ul>	<p><b>AO6</b></p> <p>Vehicle crossover and access is provided in accordance with the design guidelines and specifications set out in Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	<p><b>Not applicable</b></p> <p>The site access is from a state-controlled road and is a matter for DTMR.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>(c) is consistent with the nature of the intended use of the lot.</p> <p>Note—The Parking and access code should be considered in demonstrating compliance with PO6.</p>		
<p><b>PO7</b></p> <p>Roads in the Industry zone are designed having regard to:</p> <p>(a) the intended use of the lots;</p> <p>(b) the existing use of surrounding land;</p> <p>(c) the vehicular servicing requirements of the intended use;</p> <p>(d) the movement and turning requirements of B-Double vehicles.</p> <p>Note—The Parking and access code should be considered in demonstrating compliance with PO7.</p>	<p><b>AO7</b></p> <p>No acceptable outcome is provided.</p>	<p><b>Not applicable</b></p> <p>The site is not in the industry zone.</p>
<b>Rear lots</b>		
<p><b>PO8</b></p> <p>Rear lots are designed to:</p> <p>(a) provide a high standard of amenity for residents and other users of the site;</p> <p>(b) provide a high standard of amenity for adjoining properties; and</p> <p>(c) not adversely affect the safety and efficiency of</p>	<p><b>AO8.1</b></p> <p>Rear lots are designed to facilitate development that adjoins or overlooks a park or open space.</p>	<p><b>Not applicable</b></p> <p>No rear lots are proposed.</p>
	<p><b>AO8.2</b></p> <p>No more than two rear lots are created behind any lot with a road frontage.</p>	<p><b>Not applicable</b></p> <p>No rear lots are proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>the road from which access is gained.</p>	<p><b>A08.3</b>                      Access to lots is via an access strip with a minimum width of:                      (a) 4 metres where in the Low density residential zone or Medium density residential zone; or                      (b) 8 metres otherwise.</p>	<p><b>Not applicable</b>                      No rear lots are proposed.</p>
	<p><b>A08.4</b>                      A single access strip is provided to a rear lot along one side of the lot with direct frontage to the street.                      Note—Figure A provides further guidance in relation to the desired outcome.</p>	<p><b>Not applicable</b>                      No rear lots are proposed.</p>
	<p><b>A08.5</b>                      No more than 1 in 10 lots created in a new subdivision are rear lots.</p>	<p><b>Not applicable</b>                      No rear lots are proposed.</p>
	<p><b>A08.6</b>                      Rear lots are not created in the Centre zone or the Industry zone.</p>	<p><b>Not applicable</b>                      No rear lots are proposed.</p>
<p><b>Crime prevention and community safety</b></p>		
<p><b>PO9</b>                      Development includes design features which enhance public safety and seek to prevent opportunities for crime, having regard to:</p>	<p><b>A09</b>                      No acceptable outcome is provided.</p>	<p><b>Not applicable</b>                      Not applicable to a rural subdivision.</p>



Performance outcomes	Acceptable outcomes	Applicant response
(a) sightlines; (b) the existing and intended pedestrian movement network; (c) the existing and intended land use pattern; and (d) potential entrapment locations		
<b>Pedestrian and cycle movement network</b>		
<b>PO10</b> 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.	<b>AO10</b> No acceptable outcome is provided.	<b>Not applicable</b> No pedestrian or cycle infrastructure is required.
<b>Public transport network</b>		
<b>PO11</b> Where a site includes or adjoins a future public transport corridor or future public transport site identified through a structure planning process, development: <ul style="list-style-type: none"> <li>(a) does not prejudice the future provision of the identified infrastructure;</li> <li>(b) appropriately treats the common boundary with the future corridor; and</li> <li>(c) provides opportunities to integrate with the adjoining corridor where it will include an element which will attract pedestrian</li> </ul>	<b>AO11</b> No acceptable outcome is provided.	<b>Not applicable</b> The site does not include or adjoin a current or future public transport corridor.

Performance outcomes	Acceptable outcomes	Applicant response
movement.		
<b>Residential subdivision</b>		
<p><b>PO12</b> Residential lots are:</p> <ul style="list-style-type: none"> <li>(a) provided in a variety of sizes to accommodate housing choice and diversity; and</li> <li>(b) located to increase variety and avoid large areas of similar lot sizes</li> </ul>	<p><b>AO12</b> No acceptable outcome is provided.</p>	<p><b>Not applicable</b> The proposal would not create residential lots.</p>
<b>Rural residential zone</b>		
<p><b>PO13</b> New lots are only created in the Rural residential zone where land is located within the 4,000m2 precinct, the 1 hectare precinct or the 2 hectare precinct.</p>	<p><b>AO13</b> No acceptable outcome is provided.</p>	<p><b>Not applicable</b> The site is in the Rural Zone</p>
<b>Additional provision for greenfield development only</b>		
<p><b>PO14</b> The subdivision design provides the new community with a local identity by responding to:</p> <ul style="list-style-type: none"> <li>(a) site context</li> <li>(b) site characteristics</li> <li>(c) setting</li> </ul>	<p><b>AO14</b> No acceptable outcome is provided.</p>	<p><b>Not applicable</b> The proposed does not involve greenfield development.</p>

Performance outcomes	Acceptable outcomes	Applicant response
(d) landmarks (e) natural features; and (f) views.		
<p><b>PO15</b></p> <p>The road network is designed to provide a high level of connectivity, permeability and circulation for local vehicles, public transport, pedestrians and cyclists.</p>	<p><b>AO15</b></p> <p>No acceptable outcome is provided.</p>	<p><b>Not applicable</b></p> <p>The proposed does not involve greenfield development.</p>
<p><b>PO16</b></p> <p>The road network is designed to:</p> <p>(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> <p>Note—Figure B provides further guidance in relation to the desired outcome.</p>	<p><b>AO16</b></p> <p>No acceptable outcome is provided.</p>	<p><b>Not applicable</b></p> <p>The proposed does not involve greenfield development.</p>
<p><b>PO17</b></p> <p>Reconfiguring a lot provides safe and convenient access to the existing or future public transport network.</p>	<p><b>AO17</b></p> <p>The subdivision locates 90% of lots within 400 metres walking distance of a future public transport route.</p>	<p><b>Not applicable</b></p> <p>The proposed does not involve greenfield development.</p>
<p><b>PO18</b></p> <p>The staging of the lot reconfiguration prioritises delivery of link roads to facilitate efficient bus routes.</p>	<p><b>AO18</b></p> <p>No acceptable outcome is provided.</p>	<p><b>Not applicable</b></p> <p>The proposed does not involve greenfield development.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO19</b></p> <p>Provision is made for sufficient open space to:</p> <ul style="list-style-type: none"> <li>(a) meet the needs of the occupiers of the lots and to ensure that the environmental and scenic values of the area are protected;</li> <li>(b) retain riparian corridors, significant vegetation and habitat areas and provides linkages between those areas; and</li> <li>(c) meet regional, district and neighbourhood open space requirements.</li> </ul>	<p><b>AO19.1</b></p> <p>A minimum of 10% of the site area is dedicated as open space</p> <hr/> <p><b>AO19.2</b></p> <p>A maximum of 30% of the proposed open space can consist of land identified as significant vegetation or riparian corridor buffer.</p>	<p><b>Not applicable</b></p> <p>The proposed does not involve greenfield development.</p> <hr/> <p><b>Not applicable</b></p> <p>The proposed does not involve greenfield development.</p>
<p><b>PO20</b></p> <p>A network of parks and community land is provided:</p> <ul style="list-style-type: none"> <li>(a) to support a full range of recreational and sporting activities;</li> <li>(b) to ensure adequate pedestrian, cycle and vehicle access;</li> <li>(c) which is supported by appropriate infrastructure and embellishments;</li> <li>(d) to facilitate links between public open spaces;</li> <li>(e) which is co-located with other existing or proposed community infrastructure;</li> <li>(f) which is consistent with the preferred open space network; and</li> <li>(g) which includes a diversity of settings;</li> </ul>	<p><b>AO20</b></p> <p>No acceptable outcome is provided.</p>	<p><b>Not applicable</b></p> <p>The proposed does not involve greenfield development.</p>

## 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, firefighting 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.

### Criteria for assessment

**Table 9.4.5.3 – Works, services and infrastructure code – For acceptable development subject to requirements and assessable development.**

Performance outcomes	Acceptable outcomes	Applicant response
<b>For accepted development subject to requirements and assessable development.</b>		

Performance outcomes	Acceptable outcomes	Applicant response
<b>Water supply</b>		
<p><b>PO1</b></p> <p>Each lot has an adequate volume and supply of water that:</p> <ul style="list-style-type: none"> <li>(a) meets the needs of users;</li> <li>(b) is adequate for fire-fighting purposes;</li> <li>(c) ensures the health, safety and convenience of the community; and</li> <li>(d) minimises adverse impacts on the receiving environment.</li> </ul>	<p><b>AO1.1</b></p> <p>Development is connected to a reticulated water supply system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located:</p> <ul style="list-style-type: none"> <li>(a) in the Conservation zone, Rural zone or Rural residential zone; and</li> <li>(b) outside a reticulated water supply service area</li> </ul>	<p><b>Not applicable</b></p> <p>The site is outside of a reticulated water supply service area.</p>
	<p><b>AO1.2</b></p> <p>Development, where located outside a reticulated water supply service area and in the Conservation zone, Rural zone or Rural residential zone is provided with:</p> <ul style="list-style-type: none"> <li>(a) a bore or bores are provided in accordance with the Design Guidelines set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; or</li> <li>(b) on-site water storage tank/s:                             <ul style="list-style-type: none"> <li>(i). with a minimum capacity of 90,000L;</li> <li>(ii). fitted with a 50mm ball valve with a camlock fitting; and</li> <li>(iii). which are installed and connected prior to the occupation or use of the development.</li> </ul> </li> </ul>	<p><b>Not applicable</b></p> <p>Not applicable to reconfiguring a lot for rural purposes. Bores and water supply tanks are able to be provided at the building application stage, if required.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<b>Waste disposal</b>		
<p><b>PO2</b></p> <p>Each lot provides for the treatment and disposal of effluent and other waste water that:</p> <ul style="list-style-type: none"> <li>(a) meets the needs of users;</li> <li>(b) is adequate for fire-fighting purposes;</li> <li>(c) ensures the health, safety and convenience of the community; and</li> <li>(d) minimises adverse impacts on the receiving environment.</li> </ul>	<p><b>AO2.1</b></p> <p>Development is connected to a reticulated sewerage system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located:</p> <ul style="list-style-type: none"> <li>(a) in the Conservation zone, Rural zone or Rural residential zone; and</li> <li>(b) outside a reticulated sewerage service area.</li> </ul>	<p><b>Not applicable</b></p> <p>The site is outside of a reticulated sewerage area.</p>
	<p><b>AO2.2</b></p> <p>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"> <li>(a) in the Conservation zone, Rural zone or Rural residential zone; and</li> <li>(b) outside a reticulated sewerage service area.</li> </ul>	<p><b>Not applicable</b></p> <p>Reconfiguring a lot does not create effluent and an effluent disposal system is able to be provided prior to any dwelling house being constructed.</p>
<b>Stormwater infrastructure</b>		
<p><b>PO3</b></p> <p>Stormwater infrastructure is designed and constructed to collect and convey the design storm event to a lawful point of discharge in a manner</p>	<p><b>AO3.1</b></p> <p>Where located within a Priority infrastructure area or where stormwater infrastructure is available, development is connected to Council's stormwater network in accordance with the Design Guidelines and</p>	<p><b>Not applicable</b></p> <p>No utility mains are required to be altered to facilitate the development.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>that mitigates impacts on life and property.</p>	<p>Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	
	<p><b>AO3.2</b>                      On-site drainage systems are constructed:                      (a) to convey stormwater from the premises to a lawful point of discharge; and                      (b) in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	<p><b>Not applicable</b>                      Not applicable to rural subdivision where the natural drainage would not be affected.</p>
<p><b>Electricity supply</b></p>		
<p><b>PO4</b>                      Each lot is provided with an adequate supply of electricity</p>	<p><b>AO4</b>                      The premises:                      (a) is connected to the electricity supply network; or                      (b) has arranged a connection to the transmission grid; or                      (c) where not connected to the network, an independent energy system with sufficient capacity to service the development (at near average energy demands associated with the use) may be provided as an alternative to reticulated electricity where:                      (i). it is approved by the relevant regulatory authority; and                      (ii). it can be demonstrated that no air or noise</p>	<p><b>Able to comply with AO4</b>                      An electricity connection is able to be provided if necessary.</p>



Performance outcomes	Acceptable outcomes	Applicant response
	emissions; and  (iii). it can be demonstrated that no adverse impact on visual amenity will occur.	
<b>Telecommunications infrastructure</b>		
<b>PO5</b> Each lot is provided with an adequate supply of telecommunication infrastructure.	<b>AO5</b> Development is provided with a connection to the national broadband network or telecommunication services.	<b>Able to comply with AO5</b> An NBN connection is able to be provided if necessary.
<b>Existing public utility services</b>		
<b>PO6</b> Development and associated works do not affect the efficient functioning of public utility mains, services or installations.	<b>AO6</b> 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.	<b>Able to comply with AO6</b> If required any public utilities or services would be repaired in accordance with the requirements of the FNQROC Regional Development Manual.
<b>Excavation or filling</b>		
<b>PO7</b> Excavation or filling must not have an adverse impact on the:  (a) streetscape;	<b>AO7.1</b> Excavation or filling does not occur within 1.5 metres of any site boundary.	<b>Not applicable</b> No excavation or filling is proposed.
	<b>AO7.2</b>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
(b) scenic amenity; (c) environmental values; (d) slope stability; (e) accessibility; or (f) privacy of adjoining premises.	Excavation or filling at any point on a lot is to be no greater than 1.5 metres above or below natural ground level.	No excavation or filling is proposed.
	<p><b>A07.3</b></p> Earthworks batters: (a) are no greater than 1.5 metres in height; (b) are stepped with a minimum width 2 metre berm; (c) do not exceed a maximum of two batters and two berms (not greater than 3.6 metres in total height) on any one lot; (d) have a slope no greater than 1 in 4; and (e) are retained.	<p><b>Not applicable</b></p> No excavation or filling is proposed.
	<p><b>A07.4</b></p> Soil used for filling or spoil from excavation is not stockpiled in locations that can be viewed from: (a) adjoining premises; or (b) a road frontage, for a period exceeding 1 month from the commencement of the filling or excavation.	<p><b>Not applicable</b></p> No excavation or filling is proposed.
	<p><b>A07.5</b></p> 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><b>Not applicable</b></p> No excavation or filling is proposed.

Performance outcomes	Acceptable outcomes	Applicant response
	<p><b>A07.6</b> 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><b>Not applicable</b> No excavation or filling is proposed.</p>
	<p><b>A07.7</b> 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>	<p><b>Not applicable</b> No excavation or filling is proposed.</p>
<b>For assessable development</b>		
<b>Transport network</b>		
<p><b>PO8</b> The development has access to a transport network of adequate standard to provide for the safe and efficient movement of vehicles, pedestrians and cyclists.</p>	<p><b>A08.1</b> Vehicle access, crossovers, road geometry, pavement, utilities and landscaping to the frontage/s of the site are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.</p>	<p><b>Able to comply with A08.1</b> The existing site access is able to be upgraded to satisfy the FNQROC Manual requirements, if required.</p>
	<p><b>A08.2</b></p>	<p><b>Not applicable</b></p>

Performance outcomes	Acceptable outcomes	Applicant response
	Development provides footpath pavement treatments in accordance with Planning Scheme Policy 9 – Footpath Paving.	Footpaths are not required in a rural environment.
<b>Public infrastructure</b>		
<p><b>PO9</b></p> <p>The design, construction and provision of any infrastructure that is to be dedicated to Council is cost effective over its life cycle and incorporates provisions to minimise adverse impacts.</p>	<p><b>AO9</b></p> <p>Development is in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.</p>	<p><b>Not applicable</b></p> <p>No public infrastructure is required or proposed.</p>
<b>Stormwater quality</b>		
<p><b>PO10</b></p> <p>Development has a non-worsening effect on the site and surrounding land and is designed to:</p> <ul style="list-style-type: none"> <li>(a) optimise the interception, retention and removal of waterborne pollutants, prior to the discharge to receiving waters;</li> <li>(b) protect the environmental values of waterbodies affected by the development, including upstream, onsite and downstream waterbodies;</li> <li>(c) achieve specified water quality objectives;</li> <li>(d) minimise flooding;</li> <li>(e) maximise the use of natural channel design</li> </ul>	<p><b>AO10.1</b></p> <p>The following reporting is prepared for all Material change of use or Reconfiguring a lot proposals:</p> <ul style="list-style-type: none"> <li>(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</li> <li>(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"> <li>(i). drainage control;</li> </ul> </li> </ul>	<p><b>Not applicable</b></p> <p>Not considered applicable to reconfiguring a lot where not earthworks or construction is proposed.</p>

Performance outcomes	Acceptable outcomes	Applicant response
<p>principles;</p> <p>(f) maximise community benefit; and</p> <p>(g) minimise risk to public safety.</p>	<p>(ii). erosion control;</p> <p>(iii). sediment control; and</p> <p>(iv). water quality outcomes.</p>	
	<p><b>AO10.2</b></p> <p>For development on land greater than 2,500m<sup>2</sup> 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> <p>(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;</p> <p>(b) is consistent with any local area stormwater water management planning;</p> <p>(c) accounts for development type, construction phase, local climatic conditions and design objectives; and</p> <p>(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>	<p><b>Not applicable</b></p> <p>Not considered applicable to reconfiguring a lot where not earthworks or construction is proposed.</p>
<p><b>PO11</b></p> <p>Storage areas for stormwater detention and retention:</p>	<p><b>AO11</b></p> <p>No acceptable outcome is provided.</p>	<p><b>Not applicable</b></p> <p>Not considered applicable to reconfiguring a lot where not earthworks or construction is</p>

Performance outcomes	Acceptable outcomes	Applicant response
(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.		proposed and no changes would be undertaken to the natural drainage pattern.
<b>Excavation or filling</b>		
<b>PO12</b> Traffic generated by filling or excavation does not impact on the amenity of the surrounding area.	<b>AO12.1</b> Haul routes used for transportation of fill to or from the site only use major roads and avoid residential areas.	<b>Not applicable</b> No excavation or filling is proposed.
	<b>AO12.2</b> Transportation of fill to or from the site does not occur: (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.	<b>Not applicable</b> No excavation or filling is proposed.
<b>PO13</b> Air pollutants, dust and sediment particles from excavation or filling, do not cause significant environmental harm or nuisance impacts.	<b>AO13.1</b> Dust emissions do not extend beyond the boundary of the site.	<b>Not applicable</b> The reconfiguring of a lot would not result in dust emissions.
	<b>AO13.2</b>	<b>Not applicable</b>

Performance outcomes	Acceptable outcomes	Applicant response
	No other air pollutants, including odours, are detectable at the boundary of the site.	The reconfiguring of a lot would not result in dust emissions.
	<p><b>AO13.3</b></p> <p>A management plan for control of dust and air pollutants is prepared and implemented.</p>	<p><b>Not applicable</b></p> <p>The reconfiguring of a lot would not result in dust emissions.</p>
<p><b>PO14</b></p> <p>Access to the premises (including driveways and paths) does not have an adverse impact on:</p> <p>(a) safety;</p> <p>(b) drainage;</p> <p>(c) visual amenity; and</p> <p>(d) privacy of adjoining premises.</p>	<p><b>AO14</b></p> <p>Access to the premises (including all works associated with the access):</p> <p>(a) must follow as close as possible to the existing contours;</p> <p>(b) be contained within the premises and not the road reserve, and</p> <p>(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.</p>	<p><b>Complies with AO14</b></p> <p>Access would be via the existing access from Mulligan Highway.</p>
<b>Weed and pest management</b>		
<p><b>PO15</b></p> <p>Development prevents the spread of weeds, seeds or other pests into clean areas or away from infested areas.</p>	<p><b>AO15</b></p> <p>No acceptable outcome is provided.</p>	<p><b>Not applicable</b></p> <p>The site is not known to contain pest species.</p>
<b>Contaminated land</b>		

Performance outcomes	Acceptable outcomes	Applicant response
<p><b>PO16</b></p> <p>Development is located and designed to ensure that users and nearby sensitive land uses are not exposed to unacceptable levels of contaminants</p>	<p><b>AO16</b></p> <p>Development is located where:</p> <p>(a) soils are not contaminated by pollutants which represent a health or safety risk to users; or</p> <p>(b) contaminated soils are remediated prior to plan sealing, operational works permit, or issuing of building works permit.</p>	<p><b>Complies with AO16</b></p> <p>The site has not been identified as contaminated land.</p>
<p><b>Fire services in developments accessed by common private title</b></p>		
<p><b>PO17</b></p> <p>Fire hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.</p>	<p><b>AO17.1</b></p> <p>Fire hydrants are located in accessways or private roads held in common private title at a maximum spacing of:</p> <p>(a) 120 metres for residential development; and</p> <p>(b) 90 metres for any other development</p>	<p><b>Not applicable</b></p> <p>No common private title is proposed.</p>
	<p><b>AO17.2</b></p> <p>Fire hydrants are located at all intersections of accessways or private roads held in common private title.</p>	<p><b>Not applicable</b></p> <p>No common private title is proposed.</p>



# 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) <i>(individual or company full name)</i>	MGA Investments Pty Ltd
Contact name <i>(only applicable for companies)</i>	c/- RPS AAP Consulting Pty Ltd, Patrick Clifton
Postal address <i>(P.O. Box or street address)</i>	PO Box 1949
Suburb	Cairns
State	Queensland
Postcode	4870
Country	Australia
Contact number	(07) 4031 1336
Email address <i>(non-mandatory)</i>	<a href="mailto:patrick.clifton@rpsgroup.com.au">patrick.clifton@rpsgroup.com.au</a>
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	AU007724

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
		3609	Mulligan Highway	Mt Molloy
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4871	1	SP223151	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

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

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

- Coordinates of premises by longitude and latitude

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

- Coordinates of premises by easting and northing

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

#### 3.3) Additional premises

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

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

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

Name of water body, watercourse or aquifer:

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

Lot on plan description of strategic port land:

Name of port authority for the lot:

- In a tidal area

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

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

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

Name of airport:

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

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

Yes – All easement locations, types and dimensions are included in plans submitted with this development application

No

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

<b>6.1) Provide details about the first development aspect</b>
a) What is the type of development? <i>(tick only one box)</i>
<input type="checkbox"/> Material change of use <input checked="" type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input checked="" type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>
Reconfiguring a Lot (1 into 3 lots)
e) Relevant plans <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see <a href="#">DA Forms guide: Relevant plans</a>.</i>
<input checked="" type="checkbox"/> Relevant plans of the proposed development are attached to the development application
<b>6.2) Provide details about the second development aspect</b>
a) What is the type of development? <i>(tick only one box)</i>
<input type="checkbox"/> Material change of use <input type="checkbox"/> Reconfiguring a lot <input type="checkbox"/> Operational work <input type="checkbox"/> Building work
b) What is the approval type? <i>(tick only one box)</i>
<input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval <input type="checkbox"/> Preliminary approval that includes a variation approval
c) What is the level of assessment?
<input type="checkbox"/> Code assessment <input type="checkbox"/> Impact assessment <i>(requires public notification)</i>
d) Provide a brief description of the proposal <i>(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):</i>
e) Relevant plans <i>Note: Relevant plans are required to be submitted for all aspects of this development application. For further information, see <a href="#">DA Forms Guide: Relevant plans</a>.</i>
<input type="checkbox"/> Relevant plans of the proposed development are attached to the development application
<b>6.3) Additional aspects of development</b>
<input type="checkbox"/> Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application
<input checked="" type="checkbox"/> Not required

## Section 2 – Further development details

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

### Division 1 – Material change of use

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

8.1) Describe the proposed material change of use			
Provide a general description of the proposed use	Provide the planning scheme definition <i>(include each definition in a new row)</i>	Number of dwelling units <i>(if applicable)</i>	Gross floor area (m <sup>2</sup> ) <i>(if applicable)</i>
			-

8.2) Does the proposed use involve the use of existing buildings on the premises?	
<input type="checkbox"/> Yes	
<input type="checkbox"/> No	

### Division 2 – Reconfiguring a lot

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

9.1) What is the total number of existing lots making up the premises?	
1	

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

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
				Rural
Number of lots created				3

10.2) Will the subdivision be staged?	
<input type="checkbox"/> Yes – provide additional details below	
<input checked="" type="checkbox"/> No	
How many stages will the works include?	
What stage(s) will this development application apply to?	

**11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?**

Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

**12) Boundary realignment**

**12.1) What are the current and proposed areas for each lot comprising the premises?**

Current lot		Proposed lot	
Lot on plan description	Area (m <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )

**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
Proposed	10	230	Access	Proposed Lot 103
Existing	75	530	Electricity	Ergon/Powerlink
Existing	60	4,000	Electricity	Ergon/Powerlink

**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"/> Stormwater	<input type="checkbox"/> Water infrastructure
<input type="checkbox"/> Drainage work	<input type="checkbox"/> Earthworks	<input type="checkbox"/> Sewage infrastructure
<input type="checkbox"/> Landscaping	<input type="checkbox"/> Signage	<input type="checkbox"/> Clearing vegetation
<input type="checkbox"/> Other – please specify: _____		

**14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)**

Yes – specify number of new lots: \_\_\_\_\_

No

**14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)**

\$ \_\_\_\_\_

**PART 4 – ASSESSMENT MANAGER DETAILS**

**15) Identify the assessment manager(s) who will be assessing this development application**

Mareeba Shire Council

**16) Has the local government agreed to apply a superseded planning scheme for this development application?**

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

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

No

## PART 5 – REFERRAL DETAILS

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

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

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

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

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

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

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

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

<b>18) Has any referral agency provided a referral response for this development application?</b>		
<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

<b>19) Information request under Part 3 of the DA Rules</b>
<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
<b>Note:</b> <i>By not agreeing to accept an information request I, the applicant, acknowledge:</i> <ul style="list-style-type: none"> <li>• <i>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</i></li> <li>• <i>Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.</i></li> </ul> <i>Further advice about information requests is contained in the <a href="#">DA Forms Guide</a>.</i>

## PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)			
<input type="checkbox"/> Yes – provide details below or include details in a schedule to this development application <input checked="" type="checkbox"/> 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)		
<input type="checkbox"/> Yes – a copy of the receipted QLeave form is attached to this development application <input type="checkbox"/> 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 <input checked="" type="checkbox"/> 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?
<input type="checkbox"/> Yes – show cause or enforcement notice is attached <input checked="" type="checkbox"/> No

23) Further legislative requirements			
<b>Environmentally relevant activities</b>			
23.1) Is this development application also taken to be an application for an environmental authority for an <b>Environmentally Relevant Activity (ERA)</b> under section 115 of the <i>Environmental Protection Act 1994</i> ?			
<input type="checkbox"/> 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 <input checked="" type="checkbox"/> No <i>Note: Application for an environmental authority can be found by searching "ESR/2015/1791" as a search term at <a href="http://www.qld.gov.au">www.qld.gov.au</a>. An ERA requires an environmental authority to operate. See <a href="http://www.business.qld.gov.au">www.business.qld.gov.au</a> for further information.</i>			
Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			
<input type="checkbox"/> Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.			
<b>Hazardous chemical facilities</b>			
23.2) Is this development application for a <b>hazardous chemical facility</b> ?			
<input type="checkbox"/> Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application <input checked="" type="checkbox"/> No <i>Note: See <a href="http://www.business.qld.gov.au">www.business.qld.gov.au</a> for further information about hazardous chemical notifications.</i>			



### **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](http://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](http://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](http://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](http://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](http://www.dnrme.qld.gov.au) and [www.business.qld.gov.au](http://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](http://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](http://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](http://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](http://www.des.qld.gov.au) for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
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### **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](http://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	<input checked="" type="checkbox"/> Yes
<b>Note:</b> See the <i>Planning Regulation 2017</i> for referral requirements	
If building work is associated with the proposed development, Parts 4 to 6 of <a href="#">DA Form 2 – Building work details</a> have been completed and attached to this development application	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Not applicable
Supporting information addressing any applicable assessment benchmarks is with the development application	<input checked="" type="checkbox"/> Yes
<b>Note:</b> 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 <a href="#">DA Forms Guide: Planning Report Template</a> .	
Relevant plans of the development are attached to this development application	<input checked="" type="checkbox"/> Yes
<b>Note:</b> Relevant plans are required to be submitted for all aspects of this development application. For further information, see <a href="#">DA Forms Guide: Relevant plans</a> .	
The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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**

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Date received:  Reference number(s):

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

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